CONGRESSIONAL RECORD:

33287

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTIETH CONGRESS, FIRST SESSION.

VOLUME XIX.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1888.

VOLUME XIX, PART IV.

CONGRESSIONAL RECORD,

FIFTIETH CONGRESS, FIRST SESSION.

in Congress; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

PRESIDENTIAL TERM.

Mr. McCOMAS introduced a joint resolution (H. Res. 149) proposing an amendment to the Constitution of the United States; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. STEELE until Monday next, on account of important business.

BRIDGE ACROSS STATEN ISLAND SOUND.

Mr. HATCH. Regular order.

The SPEAKER. This being Monday——

Mr. CRISP. Mr. Speaker, when the House adjourned a month ago there was pending under this call a bill called up by myself from the Committee on Commerce——

The SPEAKER. The Chair was about to state the order of business. This being the third Monday in the month the order of business is the call of committees for motions to suspend the rules. The Committee on Commerce has pending before the House a motion to suspend the rules and pass a bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 5929) to extend the time for the completion of a bridge across Staten Island Sound.

The SPEAKER. A second was demanded upon the motion to suspend the rules and pass the bill; tellers were appointed, and a vote was taken, on which no quorum appeared, whereupon the House adjourned.

Mr. CRISP. I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. PHELPS. I have no objection to a second being considered as ordered, but desire to occupy the time allowed under the rules in opposition to the motion.

There being no further objection, a second was considered as ordered.

The SPEAKER. Under the rule thirty minutes are allowed for debate, fifteen in support of and fifteen in opposition to the motion. The Chair will recognize the gentleman from New Jersey [Mr. PHELPS] to control the time in opposition to the motion, and the gentleman from Georgia [Mr. CRISP] in favor of it.

The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That the further time of one year from and after the 16th day of June, 1888, be, and the same is hereby, allowed to the Staten Island Rapid Transit Railroad Company and the Baltimore and New York Railroad Company, or either of them, to build the bridge across the Staten Island Sound or Arthur Kill, from New Jersey to Richmond County, New York, pursuant to the provisions of the act entitled "An act to authorize the construction of a bridge across the Staten Island Sound," known as Arthur Kill, and to establish the same as a post-road, passed the 16th day of June, 1886.

Mr. CRISP. Mr. Speaker, I only desire to say that the bill authorizing the construction of this bridge, which was passed during the last Congress, provided that the structure should be finished—completed—within two years after the passage of the act. Certain interests which were opposed to the passage of the act went before the War Department and objected to the approval of the plans submitted by the company proposing to build the bridge, the result of which was that six months, or perhaps more, of the two years within which the bridge should be completed was used up in obtaining the approval of the plans by the Secretary.

The House perhaps understands the object of the construction of this bridge. It is to increase the facilities for getting into the city of New York. It is to allow the railroad company to cross the Arthur Kill and go on Staten Island, and from there to run a line of boats to the Battery, at the foot of New York City, so that the road—the Baltimore and Ohio road—may thereby reach the city of New York. That is one of the purposes of the bill. The other is that there may be established large coaling stations along Staten Island, where they can find storage-room, and in that way facilitate the getting of coal into the city of New York.

I reserve the remainder of the time allowed in support of the motion until I hear the objection which may be urged to the bill.

The SPEAKER. The gentleman has occupied three minutes of his time.

Mr. PHELPS. Mr. Speaker, the power to build this bridge, as prescribed in the bill, ought never to have been granted. I think it would never have been granted except for two impressions, which seized and occupied the minds of Senators and Members so that they turned a deaf ear to everything that was said by the opponents of the bill.

One impression was, and a natural one, that the bridge was opposed by the Pennsylvania road; that this road started, aided, and encouraged the opposition, that it might thwart a scheme of the Baltimore and Ohio road, which was then one of its great rivals.

The other impression, which made the ear of Congress deaf to all objections, was the fact that all statements about the Arthur Kill, the amount of its shipping and the harm that would be done that shipping by the bridge, were so extravagant, so startling, so incredible, that Senators and Members not only refused to listen to them, but to anything else we might say.

Time has fortunately developed evidence which destroys one impression, and which weakens, if it does not destroy, the other.

During the year which has elapsed since the Forty-ninth Congress passed the bill the management of the Baltimore and Ohio road has been changed. The influence of the Pennsylvania road aided in making the change. The two great roads are now worked in such harmony that it argues, and perhaps proves, that the interests of the two roads are one. However that may be, no one now disputes, what at the time of the passage of the bill I claimed, but could get no credit for, that the Pennsylvania road has now no objection to this bridge if only it can be built after a plan which shall do no unnecessary harm to the interests of New Jersey and the neighborhood.

The Pennsylvania road has now not even a motive of opposition. The Baltimore and Ohio road is no longer its great rival, and time and the knowledge that comes with it has also removed the other impression that closed the Congressional ear against us. Wonderful as is the story of the Arthur Kill, of its shipping, and of the harm that might be done to shipping by a bridge of wrong construction that should span it, so familiar are most of the members now with the story, that I doubt if any one will venture to contradict any one of the statements I shall now make about it.

Why, Mr. Speaker, only one pier of the bridge—the pivot pier—has been constructed; and the interference and the harm already done by it to the commerce of New York, which passes through this channel, is so great, so notorious, that the noise of complaint entered and startled the drowsy ear of the Senate Chamber, where, I believe, this bill originated. The Committee on Commerce heard it, and, spurred by conscience, of their own motion sent a committee to view with their own eyes the havoc worked by their inconsiderate legislation.

This was only last week. They were accompanied by some members of the House committee. These gentlemen are now back. The Senate committee are now in conference, maturing the measure which they shall report as a remedy. And I say here, Mr. Speaker, that I am willing to promise, and I assume here the right to promise for all who oppose this bill, if the Senate committee report adversely to us—report that the bridge as now constructing is not harmful to navigation, or is not more harmful to navigation than it ought to be, having in view the benefits to general transportation to be derived from its construction, we will submit. New Jersey, and all who are interested in the vessels which carry the vast tonnage of this channel, will submit to the majesty of Congressional decision, and will bear their loss without a murmur.

I said the tonnage of this channel was wonderful in amount. I challenge now the attention of the House and say that it is the most important water way in the world. There is no water way that carries each year the freight that finds its way through the narrow banks of the Arthur Kill. I know it is startling almost to absurdity, but it is the truth. In New Jersey, with quaint name and narrow fame, the Arthur Kill carries on its bosom each year more produce and merchandise, more tons of value, than the Bosphorus, the Thames, the Mersey, or the Hudson. Gentlemen from New York speak with pride of the imperial commerce that enters and leaves their harbor at Sandy Hook. Why, Mr. Speaker, the foreign commerce that enters and clears at the port of New York in one year is but 11,000,000 of tons. The annual tonnage of the Arthur Kill is 18,000,000.

And this is the water way which the Senate of the Forty-ninth Congress imperiled by legislation; which the House, under a motion to suspend the rules, without one word of discussion or debate, confirmed. And now that the Senate of this Congress, frightened at its work, pauses and seeks to examine and correct it, it seems to me unwise, unfair, and audacious for the chairman of the Committee on Commerce of this House to ask us to act now. Is it not wiser and fairer—have I not a right to ask the members of this body if it is not more like statesmanship to leave matters as they are, pending the decision of the Senate committee, and not to complicate matters by disturbing the present situation?

Work under their inconsiderate action has already been begun. A single pier stands there working its harm, and working its harm with such transparent certainty that even a committee of the Senate, of its own accord, overcomes its laziness, leaves its business, goes to New York and now waits only to decide what shall be the remedy. Am I asking too much of this House when I ask them to wait for their report? I reserve the remainder of my time.

Mr. HENDERSON, of Iowa. May I ask the gentleman from New Jersey a question before he resumes his seat?

Mr. PHELPS. Yes.

Mr. HENDERSON, of Iowa. Is this a House bill or is it a Senate bill?

Mr. PHELPS. I think the original bill was a Senate bill.

Mr. HENDERSON, of Iowa. I ask the gentleman from Georgia [Mr. CRISP].

Mr. CRISP. It is a House bill.

Mr. HENDERSON, of Iowa. If it is a House bill the Senate will

get the benefit of their investigation when the bill comes before them, and will have the whole matter in their hands.

Mr. PHELPS. But why should their decision and their minds be influenced by a peremptory action of this House? It indicates to them that there was no serious opposition here and that this body which represents the people was ready even without discussion to pass the bill and take the consequences.

Mr. HENDERSON, of Iowa. It seems to me that we are acting logically in pursuance of action formerly taken.

Mr. PHELPS. The action taken before was taken without debate or consultation. Under a motion to suspend the rules, without one word of debate, the bill was passed.

Mr. HENDERSON, of Iowa. Very well. That action was taken and work was begun under it. Now, why should we stop at this point?

Mr. PHELPS. Because the work begun under that former action has been prosecuted to a point where, the public think, and, as the action of the Senate committee shows, the Senate suspects, the bridge in its present form will seriously injure navigation. And in that connection (as I wish to get out the facts) I would say that most of this tonnage is carried through the narrow limits of Arthur Kill by tow-boats. Since the construction of this bridge was begun the owners of those tow-boats have had to raise the price of towing from 5 cents to 7 cents per ton. This adds that much to the cost of every ton of coal, grain, or other merchandise transported through it. There could be no greater proof of the value of one argument which was urged against the construction of this bridge when it was first proposed. We all said the bridge could not be so constructed as not seriously to interfere with the kind of craft which would have to pass under the bridge, as not to increase the cost and thereby to diminish the value of the Arthur Kill traffic.

[Here the hammer fell.]

Mr. CRISP. Mr. Speaker, in view of the statements of my distinguished friend from New Jersey [Mr. PHELPS] perhaps I had better say a few words to call the attention of the House to the exact status of the case. This is not a bill to authorize the construction of a bridge across the Arthur Kill. At the first session of the Forty-ninth Congress a bill was passed authorizing the construction of that bridge. I do not now recall exactly what took place in the House at the time of the passage of the bill, and doubtless my friend from New Jersey is correct in his statement of it. I do, however, recall the fact that very ample opportunity was given and was taken advantage of by the friends and by the opponents of that measure to appear before the committee having it in charge. It was very warmly contested before the committee, and I think I may say without revealing any secrets that distinguished counsel appeared on both sides and there was a joint hearing upon the subject by the House and the Senate committees.

It appeared then, as we understood it, that the only objection to the construction of the bridge came from New Jersey. Engineers who investigated the subject were all of the opinion that the bridge proposed would not materially interfere with the commerce of the river, and that the necessities of the situation were such that it ought to be built. As stated by one of them, the object to be gained by the construction of the bridge was "to give rapid transit around the island to points on the New Jersey shore, to increase the facilities for reaching New York, and to provide means for reaching coal wharves to be built for the coal-carrying trade in deep water on the east side of the island."

And, Mr. Speaker, whatever may be the situation to-day, at that time there was a rivalry between the Pennsylvania Railroad and the Baltimore and Ohio, and this bridge was to be a link which would enable the Baltimore and Ohio to get practically into New York City with its trains. The Legislature of New Jersey objected, as I remember, to the construction of this bridge. The Legislature of New York, on the other hand, memorialized Congress for the construction of the bridge, and upon a thorough investigation it appeared to the committee, and their view was afterwards adopted by the House and the Senate, that the interests, the great interests, of New York and of the people of the country desiring easy communication with that city, required the construction of this bridge. Either the gentleman from New Jersey [Mr. PHELPS] is very much in error as to the commerce of Arthur Kill or the reports that I have before me are very erroneous. The statement is made in these reports that the commerce of that river is approximately 2,000,000 tons; but I understood the gentleman from New Jersey to say that it was about 18,000,000 tons.

Mr. PHELPS. Let me interrupt the gentleman and remind him that Major Gillespie, in his report of 1884, said that, taking in those harbors which he had in mind and mentioned, and which were tributary to Arthur Kill, their aggregate tonnage was 13,000,000 tons. He further said that he did not include the tonnage of Elizabethport, which alone was 3,500,000 tons. Now, 13,000,000 tons and 3,500,000 tons would make 16,500,000 tons.

Mr. CRISP. The gentleman will pardon me. I was reading from the report of Major Gillespie, which I have before me. Now, Mr. Speaker, Congress at the last session determined that it was necessary to build this bridge, and I want to call the attention of the House for a moment to the necessity for the pending legislation.

After the act was passed authorizing the construction of this bridge, the Staten Island Bridge Company—or whatever company proposed to build it, for I really do not remember the name now—went before the Secretary of War to get their plans approved, as gentlemen know has to be done under our bridge bills in order to obtain the right to construct a bridge. When they went before the Secretary of War for approval of their plans they were again met by the very same opposition which they had encountered before the House and Senate committees. Objection was made to the plans proposed, and the result was that some six months or perhaps more of the time within which the bridge was required to be completed was consumed by the Secretary of War in considering the question whether or no he would approve the plans.

Finally he approved the plans—plans which he says will not materially interfere with the navigation of this river; and this company now comes and simply asks at the hands of Congress not a reopening of the case, but an extension of the time in which they were required to finish the bridge; that is all.

Bear in mind the time was short at any rate. As a general rule Congress allows three years, sometimes five years, for the building of a great structure like this; but in this case it was provided that the bridge must be finished within two years. When these same objectors have consumed six or eight months of those two years in opposing the approval of the plan, it seems to me only right and just that the time should be now extended, if the House believes, as I think it does, that its former action in granting the right was correct.

Mr. HENDERSON, of Iowa. Did not those who are opposing this bridge also consume time by temporary injunctions and other proceedings in court?

Mr. CRISP. I am not fully informed about that; but generally I may say that, according to my information, they have resorted to any measures that could aid in delaying and obstructing the building of this bridge. I suppose my friend from New Jersey will agree that this is true.

Mr. PHELPS. Will the gentleman yield for a question?

Mr. CRISP. Cheerfully.

Mr. PHELPS. Is it not true that the six months spent by the Secretary of War in examining these plans would not be characterized by the gentleman from Georgia as "frittered away," except for the purposes of his argument? Is it not true that the engineering difficulties were so great that the Secretary of War took all this time, consulting in every conceivable direction, in order that he might obtain a plan which would not interfere with navigation, and therefore ought not the gentleman from Georgia to admit that the time was not "frittered away," but was properly used in order to obtain, if possible, an engineering triumph over the difficulties which presented themselves?

Mr. CRISP. I will ask——

Mr. PHELPS. I trust the gentleman will allow me one other question, because, I doubt not, he wants to bring out the truth in this matter. Is it not true that after six months were spent by the Secretary of War in getting a plan which might be feasible, and which would not endanger navigation, he discovered, or rather the Board of Engineers discovered, that he had so far failed that the Chief of Engineers himself came to the Secretary of War and asked that a committee of engineers be allowed to go to the location and make further examination in order to reach a determination of the question?

Mr. CRISP. I assume, Mr. Speaker, for the purposes of this argument, that the time was not, to use the language of my friend, "frittered away."

Mr. PHELPS. That is not my language. [Laughter.]

Mr. CRISP. I assume the time was not so used; but even if it were shown that this time was unavoidably consumed in procuring the approval of a proper plan for the construction of the bridge, surely it will not be insisted that this time should be taken out of the two years in which the company was authorized to finish the bridge. Why, Mr. Speaker, suppose it had become necessary to use the whole two years in securing the approval of the plan, could it be said in equity and justice that the company should forfeit all right under the charter when the charter itself contemplated that they shall have two years after the approval of the plan in which to finish the construction of the bridge?

Mr. Speaker, nowhere, either on the floor of this House, in the committee-room, or elsewhere, have I heard any objection to this bridge except from New Jersey.

Mr. BUCHANAN. The water is located there.

Mr. CRISP. "The water is located there!" But I have yet to learn that because a stream of water passes through a particular State that State alone is interested in preserving and protecting the navigation of the stream. The stream here in question is used for interstate commerce. New York is more interested in protecting the navigation of that stream than is New Jersey. By that stream the great coal supply goes into that city. Its unobstructed navigation means cheap coal to that great city; and yet so clear is it that the proposed bridge will not materially obstruct the navigation of the Kill that the Legislature of that State has time and again—I would not undertake to say how often, but I think more than once—requested that Congress authorize the construction of this bridge.

Mr. Speaker, that is the whole case. My friend from New Jersey [Mr. PHELPS] says that the Pennsylvania Railroad Company and the Baltimore and Ohio Railroad Company are now in harmony, acting under one head, and that there is no longer any necessity for the bridge. I insist, Mr. Speaker, that there are other weighty reasons for the construction of the bridge; and whatever "harmony" may now exist, I would like to put the Baltimore and Ohio Railroad Company in such a position that whenever this "harmony" of which the gentleman speaks may cease there will be competing lines which will enable the people to get to the great metropolis of the country.

[Here the hammer fell.]

Mr. PHELPS. I ask unanimous consent that the time of the gentleman from Georgia be extended one minute, in order that I may ask him a question.

The SPEAKER *pro tempore*. Is there objection?

There was no objection.

Mr. PHELPS. I want to ask the gentleman from Georgia what harm it would do for him to withdraw his motion upon my statement of the fact that if the Senate committee find that this bridge will not be an obstruction to navigation we shall be willing to withdraw all opposition?

Mr. CRISP. Mr. Speaker, the complete reply to that suggestion is that in the orderly course of business this bill has come up here. If the Senate committee should decide that the bridge ought not to be built, they certainly will not agree to this bill extending the time in which it may be built.

[Here the hammer fell.]

The SPEAKER. The question is on the motion of the gentleman from Georgia, Mr. CRISP, to suspend the rules and pass the bill. [After a pause.] The ayes seem to have it.

Mr. KEAN. I demand a division.

The House divided; and there were—ayes 116, noes 31.

So, more than two-thirds having voted in the affirmative, the rules were suspended, and the bill was passed.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled an act (H. R. 9381) to facilitate the prosecution of works projected for the improvement of rivers and harbors; when the Speaker signed the same.

APPROVAL OF BILLS.

A message, in writing, was received from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries.

The message further announced approval of bills and joint resolution of the following titles:

An act (H. R. 2056) for the relief of Joel J. Goss;

An act (H. R. 3441) declaratory of the meaning of the act entitled "An act for the relief of Maria Syphax;"

An act (H. R. 481) for the releif of Stephen M. Honeycutt;

An act (H. R. 3613) for the relief of Joseph Casson;

An act (H. R. 6562) for the relief of W. W. Screws;

An act (H. R. 3758) for the relief of the legal heirs of Fidus Livermore, deceased;

An act (H. R. 4472) for a public building at Helena, Ark.;

An act (H. R. 8908) to amend an act entitled "An act to provide for holding terms of United States courts at Vicksburg, Miss.;

Joint resolution (H. Res. 140) appropriating $25,000 for the international exhibition in Barcelona, Spain;

An act (H. R. 76) for the relief of L. A. Morris;

An act (H. R. 85) granting a pension to Mary Jane Case;

An act (H. R. 369) granting a pension to Mrs. Esther B. Hayford;

An act (H. R. 628) granting a pension to Juliette Stone;

An act (H. R. 771) granting a pension to A. B. Van Cleve;

An act (H. R. 863) granting a pension to Malinda Vest;

An act (H. R. 5874) for the relief of the heirs of the late Francis I. Wheeler;

An act (H. R. 2514) granting a pension to J. Miller Raub;

An act (H. R. 2517) granting a pension to Isaiah T. Johnson;

An act (H. R. 2617) granting a pension to Mary Bailey;

An act (H. R. 3850) granting a pension to Moses F. Jackson;

An act (H. R. 5766) granting a pension to Miss Capitola V. Harsh, daughter of Daniel Harsh;

An act (H. R. 6789) granting a pension to Mary S. Wells;

An act (H. R. 7237) granting a pension to Clarissa Harvey;

An act (H. R. 806) for the relief of Mary Morford;

An act (H. R. 4626) for the relief of Mary B. Kirby;

An act (H. R. 4835) for the relief of Edward Flynn;

An act (H. R. 6071) for the relief of Mary Penfield;

An act (H. R. 115) to increase the pension of Thomas F. Townsend;

An act (H. R. 2218) to increase pension of James A. Buck;

An act (H. R. 443) granting an increase of pension to Albert G. Fifield;

An act (H. R. 5499) granting an increase of pension to Frederick Augustin; and

An act (H. R. 3898) granting increase of pension to James H. Reeve.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BLANCHARD. Mr. Speaker, I am directed by the Committee on Rivers and Harbors to move to suspend the rules and discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and further, to pass the bill.

Mr. ANDERSON, of Kansas. I insist on a second of the motion to suspend the rules.

The SPEAKER. The bill will be read.

Mr. TIMOTHY J. CAMPBELL. I object to the motion of the gentleman from Louisiana.

The SPEAKER. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works hereinafter named:

Improving harbor at Rockland, Me.: Continuing improvement, $30,000.

Improving breakwater at the mouth of Saco River, Maine: Continuing improvements and repairs, $12,500.

Improving harbor at York, Me.: Continuing improvement, $10,000.

Improving harbor at Portland, Me.: Continuing improvement, $25,000.

Improving harbor at Camden, Me., $5,000.

Improving harbor at Back Cove, Me.: Continuing improvement, $15,000.

Improving harbor at Rockport, Me., $10,000.

Improving harbor at Portsmouth, N. H.: Continuing improvement, $15,000.

Improving harbor of refuge at Little Harbor, New Hampshire: Continuing improvement on the enlarged plan, $10,000.

Improving harbor at Burlington, Vt.: Continuing improvement, $25,000.

Improving harbor at Gordon's Landing, Lake Champlain, Vermont: Continuing improvement, $10,000.

Improving harbor at Boston, Mass.: Continuing improvements, $125,000; one-half of which shall be used in widening the main ship-channel at the "upper and lower middle."

Improving harbor at Lynn, Mass.: Continuing improvement, $10,000; a part of which may, in the discretion of the engineer, be used at the Point of Pines and in the western channel leading thereto.

Improving harbor at Nantucket, Mass.: Continuing improvement, $20,000.

Improving harbor at Newburyport, Mass.: Continuing improvement, $25,000.

Improving harbor at Plymouth, Mass.: Continuing improvement, $6,000; a part of which may, in the discretion of the engineer in charge, be applied to the improvement in said harbor of Goose Point Channel to the port of Kingston and North Plymouth.

Improving harbor at Provincetown, Mass.: To complete, $7,000.

Improving harbor at Scituate, Mass.: Continuing improvement, $5,000.

Improving harbor at Gloucester, Mass.: Dredging Harbor Cove and removing ledge and bowlders obstructing the approach to the wharves between Harbor Cove and Pew Wharf, $10,000.

Improving harbor at Wareham, Mass.: Continuing improvement, $4,000.

Improving harbor at New Bedford, Mass., $10,000.

Improving harbor at Hingham, Mass.: Continuing improvement, $5,000.

Improving harbor at Winthrop, Mass.: For dredging, $1,000.

Improving harbor at Hyannis, Mass.: Continuing improvement, $10,000.

Improving harbor at Vineyard Haven, Mass.: For protection of Chops at the mouth of the harbor, $25,000.

Improving harbor at Wellfleet, Mass., $7,000.

Improving national harbor of refuge at Sandy Bay, Cape Ann, Massachusetts: Continuing improvement, $100,000.

Improving harbor at Manchester, Mass., $2,500.

Improving harbor at Block Island, R. I.: Continuing improvement, $10,000; of which sum $6,000 are for inner harbor and $4,000 for breakwater.

Improving harbor at Newport, R. I.: Continuing improvement, $12,000.

Improving harbor at Bridgeport, Conn.: Continuing improvement, $10,000.

Improving harbor at Black Rock, Conn.: Continuing improvement, $10,000.

Improving breakwater at New Haven, Conn.: Continuing improvement, $75,000; and the Chief of Engineers may, if deemed necessary, relocate the western breakwater.

Improving harbor at New Haven, Conn.: Continuing improvement, $15,000.

Improving harbor at Norwalk, Conn.: Continuing improvement, $3,000.

Improving harbor at Stonington, Conn., $8,000.

Improving harbor at Stamford, Conn.: Continuing improvement, $5,000.

Improving harbor at Five Mile River, Connecticut, $5,000.

Improving harbor at Buffalo, N. Y.: Continuing improvement, $200,000.

Improving Buttermilk Channel, New York: Continuing improvement, $30,000.

Improving harbor at Sheepshead Bay, New York: Continuing improvement, $5,000.

Improving breakwater at Rouse's Point, N. Y.: Continuing improvement, $13,500.

Improving harbor at Canarsie Bay, New York: Continuing improvement, $10,000.

Improving harbor at Charlotte, N. Y.: Continuing improvement and repairs, $25,000.

Improving harbor at Dunkirk, N. Y.: Continuing improvement, $15,000.

Improving harbor at Flushing Bay, New York: Continuing improvement, $15,000.

Improving channel at Gowanus Bay, New York: Continuing improvement, $10,000.

Improving harbor at Great Sodus Bay, New York: Continuing improvement, $24,000.

Improving harbor at Little Sodus Bay, New York: Continuing improvement, $16,000.

Improving harbor at Greenport, N. Y.: Continuing improvement, $5,000.

Improving harbor at Oak Orchard, N. Y.: Continuing improvement and repairs, $5,000.

Improving harbor at Ogdensburgh, N. Y.: Continuing improvement, $15,000.

Improving harbor at Olcott, N. Y.: Continuing improvement, $5,000.

Improving harbor at Oswego, N. Y.: Continuing improvement and repairs, $100,000, of which $15,000 shall be used in removing the east breakwater at the mouth of the river.

Improving harbor at Plattsburgh, N. Y.: Continuing improvement, $5,000.

Improving harbor at Rondout, N. Y.: Continuing improvement, $5,000.

Improving harbor at Sackett's, N. Y.: Continuing improvement, $2,000.

Improving Tonawanda Harbor and Niagara River, New York, as per report of engineer in charge, dated December 29, 1887, $100,000.

Improving New York Harbor, New York: Continuing improvement, $380,000.

Improving harbor at Saugerties, N. Y.: Continuing improvement, $12,000.

Improving harbor at Wilson, N. Y.: Continuing improvement, $5,000.

Improving harbor at Port Chester, N. Y.: Continuing improvement, $5,000.
Improving harbor at Glen Cove, N. Y., $20,000.
Improving harbor at New Rochelle, N. Y.: Continuing improvement, the balance remaining on hand from former appropriations to be expended in pursuance of the project adopted in 1871.
Improving channel between Staten Island and the New Jersey shore, New York and New Jersey: Continuing improvement, $15,000.
Improving harbor at Raritan Bay, New Jersey: Continuing improvement, $20,000.
Improving harbor at Erie, Pa.: Continuing improvement, $23,000.
For the preservation and protection of the peninsula of Presque Isle, Erie Harbor, Pennsylvania, as recommended by the Chief of Engineers January 13, 1885, and in accordance with such plans as the Secretary of War may prescribe, $60,000.
Improving ice-harbor at Marcus Hook, Pa.: Continuing improvement, $15,000.
Improving Delaware breakwater, Delaware: Continuing improvement, $100,000.
Improving ice-harbor at New Castle, Del.: Continuing improvement, $7,500.
Improving harbor at Wilmington, Del.: Continuing improvement, $30,000.
Improving harbor at Baltimore, Md.: Continuing improvement, $250,000.
Improving harbor at Breton Bay, Maryland: Continuing improvement, $3,000.
Improving harbor at Cambridge, Md., $5,000.
Improving harbor at Norfolk and its approaches, Va.: Continuing improvement, $50,000.
Improving approach to Norfolk Harbor and the United States navy-yard at Norfolk, Va.: Continuing improvement between Lambert's Point and Fort Norfolk, $10,000; and the balance of $108,000 of former appropriations made under this head and available July 1, 1887, is hereby authorized to be expended according to the modified plan of the engineer in charge.
Improving harbor at Beaufort, N. C.: Continuing improvement, $35,000.
Improving the inland water way between Beaufort and New River, North Carolina: Continuing improvement, $5,000.
Improving the inland water way between New Berne and Beaufort, N. C.: Continuing improvement, $15,000.
Improving harbor at Charleston, including Sullivan's Island, South Carolina: Continuing improvements, $350,000.
Improving harbor at Georgetown, S. C.: Continuing improvement, $7,500.
Improving Winyaw Bay, South Carolina: Continuing improvement, $100,000.
Improving harbor at Brunswick, Ga.: Continuing improvement, $35,000.
Improving Cumberland Sound, Georgia and Florida: Continuing improvement, $112,500.
Improving harbor at Savannah, Ga.: Continuing improvement, $90,000.
Improving harbor at Apalachicola Bay, Florida: Continuing improvement, $20,000.
Improving harbor at Cedar Keys, Fla.: Continuing improvement, $7,500.
Improving harbor at Pensacola, Fla.: Continuing improvement, $35,000; of which $5,000, or so much thereof as may be necessary, shall be used in completing the survey of the outer and inner bars in this harbor.
Improving harbor at Tampa Bay, Florida: Continuing improvement, $20,000.
Improving entrance to harbor at Key West, Fa., $25,000.
Improving harbor at Mobile, Ala.: Continuing improvement on enlarged project for securing a channel 23 feet deep and 280 feet wide, $250,000.
Improving harbor at Biloxi Bay, Mississippi: Continuing improvement, $18,500.
Improving Aransas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, $100,000.
Improving Brazos Santiago Harbor, Texas: Continuing improvement, $25,000.
Improvement of entrance to Galveston Harbor, Texas: Continuing improvement, $500,000.
Improving Sabine Pass and Blue Buck Bar, Texas: Continuing improvement, $250,000.
Improving ship-channel in Galveston Bay, Texas, from Morgan's Cut to Bolivar Channel: Continuing improvement, $100,000.
Improving harbor at Ashtabula, Ohio: Continuing improvement, $30,000.
Improving harbor at mouth of Black River, Ohio: Continuing improvement, $10,000.
Improving harbor at Cleveland, Ohio: Continuing improvement on the last plan projected, $75,000.
Improving harbor at Fairport, Ohio: Continuing improvement, $10,000; of which so much as may be necessary may be expended in deepening the river.
Improving harbor at Huron, Ohio: Continuing improvement, $6,000.
Improving harbor at Vermillion, Ohio: For preservation of piers, $1,000.
For ice-harbor at the mouth of the Muskingum River, Ohio: To complete, $60,000.
Improving harbor at Port Clinton, Ohio: Continuing improvement, $5,000.
Improving harbor at Sandusky, Ohio: Continuing improvement by a straight channel from Sandusky City to the entrance of Sandusky Bay, pursuant to the last plan of the engineers, $40,000; of which $5,000, or so much as may be necessary, may be used, in the discretion of the engineer in charge, in improving the old channel.
Improving harbor at Toledo, Ohio: Continuing improvement of the Maumee River, by a straight channel, pursuant to the last plan of the engineer in charge, $150,000.
Improving harbor at Toledo, Ohio: For clearing the old channel, $5,000.
Improving outer harbor at Michigan City, Ind.: Continuing improvement, $90,000.
To complete inner harbor at Michigan City, $5,000.
Improving harbor at Calumet, Ill.: To complete improvement, $20,400.
Improving harbor at Chicago, Ill.: Continuing improvement, $200,000.
Improving harbor at Waukegan, Ill.: Continuing improvement, $25,000.
Improving harbor at Charlevoix and entrance to Pine Lake, Michigan, $12,500.
Improving harbor at Cheboygan, Mich.: Continuing improvement, $15,000.
Improving harbor at Frankfort, Mich.: Continuing improvement, $8,000.
Improving harbor at Grand Haven, Mich.: Continuing improvement, $25,000.
Improving harbor of refuge at Grand Marais, Mich.: Continuing improvement, $30,000.
Improving harbor of refuge at Ludington, Mich.: Continuing improvement, $60,000; and the Secretary of War is hereby authorized and directed to accept the deed of the Pere Marquette Lumber Company, of Ludington, Mich., of 3.31 acres of land.
Improving harbor at Manistee, Mich.: Continuing improvement, $10,000.
Improving harbor at Black Lake, Mich.: Continuing improvement, $5,000.
Improving harbor at Monroe, Mich.: For repairs and dredging at mouth of river, $5,000.
Improving harbor at Muskegon, Mich.: Continuing improvement, $45,000.
Improving harbor at Ontonagon, Mich.: Continuing improvement, $12,500.
Improving harbor at Pentwater, Mich.: Continuing improvement, $8,000.
Improving harbor of refuge at Portage Lake, Mich.: Continuing improvement, $10,000.
Improving harbor of refuge at Sand Beach, Mich.: Continuing improvement, $70,000.
Improving harbor at St. Joseph, Mich.: Continuing improvement, $10,000; three thousand to be used in improving the water channel leading up to Benton Harbor.
Improving harbor of Saugatuck, Mich.: To repair and maintain, $5,000.
Improving harbor at South Haven, Mich.: Continuing improvement, $10,000; $3,000 of which shall be used in deepening the channel of Black River from the inner termini of the piers to the highway bridge.
Improving harbor at White Haven, Mich.: Continuing improvement, $10,000.
Improving harbor at Marquette, Mich.: Continuing improvement, $25,000: *Provided*, That no part of this appropriation shall be expended until the question of harbor limits has been settled to the satisfaction of the Secretary of War.
Improving harbor at Thunder Bay, Michigan: Continuing improvement, the balance available from former appropriations shall be expended in dredging the entrance channel from the bay into the river.
Improving harbor at Au Sable, Mich.: Continuing improvement, the balance available from former appropriations shall be expended in dredging the mouth of Au Sable River.
Improving harbor at Ahnapee, Wis.: Continuing improvement, $5,000; and so much of the act of August 5, 1886, for the improvement of rivers and harbors as relates to the harbor of Ahnapee is hereby amended by striking out the words "but no part of said sum is to be expended until the wharfage over the Government pier at that port shall be made free."
Improving harbor at Green Bay, Wis.: Continuing improvement, $10,000.
Improving harbor at Kenosha, Wis.: Continuing improvement, $7,500.
Improving harbor at Kewaunee, Wis.: Continuing improvement, $10,000.
Improving harbor at Manitowoc, Wis.: Continuing improvement, $8,000.
Improving harbor at Menomonee, Wis.: Continuing improvement, $9,000.
Improving harbor of refuge at Milwaukee, Wis.: Continuing improvement on bay and harbor, $70,000.
Improving harbor at Milwaukee, Wis.: Continuing improvement, $10,000.
Improving harbor at Oconto, Wis.: Continuing improvement, $2,000.
Improving harbor at Port Washington, Wis.: Continuing improvement, $5,000.
Improving harbor at Racine, Wis.: Continuing improvement, $10,000.
Improving harbor at Superior Bay and St. Louis Bay, Wisconsin: Continuing improvement, $50,000.
Improving harbor at Sheboygan, Wis.: Continuing improvement, $15,000.
Improving harbor at Ashland, Wis.: Continuing improvement on the enlarged project, $60,000.
Improving harbor at Two Rivers, Wis.: Continuing improvement, $2,500.
Improving harbor at Duluth, Minn.: Continuing improvement, $80,000; of which sum one-half shall be expended on the harbor basin and new channel east of Rice's Point, and in the preservation and maintenance of the canal and piers at the harbor entrance, and in the purchase of a steam launch; and the other half of said sum shall be expended on the channel west of Rice's Point, and from thence along the northern shore of St. Louis Bay to Grassy Point; and the Government of the United States hereby accepts from the city of Duluth the grant and conveyance made by said city, by deed dated January 9, 1888, of the following described real estate, to wit: All the tract or parcel of land lying and being in the county of St. Louis and State of Minnesota, described as follows, to wit: Lots 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, and 260, Minnesota avenue, Upper Duluth, the same being the ground on which is located the canal entrance and piers to the harbor of Duluth.
Improving harbor at Grand Marias, Minn.: Continuing improvement, $15,000.
Improving harbor at Agate Bay, Minn.: Continuing improvement, $15,000.
Improving harbor and bay at Humboldt, Cal.: Continuing improvement, $150,000: *Provided*, That no part of said sum shall be expended until the twelve acres of land necessary to said improvement shall have been conveyed to the United States, free of expense, and such conveyance has been approved by the Secretary of War, after the Attorney-General of the United States shall have certified to the Secretary of War that the title is perfect.
Improving harbor at Oakland, Cal.: Continuing improvement, $175,000.
Improving harbor at Red Wood, Cal.: To complete, $7,400.
Improving harbor at Wilmington, Cal.: Continuing improvement, $90,000.
Improving harbor at San Diego, Cal.: For repairs, $1,000.
Improving harbor at San Luis Obispo, Cal., by the construction of a breakwater on the reef to the plane of mean low water, according to the plan of W. H. Benyaurd, major of engineers, dated January 28, 1887, $25,000.
Improving entrance to harbor at Coos Bay, Oregon: Continuing improvement, $50,000.
Improving harbor at Yaquina Bay, Oregon: Continuing improvement, $120,000.
Improving Lubec Channel, Maine: Continuing improvement, $10,000.
Improving Penobscot River, Maine: Continuing improvement, $10,000.
Improving Narraguagus River, Maine: To complete, $10,000.
Improving Saco River, Maine: Continuing improvement, $10,000.
Improving Bagaduce River, Maine, $3,000.
Improving Kennebec River, Maine, $20,000.
Improving Cocheco River, New Hampshire: To complete, $9,000.
Improving Otter Creek, Vermont: Continuing improvement, $2,500.
Improving Ipswich River, Massachusetts, $2,500.
Improving Powow River, Massachusetts, for dredging, $3,000: *Provided*, That this sum shall not be expended until the towns of Amesbury and Salisbury, or either of them, shall have caused a draw to be placed in the present bridge over said river.
Improving Pawtucket River, Rhode Island: Continuing improvement, $25,000.
Improving Providence River and Narragansett Bay, Rhode Island: Continuing improvement, $40,000.
For removing Green Jacket Shoal, Providence River, Rhode Island: Continuing improvement, $20,000.
Improving Pawcatuck River, Rhode Island: Continuing improvement, $3,000.
Improving Connecticut River below Hartford, Conn.: Continuing improvement, $10,000.
Improving Housatonic River, Connecticut, $10,000.
Improving Thames River, Connecticut: Continuing improvement, $25,000.
Improving East Chester Creek, New York: Continuing improvement, $5,000.
Improving Hudson River, New York: Continuing improvement, $75,000; of which $10,000 may be used in dredging and otherwise deepening and improving the harbor of Peekskill.
Improving Newtown Creek and Bay, New York: Continuing improvement, $25,000, a portion of which may, in the discretion of the Secretary of War, be applied to the improvement of the west branch of Newtown Creek.
Improving Ticonderoga River, New York: Continuing improvement, $2,500.
Improving Harlem River, New York, $150,000.
Improving East River and Hell Gate, New York: Removing obstructions, $250,000.
Improving Narrows at Lake Champlain, New York, from Benson, Vt., to canal locks at Whitehall, N. Y., $15,000.
Improving Grass River at Massena, N. Y.: The Secretary of War is authorized and directed to expend the balance remaining on hand of the sum heretofore appropriated in dredging operations according to the original plan.
Improving Maurice River, New Jersey: Continuing improvement, $8,000.
Improving Passaic River, New Jersey: Continuing improvement $30,000; of which $2,000 are to be used above Newark.

Improving Raritan River, New Jersey: Continuing improvement, $45,000.
Improving Shrewsbury River, New Jersey: Continuing improvement, $10,000.
Improving South River, New Jersey: Continuing improvement, $5,000.
Improving Allegheny River, Pennsylvania: Continuing improvement, $25,000.
Improving Schuylkill River, Pennsylvania: Continuing improvement, $25,000.
Improving Delaware River, Pennsylvania and New Jersey: Continuing improvement from Trenton to its mouth, $250,000; of which $10,000 is to be expended upon said river and its tidal tributaries between Cooper's Creek and Trenton.
For continuation of construction of the dam at Herr's Island, in the Allegheny River, near Pittsburgh, Pa., $35,000; and the Secretary of War is hereby authorized to purchase the lands required for said dam and its appurtenances, or, at his discretion, to cause suit to be instituted for the condemnation of such lands as may be necessary therefor; and said sum of $35,000, or so much thereof as may be necessary, is hereby made available for paying for said lands, whether procured by purchase or by condemnation, as authorized by the act of the Legislature of Pennsylvania approved May 18, 1887.
Improving St. Jones River, Delaware: Continuing improvement, $15,000.
Improving Duck Creek, Delaware, by dredging, $10,000.
Improving Choptank River, Maryland: Continuing improvement, $7,500.
Improving Corsica River, Maryland: Continuing improvement, $10,000.
Improving Susquehanna River, Maryland and Pennsylvania: Continuing improvement, $10,000.
Improving Fairlee Creek or Inlet, Maryland, $5,000.
Improving Patuxent River, Maryland, $5,000.
Improving Appomattox River, Virginia: Continuing improvement, $15,000; and the Chief of Engineers is directed to cause to be examined and surveyed, and the cost estimated, for diverting the water of the river above the harbor at Petersburgh to the old North Channel, and report upon the same.
Improving Chickahominy River, Virginia: Continuing improvement, $2,500.
Improving James River, Virginia: Continuing improvement below Richmond, $225,000.
Improving Mattaponi River, Virginia: Continuing improvement, $3,000.
Improving channel at Mount Vernon: Continuing improvement, $6,000.
Improving Nomini Creek, Virginia: Continuing improvement, $5,000.
Improving Pamunky River, Virginia: Continuing improvement, $3,000.
Improving Rappahannock River, Virginia: Continuing improvement, $15,000; of which $3,000 may, in the discretion of the engineer in charge, be used in continuing the improvement of Urbana Creek, a tidal tributary thereof.
Improving Staunton River, Virginia: Continuing improvement, $5,000.
Improving York River, Virginia: Continuing improvement, $30,000.
Improving, by dredging and otherwise, the inland water way, from Chincoteague Bay, Virginia, to Delaware Bay, at or near Lewes, Delaware, to be used from Chincoteague Bay to Indian River Bay: Continuing improvement, $50,000.
Improving Nansemond River, Virginia, including the mouths of Bennett and Chuckatuck Creeks, $10,000.
Improving Big Sandy River, West Virginia and Kentucky: Continuing improvement, $31,500.
Improving Elk River, West Virginia: Continuing improvement, $1,500.
Improving Buckhannon River, West Virginia: Continuing improvement, $1,500.
Improving Great Kanawha River, West Virginia: Continuing improvement, $300,000.
Improving Guyandotte River, West Virginia: Continuing improvement, $2,000.
Improving Little Kanawha River, West Virginia: Continuing improvement, $25,000; but no toll shall be collected by any person or corporation for this improved navigation; and such right, if any exist, shall be relinquished in a manner satisfactory to the Secretary of War before the expenditure of any of the money herein appropriated for this work.
Improving Monongahela River, West Virginia: to complete dam No. 8, $35,000; and for continuing improvements:
The Secretary of War be, and is hereby, authorized and directed to negotiate for and purchase, at a cost not to exceed $161,733.13, lock and dam No. 7, otherwise known as "the Upper Lock and Dam," and its appurtenances, of the Monongahela Navigation Company, a corporation organized under the laws of Pennsylvania, which lock and dam No. 7 and its appurtenances constitute a part of the improvements in water communication in the Monongahela River, between Pittsburgh, in the State of Pennsylvania, and a point at or near Morgantown, in the State of West Virginia. And the sum of $161,733.13, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for consummating said purchase, the same to be paid on the warrant of the Secretary of War, upon full and absolute conveyance to the United States of the said lock and dam No. 7, and its appurtenances, of the said Monongahela Navigation Company.
In the event of the inability of the Secretary of War to make voluntary purchase of said lock and dam No. 7 and its appurtenances for said sum of $161,733.13, or a less sum, then the Secretary of War is hereby authorized and directed to institute and carry to completion proceedings for the condemnation of said lock and dam No. 7 and its appurtenances, said condemnation proceedings to be as prescribed and regulated by the provisions of the general railroad law of Pennsylvania, approved February 19, 1849, and its supplements, except that the United States shall not be required to give any bond, and except that jurisdiction of said proceedings is hereby given to the circuit court of the United States for the western district of Pennsylvania, with right of appeal by either party to the Supreme Court of the United States: *Provided*, That in estimating the sum to be paid by the United States, the franchise of said corporation to collect tolls shall not be considered or estimated; and the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to pay the necessary costs of said condemnation proceedings; and upon final judgment being entered therein the Secretary of War is hereby authorized and directed to draw his warrant on the Treasury for the amount of said judgment and costs, and said amount for the payment thereof is hereby appropriated out of any moneys in the Treasury not otherwise appropriated. And when said lock and dam No. 7 and its appurtenances shall have been acquired by the United States, whether by purchase or condemnation, the Secretary of War shall take charge thereof, and the same shall thereafter be subject to the provisions of section 4 of an act entitled "An act making appropriations for the construction, repair, and preservation for certain public work on rivers and harbors, and for other purposes," approved July 5, 1884.
Improving Gauley River, West Virginia: For cleaning out channel, $3,000.
Improving New River, West Virginia: Continuing improvment from mouth of Wilson Creek to mouth of Greenbrier River, balance now available from former appropriation for improving New River, Virginia, is hereby directed to be spent in improving the above reach of river.
Improving Cape Fear River, North Carolina, above Wilmington: Continuing improvement, $12,000.
Improving Cape Fear River below Wilmington, North Carolina, $100,000.
Improving Contentnia Creek, North Carolina: Continuing improvement, $5,000.
Improving Currituck Sound, Coanjok Bay, and North River Bar, North Carolina, $7,500.
Improving Neuse River, North Carolina: Continuing improvement, $15,000.
Improving New River, North Carolina: Continuing improvement, $3,000.
Improving Pamlico and Tar Rivers, North Carolina: Continuing improvement, $5,000.
Improving Trent River, North Carolina: Continuing improvement, $5,000.
Improving Roanoke River, North Carolina: Continuing improvement, $5,000.
Improving Edisto River, South Carolina: Continuing improvement, $5,000.
Improving Great Pee Dee River, South Carolina: Continuing improvement, $20,000.
Improving Salkehatchee River, South Carolina: Continuing improvement, $3,000.
Improving Santee River, South Carolina: Continuing improvement, $24,000, of which as much as may be necessary is hereby authorized to be expended in acquiring, by purchase or condemnation, the right of way for cut-offs along said river, pursuant to the plan and recommendation of the engineer in charge.
Improving Waccamaw River, South Carolina: Continuing improvement, $15,000.
Improving Wappoo Cut, South Carolina: Continuing improvement, $2,000.
Improving Wateree River, South Carolina: Continuing improvement, $12,000.
Improving Congaree River, South Carolina: Continuing improvement, $7,500.
Improving Mingo Creek or River, South Carolina, $5,000.
Improving Clark Creek or River, South Carolina, $2,500.
Improving Little Pee Dee River, South Carolina, $5,000.
Improving Altamaha River, Georgia: Continuing improvement, $10,000.
Improving Chattahoochee River, Georgia: Continuing improvement, $20,000.
Improving Coosa River, Georgia: Continuing improvement, $60,000.
Improving Flint River, Georgia: Continuing improvement, $20,000; of which sum $5,000 are to be expended between Albany and Montezuma and $15,000 below Albany.
Improving Ocmulgee River, Georgia: Continuing improvement, $15,000.
Improving Oconee River, Georgia: Continuing improvement, $12,500; a portion of which may be expended on said river between Skull Shoals and the railroad bridge.
Improving the Savannah River, Georgia, between the cities of Augusta and Savannah, completing the present project and commencing the extended project contained in the report of engineer for year ending June 30, 1887, $21,000.
Improving Jekyl Creek, Georgia, $5,000.
Improving Apalachicola River, Florida: To maintain, $2,000.
Improving Caloosahatchie River, Florida: Continuing improvement, $4,000.
Improving Choctawhatchie River, Florida: Continuing improvement, $10,000.
Improving Escambia and Conecuh Rivers, Florida: Continuing improvement, $10,000.
Improving La Grange Bayou, Florida: To complete, $1,000.
Improving Manatee River, Florida: Continuing improvement, $5,000.
Improving channel over the bar at the mouth of St. John's River, Florida: Continuing improvement, $150,000.
Improving Suwanee River, Florida: Continuing improvement, $15,000; of which $10,000 is to be expended in the purchase or construction of a suitable steam snag-boat, with dredging and pile driving machinery, to be used on the rivers of the west coast of Florida.
Improving Volusia Bar, Florida: To maintain, $500.
Improving Withlacoochee River, Florida: Continuing improvement, $5,000.
Improving Alabama River, Alabama: Continuing improvement, $20,000.
Improving Black Warrior River, Alabama, from Tuscaloosa to Daniel's Creek: Continuing improvement, $100,000.
Improving Tallapoosa River, Alabama: Continuing improvement, $7,500.
Improving Warrior River, below Tuscaloosa, Alabama: Continuing improvement, $18,000.
Improving Tombigbee River, Alabama, from Walker's Bridge to Fulton, $4,000.
Improving Tombigbee River, Alabama, from Fulton to Vienna: Continuing improvement, $6,500.
Improving Tombigbee River, Alabama, below Vienna: Continuing improvement, $6,000.
Improving Big Sunflower River, Mississippi: Continuing improvement, $5,000; of which $2,000 to be expended between Woodburn and Lehrton.
Improving Noxubee River, Mississippi: Continuing improvement, $5,000.
Improving Pascagoula River, Mississippi: Continuing improvement, $27,000, including bar at the mouth and from there to the mills at Moss Point.
Improving Pearl River, Mississippi, between Edinburgh and Carthage: Continuing improvement, $5,000.
Improving Pearl River, Mississippi, between Carthage and Jackson: Continuing improvement, $2,500.
Improving Pearl River, Mississippi, below Jackson, $15,000; of which $5,000 shall be used for dredging at the mouth.
Improving Steele's Bayou, Mississippi, including Washington Bayou: Continuing improvement, $2,500.
Improving Tallahatchie River, Mississippi: Continuing improvement, $5,000.
Improving Tchula Lake, Mississippi: Continuing improvement, $3,000.
Improving Yallabusha River, Mississippi: Continuing improvement, $3,000.
Improving Yazoo River, Mississippi: Continuing improvement, $32,000; of which $10,000 shall be used in repairing snag-boat Meigs, and $7,000 for constructing a pumping dredge-boat.
Improving Cassity Bayou, Mississippi, $2,500.
Improving Amite River, Louisiana: Continuing improvement, $5,000; of which $2,500 may be used in improving Bayou Manchac.
Improving Bœuf River, Louisiana: Continuing improvement and closure of outlets, $6,000.
Improving Bayou Bartholomew, Louisiana and Arkansas: Continuing improvement, $5,000.
Improving Bayou Courtableau, Louisiana: Continuing improvement, $5,000.
Improving Bayou D'Arbonne, Louisiana: Continuing improvement, $2,000.
Improving Bayou Terre Bonne, Louisiana: To complete, $3,000.
Improving Red River, Louisiana: For completion of survey from Fulton, Ark., to the Atchafalaya River, $35,000.
Improving Tensas River and Bayou Macon, Louisiana: Continuing improvement, $5,000.
Improving Red River, Louisiana and Arkansas: Continuing improvement from Fulton, Ark., to Atchafalaya River, including completing the work at Alexandria, $65,000; of which $5,000, or so much thereof as may be necessary, to be used upon Cypress Bayou and the lakes between Shreveport, La., and Jefferson, Tex.; and $5,000, or so much thereof as may be necessary, upon Bayou Dorcheat.
Improving Ouachita and Black River, Louisiana: Continuing improvement, $20,000; of which $4,500 is authorized to be expended for the construction or purchase of a crane-boat with steam power.
Improving Tickfaw River and its navigable tributaries, Louisiana: Continuing improvement, $1,000.
Improving Little River, Louisiana, $2,500.
Improving Bayous Rondeway and Vidal, Louisiana, by removing obstructions, $1,000.
Improving Calcasieu River and Passes, Louisiana: Continuing improvement at the entrance to said river and pass, $10,000.
Improving Bayou Plaquemine, Louisiana: For securing a navigable channel 60 feet wide and 6 feet in depth, from deep water up to the Plaquemine Dike, and for securing the mouth of the bayou from further caving, $100,000, pursuant to plan recommended by the engineers.

Improving Bayou Lafourche, Louisiana, pursuant to the project of Lieut. O. T. Crosby, Corps of Engineers, dated June 11, 1886, $50,000, including immediate dredging to secure low-water navigation.

Improving Buffalo Bayou, Texas: Continuing improvement, $25,000.

Improving Trinity River, Texas: Continuing improvement, $12,500.

Improving Arkansas River, Arkansas: Continuing improvement, $150,000: *Provided*, That the Secretary of War shall expend the appropriation under this head with reference to the final improvement of this river as contemplated in the report of the Chief of Engineers for the year ending July 1, 1885, and as authorized in the bill for the improvement of rivers and harbors approved August 5, 1886, and in House Executive Document No. 90, Forty-ninth Congress, first session; said methods to be applied, as the Secretary of War may direct, at such points between Wichita, Kans., and the navigable mouth of the Arkansas River, at its junction with the Mississippi River, as he may deem for the best interest of commerce. And all moneys now to the credit of different sections of the Arkansas River, other than appropriations for the operating of snag-boats, shall be available for use under this head; and in future the engineer in charge of this work and the Secretary of War shall make report upon the progress and needs of this work under this head, instead of reporting upon disconnected projects, as heretofore. Nothing herein contained shall be understood to prevent the Secretary of War from applying any part or all of the funds previously appropriated for use at Fort Smith, Dardanelle, in Pine Bluff Reach, or from expending not exceeding $4,000 to remove the bar in front of Van Buren, or from allotting not exceeding $8,000 as a contingent fund for the expenditure in Pine Bluff Reach.

Improving St. Francis River, Arkansas: Continuing improvement, $4,000.

Improving Arkansas River, Arkansas: For removing obstructions, $25,000, of which $10,000 is authorized to be used in constructing a new hull for the snag-boat Wichita, including capstans and the transfer of the upper works, and $375 in completing survey and maps.

Improving Red River, Arkansas, above Fulton, $3,000.

Improving Black River, Arkansas and Missouri: Continuing improvements, $5,000.

Improving Little Red River, Arkansas: Continuing improvement, $5,400; a portion of which is authorized to be expended in the purchase or construction of a dredge-boat suitable for the work of the river.

Improving Petit Jean River, Arkansas: Continuing improvement, $2,500.

Improving White River, Arkansas: Continuing improvement, $8,000.

Improving Ouachita River, Arkansas, above Camden, $5,000.

Improving Cache River, Arkansas, $7,000.

Improving Big Hatchee River, Tennessee: Continuing improvement, $5,000.

Improving Caney Fork River, Tennessee: Continuing improvement, $2,500.

Improving Clinch River, Tennessee: Continuing improvement, $5,000.

Improving Cumberland River, Tennessee and Kentucky: Continuing improvement above Nashville, $200,000; with a view to secure a uniform depth in the channel of 4 feet, commencing with the lock at or near the lower island at Nashville.

Improving Cumberland River, Tennessee and Kentucky, below Nashville: Continuing improvement, $10,000.

Improving French Broad River, Tennessee: Continuing improvement, $10,000.

Improving Hiawassee River, Tennessee: Continuing improvement, $1,000.

Improving Forked Deer River, Tennessee: Continuing improvement, $4,500 for the North Fork, below Dyersburgh; $2,500 for South Fork; and $2,500 for main river below.

Improving Tennessee River, above Chattanooga, Tenn.: Continuing improvement, $15,000.

Improving Tennessee River, below Chattanooga, Tenn.: Continuing improvement, $250,000; of which as much as may be necessary is authorized to be expended in acquiring by purchase or condemnation the land needed for the sites of the permanent buildings necessary in the management of the canals at the improved shoals.

Improving South Fork of Cumberland River, Kentucky: Continuing improvement, $5,000.

Improving Kentucky River, Kentucky: Continuing improvement, $180,000.

Improving Licking River, Kentucky, from Farmer's to West Liberty, $3,000.

Improving Tradewater River, Kentucky: Continuing improvement, $3,000.

Improving the Ohio River: Continuing improvement, $380,000; of which sum $25,000, or so much thereof as may be necessary, shall be expended in removing the rock obstruction at the mouth of Licking River; also $7,500 in constructing an ice-pier pursuant to the present or prospective plan of the Chief of Engineers, at or near Portsmouth, Ohio: *Provided*, That the Secretary of War is hereby authorized and directed to obtain, if he can do so without cost to the United States, a perpetual lease or conveyance of the riparian rights of the property owners at said locality, in the event said ice-pier shall be located where there is no landing-place: *And provided further*, That at said locality, if it be an improved landing, he shall at first obtain a relinquishment of wharfage rights and dues in favor of water craft seeking protection from damage by ice; and no part of this appropriation shall be used for such purpose until the foregoing conditions are complied with; and $2,500 of said Ohio River appropriation may be used for improving the channel in the mouth of the Big Hocking River below the first dam therein; and $20,000 of said Ohio River appropriation may be used for harbor improvement at Madison, Ind., according to the plans heretofore submitted by Lieutenant-Colonel Merrill, Corps of Engineers; also out of said Ohio River appropriation the sum of $15,000 may be expended in completing the construction of the embankment on the south side of the Great Miami River near its junction with the Ohio, to confine the waters of the Great Miami in great floods to the general course of its channel at or near the Ohio, to the end that the formation of the bar in the Ohio now obstructing navigation may be arrested; also out of said Ohio River appropriation the sum of $15,000 may be expended in the construction, or aiding in the construction, of such an embankment at Shawneetown, Ill., as will confine the waters of the river in great floods to the general course of its channel, and protect the harbor.

Improving the falls of the Ohio River: Continuing improvement, according to the last plan of the engineer in charge, $150,000, of which sum $25,000 shall be used in enlarging the canal basin near the locks at Louisville, Ky., as recommended in the Engineer's Report of 1885, page 1804.

Improving Indiana Chute Fall, Ohio River: Continuing improvement, $15,000.

Improving Muskingum River, Ohio: For the construction of a lock at Taylorsville and the reconstruction of a lock at Zanesville, pursuant to the report of the engineers, $102,000; and the Secretary of War is hereby authorized and empowered to grant leases or licenses for the use of the water-powers on the Muskingum River at such rate and on such conditions and for such periods of time as may seem to him just, equitable, and expedient: *Provided*, That the leases or licenses shall be limited to the use of the surplus water not required for navigation. And he is also empowered to grant leases or licenses for the occupation of such lands belonging to the United States on said Muskingum River as may be required for mill-sites or for other purposes not inconsistent with the requirements of navigation; and all moneys received under such leases or licenses shall be turned into the Treasury of the United States, and the itemized statement thereof shall accompany the annual report of the Chief of Engineers.

But nothing in this act shall be construed to affect any vested right, if such there be, of any lessee of water power on said river.

Improving Detroit River, Michigan: To complete, $130,500.

Improving Hay Lake Channel, Michigan: Continuing improvement, $500,000: *Provided*, That any portion or all of this sum may, in the discretion of the Secretary of War, be used in the work at the falls of the St. Mary's River, in addition to the specific appropriation herein made for the latter.

Improving Saginaw River, Michigan: Continuing improvement, $65,000; of which $25,000 are to be used above Bay City, and $15,000 in improving the west channel along West Bay City.

Improving St. Clair Flats Ship Canal, Michigan: Continuing improvement, $50,000; a portion of which may, in the discretion of the engineer, be expended in dredging Grosse Pointe Channel.

Improving St. Mary's River, at the Falls, Michigan: Continuing improvement on new lock, dam, and approaches, $1,000,000.

Improving Clinton River, Michigan: Continuing improvement, $10,000; and the Secretary of War be, and is hereby, authorized to accept for the United States a conveyance of the parcel of land known as "Shoemaker's Bend," as per warranty deed from city of Mount Clements to United States, under date of December 29, 1887, amounting to 6¼ acres, for the purpose of straightening the channel of Clinton River.

Improving St. Joseph River, Michigan, from its mouth to Berrien Springs, $2,500.

Improving mouth of Black River, Michigan, $10,000.

Improving Rogue River, Michigan, at its junction with Detroit River, and up the river as far as the bridge of St. Louis and Wabash Railroad, $10,000.

Improving Chippewa River, including Yellow Banks, in said river, Wisconsin: Continuing improvement, $10,000.

Improving Fox River, Wisconsin, below Montello: Continuing improvement, $100,000.

Improving St. Croix River, Wisconsin and Minnesota: Continuing improvement, $7,500.

Improving Red River of the North, Minnesota: Continuing improvement $20,000.

Improving Minnesota River, Minnesota, including protecting and holding the banks opposite the borough of Belle Plaine, so as to prevent the river from cutting through the narrow neck of land at that point, and thereby changing its channel and course, $10,000.

Improving Wabash River, Indiana and Illinois, above Vincennes: Continuing improvement, $5,000.

Improving Wabash River, Indiana and Illinois, below Vincennes: Continuing improvement, including the work at or near Grayville, $60,000.

Improving White River, Indiana: Continuing improvement, $5,000; no part of which is to be expended until the bridges are so changed as not to obstruct navigation.

Improving Calumet River, Illinois and Indiana: Continuing improvement, $50,000; of $15,000 is to be used in improving the river above the forks to one-half mile east of Hammond, and $35,000 for the improvement of the river between its mouth and One hundred and eighth street.

The amount heretofore appropriated for the improvement of said Calumet River from its mouth to its forks, or so much thereof as may be necessary, shall be immediately available for the improvement between its mouth and One hundred and eighth street, anything in the act of July 5, 1884, and August 5, 1886, to the contrary notwithstanding.

Improving Illinois River, Illinois: Continuing improvement, $200,000.

For continuing operations upon the reservoirs at the headwaters of the Mississippi River, $12,000, to be expended in accordance with the recommendation of the Board of Engineers in their report to the Chief of Engineers dated May 24, 1887. And it shall be the duty of the Secretary of War to prescribe such rules and regulations in respect to the use and administration of said reservoirs as in his judgment the public interest and necessity may require; which rules and regulations shall be posted in some conspicuous place or places for the information of the public. And any person knowingly and willfully violating such rules and regulations shall be liable to a fine not exceeding $500, or imprisonment not exceeding six months, the same to be enforced by prosecution in any district court of the United States within whose territorial jurisdiction such offense may have been committed. And the Secretary of War shall cause such gaugings to be made at or near St. Paul during the annual operation of said reservoirs as shall determine accurately the discharge at that point, the cost of same to be paid out of the annual appropriation for gauging the waters of the Mississippi River and its tributaries.

For operating snag-boats and dredge-boats on Upper Mississippi River, $25,000.

Improving the Mississippi River from the mouth of the Minnesota River to the Des Moines Rapids, including work for the protection of the bank of the Mississippi River, at Winona, Minn., on account of the erosion caused by dams erected above the city to improve the navigation of the river, and the examination and survey at the Rock Island Rapids in said river hereinafter mentioned: Continuing improvement, $650,000.

And inasmuch as the present channel of the Mississippi River at the Rock Island Rapids is said to be of insufficient width and depth, and dangerous to the navigation of said river, the Secretary of War is hereby authorized and directed to cause an examination and survey to be made at said rapids, with a view of determining the best and most economical mode of securing a safer channel of greater width and depth, sufficient to meet the necessities of the commerce and navigation of the river, either by the construction of a canal around said rapids on the Illinois side of said river, from the head of the rapids near Rapids City, Ill., on the most direct and feasible route to the main river, at the foot of said rapids, or by widening and deepening the present channel of the river at said rapids. And the Secretary of War shall cause a report of said examination and survey to be made to Congress at its next session, together with plans and estimates of the probable cost for the construction of such canal, or for the widening and deepening of the present navigable channel of the river, and, with such plans and estimates, shall submit his opinion as to the best and most economical plan of improving the river at said rapids in the interest of the commerce and navigation of the river, and for the purpose of such examination and survey so much of the above appropriation of $650,000 as may be necessary is hereby authorized to be expended, not to exceed $15,000.

Improving the Mississippi River at Des Moines Rapids Canal, under the modified project, $35,000; and the Secretary of War is hereby authorized and directed to use so much of the money appropriated in the acts of July 5, 1884, and August 5, 1886, for the construction of a pier at the outer wall of the Des Moines Rapids Canal as may be necessary in the establishment of a floating boom, connecting said wall with the upper draw-rest of the bridge at Keokuk, if in his opinion such work would adequately and advantageously serve the interests of navigation; and the balance left over of said appropriations of 1884 and 1886, if any, to be used in continuing the improvement of the Des Moines Rapids under present project.

Improving Mississippi River from Des Moines Rapids to the mouth of Illinois River, $150,000, including the removal of bars at the mouth of Cedar Creek, in Quincy Bay, dredging in said bay, opening Willow Slough, and removing the bars at the mouth of Whipple Creek and Hamburg Bay, if in the opinion of the Secretary of War the same is deemed advisable in the interest of commerce and navigation.

Improving dry-dock at Des Moines Rapids: To complete, $16,250.

Improving the Mississippi River from the mouth of the Illinois River to the mouth of the Ohio River, including the completion of the work at Alton, and at the discretion of the Secretary of War, the protection of the Illinois shore opposite the mouth of the Missouri River: Continuing improvement, $300,000.

Improving Mississippi River from Head of the Passes to the mouth of the Ohio

River: Continuing improvement, $2,000,000; which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission: *Provided*, That no portion of this appropriation shall be expended to repair or build levees for the purpose of reclaiming lands or preventing injury to lands or private property by overflows: *Provided, however*, That the Commission is authorized to repair and build levees if in their judgment it should be done as part of their plans to afford ease and safety to the navigation and commerce of the river and to deepen the channel. Of the foregoing sum $150,000, or so much thereof as shall be necessary, shall be expended in protecting the bank along the Lake Bolivar front, by revetment.

Improving the Mississippi River above St. Anthony's Falls, $10,000.

For survey of the Mississippi River from the Head of the Passes to its headwaters: Continuing survey, $75,000.

For continuing the removal of snags, wrecks, and other obstructions in the Mississippi River, $100,000.

For work in accordance with the plans and specifications of the Mississippi River Commission:

At Columbus, Ky.: Continuing improvement, $25,000.
At Hickman, Ky.: Continuing improvement, $70,000.
At Greenville, Miss.: Continuing improvement, $75,000.
At Vicksburg, Miss.: Continuing improvement, $150,000.
At New Orleans, La.: Continuing improvement, $200,000.

At the head of Atchafalaya and mouth of Red River, Louisiana, for rectification thereof, by preventing further enlargement of the Atchafalaya and restricting its outlet capacity, and for turning the waters of Red River into the north or upper channel around Turnbull's Island, and for keeping open a navigable channel through the mouth of Red or Old River into the Mississippi, $300,000.

For gauging the waters of the Lower Mississippi River and its tributaries as provided for in joint resolution of 21st of February, 1871, $9,600: *Provided*, That $3,600 of same is authorized to be expended in paying the expenses of gauging the said waters during the fiscal year ending June 30, 1888.

For examinations and surveys at South Pass, mouth of Mississippi River, pursuant to the act of March 3, 1875, $10,000.

Improving Gasconade River, Missouri: Continuing improvement, $5,000.

Improving Little River, Missouri, from Hornersville to its junction with the St. Francis River, $5,000.

Improving Osage River, Missouri: Continuing improvement, $5,000.

Improving St. Francis River, Missouri, from Greenville to the Arkansas State line, $3,500.

Improving Missouri River from the mouth to Sioux City, to be expended under the direction of the Secretary of War in accordance with the plans and estimates of the Missouri River Commission: Continuing improvement, $550,000; and, at the discretion of the commission, so much of said sum as may be deemed necessary in the interest of the navigation of the river may be expended at Atchison and Fort Leavenworth; and the sum of $5,600 may be used between the southern limit of St. Joseph and the head of Lake Contrary, if in the judgment of the commission it be advisable.

Improving Missouri River from Sioux City to Fort Benton, including, at the discretion of the Secretary of War, such work as may be deemed necessary by him in the improvement of the river at Sioux City: Continuing improvement, $75,000.

For removing obstructions in the Missouri River, $44,000.

For examination and survey of Missouri River: Continuing survey, examinations, and observations required in a thorough study of the river, $25,000; and the balance of $15,000 remaining on hand from a previous appropriation for a survey of the Missouri River above the Missouri River Falls, at Fort Benton, is hereby made available for the general survey of the river.

Improving Mokelumne River, California: Removing obstructions, $2,000.

Improving Sacramento and Feather Rivers, California: Continuing improvement, $20,000; to be expended for snagging and dredging operations.

Improving Napa River, California, $7,500.

Improving San Joaquin River, California: Continuing improvement, $25,000; a portion of which may be used, in the discretion of the engineer, in closing Laird's Slough and in making the partial closure of what is called "Paradise Cut."

Improving Petaluma Creek, California: Continuing improvement, $2,000.

Improving canal at the Cascades, Oregon: Continuing improvement, $175,000.

Improving Upper Columbia River, including Snake River, Oregon and Washington Territory: Continuing improvement, $10,000.

Improving the mouth of the Columbia River, Oregon: Continuing improvement, $350,000.

Improving Lower Willamette and Columbia Rivers below Portland, Oregon: Continuing improvement, $80,000.

Improving Willamette River above Portland, Oregon: Continuing improvement, $15,000.

Improving Coquille River, Oregon: Continuing improvement, $22,000; of which $2,000 is authorized to be expended for snagging between Coquille City and Myrtle Point.

Improving Umpqua River, Oregon: To complete, $2,000.

Gauging waters of the Columbia River, Oregon: For fiscal years ending June 30, 1888, and June 30, 1889, $2,500.

Improving Chehalis River, Washington Territory: Continuing improvement, $2,000.

Improving Cowlitz River, Washington Territory: Continuing improvement, $2,500.

Improving Skagit, Stielaquamish, Nootsack, Snohomish, and Snoqualmie Rivers, Washington Territory: Continuing improvement, $15,000; of which $5,000 shall be used for a snag-boat and outfit.

The Secretary of War is hereby directed to establish and maintain public moorings for the protection of shipping in the open and exposed ports on the northern coast of California, one each at Fort Ross, Fish's Mill, Fish Rock, Shelter Cove, Trinidad, and other appropriate places, as may be deemed advisable by him; the cost thereof to be paid out of the unexpended balance appropriated March 3, 1879, for the establishment of a harbor of refuge on the Pacific coast.

SEC. 2. That whenever complaint shall be made to the Secretary of War that by reason of the placing in any navigable waters of the United States of any bridge, pier, or abutment, the current of such waters has been so deflected from its natural course as to cause by producing caving of banks or otherwise serious damage or danger to property, it shall be his duty to make inquiry, and if it shall be ascertained that the complaint is well founded, he shall cause the owners or persons operating such bridge to repair such damage or prevent such danger to property by such means as he shall indicate and within such time as he may name, and in default thereof the owners or persons operating such bridge shall be liable in any court of competent jurisdiction to the persons injured in a sum double the amount of said injury: *Provided further*, That nothing herein contained shall be construed so as to affect any rights of action which may exist at the time of the passage of this act.

SEC. 3. That it shall be the duty of the Secretary of War to apply the money herein and hereafter appropriated for improvements of rivers and harbors, other than surveys, estimates, and gaugings, in carrying on the various works, by contract or otherwise, as may be most economical and advantageous to the Government. Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such security as the Secretary of War shall require, conditioned for the faithful prosecution and completion of the work according to such contract.

SEC. 4. That for the purpose of securing the uninterrupted examinations and surveys at the South Pass of the Mississippi River, as provided for in the act of March 3, 1875, the Secretary of War, upon the application of the Chief of Engineers, is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate the amount appropriated in this act for such purpose: *Provided, however*, That an itemized statement of said expenditures shall accompany the annual report of the Chief of Engineers.

SEC. 5. That the Secretary of War be, and he is hereby, authorized to make such rules and regulations for the navigation of the South Pass of the Mississippi River as to him shall seem necessary or expedient for the purpose of preventing any obstruction to the channel through said South Pass and any injury to the works therein constructed. The term "South Pass," as herein employed, shall be construed as embracing the entire extent of channel between the upper ends of the works at the head of the pass and the outer or sea end of the jetties at the entrance from the Gulf of Mexico; and any person who shall willfully violate any rule or regulation made by the Secretary of War in pursuance of this act shall be guilty of a misdemeanor, and, on conviction thereof, shall pay a fine not exceeding $500 and undergo an imprisonment not exceeding six months, at the discretion of the court.

SEC. 6. That for the purpose of securing the uninterrupted gauging of the waters of the Lower Mississippi River and its tributaries, as provided for in joint resolution of the 21st of February, 1871, upon the application of the Chief of Engineers, the Secretary of War is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate the amount appropriated in this act for such purpose: *Provided, however*, That an itemized statement of said expenses shall accompany the annual report of the Chief of Engineers.

SEC. 7. That for the purpose of securing the uninterrupted work of operating snag-boats on the Upper Mississippi River, and of removing snags, wrecks, and other obstructions in the Mississippi River, the Secretary of War, upon the application of the Chief of Engineers, is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate the amounts appropriated in this act for such purposes: *Provided, however*, That an itemized statement of said expenses shall accompany the annual report of the Chief of Engineers.

SEC. 8. That the Secretary of War shall cause the manuscript of the annual report of the Chief of Engineers and subordinate engineers, relating to the improvement of rivers and harbors, and the report of the Mississippi and Missouri River Commissions to be placed in the hands of the Public Printer on or before the 15th day of October in each year, and the Public Printer shall cause said reports to be printed, with an accurate and comprehensive index thereof, on or before the first Monday in December in each year, for the use of Congress.

SEC. 9. That whenever the Secretary of War shall have good reason to believe that any railroad or other bridge now constructed, or which may hereafter be constructed, over any of the navigable water ways of the United States is an obstruction to the free navigation of such waters, by reason of insufficient height, width of span, or otherwise, or where there is difficulty in passing the draw-opening or the raft-span of such bridge by rafts, steam-boats, or other water craft, it shall be the duty of the said Secretary to give notice to the persons or corporations owning or controlling such bridge to so alter the same as to render navigation through or under it free, easy, and unobstructed; and in giving such notice he shall prescribe in each case a reasonable time in which such alteration is to be made. If, at the end of such time, the alteration has not been made, the Secretary of War shall forthwith apprise the Attorney-General of the United States, whose duty it shall be to institute suit, in the name of the United States, without delay, in the circuit or district court of the United States for the circuit in which such bridge is located, which court is hereby invested with jurisdiction for this purpose, to recover from the owners or managers of such bridge the fines mentioned in the succeeding section of this act.

SEC. 10. That the owner or owners or manager or managers of any railroad or other bridge obstructing the free navigation of any navigable water way of the United States who shall willfully fail or refuse to remove the same, or to cause the necessary alterations to be made in the same so as to render navigation through or under it free, easy, and unobstructed to rafts, steam-boats, or other water craft, after receiving notice to that effect from the Secretary of War and within the time prescribed by him, shall be subject to a fine as penalty therefor of $500 per month for the time he or they are in default, and the amount so recovered shall be placed to the credit of the improvement fund of the water way obstructed by such bridge.

SEC. 11. That the Secretary of War is hereby directed, at his discretion, to cause examinations or surveys, or both, to be made, and the cost of improvement to be estimated at the following localities, to wit: In the States of—

ARKANSAS.

Ouachita River, Louisiana and Arkansas, from its mouth to head of navigation, to determine the advisability and probable cost of its permanent improvement.

ALABAMA.

The Secretary of War is hereby authorized and directed to cause a survey to be made for the location of a channel in and along the Coosa River, in Alabama, from the rapids at Wetumka to connect with the improvements already completed on said river above the Ten Islands, and to direct the engineer making the survey to report as to the most feasible, economical, and suitable plan for making such improvement.

Warrior River, from Tuscaloosa to Demopolis, for deepening and widening the channel with a view of the easy transportation of coal.

Sipsey River, from the Tombigbee River at Vienna to Texas, with a view of easy transportation of coal.

Choctawhatchee, for low-water navigation.

CALIFORNIA.

San Buenaventura Harbor.
Eel River, entrance and inside bars to head of navigation.
Klamath River, entrance and inside bars to head of navigation.
San Simeon Bay.

CONNECTICUT.

Mystic River.
New London Harbor.
Black Rock Harbor, for breakwater to Pentfield Reef and south from Fairweather Island.

ARIZONA.

Colorado River, between Camp Mojave and El Dorado Cañon.

DELAWARE.

Nanticoke River, from Seaford to Concord.
Mahond River.

DAKOTA.

Ice-harbor at or near Bismarck, on the Upper Missouri River.

FLORIDA.

Saint Andrew's Bay.
Chipola River, from its mouth to Marianna.

St. Mark's River and bar at its mouth.
Crystal River and bar at its mouth.
Alafia River and bar at its mouth.
Sarasota Bay.
The channel between Tampa Bay and Old Tampa Bay

GEORGIA.

Flint River, rock reef at Albany and above.

ILLINOIS.

Grand Calumet River.
Illinois and Des Plaines Rivers, from the city of La Salle to Lake Joliet, with a view to the improvement of said rivers.

IOWA.

Moline City Harbor.

LOUISIANA.

Bayou Teche, from mouth to St. Martinsville.
Atchafalaya River, from Berwick's Bay to Gulf of Mexico, to secure a channel of 20 feet depth.
Mouth and passes of Calcasieu River.
Bayou Terrebonne, for continuing dredging 3 miles above Houma.
Harbor of Baton Rouge.
Tangipahoa River.
Bayou Dorcheat, from Lake Bisteneau to the Arkansas line.
Tchefuncta and Bogue Falia.
Bayou Chitta.
Bayou Des Glaises, with a view of establishing locks.
Bayou St. John, from head of navigation to Lake Pontchartrain.
Bayou Lafourche, from Donaldsonville to Gulf.

MARYLAND.

Eastern Branch of the Potomac River.
Wicomico River.
North East River.
Manokin River.
Warwick River.
Wetypkin River.
Chester River, between Crumpton and Jones's Landing.
South East River.
La Trappe River.
Still Pond Harbor.
Tuckahoe River.
Sassafras River.
Elk River.

MASSACHUSETTS.

Taunton River.
Cohasset Harbor.
Weymouth River.
Goose Point Channel, Plymouth Harbor, to public wharf at Kingston.
Weir River.
Salem Harbor, including South River.
Beverly Harbor.
Cranes and Waters Rivers of Essex Branch.
Martha's Vineyard, inner and outer harbor at Edgarton.
Stage Harbor at Chatham.
West Branch of Westport River.

MISSISSIPPI.

Gulf Port Harbor, with a view to obtaining a 20-foot channel 200 feet wide to approach the shore as near as practicable.
Leaf River, from its mouth to mouth of Bonie River.
Chickasahay River, from its mouth to Enterprise.
Tombigbee, between Vienna and Cotton Gin, with a view of obtaining continuous navigation.
Bluff Creek, from its mouth to the head of navigation.
Bogue Phalia, especially the part known as the Narrows, with view to its improvement.

MINNESOTA.

Duluth.

MICHIGAN.

False Presque Isle Harbor, Lake Huron, for a harbor of refuge.
Au Gres River, to deepen channel to village of Au Gres to 10 feet in depth.
Black River, Lake Superior, to deepen channel to depth of 16 feet and constructing a breakwater.
Detroit River, at Gross Point, to dredge channel now in use to depth of 20 feet.
Petoskey Harbor, for breakwater and harbor of refuge.
Thunder Bay River, Alpena, for 16-foot channel.
Port Austin, for breakwater.
Lexington, for breakwater.
Forestville, for breakwater.
Black River, at Port Huron, to deepen channel from mouth to Grand Trunk Railroad bridge to depth of 18 feet.
Pine River, at St. Clair City, to deepen channel from mouth to Belknap's brickyard to depth of 16 feet.
Quanicassee River, to deepen channel from mouth to village of Sebewaing to 12 feet.
Port Sanilac, for harbor of refuge.
Saugatuck Harbor, to obtain channel of navigable width with a minimum depth of 15 feet, and reconstructing piers.
Monroe Harbor, to deepen channel to 16 feet.
Grand River, from Grand Rapids to Lake Michigan: For channel of navigable width, minimum depth of 10 feet.

MAINE.

Belfast Harbor.
Union River.
Harrissecket River

MISSOURI.

St. Louis Harbor.
Grand River.

NEW YORK.

Water way around Niagara Falls, of capacity and facilities sufficient to float merchant ships and ships of war of modern build, drawing 20 feet of water, said water way to commence in a navigable part of Niagara River in Niagara County, at or near Tonawanda, and to end in the navigable waters of said river below said falls, or in navigable waters connected therewith. For the purposes hereof the Secretary of War, in his discretion, may take into consideration and revise the surveys and estimates of such a water way heretofore made by Bvt. Col. C. E. Blunt, of the United States Corps of Engineers, in compliance with a joint resolution of the Congress approved March 22, 1867.
Plattsburgh: For extension of 300 feet on north end of the breakwater.
Fort Pond Harbor, Montauk.
East Rockaway Creek, Long Island.
Brown's Creek, Sayville.
Port Jefferson Inlet.
Wappinger's Creek, from Wappinger's Falls to its mouth.
Tarrytown Harbor.
East Rockaway Creek.
Salmon River, from railroad bridge at Fort Covington to the international line, with a view of deepening the channel to 7 feet.
Black River, from Brownville to Lake Ontario.
Cape Vincent Harbor, to establish a breakwater.
Shoals between the Sister Islands and the cross-over light in St. Lawrence.
Larchmont Harbor.
A ship channel between Jersey City and Ellis Island.
Harbor of refuge at Frontberg, on the south shore of Lake Ontario.
Genesee River, from a point south of the present harbor and above the village of Charlotte, extending southerly a distance about 3,000 feet.
Channel connecting Irondequoit Bay with Lake Ontario, for harbor of refuge at Irondequoit Bay.
Harbor at Troutberg.
Harbor, mouth of Salmon River, Lake Ontario.

NEW JERSEY.

Alloway Creek.
Little Salem Creek.
Hackensack River, from the lower bridge at the town of Hackensack to the Erie Railway Bridge.

NORTH CAROLINA.

Trent River, from Trenton to upper free bridge.
Fishing Creek.
Swift Creek.
White Oak River.
North East River.

OHIO.

Conneaut Harbor, for deepening and widening channel.
Cowles Creek or Geneva.
Mouth of Chagrin River, near Willoughby.
Muskingum River, from Zanesville to Dresden.

OREGON.

Siuslaw River and Bar.
Tillamook Bay and Bar.
Columbia River, between The Dalles and Celilo, with a view to a boat-railway to aid transportation.
Nehalem Bay and Bar.
Young's River and its tributary Klaskuine River.

TEXAS.

For removal of raft on Guadaloupe River.
Mouth of Caney Creek, where it empties in Matagorda Bay.
Removal of bar at mouth of Cedar Bayou where it empties into Galveston Bay

TENNESSEE.

Lower Cumberland River, from Nashville to mouth, to ascertain if necessary to establish locks and dams.

RHODE ISLAND.

Fishing Place Cove, near Seaconnet Point, with view to constructing a breakwater.
Cove near southeast extremity of Coaster's Harbor Island, and water way between said island and Rhode Island, with a view to deepening the water way and removing obstructions.
Entrance to Point Judith Pond, west of Point Judith, with a view to establishing a harbor of refuge.
Coast near life-saving station, East Point Judith, with a view of constructing a breakwater.
Greenwich Bay, to deepen water on the bar at Long Point.

VIRGINIA.

Quantico Creek.
Occoquan Creek.
Acquia Creek.
Chickahominy River.
Onancock Harbor.
Hampton Creek and Bar.
For cutting of Hospital Point and giving a depth of 25 feet and an additional width of 200 feet.
Chuckatuck Creek.
Bennett's Creek.
Ware River.
Hall's Creek.
Occobannock.

VERMONT.

Great Chazy River from its mouth on Lake Champlain to Champlain Village.

WEST VIRGINIA.

Cheat River.
Monongahela River above upper dam.
Great Cacapan.

WASHINGTON TERRITORY.

Upper Columbia River, between Wallula and British line.

SEC. 12. For examinations, surveys, and contingencies, and for incidental repairs, for which there is no special appropriation, for rivers and harbors, $75,000: *Provided*, That no survey shall be made of any harbors or rivers until the Chief of Engineers shall have directed a preliminary examination of the same by the local engineer in charge of the district, or an engineer detailed for the purpose; and such local or detailed engineer shall report to said Chief of Engineers, whether, in his opinion, said harbor or river is worthy of improvement, and shall state in such report fully and particularly the facts and reasons on which he bases such opinion, including the present and prospective demands of commerce; and it shall be the duty of the Chief of Engineers to direct the making of such survey if, in his opinion, the harbor or river proposed to be surveyed be worthy of improvement by the General Government; and he shall report to the Secretary of War the facts, and what public necessity or convenience may be subserved thereby, together with the full reports of the local engineer. Said reports of preliminary examinations and surveys shall be made to the House of Representatives, and are hereby ordered to be printed when so made.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with an amendment the bill (H. R. 6831) to detach the county of Audrain, in the State of Missouri, from the eastern and attach it to the western judicial district of said State; and asked a conference with the House thereon, and had appointed Mr. VEST, Mr. HOAR, and Mr. WILSON of Iowa, as managers on the part of the Senate.

Also, that the Senate had agreed to the reports of the committees of conference on bills of the following titles, namely:

The bill (H. R. 731) to divide the Great Sioux Indian reservation into separate smaller reservations, and for other purposes; and

The bill (H. R. 1936) to ratify and confirm an agreement with the Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Indians of Montana, and for other purposes.

RIVER AND HARBOR APPROPRIATION BILL.

The SPEAKER *pro tempore* (Mr. HATCH in the chair). Is a second demanded on the motion to suspend the rules and pass the bill which has just been read?

Mr. ANDERSON, of Kansas. I have demanded a second.

Mr. BLANCHARD. I ask unanimous consent that a second may be considered as ordered.

Mr. SOWDEN and Mr. TIMOTHY J. CAMPBELL objected.

The SPEAKER *pro tempore*. The Chair will order tellers.

Mr. TIMOTHY J. CAMPBELL. I call for the yeas and nays.

The SPEAKER *pro tempore*. The demand for the yeas and nays is not in order on this question.

The Chair will appoint the gentleman from Louisiana [Mr. BLANCHARD] and the gentleman from Kansas [Mr. ANDERSON] to act as tellers.

Mr. OATES. What objection could there be to considering a second as ordered?

The SPEAKER *pro tempore*. Objection has been made. The Chair does not know the reason why gentlemen object. The tellers will take their places.

The House divided; and the tellers reported—ayes 128, noes 45.

So a second was ordered.

The SPEAKER *pro tempore*. Under the rule the Chair will recognize the gentleman from Louisiana [Mr. BLANCHARD] as controlling the time in the affirmative, and the gentleman from Kansas [Mr. ANDERSON] in opposition to the bill.

Mr. BAYNE. I ask unanimous consent that an hour be given on each side for the discussion of this bill. This is an important question and I hope nobody will object.

Mr. KELLEY. I object.

Several MEMBERS. Regular order!

Mr. BAYNE. Then I ask that a half hour on each side be granted. I hope gentlemen will concede that much.

Mr. KELLEY. I object.

Mr. WILKINS. What is the rule, Mr. Speaker?

The SPEAKER *pro tempore*. The rule provides that there may be fifteen minutes' debate on each side.

Mr. WILKINS. Then I demand the regular order.

Mr. SOWDEN. I move that the House do now adjourn.

The question was taken; and on a division there were—ayes 52, noes 136.

Mr. SOWDEN. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 64, nays 170, not voting 90; as follows:

YEAS—64.

Adams,	Conger,	Kerr,	Peters,
Allen, Mass.	Cooper,	Lehlbach,	Phelps,
Anderson, Iowa	Cowles,	Lodge,	Pidcock,
Anderson, Kans.	Cummings,	Lyman,	Plumb,
Belden,	Darlington,	Mahoney,	Post,
Bingham,	Fuller,	McAdoo,	Reed,
Bound,	Gallinger,	McComas,	Rowell,
Boutelle,	Gest,	Merriman,	Ryan,
Brower,	Grout,	Milliken,	Scull,
Brumm,	Hall,	Montgomery,	Sowden,
Buchanan,	Harmer,	Morrill,	Steele,
Bunnell,	Henderson, Iowa	Morse,	Taylor, J. D., Ohio
Campbell, T. J., N. Y.	Hiestand,	Nichols,	Wade,
Cannon,	Johnston, N. C.	O'Neill, Pa.	Weaver,
Cheadle,	Kean,	Osborne,	Whiting, Mass.
Cockran,	Kelley,	Perkins,	Yardley.

NAYS—170.

Abbott,	Caruth,	Gay,	Johnston, Ind.
Allen, Mich.	Caswell,	Gibson,	Jones,
Anderson, Miss.	Catchings,	Glass,	Kilgore,
Anderson, Ill.	Chipman,	Glover,	Laffoon,
Baker, N. Y.	Clements,	Goff,	Lagan,
Baker, Ill.	Cobb,	Granger,	Laidlaw,
Bankhead,	Cogswell,	Greenman,	Lanham,
Barnes,	Compton,	Grimes,	Lawler,
Barry,	Crisp,	Guenther,	Lee,
Bayne,	Culberson,	Hare,	Lind,
Biggs,	Dalzell,	Hatch,	Long,
Blanchard,	Davenport,	Haugen,	Lynch,
Bland,	Davidson, Ala.	Henderson, Ill.	Macdonald,
Blount,	Davidson, Fla.	Herbert,	Martin,
Bowden,	Davis,	Hermann,	Mason,
Breckinridge, Ky.	Dibble,	Hires,	McClammy,
Brewer,	Dockery,	Hitt,	McCreary,
Browne, T. H. B., Va.	Dougherty,	Holman,	McKenna,
Brown, Ohio	Dunn,	Hooker,	McKinney,
Buckalew,	Elliott,	Hopkins, Ill.	McMillin,
Burnes,	Enloe,	Hopkins, Va.	McRae,
Burnett,	Ermentrout,	Hopkins, N. Y.	Moffitt,
Butterworth,	Farquhar,	Houk,	Moore,
Bynum,	Fisher,	Hovey,	Morgan,
Campbell, Ohio	Ford,	Howard,	Neal,
Candler,	French,	Hudd,	Nelson,
Carlton,	Gaines,	Hunter,	Newton,
Norwood,	Rogers,	Stewart, Vt.	Washington,
Nutting,	Romeis,	Stone, Ky.	Weber,
Oates,	Rowland,	Stone, Mo.	Wheeler,
O'Donnell,	Russell, Mass.	Tarsney,	White, Ind.
O'Neall, Ind.	Sawyer,	Taulbee,	Whiting, Mich.
O'Neill, Mo.	Sayers,	Taylor, E. B., Ohio	Whitthorne,
Outhwaite,	Seney,	Thomas, Ky.	Wickham,
Owen,	Seymour,	Thompson, Ohio	Wilkins.
Parker,	Shaw,	Thompson, Cal.	Wilkinson,
Penington,	Shively,	Tillman,	Wilson, Minn.
Phelan,	Simmons,	Tracey,	Wilson, W. Va.
Randall,	Smith,	Townshend,	Wise,
Rayner,	Snyder,	Turner, Ga.	Yoder,
Rice,	Stephenson,	Vandever,	Yost.
Robertson,	Stewart, Tex.	Walker,	
Rockwell,	Stewart, Ga.	Warner,	

NOT VOTING—90.

Allen, Miss.	Dargan,	Kennedy,	Richardson,
Arnold,	De Lano,	Ketcham,	Russell, Conn.
Atkinson,	Dingley,	La Follette,	Rusk,
Bacon,	Dorsey,	Laird,	Scott,
Belmont,	Dunham,	Landes,	Sherman,
Bliss,	Felton,	Lane,	Spinola,
Boothman,	Finley,	Latham,	Spooner,
Bowen,	Fitch,	Maffett,	Springer,
Breckinridge, Ark.	Flood,	Maish,	Stahlnecker,
Browne, Ind.	Foran,	Mansur,	Stockdale,
Brown, J. R., Va.	Forney,	Matson,	Struble,
Bryce,	Funston,	McCormick,	Symes,
Burrows,	Gear,	McCullogh,	Thomas, Ill.
Butler,	Grosvenor,	McKinley,	Thomas, Wis.
Campbell, F., N. Y.	Hayden,	McShane,	Turner, Kans.
Clardy,	Hayes,	Mills,	Vance,
Clark,	Heard,	Morrow,	West,
Collins,	Hemphill,	O'Ferrall,	White, N. Y.
Cothran,	Henderson, N. C.	Patton,	Wilber,
Cox,	Hogg,	Payson,	Williams,
Crain,	Holmes,	Peel,	Woodburn.
Crouse,	Hutton,	Perry,	
Cutcheon,	Jackson,	Pugsley,	

So the House refused to adjourn.

Mr. BLANCHARD. I ask unanimous consent to dispense with the reading of the names.

Mr. SOWDEN. I object.

The Clerk then recapitulated the names of those voting.

The following pairs were announced, on all political questions, until further notice:

Mr. MCSHANE with Mr. CROUSE.

Mr. COLLINS with Mr. HAYDEN.

Mr. LANE with Mr. HIESTAND.

Mr. FORAN with Mr. HOLMES.

Mr. HENDERSON, of North Carolina, with Mr. FLOOD.

Mr. MATSON with Mr. PUGSLEY.

Mr. ALLEN, of Mississippi, with Mr. WILLIAMS.

Mr. CLARDY with Mr. BROWNE, of Indiana.

Mr. FORNEY with Mr. JACKSON.

Mr. HOGG with Mr. DE LANO.

Mr. COTHRAN with Mr. LA FOLLETTE.

Mr. HAYES with Mr. FELTON.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. TAULBEE with Mr. BOOTHMAN, until Monday, April 23, reserving the right to make a quorum, not including the river and harbor bill.

Mr. MCKINLEY with Mr. MILLS, for the remainder of the week.

Mr. FELIX CAMPBELL with Mr. SHERMAN, until Tuesday next.

Mr. O'FERRALL with Mr. SPOONER, for this day.

Mr. PEEL with Mr. CLARK, for this day.

Mr. RUSK with Mr. BOWEN, for to-day.

Mr. VANCE with Mr. FINLEY, for this day.

Mr. BRYCE with Mr. STRUBLE, for this day.

Mr. SCOTT with Mr. CUTCHEON, for this day.

Mr. BRECKINRIDGE, of Arkansas, with Mr. BURROWS, for to-day.

Mr. BELMONT with Mr. WEST, for this day.

Mr. LATHAM with Mr. KILGORE, on the river and harbor bill. If present, Mr. LATHAM would vote for the bill and Mr. KILGORE against it.

Mr. HUTTON with Mr. WADE, on the river and harbor bill. Mr. HUTTON would vote for the bill and Mr. WADE against it.

Mr. DARGAN with Mr. HEARD, on the river and harbor bill. Mr. DARGAN would vote for the bill and Mr. HEARD against it.

Mr. RICHARDSON with Mr. JOHN R. BROWN, of Virginia, on the river and harbor bill. Mr. BROWN would vote for the bill and Mr. RICHARDSON against it.

Mr. PERRY with Mr. KETCHAM, on the river and harbor bill. Mr. PERRY would vote for the bill and Mr. KETCHAM against it.

Mr. HEMPHILL with Mr. PAYSON. Mr. HEMPHILL would vote for the bill and Mr. PAYSON against it.

Mr. MORROW with Mr. SYMES, on the motion to suspend the rules and pass the river and harbor bill.

Mr. MCCULLOGH with Mr. MCCORMICK, on this bill. Mr. MCCULLOGH would vote for the bill, Mr. MCCORMICK against it.

Mr. STEWART, of Vermont, with Mr. GROSVENOR, on all questions relating to the river and harbor bill, for one week. If present, Mr. GROSVENOR would vote for the bill, Mr. STEWART, of Vermont, against it.

Mr. SPRINGER with Mr. DUNHAM, on the river and harbor bill. Mr. DUNHAM, if present, would vote for the bill, Mr. SPRINGER against it.

Mr. BYNUM with Mr. STEELE. Mr. BYNUM, if present, would vote in favor of the river and harbor bill, Mr. STEELE against it.

Mr. GEAR with Mr. RUSSELL, of Connecticut, on this vote.

Mr. MAISH with Mr. DORSEY, on this vote.

Mr. LANDES with Mr. LAIRD, on this vote.

Mr. STOCKDALE. I understood I was paired, but the gentleman with whom I supposed I was paired has voted. I desire to vote.

The SPEAKER *pro tempore*. Was the gentleman in his seat and failed to hear his name called?

Mr. STOCKDALE. I did not vote because I supposed I was paired.

The SPEAKER *pro tempore*. The Chair does not think that the gentleman comes within the exception of the rule.

The result of the vote was then announced as above stated.

The SPEAKER *pro tempore*. The gentleman from Louisiana [Mr. BLANCHARD] is recognized for fifteen minutes.

Mr. BLANCHARD. I yield five minutes to the gentleman from Pennsylvania [Mr. BAYNE].

Mr. BAYNE. I would rather have had that condition of things which would have enabled the House in Committee of the Whole House on the state of the Union to have considered this bill item by item and paragraph by paragraph, but such an opportunity, it seems to me, will not present itself to this Congress. We are confronted, as has been recently said elsewhere upon another topic, with a condition—a condition of things which to my mind raises the question whether we shall have a river and harbor bill or not. We are told, and we have no reason to doubt the fact, that the tariff bill will be taken up to-morrow and that it will occupy eight, or ten, or twelve weeks of this session of Congress. We know that none of the appropriation bills, save a comparatively insignificant one, have yet passed the House.

In view of these facts it must clearly appear quite probable to practical men that if we are to have a river and harbor bill we must pass it under a suspension of the rules. The objection made to the passage of the bill under a suspension of the rules, as I understand it, is that gentlemen will not have time and opportunity to discuss and consider it in Committee of the Whole. The bill has been printed for two weeks. It has been accessible to all during that time. Every member of the House has had his opportunity of appearing before the Committee on Rivers and Harbors and favor or oppose any project in the bill. The management of that committee has been essentially different from that which prevailed in the Committee on Ways and Means; for a hearing was accorded to everybody from everywhere, and a very full and elaborate consideration was given by our committee to every appropriation contained in this bill.

But there is something more than that in favor of this bill, and that is the appropriations in it have followed as they have year after year substantially the same amounts relatively to the aggregate sum that have been voted for the improvement of rivers and harbors throughout the country. There are but few new projects in the bill. There are a few. Two of those projects—one of which is in the bill and the other of which will doubtless go into the bill if it reaches the Senate—alone are of more importance to the people of Pennsylvania than the whole $20,000,000 involved in the bill. I allude to the tentative step toward the free navigation of the Monongabela in the western end of the State, and to the plan just submitted by the Secretary of War for a great harbor in the Delaware at Philadelphia.

It seems to me scarcely a fair way to treat a measure of this kind, to assume that we know little or nothing about it. Gentlemen say they do not know what is in this bill, and that discussion is very necessary to an understanding of its provisions. I think in view of past legislation, which is familiar to everybody, and in view of the fact that this bill has been in the hands of everybody for two weeks, that objection is not quite so pertinent as it might be; and I imagine that the opposition to this bill does not wholly arise from the desire to discuss it item by item.

I have no hesitation in saying, Mr. Speaker, that the passage of a river and harbor bill is a matter of the utmost importance to the people of the United States. There is not a harbor now within the United States which does not require improvement. The enlargement of the vessels that now frequent our harbors, the greater depth and expanse of water required for the vessels that are engaged in the commerce of the world necessitate on the part of the Government of the United States a vast improvement of its harbors if it wishes to afford adequate accommodation to commerce.

Now I go for practical results. If I have to climb a rugged hill and surmount a difficult precipice I am going to accomplish it if I can; and I am going to put aside on an occasion of this kind, when we desire to accomplish an object so important to the people of the whole country as the passage of this bill—I am going to put aside the old argument we have heard so many times on the floor of the House of Representatives, that the bill should not pass because gentlemen have not had sufficient chance to examine it or discuss it. I think the people of this country will not hold the Representative guiltless who votes against this bill. The people believe its passage essential to the welfare of the commerce of the country, and more essential now than ever it has been heretofore, because the commerce of the country has become so immense.

[Here the hammer fell.]

Mr. BLANCHARD. I reserve the balance of my time.

Mr. ANDERSON, of Kansas. Mr. Speaker, the question before the House is not as to the precise merits of this bill, but whether the Democratic party, which is responsible for the legislation of the country in this branch, shall, in the middle of a long session, when there are as many months yet to come as have already elapsed, force the House to vote upon a river and harbor bill, carrying nearly $20,000,000, without the possibility of examination into details, without the possibility of amendment, and with only fifteen minutes' general discussion on either side.

It strikes me—and I say it with full respect to all the gentlemen on the Committee on Rivers and Harbors, and on both sides of the House—as the most brilliant exhibition of legislative audacity that has come within my observation in Congress. [Laughter.] In the five minutes that I shall take for myself I have only time to call attention to an analysis, which I shall ask leave to print with my remarks, showing the distribution of appropriations to the several States under this bill. The Northern States represented by a member on the committee receive $6,473,533; the rest of the Northern States receive less than two millions—$1,923,500. The Southern States represented on the committee receive $3,735,000; the rest of the Southern States receive $2,669,900. The States represented upon the committee will receive over $10,208,633 out of $19,494,783.13 under this bill. Here are one or two hints: The whole of New England receives $908,000, while the two States of South Carolina and Georgia receive $960,000. New York receives one million dollars and a half, and Texas and South Carolina receive more than New York. The Ohio River receives $545,000, and West Virginia and Delaware receive more. The Missouri River receives $694,000, and Arkansas and West Virginia receive more.

And, mark you, there is to be a Congressional and Presidential election this fall, and it is barely possible that the Democratic majority of the committee which framed this measure may have quietly kept that fact in view. For instance, the State of Oregon receives $826,500. I wonder whether it will be a doubtful State! California receives $505,000. The Pacific coast receives $1,331,000 out of the nineteen millions and a half. The State of Michigan—which gentlemen upon the other side have told me they regarded as a doubtful State—receives $2,174,000; $1,000,000 of which is for the Sault. I shall support that item but not the rest. [Laughter.] The State of New York receives $1,566,000——

Mr. MACDONALD. And yet they are kicking.

Mr. ANDERSON, of Kansas. There are thirty-three different items appropriated by the bill to New York, and there are thirty-five Congressional districts in that State, which has a potent influence in a Presidential election. According to my figures the State of Louisiana, in which I include some of the Mississippi River items because New Orleans will be the headquarters of the expenditure, receives $826,000. Louisiana, in view of the tariff question and more particularly in view of the sugar question, may be a very doubtful State. Those six States alone will receive nearly $6,000,000, or about one-third of the whole amount appropriated in the bill.

[Here the hammer fell.]

Mr. ANDERSON, of Kansas. I reserve the remainder of my time, and ask leave to include in my printed remarks an analysis of the bill by States.

North.	Amount.	Number of items—		
		$10,000 and under.	Over $10,000.	Total.
Maine	$170,500	8	5	13
New Hampshire	34,000	1	2	3
Vermont	37,500	2	1	3
Massachusetts	378,000	14	5	19
Rhode Island	112,000	2	4	6
Connecticut	176,000	8	3	11
		35	20	55
New York	1,566,000	11	22	33
New Jersey	243,000	3	4	7
Pennsylvania	469,733	.....	8	8
Ohio	494,000	6	6	12
Indiana	165,000	3	2	5
Illinois	495,400	.....	5	5
Michigan	2,174,000	14	14	28
Wisconsin	391,500	13	5	18
Minnesota	140,000	1	4	5
California	504,900	5	6	11
Oregon	826,500	3	7	10
Washington Territory	19,500	2	1	3
	8,397,533	96	104	200
Ohio River	545,000			
Mississippi River, north of Cairo	1,198,250			
Missouri River	694,000			
Total North	10,834,783			

South.	Amount.	Number of items— $10,000 and under.	Over $10,000.	Total.
Delaware	$162,500	2	3	5
Maryland	295,500	7	1	8
Virginia	429,500	8	6	14
North Carolina	212,500	7	5	12
South Carolina	559,500	8	6	14
Georgia	401,000	2	9	11
Florida	312,000	9	6	15
Alabama	412,000	4	4	8
Mississippi	351,000	9	6	15
Texas	1,012,500	.....	7	7
West Virginia	399,500	4	4	8
Louisiana	835,100	13	7	20
Arkansas	214,900	8	2	10
Tennessee	503,000	7	3	10
Kentucky	286,000	3	3	6
Missouri	18,500	4	.....	4
	6,405,000	95	72	167
Mississippi River, south of Cairo	2,175,000			
Total South	8,580,000			

Total North	$10,834,783
Total South	8,580,000
General	80,000
Grand total	19,494,783

NORTHERN STATES.

Represented on committee.

Michigan	$2,174,000
California	504,900
Illinois	495,400
Pennsylvania	469,733
Ohio	494,000
New York	1,566,000
Wisconsin	391,500
Massachusetts	378,000
Total	6,473,533

REST OF NORTHERN STATES.

Maine	$170,500
New Hampshire	34,000
Vermont	37,500
Rhode Island	112,000
Connecticut	176,000
New Jersey	243,000
Indiana	165,000
Minnesota	140,000
Oregon	826,000
Washington Territory	19,500
Total	1,923,500
Mississippi River	3,392,850

SOUTHERN STATES.

Represented on committee.

Louisiana	$835,100
Alabama	412,000
Texas	1,012,500
Mississippi	351,000
Virginia	429,500
West Virginia	399,500
Maryland	295,500
Total	3,735,100

REST OF SOUTHERN STATES.

Delaware	$162,500
North Carolina	212,500
South Carolina	559,500
Georgia	401,000
Florida	312,000
Total	1,647,500
Kentucky	$286,000
Tennessee	503,000
Missouri	18,500
Arkansas	214,900
Total	1,022,400
Grand total	6,405,000

NEW ENGLAND STATES.

Maine	$170,500	
New Hampshire	34,000	
Vermont	37,500	
Massachusetts	378,000	
Rhode Island	112,000	
Connecticut	176,000	
		$908,000

MIDDLE STATES.

New York	1,566,000	
New Jersey	243,000	
Pennsylvania	469,733	
		2,278,733

WESTERN STATES.

Ohio	494,000	
Indiana	165,000	
Illinois	495,400	
Michigan	2,174,000	
Wisconsin	391,500	
Minnesota	140,000	
		3,859,900

PACIFIC STATES.

Oregon	826,500	
California	504,900	
Washington Territory	19,500	
		1,350,900
		8,397,533

The SPEAKER *pro tempore*. The gentleman from Kansas reserves the balance of his time, and the gentleman from Louisiana [Mr. BLANCHARD] has reserved the remainder of his time, and the question is——[Loud cries of "Vote!" "Vote!"]

Mr. BLANCHARD. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state it.

Mr. BLANCHARD. Am I not entitled to close the debate?

The SPEAKER *pro tempore*. There is no rule on the subject.

Mr. ANDERSON, of Kansas. I yield one minute to the gentleman from Pennsylvania [Mr. SOWDEN].

Mr. SOWDEN. Mr. Speaker, in one minute I can scarcely say anything but record my protest against the passage of this bill under the suspension of the rules. It involves appropriations amounting in the aggregate to $19,494,783.13, or nearly a million dollars more than the river and harbor bill of 1882, which was returned to the House unapproved by the then President of the United States.

Mr. DUNN. And passed over his veto.

Mr. SOWDEN. Yes, and many of those who voted to pass it over the President's veto went down to their political graves never to be resurrected. An important piece of legislation like this, involving nearly twenty millions of dollars, to be forced through this House without even an opportunity to discuss its provisions or examine it item by item! There never was so gigantic a raid attempted upon the United States Treasury as is proposed by this bill.

[Here the hammer fell.]

Mr. ANDERSON, of Kansas. I yield five minutes to the gentleman from Maine [Mr. REED].

Mr. REED. Mr. Speaker, I do not suppose that it will be possible to change anybody's opinion upon the question before the House; and yet perhaps the time is not lost when we explain the reasons for our action. It has been my misfortune, and I regard it as such, to have been obliged to vote against a number of river and harbor bills, but I am by no means opposed to such appropriations. I even go to the extent of believing that the small streams should not be neglected. The only question which ought to be considered is whether the expenditure is proportioned to the results. But while I have that feeling with regard to such appropriations, I do not believe that the present motion ought to prevail. It seems to me that the objections to it are fundamental. We do not sit here to record the results of the examination of any committee of this House, but we sit here as an original deliberative body, each one of us having his duties and responsibilities; and whenever a bill passes here it ought to receive the approval of a majority of the House after careful examination.

Here is a bill carrying a vast sum; it is made up of items to be expended in localities scattered all over the United States; yet it is proposed that by one single motion we put this measure through and upon this occasion finish our duty with reference to it. What does it mean? It means that we shall abdicate the right to understand each item of the bill; it means that we shall abdicate the right of amendment: it means that we must hand over to the body at the other end of this building the sole right to alter, modify, and better this bill.

I admit that there may be great public occasions, great public exigencies, great public crises, in which we may do such a thing as this; but I utterly deny that there is any such situation here present. We have three months of this session in our hands. This bill could be taken up this very week, its provisions scrutinized, and its principles either advocated or challenged in the House.

I have no personal grievance connected with this bill; but there is one thing which I know ought to be examined by the House, and that is whether a certain portion of this country should be treated more favorably than the rest of it. A certain portion of this bill is calculated upon the basis of the engineers' estimates made upon the spot; all the rest of the estimates have undergone a reduction on the part of the Chief of Engineers. The bill is made up upon one basis for one section of the country, and upon another and less liberal basis for another section. I say that this is a matter which should receive the opinion and the judgment of the entire House. No committee ought to be considered competent to make such a decision as that.

[Here the hammer fell.]

The SPEAKER *pro tempore*. The gentleman from Kansas [Mr. ANDERSON] has four minutes of his time remaining.

Mr. ANDERSON, of Kansas. I yield three minutes to the gentleman from New York [Mr. COX].

Mr. COX. Mr. Speaker, three minutes is all too short to represent the immense interests toward the great metropolis of this country in its relation to this bill.

I do not complain that the bill gives too small a sum to New York State. I do not quarrel with the amount for New York City at this time, but I challenge the equity of the distribution of the money which is given for New York City and State. Although it may be true that New York City will obtain a million and a half, or, to be more exact, $1,533,000 under this bill, and although there may be at least one-half of that sum on hand unexpended, still a wise distribution of these moneys should be the first object of consideration.

I will not complain at this time that Western New York has happily succeeded in having a handsome appropriation, nor that Oswego receives under its provisions $100,000 out of the $160,000 recommended for 1888 in addition to the amounts on hand, which the table hereafter will show. But I do say that New York City is entitled to better consideration under this bill. Neither would I complain that the bill covers two years. And I have no criticism to make on the fidelity with which my friend from Louisiana [Mr. BLANCHARD] has worked so as to make his bill acceptable to the House and to the country.

But there seems to be a lack in some respects and in some direction of that proper regard for the great commercial metropolis of this country, which, as its Representative, I must explain.

A bill to be just to New York City should not be based on population nor upon area of territory, but upon the needs of commerce in relation to the whole country.

The exports of merchandise from the United States have not materially differed this year from the last. The imports have increased 7 per cent. There are 108 customs districts in the United States, and 90 per cent. of the entire export trade is handled by a few leading ports, in the following proportion:

(1) New Orleans, 11½ per cent.; (2) Boston, 8 per cent.; (3) Baltimore, 7 per cent.; (4) Philadelphia, 4¾ per cent.; (5) San Francisco, 4 per cent.; (6) New York, 44 per cent.

Of imports, Boston has 8¾ per cent.; San Francisco, 5¾ per cent.; Philadelphia, 5½ per cent.; and New York 66 per cent.

It thus appears that of the imports New York has two-thirds, and has gained more than any other city during the past year except New Orleans and Chicago.

Thus is shown at a glance the great importance of the harbor of New York in comparison with other harbors in the United States.

Is it not fairer to take the shipping and trade? Do they not indicate the revenues derived for the Government out of which our appropriations are paid? Nor am I altogether disposed to look with favor upon the large sums remaining unapplied and freshly appropriated to any mere local improvement, even the Harlem River, which is a valuable improvement for the city, but not so much so with respect to Federal or national commerce. It certainly should have been considered heedfully by the committee reporting this bill that the channels which lead from the ocean, as well for the intercoast trade as for foreign trade, should have had at least such attention as to utilize them for purposes of commerce.

Now, sir, as to details: General Duane, brigadier-general and Chief of Engineers, in a letter which I have before me, which I ask leave to print, dated 9th February, 1888, supplemented his previous statement by saying that:

Buttermilk Channel, where it joins the East River, and as it comes within 850 feet of the Brooklyn wharves at the upper end of its shoal, was intended to be dredged to the depth of 26 feet by the project adopted in 1881. In view of the difficulty which was experienced in deep-draught vessels reaching the wharves, it was proposed in 1885 to remove the whole shoal. For this want Congress appropriated $56,250.86. This was a sum only sufficient to cut it down to a depth of 22 feet. There yet remains to be excavated 165,000 cubic yards to reach the requisite depth. This is estimated at $95,000. But the delay in the work has increased the shoaling, and therefore the cost, and it is estimated now at $115,000; and yet the committee only give us $30,000. The whole amount would not only insure an earlier completion of the work, but more favorable terms for the dredging. This shoal must be removed in order to make the channel at that point available.

As to Gowanus Bay, for which the committee have appropriated only $10,000, the plan was for 18 feet to the channels leading to the mouth of the creek for about 1 mile further up. The estimate for this in 1881 was $192,565. Seventy-two thousand five hundred dollars has been appropriated in its entirety, and no balance remains. That leaves the sum of $120,065 for the completion of the work as projected at first. The engineer thinks it should be done in one appropriation.

These two channels furnish a very large part of the water front of Brooklyn. They are included in the East River district. The commerce of New York makes use of these channels for 63 7/10 of its whole commerce. So that two-thirds of the entire commerce of the United States would be relieved greatly by these urgent appropriations.

I am not here, sir, to complain that New York Harbor has not been sufficiently cared for at its Sandy Hook entrance, and yet there is much to be said of the largest appropriation. Our engineers ask for $540,000 for that purpose. This bill gives $380,000.

It should be remembered that Sandy Hook is the main entrance to that noble harbor. The channel is 24 feet at low water and 29 at high water. It has abundant breadth. It had no need for deepening until recently. The urgency for the deepening came by reason of the great increase in the length and draught of the trans-Atlantic passenger steamers. As a traveler I recognize the necessity for this deepening. It would tend to prevent the delays which passengers are now subject to by reason of these big passenger steamers having to wait for high water to pass either in or out.

The Chamber of Commerce of New York, in a resolution of November 4, 1886, declared that the demand for the increased depth of water arose almost exclusively from foreign ocean steamers.

This is entitled to consideration from an American Congress.

The amount asked for the improvement of the Harlem River by the engineer was $1,000,000. There was allowed in this bill $150,000. There was already available nearly $400,000.

But, sir, the commerce which would be assisted by this remarkable improvement is not what may be called Federal or national commerce in the true sense. It is but temporary traffic, and though it looks large in its tonnage, yet, compared with the tonnage of the channels which lead to our city of New York, it is comparatively small.

I have said that the tonnage for which so large an appropriation was given for the Harlem River improvemont was local. I do not depreciate it on that account, according to the system upon which this bill is framed.

Colonel McFarland, in his report on commercial statistics, says that the

Harlem and other distributing points on the East River will be brought nearer the coal, brick, and lime deposits of the Hudson River above Spuyten Duyvil, but the traffic will be limited practically to barges and canal-boats in tow of steam-tugs. The preponderance of opinion held by shippers and boatmen is against the probability of the new route being used by traders between the Hudson River and the Eastern States because of the several bridges crossing it.

When I asked for liberty to make some observations in the RECORD, with a view to the action of the Senate hereafter on this question, I meant to print especially that which has reference to Buttermilk Channel and Gowanus Bay Channel. The extract which I ask to be printed will show precisely the nature of the commerce, and the indispensability of a discreet and discriminative appropriation in that regard.

Colonel McFarland says in his report of Buttermilk Channel that the large and increasing traffic of this part of the river certainly warrants the removal of the whole shoal at the cost of $115,000; and, as to Gowanus Bay Channels that they "are too small in view of the great increase in length and draught which has taken place in the construction of our sea-going vessels, especially steamers. The depth of these channels ought to be increased now to 21 feet at low water, and their width to 400 feet."

To make these channels it would cost $403,500.

Mr. Speaker, I will not fail upon this occasion to be courteous to my honorable colleague who represents the Oswego district. He has politely furnished to me, at my request, a statement of what his committee has intended to do for New York Harbor. I accept it as absolute verity. It is, perhaps, the best argument possible for the reconsideration of this bill in the Senate. Nor will I detract from the courtesy of the honorable gentleman, my friend from Louisiana, who has charge of this bill, by saying that he has not afforded every opportunity which gentlemen who represent the city of New York could have in presenting their claims for the improvement of our harbor.

Nevertheless, speaking from my standpoint, representing the Chamber of Commerce in its most sedate resolution, and the New York Board of Underwriters, who are careful about taking risks in commerce, unless assured of something from the Government of utility, I appeal from this House, and this extraordinary procedure of passing a bill at this time, with only one-half of the session done, without any power to amend or time for debate. All I can do is to say, if this House, by its two-thirds vote, hurries this bill to the Senate in its immature condition, that the Senate will make the corrections based upon the facts which I have asked leave to print. And although it may not be proper, Mr. Speaker, for me to say anything about a veto in this House, I am sure that a just Chief Magistrate, in considering this measure, will exercise his discretion, and veto all propositions which discriminate against the commercial metropolis of this country.

OFFICE OF THE CHIEF OF ENGINEERS, UNITED STATES ARMY,
Washington, D. C., February 9, 1888.

SIR: In answer to your letter of —— date, received the 7th instant, I would state that only such parts of the shoal at the upper end of Buttermilk Channel, where it joins the East River, as came within 850 feet of the Brooklyn wharves were intended to be dredged to a depth of 26 feet in the project adopted in 1881. But in view of the difficulty experienced in deep-draught vessels reaching the wharves, it was proposed in 1885 to remove the whole shoal, toward which purpose Congress appropriated $56,250 in 1886, a sum only sufficient to cut it down to a depth of about 22 feet.

From the best information at hand there are about 165,000 cubic yards remaining to be excavated in order to remove the whole shoal to a depth of 26 feet, the cost of which the officer in charge estimates at $95,000, but he states that in view of the shoaling which has occurred during the long progress of the work, it seems advisable, judging from past experience here, to increase this $20,000, making a total of $115,000.

An appropriation of the whole amount would not only insure an earlier completion of the work, but would, as is generally the case in large contracts, secure more favorable terms for the dredging.

The large traffic of this part of the river, as well as the increasing importance of the wharves on the Brooklyn shore to the commerce of New York, warrant the early removal of this shoal.

As regards Gowanus Bay, the plan adopted provides for giving a depth of 18 feet to the channels leading to the mouth of the creek and for about 1 mile further up. The estimated cost of this was placed in 1881 at $192,565, of which there has been appropriated $72,500, with no balance remaining.

The sum of $120,065 is therefore required to complete the work as first projected, which could be much better and more cheaply executed were this whole sum made available by one appropriation.

The improvement of the Gowanus Bay Channels and of Buttermilk Channel, which constitute a very large part of the water front of Brooklyn, and which are included in the East River district, of which 63.7 per cent. of the commerce of the port of New York makes use, would give great and urgently needed relief.

Very respectfully, your obedient servant,

J. C. DUANE,
Brigadier-General, Chief of Engineers.

Hon. N. C. BLANCHARD,
Chairman Committee on Rivers and Harbors,
United States House of Representatives.

BUTTERMILK CHANNEL.

[Report of C. McFarland, page 903, lines 24 to 37.]

The line of docks and wharves from the Brooklyn Bridge down to the mouth of the Atlantic basin on the Brooklyn side is one of the most important in New York Harbor, and this part of the river extending from the Brooklyn Bridge to Governor's Island is regarded by pilots and masters of vessels as one of the most difficult places in New York waters to carry a vessel through safely on account of the enormous traffic passing not only up and down but across the stream.

Tows, tugs, small steamers, and small craft generally in passing up and down this part of the East River hug the New York side, forcing the larger class of sound steamers, ocean steamers, and sea-going ships in tow of tugs to keep over toward the shoal at the upper point of Governor's Island, and if, as is often the case, these vessels are obliged to stop in order to avoid collision with ferry boats, ships, and canal-boat tows, they are liable to drift over on this shoal.

It is a difficult place to work in on account of strong tides and passing vessels.

The commerce of Buttermilk Channel consists of the East India, the West India, most of the continental trade, the South American trade, and the coastwise trade of vessels to and from Long Island Sound, to and from ports on the Atlantic seaboard from Maine to Texas. The grain elevator system, except the railroad elevators of the port of New York, are situated in this channel, and easily three-fourths of the entire export of grain departs therefrom, equal in value to $154,829,062 per year.

Rates of freight and insurance since work began have been reduced.

GOWANUS BAY CHANNEL.

The improvement of Buttermilk Channel and Gowanus Bay Channel, which constitute a very large part of the water front of Brooklyn, and which are included in the East River district, of which 63.7 of the commerce of the port of New York make use, would give very great relief, especially if the channel were increased 21 feet.

The work could be much better and more cheaply executed if this whole amount were made available in one appropriation.

The depth of these channels ought to be increased to 21 feet at low water.

The Gowanus Bay and Buttermilk Channel are the water ways around the water front of Brooklyn, and are lined with covered piers in front, the great manufactory and warehousing district. This shore is the great entrepôt of New York, and vessels with all kinds of cargoes to and from all parts of the world use the wharves for discharge and loading.

The improvement of these channels so that shipping can get to and from these wharves with safety, without delay of tides, is of the greatest importance.

These channels are in daily use by the commerce of the port, and the completion of the work now under way is an immediate necessity, and the improvements required are most important at the present time for New York Harbor.

Exhibit of the New York State appropriations under this bill, prepared by Hon. N. C. Nutting.

Harbor or river.	On hand November 1, 1887.	On hand over contracts November 1, 1887.	Recommend 1888.	Appropriated 1888.
Port Chester	$24.77	$24.77	$10,000	$10,000
Mamaroneck	220.55	220.55	28,000	
Echo Harbor, New Rochelle	3,056.87	3,056.87		
New Rochelle	14,674.81	14,267.81		
East Chester Creek	9,318.17	9,318.17	10,000	5,000
Greenport	2,220.95	441.10	10,000	5,000
Port Jefferson Harbor	374.76	374.76		
Flushing Bay	1,313.55	1,313.55	35,000	15,000
Hudson River	35,864.71	35,864.71	150,000	75,000
Saugerties	16,925.48	3,752.88	25,000	12,000
Rondout	2,556.86	126.86	10,000	5,000
Harlem River	392,588.24	392,575.10	500,000	150,000
East River, Hell Gate	47,361.07	47,727.04	500,000	250,000
Newtown Creek	1,736.10	1,736.10	50,000	25,000
Buttermilk Channel	6,544.91	6,544.91	50,000	30,000
Gowanus Bay	64.31	64.31	20,000	10,000
New York Harbor	732,880.50	104,056.45	540,000	380,000
Sheepshead Bay	5,264.68	5,264.68		5,000
Canarsie Bay	9,936.75	9,936.75	10,000	10,000
Sumpawanus	81.88	81.88		
Staten Island and New Jersey	1,281.40	1,281.40	30,000	15,000
Dunkirk	$7,251.32	$3,394.29	$20,000	$15,000
Buffalo	48,215.88	23,360.88	400,000	200,000
Niagara River	587.52	587.52		
Wilson	9,013.61	7,853.61	10,000	5,000
Olcott	8,926.28	3,701.93	10,000	10,000
Oak Orchard	7,874.71	3,737.12	12,000	6,000
Charlotte	20,348.13	14,068.39	25,000	25,000
Pultneyville	2.90	2.90		
Great Sodus	13,744.51	10,448.56	24,000	24,000
Little Sodus	13,714.38	10,715.12	16,000	16,000
Oswego Harbor	53,527.00	33,519.01	160,000	100,000
Sackett's Harbor	60.59	60.59	2,000	2,000
Grass River	2,948.60	2,948.60		
Rouse's Point	18,001.42	978.42	30,000	15,500
Plattsburgh	4,319.62	684.66	7,000	5,000
Tonawanda*				100,000
Glen Cove*				25,000
	1,498,905.18	755,598.71	2,692,000	1,523,500

*New project.

RECAPITULATION.

On hand November 1, 1887	$1,498,905.18
On hand above contract, November 1, 1887	755,598.71
By present bill appropriated	1,523,500.00
Total for New York if this bill passes	2,279,098.71

Mr. ANDERSON, of Kansas. I yield my remaining two minutes to the gentleman from Illinois [Mr. ADAMS].

The SPEAKER *pro tempore*. The gentleman from Kansas has but one minute.

Mr. ANDERSON, of Kansas. I ask the House to extend my time one minute.

Objection was made.

Mr. ADAMS. Mr. Speaker, I am in favor of passing a liberal river and harbor bill. We can pass such a bill in an orderly way under the rules of the House at the present session of Congress. I am willing to stay here till September if necessary for that purpose. I am not willing to vote to pass any river and harbor bill, without consideration, under a suspension of the rules.

What consideration has this bill had? None whatever. The gentleman from Pennsylvania [Mr. BAYNE] says that the members of this House have had the right to appear before the Committee on Rivers and Harbors for or against any part of this bill. That is not so. A member of the House who is interested in a particular river or harbor has undoubtedly had the right to appear before the committee in behalf of that improvement. No one, I suppose, has asked the committee to hear him on the bill generally. It simply amounts to this: There are many members of the House each of whom has looked into the bill just far enough to see that his own particular project is secure. Is that a sufficient consideration of the bill?

If we suspend the rules and pass the bill upon that sort of consideration what will the country say? The country will say that the members of this House, provided they find that the committee has cared for the projects in which they are particularly interested, are willing to swallow the rest of the bill whatever it may contain. Is it wise to give that impression to the country? I say that those who are interested in the permanent success of the policy of improving the rivers and harbors of this country ought not to proclaim or to give the enemies of river and harbor improvements an excuse for proclaiming that the river and harbor bill is simply a log-rolling scheme. To pass this bill in this way at this time is an act hostile to internal improvements. The Committee on Rivers and Harbors do not think so. I am convinced that they are mistaken.

But there is another objection to the passage of the bill under suspension of the rules and without consideration. It is an abdication by this House of its constitutional power and duty to originate revenue bills. The House has always insisted that appropriation bills like this ought not to be permitted to originate in the Senate. They ought to originate in this House. The Constitution as construed by this House has so declared. Can it be said that this bill will have originated in the House when the House refuses to consider it, and passes it without consideration? If the House passes the bill in this way, it simply acts as a committee to the Senate to formulate a draught of a bill for the Senate to consider. The first consideration of the bill within the meaning of the Constitution will be had in the Senate. The bill will, within the meaning of the Constitution, originate in the Senate.

If the Senate chooses to adopt it just as it stands, it will go to the President without the sanction of the deliberate judgment of the body in which it ought to have originated.

The Senate may indeed choose to change it in whole or in part, and send it back to the House. What shall we do then? Shall we not have to consider it item by item, as we ought to do now? We shall find that little time has been gained by refusing to consider it in the first instance, as it is our constitutional duty to do.

Suppose the bill gets through the two Houses and goes to the President for his signature. Do gentlemen suppose he will be less likely to veto it if he knows, as he must know, that it has not received a full consideration in the House of Representatives? Is it not far more likely that the action of the House in passing it without consideration will furnish a text for a stinging paragraph in a veto message?

I have even heard it suggested that we ought to take this extraordinary course with the bill in order to get it before the President early in the session, because it is said he is apt to deliberate before signing bills. His duty, I think, is to sign a bill which expresses the deliberate judgment of the two Houses, even although his own judgment may be opposed to it. I know there are some who regard the Executive in the exercise of the veto power as a sort of third House of Congress. They think that if the judgment of the President in regard to any bill before him runs counter to the judgment of the two Houses he is justified in refusing to sign the bill. I do not agree to that view. I think that view of the veto power would have shocked Washington or Jefferson or Hamilton.

But, however that may be, it seems to me an amazing proposition that this deliberative body should decline to deliberate merely to give to the Executive more time for deliberation. It is a strange inversion of the relative duties of Congress and the Executive.

No, Mr. Speaker, let us do our duty as a House of Representatives. The more carefully we consider this bill the less excuse there will be for the Senate to amend it, and the less excuse for the Executive to delay or to refuse his signature. That a tariff bill is impending ought to make no difference in the care with which we perfect our ordinary annual appropriations.

If it is the duty of this House to spend the next six weeks in discussing a tariff bill, it is equally our duty to remain in session after the tariff bill is disposed of till we have completed in an orderly way all the annual appropriation bills, including this one. We ought to do this, even if it takes us all summer.

Mr. BLANCHARD. Mr. Speaker, I have agreed to yield for two minutes to the gentleman from New York [Mr. FARQUHAR].

Mr. FARQUHAR. Mr. Speaker, differing entirely on this question with the leader on my side of the House, I say that this is a business bill and ought to be treated in a business way. As far as the first consultations have been held with the Committee on Rivers and Harbors,

if any member on this floor has not received sufficient consideration from that committee, I believe it is his own fault.

There is one item alone in this bill which ought to carry it now, which has for its object to lead the Northwestern commerce by a new lock through the Sault Ste. Marie Canal, involving one million of dollars, an item which is credited to the State of Michigan by the gentleman from Kansas [Mr. ANDERSON], but which belongs to the whole Northwestern and Eastern States.

I wish to distinctly say, as I did before, that it is a business proposition; because it takes thirty days to advertise any one of these contracts, that it takes thirty days to put your plant in operation; and that if you delay this bill to the 30th of June there is not an engineer in this country, nor a contractor, who could then get more than sixty days' work out of the year 1888.

Make the appropriation of this money now—and by the bill it is made immediately available—and every port, every river north of the Ohio River, will gain, if the bill should pass and go to the President to be signed before the 1st of May, two months' working time.

Half of these works, it must be remembered, had no money last year, and they have lain idle subject to every vicissitude of wind and wave. I am in favor of passing the bill as a business man.

Mr. BRUMM. How much of the "hog" do you get?

Mr. FARQUHAR. All I want. [Laughter.]

Mr. BRUMM. I have no doubt of it.

The SPEAKER. The gentleman's two minutes have expired.

Mr. BLANCHARD. Mr. Speaker, I feel I can make the assertion without fear of contradiction from any source that no bill ever came before this House which had more careful consideration than was given to this bill by the Committee on Rivers and Harbors of this House. For three months we sat almost continuously, even to exclusion in participation of the work of the House. No part of this work was committed to a subcommittee. The whole committee sat in judgment upon every item incorporated in this bill, and when gentlemen complain that the bill will not receive, if passed under a suspension of the rules, that consideration it ought to have, I say in reply that through the agency of its Committee on Rivers and Harbors the House has most thoroughly and maturely considered every item forming the bill.

Mr. BOUTELLE rose.

Mr. BLANCHARD. I can not yield as my time is too short.

The Committee on Rivers and Harbors believe an exigency exists making it necessary at this time to pass the bill under a suspension of the rules.

Mr. REED rose.

Mr. BLANCHARD. I hope the gentleman will not interrupt me.

There is confronting this House the fact that but one of the regular appropriation bills has yet passed, and that one is the Military Academy bill. All the other seven or eight appropriation bills are yet to be passed. We have received notice that the consideration and discussion of the tariff is to be entered upon to-morrow, and it is well known to every member on this floor that this subject will occupy from five to six weeks' time of the House. At the end of it all the appropriation bills will be urgent in demanding consideration. The danger, therefore, is great that between the upper and nether millstone the river and harbor bill would be crushed to death.

Mr. REED. Let me ask the gentleman a question.

Mr. BLANCHARD. I beg the gentleman not to interrupt me.

Mr. REED. A very short question.

Mr. BLANCHARD. I would if I had the time.

Mr. Speaker, I reiterate, the bill is in the predicament that if it be not passed now there is danger of its being lost entirely. Gentlemen on this floor need not be told what a great loss was entailed upon the Government by the failure of the river and harbor bill at the last session of the Forty-ninth Congress; and if this bill fails the further loss to the Government upon the works now in an incomplete state, upon which millions have already been expended, will be simply incalculable.

Gentlemen complain—some gentlemen who are opposed to this bill—that they have no opportunity under this motion to scrutinize its provisions and to reduce appropriations for items which they themselves might consider unworthy of the amounts provided for them in the bill.

In reply to that I may safely state that no member can point to a single instance where a river and harbor bill which was considered in the usual way, in Committee of the Whole, was not increased by such consideration instead of diminished; and if this bill should be proceeded with in the ordinary way, instead of being $19,000,000 as now, when we get through I do not doubt, in view of the experience of the past, that that amount will be largely increased. So there is nothing in that point against the passage of the bill under a suspension of the rules to sustain the objection of those who, on general principles, oppose river and harbor bills.

Another thing, Mr. Speaker: this bill makes the appropriations it carries immediately available. If the House passes the bill now, it can go to the Senate, and within one month's time from the date of its passage here the bill may and probably will become a law. Then it will be that the great works of river and harbor improvement throughout the country, which for months have been suspended, to the loss of the Government and the detriment of the works themselves, arising from the failure of the preceding appropriation bill, can be taken up and the work of their prosecution resumed two months earlier than will be the case if this bill is to await its slow passage through the House in the ordinary way. If we wait to consider it in the ordinary way the bill will likely not become a law before about the 1st of August, if at all; while if we pass it now, by the 15th of May we may reasonably expect it to become a law and these great works of improvement resumed.

[Cries of "Vote!"]

The SPEAKER. The gentleman has one minute remaining.

Mr. BLANCHARD. I wish to say in that one minute that the river and harbor bill is a business bill. [Laughter on the Republican side.] Gentlemen may laugh, but it is even so. It is a business bill in the sense that there is no element of politics in it whatever. It is a business bill in the sense that the commercial interests of the country demand adequate appropriations, which this bill carries, for the improvement of our great rivers and harbors.

Mr. SENEY. How much does this bill appropriate?

Mr. BLANCHARD. Nineteen millions four hundred and ninety-four thousand dollars.

It was, Mr. Speaker, considerations of the kind I have thus briefly mentioned which induced the Committee on Rivers and Harbors to recommend, by a unanimous vote, the passage of the bill under a suspension of the rules.

[Here the hammer fell.]

The SPEAKER. The question is on the motion of the gentleman from Louisiana to suspend the rules and pass the bill.

Mr. ANDERSON, of Kansas. I demand the yeas and nays.

Mr. BRUMM. Mr. Speaker, at this time I would like to raise the parliamentary inquiry as to whether it would be in order for me to move that my colleague, Mr. DARLINGTON, be excused from voting on this bill?

The SPEAKER. The Chair supposes so, but——

Mr. BRUMM. I then make the motion; and upon that call for the yeas and nays.

Mr. SPRINGER. Mr. Speaker——

The SPEAKER. The Chair was about to state, however, to the gentleman from Pennsylvania that this is a motion to suspend all the rules and pass the bill. The Chair did not at the moment the gentleman raised the inquiry recall the fact.

Mr. SPRINGER. I was about to suggest to the Speaker that the motion to suspend the rules would suspend also the operation of that rule.

Mr. BRUMM. As I understood the Speaker's decision the other day, it was that, upon a motion to take a recess, a request or motion to excuse a member was in order, while it would not have been in order upon a motion to adjourn; and that was simply because the motion to adjourn was a constitutional right which the House possesses, and of which it can not be deprived at any time. But the present motion is simply one to change or suspend the operation of the rules.

The SPEAKER. The Chair decided that it was in order to ask to excuse a member upon a question to take a recess, although it had been decided previously that it was not in order to ask to excuse a member from voting upon a motion to adjourn, or a call of the House, or to adjourn over. But there is no analogy between that case and this. This is a motion to suspend the rules.

And in addition to that reason the Chair will cause the rule itself to be read, clause 8 of Rule XVI.

The Clerk read as follows:

Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

The SPEAKER. That is the rule of the House under which the House is now proceeding.

Mr. BRUMM. This is not a dilatory motion. [Laughter.] If the Chair will indulge me, it is a motion, as was argued in the decision heretofore rendered by the Speaker, to excuse a member from voting, which can only be made preceding the vote. This being the proper time to submit that motion, it presents a question of the highest privilege, and is not a dilatory motion.

The SPEAKER. The Chair did not decide that a motion to excuse a member from voting on a motion for a recess was not a dilatory motion. It was a dilatory motion, and the Chair so understood at the time. But dilatory motions were then in order. They are not on a motion to suspend the rules.

Mr. SOWDEN. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SOWDEN. It is whether a motion to adjourn is now in order.

The SPEAKER. It is not.

The yeas and nays were ordered.

The question was taken; and there were—yeas 134, nays 102, not voting 88; as follows:

YEAS—134.

Abbott,	Bankhead,	Biggs,	Brewer.
Anderson, Miss.	Barnes,	Blanchard,	Browne, T. H. B., Va.
Anderson, Ill.	Barry.	Bowden,	Brown, Ohio
Baker, N. Y.	Bayne,	Breckinridge, Ky.	Bucknew,

Burnett,	Granger,	McRae,	Snyder.
Carlton,	Greenman,	Moore,	Stephenson,
Caruth,	Grimes.	Morgan,	Stewart, Tex.
Caswell,	Guenther.	Neal,	Stockdale,
Catchings,	Hare,	Nelson,	Stone, Ky.
Chipman,	Haugen,	Newton,	Tarsney,
Clements,	Herbert,	Norwood,	Taulbee,
Cobb,	Hermann,	Nutting.	Thomas, Ky.
Cogswell,	Hooker,	Oates,	Thompson, Ohio
Compton,	Hopkins, Va.	O'Donnell,	Thompson, Cal.
Crain,	Hopkins, N. Y.	O'Neall, Ind.	Tillman,
Crisp,	Houk,	O'Neill, Mo.	Tracey,
Culberson,	Howard,	Owen,	Townshend,
Davidson, Ala.	Hudd,	Peel,	Turner, Ga.
Davidson, Fla.	Hunter,	Penington,	Vandever,
Davis,	Jones,	Phelan,	Walker,
Dibble,	Lagan,	Rayner,	Warner,
Dougherty,	Laidlaw,	Rice,	Washington,
Dunn,	Landes,	Robertson,	Weber,
Elliott,	Lanham,	Rogers,	Wheeler,
Farquhar,	Lee,	Romeis,	White, Ind.
Fisher,	Lind,	Rowland,	Whiting, Mich.
Ford,	Lynch,	Russell, Mass.	Wickham,
French,	Macdonald,	Sawyer,	Wilkins,
Funston,	Martin,	Sayers,	Wilkinson,
Gay,	McClammy,	Seymour,	Wilson, Minn.
Gibson,	McCreary,	Shaw,	Wilson, W. Va.
Glass,	McKenna,	Shively,	Wise.
Glover,	McKinney,	Simmons,	
Goff,	McMillin,	Smith,	

NAYS—102.

Adams,	Cheadle,	Holman,	Outhwaite,
Allen, Mass.	Cockran,	Hopkins, Ill.	Perkins,
Allen, Mich.	Conger,	Hovey,	Peters,
Anderson, Iowa.	Cooper,	Johnston, Ind.	Phelps,
Anderson, Kans.	Cowles,	Johnston, N. C.	Pitcock,
Arnold,	Cox,	Kean,	Plumb,
Atkinson,	Cummings,	Kelley,	Post,
Baker, Ill.	Dalzell,	Kerr,	Randall
Belden,	Darlington,	Lawler,	Reed,
Bingham,	Davenport.	Lehlbach,	Rockwell,
Bland,	Dingley,	Lodge,	Rowell,
Bliss,	Dockery,	Long,	Ryan,
Blount,	Dorsey,	Lyman.	Scull,
Bound,	Enloe.	Mahoney,	Seney,
Boutelle.	Ermentrout,	Mason,	Sowden,
Bowen,	Fuller,	McAdoo,	Spooner,
Brower,	Gallinger,	McComas,	Stewart, Ga.
Brumm,	Gest,	Merriman,	Stone, Mo.
Buchanan,	Grout,	Milliken,	Taylor, J. D., Ohio
Bunnell,	Hall,	Moffitt,	Turner, Kans.
Burnes,	Harmer,	Montgomery,	Vance.
Butler,	Hatch,	Morrill.	Weaver,
Campbell, Ohio	Henderson, Iowa	Morse,	Whiting, Mass.
Campbell, T. J., N. Y.	Henderson, Ill.	Nichols,	Whitthorne.
Candler,	Hiestand,	O'Neill, Pa.	
Cannon,	Hitt,	Osborne,	

NOT VOTING—88.

Allen, Miss.	Finley,	La Follette.	Rusk,
Bacon,	Fitch,	Laird,	Scott,
Belmont,	Flood,	Lane,	Sherman,
Bootiman,	Foran,	Latham.	Spinola,
Breckinridge, Ark.	Forney,	Maffett,	Springer.
Browne, Ind.	Gaines,	Maish,	Stahlnecker,
Brown, J. R., Va.	Gear.	Mansur.	Steele.
Bryce,	Grosvenor,	Matson,	Stewart, Vt.
Burrows,	Hayden,	McCormick,	Struble,
Butterworth,	Hayes,	McCullogh,	Symes.
Bynum,	Heard,	McKinley,	Taylor, E. B., Ohio
Campbell, F., N. Y.	Hemphill,	McShane,	Thomas, Ill.
Clardy,	Henderson, N. C.	Mills.	Thomas, Wis.
Clark,	Hires,	Morrow,	Wade,
Collins,	Hogg,	O'Ferrall.	West.
Cothran,	Holmes,	Parker,	White, N. Y.
Crouse,	Hutton,	Patton,	Wilber,
Cutcheon,	Jackson,	Payson,	Williams,
Dargan,	Kennedy,	Perry.	Woodburn.
De Lano,	Ketcham,	Pugsley,	Yardley.
Dunham,	Kilgore,	Richardson,	Yoder,
Felton,	Laffoon,	Russell, Conn.	Yost.

So (two-thirds not having voted in favor thereof) the rules were not suspended, and the bill was not passed.

Mr. SPINOLA. If permitted to vote, I would have voted in the negative; but I am paired with the gentleman from Illinois [Mr. THOMAS].

Mr. DUNN. I ask unanimous consent to dispense with the reading of the names.

Mr. BLANCHARD. I object.

The following additional pairs were announced:

Mr. EZRA B. TAYLOR with Mr. YARDLEY, on the river and harbor bill. Mr. TAYLOR would vote for the bill, Mr. YARDLEY against it.

Mr. MANSUR with Mr. BUTTERWORTH, for the remainder of the day.

Mr. GEAR with Mr. RUSSELL, of Connecticut, on this vote.

Mr. KILGORE I am paired with the gentleman from North Carolina [Mr. LATHAM]. If he were present, he would vote for the bill and I would vote against it. I want the RECORD to show that.

The result of the vote was then announced as above stated.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, requested the House of Representatives to return the bill (S. 2613) to amend an act approved June 15, 1882, changing the boundaries of the fourth collection district of Virginia.

ORDER OF BUSINESS.

The SPEAKER. The next committee is the Committee on Merchant Marine and Fisheries.

Mr. DUNN rose.

Mr. TIMOTHY J. CAMPBELL. I move that the House do now adjourn.

The SPEAKER. The Chair had recognized the gentleman from Arkansas [Mr. DUNN].

Mr. DUNN. The Committee on Merchant Marine and Fisheries waives its privilege under this call in favor of an important public measure which is thought to be urgent; and for that purpose I yield to the gentleman from Ohio [Mr. WILKINS].

PURCHASE OF UNITED STATES BONDS.

Mr. WILKINS. I move to suspend the rules and adopt the resolution I send to the desk.

The Clerk read as follows:

Resolved by the House of Representatives, That it is the sense of this House that section 2 of the act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1882 and for other purposes, approved March 3, 1881, which is as follows: "That the Secretary of the Treasury may at any time apply the surplus money in the Treasury not otherwise appropriated or so much thereof as he may consider proper to the purchase or redemption of United States bonds: *Provided*, That the bonds so purchased or redeemed shall constitute no part of the sinking fund but shall be redeemed and canceled," was intended to be a permanent provision of law; and the same is hereby declared to have been since its enactment and to be now, in the opinion of the House, in full force and effect.

Mr. WEAVER. I demand a second.

Mr. BRUMM. I move that the House do now adjourn.

The motion to adjourn was not agreed to.

Mr. HATCH. I ask unanimous consent that a second may be considered as ordered.

Mr. WEAVER. I am willing to agree to that.

Mr. SHIVELY. I object.

The SPEAKER. The Chair appoints as tellers the gentleman from Ohio [Mr. WILKINS] and the gentleman from Indiana [Mr. SHIVELY].

Before the count by tellers was completed Mr. SHIVELY withdrew his objection.

The SPEAKER. Under the rule fifteen minutes are allowed for debate in support of the measure and fifteen against it. The Chair will recognize the gentleman from Ohio [Mr. WILKINS] to control the time in favor of the measure and the gentleman from Iowa [Mr. WEAVER] to control the time in opposition.

Mr. WILKINS. Mr. Speaker, if I can have the attention of the House for a few moments, I will endeavor to explain this resolution as briefly as I may.

Mr. WEAVER. Mr. Speaker, I wish to raise a point of order.

Mr. WILKINS. I have the floor and I do not yield for any such purpose.

Mr. WEAVER. I have a right to raise a point of order, have I not, Mr. Speaker?

The SPEAKER. If it is a point of order against the gentleman from Ohio——

Mr. WEAVER. No, sir; against the consideration of the resolution.

The SPEAKER. That is too late. The resolution has been seconded by unanimous consent and its consideration has commenced.

Mr. WEAVER. Very well.

Mr. WILKINS. Mr. Speaker, some weeks ago the House of Representatives passed a bill which authorized the Secretary of the Treasury to invest moneys now in the Treasury in excess of the demands for the proper and economical administration of the Government, in United States bonds, and by this operation the surplus would be put in circulation among the people—where it belongs.

This bill passed the House without a dissenting vote, went over to the Senate, and was by the Finance Committee of that body unanimously reported back to the Senate.

A long and tedious discussion followed, which resulted in the striking out of every word after the enacting clause and substituting a declaratory resolution or bill, part of which the resolution I have offered is in exact language. This amended bill came back to the House, and was, under our rules, sent back to the committee in which the House bill originated. It has now lost its privilege, and can not, if the committee itself so desired, have preference over other business in the House. There must, of course, be long and unavoidable delay.

The necessity for prompt and favorable action by the House on some such resolution as this is apparent to every one who studies the financial and industrial condition of the country.

Mr. Speaker, the President, in his annual message to Congress, expressed a doubt as to the authority to purchase bonds under the act of March 3, 1881, passed as it was in the expiring hours of the Forty-sixth Congress, at a time when the bonds of the United States carried, when compared with the present price, a small premium, and seven years nearer the day of payment.

Mr. REED. Is there anybody else that has had any doubt about it?

Mr. WILKINS. I will get to that in a moment. Yes, I will say

to my friend that there were a great many who had doubts upon that proposition. The leading Republican newspaper in this city.

Mr. REED. What is that?

Mr. WILKINS. I say the leading Republican newspaper in this city doubted whether the President had the authority, and continually, in its editorials, raised doubts upon that question.

Mr. REED. Did that raise the Presidential doubt?

Mr. WILKINS. This bill came back from the Senate amended by striking out everything after the enacting clause, and under the rule it was sent to the Committee on Ways and Means, who originated it. It can not now be reported back to the House under the rule without a tedious delay.

Mr. BLAND. Will the gentleman allow me a suggestion at that point?

Mr. WILKINS. I will.

Mr. BLAND. Why not introduce that bill and pass it, instead of this resolution? If this is not intended to defeat that, I do not know what it is intended for.

Mr. WILKINS. Mr. Speaker, I do not wonder that, with these changed conditions, a doubt as to the authority given the Executive should arise in his mind, and his desire to wait the advice of this Congress before taking so important a step is only another evidence to the people of this country of his wisdom and his patriotism in the interest and for the welfare of the whole people.

Now, Mr. Speaker, the adoption of this resolution, which is exactly the language of that part of the Senate bill, and which is simply declaratory, makes it clear and explicit that it is the sense of this House that the Secretary of the Treasury has now, and has had since March 3, 1881, when the act was passed, the right to go into the market and buy any of the bonds of the United States with any surplus revenue in the Treasury. The Senate have already expressed itself almost unanimously on the bill—unanimously on this proposition, I am told. Now let the House do as much, and we have done our whole duty; leave the rest to the wisdom, the integrity, the ability, and discretion of the Secretary of the Treasury, in whom the country has the most implicit confidence.

I reserve the balance of my time.

The SPEAKER *pro tempore*. The gentleman has ten minutes of his time left.

Mr. BRUMM. How did this resolution get in here; from what committee?

Mr. WEAVER. Mr. Speaker, I should like to have the attention of the House. When this motion was made no one had time to think or to ask whether any committee had authorized the gentleman from Ohio [Mr. WILKINS] to make the motion or not. This is committee day to move to suspend the rules and not the day on which an individual may do so, and I now ask the gentleman either to state that his committee did authorize him to make this motion or else to remain silent, so that we may understand that it did not, and that there is a trick being played upon this House. Which is it? [After a pause.] It is a trick, is it? Now, sir, that is taking an undue advantage of this House——

Mr. WILKINS. I will ask the gentleman if he was addressing me. I was not paying attention at the moment.

Mr. WEAVER. I was. I asked you if your committee ever authorized you to offer this resolution, and I paused at length for the gentleman to reply.

Mr. WILKINS. My committee did not authorize me, and this is not any trick.

Mr. HATCH. Will the gentleman allow me a question?

Mr. WEAVER. No, sir; I will not.

Mr. Speaker, this is the day on which committees of the House have the right to be recognized to move suspension of the rules to pass bills which have been authorized by those committees; this is not individual suspension day. Now, what is the purpose of this resolution? It is plain to everybody, and will deceive no one. Sometime ago this House passed a bill to authorize the Secretary of the Treasury to go into the market and buy bonds with any surplus in the Treasury or that might hereafter be in the Treasury. That bill went to the Senate where an important amendment was put upon it by the Senator from Kentucky, Mr. BECK. What was that amendment? It authorizes and requires the Secretary of the Treasury to coin silver dollars to take the place of national-bank notes that may hereafter be retired, giving the banks thirty days after the retirement of the notes in which to take out a similar amount of notes; and in the event they fail to do this the amendment provides that silver be coined to take the place of the notes retired. That bill thus amended has come back to the House, and is now in the hands of the Committee on Ways and Means. It was just as competent for the gentleman from Ohio to have moved to discharge that committee from the further consideration of that bill and put it on its passage to-day as it was to move to adopt the resolution which he has offered. This proceeding means nothing more and nothing less than the defeat and burial of the Beck amendment. It means that this House does not intend to act upon it, or rather that the Committee on Ways and Means does not intend to give the House the privilege of taking action upon it. It can mean nothing else. Do you suppose the country will not see through the sham and understand it fully?

Mr. WILKINS. How does the gentleman know that to be true?

Mr. WEAVER. I know it from circumstances, just as any intelligent man would know anything that is transpiring before his eyes. There would be no necessity for the passage of this resolution if that bill were passed. The resolution expresses a truth, and on its face is unobjectionable; but I am opposed to the purpose for which it is now presented, and I call the attention of the House and the country to that purpose. Will this House take the responsibility of burying and defeating the Beck amendment adopted by the Senate? Gentlemen, I challenge you to do it, and I call public attention to your action. The Beck amendment is both wise and humane. Millions of honest but usury-stricken and poverty-ridden people are anxiously watching, and thousands are praying for its passage. Shall they be disappointed?

We are now undergoing in this country the tortures of a twofold contraction—contraction by the national banks and contraction by piling up the money in the Treasury, and the people are crying out for mercy. Their homes are passing from under them. They can not stand further contraction. In behalf of business men who see ruin staring them in the face, whose fortunes are about to pass from their hands, and in behalf of the destitute people of this country I appeal to this House not to allow that bill to be buried; I appeal to the Ways and Means Committee not to allow it; and if they do so, before God I appeal to the country to visit retributive justice upon those who are responsible for it. [Applause.]

Sir, it was the advocacy of popular rights as against the encroachments of the money power that elected me to Congress, and I say in this presence and before God, that I will retire from Congress rather than violate one single pledge I have made to the people. I will not indorse any such attempt as is now being made on the part of any party; and I serve notice now to that effect.

I yield two minutes to the gentleman from Indiana [Mr. SHIVELY].

Mr. SHIVELY. Mr. Speaker, I am in favor of paying the national debt, but utterly opposed to the ulterior purpose of the introduction of this resolution at this time. Some weeks ago the House passed the Mills resolution. It went to the Senate, was amended, returned to the House, and is now pending before the Committee on Ways and Means. That resolution, as amended, not only provides for the payment of the debt, but also provides for the coinage of silver dollars to take the place of the national-bank currency, which the payment of the debt takes out of circulation. It therefore not only covers all the purposes of this resolution, but serves the additional purpose of protecting the business and labor interests of the country against threatened collapse and disaster from contraction of the volume of currency. It relieves the Treasury, pays the debt, and protects the country from the danger of panic and bankruptcy. Now, sir, it is perfectly clear that the introduction of this proposition to-day is intended to anticipate and forestall action on that resolution. Exists there any pressing necessity for the adoption of this proposition and the burial of the Mills resolution in order to relieve somebody of a serious responsibility?

Mr. WEAVER. I yield five minutes to the gentleman from Missouri [Mr. BLAND].

Mr. BLAND. Mr. Speaker, I regret very much that this resolution has come before us in this shape. I should have been glad indeed had a motion been made to suspend the rules so as to discharge the Committee on Ways and Means from the further consideration of the bill on this subject, and put it on its passage as it came from the Senate. While I do not wish to indulge in any criticisms upon anybody or in any suspicions that this is a mode of smothering that bill, yet it does seem to me that if there were not some ulterior purpose with regard to that question we would have that bill before us upon a motion to pass it, instead of adopting this resolution.

There can be no question that the executive department of this Government has power to-day under existing law to go into the market and purchase bonds at will in the manner contemplated by this resolution. But, sir, the House bill which has come to us from the Senate has upon it a very significant and important amendment, providing that where national banks not in liquidation surrender their circulation, the Secretary of the Treasury shall purchase and coin, in addition to the minimum amount now required by law, a sufficient amount of silver to replace the bank circulation, and thus prevent contraction of the currency; in other words, under the amendment the Secretary of the Treasury would put out silver or silver certificates in an amount equal to bank notes which may be surrendered. If we are to go on and pay the public debt it is highly necessary that some provision should be made for the purpose of supplying the circulation which would be surrendered by the national banks.

And so far as I am concerned, Mr. Speaker, while I am in favor of the purpose of the resolution I shall not vote for it here, simply because I regard it as a subterfuge to get rid of the main question of passing a bill for the purpose of paying the debt and substituting silver and silver certificates for bank notes.

I am opposed to the whole scheme, and say here, sir, that this House will be derelict to its duty if it does not require that committee to report that bill and put it on its passage. And I shall oppose here now this resolution and all schemes which look toward smothering a great public question which this country is interested in. [Applause.]

[Here the hammer fell.]

Mr. WEAVER. I reserve the remainder of my time.

The SPEAKER. The gentleman has three minutes of his time remaining.

Mr. WILKINS. I ask to know whether the gentleman from Iowa [Mr. WEAVER] intends to go on and occupy that time. I have the right under the rule to close the debate, and I would like to know.

Mr. WEAVER. Of course the gentleman has; I concede that; and I will therefore say in conclusion that I hope the House will defeat this resolution and rebuke the spirit of it.

Mr. WILKINS. The gentleman says he is in favor of it. [Laughter.]

Mr. WEAVER. I am in favor of its purpose, but against this way of bringing it before the House.

Mr. WILKINS. I yield for five minutes to the gentleman from Missouri [Mr. HATCH].

Mr. HATCH. Mr. Speaker, I am very much surprised at the differences over this resolution, and especially at the declaration made by the gentleman from Iowa [Mr. WEAVER] that there was a trick in it. Now, that gentleman knows as well as he knows any living fact that he is one of the very first gentlemen on this floor who was consulted in regard to the propriety of this resolution, and that he indorsed and approved of it. [Laughter and applause.]

Mr. WEAVER. Will the gentleman allow me——

Mr. HATCH. No; I have but five minutes. [Laughter and applause.]

Mr. WEAVER. The gentleman has no right to put me in a false position.

Mr. HATCH. I do not put you in a false position.

Mr. WEAVER. I say, sir, that no man ever asked me whether I would support this resolution brought in here in violation of the rules of the House.

Mr. WILKINS. What rule has been violated?

Mr. HATCH. The gentleman knows well that he was consulted as to the resolution.

Mr. WEAVER. I never saw the resolution in my life.

Mr. HATCH. Allow me to make my statement.

Mr. WEAVER. I say you never told me of that resolution. You never told me a gentleman was to be recognized here.

Mr. HATCH. I decline to yield.

Mr. BLAND. Let me ask the gentleman a question.

Mr. HATCH. I decline to yield. I do not want it taken out of my time. I reiterate what I have said of the gentleman from Missouri and others because I went to the gentleman myself. I also say that I am as much in favor of the Beck amendment as the gentleman or my colleague from Missouri; but when the people throughout the length and breadth of the Mississippi Valley are in danger to-day of a financial crisis because of this contraction of the currency, and I can not get all I want, I am willing to help my people by passing this resolution and getting what I can. Then when the Mills bill with the Beck amendment comes before the House, I will support it with my vote and my voice. [Laughter and applause.]

Mr. HENDERSON, of Iowa. When will that be? [Laughter and applause.]

Mr. BRUMM. It will be in the sweet by and by. [Laughter.]

Mr. HATCH. The gentleman has not the right to take up my time by such unparliamentary interruptions. In answer to the question I will say, however, that I hope it will be as soon as the Committee on Ways and Means can consider it and report it back to the House. It is a privileged question and can come up at any time. But now here is the Treasury Department with the Secretary of the Treasury at its head and with the President of the United States, who under the law has been trying to relieve the people of a threatened financial crisis—here they are now ready on the declaration of the House as to the interpretation of that act, to go ahead and execute it. Why did not the gentleman from Iowa [Mr. WEAVER], and why did not my colleague when the bill was before the House put the amendment on? [Laughter.]

Mr. BLAND. It was not in order in the House.

Mr. HATCH. Why was it in order in the Senate?

Mr. BLAND. Why do you not do it now? [Laughter and applause.]

Mr. HATCH. I never knew the gentleman in my life that he was not so excited whenever silver was mentioned that if he can not get all he wants he would be willing to keep the bonds of oppression around his own people until he could get the Bland silver dollar to the front again. [Laughter and applause.]

I say nothing about the amendment until the time comes to discuss it.

Mr. WEAVER. Will it ever come?

Mr. HATCH. Yes, it will come.

[Here the hammer fell.]

Mr. WILKINS. I yield now four minutes to the gentleman from Maine [Mr. DINGLEY].

Mr. DINGLEY. Mr. Speaker, this is simply a declaratory resolution to the effect that the provision incorporated in the appropriation act of 1881, to which it refers, was intended to be and is a permanent and continuing authority to the Secretary of the Treasury to use the surplus funds in the Treasury for the purpose of purchasing the public debt.

I am in favor of this resolution, first, because I believe that that was the intention and is the effect of the provision in the appropriation act of 1881, and in voting for it I am simply giving effect to my own judgment as to what was the intention of Congress in that act. Secondly, I am in favor of its passage for the reason that under existing circumstances (and I am not called upon here to say by whom these existing circumstances were brought about), under existing circumstances the business of this country demands that there should be such action taken as would lead to the use of that provision in the act of 1881 in employing the hundred millions of surplus that is to-day in the Treasury in reducing the public debt, and to set afloat for the use of the business interests of the country that hundred millions which the condition of that business so much demands.

I am not here—neither is it the part of statesmanship—to call in question or criticise this or that thing in connection with this matter. I am here simply to call the attention of this House to a necessity which exists in the country, a grave necessity. We all know, as a matter of fact, that for six months, for eight months, past there has been accumulating in the Treasury of the United States money which the business interests of the country demand and need for circulation, and which, in my judgment, months ago the President ought to have used in purchasing the debt of the country, and thus releasing that money to the use of the business public. But he said, Mr. Speaker, that he has had doubts respecting the power given him by this act of 1881. For my own part I do not believe, looking at that act as I do, that there was any necessity or ground for the doubts; but so long as they have existed, so long as he has not employed this power, and so long as it appears from the position he has taken that he is disinclined to use this power until he has had some declaration on the part of the two Houses of Congress respecting it, I am in favor of this, and am willing to declare by my vote what I believe to be the fact, and what I believe, if declared by this House, will result in releasing to the business of the country that large amount of money now tied up in the Treasury and which the demands and needs of the country require shall be put in circulation.

Mr. MCKENNA. I would like to ask the gentleman a question.

Mr. DINGLEY. I have not time. I yield the balance of my time to my colleague, if he desires it.

Mr. MCKENNA. I only wanted to ask if we have not already declared upon this question?

Mr. KERR. Has not the Senate acted upon the House bill and returned it to us?

Mr. DINGLEY. The House has passed a bill giving the direct authority to apply the funds in that way.

Mr. MCKENNA. This is the same.

Mr. DINGLEY. No. This is simply a declaration of the meaning of the act of 1881. The Senate passed precisely a similar declaratory resolution, and now if the House joins in the same there can be no question on the part of the Secretary of the Treasury or the Executive as to the power conferred by that act, nor any excuse for withholding for a single day longer that relief which the country so much needs.

Mr. HENDERSON, of Iowa. Is the gentleman in favor of the amendment put on by the Senate?

Mr. DINGLEY. I am in favor of this resolution as it stands here for our action.

Mr. WILKINS. I now yield a half minute to the gentleman from Tennessee [Mr. MCMILLIN].

Mr. MCMILLIN. Mr. Speaker, I think it is but just and proper that I should, on behalf of the Ways and Means Committee, state, after what has been said one way or other concerning the action of the Ways and Means Committee upon the Mills resolution, that it but recently came back from the Senate—April 3—and the last meeting of the committee was April 2. The last two meetings we intended having were interfered with by the deadlock existing in the House. It is well known that the committees can not be in session during the sittings of the House without special leave. And there has been no consideration given to the matter for that reason and for that reason alone. It has not been discussed in the committee.

Mr. BRECKINRIDGE, of Kentucky. There has been no meeting of the committee since it came back to the House.

Mr. MCMILLIN. My friend from Kentucky is correct; there has been no meeting of the committee held, or regular meeting possible to be held, since the resolution was referred to us by the House after its return—amended—from the Senate.

[Here the hammer fell.]

Mr. WILKINS. I suggest that we take a vote now.

Mr. REED. Can not gentlemen be allowed five minutes longer on each side? This is quite interesting. [Laughter.]

The SPEAKER. The question is on the motion of the gentleman from Ohio to suspend the rules and pass the resolution.

Mr. WEAVER. Yeas and nays.

Mr. BRUMM. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. BRUMM. Or rather to a parliamentary inquiry.

It having been just now discovered for the first time that this bill or resolution, or whatever it is, was not considered by a committee,

and that it is before the House not by authority of a committee, and that this is suspension day for committees only, is the bill therefore not irregularly before the House and subject to the point of order?

The SPEAKER. The gentleman is mistaken in saying that it has been just now discovered that it is not reported by a committee. The gentleman from Iowa [Mr. WEAVER] attempted to make the point of order immediately after the second was ordered on the motion.

Mr. BRUMM. There was no information here officially from the committee until at this time.

The SPEAKER. But this does not purport to come from a committee. On the contrary, when the Chair called the Committee on Merchant Marine and Fisheries, the chairman of that committee, the gentleman from Arkansas [Mr. DUNN], rose and stated that the committee waived its privilege and that he yielded to the gentleman from Ohio [Mr. WILKINS]. Thereupon the gentleman from Ohio, on his individual responsibility as a member, offered the resolution and moved to suspend the rules. A second was ordered by the House. Immediately upon that the gentleman from Iowa attempted to make the point of order, but the Chair held it was too late.

Mr. BRUMM. But if the Speaker will allow me I will remind the Chair that all this proceeding was being followed out before we had any official information from the Committee on Ways and Means, the committee that had jurisdiction of the subject-matter. And now we are told that that committee has not had a session since the bill was received from the Senate. The question is whether I, as a member of Congress, having discovered, officially or otherwise, that fact can not raise the point I have made?

The SPEAKER. This resolution has never been before the committee.

Mr. BRUMM. And it is therefore irregular.

Mr. HATCH. The motion is to suspend all rules.

Mr. DUNN. I wish to call attention to one feature of the rule. It provides that the Speaker shall not entertain a motion to suspend the rules except on the first and third Mondays of each month and during the last six days of the session, preference being given on the third Mondays to committees. But there is no arbitrary rule saying they shall have it. The preference was given to the committee of which I have the honor to be chairman, and I waived it, yielding to the gentleman from Ohio.

The SPEAKER. As has been stated by the gentleman from Arkansas, motions to suspend the rules are in order on the first and third Mondays of each month. The rule provides that preference shall be given to individual members on the first Monday and that preference shall be given to committees on the third Monday. The Chair gave preference to the Committee on Merchant Marine and Fisheries and called it in the regular order; but the gentleman from Arkansas waived the privilege of his committee under the rule and yielded to the gentleman from Ohio.

While this may be, and the Chair deems it is, a departure from the practice which has heretofore prevailed since the adoption of this rule in the Forty-sixth Congress, yet it is not prohibited by the rule, and the point of order was not made until a second had been demanded and ordered.

Mr. WEAVER. With the permission of the Chair, I want to say this: When the gentleman from Arkansas yielded the privilege of his committee we had no knowledge of the purpose of the gentleman from Ohio [Mr. WILKINS], and there was such confusion in the Hall that we did not hear the chairman of the Committee on Merchant Marine and Fisheries waive his right in favor of the chairman of the Committee on Banking and Currency. That was not known. I presume not half a dozen members knew it, or that any perhaps knew it unless the gentleman who made the motion, the chairman of the committee who yielded to him, and the Speaker.

Mr. HATCH. I know that more than half a dozen members knew it, because I heard half a dozen speak of it.

Mr. WEAVER. But the gentleman did not hear half a dozen members speak of this fact that there was going to be a departure to-day from the well-recognized practice of the House. That, so far as I am aware, was not known to half a dozen members.

Mr. WILKINS. Is this debate in order?

The SPEAKER. The Chair stated that he would listen to the gentlemen. The Chair thinks the point of order too late, whatever there might have been in it if made in time——

Mr. BRUMM. I desire to make another parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRUMM. A resolution or bill having passed the House during a session of Congress, can a similar resolution or bill be called up again in the same session with the change merely of calling the one a bill and the other a resolution, both embodying exactly the same subject-matter?

The SPEAKER. The House has passed no resolution in this or any previous session, so far as the Chair thinks, similar to this.

Mr. BRUMM. Was not the bill which passed the House, and was amended in the Senate, substantially the same as this resolution?

The SPEAKER. Not at all. That was to enact a new law. This declares what is the sense of the House as to the meaning of a law already enacted.

[Cries of "Regular order!"]

On the question of ordering the yeas and nays there were ayes 35—not one-fifth of the last vote.

Mr. BLAND. Count the other side.

The negative vote being counted, there were 104 noes.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

The question was taken; and there were—yeas 138, nays 64, not voting 123; as follows:

YEAS—138.

Adams,	Davidson, Ala.	Milliken,	Seymour,
Allen, Mass.	Davidson, Fla.	Mosgitt,	Shaw,
Allen, Mich.	Dingley,	Montgomery,	Simmons,
Anderson, Miss.	Dunn,	Moore,	Sowden,
Anderson, Ill.	Elliott,	Morgan,	Spooner,
Baker, N. Y.	Enloe,	Morrill,	Springer,
Bankhead,	Ermentrout,	Morse,	Stewart, Ga.
Barnes,	Farquhar,	Neal,	Stone, Ky.
Bayne,	French,	Newton,	Stone, Mo.
Biggs,	Gaines,	Nutting,	Tarsney,
Blanchard,	Gallinger,	Oates,	Taylor, J. D., Ohio
Bliss,	Glass,	O'Donnell,	Thomas, Ky.
Blount,	Goff,	O'Neall, Ind.	Thomas, Wis.
Boutelle,	Greenman,	O'Neill, Pa.	Thompson, Ohio
Breckinridge, Ky.	Guenther,	O'Neill, Mo.	Tracey,
Browne, T. H. B., Va.	Hall,	Osborne,	Townshend,
Buchanan,	Hatch,	Outhwaite,	Turner, Ga.
Buckalew,	Haugen,	Parker,	Vance,
Burnett,	Herbert,	Peel,	Vandever,
Butler,	Hiestand,	Perkins,	Walker,
Campbell, T. J., N. Y.	Hitt,	Peters,	Washington,
Cannon,	Howard,	Phelan,	Weber,
Carlton,	Hunter,	Phelps,	Wheeler,
Caruth,	Kean,	Randall,	White, Ind.
Caswell,	Ketcham,	Reed,	Whiting, Mass.
Catchings,	Laffoon,	Rice,	Wickham,
Clements,	Landes,	Robertson,	Wilber,
Cobb,	Lee,	Rockwell,	Wilkins,
Cockran	Lehlbach,	Rogers,	Wilson, Minn.
Cogswell,	Lodge,	Rowland,	Wilson, W. Va.
Cooper,	McAdoo,	Russell, Conn.	Wise,
Cowles,	McComas,	Russell, Mass.	Yardley,
Crisp,	McCreary,	Ryan,	Carlisle, Speaker.
Cummings,	McMillin,	Sayers,	
Darlington,	Merriman,	Seney,	

NAYS—64.

Abbott,	Fuller,	Kerr,	Norwood,
Anderson, Iowa	Gest,	Kilgore,	Penington,
Anderson, Kans.	Glover,	Laidlaw,	Plumb,
Atkinson,	Grimes,	Laird,	Post,
Baker, Ill.	Heard,	Lanham,	Rowell,
Bland,	Henderson, Iowa.	Lind,	Shively,
Brower,	Henderson, Ill.	Lyman,	Smith,
Brumm,	Holman,	Lynch,	Snyder,
Bunnell,	Honker,	Macdonald,	Stewart, Tex.
Burnes,	Hopkins, Ill.	Martin,	Stockdale,
Cheadle,	Hopkins, Va.	Mason,	Tillman,
Chipman,	Hovey,	McClammy,	Wade,
Conger,	Johnston, Ind.	McKenna,	Warner,
Dockery,	Johnston, N. C.	McRae,	Weaver,
Dorsey,	Jones,	Nelson,	Whiting, Mich.
Fisher,	Kelley,	Nichols,	Wilkinson.

NOT VOTING—123.

Allen, Miss.	Culberson,	Hires,	Perry,
Arnold,	Cutcheon,	Hogg,	Pidcock,
Bacon,	Dalzell,	Holmes,	Pugsley,
Barry,	Dargan,	Hopkins, N. Y.	Rayner,
Belden,	Davenport,	Houk,	Richardson,
Belmont,	Davis,	Hudd,	Romeis,
Bingham,	De Lano,	Hutton,	Rusk,
Boothman,	Dibble,	Jackson,	Sawyer,
Bound,	Dougherty,	Kennedy,	Scott,
Bowden,	Dunham,	La Follette,	Scull,
Bowen,	Felton,	Lagan,	Sherman,
Breckinridge, Ark.	Finley,	Lane,	Spinola,
Brewer,	Fitch,	Latham,	Stahlnecker,
Browne, Ind.	Flood,	Lawler,	Steele,
Brown, Ohio	Foran,	Long,	Stephenson,
Brown, J. R., Va.	Ford,	Maffett,	Stewart, Vt.
Bryce,	Forney,	Mahoney,	Struble,
Burrows,	Funston,	Maish,	Symes,
Butterworth,	Gay,	Mansur,	Taulbee,
Bynum,	Gear,	Matson,	Taylor, E. B., Ohio
Campbell, F., N. Y.	Gibson,	McCormick,	Thomas, Ill.
Campbell, Ohio	Granger,	McCullogh,	Thompson, Cal.
Candler,	Grosvenor,	McKinley,	Turner, Kans.
Clardy,	Grout,	McKinney,	West,
Clark,	Hare,	McShane,	White, N. Y.
Collins,	Harmer,	Mills,	Whitthorne,
Compton,	Hayden,	Morrow,	Williams,
Cothran,	Hayes,	O'Ferrall,	Woodburn,
Cox,	Hemphill,	Owen,	Yoder,
Crain,	Henderson, N. C.	Patton,	Yost.
Crouse,	Hermann,	Payson,	

So, more than two-thirds having voted in the affirmative, the rules were suspended and the resolution was passed.

Mr. PEEL asked unanimous consent that the reading of the names of members voting be dispensed with, but objection was made.

The following additional pairs were announced:

Mr. LAWLER with Mr. BROWN, of Ohio, for the rest of the day.

Mr. GRANGER with Mr. HARMER, for the rest of the day.

The result of the vote was then announced as above recorded.

ORDER OF BUSINESS.

Mr. PEEL. I move that the House now take a recess, the evening session to be devoted to completing the Indian appropriation bill.

Mr. REED. Half the members of the House have gone.

Mr. RANDALL. If the House should take a recess, would not motions to suspend the rules still be in order?

The SPEAKER. Yes; unless the House, on a motion to suspend the rules, should resolve itself into Committee of the Whole on the state of the Union; which would be in order.

LAURA A. WRIGHT.

The SPEAKER laid before the House the following message from the President of the United States; which was read, ordered to be printed, and referred to the Committee on Invalid Pensions:

To the House of Representatives:

I return herewith, without approval, House bill No. 415, entitled "An act granting a pension to Laura A. Wright."

The beneficiary named in this bill is the widow of Charles H. Wright, who was pensioned for a gunshot wound received in the military service of the United States on the 19th day of September, 1864. He continued in the receipt of such pension until June 25, 1884, when he committed suicide by hanging.

It is alleged on behalf of his widow that the pain caused by his wound was so great that it caused temporary insanity, under the influence of which he destroyed himself.

There is not a particle of proof that I can discover tending to show an unsound mind, unless it be the fact of his suicide. He suffered much pain at intervals. He was a farmer, in comfortable circumstances, and, according to the testimony of one of the physicians filed in support of the widow's claim, his health was good up to the time of his death, except for the wound and its results. The day before his death he was engaged in work connected with his farming occupation, though he complained of pain from his wound. Early the next morning, still complaining, as it is alleged, of his wound, he went out, declaring he was going out to milk, and not returning in due time, upon search his body was found and his self-destruction discovered. This was nearly twenty years after the deceased received his wound, and there is not a suggestion of any act or word of his in all that time indicating insanity. It seems to me it can hardly be assumed in such circumstances that the insanity and death of the soldier resulted from pain arising from his wound merely because no other explanation can be given. In numerous cases of suicide no cause or motive for self-destruction is discovered.

We have within our borders thousands of widows living in poverty, and some of them in need, whose dead husbands fought bravely and well in defense of the Government, but whose deaths were not occasioned by any incident of military service. In these cases the wife's long vigil at the bed of wasting disease, the poverty that came before the death, and the distressing doubt and uncertainty which darkened the future have not secured to such widows the aid of our pension laws.

With these in sight, the bounty of the Government may without injustice be withheld from one whose soldier husband received a pension for nearly twenty years, though all that time able to labor, and who, having reached a stage of comfortable living, made his wife a widow by destroying his own life.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 16, 1888.

PUBLICATION OF HISTORICAL MANUSCRIPTS.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, ordered to be printed, and referred to the Committee on the Library:

To the Senate and House of Representatives:

I transmit herewith and commend to your favorable consideration a letter from the Secretary of State, outlining a plan for publishing the important collections of historical manuscripts now deposited in the Department of State.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 12, 1888.

ORDER OF BUSINESS.

Mr. BUCHANAN. I move that the House do now adjourn.

Mr. STEELE. I hope the gentleman will withdraw that motion and let us take a recess to finish the Indian appropriation bill.

The motion of Mr. BUCHANAN was agreed to; and the House accordingly (at 6.15 p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ABBOTT: A bill (H. R. 9453) for the relief of J. G. Saims—to the Committee on Invalid Pensions.

By Mr. BAYNE: A bill (H. R. 9454) granting a pension to Capt. James G. Saint—to the Committee on Invalid Pensions.

By Mr. BLISS: A bill (H. R. 9455) granting a pension to Benjamin F. Clayton—to the Committee on Invalid Pensions.

By Mr. BUCHANAN: A bill (H. R. 9456) in regard to a monumental column to commemorate the battle of Princeton, and appropriating $30,000—to the Committee on the Library.

By Mr. BUTLER: A bill (H. R. 9457) for the relief of John Boen—to the Committee on Military Affairs.

Also, a bill (H. R. 9458) to remove the charge of desertion against William A. Cook—to the Committee on Military Affairs.

By Mr. CANNON (by request): A bill (H. R. 9459) for the relief of certain parties who have paid $2.50 per acre for United States Government land, reduced in price to $1.25 per acre by the act of Congress approved June 15, 1880—to the Committee on the Public Lands.

By Mr. DALZELL: A bill (H. R. 9460) granting a pension to James McKeag—to the Committee on Invalid Pensions.

By Mr. FARQUHAR: A bill (H. R. 9461) for the relief of William F. Wheeler—to the Committee on Military Affairs.

By Mr. FINLEY: A bill (H. R. 9462) restoring Mary Reynolds, widow of Lewis Reynolds, to the pension-roll—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 9463) granting a pension to Lucy A. Jordan—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 9464) for the relief of Hudson G. Lamkin—to the Committee on War Claims.

By Mr. HOVEY: A bill (H. R. 9465) for the relief of Sallie P. Dorsey—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 9466) granting a pension to Philip H. Emmert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9467) granting a pension to William M. Dicken—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9468) granting a pension to Warren T. Manning—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 9469) for the relief of Charles Erskine—to the Committee on Claims.

By Mr. McCREARY: A bill (H. R. 9470) for the relief of R. F. Harrison—to the Committee on Claims.

Also, a bill (H. R. 9471) granting a pension to William Huffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9472) for the benefit of Benjamin McGee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9473) for the relief of Right Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9474) for the relief of George and Charles Shindler—to the Committee on War Claims.

Also, a bill (H. R. 9475) for the relief of Mrs. M. T. Davies—to the Committee on War Claims.

Also, a bill (H. R. 9476) for the relief of R. H. Givens's heirs—to the Committee on War Claims.

Also, a bill (H. R. 9477) for the relief of Allen M. Snooks—to the Committee on War Claims.

Also, a bill (H. R. 9478) for the relief of Thomas K. Letcher's heirs—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 9479) for the relief of Mrs. Cynthia C. Clements—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9480) for the relief of Margaret Ann Johnson and others—to the Committee on War Claims.

By Mr. NEAL: A bill (H. R. 9481) for the relief of W. C. Kyle—to the Committee on War Claims.

By Mr. RICE: A bill (H. R. 9482) for the relief of the legal representatives of J. P. Foley, deceased—to the Committee on Military Affairs.

By Mr. ROGERS: A bill (H. R. 9483) for the relief of John L. Green, administrator of James H. Newkirk—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 9484) for the relief of Dr. F. C. Myers—to the Committee on War Claims.

By Mr. SPINOLA: A bill (H. R. 9485) to remove the charge of desertion against Michael Kelly—to the Committee on Military Affairs.

By Mr. G. M. THOMAS: A bill (H. R. 9486) granting a pension to Fleming Puckett—to the Committee on Invalid Pensions.

By Mr. A. C. THOMPSON: A bill (H. R. 9487) granting a pension to Mrs. Aurelia P. Hall—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 9488) for the relief of Lewis F. Casey—to the Committee on Pensions.

Also, a bill (H. R. 9489) for the relief of W. B. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9490) for the relief of Thomas S. Walker—to the Committee on Military Affairs.

Also, a bill (H. R. 9491) for the relief of Samuel L. M. Proctor—to the Committee on Pensions.

Also, a bill (H. R. 9492) for the relief of Susan Slatton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9493) for the relief of Edmund Drake—to the Committee on War Claims.

Also, a bill (H. R. 9494) for the relief of Mary M. Shipley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9495) for the relief of James M. Garvis—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 9496) for the relief of William Aud—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9497) for the relief of James A. McFarland—to the Committee on Military Affairs.

Also, a bill (H. R. 9498) for the relief of John Pendergrast—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9499) for the relief of Thomas Harrington—to the Committee on War Claims.

Also, a bill (H. R. 9500) for the relief of Elizabeth Wilson—to the Committee on Invalid Pensions.

By Mr. YODER: A bill (H. R. 9501) granting a pension to John W. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9502) for the relief of Mark Guyton—to the Committee on Claims.

By Mr. GRANGER (by request): A bill (H. R. 9503) for the relief of Mary B. Mix—to the Committee on Claims.

By Mr. McCOMAS: A bill (H. R. 9504) for the relief of Mrs. Olive Padgett—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 9505) granting an increase of pension to Hiram Cook—to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 9506) for the relief of James E. Jenkins—to the Committee on the Post-Office and Post-Roads.

By Mr. ROGERS: A bill (H. R. 9507) granting right of way to the Fort Smith, Paris and Dardanelle Railway Company through the Indian Territory—to the Committee on Indian Affairs.

By Mr. WILLIAMS (by request): A bill (H. R. 9508) for the relief of the legal heirs of James Horton—to the Committee on War Claims.

Change in the reference of a bill improperly referred was made in the following case, namely:

A bill (H. R. 6289) granting an increase of pension to Kate K. Whittlesey—from the Committee on Invalid Pensions to the Committee on Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BANKHEAD: Petition of W. C. Ferrell and 37 others, citizens of Epes Station, Ala., against the passage of the Butterworth lard bill—to the Committee on Agriculture.

By Mr. BARNES: Petition of W. H. Warren and 232 others, citizens of Augusta, Ga., against the passage of any bill discriminating against the use of cotton-seed oil, etc.—to the Committee on Agriculture.

By Mr. BAYNE: Petition of Ross Council, Junior Order of United American Mechanics, of Allegheny County, Pennsylvania, for making February 22 a national holiday—to the Committee on the Judiciary.

Also, petition of E. Holden & Co. and other druggists, for repeal of internal-revenue tax on retailers of drugs—to the Committee on Ways and Means.

Also, petition of James G. Saint, for a pension—to the Committee on Invalid Pensions.

By Mr. BINGHAM: Petition of the Philadelphia Merchant Tailors' Exchange, relative to the unjust discrimination in the present tariff in favor of foreign manufactured clothing—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of Aaron Smith; of George G. Hill, administrator of Thomas Hill; of H. K. Chesnutt, administrator of David Kirkpatrick; of James Cameron; of Mahola J. Moyse; of William E. Creech; of John P. Hamer; of J. N. Funkhouse, administrator of A. B. Funkhouse, of Tennessee; and of E. B. Moore, executor of Parham Moore, of Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CAINE: Resolution of the city council of Salt Lake City, Utah, tendering to the United States a certain block of land upon which to erect a Government building—to the Committee on Public Buildings and Grounds.

By Mr. CARUTH: Papers relating to the claim of W. L. Carey, for relief—to the Committee on War Claims.

By Mr. CATCHINGS: Petition of G. E. Billingsley and many others, and of R. E. Calhoun and many others, against the passage of the lard bill—to the Committee on Agriculture.

By Mr. CHIPMAN: Petition of bottlers in various cities of the United States against an import tax on bottles—to the Committee on Ways and Means.

Also, petition of Buhl Sons & Co. and others against reduction of duty on glass—to the Committee on Ways and Means.

Also, petition of M. Ketrich and other marine engineers in favor of House bills 4468, 5641, and 6135, and certain amendments thereto—to the Committee on Commerce.

By Mr. CLEMENTS: Petition of 53 citizens of Floyd County, Georgia, against the passage of bills known as lard bills—to the Committee on Agriculture.

Also, petition of Mrs. F. E. Mills, heir of R. J. Richardson, of Chattooga County, Georgia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. CONGER: Joint resolution of the General Assembly of Iowa, for retention of the records of the General Land Office in Des Moines, at the capital of the State—to the Committee on the Public Lands.

By Mr. CULBERSON: Petition of Thomas R. Banks, of Red River County, Texas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CUMMINGS: Petition of Oscar Werniger, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petition of Chalfant Lodge, Amalgamated Association of Iron and Steel Workers, against interference with the tariff—to the Committee on Ways and Means.

By Mr. DOUGHERTY (by request): Petition of Stephen L. Kearney, of the District of Columbia, for a pension—to the Committee on Pensions.

By Mr. DUNHAM: Resolutions of Typographical Union No. 74, of Chicago, favoring the Chace copyright bill—to the Committee on Patents.

Also, resolution of Sued Seite Turn Gemeinde, of Chicago, against any law to further restrict immigration—to the Committee on Foreign Affairs.

By Mr. DUNN: Petition of John P. Moore, of Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ENLOE: Petition of Robert G. Kelly, of Henderson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ERMENTROUT: Petition of Sidney B. Roby, of Rochester, N. Y., favoring cheaper letter postage, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of John A. M. Passmore, of Philadelphia, Pa., for the passage of the international copyright bill—to the Committee on Patents.

Also, memorial of merchants, bottlers of mineral waters, and others, of Chicago, against the tariff on green and colored bottles—to the Committee on Ways and Means.

Also, memorial of the Pennsylvania Forestry Association, favoring House bill 6045 for protection of forests—to the Committee on the Public Lands.

By Mr. FARQUHAR: Papers to accompany bill for the relief of William F. Wheeler, captain Company D, Forty-ninth New York Volunteers—to the Committee on Military Affairs.

By Mr. FRENCH (by request): Petition of Wilcox, Crittenden & Co., Middletown, Conn., for the better protection of life for fishermen engaged in the deep-sea fisheries, and for other purposes—to the Committee on Merchant Marine and Fisheries.

By Mr. GALLINGER: Petition of Mrs. Lucy A. Jordan, of Meriden, N. H., for a pension—to the Committee on Invalid Pensions.

Also, petition of the Granite State Glove Company, of Littleton, N. H., for quick mail transit between New York and New England—to the Committee on the Post-Office and Post-Roads.

By Mr. GIFFORD: Petition of citizens of Pennington, Custer and Fall River Counties, Dakota, for a new judicial district in said Territory—to the Committee on the Judiciary.

Also, petition of Theodore Johnson and others, of McCook County; of F. O. Brown and 47 others, of Spink County; and of Alvin Scott and 55 others, of Beadle County, Dakota, for retention of tariff on flax and flax products—to the Committee on Ways and Means.

By Mr. GRANGER (by request): Petition of Mrs. Mary B. Mix, widow of the late Maj. John Mix, for relief—to the Committee on War Claims.

By Mr. GROUT: Petition of John Linker, of Beebe Plain, Vt., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. HARE: Petition of sundry citizens of Denton and Montague Counties, Texas, for payment of Indian depredation claims—to the Select Committee on Indian Depredation Claims.

By Mr. HIESTAND: Petition of Charles A. Heinitsh and others, druggists and physicians, and of Dr. Leaman, of Lancaster, of A. D. Wike, and others, druggists and physicians, of Marietta, and of Dr. Alexander Craig, and others, of Columbia, Pa., in favor of the repeal of the internal-revenue tax on alcohol entering into the manufacture of medicines—to the Committee on Ways and Means.

By Mr. HOOKER: Petition of citizens of Jackson, of Smith's Station, and of Edwards, Miss., against taxing cotton-seed oil, etc.—to the Committee on Agriculture.

By Mr. S. I. HOPKINS: Petition of the Empire Distilling Company, of Chicago, Ill., and of Purcell, Ladd & Co., of Richmond, Va., and 800 others, for reduction of the duty on imported glass bottles—to the Committee on Ways and Means.

Also, petition of W. A. Strother & Son, and others, of Lynchburgh, Va., for reduction of the tax on spirits, and repeal of the revenue law classing druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. S. T. HOPKINS: Petition of the Glue Manufacturers' Association of the United States, that the duties on gelatine, glue, etc., be allowed to remain undisturbed—to the Committee on Ways and Means.

By Mr. HOUK: Petition of James M. McCammon, administrator of Samuel McCammon, of Knox County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. KELLEY: Petition of 9 consumers of refined lard against any bill designed to brand or tax such product—to the Committee on Agriculture.

By Mr. KERR: Joint resolution of the Legislature of Iowa to prevent non-resident aliens from obtaining title to American lands—to the Committee on the Public Lands.

Also, joint resolution of the same, that the records of the public lands of Iowa be turned over to the State on the closing of the land office—to the Committee on the Public Lands.

By Mr. LAIRD: Petition of F. P. Boyden and others, of Ravenna, Nebr., for the repeal of revenue laws classing druggists as liquor dealers, etc.—to the Committee on Ways and Means.

Also, memorial of the Pennsylvania Forestry Association, for the pas-

sage of House bill 6045 for the protection of the forests on the public domain—to the Committee on the Public Lands.

By Mr. LAWLER: Petition of wholesale dealers in mineral waters of Chicago, Ill., relative to the tariff on bottles—to the Committee on Ways and Means.

By Mr. McCOMAS: Petition of Edward Chaplin, for relief—to the Committee on War Claims.

By Mr. McRAE: Petition of Hon. L. A. Byrne and 124 others, citizens of Texarkana, Ark., against taxing food products—to the Committee on Agriculture.

By Mr. NICHOLS: Petition of citizens of Wake County, North Carolina, against taxing cotton-seed oil, etc.—to the Committee on Ways and Means.

By Mr. OWEN: Petition of Frank Rice and 300 others against removal of the tariff on flaxseed and linseed oil—to the Committee on Ways and Means.

By Mr. PHELAN: Petition against the Butterworth and Dawes lard bill—to the Committee on Agriculture.

Also, petition of Wiley J. Davis, deceased, by Mary A. Davis, his widow, of Hardeman County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. RICE: Resolution of the Chamber of Commerce of St. Paul, Minn., against the reduction of duty on flaxseed and flaxseed-oil—to the Committee on Ways and Means.

Also, resolution of the Board of Trade of Minneapolis, Minn., favoring the passage of the bill to construct an American ship-canal around Niagara Falls—to the Committee on Commerce.

By Mr. RICHARDSON: Petition of William Quarles, administrator of Isaac Hercog, of Franklin County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of John L. Green, administrator of James H. Newkirk, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the city council of Fort Smith, Ark., for the right of way through the Indian Territory of the Fort Smith, Paris and Dardanelle Railroad, etc.—to the Committee on the Territories.

By Mr. C. A. RUSSELL: Petition of H. E. Conant and others, of Stonington, Conn., against the branding or taxing of refined lard, etc.—to the Committee on Agriculture.

By Mr. SHIVELY: Petition of Henry Shufeldt and 675 other citizens, for a reduction of the duty on green and colored glass bottles—to the Committee on Ways and Means.

By Mr. HENRY SMITH: Memorial of the Bartlett Clinical Club of Milwaukee, Wis., for the removal of duties on medicines and medical and surgical appliances—to the Committee on Ways and Means.

By Mr. SOWDEN: Petition of George H. Rowland and others, citizens of the Tenth district of Pennsylvania, for repeal of all special internal-revenue licenses for druggists—to the Committee on Ways and Means.

By Mr. STRUBLE: Petition of C. L. Wyatt and 67 others, citizens of Sioux County, Iowa, praying for retention of duty on flaxseed and linseed oil—to the Committee on Ways and Means.

By Mr. E. B. TAYLOR: Petition of E. P. Thomas, of Ohio, for a pension—to the Committee on Invalid Pensions.

Also, evidence in case of Nathaniel Lang—to the Committee on Military Affairs.

Also, petition of Amos Drake and 403 other farmers of Trumbull County, Ohio, for protection to wool—to the Committee on Ways and Means.

By Mr. TILLMAN (by request): Petition of Benjamin F. Trowell, of Beaufort County, South Carolina, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also (by request), petition of William J. Ellis, executor of N. W. Ellis, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. VANDEVER: Petition of Local Assembly No. 3167, Knights of Labor, of Los Angeles, Cal., in favor of the tonnage bill—to the Committee on Merchant Marine and Fisheries.

By Mr. WASHINGTON: Petition of Ellen C. Friend, of Davidson County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of C. N. Ordway, of Giles County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WILKINSON: Petition of Adolph J. Heine, of Louisiana, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition of Mary Hudson, for a pension—to the Committee on Pensions.

By Mr. YOST: Petition of T. W. Coolridge and others, against reduction of duties on raw materials—to the Committee on Ways and Means.

Also, petition of the Pennsylvania Forestry Association, to protect forests on the public domain—to the Committee on the Public Lands.

Also, petition of Henry Schufeldt and others, for reduction of duties on glass bottles—to the Committee on Ways and Means.

The following petitions, for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. DALZELL: Of citizens of Pittsburgh and Allegheny, Pa.

By Mr. DAVENPORT: Of citizens of Canisteo, N. Y.

By Mr. FISHER: Of Thomas W. Hastings and 90 others, and of D. H. Fitzhugh and 92 others, of Bay City, Mich.

By Mr. McCREARY: Of citizens of Mercer County, Kentucky.

By Mr. MILLIKEN: Of W. H. Rolfe and others, of Maine.

By Mr. MORSE: Of 64 citizens of Boston, Mass.

By Mr. NELSON: Of citizens of Little Falls, Minn.

By Mr. NUTTING: Of C. W. Tuttle and 32 others, citizens of Auburn, N. Y.

By Mr. PAYSON: Of L. C. Keeley and 200 others, citizens of Livingston County, Illinois.

By Mr. SAWYER: Of citizens of Albion, N. Y.

By Mr. SYMES: Of citizens of Colorado.

By Mr. WEST: Of citizens of Ketchum's Corners, of Saratoga Springs, and of Schenectady, N. Y.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. E. P. ALLEN: Of James McDougall and 72 others, citizens of Hillsdale County, Michigan.

By Mr. G. A. ANDERSON: Of 23 citizens of the Twelfth district of Illinois.

By Mr. BOUTELLE: Of J. A. Lauban and other citizens of Maine.

By Mr. BREWER: Of W. C. Wixom and 26 others, citizens of Wixom, Mich.

By Mr. DOCKERY: Of citizens of Mercer County, Missouri.

By Mr. GOFF: Of William Matthews, of Hazelton, and of A. W. Brown and others, of Blanche, W. Va.

By Mr. GROUT: Of William Adams and 17 others, citizens of Brookline, Vt.

By Mr. KERR: Of farmers of Traer, Iowa.

By Mr. KETCHAM: Petition of Jonathan Gillet and 51 others, farmers of New Lebanon Centre, N. Y.—to the Committee on Ways and Means.

By Mr. LAIRD: Of 51 citizens of Arago, Iowa.

By Mr. MOFFITT: Of James Shults and 20 others, citizens of Clinton County, New York.

By Mr. MORRILL: Of W. C. Rose and 70 others, of Kansas.

By Mr. OWEN: Of George Ormiston and others, of Goodland, Ind.

By Mr. REED: Of citizens of York County, Maine.

By Mr. ROCKWELL: Of L. H. Patterson and others.

By Mr. ROMEIS: Of 58 citizens of Lucas County, Ohio.

By Mr. C. A. RUSSELL: Of D. B. Date and other farmers of New London County, Connecticut.

By Mr. E. B. TAYLOR: Of John Elder and 48 others, citizens of Johnstown, Ohio.

The following petitions, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States and operated in connection with the Post-Office Department, were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BELDEN: Of W. B. Ingalls and 25 others, Knights of Labor, of Cortland, and of William Bruner and 49 others, Knights of Labor, of Syracuse, N. Y.

By Mr. BLISS (by request): Of 1,638 citizens of Brooklyn, N. Y.

By Mr. BURROWS: Of 2,669 citizens of the Fourth district of Michigan.

By Mr. GROUT: Of J. C. Bronson and 33 others, citizens of Rockingham, Vt.

By Mr. HIESTAND: Of 650 citizens of the Ninth district of Pennsylvania.

By Mr. KELLEY: Of 99 citizens of Pennsylvania.

By Mr. McKINNEY: Of G. H. Clough and 1,195 others, citizens of New Hampshire.

By Mr. PAYSON: Of S. A. Miller and 250 others, citizens of the Ninth district of Illinois.

By Mr. ROWLAND: Of citizens of Concord, N. C.

By Mr. STEPHENSON: Of S. R. Mann and 1,128 others, of the Ninth district of Wisconsin.

By Mr. TRACEY: Of 1,873 citizens of the Nineteenth district of New York.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. E. P. ALLEN: Of A. H. Boies and 22 other ex-soldiers, of Lenawee County, Michigan.

By Mr. BLAND: Of members of Grand Army of the Republic of the Eleventh district of Missouri.

By Mr. BOUTELLE: Of H. E. Stone and others, of Douty Post, No. 23, Grand Army of the Republic, of Maine.

By Mr. FISHER: Of C. A. Fredlander and 35 others, of Michigan.

By Mr. S. T. HOPKINS: Of soldiers and citizens of Athens, N. Y.

By Mr. KERR: Of Dysart Post, No. 261, Grand Army of the Republic, of Iowa.

By Mr. LAIRD: Of Campbell, Franklin & Co., of Nebraska.

By Mr. LODGE: Of Levi Hutchins and others, of Massachusetts.

By Mr. MACDONALD: Of citizens of Goodhue County, Minnesota.

By Mr. MILLIKEN: Of E. McMurdie and others, and of Robert A. Davis and others, of Maine.

By Mr. OWEN: Of M. Craft and 183 others, and of H. R. Rockwood and others, of Monon, Ind.

By Mr. E. B. TAYLOR: Of M. Ashley and 42 others, citizens of Ashtabula County, Ohio.

By Mr. J. R. WHITING: Of E. B. Harris and 35 others, ex-soldiers of Macomb County, Michigan.

By Mr. WICKHAM: Petition of 134 citizens of Lorain County and of 39 ex-soldiers of Lorain County, Ohio.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. E. P. ALLEN: Of 55 citizens of Monroe County, Michigan.

By Mr. R. H. M. DAVIDSON: Of 34 citizens of Hillsborough County, Florida.

By Mr. D. B. HENDERSON: Of 238 citizens of Dubuque, Iowa.

By Mr. ROCKWELL: Of 62 citizens of Berkshire County, Massachusetts.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BROWER: Of citizens of Person County, North Carolina.

By Mr. COWLES: Of 18 citizens of Mount Pisgah, N. C.

SENATE.

TUESDAY, *April* 17, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

ENROLLED BILL SIGNED.

The PRESIDENT *pro tempore* announced his signature to the enrolled bill (H. R. 9381) to facilitate the prosecution of works projected for the improvement of rivers and harbors, heretofore signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs in relation to sums due for salaries to certain agents for Indians therein named, together with the draught of a bill to authorize the accounting officers of the Treasury Department to allow certain credits in the settlement of the accounts of Indian agents; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the Lowell (Mich.) Temperance Union, praying for the repeal of the internal-revenue tax on alcoholic liquors; which was referred to the Committee on Finance.

Mr. EDMUNDS presented the petition of Joseph D. Martin, of Vermont, praying for the passage of a law giving arrears of pensions to soldiers who did not apply within the ordinary time prescribed by law; which was referred to the Committee on Pensions.

Mr. CHACE presented a petition of 500 citizens of New York, praying for the enactment of an international copyright law; which was ordered to lie on the table.

Mr. DAWES presented a petition of ex-Union soldiers and sailors, members of Post No. 117, Grand Army of the Republic, of Medfield, Mass., praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. TURPIE presented a petition of citizens of Putnam County, Indiana, praying that a pension be granted to Joseph B. Sellers, late private in Company I, Twenty-seventh Indiana Volunteer Infantry; which was referred to the Committee on Pensions.

He also presented a petition of ex-Union soldiers, citizens of Lowell, Lake County, Indiana, praying for the passage of the dependent pension bill; which was referred to the Committee on Pensions.

Mr. FAULKNER. I present the following memorials, remonstrating against the passage of Senate bill 2082, known as the Palmer bill, and praying that the Bureau of Animal Industry be strengthened without changing the plan of its operation, and opposing the appointment of a board of commissioners with authority or control over the work of said bureau:

A memorial of J. T. Van Meter and 44 other citizens of Hardy County, West Virginia;

A memorial of G. M. Nease and 20 other citizens of Mason County, West Virginia;

A memorial of D. S. Minear and 30 other citizens of Tucker County, West Virginia; and

A memorial of Tuscarora Grange, No. 14, Patrons of Husbandry, Berkeley County, West Virginia, signed by M. V. Small, master, and countersigned by Will Thatcher, secretary, and with the seal of the grange attached.

I move that the memorials lie on the table.

The motion was agreed to.

Mr. CAMERON presented a petition of citizens of Pennsylvania, praying for the repeal of that portion of the internal-revenue law which classes druggists as wholesale liquor dealers, and for the reduction of the tax on spirits; which was referred to the Committee on Finance.

Mr. HOAR presented the petition of T. M. Curran, J. E. Smith, Charles Lloyd, M. D., and 255 other ex-Union soldiers and sailors, citizens of Lynn, Mass., praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. QUAY presented a petition of citizens of Sullivan County, Pennsylvania, praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented a petition of White Deer Grange, Patrons of Husbandry, of Union County, Pennsylvania, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized, etc.; which was ordered to lie on the table.

He also presented a petition of White Deer Grange, Patrons of Husbandry, of Union County, Pennsylvania, praying for a reduction of postage upon seeds, etc.; which was ordered to lie on the table.

He also presented a petition of White Deer Grange, Patrons of Husbandry, of Union County, Pennsylvania, praying for the passage of a law prohibiting the manufacture and sale of adulterated food products; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of physicians and druggists of Elk County, Pennsylvania; a petition of druggists of Erie, Pa., and a petition of physicians and druggists of Pittsburgh, Pa., praying for the repeal of the law classing druggists as liquor dealers, etc.; which were referred to the Committee on Finance.

Mr. HAWLEY. I present the petition of Judge V. B. Chamberlain and 51 other citizens of New Britain, Conn., praying for the protection of the Yellowstone National Park.

I wish to say that this matter has my most hearty sympathy, and as comment has been made upon the subject, I will say for these gentlemen that they are gentlemen of character and intelligence, and, if that is of any use, they are men of wealth, many of them.

As the bill has been passed by the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. HAWLEY presented a memorial signed by 580 citizens of Connecticut, remonstrating against the admission of Utah so long as the local civil power remains in the hands of the Mormons; which was referred to the Committee on Territories.

Mr. STOCKBRIDGE presented the memorial of John L. Whiting & Son and 9 other firms, manufacturers of brushes in Boston, Mass., remonstrating against the passage of the so-called Mills tariff bill; which was referred to the Committee on Finance.

Mr. DANIEL presented the petition of R. O. Owen and other citizens of Virginia, praying for the repeal of that portion of the internal-revenue laws which classes druggists as liquor dealers, and for a reduction of the tax on spirits; which was referred to the Committee on Finance.

He also presented the petition of George L. Durand and other citizens of Prince George County, Virginia; the petition of R. T. Armistead and other citizens of Williamsburgh, Va., and the petition of W. W. Bull, F. C. Davis, and other citizens of Williamsburgh, Va., and James City, Va., praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which were ordered to lie on the table.

Mr. EVARTS presented a concurrent resolution of the senate and assembly of the State of New York, favoring the passage of House bill 8857, directing the Secretary of War to furnish States with copies of muster-out rolls; which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 7229) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and the act amendatory thereof, approved February 21, 1887, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 3253) appropriating the sum of $52,000 for the enlargement and improvement of the United States Government building at Charleston, W. Va., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1924) for the completion of a public building at Wichita, Kans., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 165) for the erection of a public building in the city of Woonsocket, R. I., reported it with amendments.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 218) to change the limit of appropriation for the public building at Key West, Fla., reported it with amendments, and submitted a report thereon.

He also, from the Committee on Claims, to whom was referred the bill (S. 1813) for the relief of Susan B. Hopkins, widow of Arvah Hopkins, deceased, late of Tallahassee, Fla., reported it without amendment, and submitted a report thereon.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1076) granting a pension to the widow of John Leary, deceased;

A bill (S. 2371) granting a pension to Jacob Pitner;

A bill (S. 2370) granting a pension to Sarah C. Anderson and children under sixteen years of age;

A bill (S. 1482) granting a pension to Sarah C. Taylor; and

A bill (S. 2372) restoring pension to George L. Flech.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the bill (S. 2415) restoring Frances Paul to the pension-rolls, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the petition of John T. White, late of Company A, Eighth Maryland Infantry, praying to be allowed a pension, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the petition.

Mr. FAULKNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2334) granting a pension to Mary J. Byrd; and

A bill (S. 1500) granting a pension to Margaret M. Miller.

Mr. FAULKNER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2274) granting a pension to Mrs. Catharine K. Whittlesey; and

A bill (S. 2301) to increase the pension of Manhatton Pickett.

Mr. FAULKNER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2236) granting a pension to Fanny Williams, widow of William H. Williams, a lieutenant in the Seminole war;

A bill (S. 2336) granting a pension to Mary A. Fletcher;

A bill (S. 2294) restoring pension to William Bushfield;

A bill (S. 2061) granting a pension to Sarah M. White;

A bill (S. 1373) granting a pension to William B. Barnes;

A bill (S. 2054) for the relief of Ernst Shillinger;

A bill (S. 2361) granting a pension to Sarah J. Eyster; and

A bill (S. 2340) granting a pension to James Mallon.

Mr. DANIEL, from the Committee on the District of Columbia, to whom was referred the bill (S. 2551) to amend section 993 of the Revised Statutes of the United States for the District of Columbia, so as to make Inauguration Day a holiday within said District, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 2011) for the relief of Gilbert Thompson, Veronica Ulke, Julia F. Laskey, and F. G. Barbadoes, reported adversely thereon, and the bill was postponed indefinitely.

Mr. WILSON, of Maryland, from the Committee on Pensions, to whom was referred the bill (S. 1136) granting a pension to Anna M. Freeman, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1152) granting a pension to Myra Freeman, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 1009) granting an increase of pension to Sallie R. Alexander, widow of Lieut. Col. Thomas L. Alexander, United States Army, reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2513) granting a pension to Charles N. Sedgwick;

A bill (S. 2580) granting an increase of pension to Mary E. Moore;

A bill (S. 2610) granting a pension to Flora E. Shaver; and

A bill (S. 2587) granting an increase of pension to Gottlieb Spitzer.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2263) granting a pension to Frank Paschker;

A bill (S. 2575) granting a pension to Elizabeth Dettis;

A bill (S. 2609) granting a pension to H. H. Russell;

A bill (S. 2576) granting a pension to Richard Hudson;

A bill (S. 2579) granting a pension to Mrs. Maggie A. Weed, formerly Miss Maggie A. Egan;

A bill (S. 2538) granting a pension to Oliver H. Judd;

A bill (S. 2435) granting a pension to D. G. Scooten;

A bill (S. 2418) granting a pension to Jarrett Spencer; and

A bill (S. 2310) granting a pension to Rozalia Junk.

Mr. QUAY, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1838) granting a pension to Mrs. Mary Mott;

A bill (S. 1925) granting a pension to Alexander H. White; and

A bill (S. 1591) granting an increase of pension to Madison M. Meredith.

Mr. QUAY, from the Committee on Pensions, to whom was referred the bill (S. 1926) granting a pension to William Smith, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them without amendment:

A bill (H. R. 1788) for the erection of a public building in Lancaster, Pa.; and

A bill (H. R. 4357) to erect a public building at Allentown, Pa.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following petitions, submitted adverse reports thereon; which were agreed to, and the committee were discharged from their further consideration:

The petition of Annie A. McDonald, praying to be allowed arrears of pension;

The petition of Hospital Stewart W. Thornton Parker, praying to be allowed a pension from January, 1868;

The petition of the Central Relief Committee of the Grand Army of the city of Chicago, praying that an increase of pension be granted to Mrs. Frances M. Wilkinson; and

The petition of Mrs. A. P. Caraher, praying to be allowed an increase of pension.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1123) granting a pension to Mrs. Susan Capps;

A bill (S. 2465) granting a pension to Charles T. Caldwell;

A bill (S. 2281) granting an increase of pension to Mrs. E. S. Kelly; and

A bill (S. 2367) for the relief of Austin Mandeville.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the petition of Pierre Bottineau, guide and scout, praying for a pension, submitted a report thereon, accompanied by a bill (S. 2713) granting a pension to Pierre Bottineau; which was read twice by its title.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2239) for the relief of Sarah E. McCaleb; and

A bill (S. 915) granting a pension to Susan Edson.

Mr. DAVIS, from the Committee on Pensions, to which were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1988) granting a pension to H. R. Blackiston;

A bill (H. R. 4104) granting a pension to Mahala Dexter;

A bill (H. R. 428) granting a pension to William B. Johnson;

A bill (S. 2314) granting a pension to John B. Covert;

A bill (S. 2366) granting a pension to Mrs. Emeline Anderson;

A bill (S. 2313) granting a pension to Ellen J. Snedaker;

A bill (S. 1540) granting a pension to Hannah Babb Hutchins; and

A bill (S. 2246) granting a pension to John C. Abbott.

Mr. JONES, of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 269) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory, and for other purposes, reported it with amendments.

He also, from the Committee on Claims, to whom was referred the bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 326) for the relief of Clement A. Lounsberry, reported it with an amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2121) authorizing the construction of a public building at Burlington, Iowa, reported it with amendments.

COURTS IN MISSISSIPPI.

Mr. GEORGE. I am instructed by the Committee on the Judiciary to report favorably with amendments the bill (S. 2650) to change the time of the meeting of the district court of the southern district of Mississippi, and for other purposes, and I ask unanimous consent for the present consideration of the bill.

Mr. RIDDLEBERGER. I ask the Senator if he proposes to discuss the bill?

Mr. GEORGE. It will not take five minutes to pass it. It is a local bill.

Mr. HARRIS. It simply changes the time of holding court in Mississippi.

Mr. RIDDLEBERGER. I understand it is a local bill, but the question is of time here.

Mr. GEORGE. It will not take five minutes.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. RIDDLEBERGER. I wish to have a morning hour resolution of mine considered this morning, and I do not propose to have the morning hour taken up with the discussion of a matter which belongs to the Calendar.

Mr. GEORGE. There will be no discussion upon it.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. RIDDLEBERGER. With the understanding that I think I have, I shall make no objection.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2650) to change the time of the meeting of the district court of the southern district of Mississippi, and for other purposes, which was reported from the Committee on the Judiciary with amendments.

The first amendment reported by the Committee on the Judiciary was in line 3 of section 1, after the word "court," to insert the words "held at Jackson;" so as to make the section read:

That the terms of the district court held at Jackson for the southern district of Mississippi shall hereafter commence on the first Mondays in May and November.

The amendment was agreed to.

The next amendment was, in section 2, line 1, after the word "grand," to strike out the word "jury" and insert the words "and petit juries;" and in line 2, after the word "grand," to strike out "jury" and insert "and petit juries;" so as to make the section read:

That the grand and petit juries organized by the circuit or district court in said district shall be also the grand and petit juries of both courts.

The amendment was agreed to.

The next amendment was to add to section 2:

That all writs, processes, pleas, recognizances, and bonds made or returnable to the terms of said courts, as now provided by law, shall be considered as taken and returnable to the terms established by this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 2714) for the relief of Thomas Lannigan; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 2715) for the relief of certain parties who have paid $2.50 per acre for United States Government lands, reduced in price to $1.25 per acre by the act of Congress approved June 15, 1880; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLUMB introduced a bill (S. 2716) granting a pension to Carl M. Schwantes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2717) granting a pension to John K. Evans; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2718) granting a pension to David May; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2719) granting a pension to Jonas G. Dodge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2720) granting a pension to John B. Ross; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 2721) granting a pension to Jackson Chapman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAWES (by request) introduced a bill (S. 2722) to create and establish United States district, Territory, supreme, and other courts in the Indian Territory; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. EVARTS introduced a bill (S. 2723) for the relief of Mrs. Louise I. Connolly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WALTHALL introduced a joint resolution (S. R. 73) relating to the disposal of public lands in Mississippi; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BROWN introduced a joint resolution (S. R. 74) referring the question as to the title of Mary A. Washington to property mentioned in 92 United States Reports, page 698, to the Court of Claims; which was read twice by its title, and referred to the Committee on Private Land Claims.

PAPERS WITHDRAWN AND REFERRED.

Mr. EDMUNDS. I ask to have withdrawn from the files and again referred to the Committee on Pensions the petition of Henry A. Hawley, of Delma Junction, Iowa, late hospital steward United States Army, setting forth his military service and praying to be allowed a pension, which was presented at the last Congress and referred to that committee and not acted upon at all, and therefore it is in order to move that it be again referred to the committee.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

FLORIDA PUBLIC LAND INVESTIGATION.

Mr. PLUMB. The Committee on Public Lands instruct me to report the following original resolution:

Whereas it has been alleged upon the floor of the Senate by a Senator from the State of Florida that illegal and fraudulent conveyances of public lands have been made in said State in derogation of the rights of the United States and of settlers upon said lands, and that a remedy for such evils can be provided by law: Therefore,

Be it resolved, That the Committee on Public Lands be, and is hereby, directed to investigate all the facts bearing upon the general allegations referred to; and that for the purpose of such an investigation said committee is authorized to employ a stenographer, and shall have power to administer oaths, send for persons and papers, to sit in Washington or such other places as may be necessary, and to conduct its investigation through subcommittees, the expenses of the same to be paid from the contingent fund of the Senate, and said committee shall report by bill or otherwise as the circumstances shall seem to require such plan for remedy of the evils, if any are shown, as they may deem necessary.

Mr. HARRIS. From what committee is that?

The PRESIDENT *pro tempore*. The resolution is reported from the Committee on Public Lands.

Mr. PLUMB. I ask for the immediate consideration of it.

The PRESIDENT *pro tempore*. As it creates a charge on the contingent fund of the Senate, the Chair supposes it must be referred, under the rules, to the Committee to Audit and Control the Contingent Expenses.

Mr. PLUMB. Availing myself of the suggestion of the Senator from Vermont [Mr. EDMUNDS], I ask unanimous consent that the resolution may be passed.

Mr. HOAR. I suggest to the Senator from Kansas that if he should say in his resolution that "said committee or a subcommittee of their number," have that power, then the power to send for persons and papers, to administer oaths, etc., can be exercised by the subcommittee, and they become themselves a committee of the Senate for that purpose.

Mr. PLUMB. The resolution states that it may be done by a subcommittee.

Mr. HOAR. It says that the committee may exercise the duty through a subcommittee, and there is some doubt whether the subcommittee are a committee of the Senate under the statute.

Mr. PLUMB. If there is any doubt about the matter, I will ask that the resolution be printed and lie on the table, and I shall call it up to-morrow morning.

The PRESIDENT *pro tempore*. The resolution will be printed and lie over under the rule.

BLOCK ISLAND HARBOR.

Mr. ALDRICH submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War is hereby directed to report to the Senate an estimate of the cost of removing the sand-bar which has recently been formed obstructing navigation at the entrance to the harbor of Block Island, Rhode Island.

DEPOSITS OF GOVERNMENT MONEY WITH NATIONAL BANKS.

Mr. STEWART submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be directed to furnish the Senate with a statement of the amount of money belonging to the United States and deposited in national banks, and to inform the Senate whether such banks are allowed the use of such money without the payment of interest to the United States, and give the name and locality of each bank of deposit and the amount deposited therein; and also to inform the Senate whether there is any regulation of the Treasury Department by which it can be determined in what banks deposits shall be made, and to what extent the place of deposit is discretionary with the Secretary.

CONSIDERATION OF THE FISHERIES TREATY.

The PRESIDENT *pro tempore*. If there are no further resolutions, concurrent or other, the Chair lays before the Senate a resolution coming over from a previous day.

The Chief Clerk read the resolution submitted yesterday by Mr. RIDDLEBERGER, as follows:

Resolved, That so much of Rules XXXVI, XXXVII, and XXXVIII as provides for executive sessions be suspended during the consideration of the fisheries treaty when the same shall be reported to the Senate.

Mr. EDMUNDS. In the consideration of that resolution, I move that the doors be closed.

Mr. HAWLEY. I second the motion.

Mr. RIDDLEBERGER. I ask the Senator from Vermont if he will not allow me to make a statement, that is all?

Mr. EDMUNDS. I simply make the motion.

Mr. RIDDLEBERGER. I shall not discuss the treaty nor refer to it.

Mr. HARRIS. I second the motion of the Senator from Vermont.

Mr. HAWLEY. I had already seconded it.

The PRESIDENT *pro tempore*. It has been moved and seconded that during the discussion of the resolution the doors of the Senate be closed. The Sergeant-at-Arms will clear the galleries and close the doors of the Senate.

The Senate, with closed doors, proceeded to consider the resolution.

After fourteen minutes the doors were reopened.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. PLUMB. I move that the Senate proceed to the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. CALL. I suggest to the Senator from Kansas that that is a bill which I think, with the amendments, will require considerable debate. In fact, I should like to be heard upon it myself, and in that point of view I suggest to him whether it would not be better to make it a special order at some time outside of the five-minute rule.

Mr. PLUMB. We are not embarrassed by the five-minute rule now. That does not apply to a bill taken up on motion in this way. If the consideration of the bill is not concluded this morning I shall ask the Senate to consider it to-morrow morning in the morning hour. There will be ample opportunity for the Senator to speak.

Mr. COCKRELL. The five-minute rule does not apply now.

Mr. PLUMB. The five-minute rule does not apply to a bill taken up in this way.

Mr. CALL. I have no other objection than the one I have stated.

The PRESIDENT *pro tempore*. The bill will be read at length.

The Chief Clerk read the bill.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, line 5, after the word "granted," to strike out "on condition subsequent."

Mr. PLUMB. I am instructed by the committee to ask the Senate not to agree to that amendment.

The amendment was rejected.

The next amendment was, in section 1, line 7, before the word "portion," to strike out "uncompleted;" so as to read:

That there is hereby forfeited to the United States, and the United States hereby resumes the title thereto, all lands heretofore granted to any State or to any corporation to aid in the construction of a railroad opposite to and coterminous with the portion of any such railroad.

The amendment was agreed to.

The next amendment was, in section 1, line 8, after the word "railroad," to insert "not now completed and in use."

Mr. PLUMB. I move to amend that amendment by substituting the word "operation" for "use;" so as to read, "not now completed and in operation."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Public Lands was, in section 1, after the word "domain," at the end of line 10, to strike out "and opened to settlement under the homestead laws;" so as to read:

And all such lands are declared to be a part of the public domain.

The amendment was agreed to.

The next amendment was to insert as section 2 the following:

SEC. 2. That in all cases where persons are in possession of any of the lands affected by any such grant and hereby resumed by and restored to the United States, under deed, written contract with, or license from, the State or corporation to which such grant was made, or its assignees, executed in good faith prior to January 1, 1886, they shall be entitled to purchase the same from the United States, in quantities not exceeding 320 acres to any one such person, at the rate of $2.50 per acre, at any time within two years from the passage of this act, and on making requisite proofs and payment to receive patents therefor: *Provided*, That in all cases where parties, persons, or corporations, with the permission of such State or corporation, or its assignees, are in the possession of, and have made improvements upon, any of the lands hereby resumed and restored, and are not entitled to enter the same under the provisions of this act, such parties, persons, or corporations shall have six months in which to remove any growing crop, and within which time they shall also be entitled to remove all buildings and other movable improvements from said lands.

The amendment was agreed to.

The next amendment was to insert as section 3 the following:

SEC. 3. That if it shall be found that any lands heretofore granted to the Northern Pacific Railroad Company and so resumed by the United States and restored to the public domain lie north of the line known as the "Harrison line," being a line drawn from Wallula, Wash., easterly to the southwest corner of the southeast quarter of the southeast quarter of section 5, in township 7 north, of range 34 east, of the Willamette meridian, all persons, or their heirs or assigns, as the case may be, who had acquired in good faith the title of the Northern Pacific Railroad Company to any portion of said lands prior to July 1, 1885, or who at said date were in possession of any portion of said lands or had improved the same, claiming the same under written contract with said company, executed in good faith, shall be entitled to purchase the lands so acquired, possessed, or improved, from the United States at any time prior to the expiration of one year after it shall be finally determined that such lands are restored to the public domain by the provisions of this act, at the rate of $2.50 per acre, and to receive patents therefor upon proof before the proper land office of the fact of such acquisition, possession, or improvement, and payment therefor, without limitation as to quantity.

Mr. PLUMB. I wish to make certain corrections of the description. In line 6, before the word "corner," I move to strike out "southwest" and insert "southeast."

The PRESIDENT *pro tempore*. The question is on the amendment proposed to the amendment.

The amendment to the amendment was agreed to.

Mr. PLUMB. In the same line, after the word "the," I move to insert "northeast one-fourth of the;" so as to read:

Easterly to the southeast corner of the northeast one-fourth of the southeast quarter.

The amendment to the amendment was agreed to.

Mr. PLUMB. In line 7 I move to strike out the words "southeast quarter of," which are rendered unnecessary by the amendment just adopted.

The amendment to the amendment was agreed to.

Mr. PLUMB. I move to strike out the word "five" after "section" in line 7 and insert "twenty-seven;" so as to read "section twenty-seven" in place of "section five."

The amendment to the amendment was agreed to.

Mr. PLUMB. Then in line 8, after the word "range," I move to strike out "thirty-eight" and insert "thirty-seven;" so as to read "range thirty-seven east" in place of "range thirty-eight east."

The amendment to the amendment was agreed to.

Mr. PLUMB. Now, in line 9, after the word "persons," I move to strike out "or their heirs or assigns as the case may be," for the purpose of inserting them at another place in the amendment.

The amendment to the amendment was agreed to.

Mr. PLUMB. Now, I move to insert the same words after the words "good faith" in line 15.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 15 of section 3, after the word "faith," it is proposed to insert:

Or their heirs or assigns, as the case may be.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Public Lands was to add as a new section the following:

SEC. 4. That nothing in this act shall be construed to waive or release in any way any right of the United States to have any other lands granted by them, as recited in the first section, forfeited for any failure, past or future, to comply with the conditions of the grant.

Mr. PLUMB. I move to add to that amendment—

Or as forfeiting any land that has been heretofore earned by the construction of any portion of a railroad under any act of Congress making a grant of public lands.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Public Lands was to add as a new section the following:

SEC. 5. That this act shall not take effect until January 1, 1889, as to a grant of land to the State of Mississippi for the purpose of aiding in the construction of a railroad from Brandon to the Gulf of Mexico, commonly known as the Gulf and Ship Island Railroad, nor as to a grant of land to the State of Alabama for the purpose of aiding in the construction of a railroad from the Tennessee River at or near Gunter's Landing to Gadsden, on the Coosa River.

Mr. PLUMB. The committee instructed me to move to amend that amendment so as to make the section read:

SEC. 5. That this act shall not take effect except as to lands which were entered under the homestead and pre-emption laws and at private entry while the same were held by the Interior Department to be subject to such entry until January 1, 1889, as to a grant of land to the State of Mississippi for the purpose of aiding in the construction of a railroad from Brandon to the Gulf of Mexico, commonly known as the Gulf and Ship Island Railroad, nor as to a grant of land to the State of Alabama for the purpose of aiding in the construction of a railroad from the Tennessee River at or near Gunter's Landing to Gadsden on the Coosa River.

The amendment to the amendment was agreed to.

Mr. WALTHALL. Would an amendment to section 5 be in order?

The PRESIDENT *pro tempore*. An amendment to section 5 is now in order, that section being the pending amendment of the Committee on Public Lands.

Mr. WALTHALL. I move to add to the proposed new section 5 the following:

And in all cases where any of the lands excepted as aforesaid have been sold by the proper officers of the United States for cash, or with the allowance or approval of such officers have been entered in good faith under the homestead or pre-emption laws, the right and title of the persons holding or claiming any such land under such sales or entries are hereby confirmed.

Mr. PALMER. That is a very important amendment.

Mr. PLUMB. The Senator from Michigan ought to understand that that applies simply to a certain limited class of lands mentioned in section 5. It is not a general provision.

Mr. PALMER. Let us hear it again.

The PRESIDENT *pro tempore*. The amendment will be read.

The Secretary read the amendment of Mr. WALTHALL.

Mr. PLUMB. That relates to the lands which are excepted from the operation of the bill in the State of Mississippi and in the State of Alabama, and I would say that the foundation for that is found in the fact that until the rendering of what is known as the Schulenberg *vs.* Harriman decision the Interior Department treated all granted lands which had not been earned at the time of the date named in the granting act as having reverted to the United States, and they proceeded to treat them as part of the public domain, selling them according to the laws relating to lands similarly located. It is for the purpose of protecting the persons who purchased lands within the limits of the grants made to construct the road from Brandon to Ship Island, in Mississippi, during the period of time when the Interior Department so construed the granting act, that this amendment of the Senator from Mississippi is offered.

Mr. WALTHALL. The Senator from Kansas has stated the case exactly. The amendment which I offered to section 5 has no reference to any lands except the lands embraced in section 5. It is not intended to have any general operation, or to affect any railroad land grants except those to the Ship Island road and to the Coosa and Tennessee road. It has no reference to land grants generally.

Mr. MITCHELL. I would suggest to the Senator from Mississippi whether his amendment should not be qualified a little so as to refer more specifically and specially than it does to the section to which it is an amendment. It might be applied I think to the whole act.

Mr. PALMER. I should like to hear the amendment read again.

Mr. MITCHELL. It should be made specifically to apply to section 5.

Mr. WALTHALL. If the Senator from Oregon will examine the amendment, he will see that it states his view exactly.

Mr. MITCHELL. I call for the reading of it again.

Mr. DOLPH. Let the whole section with the proposed amendment be read.

The PRESIDENT *pro tempore*. The whole section with the proposed amendment will be read.

The Chief Clerk read as follows:

SEC. 5. That this act shall not take effect except as to lands which were entered under the homestead and pre-emption laws, and at private entry while the same were held by the Interior Department to be subject to such entry until January 1, 1889, as to a grant of land to the State of Mississippi for the purpose of aiding in the construction of a railroad from Brandon to the Gulf of Mexico, commonly known as the Gulf and Ship Island Railroad, nor as to a grant of land to the State of Alabama for the purpose of aiding in the construction of a railroad from the Tennessee River at or near Gunter's Landing to Gadsden on the Coosa River; and in all cases where any of the lands excepted as aforesaid have been sold by the proper officers of the United States——

Mr. MITCHELL. Right there say: "Excepted as aforesaid in this section."

Mr. WALTHALL. I am perfectly willing to add that; it does not change the meaning.

Mr. MITCHELL. Amend by putting in the words "in this section." There can be no trouble about it then.

The PRESIDENT *pro tempore*. The Senator from Oregon moves to amend the amendment by inserting after the word "aforesaid" the words "in this section." The reading will be continued as proposed to be amended.

The Chief Clerk read as follows:

And in all cases where any of the lands excepted as aforesaid in this section have been sold by the proper officers of the United States for cash, or with the allowance and approval of such officers have been entered in good faith under the homestead or pre-emption laws, the right and title of the persons holding or claiming any such lands under such sales or entries are hereby confirmed.

Mr. HOAR. I ask the Senator from Mississippi why that should be limited to one particular class of lands? What is there that makes it just in one case and unjust in others?

Mr. WALTHALL. In order to explain that I shall have to explain the entire section and the proposed amendment to it.

The facts that seem to justify the special provision as to the two roads named in section 5, briefly stated, are these: In 1856 Congress granted lands to certain States to aid in the construction of certain railroads named in the acts by which the grants were made. Among those States were Mississippi and Alabama. Among the Mississippi roads named was the Gulf and Ship Island Railroad, and among the Alabama railroads named was the Coosa and Tennessee. Neither of these two roads has been completed, and the time limited for their completion has passed; and it is as to these two roads that section 5 provides that this act shall not take effect until the 1st of January, 1889, by which time it is believed they will both be completed.

It is perhaps proper for me to refer to some legislation, or attempted legislation, at the last session in reference to these roads. During the Forty-ninth Congress——

Mr. HOAR. The Senator did not precisely apprehend the force of my question. I did not ask him for an explanation as to the legislation in reference to these roads; but why persons who, in regard to that particular land grant, have bought land and paid the consideration, and the United States has got it, and who bought of a person authorized to sell, should be confirmed in their title in these cases, and why title should not be confirmed in other cases? That was my question.

Mr. WALTHALL. The answer to that is this——

Mr. PALMER. If the Senator from Mississippi will permit me——

Mr. WALTHALL. Let me answer the Senator from Massachusetts. This bill proposes generally to forfeit all unearned land grants, all land grants not earned by the completion of the roads within the time limited for their completion. As to these two roads named in section 5 it is proposed to extend the time until the 1st day of January, 1889. That is a proposition to do for these two roads something not proposed to be done for other roads, and it is proposed to be done on a condition that lands which have been sold heretofore under a mistaken apprehension of the law, prior to the Schulenberg *vs.* Harriman decision, shall be confirmed to the persons who purchased those lands under that mistaken view of the law which prevailed in the Interior Department. It is proposed to do for these two roads something exceptional, and the exceptional privilege proposed is coupled with a condition that innocent purchasers who paid their money to the Government in good faith shall be protected.

Mr. MITCHELL. May I ask the Senator one question?

Mr. WALTHALL. Certainly.

Mr. MITCHELL. It is whether the effect of the passage of section 5 will be to give to these companies more land if they complete the roads within the time extended than they otherwise would have?

Mr. WALTHALL. On the contrary, they get less, by reason of the purchasers being permitted by the provisions of this amendment, if they purchased land embraced in the grant under a mistaken view of the law held by the Interior Department prior to the Harriman decision, to hold their lands.

Mr. MITCHELL. The effect of this amendment, then, is to benefit the settlers, the purchasers, and not the railroad company. Is that it?

Mr. WALTHALL. It is to give the railroad companies additional time within which to complete their roads, but at the same time, in extending that favor to them, to protect the purchasers from the Government who paid their money under a misapprehension on the part of the officers of the Government of the law.

Mr. MITCHELL. But do not these companies get more land after they have completed the roads within the time granted by this provision than they otherwise would?

Mr. WALTHALL. They do not. On the contrary, this grant originally was about 650,000 acres. Under the misapprehension of the law already referred to, about 200,000 acres had been disposed of prior to the decision in the Schulenberg and Harriman case. This 200,000 acres I propose to secure to persons who paid their money in good faith under that mistaken construction of the law by the officers of the Interior Department.

Mr. MITCHELL. I wish simply to know whether the object of this fifth section is to grant special privileges to these two companies with reference to the time within which their roads shall be completed, and with reference to the amount of lands they shall receive that are not granted to any of the other companies.

Mr. WALTHALL. On the contrary, the effect of the section is to reduce the amount nearly one-third for the benefit of purchasers who paid their money in good faith, but there is an extension to these companies of a few months' additional time within which to complete their roads.

Mr. DOLPH. Will the Senator from Mississippi allow me a question?

Mr. WALTHALL. Certainly.

Mr. DOLPH. I think my colleague and the Senator from Mississippi do not understand each other, and that in a word I can make the point clear which my colleague is driving at.

As I understand it, one of these railroads, the Gulf and Ship Island Railroad, has already completed 25 miles of its road. It has 125 miles more to complete.

Mr. WALTHALL. More than that.

Mr. DOLPH. If Congress should now pass this bill without an exception in favor of that road, it would get this land for 25 miles, or whatever is completed of its line; and this exception does give it an advantage by giving it time to complete its road and earn the land for the 125 or 150 miles, or whatever it may be, that remain to be finished. In consideration of that privilege the Senator from Mississippi proposes that where lands have been selected along the line which has already been constructed, and therefore earned by the railroad company, the railroad company shall release its right to the persons who have gone on and purchased, under a mistake of the Department, these lands which were railroad lands, and which had been earned, in consideration of this exception, in favor of the roads. In other words, Congress makes a bargain with these railroad companies, "You shall have time until the first of January to complete your road and earn your grant, provided that the title of those persons who bought, under a misapprehension of the law, from the General Government lands which you had earned is confirmed to them." Is that the proposition?

Mr. WALTHALL. The Senator from Oregon [Mr. DOLPH] has stated very clearly what I had attempted to state in reply to the question of his colleague, and supposed I had done it. There is an extension of time granted to these roads, but in consideration of that act of grace on the part of the Government it is virtually proposed that the companies shall release to these persons who bought in good faith the lands along the lines of these roads when the purchases were made under a mistake of law on the part of the officers of the Interior Department.

Mr. DAWES. I should like to inquire of the Senator from Mississippi if the ground on which these settlers are protected is not that they have paid in good faith the price for these lands under what was supposed to be a valid authority to sell them, and therefore the Senator seeks to protect them on that ground from the consequences of the action of the Department?

Mr. WALTHALL. Exactly.

Mr. DAWES. Now I inquire why all settlers on lands so situated who have paid the value for the lands under a mistaken view, which the Department and everybody supposed was valid, but which turns out not to be valid, should not be protected in the same way?

Mr. WALTHALL. I think I can answer that to the Senator's satisfaction.

Mr. PALMER. Will the Senator from Mississippi allow me to say one word?

Mr. WALTHALL. Allow me first to answer the Senator from Massachusetts. There is no reason in my judgment why all settlers similarly situated should not be protected; and whenever it is proposed to protect all settlers in like condition, as at present advised, the proposition shall receive my support; but not being able perhaps to apply the legislation proposed by me to land grants in other States, I am seeking to take care of innocent purchasers in my own.

Mr. PALMER. Now will the Senator allow me to make a remark?

Mr. WALTHALL. Yes, sir.

Mr. PALMER. This discussion might all have been avoided if the Senator from Mississippi had allowed me to say a word ten minutes ago.

Mr. WALTHALL. I am very sorry I did not know it.

Mr. PALMER. There is an amendment which answers the objection of the two Senators from Massachusetts, an amendment of a general character which will be offered by my colleague [Mr. STOCKBRIDGE] and amended by me, that will make this general in its operation.

Mr. WALTHALL. In reply to the statement of the Senator from Michigan that the discussion might have been saved by my allowing him to ask me a question some time ago, if he is correct, which I do not think he is, I am very sorry I did not permit him. One reason I did not do it was that there were two other Senators on the floor at the same time, one of whom certainly was on the floor before he was and had asked me a question and wanted an answer.

As to the substantial proposition that he makes, if a general amendment which he proposes to submit should be adopted which would serve my purpose as to this particular road, all well and good; but I have reason to believe that the general amendment when it is proposed will perhaps meet with considerable opposition from some quarters and may lead to very prolonged discussion.

If the Senator be correct in his idea and if his general amendment subserves my purpose, after my amendment is adopted in Committee of the Whole, and it shall be found that the general amendment has covered this special matter, the necessary steps may easily be taken before final action is had on the bill to make it harmonious in that regard. But I prefer my amendment in its present special form.

Mr. BLAIR. I wish to ask the Senator a question. I understand him that the entire length of this road is 170 miles, 25 miles of which are constructed. Along those 25 miles settlements have been made; parties in good faith have gone on the land since the expiration of the time limited for the construction of the road; but as yet there being no act of forfeiture, the settler purchasing or settling in good faith finds his title obscured by the decision of the Supreme Court, so that the railroad will hold that land unless there be the additional legislation that is now proposed.

Mr. WALTHALL. Without this section they lose all the rest of the lands.

Mr. BLAIR. They lose all along the 25 miles of road actually constructed where they have taken their titles since the expiration of the time limited in the granting act for the construction of the road. Now, by the extension until next January it is supposed that the entire road will be completed. The point I wish to call attention to is whether or not along the now uncompleted road there be not many settlements of the same kind which will be affected in the same way as those along the 25 miles of completed road?

Mr. WALTHALL. Undoubtedly, but this amendment protects them also.

Mr. BLAIR. It protects them also. So it is a proposition to protect those who have settled along the unearned portions of the land grant, unearned down to the present time when the act of forfeiture is to be passed.

Mr. WALTHALL. Yes, sir.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The question is on the amendment proposed by the Senator from Mississippi [Mr. WALTHALL] to the amendment proposed by the Committee on Public Lands.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Public Lands was to add as a new section the following:

SEC. 6. The price of the even sections of the public lands not reserved within the limits of the portions of the several grants hereby forfeited, and within the limits of all grants, or portions of grants heretofore forfeited, and of all lands hereby and heretofore forfeited, is hereby fixed at $1.25 per acre.

The amendment was agreed to.

Mr. PLUMB. I am authorized by the committee to offer an additional section.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. It is proposed to add, as a new section:

That section 5 of an act entitled "An act for a grant of lands to the State of Iowa in alternate sections, to aid in the construction of a railroad in said State," approved May 12, 1864, and section 7 of an act entitled "An act extending the time for the completion of certain land-grant railroads in the States of Minnesota and Iowa, and for other purposes," approved March 3, 1865, and also section 5 of an act entitled "An act making an additional grant of lands to the State of Minnesota, in alternate sections, to aid in the construction of railroads in said State," approved July 4, 1866, so far as said sections are applicable to lands embraced within the indemnity limits of said grants, be, and the same are hereby, repealed; and so much of the provisions of section 4 of an act approved June 2, 1864, and entitled "An act to amend an act entitled 'An act making a grant of lands to the State of Iowa in alternate sections to aid in the construction of certain railroads in said State,' approved May 15, 1856," be, and the same are hereby, repealed so far as they require the Secretary of the Interior to reserve any lands but the odd sections within the primary or 6 miles granted limits of the roads mentioned in said act of June 2, 1864, or the act to which the same is amendatory.

Mr. PLUMB. A word in explanation of the amendment.

The first recited grant contained provisions for the withdrawal of lands within the indemnity limits, and the purport or effect of the amendment is to limit the operation of these indemnity withdrawals.

The last statute, the repeal of which is provided for, was a statute which provided for the selection of 120 sections of land in advance of any construction, and independent of construction, and the effect of the provision is that there shall be no other selection made under that provision of law. It practically cut off the indemnity provisions as to any future operation, and at the same time cut off any further selections under what is called the 120-section grant.

Mr. DOLPH. I think I understand what is intended by the amendment; but in order that there shall be no misunderstanding hereafter of what Congress intended I should like to ask the Senator from Kansas a question. I understand that in the grants mentioned in the amendment there were lands granted to aid in the construction of railroads in place, and also indemnity lands to be selected within the indemnity limits, that it was provided in the grant that the Secretary of the Interior should withdraw the lands from settlement in order that the selections might be made. That being the case, the withdrawals having been made under the authority of the statutes, it is supposed that the Secretary of the Interior has no authority to revoke the order of withdrawal, but it must continue and these lands remain withdrawn from settlement until Congress takes action. The amendment is to repeal the acts so far as relates to withdrawals. I presume it is not intended to affect any rights that have accrued under the withdrawals, but simply to give the Secretary of the Interior authority at this time to revoke the orders of withdrawal and open the lands to settlement.

Mr. PLUMB. It is practically to stop the selection of these indemnity lands exactly where they are now, and authorize the restoration to the public domain of lands which have not been selected within those limits by the action of the Secretary of the Interior.

Mr. DOLPH. The Senator is aware that I preferred a simple authority to the Secretary of the Interior to revoke these orders and open the lands to settlement; but the committee supposed the same object would be accomplished by a repeal of the acts, and I wanted it distinctly understood that the intention of the committee was not to affect any rights that had accrued under the withdrawals.

Mr. PLUMB. It has no effect on any rights accrued. It simply makes it impossible that any further selection shall be made within the indemnity limits.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Kansas [Mr. PLUMB] from the Committee on Public Lands.

The amendment was agreed to.

Mr. STOCKBRIDGE. I offer an amendment to section 4 of the pending bill, to be inserted in lieu of section 4.

The PRESIDING OFFICER. Section 4 has been agreed to in Committee of the Whole as an amendment.

Mr. STOCKBRIDGE. Then let it come in at the end of section 4.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to add to section 4 the following:

That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, have heretofore been disposed of by the proper officers of the United States, by sales, entries, locations, or State selections, under color of the public-land laws, and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided*, That there were no pre-emption or homestead settlers, bona fide, residing thereon on January 1, 1888.

Mr. STOCKBRIDGE. I desire to say that the proposed amendment is intended to meet the point suggested by the Senators from Massachusetts. In other words, its purpose is to care for bona fide purchasers and settlers upon the railroad lands which are proposed to be forfeited under the operation of this bill, in the same way in which the Senator from Mississippi proposes to take care of the sales made to cash purchasers and homestead entrymen within the limits of the two roads covered by his amendment.

This question has been so plainly stated that perhaps it is hardly necessary for me to repeat it, but still I ought very briefly, perhaps, to make a statement in regard to it.

These grants were made to different States to aid in building railroads in 1856. The granting act embraced a provision that if the roads were not completed within ten years the land so granted should revert to the General Government. The Land Office took the view that the act meant what it said in plain terms, and that if the roads were not completed in ten years the lands reverted to the General Government; and under that theory the lands were offered for sale, and many of them were purchased and many of them were occupied by homestead entries. That practice continued up to about 1874, when in the case of Schulenberg *vs.* Harriman the Supreme Court of the United States decided that, although these grants at the expiration of the ten years were forfeitable, still it required affirmative action of Congress to declare them forfeited, and until that was done they were still, within the original conditions, granted to the States for that purpose. The ten years expired in 1866. From 1866 up to 1874 these lands all over the country within the uncompleted grants were in the market subject to sale. Any man could buy them; any man could make a homestead upon them, and a great many of them were sold and occupied in that way.

Now, this amendment simply provides that when the General Government, if this bill passes, resumes the control of these lands, it shall do what its officers attempted in good faith to do, grant a title to bona fide purchasers and settlers. I know of many parties who purchased such lands between sixteen and eighteen years ago who have their patents, who have paid taxes on the lands since that time, and it seems to be clearly right that when the Government shall have resumed possession of these lands it should make good the patents which it granted to parties who purchased in good faith.

Mr. PALMER. Mr. President, my colleague has assented to three amendments to his amendment, which I will now present to be incorporated in his amendment. Let them be read for the information of the Senate.

The PRESIDING OFFICER. The first amendment proposed by the Senator from Michigan [Mr. PALMER] to the amendment of his colleague [Mr. STOCKBRIDGE] will be read.

The SECRETARY. In line 5 it is proposed to insert, after the word "sales," the word "or;" so as to read: "by sales or entries."

Mr. DOLPH. When these amendments are adopted I desire to be heard. Let them all be read for information.

The PRESIDING OFFICER. They will be read for information.

The SECRETARY. In line 5, after the word "sales," insert "or," and in the same line, after the word "entries," strike out "locations, or State selections" and insert "by cash, warrants, or scrip;" so as to read:

That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, have heretofore been disposed of by the proper officers of the United States, by sales or entries, by cash, warrants, or scrip, under color of the public-land laws, and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided*, That there were no pre-emption or homestead settlers, bona fide, residing thereon on January 1, 1888.

The PRESIDING OFFICER. The question recurs on the first amendment proposed by the Senator from Michigan [Mr. PALMER] to the amendment of his colleague [Mr. STOCKBRIDGE].

Mr. HOAR. I ask that these amendments be printed and the matter then go over. It is only ten minutes before 2 o'clock.

Mr. DOLPH. I am inclined to coincide with the junior Senator from Michigan [Mr. STOCKBRIDGE] upon this matter. As the amendments were introduced I did not understand them, and when I came to consider them in the Committee on Public Lands I was disposed myself to insist that the words "State selections" should go out. The immediate cause for this amendment, I understand, is the situation in the State of Michigan in regard to a certain land grant made in 1856 to Michigan to aid in the construction of a railroad from Ontonagon to the Wisconsin line.

Mr. PALMER. The Senator is in error.

Mr. DOLPH. No. I think it is the road from Ontonagon to the west line, and also from Marquette to the State line. The railroad company to which this grant was made, or at least the assignee of the original grantee, did not want to construct the road for which the grant had been made, and came to Congress and obtained an act of Congress which diverted the grant from Marquette to the State line to a line running south down the shore of the lake.

It was supposed at the time by the Secretary of the Interior and by the governor of the State that that act also transferred the grant from Ontonagon westerly to the State line, but before the Secretary of the Interior would certify any land to the railroad company for the new line he required a release of the lands which had been granted to the State for these two roads, or this road with a branch, to be made to the General Government on the line from Ontonagon to the State line, which was supposed not to have been included in the act in terms. The governor of the State executed a deed of release to the General Government for this grant. The Department treated that as having been done with sufficient authority, and the lands as belonging to the United States.

Then there had been a grant to the State for the purpose of aiding in the building of the Portage Lake Canal, and the State went ahead and selected as a part of this canal grant a part of the lands which had been released by the governor of the State to the General Government, as is now supposed without sufficient authority to the governor by an act of the Legislature; and they have passed, as I was informed the other day by ex-Judge Dillon, who represents the parties in interest, into the hands of private claimants who bought in good faith.

The selections made by the State of Michigan of lands which had been formerly included in the grant from Ontonagon to the western line of the State and released by the governor of the State to the General Government were again selected by the State under the canal grant and sold to individuals. I am informed that there are 15,000 acres of the land in that situation. Now, it is supposed, as I said before, that the governor's deed was without authority of the Legislature, and therefore if we pass this act we forfeit those lands. They go back to the General Government; the State selection is null and void; the private persons who have acted on the authority of the governor's deed, on the authority of the certificates of the Secretary of the Interior, on the authority of the State in selecting these lands, who bought these lands in good faith, lose their lands. Therefore I think the amendment as offered by the junior Senator from Michigan, which includes State selections which have been made in good faith under the authority of the Department of the Interior at a time when it was supposed these were public lands, should be confirmed as well as these individual claims.

Having said that, it being a matter in which I have no possible interest except to see that the rights of all parties as far as I can are preserved in this act, I submit the matter to the Senate and to the consideration of the Senators from Michigan.

Mr. PALMER. Mr. President, this amendment as introduced is a very innocent looking thing, but is a Greek horse. It is a piece of adjudication. There are homesteaders who believe that they have rights that will be bartered away if this amendment unamended should pass both houses and be signed by the President, and on that account I think that we have no right to confirm the State selections against which the Senator from Oregon directed his remarks. These cases are now in the courts, as I understand. There was a great scandal connected with the Portage Lake Canal grant, and if confirmation is to be made of these selections I contend that it should be done after a review of all the facts, and that it should not be done by a scoop-net of an amendment like this.

This amendment, pure and unadulterated, without my amendment, would give away the rights of three thousand homesteaders in my State who under the advice of good lawyers, honestly believing that they had rights which would be bartered away by this amendment, have gone onto the lands and have made homes. Some of them have been there for eight years.

I am perfectly willing that the cash entrymen should have their entries confirmed where there is no conflict, but I do not believe that we should legislate so as to adjudicate. This matter is in the hands of the courts now; it seems to me there is the place to leave it. When we go into a general confirmation of this kind I think we should be very careful how we advance. *Timeo Danaos et dona ferentes.* All these amendments I look upon with great fear; all these amendments I have been watching since this bill came up. One was put in very innocently by the Senator from Colorado. He did not know the animus of it. Pretty soon my friend and colleague from Michigan [Mr. STOCKBRIDGE] comes in with another. They generally are the same in scope, very blind and rather fair on the face, but when you come to analyze them they are giving away the rights of thousands of good, honest homesteaders as against corporations, and their rights should be adjudicated instead of being legislated away.

Mr. HOAR. Does the Senator object to adding a provision setting forth exactly what he has said, that nothing in this act shall affect the rights of these parties?

Mr. PALMER. My subsequent amendments, I think, if the Senator from Massachusetts will permit them to be read, will convince him that that is my intention. It is not to legislate away the rights of any man or any company.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Michigan to the fact that there was a demand that all the amendments proposed by him should be read for information. Only part has been read.

Mr. PALMER. I should like to have them read, but we were interrupted.

The PRESIDING OFFICER. The Chair will order that they be read, so that they may appear in the RECORD.

Mr. PALMER. That is satisfactory to me.

The SECRETARY. It is proposed to amend by striking out all after the word "*Provided*," in line 10 of the amendment of Mr. STOCKBRIDGE, as follows:

That there were no pre-emption or homestead settlers, bona fide, residing thereon on January 1, 1888.

And inserting in lieu thereof:

Nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States.

It is proposed to amend further by adding:

And no sales or entries shall be hereby confirmed to the prejudice of any pre-emption or homestead claims now valid under existing decisions of the Secretary of the Interior.

The PRESIDING OFFICER. These amendments have been read for information. The question will be on the adoption of the first amendment of the Senator from Michigan [Mr. PALMER] to the amendment of his colleague [Mr. STOCKBRIDGE].

Mr. CALL. I have an amendment to the bill, to be printed, as it goes over.

The PRESIDING OFFICER. The amendment will be received and printed.

Mr. WILSON, of Iowa. Inasmuch as the hour of 2 o'clock has about arrived, and this measure will go over until to-morrow, I move that the bill, with the amendments that have been adopted in Committee of the Whole and those that have been suggested, shall be printed, in order that we may have them all before us to-morrow.

Mr. DOLPH. Let the amendment just presented by the Senator from Florida [Mr. CALL] be read for information.

The PRESIDING OFFICER. It will be read for information.

The SECRETARY. It is proposed to add as new sections the following:

SEC. 8. All actual settlers on any of the public lands affected by the grants hereinbefore referred to who made actual settlement on any of said lands, or who made application for the same after the time limited in the granting act for the construction of the railroad, or who made actual settlement before the location of any line of railroad after the expiration of the time of completion with the authority of the Legislature of the State, shall have their title confirmed, and a patent shall be issued to them on compliance with the homestead law; and all lands affected by any grant where the granting act required a disposal by the Legislature of the State, and there has been no legislative disposal by the State Legislature in the time required by the granting act, are hereby declared subject to homestead entry and settlement.

SEC. 9. The lands embraced in the act entitled "An act granting lands to the States of Florida and Alabama to aid in the construction of certain lines of railway," approved 17th of May, 1856, be, and the same are hereby, excepted from the operations of this act.

The PRESIDING OFFICER. The Senator from Iowa moves that the pending bill, with the amendments adopted in Committee of the Whole and all proposed amendments, be printed for the use of the Senate. It is so ordered, unless there be objection.

Mr. PALMER. I wish to offer an amendment, so that it may be printed.

The PRESIDING OFFICER. It will be received and ordered to be printed.

The amendment is as follows:

Amend section 1 by adding thereto:

And provided, That nothing herein contained shall be construed to except from forfeiture that portion of the grant made by "An act making a grant of alternate sections of the public lands to the State of Michigan, to aid in the construction of certain railroads in said State, and for other purposes," approved June 3, 1856, or acts amendatory thereof, conferred by the State of Michigan on the Marquette and Ontonagon Railroad Company, lying west of L'Anse in said State.

Mr. MITCHELL. I want to offer an amendment at the proper time, and wish to have it read now and printed so as to go in the RECORD.

Mr. WILSON, of Iowa. I desire to have all the amendments, those adopted, and those proposed, and those that may be offered, printed.

Mr. MITCHELL. Let mine go in the RECORD.

The PRESIDING OFFICER. The amendment of the Senator from Oregon will be inserted in the RECORD.

The amendment is as follows:

Provided, That the rights of way and riparian rights heretofore conveyed to the city of Portland, in the State of Oregon, by the Northern Pacific Railroad Company and the Central Trust Company of New York, by deed of conveyance dated August 8, 1886, and which are described as follows: A strip of land 50 feet in width, being 25 feet on each side of the center line of a water-pipe line, as the same is staked out and located, or as it shall be hereafter finally located according to the provisions of an act of the Legislative Assembly of the State of Oregon, approved November 25, 1885, providing for the means to supply the city of Portland with an abundance of good, pure, and wholesome water over and across the following-described tracts of land: Sections 19 and 31 in township 1 south, of range 6 east; sections 25, 31, 33, and 35, in township 1 south, of range 5 east; sections 3 and 5, in township 2 south, of range 5 east; section 1, in township 2 south, of range 4 east; sections 23, 25, and 35, in township 1 south, of range 4 east of the Willamette meridian, in the State of Oregon, are hereby granted and confirmed unto the said city of Portland, in the State of Oregon, its successors and assigns forever, with the right to enter on the hereinbefore-described strip of land, over and across the above-described sections for the purpose of constructing, maintaining, and repairing a water-pipe line as aforesaid. And there is also hereby granted to the said city of Portland, its successors and assigns forever, all riparian rights whatever which rightfully and properly attach to such of the above-described lands as lie contiguous and adjacent to the stream in the above-named sections known as Bull Run.

ADMISSION OF DAKOTA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 185) to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of Lincoln, the pending question being on the amendment proposed by Mr. BUTLER to the amendment reported by the Committee on Territories as amended.

Mr. VEST. Mr. President, it is not my intention to consume any considerable time in the discussion of this bill. We have heard repeated declarations on the opposite side of the Chamber that there was no party feeling there in regard to this matter. I have never yet myself arrived at that esthetic and sublimated view of politics when I could forget that I was a Democrat. I mean to say that I could never entirely divest myself of the idea that I best preserved the interests of the country by proving myself loyal to the party of which I am a member. I would not for a single instant acknowledge that any partisan feeling could induce me to violate the rights of the humblest citizen or my settled convictions as to the Constitution and general policy of the country; but when I hear Senators declare that they have no sort of partisan feeling in this matter, that they look upon it from the solar-walk standpoint, I must be permitted without discourtesy to doubt the correctness of that statement.

There has never yet been admitted a State in this Union without more or less partisan or sectional feeling; and until we arrive at the millennium and the world is flooded with the sunlight of a new era, all men will more or less be actuated by partisan considerations on all such questions.

Gentlemen on the other side of this Chamber speak as if this were a question local to Dakota. Why, Mr. President, two Senators in this Chamber from the State of Dakota would legislate for my people and yours, Representatives in the other branch of Congress would enact laws which affect the interests of your people and mine. Is it a local question that more Senators, more Representatives, more electoral votes shall be called into existence, or is it true that Dakota is a State outside of the Union coming into existence *in proprio vigore* from its own people alone? We should be fair with each other in the discussion of any question like the present, and where the status of political parties is to be changed I ask no advantage for the party to which I belong, and I do not intend that any unfair advantage shall be taken of it under any species of declamation, however sublimated may be the eloquence we may hear. I say that it is unfair for the Republican party to undertake the division of this Territory.

To judge from the speeches we have heard here it is only a question for the Territory of South Dakota. When and how did it become so? What act of Congress called it into existence? When before in the history of this country was it ever known that the people of a Territory had a right to subdivide their own Territory, their own area? Will Senators point me to one single instance of the twenty-five new States admitted into this Union since 1789 where any people of a Territory but those of Dakota undertook to divide their own area and then demand admission as a State?

Is it claimed now seriously by any lawyer or by any member of this body, whether a lawyer or not, that this new claim that we have heard from Dakota alone, that a State can be formed without the consent of Congress, is a substantial claim, is not revolutionary? Who made South Dakota? What connection did Congress have with any such Territory?

Mr. President, whilst the Senator from Illinois [Mr. CULLOM] occupied the floor the other day on this question, the Senator from Vermont [Mr. EDMUNDS] interjected the remark that South Dakota had everything except barbaric politics; that Dakota, in other words, had everything except Democratic politics. What is barbarism? It is a status outside of the Constitution and outside of the law. It is savagery; it is anarchy; and when the Senator from Vermont used the word "barbaric" he used what he meant to be another phrase for the use of the word "Democratic."

Now, Mr. President, let me read what the Senator from Vermont said in regard to "barbaric politics" on the admission of Nebraska some years ago. In defining the power of the people of a Territory he said:

There is no inherent right in the people of any Territory to be constituted into a State. Congress may never organize a Territory at all; it may never dispose of its public lands there; when organized, it may keep it in the perpetual condition of a Territory if it pleases, because all the considerations which govern such questions are considerations which merely appeal to the ordinary legislative discretion of the law-making power, and therefore every circumstance and consideration which enters into the fitness of the thing itself which is proposed to be done is a matter that we have no right to set aside.—*Congressional Globe*, 1866-'67, Part I, page 215.

And the Senator from Vermont adheres, I take it, to that opinion today, as does every other member of this body who has any regard for the Constitution and laws of his country.

What is barbarism? Would it not be the converse of the proposition laid down by the Senator from Vermont? Would it not be a condition of barbarism when the people of a Territory denied the power on the part of Congress and assumed it to themselves? Will any Senator on that side of the Chamber rise in his place now and say that he believes a State can exist on American soil without the consent of Con-

gress? Will any Senator pretend to say that a State can exist within the area of the public domain *proprio vigore* by any sort of inherent sovereignty in the people, without the consent of Congress? Is such a thing known in the Constitution? Was such a thing ever claimed until the people of Dakota deliberately asserted it in the face of the Congress and the people of the United States?

The Senator from Wisconsin [Mr. SPOONER] injected into this debate that ensanguined garment called the bloody shirt. He flaunted it around this Chamber. He spoke of secession, and said that there was no difference between trying to get out of the Union and trying to break into it. But what does he say of a State which is neither in nor out, and claims to exist as a State called the State of South Dakota in spite of the Constitution, in spite of the law, in defiance of Congress? Is not that a state of "barbaric politics?" Is not that a status which would justify the epithet applied by the Senator from Vermont?

Mr. President, let us see what was the initiatory step in this movement. In 1885 the following document was filed in the Senate of the United States, and I ask the attention of the Senator from Vermont to it as a supplementary commentary on the word "barbaric:"

OFFICE OF STATE EXECUTIVE COMMITTEE,
Yankton, Dak., December 7, 1885.

SIR: We, the State executive committee of the State of Dakota, on this behalf appointed by a constitutional convention of that part of the Territory of Dakota south of the forty-sixth parallel of latitude, have the honor to herewith transmit to you a certified copy of the constitution of the State of Dakota and of a memorial from the constitutional convention to the President and Congress of the United States.

We have also forwarded through the hands of Hon. Benjamin Harrison, United States Senator, an engrossed and certified copy of the constitution for presentation to the Senate through the President thereof.

I am instructed, on behalf of the constitutional convention of Dakota, to request you to have the said memorial and constitution duly presented to the Senate of the United States for their consideration, and that the same be referred to the proper committee and acted upon as the application of said convention, for and on behalf of the people of said State, for the admission of the State into the Union.

Yours, respectfully,

HUGH J. CAMPBELL,
President State Executive Committee.
JOSEPH R. HANSON,
E. P. BEEBE,
A. J. SIMMONS,
JOHN CAIN,
JAMES A. WARD,
STEPHEN G. UPDYKE,
Committee.

To the honorable PRESIDENT OF THE SENATE
of the Congress of the United States, Washington, D. C.

It is not an application from a Territory, no statement that the people of South Dakota came here asking that Congress should make them a State, but the State of Dakota, born and full-grown, without the consent of Congress and without the ceremony of baptism presents itself for admission into the Union.

Mr. EDMUNDS. Will the Senator allow me to interrupt him?

Mr. VEST. Certainly.

Mr. EDMUNDS. I do not wish to interrupt the Senator if it is at all inconvenient to him.

Mr. VEST. It is not.

Mr. EDMUNDS. I should like to ask him whether he really thinks that those documents he has read imply that the people of Dakota undertook to set themselves up as a State without the consent of Congress? When they say they present the constitution of the State of Dakota were they not bound to use the very technical and philosophic term which must be applied to the constitution that any people are to adopt, and that is the constitution of a State? They do not say they are a State. They only say that they present this constitution, and by its name and by its essence, if adopted, it must be the constitution of a State.

Mr. VEST. I may not be as expert in the use and understanding of my mother tongue as the Senator from Vermont. I may not be skilled in technicalities to the extent that he is well known to be, but if the English language means anything it means what I have said. I read it again, and leave it to the plain understanding of mankind:

We, the State executive committee of the State of Dakota.

Throughout this whole instrument there is this claim. I will undertake to show besides by testimony coming from this same Huron convention that they claim to be a State without any action on the part of the representatives of the people in Congress assembled.

I call attention in this connection to another memorial coming from another Territory adjoining Dakota, that of Montana.

To the honorable the President of the United States
and the Speaker of the House of Representatives:

Your memorialists, the people of Montana Territory, through their representatives in Congress assembled, respectfully represent:

"The people of Montana Territory." There is no claim there that it was a State. There is no claim there that this sovereignty of statehood had sprung full-armed from the brains of a few politicians as Minerva from the brain of Jove. Look at the difference in the claim each of these two Territories made. I will put that question beyond any doubt. The Senator from Vermont asks me if I seriously entertain any such opinion. I hold in my hand an address from this "State executive committee," and here is what they say:

They—

The people of Dakota—

can choose their boundaries, as they can fix all their institutions, absolutely as they please, and according to their sovereign will and pleasure, independent of Congress and subject only to the limitation that their government shall be republican in form.

That was their construction upon that application as to what they meant and what they mean to-day, and have repeated over and over again in every shape of declaration and enforced by every sort of specious argument.

Mr. EDMUNDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. EDMUNDS. I was under the impression that we were not asked to admit the executive committee of any body of men in Dakota, but to set up that part of the Territory as a State; and I submit to my friend whether the excessive zeal (as we will assume it is, at this moment), or the want of wisdom, or whatever it may be called, of the men who signed themselves as an executive committee (that I know nothing about), is really to affect the broad question of the right of several hundred thousand people of supposed industrial habits and good conduct to come into this Union and to govern themselves in their local affairs as Missouri and Vermont do, and to relieve the United States from the expense of hundreds of thousands of dollars a year that we must expend in respect of Territories.

I appeal to my friend from Missouri whether really the Senate ought to be called upon to be influenced by such statements, assuming all that he says now about this executive committee "for the fun of it," as the phrase is. Is the Senate of the United States really going to be governed by any excess that the persons who sign these papers have set up for themselves? Suppose they had called themselves kings, or whatever it might be?

Mr. VEST. I yielded with all due deference to the Senator from Vermont to what I supposed was a question which would convey to me some information or elicit information from me to him.

Mr. EDMUNDS. That is what I want—the last.

Mr. VEST. His argument, as a matter of course, under the rules of the Senate, he could make when I conclude my remarks. He denied the proposition which I asserted, and which I assert now again, that these people, without appealing to Congress or recognizing the power of Congress at all, undertook to create a State government for themselves. I say here to-day in my place in the Senate that if any Southern community had dared to do this thing there would have been a cry "To arms!" upon that side of the Chamber never equaled since the attack on Fort Sumter.

Mr. EDMUNDS. The Senator is entirely mistaken.

Mr. VEST. The Senator from Vermont would have been here with another piece of legislation equivalent to that of 1876, when he created that celebrated board which put Hayes into the Presidential chair. He would have found some way to have reached these people. If any Southern community had dared such a thing, we would have heard immediately that another rebellion had commenced, and "To arms!" "To arms!" would have been the cry all through the loyal North. But the people of Dakota can do it. As the Senator from Illinois [Mr. CULLOM] said the other day, they were a little imprudent—slightly imprudent, he said—in creating a State government without consulting Congress.

Mr. EDMUNDS. Will the Senator from Missouri permit me to interrupt him?

Mr. VEST. Certainly.

Mr. EDMUNDS. I only now interrupt my friend with his permission, for I do not wish to disturb him at all; I hope he will understand. In the allusion he has made to 1876, I wish to say with emphasis that I believe, and I think nine-tenths of the people of the United States who know anything about it believe, that President Hayes was lawfully and fairly and justly elected by the votes of the States according to the Constitution of our country, and that the only evil which existed in respect of that matter was the attempt of a body of men, whose headquarters was in the city of New York, to buy the electors of the State of South Carolina; and that body of men was not of the Republican party.

Mr. VEST. Mr. President, I have never understood, and the people of this country have never been able to understand, why Packard was not elected governor with a larger number of votes than Hayes received for President. But Packard was thrown out and sent as consul to Liverpool, and Hayes was sworn in as President of the United States. I do not choose now to place my assertion upon Democratic authority or my own *ipse dixit*. I have heard the ablest Republican in this country, who now lies stricken in the city of New York, the foremost in every combat for the Republican party and its supremacy—I have heard Roscoe Conkling say upon this floor that it was by fraud that Hayes came to be President of the United States.

Mr. EDMUNDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. EDMUNDS. My kind and sincere friendship for Mr. Conkling in his present unhappy condition (which I am glad to hope is improving) leads me to say now, if my friend allows me to say it, that Mr. Conkling was one of the foremost men in the committees which conferred upon preserving the peace of the United States in settling the dispute by what is called the electoral commission bill; and my belief is that Mr. Conkling believed, as I did, and do now, that Mr. Hayes was lawfully elected. He believed, I think, as I did then, and do now, that the only fraud about the business was the fraud of persons in the party—I do not impute it to any person here, but persons in the party to which my friend belongs, and to which my friend would never have been himself made a personal party but would have objected to it strenuously; and that what Mr. Conkling may have been said to have said, to use a phrase of that kind (if he ever said it, which I do not believe), arose from certain unhappy difficulties and differences which occurred later on in regard to matters after Mr. Hayes had come in.

It is due to President Hayes, it is due to the Democrats and to the Republicans, and to Mr. Conkling himself, to say that thing; and I think my friend from Missouri is mistaken (and I will not say anything further about it) in bringing Mr. Conkling's name in here at this time in that connection, because, I repeat, Mr. Conkling was one of the ablest—and of course we would all know that—and the foremost of those who engaged with great Democrats (almost as great perhaps as there are here now—Senator Thurman for one, and others who need not be named) in trying to preserve the peace of the United States by having some lawful way of deciding a disputed question.

Mr. VEST. My allusion to Senator Conkling was not at all premeditated, and it was elicited by the remarks of the Senator from Vermont. Mr. Conkling made the statement which I have repeated here, and he made it not once but over and over again. Ex-Justice Strong, of the Supreme Court of the United States, made it in different language and to the same effect. The conviction is settled to-day with the people of the United States irrespective of party, in my judgment, that Rutherford B. Hayes was not fairly elected President of the United States. The Senator from Vermont says that he has no doubt in regard to his election. As a matter of course no one expects that distinguished Senator to disavow his own offspring and to bastardize the result of his own labors upon that commission; but when he states that the people of this country, and I will put it in the strongest way, a large majority of them, have any doubt in regard to the fact that I have mentioned, I take issue with him and put my opinion and judgment against his.

Mr. EDMUNDS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. EDMUNDS. I should like to ask my friend from Missouri, who is a great lawyer and a patriot, whether he thinks that the principle upon which the Electoral Commission proceeded was sound or unsound? It proceeded, I may remind him, which I need not do, upon the ground that the State authorities, according to the course of the Constitution, having passed upon a question of who were elected their electors, that commission was bound by it, and it was not within the competence of Congress to go into an inquiry as to the conduct of those State authorities short, I may say, of a revolutionary proceeding, which was not that case.

Mr. VEST. Oh, Mr. President, we have heard all this again and again, in regard to the action of that commission and its necessity to avert civil war. In my judgment there was no such necessity. In my judgment the Democrats who consented to it made a great mistake; and if they had only stood by their legal and constitutional rights, with the great public opinion of the country behind them, Mr. Tilden would have been inaugurated by right indisputable into the executive chair of this country.

Mr. EDMUNDS. Will the Senator again pardon me?

Mr. VEST. Certainly.

Mr. EDMUNDS. The Senator, I think, has not answered the question I put to him, which is of great importance in the future, to the next hundred or three hundred years; and that is whether the principle upon which the Electoral Commission proceeded, of the right of the States under the Constitution to decide who were their own electors, each State for itself, was not a sound principle?

Mr. VEST. I will answer the Senator by simply stating that I neither indorse the principle nor the practice of that commission.

Mr. EDMUNDS. That comes to the point. Then it is for Congress.

Mr. VEST. I was opposed to the whole movement, and if I had been in Congress I would have opposed it with my vote and influence to the last extremity under the Constitution. It was a bad precedent, it was bad practice; and it can result in nothing else in the future but the adoption of doubtful expedients for partisan purposes.

Now, I hope the Senator from Vermont will do himself the justice to admit that if barbaric politics has existed anywhere in this country it has been in Dakota—politics outside of the law, outside of the Constitution, in defiance of the authority of Congress; and if there be any doubt to-day in regard to the purposes of the men who have made this claim here, the English language is not susceptible of any meaning.

"Barbaric politics," Mr. President! We have heard a great deal here in regard to the vast soil and territory of the United States. How was that soil acquired? Whose statesmanship, whose genius, whose valor won to this country the immense territory of which we are now debating? Who was the founder of this party of barbaric politics? What party took this country when it was thirteen weak and trembling colonies and built up upon that foundation the most immense and magnificent empire in the world? Who acquired this vast territory stretching from the Mississippi River to the Pacific Ocean and from the mouth of that great river to the frozen zone? It was the genius and statesmanship of Thomas Jefferson, the founder of this party of barbaric politics.

Whose hand wrote the ordinance of 1787 of which we have heard so much in this debate? It was that of Thomas Jefferson, the founder of this party of barbaric politics, twice President of the United States, leaving his scepter by lineal political descent to his two followers, Madison and Monroe. Who acquired this Louisiana purchase from the great Napoleon in 1803, and for the pitiful sum of $15,000,000 extended our empire to almost an immeasurable extent? Thomas Jefferson, the founder of this party of barbaric politics.

Barbarism in connection with his name! Mr. President, of all the public men in this country Jefferson was the most accomplished, and, in my judgment, the greatest. Devoted to science, art, music, and painting, the man who wrote the Notes upon Virginia, which stand next only to the writings of Addison for purity and vigor of the English tongue, the man who with a prescience almost divine saw the necessities of this Government and the greatness that was to come after him. Yet the Senator from Vermont says the party that he founded, the principles he invoked and defended represent the barbaric politics of the present era.

Mr. EDMUNDS. Would the Senator mind an interruption?

The PRESIDING OFFICER (Mr. CULLOM in the chair). Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. EDMUNDS. I did not say that. I think I believe in almost everything that Mr. Jefferson believed in and said; but the difference between the principles of Mr. Jefferson as stated and those I suggested to a friend of mine the other day as "barbaric politics" I think is very wide indeed. The Notes of Mr. Jefferson on Virginia may bear a pretty striking contrast (perhaps it is not pertinent to this case) with the later notes of Virginia, which are in some trouble at the present time.

Mr. VEST. I know nobody who is more capable of managing the question of the latter-day notes of Virginia than the Senator from Vermont. If there is any necessity of invoking any professional assistance he is always ready in emergencies of that kind. The Senator interjected in the speech of the present occupant of the chair the statement that Dakota had everything but barbaric politics; in other words, that Dakota was not Democratic, and that this was the crime committed now in the eyes of the Democratic party in the Senate.

Mr. President, I have said something in regard to the ordinance of 1787. I do not understand that any Senator who has spoken upon the other side of the Chamber has taken the position that Dakota has any legal right to admission into the Union. The Senator from Wisconsin [Mr. SPOONER] (and he could not fairly do otherwise) admitted that the decision of the Supreme Court of the United States in 10 Howard had done away with the ordinance of 1787 as it applies to this question, and that the Constitution of the United States was to be the guide for Congressional action now; but we hear the extraordinary statement that whilst no legal right exists there is, to use the expression adopted by the Senator from Wisconsin and the Senator from Connecticut, a moral right. In other words their contention, as I understood it (and I will not misstate it), is that under the ordinance of 1787 and the cession of Louisiana in 1803 any portion of this country organized as a Territory and having 60,000 inhabitants has a moral right to come into the Union of States; that whilst the Constitution of the United States gives to Congress the greatest latitude of discretion in regard to the admission of new States, still this moral, nebulous right under the ordinance of 1787 and the cession of 1803 exists in favor of these Territories having 60,000 inhabitants. If I misstate that position I beg my friends to correct me.

Mr. EDMUNDS. I do not wish to admit that proposition as stated by the Senator from Missouri.

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Of course.

Mr. EDMUNDS. If he is appealing to me, I did not admit the proposition which he has stated.

Mr. VEST. I did not say the Senator had said it. I referred to the Senator from Connecticut [Mr. PLATT] and the Senator from Wisconsin [Mr. SPOONER]. The Senator from Minnesota [Mr. DAVIS] went further and, as I understood him, declared that the ordinance of 1787 and

the act of cession of Louisiana of 1803 gave the absolute legal right to a State to be admitted into the Union with 60,000 people.

Mr. DAVIS. Will the Senator allow me to interrupt him?

Mr. VEST. Certainly. I do not wish to misstate the Senator's position.

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. As a matter of course.

Mr. DAVIS. I based my position mainly upon the ground that the ordinance of 1787 had been extended over this Territory time after time by act of Congress after the adoption of the Constitution.

Mr. VEST. Exactly; but how extended? The ordinance of 1787 provided that the Territory called then the Northwestern Territory, whenever it should be subdivided into States, and those States had 60,000 inhabitants and a republican form of government, should be admitted into the Union. Then the Senator from Minnesota claims that by subsequent legislation in 1836 the provision was made to extend to the Territory of Louisiana, of which Dakota is a part, and that it has an absolute legal right to be admitted into the Union.

Mr. DAVIS. Earlier than that; the act of 1804.

Mr. VEST. The act of 1804 and subsequent acts. The Senator from Connecticut and the Senator from Wisconsin do not go as far as the Senator from Minnesota. They say there is not a legal right, but there is a moral right growing out of the terms used in the ordinance of 1787 and in the act of cession of 1803.

Mr. PLATT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. PLATT. What I mean to say is not that the people of any Territory can set up a State and come to Congress and demand to be admitted as a matter of right against the will of Congress. I have never claimed that.

Mr. VEST. I understand that.

Mr. PLATT. I did not know that anybody did claim that; but I do claim that when the people of a whole Territory or a part of a Territory, acting within the historical precedents of this Government, form a constitution and come to Congress asking to be admitted under that constitution, having all the qualifications which have ever been required of any people, it becomes the duty of Congress to admit them; that to keep them out is a grievous wrong; and that inasmuch as it is a wrong to keep them out, it is their right to be admitted. In that sense I do claim it.

Mr. VEST. Then the commission of the wrong is the violation or the denial of the right. That follows logically and mathematically.

Now, what sort of right has Dakota here? I say that the Senator from Vermont announced the proper logical and constitutional doctrine, and that is that Congress alone can determine in its discretion when a Territory shall be organized as a State and admitted into the Union; that Congress alone, from whose judgment there can be under our form of government no appeal, can absolutely determine the question whether the people of a Territory shall organize as a State and come into the Union; and I say that there is no power in the autonomy of our Government outside of Congress that can create a sovereign State. I declare here to-day that the doctrine asserted in Dakota that the people can get together and make a State of themselves and exist outside of the Union upon American soil is treason to the Constitution and revolutionary against every principle of our Government.

Mr. EDMUNDS. But, Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Vermont?

Mr. VEST. Oh, certainly.

Mr. EDMUNDS. If it disturbs my friend in the least I will not interrupt him.

Mr. VEST. Not at all.

Mr. EDMUNDS. Because we are all striving to get at the right in this matter, I suppose.

Mr. VEST. I hope so.

Mr. EDMUNDS. I should like to ask the Senator whether the right of petition, of application to the supreme power which admits States must not be considered as what is ordinarily called sacred; and, secondly, if 300,000 or 400,000 people, whatever the number may be, whose habits and course of conduct in their own little autonomy under the Territorial state have been good and regular in the administration of justice, the preservation of private rights, and all that, appeal to Congress to be admitted as a State, what is the ground of objection to it unless it be put upon the idea the Senator has stated, that some of their committees have used language in papers which seem to imply, read on their face—I am putting it now in the strongest way for my friend—that they were setting up a State for themselves, which in fact I feel bound to say they never attempted to do, or, as some other people have done, like Michigan, for instance, whether after all the question is not, "You have a community with a sufficient territory for a great population, great industry and development, of good morals, of well ordered local regulation," and if that sort of people ought not to come in, being now in a Territory, as one of the States of the Union? That is what I should like to get some answer to, for I can not understand how the application can be denied.

Mr. VEST. What is that but the exercise of the discretion of Congress?

Mr. EDMUNDS. It is nothing else, I admit; but the question is what discretion we ought to exercise.

Mr. VEST. The Senator talks about the right of petition. Who has denied the right of petition? How does that come into this debate? Here is a statement filed in the Senate from the "State of Dakota." What State? When was it ever created? Did Congress create it? What other power can create it but Congress?

In 1861 we passed an act for the organization of the Territory of Dakota—not South Dakota, but the Territory of Dakota—and in a section of that act we provided that Congress could divide that Territory whenever Congress saw proper to do it.

Mr. EDMUNDS. That is just this time.

Mr. VEST. Did they wait until Congress did it? They defied Congress. They met there under the leadership of certain so-called constitutional lawyers, and declared that under the ordinance of 1787 and the cession of 1803 they had a right to create a State themselves, and they came here and insulted Congress by saying that "We, the State of Dakota, apply for admission into the Union. Take our petition and refer it to a committee, but whether you refer it or not, we are a State. Whether you take any action or not, we exist. The sovereignty of the State of Dakota is a thing *in esse* which no Congressional action is necessary to vitalize or continue." Yet the Senator from Vermont says he can not see anything wrong in that. No, Mr. President, if it was Mississippi or South Carolina it would take neither microscope nor telescope for the Republicans in this Chamber to see revolution and rebellion in such proceedings.

Mr. EDMUNDS. The Senator is entirely mistaken.

Mr. VEST. I think not, Mr. President, and I think I can show by the history of this case that party feeling has entered into it on the other side of this Chamber from the beginning.

I will proceed with my argument in regard to the ordinance of 1787, in order that there can be no misunderstanding about the position assumed on the other side of this Chamber in regard to the ordinance of 1787 and the cession of 1803. The Senator from Connecticut, to use his own language, says that under the ordinance of 1787 and the cession of 1803, if a Territory has 60,000 people and a republican form of government, it is a great wrong on the part of Congress to refuse it admission into the Union. I put it in his own modified form.

Mr. PLATT. And with the other qualifications?

Mr. VEST. And with the other qualifications.

Mr. PLATT. I assent to that.

Mr. VEST. And that the people are law-abiding, honest, etc., with a republican form of government, as a matter of course, to quote the Constitution itself.

Here is a document which goes very far to evidence the real feeling of our Republican friends. Here is an amendment offered to the bill to admit Washington Territory into the Union two years ago, offered by my distinguished friend from Indiana [Mr. VOORHEES], not now in his seat. My friend from Indiana was the only Democrat who for reasons entirely laudable, and I have no criticism to make upon them, voted with the Republican party for the admission of Dakota.

Mr. PLATT. Washington.

Mr. VEST. And Dakota, too. He voted for the admission of South Dakota, and then offered it as an amendment to the Washington Territory bill. The amendment I have here provides for the admission of Montana as a State into the Union. General Harrison, the then chairman of the Committee on Territories, admitted that Montana had 115,000 inhabitants. There was no dispute in regard to population. Its constitution was brought here republican in form. The bill upon its face so recites. No issue was made in this Chamber in regard to it. They had repudiated no debt; they had churches, schools, and civilization; but, unfortunately, they were supposed to have barbaric politics.

This was a part of the Louisiana purchase. If the ordinance of 1787 is conclusive in this matter, or if it even creates a moral right to admission when the Territory has 60,000 people, why did every Republican in this Chamber vote against the admission of Montana? It had 55,000 more people than the ordinance of 1787 demanded. It had, according to the claim of the Senator from Indiana [Mr. VOORHEES], a population of 135,000, but it was admitted by General Harrison to have 115,000. Yet there was not one single Republican who favored it, including the Senator from Wisconsin and the Senator from Connecticut. The Senator from Minnesota was not then a member of this body. There was an unbroken vote on the part of the Republicans here, notwithstanding the ordinance of 1787 and the cession of 1803, against the admission of Montana into the Union. No, Mr. President, barbaric politics was in the way. They did not want the vote of Montana because it might be Democratic; but Dakota would be certain to give three electoral votes to the next candidate of the Republican party for the Presidency, and therefore the ordinance of 1787 and the cession of 1803 are invoked.

When this question first came here the great and salient argument made in regard to this matter was that the Territory should be divided because there was a hiatus in area between Northern and Southern Dakota; that the middle portion of the Territory had not been settled up; that the railroads ran in the northern and southern extremities, leaving a sort of desert between the two cultivated and thickly-populated sections of that Territory. All that has disappeared. There are eighty-seven organized counties in Dakota to-day. Railroads are projected and being built, running from north to south. The argument that was used then with such eloquence and vehemence in favor of the division of the Territory has disappeared before the march of civilization and the progress of population, and now we hear that South Dakota should be admitted as a State simply and solely because the people demand it, because the people are in favor of it.

Mr. President, this movement for division came from the politicians and not from the people. I undertake to say there never was anything more susceptible of demonstration than that statement. What are the facts in regard to it? If it be true that this is a popular movement, it ought to be evidenced by some sort of expression on the part of the people at the polls and in an authoritative and regular shape. Now, what are the facts?

The constitution (of 1885) was framed and submitted to a vote of the people of that part of the Territory—

The southern part—

on the first Monday in November, 1885, the vote resulting as follows: For the constitution, 25,226; against, 6,565; showing a total vote of 31,791. There was a separate vote on the constitutional provision prohibiting the manufacture and sale of intoxicating liquors in the State of Dakota, which resulted as follows: For the prohibitory amendment, 15,570; against, 15,337; being a majority of 233 in favor thereof.

Another constitutional provision was voted upon separately, namely, the provision providing for minority representation in the election of members of the house of representatives of the State Legislature. This provision received 11,273 votes; and there were 16,765 against it.

At the last general election in Dakota, November, 1884, Mr. Gifford, Republican candidate for Delegate in Congress, received in the whole Territory 71,579 votes; and Mr. Wilson, the Democratic candidate, received 15,124 votes; and 61 votes were cast for other candidates, making a total vote in the Territory at that time of 86,764.

As the total population in 1885 was 415,664, the number of votes in 1884 to each inhabitant would be 4.77 inhabitants to each voter. As there were 263,465 inhabitants in that part of Dakota which is organized by the Senate bill into the State of Dakota, upon the same ratio there would be 57,330 voters in the proposed State of Dakota; but of these, however, only 31,791 electors voted on the question of adopting the constitution, and of these but 25,226 voted in favor of the constitution, showing that 32,104 electors in the proposed State of Dakota either voted against the constitution or did not vote at all.

If this popular feeling existed there was certainly no intimidation; there were certainly no Southern shotguns or bowie knives or revolvers, no ku klux, no night-raiders. Why is it that when this popular demand existed, when old and young, when the children in the night were crying for statehood, 32,000 voters in that Territory remained away from the polls and refused to vote upon this constitution?

It must be remembered, however, that the census of 1885 was taken one year after the vote on election of Delegate in Congress in 1884, and that there had been a large increase in population during that year. It is safe to estimate that there were four inhabitants to each voter, according to the census of 1885. This would show a voting population in the proposed State of Dakota of 65,866 on November 3, 1885, when the constitution was submitted to a popular vote. The constitution having received only 25,226 votes, there were at least 38,642 electors who either voted against the proposed constitution or absented themselves from the polls.

In order to bring out this vote there were a full set of State officials to be elected, two Representatives in Congress, judges of the courts, a Legislature, both house and senate, and besides this five towns competed for the location of the capital of the proposed new State. In addition to this, the question of local option was also submitted, and that of minority representation; but notwithstanding all this, nearly 40,000 voters in 1885 refused to vote at that election, or neglected to do so.

The only other election was that held in 1887.

In November, 1887, there was submitted to the people of the Territory, in pursuance of an act of the Legislature approved March, 1887, the question of division of the Territory. In that election there were cast upon the proposition of division 37,784 votes for division and 32,913 votes against division, making a majority in the whole Territory of 4,781 in favor of division.

There must have been, then, at that election over 60,000 voters who refused or neglected to go to the polls and deposit their suffrage. According to that election there was a majority of 30,000 in the Territory against its division. In the whole of Northern Dakota there were but two counties that voted for it. Northern Dakota voted by over 10,000 against division; Southern Dakota voted 15,000 and some hundred in favor of it; and yet we are to ignore the wishes of the people of Northern Dakota, we are to trample under foot their expressed will at the polls, and we are to consult the supposed necessities of politicians in Southern Dakota who want two seats in the Senate, places upon the bench, seats in the House of Representatives and in a State Legislature, to say nothing of the subordinate and minor positions.

Mr. President, a great deal has been said here and dragged into this debate about the votes in the Southern States. It is not pertinent to this discussion, but as a Democrat I deny the truth of those statements. I say there is no evidence that the vote in the Southern States has been suppressed by violence and fraud as has been repeatedly charged upon the hustings and in both Houses of Congress.

I know it is a part of the political staple of the Republican party to make the statement that one vote in the South counts as much as two votes in the North in electing a President. My distinguished friend from Ohio [Mr. SHERMAN] made that charge. Mr. Blaine, the Republican candidate for the Presidency, commenced his canvass by a gushing effusion in regard to the patriotism and conservative tendencies of the Southern people, and after he had been defeated denounced in a violent speech in his own State the people of the South, and said that by shotguns and revolvers and fraud they had elected Grover Cleveland to be President of the United States. This statement has been made so often in the press and by orators of the Republican party that uninformed persons throughout the country have come to believe it.

It is true that at local elections, North and South, men absent themselves from the polls. It is true that in every State in this Union where there are not personal issues, where there is not a close election, there is an absence of suffrage to be found in the returns; but in a Presidential election the returns show that within a margin of a very little per cent. the vote in the South is equal to the vote in the North. I do not content myself with this statement, but I will prove it from the figures themselves. I hold in my hand a statement taken from the census of 1880 and the official returns of votes in the respective States of the Union in 1884, when Mr. Cleveland was elected President, and we will see from an examination whether the statement is true that one vote in the South counts as much as two votes in the North in the election of a President of the United States. I have taken the trouble to put these States together, one voting the Republican ticket and the other the Democratic ticket.

Rhode Island in 1880, by the last census, had 76,898 voters. That State cast, in 1884, 32,771 votes, the per cent. being 42.6.

Mr. EDMUNDS. What do you mean by voters?

Mr. VEST. I mean persons who were qualified to vote, and returned by the census as such.

Mr. EDMUNDS. You mean people over twenty-one years of age?

Mr. VEST. I mean the people who were voters. I can not use any other word.

Mr. COCKRELL. Under the laws of that State.

Mr. VEST. Under the laws of that State qualified to vote.

Mr. EDMUNDS. Yes; but under the laws of that State one must have paid a tax, I think; I am not sure about it.

Mr. VEST. One must own, as I understand it, $134 or $144 worth of real estate. We have heard a great deal about fraudulent elections. I know nothing about the recent election in Rhode Island, but I received a Republican paper, I believe, called the Providence (R. I.) Journal.

Mr. PLATT. Hardly a Republican paper.

Mr. VEST. Well, what is it? It is not Democratic.

Mr. EDMUNDS. That is the question. [Laughter.]

Mr. VEST. I leave my friends on the other side of the Chamber to determine its politics. Rhode Island is a Republican State. That paper never has supported a Democrat for office within my knowledge. If it is not Republican, it is nothing. The Democratic party is not responsible for it. It is a reputable journal, and it says that votes were recently sold to the highest bidder in the streets of that city. Yet, we hear a great deal about fraud and corruption in the South and other parts of the Union.

Mr. EDMUNDS. Would the Senator mind—I do not see a Rhode Island Senator here now—if I should interrupt him?

The PRESIDING OFFICER. Does the Senator from Missouri yield?

Mr. VEST. Certainly.

Mr. EDMUNDS. I have been informed from what I consider to be the best authority that for every $1 that any misguided and wicked Republican, I will say, offered or paid for a vote at that election there were $10 offered and paid by some misguided, I will say, and wicked Democrat; and I sincerely believe that that is true.

Mr. VEST. If there is no other subject of congratulation, it is that a little money is found in the hands of the Democrats. In other times the Republicans have had it all.

Mr. EDMUNDS. There has been a good deal more for the last three years.

Mr. VEST. All the money power of this country, the national banks, the moneyed industries—everything that has money in it—has been controlled and used by the Republican party.

Mr. EDMUNDS. Does the Senator mean that all the industrial establishments of the United States are in the hands of the Republicans? Do not the Democrats work, and have they not some capital?

Mr. VEST. It is useless for us to bandy words about it. The Senator's party, according to his idea and that of leading Republicans, is the party of wealth, and education, and refinement, and civilization, and Christianity, and universal education. All the virtues are found there; but barbaric politics is found alone with the Democratic party.

Mr. EDMUNDS. I think that is true. [Laughter.]

Mr. VEST. Yes, sir; no doubt. I have no question that the Senator from Vermont believes that identical thing, that if a Democrat is

ever saved under the plan of redemption it is a great mistake. There is no doubt about it. The table I have had prepared is as follows:

States.	Total voting population.	Vote cast in 1884.	Per cent.
Rhode Island	76,898	32,771	42.6
South Carolina	205,789	91,578	44.5
Nevada	31,255	12,797	40.9
Georgia	321,438	143,543	44.6
California	329,392	193,738	58.8
Alabama	259,884	153,489	59.0
Massachusetts	502,648	303,383	60.3
Arkansas	182,971	125,508	68.6
Vermont	95,621	59,382	62.1
Kentucky	376,221	275,915	73.3
Maine	187,323	129,509	69.1
Tennessee	330,395	259,468	78.6
Michigan	467,687	401,186	85.7
Virginia	334,505	284,991	85.2
Pennsylvania	1,094,284	889,328	82.2
Texas	390,376	322,209	84.7
Ohio	826,577	784,807	94.9
Florida	61,699	59,872	97.0

If that be not satisfactory, as of course it is not, take the votes of every State in the Union. Take the sixteen former slaveholding States, Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia, and the aggregate of the per cent. of votes in those States at the Presidential election of 1884 was 1162.2. Divide it by sixteen, the number of States, and the average per cent. of the voting population that appeared at the polls was 72.6 per cent.

Take the non-slaveholding States, California, Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Nebraska, Nevada, New Hampshire, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, Vermont, and Wisconsin, numbering twenty-two, and the aggregate per cent. in all those States was 1732.3 per cent. Divided by the number of States, twenty-two, it would make 78.8 per cent. of the whole voting population, or in the Northern States, to use that sectional expression, in the non-slaveholding States 6 per cent. more of the voting population only appeared at the polls than in the Southern States or the former slaveholding section of the Union. The statement in detail is as follows:

Alabama	59.0
Arkansas	68.6
Delaware	78.6
Florida	97.0
Georgia	44.6
Kentucky	73.3
Louisiana	50.4
Maryland	80.1
Mississippi	50.3
Missouri	81.5
North Carolina	91.1
South Carolina	44.5
Tennessee	78.6
Texas	84.7
Virginia	85.2
West Virginia	94.7
Total, 16 States	1162.2

Divided by 16 equals 72.6 per cent. of whole voting population.

California	58.8
Colorado	71.0
Connecticut	77.4
Illinois	62.1
Indiana	99.3
Iowa	90.2
Kansas	100.0
Maine	69.1
Massachusetts	60.3
Michigan	85.7
Minnesota	89.0
Nebraska	104.0
Nevada	40.9
New Hampshire	80.4
New Jersey	87.0
New York	83.0
Ohio	94.9
Oregon	88.3
Pennsylvania	82.2
Rhode Island	42.6
Vermont	62.1
Wisconsin	93.9
Total, 22 States	1732.3

Divided by 22 equals 78.8 per cent. of whole voting population.

Yet in the face of these figures, which can not be denied, taken from the census and the official returns, we are told by the Senator from Ohio, and Mr. Blaine, the recent Republican candidate for the Presidency, and by every Republican newspaper throughout this country, that one vote in the South counts as much as two votes in the North in the election of a President of the United States.

We are told that we are keeping Dakota out of the Union for partisan purposes. I stand here to-day and make the proposition that I made in 1886: I will vote for the admission of Dakota as an entire State within this Union to-morrow. I am not afraid to give the Republican party three more electoral votes in the electoral college in the next Presidential contest. My confidence in my party and in the people of this country is such that I believe Cleveland will be elected President by a majority in which three electoral votes will be so small a fraction as not to affect the result to any perceptible extent.

I pledge my word and honor here, and I believe that every Democrat present will do the same, I will vote for the admission of Dakota as one State; but I will not vote for the division of Dakota, because I believe that no consideration of public policy demands it. I believe that State will not be too large, considering its climate and soil.

We have heard the most extravagant panegyric on the soil, the climate, the people of Dakota. Notwithstanding what we know of that region we have heard here of roses and flowers and cloudless skies and balmy zephyrs. We have heard of a people so elevated, so honest, so civilized, so Christianized that hardly any population in this country can be brought in safe comparison with them.

Mr. President, who has kept Dakota out of the Union? For two years it was kept out by the Republican party. Let me read you a little history. I read now an extract from the CONGRESSIONAL RECORD, published in the National Republican of the city of Washington. There is no doubt, I suppose, about the politics of that paper. There is no barbaric politics here, I will say to the Senator from Vermont. It is the organ of the Republican party at the Capital.

Mr. EDMUNDS. The Senator is mistaken about its being an organ. It is a Republican paper.

Mr. VEST. Well, we will take it in the modified form.

Mr. EDMUNDS. We do not have organs in our party.

Mr. VEST. No, no organs, of course! There are some very active organs occasionally on the other side of the Chamber in the way of statements. The Washington Republican of March 22, 1882, says:

Mr. HALE, in presenting a protest against the admission of Dakota as a State, said it disclosed the following remarkable condition of affairs—

I commend this to my Republican friends who are always so extremely active in discussing the repudiating tendencies of the Democratic party, and of the Southern States particularly—

In 1872 the county of Yankton, one of the largest in the Territory, under an act of the Legislature, sought for by the people of the county, issued bonds to the amount of $200,000 to aid the construction of the Southern Dakota Railroad. The bonds being issued were put upon the market accompanied by representations of the leading men of the Territory as to their being sound and good, and were taken by people all over the United States, representing many different States. The road was built. It is the only road going into Yankton County, is running to this day, and everybody concerned is receiving the benefit of it. After paying interest for a short time, the county repudiated, or declined to pay further, and the bondholders were thrown into the courts. They passed through all the stages of litigation in the Territory and in the United States courts, made out their case and were awarded judgment, upon which the officials of the Territory at once invoked the action of the Dakota Legislature—

I ask the attention of my friend from Illinois, if he is in the Chamber, to that statement. In his address the other day he said that but one county in Dakota was concerned in this. Now the facts are, as the record shows in the Supreme Court and as the Senator from Maine [Mr. HALE] said, that the Legislature of the whole Territory came to the assistance of the repudiators and passed the acts that are now recited—

to aid them in their repudiation, and the Legislature at once passed different acts operating in favor of his repudiation by the county. The protest sets forth "that among the acts so passed was one which repealed a previous law authorizing a levy upon the property of the county for the payment of any judgment obtained against the county."

Another act was passed enabling the county commissioners to effect an immediate termination of their official powers by filing a resignation in the office of the county clerk. The operation of this act was that when a mandamus was issued in favor of the creditors the county officers at once filed their resignation, and there was no board for the writ to operate upon.

Mr. HALE added that upon these facts the petitioners, located in different States, respectfully submitted that the people of Dakota had not yet shown themselves capable of self-government unrestrained by Federal supervision, and that, as the petitioners invested their money on the faith of Congress, they had a right now to ask Congress to see to it that the people of that Territory are not encouraged in their efforts at repudiation. He asked that the protest be tabled and printed, and gave notice that when the bill admitting Dakota, already reported, came up he would offer an amendment deferring the admission until the record of the Territory is cleared.

From the New York Tribune—I believe that is a Republican paper, if not an organ—of March 23, 1882, I read the following, as briefly as possible:

The protest made by Senator HALE against the admission of Dakota as a State presents an issue upon which it may be exceedingly important for the Republican party to place itself on record. Mr. HALE's statement of facts makes out a *prima facie* case against admission. He states that in 1872 Yankton County issued bonds.

For two years the Senator from Maine prevented the passage of the bill through the Senate. He prevented it until these bonds were paid, principal and interest. The Senate of the United States was made a collecting agency. If this crime exists against the people of Dakota, what must be said of this action on the Republican side of this Chamber which perpetrated this crime, as it is called, for two years in order to collect so much money for certain people in different States of the Union?

But the Democratic party is assailed. It is said that by fraud, by trickery, by evasion, almost by violence we have denied these people the highest rights of American citizenship. Mr. President, we have not denied them anything that has been hitherto given to the people of any of the Territories or States of this great Union. We say now, and I have no hesitation in saying it to any one and anywhere, we are willing to admit this Territory as a whole. We are not willing to divide it. We believe that there are no reasons for its division. We believe that this thing springs from unfair motives and to achieve personal and party ends.

There are already two States admitted into the Union that are larger in area than this proposed State of Dakota if not divided—Texas and California; but the Senator from Wisconsin makes the extraordinary argument that no more empire States are wanted; that the Republican party does not want an empire Republican State in the Northwest to offset politically and otherwise the empire State of Texas, which he says is hopelessly Democratic and given up to the party of barbaric politics.

Mr. President, I choose to say nothing more in regard to this question, and I leave it before the American people upon the record that has been made here by the two parties. I shall vote, as I said, for the admission of Dakota as a whole. I shall not vote to divide it.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from South Carolina [Mr. BUTLER]. (Putting the question.) The ayes appear to have it.

Mr. PLATT. I ask for a division.

Mr. ALLISON. Let the amendment be read.

Mr. BUTLER. The amendment has been read in full to the Senate.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from South Carolina is to strike out and insert.

Mr. ALLISON. I thought it was another amendment.

Mr. PLATT. There was an amendment to the amendment, as I supposed, pending, and I supposed it was upon that we were to vote. I do not know that the amendment has been offered.

The PRESIDENT *pro tempore*. The amendment that was proposed to be offered by the Senator from New Hampshire [Mr. CHANDLER] to the amendment of the Senator from South Carolina was not formally offered. It was presented as an amendment proposed to be submitted, and ordered to be printed, but it has not been submitted. The question therefore recurs upon the amendment of the Senator from South Carolina, upon which a division has been called for.

Mr. STEWART. Let the amendment be read.

Mr. DOLPH. Does the Senator from Nevada understand that the amendment is a very long bill and is an enabling act, the proposition being to substitute an enabling act for the bill reported from the committee?

Mr. STEWART. I withdraw my request for the reading.

The question being put, the ayes were 23——

Mr. DOLPH. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. BLAIR. Do I understand that my colleague [Mr. CHANDLER] proposed an amendment to be moved to the amendment now pending?

The PRESIDENT *pro tempore*. The Senator from New Hampshire [Mr. CHANDLER] had an amendment printed that he said it was his intention to offer as an amendment to the amendment proposed by the Senator from South Carolina.

Mr. BLAIR. My colleague seems to be temporarily absent from the Chamber, and I desire that there shall be no action taken that will interfere with his offering that amendment, if he desires to do so.

The PRESIDENT *pro tempore*. The Chair has through misconception misstated what the purpose of the Senator from New Hampshire was. It was to amend the part proposed to be stricken out, and not the part proposed to be inserted.

Mr. BLAIR. I am not aware of the condition of the bill. I understood that he desired to offer an amendment which he deemed quite important, at some stage, and if this is the point where it should be done I hope that the vote may not be pressed so hastily that he can not be sent for to his committee-room. I have no doubt he is there. I have sent for him.

Mr. EDMUNDS. Mr. President, I should like to say a word or two about this business.

The PRESIDENT *pro tempore*. The Senator will pause one moment until order is restored in the Chamber.

Mr. BUTLER. It is quite evident that the Senate will not get to a vote on the bill this evening or on any of the amendments. It is now getting late, and perhaps the Senator from Vermont would yield to a motion for an executive session. If he does, I will make that motion.

Mr. EDMUNDS. I yield for that purpose.

Mr. DOLPH. I wish to call up a bill on the Calendar.

The PRESIDENT *pro tempore*. The Senator from South Carolina moves that the Senate proceed to the consideration of executive business.

Mr. PLATT. Can not we have some understanding as to when the vote shall be taken?

The PRESIDENT *pro tempore*. Does the Senator from South Carolina withdraw his motion?

Mr. BUTLER. I will suspend it for the time being. If it is understood that this measure shall be laid aside informally and the Senator from Oregon desires to call up a bill which will not occupy much time, I have no special anxiety about an executive session. I will withdraw the motion for the moment.

Mr. PLATT. I have not spoken on this matter since the debate was opened. I should like a little time before the vote is taken to reply to some arguments which have been made on the other side—not a long time. I would suggest to the Senator from South Carolina whether we can not have an understanding that we shall take the vote on the amendments and the bill some time to-morrow.

Mr. BUTLER. That will be entirely agreeable to me, though I think it not at all unlikely that I shall ask the indulgence of the Senate for a short time in response to some observations on the other side.

Mr. PLATT. Say as soon as 5 o'clock to-morrow.

Mr. BUTLER. I should not like to name any particular hour. I would say to-morrow, as far as I am concerned.

Mr. PLATT. Well, say that we will vote on it to-morrow.

Mr. BUTLER. I have no objection to that, but I have no right to speak for anybody else.

Mr. EDMUNDS. I ought to say, if I may, that I shall not probably occupy more than twenty minutes in what I have to say; so that very likely we can get to an early vote to-morrow.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Connecticut to ask unanimous consent that the vote upon the bill and amendments be taken to-morrow. Is there objection? [A pause.] The Chair hears none. Such is the agreement of the Senate.

Mr. HARRIS. If there is no Senator who desires to continue the debate this evening, I would ask unanimous consent of the Senate that the bill be informally laid aside, and then I shall ask, if that be agreed to, unanimous consent of the Senate to consider a bill reported by the Senator from Wisconsin [Mr. SPOONER], from the Committee on Public Buildings and Grounds this morning.

Mr. COKE. I wish to say a word.

Mr. SAWYER. I do not wish to interfere with my friend from Tennessee, but when his bill is concluded I should like to ask the Senate to take up pension bills.

Mr. HARRIS. The bill reported by the Senator's colleague will not take five minutes; but I yield to the Senator from Texas [Mr. COKE], who wishes to submit some remarks on the pending bill.

Mr. SAWYER. Then I have not anything to say.

Mr. COKE. Mr. President, yesterday the Senator from Massachusetts [Mr. HOAR] placed upon record a statement with reference to a construction of the joint resolution under which the Republic of Texas was admitted as a State into the Union, which I do not propose to discuss at this time.

The PRESIDENT *pro tempore*. The Senator will pause. Senators will please resume their seats.

Mr. DAWES. I suggest to the Senator that my colleague is absent, and it might be as well for him to make his suggestions at a subsequent time when my colleague shall be present.

Mr. COKE. Will the Senator's colleague be here to-morrow?

Mr. DAWES. I presume he will. I know not why he is absent now.

Mr. COKE. At the request of the Senator I will postpone what I have to say until to-morrow. It is simply in reference to the statement made by the Senator's colleague on the subject of the joint resolution by which Texas became a part of the Union, he having made a statement in regard to it from which I entirely dissent and in relation to which I desire to make a few remarks. I will, however, postpone what I have to say until to-morrow.

PUBLIC BUILDING AT CHATTANOOGA, TENN.

Mr. HARRIS. I renew my request, if there be no Senator who desires to continue the debate on the pending measure.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks unanimous consent that the pending order be informally laid aside to enable him to move the consideration of House bill 7220.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7220) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and the act amendatory thereof approved February 21, 1887.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONSIDERATION OF PENSION BILLS.

Mr. SAWYER. I move now to take up the private pension bills favorably reported for present consideration.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent that the Senate proceed now to the consideration of private pension bills on the Calendar favorably reported. Is there objection? The Chair hears none.

Mr. COCKRELL. Unobjected cases?

The PRESIDENT *pro tempore*. Cases in which there is a favorable report and to which there is no objection.

RAILWAY BRIDGES OVER RED AND LITTLE RIVERS.

Mr. JONES, of Arkansas. I ask the Senator from Wisconsin to yield to me for the purpose of calling up a brief bill which I desire to have passed, and which is No. 698 on the Calendar, being Senate bill 2179.

Mr. SAWYER. If it does not lead to any discussion, I will yield.

Mr. STEWART. I have a joint resolution which I desire to have passed, and I am certain it will lead to no discussion.

Mr. SAWYER. It will only take a few minutes to pass the pension bills. However, I will not object to these requests.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Arkansas [Mr. JONES]? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge the Red and Little Rivers, in the State of Arkansas.

The bill was reported from the Committee on Commerce with amendments. The first amendment was, in section 3, line 14, after the word

"in," to strike out "which" and insert "whose jurisdiction;" so as to read:

And in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case may be brought in the district court of the United States for the State of Arkansas, in whose jurisdiction any portion of said bridge may be located.

The amendment was agreed to.

The next amendment was, in section 5, line 22, after the word "as," to strike out "Congress" and insert "the Secretary of War;" in line 26, after the words "revocation by," to strike out "law" and insert "the Secretary of War;" in line 27, after the word "in," to strike out "the" and insert "his;" in the same line, after the word "judgment," strike out "of Congress;" and in the same line, after the word "so," to strike out "require" and insert "requires;" so as to make the clause read:

And the said structures shall be changed at the cost and expense of the owners thereof, from time to time, as the Secretary of War may direct, so as to preserve the free and convenient navigation of said rivers, and the authority to erect and continue any and all of said bridges shall be subject to revocation by the Secretary of War whenever the public good, in his judgment, so requires.

The amendment was agreed to.

The next amendment was to add the following:

SEC. 7. That this act shall be null and void if actual construction of the bridge or bridges herein authorized be not commenced within one year and completed within three years from the approval of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

Mr. EDMUNDS. I should like to hear the repealing and modifying section read.

The Secretary read section 6, as follows:

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was read the third time, and passed.

LOAN OF SCIENTIFIC INSTRUMENTS.

Mr. STEWART. I ask to set aside the regular order temporarily, for the purpose of taking up Order of Business 654, being the joint resolution (S. R. 24) authorizing the Secretary of the Navy to loan certain scientific instruments.

Mr. SAWYER. I will yield provided it does not lead to debate.

Mr. STEWART. It will not lead to debate.

Mr. EDMUNDS (to Mr. SAWYER). Take up your pension bills.

Mr. SAWYER. I will immediately after this. I reserve the right to resume the floor if this measure leads to debate.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 24) authorizing the Secretary of the Navy to loan certain scientific instruments. It authorizes the Secretary of the Navy to loan any scientific instruments in the possession of any of the bureaus under his charge, and not in use, to persons taking observations, or making investigations in connection with, or for the use of, any department of the public service, under such regulations as he may prescribe, taking such security for the safe-keeping and return of the instruments on demand as he may deem necessary.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES ANDERSON.

Mr. SAWYER. I call for the regular order.

The PRESIDENT *pro tempore*. The first private pension bill on the Calendar will be stated.

The bill (S. 2283) granting a pension to James Anderson was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to place on the pension-roll the name of James Anderson, late a private in Company B, Fourth Regiment New Hampshire Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY ROBINSON.

The bill (H. R. 6759) granting a pension to Mary Robinson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Robinson, dependent mother of Andrew J. Robinson, late a member of Company C, Eighth New York Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THEODORE GARDNER.

The bill (H. R. 5118) granting a pension to Theodore Gardner was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Theodore Gardner, late sergeant First Battery Kansas Volunteers, at the rate of $17 per month, in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STEPHEN THURSTON.

The bill (H. R. 6812) granting an increase of pension to Stephen Thurston was considered as in Committee of the Whole. It proposes to increase the pension of Stephen Thurston, of Belfast, Me., late a private in Company G, First Regiment of Maine Volunteers, at the rate of $45 per month.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER April 10, 1888:

The Committee on Pensions, to whom was referred the bill (H. R. 6812) granting an increase of pension to Stephen Thurston, have examined the same, and report:

This bill passed the House on the 30th of March. The House report is adopted, and is as follows:

"Claimant was a private in Company G, First Maine Heavy Artillery, and was wounded by two rifle-balls in the thigh at the battle of Petersburgh, Va., July 18, 1864. In consequence of the wound the leg became shriveled and entirely useless, and also gangrenous. From the time of his discharge he has been compelled to use two crutches. A medical examination on January 19, 1865, is as follows:

"'Applicant is totally disabled by gunshot wound of right thigh; gangrene destroyed nearly all the fleshy part of posterior portion of thigh; the leg is permanently flexed upon the thigh; he is much prostrated, etc.'

"Other medical examinations from time to time revealed the fact that the use of the leg was wholly and permanently lost.

"The following recent medical certificates are filed with your committee:

"BELFAST, ME., *February* 14, 1888.

"This is to certify that I have this day examined Stephen Thurston, formerly Company G, First Maine Heavy Artillery, and find that the right leg is in such condition from wounds received while in the service of the United States as to place him upon the pension-list rated as an amputation at middle third of femur. The condition of the limb is such from the effects of gangrene that it is useless, and no suitable stump could be made for the support of an artificial limb. I consider his condition worse than one of amputation of the thigh. I am disinterested.

"HORATIO H. JOHNSON, M. D.

"STATE OF MAINE, *Waldo, ss:*

"Subscribed and sworn to before me February 18, 1888.

"[SEAL.] WM. H. FOGLER, *Notary Public.*

"BELFAST, ME., *February* 17, 1888.

"This certifies that I have this day examined Stephen Thurston, formerly Company G, First Maine Heavy Artillery, and find his right leg useless from wounds received while in the service of the United States. The present condition of the limb is such, from the effects of gangrene, that no suitable stump could be made for the support of an artificial limb. In my opinion his condition is worse than amputation of the thigh. I have no interest in the claim.

"G. C. KILGORE, M. D.

"STATE OF MAINE, *Waldo, ss:*

"Subscribed and sworn to before me February 18, 1888.

"[SEAL.] WM. H. FOGLER, *Notary Public.*

"In addition to the above, a petition signed by the county treasurer, the judge of probate, judge of police court, the collector of taxes, the editor of the local newspaper, and a large number of lawyers, merchants, manufacturers, and other business men, citizens of Belfast, Me., is in the hands of your committee, setting forth the merits of this case, and urging that the increase of pension be granted.

"Claimant is now receiving a pension of $36 per month, which is the full amount that can be allowed under the pension laws; but it is evident that this case is one that Congress can properly take cognizance of. It is conclusively shown that the leg is utterly worthless, and that, even if amputation should be resorted to, the tissues have been so completely destroyed by gangrene that it would be impossible to wear an artificial limb. This fact makes the disability clearly equal to that for which $45 is allowed under the general law."

The bill is reported favorably, with a recommendation that it do pass.

The bill was ordered to a third reading, read the third time, and passed.

WILLIAM P. MADDEN.

The bill (S. 2233) granting a pension to William P. Madden was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William P. Madden, late private Company I, Sixth United States Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CYRUS TUTTLE.

The bill (S. 2008) granting a pension to Cyrus Tuttle was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Cyrus Tuttle, late private Company D, Fifteenth Regiment Kansas Volunteer Cavalry.

The bill was reported to the Senate without amendment.

Mr. COCKRELL. I call attention to the fact that according to the report in this case there has been no application for a review or reopening of it since August 19, 1884. The last action of the Pension Office seems to have been in 1884. As a matter of course, no additional evidence has been secured since that time——

Mr. SAWYER. I will let the bill pass over.

Mr. COCKRELL. No, I do not want it passed over. I merely call attention to it. If the committee is satisfied that no additional evidence can be procured, that action would be final; but, as a matter of course, the Pension Office considers these claims pending all the time, and at any time receives additional evidence.

Mr. SAWYER. We were satisfied we could not procure the additional evidence and that it was a just case, and we consequently reported it.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM KELSEY.

The bill (S. 2106) granting a pension to William Kelsey was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Kelsey, late of Company G, Sixth Regiment Kansas Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. ELIZABETH WHITE.

The bill (S. 2089) for the relief of Mrs. Elizabeth White was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth White, mother of Charles H. White, late of Company K, Seventeenth Regiment Iowa Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROSALOO SAGE.

The bill (S. 2137) for the relief of Rosaloo Sage was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rosaloo Sage, late of Company A, Eighth Iowa Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MERCY A. CUTTS.

The bill (S. 888) granting a pension to Mercy A. Cutts was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mercy A. Cutts, mother of Enoch F. Cutts, deceased, late of Company A, Thirty-first Maine Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH VERBISKY.

The bill (S. 2105) granting an increase of pension to Joseph Verbisky was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph Verbisky, late of the Second Regiment United States Infantry, at the rate of $50 per month, in lieu of the pension he is now receiving.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER April 10, 1888:

The Committee on Pensions, to whom was referred the bill (S. 2105) granting an increase of pension to Joseph Verbisky, have examined the same, and report:

The claimant under this bill enlisted in the regular Army of the United States as a private in Company I, Second Regiment of Infantry, on the 8th day of October, 1851, and was honorably discharged January 18, 1853. He was pensioned October 8, 1853, from January 18, 1853, "for amputation of left arm and fracture of right wrist," which has been increased at sundry times until the present, and he is now in receipt of $36 per month. He made application for increase under the act of August 4, 1886, which was rejected by the Commissioner of Pensions on the ground "that his arm was not amputated at the shoulder-joint, or so near the joint as to prevent the use of an artificial limb." Assistant Surgeon C. Ewen, United States Army, certifies "that upon examination of claimant, he finds that he has lost his left arm at the elbow; the use of the right arm is impaired from a fracture of the ulna, and the arm is weak; there is great difficulty of speech (partial paralysis), apparently resulting from gunshot wound of head." Margaret J. Verbisky, wife of claimant, testifies "that for eleven years claimant has been helpless, unable to dress or feed himself; one side is paralyzed, and he has to be covered and turned over in bed; that he requires the constant care and attention of another person."

Henry Hamborg and Max Haselby swear that the claimant requires the help of his wife in dressing and washing himself, and in cutting his victuals. Under the statement of facts presented your committee are of the opinion that the claimant is very nearly totally disabled, and that if a rating was allowed for this disability to right arm the pension would exceed the amount proposed by the bill, and they therefore report the bill with a favorable recommendation.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ZENAS T. HAINES.

The bill (S. 1933) granting a pension to Zenas T. Haines was considered as in Committee of the Whole. The Committee on Pensions reported an amendment, to add to the bill "and pay him a pension at the rate of $50 a month, in lieu of the pension he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Zenas T. Haines, late a member of Company D, Forty-fourth Massachusetts Volunteers, and pay him a pension at the rate of $50 a month, in lieu of the pension he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM IRVING.

The bill (S. 1912) granting an increase of pension to William Irving was considered as in Committee of the Whole.

The Committee on Pensions reported the bill with amendments.

The first amendment was in section 1, line 8, before the word "dollars," to strike out "sixty" and insert "fifty;" and in the same line, after the word "month," to insert "in lieu of the pension he is now receiving;" so as to make the section read:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Irving, late lieutenant-colonel of the Thirty-eighth Ohio Veteran Volunteer Infantry, and pay him a pension of $50 per month, in lieu of the pension he is now receiving.

The amendment was agreed to.

The next amendment was to strike out section 2, as follows:

SEC. 2. That the act approved July 5, 1884, granting an increase of pension to William Irving, is hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM F. RANDOLPH.

The bill (H. R. 5233) granting a pension to William F. Randolph was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William F. Randolph, late of Company E, Thirty-fifth Regiment New Jersey Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES H. PLUMMER.

The bill (S. 2091) granting a pension to Frances H. Plummer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Frances H. Plummer, widow of Brig. Gen. Joseph B. Plummer, United States Army, at $100 a month, in lieu of the pension she is now receiving.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. BLODGETT, April 10, 1888:

The Committee on Pensions, to whom was referred a bill granting a pension to Frances H. Plummer, have examined the same, and report:

Frances H. Plummer, the applicant, is the widow of General Joseph H. Plummer, who graduated at West Point in 1841 and served during the Mexican war, and later in the regular Army. He was brigadier-general in the war of the rebellion, serving under General Lyon in Missouri. During an engagement at Springfield, Mo., he was severely wounded by being struck in the hip by a rifle-ball, which was not extracted. While suffering from his wound, and against the advice of the army surgeon, who warned him that to engage in active service in his then enfeebled condition would endanger his life, he, however, chose to respond to the call of his superior officers, and reported for duty at Corinth, Miss., where he very soon died quite suddenly on August 9, 1862.

From abundance of medical testimony it appears that General Plummer's death was caused from exposure incident to army life, together with the wound received in the service. Therefore, your committee recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM WALLACE YOUNG.

The bill (S. 1575) granting an increase of pension to William Wallace Young was considered as in Committee of the Whole. It proposes to increase the pension of William Wallace Young, late a private in Company B, One hundred and twenty-first New York Volunteers, to the rate of $30 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARCUS D. RAYMOND.

The bill (S. 2012) granting increase of pension to Marcus D. Raymond was considered as in Committee of the Whole. The Committee on Pensions reported an amendment, in line 9, before the word "dollars" to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Marcus D. Raymond, late a corporal of Company I, Twentieth Kentucky Volunteer Infantry, and a private of Company B, Fortieth Kentucky Volunteer Infantry, at the rate of $20 per month, in lieu of the amount per month he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY SPRAGUE.

The bill (S. 2018) granting an increase of pension to Henry Sprague was considered as in Committee of the Whole. The Committee on Pensions reported an amendment, in line 10, to fill the blank before the word "dollars" by inserting "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Henry Sprague, late a soldier in the war with Mexico, First United States Artillery, regular Army, also of eighteen years' service as a marine in the Navy of the United States, and also a soldier from Vermont in the war of the rebellion, and to pay him a pension of $20 per month from and after the passage of this act, in lieu of the pension now received by him.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNIE LEONARD.

The bill (S. 2194) granting a pension to Annie Leonard was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Annie Leonard, widow of Terrance Leonard, deceased, late of Company D, Sixty-third New York Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. EMILY M. WYMAN.

The bill (H. R. 4672) granting an increase of pension to Mrs. Emily M. Wyman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Emily M. Wyman, widow of the late Rear-Admiral Robert H. Wyman, United States Navy, at the rate of $50 per month, in lieu of her present pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE S. THWING.

The bill (S. 2240) for the relief of George S. Thwing was considered as in Committee of the Whole. It proposes to place on the pension-rolls the name of George S. Thwing, formerly of Company E, First Regiment New York Marine Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROSALIE ALEX.

The bill (S. 2144) granting a pension to Rosalie Alex was considered as in Committee of the Whole. It proposes to place on the pension-rolls the name of Rosalie Alex, widow of Frederick W. Alex, late corporal in Company D, Twenty-eighth Regiment of Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MEHITABLE WHEELOCK.

The bill (H. R. 4110) granting a pension to Mehitable Wheelock was considered as in Committee of the Whole. It proposes to place upon the pension-list the name of Mehitable Wheelock, widow of Jacob E. Wheelock, late of Company C, First Vermont Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HORATIO R. MARYMAN.

The bill (H. R. 807) for the relief of Horatio R. Maryman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Horatio R. Maryman, of the District of Columbia, father of Richard A. Maryman, late of Company B, Thirteenth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED PEARSON.

The bill (S. 2454) granting an increase of pension to Alfred Pearson was announced as the next pension bill in order on the Calendar.

Mr. STOCKBRIDGE. I have been advised of the death of the party, and I therefore move to indefinitely postpone the bill.

The motion was agreed to.

OLIVE WALLACE.

The bill (H. R. 4106) granting a pension to Olive Wallace was considered as in Committee of the Whole. It proposes to put on the pension-roll the name of Olive Wallace, formerly Olive Burbank, mother of Charles H. Burbank, late of Company C, Third Regiment Vermont Volunteers, on account of whose death pension certificate No. 68800 was heretofore issued to her as dependent mother, but vacated on account of subsequent marriage.

Mr. COCKRELL. Let the report be read.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. DAVIS April 10, 1888:

The Committee on Pensions, to whom was referred the bill (H. R. 4106) granting a pension to Olive Wallace, have examined the same, and report:

Your committee agree with the House committee in making this case an exception to the rule, and recommend the passage of the bill, for the reasons set out in the following copy of the House report:

"Charles H. Burbank, private in Company C, Third Regiment Vermont Volunteers, was killed in action in the battle of the Wilderness. His mother, Olive Burbank, was pensioned as a dependent, but pension was discontinued on account of subsequent remarriage. Her second husband died in 1872, and she now asks to be again placed on the roll, and furnishes a large mass of testimony showing that she is extremely destitute, and has been totally blind for seven years.

"The fact that the son was actually killed in the battle, and that the mother is destitute and blind, makes this an exceptionally strong case of its class, and as there are various precedents for the passage of such bills, your committee report the bill back with a recommendation that it be amended by adding after the word 'pension-roll,' in the fourth line, the words 'subject to the provisions and limitations of the pension laws,' and with this amendment recommend its passage."

Mr. COCKRELL. I ask the Senator from Minnesota if there is any danger this bill will carry pension back to 1872, when it was vacated by her remarriage?

Mr. DAVIS. Not in the least, in my opinion.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMILY G. MILLS.

The bill (H. R. 4534) for the relief of Emily G. Mills was considered as in Committee of the Whole. It proposes to have the name of Emily G. Mills, as widow of Oscar B. Mills, late a second assistant engineer in the United States Navy (retired), placed on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN MILLER.

The bill (S. 2117) granting a pension to Ellen Miller was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ellen Miller, widow of Jacob Miller, late of Company G, Third Pennsylvania Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GUSTAVE E. PETERS.

The bill (S. 2652) granting a pension to Gustave E. Peters was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Gustave E. Peters, late of Company K, Twenty-ninth Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENROSE FRANK.

The bill (S. 2069) granting a pension to Penrose Frank was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Penrose Frank, late a private in Company D, Eighty-fourth Pennsylvania Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET TONKIN.

The bill (S. 1885) granting a pension to Margaret Tonkin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret Tonkin, widow of Gustavus D. Tonkin, deceased, late a member of Company H, Eighth New Hampshire Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COL. D. M. FOX.

The bill (S. 1819) granting arrears of pension to Col. D. M. Fox was considered as in Committee of the Whole. The Committee on Pensions reported an amendment, after the word "directed," in line 4, to strike out:

Readjust the pension of Col. D. M. Fox, late of the Twenty-seventh Regiment Michigan Volunteers, and pay such pension, commensurate with the degree of his disability, from the date of his discharge from the military service to the date when his pension began under certificate numbered 245757, upon which he is now drawing pension.

And in lieu thereof to insert:

Pay D. M. Fox, late colonel of the Twenty-seventh Regiment Michigan Volunteers, at the rate of $50 per month, in lieu of that which he is now receiving.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay D. M. Fox, late colonel of the Twenty-seventh Regiment Michigan Volunteers, at the rate of $50 per month, in lieu of that which he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting increase of pension to Col. D. M. Fox."

MARY CURTIN.

The bill (S. 2653) granting a pension to Mary Curtin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Curtin, widow of Timothy Curtin, late of Company I, Forty-eighth Massachusetts Volunteers, at the rate of $12 per month.

Mr. COCKRELL. Let the report in that case be read.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. TURPIE April 10, 1888:

The Committee on Pensions, to whom was referred the petition of Mary Curtin for a pension, have examined the same, and report:

That the claimant is the widow of Timothy Curtin, who was a sergeant in Company I, Forty-eighth Regiment Massachusetts Volunteer Infantry. He enlisted at a time not shown; was discharged September 3, 1863. The soldier was a pensioner at the time of his death by reason of gunshot wound in right arm, received at battle of Port Hudson, at the rate of $16 per month. He died at Boston, Mass., September 17, 1880. His death is recorded as of pneumonia.

The physician in attendance at last illness says that his disease was consumption; that he would have died in a few weeks from this latter disease; that the attack from pneumonia only hastened death. The claimant and her neighbors testify that the soldier upon his return home, immediately after his discharge, was greatly broken in health; that he had an incessant hacking cough and was

thoroughly disabled for work; that his wound remained almost constantly an open sore; that when suppuration ceased the cough became worse, and that the waste from the wound weakened the system so as to prevent a cure of the cough; that this was his condition continuously until he died.

Medical testimony supports this view, and although the claim was rejected by the Pension Office, yet we think it is shown sufficiently that the wound and its consequent results were the causes of the husband's death. We therefore report herewith a bill for the relief of the petitioner, and recommend its passage.

Mr. COCKRELL. I would suggest to strike out in the last line the words "and pay her at the rate of $12 per month," so as to place her on the same footing with others; I think that would be fair and right. Let her be subject to the provisions and limitations of the pension laws, and let her be on an equality with all others.

Mr. DAVIS. The Senator from Indiana [Mr. TURPIE] reported that bill.

Mr. COCKRELL. I make the motion to strike out that clause. Let her be on an equality with others.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In line 7 strike out the words:

And pay her at the rate of $12 per month.

Mr. EDMUNDS. I think that amendment ought to be adopted. I remember only the other day that a House amendment of exactly that character was made to one of our bills and we all agreed that it was right. It strikes me, as far as I am now informed, that the amendment ought to be agreed to.

Mr. SAWYER. There is no objection to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THADDEUS S. STEWART.

The bill (S. 1922) for the relief of Thaddeus S. Stewart was considered as in Committee of the Whole. It proposes to increase the rate of pension now allowed to Thaddeus S. Stewart, late a private in Company K, One hundred and thirty-seventh Regiment Illinois Infantry Volunteers, under certificate No. 99554, from $30 to $50 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILHEMINA HOSBAND.

The bill (S. 2260) restoring the name of Wilhemina Hosband to the pension-roll was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Wilhemina Hosband, widow of the late Sandy Hosband, deceased, private in Company K, Eighty-second Regiment United States Colored Volunteers, of the city of New Orleans, and to pay on her pension certificate numbered 177761 the original amount allowed her from the date her name was dropped from the roll.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. TURPIE April 10, 1888:

The Committee on Pensions, to whom was referred the bill (S. 2260) restoring Wilhemina Hosband to the rolls as a pensioner, have examined the same, and report as follows:

The claimant is the widow of Sandy Hosband, who was a private in Company K, Eighty-second Regiment of United States Colored Infantry, of State of Louisiana. The soldier enlisted September 1, 1863, and served until September 15, 1864, when he died of small-pox contracted in the service, at the regimental hospital in Barrancas, Fla.

The claimant drew a pension as his widow, duly granted, until 1878, when her name was dropped from the pension-rolls upon the claim that she had remarried since death of her husband. The evidence in the case is very voluminous, conflicting, and unsatisfactory. We are only convinced, upon a somewhat careful perusal of it, of two facts: First, that the claimant was the wife of the soldier at the time of his death; second, that he died in the service.

Although there is some evidence which might lead us to the conclusion that she had been guilty of illicit intercourse with men since she became a pensioner, we do not think that it is at all established that she has since her husband's death remarried, or that it is shown that her cohabitation with any one has been so continuous or notorious, acknowledged or reputed, as to be equivalent to marriage.

We recommend the passage of the bill.

Mr. COCKRELL. I move to strike out all after the word "Louisiana," in line 8, as follows:

And she shall be paid on her pension certificate numbered 177761 the original amount allowed her from the date her name was dropped from said roll.

Mr. EDMUNDS. Please state the ground of that.

Mr. COCKRELL. The ground is apparent on the face of the report. Her name was dropped from the roll on the ground of remarriage in 1878, and this bill restores her to a pension from 1878 up to this time on the ground that she has not lived with any one man long enough to become his notorious wife, according to the report.

Mr. EDMUNDS. This woman could only be debarred of her pension as the widow of the soldier if she had lawfully remarried. The pension laws and the Pension Office, I hope, do not go into an inquiry in regard to the morals of the pensioners. If that were done, it would be a very unpleasant performance in a great many instances, and in others it would be quite the reverse, a very pleasant performance, because we should only see the utmost virtue and the utmost destitution combined. But it does seem to me that if the remarriage is not proven Congress could hardly fail to correct this error, as it turns out to have been if she has not been remarried, on the ground that she had not led the kind of life that she ought to have led. Are we to go into that sort of question?

Mr. COCKRELL. Here is a case of a widow pensioned on account of the death of her husband, and in 1878 a Commissioner of the Pension Office who could not be charged with any unkindly feeling to the colored people, officially and judicially found that this woman had remarried, and thereupon he dropped her name from the pension-roll. Now, after the lapse of ten years, she comes to Congress and asks that her name be restored to the pension-roll, and not only that, but that she be given arrears of pension from 1878 to this time. The Committee on Pensions find these facts established:

First, that the claimant was the wife of the soldier at the time of his death; second, that he died in the service.

As to whether she has remarried or not it is uncertain, but she has lived in illicit intercourse with men, and not with any one particular man long enough to establish the presumption of the relation of wife. That is the evidence according to the committee. The Pension Office had judicial authority to act upon this matter, and the Pension Office in 1878 said they found that she was a married woman, and that finding has not been reversed by any evidence here, and I say it is enough that Congress shall place her back on the pension-roll and let her draw a pension from this time, and not give her back pension from 1878 up to this time.

Mr. EDMUNDS. I think the suggestion of my friend from Missouri, whose views I almost always agree with, is, if I may say so, not altogether logical. If the evidence does not satisfy the Senate, as it now stands, that this woman has not been remarried, and the Senate now believes that she has been remarried, she ought not to have any pension at all. But if, on the report of this committee and the facts that they have found, there is no satisfactory proof that she has been married to any person since the death of her husband, whatever her life may have been in regard to morality, she is legally entitled to her pension, because the law says that she shall have it as a widow until she is remarried. It is, therefore, as somebody said about 54° 40′ or fight, "the whole or none." If she has been remarried, or there is any fair ground to believe that she has, we ought not to pass this bill at all. If there is not satisfactory evidence that she has been remarried, then she has been unlawfully deprived of a right that the law gives her as the widow of a soldier to have the pension from the time of his death; and that brings up simply the question of whether we are to go into the personal life that the widows of soldiers lead and to say, affirming the opinion of the Commissioner of Pensions or others, that if these widows have led immoral lives, and we are satisfied of it, their pensions shall stop.

That is not the law; and if the Congress of the United States are to set themselves up to go into inquiries into the morality of the lives of the widows of soldiers (although in ninety-nine cases in one hundred it would be an inquiry that would be honorable to those women, I have no doubt, and in the hundredth it might not), we should make a great mistake. So, we either ought to pass the bill as reported, or not pass it at all, as it seems to me, with great respect to my friend from Missouri.

Mr. COCKRELL. I do not agree with the Senator upon that proposition. If this widow never remarried, the Pension Office had no right to drop her name from the roll, and if she is entitled to her pension she can go into court and enforce it.

Mr. EDMUNDS. I do not know about that.

Mr. COCKRELL. She does not come to Congress because she has a legal right. Scarcely any of these pension claims are based upon a legal right. We have passed twenty cases to-day where under the law the parties were not entitled to a pension. They come to Congress asking special relief. Here this woman is not entitled legally to be restored to the pension-roll. If she is, she can enforce her remedy before the Commissioner of Pensions, and there will be ample authority for doing so. She comes, however, to Congress, and now Congress can grant this relief in whole or in part. It is a matter of gratuity, a matter of favor, a matter of kindness. If she has lived with so many men since 1878 that she has not established her identity as the wife of any one of them, how can she ask Congress to go back and pay her a pension during that entire period? She is doubtless old, decrepit, and in want, and I suppose that is the principal ground upon which she is at all to be placed on the pension-roll.

Mr. EDMUNDS. I assume that this woman does not live in Utah, for in that case—I am not sure about that, as I do not know the Mormon doctrine—it would not be any objection at all, that is to say, it would not be if she were a man; but in this case I assume that she does not live there.

The Senator from Missouri is correct in saying that the Commissioner of Pensions had no right to strike this woman's name from the pension-roll until she had remarried; and if she has not remarried I will assume that she had a legal claim that she could prosecute in the Court of Claims for the payment of her pension. I do not know whether she could or not, but I will assume it. But what can a poor, sorrowful, and desperate and lost woman do in prosecuting a suit in the Court of Claims

of the United States, requiring retainers and counsel fees and everything that goes to make up the compensation of gentlemen who engage in the prosecution of claims there? That is a total impossibility. Therefore, if we are satisfied from the evidence our committee reports that she has not been remarried, or are not satisfied that she has been remarried, we ought to correct what I will assume is a legal error of the Commissioner of Pensions in 1878, not because she requires an act of Congress to enforce her right, but because she is perfectly incapable in point of money and capacity to carry on a lawsuit with the United States; and so Congress comes in and gives her what we do every day here in claims bills, pay people who can not enforce their rights in the Court of Claims.

If there is any ground to believe that this woman has been remarried—I am not speaking of the life she has led, but if she has been remarried—we ought not to grant her a pension at all; but if we are not satisfied that she has been remarried, then she is entitled as of right, according to law, to have her pension without going into an inquiry into what kind of a life she has led, sorrowful and wicked and immoral as it may have been.

Mr. COCKRELL. I trusted the Senator would have paid very careful attention to the reading of the report in this case. The report says:

> We are only convinced, upon a somewhat careful perusal of it, of two facts: First, that the claimant was the wife of the soldier at the time of his death; second, that he died in the service.
>
> Although there is some evidence which might lead us to the conclusion that she had been guilty of illicit intercourse with men since she became a pensioner, we do not think that it is at all established that she has since her husband's death remarried, or that it is shown that her cohabitation with any one has been so continuous or notorious, acknowledged or reputed, as to be equivalent to marriage.

That is a finding after the Commissioner of Pensions, a quasi-judicial officer, had examined the case, and had the advantage of special agents to go and make examinations in the field; and after a full investigation he found that she was remarried, and thereupon he struck her name from the roll. She has had ever since 1878 to file additional testimony to try to rebut, to overthrow the fact of the remarriage, and yet it is a question in doubt, and she has not been able to satisfy, if she has gone to the Commissioner of Pensions—and there does not seem to be any evidence here that she ever went there—she has not satisfied the Commissioner of Pensions, the officer appointed by law and endowed with full authority to pass on the question of her right to be restored to the roll. There is not anything here to indicate absolutely that she has applied for restoration. She thought probably that it was easier to come to Congress.

We all know that the Commissioners of Pensions, not only the present Commissioner, but all Commissioners, have always given a kindly hearing to applications for restoration to the pension-roll. They have always given a kindly hearing to applications for rehearings in pension cases, and it is not right that Congress should be encumbered with this class of legislation. If we grant relief, it is because the applicants can not get the relief legally before the Commissioner of Pensions, and we ought to put such restrictions upon the relief as we deem proper and just.

Mr. EDMUNDS. Mr. President, in respect of the investigation which the special agents made, on which the Commissioner acted in dropping this woman's name from the rolls, I have this to say: I know nothing whatever about this case, of course.

Mr. COCKRELL. Nor I. I never heard of it before.

Mr. EDMUNDS. But I am speaking, as is my friend from Missouri, on general principles. I have known in the State of Vermont investigations made by the Commissioner of Pensions, through special agents when the special agents would go and take *ex parte* testimony and the pensioner would appeal to the special agent for liberty to hear the evidence against him or her, as the case might be, so as to know what was being said against him in respect of the question of dropping and so on, which was refused. The special agent thought that his authority was that of a kind of detective, to go and pick up *ex parte* information, which might or might not be true—I am not on that question—and report it. So I say in respect of the dropping of anybody from the pension-roll it has almost always been *ex parte*. I do not commend it; I condemn it; but that is the way the thing is done.

Mr. HOAR. Before the Senator sits down I wish to ask him a question. I am not questioning the argument, but simply asking for information. I have it not in my memory exactly, but I should like to understand what is the authority on which it is the practice of the Pension Office to drop from the roll widows who are found to be leading evil lives. I am sure such a practice exists. What is the authority for it? Is there an express statute for it? I have it not in my memory. Perhaps the Senator from Vermont can inform me.

Mr. EDMUNDS. I have it not in my memory at all. It may be that it is in the statutes, but I did not know that the Commissioner of Pensions was invested with the authority to oversee the lives of widows.

Mr. HOAR. There is such a practice to some extent.

Mr. BLAIR. I have the statute here which provides for the termination of widows' pensions when living in open adultery. It was passed, I think, in 1882.

Mr. EDMUNDS. Does the same statute authorize that widow to appear before the investigating officer, or whatever, and be heard on her side?

Mr. BLAIR. No doubt there is an inquiry into the facts.

Mr. EDMUNDS. But the question is, whether she is by the law entitled to be heard on this accusation against her?

Mr. BLAIR. My recollection is that the statute simply provides that where the fact exists the pension shall terminate. I do not think the law fixes the method of determining the fact.

Mr. EDMUNDS. Then, Mr. President, we have this case as a dropping from the rolls on the ground of a remarriage, and not on the ground of any discretion on the part of the Commissioner of Pensions in respect of the evil life, if there be such a statute, as I rather think now there is.

Mr. HOAR. I will state to the Senator that I had a request from a pensioner in my neighborhood lately, expostulating with the Pension Office for being dropped under these circumstances, maintaining that the Commissioner must be wrong, and desiring a rehearing. I asked the Commissioner to reconsider his action, and he cited the law under which he had deemed it his duty to drop that woman from the roll. I have sent for the letter.

Mr. EDMUNDS. I think it probable that there is such a statute; I think I remember it now; but I want to repeat what I said a little while ago, that in one instance in the State of Vermont where a woman was accused of this same sort of thing, and her counsel (I knew her counsel—I never heard of her before—as being a respectable gentleman) wrote to me imploring that I would do whatever I could to get the Commissioner of Pensions to command his special agent, who was purporting to investigate that case, to allow her with her counsel to be present and hear what her accusers said; but the special agent would not allow it.

Mr. KENNA. Will the Senator allow me to ask him a question for information?

Mr. EDMUNDS. Certainly.

Mr. KENNA. I ask only for information. Suppose that there is a statute, as the Senator from New Hampshire suggests, which provides that the Commissioner of Pensions may drop from the roll or shall drop from the roll a widow under the conditions which have been discussed here, and yet suppose that in this case or in any other case a special act of Congress is passed giving a pension in such a case, would it then be in the power of the Commissioner to cease to pay that pension?

Mr. EDMUNDS. I think it would, because we always do it subject to the limitations and conditions of the pension laws.

Mr. KENNA. But Congress, acting in the full force of the fact, with the full knowledge that the Commissioner had acted, gives the pension; would not that embarrass the Commissioner in future dealing with the case?

Mr. EDMUNDS. It would embarrass the exercise of his discretion as to any preceding fact. Supposing this bill passed to-day and were approved by the President, I do not think it would be the right thing, and probably not the legal thing, for the Commissioner of Pensions to go into previous misconduct; but I think under the form in which we pass all these bills, as we ought to, subject to the provisions and limitations of the pension laws, if the Commissioner found—if there be such a law—that her life was openly and notoriously dissolute afterwards, he might drop her, and this act of Congress would not restrain him in the least degree from the exercise of that discretion. But in this case, as the committee inform us in their report, which I have no doubt is true, the Commissioner of Pensions did not drop the woman from the pension-roll on the ground of leading an open and notoriously immoral life, but on the ground that she had remarried.

Mr. KENNA. I understand that.

Mr. EDMUNDS. Now, supposing that to be so, I submit again whether, if we find that she was not remarried, she is not of right entitled to the pension that she was illegally denied by the Commissioner of Pensions. That is the point, and it would seem to be clear that she was.

Now let us see what the law is, not necessarily for this point, but to illustrate:

> And the open and notorious adulterous cohabitation of the widow who is a pensioner shall operate to terminate her pension from the commencement of such cohabitation.

This is an open and notorious leading of an evil life; but in this case the Commissioner of Pensions dropped this woman from the rolls, not on that ground, as it is stated in the report, but upon the ground that she had remarried, which she had a perfectly lawful right to do. If she had remarried that was the end of it, and she ought not to have any pension at all. If she had not remarried, then the Commissioner was wrong and illegal in dropping her, and, as the Senator from Missouri says, perhaps she might have prosecuted her case in the Court of Claims to get that pension; but we all know for a person in that condition that is out of the question. So it really presents to our consideration—I thank the Senator from Missouri for bringing it to our attention—the question whether the evidence shows, as the committee say it does not, that she was remarried. If she was not, she is entitled to go back, and

if the Commissioner chooses to-morrow to suspend her pension again on the ground that she leads an open and notoriously evil life, he will have a perfect right to do it.

Mr. SAULSBURY. If the Commissioner found the fact on the evidence presented to him and he dropped her from the roll on the ground of remarriage, is not the burden of proof then on her to show affirmatively that she had not remarried? Ought she not to be required to prove affirmatively that there had been no remarriage before we can be justified in reversing the judgment of the Commissioner of Pensions?

Mr. EDMUNDS. In many cases the suggestion of my friend from Delaware would be perfectly true; but it would be utterly impossible for the Senator, or I should rather say for myself, a married man, to prove that I had not married at all or had not married some one else, because it is the proof of a negative, and that can never be established. I recognize the principle my friend suggests. If it was an affirmative fact she could prove it. If she had committed some act like adulterous intercourse, it might be one thing; but here is a case where the burden of proof is to prove a thing that in the nature of things is impossible of demonstration or even probable proof. You can not prove anything about it. All you can say is, "I have not been remarried," but I can not bring a single witness to prove that I have not been. You might bring the whole neighborhood to say, "We never attended any wedding;" you might bring all the clergymen in the neighborhood to say, "We never celebrated a marriage;" but that would not prove that there had not been a remarriage. So the difficulty lies in the fact that she is called on to show, on the suggestion of my friend from Delaware, a negative, which can never be proved by anything that amounts to a demonstration or to anything else than a probability.

If you found a widow who, in the opinion of all her neighbors, reputable people, had led a moral and regular life, and they had never heard of her cohabitation with anybody—they had never heard of any marriage—you might say it is altogether probable she has not been married; but that does not amount to anything in the nature of proof in the sense that the law speaks of proof.

So when the Commissioner drops her on that ground, and a committee of the Senate find that that ground is not maintained by the proof, she is remitted to her original condition. The open and notorious evil life is quite another thing; the Commissioner did not find that, and the committee does not find it. The committee only say that there is a lot of talk about this widow. We leave the Commissioner with the power, if he finds that her life is now evil, to drop her to-morrow if he chooses. This is, of course, a mere question of principle, applying to the widows of all the soldiers.

Mr. COCKRELL. Now, I should like the Senator from Vermont to answer a question. I have sent for the papers in the case to see what was the exact ground of the decision, and I have not been able to find it. I take it for granted that the Commissioner of Pensions, in 1878, acted perfectly fairly and impartially with reference to this colored widow.

Mr. EDMUNDS. On the evidence he had.

Mr. COCKRELL. Upon the evidence he had. He believed that this colored woman was remarried, and upon that ground he struck her name from the roll, as it was his duty to do. Now it is proposed to restore her to the pension-roll and give her arrears of pension from 1878 up to this time; and the evidence upon which that is proposed shows conclusively that she has been living in adulterous cohabitation with different men, but not long enough with any to establish her identity as the wife of any one of them. Now, she can not be restored to the pension-roll while living in that condition, and under the law of August 7, 1882, that fact of itself would have caused her name to be stricken from the roll. I have sent for the act of August 7, 1882, and I will find it in a moment.

Mr. EDMUNDS. The point, if my friend will pardon me, that I wish to call attention to is this——

Mr. COCKRELL. Let me read this. I have it now. Section 2 of the act of August 7, 1882, says:

SEC. 2. That marriages, except such as are mentioned in section 4705 of the Revised Statutes, shall be proven in pension cases to be legal marriages according to the law of the place where the parties resided at the time of marriage, or at the time when the right to pension accrued; and the open and notorious adulterous cohabitation of a widow who is a pensioner shall operate to terminate her pension from the commencement of such cohabitation.

That is a solemn law of Congress.

Mr. EDMUNDS. Now, I wish to ask my friend whether the report of the committee shows, or any evidence in it—I do not know how that is—that this woman has done that thing? You will notice that the statute speaks of "adulterous cohabitation." A woman who cohabits with an unmarried man is not guilty of any "adulterous cohabitation," however immoral and improper it may be, as we all agree that it is, and the statute appears to have not intended to take from the widows of soldiers their pensions when the Commissioner of Pensions was satisfied that they were not leading moral lives; but they must go beyond that, invading a more sacred relation to society and living in adulterous intercourse. I should like to hear the Senator on that.

Mr. COCKRELL. I do not agree with that view of the law. I do not believe that Congress ever dreamed of such a construction being put upon that law. I do not believe that the "adulterous cohabitation" was meant to be confined on the part of the widow to a married man, and I do not think Congress ever thought of any such thing, and the Pension Office never has confined, under Republican or Democratic administrations, its interpretation of that law to any such narrow construction.

Mr. EDMUNDS. But what does the Senator think the law means?

Mr. COCKRELL. I have read it. I will read now from the Digest of Pension Laws, Decisions, and Rulings, published in 1885. Section 2 is the section of the law I have read.

Mr. HOAR. What year was that?

Mr. COCKRELL. This is a Digest of the Pension Laws, published in 1885.

Mr. HOAR. I understand; but what is the year of the statute?

Mr. COCKRELL. I am referring to section 2 of the act of August 7, 1882, which I have just read. The decision of the Secretary of the Interior and the Pension Office under that I will read. It is as follows:

1. Upon a careful consideration of the act of August 7, 1882, it is believed that it was not intended that it should be applied to any other pensioners or applicants for pension than those who claim as widows of soldiers.

That was decided by Secretary Teller July 19, 1883.

2. In the view of the Department the provisions of the act of August 7, 1882, above referred to, has no effect to deprive a widow of her pension if the adulterous cohabitation ceased before the passage of the act.

That decision was by Mr. Joslyn.

[Ruling No. 105, May 20, 1885.]

Where soldier died in service, and about the date of his enlistment his mother and father separated, the mother leaving home and joining a man with whom she has continued to live and cohabit to the present time: *Held*, that this relation of mistress and paramour precludes the idea of the dependence of the mother upon the soldier, and her claim for that reason should be rejected.

[Ruling No. 113, June 3, 1885.]

Pensioner's (widow's) name dropped from the rolls January 1, 1866, because of her assumption of marriage relations with one Creighton.

That was the ruling of the Pension Office in 1866—

Pensioner's (widow's) name dropped from the rolls January 1, 1866, because of her assumption of marriage relations with one Creighton. Claim made to restore her name to the rolls from date of dropping to August 7, 1882, the date of the approval of the act of Congress bearing upon the subject: *Held*, that the action by which the pension was terminated was proper, even admitting that the pensioner had not performed such an act as could be held to constitute legal marriage under the laws of the State of Maryland, where she resides.

It clearly has been the intent of Congress at all times, even prior to the passage of the act of August 7, 1882, to discountenance the claims of a certain class of soldiers' widows who dishonor the dead by living in adulterous cohabitation while drawing the pension allowed for the loss of the husband's support. A contrary view would simply have the effect of putting a premium upon a system of prostitution.

[Ruling No. 154, December 4, 1885.]

In a case where the widow of a colored soldier, since the death of her husband, was shown to have given birth to two illegitimate children, one before and one after the passage of the act of August 7, 1882, the Commissioner *Held*, that there could be no stronger proof of open and notorious adulterous cohabitation than the birth, out of wedlock, of two bastards.

No inquiry made as to whether the fathers were married men or single men—

The case is governed by the provisions of the act above referred to, and should be rejected.

There are a number of other decisions upon this identical question, and I say that it is as clear to my mind as a sunbeam that this widow is not entitled even to be restored to the pension-roll, except as a mere act of kindness on the part of the Government to an aged and decrepit woman, the widow of a deceased soldier. I say it would be simply a reward to prostitution and indiscriminate cohabitation to place this colored woman back upon the pension-roll and give her arrears of pension from 1878 up to this date, notwithstanding this law, which would have required the Commissioner of Pensions to have dropped her name long ago, and notwithstanding that the fact of illicit cohabitation is established beyond any question. And now I submit that the Committee on Pensions have gone entirely too far in recommending that she shall be paid arrears of pension in this case.

Mr. HOAR. It seems to me, Mr. President, that this case ought to be recommitted to the committee for their reconsideration with a view of making their statement a little more distinct. The report does not say that this woman was dropped on an adjudication or finding by the Commissioner of these facts, or that they were established to his satisfaction. The report says she was dropped upon a certain claim. That might be ordinarily supposed to mean the same thing, but everybody who is familiar with the operations of the pension administration knows that there have been many cases where the mere claim in the Pension Office has been heeded and the pensioner temporarily, at any rate, dropped, where there has not been any thorough, rigid investigation, certainly where the parties have had no hearing.

In the next place, the committee report that the evidence is not sufficient to satisfy them, or something to that effect, of the character of the petitioner or of her behavior. There is no distinct finding one way or the other, whether they have got all the evidence the Pension Office had or whether the committee put it on the ground that on a re-examination they understand that there is such an error in the finding of the Pension Commissioner as to warrant the interposition of Congress.

It seems to me that the report should make the thing clear. I move, therefore, that the bill be recommitted to the Committee on Pensions.

Mr. EDMUNDS. That is the best thing to do.

Mr. COCKRELL. I think that is a very good disposition of it. I want to read the papers myself.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves that the bill be recommitted to the Committee on Pensions.

Mr. BLAIR. Before passing from that case I wish to say that I have this moment read the report, and I submit if this bill is to go back to the Committee on Pensions this woman is entitled to the ordinary rule in criminal cases, that the crime must be proved by evidence before the committee beyond reasonable doubt.

Mr. COCKRELL. I believe the Senator from New Hampshire is a member of the Committee on Pensions.

Mr. BLAIR. I am a member of that committee.

Mr. COCKRELL. Then I suppose he will see that justice is done to this woman. But when an officer of this Government as high in position as the Commissioner of Pensions in 1878 made an adjudication, I think that adjudication is entitled to some consideration as well as a pretension that that adjudication was wrong.

Mr. BLAIR. Mr. President——

Mr. HARRIS. Has not the bill been recommitted?

Mr. BLAIR. The committee has considered this case once, and has reported:

Although there is some evidence which might lead us to the conclusion that she had been guilty of illicit intercourse with men since she became a pensioner, we do not think that it is at all established that she has since her husband's death remarried, or that it is shown that her cohabitation with any one has been so continuous or notorious, acknowledged or reputed, as to be equivalent to marriage.

It will be seen by examining the report that the case has been carefully examined by the member of the committee to whom it was referred.

PUBLIC BUILDING IN LANSING, MICH.

Mr. STOCKBRIDGE. I ask that the Senate proceed to the consideration of Order of Business 858, Senate bill 1200.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1200) for the erection of a public building in the city of Lansing, in the State of Michigan.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, in line 4, after the word "purchase," to insert "or acquire by condemnation proceedings;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, or acquire by condemnation proceedings, a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the post-office and other Government offices at the city of Lansing, in the State of Michigan.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OMAHA TRIBE OF INDIANS.

Mr. MANDERSON. I ask unanimous consent that the Senate proceed to the consideration of Order of Business 675, Senate bill 2267. It will take but a moment, and it is of importance.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska. In view of the advanced condition of civilization of the Omaha tribe of Indians in the State of Nebraska, and to enable the tribe to further improve their condition by making improvements upon their homesteads by the purchase of stock, cattle, agricultural implements, and other necessary articles, and in accordance with their wishes, the bill appropriates $70,000, being the last seven installments of $10,000 each, unappropriated and secured to the Indians under the fourth article of their treaty dated March 16, 1854, to be paid per capita in two annual installments of $35,000 each.

Mr. DAWES. There is another Senate bill before the Committee on Indian Affairs in reference to these Indians which may very properly be joined to this as an amendment, and I offer it as an amendment. I believe every one has agreed to it.

The PRESIDENT *pro tempore*. The amendment will be read.

The SECRETARY. It is proposed to add as new sections the following:

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to extend the time of the payment of the purchase-money due for land sold on Omaha Indian reservation under the sales made by virtue of an act to provide for the sale of a part of the reservation of the Omaha tribe of Indians in the State of Nebraska, and for other purposes, approved August 7, 1882, as follows: The time of each payment shall be extended for the period of two years beyond the time now fixed: *Provided*, That the interest on said payments shall be paid annually at the time said payments of interest are due: *And provided further*, That the act above mentioned, except as changed and modified by this act, shall remain in full force.

SEC. 3. The Secretary of the Interior is hereby directed to declare forfeited all lands sold under said act upon which the purchaser shall be in default, under existing law, for sixty days after the passage of this act, in payment of any part of the purchase-money, or in the payment of any interest on such purchase-money for the period of two years previous to the expiration of said sixty days. The Secretary of the Interior shall thereupon without delay cause all such land, together with all tracts of land embraced in said act not heretofore sold, to be sold by public auction, after due notice, to the highest bidder over and above the original appraisal thereof, upon the terms of payment authorized in said act. And the proceeds of all such sales shall be covered into the Treasury, to be disposed of for the sole use of said Omaha tribe of Indians, in such manner as shall be hereafter determined by law.

SEC. 4. That the Secretary of the Interior, with the consent of the Omaha tribe of Indians, expressed in such manner as he may determine, be, and he hereby is, authorized to set apart, from the unallotted and unassigned lands of said Omaha Indians in the State of Nebraska, not to exceed 5 acres of land, for the use and occupancy of the Woman's National Indian Association, to be used by the said association for missionary and educational purposes among the Indians; and the use and occupancy of the land so set apart to inure to said association and its successors so long as the same is used for the purposes herein specified.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. DAWES, the title was amended to read: "A bill for the relief of the Omaha tribe of Indians in Nebraska, and to extend the time of payment to purchasers of land of said Indians, and for other purposes."

PUBLIC BUILDING IN PAWTUCKET, R. I.

Mr. ALDRICH. I ask the Senate to proceed to Order of Business 798, being Senate bill 164.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 164) for the erection of a public building in the city of Pawtucket, R. I.

The Committee on Public Buildings and Grounds reported the bill with amendments.

The first amendment was, in line 12, before the word "thousand," to strike out "one hundred" and insert "sixty;" so as to read:

The site and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $60,000.

Mr. ALDRICH. With the assent of the Senator reporting the bill [Mr. SPOONER] I move to amend the amendment by striking out "sixty" and inserting "seventy-five;" so as to make the amount $75,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Public Buildings and Grounds was, in line 16, to fill the blank before the word "thousand" with the word "sixty;" so as to read:

And for the purposes herein mentioned the sum of $60,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury.

Mr. ALDRICH. I move to amend that by striking out "sixty" and inserting "seventy-five."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MONUMENT TO MAJ. GEN. HENRY KNOX.

Mr. FRYE. I ask the Senate to take up Order of Business 688, being the bill (S. 449) for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me.

Mr. BERRY. I move that the Senate do now adjourn.

Mr. FRYE. I hope the Senator will withdraw the motion and let us pass this bill.

Mr. BERRY. I am not very much in favor of the erection of any more monuments. It is late in the evening, and I think I must insist on my motion. I want to reflect whether I am in favor of the bill or not.

Mr. KENNA. I hope the Senator will withdraw his motion. There are two or three matters that ought to be attended to.

Mr. BERRY. I withdraw the motion.

The bill was read.

Mr. BERRY. Is that bill subject to objection? ["No!"] I then renew the motion to adjourn.

The PRESIDENT *pro tempore*. The Senator from Arkansas moves that the Senate do now adjourn.

Mr. DOLPH. On which I call for the yeas and nays.

Mr. FRYE. Rather than have several Senators disappointed in calling up bills, if the Senator from Arkansas objects to this bill I will withdraw it.

Mr. COCKRELL. I give notice now that bills which are objectionable will not be passed at this hour without a great deal of trouble.

Mr. FRYE. I did not suppose this would be objected to. Everybody knows who Henry Knox was.

Mr. KENNA. The Senator from Maine has yielded because of objection to his bill. That ought not to prejudice others who have bills to which there is no objection.

Mr. FRYE. I withdraw my request.

Mr. BERRY. I wish to state to the Senator from Maine that I

think he has more bills passed than any other Senator. I do not know that there is any objection to this bill which would not apply to all other bills of a similar nature for monuments. I have made up my mind that so many appropriations for monuments all over the country are not proper, and I desire to submit a few remarks on this bill when it comes up. I was not ready to do so this evening, and that is the reason of my objection.

Mr. CULLOM. I do not understand the Senator to object to the consideration of other bills not of that character.

Mr. BERRY. I do not. I withdraw the motion to adjourn with the understanding that this bill goes over.

Mr. FRYE. I give notice that I will endeavor to call up the bill at an early day.

The PRESIDENT *pro tempore*. The bill will be returned to the Calendar.

GOVERNMENT BUILDING AT CHARLESTON, W. VA.

Mr. SPOONER. I ask unanimous consent that the Senate proceed at this time to the consideration of the bill (H. R. 3253) appropriating the sum of $52,000 for the enlargement and improvement of the United States Government building at Charleston, W. Va.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. SPOONER. The bill was reported this morning.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT SALEM, OREGON.

Mr. DOLPH. I move to take up Order of Business 723, Senate bill No. 21, for present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 21) to provide for the construction of a public building at Salem, Oregon.

The bill was reported from the Committee on Public Buildings and Grounds with amendments. The first amendment was, in line 9, after the words "sum of," to strike out "one hundred" and insert "seventy-five;" so as to read:

And plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $75,000.

The amendment was agreed to.

The next amendment was, in line 29, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to read:

And no purchase of site, nor plan for building, shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $75,000 for site and building.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BEACON LIGHTS ON ILLINOIS RIVER.

Mr. CULLOM. I ask consent to take up Senate bill 2085, Calendar No. 657.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon lights to said river.

The bill was reported from the Committee on Commerce with an amendment, in line 7, after the word "exceed," to fill the blank by inserting "seven;" so as to make the bill read:

Be it enacted, etc., That the Light-House Board be, and it is hereby, directed to establish such number of beacon-lights along the Illinois River as may, in the judgment of said board, be necessary for the proper protection of the navigation of said river: *Provided*, That the cost of the same shall not exceed $7,000, which sum is hereby appropriated for that purpose, to be expended under the supervision of the Light-House Board for the purpose herein provided.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT BURLINGTON, IOWA.

Mr. WILSON, of Iowa. I ask the Senate to take up Senate bill 2121, a bill reported this morning.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2121) authorizing the construction of a public building at Burlington, Iowa.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, in line 4, before the word "purchase," to insert "acquire by;" in line 12, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" in line 20, after the words "sum of," to strike out "one hundred" and insert "seventy-five;" and in line 32, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire by purchase or otherwise provide a site, and cause to be erected thereon a substantial and commodious building, with fireproof vaults, for the use and accommodation of the post-office, internal-revenue office, and for other Government uses, at Burlington, in the State of Iowa. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $75,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited, after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $75,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Iowa shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein; and for the purpose of carrying out the provisions of this act the sum of $75,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended as directed herein.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COUNTY OF LATAH, IDAHO TERRITORY.

Mr. MITCHELL. I ask for the consideration of Order of Business 1005, being Senate bill 2671.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2671) to create and organize the county of Latah.

The bill was read.

Mr. MITCHELL. I move to amend the bill by striking out the letter "s" at the end of the word "Nez Perces" wherever it occurs in the bill. The word is spelled wrong. It should be "Nez Percé."

The PRESIDENT *pro tempore*. The question is on the proposed amendment.

Mr. COCKRELL. Let that be considered as agreed to. There will be no objection to it. It is simply a typographical error.

Mr. MITCHELL. I ask the unanimous consent of the Senate that the letter "s" be stricken from the word "Nez Perces" wherever it occurs in the bill.

The PRESIDENT *pro tempore*. The Chair hears no objection to that correction being made.

Mr. COCKRELL. Here is a bill to be passed by Congress which proposes to divide a county in a Territory and create a new county, define its jurisdiction and its liabilities, and all that. I should like to ask the chairman of the Committee on Territories how it is that that committee has assumed jurisdiction in this matter, which is purely a local matter belonging to the Territorial Legislature, and which that Territorial Legislature alone is competent to pass upon, in my judgment.

Mr. PLATT. I am sorry this bill came up at this time. I do not think it ought to have been called up at such a stage.

Mr. MITCHELL. After that remark by the chairman of the committee, I will consent that it be laid aside with this statement——

Mr. PLATT. I should like, now that the bill is up, to make a statement about it.

Mr. COCKRELL. Let the bill go over, retaining its place on the Calendar.

The PRESIDENT *pro tempore*. The word "Nez Perces" where it occurs will be amended by striking out the final letter "s."

Mr. PLATT. Have I the floor?

The PRESIDENT *pro tempore*. The Senator from Connecticut has the floor, if the Senator from Oregon has yielded.

Mr. MITCHELL. Will the chairman yield to me one moment? I simply desire to state in justification of my calling up the bill at this late hour, that bills were being called up pretty generally in the Senate and this bill was introduced in both branches, referred to the Committee on Territories, and reported favorably. The delegation from the Territories, especially from Idaho Territory, are very anxious to have the bill passed, and they came to me as a delegation to-day urging as early action as possible. That is why I called it up.

Mr. PLATT. I do not wish to be understood as opposing the passage of the bill, but I do not think it ought to pass without an explanation of the circumstances why the Committee on Territories reported in favor of the bill, when, as I think, the Territorial Legislature has perfect authority to deal with such matters; and that would take some little time. I simply desire to say now before the bill passes from the consideration of the Senate, in order that it may not be supposed that I opposed the passage of the bill, that I wish, when the bill comes up, to state the circumstances which seem in the opinion of most of the committee to make it necessary that the bill should be reported favorably and passed.

Mr. MITCHELL. I ask that the bill retain its place on the Calendar, and I give notice that I shall move to proceed to its consideration at the first favorable opportunity.

The PRESIDENT *pro tempore*. The bill will retain its place on the Calendar.

EMORY R. SEWARD.

Mr. HISCOCK. I ask the Senate to take up the bill (H. R. 7319) for the relief of Emory R. Seward.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Claims with an amendment, to add the following proviso:

Provided, If in the judgment of the Secretary of War an amount exceeding the sum of $625, the estimated cost of completing the contract out of which this claim arises according to its terms, is necessary to complete such contract according to its requirements, or in a manner to meet the necessities of commerce at such point—the general plan of the work heretofore ordered being considered—then such excess shall be deducted from the above amount in making settlement with said Emory R. Seward.

So as to make the bill read:

That the Secretary of the Treasury be, and he is hereby, directed to pay to Emory R. Seward, out of any money in the Treasury not otherwise appropriated, the sum of $8,174.79, for balance due said Seward for work done in removing rock at the entrance of New Rochelle Harbor, State of New York: *Provided*, If in the judgment of the Secretary of War, etc.

Mr. HISCOCK. I doubt if it is necessary in this case that the amendment should be adopted, and therefore I will give a word of explanation in reference to it.

This was a contract by which the contractor undertook to remove rock and make a certain depth of water at a certain point. He waited some eight or ten days for the engineers to examine and see if he had made the proper depth of excavation, believed that he had, and then removed his dredges and blasting apparatus. Afterwards a measurement was made, and it was ascertained that there were certain points at which the rock projected three or four inches above the point to which it should have been removed. A measurement was made by the Government, and it was ascertained that on both sides of the point the water was more shallow than where the excavation had been made. Nevertheless, the Government itself estimates that the cost of excavation will be the $625 which are indicated in the amendment. The report exhibits that the engineers in charge have estimated that amount, and the amount which the bill itself carries is the amount due the contractor, less the $625.

I dislike very much to have the bill sent back to the other House and go to the bottom of the Calendar, which would probably delay its passage and the payment of this sum of money to the contractor. Therefore I oppose the amendment and hope it may be voted down.

Mr. COCKRELL. I hope that the Senator will not ask the Senate to reject the amendment of the committee made to the bill at this late hour. Let us agree to the amendment and order a conference.

Mr. HISCOCK. Very well.

Mr. COCKRELL. There will be no trouble, then, in adjusting it, so that it will not go back on the House Calendar.

Mr. MITCHELL. What is the proposition?

Mr. HISCOCK. The proposition is that the amendment be adopted and a conference ordered. I will take that course, then.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. HISCOCK. I move that the Senate insist on its amendment, and request a conference with the House of Representatives thereon.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. MITCHELL, Mr. SPOONER, and Mr. WILSON of Maryland, were appointed.

PUBLIC BUILDING AT STILLWATER, MINN.

Mr. SABIN. I move that the Senate proceed to the consideration of the bill (S. 327) for the erection of a public building at Stillwater, Minn.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, in line 4, after the words "directed to," to insert "acquire by condemnation or;" in line 5, after the word "building," to insert "with a fire-proof vault;" and in line 11, before the word "thousand," to strike out "one hundred" and insert "fifty;" so as to read:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to acquire by condemnation or purchase a site for, and cause to be erected thereon, a suitable building, with a fire-proof vault, for the accommodation of the United States post-office at the city of Stillwater, Minn. The plans, specifications, and full estimates for said building shall be previously made and approved according to the law, and shall not exceed, for the site and building complete, the sum of $50,000.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. COCKRELL. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 34 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 18, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April* 17, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

CUSTOM-HOUSE AT ST. LOUIS, MO.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, with inclosures, submitting an estimate for pavement in front of the custom-house in St. Louis, Mo.; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

SURVEY OF HUDSON RIVER.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of the examination and survey of the Hudson River from New Baltimore to Coxsackie; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

CONTESTED LAND CASES.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, inclosing a report of the Commissioner of the General Land Office in response to a resolution of the House calling for information relative to the delay in hearing contested land cases; which was referred to the Committee on the Public Lands, and ordered to be printed.

RETURN OF BILL TO THE SENATE.

The SPEAKER also laid before the House a message from the Senate, requesting the return to the Senate of the bill (S. 2613) to amend an act approved June 15, 1882, changing the boundaries of the fourth collection district of Virginia.

The SPEAKER. If there be no objection, the request of the Senate will be granted and the Clerk will be directed to return the bill.

There was no objection.

JUDICIAL DISTRICTS IN MISSOURI.

The SPEAKER also laid before the House the bill (H. R. 6831) to detach the county of Audrain, in the State of Missouri, from the eastern and attach it to the western judicial district of said State, with amendments by the Senate; which was referred to the Committee on the Judiciary.

PUBLIC BUILDING AT PUEBLO, COLO.

The SPEAKER also laid before the House the bill (S. 105) for the erection of a public building at Pueblo, Colo.

Mr. SYMES. I ask unanimous consent for the present consideration of this bill. The Committee on Public Buildings and Grounds of the House have reported a bill exactly the same except as to amount, and I propose to move to amend this bill and make it the same as the House bill.

The SPEAKER. The gentleman from Colorado asks unanimous consent to consider this bill at the present time. The bill will be read, after which the Chair will ask for objections.

Mr. BRECKINRIDGE, of Arkansas. I call for the regular order.

The bill was read twice, and referred to the Committee on Public Buildings and Grounds.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BROWN, of Ohio, indefinitely, on account of important business.

To Mr. SHAW, for to-day, on account of important business.

To Mr. LA FOLLETTE, indefinitely, on account of illness.

To Mr. COMPTON, for Tuesday and Wednesday, on account of important business.

To Mr. WICKHAM, from April 18 to April 27, inclusive, on account of important business.

ORDER OF BUSINESS.

The SPEAKER. The regular order is the call of committees for reports.

RECOVERY OF DUTIES.

Mr. COLLINS, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (H. R. 6180) to provide for the recovery of duties erroneously assessed and paid in certain cases; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

JOHN RUTLEDGE.

Mr. CULBERSON, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (S. 2651) to remove the political disabilities of John Rutledge, of South Carolina; which

was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

UNITED STATES PRISON.

Mr. STEWART, of Georgia, from the Committee on the Judiciary, reported, as a substitute for the bill H. R. 3315, a bill (H. R. 9509) for the erection of a United States prison and for the imprisonment of United States prisoners, and for other purposes; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The bill H. R. 3315 was laid on the table.

TERMS OF COURT IN WEST VIRGINIA.

Mr. STEWART, of Georgia, also, from the Committee on the Judiciary, reported back with a favorable recommendation the bill (S. 1204) to provide for holding the circuit and district courts of the United States at Martinsburgh, in the district of West Virginia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS OCONEE RIVER.

Mr. CRISP, from the Committee on Commerce, reported back with amendments the bill (H. R. 8279) to authorize the county of Laurens, in the State of Georgia, to construct a bridge across the Oconee River at or near Dublin, in said county and State; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendments and accompanying report, ordered to be printed.

BRIDGES ACROSS CAPE FEAR RIVER, ETC.

Mr. CRISP also, from the Committee on Commerce, reported back with a favorable recommendation the bill (H. R. 2345) authorizing the construction of bridges across the Cape Fear River, Black River, and Northeast River, in the State of North Carolina; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LIGHT-SHIP AT SANDY HOOK, NEW YORK HARBOR.

Mr. BRYCE, from the Committee on Commerce, reported back with a favorable recommendation the bill (H. R. 8855) for the establishment of a light-ship, with a steam fog-signal, at Sandy Hook, in New York Harbor; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

BRANCH SOLDIERS' HOME IN GRANT COUNTY, INDIANA.

Mr. STEELE (by Mr. PERKINS), from the Committee on Military Affairs, reported back with amendments the bill (H. R. 8391) to authorize the establishment of a branch soldiers' home for disabled soldiers in Grant County, Indiana, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the amendments and accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. STEELE (by Mr. PERKINS) also, from the Committee on Military Affairs, reported back with an adverse recommendation the bill (H. R. 8861) to provide for the voluntary retirement of certain officers of the United States Army; which was laid on the table, and the accompanying report ordered to be printed.

ROAD TO NATIONAL CEMETERY, ALEXANDRIA, VA.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported back with a favorable recommendation the bill (H. R. 5691) making an appropriation to construct a road and approaches from the city of Alexandria, Va., to the national military cemetery near that place; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

NAVAL APPRENTICES AS ENSIGNS.

Mr. HERBERT submitted the views of the minority of the Committee on Naval Affairs upon the bill (H. R. 7089) to commission two naval apprentices as ensigns each year; and they were ordered to be printed with the report of the committee on the bill.

RIGHT OF WAY TO WASHINGTON AND IDAHO RAILROAD COMPANY.

Mr. DARLINGTON, from the Committee on Indian Affairs, reported back the bill (S. 38) granting to the Washington and Idaho Railroad Company the right of way through the Cœur d'Alene Indian reservation; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RELIEF OF MUNICIPALITIES IN THE TERRITORIES.

Mr. WARNER, from the Committee on the Territories, reported as a substitute for the bill H. R. 4420 a bill (H. R. 9510) relieving municipalities in the Territories in certain cases; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

The original bill, H. R. 4420, was laid on the table.

PUBLIC BUILDING, ST. ALBANS, VT.

Mr. SOWDEN, from the Committee on Public Buildings and Grounds, reported as a substitute for the bill H. R. 5037 a bill (H. R. 9511) for the purchase of a site and the erection of a custom-house and post-office at St. Albans, Vt.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original bill, H. R. 5037, was laid on the table.

PUBLIC BUILDING, SIOUX CITY, IOWA.

Mr. NEWTON, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (S. 288) for the erection of a public building at Sioux City, Iowa; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, NEW ORLEANS, LA.

Mr. NEWTON also, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (S. 132) for the erection of a public building at New Orleans, La.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING SITE, BROWNSVILLE, TEX.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, reported as a substitute for the bill H. R. 1877 a bill (H. R. 9512) providing for the purchase of the necessary lands and erection thereon of a custom-house, post-office, and Federal court building in the city of Brownsville, Tex.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original bill, H. R. 1877, was laid on the table.

PUBLIC BUILDING, HOT SPRINGS, ARK.

Mr. BANKHEAD also, from the Committee on Public Buildings and Grounds, reported as a substitute for the bill H. R. 1209 a bill (H. R. 9513) to provide for a building for the use of the post-office, the office of superintendent of Hot Springs reservation, and other civil offices in the city of Hot Springs, Ark.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original bill, H. R. 1209, was laid on the table.

PUBLIC BUILDING, WATERTOWN, N. Y.

Mr. NEAL, from the Committee on Public Buildings and Grounds, reported back with an amendment the bill (H. R. 5059) to provide for the erection of a public building in the city of Watertown, in the State of New York; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, TROY, N. Y.

Mr. NEAL also, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation the bill (S. 1646) to increase the appropriation for a public building at Troy, N. Y.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, HELENA, MONT.

Mr. NEAL also, from the Committee on Public Buildings and Grounds, reported back with an amendment the bill (S. 1941) for the erection of a public building at Helena, Mont.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, HUDSON, N. Y.

Mr. NEAL also, from the Committee on Public Buildings and Grounds, reported back with an amendment the bill (S. 1549) for the erection of a public building at Hudson, N. Y.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, RACINE, WIS.

Mr. POST, from the Committee on Public Buildings and Grounds, reported, as a substitute for the bill H. R. 6694, the bill (H. R. 9514) to provide for a public building at Racine, Wis.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original bill, H. R. 6694, was laid on the table.

CONTROVERSIES BETWEEN RAILROAD COMPANIES AND EMPLOYÉS.

Mr. O'NEILL, of Missouri, from the Committee on Labor, reported back with a favorable recommendation the bill (H. R. 8665) to create boards of arbitration for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and territorial transportation of property or passengers and their employés.

The SPEAKER. Does this bill provide for the compensation of the board?

Mr. O'NEILL, of Missouri. It authorizes the certifying of the accounts by the Commissioner of Labor. It does not appropriate any money.

The SPEAKER. The Chair thinks the bill should go to the Committee of the Whole House on the state of the Union.

Mr. O'NEILL, of Missouri. I think it ought to go to the House Calendar.

The SPEAKER. It will be referred to the House Calendar for the present; but the point of order may be made at any time that it should be considered in the Committee of the Whole House on the state of the Union.

EIGHT-HOUR LAW.

Mr. TARSNEY, from the Committee on Labor, reported, as a substitute for the bill H. R. 1664, a bill (H. R. 9515) to pay certain laborers, watchmen, shipkeepers, workmen, and mechanics under the eight-hour law; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The original bill, H. R. 1664, was laid on the table.

CONVICT-MADE GOODS.

Mr. BUCHANAN, from the Committee on Labor, reported back with a favorable recommendation the bill (H. R. 8373) in relation to convict-made goods; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

JOHN F. HUCKABA.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9200) granting a pension to John F. Huckaba; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM M. DAYTON.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8299) for the relief of William M. Dayton; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FRANKLIN WHITE.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 4770) for the relief of Franklin White; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BELLE M. BAKER.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9224) granting a pension to Belle M. Baker; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM M. CAMPBELL.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 9184) granting a pension to William M. Campbell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WIDOW OF JOHN A. TURLIE.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back with amendment the bill (S. 845) granting a pension to the widow of John A. Turlie; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MATTIE GRAZIANI.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 303) granting a pension to Mattie Graziani, of Covington, Ky.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS CHAPMAN.

On motion of Mr. HUNTER, by unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (S. 74) to increase the pension of Thomas Chapman; and the same was referred to the Committee on Pensions.

TITUS WILDER.

On motion of Mr. SAWYER, by unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (S. 2064) granting a pension to Titus Wilder; and the same was referred to the Committee on Pensions.

JUDITH A. KINSEY.

Mr. PIDCOCK, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2740) for the relief of Judith A. Kinsey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY CROTSLEY.

Mr. PIDCOCK also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8617) granting a pension to Henry Crotsley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY ANN DOUGHERTY.

Mr. PIDCOCK also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 1547) granting a pension to Mary Ann Dougherty; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN LANGLAND.

Mr. CHIPMAN, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 885) to amend chapter 253 of the Revised Statutes of the United States, passed June 15, 1878, granting a pension to John Langland; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM WINANS.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 4788) granting increase of pension to William Winans; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY COMMAND.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8510) for the relief of Mary Command; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGET FOLEY.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 1447) granting a pension to Bridget Foley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HELEN A. BEEBE.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back with amendment the bill (S. 1272) granting a pension to Helen A. Beebe; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY A. CASLER.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1577) granting a pension to Mary A. Casler; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. W. LEIGHT.

Mr. YODER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2716) granting a pension to J. W. Leight; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

C. A. HACKNEY.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 5400) granting a pension to C. A. Hackney; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CHARLOTTE MEYER.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 5397) granting a pension to Charlotte Meyer; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JACOB SHEPHERD.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2725) granting a pension to Jacob Shepherd; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ROBERT LISLE.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 962) granting a pension to Robert Lisle; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ARABELLA DAVIS.

Mr. YODER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 8553) granting a pension to Arabella

Davis; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ADVERSE REPORT.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 3592) granting a pension to Rudolph Morand; which was laid on the table, and the accompanying report ordered to be printed.

MRS. THERESE GUELICH.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 152) granting a pension to Mrs. Therese Guelich; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ELIZABETH B. SAILER.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 160) granting a pension to Elizabeth B. Sailer; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

EMIL SCHATTLE.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1435) granting a pension to Emil Schattle; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

LOTTIE E. DILLEY.

Mr. CHIPMAN, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 5787) granting a pension to Lottie E. Dilley; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ADVERSE REPORT.

Mr. THOMPSON, of California, from the Committee on Invalid Pensions, reported back adversely the bill (S. 702) granting a pension to Henry Pulsky; which was laid on the table, and the accompanying report ordered to be printed.

MRS. GENERAL WARD B. BURNETT.

Mr. THOMPSON, of California, also, from the Committee on Invalid Pensions, reported back the bill (S. 681) granting an increase of pension to Mrs. General Ward B. Burnett; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JAMES TURNER.

On motion of Mr. YODER, by unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (H. R. 964) granting a pension to James Turner; and the same was referred to the Committee on Pensions.

DOUGLASS CHAPMAN.

Mr. BLISS, from the Committee on Pensions, reported back favorably the bill (H. R. 4735) for the relief of Douglass Chapman; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOHN MAGHER.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 888) granting a pension to John Magher; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

SUSAN L. WATSON.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 7883) granting a pension to Susan L. Watson; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

THOMAS SHANNON.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 5913) granting a pension to Thomas Shannon; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

FREDERICK W. TRAVIS.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 2531) granting a pension to Frederick W. Travis; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CATHARINE TIERNEY.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 5812) granting a pension to Catharine Tierney; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

ELIZABETH TERRALS.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 8455) for the relief of Elizabeth Terrals; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

WILLIAM H. PORTER.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 8423) for the relief of William H. Porter; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

JOHN F. G. MITTAG.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 6434) granting a pension to John F. G. Mittag; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CORDELIA EMERY.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 1343) granting a pension to Cordelia Emery; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

PENSIONS.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 998) to restore pensions in certain cases; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

ANN VERNEUIL.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 1004) granting a pension to Ann Verneuil; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

POLLY H. SMITH.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 43) granting a pension to Polly H. Smith; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

RUTH CLARK.

Mr. BARRY, from the Committee on Pensions, reported back favorably the bill (H. R. 2495) for the relief of Ruth Clark; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HIRAM CHILSON.

Mr. BUTLER, from the Committee on Pensions, reported back favorably the bill (H. R. 6273) for the relief of Hiram Chilson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN T. HIGGINS.

Mr. LANHAM, from the Committee on Claims, reported back with an amendment the bill (H. R. 8307) for the relief of John T. Higgins; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. W. PATTERSON.

Mr. BOWDEN, from the Committee on Claims, reported back with amendments the bill (H. R. 246) for the relief of J. W. Patterson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PIEDMONT RAILROAD COMPANY.

Mr. BOWDEN also, from the Committee on Claims, reported back with an amendment the bill (H. R. 4631) to authorize the Court of Claims to take jurisdiction of and adjudge the claim of the Piedmont Railroad Company; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CLEMENT A. LOUNDSBURY.

Mr. SIMMONS, from the Committee on Claims, reported back favorably the bill (H. R. 2524) for the relief of Clement A. Loundsbury; which referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FIRST NATIONAL BANK, MARION, IOWA.

Mr. KERR, from the Committee on Claims, reported back favorably the bill (S. 1795) for the relief of the First National Bank of Marion, Iowa; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

Mr. KERR. I am instructed by the committee to report back the House bill, No. 7484, of the same title, with the recommendation that it be laid on the table.

The SPEAKER. Without objection that order will be made.

There was no objection, and it was so ordered.

THE SHEPARD & MORSE LUMBER COMPANY.

Mr. KERR also, from the Committee on Claims, reported back favorably the bill (H. R. 7618) for the relief of the Shepard & Morse Lumber Company of Burlington, Vt.; which was referred to the Commit-

tee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

E. B. EDDY.

Mr. KERR also, from the Committee on Claims, reported back favorably the bill (H. R. 7675) for the relief of E. B. Eddy, of Hull, Quebec; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JESSE COE.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back with amendments the bill (H. R. 6233) for the relief of Jesse Coe; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CLAIMS FOR STORES, ETC.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a bill (H. R. 9517) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY S. FRENCH.

Mr. GAINES, from the Committee on War Claims, reported back with amendments the bill (H. R. 591) for the relief of the estate of Henry S. French; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARK DAVIS.

Mr. GAINES also, from the Committee on War Claims, reported back with amendments the bill (H. R. 5857) for the relief of the heirs of Mark Davis, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FOURTEENTH KANSAS CAVALRY.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back favorably the bill (S. 1306) to define the status and for the relief of the heirs of the legal representatives of certain recruits for the Fourteenth Kansas Cavalry Volunteers, in the late war, who were killed at Lawrence, Kans., August 21, 1863, by guerrillas; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN W. GUMMO.

Mr. THOMAS, of Wisconsin, also, from the Committee on War Claims, reported back favorably the bill (S. 120) for the relief of John W. Gummo; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WYATT HARRIS.

Mr. STOCKDALE, from the Committee on War Claims, reported back favorably the bill (H. R. 5269) for the relief of Wyatt Harris, for property taken by Confederate officers while he was a prisoner of war in the late civil war; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELECTION OF SENATORS AND REPRESENTATIVES IN CONGRESS.

Mr. OSBORNE, from the Select Committee on the Election of President, Vice-President, and Representatives in Congress, reported back favorably the bill (H. R. 6672) to define the necessary and proper expenses incident to the nomination and election or appointment of Senators and Representatives in the Congress of the United States and to authorize the payment thereof; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

H. L. NEWMAN.

Mr. BUNNELL, from the Select Committee on Indian Depredation Claims, reported back favorably the bill (H. R. 766) for the relief of H. L. Newman; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

The SPEAKER. The Chair, if there be no objection, will now receive reports from gentlemen who were not in their seats when their names were called.

THOMAS BURNS.

Mr. SPINOLA, from the Committee on Military Affairs, reported back with amendments the bill (H. R. 7655) for the relief of Thomas Burns; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FORT LEAVENWORTH MILITARY RESERVATION.

Mr. LAIRD, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 6107) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of Kansas; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

BATTLE-FIELD OF GETTYSBURGH.

Mr. MAISH (by Mr. LAIRD), from the Committee on Military Affairs, reported back favorably the joint resolution (S. R. 10) relating to the inclosure of certain points of especial interest on the battle-field of Gettysburgh; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

RELIEF OF SETTLERS IN MINNESOTA.

Mr. MACDONALD, from the Committee on the Public Lands, reported back with amendments the bill (H. R. 8368) to forfeit the lands granted to the Hastings and Dakota Railway Company, in the State of Minnesota, for the relief of settlers upon the same and certain purchasers thereof; which, with the accompanying report, was ordered to be printed and recommitted.

LIEUTENANT-COLONEL EYRE.

Mr. YODER, from the Committee on Military Affairs, reported back favorably the bill (H. R. 3106) for the relief of Lieutenant-Colonel Eyre; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN A. PAYNE.

Mr. YODER also, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 7909) to place John A. Payne on the retired-list with the rank of major; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

STEPHEN A. TOOP.

Mr. CAREY, from the Committee on Military Affairs, reported back favorably the bill (H. R. 5762) for the relief of Stephen A. Toop; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY MOORE.

Mr. CAREY also, from the Committee on Military Affairs, reported back favorably the bill (H. R. 4574) for the relief of Henry Moore; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ANNA M'CREARY.

Mr. YODER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2720) granting a pension to Anna McCreary, widow of Robert McCreary; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NATHANIEL Q. HENDERSON.

Mr. EZRA B. TAYLOR. Mr. Speaker, I rise to a parliamentary inquiry. Under Rule XXII is it proper to put into the petition-box a House resolution for the relief of a House employé, or should it be introduced in open House?

The SPEAKER. The Chair thinks that all these House resolutions should be introduced in the House. The rule to which the gentleman refers mentions bills only, while the other rule, which provides for the call of States and Territories on Monday mornings, includes resolutions.

Mr. EZRA B. TAYLOR. The spirit of Rule XXII, however, would include a resolution of the kind to which I allude.

The SPEAKER. That would be perhaps the spirit of the rule; but the letter of the rule seems to be otherwise.

Mr. EZRA B. TAYLOR. Then, in view of the ruling of the Chair, I ask unanimous consent to introduce for reference a House resolution which I send to the desk.

There being no objection, the following resolution was read and referred to the Committee on Accounts:

Resolved, That Nathaniel Q. Henderson be allowed, for services at the Clerk's desk of the House from April 4 to April 11, 1888, both inclusive, the sum of $50, to be paid out of the contingent fund of the House.

POSTAGE ON SEEDS, BULBS, ETC.

Mr. ENLOE. I desire to make a privileged report from the Committee on the Post-Office and Post-Roads, and I ask for its present consideration.

The Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *April* 2, 1888.

Mr. SOWDEN submitted the following resolution; which was referred to the Committee on the Post-Office and Post-Roads:

Resolved, That the Postmaster-General be requested to inform the House of Representatives what instructions, if any, have been given with reference to rates of postage on seeds, plants, bulbs, and printed circulars received from the Dominion of Canada; and whether existing postal laws, regulations, or treaties give any advantage to Canadian citizens over citizens of the United States engaged in similar business.

The committee report back the resolution, and recommend that it be passed.

Mr. BINGHAM. I ask the gentleman in charge of this report whether he will admit an amendment to add these words: "And all correspondence or orders in relation to the interpretation and carrying out of the treaty subsequent to its ratification."

Mr. ENLOE. I have no authority to accept any amendment; but I presume this resolution is broad enough to cover the inquiry which the gentleman suggests. I will say that I am satisfied when this matter goes to the Department, the Postmaster-General will furnish the information which the gentleman seeks, provided it is not incompatible with the public interest, as that is within his discretion.

Mr. BINGHAM. As the gentleman from Tennessee says his resolution will include the information which I ask for, I am content.

The resolution was adopted.

Mr. ENLOE moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RETIREMENT OF CERTAIN OFFICERS.

Mr. COLLINS (by unanimous consent and by request) introduced a bill (H. R. 9517) authorizing the retirement of certain officers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LEAVE OF ABSENCE OF CUSTOMS SERVICE EMPLOYÉS.

Mr. COLLINS also introduced a bill (H. R. 9518) providing for leave of absence for officers and employés in the customs service of the Government who receive per diem compensation; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

INAUGURATION DAY A HOLIDAY.

Mr. LEE, from the Committee on the District of Columbia, reported back favorably the bill (H. R. 8843) to amend section 993 of the Revised Statutes of the United States for the District of Columbia, so as to make inauguration day a holiday within said District; which was referred to the House Calendar, and the accompanying report ordered to be printed.

WEIGHT OF MAIL PACKAGES.

Mr. ANDERSON, of Mississippi, from the Committee on the Post-Office and Post-Roads, reported back adversely the bill (H. R. 4409) to amend the Revised Statutes relative to the weight of mail packages; which was laid on the table, and the accompanying report ordered to be printed.

Mr. PETERS presented the views of the minority; which were also ordered to be printed.

MRS. SARAH E. M'LEMORE.

Mr. O'NEALL, of Indiana, from the Committee on War Claims, reported back bills of the following titles; which were laid on the table:

A bill (H. R. 2918) for the relief of Mrs. Sarah E. McLemore, administratrix of John C. McLemore, deceased;

A bill (H. R. 4622) for the relief of F. Louis Morat; and

A bill (H. R. 4739) for the relief of Calvin Cheirs.

Mr. O'NEALL, of Indiana, also, from the same committee, reported a joint resolution (H. Res. 151) referring claims of Calvin Cheirs, F. Louis Morat, and Sarah E. McLemore, administratrix of John C. McLemore, deceased, to the Court of Claims; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELISHA WILKINS.

Mr. STRUBLE, from the Committee on Pensions, reported back adversely the bill (H. R. 2193) granting a pension to Elisha Wilkins; which was laid on the table, and the accompanying report ordered to be printed.

ALFRED BREUER.

Mr. BOUTELLE, from the Committee on Military Affairs, reported back favorably the bill (H. R. 2688) for the relief of Alfred Breuer; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

TABULATED STATEMENT OF THE DISALLOWED CLAIMS OF IOWA POSTMASTERS.

Mr. GEAR, by unanimous consent, submitted the following resolution; which was referred to the Committee on the Post-Office and Post-Roads:

Resolved, That the Postmaster-General be required to transmit to the House of Representatives a tabulated statement of the disallowed postmasters' claims presented from the State of Iowa under the act of March 3, 1883, exhibiting all such claims as by an actual computation of commissions prescribed by the act of 1854 and entered upon claim jackets show that the paid salaries are 10 per cent. or more less than such commissions. Such tabulated statement to show in each case, first, the name of the post-office; second, the name of the applicant; third, the period of service covered by the computation of commissions; fourth, the amount of computed commissions; fifth, the amount paid salary for the same term of service; sixth, actual amount of commissions in excess of paid salary.

TARIFF.

Mr. BLAND. I demand the regular order of business.

Mr. MILLS. I move the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of taking up the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue. I will yield for a moment to my friend from Florida [Mr. DAVIDSON] to make a statement.

Mr. DAVIDSON, of Florida. Mr. Speaker, in the hour for the consideration of bills the regular order would be the further consideration of the bill to authorize the Secretary of the Treasury to settle the claim of the State of Florida for expenses incurred in the suppression of Indian hostilities, which was pending before the House during the last consideration hour. But I am aware, sir, of the very great importance of the bill which the gentleman from Texas now proposes to call up, and I desire to state that if it were right for me to do so, I believe it would be altogether useless to attempt to antagonize the consideration of that bill by calling up the Florida bill, and hence I will not do it.

The SPEAKER. The gentleman from Texas moves that the House resolve itself into Committee of the Whole for the consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of revenue bills.

The Clerk will report the title of the pending bill.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. KELLEY. Mr. Chairman, in veiw of the importance of the debate about to take place, I ask that the distinguished chairman of the Committee on Ways and Means shall have unanimous consent to speak without limit as to time. I hope that consent will be given.

The CHAIRMAN. Is there objection?

Mr. HARE. I object.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. KELLEY. I understand the objection is withdrawn. The gentleman did not understand the request.

Mr. HARE. I withdraw the objection.

Mr. MILLS. I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. If there be no objection, the first reading of the bill will be dispensed with.

There was no objection.

Mr. MILLS. I am very much obliged to the House and to the gentleman from Pennsylvania for the courtesy extended to me.

Mr. Chairman, during our late civil war the expenditures required by an enormous military establishment made it necessary that the burdens of taxation should be laid heavily in all directions authorized by the Constitution. The internal-revenue and direct taxes were called into requisition to supplement the revenues arising from customs, to aid the Treasury to respond to the heavy demands which were being daily made upon it. The duties on imports were raised from an average on dutiable goods of 18.84 per cent. in 1861, to an average of 40.29 per cent. on dutiable goods during the five years from 1862 to 1866, inclusive. This was recognized at the time as an exceptionally heavy burden. It was stated by the distinguished gentleman who then presented to the House the bill so largely increasing the duties, and which to-day bears his honored name, that it was demanded by the exigencies of war and must cease on the return of peace. In his own words he said: "This is intended as a war measure, a temporary measure, and we must as such give it our support."

More than twenty years have elapsed since the war ended. A generation has passed away and a new generation has appeared on the stage since peace has returned to bless our common country; but these war taxes still remain; and they are heavier to-day than they were on an average during the five years of the existence of hostilities. The average rate of duty during the last five years, from 1883 to 1887, inclusive, on dutiable goods amounts to 44.51 per cent., and during the last year the average is 47.10 per cent. Instead of the rate of taxation being reduced to meet the wants of an efficient administration of government in time of peace, it continues to grow and fill the coffers of the Government with money not required for public purposes, and which rightfully should remain in the pockets of the people.

After Congress had so largely increased the duties on imports, and thus bestowed most liberal and generous bounties on our manufacturers, a light internal tax was imposed on the products of domestic manufacture to help the Government meet the heavy demands of war. The internal tax imposed on home manufactures was but a tithe of the heavy burden imposed on the people by the increased duties on foreign goods. It brought to the Treasury in 1866 $127,000,000—a sum which was less than 5 per cent. upon the value of the manufactured product of that year. It was thought not to be unreasonable to require this small contribution from those whose bounty Congress had increased from 18 to 40 per cent. in the price of their products.

But, Mr. Chairman, that tax is gone. It could not be retained. It was a tax on wealth. It came out of the pockets of the manufacturer. As soon as the war was ended complaint was made that this tax was a war tax, that it was no longer necessary, and it was repealed. Congress imposed a tax on incomes, too, to help the Government to meet the expenditures of war. It brought to the Treasury, in 1866, $72,000,000. The official reports showed that four hundred and sixty thousand one hundred and seventy persons out of the whole population

had incomes above the exemption, and they had $707,000,000 of net annual income, while the balance of the people had nothing beyond what was required for annual support. Yet scarcely had the war ended until this tax was declared to be exceedingly odious, inquisitorial, and oppressive; and Congress was asked to repeal it, and it is gone.

Congress thought it was unjust to require 460,170 persons who had an annual income of $707,000,000 to pay anything to support the Government, and they hurriedly swept that "odious" measure from the statute-book. Besides these there were taxes on the receipts of railroad companies, taxes on insurance companies, taxes on express companies, taxes on bank capital, bank deposits, and bank checks, but they are gone. Congress lent a willing ear to the demands of wealthy corporations and individuals and took all the burden from them, but the war taxes on clothing, like the poor, we have always with us. These taxes were given up at a time when our interest-bearing debt of more than $2,000,000,000 was staring us in the face and demanding from the Government more than $140,000,000 annually to meet its interest.

With these facts before their eyes they made haste to roll all the burdens of taxation off the shoulders of the wealthy and lay them upon the shoulders of those who could only pay as they procured the means by their daily toil. Could not that $127,000,000 contributed by the manufacturers from the rich bounties which the Government had given have been retained until the war debt was paid? Could not the $72,000,000 from incomes been held for a few years longer? Could not the tax on the receipts of the wealthy corporations have been continued for one decade?

If these taxes had been kept ten years longer we would to-day have no national debt, and in addition to the moderate reductions now proposed we could give back to the people the hundred millions now required to pay its interest and sinking fund. Upon what economic principle or principle of justice were these taxes repealed and the whole burden laid on articles going into daily consumption, and which must be obtained by the labor of mind and muscle?

Was the tax of 3 per cent. on the domestic blanket paid by the manufacturer more oppressive then than the tax of 79 per cent. on both foreign and domestic blankets paid by the people?

Was the tax of 3 per cent. on a wool hat paid by the manufacturer more oppressive than the tax of 73 per cent. on both paid by the consumer? Was the tax of 3 per cent. on women's and children's clothing paid by the manufacturer more oppressive than the tax of 82 per cent. on both foreign and domestic goods of the same kind paid by the consumer? Was a tax of 3 per cent. on railroad companies, banking companies, insurance companies, express and telegraph companies, more oppressive than an 88 per cent. tax on woolen shawls? Was a 3 per cent. tax on incomes more oppressive than an 80 per cent. tax on a woolen shirt?

The party then in power certainly thought so, for the taxes on wealth are gone, but the war tax on clothing, the war tax on food, the war tax on the implements of labor still remain with us, and the war against our prosperity, our labor, and our commerce is still being vigorously prosecuted—a war that is exhausting in its destructive invasions on labor, whether it is employed in agriculture, manufactures, commerce, or mining. Every effort that has been made to bring this war on the industries of the country to an end and to restore the Government to the peace establishment has been resisted at every step, and so far every effort to end this unjustifiable invasion of the rights of the people has been defeated.

The gentlemen who represent the minority of the Committee on Ways and Means boast that they have reduced taxation $360,000,000. They point with pride to the splendid column which they have erected, but that column has no stone in it to tell of their devotion to the masses who live by daily toil. It is built of blocks of marble, every one of which speaks of favoritism to the wealthy, of special privileges to rich and powerful classes. In 1883 they finished this magnificent shaft, which they have been for years erecting, and crowned it with the last stone by repealing the internal tax on playing-cards and putting a 20 per cent. tax on the Bible.

We on this side of the House have been trying to reduce taxation on the necessaries of life to the people, and so far without success. The minority of the committee charge that we have accomplished nothing to compare with what they have done. That indeed would be a grave charge if the gentlemen who make it could show that their united opposition had not been thrown across our path at every step. But it does not lie in their mouths to charge this side of the House with failing to reduce taxation. Whenever we have brought bills into the House to reduce taxes on the necessaries of life they have mustered nearly their entire strength to defeat us.

The members from that side who have come to our help could be counted on the fingers of one hand. Twice they have stricken out the enacting clauses of our bills to reduce taxation and twice they have refused even to consider the question of reducing taxation on the people.

Now, sir, what has been the result of this policy? Enormous taxation upon the necessaries of life has been a constant drain upon the people—taxation not only to support all the expenditures of Government, but taxation so contrived as to fill the pockets of a privileged class, and taking from the people $5 for private purposes for every dollar that it carries to the public Treasury.

This is one of the vicious results of the war tariff. The taxes, both for public and private purposes, are paid by labor. They are assessed on labor. Now, let us see how it benefits labor, as it is claimed to do. Suppose a laborer who is earning a dollar a day by his work finds a suit of woolen clothes that he can buy for $10 without the tariff tax, then the suit of clothes can be procured for ten days' work; but the manufacturer comes to Congress and says, "I must be protected against the man buying this cheap suit of clothes," and Congress protects him by putting a duty of 100 per cent., or $10 more. Now it will require the laborer to work twenty days to get his suit of clothes. Now tell me if ten days of his labor have not been annihilated? Has he not been required to work twice as long under the tariff as he would have done without to obtain his suit of clothes?

But how has that duty affected the manufacturer? If it required him to work ten days to produce the suit of clothes worth $10, he now produces them by five days' work, for he receives $20 for ten days' work, and, of course, $10 for five days' work. The manufacturer has had his work reduced half, the laborer has had his increased double. But it is said that the tariff helps the laborer by doubling his pay, because it builds up manufactures everywhere. But if that is true the tariff at the same time that it doubles the value of the manufacturer's product ought to double the value of the laborer's pay; but the tariff takes his money and puts it in the pockets of the manufacturer and pays him in promises which it never redeems.

There are woolen goods, as we have shown in the report of the committee, bearing duties from 100 to 180 per cent., but I have taken 100 per cent. for the greater ease of illustrating the effect. The benefits of the tariff all go one way. They go from the consumer to the manufacturer, but not from the manufacturer to the consumer. Suppose that the tax on the 60,000,000 of consumers amounts to $10 per head, then it is a tax of six hundred millions; if it is only $5 per head, it is three hundred millions taken out of the pockets of the consumer and put into the pockets of the manufacturers. The tax on the four hundred millions of goods imported goes into the public Treasury; the tax levied on domestic manufactures, by raising their price, goes into the pockets of the manufacturers.

But, Mr. Chairman, the excessive taxation imposed on the people is not the largest injury that it inflicts upon them.

The greatest evil that is inflicted by it is in the destruction of the values of our exports. Remember that the great body of our exports are agricultural products. It has been so through our whole history. From 75 to over 80 per cent. of the exports of this country year by year are agricultural products. Cotton is first, then bread stuffs, pork, beef, butter, cheese, lard. These are the things that keep up our foreign trade, and when you put on or keep on such duties as we have now—war duties which were regarded as so enormous even in the very midst of hostilities that they were declared to be temporary—when you put on or retain those duties, they limit and prohibit importation and that limits or prohibits exportation. It takes two to make a trade. All the commerce of all the countries of the world is carried on by an exchange of commodities—commodities going from the country where they are produced at the least cost to seek a market in those countries where they can either not be produced at all or where they can be produced only at the highest cost of production.

We are the great agricultural country of the world, and we have been feeding the people of Europe, and the people of Europe have got to give us in exchange the products of their labor in their shops; and when we put on excessive duties for the purpose of prohibiting the importations of their goods, as a necessary result we put an excessive duty upon the exportation of our own agricultural products. And what does that do? It throws our surplus products upon our own markets at home, which become glutted and oversupplied, and prices go down. So it is with the people of Europe who are manufacturing and producing things that we can not produce, but which we want. Their products are thrown upon their home markets, which are glutted and oversupplied, and their prices likewise go down. And whenever, from any cause, prices start up in Europe, our tariff being levied mainly by specific duties upon quantity, not upon value, the tariff goes down, and then we see large importation and, as a result, large exportation.

Then we see a rise in agricultural products; then we see the circulation of money all through the whole of our industrial system; we see our people going to work, our manufactories starting up, and prosperity in every part of the land. Witness the history of 1880. After the long depression lasting from 1873 to 1880 prices suddenly rose in Europe. The prices of all the products which they export to us began to rise in the latter part of the year. What was the result? As prices rose there the tariff went down, the obstructions became lower, and the imports came in.

Our imports increased about $200,000,000 in one year. What was the result of that? Our exports increased largely. The prices of wheat, of cotton, of corn, of all the products that we export went up; not only the prices of that which was exported, but also the prices of that which was consumed at home. We exported in 1880 $685,000,000 worth of agricultural products, and in 1881 $730,000,000. During last year we exported only $523,000,000 worth of agricultural products. About 15 per cent. of our agricultural products have to seek a foreign market, and in 1881 the proportion rose to 20 per cent.

I have a letter here, which I will not stop to read, from the statistician of the Agricultural Department, in which he places the value of the present crop of the United States at three billions five hundred millions, and he says that if the prices of 1880 now obtained the value of the crops would be in excess of four billion dollars. Here, then, is a loss, according to this estimate, of not less than $500,000,000. How much greater the value of the crop would be he does not say.

But when we see the prices of agricultural products in 1881, when we exported $730,000,000 worth of agricultural products, and then compare them with 1887, when the export of agricultural products fell to $523,000,000, we can form some estimate of the great loss to our farmers by stopping exportation. In 1881 wheat was worth $1.19 per bushel; it is now 68 cents. In 1881 corn was worth 63 cents per bushel; it is now worth 44 cents. The exports of our agricultural products have fallen during the last year far below those of 1881, and the prices have correspondingly fallen.

If the prices of 1881 obtained to-day the wheat crop of 1887 would be increased over its present value $232,000,000, and if by exportation to foreign markets we could have each year since 1881 realized the price of that year, the wheat-growers would have realized on their annual crops since then a thousand millions of dollars more than they did. In the low prices of corn since then they have lost double that. Some part of the low prices is to be attributed to large crops, but by far the greater cause is the restriction of the market for the sale of farm products.

If the tariff imposed a revenue duty sufficient to obtain money enough to support the Government but not high enough to impede importation, then our foreign trade would grow rapidly and our agricultural products would find ample markets and good prices. But just as long as we continue to stop importation by high duties, just so long will we stop exportation; and our agricultural surplus continuing to increase and its markets being limited the prices must continue low. The tariff robs the farmer on one side by increasing the prices of what he buys; it robs him on the other by decreasing the price of what he sells.

But it is insisted that if we lower the duties and let foreign goods be imported it will stop our manufactories—that it will turn our people out of employment or reduce their wages. It will do nothing of the sort. What will we import and what did we import when prices rose and the duties fell in 1880? We imported more of the same articles which we were importing before the prices rose. We will import more of the things we can not produce or which can be produced cheaper in other countries than at home. If we look to our table of imports in 1880, we will see that over sixty millions of the increase was of articles in the free-list and about one hundred and twenty-five millions in the dutiable list. The increase of imports free of duty will not hurt the manufacturer or the laborer.

We always import more coffee, more tea, more of everything that is required to meet the wants of the people when prices are high, because when prices are high the country is more prosperous and the people are better able to buy and pay for what they want, and the tariff is then lower and dutiable articles are more largely imported to compete for sale with the home products. In looking through our consumption statement we see that a certain line of articles are imported from year to year; then observing the periods when prices are high and the tariff low you will see that the same articles are imported in larger quantities.

Our manufacturers do not then stop. They go on with increased activity. They did not stop in 1880 when the large importation set in. It gave them renewed life; their wheels flew faster, their machinery worked more constantly, and their operatives were all employed. Why is this? Why, Mr. Chairman, we can produce at least 90 per cent. of all the manufactures consumed in this country more cheaply at home than they can be produced anywhere in the world and delivered here. This 90 per cent. which we can produce at a lower cost than any other people can will not be hurt by importation.

I have here a letter from the Chief of the Bureau of Statistics, which shows that in 1850 with a low tariff the consumption of domestic manufactures in the United States was 88.39 per cent. of the whole, and of imports 11.61 per cent. In 1860, with a still lower tariff, our home manufactures constituted 87.57 per cent. and the consumption of imports was 12.43 per cent. In 1870 the consumption of domestic manufactures was 93.14 per cent. and 6.86 per cent. of imports, and in 1880 were consumed 92.58 per cent. of home manufactures and 7.42 per cent. of foreign manufactures. Now, it is evident from these figures that under any circumstances we can hold 90 per cent. of the market against the world.

If we had no tariff, if all the custom-houses were torn down and the Government was supported by direct taxation, not more than 10 per cent. of all the manufactured products consumed by all the people would be imported into the country. Senator SHERMAN, in a speech delivered three months ago, quoted a statement of ex-Consul Dudley, that nine-tenths of all the articles of manufacture consumed by the people could be procured as cheaply here as in England. He indorsed the statement as correct. I deny the accuracy of the statement. If he had said that nine-tenths of all the manufactures consumed in the United States could be produced more cheaply here than in England he would have been nearer the truth. If nine-tenths of all the manufactures consumed here are cheaper here than in England it is because they are produced at a lower cost. Then what objection does he see to reducing the tariff?

What use have our manufacturers for the tariff at all? Why are they constantly beseeching Congress not to ruin them by reducing the war rates? They can produce nine-tenths of their products and sell them cheaper than their rivals in England, but they do not do it. If they do sell nine-tenths of their products cheaper than English manufacturers, why is it that they and our friends on the other side not only resist every effort that we make to reduce these war taxes, but are asking now that the tariff on woolen goods shall be raised? Why are they demanding that woolen cloth shall be raised to 128 per cent., women's and children's dress goods to 102, flannels to 121 per cent., hats to 134 per cent., and knit goods to 135 per cent.? Why do they resist the reduction of the duty on steel rails to $11 a ton? Why oppose the slight reduction we propose in cotton goods?

The manufacturer is not so much interested now in the foreign market as the farmer. Less than 2 per cent. of the $7,000,000,000 of his annual product goes to the foreign market; but the farmer sends 15 per cent. of his products there, and would send a larger per cent. if the way was open. The manufacturer looks to the home market for the sale of 98 per cent. of his product. Then is it not a matter of the deepest concern to him to have that home market prosperous? Is not every one who sells goods interested in having customers able to purchase and pay for everything they want? Would not manufacturers make more money by selling their goods to American people with pockets full of money than to wild Indians who had none?

It is essential to the American manufacturer that he shall have a prosperous market in which there is a constant and active demand for his goods, and that he have such market both at home and abroad so that his customers may be as many as possible, that they be constantly increasing in pecuniary ability so that they can buy largely and pay promptly for all they buy. These things being true, and his dependence being almost exclusively on the home market, he should do everything in his power to help his customers grow in wealth. Who are his customers? The farmers. How are they to become prosperous and grow in wealth? By selling their products in the markets that demand them and offer for them the highest price. Where are those markets? In foreign countries. But those markets are closed to him unless Congress will let him bring back the goods he will obtain in exchange. If to-day the barriers against importation were broken down and our imports should increase from two to three hundred millions, that importation would create a demand for that amount of agricultural products to be exported to pay for them, and that would increase the price of farm products all through the land. It would distribute money among the whole sixty millions of people, placing a dollar beside every want with which it could be satisfied. He would find that he had a market then at home far more valuable to him than it would be with the 10 per cent. of importations kept out and the prices of all farm products forced down so low that the farmers would have nothing with which to buy.

But, Mr. Chairman, it is said that this will injure our labor. It is said a high tariff makes high wages for labor. It is said if we reduce the tariff wages must be reduced. How is it high tariff makes high wages for labor? How can it be explained? Why, they say, as a matter of course, if you increase the value of the domestic product, the manufacturer is able to pay higher wages. Unquestionably he is, but does he do it? No. Mr. Jay Gould, with his immense income from his railroad property, is able to pay his bootblack $500 a day, but does he do it? Oh, no; he pays the market price of the street. He gets his boots blacked and pays his nickel like a little man. [Laughter.] Mr. Vanderbilt, from the income arising from the interest on the immense amount of bonds of the Federal Government he has got, can afford to pay his hostler $10,000 a year. He is able to do it; his bonds enable him to do it, but does he do it? Oh, no; he goes out into the market and employs his labor at the market value, and pays the same price that the humblest citizen in New York does.

High tariff does not regulate wages. Wages are regulated by demand and supply and the capacity of the laborer to do the work for which he is employed. If high tariff regulated wages how is it the wages in the different States of the Union are different while the tariff is all the same from Maine to California? In every part of the territory of the United States the tariff is the same. How is it the wages are not the same? How is it that wages in the different localities in the different States are different? What is the cause? What is it which disturbs the tariff and prevents it from fixing a high rate of wages all over the country for labor?

We find by the census the rate of wages in the cotton industry is lower in Rhode Island than in Pennsylvania, and we find the wages in the iron business are higher in Rhode Island than in Pennsylvania. Why is that so? It is not the tariff that does it, it is the demand and supply of the people to do the work demanded of them. There are more cotton operatives in Rhode Island and the supply is greater, and therefore the wages are lower. The same thing is true about the iron business in Pennsylvania. The wages of cotton operatives in Pennsylvania are higher because there are fewer in Pennsylvania than in the

State of Rhode Island. It is not the tariff that regulates the wages. Well, what is it that fixes the high rate of wages in this country?

It is admitted by all who are well informed on this subject that our rate of wages is higher than anywhere else in the world, that England is higher than France, and that the rate of wages is higher in France than in Germany. Why is this? Germany and France both have a protective tariff to guard against the free-trade labor of England. What then is it that makes higher wages? It is coal and steam and machinery. It is these three powerful agents that multiply the product of labor and make it more valuable, and high rate of wages means low cost of product. A high rate of wages means that cheap labor has got to go; and the history of our country in the last fifty years demonstrates that as clearly and as conclusively as any mathematical problem can be demonstrated.

Fifty years ago, Mr. Edward Atkinson shows, it required five persons, two carders, two spinners, and one weaver, working by the old methods, to make eight yards of cloth in one day. They got 20 cents a day; a dollar for the whole five. The labor cost of the cloth was 12½ cents a yard, and calculating 300 working days in a year the whole product of these five cheap laborers was 2,400 yards of cloth; but when coal and steam and machinery were harnessed together to produce cloth, five persons to-day in New England produce 140,000 yards of cloth. The labor cost of the cloth is 1.08 cents per yard. The wages of labor, instead of being $60 a year, or 20 cents a day, is $287 per annum for each.

The result of the labor-saving machinery used was an enormous increase in productive capacity. The result of that was a great increase in the rate of wages, and the further result was a great decrease in the cost of production. The old hand-wheel and the old methods of labor have had to depart before the all-conquering march of coal and steam and machinery. They had to go because the small amount of product of the article drove them out of the field. It is not the rate of wages, it is the article which the labor makes and the cost at which that article can be produced—the lower cost—which drives the rival article out of the market. Such is the history which has been written in our country in the last half century.

Mr. Chairman, Mr. Edward Atkinson, one of the clearest thinkers and writers on political economy of the present day, in his little book on The Distribution of Products, lays down the principle that high rate of wages means low cost of product, and low rate of wages means high cost of product. He says that "the cheapest man is the one who works the greatest amount of machinery with the least stops." I read a paragraph from his book, on page 44:

> In any given country like the United States, where the people are substantially homogeneous, where the means of intercommunication are ample, where there are no hereditary or class distinctions, and where there is no artificial obstruction to prevent commerce, high rates of wages in money will be the natural and therefore necessary result of low cost of production in labor.

Again, on page 46, he says:

> Hence, it follows that although the total production of any given thing may not be concentrated at the very best point, it will yet be found to be true that where the conditions are the best, the cost, measured in terms of days of labor, will be lowest, and the wages, measured in terms of money per day, will be the highest, the high money wages being the necessary consequence of the low labor cost. Conversely, low rates of money wages are the natural and necessary result of a high labor cost of production.

Now, then, "it follows," he says, on page 56,

> That the nation which has diminished the quantity of human labor in greatest measure by the application of machinery produces goods at the lowest cost, and by exchange with the hand-working nations, who still constitute the majority of the people of the world, is, by way of such exchange, enabled to pay the highest rate of wages in money, because their goods are made at the lowest labor cost.

In order to prove that fact Mr. Atkinson made an investigation into the condition of two old manufacturing houses in the State of New Hampshire; he compared two periods—1830 with the year 1884. He found that in 1830 the wages per annum were $164 in gold to each operative. This increased until 1884, when it amounted to $290 in gold.

Now as to the efficiency of the labor employed. In 1830 the total number of yards of cloth produced by each operative was 4,321 per annum, while in 1884, mainly by the aid of improved machinery, it had been increased to 28,032 yards. The cost of the labor per yard was 1.9 cents in 1830, and but 1.07 cents in 1884.

Let us now reduce these differences to percentages and compare them in that form. There was, as I have shown, a great increase in the productive capacity of each operative, but there was a decrease in operatives per thousand spindles of 60 per cent.

The pound of material turned out by each spindle or operative was taken as a unit of measurement, and Mr. Atkinson's table shows that the pounds that each spindle turned out was increased 22 per cent., and the pound that each operative turned out in a day had increased 190 per cent.; the pounds that each operative turned out per hour increased 240 per cent. The increase of wages of operatives per hour (for the number of hours were made less) increased 240 per cent. The wages of the operative per annum had increased 64 per cent., and per hour 94 per cent., while the labor cost per yard had decreased 41 per cent. The other house showed the same condition. It showed that productive efficiency had increased in spindles 276 per cent., in pounds per operative 214 per cent., while wages increased 77 per cent., and labor cost per yard decreased 44 per cent.

This great revolution in production, wages, and cost is not the work of the tariff, but of coal, steam, and machinery. These three powerful agents have produced these marvelous results. The effects inevitably follow the cause—high rate of wages because so much more service is rendered the employer, low cost of product because so much more is done in a given time. I repeat it, the tariff has had nothing to do with bringing about the great change, and it is impotent, utterly impotent, to increase the rate of wages.

But, Mr. Chairman, I want to call the attention of the committee to a statement found in the report of the United States Census. This is the report in reference to the wages in the manufacturing industries of the country, and I call special attention to a report of an ax-manufacturing establishment in Connecticut on page 158. This gentleman who makes the report compares the operations of his house from his books in 1840 with 1880. In steel fitting, in ax making, each operative turned out 600 pieces per day in 1840. In 1880 each operative turned out 1,250 pieces per day. Each operative received in 1840 24 cents per hundred pieces, and received in 1880 20 cents per hundred pieces. He earned in 1840 $1.44 a day, and in 1880, though he received less for each piece, he earned $2.50 per day.

And this table includes all the different parts of the manufacture of the ax—the poll-making, rough-polishing, tempering, finishing, grinding, painting, backing, etc.; and in every department of this manufacture in making axes the same rule is observed—that is, the increased productive power increases the wages and decreases the cost of the product. That follows as shadow follows substance, as night follows day. It is the effect following the cause. It is the cause producing the effect—that as the laborer is more efficient and more valuable to his employer, as he turns out more work, he is entitled to and receives more pay. He receives more wages by the day, even though he is paid less for each piece of work he turns out.

Now, was the increase of the daily wages of these operatives due to the tariff? Let the manufacturer answer. He says: "The following table shows the results of labor-saving machinery, together with the increase in the efficiency of labor in the manufacture of axes, from 1840 to 1880." When I saw these tables, proving the principle so clearly presented and so strongly enforced by Mr. Atkinson, I went to our very able and efficient chief of labor, Hon. Carroll D. Wright, and asked him to have a table like this in the Census Report prepared, and to send an intelligent agent into some of the oldest houses in the country and get a statement from their books and send it to me, that I might see if there was a different result in other establishments. I now give you the testimony of those houses to add to the others.

There are here seven establishments. The first one is in Massachusetts. A comparison is instituted between 1849 and 1884, and the industry is cotton print cloth. Each operative made in 1849 in this factory 44½ yards per day; in 1884 he made 98.2 yards, an increase of productive power of 120 per cent. What wages did he get? The average daily earnings of the laborer in 1849 were 66 cents, and in 1884 $1. His wages increased 50 per cent. The labor cost of the product decreased 32 per cent.

In that same establishment in 1849 the wages of weavers were 65 cents a day, and each man turned out 113 yards of cloth. In 1884 the wages had risen to $1.06, and each weaver turned out 273 yards of cloth.

In the second house, also in Massachusetts, manufacturing printed cloths, each laborer in 1850 produced 42 yards; in 1884 he produced 102 yards, an increase of 142 per cent. His earnings were 65 cents a day in 1850 and $1.05 in 1884. The increase in wages was 61 per cent. The decrease in the labor cost of the article was 33 per cent.

The third house, manufacturing sheeting in Massachusetts, showed that each laborer in 1852 produced 41 yards, and in 1886 73 yards of cloth. His productive efficiency increased 77 per cent. His wages increased 49 per cent. The labor cost of the cloth decreased 15 per cent.

In the fourth house, in New Hampshire, manufacturing print cloth, each laborer in 1852 produced 42.5 yards and in 1886 103 yards. The increase in productive capacity was 142 per cent. The increase in wages was 56.7 per cent., and the labor cost per yard decreased 35 per cent.

Without going all through these figures the facts as to each one of these houses show in every instance that the productive efficiency of the laborer had increased, and that corresponding with that the wages had increased and the cost of the product had decreased.

Now, then, the tariff had nothing to do with any of these results. During this time we had high tariffs and low tariffs, but whether high tariff or low tariff, or no tariff, the productive efficiency continued to increase, the multiplication of production by the power of machinery continued to increase, and wages rose with it, and the cost of the product sunk. So that the tariff conferred no benefit on the laborer; none whatever.

But now let us see what effect a reduction of the duties will have by letting in the goods of England and other foreign countries into our markets to compete with our people and to endanger the laborers of our country, as it is charged it will do. I say the same proposition for which I have been contending is demonstrated again when we compare the laborer of this country with the laborer of England. We produce

cheaper than in England because a high rate of wages means low cost of product, and a higher rate of wages means lower cost of product, and the highest rate of wages means lowest cost of product.

Mr. Wright, Chief of the Labor Bureau, instituted a most painstaking examination into the rates of labor in England and Massachusetts a few years ago, and showed the rates of labor higher in this country than in England; 12 per cent. higher in cotton manufacture; 25 per cent. in the manufacture of woolens, 26 per cent. in iron and steel, 128 per cent. in boots and shoes. That would seem to indicate, according to the philosophy which has been taught in this country by protectionists for many years, that we are on the road to ruin because our rate of labor is higher than in England and other countries. But the reverse of that proposition is true; and the fact that the rate of wages is higher here than in England shows that England is distanced in the great industrial contest into which she has entered.

Now let me give you an instance here in boots and shoes. If we pay so much higher wages in producing boots and shoes, if the proposition we hear on the other side be true, we can not enter into any contest with Great Britain when we pay 128 per cent. higher wages than she does. Yet we import no boots and shoes at 30 per cent. duty from England. We make the cheapest boots and shoes and the finest made in the world. In that England can not contest with us; and the fact that the rate of wages is so much higher here than in England shows that she is far behind in the race.

Let us see. Here is a gentleman writing in Harper's Magazine in 1885, a very able article entitled "A pair of shoes." He takes the history of the hide from the cow and follows it through all its mutations into the finest products of manufacture. This is not an article on wages; but it contains a paragraph on wages.

Mr. COX. By whom is the article written?

Mr. MILLS. Mr. Howard Newhall is the writer. He says:

American ladies' shoes wholesaling at $1.50 per pair, cost for labor of making 25 cents. English ladies' shoes wholesaling at $1.50 per pair, cost for labor of making 34 cents. American men's shoes wholesaling at $2.60 per pair, cost for labor of making 33 cents. English men's shoes wholesaling at $2.60 per pair, cost for labor of making 50 cents. In the report of the Massachusetts bureau of statistics for 1884 the general average weekly wage in Massachusetts is given as 128.9 per cent. higher than in Great Britain. The general average weekly wage in Massachusetts is given as $11.63 per week, and in Great Britain $5.08.

Now, what is the solution of all this? What does it mean? In Massachusetts wages are 128.9 per cent. higher than they are in Great Britain, but the labor cost of a pair of ladies' shoes in Massachusetts is less than the labor cost of a like pair of shoes in Great Britain. The cost is 25 cents in Massachusetts against 34 cents in England. The labor cost of men's shoes in Massachusetts is 33 cents per pair; the labor cost of men's shoes in England is 50 cents. If our people are to be injured by the importation of English shoes into this country the English shoe must be produced at a lower cost than the American shoe; otherwise it can not take the market.

It is not the rates of wages in England and in America respectively, $5.08 against $11.63, that we have to consider, but it is the labor cost of the pair of shoes. Now, the man holds the market who can sell his goods cheapest, and the man can sell cheapest who gets his goods at the lowest cost, and that is the man in Massachusetts. What, then, does this difference of wages mean, $11.63 per week in Massachusetts against $5.08 in England? It simply means increased productive efficiency; it means that the productive efficiency of the American workman engaged in this industry is greater than that of the British workman by 128.9 per cent.

In order for the American to earn his $11.63 a week he makes 35 pairs of men's shoes in a week; the Englishman, to earn his $5.08 a week, makes 10 pairs of men's shoes. In order for the American workman to earn his $11.63 per week he makes 46 pairs of ladies' shoes; in order for the Englishman to earn his $5.08 per week he makes 15 pairs of ladies' shoes. The tariff did not make the American workingman's wages $11.63 per week. It was the number of shoes he made that regulated his wages, and superior skill in using machinery gave him the capacity to make more shoes than the Englishman.

Here is the solution of the whole question, and the principle is the same that I have been supporting all along. That principle is that the higher rate of wages means a higher productive power; it is increased pay for increased work; it is not the tariff; it is more work; it is more efficient work; it is better work; it is cheaper work. It is that that holds the market; and it holds the boot and shoe market of this country against the importation of a single pair of shoes from Great Britain, notwithstanding the fact that wages there are $5.08 a week as against $11.63 in Massachusetts.

Mr. HERBERT. Free hides also help you out on that point.

Mr. MILLS. England also has free hides. A few years ago, in 1879, our English friends across the water took alarm about the growth and development of our cotton industry in the United States, and they sent an expert—a gentleman thoroughly conversant with the cotton business of England—to the United States to make a thorough and searching investigation into the whole business of cotton manufacture in this country, and to report to them whether their industry was imperiled by that of the United States. That gentleman went to New England, the seat of the cotton industry in this country. He made a thorough and searching investigation, and in every instance he showed that we could produce cotton goods at a lower labor cost than they could be produced at any point in Great Britain. I have here the tabular statement that he gave to his people when he returned.

The following are the rates of wages for weaving and spinning cloths in some of the principal districts of England and America, as shown by his report:

A piece 28 inches, 56 reeds, 14 picks (?), 60 by 56, 58 yards, costs at Ashton-under-Lyne, in England, 24.68 cents to weave; in Rhode Island it costs 16.82 cents. At Blackburn, in England, it costs 25.4 cents; at Providence, R. I., it costs 17.26 cents; at Stockport, England, 25.4 cents, at Fall River, 19.96 cents; at Hyde, England, 25.28 cents; at Lowell, 19.96 cents. In every instance the labor cost of the production of the cotton goods is lower here than in England. Now let us turn to the summary. At Fall River the wages in a pound of print cloth, about 7 yards, is 6.907 cents; at Lowell it is 6.882 cents; in Rhode Island it is 6.422; in Pennsylvania, 6.44; in England, 6.96 cents. In every place in the United States, in Pennsylvania, Massachusetts, and Rhode Island, the labor cost of producing a pound of print cloth was lower than at any point in England.

A MEMBER. And the wages higher.

Mr. MILLIKEN. Then what harm does the tariff do?

Mr. MILLS. What good does it do? It enables you to make "trusts," combinations, and "pools" by keeping foreign products out of the market. [Applause on the Democratic side.]

Mr. MILLIKEN. I will answer the gentleman if he will give me the opportunity. I will tell him what good it does. [Cries of "Regular order!"]

Mr. MILLS. Now, Mr. Chairman, when we come to look at the last column of these figures the picture changes. What do we find when we come to look at the total product, with the cost of the material thrown in, and all the other elements besides labor? While the labor cost is lowest in the United States, where the rate of wages is highest, yet when we come to examine the cost of the material, England beats us, because she produces the goods at a total cost lower than ours. It is not the labor that causes this difference; it is the cost of the material. The machinery by which you run your establishments costs you 45 per cent.; your dye-stuffs are more costly than in England; all these things which enter into the manufacture of goods cost more here than on the other side. But do not charge this increased cost to labor. You are not paying the laborer, in proportion to the work that he does, as much as he receives in England.

Mr. BRUMM. Will the gentleman allow me——

Several MEMBERS. Oh, no. [Cries of "Regular order!"]

Mr. MILLS (to Mr. BRUMM). Go ahead.

Mr. BRUMM. Did I understand the gentleman to say that the cost of cotton in England was less than the cost of cotton in this country?

Mr. MILLS. You understood me to say that the labor cost of producing a pound of print-cloth was lower in this country than in England. You understood me further to say that the total cost, including materials and everything else, is lower in England than in the United States.

Mr. BRUMM. Therefore, does not that say that cotton, being the raw material out of which the cotton goods are made, must be lower in England than in this country?

Mr. MILLS. Oh, no; not at all; of course not.

Mr. KELLEY. Mr. Chairman——

Mr. MILLS. It means that England procures her machinery at less cost than we do ours. It means that England produces the dies which enter into the manufacture of these goods cheaper because untaxed. That is what it means.

Mr. KELLEY. I protest against these interruptions of the gentleman's speech.

Mr. MILLS. I do not. [Applause on the Democratic side.]

Mr. KELLEY. The gentleman, as the organ of his party, is expounding its doctrine, and these interruptions are, in my judgment, impertinences. [Laughter.]

Mr. MILLS. Now, Mr. Chairman, when we come to look at the total cost of this pound of calico cloth we find that at Fall River it is 14 cents (leaving off fractions); at Lowell, 13 cents; in Rhode Island, 11 cents; in Pennsylvania, 15 cents; in England, 12 cents. England produces the goods at a total cost less than ours, and that gives her the market; but while the goods cost more here, she pays more in the form of wages.

Now, when this gentleman goes back home after this general survey of the whole business he reports to his people elaborately. I refer to this little book published in England, given to me by my friend, Hon. Carroll D. Wright, the Chief of the Bureau of Labor. He goes back and tells his people——

Be still, sad heart, and cease repining;
Behind the clouds the sun is still shining.

These people over in the United States, while they beat us in labor,

while they can produce anything in the cotton business at a labor-cost cheaper than we can, are, like Ephraim "joined to their idols." They maintain high tariff on raw materials, and therefore the cost of materials entering into their manufactures is higher than with us. It will take a great revolution to change their minds on this subject; and as long as they hold to the policy of high tariff on materials which enter into manufactures you may go to sleep in security, for England holds the markets of the world.

This is his language:

> While, however, the American nation heaps duties upon the import of foreign machinery, thus increasing the price of mill construction, and in other ways by her tariff arrangements artificially raising the cost of production, American manufactures will continue too high in price to compete with English in all but exceptional cases.

Now, this statement in regard to the cotton industry is supported by a statement from Secretary Blaine. A few years ago, while he was Secretary of State, he said in his report, in speaking of the cotton industry:

> Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor. If this should prove to be a fact in practice, as seems to be proven from official statistics, it will be a very important element in the establishment of our ability to compete with England for our share of the cotton trade of the world.

I am reading from Mr. Blaine's report on the cotton-goods trade of the world.

Mr. Charles S. Hill, statistician of the State Department, makes a statement that I think is extravagant, and I would not quote it but he is a pronounced protectionist. I would not quote it if he were a revenue reformer, because I think it is too strong.

In his argument before the Tariff Commission he says that our manufacturing product in 1882 was $8,000,000,000, made by 5,250,000 hands, and that for the same time the product of England was $4,000,000,000, made by 5,140,200 hands. In submitting this statement he says:

> Here is the positive proof that American mechanics in the aggregate accomplish exactly double the result of the same number of British mechanics. They are therefore very justly paid double in wages.

I think he places the value of the whole product far too high in the United States. He places it at $8,000,000,000 in 1882, when our best statisticians put it at $7,000,000,000 now. If he would reduce it to $6,000,000,000, and it was over $5,000,000,000 in 1880, it may be reasonable; but to say the product was $6,000,000,000 in 1882, it would show still that the efficiency of our labor is from 40 per cent. to 50 per cent. greater than that of Great Britain. Our consul at Tunstall, England, makes this report: That in cotton manufactures our productive capacity is 33 per cent. greater than England and 72 per cent. greater than Germany. In woolen manufactures our productive capacity is 23 per cent. greater than England and 40 per cent. greater than Germany. In silk manufacture our productive capacity is 18 per cent. greater than England and 32 per cent. greater than Germany.

Mr. FORD. That is the product per man?

Mr. MILLS. Yes, that is the product per man. Taking that as the average, how is it possible for these countries, where the rate of wages is low and the labor cost is high, how is it possible for those people to bring their product into our markets and drive ours out?

I will refer to another instance before I close, and that is to a table which is to be found in the first annual report of the Bureau of Labor, pages 132 and 133, which gives the cost of spinning one pound of cotton yarn in England and in Germany. Germany has a protective duty on cotton yarn, while England welcomes the whole world to contest with her.

England with a higher rate of wages exports annually into Germany cotton yarns to the value of ten to eleven millions of dollars, and that over a duty, if I remember rightly, of 10 per cent. The German manufacturers find that they can buy cotton yarns cheaper in England, where the rate of wages is much higher than in Germany. If we look at these tables we will see the reason. Here are two tables giving the labor cost and whole cost of spinning cotton yarns of any number from 1 up to 177. One is the cost in Alsace, Germany, and the other in England, and they show that in every number the labor cost and the whole cost per pound are less in England than in Germany, notwithstanding the higher rate of wages which is paid in England.

Is it the tariff that makes English wages higher than German? Germany has the tariff but England has the trade. If these statements are true, what is there to prevent us from being the greatest manufacturing and exporting country of the world? We are the greatest agricultural people in the world. We exceed all others in the products of manufacture, but we export next to nothing of our product. Why should we not export the three hundred and seventy-five millions of cotton goods which England is now exporting? She buys her cotton from us, pays the cost of transportation to her factories, makes the goods, and sends them all over the world. That trade, at least the most of it, is ours whenever we get ready to take it.

Why should we not make and send out the hundred millions of woolen goods which she is annually exporting? We have the advantage of her in almost everything except cost of materials. Why should we not make and export the hundred millions of iron and steel which she is making and sending away annually? There is no reason except that high tariffs and trusts and combinations are in our way, and they muster all their forces to prevent us from taking the place which our advantages entitle us to take.

We are the greatest people in the world. We have the highest standard of civilization; we have the highest and best diffusion of knowledge among our people.

We utilize the power of machinery more than any people in the world. We produce by our labor more than any people in the world. We have everything to command success in any contest over any rival. We are the first cotton-producing country. We have wool, flax, hemp; our country is full of coal, and ores, and lumber, and yet with all these advantages over all others we have pursued a suicidal policy of protection, which has closed the markets of the world against us; and not content to stop here, we have plundered the great body of our agricultural people out of a large part of their wealth. [Applause.]

We must make a departure. Instead of laying on the burdens of taxation upon the necessaries of life, instead of destroying our foreign commerce, we should encourage it as we would encourage our home commerce. We should remove every unnecessary burden. We should lay taxes to obtain revenue, but not restrict importation. We should place every material of manufacture on the free-list, start up our fires, put our wheels in motion, and put all our people to work at good wages.

A gentleman said here the other day, on the other side of the House, that our prosperity in this country was due to the tariff. I deny it. Our prosperity in this country is due to the intelligence of our labor, and to the unrestricted movements of our exchanges among sixty millions of people at home. [Applause.]

Mr. Nimmo, the Chief of the Bureau of Statistics a few years ago, in a most elaborate report upon the internal commerce of the country stated that it exceeded our foreign commerce by twenty-five times its amount. Then the internal commerce of this country is equal to $35,000,000,000 annually. Every dollar of these products increases in value as they go from the point where they are produced to the point where they are consumed. Take a ton of coal mined in West Virginia, for instance, worth $1 at the mouth of the pit. Start it on its road to Texas, and every hundred miles it travels some hand touches it, some machinery transports it. It has got to pay the cost that increases as it goes, because its value is increased; and when it it delivered finally in the little city where I live in Texas it is worth six to eight dollars a ton, and my neighbors buy and consume it because it is cheaper to them than wood, and cheaper than they can produce the coal themselves.

And so, Mr. Chairman, it is with the cotton produced in Texas and sent towards Rhode Island to be spun. Every mile on the road it traverses between the producer and the consumer increases its value, and it is this interchange of internal commerce of this country, of $35,000,000,000 annually, that makes us rich and prosperous as a people, and we have grown so, not by the aid of restrictions imposed upon commerce with foreign countries, but absolutely in spite of it. [Applause.]

Our wealth would have been greater as a people if we had none of these restrictions upon our commerce. We will increase wealth if we lower the duties and let importations come in of those things which can be produced cheaper in other countries than in our own.

We will increase the value of all of the agricultural products by such methods. They will diffuse and scatter money amongst the laboring people throughout the country. It will set the wheels of machinery in motion, lay the foundation of happy homes, and a glad smile will light up the faces of the people in all sections of the country at the returning and increased prosperity of the nation. [Applause.]

This policy which is being pursued now may for awhile satisfy the demands of the capitalist who has money invested in the various factories and enterprises of that kind throughout the country. They may be able by the aid of these pools and trusts and combinations which seem to be springing out of the earth all around us to secure for a time the capital invested; but what, I ask you, is to become in the mean time of the poor laborer when they shut off their fires, when they turn him into the streets, and determine that they will limit the product of their establishments in order to keep up prices so as to save the profits on their investments? What is to become of the cotton and the iron and the wool, and all of the other interests that depend upon capital invested in manufacturing enterprises? Where are our markets when our factories are closed, when the wheels are still, when the fires are banked, and their laborers wandering as paupers around the streets seeking employment which is not to be found anywhere in the land? And yet they call this the American policy.

I repel it, sir; it is not American. It is the reverse of American. That policy is American which clings most closely to the fundamental idea that underlies our institutions and upon which the whole superstructure of our Government is erected, and that idea is freedom—freedom secured by the guaranties of government; freedom to think, to speak, to write; freedom to go where we please, select our own occupations; freedom to labor when we please and where we please; freedom to receive and enjoy all the results of our labor; freedom to sell our products, and

freedom to buy the products of others, and freedom to markets for the products of our labor, without which the freedom of labor is restricted and denied. Freedom from restraints in working and marketing the products of our toil, except such as may be necessary in the interest of the Government. Freedom from all unnecessary burdens; freedom from all exactions upon the citizen except such as may be necessary to support an honest, efficient, and economical administration of the Government that guaranties him protection to "life, liberty, and the pursuit of happiness;" freedom from all taxation except that which is levied for the support of the Government; freedom from taxation levied for the purpose of enriching favored classes by the spoliation and plunder of the people; freedom from all systems of taxation that do not fall with "equal and exact justice upon all"—that do not raise the revenues of government in the way that is least burdensome to the people and with the least possible disturbance to their business. That, sir, is the American policy. [Applause.]

Now another thing. I want to show that the tariff is not for the benefit of the workingman. We will have many appeals made to us for sympathy on account of the workingman. I have taken from the first annual report of the Commissioner of Labor and the report of the census on wages some figures given by manufacturers themselves of the total cost of the product and the labor cost of the articles they are making. I have put the tariff duty by the side of them to show whether in the little reductions we are asking in this bill we have gone beyond that pledge we as a party have made that we would not reduce taxation so low as to injure our laborers, or as not to cover the difference in cost of labor between American and foreign products.

This will show, and I ask your attention to it, that the tariff is not intended to and does not benefit labor. It will show that the benefit of the tariff never passes beyond the pocket of the manufacturer, and to the pockets of his workmen.

I find in this report one pair of 5-pound blankets. The whole cost as stated by the manufacturer is $2.51. The labor cost he paid for making them is 35 cents. The present tariff is $1.90. Now, here is $1.55 in this tariff over and above the entire labor cost of these blankets. Why did not that manufacturer go and give that money to the laborer? He is able to do it. Here is a tariff that gives him $1.90 on that pair of blankets for the benefit of his laborer, but notwithstanding that the tariff was imposed for the benefit of American labor and to preserve high wages, every dollar of that tariff went into the manufacturer's pocket. The poor fellow who made the blankets got 35 cents and the manufacturer kept the $1.90.

Mr. CRAIN. Will the gentleman please state how much the committee has reduced that duty?

Mr. MILLS. To $1.00 from $1.90.

Take another pair of 5-pound blankets. The total cost is $2.70. The labor cost is 70 cents. The tariff is $1.98. Now, how strange it is that none of these sums that were intended for the laborer ever get beyond the pocket of the manufacturer. Why is it, when the American Congress enacted this legislation for the benefit of our labor, that every dollar of this aid intended for labor stops in the pockets of the manufacturer, who goes into the highways and hedges and hires his laborer at the lowest price for which he can get him in the market and then pockets the tariff benefits that we are told every day is intended for the laborer alone—for the benefit of labor?

Here is another pair of 5-pound blankets. The cost is $3.39. The labor cost paid by this manufacturer, he says himself, is 61 cents. The tariff is $2.55. In the pending bill we have left him $1.35, and we have left the other man $1.08. And we have left all along not only enough to cover the difference, if there was any difference, between the labor cost of production in Europe and the labor cost of production in this country, but we have left enough to pay for all the labor and a bonus besides.

Let us go on a little further. Here is 1 yard of flannel, weighing 4 ounces; it cost 18 cents, of which the laborer got 3 cents; the tariff on it is 8 cents. How is it that the whole 8 cents did not get into the pockets of the laborer? Is it not strange that those who made the tariff and fastened upon the people these war rates in a time of profound peace, and who are now constantly assailing the Democratic party because it is untrue to the workingman, did not make some provision by which the generous bounty they gave should reach the pocket of him for whom they said it was intended? They charge that we are trying to strike down the labor of the country. Why do they not see that the money they are taking out of the hard earnings of the people is delivered in good faith to the workman?

One yard of cassimere weighing 16 ounces costs $1.38; the labor cost is 29 cents; the tariff duty is 80 cents. One pound of sewing silk costs $5.66; the cost for labor is 85 cents; the tariff is $1.69. One gallon of linseed oil costs 46 cents; the labor cost is 2 cents; the tariff cost is 25 cents. One ton of bar-iron costs $31; the labor cost is $10; the tariff fixes several rates for bar-iron. I give the lowest rate, $17.92. One ton of foundry pig-iron costs $11; the labor costs $1.64; the tariff is $6.72.

None of these tariff rates go to the laborer. The road is blocked up. They can not pass the pocket of the manufacturer. This "great American system" that is intended to secure high wages for our laborers is so perverted that all its beneficence intended for the poor workman stops in the pocket of his employer, and the laborer only gets what he can command in the open market for his work.

Let us take Bessemer-steel rails. We are told that the steel-rail industry is in great danger of utterly perishing away and departing from this continent, because we propose to reduce the duty from $17 to $11.

The whole cost is put down at $31, the labor cost at $7.57; the tariff is $17. The manufacturer has $9.43 more for each ton than all the labor cost. The labor cost of this ton is exceptionally high. I have a statement of the labor cost of a ton of steel rails at Bethlehem, Pa., taken recently by Mr. Schoenof, and it shows labor cost there $3.85 per ton. The labor cost of a ton of steel rails in England is not one dollar cheaper than here. Mr. Schoenof informs me that a ton of bar-iron costs, for labor, in England about $7.75, and here about $8. But let us leave these and proceed with the official figures. A keg of steel nails costs $2.34; the labor cost is 67 cents, the tariff is $1.25. A ton of pipe-iron costs $34.57; labor cost, $12.26, the tariff is $22.40.

Here is a car-wheel weighing 500 pounds; cost $13; labor cost 85 cents; tariff rate is 2½ cents per pound, equivalent to $12.50, to cover a labor cost of 85 cents! [Laughter.] Why, Mr. Chairman, these laborers of ours ought to get immensely rich if they could get all that Congress votes to them, if the manufacturers did not stop the bounties intended by the Government to reach the pockets of the workingmen.

Here is a coarse wool suit of clothes such as our working people wear in their daily toil in the shop and field. The whole cost is $12. The labor cost is $2. The tariff duty is 40 cents per pound and 35 per cent. ad valorem. As the weight of the suit is not given, we can not get the exact tariff, but the duty on woolen clothes imported last year averaged 54 per cent., and at that rate the tariff stands $6.48 to cover $2 of labor cost.

A cotton suit costs $10.50; the labor cost is $1.65; the tariff is $3.67. A dozen goblets cost 48 cents; labor cost, 15 cents; tariff, 19 cents. White lead, by the hundred weight, $9.50; labor cost, 50 cents; tariff, $3. A hundred weight of mixed paints, $8; labor cost, 41 cents; tariff, $2.

Now, Mr. Chairman, I have gone through with a number of articles taken from these official reports made by the manufacturers themselves, and I have shown that the tariff was not framed for the benefit of the laborer, or that if it was so intended by those who framed it, the benefit never reaches the laborer, not a dollar of it. The working people are hired in the market at the lowest rates at which their services can be had, and all the "boodle" that has been granted by these tariff bills goes into the pockets of the manufacturers. It builds up palaces; it concentrates wealth; it makes great and powerful magnates; but it distributes none of its beneficence in the homes of our laboring poor.

It brings the tax-gatherer to them; it weighs them down as it goes; it compels them to pay out a large share of their daily earnings for the necessaries of life; and the money it raises by high prices on domestic manufactures it transfers not into the coffers of the Government, but into the coffers of private individuals. It is making a wide distinction in this country between two classes—one numerous, but poor; one small, but powerful and rich. It is a policy that is at war with the institutions of this country. The concentration of the wealth of the country in the hands of a few will in progress of time overthrow the very foundations of our free government.

Now, gentlemen, the time has come, after all these taxes on wealth have been swept away, after the people of this country have been bearing for years these enormous burdens that have been levied on the necessaries of life; now, when "trusts," and "combinations," and "pools" are arising all around us to limit production, to increase prices, to make the laborer's lot harder and darker—now the time has come for us to do something, not for classes, but for the great masses of our people.

I hope and trust that the bill which we have presented to you and which has met with favor throughout the whole country will receive a majority of your votes, a majority of the votes of the Senate, and become a law. I earnestly hope when the Treasury is full to overflowing of the people's hard earnings, you will lighten their burden, and reduce the taxes on the necessaries of life.

Although the bill we propose is not all that we could have asked, although it is a very moderate bill, yet it will send comfort and happiness into the homes and bosoms of the poor laboring people of this country, and I ask you now in behalf of them to consider their claims and help to reduce the burdens that have so long been laid upon their shoulders.

[Enthusiastic applause on the Democratic side, and cries of "Vote!" "Vote!"]

DEPARTMENT OF THE INTERIOR, BUREAU OF LABOR,
Washington, D. C., April 16, 1888.

SIR: I have the honor to forward herewith such statistics as I have been able to prepare, showing the cost of production of textiles at two different periods in several mills of the United States.

Very respectfully,

CARROLL D. WRIGHT, *Commissioner.*

Hon. ROGER Q. MILLS, M. C.,
House of Representatives.

Values of the products of domestic manufactures, of domestic manufactures exported, of foreign manufactures imported, and of the total consumption of domestic and foreign manufactures in 1850, 1860, 1870, and 1880, with the proportions of domestic and foreign manufactures consumed in 1850, 1860, 1870, and 1880.

Year.	Values of—				Consumption of—	
	Products of domestic manufactures.*	Exports of domestic manufactures.†	Imports ‡ of manufactures.†	Consumption of domestic and foreign manufactures.	Domestic manufactures.	Imported manufactures.
					Per cent.	*Per cent.*
1850	$1,019,106,616	$22,903,888	$130,838,280	$1,127,041,008	88.39	11.61
1860	1,885,861,676	45,658,873	261,264,310	2,101,467,113	87.57	12.43
1870	4,232,325,442	47,921,154	308,363,496	4,492,767,784	93.14	6.86
1880	5,369,579,191	79,510,447	423,699,010	5,713,767,754	92.58	7.42

* Census years. † Years ending June 30. ‡ Gross imports.

WM. F. SWITZLER,
Chief of Bureau.

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
February 18, 1888.

Values of the products of domestic manufactures and of the exports of domestic manufactures, with the proportions of such manufactures retained for home consumption and exported, in 1850, 1860, 1870, and 1880.

Years.	Values of—		Proportion of domestic manufactures—	
	Products of domestic manufacture.*	Exports of domestic manufacture.†	Retained for home consumption.	Exported.
			Per cent.	*Per cent.*
1850	$1,019,106,616	$22,903,888	97.75	2.25
1860	1,885,861,676	45,658,873	97.58	2.42
1870	4,232,325,442	47,921,154	98.87	1.13
1880	5,369,579,191	79,510,447	98.52	1.48

* Census years. † Years ending June 30.

WM. F. SWITZLER,
Chief of Bureau.

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
February 18, 1888.

Cost of production, etc., in the United States at two periods.

THE FIRST PERIOD—1849 TO 1860.

Number of establishment.	Year.	State.	Industry.		Product per employé per day on full time.		Labor cost per unit of measure.	Average daily earnings of employés on full time.	Number of employés reduced to full time.			Weavers.		
			General.	Special.	Quantity.	Unit of measure.			Day hands.	Piece hands.	Total.	Number.	Wages.	Yards per day for each.
1	1849	Massachusetts	Cotton	Print cloth	44.5	Yards	$0.01499	$0.667	58	57	115	45	$0.65	113.3
2	1850	Massachusetts	Cotton	Print cloth	42.0	Yards	0.01547	0.650	76	154	230			
3	1852	Massachusetts	Cotton	Sheetings	41.3	Yards	0.01624	0.670	169	317	486	180	0.70	120.6
4	1855	New Hampshire	Cotton	Print cloth	42.5	Yards	0.01576	0.670	414	350	764	283	0.65	114.5
5	1858	Massachusetts	Woolen	Cassimeres	1.5	Yards	0.70000	1.050	50	45	95	30	0.90	4.5
6	1858	Massachusetts	Woolen	Flannel	10.0	Pounds	0.10000	1.000	26	32	58	20	0.90	a30.0
7	1860	New York	Iron	Pig "anth."	⅔	Ton	2.02500	1.080			75			

THE SECOND PERIOD—1884 TO 1887.

1	1884	Massachusetts	Cotton	Print cloth	98.2	Yards	$0.01018	$1.00	151	244	395	142	$1.06	273.4
2	1884	Massachusetts	Cotton	Print cloth	102.0	Yards	0.01029	1.05	150	260	410			
3	1886	Massachusetts	Cotton	Sheetings	73.0	Yards	0.01369	1.00	227	530	757	280	1.17	194.0
4	1886	New Hampshire	Cotton	Print cloth	103.0	Yards	0.01019	1.05	394	760	1154	429	1.05	278.0
5	1886	Massachusetts	Woolen	Cassimeres	3.2	Yards	0.46875	1.50	60	80	140	40	1.45	11.2
6	1887	Massachusetts	Woolen	Flannel	16.9	Pounds	0.07100	1.20	23	40	63	19	1.02	*35.0
7	1886	New York	Iron	Pig "anth."	⅓	Ton	1.80928	1.49			95			

*Pounds per day for each.

The two periods considered with respect to labor cost.

Number of establishment.	Periods.	State.	Increase in product.	Increase in wages.	If wages of first period prevailed in second and were applicable to product of second, the following would be—		Decrease of labor cost per unit of measure.
					Labor cost per unit of measure.	Per cent. of such labor cost of labor cost of first period.	
			Per cent.	*Per cent.*			*Per cent.*
1	1849—1884	Massachusetts	120.6	50.0	$0.006792	45.3	32.0
2	1850—1884	Massachusetts	142.8	61.5	0.006372	41.2	33.4
3	1852—1886	Massachusetts	77.0	49.2	0.009178	56.5	15.7
4	1855—1886	New Hampshire	142.3	56.7	0.006504	41.2	35.3
5	1858—1886	Massachusetts	113.3	42.9	0.328125	46.8	33.3
6	1858—1887	Massachusetts	69.0	20.0	0.059110	59.1	29.0
7	1860—1886	New York	54.4	38.0	1.311428	64.8	10.6

Mr. KELLEY took the floor.

Mr. BRECKINRIDGE, of Kentucky. Mr. Chairman, if the venerable gentleman from Pennsylvania will permit me, I desire to ask unanimous consent that he be allowed whatever time it may seem well to him to take in the remarks which he is about to submit.

Mr. KELLEY. I thank the gentleman.

There was no objection, and it was so ordered.

When Mr. KELLEY rose he was greeted by applause on the Republican side of the House.

Mr. KELLEY. Mr. Chairmaa, in the course of an address delivered at Corsicana, Tex., on the 21st of May last, the distinguished gentleman who now presides over the deliberations of the Committee on Ways and Means said:

We produce and exchange among ourselves and consume in the satisfaction of our wants more of the products of our own labor than the two hundred millions on the continent of Europe. We have invented and have now in successful operation more labor-saving machinery than all other people. We are turning out over six thousand millions of dollars' worth of products of manufactures every year, and producing them at lower cost of production, and at the same time paying higher wages to our workmen than any other people.

As I read this tribute to the enterprise, energy, and thrift of his countrymen, I hoped to find that the speaker had supplemented it by telling his hearers that the fostering influence of protective tariffs had in less than a quarter of a century lifted us from the national bankruptcy to which we had been reduced by the revenue tariffs of 1846 and 1857 and had exalted us to the lofty prominence among nations he so glowingly described. He could have supported these statements by reference to the report of the census for 1880, which shows that our manufacturing establishments numbered at that time more than a quarter

of a million, employed $2,790,272,606 of capital, and paid 2,732,595 manufacturing operatives the higher rates of wages to which he referred.

In view of these magnificent triumphs, which were possible only by reason of the defense by the ægis of protection of our industries against overwhelming foreign assaults, I will be pardoned for entering an emphatic protest against the adoption of a measure which bears his name, and which, if its purpose may be inferred from its provisions, is intended to overthrow that system and scatter to the winds the magnificent results achieved in less than a quarter of a century under its fostering influence. The enactment of this bill would instantly paralyze the enterprise and energy of the people. Under the baleful influence of such a law the report of the census of 1890 will announce the overthrow of our manufacturing supremacy and the reduction of our commanding commercial position to that of colonial dependence. It is studiously designed to produce these dire results, and nicely adapted to its purpose. [Applause.]

A PARTISAN MEASURE.

It is confessedly a partisan measure, and was framed in the interest of a party whose leaders appear to be oblivious to the overwhelming social and economic changes wrought by the abolition of slavery. As slavery was an industrial system which permitted capital to own its laborers, and was adapted exclusively to the production of great agricultural staples, its prevalence prevented such aggregations of people in mining, manufacturing, and commercial towns and cities as would result from the development of the material resources and commercial possibilities of the South. Its abolition involved as inevitable consequences two changes which would be felt on every plantation and in every household throughout the territory in which the system prevailed. Neither of these consequences could be averted; they were both as inevitable as fate. The first was the creation of an imperative demand for remunerative employment for the millions of emancipated slaves, who as freemen must be invested with the privilege of earning their bread in the sweat of their faces, and providing for the sustenance and care of their families and the maintenance of homes. Involved in this change were also millions of poor and illiterate whites whose chief dependence for precarious subsistence had been the snare or trap and the gun and rod.

The demand for employment that would produce wages and subsistence was for these landless millions, as I have said, as imperative as fate. It could be neither resisted nor evaded. Yet it could not, consistently with the infirmities of human nature, be promptly acquiesced in by those who had inherited slaves as transmissible property, and been taught to regard poor whites as dangerous neighbors.

But for the presence of military power an era of lawlessness and strife would have followed these sudden and momentous modifications of the industrial and social conditions of the people of a number of great States. Happily for all parties it became apparent to many Southern men before the army was withdrawn that these changes were not, as had been believed, a desolating dispensation, but were a bounteous providence, which, as a return for the payment of living wages to those landless millions for labor performed in the diversification of the agriculture of their fertile empire and the utilization of its exhaustless supplies of minerals for manufacture, promised greater wealth, more perfect security for life and order, and higher developments of civilization than they dreamed of in the palmy days when they had counted their acres by the thousand and their slaves by the hundreds. Yet, strange to say, the gentlemen who framed this bill, and who could brook neither modification nor discussion of its provisions by their associates in the committee to which the preparation of revenue bills is confided by law, are with but two exceptions representatives of what was slave territory.

Contemplating the bill in the light of these facts one involuntarily recurs to the French maxim that "the Bourbons neither learn nor forget," for an examination of its provisions will satisfy unbiased minds that they have no adaptation to the existing industrial and financial condition of the country, but would have been nicely adapted to the era during which the exigencies of slavery demanded the maintenance of free foreign trade and the repression of mining and manufacturing throughout our broad domain.

Yes, Mr. Chairman, the bill is an anachronism; it has no relation to this era: it belongs to the saddest epoch in our national history, the period between 1832 and 1861. During that period slavery dominated our national councils and guided the administration of our national affairs, in hostility to national interests, and in the interest of free trade twice threatened war. It was, sir, in the interest of free trade that war was threatened in support of the doctrine of nullification, and it was in the interest of free trade that the country was involved for more than four years in a fratricidal war, the proportions of which were more gigantic than ever characterized a civil war. The entire South knows that free trade was essential to the perpetuity of slavery in the Republic, and it should also know that the logic that could defend free trade in a country endowed with the boundless diversity of the elements of manufacture and the immense supply of the forces for their conversion which we enjoy vanished when slavery was abolished.

THE REQUIREMENTS OF KING COTTON.

This, sir, is not mere theory; it is historic fact. Allow me to prove it to you and the country. It is now nearly thirty years since Pritchard, Abbott, and Loomis, of Augusta, Ga., printed, to be sold exclusively by subscription, this volume of more than 900 pages, by extracts from which I propose to demonstrate the accuracy of the position I have just announced. Its title is "Cotton is King, and Pro-Slavery Arguments, comprising writings by Hammond, Harper, Christy, Stringfellow, Hodge, Bledsoe, and Cartwright on these important subjects." It was edited by E. N. Elliott, LL. D., president of the Planters' College of Mississippi, who also contributed to its contents an essay on "Slavery in the light of international law." It is illustrated with fine engravings of the great and logical expounders of the philosophy which regarded the maintenance of human slavery as the supreme object of the American people and the Government of the United States. Here is that of the editor of the volume, Dr. Elliott, to whom I have just alluded; here is that of David Christy, who gave to the volume the title "Cotton is King, or Slavery in the Light of Political Economy;" here is Albert Taylor Bledsoe, LL. D., professor of mathematics in the University of Virginia, who contributed an essay entitled "Liberty and slavery, and slavery in the light of moral and political philosophy;" and here is J. H. Hammond, United States Senator from South Carolina, who gave to the anti-slavery agitators of the country the phrase, "Northern mudsills," as his characterization of the laboring men and women of that section, with which to inflame the passions of the entire laboring community of the North. There are also striking portraits of other apostles of the doctrine that slavery was national and freedom sectional, but I must not spend too much time on that part of the volume. I therefore proceed to submit the following extracts from its pages, which will serve to show that this bill was prepared in accordance with the requirements of the obsolete doctrines of this volume.

Slave labor has seldom been made profitable where it has been wholly employed in grazing and grain-growing; but it becomes remunerative in proportion as the planters can devote their attention to cotton, sugar, rice, or tobacco. To render Southern slavery profitable in the highest degree, therefore, the slaves must be employed upon some one of these articles, and be sustained by a supply of food and draught animals from Northern agriculturists. * * *

The attempt of the agricultural States, thirty years since, to establish the protective policy and promote "domestic manufactures" was a struggle to create such a division of labor as would afford a "home market" for their products, no longer in demand abroad. The first decisive action on the question by Congress was in 1824, when the distress in these States, and the measures proposed for their relief by national legislation, were discussed on the passage of the "tariff bill" of that year. The ablest men in the nation were engaged in the controversy. As provisions are the most important item on the one hand, and cotton on the other, we shall use these two terms as the representatives of the two classes of products, belonging, respectively, to free labor and to slave labor. * * *

The opposition to the protective tariff by the South arose from two causes, the first openly avowed at the time, and the second clearly deducible from the policy it pursued; the one to secure the foreign market for its cotton, the other to obtain a bountiful supply of provisions at cheap rates. * * *

The close proximity of the provision and cotton growing districts in the United States gave its planters advantages over all other portions of the world. But they could not monopolize the markets unless they could obtain a cheap supply of food and clothing for their negroes and raise their cotton at such reduced prices as to undersell their rivals. * * *

A manufacturing population, with its mechanical coadjutors, in the midst of the provision growers, on a scale such as the protective policy contemplated, it was conceived, would create a permanent market for their products and enhance the price, whereas, if this manufacturing could be prevented and a system of free trade adopted, the South would constitute the principal provision market of the country and the fertile lands of the North supply the cheap food demanded for its slaves. * * *

The planters were led to believe that the millions of revenue collected off the goods imported was so much deducted from the value of the cotton that paid for them, either in the diminished price they received abroad or in the increased price which they paid for the imported articles. To enhance the duties for the protection of our manufacturers, they were persuaded, would be so much of an additional tax upon themselves for the benefit of the North; and besides, to give the manufacturer such a monopoly of the home market for his fabrics would enable him to charge purchasers an excess over the true value of his stuffs to the whole amount of the duty. By the protective policy the planters expected to have the cost of both provisions and clothing increased, and their ability to monopolize the foreign markets diminished in a corresponding degree. If they could establish free trade, it would insure the American market to foreign manufacturers, secure the foreign markets for their leading staples, repress home manufactures, force a large number of the Northern men into agriculture, multiply the growth and diminish the price of provisions, feed and clothe their slaves at lower rates, produce their cotton for a third or fourth of former prices, rival all other countries in its cultivation, and monopolize the trade in the article throughout the whole of Europe.

It was in vain that the friends of protection appealed to the fact that the duties levied on foreign goods did not necessarily enhance their cost to the consumer; that the competition among home manufacturers and between them and foreigners had greatly reduced the price of nearly every article properly protected; that foreign manufacturers always had and always would advance their prices according to our dependence upon them; that domestic competition was the only safety the country had against foreign imposition; that it was necessary we should become our own manufacturers, in a fair degree, to render ourselves independent of other nations in times of war, as well as to guard against the vacillations in foreign legislation; that the South would be vastly the gainer by having the market for its products at its own doors, to avoid the cost of their transit across the Atlantic; that, in the event of the repression or want of proper extension of our manufactures by the adoption of the free-trade system, the imports of foreign goods to meet the public wants would soon exceed the ability of the people to pay and inevitably involve the country in bankruptcy. But Southern politicians remained inflexible and refused to accept any policy except free trade, to the utter abandonment of the principle of protection. Whether they were jealous of the greater prosperity of the North and desirous to cripple its energies, or whether they were truly fearful of bankrupting the South, we shall not wait to inquire.

In a speech at the Waterborough dinner, given subsequently to the passage

of the tariff of 1828, Mr. Hamilton, of South Carolina, gave expression to their resolve when he said, "We must prevent the increase of manufactories, force the surplus labor into agriculture, promote the cultivation of our unimproved Western lands until provisions are so multiplied and reduced in price that the slave can be fed so cheaply as to enable us to grow our sugar at 3 cents a pound. Then, without protective duties, we can rival Cuba in the production of that staple and drive her from our markets."

AS A LAW IT WOULD CLOSE COAL MINES, ORE BANKS, AND FACTORIES, AND ARREST THE DIVERSIFICATION OF AGRICULTURE.

These few extracts, of which more than a hundred that are equally striking might be made, will suffice to show that this bill belongs to a past age. That as a measure proposed for future guidance it is, as has been said, an anachronism, and is illustrative of systems of ethics and economic philosophy against which history has written in blood decrees that are final and immutable. None of its provisions are in harmony with the spirit of the age: for they antagonize the aspirations of the American people and are not adapted to facilitate their efforts to supply their wants, gratify their desires, and provide for the future of their families. Its first effect, should it be enacted into law, would be to arrest the magnificent development of mineral wealth, of manufacturing power, and of the diversification of agriculture now taking place throughout the South, and to paralyze the organized industries of the North.

By putting wool on the free-list it would abolish sheep husbandry, destroy the immense capital embarked therein, and impoverish the more than a million men who own the flocks or are employed in their care, and by working this ruin it would diminish the supply of cheap and healthful animal food now furnished by wool-growers to the mining and manufacturing laborers of the country. It would also render the production of American tin-plates and cotton-ties impossible by placing those articles on the free-list with wool.

By the transfer of these and other products of coal and iron ore to the free-list, and by reducing the duties on steel rails, structural iron, and many other forms of iron and steel sufficiently to withdraw protection from them and permit foreign producers to flood our markets, it would, though it maintained existing duties on coal and iron ore, close a majority of the bituminous coal fields and ore banks which are now giving profitable employment to hundreds of thousands of laborers, not only in Northern States but in Maryland, Virginia, West Virginia, North Carolina, Georgia, Tennessee, and Alabama, and turn them adrift without prospect of other employment elsewhere than in cotton and corn fields. But while professing to have abandoned their purpose to put coal and ore on the free-list its framers have ingeniously contrived to make the importation of both free by such measures of indirection as may enable them to attempt to saddle the Treasury Department or the judiciary with the political consequences of their deliberate tergiversations.

No, the junto will not put coal and ore squarely and frankly on the free-list. They have, however, as effectually provided for the repeal of the duties that now protect them as could have been done by naming them in that list. Let us see whether I misrepresent the effect of the scattered and disingenuous provisions of this bill, when I say that they make coal and ore free. That bituminous coal and iron ore are covered by the phrase "mineral substances in a crude state, and metals unwrought not especially enumerated and provided for" can not be gainsaid. Coal is a mineral substance and iron ore a metal in a crude state and unwrought. If this be so, lines 130 and 131 of the free-list embrace them as "mineral substances in a crude state and metals unwrought not specially enumerated and provided for." Are coal and iron ore provided for in this bill? If they are I will be grateful to any member of the majority of the committee who will call my attention to the clause which enumerates and provides for them. Sir, they are not specially enumerated or provided for, and consequently the repeal of the existing duties on these articles is specifically provided for in lines 2 and 3 of section 41, the last paragraph of the bill, the language of which is that "all laws and parts of laws in conflict herewith are hereby repealed." This language applies to and repeals the provisions of law which now authorize the collection of duties on those "mineral substances in a crude state and metals unwrought" known to commerce as bituminous coal and iron ore.

JUTE AND RAMIE CULTURE IS ADAPTED TO THE GULF STATES.

But these remarks apply to mining and manufacturing enterprises, and it is natural that representatives of States in which manufactures are almost unknown, and but few of the vast mineral deposits of which have been opened, should regard with indifference or hostility the capital, skill, and labor embarked in such enterprises. But as it is now nearly a quarter of a century since the war closed, it would not seem to be a violent presumption to assume that representative men from the cotton-growing States, the value of whose mineral deposits and water power was till recently unknown or ignored, would endeavor to enhance the value of their farms by diversifying the agricultural productions of their section. But no evidence of willingness to permit the diversification even of Southern agriculture is disclosed by the provisions of this bill. On the contrary, it selects the farming industries of the country, North and South, as special objects of destruction. As the constant production of cotton impoverished the people of the South by exhausting the fertility of its alluvial fields, so, as our farmers are learning by painful experience, is the constant production of wheat and corn in the Western States and Territories exhausting the productive power of that region.

In proof of the necessity for a wider diversification of our agriculture I may point to the fact that, while the average production per acre of wheat and corn diminishes, the price also falls off. This is shown by the following statement from the Agricultural Department of the number of acres under wheat and corn, the total crop of each, and the average price per bushel throughout the year for the decade including 1878 and 1887:

Years.	Corn.			Wheat.		
	Acres.	Bushels.	Price per bushel.	Acres.	Bushels.	Price per bushel.
1878	51,585,000	1,388,218,750	$0.31.8	32,108,560	420,122,400	$0.77.7
1879	53,085,450	1,547,901,790	.37.5+	32,545,950	448,756,630	1.10.8
1880	62,317,842	1,717,434,543	.39.6—	37,986,717	498,549,868	.95.1+
1881	64,262,025	1,194,916,000	.63.6—	37,709,020	383,280,090	1.19.3+
1882	65,659,546	1,617,025,100	.48.4+	37,067,194	504,185,470	.88.2
1883	68,301,869	1,551,066,895	.42.0	36,455,593	421,086,160	.91.0
1884	60,683,780	1,795,528,000	.35.7	39,475,885	512,765,000	.64.5
1885	73,130,150	1,936,176,000	.32.8	34,189,246	357,112,000	.77.1
1886	75,694,208	1,665,441,000	.36.6	36,806,184	457,218,000	.68.7
1887	72,392,720	1,456,161,000	.44.4	37,641,783	456,320,000	.68.1

These figures show that the increase of acreage in corn was more than 40 per cent. during the decade; the increase of the yield was less than 5 per cent., and in wheat the increase in acreage was 17 per cent., but in crops only 8 per cent. But the fact is patent that there is no department of American industry in which greater diversification is so imperatively demanded as in agriculture. Nor, except when Whitney's cotton-gin gave the South a monopoly of cotton-culture, has there been a time when the introduction of new plants and the adoption of new sources of supply and new methods of manufacture promised such profits to our farmers as do the domestication of jute and ramie in the Gulf States, and of sugar from cane in Florida, or from sorghum, beets, or corn in all parts of our country at this time. The enormous rewards which follow the cultivation of jute and ramie are but faintly intimated in the following extract from a recent open letter from my friend, Professor Waterhouse, of Florida and Washington University, St. Louis, Mo., from whom I parted in San Francisco in 1870, when he left our country to visit the jute and ramie fields of India and China:

The new tariff bill proposes the abolition of the imposts on foreign jute and ramie. There are weighty reasons which plead for the exemption of these fibers from the list of free imports.

Jute is one of the most important productions of India. The variety of its uses is almost illimitable. The range of manufactures from this textile extends from coarse matting and cotton-baling to fine imitations of linen and silk. The growing needs of mankind are steadily increasing the demand for this fiber. Jute is annually enriching India with a productive wealth of scores of millions.

Ramie is the strongest fiber in the world. Narrower than jute in the range of its applied uses, it is superior in its suitability for finer fabrics. Barely inferior to silk in beauty of luster, it surpasses its glossy rival in durability. It is woven into textures of practical utility and elegant luxury. It is wrought into cordage of extraordinary strength, laces of filmy delicacy, and plushes of exquisite beauty. The demand for this valuable fiber far exceeds the supply.

The luxuriant growth of jute and ramie in the Gulf States shows that the conditions of soil and climate are suited to their culture. Numerous experiments, continued through a succession of years, justify the assurance of Southern farmers that "these plants can be cultivated almost as easily as Indian corn." The success of repeated trials has dispelled every intelligent doubt that the soil of the South is adapted to the growth of these textiles.

A diversification of industries is essential to the highest welfare of the country. The Southern States have long been impoverished by an unwise devotion to the cultivation of a single staple. There is no truer economic maxim than that variety of employment is a productive factor of national wealth. The culture of jute and ramie meets an imperative requirement. The tillage of these plants would not only richly diversify Southern agriculture, but would employ labor at seasons when cotton needs least attention, and would bring returns at times when the income from cotton is not available. Industries opening such copious sources of public wealth, and so happily supplying the wants of both labor and capital, are worthy of legislative encouragement.

* * * * * * *

Under circumstances which seemingly assure the prosperity of the new culture, is it wise for Congress to make the proposed change? The abolition of duties on rival imports would benefit only a comparatively small number of people, but the successful growth of jute and ramie in the South would add large and richly productive resources to the wealth of the nation. In their crude and manufactured forms jute and ramie are yielding India and China an annual revenue of not less than $150,000,000; but Texas alone can raise more jute and ramie than India and China have ever yet produced. Under the patronage of wise laws, with the greater productiveness of intelligent agriculture, and with the economies of efficient machinery, the South ought at an early day to derive from the tillage of these staples as large an income as India and China now do.

These statements, coming from so careful an investigator and conservative thinker as Professor Waterhouse, convince me that the cultivation and manufacture of jute and ramie would increase the price of land throughout the Gulf States, and bring to the people thereof more than one hundred millions of dollars annually as the market value of an average crop; and that the location in their midst of factories which would soon rival those of Calcutta and Dundee would more than double this annual income. And I say without reservation to the enterprising men who are shaping the destinies of and assuring pros-

perity and wealth to the New South that it will need only the announcement that our fields furnish jute and ramie as well as cotton to bring Northern and foreign capital to their midst to share the enormous profits of the manufacture of the newly-domesticated fibers into thread and fabrics. Addressing this class of my fellow-citizens, I also invite attention to the fact that it is the representative voice of Texas, Arkansas, Georgia, Kentucky, Tennessee, and West Virginia that prodoses not only to repel the introduction of jute and ramie, but to render the growth of flax, hemp, manila, and other fibrous plants by huddling them together on the free-list. Some of them will probably doubt this statement; but it is an absolute truth, however incomprehensible it may seem to be.

I could understand the policy of the authors of the bill if the South still needed cheap provisions for its slaves as it did when cotton was king; but now that many of its native citizens and all the land-owning immigrants from the North and foreign countries who are taking part in the reconstruction of its fortunes are raising their own cereals, growing the grasses which give profits to dairies, and have really converted many portions of the South into agricultural districts, this resistance to diversification of Southern crops by Southern representatives is, at least to my mind, inexplicable. Should gentlemen desire to learn more of the value of jute and ramie as crops, and of the capacity of the Gulf States to produce them profitably, and of the extent and marvelous growth of their manufacture in India and Scotland, they will find a fund of information in the special report of the Department of Agriculture of 1883 on Jute Culture and the importance of the industry, which was prepared by Professor Waterhouse with the caution as to its statements of the values and amount of products which characterizes all the productions of its author.

THE WORLD OWES THE ABUNDANT SUPPLY AND LOW PRICE OF SUGAR TO THE PROTECTIVE POLICY.

The world is indebted to the fostering care of government for the bountiful supply of sugar which enables the humblest of our laboring classes to include it in the list of their daily necessities.

President Cleveland's free-trade message, by its assumption that the duty is always added to the cost, not only of imported commodities, but to the price of like commodities produced in this country, shows how profoundly ignorant he is of economic science. To illustrate the puerile absurdity of this assumption I invite the President's attention to the fact that, though the duties imposed by our Government on sugar when reduced to ad valorem standards were never so high as they now are, the price of sugar was never so low in this country as it now is. This condition of things is not exceptional, but is consistent with the history of the production of saccharine plants and the conversion of their juices into marketable sugar.

About the time of the birth of Napoleon Bonaparte French academicians who were distinguished as chemists had demonstrated the fact that sugar could be produced from beets; but while they put this fact beyond the region of doubt they were unable to produce beet sugar in quantity and at a cost that would make it marketable. The discovery was a noteworthy fact that was not lost sight of by the academy or the practical chemists of France, and when the allied powers sought to destroy the commerce of France by blockades, orders in council, and other devices they succeded in putting the price of sugar in Paris up to more than 5 francs per pound. Though sugar was a necessity to France she could not purchase it at that price. Bonaparte was a disciple of Colbert, the founder of the textile and ceramic industries of modern France, and he met the allies, as the great economist would have done, by proclaiming his determination to establish the independence of France in the matter of sugar and molasses by applying the resources of the empire to their production from other sources than cane.

Bringing to his counsels the most eminent chemists and mechanicians of France, he evolved two systems of bounties by which he hoped to establish new and profitable industries throughout France and secure a cheap supply of home-grown sugar for her people. He offered bounties, beginning with 100,000 francs, to him who should produce the greatest weight of sugar beets from a given number of acres, and descending by gradual scales to small sums to the farmer who should raise the most from a single acre, and 100,000 francs to the chemist who should extract the greatest amount of sugar-yielding juice from a given weight of beets. These stimulants with the inordinate prices demanded for cane sugar exalted the question of the production of beet-root sugar into a national enthusiasm; and little more than two years were required to add it to the commercial commodities of France. Napoleon's genius guided the organization of the industry and gave it instant popularity among the French people by rejecting the system which prevailed in the slave regions from which cane sugar had been procured. In place of immense plantations and costly factories in which cane sugar was produced, he proposed small central factories in agricultural districts in which every farmer, by devoting a portion of his land to beets, might share the bounties the government was bestowing, and hasten the production of such supplies of sugar as would meet the demands of France and her people.

In view of the magical success of Napoleon's plan, Germany hastened to adopt it, and to establish her system of bounties and central factories. So great and immediate was the success of this new industry that in a few years the taxes imposed on beet sugar began to refund the bounties which had called it into existence. But though France and Germany have each found in the industry a prolific source of revenue, they have both maintained a system of bounties upon the sugar produced by their people and shipped to foreign countries from their respective ports.

In view of these facts, who can deny that protection has augmented the supply and diminished the price of sugar? Yet this bill proposes a reduction of 20 per cent. on the duties now assessed on all grades of sugar above No. 13, Dutch standard.

THE EXTENT OF OUR SUGAR-BEARING TERRITORY.

The United States have more square miles of sugar-producing territory than any four other nations, and now when millions of dollars are being applied to the development of these lands shall Congress restrict the production of sugar by reducing duties under the fostering influence of which these important and costly enterprises have been entered upon? Sir, let us glance at the extent of our sugar territory and the manifold sources from which we may produce the commodity. To assume that we are dependent upon Louisiana alone for our supply of native sugar would be a great mistake; yet when we remember that when the war closed the plantations of Louisiana were overgrown, her sugar-houses in ruins, and the costly but neglected machinery they had housed was fit only for scrap heaps, I may cite the progress of sugar making in Louisiana since 1867 as an illustration of the vitalizing influence of protective duties. In spite of the steady decline in the price of foreign sugar, the poverty of her people, and the demoralization of her plantations, Louisiana, encouraged by protective duties, has added materially to the world's supply of cane sugar. But our sources of supply include the beet, corn, and sorghum, the last of which may be successfully grown wherever corn will mature.

But, sir, I would plead for the maintenance of the present duties on sugar were cane our only known source of supply, for it is predicted by Cuban and other insular experts, who are skilled in the production of cane and the manufacture of sugar therefrom, that the great North American cane-field will be found in Central and Southern Florida. In this belief, capital, skill, and enterprise are flowing into that State to utilize the reclaimed "swamp and overflowed lands," which are said to be equal to the best sugar lands of Cuba. There, too, climatic advantages are very great, and give cane from six weeks to two months more time in which to ripen than it enjoys in Louisiana. This greater duration of the season is said to add an average of 20 per cent. to the saccharine strength of the crop.

A company of Northern capitalists having planted large fields of sugar near the new town of Runnymede, in the Kissimmee Valley, are investing a million dollars in buildings, machinery, and general agricultural and manufacturing facilities. Of the possibilities of Florida as a producer of cane sugar I can speak from personal observation and extended inquiry while traversing the State; but of the reputed sugar fields of Texas I speak from report from trusted sources when I say that there is a large region of land in that State which is fitted by the character of its soil, and by a longer and more genial growing season than that of Louisiana, which may be applied to the growth of sugar without interfering with the vast area which Professor Waterhouse assures us is adapted to the production of jute and ramie. Had we no other sugar lands than those of Texas, Florida, Louisiana, and other Gulf States, I should regard it as unwise and unpatriotic to reduce the duty on sugar at a time when science has just furnished cheaper and more effective methods of extracting the juice from cane, beets, and sorghum; and the emancipation of Florida from the legal embarrassments which for nearly fifty years prevented her from making title to any portion of her land, and thus repelled settlement and improvement, has enabled her to open her fertile fields to energetic and patriotic men who will under the protection of existing duties strive to save to their country the $100,000,000 per year which we now pay Cuban slave owners for sugar, while abolishing a source which is this year contributing about $60,000,000 to the embarrassing Treasury surplus.

CORN SUGAR.

Let us turn from the consideration of cane sugar and glance hastily at our other sources of supply. As an element of the total supply of sugar the manufacture of glucose or corn sugar does not constitute an important element; but in view of the diminishing yield of corn per acre on lands on which it is a constant annual crop, and the decline in price, notwithstanding the diminished yield per acre, this industry is worthy of consideration by our farmers. The glucose factories in the States of New York, Ohio, Illinois, Iowa, Missouri, and Kansas employ an invested capital of $11,000,000, with an annual capacity for the consumption of more than 19,000,000 bushels of corn. Estimating the average crop per acre at 26 bushels, 732,000 acres are required to furnish the present annual supply; and estimating the number of men required to raise corn at 3 to 100 acres, this industry employs 21,960 farmers, and 4,575 laborers in factories, at an average rate of daily wages of $1.50, and the value of their annual production of glucose is $17,128,000.

It is claimed for the committee's bill that it will open foreign markets to our productions, and in connection with this preposterous

claim it may not be inappropriate to say that the corn consumed in this one industry, of which little is known to the farmers of the country at large, equals more than one-third of our total annual export of corn, and is about one-half the quantity consumed by our distilleries, whose interests are protected by the existing tariff and by the monopoly created and vested in the "whisky trust" by the internal taxes on distilled spirits, both of which methods of protection the majority of the Committee on Ways and Means seem to regard as vested rights of the "trust" which no legislation may repeal or modify.

BEET-ROOT SUGAR.

Let us now pass from the contemplation of a puny infant to the expanding proportions of one of the world's industrial giants that is seeking domestication in our country. The production of sugar from beets in Europe is six times as great as that of Cuba from cane, and that we can produce as much as Europe does is no longer a subject of doubt. The beet-sugar factory of Alvarado, Cal., made a success of the industry in 1879, and has pursued it with profit every year since then, and if the statements of Professor Hilgard, of the University of California, who is an accredited authority, may be accepted, there are at least 5,830 square miles of land in that State suitable for the profitable growth of sugar beets. Here, then, is a field from which the entire amount of sugar and molasses now consumed in this country may be produced. The ablest man connected with the production of sugar and the world's commerce in that commodity is probably Claus Spreckels, of San Francisco. He is a credible witness, and when recently examined by a Congressional committee on this subject he testified as to the availability of great stretches of land in Alameda and contiguous counties from which he says more saccharine matter can be obtained per acre through beet culture than has yet been done anywhere on the continent of Europe. He was brought before the committee to be examined as to his knowledge of the "sugar trust" and as to whether he was connected therewith.

But the course of the investigation led him to say to the committee that he had no doubt that if the existing duties on sugar and molasses should be retained this country would, in eight years from the time at which he spoke, produce its entire supply of both these commodities. As an acquaintance of some years standing, Mr. Spreckels favored me with a most instructive interview at my chambers on the evening following a casual meeting with him in the room of the Committee on Ways and Means. His statements were full of instruction, and his faith in their accuracy is demonstrated by the large expenditures of money and labor he is making to carry his convictions into effect.

When Mr. Spreckels determined to establish beet farms and a sugar factory at Watsonville, Cal., he departed for Europe, taking with him his son and a draughtsman and engineer in whose attainments and judgment he has the most implicit confidence. With these companions he explored the sugar regions of France and Germany, and studied the machinery he found in use in all the great works, together with the methods pursued in the culture of beets, and the machinery best adapted to the new processes of extracting juice from sugar-bearing plants. Having concluded his observations he contracted for machinery of sufficient capacity to exhaust 700 tons of beets in twenty-four hours. Leaving his engineer behind him he hastened home to erect a building capable of housing one half the machinery, by the use of which he will consume 350 tons of beets to the twenty-four hours and produce 5,000 tons of sugar during the present season. While this work in field and factory is proceeding he will construct the other half of the building to house the remainder of the machinery contracted for, which will increase the capacity of the factory to 700 tons of beets to the twenty-four hours and the production of sugar to 10,000 tons per annum. This plant he proposes to enlarge annually until its product shall reach 40,000 tons per annum. Though but a private citizen, Mr. Spreckles has adopted the Napoleonic methods of conferring a lasting blessing upon his adopted country.

He has imported 25 tons of beet seed, which, having been carefully selected, cost about 15 cents a pound, which he has distributed gratuitously among farmers in the vicinity, in accordance with the number of acres they will plant, while the question of success is open to doubt in their minds. He has made contracts at satisfactory prices with one hundred and sixty-three farmers for all the beets they will produce, and to stimulate their efforts has offered two systems of premiums, which, though not imperial as were those of Bonaparte, are sufficient to induce the beet-growers who have contracts with him to exercise good husbandry. To the one who having planted but 5 acres and produces best results of his class he will give a premium of $150; to the producer of the best results from 10 acres the premium will be $250; and for the best results from more than 10 acres it will be $500. Twelve per cent. is agreed upon by the contracting parties as a fair standard of average saccharine strength. To those farmers whose beets yield more than 12 per cent. and not more than 13 per cent. he adds a half-dollar per ton to the price of the entire crop; and to those whose beets yield more than 13 per cent. an additional half-dollar, making an increase of $1 a ton upon their entire crop.

Claus Spreckles knows what he is about. He believes that the way to fight the "Trust" is to locate beet fields and sugar factories in all parts of the country, and to defy the conspirators against the public weal by the immensity of the product and the saving of the cost of transportation by bringing the producer and consumer to each other's side. Mr. Spreckles insists upon it that in the hands of properly instructed farmers, and with competent machinery in the factories, beets may be grown and manufactured as profitably in Ohio, Illinois, and other central States as in Germany or California.

SORGHUM SUGAR.

But cane, beets, and corn are not the only plants from which we may extract sugar profitably and in quantities adequate to supply the demands of our home market. Agricultural skill and commercial enterprise have given us many and rich varieties of the sorghum plant, the value of which, under the influence of improved cultivation, recently invented machinery, and the discovery of the distributive process of extracting its juice, has assured its position with tropical cane and the beet as a source of saccharine supply. The profitable manufacture of sorghum requires the erection of factories within a radius of 6 miles from the fields upon which the plant is grown. At these factories farmers will find a cash market for their stripped cane at prices proportioned to its saccharine strength and purity. There are among the intelligent farmers of Kansas many who, having watched with interest the Government experiments at Fort Scott, are convinced beyond all peradventure that if the existing duties on sugar be maintained Kansas alone can supply the American demand for sugar from her sorghum fields. Nor do I believe that this claim is exaggerated.

That sorghum will mature wherever corn may be grown is a fact of general notoriety, and Kansas has 80,000 square miles of what may safely be regarded as good corn land. But though the recent experiments of the Government and those made by the Kansas State board of agriculture during 1887 have exhibited results that will give her a leading position among the Northern sugar States, a number of her sister States will be neither long nor far behind her in availing themselves of the profits which follow the substitution of sorghum for corn.

Mr. Cowgill, who in behalf of the State board inspected the manufacture of sugar in Kansas during 1887, says in his report—

That the sorghum yields to the farmer more than twice as much per acre as either of the leading cereals, and as a gross product of agriculture and manufacture on our own soil more than six times as much per acre as is usually realized from either of these standard crops.

And Professor Swenson, who conducted the experiments of the Agricultural Department at Fort Scott, thus sums up his report to the Commissioner:

In reviewing the work the most important point suggested is the complete success of the experiments in demonstrating the commercial practicability of manufacturing sugar from sorghum-cane.

2. That sugar was produced uniformly throughout the entire season.

3. That this was not due to any extraordinary content of sugar in the cane, but, on the contrary, the cane was much injured by severe drought and chinch-bugs.

4. That the value of the sugar and molasses obtained this year per ton of sorghum-cane will compare favorably with the highest yields obtained in Louisiana from sugar-cane, and, taking into consideration the much greater cost of the sugar-cane and that it has no equivalent to the 2 bushels of seed yielded per ton of sorghum-cane, also our much cheaper fuel, I say without hesitancy that sugar can be produced fully as cheaply in Kansas as in Louisiana.

But, if sorghum offers such profits to the Northern farmers, what may not those of Southern Texas and Florida derive from this plant and its manufacture. In each of these States two crops may be grown and manufactured in a year. To peril the domestication of the sorghum industry by a modification of the duties on sugar or any other manifestation of indifference to its benefits would be a crime against the farmers of every section of the country.

An incalculable element of the value of the beet and sorghum industry to the farmer is found in the fact that both serve to regenerate fields the fertility of which has been impaired by the too constant growth of wheat or corn. The exhausted lands of Germany and France have been reinvigorated by beet culture and the manufacture of sugar. And I fail to see how Congress could inflict so fatal a stroke on the interests of farmers and the industrial classes generally as by declaring the culture of sugar an outlaw in the United States by reducing duties upon it and molasses below an assuredly protective rate.

THE SURPLUS.

But the authors of this bill and the professional advocates of free foreign trade will assume from the drift of these remarks that I resist the reduction of the surplus, and am unwilling to abolish the taxes from which it flows in annually increasing volume.

Sir, I reply to such suggestions in the language of a resolution which I submitted to the House of Representatives more than seventeen years ago, on the 12th of December, 1870, and which was adopted with but six dissenting votes. It expressed the almost unanimous sentiment of the people, which had not then been corrupted by the influence of the "whisky ring" as it has been during the intervening years.

It was as follows:

Resolved, That the true principle of revenue reform points to the abolition of the internal-revenue system, which was created as a war measure to provide for extraordinary expenses, the continuance of which involves the employment, at the cost of millions of dollars annually, of an army of assessors, collectors, supervisors, detectives, and other officers previously unknown, and requires the repeal at the earliest day consistent with the maintenance of the faith and credit of Government of all stamp and other internal taxes.

In accordance with the precepts of Colbert, and the example of his

illustrious disciple, Napoleon Bonaparte, I would so legislate on the question of the surplus and the sources whence it flows as to increase the wealth, power, and dignity of the country by promoting the development of its natural resources and the diversification of its industries, and thus diminish its dependence upon foreign importations upon which duties are collected. I would derive the national revenues from customs duties so adjusted to remunerative prices for commodities as to stimulate and defend home productions, while preventing combinations, trusts, and monopolies of any kind from plundering consumers by demanding fictitious prices. In pursuance of this policy I would promote by adequate duties the growth of jute, ramie, flax, hemp, and other fibrous plants, and their manufacture into thread, cordage, and fabrics; and would maintain existing duties on sugar.

I would also impose such duties on tin-plate as would quicken the mining of tin and invite the location of such smelting works, furnaces, forges, and rolling-mills for plate and sheets in close proximity to the mines as would crown the Black Hills of Dakota with industries of which the nation would be proud, and the beneficence of which all its people would soon feel and appreciate.

But these processes of reducing the revenue, though certain, would be gradual; and, as the President has truly said, "it is a condition which confronts us—not a theory," the reduction should be effected immediately by the abolition of sources of income the receipts from which may be computed month by month if not absolutely day by day. This is not only practicable but is demanded by the true principle of revenue reform which points now, in April, 1888, as it did on the 12th of December, 1870, "to the abolition of the internal-revenue system."

The politics of this country are now dominated by the whisky trust as absolutely as they were by slavery before the war, and King Alcohol is proving that he is as hostile to national development as King Cotton ever was.

Mr. Chairman, having devoted the years of my vigorous manhood to the overthrow of the political influence of the slave oligarchy, I intend to devote my declining years to the emancipation of its political affairs from the fatal embrace of the subjects of most fruitful source of poverty, ignorance, vice, crime, disease, insanity, and ignominious death known to the civilization of the nineteenth century, and whose subtle and insidious power is arrayed alike against the mining and manufacturing interests of the country and the diversification of its agriculture.

Let me in support of this indictment glance briefly at the wrongs of the most illustrious victim of the "whisky trust," which Congress, by provisions of its laws for the regulation and collection of taxes on distilled spirits, has invested with royal prerogatives. Kentucky is the richest in natural resources, and is in geographical position and other respects the most favored of the United States east of the Mississippi. If any one of the sisterhood of American States may with propriety be spoken of as the Empire State it is Kentucky. Considered in the light of her geographical position, and her possible means of transit and traffic with and through coterminous States, she appears rather as an empire composed of several States than as a single State.

Her territory is contiguous to seven States, the population of which numbered in 1880 more than 14,000,000, which together included 307,925 square miles, and were intersected at the close of last year by 33,555 miles of railroad over which her travel and traffic might be connected with and enjoy the benefits of our entire system of local and transcontinental lines. Her area is 41,283 square miles. Her population in 1880 numbered 1,648,690, and in 1887 there were 2,070 miles of railroad operated within her limits. Her rivers are said to exceed in number, navigable length, and supply of water-power those of any other State, and the waters of the Ohio and Mississippi bathe her northern and western borders. The extent and variety of her mineral resources have not been ascertained by even a preliminary geological reconnaissance, and the fact that her agricultural resources have not been ascertained experimentally is attested by the magnificence and density of her majestic forests. The soil and climate of Central Kentucky, which in passing I may say is the seat of a more refined and cultivated pastoral community than I have ever been introduced to elsewhere, unless it was in the southern counties of England, are specially adapted to the growth of hemp, flax, and other fibrous plants, to nutritious grasses, including the world-famed blue-grass, and to all the cereals known to American agriculture. That the soil and native growths of this region of the State contribute in an exceptional degree to the physical development of the human race and that of domestic animals is attested by the grand and harmonious development of its men and women, as well as by the almost unchallenged superiority of its highly-bred flocks, and herds, and studs of horses, which are the pride of the State.

The coal fields of Kentucky exceed in extent and richness those of England as they came from nature. She has two, the western and eastern. The former comprises about 4,000 square miles, and lies less than 100 miles southwest of Louisville; the latter, the eastern field, comprises more than 10,000 square miles, and extends from the Ohio River to the Tennessee line. Much of the coal of this field is cannel coal, of so high a grade that, taking the pronunciation of its name from the illuminating power it discloses while consuming in the grate or on the hearth, many of the people call it "candle coal;" but with this priceless treasure are also vast deposits of the finest quality of coking coal, with reference to which Mr. John R. Proctor, the capable and energetic director of the geological survey now being made by order of the State, says:

1. That the largest known area of coking coal in the United States is in Southeastern Kentucky.
2. That the coal is very thick, of uniform good quality, and as favorably situated for cheap mining as any coal.
3. That it is the nearest coking coal to the center of population of the United States.
4. That it is nearer to extensive deposits of high-grade Bessemer-steel ores than is any other coking coal.
5. That it is near to extensive deposits of cheap iron ore.
6. That there are other valuable coals in this region, including large deposits of superior cannel coal.

He also says:

Since the first publication by the survey regarding the finding of this coking coal, made in 1882, the coal has been identified and traced over a wide area, and many tests have been made proving its superior quality as a coking coal.

Her almost unequaled combination of geographical advantages, agricultural capabilities, and mineral and other native material for manufacture entitles Kentucky to a leading position among the progressive States of the Union; yet it is a melancholy truth that to speak of her as a leading State, a progressive State, or even as a prosperous State, would be to indulge in bitter irony.

In the midst of almost unparalleled wealth and general physical advantages the mass of her people are steeped in poverty and illiteracy, and are strangers not only to the comforts of humble life but to the commonest and most absolute daily necessaries of Northern laborers. In 1880 the number of her people above ten years of age who were reported by the census as unable to read and write were more than one-half her total population. That number was 606,578, while her total population, which of course included those under ten years of age, numbered 1,163,498.

In Rowan County, the mineral resources of which are almost incalculable, families, in default of any legitimate employment for their time, hand down from generation to generation feuds of such deadly character that enterprising men fear to traverse the region even to examine personally the vast wealth of the territory occupied by these semi-barbarians. Indeed, intelligent people throughout the country who have not given special study to the early history of Kentucky ascribe the origin of the phrase "the dark and bloody ground" to these feuds in which so many lives are taken, the takers of which notoriously defy arrest and legal punishment, rather than to the perils that attended the early settlers of the State, when the location of each new homestead was determined by the existence of a spring from which water might be procured without too great exposure of the settler or one of his family to the murderous Indians into whose midst they were carrying civilization.

Having been honored by invitations from the Board of Trade and the Commercial Club of Louisville to attend the sittings of a commercial and industrial conference of representative business men from every part of the State, and to address the conference, I reached Louisville in the afternoon of the 4th of October, the day on which the conference assembled. In the evening, while I was yet a stranger in the city, I strolled into the hall and sat where my presence was not likely to attract the attention of persons who might chance to know me, and was an interested listener to the report of a committee of the Commercial Club to whom had been assigned the duty of interrogating well-known citizens of the several counties of the State on the prevalent opinion of the county as to the propriety of inviting immigration, the kind of immigrants that were most desired if any were deemed desirable, together with a statement of the leading products of the county, the price at which land could be purchased, and specially whether farms were for sale, and the price per acre at which they were held.

From this report and inquiries it enabled me to institute I learned that the maxim "Kentucky for Kentuckians" had been so rigidly maintained that there were many counties of the State in which a person of foreign birth or one familiar with a foreign language could not be found; that so extreme was the poverty of a majority of the people of about one-half of the counties of the State that they were unable to defray the expenses of maintaining county government, and were therefore known as pauper counties, whose local expenditures had to be paid from the treasury of the State. Among the summary that was read of all the replies that were received there was not one that afforded any indication of an appreciation on the part of its writer of the real import of the inquiry about immigration. Three of these replies, though each forced me to smile, were painfully suggestive of the simplicity and *naiveté* of the people of the county from which they came. One suggested that two hundred able-bodied girls might be welcomed, another that more Democrats were wanted, and the other that that county did not want any more lawyers.

Mr. Chairman, let me exclude the possible conclusion from all minds, that having partaken of the refined and generous hospitalities of Central Kentucky, and of that earnest welcome bestowed upon me by the large-framed, great-hearted, and sturdy men who came from all parts of the State to take council with each other as to how their own condition and that of their suffering fellow-citizens might be improved, I am like an ingrate, abusing their hospitality and slandering them.

If I have said or shall say a word that could wound the sensibility of any Kentuckian, it has not been used with that intent, and I beg the people of this wonderfully endowed State to remember the Scriptural maxim that "faithful are the wounds of a friend."

But, Mr. Chairman, I am not speaking otherwise here and now than I spoke to the members of the conference and the citizens of Kentucky who thronged the opera house, and gave me many proofs, during my address, that no offense was found in anything I said; but to repel beyond doubt so unjust a suspicion let me quote a paragraph here and there from the report of my remarks as I found them in the Courier-Journal of the next morning:

The happiness I am enjoying in this visit is simply inexpressible, for it seems to me that it is rounding out in a season of general felicitation all that is unpleasant in the memories of the past. [Applause.]

I am especially obliged to the board of trade for inviting me here to speak for I want to ask a question or two about Kentucky, a question which you will not cheer, but which is well meant. I shall ask in a few minutes why Kentucky is a laggard among the States, and a laggard among the

REGENERATED SOUTHERN STATES.

Yes; let me here ask you gravely, why this State, whose geology gives such food to its plants as to make it the producer of the bravest men, most beautiful maidens, and most devoted matrons, not only of our own country, but of the world; whose geological construction gives beauty and vigor and harmony of construction and movement to all animated life; whose racers are the speediest and the most enduring, and whose grasses are unequaled in the world, so that no imported stock lingers long enough to breed a progeny in the Bluegrass State that it does not improve upon its own type; why this State, endowed not only with such qualities as these, but whose coal and iron in joint measure exceed in value the combined coal and iron of any other State in the Union—why this State, thus endowed and given such a community of men and women as are the native people of Kentucky, whose rivers are navigable for more miles than those of any other member of our great Union, who is the first-born child, I may say the first-born daughter of the Union, if I may judge by the number of brave sons and beautiful daughters she has contributed to the population of other States—why is it that I heard stated last night with prepared deliberation that so much emigration takes place from the bluegrass coal and iron country of Kentucky that the immigration does not compensate for it? Why should people fly from such a Paradise? It seemed to me as I listened to the talk on this subject in the convention last evening that you had realized that something was wrong, and were crying to each other, if not to the Almighty, what shall we do to be saved! [Laughter.]

* * * * * * *

Where all are engaged in one pursuit there must be an immense waste of time, energy, hope, and all that is valuable in life. Now, my friends, how can we diversify the employments of your people? Will a tariff do it? I say yes, but it has not done it in Kentucky. I brought a paper with me to justify the remark which if I could not sustain by evidence would prove offensive, that Kentucky is proving to be a laggard not only in the great family of her sister States, but among the Southern States.

Now, let us look at the position of Kentucky and of Louisville. No Southern city has a more advantageous one. It is near to the North and its commerce. I stand in the city to-day that bears to the whole of yonder Southwest the relation that Chicago bears to the Northwest. And that it should with the growing diversification of the pursuits of the South grow, not perhaps as rapidly as Chicago with its inland seas to contribute to its growth, but so rapidly that its growth from decade to decade would seem marvelous to its own people. [Great applause.] This is the one great city of the State. I have not traveled much in the State, and I may be disparaging other cities. If I do I pray you correct me, gently, and believe I would not have done so but through ignorance. I believe in the whole South there is only one city to contest the palm with Louisville, and that is New Orleans, and yet Louisville is greater in all business than New Orleans, although New Orleans has a site by the sea with invitations to external commerce.

* * * * * * *

A surprising fact is that last year the Southern States, I may say the old cotton-growing States, produced more iron than the whole Union produced before it felt the quickening influence of the protective tariff of 1861. The statistics of iron production began to be gathered by the American Iron and Steel Association in 1854. The Morrill tariff bill was enacted while James Buchanan was President of the United States, and bears his signature; it was a protective tariff to such an extent that it restored the ordinary revenues of the Government which had been so exhausted that the salaries of the Government official could not be paid. But I am not speaking of that; I am speaking of the decade including 1854 and 1863, the latter year having felt the effects of the protective tariff, and having added something more than 100,000 tons to the average of the other nine years. Now, the whole Union produced in those ten years an average of 813,000 tons of pig-iron, and yet last year the South alone produced 875,000 tons, an increase of 62,000 tons over the average capacity of the whole Union in the ten years preceding the enactment of the protective tariff; yet with all this I had to say to the people of the South: "You did not produce your share; you did not produce your pro rata of the grand total, which had come to be between six and seven million tons under the inspiring influence of the protective tariff; 875,000 tons was not the quota of the South, whether measured by her area, by her population, or by her now known resources of ore and flux." So I said to them: "You have done well; now do better. You have, in common with the North, found what a protective tariff can do."

Kentucky has had that same protection. She once was a leader in the Southern States in the production of iron. She should be now; but she is not. She is the fifth of the iron-producing States of the South, and she has produced less in the last six months than she did in the six months that preceded. Now, what is the matter with Kentucky? Why is the Blue-grass State thus delinquent? You may tell me she has done something else and better, and I will be glad to hear what it was; but during the last year Alabama walked forward until she is the fourth iron-producing State in the Union—Pennsylvania, Ohio, Illinois, and Alabama are the four leading iron-producing States in the Union. Alabama produced last year 283,359 tons; Tennessee, 199,166 tons; Virginia, 156,250 tons; West Virginia, the infant born of old Virginia by the Cæsarian operation, 98,618 tons; and Kentucky, with thousands of square miles more of available fuel than the British Islands, and with stores of iron ore equal in quantity and quality to those of Great Britain, why has she sunk beyond little new-born West Virginia, to 54,844 tons, and on a declining average at that? There is something wrong. Now, it can not be with the people. You might as well say a Kentucky race-horse was not good as to say a Kentucky man is not full of life and nerve and vigor. You might as well say Kentucky cattle are of no account, and that the Government made a mistake in either buying or taking all the Kentucky mules she could during the war because she believed them to be the best in the country.

* * * * * * *

Coming back to the sorghum question, I was gratified at hearing that sorghum was the principal production of two counties, because if you could get a capitalist to set up a sugar-house and announce to your farmers that the company owning it would pay so much per ton for sorghum, depending on its saccharine strength, you would have a new industry; you would have your farmers engage in something new, and you would have their sorghum giving them once a year, or oftener, ready cash, a thing which I am told the mountaineers of Kentucky do not have much of. [Applause.]

I heard it said here last night that in this State, so gifted with coal and iron, half the counties were paupers, and could not defray the just county expenses. I do not say that it is true, but I do say that it was stated here; and that I have reason to believe it, because no man arose and indignantly said: "No, it is not true." What! Pauper counties here in the home of Henry Clay; here where more than a century ago John Fitch was working among metals to establish that marvelous system of locomotion which now carries our internal commerce, that exceeds in bulk and value every year the entire home and foreign trade of the British islands! John Fitch chose his native State of Kentucky, rich as he knew it to be in sources of wealth and power, to develop the steam-engine in its application first to water transit and next to land transit. What! The people of the mountain counties of Kentucky, specimens of the wealth of which lie upon your table, including lead and iron ores such as Pennsylvania can not produce, are starving? The State by adoption of my namesake, whom I am happy to state believes we are from the same paternal stem, William Kelley, of Louisville, the inventor of the Bessemer steel process, a native of Pennsylvania but a Kentuckian by early training and a long life of manhood now crowned by more years than my own, a man who was famous among iron-workers of the country as the iron boiler who made all the elements of the atmosphere and of the molten iron and fire help carry the fluid from the heat that burning coal would give it to an incandescent condition and purified it and made steel of it for six years before Bessemer announced his discovery of the same thing. The counties of this State said to be paupers? There is something wrong in Kentucky or these stories could not be circulated about her. Why, years ago Kentucky was selling nails to Pennsylvania; the first machine for cutting and heading nails was invented and constructed in Kentucky. Yes, Lexington for many years shipped nails to Pittsburgh; but the trade has gone now; you do not do it now; you have not tried to do it. What is the secret of the failure?

Mr. Chairman, my suggestion that there was something wrong in the condition of Kentucky, and my inquiries as to what caused her to be a laggard, even among the Southern States, brought no response at the time. The occasion has, however, been followed by letters from intelligent men in many parts of the State, which have convinced me that King Cotton, having staked his throne and prerogatives upon the arbitrament of battle and been beaten, his liege supporters in Kentucky found new means of maintaining their allegiance to a despotic power, and have transferred the homage they once paid King Cotton to King Alcohol. Yes, sir, correspondence and personal intercourse with intelligent gentlemen during the last four months have convinced me that our internal-revenue system has accomplished the establishment in Kentucky of a despotism whose power is as absolute and whose theories of government, so far as the matter of preventing the development of the mining and manufacturing possibilities or the diversification of the agricultural industries of Kentucky are concerned, is as effective as was that of King Cotton in the legitimate cotton States of the Old South.

From many letters received on this subject I present so much of two as expose the thraldom in which Kentucky is bound and the machinations by which the whisky trust holds the writers and their fellow sufferers in industrial subjection. One of these letters was received on the 17th of March and the other some time later, but the testimony of the writers that the people of Kentucky who desire to live in harmony with the spirit of the age, and to give their native State the position to which her resources entitle her in the New South, can hope for redemption from the terrible thraldom in which they are held by the action of Congress alone is confirmed by that of many other competent witnesses. But let the writers speak for themselves. I submit first so much of the letter of March 17 as is pertinent to the question under consideration, and will follow it with an equally pertinent extract from the other letter to which I have specially referred.

* * * * * * * *

Do you know fully (I know you know in the general way) why the internal-revenue tax on whisky ought to be wiped out?

It is because so long as the internal-revenue law exists it bands together the wholesale dealer in whisky, the distillers and hangers-on, such as bank presidents who loan on whisky, making them a close corporation upon which the Democratic wire-pullers and managers can, whenever the Democratic party here is in danger of being beaten (and it has been so several times lately), call upon it for money in bags and in sufficient amounts to turn the scale against the Republicans.

Wipe out the internal-revenue law, and they can't find another source where money can be had in bulk, at the moment of defeat, in sufficient amounts to turn the defeat into a victory. Hoping you may be able to have the whole thing wiped out.

* * * * * * * * *

In the recent defalcation of our State treasurer—$200,000 to $400,000—many things go to show that this fund of the State of Kentucky has for years been at the service of the whisky ring. It was inevitable. Without the whisky ring the Democratic party would lose its hold on the State offices, and so the whisky ring and the Democratic ring are nearly identical. Now that the explosion at our State capital has occurred no more money can be had from Kentucky's treasury. Away with the revenue system, and scatter the funds that are now *en masse* held ready to use against the Republicans in Kentucky by a law of the United States. Disperse 'em. It kills manufactures other than whisky in Kentucky. For instance, as a matter of fact, a great bank in Louisville, not national: To it goes the owner of 100 or 10,000 barrels of Bourbon whisky—known brand of Kentucky; he does not have to go to the president nor cashier, only to the discount clerk in charge; there is his table, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, date; on each or any of these you can have so much and renew *ad libitum* practically; make out your note, attach your bonded-warehouse receipt—flat. But a manufacturer of general merchandise would not have the slightest show for a loan, because the bank could not sell his chairs, his plant, or any implement. No bonded-warehouse receipt can cover them, but, with the United States holding up things the whisky ring is omnipotent, and the general manufacturer has to go elsewhere.

In conclusion I submit, that with the facts presented these letters show that it was by the provisions of law imposing taxes on distilled spirits that the whisky trust was called into existence, and enabled to accomplish the revival of the despotism which pervaded the Southern States before the war; and that the power of this trust and the combination of Democratic politicians with the banking influence of Kentucky can be broken but by the repeal of the internal taxes, the perpetuation of which is the issue presented to the American people by the President in his free-trade message and by the Southern gentlemen who have dominated the counsels of the Committee on Ways and Means and submitted this bill to the House for consideration. For myself I will stand for the protective system and the maintenance of such rates of duties as will insure the development of all the resources of the country, increase the number of its industries, and perpetuate its independence, commercial and industrial as well as political. This happy consummation can not be achieved if the internal-tax system is to be maintained, for the surplus is a condition that can not be perpetuated with safety to our republican institutions.

The purity of the Government, the safety of business, and the morals of the people demand the abatement of the surplus by the repeal of the special war taxes from which it flows. If we shall fail to abolish these taxes, and in addition to the hoarding of millions of dollars in the Treasury of the United States, we also maintain a system of securities by which from seventy-five to one hundred millions dollars more of our money shall be applied exclusively to the use of the whisky trust in its war upon our industries and national independence, history, when referring to the surplus and its demoralizing influence, will impute the crime that perpetuated it and the consequences with which it is fraught to the Fiftieth Congress. [Great applause.]

Mr. BRECKINRIDGE, of Arkansas. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 9051) to reduce taxation and to simplify the laws in relation to the collection of the revenues, had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (S. 1956) to ratify and confirm an agreement with the Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Indians in Montana;

A bill (S. 525) for the relief of A. B. Woodford;

A bill (S. 2565) to appropriate a sum of money sufficient to carry out the provisions of the act approved March 5, 1888, entitled "An act for the purchase of a site, including the building thereon; also, for the erection of the necessary store-houses for the use of the office of the Chief Signal Officer of the Army at the city of Washington, D. C.;

A bill (S. 172) granting a pension to Abbie M. Hay;

A bill (S. 174) granting a pension to Mary Martin;

A bill (S. 450) for the relief of Thomas S. Hopkins;

A bill (S. 838) granting a pension to Mary Sullivan;

A bill (S. 472) granting a pension to Eliza Summers;

A bill (S. 930) to pension Oscar F. Carpenter;

A bill (S. 753) granting a pension to James D. Whaley;

A bill (S. 895) for the relief of Mrs. Betsey Winterbottom;

A bill (S. 819) granting a pension to Christopher Wisemiller;

A bill (S. 1354) granting a pension to Helen M. Randolph;

A bill (S. 2067) granting a pension to William O. Doyel; and

A bill (S. 465) granting a pension to William Jackman, sr.

ORDER OF BUSINESS.

Mr. PEEL. I move that the House now take a recess until 8 o'clock this evening, the object being to finish the Indian appropriation bill, if possible.

Mr. BUCHANAN. I move that the House adjourn.

The question being taken on the motion of Mr. BUCHANAN, there were—ayes 51, noes 45.

Mr. PEEL and Mr. BRECKINRIDGE, of Arkansas, called for the yeas and nays.

The yeas and nays were not ordered (only 18 voting in favor thereof).

So the motion was agreed to; and accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BUTLER: A bill (H. R. 9519) for the relief of J. T. Mussulman—to the Committee on War Claims.

By Mr. BELDEN: A bill (H. R. 9520) for the relief of Mary Fitzmorris—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 9521) granting a pension to Peter Wolfinbarger—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 9522) for the relief of Mary J. Eddins—to the Committee on Claims.

By Mr. GREENMAN: A bill (H. R. 9523) for the relief of Margaret Lahey—to the Committee on Invalid Pensions.

By Mr. LAFFOON: A bill (H. R. 9524) granting a pension to Julius Kaufmann—to the Committee on Pensions.

By Mr. McCOMAS: A bill (H. R. 9525) for the relief of Harrietta Crumpton, widow of Joshua Crumpton—to the Committee on Invalid Pensions.

By Mr. O'NEILL, of Pennsylvania: A bill (H. R. 9526) granting an increase of pension to Sarah R. Boyle—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 9527) for the relief of Samuel Foster—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 9528) granting a pension to H. Lundy—to the Committee on Invalid Pensions.

By Mr. PIDCOCK: A bill (H. R. 9529) granting an increase of pension to G. R. Sullivan—to the Committee on Invalid Pensions.

By Mr. RAYNER: A bill (H. R. 9530) granting a pension to Martha Jones—to the Committee on Invalid Pensions.

By Mr. J. D. TAYLOR: A bill (H. R. 9531) granting a pension to Sanford Glass—to the Committee on Invalid Pensions.

By Mr. TOWNSHEND: A bill (H. R. 9532) for the relief of Christopher Thoman—to the Committee on Military Affairs.

By Mr. WILBER: A bill (H. R. 9533) for the relief of Thomas F. Riley—to the Committee on Military Affairs.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ABBOTT: Petition of citizens of Dallas, Tex., for the removal of the duty on tin-plate—to the Committee on Ways and Means.

By Mr. G. A. ANDERSON: Petition of R. M. Hoxsey and 481 other postal clerks, asking for the passage of the Cox bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BARRY: Petition of citizens of Egypt, of West Point, of Scooba, of Macon, and of Brookville, Miss., against taxing refined lard—to the Committee on Agriculture.

By Mr. BIGGS: Petition of the supervisors of Nevada County, California, in favor of bill 1216, for the investigation of the mining débris question in California—to the Committee on Mines and Mining.

By Mr. BLOUNT: Petition of F. H. Richardson and 91 others, citizens, of Macon, Ga., protesting against the passage of any bill proposing to tax refined lard—to the Committee on Agriculture

By Mr. BOUTELLE: Remonstrance of the Brown Manufacturing Company and others, citizens of Dover, and of the Piscataquis Woolen Company, of Guilford, Me., against taxing refined lard—to the Committee on Agriculture.

By Mr. C. R. BRECKINRIDGE: Petition of 156 citizens of Brinkley, Ark., against bills to tax one food product to build up another—to the Committee on Agriculture.

By Mr. COLLINS: Petition of Richard Desmond and of Ellen G. King, for a pension—to the Committee on Invalid Pensions.

By Mr. CONGER: Paper to accompany House bill 152, for relief of Theresa Guelick—to the Committee on Invalid Pensions.

By Mr. DORSEY: Petition of druggists of Oakland, Nebr., for repeal of the section of the internal-revenue law classing druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. GALLINGER: Petition of White Mountain Freezer Company of Nashua, N. H., for quick mail transit between New York and New England States—to the Committee on the Post-Office and Post-Roads.

By Mr. GIFFORD: Petition of O. H. Tinkham and 75 others, of DeSmet; of W. B. Robinson and 99 others, of Scotland; of H. H. Sheets and 8 others, of Kingsbury County, and of George Whitaker and 25 others, of Spink County, Dakota, for the retention of the present tariff on flax and flax products—to the Committee on Ways and Means.

By Mr. GLASS: Petition of 55 citizens of Trenton, Tenn., against the passage of any bill branding or taxing refined lard, etc.—to the Committee on Agriculture.

By Mr. GREENMAN: Petition of Wynantskill Knitting Company and Cohoes Knitting Company, New York, against the passage of any bill discriminating against the use of cotton-seed oil, etc.—to the Committee on Agriculture.

By Mr. GROUT: Memorial of Adams & Pack, of Chester, Vt., for better mail facilities between New England and the West—to the Committee on the Post-Office and Post-Roads.

By Mr. HALL: Petition of druggists of Stoneborough and of Titusville, Pa., for repeal of that portion of the internal-revenue law requiring them to take out license and pay $25 per year—to the Committee on Ways and Means.

By Mr. HOLMAN: Petition of W. J. Crisler and others, citizens of Decatur County, Indiana, for the repeal of the limitation on arrears of pension—to the Committee on Invalid Pensions.

By Mr. JACKSON: Petition of McDonald Council of the Junior Order United American Mechanics, of McDonald, Pa., in favor of making February 22 a legal holiday—to the Committee on the Judiciary.

By Mr. T. D. JOHNSTON: Petition and memorial of F. M. SIMMONS, to be allowed expenses of contest instituted against him by James E. O'Hara, abandoned without his consent or procurement—to the Committee on Elections.

By Mr. JONES: Petition of George J. Michael and 157 others, citizens of Demopolis, and of P. J. Lyons and 153 others, citizens of Mobile, Ala., against the Dawes lard bill—to the Committee on Agriculture.

By Mr. KEAN: Memorial of the Board of Trade of Elizabeth, N. J., in favor of the reduction of postage to 1 cent—to the Committee on the Post-Office and Post-Roads.

By Mr. KELLEY: Petition of 10 citizens of Pennsylvania, for repeal of that portion of the internal-revenue law which classes druggists as liquor-dealers, etc.—to the Committee on Ways and Means.

By Mr. LAFFOON: Petition of William C. Noel, for a pension—to the Committee on Invalid Pensions.

By Mr. LAGAN: Petition of masters of sailing vessels on Lake Pontchartrain, for re-erection of light-house on St. Joseph's Island—to the Committee on Commerce.

By Mr. LANHAM: Petition of citizens of Eastland County and of Brown County, Texas, for the payment of Indian depredation claims—to the Select Committee on Indian Depredation Claims.

By Mr. LEE: Papers in the claim of Catharine A. Fossett, widow of James Fossett—to the Committee on War Claims.

Also, papers in the claim of J. V. Davis—to the Committee on Claims.

By Mr. LONG: Petition of E. A. Robinson, of Attleborough, Mass., for better postal facilities in New England—to the Committee on the Post-Office and Post-Roads.

Mr. McCOMAS: Papers in the claim of Samuel Reel, of Washington County, Maryland—to the Committee on War Claims.

By Mr. MACDONALD: Petition of citizens of Goodhue County, Minnesota, in relation to the tariff on flaxseed and linseed-oil—to the Committee on Ways and Means.

By Mr. NELSON: Petition of N. E. Nelson and others, of St. Vincent, Minn., relative to the expense of collecting the revenue—to the Committee on Appropriations.

By Mr. NORWOOD: Papers in the claims of Henry Mastick, of Amanda Porter, of Jane B. Sconyer, of Francis Tillman, of James Larkin, of Elizabeth A. Johnston, of Henry East, of John Kaiser, of Uriah Cranston, of Michael Ryan, of John R. Mehrten, of Nathaniel Lovell and William Lattimore, of Eliza Crane, of Dennis Rearden, of Solomon Gardner, of Rosanna McGuire, of John W. Wilson, of Harriet A. Hart, of Flouriney G. Hodges, of Moore Blitch, of Alfred E. Jones, of William Salte, of Elmira Phillips, of John B. Eppstrin, of William Ebbs, of John A. Carter, of Asbury Hodges, of James Hart, administrator of John Hart, of Joshua Biddenbach, of Peter Johnson, of Susan P. Calder, of Elizabeth Calder, of Peter Strauss, of Jacob Wilson, of Henry Long, of Frederick R. Wylly, of John Chapman, of Catharine J. Hitchcock, of John Gordon, of Elisha Parsons, of Adrian V. La Roche, of Tabittia Courtee, of Moses Metzger, of Mary O. Steene, and of Meyer Newmark, of Georgia—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Petition of Sarah R. Boyle, for a pension—to the Committee on Invalid Pensions.

By Mr. J. J. O'NEILL: Protest of 361 citizens of St. Louis, of Don Alexander and others, of T. P. Adams and 121 others, and of R. R. Glimlin and others, against branding or taxing lard as made by N. K. Fairbanks & Co.—to the Committee on Agriculture.

Also, protest of Frederick G. Hirsch and others against the Butterworth lard bill—to the Committee on Agriculture.

By Mr. ROCKWELL: Petition of citizens of Pittsfield and of Blackinton, Mass., against taxing or branding refined lard, etc.—to the Committee on Agriculture.

Also, petition of 53 citizens of the Twelfth district of Massachusetts, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. ROGERS: Papers in the claim of James H. Newkirk of Saline County, Arkansas, to the Committee on War Claims.

By Mr. SENEY: Petition of A. Bingin & Co., and other merchants of Chicago, Ill., against changing the tariff on glassware—to the Committee on Ways and Means.

Also, petition of Griswold Linseed Oil Company, against putting flaxseed and linseed-oil on the free-list—to the Committee on Ways and Means.

Also, petition of the Pennsylvania Forestry Association against House bill 7901—to the Committee on the Public Lands.

By Mr. STONE, of Kentucky: Papers in the claim of Catharine S. A. Miller, of Tensas Parish, Louisiana—to the Committee on War Claims.

By Mr. J. D. TAYLOR: Petition of David Lyle and 23 others, of J. A. Berry and 22 others, of J. H. Neptune and 16 others, of Samuel Thrall and 29 others, of E. M. Satterthwait and 12 others, of A. P. Thomas and 21 others, and of David J. Hays and 21 others, citizens of Belmont County, Ohio, for speedy action on the subject of protection to the wool-growing and wool-manufacturing interests of this country—to the Committee on Ways and Means.

Also, petition of William P. Smith and 18 others, for the restoration of the wool tariff of 1867—to the Committee on Ways and Means.

By Mr. WHITTHORNE: Papers in the claim of Mrs. Ann Barnes—to the Committee on War Claims.

By Mr. WILBER: Petition for the relief of bottlers in this country—to the Committee on Ways and Means.

By Mr. W. L. WILSON: Papers in the claim of Charles M. Coen—to the Committee on War Claims.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. E. P. ALLEN: Of E. Washburn and 27 others, citizens of Ypsilanti, Mich.

By Mr. BELDEN: Of J. J. Brewster and 30 others, leading citizens of Syracuse, N. Y.

By Mr. BOUTELLE: Of E. B. White and others, of Houlton, Me.

By Mr. GIFFORD: Of George J. Smith and 12 others, citizens of Dakota.

By Mr. GUENTHER: Of the Eldorado Gun Club and citizens of Ripon, Wis.

By Mr. McCOMAS: Of citizens of Montgomery County, Maryland.

By Mr. NEAL: Of H. S. Vane and 41 others, citizens of Chattanooga, Tenn.

By Mr. PERKINS: Of George P. Hall and 81 others, citizens of Oswego, Kans.

By Mr. PHELPS: Of citizens of Bergen County, New Jersey.

By Mr. REED: Of H. A. Merrill and others, citizens of Yarmouth, Me.

By Mr. SEYMOUR: Of E. D. Johnson and 27 others, of Calumet, Mich.

By Mr. STONE, of Missouri: Of Hon. Jeremiah Poore and 105 others, citizens of Missouri.

By Mr. VANCE: Of V. B. Chamberlain and others, citizens of the First district of Connecticut.

By Mr. WILBER: Of 138 citizens of Herkimer County, New York.

The following petitions for the more effectual protection of agriculture, by means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. REED: Of citizens of Unity and of Cornish, Me.

By Mr. GOFF: Of Benjamin McGinness and others of Ellenborough, W. Va.

By Mr. J. D. TAYLOR: Of John A. Dulbs and 37 others, citizens of Belmont County, Ohio.

By Mr. J. B. WHITE: Of farmers of Elkhart County, Indiana.

The following petitions, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BELDEN: Of Fred. Cowan and 61 other Knights of Labor, and of J. Henry Jones and 51 other Knights of Labor, of Syracuse, N. Y.

By Mr. COCKRAN: Of T. S. Griffith and 286 others, citizens of the Twelfth district of New York.

By Mr. FUNSTON: Of citizens of the Second district of Kansas.

By Mr. GLOVER (by request): Of numerous citizens of Missouri.

By Mr. ROWLAND (by request): Of citizens of Mecklenburgh County, North Carolina.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. T. J. CAMPBELL: Of ex-Union soldiers and sailors of the Eighth district of New York.

By Mr. DAVENPORT: Of soldiers and sailors and citizens of Canisteo, Steuben County, New York.

By Mr. LAFFOON: Of James C. Bacon and others, ex-Union soldiers and citizens of Madisonville, Ky.

By Mr. E. B. TAYLOR: Of J. H. Clark and 14 others, ex-soldiers of Simons, and of ex-soldiers of Orwell, Ohio.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. CANNON: Of 239 citizens of Douglas County, Illinois.

By Mr. DAVENPORT: Of 158 citizens of Yates County, New York.

By Mr. McCOMAS: Of 96 citizens of Frederick County, Maryland.

By Mr. J. D. TAYLOR: Of 138 citizens of Auglaize County, Ohio.

The following petitions for an increase of compensation of fourth-class

postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. C. R. BRECKINRIDGE: Of 36 citizens of Kinderhook, Ark.

By Mr. DIBBLE: Of numerous citizens of South Carolina.

By Mr. McCOMAS: Of John N. Brandenburg and others, of Frederick County, Maryland.

By Mr. NICHOLS: Of citizens of Johnston County, North Carolina.

By Mr. J. D. TAYLOR: Of James Londar and 31 others, citizens of Belmont County, Ohio.

SENATE.

WEDNESDAY, *April* 18, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of citizens of Kansas, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. PASCO presented the petition of Hon. C. R. Kelly and 56 other citizens of Holmes County, Florida, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry, and that that bureau be strengthened without changing the plan of work now in operation; which was ordered to lie on the table.

Mr. ALLISON presented a petition of a number of leading citizens of Greene County, Iowa, praying for the passage of Senate bill 283, to amend sections 2474 and 2475 of the Revised Statutes of the United States, setting apart a certain tract of land lying near the head waters of the Yellowstone River as a public park; which was ordered to lie on the table.

He also presented the petition of Rev. J. W. Bissell and 9 other citizens of Fayette, Iowa, praying for the passage of an international copyright law; which was ordered to lie on the table.

He also presented a petition of 23 ex-Union soldiers and sailors, citizens of Glenwood, Iowa; the petition of W. H. Bowman and H. H. Sheldon, a committee of J. M. Houston Post, No. 394, Grand Army of the Republic, Department of Iowa; and a petition of W. W. Warner Post, No. 46, Grand Army of the Republic, of Fayette, Department of Iowa, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

Mr. GEORGE presented the memorial of A. R. Wilson and 70 other citizens of La Fayette County, Mississippi, remonstrating against the passage of the Palmer bill in regard to the extirpation of pleuro-pneumonia and other contagious cattle diseases; which was ordered to lie on the table.

Mr. DAVIS presented a petition of the board of regents of the Dakota Agricultural College, praying for authority to select and reserve from settlement 90,000 acres of land in Dakota Territory, under the provisions of the act of July 2, 1862; which was referred to the Committee on Territories.

Mr. BROWN. I present the memorial of 73 leading citizens of Atlanta, Ga., in which they recite that they are consumers of refined lard, and they protest against any and every bill designing to brand or tax such product, knowing it through personal experience to be good, nutritious, healthful, and wholesome. They also consider cotton-seed oil and beef-fat food as wholesome and valuable as the leaf-lard from swine; and they oppose any attempt to restrict or stigmatize either of these products in favor of the latter. On the other hand, they protest against the traffic prevailing among pork-packers and butchers in many localities of rendering and selling fat from objectionable parts and entrails of swine as lard, leaf-lard, or prime steam lard, as they consider such unfit for human use. I move the reference of this memorial to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. REAGAN presented the memorial of J. V. Cantelon and other citizens of Fort Graham, Hill County, Texas, remonstrating against the passage of Senate bill No. 2083, for the extirpation of pleuro-pneumonia and other contagious cattle diseases; which was ordered to lie on the table.

Mr. COKE presented a petition of citizens of Palo Pinto County, Texas, praying that provision be made at this session of Congress for the payment of Indian depredation claims; which was referred to the Committee on Claims.

Mr. HISCOCK presented the petition of Frank Thomas and 69 other citizens of Ketchum's Corners, N. Y., praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented a petition of 43 ex-Union veterans of the State of New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. MORRILL. My colleague [Mr. EDMUNDS] being necessarily absent, I present for him a petition praying for the passage of the bill providing for the better protection of the Yellowstone National Park, signed by a large number of citizens of Fair Haven, Vt. The bill having been passed by the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. BUTLER. I present the proceedings of the Charleston (S. C.) Chamber of Commerce in regard to an additional appropriation for the jetties at Charleston Harbor, with an accompanying paper. I move the reference of the papers to the Committee on Commerce.

The motion was agreed to.

Mr. SHERMAN presented a petition of 41 soldiers and sailors of the late war, citizens of Red Bank, N. J.; a petition of 52 ex-Union soldiers and sailors, citizens of Boston, Mass.; a petition of 22 ex-Union soldiers and sailors, citizens of Connecticut; and a petition of Veteran Post, No. 84, Grand Army of the Republic, of Falls City, Nebr., praying for the purchase by Congress of Miss Ransom's portrait of General George H. Thomas; which were referred to the Committee on the Library.

He also presented a petition of 15 ex-Union soldiers and sailors, citizens of Ohio, praying for the passage of the per diem rated service pension bill; which was referred to the Committee on Pensions.

Mr. QUAY presented a petition which was adopted by the Pennsylvania Encampment, Grand Army of the Republic, praying for the passage of Senate bills No. 509, No. 1000, and No. 1770, granting pensions to ex-Union soldiers because of certain disabilities incurred during the war; which was referred to the Committee on Pensions.

He also presented a memorial of the Philadelphia (Pa.) Maritime Exchange, remonstrating against that portion of House bill No. 9051 which proposes to reduce the sugar duties; which was referred to the Committee on Finance.

He also presented a petition of physicians and druggists of Wellsburgh, Erie County, Pennsylvania, praying for the repeal of the law classing druggists as liquor dealers, etc.; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 204) for the relief of the heirs of Maurice Grivot, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (S. 1725) for the relief of the legal representatives of Lewis W. Washington, deceased, reported it with an amendment, and submitted a report thereon.

Mr. BUTLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 128) for the relief of sailors and marines in the United States naval homes, reported it with an amendment, and submitted a report thereon.

Mr. SPOONER, from the Committee on Claims, to whom was referred the petition of D. D. Dana, formerly provost-marshal of the Third Brigade of the Twenty-second Army Corps, praying for relief on account of services performed in the capture of the assassins of President Lincoln, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

He also, from the same committee, to whom was referred the bill (H. R. 2068) authorizing the Secretary of the Treasury to pay certain citizens of Chicago, employés of the custom-house, for extra-time service, reported it without amendment, and submitted a report thereon.

Mr. CAMERON, from the Committee on Naval Affairs, to whom was referred the petition of Charlotte A. Van Cort, widow and executrix of Charles Van Cort, deceased, praying payment for the use of a patented "submarine torpedo shell," asked to be discharged from its further consideration, and that it be referred to the Committee on Claims; which was agreed to.

Mr. HARRIS, from the Committee on Finance, to whom was referred the bill (S. 1543) for the relief of H. C. Rogers, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. WILSON, of Maryland, from the Committee on Claims, to whom was referred the bill (S. 773) for the relief of James E. Walter, reported it without amendment, and submitted a report thereon.

CONSIDERATION OF THE FISHERIES TREATY.

Mr. EVARTS. I am directed by the Committee on Foreign Relations, to whom was referred a resolution submitted by the Senator from Virginia [Mr. RIDDLEBERGER] March 22, 1888, to report it adversely.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That so much of Rules XXXVI, XXXVII, and XXXVIII as provides for executive sessions be suspended during the consideration of the fisheries treaty when the same shall be reported to the Senate.

Mr. HARRIS. Let that go over and be printed.

Mr. SHERMAN. Let the resolution be placed on the Calendar.

The PRESIDENT *pro tempore*. The resolution, with the adverse report, will be placed on the Calendar.

Mr. HARRIS. I see that is a report from a committee. I thought it was an original resolution.

The PRESIDENT *pro tempore*. The resolution will be placed on the Calendar.

COLEMAN C. SYMPSON, DECEASED.

Mr. JONES, of Nevada. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred a resolution submitted by the Senator from Illinois [Mr. CULLOM] December 19, 1887, to report it with an amendment in the nature of a substitute, and I ask for its present consideration.

By unanimous consent, the Senate proceeded to consider the resolution.

The PRESIDENT *pro tempore*. The resolution will be read as proposed to be amended.

The CHIEF CLERK. It is proposed to amend the resolution so as to make it read:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay out of the miscellaneous items of the contingent fund of the Senate, to Mrs. Mary A. R. Quinby, of Carthage, Ill., widowed sister of Coleman C. Sympson, deceased, late enrolling clerk of the Senate, the sum of $1,296, being an amount equal to six months' salary as clerk aforesaid; said sum to be considered as including funeral expenses and all other allowances.

The amendment was agreed to.

The resolution as amended was agreed to.

WOMAN SUFFRAGE HEARINGS.

Mr. JONES, of Nevada. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably the resolution submitted by the Senator from Missouri [Mr. COCKRELL] April 2, 1888, authorizing the employment of a stenographer to report arguments before the Select Committee on Woman Suffrage. I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Select Committee on Woman Suffrage be authorized to employ a stenographer for the purpose of reporting arguments before it, who shall be paid from the contingent fund of the Senate, and to have the arguments before it printed.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. BERRY. I object.

The PRESIDENT *pro tempore*. Objection being made, the resolution will be placed on the Calendar.

COMMITTEE ON EDUCATION AND LABOR.

Mr. JONES, of Nevada. I am also instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from New Hampshire [Mr. BLAIR] April 6, 1888, authorizing the Committee on Education and Labor to employ a stenographer, to report it favorably without amendment. I ask for its present consideration.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Committee on Education and Labor be authorized to employ a stenographer for the purpose of reporting the hearings before it upon Sunday-observance petitions and the proposed prohibition constitutional amendment, who shall be paid from the contingent fund of the Senate, and to have the reports of said hearings printed for the use of the Senate.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. BERRY. Let it go over.

The PRESIDENT *pro tempore*. The resolution will be placed on the Calendar.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 172) granting a pension to Abbie M. Hay;

A bill (S. 174) granting a pension to Mary Martin;

A bill (S. 450) for the relief of Thomas S. Hopkins, late of Company C, Sixteenth Maine Volunteers;

A bill (S. 465) granting a pension to William Sackman, sr.;

A bill (S. 472) granting a pension to Eliza Summers;

A bill (S. 525) for the relief of Samuel A. B. Woodford;

A bill (S. 753) granting a pension to James D. Whaley;

A bill (S. 819) granting a pension to Christopher Wisemiller;

A bill (S. 838) granting a pension to Mary Sullivan;

A bill (S. 895) for the relief of Mrs. Betsey Winterbottom;

A bill (S. 930) to grant pension to Oscar F. Carpenter, Eleventh Independent Battery of Ohio Light Artillery;

A bill (S. 1354) granting a pension to Helen M. Randolph;

A bill (S. 2067) granting a pension to William O. Doyel;

A bill (S. 2565) to appropriate a sum of money sufficient to carry out the provisions of the act approved March 5, 1888, entitled "An act for the purchase of a site, including the building thereon; also, for the erection of the necessary store-houses for the use of the office of the Chief Signal Officer of the Army at the city of Washington, D. C.; and

A bill (H. R. 1956) to ratify and confirm an agreement with the Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Indians in Montana.

BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 2724) for the relief of H. H. Helper; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS (by request) introduced a bill (S. 2725) for the relief of Jesse B. Wilson; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. QUAY introduced a bill (S. 2726) granting an increase of pension to Margaret S. Heintzelman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MORRILL introduced a bill (S. 2727) authorizing the purchase of a site for a building for the accommodation of the Supreme Court of the United States; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. EVARTS introduced a bill (S. 2728) to grant a pension to Indiana J. Nichols; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENT TO A BILL.

Mr. BOWEN submitted an amendment intended to be proposed by him to the bill (S. 2266) to accept and ratify an agreement made with the Shoshone and Bannack Indians for the surrender and relinquishment to the United States of a portion of the Fort Hall reservation, in the Territory of Idaho, etc.; which was referred to the Committee on Indian Affairs, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. WILSON, of Iowa, it was

Ordered, That Hiram Parker have leave to withdraw certain papers and affidavits presented by him to the Senate in support of his application for the passage of a special act to grant him a pension, in order that he may use them in support of an application to the Commissioner of Pensions.

FLORIDA PUBLIC LAND INVESTIGATION.

Mr. PLUMB. I ask unanimous consent that the resolution which I reported yesterday from the Committee on Public Lands may now be taken up.

The PRESIDENT *pro tempore*. Are there further resolutions, concurrent or other? If there are none, the order of morning business is closed and the Senator from Kansas [Mr. PLUMB] moves that the Senate proceed to the consideration of a resolution which will be read.

The Chief Clerk read as follows:

Whereas it has been alleged upon the floor of the Senate by a Senator from the State of Florida that illegal and fraudulent conveyances of public lands have been made in said State in derogation of the rights of the United States and of settlers upon said lands, and that a remedy for such evils can be provided by law: Therefore,

Be it resolved, That the Committee on Public Lands be, and is hereby, directed to investigate all the facts bearing upon the general allegations referred to; and that for the purpose of such an investigation said committee is authorized to employ a stenographer, and shall have power to administer oaths, send for persons and papers, to sit in Washington or such other places as may be necessary, and to conduct its investigation through subcommittees, the expenses of the same to be paid from the contingent fund of the Senate, and said committee shall report by bill or otherwise as the circumstances shall seem to require such plan for remedy of the evils, if any are shown, as they may deem necessary.

Mr. PLUMB. I move to amend the resolution, in line 1, after the word "be," by inserting the words "or a subcommittee of their number."

The amendment was agreed to.

Mr. PLUMB. In lines 6 and 7 I move to strike out the words "and to conduct its investigations through subcommittees."

The amendment was agreed to.

Mr. CALL. I suggest to the Senator from Kansas that it would be well to amend the resolution by striking out the words:

Whereas it has been alleged upon the floor of the Senate by a Senator from the State of Florida.

I have presented a great many petitions here from people in the State of Florida who have alleged that the selections made were of dry lands and not of swamp and overflowed lands, and that such selections embraced their own homes, and who have asked of Congress that such investigation and such redress as was in their power to give should be bestowed upon them. I have not undertaken, however, to be a witness as to the fact itself. I have no doubt their statements are true in a great many instances, and I have no question that it is the duty of Congress to adopt this resolution and such further action as may be necessary to give protection to the settlers upon the public lands of the United States that are not properly conveyed under the terms of the granting act. But the resolution would be more accurate, and I think correct, if it alleged the fact that this inquiry is based upon the petitions of persons claiming to be actual settlers, who I state I have reason to believe are truthful men and state the truth.

Mr. PLUMB. Then, Mr. President, the whole thing comes back, after all, to the statement of the Senator from Florida, because he indorses the petitions which have been presented.

He will bear with me while I call his attention also to the fact that this subject was once before the Committee on Public Lands upon a resolution or bill of his, and that the committee submitted it to the

Secretary of the Interior, and he to the Commissioner of the General Land Office, and those officials reported that legislation was not necessary, and in substance said that whatever remedy was necessary to be applied could be applied through the ordinary facilities afforded by that Department.

The matter, therefore, now stands upon the repeated allegations of the Senator from Florida, and the credit that is due to his representative character and to his character as a man, to which the Committee on Public Lands desire to give full effect as the foundation for the inquiry which is proposed to be made.

Mr. CALL. I move to strike out the words from the preamble that I have indicated.

The PRESIDENT *pro tempore*. The Chief Clerk will read the part proposed to be stricken out.

The CHIEF CLERK. In lines 1 and 2 of the preamble it is proposed to strike out the words:

Upon the floor of the Senate by a Senator from the State of Florida.

So as to read:

Whereas it has been alleged that illegal and fraudulent conveyances, etc.

Mr. COCKRELL. If that is done, I shall ask that the resolution be recommitted to the Committee on Public Lands. I do not see any occasion for that amendment.

Mr. CALL. The Senator from Missouri is only a Senator here, and he is entitled to his opinions, but I am not to be daunted by any expression of his, in a matter so manifestly right, that he will do this or that or the other. I am here asking from each Senator the performance of a public duty upon facts presented. It is manifest to every one that I am not a witness in this case. No allegation of the Committee on Public Lands can change the facts of the case. What do I know personally that you should say in the resolution it is stated by a Senator upon the floor of the Senate in regard to a fact? As I stated, I have presented petitions, and the records will show petition after petition which I have here from citizens of the country claiming that they had a right to protection, and that whether rightfully or wrongfully, by mistake or by purposed wrong, they were being turned from their homes upon the public lands of the United States. I have stated that those petitions came from respectable persons, and upon the faith of their statements and not my own I have asked this public action, as it was the duty of a Senator to do. In this duty I hope I shall never fail, even if there shall be but one poor family who shall appeal to me as a Senator to protect their humble home on the public land of the people of the United States, without the least discouragement from oppositions of any and every kind.

Why, then, convey the intimation of this language here that I as a Senator have been stating as within my knowledge the fact that frauds have been committed in derogation of the rights of the people of the United States? The change I propose is not an important one except in the respect that it places the fact as it is before the Senate and does not state it untruthfully.

What the Senator from Kansas says has no reference to the pending resolution. What matters it if the Interior Department has reported that it had ample instrumentalities to effect this investigation when they have not done it? It is true that the Committee on Public Lands did two years ago report adversely on a resolution introduced by me, at the request and upon the petition of respectable citizens of Florida, one of them a gentleman by the name of Longacre, who had been a judge of one of the superior courts of the State of Pennsylvania, who had gone to Florida to live and who presented this statement and this petition here through me, and many others, poorer people, who are unable to protect their rights.

Mr. PLUMB. It was not with the view that the Senator from Florida was to be a witness in the case or had assumed the position of a witness in the case that the Committee on Public Lands thought that a foundation of the kind which has been made by the preamble was necessary to be inserted. It was because some foundation was to be laid. It will not do simply to say that it is alleged without saying where or by whom.

Mr. CALL. Will the Senator allow me to suggest that the resolution read: "alleged by petitions presented by the Senator from Florida?"

Mr. PLUMB. But that of itself would hardly be sufficient. Petitions are being presented here by the score every day. If a mere petition is sufficient to set in motion the investigating agencies of the Senate, then, as the Senator from Florida can readily see, we shall be called upon to investigate every subject under the shining sun.

It was the fact that not only were these petitions presented, but that the Senator from Florida in his place in the Senate and in his representative character as a Senator gave an importance and dignity and effect to them which otherwise they did not have. It is his allegation, supported it is true by representations made to him by private letters, supported by the allegations and petitions about which he claims to know, as I do not, which gives to this case that dignity which warrants the Senate in proceeding to the investigation.

The Public Lands Committee, I will say to the Senator, are just as desirous to have this matter investigated as he is, but they do not care, as I think, to predicate a request for an investigation without some authoritative statement in regard to the source from which the petitions upon which the investigation is to proceed are alleged to come.

It is not expected, of course, that the Senator from Florida will testify, or that he will drum up the witnesses who are expected to testify; but still the committee would have a right to rely upon him to be helped in the matter of the investigation by suggestions at least. I am sure he does not wish to shirk the responsibility of the statements which he has made here with great emphasis, with great eloquence, and at great length repeatedly. They stand as his allegations for all practical purposes, because he indorses the people who make them. They are constituents of his; he knows them; he knows their character. He must know something, not perhaps in a shape that he could testify to it personally, but he must himself know something, in the ordinary sense of the term, about the truthfulness or untruthfulness of the allegations which have been made.

I am sure the Senator from Florida does not wish to shirk a proper responsibility in this case, and I am sure in speaking thus to him I am only suggesting that he should stand in relation to this investigation exactly as I myself would be willing to stand in regard to an investigation which I had asked to have made.

Mr. SAULSBURY. Mr. President, it is unusual, in my opinion, when a Senator presents petitions representing certain facts, that in a resolution of this kind proposing an inquiry his name should be used as establishing the truth of those statements. It is unusual to say, in a resolution directing an inquiry, that allegations have been made by a Senator. I do not remember such a thing to have ever been proposed before. I remember distinctly a resolution introduced in the Senate stating that it had been alleged and was currently believed that a certain thing had taken place in a Senator's State, and an investigation was ordered upon that statement without coupling with it the name of the Senator who proposed the inquiry.

I do not think it is exactly just and fair to the Senator from Florida, who has presented petitions here alleging that certain frauds have been committed upon the public lands in his State, even if he went to the extent of affirming his belief in the truth of the allegations made by the petitioners, to insert in the resolution the name of the Senator as the party who had made the allegations. I think it is a departure from what has been the custom in cases of this character, and I do not think we should put the Senator from Florida in the position of becoming the accuser, when he is simply representing a class of petitioners whose petitions he has presented to the Senate. If those petitions and the facts which they disclose are not sufficient to justify an investigation, then I think it is highly improper to base it upon the ground that the allegations are made by a Senator who disclaims personal knowledge while he expresses his belief in the truth of the allegations made in the petitions.

Mr. BERRY. I suggest, and if it will be satisfactory to the Senator from Florida, I will move to amend the resolution, so as to make the preamble read: "Whereas, it is alleged by the Senator from Florida that he is satisfied from petitions received from respectable citizens or statements made by reputable citizens of Florida," etc.

That would not make him a witness in the premises, and at the same time it would show something upon which the committee would be authorized to act rather than simply a petition from citizens who are unknown. If that is satisfactory, I will suggest that amendment.

Mr. CALL. I have no objection to that kind of an amendment, nor have I any objection to doing what I have a hundred times done in the Senate, when I have asserted that in my opinion there were actual settlers under the laws of the United States upon land which had been selected as swamp and overflowed lands and for railroad purposes, which land is not embraced in the terms of the granting act, but is high and dry and not swamp and overflowed land, and which can not be made swamp and overflowed by being selected and made swamp and overflowed by the false statements of an agent either of the Federal Government or an agent of the State government. I have affirmed that petitions from respectable people presented here disclose enough of those cases to require an investigation, and that justice should be done by the Government. I have not charged that there was fraud in either State or Federal officers. I have stated the fact as it is stated in the letters and petitions which I have presented to the Senate. How it occurred, by what irregularity, it is not for me to be a witness.

Mr. President, that statement is enough to move the Senate. In the course of business Senators do not come here as witnesses to testify from their personal knowledge nor from their belief, which logically is still less a ground of action, but they state their opinions as Senators of the importance of certain public action, and they present the evidence of that in petitions and memorials, and in other methods of proof, and in this case in the statement of Senators that they are from people whom they have reason to believe are truthful people and are authorized to speak for the people whom they profess to represent in the petitions. That is the only ground of public action. It is not that a Senator believes or disbelieves the facts stated, but that petitions or other evidences are presented showing facts from people of character

and respectability. That is what moves the Senate, and that is what can alone justly move the Senate.

I have given to this application my personal and official indorsement a hundred times. I give it now, but I do not care to have this resolution go forth stating that which I did not state, that which I do not know as a matter of personal knowledge except in a few instances. It is my belief that a very large portion of these selections since the confirmatory act of 1857, and before, are of land that can not pass under the terms of the granting act; but I am not seeking to interfere with anything, except to protect the poor man and his children, who, having gone upon this land, has made himself a home, and asks for protection which he can not get, and which he has not succeeded in getting from any administration of the Land Department, and therefore has appealed to me as a Senator to obtain for him by proper legislative action.

Mr. PLUMB. I have no objection to the amendment suggested by the Senator from Arkansas [Mr. BERRY]. I have no doubt myself that in a general way there have been a great many lands selected in the State of Florida as swamp lands which were not swamp lands. I have in my hand the report of the commissioner of lands and immigration of the State of Florida for the years 1883 and 1884, from which I will read an extract, simply to show that this process of selection, presumably of some at least of the same kind of land the Senator from Florida has spoken of, is still going on. As he is a Senator from that State and is in effect arraigning the administration of his State, I do not think that he should feel sensitive about being brought into direct relation with this investigation. Still I do not care about that. This report states, among other things:

In the spring of 1883 John A. Henderson, esq.—

who, I understand, is chairman of the Democratic State committee of Florida—

was appointed agent to select lands granted to the State by act of Congress of September 28, 1850. By the terms of his contract, he was to bear all expenses of making the selections and of procuring the proofs required by the rules of the Department in Washington, showing that the lands selected belonged to the class granted by the act.

That at all events would create some inducement on his part to make the selections as large as possible:

He states in his report—

I quote further—

He states in his report that he has filed in the office of the United States surveyor-general sixteen lists of selections, numbered from 5 to 20, inclusive, embracing 1,504,415.65 acres. Of these, 776,768.62 acres have already been patented to the State, which are included in the patents above enumerated. For the balance of 736,647.03 acres we hope to receive patents very soon.

So it seems that this process of selection, of which the Senator from Florida complains, is still going on actively under the auspices and by the solicitation of and under a pecuniary inducement offered by the State government, which makes it to the interest of the agent selecting these lands upon behalf of the State to make as large a selection as possible; that is, to select as large a number of acres as possible.

I do not question at all that the Senator's State has received a large number of acres of land as swamp lands which were not so in fact, although I do not personally know anything about it. But it has come to be a part of the common knowledge of all persons who have observed the administration of what are known as the swamp-land acts that selections of that kind, whether fraudulently or inadvertently, have been made in a number of States. It would be a remarkable thing in fact if the State of Florida was an exception. Perhaps the situation down there is worse than elsewhere. I am inclined to think it is, because the State has selected and has claimed from the United States Government patents to an area as swamp land embracing more than half the entire area of the State.

Mr. CALL. Mr. President, there is nothing political in this matter, and it can not be made so by the statement of the Senator from Kansas. John A. Henderson is not the chairman of the Democratic State committee; he is a respectable gentleman there; but it would be entirely immaterial if he was. I am not arraigning the State of Florida, neither its Republican nor its Democratic administrations. These selections have been made under both. I have simply stated that there were a large number of citizens of the United States, poor people, actual settlers upon the public domain of the United States under selections made since 1857, the date of the confirmatory act, who have appealed to the Senate of the United States through me as a Senator from the State to protect them in the possession and occupation of their homes, which they allege are upon high and dry and not on swamp and overflowed lands. I have in vain sought that protection under all administrations from the General Land Office. I now ask it, as I asked it two years ago, under an investigation made by this body, and I have said that any respectable portion of the people on the public domain of the United States, however poor, who have homes upon the public lands of the United States and come to the Senate asking such inquiry and such legislation as will protect them in the rights which the law has given to them, have a right to it, not because I ask it, not because any Senator has a personal relation to the matter, but because petitions from respectable citizens whom I certify to be citizens and men of character deserve attention. That is all there is in it.

I am somewhat indifferent after this explanation whether these words are retained or not; but I do not wish to stand here as arraigning the State or any agent of the State, but as simply stating the facts, that a number of people of respectability and character have asked for this investigation and this action by Congress. The State of Florida and the administrators of its affairs will compare favorably with that of any other State. I have no fear of being regarded as arraigning the State government because I seek to protect the right of every actual settler on the public domain to his home and to a shelter for his wife and children.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Florida to amend by striking out certain words in the preamble of the resolution.

Mr. PLUMB. Did not the Senator from Arkansas [Mr. BERRY] offer an amendment?

The PRESIDENT *pro tempore*. The Chair did not so understand.

Mr. CALL. I have no objection to that.

The PRESIDENT *pro tempore*. It will be read as modified.

The SECRETARY. It is proposed to strike out, in the first line of the preamble, the words "upon the floor of the Senate by a Senator from the State of Florida" and insert "by the Senator from Florida that he is satisfied from petitions presented by reputable citizens of Florida;" so as to read:

Whereas it has been alleged by the Senator from Florida that he is satisfied from petitions presented by reputable citizens of Florida that illegal and fraudulent conveyances of public lands have been made in said State, etc.

The amendment was agreed to.

Mr. PLUMB. Following the suggestion made yesterday about this involving an expenditure from the contingent fund so that it must go to that committee unless adopted by unanimous consent, I ask unanimous consent that the resolution be adopted.

Mr. RIDDLEBERGER. I am not disposed to object very much, but I will object.

The PRESIDENT *pro tempore*. The question then recurs on the adoption of the resolution as amended.

The resolution as amended was agreed to.

Mr. HOAR. I understood that the resolution had to go to the Committee on Contingent Expenses.

Mr. RIDDLEBERGER. If it were objected to.

The PRESIDENT *pro tempore*. The rules require——

Mr. RIDDLEBERGER. Does not the resolution go to the committee if objected to? If so, I object.

The PRESIDENT *pro tempore*. The Chair does not understand that it does. The rules require that resolutions or motions that propose a charge upon the contingent fund of the Senate shall go to the Committee to Audit and Control the Contingent Expenses of the Senate. That order can be made after the adoption of the resolution by the Senate as well as before. So much of the resolution——

Mr. PLUMB. Has the resolution been adopted?

The PRESIDENT *pro tempore*. It has been adopted.

Mr. PLUMB. I move that the question of the expenditure provided for by this resolution be committed to the Committee to Audit and Control the Contingent Expenses of the Senate.

The motion was agreed to.

FANNY WILLIAMS.

Mr. PASCO. I ask unanimous consent that the bill (S. 2236) granting a pension to Fanny Williams, widow of William H. Williams, a lieutenant in the Seminole war, which was indefinitely postponed yesterday, be reconsidered and placed on the Calendar.

The PRESIDENT *pro tempore*. The order indefinitely postponing the bill will be reconsidered and the bill placed on the Calendar, if there be no objection, with the adverse report.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. PLUMB. I move that the Senate proceed to the consideration of Senate bill 1430.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the amendment proposed by Mr. PALMER to the amendment of Mr. STOCKBRIDGE.

Mr. BERRY. Mr. President, the amendment offered by the junior Senator from Michigan [Mr. STOCKBRIDGE] I think ought not to be adopted, and I think if the Senate fully understood the question involved in the amendment, the Senate would conclude that they did not wish to confirm the lands that that amendment provides shall be confirmed.

The history of land grants in Michigan is a complicated one, and it is almost utterly impossible for any one without a thorough study to understand the full effect of the amendment proposed by the junior Senator from Michigan.

In 1856 land was granted by the United States to railroads in Michigan, one of these railroads being a road from Ontonagon to the Wiscon-

sin State line. That act provided that unless the road was completed within ten years from the date of the passage of the act the lands should be forfeited to the United States. That road was not completed within the time. There were various assignments and consolidations with other roads and different lines which claimed to be the successors to this and some other grants then made. In 1862 a joint resolution was passed by Congress authorizing these consolidated roads to take other lands provided the lands granted by the original act of 1856 were surrendered to the United States. The governor of the State of Michigan undertook to reconvey the lands that were granted by the original act, and he did make a deed of conveyance conveying 340,000 acres of land, if I remember correctly, and under the resolution of 1862 the Commissioner of the General Land Office certified other lands, and instead of following the law of 1862 he gave 50,000 acres more than that surrendered by the State of Michigan, without any authority whatever, and for what cause no one can tell.

In 1865 and 1866 a grant of other lands was made to a canal company. That was after the ten years had expired when this road was to have been completed, and it was supposed at that time that these lands were actually forfeited without any declaration of forfeiture by Congress. Lands were granted to the State of Michigan by the act of 1865 to build a canal. The act of 1865 provided that the lands should be selected from those nearest the line of the proposed canal. An additional grant was made in 1866 of 200,000 acres more land to the canal, and those words, "nearest the canal," were left out.

It was contended by able lawyers on the one side that those two acts should be construed together, that it was the intention of the subsequent act that the ceded lands should only be taken along the line of the canal. Nevertheless the canal company selected 15,000 acres in a different portion of the State of Michigan, as I understand, not near the canal and including part of the land originally granted to the Ontonagon Railroad Company.

These parties now claim this selection under the State, and notwithstanding the fact that the governor had undertaken to convey back to the United States the original land, notwithstanding other lands had been conveyed in lieu of them, yet in 1880 a different railroad company—not the original company—undertook to build the road and did build 20 miles of it, and the governor of Michigan undertook to convey the original land under the original grant and lands that he had conveyed to the United States to this railroad company in the year 1880 when the road should have been completed in 1866.

Now, if the amendment offered by the junior Senator from Michigan is adopted, it not only confirms the grant made to this canal company, but it would have the effect to convey a portion of that same land and other lands in 1880 to this railroad company to which the grant was never made, and which undertook to build the road long after the time had expired, and after the governor of Michigan had undertaken to convey the land back to the United States. Such would be the effect of the confirmatory act proposed by the junior Senator from Michigan, to make a new grant to this railroad company and to this canal company of these lands.

On the question of law that arises I do not undertake to pass judgment. The canal company claim the land because they claim that they had a right to select land after the expiration of the time, and yet the Supreme Court decided that they had no right to select such lands because no forfeiture had taken place. The railroad company claim a portion of it by reason of the fact that in 1880 they had built 20 miles of road. The amendment confirms both of these.

A great many persons after the time had elapsed, the ten years, went on and occupied the lands as homesteads or bought them for cash or took them under the pre-emption laws, and they have their homes upon them, and yet if this amendment becomes a law in the language used, it will deprive those parties who have made homes there and spent half a life-time on those homes of their lands and give them to the railroad company or canal company. I say such is the effect of the amendment as I understand it, and to that amendment I am opposed.

The senior Senator from Michigan [Mr. PALMER] proposes another amendment, to strike out "the State selections" and probably some others. If any amendment should be adopted, certainly the amendment of the junior Senator [Mr. STOCKBRIDGE] should not be adopted unless it is amended by the amendment proposed by the senior Senator [Mr. PALMER].

For these reasons I hope that the amendment, unless it is amended, will not be adopted by the Senate.

Mr. DOLPH. Mr. President, I do not care to prolong the discussion of this amendment. It is very important. The remarks just submitted by the Senator from Arkansas [Mr. BERRY] disclose the difficulty which arises from the Senate being required to consider amendments which have not been reported by a committee.

I agree with the senior Senator from Michigan [Mr. PALMER] in his statement of yesterday. I, too, look with distrust on all amendments to this bill that have not been reported from the Committee on Public Lands. The amendment under consideration does not come from the committee, but was introduced by the junior Senator from Michigan [Mr. STOCKBRIDGE], and an amendment to it is proposed by the senior Senator from that State.

It is difficult in a general forfeiture bill to provide for all the exceptions that should be made in favor of actual settlers and persons who have vested interests, or who have equitable interests arising under a mistaken administration of the law by the Interior Department or by the local land officers.

The senior Senator from Michigan said yesterday that there had been great scandals in regard to the Portage Lake Canal, if I understood him. I will ask the Senator if the Portage Lake Canal is the same canal for the purchase of which by the General Government provision was made in the last river and harbor bill and an appropriation of $350,000 made?

Mr. PALMER. Yes.

Mr. DOLPH. I think that provision received the assent of the Senator from Michigan.

Mr. PALMER. It did, but not out of any regard to the owners of the canal.

Mr. DOLPH. The question of these State selections for the benefit of this canal company has been before both branches of Congress session after session. At the Forty-sixth Congress, third session, Mr. Walker, from the Senate Committee on Public Lands, submitted a report, No. 806, to accompany the bill (S. 1997) to quiet the title to certain lands in the Upper Peninsula of Michigan, and also the bill (S. 2026) to affirm to the State of Michigan certain lands heretofore granted to said State to aid in the construction of a railroad, and for other purposes. In that report is the following:

> By letter addressed to the Secretary of the Interior, dated July 10, 1873, the then governor of Michigan claims that the surrender by his predecessor of the lands granted by the act of Congress of June 3, 1856, in aid of the construction of a railroad from Ontonagon to the Wisconsin State line, was without authority, and that such lands still belonged to said State.
>
> It may be that the governor of Michigan had strictly no legal authority to make the release above mentioned of the lands along the line of the proposed railroad from Ontonagon to the State line. But, after that release, the General Land Office appears (and, as it seems to the committee, with good reason) to have considered and treated these lands (as well as those on the original line of the Marquette and State Line Railroad)—

As I said yesterday, this grant was a grant to aid a road running from two points, Marquette to the State line and Ontonagon to the State line, coming together at or near the State line. Mr. Walker says:

> But, after that release, the General Land Office appears (and as it seems to the committee with good reason) to have considered and treated these lands as well as those on the original line of the Marquette and State Line Railroad as having been fully revested in the United States, and to have disposed of about 29,931 acres of them to parties, who in good faith, and with good reason to believe the titles thus acquired to be perfect, purchased the same or made homestead entries, settlements, or pre-emption claims thereon, or selected them under other grants of the United States in aid of public works.
>
> It appears to the committee that justice to these parties requires that their titles so acquired should be confirmed and protected, to the extent that they would be if said grant to the State of Michigan had not been made; and that this may be done without any injustice to or just cause of complaint by the State of Michigan or any other party.

At the next session of Congress, the first session of the Forty-seventh Congress, Mr. Walker made another report from the same committee, the Senate Committee on Public Lands, in which he said:

> It is claimed that the governor of Michigan had no authority to make the release of the lands along the line of the proposed railroad from Ontonagon to the State line, though the State still retains the lands received in exchange for them.

That is to say, the State retains the lands which were granted to aid in the construction of a new line down the lake shore southerly from Marquette in lieu of the grant made to aid in the construction of the road from Marquette to the State line, and it also claims the lands from Ontonagon to the State line.

> The General Land Office appears to have considered and treated these lands (as well as those on the original line of the Marquette and State Line Railroad) as having been, by this release, as well as by the forfeiture then supposed to exist from the failure to build the road, fully revested in the United States. The Land Office disposed of many thousand acres of the land to parties, who, in good faith and with good reason to believe the titles thus acquired to be perfect, purchased the same or made homestead entries, settlements, or pre-emption claims thereon, or selected them under other grants of the United States in aid of public works. Patents were issued in many of these cases and the titles were transferred to other innocent parties at advanced prices.
>
> It appears to the committee that justice to these parties requires that their titles so acquired should be confirmed and protected to the extent that they would be if said grant to the State of Michigan had not been made; and that this may be done without any injustice to or just cause of complaint by the State of Michigan or any other party.

Mr. DAWES. Will it interrupt the Senator if I ask him to try to explain this to me, so that I can understand it?

Mr. DOLPH. Certainly not.

Mr. DAWES. I understood the Senator, during his colloquy with the Senator from Michigan [Mr. PALMER] to-day, to state that the proceeds of these lands built the canal and that the United States bought the canal of those persons who built it.

Mr. DOLPH. No. In the last river and harbor bill, which failed, it was proposed to authorize the purchase. It has not been purchased.

Mr. DAWES. If the amendment of the senior Senator from Michigan prevails, then that which built the canal will go back into the United States, when the United States has a consideration for it already.

Mr. DOLPH. Yes, or probably be taken by persons who, relying on the supposed illegality of the action of the Department in offering those

lands as public lands at the time they were selected by the State of Michigan for this canal, and the want of authority on the part of the governor of the State of Michigan to release them, may have instituted the necessary proceedings to secure the title in case they are taken from the grantees of the canal company.

Mr. DAWES. Are those who are seeking to take this title bona fide occupants of the lands for a consideration?

Mr. DOLPH. No; they never could have gotten so far as to institute a claim by application which has been received by the local land officers, because the lands were certified to the State and the apparent title passed out of the General Government years ago.

Mr. DAWES. Then the amendment of the senior Senator from Michigan will put them back in the Government?

Mr. DOLPH. If the governor of Michigan had no authority to execute the deed of release to the United States, and the lands for the Ontonagon branch of this railroad—that is, the road from Ontonagon to the State line—were not forfeited by the act of Congress which authorized the company to change the line of the road and build it southernly down the lake shore—if those questions should be determined by the courts adversely to the claimants who have taken those lands as public lands, then the grant has never been forfeited from Ontonagon to the State line, and the lands have never been restored to the public domain, and this bill would forfeit them and restore them to the United States; but the Department has treated them as public lands, and the governor of the State of Michigan has selected them for the benefit of this canal company, and they have been transferred to private persons for value.

Mr. DAWES. But the company has built the canal.

Mr. DOLPH. The company has built the canal, and it is desired on the part of the Michigan people and other people of the Northwest that it should be purchased by the United States and become a free canal. But I yield to the Senator from Michigan.

Mr. PALMER. Mr. President, this contest is not a contest against the canal on my part. It is because I regard the sweeping clause of the amendment proposed by my colleague unamended by the amendments that I sent to the desk yesterday, as altogether too comprehensive. It will confirm the title to 280,000 acres of land in Michigan which it was stated by a House committee was gotten illegally.

Mr. DAWES. Was it not gotten in good faith?

Mr. PALMER. I can not go into the merits of the case. I do not know whether it was gotten in good faith or not. It is considered by a great many of the people of our State to have been gotten in bad faith. I will say to the Senator from Massachusetts that it is only about 15,000 acres that are occupied by homesteaders. But the point is that that should not be brought in in this drag-net amendment; it is too important a thing, and I do not think it is germane to this railroad-forfeiture bill. I do not think it should come in here at all.

I am willing to go this far, to confirm the rights of cash entrymen and homesteaders, where there is no conflict with the lines of these railroads. But where there has been a contest and a charge of illegality on the part of a company getting 280,000 acres of land, I think that ought to "give us pause" before we take such a step. It is of more importance than the original forfeiture bill. This land is worth from $20,000,000 to $100,000,000.

I am perfectly willing to do justice to the canal company, but I think it should be divested of the questions involved in this bill, should come up for legislation alone, and where there are conflicting claims I think they should be adjudicated if possible, rather than legislated upon. That is all there is to it. I have no hostility to the canal company. I do not know any of its stockholders.

Mr. HOAR. Will the Senator consent, then, to amend the amendment, so that the act shall not apply at all to those lands, leave them out, unembarrassed? That seems to be what the Senator said he wanted.

Mr. PALMER. That is my want, as the Senator from Massachusetts has just stated. If I get the bearing of his words fully, I think that I will assent to that.

Mr. DOLPH. Will the Senator allow me to conclude my remarks?

Mr. PALMER. I beg pardon of the Senator from Oregon. I thought I had the floor.

Mr. DOLPH. I thought I was to be interrogated by the Senator.

Mr. President, I shall touch upon the question of cash entries directly, because "thereby hangs a tale." This amendment if amended as proposed by the senior Senator from Michigan would confirm the cash entries; but I desire now to refer to what the Senator has said in regard to a report of a committee of the House, and I will show that the report of the House Judiciary Committee is substantially the same as to its conclusions as the report of the Senate Committee on Public Lands. I have no interest in this matter. I only desire to protect the rights of innocent purchasers of the public lands within these grants which we are proposing to forfeit. If we undertake to protect the rights of a portion of the purchasers of such lands I think we ought to go to the extent of protecting all bona fide purchasers.

My knowledge of the facts is derived from official reports only. Mr. TAYLOR, from the House Committee on the Judiciary, at the first session of the Forty-seventh Congress, submitted a report, No. 1266, a very elaborate and able report, reviewing all the facts and law in this case, in which he said:

It is difficult to discover any equity in either the State of Michigan or in the Ontonagon and Brulé River Railroad Company to the lands granted to the State of Michigan in aid of the Ontonagon and State Line Railroad Company.

It is also true of the purchasers of lands comprised in the original grant.

Mr. BERRY. Will the Senator allow me to ask him a question?

Mr. DOLPH. Certainly.

Mr. BERRY. That report says that there is no equity in the Ontonagon and Brulé Company. I ask him if the effect of the amendment offered by the junior Senator from Michigan would not be to confirm the lands to that railroad company?

Mr. DOLPH. I am informed not. I am informed by the junior Senator from Michigan that it would not, and if the Senator from Arkansas will wait until I get through with my explanation the Senator can be heard; I will come to that matter directly.

Mr. BERRY. I ask whether it would not have the effect of confirming title to that railroad company which the report read by the Senator says has no equity?

Mr. DOLPH. This report says:

It is difficult to discover any equity in either the State of Michigan or in the Ontonagon and Brulé River Railroad Company to the lands granted to the State of Michigan in aid of the Ontonagon and State Line Railroad Company.

That is a company, as I understand, claiming these lands after the line of the road had been changed and other lands had been granted in lieu of these, and after the governor had released these lands by deed.

Mr. BERRY. A matter of State selection by the governor or otherwise.

Mr. DOLPH. I shall get to that question directly. This report says:

It is also true of the purchasers of lands comprised in the original grant that, according to the interpretation of the law by the Supreme Court, no matter what the forms of their title papers may be, such title will not stand the test of a court of law, but inasmuch as their purchases, entries, and pre-emptions were made without actual notice of any want of power on the part of the United States to convey, and inasmuch as they have paid their money, relying upon the ability of the Government to give that which they paid for, they have strong equitable claims on the Government for protection, and the purchasers of the canal lands have, in addition thereto, an equity as against the State of Michigan that can not be disregarded.

That is the House committee's report, not only that the persons who claim under selections by the State for the canal company have an equal equity as against the General Government with the pre-emption claimants and the persons who purchased at cash entry, but that they have an additional equity against the State which can not be disregarded.

That State, by its agent properly appointed, selected for the ship-canal company the lands which they now claim; nor is this equity weakened by the fact that the agent was also the president of the canal company; the present owners did not select him, and the State did by its own choice, knowing at the time his relation to the company.

Your committee have arrived at the conclusion that it is the right and duty of Congress to confirm the titles of all said purchasers and to forfeit so much of said grant as applies to the lands so held, and they therefore report a substitute for the bill referred to them, and recommend its passage.

That bill is very short, and I read it.

Be it enacted, etc., That the acts of said Interior Department and its officers in issuing such patents, certificates, and lists of lands, and in permitting such entries and making such sales of both the odd and even numbered sections within such limits, are hereby ratified, and the rights and titles of parties holding thereunder are hereby confirmed and protected; and said grant is hereby declared to have been and to be forfeited to the United States to the full extent necessary to confirm, protect, and make effectual said titles, but no further.

That was the action of the House committee; that was their report in favor of the equities of these claimants, and the bill they proposed confirmed the action of the Interior Department and the title of those persons who claim the lands so selected after they had been surrendered to the General Government.

As I have said, the proposition under consideration does not come from the Committee on Public Lands; it comes from one of the Senators from Michigan. It is proposed to confirm cash entries, to confirm pre-emption and homestead claims, which is all right—at least I do not object to it—although I will repeat what is charged against these cash entries, without vouching for its truth, that these lands were collusively opened by the local land officers to cash entry contrary to the law and without the authority of the Secretary of the Interior, contrary to the rule early established and always followed, that lands which have been once withdrawn from market and then restored are not thereafter subject to be entered for cash. We are going a step further in proposing to confirm these cash entries than Congress has gone in any other case.

Lands offered at public sale under the former practice of the Government were placed on the market subject to private entry at the minimum price. Any one individual could enter as many acres of offered land as he chose at that price. When they were withdrawn from sale under the general laws by a grant for any purpose, or otherwise, it has been uniformly held by the Department that they could not again be offered at private entry until they had again been offered at public sale. The cash entries that are proposed to be confirmed in this case are cash entries which were made contrary to that rule.

I desire to clean up this matter, to open a new set of books, to settle all this controversy over these lands. I do not know that the amendment of the junior Senator from Michigan does this. It is possible

that it may cover some case in which the title ought not to be confirmed. If so, I do not know it. But if there are any cases where State selections of public lands have been made in pursuance of a valid law and under the authority and direction of the Secretary of the Interior, and the lands so selected are now held by innocent purchasers, while we are restoring these land grants to the public domain we should by some general provision or special provisions applicable to particulars cases settle all these controversies and confirm the title of every innocent purchaser, no matter by what means he derived his title, if he derived it under color of the laws of the United States and by the authority of the Interior Department and the local land offices. We should confirm their titles and close the books now, and not leave it for subsequent legislation.

I ask the junior Senator from Michigan if he understands the statement of the Senator from Arkansas with regard to this amendment confirming titles to a railroad company that was not entitled to a grant at all to be correct.

Mr. STOCKBRIDGE. I will state that I did not clearly understand the point made. I was unable to hear the Senator from Arkansas.

Mr. BERRY. If the Senator from Oregon will allow me——

Mr. DOLPH. I should like to have the Senator restate his proposition, so that the Senator from Michigan may understand it.

Mr. BERRY. The amendment offered by the junior Senator from Michigan confirms all lands that have heretofore been selected by the State either for the canal company or for the railroad company. Now, I assert that the governor of Michigan has selected a certain portion of these lands. I do not know the amount, but it was claimed by a railroad company in 1880 that it had built 20 miles of the Ontonagon railroad and the selected lands were conveyed to the railroad company. I think there is some conflict as to some of these lands between that company and the canal company. But the State of Michigan assumed in both cases to select the lands and turn them over to the railroad company or to the canal company.

Then I say that the effect of the amendment offered by the junior Senator from Michigan, if adopted, is to confirm to both the railroad company and the canal company all selections that have been heretofore made by the State of Michigan; and if there is a conflict then the courts will decide whether or not the selections made by the canal company and the railroad company were proper selections. I say that I am opposed to confirming any lands to that railroad company and I am opposed to confirming any lands to that canal company.

In the first place, it is a question of law and a question about which able lawyers differ whether or not these 15,000 acres were authorized to be selected by the canal company. They went away from the line of the canal. They left thousands of acres between the canal and those they selected, and they selected some of the most valuable lands in the State of Michigan. That is a question of law to be decided. Yet this amendment undertakes to say that the parties who made homes there, the parties who hold title from the Government, the men who own their little homes—and it is all they have—shall be deprived of them and they be given over to a canal company or a railroad company. The mischief of that is shown by the fact that the Commissioner of the General Land Office without any authority of law gave to the State of Michigan 50,000 acres more than he was authorized to give, and that went to these railroad companies. I am opposed to giving any railroad company another foot of land. I will not vote to confirm it. I believe that when they failed to complete the road within the ten years given by Congress they have no legal right and no equity that we are bound to respect.

I am in favor of actual settlers, homesteaders, and those claiming under pre-emption claims taking whatever remains of the public land, and I am opposed to placing in this bill a section that would confirm either to the railroad company or the canal company, as the court might decide, the homes of these people who have taken them from the Government believing they had a right to take them.

Mr. DOLPH. The Senator from Arkansas is no more in favor of confirming the title of settlers on the public lands than I am; but when I do something for the settlers I want it to be of some substantial benefit to them. I would give them a piece of land and not a lawsuit. I think it is impossible that the statement made by the Senator from Arkansas can be correct, because if the State had selected any portion of these lands for the canal company, and they had been held to be public lands at the time by the Interior Department, and approved to the State by the Department, from that moment the Interior Department had no jurisdiction over them and no power to dispose of them. The title passed from the United States, so far as the Interior Department was concerned, and no man could lawfully go upon such lands under the homestead or pre-emption law, nor could any such claim be allowed.

So there is no conflict here, as I understand, between any person who has gone lawfully and with the permission and authority of the General Land Office or the local land offices upon any of these lands which are held by the assignees of the canal company.

Now, in regard to the other proposition, I do not clearly understand the Senator from Arkansas yet whether or not his statement is that some railroad company undertook to build the railroad and to claim the lands under the original grant, undertook to build from Ontonagon to the State line after these lands had been released to the General Government by the governor of the State and selected for other grants to the State. If that is the case, will the Senator from Arkansas inform me if he understands that the Interior Department recognizes that claim?

Mr. BERRY. I understand that the governor of Michigan made the selections for the benefit of the new railroad company after the decision in the Schulenberg *vs.* Harriman case, wherein the Supreme Court of the United States decided that it took an act of Congress to declare a forfeiture. Thereupon a railroad company undertook to get these lands under the original act of 1856, and the governor of Michigan, after they had built 20 miles, selected land along that line and conveyed it to them. That is what the report of Mr. Taylor, from which the Senator read, says. That is what the report of Senator Walker said. That is the way I understand it, and I understand that the effect of the amendment would be to give that land to this railroad company to the exclusion of the citizens who had taken up the land in the mean time under the pre-emption and homestead laws.

Mr. SAWYER. My friend does not understand the amendment at all. The amendment simply confirms lands that have been bought by individuals from the Government, and where the money paid is still in the hands of the Government and there is no pre-emption on the lands. That is all the amendment does.

Mr. BERRY. I beg the Senator's pardon. I read in the amendment:

> That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, have heretofore been disposed of by the proper officers of the United States, by sales, entries, locations, or State selections, under color of the public-land laws.

Mr. SAWYER. That is what I say.

Mr. BERRY. By State selections, by locations, or by entries.

Mr. SAWYER. But the Government still retains the land, and there is no pre-emption on it.

Mr. BERRY. It confirms all State selections in express words.

Mr. DOLPH. Now, I will show the Senator that he is entirely mistaken; that as a member of the Committee on Public Lands he has agreed to a report which confirms these very lands to this very railroad company.

Mr. BERRY. I say to the Senator that I never agreed to a report to confirm a foot of land, and every Senator on that committee knows it to be true. Not only that, I say that I voted in that committee to forfeit every foot of land not only along the uncompleted portions, but along the completed portions that were not completed within the time specified by Congress. The Senator from Oregon knows that I have held that position since I have been a member of that committee.

Mr. DOLPH. It would not be correct to say that the bill as reported by the Senate Committee on Public Lands confirms these lands along any completed road, and to that extent I was in error. I used the word "confirms" unadvisedly. The bill only forfeits lands which are adjacent to uncompleted road, but I did not understand the Senator to oppose this bill. If this land grant never has been forfeited, and the deed of the governor of Michigan was not sufficient to transfer the land to the General Government for the 25 miles of road which has been built by a company entitled to claim the grant, and for which the lands have been selected and conveyed to the company, such lands are left by this bill precisely in the condition that lands adjacent to the completed road of any other company are left.

The first section of the bill excludes these lands, and the amendment of the junior Senator from Michigan does not affect them at all, because his amendment refers only to lands which this bill undertakes to forfeit. Therefore the whole argument of the Senator from Arkansas falls to the ground. I repeat it, falls to the ground, because it is made in reference to lands claimed on account of completed road which are not attempted to be forfeited by the first section of the bill, while the amendment of the junior Senator from Michigan applies only to the lands which lie adjacent to uncompleted road, and which this bill attempts to forfeit. So therefore I say the Senator from Arkansas is wrong, and if we confirm the selections made by the State of the lands which are now held by the grantees of the canal company it does not affect the question at all of the right of that railroad company to lands for the 25 completed miles.

Mr. PALMER. The objection that I have to this amendment is its comprehensive character, for it says: "That in all cases when any of the lands forfeited by the first section of this act or when any lands relinquished to or for any cause resumed by the United States from grants for railroad purposes," etc. That brings the Ontonagon and Brulé grant within the category, unless we get an amendment subsequent to this on this bill, and it would confirm all the entries of the lands in the grant where the road had been built.

Mr. DOLPH. Why so?

Mr. PALMER. Because those lands have been "relinquished to or for any cause resumed" by the United States. They were not relinquished, but that explanatory clause "or for any cause resumed by" I think would cover them.

But the objection I have to this amendment is, as I said before, its

comprehensive character. If the bill was entitled "A bill to confirm the Portage Lake and Lake Superior Canal Company's grant, and for other purposes," I think it would express, as far as value is concerned, the intent of the measure; that is, if this is adopted without qualification; but with the amendment I have sent up I think it will be acceptable to the Senator from Arkansas. I know it is to my colleague, for we agreed upon it before his amendment was sent up. I would ask the Senator from Arkansas to listen to the reading of my amendments to the amendment, and possibly it will save a great deal of disputation on this very matter. So amended it limits the action of this confirmation to the cash-entrymen and to the homesteaders, but only in cases where there is no conflict.

Mr. BLAIR. I should like to ask the Senator from Michigan where these parties live who are interested to uphold the validity of the State selections? Do they live in Michigan or in other States?

Mr. PALMER. The "State selections" is such a vague and indefinite and comprehensive phrase that I want it stricken out.

Mr. BLAIR. I know the Senator wants it stricken out, but he would not be particular to have it stricken out if it was not of importance. Now I ask him if it be not the fact that those parties who would hold under the State selections made by the State of Michigan are non-residents of the State of Michigan?

Mr. PALMER. That I do not know.

Mr. BLAIR. I will ask the junior Senator from Michigan [Mr. STOCKBRIDGE], then.

Mr. PALMER. If the Senator asked me a question, let me answer it, and it possibly will save a good deal of disputation.

The stockholders of the canal company which is expressly aimed at, which this was intended to cure the titles of, undoubtedly lived mostly out of Michigan; but I myself might be benefited $100,000 by leaving that term "State selections" in. I have lands that have been selected by the State and claimed as swamp lands, and the State has deeded those lands, although I have had patents from the United States for twenty-five years. I do not know but what this would perfect my title, but I do not propose to come here to grind my ax in the United States Senate.

Mr. BLAIR. I ask the Senator if he moves to have it stricken out in order that he may be deprived of $100,000 worth of land?

Mr. PALMER. No, sir; I do not pretend to any Spartan virtue, but I am willing to take my chances in the courts.

Mr. BLAIR. I imagine the Senator has as much Spartan virtue, however, as anybody, and I rose for information. I supposed these words "State selections" covered the rights of parties non-residents of Michigan and who have invested largely in the construction of the canal. The Senator was saying that he and his colleague had agreed between themselves that this amendment should be so modified. I simply wished to develop the fact that they were not making an agreement to anything which touched the interests of the residents of the State of Michigan, and other Senators might be concerned in representing interests elsewhere that would be covered only by this term "State selections."

Mr. PALMER. In regard to the amendment that my colleague sent up, it was drawn by parties who knew him; but he did not comprehend entirely the comprehensiveness of that amendment; and what I object to is that that is more important and may be so in its results than the whole forfeiture of all the railroad grants. If they would bring in a bill for the confirmation of those titles and the forfeiture of the land grants, I would agree to consider it, or for the confirmation of those titles in themselves. But as long as there are grave charges of fraud—and I can read from the House report in regard to that—and irregularity, I do not think it ought to be scooped in by an amendment like this. I think it is a kind of loose legislation that should not be indulged in.

Mr. BLAIR. Would not the Senator think on the whole, rather than to develop this tremendous controversy which has agitated the Senate and the State of Michigan and many parties, that it would be better to reject this amendment and not encumber this general forfeiture bill with the old Ontonagon controversy? Would not it be better to leave it all out?

Mr. PALMER. As far as I am concerned I have no objection to its rejection. I am inclined to assist my colleague in getting this through, and as far as I am concerned I will vote for it to please him, because on the whole it is correct; but as far as these parties are concerned I do not care anything about it.

Mr. DAWES. I should like to inquire of the Senator from Michigan if he is in favor of forfeiting to the United States the 15,000 acres of land alluded to by the Senator from Oregon [Mr. DOLPH]?

Mr. PALMER. What was the question? There was so much conversation around me that I did not hear it.

Mr. DAWES. The Senator from Oregon alluded to 15,000 acres of land connected with the construction of that canal. I inquire of the Senator from Michigan if he is in favor of the forfeiture of those 15,000 acres to the United States?

Mr. PALMER. That matter is in conflict now between the canal company and the railroad. I should certainly be in favor of it—that is, as far as the rights of the road are concerned.

Mr. DAWES. So far as the rights of the canal are concerned?

Mr. PALMER. I do not think that is up for discussion.

Mr. DAWES. Can the Senator answer the question? Is he in favor of the forfeiture of these 15,000 acres of land to the United States?

Mr. PALMER. As against the canal company.

Mr. DAWES. Whether or no?

Mr. PALMER. No, sir; but as against the canal company. I have a right to add that qualification to the question.

Mr. DAWES. The Senator, of course, can qualify his answer as he pleases.

Mr. PALMER. As far as the railroad company is concerned, I am in favor of its forfeiture. As far as the canal company is concerned, I do not desire that matter to be involved in this bill. When a bill comes up for its forfeiture as against the canal company I will consider that question on its merits.

Mr. DAWES. The question I asked was leading up to this question: Whether the comprehensive phraseology of the bill after these words are stricken out will not have that effect to forfeit them to the United States, whether or no? Does the Senator understand the operative words of the bill, when his amendment is adopted, will or will not have the effect to forfeit them to the United States, whether or no, without reference to the canal company, railroad company, private individuals, or anybody else?

Mr. PALMER. No, sir; I do not think it would at all.

Mr. DAWES. I so understand it.

Mr. PALMER. I think the vested rights, with the exception of those of the railroad company, remain to the canal company, the cash-entry man, and the homesteaders; and if the Senator will listen to the amendment as I should like to see it amended he probably will get a new idea of my intent.

That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, have heretofore been disposed of by the proper officers of the United States—

To whom? The Senator from Massachusetts will follow me—

by sales, entries, locations, or State selections, under color of the public-land laws—

"Locations or State selections" being stricken out—

and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided*, That nothing herein contained shall be construed to confirm any sales or entries—

This proviso is my second amendment—

of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States: *And provided further*, And no sales or entries shall be hereby confirmed to the prejudice of any pre-emption or homestead claims now valid under existing decisions of the Secretary of the Interior, and which were existing on the 1st day of January, 1888.

Mr. DAWES. The Senator may have an amendment to justify his statement as to the effect of the bill without his colleague's amendment. My question was, if the bill passed without his colleague's amendment, or with his colleague's amendment amended as he proposes, whether it would not sweep these 15,000 acres of land out of everybody's hands to the United States. I understand him to say that he does not understand the effect of the bill to be that.

Now, I would like to read to the Senate in his hearing the phraseology of the bill. The trouble about these 15,000 acres of land is that they were once selected for a railroad, and afterwards selected for a canal. It is enacted, if this bill passes without the Senator's colleague's amendment, or with his colleague's amendment amended by him in these words:

That there is hereby forfeited to the United States, and the United States hereby assumes the title thereto, all lands heretofore granted to any State or to any corporation to aid in the construction of a railroad opposite to and coterminous with the portion of any such railroad not now completed and in operation for the construction or benefit of which lands have heretofore been granted.

These lands were granted to this many-sided railroad—I do not know what its name is.

Mr. PALMER. The Ontonagon and Brulé.

Mr. DAWES. And then after that company concluded not to build the railroad the State of Michigan thought it had a right to grant the land to the canal company, and the canal company went on and built their canal. It turns out that Michigan had not the right to make that grant to the canal company, that it remains still in the railroad company; and now this bill will forfeit it as unearned land of the railroad company to the United States, unless the amendment of the Senator's colleague prevails.

Mr. PALMER. I ask whether the 15,000 acres are opposite the completed portion of the road?

Mr. DAWES. I understand not, but I am not certain.

Mr. PALMER. Then the gentleman will excuse me for saying that he is playing Don Quixote on this question, for it does not seem to me to apply at all. It only forfeits the lands opposite the completed portion.

Mr. DOLPH. These selections are opposite the completed portion.

Mr. DAWES. I do not know but that I may be playing Don Quix-

ote—I do not know how that may be—with the windmill. My colleague suggests that is the way that gentleman was fighting. But this is plain language, and I am not playing with the Senator or putting conundrums to him. The proposition of the bill, in plain language, forfeits the land opposite the uncompleted portion of the road. Now, this is opposite the uncompleted portion of the road, and the difficulty about it is that the State of Michigan went on afterwards and utilized that land for the building of the canal, and the canal is built, and now it is proposed to forfeit the land to the United States, and the United States keeps the benefit of it. I do not see how that is fair.

Mr. PALMER. I do not know but that I may be a little obscure on that point, but it seems to me that it does not affect the rights of the canal company at all. It merely affects the rights of the railroad company; and if the canal company have any vested rights there they have redress before the courts.

Mr. DOLPH. The same may be said of all the cash-entry men and the homesteaders and pre-emptioners.

Mr. HOAR. I can not understand on what principle of justice the Senator from Michigan bases his position with regard to the effect of the bill one way or the other. If one man is to have his land saved to him, although he got it under a defective proceeding in law, because he actually paid the consideration which the public has got, that man living in Michigan, I should like to know why the man who paid his consideration under the same circumstances should not have his title confirmed merely because he lives in Boston? That is a point I should like to have answered.

Mr. PLATT. Regular order.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The hour of 2 o'clock having arrived, the Senate resumes the consideration of the unfinished business.

ADMISSION OF DAKOTA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 185) to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of Lincoln, the pending question being on the amendment proposed by Mr. BUTLER to the amendment reported by the Committee on Territories as amended.

Mr. SHERMAN. Mr. President, the Senator from Vermont [Mr. EDMUNDS], who is entitled to the floor, is called out by a professional engagement in the Supreme Court, and he has kindly consented that I should take his place. Perhaps he may be detained longer than I shall desire to address the Senate.

It has always impressed me that the opposition to the admission of the Territory of Dakota was totally unjustifiable and latterly factious, so much so, as to be subject to the severe criticism of every one who likes to see fair play on great questions affecting the interests of large masses of our people.

Why should Dakota be excluded from the Union? I have listened to the larger part of this debate, and I have not heard a single reason given except only that the people of South Dakota prefer to be organized as a State by themselves, leaving the equal half of the old Territory to be organized into another State in due time by act of Congress. The people of Dakota have expressed their wishes to that effect. What reason has been even suggested why this should not be done?

Why should any qualification or condition be added to such a bill? Not one has been given that I have heard. There never has been a Territory or a community applying for admission into the Union of States with anything like so large a population, with anything like such developed resources. I have had the pleasure to take part in the admission of five new States since I have been in Congress. Minnesota probably was the largest of all, and yet Minnesota at the time it was admitted had not one-half the population of Southern Dakota. Kansas, about which the country almost went to war, had a population of only about 130,000 at the time of her admission. Nebraska had a population of less than 100,000 when admitted. Twenty-eight years ago Kansas, which has now developed into a magnificent empire, had less population, less resources, less railroads, less schools, less land, less everything than South Dakota has to-day. Why it should not be admitted I therefore can not imagine.

I find on the statement made by the Senator from Connecticut [Mr. PLATT] that this new State—and I have had the pleasure of passing through it and know something about its resources and its extent—has an area of 77,000 square miles; just about twice the size of Ohio, which now contains three and a half million people. Its population as he puts it, on the lowest basis is over 400,000 inhabitants. He says:

> No authority puts it less than 382,000, and that was some time ago, while the population has been rapidly increasing, so that it may be said in round numbers to be 400,000. South Dakota has 2,770 school-houses. It has school property of the value of $2,046,000. It expended for public schools in 1887 $1,670,000.
>
> * * * * * * *
>
> It has 231 newspapers, and 200 banks with a banking capital of $5,700,000. The assessed value of all property in 1887, exclusive of railroads, and exclusive, of course, of the lands which have been entered upon but which have not been patented, was $85,452,000. Miles of railroad, 2,243.

And yet no one of the five States that I have seen admitted into the Union had at the time of its admission more than 50 or 60 miles of railway. Even Iowa long after she was admitted had only one road—a little railroad about 25 miles from the river to Iowa City. Besides, it seems this Territory had:

> Number of horses in 1887, 128,000; number of cattle, 734,000; number of sheep, 194,000; number of swine, 387,000; bushels of wheat raised in 1887 in Southern Dakota, 26,632,000—

Which was more than was raised in Ohio in 1840, and Ohio then led all the Union in the growth of wheat—

> bushels of oats, 24,628,000; bushels of corn, 23,510,000; bushels of barley, 3,990,000.

That is the best sign I see in the whole list, because it shows that this region of Dakota contains a part of the corn belt, which I think is altogether the most valuable for agricultural products except the grass belt. It yielded:

> Bushels of barley, 3,990,000; flax, 3,200,000. Value of buildings in South Dakota belonging to the Territory, $715,207; gold and silver produced in 1886, $3,125,000.

So that this vast country of 77,000 square miles contains riches under the earth and riches upon the soil, contains an intelligent, progressive population already doing more toward schools than many of the States of the Union.

Why should it not be admitted? In the name of Heaven, why? It is simply because the Democratic party do not want it to be admitted. There is no use to go behind the fact. They say they have the power to prevent it, and they have the power and they have prevented it. The people of Dakota are suffering all the inconveniences of a Territorial condition. I passed through the Territory once or twice since this debate has commenced and they complain of it. They say they are American citizens, contributing now to our national wealth more than many of the old States, with a population of 400,000 entitled to two or three members of Congress, and that they are denied representation here—the same complaint that was made against the Government of Great Britain when our ancestors, only five times the number of those now in Dakota, but divided into thirteen colonies, rebelled because they were subjected to taxation without representation.

Mr. President, that is all I intend to say about this matter. It has seemed to me simply a political question. This State, with its magnificent territory and development, is to be kept out by a political party in this country to prevent its participating in the election of a President of the United States and a Congress of the United States; and it will be kept out, notwithstanding all their complaints, on some pretext or until some other State less entitled, but of other politics, shall be attached to it and hauled in on its skirts. That is the purpose, and it will be consummated. The eloquent addresses which have been made on this side of the Chamber by the Senator from Connecticut [Mr. PLATT], the Senator from Minnesota [Mr. DAVIS], and the Senator from Wisconsin [Mr. SPOONER], will be of no avail. Those Senators may expend their learning and their eloquence and their reason by the hour, and it will fall as impassive and unimpressive on this Democratic party which now holds the power of excluding these people from representation as if they spoke to the icy winds of the North Pole, and, therefore, there is no use in wasting argument about it.

Mr. President, the Senator from Missouri [Mr. VEST] substantially admitted this in speaking of it as a political matter. He drew into this discussion a question of vital interest, but totally irrelevant, totally disconnected with the subject of Dakota, and the only point with me is whether I ought to follow him and answer what he said. The Senator from Vermont [Mr. EDMUNDS] would no doubt have done it much better, but he is not here.

The matter to which the Senator from Missouri [Mr. VEST] alludes has excited so much interest among the people of this country for some ten or twelve years that I deem it justice to myself, as well as to others not here, to answer him. I intend before I am through to bring witnesses that the gentlemen on the other side of the house will believe, and I tell them that in Louisiana, the State to which he alludes, there was a bloody revolution, admitted by the actors in it and boasted of by them only within the last year.

One of these is a member of the Senate of the United States, the other was and is still the governor of the State of Louisiana, and he admitted and boasted that by tragic work, by armed forces, not only was the military force of the United States overcome and cowed down, but the helpless and feeble people of a State were actually deprived of their elective franchise. The witnesses that I will bring before you, and read from their statements, made in that State, have themselves admitted in express and explicit words every charge made by the Republicans in regard to the election of 1876. They openly call their own action revolution, speak of the marshalling of armies, speak of the beating down two United States companies that were guarding a Republican meeting. I will bring these witnesses forward in a moment. Now, I read what the honorable Senator from Missouri said:

> Mr. VEST. The Senator from Vermont would have been here with another piece of legislation equivalent to that of 1876, when he created that celebrated board which put Hayes into the Presidential chair. He would have found some way to have reached these people.

To which the Senator from Vermont [Mr. EDMUNDS] replied:

> In the allusion he has made to 1876, I wish to say with emphasis that I believe,

and I think nine-tenths of the people of the United States who know anything about it believe, that President Hayes was lawfully and fairly and justly elected by the votes of the States according to the Constitution of our country, and that the only evil which existed in respect of that matter was the attempt of a body of men, whose headquarters was in the city of New York, to buy the electors of the State of South Carolina; and that body of men was not of the Republican party.

To that the Senator from Missouri responded:

Mr. VEST. Mr. President, I have never understood, and the people of this country have never been able to understand, why Packard was not elected governor with a larger number of votes than Hayes received for President. But Packard was thrown out and sent as consul to Liverpool, and Hayes was sworn in as President of the United States.

In addition to that, the Senator from Missouri, continuing his colloquy with the Senator from Vermont, said:

The conviction is settled to-day with the people of the United States, irrespective of party, in my judgment, that Rutherford B. Hayes was not fairly elected President of the United States.

Here is a declaration by one Senator that Mr. Hayes was not elected President, and that that is the general conviction of the people of this country, and, on the other hand, by another Senator equally distinguished, that nine-tenths of the people of the United States believe that Hayes was legally, fairly, and properly elected; and this contention occurs here twelve years after the event. It ought to be discussed if there is any doubt about it; and if I do not convince Senators who will hear me, not only by the evidence that was taken at the time when it was fresh, but by events that have transpired since, that all that was charged by the Republicans in 1876 is now conceded history which enters into the documents of our history without one particle of dispute or controversy, I shall yield.

It is known that when the controversy grew up in regard to the vote of Louisiana in 1876 General Grant, now eulogized and extolled by all men, selected certain gentlemen of both political parties, men who had been in public life, men who had characters at stake, to go to Louisiana; and, in addition, the Democratic party, through its proper organs, selected other gentlemen, equally distinguished, men of character and standing, but all partisans, all Democrats, while the commission selected by General Grant was not all of one party. These gentlemen were requested to go to New Orleans, not to interfere with the performance of any duty imposed upon any officer, but to look on and see that the returning board performed their duty under the laws of Louisiana. I happened to be one of that number. There are several around me. The Senator from Maine [Mr. HALE] was one of that number, and there were other persons, some dead and gone, who went there. Among the Democrats were such distinguished men as Mr. McDonald (although I think Mr. McDonald was chosen by General Grant as well) and Mr. Trumbull, formerly a Senator from Illinois, and other distinguished men.

They went down there to see what was done. What was the conduct we were called upon to watch? It was to see whether the returning board appointed under the local laws of the State of Louisiana, consisting of five men, to take up and examine the reports of the election held in that State and make out the formal statement or return, acted correctly. So far as the vote for electors was concerned that return was to be sent to the Presiding Officer of the Senate. So far as the returns affected the State officers they were to be sent under the laws of that State to the Legislature of the State and *prima facie* the names on these lists of members of the Legislature were to be sworn in, subject, however, to the constitutional right of each house to pass upon the returns and qualifications of its members. Then the law of Louisiana provided that after the Legislature was organized the Legislature should pass upon the returns of the election for governor of the State. So the returning board performed its functions so far as Presidential electors were concerned by transmitting the result under the laws of the United States to the President of the Senate and the others were transmitted to the Legislature when it convened. That was its duty.

Now, what were these men required to do under the law of Louisiana?—a law that had been framed by both political parties, acquiesced in by both, and now substantially the law in Louisiana, if I am not mistaken; so that it was not a bad law. It provides, in substance—

That whenever from any poll or voting place there shall be received by the board the statement of any supervisor of registration or commissioner of election, confirmed by the affidavits of three or more citizens, of any riot, tumult, acts of violence, intimidation, armed disturbance, bribery, or corrupt influences, which prevent or tend to prevent a fair, free, and peaceable vote of all qualified electors entitled to vote at such polls, the board shall proceed to investigate the facts, and if, from such statement and affidavits, they shall be convinced that such causes did not materially interfere with the purity and freedom of such election, or prevent a sufficient number of qualified voters from voting to materially change the result of the election, then such votes shall be canvassed and compiled; but if they are not thus fully convinced, it shall be their duty to examine further testimony in regard thereto, and to that end shall have power to send for persons and papers; and if, after examination, the board shall be convinced that such acts of violence, intimidation, etc., did materially interfere with the purity and freedom of the election at such poll, or did prevent a sufficient number of qualified electors from registering or voting to materially change the result of the election, then the board shall not canvass or compile the vote of such poll, but shall exclude it from their returns.

This law was passed with a view to events that had long before transpired in Louisiana. It was passed with a view to secure a fair election. The returns from the different parishes as they came in were to go before the returning board. They had no authority to do any more than this: where in any precinct or parish intimidation and violence were proved so great as to change the result of the election and to justify the exclusion of that vote, they were authorized to exclude it. They were not authorized to allow people to be counted as having voted who would have voted if they had been allowed to do so. All they could do was to exclude the parish, the place, the poll-book, and the poll where fraud and violence had occurred. There was a great mass of testimony taken before those men, five of them, two colored and three white, as I remember, respectable citizens of Louisiana, one of whom had been governor of the State, another had been for years a member of the State senate, who live there yet if they are still living. No objection was made to them. They were appointed by the Legislature. They did their duty.

It was feared when we were sent there that they would carry on their business in secret, concealed from the public at large; but instead of that the very moment we arrived there both Democrats and Republicans were invited to come and appear before the returning board, with our shorthand reporter to take down everything that was done; so that it was as public as the Senate of the United States. We did enter upon the performance of a public duty with our reporter, who took down all that was said and took copies of the affidavits. Gentlemen of both sides were always present. Generally, as a matter of convenience, we appointed a committee of five Democrats and five Republicans to go and see that the thing was fairly conducted. Every paper that entered into those lists was opened in our presence. Here they are [exhibiting a printed volume]. It was all reported to the Senate of the United States, and is contained in this public document. The Democratic part of it was reported also by another Senator of the United States. That was printed, and I have it here on my table, with affidavits on both sides. The returning board, in the discharge of their duty, openly and above board made out their returns, and from that day to this I have never heard the accuracy of those returns disputed. It may have been said that the evidence was insufficient; that the evidence was not in due form. It was in the form of affidavits; it was in the form required by the law of Louisiana. It is here, and no man questions the accuracy of it.

On the face of the affidavits returned to the Senate by these two visiting committees the testimony is amply sufficient to sustain every action of that returning board. It was printed and discussed here in the Senate of the United States. I made a speech, reading the salient points of the testimony as it affected the different parishes and precincts in question. Senator Bogy, the predecessor of my friend from Missouri [Mr. VEST], also made a long and elaborate speech, and read from the affidavits on the Democratic side, and we had it fairly debated. I say now, without fear of contradiction, that any lawyer who waived the mere forms of taking depositions, taking affidavits for what they are worth, would say upon the face of these papers that the return made by the returning board was fair and right and honest.

The returns came here. They were acted upon. There was a dispute about their validity. There was a question whether the vote ought to be counted as returned. According to the vote as it was actually cast it did appear that there was a Democratic majority in Louisiana, but acting under the law, by the exclusion of parishes where there was unquestioned fraud and violence, extending, as I shall show hereafter, to murder in many cases—acting upon the law as they did and excluding those parishes where fraud and violence prevailed, the result was a majority in favor of President Hayes. That vote in favor of President Hayes in Louisiana was just as sacred, just as good as the vote of the State of Ohio and the State of New York.

Sir, if the truth had been told, if the actual result as it would have been if there had been a fair election in Louisiana had been known, Hayes would have been elected by from 10,000 to 20,000 majority in Louisiana, because this violence was committed in parishes where the Republican majority was very large, so that when the returning board threw out those parishes we lost not only the votes excluded by actual violence, as shown by the testimony, but we lost the large majority we would have had in those parishes if there had been no violence and fraud.

When the Senator from Missouri says to the Senate that there was anything illegal or wrong in regard to the election of Mr. Hayes, I take issue with him, and with entire frankness. He does not point out any mistake or misconduct of the returning officers, but he states that a commission was organized by Congress to decide the legal questions which arose out of the returns of two or three Southern States. Who organized that commission? Who voted for it? Why should that vote be thrown into our teeth as a matter of reproach? No one resisted the passage of that law more than I did. The then Senator from Indiana, Mr. Morton, did all he could to prevent the passage of the Electoral Commission bill, because we believed it was extrajudicial.

Mr. VEST. Will it disturb the Senator if I ask him a question for information?

Mr. SHERMAN. Not at all.

Mr. VEST. I understand him to state now that Mr. Hayes was entitled to the electoral vote of Louisiana upon the returns, after throwing out the votes of certain parishes where fraud and violence obtained. Now, I will ask him if it is not a fact of record that Mr. Packard re-

ceived more votes for governor than Mr. Hayes did for President, and how it happened that Mr. Packard was deprived of his office and thrown out of the office of governor whilst Hayes received the same or a smaller vote?

Mr. SHERMAN. That is what I intend to answer, and it is the infamy of this transaction, as I shall show the Senate.

Mr. VEST. That is what I should like to know.

Mr. SHERMAN. That is the very point I wanted to answer, without which I would not have risen to say a word. I intend to show how Packard came to be excluded from an office to which he was fairly and honestly elected, and that is the worst of the whole thing. But I want to speak a little further about the commission before coming to that.

Who started the Electoral Commission? I have here the vote. There were grave fears lest the disputes growing out of the contests in those States might create trouble; even civil war was threatened. I did not think there was any danger of it. I believed that the Constitution pointed out the way in which the electoral vote should be counted, and therefore I resisted the extrajudicial proceeding to organize by law a mode to perform a constitutional function, but I was outvoted. Who passed the Electoral Commission bill, I again ask? Here is the vote in the Senate of the United States. It passed the Senate on the 26th of January, 1877. There were for it 26 Democrats and 21 Republicans; against it, 14 Republicans and 2 Democrats. Mr. Eaton, of Connecticut, and Mr. Hamilton, of Maryland, were the only two Democrats who voted against that bill.

Mr. COCKRELL. Mr. Hamilton, of Maryland, was not in the Senate then.

Mr. SHERMAN. Was not Hamilton here then?

Mr. COCKRELL. No; he left the Senate the 4th of March, 1875.

Mr. SHERMAN. Senator Whyte, of Maryland, voted for the bill.

Mr. COCKRELL. And Senator Dennis, of Maryland.

Mr. SHERMAN. I copied this from the RECORD this morning, and I will read it. Those who voted in the affirmative were:

Messrs. Alcorn, ALLISON, Barnum, Bayard, Bogy, Booth, Boutwell, Burnside, Chaffee, Christiancy, COCKRELL, Conkling, Cooper, Cragin, Davis, DAWES, Dennis, EDMUNDS, Frelinghuysen, Goldthwaite, Gordon, Howe, Johnston, Jones, of Florida; JONES, of Nevada; Kelly, Kernan, McCreery, McDonald, McMillan, Maxey, Merrimon, MORRILL, Price, Randolph, RANSOM, Robertson, SAULSBURY, Sharon, Stevenson, TELLER, Thurman, Wallace, Whyte, Windom, Withers, and Wright.

Twenty-six Democrats and 21 Republicans, as I have classed them. Those who voted in the negative were:

Messrs. Blaine, Bruce, CAMERON, of Pennsylvania; Cameron, of Wisconsin; Clayton, Conover, Dorsey, Eaton, Hamilton, Hamlin, INGALLS, MITCHELL, Morton, Patterson, Sargent, SHERMAN, and West.

Mr. Hamilton was here then and voted.

Mr. COCKRELL. That was Hamilton, of Texas.

Mr. SHERMAN. It was Hamilton, of Texas, then.

Mr. BLAIR. He was a Republican.

Mr. SHERMAN. Yes; he was a Republican.

Mr. BLAIR. There was only one Democrat who voted against the bill.

Mr. SHERMAN. I took it for Senator Hamilton, of Maryland, who had been here for some time.

Mr. COCKRELL. He went out in 1875.

Mr. SHERMAN. The same kind of a vote was given in the other House. Yet what does the Senator from Missouri say about it? He treats this as a kind of Republican trick to get the Democrats into a hobble. They at the time thought they were going to get the best of this arrangement, and that they would get a tribunal which would decide in their favor. Here is what the honorable Senator from Missouri said about it:

Mr. VEST. Oh, Mr. President—

When the Senator from Vermont [Mr. EDMUNDS] spoke about the commission having been organized to preserve the peace for high national purposes, the Senator from Missouri said:

Oh, Mr. President, we have heard all this again and again, in regard to the action of that commission and its necessity to avert civil war. In my judgment there was no such necessity. In my judgment the Democrats who consented to it made a great mistake; and if they had only stood by their legal and constitutional rights, with the great public opinion of the country behind them, Mr. Tilden would have been inaugurated by right indisputable into the executive chair of this country.

Now, twelve years after the event, after the judgment of the tribunal organized by the Democrats was against them, the Senator from Missouri says they did wrong. It is very easy to judge after the fact; much easier than to judge before the fact. I have no doubt that the Senators on both sides who voted for the passage of that bill did it under the gravest considerations of public duty. I never would call in question their motives. I did not myself see that the exigency demanded it, and therefore I voted against it; but so far from its being a partisan measure for partisan purposes by the Republicans it was believed that it was a means by which the decision of the returning board of Louisiana could be overthrown, and by which the people of the United States would be deprived of the President elected by them in a lawful and constitutional way.

I said then, over and over again, that, so help me God, if I were in the place of Mr. Tilden, I never would accept the office if it was tendered to me in the face of that testimony, and I do believe that if Mr. Tilden had become President by any hocus-pocus he would have knowingly enjoyed an office to which he was not elected, and that if he had assumed the office he would have held it by fraud, and wrong, and crime, the very description of which now almost appalls me, although years after these events transpired.

Mr. President, let us go a little further. The Senator from Missouri asked me a question that I intended to answer, and I will answer it with the utmost frankness. In order that I may answer it fairly I will put in the RECORD now the question as he put it yesterday:

Mr. VEST. Mr. President, I have never understood, and the people of this country have never been able to understand, why Packard was not elected governor with a larger number of votes than Hayes received for President. But Packard was thrown out and sent as consul to Liverpool, and Hayes was sworn in as President of the United States.

The answer to that I made within a very short time afterwards, if you will allow me to quote from myself, in a speech to the people of Ohio. It was made on the 17th of August, 1877, a few months after this occurred, when the whole matter was explained. With the leave of the Senate I will put in the RECORD a portion of my remarks made in August, 1877.

"It was plain that the returning officers had the legal right to pass upon and certify in the first instance who were elected members of the Legislature, and that they were justified by the evidence in excluding bulldozed parishes; but it was equally clear that their return was not conclusive upon the members elected, and that each house had the constitutional right to pass upon the returns and the election of its members, and to set aside the action of the returning board. The two houses, when organized, had also the power to pass upon the returns of the election of governor, and they alone and no one else possessed that power. Neither the President of the United States nor the returning board has any power or right to pass upon the election of governor. And here the difficulty in the Louisiana case commences.

"Governor Packard contends that a majority of the two houses, as duly returned, did pass upon the election of governor, and did return that he was duly elected; but this was stoutly denied by Governor Nicholls. This vital point was strongly asserted and denied by the adverse parties, and the Legislature of Louisiana divided into two hostile bodies, holding separate sessions, each asserting its legal power and denouncing the other as rebels and traitors. Governor Packard and his legislature called upon President Grant for the aid of the Army to put down insurrection and domestic violence; and here I confess that if I had been President instead of General Grant, I would have recognized Packard and sustained him with the full power of the General Government. My intense feeling, caused by the atrocities in Louisiana, may have unduly influenced me. But General Grant did not think this was his duty. I do not criticise his action, but only state the facts. He would only maintain the peace. He would not recognize Packard as governor, but I know, what is now an open secret, that it was the strong bent of his mind, and at one time it was his decision, to withdraw the troops, recognize Nicholls, and thus end this dangerous contest. He did not do this, but simply kept the peace.

"But during these two months the whole condition of affairs had slowly changed in Louisiana. The government of Packard had dwindled away until it had scarcely a shadow of strength or authority, except at the state-house, where it was upheld by Federal bayonets. The government of Nicholls had extended its authority over the State, and was in full existence as the *de facto* government of Louisiana, supported by the great body of the white men and nearly all the wealth and intelligence of the State, and by the tired acquiesence of a large portion of the colored people, some of whom deserted his legislature and entered that of Governor Nicholls. The delay and hesitation of General Grant had been fatal to Packard, and when Hayes became President the practical question was greatly changed. One thing was clear, that a Legislature had been duly elected in the November previous, and was then in existence, though separated into two parts. If the members lawfully elected could be convened, they could decide the question of who was governor alone without the intervention of troops; and their decision could be supported, if necessary, by the General Government.

"The most careful consideration was given to this question. Days and weeks of anxious deliberation were given to it by the President and his Cabinet. But one way seemed open for a peaceful solution, and that was to gather, if possible, a single Legislature which could be recognized as the depository of the representative will of the people of Louisiana. If this could be done it has the unquestioned right to decide who had been elected governor, and all other questions would settle themselves. To aid in this object, a commission of the most eminent men, high in position, from different States and distinguished for judicial impartiality, was selected, and the result is known to all. They went to Louisiana, and, with great difficulty, brought together these hostile legislatures, which met, organized, promptly settled the question in dispute in favor of the government of Nicholls, and thus put an end to this most dangerous controversy. No other change was made, no other act done except that, when the solution was almost accomplished, the few troops who had occupied the State House were withdrawn a few squares away to their barracks. Thus in this peaceful

appeal to the Legislature of Louisiana was settled this controversy, which endangered the peace and safety not only of that State, but of the whole people of the United States. This is the sum and substance of all that was done in pursuance of the Southern policy, as it is called, of the President. Perhaps I ought to state that his policy has a broader motive than a mere settlement of a local election contest. It seeks to bring the North and South again into conditions of harmony and fraternity, and, by a frank appeal to the generous impulses and patriotic feeling of all classes of people in the South, to secure not only peace among themselves but the equal protection of the laws, and security in the enjoyment of political and civil rights to all.

"No doubt the result in Louisiana caused some disappointment to many Republicans throughout the United States who deeply sympathized with their Republican brethren in that State. I did, and do, share in that feeling, and yet I feel and know that every step taken by President Hayes was right, in strict accordance with his constitutional duty, and from the highest motives of patriotism."

The electoral vote was returned by the returning board according to the laws of Louisiana and the plain provision of the Constitution of the United States, which leaves to each State the power to regulate the mode and manner of electing electors. They were sent here. They were as regular in form and as good in substance, as I shall show presently, as the returns of any other State that were sent here; but the returns for the Legislature and the governor were not sent here. This tribunal could not pass upon them. By the law which has already been read they were sent directly to the Legislature, the list of senators and members duly elected to each house, and the clerk was required to swear in those persons so returned *prima facie*, leaving to each house to decide for itself whether the members so sworn in were properly and legally elected.

What was the result of it? When these returns were made out two Legislatures convened, one claiming that Nicholls was elected, the other claiming that Packard was elected; and there they had two rival bodies facing each other in civil war, I might almost say. General Grant refused to intervene. He withdrew practically all protection from either before he went out of office, and adopted a policy to let them fight it out and settle it among themselves, he holding that until some Legislature existed, they both being in question, until the members would come together and recognize one body as a Legislature he could not recognize it; nor could he recognize either of the candidates for governor because the credentials of neither of them had been passed upon by the Legislature.

In that way for two or three months things hung suspended and we feared often to hear the tocsin of civil war or at least of domestic contention down there, and some bloodshed. It was then when President Hayes came in, surrounded with all these difficulties, with question made about his being legally elected, with the very same stuff uttered that is now uttered here twelve years afterwards. I think President Hayes's election was the only one that was ever sanctioned and indorsed by a judicial tribunal organized by the opposite party as well. He held his seat, but they were sneering at him and talking about him. I never thought it was a manly kind of warfare.

President Hayes upon the face of the papers was certified to be President of the United States. Without respect to the commission he ought to have been respected and recognized by every honorable and patriotic man. But when besides that the ground of his claim was sanctioned and sustained by the decision of a tribunal organized by the Democratic party to convict him of wrong and to throw him out of office, then no word should ever have been uttered after that time. But it was done; and Mr. Hayes, surrounded by these circumstances and troubles, selected five distinguished men to go down there and ascertain the precise condition of affairs, so that he might with full and accurate information perform his constitutional duties.

What was the difficulty? The difficulty was that there was no legislature, and yet two legislatures were convened. The fourth clause of the fourth article of the Constitution could not be put in force simply because there was neither governor nor legislature that could be recognized by the President. Neither governor had his certificate, and neither could have, for the legislature must pass upon and declare his election, and there were two legislatures. Thus a condition never contemplated by the Constitution was forced to be decided in the early days of Mr. Hayes's administration. What did he do? He selected five of the most eminent men in our country, and the Senator who now presides [Mr. HAWLEY in the chair] was one of them. I read their names: Charles B. Lawrence, JOSEPH R. HAWLEY, John M. Harlan, John C. Brown, Wayne MacVeagh—every one of them men of mark and distinction in the communities in which they lived; two of them, Governor Brown and Judge Harlan, being from the States of Tennessee and Kentucky, Mr. Lawrence being from Illinois, Mr. HAWLEY from Connecticut, as we know of course, and Mr. MacVeagh from Pennsylvania. These men were sent down there with instructions by Mr. EVARTS, then Secretary of State. I have here the instructions that were given them, and I will have these marked passages put in the RECORD, without wearying the Senate with reading them.

But it is most pertinent and important in coming to a decision upon the precise question of executive duty before him, that the President should know what are the real impediments to regular, legal, and peaceful procedures under the laws and constitution of the State of Louisiana by which the anomalies in government there presented may be put in course of settlement without involving the element of military power as either an agent or a make-weight in such solution.

* * * * * * *

The President, therefore, desires that you should devote your first and principal attention to a removal of the obstacles to an acknowledgment of one government for the purpose of an exercise of authority within the State, and a representation of the State in its relations to the General Government under section 4 of article 4 of the Constitution of the United States, leaving, if necessary, to judicial or other constitutional arbitrament within the State the question of ultimate right. If these obstacles should prove insuperable from whatever reason, and the hope of a single government in all its departments be disappointed, it should be your next endeavor to accomplish the recognition of a single legislature as the depository of the representative will of the people of Louisiana. This great department of government rescued from dispute, the rest of the problem could gradually be worked out by the prevalent authority, which the legislative power, when undisputed, is quite competent to exert in composing conflicts in the co-ordinate branches of the government.

* * * * * * *

A single legislature would greatly relieve this difficulty, for that department of the State government is named by the Constitution as the necessary applicant, when it can be convened, for military intervention by the United States.

If, therefore, the disputing interests can concur in, or be reduced to, a single legislature for the State of Louisiana, it would be a great step in composing this unhappy strife.

*

The substance of the instructions is that they must go down there and inform "the powers that be" in Washington what was the exact condition of affairs. I know myself, then holding the office of Secretary of the Treasury, that we could get no information from New Orleans upon which we knew whether we could rely or not. The opposite stories were so wide apart that we could not tell what to believe. Therefore I believed that it was right to send these gentlemen down, not to interfere with the affairs of Louisiana, but to find out and ascertain, and, so far as a friendly or kindly influence could do, to try to bring the legislatures together, so that there would be the commencement of local authority in that State. That was done. Those men were directed by these instructions from Mr. EVARTS to bring these two contending parties together who were fighting, almost in civil war, with each other, and they did it. After spending some time there they finally made out to bring the two bodies together, but the effect of that was that the returns were sent to the Legislature, and as a matter of course, the military array and power of the Democratic party, composed largely of white men, controlled, while the negroes and Republicans were unorganized.

The Democrats grew stronger and stronger, and it is said, and even intimated by Governor McEnery in his speech, which I will read to you after awhile, that by hook or crook they got over some of these people from one legislature into the other and finally they got a legislature elected by the very frauds of the character I have described, disregarded the returns of the returning board, turned out Republican members, admitted those elected by violence, proclaimed a Democratic legislature, examined the returns, and proclaimed McEnery governor, although his competitor was elected as fairly and, I believe, with a larger vote than President Hayes had.

Mr. BUTLER. Was it not Nicholls who was proclaimed governor? The Senator said McEnery. I think it was Nicholls.

Mr. SHERMAN. I confounded the two. I shall speak of Mr. McEnery after awhile. Nicholls was elected governor according to the decision of the new legislature, and in that way this remarkable inconsistency and injustice to Packard occurred. Governor Packard was legally and fairly elected governor, and was so returned; but a legislature organized as I have stated deprived him of his office and placed his competitor in power.

Therefore it stands upon record not only that the Democratic party by fraud and violence controlled the election in Louisiana, but besides trying to defeat a President of the United States and deprive him of his office, they actually did deprive the duly elected governor of the State of Louisiana of his office and the Republican Legislature of their seats. It is true on whatever basis or claim the decision was rendered the senate was Democratic, and that gave them an advantage in having only one house to organize, but in the house of representatives there were two divided bodies, so that the Democratic party by a series of events that I will now state to you, not only deprived the people of Louisiana of a governor and Legislature, but sought to cheat the people of the United States out of a President of the United States. I will put in and not read extracts from the official report made by the committee sent to Louisiana by President Hayes:

The Nicholls legislature had a quorum in the senate upon either the Nicholls or Packard theory of the law, and a quorum in the house on the Nicholls but not on the Packard theory. The Packard legislature had a quorum in the house on its own theory of the law; but, as already stated, not in the senate, and was thus disabled from any legislation that would be valid even in the judgment of its own party.

* * * * * * *

The constitution of the State of Louisiana requires that "returns of all elections for members of the General Assembly shall be made to the secretary of state." It also provides that "the qualified electors shall vote for governor and for lieutenant-governor at the time and place of voting for representatives. The returns of every election shall be sealed up and transmitted by the proper returning officers to the secretary of state, who shall deliver them to the speaker of the house of representatives on the second day of the General Assembly then to be holden. The members of the General Assembly shall meet in the house of representatives and examine and count the votes."

It will be observed that this provision of the constitution requires the returns of the votes for governor and lieutenant-governor to be sealed up and transmitted by the proper returning officers to the secretary of state; and the same provision is made in substance as to members of the General Assembly. But in 1870 the Legislature passed an act, amended in 1872, which created a body called a returning board, consisting of five members, to be appointed by the senate, and to "be the returning officers for all elections in the State."

* * * * * * *

The same law further declares: "It shall be the duty of the secretary of state to transmit to the clerk of the house of representatives, and to the secretary of the senate of the last General Assembly, a list of the names of such persons as according to the returns shall have been elected to either branch of the General Assembly, and it shall be the duty of the clerk and secretary to place the names of the representatives and senators elect so furnished upon the roll of the house and of the senate, respectively, and those representatives and senators whose names are so placed by the clerk and secretary, respectively, in accordance with the foregoing provisions, and none other, shall be competent to organize the house of representatives or senate."

* * * * * * *

As matters stood on our arrival here the legal title of the claimants to the office of governor depended upon the question we have stated. There was no judicial tribunal acknowledged to be authoritative by both parties by which it could be solved, for reasons already given.

The only hope of a practical solution was by a union of so many members of the rival legislatures as would make a legislature with a constitutional quorum in both the senate and house of members whose title to their seats is valid under either view of the law.

With a legislature of undisputed authority the settlement of other questions could, as stated in the letter of instructions to our commission from the Secretary of State, "be gradually worked out by the prevalent authority which the legislative power, when undisputed, is quite competent to exert in composing conflicts in the co-ordinate branches of the government."

I think I have now answered the Senator from Missouri, and let him make the most of it.

I said before that the testimony taken before the returning board proved that, armed and organized with military array, the fraud and violence practiced in Louisiana in 1876 created a revolution and overthrew a State government. Now I intend to read what Governor McEnery said on this subject in a speech made by him at Monroe, La., on the 14th day of October, 1887. I take the clipping that I read here from the Times-Democrat, a leading paper in New Orleans, and the organ of Governor McEnery, because it is a fuller report than any other, and manifestly a revised copy. I have the whole speech here, if anybody wishes to see the context, but I have taken certain extracts from it which are all I deem proper to read, although I should be very glad indeed to have the whole speech published widespread. Here is what he said:

The revolution inaugurated in 1876 did not stop with the events of that day.

He was speaking of violence that had occurred at that day.

The people of Tensas, Natchitoches, and Caddo had to place themselves in line with Democratic North Louisiana. The same feelings and impulses which gave rise to the great movement throughout Louisiana in 1876 influenced the people of those parishes to overthrow the same despotism in 1878.

They repeated the same thing.

If the people were justified in 1876 in their revolution against oppression and wrong, so were they justified in 1878.

We will see what was the nature of this revolution after a while.

Believing then and believing now that the people of the North had been enlightened as to our true condition and the determination of our people to submit no longer to negro domination, I repeat what I said in 1884 in New Orleans, at Faranta's hall, and what has not been controverted.

With the State in such a condition—all hope of relief shut off from abroad, and nothing under the then existing government to be expected but a continuance of the same misgovernment, violence, and corruption, in the interest of the radical party, what wonder, then, that the fierce passions of revolution should be engendered and the tragic period of 1876 enacted?

If you want to read that "tragic" history, read it in the reports that were made, among others by a committee of the House of Representatives, a large majority of whom were Democrats. You will there see the nature of the testimony in that "tragic" history. I never read anything more appalling in story or in novel than the cruel injustice and wrongs that were inflicted upon the poor ignorant blacks during that "tragic period of 1876." We have heard testimony enough upon that subject and I do not want to read any of it here.

When Federal troops—

Here is another thing; General Grant had some Federal troops there to protect the public buildings and preserve the peace under the most stringent rule—

When Federal troops were ordered to Monroe in order to destroy the good work done by the Democrats, and when they gathered negroes from every quarter and every plantation, marched them to mass meetings under the protection of their guns, the people of Ouachita, who had become desperate, deputed Captain Theobalds, with a well-chosen force, to put a stop to this marauding and political marching of Federal troops. The negroes gathered in almost untold numbers at St. James Chapel. The Federal troops were there under their officers, consisting of two companies of infantry. Theobalds had two well armed companies of riflemen.

Here was the muster—two United States companies of infantry, under the command of a United States officer, there merely to protect the meeting of Republicans. Their opponents were two companies of riflemen. Whether they excelled in number I do not know; but here is the result, as stated by Governor McEnery:

It was on this occasion that he—

That is, Theobalds—

that he announced with determination to the Federal officers that we had submitted to all that we intended to endure, and henceforth no more campaigning would be permitted with Federal troops.

With flashing saber and angry voice the officer proclaimed—

That is, the United States officer—

that that was a Republican meeting, and he was there to protect it. Said Theobalds: "If you interfere here to-day I will sweep you and your command from off the face of the earth."

The officer of that command missed his opportunity. He ought to have stood there if every one had fallen in his tracks. He would have been counted a hero in future generations, and much of the evil that followed would have been prevented; but he yielded to Theobalds's threat with his unlawful companies, for there was no pretense of authority; the whole authority was in the hands, as they said, of the radical rule. Governor Kellogg, I believe, was governor, and these companies, without lawful command, overawed and prevented two companies of United States regulars from performing their duty.

Fortunately for him the name of that officer is not given. If it were, he ought to be driven out of the Army of the United States. If he had stood up there manfully, even against superior numbers, even against the whole population there, and performed his duty in a peaceful and lawful manner, protecting those Republicans in the enjoyment of their rights, his name would have been placed high on the roll of honor.

Now let us go a little further. This is McEnery that I am reading from, the governor of Louisiana:

Although the Federal troops were no longer political factors in the contest—

It seems they had been driven out by this fusilade—

the radicals, negroes, carpet-baggers, and scallawags did not give up the contest, but determined secretly to mass the entire negro population in the town on the day of election.

There was a great deal of testimony about that, too.

A long line, reaching through the Chowan swamp, through the colony on the river, was established.

A military line was established.

It was too long, and the order was given to fall back and inclose the town in a small compass. It was then that the men of Union, Lincoln, Morehouse, Richland, Caldwell, and Ouachita—

No less than six different parishes or counties of Louisiana—

stood elbow to elbow ready to receive the expected attack from the negroes.

"The expected attack from the negroes." Great Cæsar! All the negroes wanted to do was to hear speeches and vote, and they went there to vote.

Away in the night Fred. Cann's cannon on the right announced the movement, and the sharp, quick crack of the rifle along the whole line told that the negroes were well drilled and instructed in the plans and lines of march to the city. The contest was quick and decisive, and the cessation of rifle reports and the silence of Cann's cannon announced that on the morrow peace and quiet and victory would be with a long suffering people. What was done in Ouachita was also done in the Felicianas and East Baton Rouge, and it was the determined spirit of the people that gave to Louisiana her emancipation from negro carpet-bag domination and elected Francis T. Nicholls governor.

Gentlemen of the South, and Senators, in view of such scenes as these, stated by a governor of a State, brought home to us; when we see that such means as these are used to prevent and overawe the colored people of the South, do you think it strange that we feel aggrieved and wronged? You exercise the political power conferred upon them for their protection. You used your physical power to trample them into the dust.

No wonder that even in the South there was a feeling of revolt at this. I wish to read what was said by the New Orleans Picayune about this occurrence, for it was published all over our country. The Daily Picayune, New Orleans, Friday morning, October 14, 1887, said:

Hitherto when Republican newspapers, or Republican politicians in Congress and on the stump, have ventured to charge the things yesterday openly confessed by the governor of this State, and by a United States Senator from this State, Democrats, both North and South, have denounced the accusation as false, and have upbraided those who uttered it for stirring up sectional and race strife and for "waving the bloody shirt." But now—

This New Orleans paper says—

But now the governor of a Southern State himself waves the bloody shirt; now a United States Senator from Louisiana waves the bloody shirt! When hereafter we undertake to refute the charge of our enemies, how can we meet the confessions of our professed friends?

I ask you now to note this——

Mr. FRYE. That was in 1887.

Mr. SHERMAN. Yes, October 14, 1887, the day after Governor McEnery's speech. Then this editor goes on:

There is no disguising the stark nakedness of the governor's statements. He went into particulars and told precisely how the thing was done. And that is not the worst of it. The country is given to understand that what has been done must be done again; that we can not safely permit the colored citizens of this State to enjoy their political rights. That argument was distinctly and explicitly made against General Nicholls's candidacy, that he could not be relied upon to secure the supremacy of the white race by suppressing the suffrage of the colored people; in other words, they contended that General Nicholls would not be a safe governor because he is not a bulldozer.

Now, let us go a little further. I am sorry my friend, the Senator from Louisiana [Mr. EUSTIS], is not present. But before reading his remarks I wish to read one or two other paragraphs. Here is another passage from Governor McEnery, which I wish to put upon the record, and I will read it:

Anterior to this—

That is, anterior to the struggles in 1874—

There had been a constant and increasing resistance to the reign of terror in-

augurated by the Federal Government, which culminated in the successful struggle of 1876. When the memorable 14th of September was being enacted in the city of New Orleans I was on that night—

He says "I." He participated in it, it seems—

I was on that night with a company from Trenton under McLeod, and a company from Monroe and vicinity under Logan, holding in check riotous negroes on the De Siard. When the mercenaries of Kellogg were tramping through South Louisiana I was arranging with Col. C. H. Moore with two hundred men from Richland to capture the entire force at Carpenter Station, in that parish. The lamented Dan Byerly had sent the dispatch announcing their expected appearance in North Louisiana to reinstate the Greens, whom Patterson had driven away, at the head of a hundred men, in the town of Vienna.

Thus in every locality was shown a restless and determined spirit during the long, disastrous, and oppressive reign of this alien government.

* * * * * * * *

It is needless to say that in Natchitoches, where a conservative campaign was conducted, the radicals polled their entire strength.

Here was a place where they had tried the conservative plan of letting everybody vote. I will read that last sentence again:

It is needless to say that in Natchitoches, where a conservative campaign was conducted, the radicals polled their entire strength. The contest for our liberation had been fought and won strictly on the color line. The negroes had drawn it, the carpet-baggers used it, and we accepted the issue and broke it into fragments, with the full belief and confidence that we were establishing a white man's government.

Mr. President, how foolish it is in the light of these facts for the Senator from Missouri to talk about Tilden getting a majority of the votes in Louisiana, in the face of the revolution, as it is there called, of 1876, this "tragic period of 1876," this protection by Federal troops swept from the face of the earth by this boasting Theobalds! The negroes did give up the contest. My conscience, how could they have any contest without arms, defenseless, helpless? They had no arms except the Constitution of the United States, and that was powerless.

A military array of the men of several counties—

There was always an array with the Federal authority. The overthrow of all government was determined in Louisiana, and that is what Governor McEnery boasted of and wished to perpetuate, and he opposed Governor Nicholls, the old governor, because he was not radical enough, because, to use the language of the Picayune, he was not a "bulldozer;" but McEnery was the candidate of the bulldozers, and he wanted to be elected in order to carry out, intensify, and perpetuate this policy.

Now, Mr. President, I come to the remarks made by the Senator from Louisiana [Mr. EUSTIS], and I am sorry he is not here. Here is a plain, distinct declaration. I have great respect for him. I should like to have him answer this matter, and I hope he will when he comes back. It is an able, clear presentation of the Southern side of this controversy. He says clearly in more than one place in this extract, which I will have read, that this was a revolution; that it was designed to be such, by forcible means to put down negro domination and to establish and perpetuate a white man's government; and that is the sophistry which runs through this very able speech. I ask to have it read at the desk, not the whole speech, but so much of it as relates to this subject.

The Chief Clerk read as follows:

In our State we find a very peculiar and serious condition of affairs confronting us. Two distinct races, almost equally divided in numbers, coinhabit the same territory and live under the same government and under the same institutions. It is not the fault of the white man—it is not the fault of the colored man—that race antagonism exists; it is sentiment, an instinct, a passion beyond the control of either. Therefore, as much as it may be regretted, yet owing to causes inherent in human nature itself, at any moment, and under provocations now unforeseen, a spark may produce a conflagration in our midst. The dream of the Yankee crank is that this question can be solved by miscegenation; but my judgment is that, deplore it as we may, the inexorable logic forced upon us by the unchangeable and eternal laws of human nature itself is that we have to determine whether the negro shall govern and rule the white man, or whether the white man shall govern and rule the negro. That is the question which we have to determine by our elections, and on that issue I need not tell you that every interest, every instinct of pride, every impulse of manhood, every element of Caucasian civilization, every personal right, every guaranty which upholds society, every function, and every principle of representative government is directly at stake. It is far beyond and above the personal ambition of any individual, however illustrious or distinguished he may be as a citizen of Louisiana.

When called upon to determine to whom of these two gentlemen I am willing to confide the political leadership in this State, I have no hesitation whatever in making and declaring my choice. I can not reconcile the safety of the State with what I understand to be the extremely conservative ideas of General Nicholls upon this race question. Upon this issue I consider that he and Governor McEnery represent two opposite and irreconcilable schools of political thought and systems of political action.

In considering this question, I am willing to omit what occurred before 1878; but his course and his policy in regard to the Tensas case create a strong impression in my mind that, however pure were his motives, it can never receive my political approval or political indorsement. He had then a grand opportunity to defy and resent Northern opinion upon this subject—to prove that it is the duty of a Democratic executive in the State of Louisiana, in a crisis of race conflict, to sympathize with the white people. The sooner we let the Northern people understand that their opinions on this race question will not influence or control our action in any degree, the better it will be for our safety. This is a domestic question, a home-rule question, one affecting our interests and our destiny—one which we understand, one which we intend to solve regardless of Northern sentiment, and in the solution of which, in my judgment, a policy of conservatism and of conciliation means incontestably the domination of the whites by the negro race. To accomplish the results which we now enjoy, and which we had hoped we had permanently secured, has cost the people of Louisiana trials, sacrifices, and tribulations which no people have ever endured since society was organized and government was first founded. From the time that the reconstruction measures were passed up to 1876, when we first succeeded in installing a Democratic governor, every election was equal to a revolution.

Military power, disfranchisement, fraud, crime, violence—every agency that has ever been known to diabolism—was used and exerted to crush the spirit of our people. It was Democratic leaders who for eight long years preceding 1876, by their repeated appeals to the manhood, patriotism, and heroism of the Democratic white masses of the State, marshaled those brave serried ranks of loyal Democrats, those brave men who faced every vicissitude, confronted every peril, who resisted the allurements and defied the terrors of power. It was they who, appreciating the terrible significance of this race problem, created that indomitable spirit of enthusiasm in the Democratic party which rendered the victory of 1876 possible. One of them was Governor McEnery, to whose efforts and conviction the people of Louisiana are largely indebted for their emancipation from the blighting oppression of radical rule.

Mr. SHERMAN. In the careful and courtly language always used by the Senator from Louisiana [Mr. EUSTIS], he states explicitly that the purpose of the organization, which was successfully accomplished, was to overthrow what he called the negro rule, and to establish a white man's government. If that is the desire, if that is the intention, then you must change the Constitution of the United States. Every Senator who hears me, as well as the Senator from Louisiana, took the oath to observe and to maintain the Constitution of the United States, and yet his language there would justify the violation of three of the clearest provisions of the Constitution.

The Constitution says that this is a republican form of government, not a government of caste or race, not a government for Catholics or for Protestants; it is not a government for native or naturalized; it is not a government for white or black; it is not a government for foreigners or men who are born here; but it is a government for all, with equal rights. The Constitution in its original form denounced just such things as these. It is not a republican government when a majority of the people are deprived of plain constitutional rights. When you say in Louisiana that the black men shall not rule, you say the majority shall not rule, for they are in the majority in Louisiana. Besides the mass of black men which you say shall not rule, they have behind them a great many white Republicans, among the highest in social standing, in wealth, and influence in the State of Louisiana.

Therefore, when you say that it shall be a white man's government in Louisiana you make it an anti-republican government, and overthrow republican government, unless it is the rule of the minority that must prevail and not the rule of the majority. The people of the South, instead of seeking to win these people over by kindness, and I wish to God they would, I would not care how many votes they got in that process—instead of doing that they have maintained a system as described by the Senator from Louisiana [Mr. EUSTIS] of domineering, crime, and violence to overcome and put under subjection the whole black population of the South. In doing that they violate first this clause of the Constitution:

The United States shall guaranty to every State in this Union a republican form of government, and shall protect each of them against invasion, and on application of the Legislature or of the executive (when the Legislature can not be convened) against domestic violence.

Here is violence by the minority against the majority, with the avowed purpose of establishing a government of the minority. Is that republican in form, republican in substance? Is not that the kind of domestic violence that the Constitution declares Congress shall protect against? Does it not say that the law-making power of the United States shall give protection against such domestic violence? Let me read one or two other articles. I read Article XIV:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

It is admitted here that this effort in Louisiana was to deprive of their rights a majority not only of blacks but of citizens, declared to be citizens by the Constitution, native-born and naturalized citizens, most of them native-born. If that is the line of policy upon which this contest is to be waged in the future, it is well that we should understand it. Let us go further:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

No State shall do it; but where a dominant party in a State without regard to law do it, what shall be done in that case? Is the Government utterly helpless to protect these people? That must be determined. Admit the proposition stated by the Senator from Louisiana [Mr. EUSTIS], that they had a right to put down the majority in the State of Louisiana, to dominate over it, rule it, and that the only question of politics in Louisiana was whether the white man or the black man should rule; then the question is, whether the white men, being in a minority, shall deprive the majority of the citizens of that State of their clearly conferred power, and whether they shall shield themselves when they are the State, for what spoke in Louisiana when Captain Theobalds put to rout the two companies of United States infantry except a lawless and reckless power? The State is the power that rules. It is not the governor or the Legislature; it is the organized State wielding power to deprive the majority of the citizens of the right to rule, and you can not make anything else out of it.

Nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Who will say that the Senator from Louisiana [Mr. EUSTIS] does not openly advise the utter destruction of the most sacred right of a majority of the people of Louisiana, the right to vote whenever their vote would change the result? Who will say in view of the testimony of

Governor McEnery and the Senator from Louisiana that these people now enjoy the equal protection of the laws? No man can say it.

The second section of the same article of the Constitution provides that a State shall not deny to any portion of its people the right to vote on account of race or color, except upon condition that its representation be reduced. A State can make education, crime, or many other things the cause of the exclusion from the right to vote; but whenever they do make color the basis of exclusion from voting, then under the second section of the fourteenth article their representation is reduced. If the Senator from Louisiana [Mr. EUSTIS], an honored member of this body, says this idea has been put in force in Louisiana and a white man's government has been established, and both the eminent gentlemen I have quoted say that is so, have you a right in honor or in morals to vote for those people or to represent their political power?

Mr. BUTLER. The Senator, perhaps, has forgotten it; but Governor McEnery was not elected governor of Louisiana at that election.

Mr. SHERMAN. I know that. I am very glad he was not nominated; but still he is governor, and got a very large vote for renomination, and he represents the dominant idea there in their politics. What have you to say about the Senator from Louisiana [Mr. EUSTIS], who is a representative of the State of Louisiana? McEnery, I have no doubt, lost some votes because he blabbed out too freely in his speech on the 14th of October. I have no doubt a great many prudent men would say he would not make a good, cautious governor, and he may have lost some votes on that ground; but that the people of Louisiana believed in that idea is shown by the fact that there was an organized movement to carry it out in every case and to establish, as the Senator from Louisiana said, "a white man's government."

There is one other provision of the Constitution to which I wish to call the attention of the Senate:

> The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Here it is admitted that all political lines in Louisiana are drawn upon the color line. It is the white man's party; the color line is the basis of all; and yet here is a distinct violation of three clauses of the Constitution of the United States. I must confess that I do not see how any Senator can take the oath of office solemnly imposed by the Constitution of the United States and himself represent his people here when he confesses that a minority have deprived the majority of their right to vote. It is for him and not for me to decide.

Mr. President, I wish to say that this movement is still continued. Before Governor Nicholls was nominated McEnery was a candidate before the nominating convention, and McEnery, finding himself very much pressed, issued the following proclamation to the people of Louisiana:

> So far as my administration of the election laws has been concerned, I have listened to all complaints, and propose in the future to do in a general way what I have done in a special way, namely, in the removal of E. A. Durio (who is now a prominent reformer)—

Mr. Durio had turned against him and he proposed to remove him, but this is the point—he had removed him—

> for committing frauds in the election; and I pledge you here to-night that not only in the city of New Orleans, but throughout the State of Louisiana, I will see an honest and fair election; that every vote cast is counted as deposited, and that no substitution of ballots is practiced, but that the voice of all the voters in the State, as deposited in the ballot-box, shall find expression and receive recognition, and the officers elected commissioned. To that end I will remove any registrar or returning officer in the city or State that I have reason to believe will aid in the suppression or changing of the popular will.

That was the declaration, and that gave encouragement and hope. The Republicans, supposing they would have a fair election, commenced and organized. They nominated a ticket composed, it was said, of the most respectable citizens of Louisiana, nearly all white men. The negroes took heart. They began to organize, and it was found that this offer of a free vote and a fair count was all that the Republicans wanted in Louisiana. What course was taken afterwards in regard to this matter? No sooner had Governor Nicholls been nominated than a change came over the spirit of the dream of Governor McEnery, still governor. He had promised if he were nominated that there should be a fair election. Nicholls was nominated, and then what does McEnery say, as stated by a Democratic paper in Louisiana?

> But a change comes o'er the spirit of his dream, and the governor of the State of Louisiana, whose public proclamation that there shall be a fair and free election, has been spread from one end of the State to the other, burgeons forth as the most violent and unscrupulous of bulldozers. In his speech at Taliulah he pictured, in burning language, the evil of carpet-bag rule. He turned back the pages of history fourteen years and portrayed, in language calculated to arouse the fiercest passions, the hideous and unparalleled state of affairs then existing, and declared that rather than witness the return of such evils he would prefer to see the State wrapped in revolution from the Arkansas line to the Gulf, and so would every true man. He painted the evils that would result in case Warmoth should be elected, urged the necessity of presenting an unbroken front to the common Republican enemy, and wound up by declaring that during the present contest the law should be suspended until the danger was past.

A governor of a State promising a free and fair election, then defeated in his nomination, threatening again to resort to revolutionary efforts; and this is taken from a Democratic paper, giving a favorable account of Governor McEnery:

> During the present contest the law should be suspended until the danger is past.

And what does that mean?

That means precisely what occurred in 1876, with all its tragic conditions. Here is another thing from the Daily Picayune of March 19, 1888, known to be one of the leading and most reputable papers in the South and I believe a supporter of Governor Nicholls. The Times-Democrat I think was a supporter of McEnery; but here is the organ of the governor who was elected, and see what it says about it:

> It is reported that large sums of money are being dispensed in the interest of the nominees of the Republican party in this State.

No probability that that is true—

> The funds are supposed to be——

"Supposed to be!"—

> supplied by the national executive committee of that party.

There is no such national executive committee at this time.

> Republican leaders throughout the Union consider it highly important to break the solid South in advance of the general election next November. The opinion prevails that if Louisiana goes for Warmoth this spring it can be made to go for the Republican nominee for the Presidency next fall, and there is not a little reason for that conviction. The governor of this State controls the election machinery of every parish within its limits, and in case of necessity can easily manufacture a majority.

That is the Picayune, a great organ in New Orleans. It declares that the governor, having the machinery in his hands, can change the result, and the governor says he will by saying that while the danger lasts the law must be suspended.

Mr. President and Senators, I have been called upon to make these remarks partly to correct an historical error into which the Senator from Missouri has fallen, to show that not only did the returning officers have sufficient evidence before them, but now that the governor of the State of Louisiana and the honored Senator from that State have confessed all and more than was ever claimed by the returning officers, that if there had ever been a doubt in the mind of a single man in this broad land as to the election of Rutherford B. Hayes, that doubt has been removed by the admissions of the very men who participated in these wrongs, and hereafter when any man shall assert of President Hayes that he was elected by fraud or wrong, or that he was not duly elected, I will hold him in contempt as uttering that which is not true and is admitted by the very men who overthrew the local government in Louisiana in 1876. The name and the fame of President Hayes are untarnished. He was compelled in the beginning of his administration to disappoint the Republican party because he had no power to prevent the success of outrages and wrongs that led to the expulsion and exclusion of the legally elected governor of Louisiana. He bore those taunts patiently, and he had no power to do otherwise. That he was fairly elected, honorably elected, I believe no man can question.

There is among the papers on my table a letter from Governor Nicholls thanking him in the highest terms for the fair and just manner in which the proceeding had been conducted in the reorganization of the State. I have always felt that the Democrats of the South, instead of repeating these stories about President Hayes, when he certainly went to the full extent of his power to try and heal up the broken wounds of the South and to establish peace and order even as on this occasion in the organization of a local legislature opposed to him, that he at least should have fair dealing and kindly words from the South. That he was honest, true, and faithful and administered the Government from the beginning to the end of his administration in the same way is conceded by all men, and now I say his election and the ground on which he was awarded the vote of the State of Louisiana are founded not only on the facts shown on the public record but on the recorded admissions of the leading men who participated in the wrong against him.

Mr. VEST. Mr. President, the Senator from Ohio's threat may possibly have great terrors for members of his own party when he states that if any man shall hereafter assert that Rutherford B. Hayes was not fairly and honestly elected as President of this Republic he will hold him in contempt; but even with the terror of the distinguished Senator's contempt before me now, I assert here that I do doubt the legality and honesty of that election, and nothing that he has said here to-day has removed that doubt from my mind.

Yesterday in a desultory and unpremeditated debate I asked the question which men much more intelligent than myself have asked over and over again, how did it happen that Packard, with more votes upon the face of the returns than were cast for the Hayes electors, was refused the office of governor of Louisiana and became consul to Liverpool, while Hayes, by the same count, received the electoral vote of the State of Louisiana? The Senator from Ohio commenced his address, or rather his reply, to that question of mine by stating that he would put that matter beyond any sort of dispute, and would stamp with infamy, to use his own language, any suspicion in regard to that transaction. Mr. President, I ask the Secretary to read from the candidate of the Republican party in the last canvass his opinion of that transaction. On this floor James G. Blaine said infinitely more than I have ever said in regard to this strange and remarkable occurrence

in American politics, and if I mistake not it was in a discussion with the Senator from Ohio himself upon the very events with regard to which he has so eloquently addressed the Senate to-day.

The Chief Clerk read as follows:

I understand the Senator from Ohio to admit that the electoral commission did decide that the Louisiana returning board was a legal and constitutional body, competent to do what it did do, and that they were unable to review or reverse it; and that same board, competent to declare who were the Presidential electors of that State, declared also who were the Legislature of that State, and the Legislature, performing a mere ministerial duty, declared who was the governor of that State; and I stand here, if I stand alone, to say that the honor and the credit and the faith of the Republican party, in so far as the election of Hayes and Wheeler are concerned, are as indissolubly united in maintaining the rightfulness of the return of that body as the illustrious house of Hanover that sits on the throne of England to-day is in maintaining the rightfulness of the revolution of 1688. You discredit Packard and you discredit Hayes. You hold that Packard is not the legal Governor of Louisiana and President Hayes has no title, and the honored Vice-President who presides over our deliberations has no title to his chair.

* * * * * * *

"I know that there has been a great deal said here and there, in the corridors of the Capitol around and about, in by-places and in high places of late, that some arrangement had been made by which Packard was not recognized and upheld; that he was to be allowed to slide by and Nicholls was to be accepted as governor of Louisiana. I want to know who had the authority to make any such arrangement. I wish to know if any Senator on this floor will state in his place that any person, speaking for the administration that was coming in or the one that was going out, had any right to make any such arrangement. I deny it. I deny it without being authorized to speak for the administration that now exists. But I deny it on the simple, broad ground that it is an impossibility that the administration of President Hayes could do it."

Mr. VEST. Mr. President, that was the statement made by the ablest Republican now living, with great deference to the Senator from Ohio, in this country, the standard-bearer of the Republican party in the last contest for the Presidency, and it is to be taken for granted with all the facts before us, the standard-bearer of that party in the coming contest. Mr. Blaine then charged that if Packard was not elected governor of Louisiana——

Mr. SHERMAN. He was.

Mr. VEST. That, if not, Mr. Hayes was not entitled to the electoral vote of that State. Now, the Senator from Ohio undertakes to explain this remarkable discrepancy in political results by stating that the Electoral Commission decided the question of Hayes's title to the Presidency, but not the title of Packard, which was a State matter determined, as I understand him, by State authority. Mr. Blaine asserts here that the governorship was under the control of the returning board, and the electoral vote of Louisiana being also determined by them, the two went together and were indissolubly and logically connected.

But, Mr. President, what are the facts in regard to this transaction? There were two legislatures. One legislature supported Packard and the other supported Nicholls. Distinguished gentlemen went there on the part of the Republicans and commenced negotiations, as the Senator from Ohio himself says, to bring those legislatures together. It was absolutely necessary to the success of the Republican party and to the inauguration of Mr. Hayes that this identical thing should be done. I know nothing of the agencies that were brought to bear; I know nothing of the manipulations or machinations or schemes or projects which brought about the result accomplished, but it has passed into history that the Packard legislature dissolved like snow, melted like the morning mist, and its members were induced in a day, almost, to give up their opposition, their oath of office that they had previously taken, and to go over to the Nicholls legislature, and the electoral vote of the State was cast on the record for Hayes.

And what of Packard? Was he turned out on the street? Was he driven from public life? Was he told, "You have claimed an office to which you were not entitled; you inaugurated here a movement against the law; you had a legislature which was a sham and a fraud and libel on the American name and character?" What became of him? He was given the most lucrative foreign office in the gift of the people of the United States and sent as consul to Liverpool.

But that was not all. Every member of that returning board and every one of their relatives was rewarded for that result. No other construction can be put upon it. Here is a list of them, an official list, and it shows that annually out of the moneys of the people of the United States $223,020 was paid in salaries to the appointees who had figured in this transaction and in connection with the returning board. The following table shows how these men were rewarded:

Names.	Political employment in 1876.	Office.	Salary.
Members of returning boards:			
J. Madison Wells	President returning board	Surveyor of port of New Orleans	$3,500
Thomas C. Anderson	Member returning board	Deputy collector, port of New Orleans	3,000
L. M. Kenner	Member returning board	Deputy naval officer	2,500
G. Casanave	Member returning board	Brother United States storekeeper, New Orleans	1,400
Charles S. Abell	Secretary returning board	Inspector, custom-house	2,500
York A. Woodward	Clerk returning board	Clerk, custom-house	1,800
W. M. Green	Clerk returning board	Clerk, custom-house	1,095
B. P. Blanchard	Clerk returning board	Clerk, custom-house	1,400
G. P. Davis	Clerk returning board	Clerk, custom-house	1,200
Charles Hill	Clerk returning board	Clerk, custom-house	1,400
George Grindley	Clerk returning board	Clerk, custom-house	1,600
John Ray	Counsel for returning board	Special agent Treasury Department and counsel for Mr. SHERMAN.	2,500
S. S. Wells	Son of J. Madison Wells	Inspector, custom-house	1,095
A. C. Wells	Son of J. Madison Wells	Special deputy surveyor, New Orleans	2,500
R. M. J. Kenner	Brother of returning-board Kenner	Clerk, naval office	600
Total			29,090
State officers and managers:			
Michael Hahn	State register	Superintendent mint	4,000
A. J. Dumont	Chairman Republican State committee	Inspector, custom-house	3,000
J. P. McArdle	Clerk Republican State committee	Clerk, custom-house	1,200
L. J. Souer	Agent to control Legislature	Appraiser, custom-house	3,000
S. P. Packard	Candidate for governor	Consul to Liverpool	6,000
James Lewis	Police commissioner, New Orleans	Naval officer	5,000
Jack Wharton	Adjutant-general of Louisiana	United States marshal	6,000
A. S. Badger	General of State militia	Postmaster New Orleans, $3,500; now collector	7,000
H. S. Campbell	Chief of affidavit factory	United States attorney, Wyoming	5,000
H. Conquest Clark	Knew of forgery of electoral certificates	Private secretary to Commissioner of Internal Revenue.	2,500
W. F. Loan	Chief of police and supervisor 15th ward, New Orleans.	Inspector tobacco, internal revenue	1,400
W. L. McMillan	Canvassed State for Hayes	Pension agent, New Orleans; now postmaster	4,000
Total			57,100
Electors:			
Peter Joseph	Elector at large	Clerk, custom-house	$1,200
L. A. Sheldon	Elector at large	Counsel for JOHN SHERMAN	1,200
Morris Marks	Elector at large	Collector internal revenue	3,750
A. B. Levisee	Elector at large	Special agent Treasury Department	2,500
O. H. Brewster	Elector at large	Surveyor-general	1,800
Total			11,650
Supervisors and persons connected with elections:			
M. J. Grady	Supervisor at Ouachita	Deputy collector of internal revenue	1,400
W. R. Hardy	District attorney at Ouachita	Inspector of custom-house	1,095
Henry Smith	Sheriff of East Feliciana	Laborer, custom-house	600
Samuel Chapman	Sheriff of East Feliciana	Laborer, custom-house	600
C. L. Ferguson	Supervisor of De Soto	Captain night watch, custom-house	800
J. E. Scott	Supervisor of Claiborne	Money-order, post-office, New Orleans	1,300
B. W. Woodruff	Supervisor of Rapides	Box clerk, post-office, New Orleans	900
L. F. Bangnor	Supervisor of East Baton Rouge	Laborer, custom-house	600
W. H. McVey	Supervisor of Franklin	Inspector, custom-house	1,095
L. Williams	Supervisor 16th ward, New Orleans	Watchman, custom-house	800
E. K. Russ	Supervisor of Natchitoches	Letter-carrier, post-office	720

Names.	Political employment in 1876.	Office.	Salary.
Supervisors and persons connected with elections—continued.			
F. A. Deslonde	Supervisor of Iberville	Night watchman, custom-house	$800
W. H. Heistand	Supervisor of Tangipahoa	Clerk, custom-house	1,200
F. A. Clover	Supervisor of East Baton Rouge	Assistant weigher, custom-house	1,200
L. C. Lasage	Clerk to supervisor East Baton Rouge	Inspector, custom-house	1,000
William McKenna	Supervisor of Caddo	Postmaster, Shreveport	3,100
A. D. Cornog	Supervisor of Red River	Inspector, custom-house	1,095
M. A. Lenet	Supervisor of La Fourche	Laborer, custom-house	500
A. J. Brim	Republican manager of 2d ward, New Orleans	Inspector, custom-house	1,000
Patrick Creagh	Republican manager of 3d ward, New Orleans	Chief laborer	1,000
R. C. Howard	Republican manager of 4th ward, New Orleans	Laborer, custom-house	600
J. C. Peuchler	Republican manager of 5th ward, New Orleans	Laborer, custom-house	600
W. J. Moore	Republican manager of 7th ward, New Orleans	Gauger, internal revenue	Fees.
Thomas Leon	Republican manager of 8th ward, New Orleans	Gauger, custom-house	Fees.
T. H. Bowen	Republican manager of 10th ward, New Orleans	Night inspector, custom-house	900
A. W. Kempton	Commissioner of 11th ward, New Orleans	Assistant weigher, custom-house	1,200
Nap Underwood	Supervisor of 12th ward, New Orleans	Inspector, internal revenue	1,200
P. J. Maloney	Supervisor of 14th ward, New Orleans	Inspector, custom-house	1,095
L. E. Salles	Republican manager of La Fayette	Weigher, custom-house	2,000
R. A. Herbert	Republican manager of Iberville	Superintendent warehouses, custom-house	2,500
W. B. Dickey	Republican manager and tax collector, Madison.	Inspector, custom-house	1,095
Thomas Jenks	Husband of Mrs. Jenks, who swore for JOHN SHERMAN.	Clerk, mint	1,000
Total			33,495
Visiting statesmen:			
John M. Harlan	Visiting statesman, Louisiana	Justice Supreme Court	10,000
E. W. Stoughton	Visiting statesman, Louisiana	Minister to Russia	17,500
John A. Kasson	Visiting statesman, Louisiana	Minister to Austria	12,000
John Coburn	Visiting statesman, Louisiana	Commissioner to Hot Springs	5,000
E. F. Noyes	Visiting statesman, Louisiana	Minister to France	17,500
Lew Wallace	Visiting statesman, Louisiana	Governor of New Mexico	2,600
Total			77,600
Florida:			
M. L. Stearns	Governor	Commissioner to Hot Springs	5,000
F. C. Humphries	Elector	Collector, Pensacola	2,000
S. B. McLin	Member of returning board	Associate justice, New Mexico (not confirmed)	3,000
Moses J. Taylor	Clerk circuit court, Jefferson County	Clerk, United States Land Office	1,200
Joseph Bowes	Inspector, Leon County	Clerk, Treasury Department	720
W. K. Cessna	Judge, Alachua	Postmaster	2,500
R. H. Black	Inspector of elections, Alachua County	Philadelphia custom-house	900
Geo. H. De Leon	Secretary to Governor Stearns	Clerk in Treasury Department	1,200
John Varnum	Adjutant-general	Receiver, land office	500 and fees.
James Bell	Changed tickets, Jefferson County	Timber agent	
Manuel Govan	Republican manager, Monroe	Consul to Spezzia	1,200
—— Phelps	Political manager	Secretary to McCormick at Paris exposition	2,500
E. W. Maxwell	Detective in employ of Republican visiting statesmen.	Lieutenant in regular Army	1,400
P. G. Mills	Telegrapher, who gave news about Democratic dispatches.	Treasury Department. (Sister in Treasury; dismissed when he said he considered Tilden elected.)	1,200
Dennis Eagan	Chairman Republican State committee	Collector internal revenue	2,875
L. G. Dennis	Republican manager of Alachua	Treasury Department. (Removed and published affidavit.)	
H. W. Howell	Manager false returns from Baker	Collector for Fernandina	1,500
			26,110
The following officers of the Government were in Florida, drawing their regular salaries, looking after the canvass during the Presidential canvass, to wit:			
Thomas J. Brady		Second Assistant Postmaster-General	3,500
—— Peyton		Assistant in Attorney-General's Office	1,500
H. Clay Hopkins		Special agent, Post-Office Department	1,200
William T. Henderson		Special agent, Post-Office Department	1,600
Z. L. Tidball		Special agent, Post-Office Department	1,600
B. H. Camp		Special agent, Post-Office Department	1,600
Total			11,000
Grand aggregate of annual salaries paid to the men who counted Hayes in			223,000

Every man connected with this business, from the doorkeeper clear up to the president of the returning board, received an office from the Federal Government until the amount of salaries aggregated what I have stated. But there was one man left out in the distribution, and that was a negro named Cassanave, the keeper of a livery stable in the city of New Orleans. The gentlemen who constituted the returning board were indicted afterwards for fraud and perjury in the circuit court of Louisiana, and employed my old classmate, E. North Cullom, to defend them and keep them out of the penitentiary. After he had successfully picked a flaw in the indictment, so that they escaped the verdict of a jury, he demanded a fee of $5,000 at the hands of those illustrious patriots, and they refused to pay him.

He sued them, obtained judgment, issued execution, and levied on the livery stable of Mr. Cassanave, a colored gentleman, and member of the returning board. Mr. Cassanave came to the city of Washington and requested that his property should not be sacrificed. He said that he was the sole surviving patriot, and demanded that the Administration put up $1,750. Mr. Hayes was President and my distinguished friend from Ohio was Secretary of the Treasury, and here is the correspondence. Cassanave addressed a letter to the President stating distinctly his demand:

If my property is sacrificed under that judgment it will render me bankrupt. I am a poor man and unable to sustain such a loss. I have always assumed a full share of the responsibility attaching to the official acts of the returning board; although I have never enjoyed any of the fruits resulting from its findings; and in this connection I respectfully remind you that I hold no office under your administration and have derived no pecuniary benefits whatever therefrom; but, on the contrary, I have sustained considerable loss in my business on account of my identity with the board. Messrs. Anderson, Wells, and Kenner, the other three members, and their numerous family connections, are enjoying lucrative positions in the employ of the Government.

* * * * * * *

I called upon Mr. SHERMAN yesterday and he proffered me a contribution of $100 as the only relief he could offer me, which I was compelled to decline out of respect for the great finance minister of our Government.

[Laughter.]

WASHINGTON, D. C., *August* 13, 1879.

Is published this dispatch:

E. NORTH CULLOM,
New Orleans, La.:

Should we send $1,000 more on returning board judgment will you give reasonable time for balance?

SHELLABARGER & WILSON.

To this dispatch came the following reply:

NEW ORLEANS, LA., *August* 13, 1879.

Messrs. SHELLABARGER & WILSON, *Washington, D. C.:*

If you can send me $250 more, making a total of $1,750, and Cassanave will give security not to dispose of his property, I will wait till Jan'y 1.

E. NORTH CULLOM.

To that another dispatch is sent:

WASHINGTON, D. C., *August* 15, 1879.

E. NORTH CULLOM,
New Orleans:

Will cause $1,000 to be mailed to-day, provided you stop sale and wait until January 1 for balance. Answer immediately.

G. CASSANAVE.

To which Cullom replied:

NEW ORLEANS, LA., *August* 15, 1879.

G. CASSANAVE,
Washington, D. C.:

I will not. Sale goes on.

E. SMITH CULLOM.

Cassanave carried the answer to Shellabarger, who indorsed upon it the following words:

To Secretary SHERMAN:

I telegraphed that I would send $1,000 to-day if sale would stop and the plaintiff wait for the balance till January, and this is the answer. What shall I do with the $1,000?

Cassanave delivered the indorsed dispatch to Sherman, as he states, at a Cabinet meeting, and the Secretary wrote upon it to Shellabarger as follows:

You may offer the $1,250.

J. S.

Cullom declined to take the $1,250; he demanded $1,750, to be paid upon this execution to relieve his property, and the result was that the $1,750 was paid, and this illustrious patriot retired into the shades of private life on the fruits of his judicial action in the returning board of Louisiana!

Mr. President, I make no charge of corruption. The Senator from Ohio was then Secretary of the Treasury, and this man was dogging and haunting him and the administration in order that his property might be saved from the results of this judicial procedure. But I ask the question of the American people, what claim had Cassanave upon the administration of Hayes if he simply decided the law, if he simply carried out what was his constitutional duty? Why was it that every man connected with that returning board, if it made simply and solely a declaration of right based on principle and the law—why was every one of these men rewarded with office, from the highest to the lowest, until to-day there is no page of American history that demands more explanation?

The Senator from Ohio attacks the people of Louisiana for crimes which would stamp them with infamy not to be effaced by generations of good conduct and honorable patriotism. I make no comment on the fact that the Senators from that State are to-day absent. I stand here to avouch whatever has been done in the State of Louisiana, not to bring about unfair elections, not to deprive of the ballot any qualified voter, but to defeat a ruthless, outrageous, and criminal conspiracy against their property at the hands of men who went to that State for the sole purpose of plunder and to load themselves with what little was left by the war to that unfortunate people.

When the Senator talks here or elsewhere about the history of this returning board, he should add the immediately preceding history of the Southern States, when millions upon millions of fraudulent State debts were piled up in a single twelvemonth; when the people of that devoted region were compelled to stand and see the plundering carpet-baggers, that came like vultures to the battle-field they had not visited before, leading the poor and credulous negroes to their destruction and the destruction of the States in which they lived. There is a record that can not be effaced.

But the Senator brings newspapers here with stories of outrage and murder and crimes innumerable. Ah, Mr. President, where would the Senator from Ohio or myself be if the newspapers were to be quoted against us? Where would any member of the Senate be? What would become of any public man in this country if newspapers are to be taken as evidence before any tribunal?

Mr. President, I am sorry that a change has come over the spirit of the dream of the distinguished Senator from Ohio. I have great respect for him, for his ability, for his public services; no man has greater. I read a few months ago, in his tour through the country after the last adjournment of Congress, the following, and it inspired a feeling toward that Senator which, I must admit, I had never felt before. In his speech at Nashville he instituted a comparison between "the blue and the gray," as follows:

THE BLUE AND THE GRAY.

Your people divided on opposite lines and bore more than your share of the terrible losses and sacrifices of the war. It is over, thank God! But the courage, bravery, and fortitude of both sides are now the pride and heritage of us all. Think not that I come here to reproach any man for the part he took in that fight, or to revive in the heart of any one the triumph of victory or the pangs of defeat. I do not come to make apologies, nor do I ask any of you. The war was perhaps unavoidable—bound to come some time, and the sooner ended the better.

No man in the North questions the honesty of purpose or the heroism with which the Confederates maintained their cause, and you will give credit for like courage and honorable motives to Union soldiers.

This address was delivered at Nashville. It is to be hoped it was the sincere conviction and an honest utterance from the heart of my distinguished friend. But whether it was climatic influence or not, in a few weeks afterwards he delivered another address on the blue and the gray in the State of Illinois, in which he said:

THE BLUE AND THE GRAY.

One blow was yet to be struck, and that was by the hand of an assassin, inspired by the fanaticism of the rebellion. Lincoln was killed when his heart was full of gratitude to God, generosity to vanquished rebels, and good-will to all men. The veteran armies of the Union were rapidly disbanded.

Let us pause at the end of the war and imagine with what feeling these returning soldiers would have received the prophecy that within twenty years the same elements of hostility to the Union cause; the same alliance between Confederates and their sympathizers would be in possession of the Presidential office and in the substantial control of the Government; that the slaves, though nominally free, were deprived, by unlawful means, of all political power by their former owners.

BLACKS AND WHITES.

What language can express the cruel and barbarous atrocity of the controlling elements of the South in their treatment of the Republicans, both white and black, and especially of the freedmen, who had been invested by constitutional amendments with liberty and political rights? * * * In this way and by these means the Democratic party in the South now holds in solid and unbroken array every Southern State with increased political power conferred by the freedom of the slaves. This is the basis of their power.

* * * And, fellow-citizens, this is not a thing of the past. It is a continuing fact. It is a fact to-day. There is not an intelligent man in this broad land of either party who does not know that Mr. Cleveland is now President of the United States by virtue of crimes against the elective franchise, including murder, arson, ballot-box stuffing, forgery and perjury, but for which James G. Blaine would now be in his place. * * *

Why discriminate against Mackin and Tosney, by sending them to the penitentiary, while sending Democrats of the South, by means of like offenses, to the Senate and the House and to represent the great Republic in foreign courts? * * * Colored men were deprived of the right to vote in counties, districts, and States where the vote could change the result. If intimidation was necessary it was resorted to, even to the extent of murder. * * * It was proposed by the Republicans in Congress to pass a bill called the force bill, intended to arm the executive authorities with ample power to defend the colored people against these outrages. I always thought that this bill should have passed. * * *

It can be truly said that every atrocity, every political crime, violence, or wrong in the South was committed by Democrats, and the Democratic party uniformly refused to examine, prevent, or punish in any case any of these crimes. * * * In this way, and by crimes so atrocious, the second rebellion of the Democratic party is a success. Republicanism has been stamped out in the South. Organized and disciplined force, with social ostracism, prevents in many States all free discussion and all remonstrance from white Republicans, while the freedmen are held in a baser subjection by the prejudice of race and by the want of arms and organization, the inheritance of slavery.

Who could believe that from the same lips came the sentiments that were uttered in Nashville and then in Illinois? And as if to add emphasis, the Senator said in his speech at Nashville:

BLACKS AND WHITES.

If the kindly spirit stated by Senator VEST—

Referring to a speech I made in the Senate in regard to the negro race—

is manifested, the color line will disappear from American politics and we can then look only to the safety, development, and power of one great and united country. The freedman in the full enjoyment of his rights will divide between parties as other citizens do, and his labor will become the great factor in the wealth and prosperity of the region in which he lives. It is now contributing its full share in building up with marvelous rapidity the region I have recently traversed, and will be of infinitely more value to the South than the heedless and listless labor of slaves in the olden time. Win these people by kindness and a just regard to their constitutional rights and they will vote with you and do their full share to make the South rich, prosperous, and happy.

I also wish to express in the strongest language my admiration and respect for the vim and energy with which the South is grappling with the new conditions of labor and industry by which they are surrounded, and my confident belief that within a single generation your people will be more than repaid for the value of their slaves by the results of diversified industry and subdivision of land. The time will come and seems now near at hand when you and your children will rejoice not only that the slaves are free, but that the Union has been preserved and strengthened.

And yet the men whom the Senator from Ohio, at Nashville, addressed in these fraternal words were, at Springfield, ku klux, night-riders, murderers, assassins, ballot-box stuffers, men unworthy of association with honest people anywhere and at any time!

Mr. President, I leave it to the Senator to explain this marvelous change. When he asserts that he has sufficiently accounted for the transactions of the returning board and the subsequent events in Louisiana, at the risk even of his contempt I undertake to say that the American people will never be satisfied with the explanation he has made here to-day, but that, like James G. Blaine, they have already come to the conclusion that it will tax the ingenuity and ability of the Senator from Ohio beyond his power to show why it was that the vote of Louisiana, as made by the returning board, was good for the purpose of giving the electors of Louisiana to Mr. Hayes for the Presidency but not good to make Packard governor of the State.

Mr. SHERMAN. I am much obliged to my friend from Missouri for his kindness in reading extracts from my speeches. They sound much better to me read by him than when spoken by myself. The speeches speak for themselves, particularly the one at Nashville. Every word I uttered on that night I utter now. If I could repeat it over I would add emphasis to give force and effect to it, and so I feel about the South. I have not the slightest feeling of hostility against the South, and no desire in regard to it except to preserve and protect the rights of all the people of the South.

Now, in regard to my speech at Springfield, every word of that is true. Why does not the Senator dispute some fact stated in that speech? That was a review made to a Legislature—indeed, both speeches were made to legislative assemblies, dignified and honorable men. I was

speaking in sight of the monument of Lincoln; I was recalling the incidents of Lincoln's life, the period of the war, and referred, of course, to the Democratic party North and South. I could not truthfully draw a more flattering picture. The one was a speech made as to the future to men who, I believed, were hopefully looking forward to the disappearance of the feelings of the war. The other was a recapitulation and review of the past. Every word of it is true. If the Senator can point out the inconsistency in those speeches he will oblige me. There is not a single word in one inconsistent with the other. I did denounce the course of the Democratic party North and South, during and since the war, especially in regard to the reconstruction measures. I did at Nashville speak hopefully, and I feel hopefully, of the future, but it is only upon the basis of the recognized rights of every American citizen.

Now, let us go a little further. The Senator from Missouri is playing a new rôle. He is trying to make discontent in the Republican party. He asks, why did you not stand by Packard? Who removed Packard? Who deprived him of his office? Had President Hayes any power to elect Packard to office? Had President Hayes any power to recognize him before a Legislature there had returned him as duly elected? What did Hayes do to Packard? Did he find him in office? General Grant had refused to recognize him when Kellogg was governor. If there was any fault, there was the trouble.

Mr. VEST. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Ohio yield?

Mr. SHERMAN. Certainly.

Mr. VEST. I endeavored to avoid as far as I could bringing in the names of persons who are not members of this body. I yesterday brought in the name of Mr. Conkling without premeditation. I ask the Senator now, before he continues his statement in regard to the Republican visiting statesmen who went to New Orleans, one of them now an associate justice of the Supreme Court of the United States——

Mr. SHERMAN. I hope the Senator will not interrupt me by a speech.

Mr. VEST. I will not, but I rose to ask a question as to a matter of history. Did they not bend all their energies to induce the Packard legislature to break up and join the Nicholls legislature, so as to make a quorum there and validate the action of that legislature in favor of Hayes?

Mr. SHERMAN. If any Republican did intend to prevent Packard from being governor of Louisiana he did not do it as a Republican, but in some other way. I would have drawn the line, I confess, if I had stood in the place of President Grant. I would have accepted the call of the governor of Louisiana, and have prevented, if possible, the actual culmination that occurred; but long before the advent of President Hayes into office the time had passed, and these two rival legislatures, both claiming to be duly elected, were in hostile array against each other, and there was no governor to recognize, no Legislature to recognize, and President Hayes had no more power over the returns sent by the returning board to the Legislature than he had over the Koran of Mahomet. So he knew, and so Governor Packard knew. But the Senator comes here and mourns over Packard. Is not Packard able to take care of himself? Governor Packard told President Hayes that he could not ask that anything more should be done. I have here the official report. Here is a letter from President Hayes to the Secretary of War, dated April 20, 1877:

EXECUTIVE MANSION, *Washington, April* 20, 1877.

SIR: Prior to my entering upon the duties of the Presidency there had been stationed by order of my predecessor in the immediate vicinity of the building used as a state-house in New Orleans, La., and known as "Mechanics' Institute," a detachment of United States infantry. Finding them in that place, I have thought proper to delay decision of the question of their removal until I could determine whether the condition of affairs is now such as to either require or justify continued military intervention of the National Government in the affairs of the State.

In my opinion there does not now exist in Louisiana such domestic violence as is contemplated by the Constitution as the ground upon which the military power of the National Government may be invoked for the defense of the State. The disputes which exist as to the right of certain claimants to the chief executive office of that State are to be settled and determined not by the Executive of the United States, but by such orderly and peaceable methods as may be provided by the constitution and the laws of the State. Having the assurance that no resort to violence is contemplated, but on the contrary the disputes in question are to be settled by peaceful methods under and in accordance with law, I deem it proper to take action in accordance with the principles announced when I entered upon the duties of the Presidency.

You are therefore directed to see that the proper orders are issued for the removal of said troops at an early date from their present position to such regular barracks in the vicinity as may be selected for their occupation.

R. B. HAYES.

To Hon. GEORGE W. MCCRARY,
Secretary of War.

Here is what Governor Packard said five days afterward, when this action of President Hayes was known by him. In surrendering his position he said:

Had the General Assembly continued in session at the State House I should have deemed it my duty to have asserted and defended my government to the last, notwithstanding the withdrawal of troops; but with the Legislature disintegrated, and no prospect of present success, I can not task your tried fidelity by asking you longer to continue to aid me in the struggle I have thus far maintained. I therefore announce to you that I am compelled to abstain for the present from all active assertion of my government. I waive none of my legal rights, but yield only to superior force. I am wholly discouraged by the fact that, one by one, the Republican State governments of the South have been forced to succumb to force, fraud, or policy.

Governor Packard never blamed President Hayes for his course, and after the action that had been taken and the Republican legislature dwindled away one by one, Packard never complained; and now the Senator complains for him, and he reads from a speech of Mr. Blaine. I felt myself as Mr. Blaine did, and probably if the younger and more active spirits of the party could have had their way they would have asserted this issue then before the 4th of March came. I felt that way. I say now that any Republican who failed or faltered in supporting Packard to the extent of his constitutional ability I would hardly recognize as a Republican. I felt that way, and so said in a speech at Mansfield in August, 1877, a quotation from which I have inserted in my remarks.

I there said distinctly that I believed Packard was elected governor of Louisiana and was driven out by force, and you come now and plead for Packard. Packard does not ask you to do it after your people had driven him out, deprived him of his office, tried to disgrace him; after you had established a reign of tyranny and violence there; after you had driven him out and it was impossible for the President of the United States without usurping power to interpose. No State government had recognized Packard and the President of the United States could only recognize a governor in actual *de facto* power. He must be a governor in fact as well as in right, and Packard had not reached that stage. He had not reached it because your party deprived him of it. He does not ask any pity or any feeling of that kind. He was properly appointed to a high office and deserved a higher one, because among the men whom I have met in public life he was one of the purest and one of the best and one of the ablest.

But now I come to the Cassanave story. Where in heaven did the Senator hit on it? I ask the Senator what he read it from.

Mr. VEST. It was published in the Washington Post, from which I quoted it.

Mr. SHERMAN. How did it get in the RECORD, from which the Senator read it?

Mr. VEST. In a speech made here in the discussion of the Kellogg case.

Mr. SHERMAN. Cassanave was a member of the returning board. He was a respectable citizen. He was persecuted for his action on that board, and he complained. He and all the rest of his people down there were harried to death by local oppression. It seems he was a livery-stable keeper. He complained that he had been oppressed—threatened with an execution and bankruptcy, and came to appeal to political friends for help. There is not a man on either side of the Senate who has not had the same appeals made to him over and over again. Was anything wrong done?

It seems I was willing to give him $100, and he thought that was not enough. His counsel, Shellabarger & Wilson, very respectable gentlemen here, were trying to get money for him, and it seems they got $1,700. How many broken ducks in the Democratic party who have come here for office and been disappointed would be glad to be paid to get back to their homes? [Laughter.] I believe Cassanave was an honest, good man, of good reputation, and the people of Louisiana speak well of him, but the counsel he employed to defend him in some of the prosecutions against the returning board charged him $5,000. That was a gross, an outrageous price. He paid part of it, and $1,700 was left. Any man of any kind of generosity would help as a matter of course, and I did, and all of you would have done as much.

There is another thing that the Senator brings in, taken, it seems, from the New York or Washington Post. Where it got its authority for the statement that $223,000 was paid to people connected with the returning board I can not imagine, because there were only five members of the returning board. Two of them were appointed to office, and they were able and good men. Both of them admirably discharged their duties without a word of complaint. Mr. Wells, Governor Wells, as he was commonly called, was a native of Louisiana, everywhere respected.

It is true he ran against a very serious social feeling there in regard to his participation in the returning board; but he was appointed to office, and so was Anderson, still living, I believe, in the vigor of life, a planter, as honorable and true a man as I ever saw in my life. I am bound now and glad to say this much of him. He was appointed to a subordinate position in the custom-house and held it and performed its duties well and perhaps holds it yet. He held it during a number of years and I am inclined to think he is there yet. I appointed Anderson and I wish I could have given him a better appointment. I do not make any apologies, for he was a brave, good, and true man, who amidst great temptation performed a duty which could be of no possible benefit to himself, and yet you complain because he got an office. I would have appointed him to a great deal better one if I had had the power, not because he had made this returning-board report, but because he had the courage to do what was right in spite of ostracism and persecution.

Now, the Senator from Missouri retreats from the contest that he invited about the election of a President of the United States, and quotes here from the Washington Post some old speech that somebody made on a leave to print away off in a corner of some CONGRESSIONAL RECORD. I never heard of it before in my life, but the Senator reads that

to get out of that strait. No, no, the truth is that whenever the legality of the election of President Hayes is disputed, I will not only deny it, but I will, as I said, hold any man who will do so in contempt. I am sorry my friend incurs so great a risk as to suffer under that penalty, but it is not a very severe one, indeed, for him, but I hope it will make him more cautious, and that he as well as others will remember the historical facts I have brought to bear to convince him that everything that was claimed then was true. Ah, he says, I read from newspapers. Well, he read second-hand from the Washington Post. I read from the revised speeches of these gentlemen, which, the paper says, were revised, and here they are. They are the words of these men just as much as the words taken by that gentleman yonder are my words now. If they are not true, disavow them.

If the Senator from Missouri, instead of raking up Cassanave's troubles and stories of the trial and of his adventures in getting money to pay his counsel fees, would make a good round disclaimer against the doctrines proclaimed by his associates, it would be more satisfactory to the people of the country. If the Senators from the South would only give us an assurance that there shall be free and fair elections in the South, if the Senators will only do what the Constitution and laws require them to do, we shall have peace and fraternity, but let me say to you in all seriousness that if the colored people are deprived of their rights in the future as in the past, the difficulties and dangers that surround us will more increase year by year, and the time will come when you must yield them their rights, or worse will prevail.

There can be no doubt of this. I have talked with a gentleman who is in my eye, and therefore I do not name him. I appreciate the difficulties of the Southern question in the South. I should be glad to do anything I could to relieve you from your position. In some of those States the negroes are increasing rapidly in number while the whites are decreasing. The scepter of power is passing from your hands. There are grave complications growing out of this matter. If there is anything which can be done to lighten up and brighten up the condition of things in any part of the South, I should be glad to take my part in doing it. I do think that what you want more than all else is what you seem not to want. You want to diversify your industries.

Instead of breaking down the industries of the people of the North, you ought to try to rival the industries of the people of the North. Instead of breaking down our tariff laws to bring in foreign competition to injure us, you ought to seek to strengthen those tariff laws so that you may have the benefit of them and build up your industries in the South. If you would turn your raw cotton into yarn and cloth and give employment to your labor there, you would add to the value of your lands and of your materials. Your industries point that way. It was with that spirit and with that idea in my mind that I made my speech at Nashville, and every word of it is true.

What you want is internal development and improvement, the development of your resources, the cutting of your timber and converting it into lumber, the converting of your cotton into cloth and yarn, and the building up of machinery. You have coal, you have iron, you have everything down there that we have, and then you have the advantage of cheap labor, because the negroes of the South, if you will only treat them fairly, get over the prejudices of past generations of slavery, and give them the same advantages and opportunities that you would give a white man among you, will prove to be intelligent and able and strong workingmen. When I was in Birmingham I was surprised at the number of strong black men accustomed to hard work, delving away in the coal mines, acting also as puddlers and in other branches in the furnaces, the most valuable workingmen there.

It is to building up your industries that I desire you to turn your attention. But if you continue the policy of the past, continue the policy that is described by Governor McEnery and Senator EUSTIS to consider this people as entirely unfit for any political rights, if you say you will dominate over them and deprive them of their constitutional rights, then you surely will build up trouble for yourselves in the future.

But I have been led off in reply to my friend from Missouri further than I intended. It is sufficient for me to say that Packard asks no man to apologize for him. He is a brave, true Republican. No man felt more deeply and sincerely the result of the events in Louisiana than I did, but there was no help for it, with the surrounding hostile elements armed and organized, but that his power must melt away, and President Hayes did right in giving him a large and valuable office, which he richly deserved.

Mr. HAWLEY. Mr. President, the Senator from Missouri [Mr. VEST] referred to the commission that was sent to Louisiana in April, 1877, of which I had the honor to be a member. Judge Lawrence, of Illinois, the now Associate Justice Harlan, of Kentucky, ex-Governor Brown, of Tennessee, and the Hon. Wayne MacVeagh were members of it. It is sometimes called the MacVeagh commission, more properly the Lawrence commission it should be. I understood the Senator from Missouri to ask if that commission did not bend all its energies to getting members of the Packard legislature to go into the Nicholls legislature to settle the title of Hayes? Was that the remark?

Mr. VEST. I asked if the members of the commission did not do that thing. I will frankly state to the Senator from Connecticut that I never heard his name connected with any such personal action. I did hear, and it was published in the papers at the time, that members of that commission of visiting statesmen, as they were called, did work long and arduously to induce the Packard legislature to break up and join the Nicholls legislature.

Mr. HAWLEY. I think that commission is not entitled to the honor of the appellation of "visiting statesmen." I think that term was applied to the gentlemen who went down just after the election in the autumn of 1876. We never were called anything more than the Lawrence or the MacVeagh commission.

The Senator is mistaken on any theory, as to whether anybody did anything of that kind or not. The difficulty of the situation was just this: Mr. Hayes, having been in office a month, saw that there was no Legislature in Louisiana that could call upon the President of the United States to keep the peace in that State in accordance with the Constitution, because the Constitution says the Legislature shall call on the United States to suppress insurrection if the Legislature be in session, and if the Legislature be not in session the governor may call. Who was governor and who was the Legislature? That was the question in dispute. Should the President decide off-hand, "I think Packard is governor; I will send a brigade of troops to make him governor and keep him in," or *vice versa*, should he decide for Nicholls? That was the dilemma in which President Hayes was placed.

He appointed this commission to go down there in the first place to get facts, to ascertain how many undisputed members there were in each legislature and to see, of course, whether they could get together a legislature a majority of the members of which were men whose titles were not disputed. The commission went down there and they found Governor Packard in the custom-house, I think, really master of about half an acre of ground, and with a police force protecting him there, going, possibly, to his house to sleep; and they found Governor Nicholls in possession practically of the State, with a well-organized force of about 3,000 troops. They found the supreme court declining to act. They found thirteen of the eighteen district judges Republicans, some of them acting and some not acting, some who were elected having qualified before the Nicholls board and some having qualified elsewhere. It would have taken from that time to this to decide where the State government of Louisiana actually was upon those facts.

The desire of the National Government, the desire of Mr. Hayes and his Cabinet, was that the properly elected members should get together in one legislature with which he could deal. That legislature could call upon him for troops if it desired to do so. If the Packard men had the most influence they could have got men out of the Nicholl's legislature over to the Packard legislature. The upshot of it naturally was, that without this commission undertaking to coax them to one side or the other, the moment it was distinctly understood down there that President Hayes was not to use United States troops to enforce obedience to Packard (which perhaps would have created a civil war) the Packard legislature broke up, and the question was who would get first over into the other legislature, and in a short time there was a large majority in that legislature who were legal members according to the returning board.

General Grant had before practically solved the question when he said the previous winter that he would no longer use troops to make governors. Right or wrong, the question was settled then beyond all further controversy. The telegram of General Grant is as follows:

EXECUTIVE MANSION, *Washington, D. C., January 7, 1877.*

To Governor KELLOGG, *New Orleans:*

I am constrained to decline your request for the aid of troops to inaugurate the new State government to-morrow. To do so would be to recognize one of two rival governments for the State—executive and legislative—at the very time when a committee of each House of Congress is in the State capital of Louisiana investigating all the facts connected with the late election, at which each of the contestants claims to have been legally elected. All the troops can be called upon to do will be to suppress violence if any should take place, and leave constitutional authority and means to settle which is the rightful governor and which the legal legislature. This done, troops may be used to uphold the rightful government in the State, if called upon in accordance with the spirit and meaning of the Constitution.

U. S. GRANT.

And that General Grant reiterated, and President Hayes was obliged to take the question up where Grant left it.

The Senator from Missouri asked another question, how it could be that Nicholls could become governor and Hayes President. Here is an extract from a paper issued by the Nicholls party itself:

Indeed, as to Presidential electors, the mode of their appointment is, by the Constitution of the United States, left to the discretion of the Legislature of the State; therefore the General Assembly of Louisiana might create any tribunal whatever, and confide to it the appointment of electors for President and Vice-President.

Consequently it may properly authorize such a tribunal in the case of the election of Presidential electors by the people to count the votes and decide and declare who were entitled to seats in the electoral college.

The Nicholls party acknowledged, therefore, that the returning board under the laws of the State had a perfect right to declare who were electors. They made no dispute upon that; they gave up that point. The returning board had a right to declare who were electors; but when it came to ascertaining who was governor they denied that the registrars of the election had a right to make up the returns and send them to the returning board, and denied that the returning board had

a right to revise them and declare who were members of the Legislature, because the constitution of that State contained the usual provision that the title of members should be decided by the Legislature itself. This is from the same address:

> The constitution of the State of Louisiana requires that "returns of all elections for members of the General Assembly shall be made to the Secretary of State."

And then it provided that they should be laid before the Legislature in the usual way, giving legislative bodies the right to decide on the qualifications of their own members and upon the title of the governor also. The Nicholls men admitted that the returning board might declare who were chosen Presidential electors, but claimed that the constitution of the State of Louisiana gave to the Legislature the decision of who was governor as well as the decision of who were elected members of the Legislature. The matter settled itself when General Grant said he would no longer make governors with a brigade of United States troops.

Mr. PLUMB. Mr. President——

Mr. ALLISON. I ask the Senator from Kansas to yield to me for a moment that I may make a suggestion to the Senator from Connecticut in charge of this bill. I know that there are several gentlemen who desire to address the Senate on the question of the admission of Dakota; and I think that to enable them to do so will require perhaps a longer session this evening than the Senate will desire; and inasmuch as yesterday we agreed by unanimous consent to take the vote to-day, I ask those in charge of the bill if it will not be agreeable to change this unanimous consent to to-morrow?

Mr. PLATT. Of course I need not say I am anxious to finish the bill. I am, and have been for some time; but still the discussion has taken an unexpected turn to-day, and little has been said directly upon the main question as to whether South Dakota ought to be admitted to the Union. I do not wish to compel Senators to speak here until a late hour this evening, and I have no objection that the arrangement shall be continued for to-morrow as it was for to-day. The Senator from South Carolina [Mr. BUTLER] is interested in the bill, and I ask him to say what he desires.

Mr. BUTLER. I would be largely governed in my wishes in the matter if I knew exactly how many Presidential candidates on the other side proposed yet to speak. I believe we have heard now from three, and probably we might cut off the debate somewhat if it should be advertised how many more of them wish to make stump speeches instead of speaking on the Dakota bill.

As far as I am personally concerned I am entirely willing to agree to whatever arrangement the honorable Senator from Connecticut may make. I am quite anxious for one, and I think I can speak for the minority of the Committee on Territories when I say that they are anxious that some action should be taken upon this bill. Its pendency prevents our attending to many other matters which are in hand; and therefore I should like to have a disposition of the bill as soon as possible.

Mr. PLATT. Do you want to go on to-night?

Mr. BUTLER. I do not care about going on to-night. I want it understood how many Presidential candidates wish to speak. Then I might determine what to do.

Mr. DAWES. Let the arrangement made yesterday for to-day be continued for to-morrow.

Mr. PLATT. I ask that the same unanimous arrangement which was agreed to in reference to the vote being taken to-day be extended until to-morrow. I think perhaps that will accommodate Senators.

Mr. BUTLER. I did not understand the Senator from Massachusetts.

Mr. DAWES. That was precisely what I suggested.

Mr. BUTLER. I did not know but that he might have entered the field of Presidential candidates. [Laughter.]

Mr. PLATT. I would prefer to fix an hour at which the vote shall be taken to-morrow.

Mr. SAULSBURY. The debate to-day has turned on another question than the admission of Dakota.

Mr. PLATT. We shall get back to Dakota to-morrow.

Mr. SAULSBURY. There is a gentleman now on the floor who has taken the floor to make a speech. I spent six weeks in Louisiana about the time to which reference has been made to-day. I do not know that I shall want to speak; but there may be things said that may induce me, contrary to any unwillingness I may have, to speak to-morrow, and I do not desire that there shall be any arrangement which, after the political speeches made on this question on the other side, will cut me or anybody else off who may desire to be heard on this subject. Let the debate go on. I am perfectly willing to vote whenever the proper time comes. I do not know that I shall say a word on the bill, but I do not want gentlemen on the other side to make party speeches and assert as facts things which I think are not exactly according to the testimony in the case, and be compelled to vote without an opportunity to speak if I desire to do so. Therefore I should like to have the bill go over without any understanding as to a particular time for voting. If there is debate on the other side which requires reply, I certainly shall want an opportunity to reply. I have no desire to participate in the debate, but I am not willing to hear an arraignment of the party to which I belong by everybody on the other side without an opportunity on my part to reply.

Mr. PLUMB. I will yield to the Senator from Delaware now, if he wishes to speak.

Mr. SAULSBURY. I am much obliged to the Senator from Kansas, but I am not in the habit of accepting favors from that quarter. [Laughter.]

The PRESIDENT *pro tempore*. The Senator from Connecticut asks unanimous consent that the final vote on this bill and the amendments be taken to-morrow. Is there objection?

Mr. CALL. I was not aware that there had been any consent given to take the vote to-day. I was not a party to any such arrangement. I do not think the debate should be terminated abruptly and without opportunity on the part of several Senators who may wish to participate in the discussion to be heard. I would not have felt myself bound by the action of the Senate as to the conclusion of the debate to-day.

Mr. BUTLER. I am quite sure that my friend from Florida would not object to the carrying out of an arrangement regularly entered into without objection. I am always glad to hear the Presidential candidates, and I do not desire to cut off the debate which has been progressing now for a good while, and many other subjects than Dakota have been talked about.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Florida to interpose an objection.

Mr. CALL. Yes, sir, I object.

Mr. PLUMB. Mr. President, it had not been my intention to speak on this question until I heard the remarks of the Senator from Missouri [Mr. VEST] yesterday.

Mr. CALL. If the Senator from Kansas will allow me I merely wish to say that while I do not feel myself bound by the agreement made last night to vote to-day, yet when the agreement was made with the knowledge and consent of the Senators present, I shall not stand in the way of carrying it out; and if the Senator from Kansas prefers to speak in the morning I shall not object to the arrangement proposed.

Mr. PLUMB. As far as my personal convenience is concerned I would as soon go on to-night as to-morrow.

The PRESIDENT *pro tempore*. The Chair will again submit the proposition of the Senator from Connecticut, that the final vote on the pending bill and the amendments be taken to-morrow. Is there objection? [A pause.] The Chair hears none. That is the understanding and agreement of the Senate.

Mr. HOAR. I hope the Senator from Connecticut will call up this measure immediately after the conclusion of the routine business to-morrow morning, instead of waiting until 2 o'clock.

Mr. PLATT. I shall be glad to do so.

Mr. CALL. Do I understand there is no particular time fixed to-morrow for the vote? ["None."]

Mr. PLATT. I will say, as I think it seems to be the wish of the Senate, that I will endeavor to call up the bill as soon as the routine business is disposed of to-morrow morning, and I have no doubt we can dispose of this bill at a reasonably early hour to-morrow.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Massachusetts to suggest that unanimous consent be given that this bill be taken up at the conclusion of the routine morning business to-morrow morning? Is there objection? The Chair hears none, and it is so ordered.

Mr. ALLISON. Now, Mr. President, if the Senator from Kansas will yield to me, I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Does the Senator from Kansas yield for that purpose?

Mr. PLUMB. Yes, sir.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 16th instant approved and signed the following acts:

An act (S. 1387) authorizing the appointment of James S. Jouett to a first lieutenancy of cavalry in the United States Army; and

An act (S. 1371) for the relief of Alfred Hedberg.

MAJ. D. N. BASH—VETO MESSAGE.

The PRESIDENT *pro tempore*. Before submitting the motion of the Senator from Iowa, the Chair lays before the Senate a message from the President of the United States.

The message was read, as follows:

To the Senate:

I return without approval Senate bill No. 258, entitled "An act for the relief of Maj. Daniel N. Bash, paymaster, United States Army."

The object of this bill is to release Paymaster Bash from all liability to the Government for the loss by theft of $7,350.93, which was intrusted to him for the payment of United States troops at various posts, one of which was Fort McKinney, in Wyoming Territory.

He started from Cheyenne Depot, accompanied by his clerk, D. F. Bash. Before starting he attempted to procure an iron safe in which he could deposit the money which he should have in his possession during his absence, but was unable to do so. It is alleged that it is customary for paymasters in such cases to be furnished with safes by the Government.

On the 17th day of March, 1887, Major Bash arrived at Douglas, Wyo., having in his possession $350.93, which was a balance left in his hands after making previous payments on the way. At Douglas he received by express $7,000, $250 of which were in silver. He was met here by an escort, consisting of a sergeant and private soldier, who had been sent from Fort McKinney, and who were under orders to report to the paymaster at Douglas, and to act as guard from that place to Fort McKinney.

Another unsuccessful attempt having been made at Douglas to obtain a safe or treasure box in which to carry the money, the same was put in a leather valise as the best thing that could be done in the circumstances. The money was first handed by the paymaster to his clerk, and by the clerk put in the valise and handed to the sergeant of the escort. There is evidence that the sergeant was told not to permit it to be out of his sight. Immediately after supper at Douglas the entire party entered the stage and proceeded upon their journey, the sergeant carrying the valise. Major Bash asserts that he said to the sergeant, "You must take good care of the valise—it contains the money."

The next morning, on the 18th day of March, the party arrived at Dry Cheyenne. When the paymaster went in to breakfast at that place he found all the party at the breakfast-table. After breakfast he walked out to the stage, the sergeant going at the same time. He asked him what he had done with the valise, and received the reply that it was in the stage. He then said to the sergeant, "You ought to have brought it in with you; you should take better care of that valise." The valise was then examined and the money was found untouched.

Pursuing their journey, the party arrived at Antelope Springs, Wyoming Territory, at half past 10 o'clock the same morning. The paymaster alleges that he asked the sergeant if he should take dinner there, and that being answered in the negative, he remarked to him that he might then stay at the stage; that he then went to the stage station, leaving the two soldiers and the clerk at the stage; that he remained at the station warming himself a short time, finding there three citizens, one of whom he afterwards learned was Parker, the thief; that he left the room in which he had been warming himself and went to the dining-room, passing along the front of the house, and as he did so noticed the stage standing there, with no one near it except a stock-tender; that on reaching the dining-room he found his entire party at the table; that he looked "pretty sharp" at the sergeant, as he was surprised to see him there, but as he was just eating his pie he (the paymaster) said nothing to him; that not more than a minute after that the sergeant and driver got up and went out; that three or four minutes after they went out they rushed back and said that the valise had been taken.

It was found that the valise and money had been taken by Parker, who had mounted a horse and ridden away. He was pursued so closely that revolver shots were exchanged between the sergeant, who was badly mounted, and the thief. The sergeant alleged that he could have shot Parker if he had been provided with a gun instead of a revolver.

The facts in relation to this subject were developed upon a court of inquiry called for that purpose; and much of the above recited is derived from the evidence of Major Bash himself, taken upon such inquiry.

The following is the finding of the court concerning the conduct of the paymaster in the premises:

"That Maj. Daniel N. Bash, paymaster United States Army, did not give such direct and detailed orders to the members of the escort as to the manner in which they should guard the public money in his (Bash's) possession while *en route* to Fort McKinney as the importance of the matter required; and that he did not take the proper and necessary pains to see that any orders which he had given on this subject were duly obeyed."

This finding defines a case of negligence which renders the paymaster liable for the loss of these funds. But a number of Army officers, including the members of the court of inquiry, suggest that the paymaster thus found at fault should be relieved from responsibility. This is much the fashion in these days.

It is said that a safe should have been provided; that the paymaster had the right to rely upon the fidelity and efficiency of the escort, and that the two men furnished him as an escort were unintelligent and negligent; that they should have been armed with guns instead of pistols; and that the instructions given to the escort by the paymaster were sufficient to acquit him of culpable neglect.

It seems to me that the omissions of care on the part of this officer are of such a nature as to render much that is urged in his favor irrelevant. He had the charge of this money. It was his care, vigilance, and intelligence which were the safeguards of its protection. If he had as full an appreciation as he indicates of the importance of having a safe, he must have known that in its absence additional care and watchfulness on his part were necessary, whatever his escort or his clerk might do.

But notwithstanding all this he seemed quite content to leave this large sum of money in the hands of those sent to him, not to have the custody of his funds, but to guard him from violence and robbery. On the very morning of the day the theft was committed he had found fault with the sergeant for leaving the money in the stage while he took breakfast, and had said to him that he (the sergeant) ought to have brought it in with him. He here furnishes his own definition of the kind of care which should have been taken of the money—the sergeant "ought to have brought it in with him;" and this suggests the idea that it would have been quite consistent with his duty, and perhaps not much beneath his dignity, if he had taken it in himself. (Chief Paymaster Terrill, in a letter favoring leniency, states that the coin could not have weighed less than 15 pounds.)

It must certainly be conceded that what then took place plainly warned him that to insure the safety of this money he must either take personal charge of it or he must at least be sure that those to whom he surrendered it were watchful and vigilant. And yet, when a few hours later, on the same day, upon arriving at Antelope Springs, he was informed by the sergeant that he did not propose to take dinner there, the paymaster almost casually said to him, "Then you stay at the stage," and he himself went to a room at the station to warm himself. When, as he went from there to the dining-room, he passed the stage and saw no one near it except a stock-tender, a very conservative idea of duty and care would have induced him to stop at the stage and ascertain the condition of affairs. If he had done so, he probably would have found the money there and could have taken it in with him or watched it until some of his party came out from dinner. Instead of doing this, he himself went to the dining-room and indicated his surprise at seeing the sergeant there by looking at him sharply. However, as he was just eating his pie, nothing was said.

It is not improbable that the thief waited for the clerk and escort, and lastly the paymaster himself, to enter the dining-room, before venturing to take, entirely unmolested, the valise containing the money. When it is considered that after finishing his pie the sergeant came out to the stage so nearly the exact moment of the theft that, though badly mounted, he was able to approach near enough in pursuit of the fleeing thief to exchange revolver shots with him, it is quite apparent that the loss might have been prevented if the paymaster had remained a short time by the stage when he saw it unprotected, or had taken the valise in with him, or promptly diverted the attention of the sergeant from his pie to the money which all had abandoned.

When, therefore, it is said that this loss can be charged in any degree to the neglect or default of the Government, it is answered that the direct and immediate cause of the loss was the omission on the part of this paymaster of the Government, in whose custody these funds were placed, of the plainest and simplest acts of prudence and care.

The temptation is very strong to yield assent to the proposition for the relief of a citizen from liability to the Government, arising from conduct not absolutely criminal; but the bonds and the security wisely exacted by the Government from its officers to insure proper discharge of public duty will be of very limited value if everything is to be excused except actual dishonesty.

I am thoroughly convinced that the interests of the public would be better protected if fewer private bills were passed relieving officials upon slight and sentimental grounds from their pecuniary responsibilities; and the readiness with which Army officers join in applications for the condonation of negligence on the part of their Army comrades does not tend, in my opinion, to maintain that regard for discipline and that scrupulous observance of duty which should characterize those belonging to their honorable profession.

I can not satisfy myself that the negligence made apparent in this case should be overlooked.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 18, 1888.

Mr. HOAR. Mr. President, this veto message turns upon a difference of opinion between President Cleveland, on full investigation, and the committees of the two Houses upon some conflicting evidence as to the precise time when a certain lieutenant finished eating his pie. Now, without the least disrespect to the Executive opinion on that important question, I move that the message be referred to the Committee on Claims.

Mr. COCKRELL. I believe that case was reported by the Committee on Military Affairs.

Mr. HOAR. No, sir.

Mr. SPOONER. It was reported by the Committee on Claims.

Mr. HOAR. They determined the case on the recommendation of General Sheridan, General Terry, General Crook, and some other officer, and on a full investigation of the facts.

Mr. COCKRELL. I remember the case distinctly. We can discuss it when the Committee on Claims reports it back to be passed over the President's veto; but I thought it was reported from the Committee on Military Affairs, and I was going to ask that it be referred there.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Massachusetts to refer the bill and the accompanying message to the Committee on Claims, and that the message be printed.

The motion was agreed to.

CLAIM OF WILLIAM H. FREAR AGAINST FRANCE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate of the United States:

In answer to the resolution of the Senate of the 5th of March last, calling upon the Secretary of State for copies of the correspondence relating to the claim of William H. Frear against the Government of France, for money due him for provisions furnished in March, 1871, for revictualing Paris, I transmit a report from that officer, together with the correspondence called for by the resolution.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 18, 1888.

FLORIDA PUBLIC LAND INVESTIGATION.

Mr. PLUMB submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the expenses attending the investigation of alleged illegal and fraudulent conveyances of public lands in the State of Florida, authorized by the resolution of the Senate of the 18th instant, be paid out of the contingent fund of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil.

CONFERENCE WITH SOUTH AMERICAN COUNTRIES.

Mr. FRYE. I submit a conference report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with amendments as follows: In line 37 of the Senate amendment, after the word "States," add the words "which are hereby invited to participate in said conference." In line 38 of the Senate amendment, in lieu of the sum proposed, insert "$75,000." Strike out all after the figure "4," in line 44 of the Senate amendment, down to the word "the," in line 51, and insert the words "Six delegates to said conference shall be appointed by the President of the United States, by and with the advice and consent of the Senate; two by the President of the Senate and two by the Speaker of the House of Representatives, who shall be members of their respective Houses. These delegates shall serve without compensation, but their actual necessary expenses shall be paid." In line 56 of the Senate amendment, after the word

"clerks," insert the words "and other assistants." Strike out all after the word "publication," in line 58 of the Senate amendment, down to the semicolon after the word "languages," in line 60, and insert the words "by the Public Printer, in the English, Spanish, and Portuguese languages, of so much of the proceedings of the conference as it shall determine." In line 61 of the Senate amendment strike out the word "full." And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same.

WM. P. FRYE,
J. N. DOLPH,
JOSEPH E. BROWN,
Managers on the part of the Senate.

JAMES B. McCREARY,
JOHN E. RUSSELL,
WM. W. MORROW,
Managers on the part of the House.

Mr. EDMUNDS. I beg to ask my friend from Maine to explain this matter, and at the same time to express my opposition in any respect to a congress of nations or whatever the delegates to it being appointed either by the Speaker of the House of Representatives, or the House itself, or by the Senate or its President. I do not think it is within the line of proper precedents; but perhaps it may be explained.

Mr. FRYE. Mr. President, the first amendment which the House made was the amendment inserting "Hayti and San Domingo" both in the title and in the body of the bill. The second amendment was inserting "$75,000" in place of "$100,000," the House having passed a bill appropriating $30,000. The third amendment was that to which the Senator alludes, where, instead of the President of the United States appointing ten delegates who should serve without compensation, at the request of the other House the appointment of six was conferred upon the President, with the consent and advice of the Senate, two upon the President of the Senate, and two upon the Speaker of the House, to be appointed from their respective Houses. There were no especial reasons given for that, and so far as I was concerned I could not see, and I do not think that the other conferees on the part of the Senate saw, any especial objection to it, as these members of the delegation receive no compensation whatever for their services, and as the conference will be held at a time when neither House will probably be in session, it being next year.

The next amendment was the one inserting the Portuguese language as well as the English and Spanish, which was regarded as necessary on account of Brazil, and I learned on communication that it was desirable it should be inserted.

The next amendment was the insertion of the word "assistants" after "clerks." That was deemed necessary in order to cover "interpreters."

I believe this covers all the changes which have been made in the bill.

Mr. EDMUNDS. I have only to address myself to one, and that is the one to which I asked the attention of my friend from Maine a few moments ago.

I do not understand upon what principle of public practice or of the Constitution of the United States a quasi-diplomatic conference between the United States and foreign powers is to be carried on by a body of men any of whom are appointed by the House of Representatives or by the Senate. I do not think that any instance of that kind has ever occurred in the history of our country before.

If these are officers (for the pay question does not affect it at all), then it would be rather clear that a member of the Senate or of the other House who accepted such an honor would deprive himself of the capacity thenceforth to serve his constituents in either House of Congress, because the Constitution forbids a member of either House from being appointed to any office under the Executive whatever, and if he continues to hold his place he can not hold the two at the same time.

But I am not so much upon that point, which is a serious one, as I am upon the impropriety of inaugurating a precedent of this character, where the two Houses are to commence for the first time in the career of the century that we have gone through under our form of government in appointing men who are to enter into whatever may be called this kind of a conference, important as it certainly is, and to have that conference selected by the two bodies of Congress, for to be selected in part is just as bad as in whole, and if the President of the Senate represents the Senate, the Speaker of the House represents the House. It is overturning the balance, as it seems to me, of constitutional responsibilities and dignities that ought not to be disturbed, and I put in my feeble and I suppose ineffectual protest against doing that sort of a thing.

Mr. CHANDLER. Mr. President, it seems to me that there ought to be insistance on the point made by the Senator from Vermont. The Constitution is perfectly plain. It vests the appointing power of all officers of the United States, aside from those specifically named in article 2, in the President of the United States, and I think that it is an absolute usurpation of the appointing power for Congress to undertake to send delegates to a conference of any kind.

I ask the Senator from Maine, the chairman of the Committee on Commerce, whether he regards these officials as officers of the United States, because if they are officers of the United States they can only be appointed by the President of the United States, and certainly neither the Senate nor the House ought to undertake to appoint embassadors or members of international congresses.

The proposition is important because an encroachment by one branch of the Federal Government upon another branch once commenced is likely to grow. It appears to me that unless there are precedents for this action, and unless there are reasons for it that I can not conceive to exist, a proposition of this kind ought to be resisted in the beginning.

Mr. FRYE. Has the Senator a copy of the Constitution by him?

Mr. CHANDLER. I have.

Mr. FRYE. Will he be kind enough to read the article which forbids the appointment of members of Congress to any office created by law?

Mr. EDMUNDS. It is section 6 of Article I:

> The Senators and Representatives shall receive a compensation, etc.
> They shall in all cases except treason, etc., be privileged from arrest—

And so on. Then the second paragraph reads:

> No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased during such time, and no person holding any office under the United States shall be a member of either House during his continuance in office.

Mr. FRYE. Does the Senator from Vermont contend that this is an "office" within the use of that term in the Constitution?

Mr. EDMUNDS. I think it is. It is a place created by law, of great responsibility, on a commission, and with everything except salary, and we have had several offices that were clearly offices without any salary, I am sorry to say; they should not have been. The salary question does not affect it at all.

I think this report had better go over until to-morrow, so that we may consider it a little more, if my friend does not object.

Mr. FRYE. I simply desire to say in relation to it that so far as I was concerned it did not seem to me that this was an office within the meaning of the Constitution; neither did it seem to me to be a matter of very special importance. The conferees on the part of the House were very anxious to have this amendment made, and while the Senate conferees did not desire it they yielded it. So far as I am concerned I have no wish in relation to it—not the slightest.

Mr. EVARTS. This question has been raised unexpectedly to me, for I had supposed if there was anything settled under our Constitution it was that no member of either House of Congress could hold any office or perform any function in the Government except the legislative duty that is deposited in the two Houses of Congress by the Constitution. It would seem to me, therefore, that it must have been rather by inadvertence that the other House should have undertaken to give a participation in this commission to members of the two Houses of Congress. Certainly I could never bring myself to agree to a conference that should involve what I regard as a violation of the Constitution and a movement which ought to be checked at the outset, even if it could be excused as not absolutely within the terms of the Constitution.

Mr. FRYE. I should like to examine the matter a little further. I prefer very much myself, so far as I am concerned, that the appointment should be made by the President of the United States, and that members of the two bodies of Congress should not be selected as delegates. With the permission of the Senate, I will allow the matter to go over until to-morrow.

The PRESIDENT *pro tempore*. The report of the conference committee will lie upon the table until to-morrow.

Mr. ALLISON. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, April 19, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April* 18, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of yesterday.

Mr. DOCKERY. I move that the reading of so much of the Journal as relates to reports from committees be dispensed with.

There being no objection, it was ordered accordingly.

The residue of the Journal was read and approved.

MILITARY RESERVATION, FORT THORNBURGH, UTAH.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of an appropriation to pay for private property taken by the Government in the extension of the military reservation at Fort Thornburgh, Utah; which was referred to the Committee on Military Affairs, and ordered to be printed.

ACCOUNTS OF INDIAN AGENTS.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with a letter from the Commissioner of Indian Affairs, a draught, and recommending the passage of a bill to au-

thorize the accounting officers of the Treasury Department to allow certain credits in the settlement of the accounts of Indian agents; which was referred to the Committee on Expenditures in the Interior Department, and ordered to be printed.

INTERNATIONAL EXPOSITION AT PARIS, 1889.

Mr. BELMONT. Mr. Speaker, the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889, has been returned from the Senate with amendments. I ask unanimous consent that the amendments of the Senate be non-concurred in, and conferecs on the part of the House appointed.

There being no objection, it was ordered accordingly.

The SPEAKER. The Chair will announce during the day the managers on the part of the House in the conference.

CHINESE IMMIGRATION.

Mr. BELMONT, by unanimous consent, introduced a bill (H. R. 9534) to prohibit the coming of Chinese laborers to the United States; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

AMERICAN INTERNATIONAL CONFERENCE.

Mr. McCREARY. Mr. Speaker, I rise to submit a conference report.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encourage reciprocal commercial relations between the United States of America and the Republics of Mexico, Central, and South America, and the Empire of Brazil, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: in line 37 of the Senate amendment, after the word "States," add the words "which are hereby invited to participate in said conference." In line 38 of the Senate amendment, in lieu of the sum proposed, insert "$75,000." Strike out all after the figure 4, in line 44 of the Senate amendment, down to the word "the," in line 51, and insert the words "six delegates to said conference shall be appointed by the President of the United States, by and with the advice and consent of the Senate, two by the President of the Senate, and two by the Speaker of the House of Representatives, who shall be members of their respective Houses. These delegates shall serve without compensation, but their actual necessary expenses shall be paid." In line 56 of the Senate amendment, after the word "clerks," insert "and other assistants." Strike out all after the word "publication," in line 58 of the Senate amendment, down to the semicolon; after the word "languages," in line 60, insert the words "by the Public Printer in the English, Spanish, and Portuguese languages of so much of the proceedings of the conference as it shall determine." In line 61 of the Senate amendment strike out the word "full;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same.

JAMES B. McCREARY,
JOHN E. RUSSELL,
W. W. MORROW,
Managers on the part of the House.
WILLIAM P. FRYE,
JAMES L. DOLPH,
JOSEPH E. BROWN,
Managers on the part of the Senate.

The House conferecs submit the following statement in explanation of the amendments:

The managers of the House appointed on the conference ordered on the disagreement of the House to the amendments offered by the Senate to House bill No. 1473, being a bill entitled "An act authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the republics of Mexico, Central and South America, and the empire of Brazil," herewith submit the joint report of the managers on the part of the House and the managers on the part of the Senate, which was unanimously agreed to, and in explanation of amendments made and their effect, submit the following detailed statement, all of which are recommended for adoption:

The general features of the bill and its principal aims and provisions have not been materially changed.

Amendment 1 adds Hayti and San Domingo to the republics which are to be invited to the conference.

Amendment 3 strikes out a part of section 1 and inserts it as a part of another section.

Amendment 4 states what the conference is called to consider, and in lieu of the sum proposed inserts $75,000 as the amount appropriated, and provides for the appointment of ten delegates instead of six to represent the United States at said conference, who are required to serve without compensation, but their actual necessary expenses are to be paid.

It is believed by the conferees, after careful examination and consultation with those who have looked into the expenses of such international conferences, that the amount named is necessary and proper, and they are strengthened in this belief by the importance and magnitude of the great international conference to be held, and by the provisions in the bill, which require the said amount or so much thereof as may be necessary to be disbursed under the direction and in the discretion of the Secretary of State, of which disbursements he will render an account to the Congress of the United States.

Amendment 4 provides also that the Secretary of State shall appoint such clerks and their assistants as shall be necessary, at a compensation to be determined by him, and provide for the publication in the English, Spanish, and Portuguese languages of so much of the proceedings of the conference as it shall require.

Amendment 5 simply amends the title of the bill so as to make it conform to the provisions of the bill.

JAMES B. McCREARY.
JOHN E. RUSSELL.
WM. W. MORROW.

The SPEAKER. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

Mr. McCREARY moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. TOWNSHEND. I did not wish to detain the House with any remarks upon the conference report, but having been the originator of the proposition agreed to by the House and Senate, I beg leave of the House to submit some remarks in the RECORD upon this question.

There was no objection.

ORDER OF BUSINESS.

Mr. O'NEILL, of Missouri. Mr. Speaker, this day being set apart for the consideration of reports from the Committee on Labor, I desire to call up the regular order.

The SPEAKER. The Clerk will report the unfinished business.

DEPARTMENT OF LABOR.

Mr. O'NEILL, of Missouri. I call up the bill H. R. 8560, which is the unfinished business, and ask unanimous consent that the remaining sections be considered in the House as in Committee of the Whole. This bill has been practically concluded, and there are but one or two sections which are designed to conform the department to the change made in the law, and which are merely formal in their character.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 8560) to establish a department of labor.

The SPEAKER. The gentleman from Missouri asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill, and complete its consideration in the House.

Mr. CANNON. What is the bill?

Mr. O'NEILL, of Missouri. To establish a department of labor.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next section of the bill, to which there is an amendment pending.

Mr. DINGLEY. I withdraw the amendment which I offered when this bill was under consideration before.

The SPEAKER. The amendment proposed by the gentleman from Maine was in lieu of the eighth section of the bill. The Clerk will now report the eighth section.

The Clerk resumed and concluded the reading of the bill.

Mr. O'NEILL, of Missouri. I now demand the previous question upon the amendments and upon the engrossment and third reading of the bill.

The previous question was ordered.

Mr. O'NEILL, of Missouri. I ask that one vote be taken upon all the amendments.

Mr. HOLMAN. How many amendments are there?

Mr. O'NEILL, of Missouri. Some eight or ten; but we will adopt them all.

Mr. HOLMAN. I think the amendments had better be read.

The amendments were read at length.

The SPEAKER. Unless a separate vote is demanded upon some amendment the question will be taken upon the amendments in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading, and being engrossed, was accordingly read the third time and, passed.

Mr. O'NEILL, of Missouri, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BOARD OF ARBITRATION.

Mr. O'NEILL, of Missouri. I call up for consideration the bill H. R. 8665.

The bill was read, as follows:

A bill (H. R. 8665) to create boards of arbitration for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

Be it enacted, etc., That whenever differences or controversies arise between railroad companies engaged in the transportation of property or passengers between two or more States of the United States, between a Territory and State, within the Territories of the United States, or within the District of Columbia, and the employés of said railroad companies, which differences or controversies may hinder, impede, obstruct, interrupt, or affect such transportation of property or passengers, if, upon the written proposition of either party to the controversy to submit their differences to arbitration, the other party shall accept the proposition, then and in such event the railroad company is hereby authorized to select and appoint one person, and such employé or employés, as the case may be, to select and appoint another person, and the two persons thus selected and appointed to select a third person, all three of whom shall be citizens of the United States and wholly impartial and disinterested in respect to such differences or controversies; and the three persons thus selected and appointed shall be, and they are hereby, created and constituted a board of arbitration, with the duties, powers, and privileges hereinafter set forth.

SEC. 2. That the board of arbitration provided for in the first section of this

act shall possess all the powers and authority in respect to administering oaths, subpœnaing witnesses and compelling their attendance, preserving order during the sittings of the board, and requiring the production of papers and writings relating alone to the subject under investigation now possessed and belonging to United States commissioners appointed by the circuit court of the United States; but in no case shall any witness be compelled to disclose the secrets or produce the records or proceedings of any labor organization of which he may be an officer or member; and said board of arbitration may appoint a clerk and employ a stenographer, and prescribe all reasonable rules and regulations, not inconsistent with the provisions of this act, looking to the speedy advancement of the differences and controversies submitted to them to a conclusion and determination. Each of said arbitrators shall take an oath to honestly, fairly, and faithfully perform his duties, and that he is not personally interested in the subject-matter in controversy, which oath may be administered by any State or Territorial officer authorized to administer oaths. The third person so selected and appointed as aforesaid shall be the president of said board; and any order, finding, conclusion, or award made by a majority of such arbitrators shall be of the same force and effect as if all three of such arbitrators concurred therein or united in making the same.

SEC. 3. That it shall be the duty of said board of arbitration, immediately upon their selection, to organize at the nearest practicable point to the place of the origin of the difficulty or controversy, and to hear and determine the matters of difference which may be submitted to them in writing by all the parties, giving them full opportunity to be heard on oath, in person and by witnesses, and also granting them the right to be represented by counsel; and after concluding its investigation said board shall publicly announce its award, which, with the findings of fact upon which it is based, shall be reduced to writing and signed by the arbitrators concurring therein, and, together with the testimony taken in the case, shall be filed with the Commissioner of Labor of the United States, who shall make such award public as soon as the same shall have been received by him.

SEC. 4. That it shall be the right of any employés engaged in the controversy to appoint, by designation in writing, one or more persons to act for them in the selection of an arbitrator to represent them upon the board of arbitration.

SEC. 5. That each member of said tribunal of arbitration shall receive a compensation of $10 a day for the time actually employed. That the clerk appointed by said tribunal of arbitration shall receive the same fees and compensation as clerks of United States circuit courts and district courts receive for like services. That the stenographer shall receive as full compensation for his services 20 cents for each folio of an hundred words of testimony taken and reduced to writing before said arbitrators. That United States marshals or other persons serving the process of said tribunal of arbitration shall receive the same fees and compensation for such services as they would receive for like services upon process issued by United States commissioners. That witnesses attending before said tribunal of arbitration shall receive the same fees as witnesses attending before United States commissioners. That all of said fees and compensation shall be payable by the United States in like manner as fees and compensation are payable in criminal causes under existing laws: *Provided*, That the said tribunal of arbitration shall have power to limit the number of witnesses in each case where fees shall be paid by the United States: *And provided further*, That the fees and compensation of the arbitrators, clerks, stenographers, marshals, and others for service of process, and witnesses under this act shall be examined and certified by the United States district judge of the district in which the arbitration is held before they are presented to the accounting officers of the Treasury Department for settlement, and shall then be subject to the provisions of section 846 of the Revised Statutes of the United States; and a sufficient sum of money to pay all expenses under this act and to carry the same into effect is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 6. That the President may select two special arbitrators, one of whom at least shall be a resident of the State or Territory in which the controversy arises, who, together with the Commissioner of Labor, shall constitute a temporary board of arbitration for the purpose of examining the causes of the controversy, the conditions accompanying, and the best means for adjusting it; the result of which examination shall be immediately reported to the President and Congress, and on the rendering of such report the services of the two special arbitrators shall cease. The services of the board of arbitration, to be ordered at the time by the President and constituted as herein provided, may be tendered by the President for the purpose of settling a controversy such as contemplated, either upon his own motion or upon the application of one of the parties to the controversy, or upon the application of the executive of a State.

SEC. 7. That the special arbitrators provided in the preceding section shall be entitled to receive $10 each per day for each day's service rendered, and the expenses absolutely incurred in the performance of their duties; and the expenses of the Commissioner of Labor, acting as one of the board of arbitration, shall also be reimbursed to him. Such compensation and expenses shall be paid by the Treasurer of the United States, on proper vouchers, certified to by the Commissioner of Labor and approved by the Secretary of the Interior.

SEC. 8. That upon the direction of the President, as hereinbefore provided, the board of arbitration shall visit the locality of the pending dispute, make careful inquiry into the cause thereof, hear all persons interested therein who may come before it, advise the respective parties what, if anything, ought to be done or submitted to by either or both to adjust such dispute, and make a written decision thereof. This decision shall at once be made public, shall be recorded upon proper books of record to be kept in the office of the Commissioner of Labor, who shall cause a copy thereof to be filed with the secretary of the State or Territory, or States or Territories, in which the controversy exists.

SEC. 9. That in each case the special arbitrators who may be selected as provided shall, before entering upon their duties, be sworn to the faithful discharge thereof. The Commissioner of Labor shall be chairman *ex officio* of the board of arbitration, and may appoint one or more clerks or stenographers to act in each controversy only, which clerks or stenographers shall be compensated at a rate not exceeding $5 per day each, and actual expenses incurred shall be reimbursed.

SEC. 10. The Commissioner of Labor shall, as soon as possible after the passage of this act, establish such rules of procedure as shall be approved by the President; but the board shall permit each party to a controversy to appear in person or by counsel, and to examine and cross-examine witnesses. All its proceedings shall be transacted in public, except when in consultation for the purpose of deciding upon the evidence and arguments laid before it. The chairman of the board is hereby authorized to administer oaths to witnesses in all investigations conducted by the board, and such witnesses shall be summoned in the same manner as witnesses are summoned to appear before United States courts and commissioners, and they shall each receive the same fees as witnesses attending before United States commissioners.

SEC. 10. All fees, expenses, and compensation shall be paid as hereinbefore provided in section 5 of this act.

Mr. ROGERS. I make the point of order that this bill should have its first consideration in Committee of the Whole House on the state of the Union.

The SPEAKER. The bill provides for the compensation of the board of arbitration and others, and appropriates money from the Treasury to pay it. It comes under the rule requiring a bill to be considered in Committee of the Whole.

Mr. O'NEILL, of Missouri. I move that the House now go into Committee of the Whole for the purpose of considering this bill. And pending that I desire to have debate upon the bill limited. I ask any of those gentlemen who are opposed to the provisions of the bill if they will give me an idea of what time they want? I will state for the information of the House that it is substantially the arbitration bill passed in the last Congress, with the addition, in accordance with suggestions contained in the President's message, of the appointment by him, when he deems it necessary, of two arbitrators, who, with the Commissioner of Labor, may serve as a special board and can visit the locality affected by the strike and report upon the same.

Mr. BLOUNT. Does the gentleman propose to limit general debate?

Mr. O'NEILL, of Missouri. I want the House to limit debate upon the bill.

Mr. REED. You can not limit debate until we go into Committee of the Whole.

Mr. O'NEILL, of Missouri. We can by unanimous consent.

Mr. REED. My attention has just been called to the bill. It is of such a nature that I think we should have thorough discussion; and we can not tell how much discussion will be required until the propositions of the bill are stated.

Mr. O'NEILL, of Missouri. We could limit general debate before going into Committee of the Whole.

Mr. BLOUNT. You can not.

Mr. TARSNEY. Is it not competent to move that the House resolve itself into Committee of the Whole House on the state of the Union to consider this bill, and pending that to move to limit debate?

Mr. REED. Let me suggest to the gentleman from Missouri that the object of debate is to give information to the House by the presentation of the views of different members; and the rules of the House do not permit a limitation of debate until after we have been in Committee of the Whole, for the reason that until the propositions have been stated by those who are in charge of the bill it is impossible to say how much debate ought to be bestowed upon the subject before the House.

I have only read the title of the bill, but it seems to me that the proposed legislation is for the benefit of the parties to the dispute, and I think in the interests of the general public debate ought not now to be limited.

Mr. O'NEILL, of Missouri. I recognize the fact that we shall facilitate the passage of the bill, since the question has now been raised, by going into Committee of the Whole. I make that motion, and trust that the House will aid us in passing the bill.

The SPEAKER. The question is on the motion of the gentleman from Missouri that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the bill which was read a few moments ago.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. MCCREARY in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the bill the title of which the Clerk will read:

The Clerk read as follows:

A bill (H. R. 8365) to create boards of arbitration for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

Mr. O'NEILL, of Missouri. When I endeavored to limit debate on this bill it was not with the idea of preventing the House from obtaining the fullest information upon this question. But this bill up to the sixth section is identical with the very bill which passed both Houses of the last Congress, which was debated in the House for some five days and then passed by a vote of 199 to 30; and which passed the Senate without a dissenting vote. I presumed under that state of circumstances, and considering the publicity which has been given to the subject, that much discussion would not now be thought necessary, this being simply a proposition to encourage the settlement of controversies between railroad companies and their employés by voluntary arbitration simply, the Government furnishing the machinery so that those parties could, after they had come together, obtain the necessary testimony to get at all the facts, and then trust to the efficacy of public opinion in enforcing the decision of the board of arbitration. The bill of last Congress did not become a law, having reached the President but a day or two before the final adjournment.

In the last Congress, however, the President submitted to this House his views on the subject of arbitration, in which he expressed himself in favor of the appointment of a board by the Executive for the purpose not alone to serve as a board of arbitration when needed, but to serve as a board of inquiry to investigate and report to Congress. We have incorporated in this bill the provision—

That the President may select two special arbitrators, one of whom at least shall be a resident of the State or Territory in which the controversy arises, who, together with the Commissioner of Labor, shall constitute a temporary board of arbitration for the purpose of examining the causes of the controversy, the conditions accompanying, and the best means for adjusting it; the result of which examination shall be immediately reported to the President and Congress, and on the rendering of such report the services of the two special arbitrators shall

cease. The services of the board of arbitration, to be ordered at the time by the President and constituted as herein provided, may be tendered by the President for the purpose of settling a controversy such as contemplated, either upon his own motion, or upon the application of one of the parties to the controversy, or upon the application of the executive of a State.

The Committee on Labor have unanimously reported this measure to the House, as they believed that all we could do, with the present light given us upon this subject, was simply to provide for voluntary arbitration. We have but recently experienced——

Mr. CRAIN. Will the gentleman permit a moment's interruption?

Mr. O'NEILL, of Missouri. Certainly.

Mr. CRAIN. Wherein is the distinction between this bill and the bill which passed both Houses of the last Congress?

Mr. O'NEILL, of Missouri. I have stated that there is none except the additional feature in regard to a special arbitration board to be appointed by the President, which is in conformity to the suggestions contained in the President's message.

Mr. CRAIN. What power has that special arbitration board to enforce its decision?

Mr. O'NEILL, of Missouri. None, other than the power of public opinion after the board have reached a decision and given their judgment as to where the blame rests. After this board have reported that the failure to agree is due to the fault of either party, or that the difficulty is due either to unjust claims on the part of the workingmen or to unjust conditions imposed by the company, then the matter must rest with public opinion.

Mr. CRAIN. Where, then, is the necessity of providing for the appointment of any such board? If you are to leave the enforcement of the decision to public opinion, what is the necessity for appointing a public arbitration board whose decision will have no other sanction than that of public opinion?

Mr. O'NEILL, of Missouri. The decision of the board will be an indication by the people of this country to both parties to the controversy as to how these difficulties and differences should be adjusted.

Mr. CRAIN. But how can you call this board arbitrators, unless the parties to the controversy select them?

Mr. O'NEILL, of Missouri. Of course, unless it is voluntary it is not arbitration.

Mr. CRAIN. But these "arbitrators" are not to be selected by the parties. They are to be appointed by the President. They are not arbitrators; they are judges.

Mr. O'NEILL, of Missouri. Section 6 provides that—

The services of the board of arbitration, to be ordered at the time by the President and constituted as herein provided, may be tendered by the President for the purpose of settling a controversy such as contemplated, either upon his own motion, or upon the application of one of the parties to the controversy, or upon the application of the executive of a State.

Now, if their services are declined, then this board will simply be a board of inquiry to investigate as to the causes of the trouble and report to Congress.

Mr. CRAIN. Yes, but my friend from Missouri [Mr. O'NEILL] fails, I think, to fully understand the import of my inquiry. Arbitrators are necessarily selected by the parties to the controversy.

Mr. O'NEILL, of Missouri. So they will be under this bill.

Mr. CRAIN. You not only provide for the appointment of arbitrators, but you appoint a judge or a board of judges at the solicitation of the executive of the State, or of one of the parties to the controversy. Now, how can that be a board of arbitration?

Mr. O'NEILL, of Missouri. If my friend will pardon me, the preceding sections of the bill provide for an arbitration board to be chosen by the parties to the controversy. This is an additional feature.

Mr. CRAIN. I understand that.

Mr. O'NEILL, of Missouri. And unless the parties elect to accept the services of this board it can not act as an arbitration board. It will then be simply a board of investigation to report to Congress.

Mr. CRAIN. In other words, a committee of investigation.

Mr. O'NEILL, of Missouri. Yes; they would be practically a committee of investigation, and would enable us to dispense with the special committees which we appoint to make investigations into similar questions and report to this House.

Mr. CRAIN. And their action would have no other sanction?

Mr. O'NEILL, of Missouri. They do not want any higher sanction. It would have no other legal sanction.

Now, Mr. Chairman, this, in substance, is the measure before the House. I presumed that there would be no desire for general debate upon this question, and if there is not any such express desire now, I ask to have the committee rise for the purpose of limiting debate. I make that motion.

Mr. ANDERSON, of Kansas. I wish to ask the gentleman a question.

Mr. PARKER. I think the gentleman had better not undertake to dispose of this bill quite so summarily.

Mr. ANDERSON, of Kansas. My question is this: The first portion of this bill, I understood the gentleman to say, was precisely the same as the existing law.

Mr. O'NEILL, of Missouri. No, not the existing law. I said it was the same as the bill that passed the House and the Senate in the last Congress, but did not become a law. It is the same as that with perhaps some slight difference. There is no law upon the subject.

Mr. COX. It is the same as the bill which failed to become a law last year for want of the President's signature.

Mr. ANDERSON, of Kansas. Then I would like to submit to the gentleman from Missouri this proposition: The trouble with the first portion of the bill, as it relates to railway strikes——

Mr. O'NEILL, of Missouri. If the gentleman will pardon me, after we limit general debate we can take up the bill section by section, and then he can make his suggestions in regard to details.

Mr. ANDERSON, of Kansas. And the gentleman will give me time to do that?

Mr. O'NEILL, of Missouri. Within the rule. You will have time under the rule any way.

Mr. Chairman, I now move that the committee rise for the purpose of limiting debate.

Mr. PARKER. I want to call the attention of the gentleman from Missouri to some things in this bill.

Mr. O'NEILL, of Missouri. That can be done when we reach those sections in considering the bill section by section.

Mr. PARKER. I prefer to do it now.

Mr. O'NEILL, of Missouri. Let us limit debate now. How much time does the gentleman want?

Mr. PARKER. I want to ask some questions first, and then to make some suggestions in regard to the provisions of the bill.

Mr. O'NEILL, of Missouri. After we have fixed the limit of general debate I will cheerfully yield for any questions gentlemen may wish to ask.

Mr. PARKER. I do not think we shall fix the time until we see what kind of a bill this is.

Mr. ROGERS. Mr. Speaker, this bill was reported only yesterday morning, and has come into the House in print since we met to-day. I have had no opportunity even to read the bill. I do not know that I shall care to make any observations upon it. Of course gentlemen who have been members of the last Congress understand that I shall not vote for the bill at all; but I should like to have the opportunity of reading it and of hearing it discussed a little. I will state, however, that I may desire—though this I think altogether improbable—to submit some observations in regard to it. I ask the gentleman from Missouri to allow the debate to run at least until we shall have had opportunity to read through the sections of the bill.

Mr. O'NEILL, of Missouri. The Committee on Labor have a number of bills which they desire to call up. We are, in good faith, endeavoring to carry out the business intrusted to us by the House. We can not do it unless the House will aid us by limiting the time for debate. This bill was introduced on the 19th of March, and it is reported back from the committee without the slightest change.

Mr. ROGERS. But we do not consider bills until they are reported and put on the Calendar.

Mr. O'NEILL, of Missouri. The fact that the bill has been considered all over the country, and that every feature of it is known and understood by the people, justifies us, I think, in asking for a limitation of time in its discussion. I move that the committee rise for the purpose of limiting general debate.

The question being taken on the motion of Mr. O'NEILL, of Missouri, there were—ayes 90, noes 11.

Mr. CRAIN. No quorum.

The CHAIRMAN. The motion that the committee rise does not require a quorum. The ayes have it. The committee agrees to rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCCREARY reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 8665) to create boards of arbitration for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and Territorial transportation of property or passengers and their employés, and had come to no resolution thereon.

Mr. O'NEILL, of Missouri. I move that the House again resolve itself into Committee of the Whole for the consideration of House bill No. 8665; and pending that motion I move that all general debate in Committee of the Whole on this bill be limited. What reasonable time do gentlemen who oppose the bill ask? Will thirty minutes be enough?

Mr. ANDERSON, of Kansas. I would like to occupy ten minutes.

Mr. CRAIN. I think an hour will be sufficient.

Mr. O'NEILL, of Missouri. Then I move to limit general debate in Committee of the Whole to one hour.

The motion was agreed to.

The question recurring on the motion that the House resolve itself into Committee of the Whole to resume the consideration of House bill 8665, the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. MCCREARY in the chair), and proceeded to the consideration of the bill (H. R. 8665) to create boards of arbitration for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

Mr. O'NEILL, of Missouri. I yield thirty minutes to the gentleman from Texas [Mr. CRAIN], who, I believe, desires to control the time in opposition to the bill.

Mr. CRAIN. I yield five minutes to the gentleman from New York [Mr. PARKER].

Mr. PARKER. Mr. Chairman, I am opposed to this bill, because, in my judgment, it is good for nothing. It reaches nowhere and leads nowhere. It provides for nothing of any value. It is a mere temporary make-shift, leaving all the great questions that are disturbing the labor, the transportation, and the business of the country precisely where they have been, while Congress makes a pretense of having done something.

I object to the bill upon another ground. The scheme of the bill is upon the theory that here are two parties in controversy—the workmen on the railroads and the managers of the railroads; and the framers of the bill seem to consider no one else. Like those who are contesting in strikes throughout the country, they entirely ignore the producers and the consumers.

What is wanted from Congress is a law that shall have power to take care of strikes when they occur, to take care of railroad managers when they fail to perform their duty properly; a law which, if necessary, will take control of workmen and of railroads, and run the railroads for the interest of the country. There is nothing of that kind in this bill. It is merely a proposition for arbitration by agreement. Is that good for anything? Have not the parties everywhere that power already? Does it give any additional power of arbitration by agreement to have Congress say that they may arbitrate in this way?

The measure is a mere make-shift. As the boy remarked in another case, it is simply "sweetened wind." It is of no value. It is a cheat and a fraud to the business men, the workingmen, the producers, and the consumers of the country.

I find in the measure only a single proposition which is of any value whatever; that is the provision that the President may in certain cases appoint commissioners to investigate and to make public the results of the investigation. You may thus get this one thing, publicity, which is of some value. We should have, first, investigation; we should have, next, provision for publicity throughout the country. Beyond that, we should have power to compel arbitration. Beyond that, if a railroad company fails to perform its duty properly, fails to treat its men so as to secure the performance of the duty which is owing to the public, the producers and the consumers of the country, there should be power by law to declare such a road in default; the courts should take possession of it and compel it to serve the country, the public, the producers and the consumers. There should be a further power, a power to compel the workmen to continue their services until a certain time after notice has been given.

This method of treatment would give some consideration to the producers and the consumers, some consideration to the great public which furnishes the funds out of which railroad workmen are paid, out of which the interest going to bondholders is paid. These parties who create the wage and interest fund are entitled to be considered. They are, as a rule, in cases of controversy, almost entirely ignored.

What have we seen in the strikes of this country? A few men—four or five men—sometimes a single man, throwing 5,000 men out of employment, so that a great section of country finds itself dependent upon the old methods of transportation, the new ones being practically destroyed by the operation of the strikes.

Do the workmen consider anybody but themselves? They have told us repeatedly in their evidence that they considered nobody but the workmen. When we turn the other way, to the managers of the railroads, and ask them whom they consider, they reply that they consider themselves and the men who own the property in the road. "Do you expect your old men back?" we said when we were acting under Mr. Chairman TILLMAN at Philadelphia. "Certainly," was the reply. "What force do you expect will bring them back?" The answer was, "Well, their necessities." So it is—a demand upon one side that the interests of the locality and of large sections of the country shall be paralyzed unless the managers will yield to the striking men; on the other side, a proclamation that the "necessities" of the men and of their families will be used to compel the men to come back into the service of the railroads; while the great American public, most interested of all, the farmers, manufacturers, and merchants, the producers, middlemen, and consumers, who furnish all the funds, and for whom these railroads were created, and without whom these workmen would have no employment, are left without protection. And the passage of this bill will tend to prevent the enactment of a law providing adequate protection.

[Here the hammer fell.]

Mr. O'NEILL, of Missouri. Mr. Chairman, I will yield now for five minutes to the gentleman from Iowa [Mr. ANDERSON].

Mr. ANDERSON, of Iowa. Mr. Chairman, this bill seeks to deal, in my opinion, with a very important matter, and yet it does it in such a delicate and weak way that, in my judgment, it can hardly be regarded as pioneering or tending in the direction that legislation should tend in reference to this matter.

The strikes that the country have witnessed for now more than a decade are of great importance. They not only disturb the commerce of the country, but paralyze to a very great extent our business interests in the country, and they are of such a nature as to put in jeopardy the peace of our people from one end of the Union to the other.

It is but a little more than ten years since, by virtue of a strike, that the executives of the several States were forced to call upon their militia, and also to call upon the Chief Magistrate of the United States to preserve public peace.

Now, sir, this bill, by reason of the very great magnitude of the interest involved, of the far-reaching importance of the subject-matter with which it deals, I undertake to say, does not contain the provisions it ought to contain, nor does it go to the extent to which it should go.

This is a serious business, and, in my judgment, deserves more consideration than is given to it in a chaffy measure like this. When these strikes are on, men are at the very point of fighting, and there is no place for mere arbitrators between the contending forces. These railroad companies on the one hand, and their employés on the other, must not be permitted in this great country to take charge of the methods to settle and work out their controversies. The settlement of these labor problems it is the duty of this legislative body to prevent, and it has competent jurisdiction to deal with the subject, and to establish and originate such courts as will be able to hear and determine all controversies between railroad managers and the employés of the railroad companies.

And, Mr. Chairman, it seems to me it is entirely competent for us to proceed in this direction, and, while I shall vote for this bill, if it is the best that can be obtained, still I am decidedly of the opinion the bill itself ought to be recommitted to the Committee on Labor with instructions to prepare a measure which really, in reference to this important subject, will have some meaning and some force in it. It can not be, sir, that there is no way for this country to relieve itself of the great trouble and danger involved in these strikes which occur from time to time.

[Here the hammer fell.]

Mr. ANDERSON, of Kansas. I ask the gentleman from Texas [Mr. CRAIN], who, I understand, is in possession of the floor at this time, whether he would not permit the gentleman in charge of the bill [Mr. O'NEILL, of Missouri] to give me five minutes for the purpose of having read at the Clerk's desk an amendment which I propose to offer to the bill at the proper time, for the reason that, as it changes the provisions of the pending measure very materially, it ought to be known to those who are to engage in the discussion, and I am sure would be of advantage to the gentleman himself and others in informing them of just what amendment will be proposed.

Mr. CRAIN. I have no objection to yield to the gentleman from Kansas for the purpose.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BLOUNT having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. MCCOOK, its Secretary, announced the passage of bills and joint resolution of the following titles; in which concurrence was requested:

A bill (S. 21) to provide for the construction of a public building at Salem, Oregon;

A bill (S. 164) for the erection of a public building in the city of Pawtucket, R. I.;

A bill (S. 327) for the erection of a public building at Stillwater, Minn.;

A bill (S. 1200) for the erection of a public building in the city of Lansing, in the State of Michigan;

A bill (S. 1431) making an appropriation for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida;

A bill (S. 1592) to continue the publication of the supplement to the Revised Statutes;

A bill (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon lights to said river;

A bill (S. 2121) authorizing the construction of a public building at Burlington, Iowa;

A bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend the time of payment to purchasers of land of said Indians, and for other purposes;

A bill (S. 2650) to change the time of the meeting of the district court of the southern district of Mississippi, and for other purposes;

A bill (S. 888) granting a pension to Mercy A. Cutts;

A bill (S. 1575) granting an increase of pension to William Wallace Young;

A bill (S. 1819) granting an increase of pension to Col. D. M. Fox;

A bill (S. 1885) granting a pension to Margaret Tonkin;

A bill (S. 1912) granting an increase of pension to William Irving;

A bill (S. 1922) for the relief of Theodore S. Stewart;

A bill (S. 1933) granting a pension to Zenas T. Haines;

A bill (S. 2208) granting a pension to Cyrus Tuttle;

A bill (S. 2012) granting increase of pension to Marcus D. Raymond;

A bill (S. 2018) granting an increase of pension to Henry Sprague;

A bill (S. 2069) granting a pension to Penrose Frank;

A bill (S. 2089) for the relief of Mrs. Elizabeth White;
A bill (S. 2091) granting a pension to Frances H. Plummer;
A bill (S. 2105) granting an increase of pension to Joseph Verbisky;
A bill (S. 2106) granting a pension to William Kelsey;
A bill (S. 2117) granting a pension to Ellen Miller;
A bill (S. 2137) for the relief of Rosaloo Sage;
A bill (S. 2144) granting a pension to Rosalie Alex;
A bill (S. 2194) granting a pension to Annie Leonard;
A bill (S. 2233) granting a pension to William P. Madden;
A bill (S. 2240) for the relief of George S. Thwing;
A bill (S. 2283) granting a pension to James Anderson;
A bill (S. 2652) granting a pension to Gustave E. Peters;
A bill (S. 2653) granting pension to Mary Curtin; and
Joint resolution (S. R. 24) authorizing the Secretary of the Navy to loan certain scientific instruments.

It further announced the passage of bills of the House of the following titles without amendment:

A bill (H. R. 807) for the relief of Horatio R. Maryman;
A bill (H. R. 4106) granting a pension to Olive Wallace;
A bill (H. R. 4110) granting a pension to Mehitable Wheelock;
A bill (H. R. 4534) for the relief of Emily G. Mills;
A bill (H. R. 4672) granting an increase of pension to Mrs. Emily M. Wyman;
A bill (H. R. 5118) granting a pension to Theodore Gardner;
A bill (H. R. 5233) granting a pension to William F. Randolph:
A bill (H. R. 6759) granting a pension to Mary Robinson;
A bill (H. R. 6812) granting an increase of pension to Stephen Thurston;
A bill (H. R. 7220) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and the act amendatory thereof, approved February 21, 1887; and
A bill (H. R. 3253) appropriating the sum of $52,000 for the enlargement and improvement of the United States Government building at Charleston, W. Va.

It further announced the passage with an amendment of a bill (H. R. 7319) for the relief of Emory R. Seward, and also requested a conference with the House on the said bill and amendment and announced that Mr. MITCHELL, Mr. SPOONER, and Mr. WILSON of Maryland, had been appointed the managers of said conference on the part of the Senate.

BOARD OF ARBITRATION.

The Committee of the Whole resumed its session (Mr. MCCREARY in the chair).

Mr. O'NEILL, of Missouri. I yield five minutes to the gentleman from Kansas [Mr. ANDERSON].

Mr. ANDERSON, of Kansas. Mr. Chairman, at the proper time I desire to offer the amendment which I send to the desk and ask to have read for the information of the committee. As the committee will see, the amendment is designed to remedy the defects in the bill suggested by the gentleman from New York [Mr. PARKER] and others, so as to make it somewhat more effective than it is now.

The Clerk read as follows:

Amend the first section by striking out all after the word "if," in line 10, to the word "then," in line 13, and insert, "either party to the controversy shall make written proposition to the other to submit their differences to arbitration, the other party shall accept the same; or in the event that it does not promptly select an arbitrator, then the President shall appoint a proper person to so act for it; but if it accepts the proposition "——

Mr. ANDERSON, of Kansas. The bill as it now reads provides that whenever—

Differences or controversies may hinder, impede, obstruct, interrupt, or affect such transportation of property or passengers, if, upon the written proposition of either party to the controversy to submit their differences to arbitration, the other party shall accept the proposition, then, and in such event, the railroad company is hereby authorized to select and appoint one person, etc.

The amendment would make it to read that—

Where differences or controversies may hinder, impede, obstruct, interrupt, or affect such transportation of property or passengers, if either party to the controversy shall make written proposition to the other to submit their differences to arbitration, the other party shall accept the same—

There is the point—

and in the event it does not promptly select an arbitrator, then the President shall appoint a proper person to so act for it, etc.

Now, the trouble with the bill as it stands, in my judgment, is simply that it provides for nothing more than to-day exists. If there be a difficulty between the employés and a railroad company, and they see fit to select arbitrators, they can do it to-day without any law of Congress. My amendment proposes that if either party is desirous of arbitrating the differences, then the other party shall accede to the arbitration; and if the other party declines to appoint an arbitrator, the right is given to the President under this amendment to appoint one.

Mr. WARNER. In your amendment you provide that the other party shall accept the arbitration?

Mr. ANDERSON, of Kansas. Yes, sir.

Mr. WARNER. In what time?

Mr. ANDERSON, of Kansas. Promptly.

Mr. WARNER. That is not your amendment. It is that the other party shall accept it.

Mr. ANDERSON, of Kansas. It means promptly; at once. But I have no objection to making it more specific in that regard. If the amendment is adopted Congress would have enacted a law to the effect that when one party to a controversy desires arbitration, then arbitration shall be had. If the one party declines to select an arbitrator, then the President would select one and arbitration would be had.

Of course, sir, gentlemen will make the point that arbitration must be a voluntary act, and that this amendment has the nature of compulsion. Very well. Allow me to say that there is a strict and narrow interpretation of the word arbitration as a purely legal term. But it has a general and far broader meaning which is here intended, and even if the word arbitration be limited to its legal signification and narrowest sense, still, where there are such vast interests at stake as are involved by railway strikes or lockouts, affecting as they do the entire business interests of the country, I vigorously claim that Congress has the power to compel an investigation or arbitration if we see fit to call it so, and to endeavor to do something, if no more than to force an investigation and declaration of facts by a constituted body. That is the amendment I shall submit at the proper time.

I am much obliged to my friend from Missouri [Mr. O'NEILL] for time.

Mr. CRAIN. I now yield five minutes to the gentleman from South Carolina [Mr. TILLMAN].

Mr. TILLMAN. I ask the gentleman from Missouri also to yield to me for five minutes.

Mr. O'NEILL, of Missouri. Very well. I will also yield the gentleman five minutes.

Mr. TILLMAN. Mr. Chairman, I hope the House will not permit this "fraud," as the gentleman from New York called it, to be passed. It is as void of any practical utility to the public, to the laborers, the railroads, or to the officers and agents of railroads as a balloon. [Laughter.] It is a mere tub to the whale—nothing compulsory, and the only good it can possibly do anybody is to allow a few officials to have big fees as arbitrators who may be nominated, and other officers connected with such arbitration; big fees to witnesses, as they are to be paid the same as if summoned by a United States court; big fees also to marshals, who are to have their customary fees as officers of a Federal court; and the sole addition to the bill that passed in the last Congress is that there is no limit scarcely in this bill as to the expenditure of money.

Now, sir, a few weeks ago this House appointed a committee to investigate a large and severe labor strike, or lockout, in Pennsylvania, and did me the honor to appoint me chairman of the committee.

Mr. O'NEILL, of Missouri. Will the gentleman permit a question?

Mr. TILLMAN. If you will give me time to answer I will.

Mr. O'NEILL, of Missouri. I will give the time to answer it.

Mr. TILLMAN. Very well.

Mr. O'NEILL, of Missouri. The gentleman is chairman of the committee appointed to investigate the Reading strike. When was that committee appointed?

Mr. TILLMAN. On the 9th of February, as I remember.

Mr. O'NEILL, of Missouri. When will you have your report ready?

Mr. TILLMAN. You are entirely too impetuous, like most Irishmen—I can say that, as I have Irish blood myself—and if you had waited for a little while I would have told you. [Laughter.]

Mr. O'NEILL, of Missouri. I simply anticipated you.

Mr. TILLMAN. Yes; I had just commenced when you interrupted me. I was coming to it as rapidly as I could. That committee, Mr. Chairman, went to Pennsylvania and tried to do its duty. We got some valuable testimony—I may say some startling testimony—which will astonish if it does not shock the country when it shall be published. Our stenographer has completed the translation of his short-hand notes into long-hand, and the witnesses, as well as members of the committee, are revising the testimony. The committee and the stenographer are preparing the testimony and the report for publication as rapidly as they can. The whole range of American, English, and even foreign law has got to be examined before the committee can be able to make a final report and recommend anything practical and useful. But, sir, we mean business. We intend to try to report something with a view to protect the public, so it may have its mail, its expressage, its freight, and its travel without interruption, either by the employés of a railroad, its officers and agents, engaging in strikes or forcing lock-outs.

I believe I can do it if I can get enough of my colleagues to co-operate with me, and I feel confident they will do it; but if I can not I at least will report something myself, and throw the responsibility upon this House of failing to do its duty or else provide a remedy against strikes and lock-outs as regards interstate commerce. [Applause.]

I believe, sir, it can be done legally and constitutionally. If I had time and it were proper to do so, I might indicate how. But it would be out of place now except to say that we mean to provide something with a penalty, and not to have a mere tub to the whale, with no sanction of law at all for violation and disregard of what purports to be a remedy for these public wrongs.

Therefore, sir, with these few remarks I will close by asking the House to sweep this empty balloon out of the way and proceed to more substantial business. [Laughter.]

Mr. O'NEILL, of Missouri. I yield to the gentleman from Michigan [Mr. TARSNEY] five minutes.

Mr. TARSNEY. While, sir, I am a member of the committee that reported this bill, I am very frank to say that the bill itself in its provisions does not reach in my humble judgment the causes of the disturbances throughout the country which have led to the introduction and report of this bill. It is true that it simply proposes a voluntary arbitration, a simple tribunal by which people in these troubles may submit their differences to arbitrators, obtain their advice, and the Congress of the United States and the people of the country may obtain better information concerning the causes which lead to these troubles than we have to-day.

To my friend from South Carolina [Mr. TILLMAN] who addressed a remark to our honored chairman in which he said that like all Irishmen he was impetuous, let me say that our chairman is an American first and complies with all the requirements and provisions of the Constitution of the United States, and this dome which overshadows us to-day is his dome and my dome; and no matter where our second love may be is no man's business.

We are Americans, and being Americans we simply ask this, that in the administration of the laws of the land there shall be a general equality for all. Perhaps this bill may not reach the remedy; it may not be perfect; but it is a move in the right direction. If you ask me what that course is I will answer you very plainly. Equalize your laws. Press the fight that was opened in this House on yesterday if you please, and so frame your tariff laws that we shall not have a few millionaires in the country kept up at the expense of pauperized millions of people. Bring that around and let there be equality and let us go on now and simply do the best we can in order to approach the remedy that ultimately will come.

By and by I will take action on the floor of this House to more fully utter the sentiments which I have in my mind, and in which I firmly believe in regard to this question which goes to the very root of the labor trouble.

[Here the hammer fell.]

Mr. O'NEILL, of Missouri. I yield two minutes to the gentleman from Iowa [Mr. STRUBLE].

Mr. STRUBLE. This bill may be but a short step, but I think it may be truly said that it is a step in the right direction. Some of the objections to the bill that have been stated in this debate have not in my judgment any great force when the facts surrounding this question are considered.

It is alleged that this legislation is too mild; that it effects nothing; that it compels nothing. I shall say briefly that I believe the mildest legislation that will accomplish beneficial results in the direction intended is better than that severer, more stringent, and more tyrannical legislation that might sooner accomplish the results sought to be obtained.

I take it the railroad companies of this country appreciate that the public thought is in the direction of more stringent railroad control. If this be true, and if they are watchful of public sentiment, as I think they are, if they are desirous of doing that which is fair for their employés, will they not and will not the employés of these companies seek to avail themselves in good faith of the advantages afforded by the provisions of a measure like this, and seek, if possible, to adjust their difficulties before going to the extent of the great harm and injury which usually result from strikes? And I will say in reply to my colleague from Iowa [Mr. ANDERSON] that I believe instead of these men in the employ of the companies being impelled to a fever-heat of rage on account of causes for strikes existing in their minds, if this bill passes they will wait patiently for such action as the law itself provides rather than rush inconsiderately and impatiently into a war upon the companies affording them employment. If this mild form of legislation fails to accomplish any good by reason of a refusal of either the companies or the men employed to avail themselves of its power, the Government will then be clearly justified in passing a more stringent law providing by compulsory terms means for the abatement in some measure of the evils resulting from strikes.

[Here the hammer fell.]

Mr. O'NEILL, of Missouri. I now yield five minutes to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. Mr. Chairman, it is said that there is nothing in this bill and that some other measure ought to be provided to reach the real evils connected with our labor troubles. I venture to say that, while this observation is accepted by nearly every gentleman, there is scarcely one upon this floor who has in his own mind come to any conclusion as to any measure at all upon this subject. This being the case, sir, why discard this measure? Is there nothing good in it? With the great danger that threatens the property of the country and the peace of society growing out of these strikes, is it not something that the Government of the United States should, in the midst of the excitement, appoint a board or commission to go to the scene of the troubles to investigate all the facts connected with them as far as they can, and to exert the moral influence which would attach to such action on the part of those commissioners in their advice as to some mode of settlement? Is it not possible that a commission appointed by the President of the United States may go into the disturbed district, hear the complaints on either side, and find a way to some proposition that may bring about peace? And if this be true, that part of the bill which arms the President with this moral power, which oppresses none and which may do great good, should, it seems to me, command the assent of good citizens all over this land. That is one of the propositions of the bill. The other is to induce, if possible, the submission by the parties of their troubles to arbitration.

This is an effort—it may fail, but it is an effort—to bring these labor conflicts to an amicable adjustment. It binds no one except as they may agree to it; but even the very effort to arbitrate tends to allay excitement and to bring about a spirit of peace and reason.

Aside from these matters of detail, Mr. Chairman, this is a difficult question. No man has yet had the authority over the public mind of this country that would enable him to suggest a solution that would be accepted by all parties. Then, sir, if the processes provided for in this bill shall bring about an investigation which shall supply us with better information and perhaps with some practical suggestions for the settlement of these difficulties, is not the end well worth the effort? I trust, sir, that this bill will pass. The discontent in different parts of the country is no idle matter. It belongs to us here not to take part with one side or the other in this widespread controversy. Somewhere in it there is a great principle of right, to which all will eventually bow——

[Here the hammer fell.]

Mr. BUCHANAN. If the gentleman from Texas [Mr. CRAIN] does not propose to utilize his time, I ask to be heard in that time.

Mr. CRAIN. I do not care to furnish ammunition to the enemy. Which side is the gentleman on?

Mr. BUCHANAN. I am for the bill, as you were last session. [Laughter.]

Mr. CRAIN. Well, I will give you three minutes to explain your position, if that is what you want.

Mr. BUCHANAN. My position is just this. The time for debate is limited. The gentleman from Texas [Mr. CRAIN] refuses to use his time——

Mr. CRAIN. I will give you three minutes, and the gentleman from Missouri [Mr. O'NEILL] will give you two minutes, and that will make five.

Mr. BUCHANAN. Mr. Chairman, the same sort of observations that we heard upon this floor two years ago have been repeated here to-day; some objecting to this bill because it amounts to nothing and some objecting to it because it amounts to too much. Now, I think the happy medium will be found to be about the truth. As to this bill being a cheat and a snare, in the choice language of my friend from New York [Mr. PARKER], I will simply reply that his observations are conspicuously inaccurate. [Laughter.] We do not pretend that the bill is anything more than a mere voluntary arbitration bill. Great difficulties beset us when we undertook to go farther than that, and great difficulties will beset the American Congress when it undertakes to go farther than that. Enforced arbitration, to be worth anything, means an enforced award. And an enforced award means what? It means the compelling of the party against whom the award is given to comply with its terms or else go to jail.

Suppose that a difficulty arises and an arbitration is had—an enforced arbitration. Suppose an award is given against the workmen, and they drop their tools and refuse to obey. How are you going to carry out the provisions of that award unless you attach them for contempt of court, or unless you surround them with bayonets and drive them back to their employment? When I suggested this difficulty to my friend from New York [Mr. PARKER] his reply was, "Make it a misdemeanor." But what is a misdemeanor worth unless it is followed by fine or imprisonment?

Now, those are the difficulties on which you run just so surely as you undertake to pass a bill providing for enforced arbitration; and it was those difficulties which we saw staring us in the face and which compelled us to say that we would do as we did in the last Congress—adhere to the principle of voluntary arbitration, and afford every facility for the orderly conduct of a voluntary arbitration that the power and wealth of the United States Government can afford. And I say that when the Government is engaged in thus doing all it can in its limited sphere to compose these difficulties between railroad corporations and their employés, it is engaged in a grand and noble work.

This bill goes farther than the bill of last year, as was explained by the chairman of the committee [Mr. O'NEILL, of Missouri], in that it provides for the appointment of certain men by the President of the United States to investigate into the causes of these labor troubles. With all due deference to my distinguished friend from South Carolina [Mr. TILLMAN], my opinion is that this is the better way to investigate these disturbances.

[Here the hammer fell.]

Mr. BUCHANAN. I would have stated the reasons for that opinion if I had had time.

Mr. CRAIN. I yield three minutes to the gentleman from Pennsylvania [Mr. BRUMM].

Mr. BRUMM. Mr. Chairman, I agree with what has been said as to the imperfection of this bill. I am, however, in favor of its passage, inasmuch as I believe that it is a step in the right direction. It is so especially inasmuch as it provides some means by which we can compel the attendance of witnesses and the answering of questions. This has been the great trouble in all our previous investigations. If we can accomplish this difficult thing alone, we shall have taken a long stride in the right direction. My friend from South Carolina [Mr. TILLMAN] will bear me out in the statement that the great trouble which his committee met in discharging its duty was that in the first place there was no process by which the attendance of witnesses could be enforced, and in the next place there was no way of compelling them to answer. The result was that answers would not be given except where they were favorable to the parties testifying. When a question would go to the root of the matter and would necessitate an answer dangerous to the interests of the witness, an answer was invariably refused, and there was no remedy as there was no process for contempt.

Mr. Chairman, I wish to say one word with reference to the general system of discussing these labor bills. There is scarcely a labor bill brought up here without the free-trade element attempting to prostitute the discussion in the interest of free trade by interjecting the tariff question.

Mr. TARSNEY. Will the gentleman pardon me a moment?

Mr. BRUMM. I have no time, as I have but three minutes. If you would take more pains to investigate Wall street and the Bourbonism of Kentucky; if you would take more pains to strike at the watering of stock; if you would undertake to penetrate to the very center of trusts and monopolies in the corporations and combinations in Wall street, and your damnable whisky ring in Kentucky [applause], you would strike nearer the root of the evil. It is simply the whisky-and-water syndicate of Kentucky and Wall street that is at the bottom of all the evils under which we are suffering in this country to-day. [Applause.] Scarcely ever is a labor question presented here that you do not try to kill it, as was done when the question of making reimbursement for excessive work done under the eight-hour law was considered. Amendment after amendment was offered, similar to the amendment offered by the gentleman from Missouri, followed up by the amendment of the gentleman from Illinois and others, involving the tariff question, until you forced it over the day, as though the laboring men of this country have no right to have any special bill put through——

Mr. CARUTH. Will the gentleman allow me to ask a question?

Mr. BRUMM. As though it were thought that the laboring men have no right to special legislation, but that in all such discussions tariff propositions must be interjected for the purpose, of course, of prejudicing gentlemen on the one side or the other against the bill under consideration and thus kill it.

[Here the hammer fell.]

Mr. CARUTH. I merely wanted to know whether the gentleman objected to the water of Kentucky or the whisky of Kentucky. [Laughter.]

A MEMBER. Not to the water; for you have none.

Mr. CRAIN. I yield five minutes to the gentleman from New York [Mr. PARKER].

Mr. PARKER. Mr. Chairman, the debate upon this bill, so far as it has progressed, has shown, by evidence upon one side and from the bill itself, as well as by an admission from its friends of the other side, that it practically provides no remedy whatever. In substance, it is (to adopt the remark of the gentleman who sits behind me, Mr. BUCHANAN, of New Jersey, not perhaps upon this point, but upon another)—it calls the attention of the laboring men of the country, it calls the attention of the railroad men of the country to something which it is assumed is being done by Congress; and to use his words, "it amuses them, but it does not hurt us." That is all there is of this bill.

Mr. BUCHANAN. I want to say to the gentleman from New York that he does not think I used the words in that connection!

Mr. PARKER. No, certainly not; they were originally used in quite another connection, and the quotation from time out of mind has been used in other connection, but I suggest the application of it as quite proper to this bill. It indicates what the bill amounts to; it amuses parties interested. It announces that we have enacted some legislation upon this important subject; that we have made some effort, done something, so that when something of consequence is hereafter sought to be done members may be able to point to this achievement and say, "Here is what Congress has to respond to your demand."

No one claimed that there is anything in the bill of value, except that it provides publicity. What publicity have we? Why, the publicity of the commission appointed by the President to act with the Commissioner of Labor and ascertain the facts, tell their story, and when that is done the commission is dissolved and their service is at an end. Why, Mr. Chairman, before that report is filed we will have received it through the great newspapers of the country, which would give all of the facts, which would be read at every breakfast table in the United States long before this commission would be organized or even appointed by the President.

We trust to the press of the country for our information, for our facts, for this publicity that has been suggested here; and this commission, if appointed, would do nothing of much value in that respect. But my amiable and excellent friend, for I have served with him in this connection, the gentleman from Kansas [Mr. ANDERSON], proposes to give to the bill some value by fastening a rib into its boneless body. He thinks he can thereby make something that will be of some service, that will give strength and solidity to the structure.

But I tell him that he can not attach a rib to a body where there is no spinal column in which to fix it. [Laughter.] The trouble is that there is no backbone here. There is no stamina here, no vitality whatever. It provides for nothing under the sun. It helps nobody. It protects nobody, but seeks to attract attention for the hour from the workingmen asking for protection from the great corporations responsible for railroad management who want to have a strike stopped, and at the same time ignores the great public producers and consumers of the country and throws out this flag to attract attention, while Congress passes on and does nothing of value.

Mr. Chairman, what value would such an enactment as this be under the circumstances which occurred in the great Southwestern railroad strike of 1886, when one man as a matter of spite, and because he failed personally to receive the treatment that he assumed his official position should secure to him, a man who did not have prominence enough in his business to reach the position of foreman, yet this man, Martin Irons, by one word on his part succeeded in throwing five thousand men directly out of employment, and in the end indirectly one hundred thousand out of their work, paralyzing the transportation of four or five great States. What would be the effect of such legislation as this upon a case like that? Of what practical value would it be? What could it accomplish?

Yet these men say it would be of value. How? The President is to select under section 6 two special commissioners, and with the Commissioner of Labor they are to examine into the controversy, report upon the best means of adjustment, and then the powers of the special commission shall cease. What then? Why exactly the same condition of things would continue as existed before. The contest between the contending parties would go on and the great public would remain unprotected by law. The commissioners or the arbitrators would be absolutely powerless, communities would be powerless, transportation would be at a standstill, and the great silent public, not recognized or considered by this bill, would have no relief whatever, but would have to suffer as before.

[Here the hammer fell.]

Mr. FARQUHAR. Will the gentleman permit me to ask him a question?

Mr. PARKER. My time has expired.

Mr. FARQUHAR. The gentleman seems to magnify and emphasize the work of Martin Irons. Now, I know the gentleman went into that investigation; and I would like to know whether Martin Irons did not voice the vote and expression of first his local assembly and then the district assembly? He says that one man did this. I take issue with him upon that, and ask if it is not true that he voiced both his local assembly and the district assembly; and in justice to those who put him in that position that fact ought to be proclaimed. I know the gentleman——

The CHAIRMAN. Does the gentleman from Texas yield more time to the gentleman from New York?

Mr. CRAIN. How much time have I remaining?

The CHAIRMAN. The gentleman has three minutes.

Mr. CRAIN. I can not yield him any of that.

Mr. PARKER. Then I shall have to say to my friend from New York that I will answer him later on.

[Mr. CRAIN withholds his remarks for revision. See APPENDIX.]

Mr. O'NEILL, of Missouri. How much time have I remaining?

The CHAIRMAN. The gentleman has six minutes of his time remaining.

Mr. O'NEILL, of Missouri. I yield four minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. I fully agree with the gentleman from Texas in this, that the bill recommended by the President and providing for a board of permanent arbitration would be preferable to this. While I would favor a bill of that kind, and have introduced in this Congress and in the last Congress a bill of that kind, yet I see in this bill much that is desirable, and if we can not get a whole loaf I am willing to take a half.

This bill offers something in the direction of arbitration which may be very useful and very effective. But it seems to me gentlemen very frequently lose much valuable legislation by contending for the best that could be obtained under favorable circumstances. We should rather seek what is obtainable, being willing to give up our notions in order to get something in the direction we desire.

I believe this bill will be of great use. We ought to do everything in our power to bring about an arbitration of the many difficulties, the many strikes that are occurring through the country.

I need only call the attention of gentlemen to the strike now in progress in the Northwest, of the locomotive engineers, beginning with the

Burlington road, not yet solved. That strike at one time threatened to involve every road in the United States, and if not settled by some amicable arrangement before long it may affect all the transportation companies of the country. There could no greater calamity befall the people of the United States than the stoppage of all the railroads of the country, and yet that danger has been imminent in the last three or four weeks, and for a time every day, or at least on several days, we expected to read in the morning papers that transportation on every railroad of the United States had stopped at the decree of an organization of skilled labor.

I think Congress therefore ought to use every effort in its power to find some means of settling some responsibility for these strikes if we can not settle them ourselves. This bill does that, and may result in great good to the country.

[Here the hammer fell.]

Mr. O'NEILL, of Missouri. When the arbitration bill was presented in the last Congress and submitted to the Committee on Labor it embodied several sections that did carry with them some elements of force; and the only change between the bill as presented and the bill as reported from the Committee on Labor was the striking out by the committee of every section in the bill that savored of anything but absolute voluntary arbitration. The labors referred to by the gentleman from Texas in connection with that bill simply consisted in striking out the sections which the committee desired to strike out. The balance was reported to the House.

We have but a short time in which to consider this bill and other measures reported from the Committee on Labor. This is the unanimous report of the committee. The last bill unanimously passed the Senate. This is the best we can offer. I appeal to the friends of labor to let us take up and pass these bills.

Let us take up this bill section by section, one after another, and perfect it and pass it. Let the enemies of labor legislation do the talking. I ask that the Clerk now read the first section.

The Clerk, reading the bill by sections, read as follows:

That whenever differences or controversies arise between railroad companies engaged in the transportation of property or passengers between two or more States of the United States, between a Territory and State, within the Territories of the United States, or within the District of Columbia, and the employés of said railroad companies, which differences or controversies may hinder, impede, obstruct, interrupt, or affect such transportation of property or passengers, if, upon the written proposition of either party to the controversy to submit their differences to arbitration, the other party shall accept the proposition, then and in such event the railroad company is hereby authorized to select and appoint one person, and such employé or employés, as the case may be, to select and appoint another person, and the two persons thus selected and appointed to select a third person, all three of whom shall be citizens of the United States, and wholly impartial and disinterested in respect to such differences or controversies; and the three persons thus selected and appointed shall be, and they are hereby, created and constituted a board of arbitration, with the duties, powers, and privileges hereinafter set forth.

Mr. EZRA B. TAYLOR. Mr. Chairman, I move to strike out the last word. I assure my friend from Missouri [Mr. O'NEILL] that I am a friend of this bill, and do not intend to occupy time in discussing it, but a remark dropped from the lips of the gentleman from Michigan [Mr. TARSNEY] which I can not allow to go unchallenged in this place. In discussing this matter he said, if I caught his language correctly, that the way to avoid strikes was——

Mr. O'NEILL, of Missouri. Will the gentleman pardon me a moment? I appeal to him not to inflict the tariff discussion upon this bill. [Laughter.] I was very sorry indeed that the gentleman from Michigan [Mr. TARSNEY] introduced it.

Mr. EZRA B. TAYLOR. I shall have to say my own words in my own way, Mr. Chairman. The gentleman from Michigan [Mr. TARSNEY] insisted that the way to avoid these strikes was to adopt the measure which was under discussion here yesterday. Mr. Chairman, that policy and the purpose to which that measure tends have been in existence in England for many years, and are there no millionaires there? Are there no strikes there? Are there no pauperized masses there? Was the gentleman happy in his selection of a tariff idea in this connection?

Mr. Chairman, but a single other word. The Irishman has for hundreds of years professed hatred to England in his heart, yet has fought her battles all over the world, in India, in Africa, in Egypt, in Europe, in America, everywhere; and now too many of them appear to fight her battles at the ballot-box of America, seduced by the word "Democracy," and appear in the Congress of the United States to break down American interests and uphold English interests. Ireland has free trade. How does she like it? Are poverty and riches equalized there? Let the gentleman learn the first principles of political economy before he lectures us here on the subject. [Applause on the Republican side.]

Mr. TARSNEY. Mr. Chairman, I move to strike out the last word. I regret exceedingly, sir, that anything which I may have said in my brief remarks should have opened up the tariff discussion here. I said then, and I repeat now, that it is within the cold lines of laws enacted during the last twenty-five years by such gentlemen as the gentleman from Ohio [Mr. EZRA B. TAYLOR] that are to be found the causes which have produced the very labor difficulties under which we are suffering to-day. It is not an equality of law, it is not an equality of individuals, but it is such legislation, whether it be through your tariff or by your railroad grants, if you please, that has brought about this condition of things. The real causes are too numerous to mention and too great to discuss here and now. But I want to say to my friend that the causes are underlying this thing and that they will be heard of.

Now, sir [addressing Mr. EZRA B. TAYLOR], when you say that there are too many Irishmen upon the floor of this House to-day, representing districts in Congress, let me say to you, sir, that the time has been in the history of this country when you, skulking behind your tents, were glad to call upon the Irish race to redeem the country in which you lived. [Applause on the Democratic side.]

Mr. EZRA B. TAYLOR. Will the gentleman allow me to correct him?

Mr. TARSNEY. I can not yield.

Mr. EZRA B. TAYLOR. Allow me to say that the gentleman misrepresents my statement entirely.

Mr. TARSNEY. I can not yield.

Mr. EZRA B. TAYLOR. I did not say that there were too many Irishmen here. I should not care if there were four times more. What I said was——

Mr. TARSNEY. I do not yield. I, sir, was born within the limits of the State of Michigan. I am an American, and I stand here under the American flag, an American first and always; but wherever my kinsmen live I have a right to go, and to stand up to protect a fallen and downtrodden race, oppressed by such gentlemen as you, sir, in the character of English landlords. [Applause on the Democratic side.]

Mr. EZRA B. TAYLOR. A single word, Mr. Chairman. I move to strike out the last word.

Mr. O'NEILL, of Missouri. Mr. Chairman, I move that the committee now rise. My purpose is to limit debate.

Mr. ANDERSON, of Kansas. Oh, no. After letting the gentleman from Michigan have his say, you can not cut off the gentleman from Ohio [Mr. EZRA B. TAYLOR] in that way.

Mr. O'NEILL, of Missouri. I tell you, gentlemen, you can not inject all these outside questions into this bill. [Laughter.] I have got tired of it. You have weeks and weeks for your tariff question, and you have no right to inject it into this bill.

Mr. EZRA B. TAYLOR. If I can be heard for a moment on a motion to strike out the last word, I am content; otherwise I rise to a question of privilege.

Mr. O'NEILL, of Missouri. I insist that the Chair confine members to a discussion of the bill under consideration.

Mr. EZRA B. TAYLOR. I take the floor, then, as a matter of privilege.

The CHAIRMAN. The gentleman from Ohio [Mr. EZRA B. TAYLOR] is recognized.

Mr. EZRA B. TAYLOR. The gentleman from Michigan misunderstood, I hope—he misstated, I am certain—what I said. I made no sort of allusion of the kind he suggests. I did not say that there are "too many Irishmen in the country." I have from my youth welcomed them here, and shall continue to do so. I did not say there were too many in the House. I never thought of making any such statement as that. I said there were too many of them here who were seduced by a word and were found fighting the battles of England against the interests of this country. That is all I said; and I repeat it. There is no use of any man misapprehending or misstating it. Having said this, I have said all I care to say.

Mr. ANDERSON, of Kansas. I offer the amendment which I send to the desk.

The Clerk read as follows:

Add to the end of the first section the following:

"And in the event that either party to such a controversy shall refuse to accept an aforesaid proposition for arbitration, then the President shall, upon the request of either party, immediately appoint three persons to investigate the said controversy, who, as a board of investigation, shall have all the powers and benefits hereinafter given to a board of arbitration."

Mr. ANDERSON, of Kansas. Mr. Chairman, this amendment differs in some respects from the one I had read during the general debate. The proposition I first submitted used the term "arbitration;" but there are so many legal gentlemen in the House, who properly, as a matter of exact law, regard arbitration as being purely a voluntary procedure that I do not wish to weight down the purpose I have in view by that objection. Hence, this amendment provides that in the event of either party refusing to arbitrate, then, upon the request of one of the parties, the President shall appoint three persons to investigate the controversy; and this board of investigation is to have all the powers and privileges given to the board of arbitration in the next section. I think there can be no objection to this proposition, as it is conceded on all sides that Congress may provide for an investigation of such controversies, whether the parties thereto are or are not willing to arbitrate.

Mr. O'NEILL, of Missouri. If the gentleman will read the sixth section, he will find it covers that question very fully.

Mr. ANDERSON, of Kansas. I do not so understand it.

Mr. O'NEILL, of Missouri. Certainly it does. It provides very distinctly that the President may appoint two arbitrators, who, with the Commissioner of Labor, shall constitute a board of arbitration.

Mr. PETERS. But it does not provide that it "shall" be done upon the request of either of the parties.

Mr. O'NEILL, of Missouri. It does, most assuredly. The language is, "upon the application of one of the parties to the controversy." I refer gentlemen to the fifteenth line of section 6.

Mr. ANDERSON, of Kansas. Yes; but in line 1, of section 6, it is provided that "the President 'may' select two special arbitrators," etc.

Mr. O'NEILL, of Missouri. Well?

Mr. ANDERSON, of Kansas. The appointment of the arbitrators is purely optional with the President.

Mr. PETERS. It is entirely in his discretion.

Mr. ANDERSON, of Kansas. My amendment requires that the President when called upon "shall" appoint a board of investigation, and shall do so at once. This, as I understand, is the difference between the two propositions.

I will say, however, that I have not had an opportunity to read the bill through; and if the point which the gentleman from Missouri makes is correct—if section 6 fully covers this matter—then I have no desire to press the amendment.

Mr. O'NEILL, of Missouri. It covers it fully, I think.

Mr. ANDERSON, of Kansas. I would like to know absolutely; I do not want any "thinking" about it.

Mr. O'NEILL, of Missouri. You have my statement. [Laughter.]

Mr. ANDERSON, of Kansas. I withdraw my motion for the present, until we reach section 6.

Mr. PETERS. Mr. Chairman, I do not think the sixth section covers the point which the gentleman from Kansas [Mr. ANDERSON] desires to meet. One of the main objects to be accomplished by this bill is to throw upon these controversies between the railroad companies and railroad employés the light of investigation, not only because thus the laborer who works for a railroad corporation may have before him in plain language the causes of the difference between the employer and the employé, but also because there is a desire on the part of that third party, the public, that they may have some knowledge as to the differences arising between the railroad companies and their employés.

The sixth section of the bill does provide that the President may order an investigation of this kind; but if there is any meaning in the English language the appointment of the committee of investigation is by that section left entirely to the President's discretion. It says he "may" do so either upon his own motion or upon the application of either party. Whether such a board shall be appointed is left to the discretion of the President, and to his discretion alone.

Now, the amendment of the gentleman from Kansas proposes that in reference to all these controversies there "shall" be appointed, upon the application of either party, a committee for the purpose of investigating the difficulties which may exist between the railroad company and its operatives. That is just what we want; that is just what the laboring men want; it is just what the people of the United States want. They want to do away with these schemes which propose to make enemies of labor and capital. In this country labor and capital are and should be brothers. The great danger is that they may be estranged by associations of demagogues on the one hand and fanatics on the other. What we want is to have more light on this question and a more intimate relation, more brotherly love between capital and labor; so that whenever a corporation says that it will not do something which the interests of its employés seem to demand, there may be thrown upon that question the light of investigation, that the laboring man and the country may know whether there is ground for the position taken by the corporation in antagonism to the demands of its employés.

And, on the other hand, when labor complains of wrong done to it, let the light of investigation be thrown on the matter complained of and let it be determined whether labor is right in demanding what it does. And, sir, when we have this harmonious action between labor and capital, this just understanding between them, we will put an end to the contests and difficulties which have brought about these strikes throughout our country.

[Here the hammer fell.]

Mr. ANDERSON, of Kansas. Mr. Chairman, I renew the amendment, having read the bill through. And in addition to what my colleague [Mr. PETERS] has just said, let me direct the attention of the committee to the fact that there is a very important difference between the bill and the amendment to it which I have proposed. The bill provides in the sixth section that the President "may" appoint a board of arbitration on the application of one of the parties to the controversy, while the amendment proposes that on the application of either party he "shall" appoint a board of investigation.

That is one point of difference. And the next point is this: The officials to be appointed by the President under the sixth section of the bill are to be arbitrators. That word "arbitration" raises the legal difficulty of securing the assent of both parties, which sometimes can not be obtained, as in the Burlington case to-day. My amendment avoids this contingency by providing that where either party will not accept arbitration, then, at the request of either party, there shall be, not an arbitration, not a procedure that wholly depends upon the voluntary action of the parties in controversy, but that there shall be, whether they consent or not, an investigation in behalf of both parties in interest, as well as that great third party always in interest, the people.

And for these reasons, Mr. Chairman, I renew the amendment. It certainly can do no harm. It does not affect the bill injuriously, but on the contrary is of great benefit to it, in my judgment, by putting some force in it.

Mr. BLAND. The suggestion I desire to make to the gentleman from Kansas, is this. I understand the bill merely provides that where the request is made by either party to the President he shall make this appointment.

Mr. ANDERSON, of Kansas. Yes, sir.

Mr. BLAND. But where there is no request, I do not think it should be obligatory on the President to direct any investigation. In my judgment the action of the President in such an event should be left discretionary with him.

Mr. O'NEILL, of Missouri. It is so under my bill.

Mr. ANDERSON, of Kansas. No.

Mr. O'NEILL, of Missouri. Yes, it is, as the gentleman will see by referring to the language of the bill.

Mr. ANDERSON, of Kansas. The bill proposes "arbitration" when the request is made by either one of the parties to the controversy. My amendment, on the contrary, proposes that in the event of either party refusing arbitration then either one of the parties may request and secure an "investigation" of the points in controversy.

Mr. BLAND. That is not the way I understand the gentleman's amendment; but on the contrary that the President shall appoint without regard to the request of either party. I do not think that that is a good amendment.

Mr. O'NEILL, of Missouri. That is the amendment of the gentleman from Kansas. He wants to change "may" to "shall," and I agree with my colleague that it is not a good amendment.

Mr. ANDERSON, of Kansas. No, I do not wish to make any such change, and you are referring to the language of the bill in the sixth section. My amendment is to the first section.

Mr. O'NEILL, of Missouri. That is the meaning of your amendment.

Mr. ANDERSON, of Kansas. No, it is not. On the contrary, it provides that in the event of either party requesting the President to appoint a board of investigation he shall immediately do so, and there shall be, not an arbitration, but an investigation.

Mr. O'NEILL, of Missouri. If you will pardon me, my bill covers that fully.

Mr. ANDERSON, of Kansas. No, sir. The gentleman's bill provides only for arbitration.

Mr. O'NEILL, of Missouri. Wait a moment.

Mr. ANDERSON, of Kansas. The bill provides for arbitration. My amendment provides for investigation.

Mr. O'NEILL, of Missouri. Wait a moment. I will read the bill.

Mr. ANDERSON, of Kansas. What part of the bill?

Mr. O'NEILL, of Missouri. Section 6, page 5. It is provided in that section:

> That the President may select two special arbitrators, one of whom at least shall be a resident of the State or Territory in which the controversy arises, who, together with the Commissioner of Labor, shall constitute a temporary board for the purpose of examining the causes of the controversy——

Mr. ANDERSON, of Kansas. Hold up there. It says:

> A temporary board of arbitration.

Mr. O'NEILL, of Missouri. Never mind the word.

Mr. ANDERSON, of Kansas. Yes; but that word is the important thing.

Mr. O'NEILL, of Missouri. I am trying to get at the difference between your amendment and the bill. The bill goes on to provide further that these—

> together with the Commissioner of Labor, shall constitute a temporary board of arbitration for the purpose of examining the causes of the controversy, the conditions accompanying, and the best means for adjusting it.

If the gentleman can suggest words in the English language which will better cover this point, I will use them. In my judgment the language of the bill covers the matter fully.

Mr. ANDERSON, of Kansas. No, it does not, I think.

Mr. SPRINGER. Let me call the attention of my friend to the eighth section of the bill, which provides:

> That upon the direction of the President, as hereinbefore provided, the board of arbitration shall visit the locality of the pending dispute——

Mr. ANDERSON, of Kansas. What page are you reading from?

Mr. SPRINGER. Page 6, section 8:

> That upon the direction of the President, as hereinbefore provided, the board of arbitration shall visit the locality of the pending dispute, make careful inquiry into the cause thereof, hear all persons interested therein who may come before it, advise the respective parties what, if anything, ought to be done or submitted to by either or both to adjust such dispute, and make a written decision thereof.

It seems to me that this bill provides everything the gentleman desires to accomplish except this, that in his proposition it may be incumbent upon the President to order an investigation whether anybody wants it or not.

Mr. ANDERSON, of Kansas. Oh, no; if one side refuses the application of the other for arbitration, then the President may do it.

Mr. SPRINGER. Exactly; the exception is where one of the parties to the controversy may want it. But the President may be of opinion and his information from the Commissioner of Labor or the commission may be of such a character as to warrant him in the belief that there was no necessity for such an investigation, and yet your amendment would make it incumbent upon him under any circumstances to order it. I think it is safe to leave it as it is.

Mr. FARQUHAR. The bill seems to be sufficient in that respect.

Mr. O'NEILL, of Missouri. Well, let us have a vote.

Mr. ANDERSON, of Kansas. I am ready for a vote.

Mr. WHITE, of Indiana. Mr. Chairman, I move to strike out the last word.

Clearly, in reading this bill, it is seen that such an amendment as that suggested by the gentleman from Kansas [Mr. ANDERSON] is necessary if the bill is to accomplish the purpose sought. I am for the bill, and willing to support it through and through; yet I would like to support it, and would support it all the more earnestly, if it provided means to make it effective to accomplish the purpose for which it was drawn. I think, therefore, that this amendment, or some other similar to it, is necessary. Suppose, for instance, that this Burlington road strike, which is now in progress, was in existence under the operations of this bill, and that this amendment or something similar to it was the law; suppose the workingmen on this road made an application under color of the bill for a board of arbitration—what then? The railroad company, in the absence of such a provision as this, would sit silent even if the notice was served upon them, and would not agree or appoint a member to act for them in the arbitration. What would be the result? The bill as it stands without such an amendment would be an absolute nullity. It would have no effect in bringing these parties to terms. For this reason the amendment of the gentleman from Kansas, if adopted, would effectually settle such a question as that, and in the event of a failure, either of the road or the men to select an arbitrator the President can come in with his commission, appoint one immediately, and bring the parties to terms and have the controversy determined one way or the other. Without that there would be no safety, and no certainty of bringing these fights to a termination.

Now, in speaking of strikes, necessarily we have to investigate them and reflect upon what brings them about, what is the cause of them, and what the remedy. Some of our members are attempting to make it appear that the workingmen are in fault. The case of Martin Irons was cited as an illustration of that idea. But, Mr. Chairman, Martin Irons simply represented the great body of the Knights of Labor in the West, acting under Powderly, and when he gave the order for them to quit work he was simply voicing the sentiment of the whole association of which he was an active member.

Mr. BRUMM. I think the gentleman is in error in saying that Irons acted under Powderly.

Mr. WHITE, of Indiana. But notwithstanding what gentlemen may say, these strikes are brought about in nine cases out of ten by the capitalists themselves—by oppressors of labor. We can all go back to the year 1873, when the great panic afflicted the country, and it will be seen that from 1873 to 1877 there was a constant and a continual reduction of wages, not only the wages of railroad employés, but of those engaged in private enterprises. Every few months employés were served with notices of 10 per cent. reduction in wages; and they had to submit. And while for one I deprecate strikes and am not in favor of them, yet I can assure the House and the people of this country of the fact that but for the great strike of 1877 the working people of this country would be a great deal worse off than they are to-day.

Mr. BRUMM. Let me interrupt the gentleman to ask if he is not mistaken when he says that Martin Irons acted under the direction of Mr. Powderly?

Mr. WHITE, of Indiana. No, I think not.

Mr. BRUMM. I do not think Mr. Powderly directed the strike in that sense.

Mr. WHITE, of Indiana. Mr. Powderly went back on him; that is all.

[Here the hammer fell.]

Mr. O'NEILL, of Missouri. I move that the committee rise now for the purpose of limiting this debate.

Mr. ANDERSON, of Kansas. I want five minutes more.

Mr. O'NEILL, of Missouri. Why, you have already had fifteen minutes.

Mr. ANDERSON, of Kansas. I know it, and I propose to have more; and I am just as anxious to perfect and pass this bill as the gentleman is himself; but I want five minutes more.

Mr. O'NEILL, of Missouri. Very well; I will withdraw the motion.

Mr. ANDERSON, of Kansas. All I want to say is merely this, and I ask the attention of the gentleman from Illinois [Mr. SPRINGER] also. This eighth section to which he has referred simply provides that the special board of arbitration "may" make an inquiry; but the section to which my amendment applies is the first section, where an original, not this special, board of arbitration is provided, and the amendment gives to the board of investigation the same power that is given to the board of arbitration by the bill. The original board of arbitration contemplated in the first section has the power to administer oaths and to make a judicial examination, while the special board has no such powers; and for this reason the gentleman will see that amendment makes a very great difference between these special arbitrators provided in the sixth and the following sections to be appointed by the President, with only the power of inquiry on the one side, and on the other a board of investigation under the first section, which either party may cause to be appointed. There is a vital difference.

The gentleman from Illinois also made the point that this amendment would be compulsory upon the President, and intimated that there might be cases where that compulsion ought not to be exercised, or rather where it would not be expedient to have an investigation. But I want to call his attention to the fact that such cases would be covered by line 9 of the first section:

Which differences or controversies may hinder, impede, obstruct, interrupt, or affect such transportation of property or passengers.

Now, it could only be when there was some serious interruption, some obstruction that was really detrimental, and that vitally affected the commerce of the country generally, that the President would be required to act.

Mr. O'NEILL, of Missouri. Let us have a vote on the amendment.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Kansas [Mr. ANDERSON].

The question being taken, the Chairman stated that the "noes" seemed to have it.

Mr. ANDERSON, of Kansas. I call for a division.

The committee divided, and there were—ayes 28, noes 59.

So (further count not being called for) the amendment was rejected.

The Clerk read section 2 of the bill.

Mr. FORAN. I move to strike out the last word.

During the Forty-ninth Congress there was a measure before this House proposing arbitration somewhat of this character. I opposed that measure as I oppose this measure. I think the enactment of this bill into a law would simply place on the statute-books of the United States a legislative eunuch. There is no necessity for it. It accomplishes nothing that can not be accomplished now. It will benefit neither the employer nor the employé. It will be as useless as it will be powerless to either settle or solve labor difficulties. Its enactment will be a confession that intelligent American workingmen and employers of labor are unable to or incapable of managing their own affairs, and that the time has come when their interests and rights must be confided to the care of the Government as trustee.

The greatest and most perfect piece of arbitration legislation ever enacted is known as the Mundella law in England. It is as perfect as this character of legislation can be, and yet it is never resorted to; it is never invoked by the employers or employés.

Mr. SPRINGER. Why not?

Mr. FORAN. Because it was found to be inoperative; because experience has demonstrated that you can not have arbitration unless you have a concurrence of opinion. Unless the men and employers are willing to come together and arbitrate their differences you can have no arbitration, and when they are willing to come together they can do so without having a law providing for arbitration.

Mr. SPRINGER. Is there a compulsory provision in that law?

Mr. FORAN. There is not; and I would sooner shoulder a musket, if I were a workingman, than be placed under the operations of a law providing for compulsory arbitration, which places the rights, property, and liberties of citizens in the discretion of United States courts. Shall not an employer make a contract with his employé, or the employé with his employer, without a United States court interfering? I think gentlemen, if they stop to consider this matter, will never consent to vote for a bill providing for compulsory arbitration in labor difficulties.

A MEMBER. This does not provide any compulsion.

Mr. FORAN. I know it does not. It does not do anything. It is said that it provides for an investigation. Whenever there is a labor difficulty the newspapers investigate it, and you have all the light you could possibly get from your board of arbitration.

The gentleman from Michigan [Mr. TARSNEY], who interjected into this debate a little free-trade nonsense——

Mr. TARSNEY. Not free trade; fair trade.

Mr. FORAN. If the gentleman is a free-trader he is not consistent, because the motto and the shibboleth of free trade is "*Laissez faire, laissez passer*"—let it alone; it will take care of itself. Let the workingman and the capitalists of this country alone and they will work out their own salvation. That is your doctrine as to commerce. If it applies to trade it also applies to industrial avocations and to everything else. I am not gainsaying the proposition at this time, but I call the attention of the gentleman to the fact that he is not consistent.

The gentleman from South Carolina [Mr. TILLMAN], who was chairman of the special committee that investigated the Reading Railway difficulty, speaks of enacting some law creating a penalty in cases of the kind his committee investigated. I can almost imagine I hear the rattle of Gatling guns in the streets of the cities of the North or in the

streets of the cities of the South where large manufacturing establishments have sprung up. I trust in God that that time will never come. I believe that these difficulties can be worked out in the evolving process of our civilization. Civilization flows and ebbs, and every time the wave rises it rises higher than the preceding wave and leaves a higher mark on the walls of time. And the time is coming when an enlightened public opinion, a consensus of public opinion brought about by your telegraphs and newspapers, will create such a condition of things in this country that capital will be fair to labor and labor will be fair to capital. That is the only way in which these difficulties can be settled.

Keep away your legislative enactments. By them you only trammel the relations of employer and employed. You accomplish no good; you never did and never will. The labor trouble can not be solved by legislative enactment. I propose to vote against the bill, and believe every member of this House who gives it due consideration will do so. I am not one of those who believe our institutions and liberties are in danger because great strikes frequently occur. I admit strikes are a great evil, but good frequently comes from the absorption of evil. Both workingmen and employers purchase experience by strikes. The purchase may be costly, but it is none the less beneficial in preventing like troubles thereafter.

Mr. PARKER. When gentlemen like my friend from New York [Mr. FARQUHAR] and the gentleman from Indiana [Mr. WHITE] make Martin Irons the exponent of the Knights of Labor they do a greater wrong to the Knights of Labor than any of their enemies in the country could well have the power to do. It is an act of injustice and of unkindness. The gentleman from New York asks my attention to the authority of Martin Irons for making the great Southwestern strike.

I intimated that the authority for making that strike was exercised by himself upon his own judgment. I may premise by saying that, as I understand it, the representatives of local assemblies then at Marshall, Tex., gave to Martin Irons, without consulting their assemblies, which were far distant, authority to strike if he judged it proper. Therefore I say the authority was placed in him, and the answers which he gave to certain questions in the investigation will show that I am correct.

I read from the record:

Q. Did you order or did you not?
A. After the discharge of Hall, yes, sir.
Q. Then, so far as we can see, the discharge of Hall was the ground for the strike, was it not?
A. Not at all, sir.
Q. Were you not authorized to order a strike upon the discharge of Hall?
A. Taken in consideration with the others.
Q. But were you not authorized to order a strike upon the discharge of Hall?
A.—

And here is the kernel of it—

I was, if I saw proper.

There, sir, is the authority of Martin Irons. There was placed in the hands of that one reckless man authority to throw out of employment all the railroad employés of the Southwestern system, and he exercised that power by giving the order to strike upon a mere caprice and a personal antagonism arising between himself and the officers of the railroad company whom he met. This rash and desperate act, never approved by Mr. Powderly, never approved by the national assembly, never approved by any body of men who had coolly and calmly considered it, was the act of one man in the heat of excitement, who had been unfortunately authorized to do as he thought proper. And what was the result? Within five days after he was examined in St. Louis and the position he had taken was exhibited to the public, and the men saw how they had been thrown out to their injury and to the injury and starvation of their families, this man was forced to leave the town of his residence under cover of the night.

He was the man that threw that great body of workingmen out of employment, and yet he is the man that is put forward here (most unjustly) as the representative of the Knights of Labor. I wish to say, sir, that I believe that the Knights of Labor have done great good in this country. They have called the attention of the workingmen to the importance of frugality and especially to the importance of temperance. They have thrown their great influence in favor of giving woman equal pay for equal work. They have recognized the equality of the colored laborers of the South. The benefits they have conferred upon their fellows will be lasting and permanent, and I believe we owe much of this to the conservative influence of Mr. Powderly; but Martin Irons should never be put forward as a representative of this great body of workingmen. And the rights of the producers and the consumers must be recognized and protected.

The Clerk read as follows:

SEC. 3. That it shall be the duty of said board of arbitration, immediately upon their selection, to organize at the nearest practicable point to the place of the origin of the difficulty or controversy, and to hear and determine the matters of difference which may be submitted to them in writing by all the parties, giving them full opportunity to be heard on oath, in person and by witnesses, and also granting them the right to be represented by counsel; and after concluding its investigation said board shall publicly announce its award, which, with the findings of fact upon which it is based, shall be reduced to writing and signed by the arbitrators concurring therein, and, together with the testimony taken in the case, shall be filed with the Commissioner of Labor of the United States, who shall make such award public as soon as the same shall have been received by him.

Mr. FARQUHAR. I suggest to the chairman of the Committee on Labor that the word "award," in the tenth line of section 3, and also in the fourteenth line of the same section, carries with it a meaning beyond the scope of the section itself, and I suggest that it would be well to substitute for it the word "decision," which I think will better express the real intention.

Mr. O'NEILL, of Missouri. I have no objection to that. I move that the amendment be made.

The amendment was agreed to.

The Clerk read as follows:

SEC. 5. That each member of said tribunal of arbitration shall receive a compensation of $10 a day for the time actually employed. That the clerk appointed by said tribunal of arbitration shall receive the same fees and compensation as clerks of United States circuit courts and district courts receive for like services. That the stenographer shall receive as full compensation for his services 20 cents for each folio of an hundred words of testimony taken and reduced to writing before said arbitrators. That United States marshals or other persons serving the process of said tribunal of arbitration shall receive the same fees and compensation for such services as they would receive for like services upon process issued by United States commissioners. That witnesses attending before said tribunal of arbitration shall receive the same fees as witnesses attending before United States commissioners. That all of said fees and compensation shall be payable by the United States in like manner as fees and compensation are payable in criminal causes under existing laws: *Provided*, That the said tribunal of arbitration shall have power to limit the number of witnesses in each case where fees shall be paid by the United States: *And provided further*, That the fees and compensation of the arbitrators, clerks, stenographers, marshals, and others for service of process, and witnesses under this act shall be examined and certified by the United States district judge of the district in which the arbitration is held before they are presented to the accounting officers of the Treasury Department for settlement, and shall then be subject to the provisions of section 846 of the Revised Statutes of the United States; and a sufficient sum of money to pay all expenses under this act and to carry the same into effect is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. TILLMAN. Mr. Chairman, I desire to offer an amendment to come in at the end of line 33.

The amendment was read, as follows:

After line 33, add:

"And provided likewise that not more than $5,000 shall be expended in defraying the cost of any single arbitration."

Mr. O'NEILL, of Missouri. I ask the adoption of that amendment.

The amendment was agreed to.

Mr. PERKINS. Mr. Chairman, I would like to ask the gentleman from Missouri if in his judgment 20 cents per folio is not a very large and excessive compensation for the stenographer?

Mr. O'NEILL, of Missouri. I thought it was the customary rate.

Mr. PERKINS. I move to amend in line 7 by striking out "20" before the word cents and inserting "10."

The amendment was agreed to.

[Mr. CRAIN withholds his remarks for revision. See APPENDIX.]

Mr. CANNON. Mr. Chairman, I desire to call particular attention to section 6, which is in these words:

SEC. 6. That the President may select two special arbitrators, one of whom at least shall be a resident of the State or Territory in which the controversy arises, who, together with the Commissioner of Labor, shall constitute a temporary board of arbitration for the purpose of examining the causes of the controversy, the conditions accompanying, and the best means for adjusting it; the result of which examination shall be immediately reported to the President and Congress, and on the rendering of such report the services of the two special arbitrators shall cease. The services of the board of arbitration, to be ordered at the time by the President and constituted as herein provided, may be tendered by the President for the purpose of settling a controversy such as contemplated, either upon his own motion or upon the application of one of the parties to the controversy, or upon the application of the executive of a State.

To my mind, this is the best section in the bill. I think it would be well, however, to amend it; and I will move an amendment at the proper time to strike out the words "arbitrators" and "arbitration" wherever they occur and insert the words "commissioners" and "commission." It is agreed upon all hands that we can not constitute a board of arbitration which shall make a finding that will bind the parties. Hence all that we can do by this bill is to let the Commissioner of Labor, with the two commissioners who may be specially appointed by the President, investigate under authority of law, touching any difficulties which may arise between employers and employés concerning interstate commerce.

Mr. FARQUHAR. Investigate the causes, without suggesting a remedy.

Mr. CANNON. Oh, certainly—investigate and make a finding of fact. That is what the section provides for.

Mr. FARQUHAR. An official investigation.

Mr. CANNON. Then let the result be reported; and my belief is that in some cases—perhaps in many cases, if not all—after an investigation has been made by men trained touching these questions, and after the result has been announced, public opinion will be such that upon the one hand the railway companies, and on the other hand the railroad employés, would acquiesce in the finding. If this bill accomplishes anything at all, it will accomplish that. It can accomplish nothing else. The board which may be appointed can not make a compulsory award, and I do not believe the sixth section contemplates that they should; but I think it best that the words "commission" and "commissioners" should be substituted for "arbitration" and "arbitrators," and the word "decision" inserted in lieu of the word "award."

Mr. O'NEILL, of Missouri. The meaning is practically the same.

Mr. CANNON. Certainly.

Mr. BLOUNT. I think that the word "arbitration" as used here, and which has been the foundation of very much that has been said by my friend from Texas [Mr. CRAIN], has been misunderstood. In order to ascertain the real purpose you must read not only this section, but section 8:

SEC. 8. That upon the direction of the President, as hereinbefore provided, the board of arbitration shall visit the locality of the pending dispute, make careful inquiry into the cause thereof, hear all persons interested therein who may come before it, advise the respective parties what, if anything, ought to be done or submitted to by either or both to adjust such dispute, and make a written decision thereof. This decision shall at once be made public, shall be recorded upon proper books of record to be kept in the office of the Commissioner of Labor, who shall cause a copy thereof to be filed with the secretary of the State or Territory, or States or Territories, in which the controversy exists.

Now, it seems to me, as has been stated by my friend from Illinois [Mr. CANNON], that this provision for investigation is the very best portion of the bill. When trouble arises in a State between a railroad company and its employés it may reach a point where the governor himself may invite this investigation, or the President himself may see fit to order it. The condition of one or the other of the parties may be such that they will desire to invite this commission, or whatever else you may designate it, to go into that State for the purpose of inquiring into all the facts, getting intelligent information, and reaching a conclusion. And I trust our experience will be that this work of inquiry will be done by men whose character shall have such moral power that when the conclusion is announced it will of itself operate to produce a settlement of the dispute.

Of course the decision will not be binding upon anybody, and nothing may come of it; but if the action of the President in the appointment of this commission, if the action of the commission in its investigation, if the thoroughness of the inquiry and the correctness of the conclusions reached may operate to quiet the disorders of the times, is not the measure well worth consideration? It is easy for us to talk glibly here; but when a community is excited, when disorders appear on every hand, when threats of force are resorted to, when property is being destroyed, may not the moral power of this commission have good influence, and is it not worth while to try a resort to such measures?

Mr. WHITE, of Indiana, obtained the floor.

Mr. CANNON. If the gentleman will yield a moment, I will now offer my amendment.

Mr. O'NEILL, of Missouri. I do not see any reason for objecting to the word "commissioners;" I am willing, so far as I am concerned, that the word be inserted at the appropriate places in the section.

Mr. CANNON. Then I offer my amendment in this form:

Strike out the word "arbitrators," in lines 1 and 2 of section 6, and insert the word "commissioners."

In line 5, strike out "arbitration" and insert "commission."

In line 10, strike out "arbitrators" and insert "commissioners."

In lines 10 and 11, strike out the words "board of arbitration" and insert "commission."

Mr. O'NEILL, of Missouri. There is no objection to that amendment.

The CHAIRMAN. The Chair now recognizes the gentleman from Indiana [Mr. WHITE].

Mr. WHITE, of Indiana. Mr. Chairman, this section of the bill is, to my mind, the most important one in it. The purpose of the section and the appointment of these commissioners, which is the proper name to give them, rather than that of arbitrators, will accomplish great good. I am only sorry the commissioners can not sit permanently. If they had existed previous to the Burlington strike I warrant you there would have been no strike on that road, for the purpose of these commissioners, if appointed, is to examine into the causes of the controversies and the conditions accompanying them, as well as the best means for adjusting them.

What is the best method for adjusting those strikes and troubles? It is to arrive at a thorough knowledge of their causes, which are not very far to find. The cause of that great strike on the Burlington road was a trifling matter, and had these commissioners been in existence at that time there is not a question but that the influence they would have brought to bear on both parties would have averted that strike.

What was it that caused that strike? The great strike on the Burlington road was brought about simply because that road was acting arbitrarily with its employés. It was introducing a system which was foreign to this country. It was introducing amongst its employés a division of its workmen into classes, into first, second, and third classes of employés who were engaged in the same kind of labor. That is what the engineers on the Burlington road rebelled against. That is what they tried to have abandoned, but the road persisted in continuing that condition of affairs. They insisted upon continuing that system of division into classes on the part of its employés which the road had imported from Europe. It is one of the very worst anarchical institutions which could have been imported from abroad. I hope it will be abandoned not only on that road, but on every other road.

Suppose the same system of division into classes were adopted throughout our society? Suppose our people should everywhere be divided in that manner? Then our soldiers in the Army would be divided into first, second, and third classes, when in the ranks they all stand together.

The Brotherhood of Engineers insisted they should all be paid equally for the same kind of work. That is what the engineers demanded, as well as that the road should abandon the foreign system of division into classes. There is not a doubt in my mind, if we had had in existence the commissioners which this bill provides for there would not have been a strike on the Burlington road. We wish to avoid any such contests in the future, and we also wish to avoid the introduction into this country of the class system From the highest to the lowest, from the capitalist to the laborer, all men in this country stand upon an equality before the law, and so we wish it to continue. In Europe and in Asia, we all know, it is different, and that there is division into classes from the lord to the serf. We want no such system as that here, but we do want a method for the adjustment of controversies so as to avoid these strikes. Therefore I hope this amendment of the gentleman from Illinois [Mr. CANNON] will be adopted, as I believe it will improve the provisions of the bill and make them more effective.

[Here the hammer fell.]

[Mr. CRAIN withholds his remarks for revision. See APPENDIX.]

Mr. LAWLER. Mr. Chairman——

Mr. BUCHANAN. I hope we will have a vote.

Mr. LAWLER. I was going to say that if the committee is ready to vote I shall not occupy its time. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Illinois [Mr. CANNON].

The amendment was adopted.

The Clerk read as follows:

SEC. 7. That the special arbitrators provided in the preceding section shall be entitled to receive $10 each per day for each day's service rendered, and the expenses absolutely incurred in the performance of their duties; and the expenses of the Commissioner of Labor, acting as one of the board of arbitration, shall also be reimbursed to him. Such compensation and expenses shall be paid by the Treasurer of the United States, on proper vouchers, certified to by the Commissioner of Labor and approved by the Secretary of the Interior.

Mr. CANNON. Mr. Chairman, in harmony with the amendment adopted to section 6, I move, in line 1, to strike out the words "special arbitrators" and insert "commission;" and in the sixth line to strike out the words "board of arbitration" and insert "commission."

Mr. O'NEILL, of Missouri. That is right.

The amendment was adopted.

The Clerk read as follows:

SEC. 8. That upon the direction of the President, as hereinbefore provided, the board of arbitration shall visit the locality of the pending dispute, make careful inquiry into the cause thereof, hear all persons interested therein who may come before it, advise the respective parties what, if anything, ought to be done or submitted to by either or both to adjust such dispute, and make a written decision thereof. This decision shall at once be made public, shall be recorded upon proper books of record to be kept in the office of the Commissioner of Labor, who shall cause a copy thereof to be filed with the secretary of the State or Territory, or States or Territories, in which the controversy exists.

Mr. CANNON. I move also to strike out, in line 2 of section 8, the words "board of arbitration" and insert "commission."

The amendment was adopted.

Mr. ANDERSON, of Kansas. I offer the amendment I send to the desk.

The Clerk read as follows:

In section 8, line 3, after the word "dispute," insert "and shall have all the powers and authority given in section 2 to a board of arbitration, and shall"——

Mr. ANDERSON, of Kansas. That simply gives the commission power to administer oaths.

Mr. O'NEILL, of Missouri. All right; I move its adoption.

Mr. ANDERSON, of Kansas. No, you do not; it is my amendment, and I move its adoption. [Laughter.]

Mr. O'NEILL, of Missouri. Very well; either way.

The amendment was adopted.

The Clerk read as follows:

SEC. 9. That in each case the special arbitrators who may be selected as provided shall, before entering upon their duties, be sworn to the faithful discharge thereof. The Commissioner of Labor shall be chairman *ex officio* of the board of arbitration, and may appoint one or more clerks or stenographers to act in each controversy only, which clerks or stenographers shall be compensated at a rate not exceeding $6 per day each, and actual expenses incurred shall be reimbursed.

Mr. O'NEILL, of Missouri. In this section I move to strike out the word "arbitrators" where it occurs and insert "commission."

Mr. PARKER. I would ask whether this does not include also the arbitrators provided for in the first section of the bill?

Mr. O'NEILL, of Missouri. No; not at all.

Mr. PARKER. This provides that in "each case the special arbitrators who may be selected," etc. It seems to me that unless the language is more specific it may include both cases.

Mr. O'NEILL, of Missouri. The language used here refers to the cases before the commission.

Mr. PARKER. Very well. I simply called attention to it.

Mr. O'NEILL, of Missouri. That is all right. I move to strike out the words "board of arbitration" in lines 4 and 5 also.

The amendments were agreed to.

Section 10 was read, as follows:

SEC. 10. The Commissioner of Labor shall, as soon as possible after the pas-

sage of this act, establish such rules of procedure as shall be approved by the President; but the board shall permit each party to a controversy to appear in person or by counsel, and to examine and cross-examine witnesses. All its proceedings shall be transacted in public, except when in consultation for the purpose of deciding upon the evidence and arguments laid before it. The chairman of the board is hereby authorized to administer oaths to witnesses in all investigations conducted by the board, and such witnesses shall be summoned in the same manner as witnesses are summoned to appear before United States courts and commissioners, and they shall each receive the same fees as witnesses attending before United States commissioners.

Mr. SHAW. I offer the amendment I send to the desk.

The Clerk read as follows:

Insert in line 14 of section 14, after the word "commissioners:"

"*Provided*, That said temporary board of commissioners shall have power to limit the number of witnesses in each case where fees shall be paid by the United States."

Mr. O'NEILL, of Missouri. I do not see any objection to that.

Mr. SHAW. It is the same provision contained in section 5.

The amendment was agreed to.

Mr. O'NEILL, of Missouri. I move, in line 4, to strike out the word "board" and insert "commission."

The amendment was agreed to.

Mr. O'NEILL, of Missouri. In lines 10 and 11 I offer the same amendment.

The amendment was agreed to.

Mr. BRECKINRIDGE, of Kentucky. Mr. Chairman, I have not interfered with the progress of this bill nor offered any amendment to it; but I desire, before its consideration is completed, to enter upon the record my opposition to it precisely upon the ground that I opposed it when its substance was pending in the Forty-ninth Congress, namely, because I think the bill is unconstitutional. I believe that it is wholly, in so far as the relief that it is supposed to bring is concerned, and in its effects, illusory. I think it gives no remedy whatever to labor, and that it opens the door to a construction that ought not to be given. Besides, I think the commingling of executive and judicial functions in the tribunal created by it is not only unconstitutional but unwise.

I have no desire whatever to antagonize the bill so as to retard its progress, or delay its consideration or passage; but I do desire to put on record the fact that the opposition I had to this bill in the Forty-ninth Congress has not only not been removed, but has been strengthened by the events of the last two years.

This is not only not a remedy, but it stands in the way of true remedies. It is an attempt by legislation to do what ought not to be done, and to that extent prevents investigation as to what is the proper remedy and the application of that proper remedy to the evils under which labor lies.

Mr. ANDERSON, of Kansas. I desire to draw the attention of the chairman to this clause in line 5 of section 10:

But the board shall permit each party to a controversy to appear in person or by counsel—

That is all right—

and to examine and cross-examine witnesses.

Mr. O'NEILL, of Missouri. What is your suggestion?

Mr. ANDERSON, of Kansas. My suggestion would be to strike out the words "and to examine and cross-examine witnesses."

Mr. O'NEILL, of Missouri. Do you think those words superfluous?

Mr. ANDERSON, of Kansas. Not exactly that. But I think, and I base my view on the experience I had on the Reading investigation committee, that in practice you will find this compulsory power given to counsel to examine and cross-examine witnesses would become an instrument which they would use for the purpose of delaying investigation. I know that would have been the effect in the Reading investigation. In this bill you expressly assign them that power, and they would no doubt avail themselves of it. I would suggest the striking out of those words and leaving it in the power of the commission at the time; so that if under the circumstances they thought it best to allow counsel to examine and cross-examine witnesses they might do so. If not, if they found this power only being used to delay investigation, they could prevent it. That would be the practical effect of this amendment.

Mr. O'NEILL, of Missouri. I do not see any practical objection to that amendment.

The question being taken on the amendment of Mr. ANDERSON, of Kansas, it was not agreed to.

Mr. HAUGEN. I desire to call the attention of the chairman of the committee to an expression in lines 8 and 9 of section 5. In connection with the work of the stenographer the expression is used "reduced to writing." The proper expression would be "transcribed."

Mr. BLOUNT. That section of the bill has been passed.

The CHAIRMAN. It requires unanimous consent to go back.

Mr. HAUGEN. I ask unanimous consent to return to that section.

Mr. O'NEILL, of Missouri. It is too late; we can not go back.

Mr. HAUGEN. I withdraw the amendment.

The Clerk read the eleventh and concluding section, as follows:

SEC. 11. All fees, expenses, and compensation shall be paid as hereinbefore provided in section 5 of this act.

Mr. RAYNER. I ask the gentleman from Missouri what is the sense of that section, if there is any sense in it?

Mr. O'NEILL, of Missouri. It provides for paying the expenses and compensation of the commission and refers back to section 5, where that provision is made.

Mr. RAYNER. If "hereinbefore provided in section 5 of this act," why provide for it over again?

Mr. BLOUNT. But this is another commission.

Mr. WARNER. I suggest an amendment in lines 11 and 12 of section 10, where the word "summoned" occurs. It should be "subpœnaed." You do not summon a witness, you subpœna him.

Mr. O'NEILL, of Missouri. That is merely the change of a word. If there be no objection, I ask the Clerk to make the change.

The CHAIRMAN. The gentleman from Missouri [Mr. WARNER] moves to amend in lines 11 and 12 of section 10 by striking out the word "summoned" and inserting "subpœnaed."

The amendment was adopted.

Mr. OUTHWAITE. I offer the following amendment:

In line 1 of section 11, after the word "compensation," insert the words "of this commission;" so that it will read: "All fees, expenses, and compensation of this commission shall be paid," etc.

The amendment was agreed to.

Mr. ROGERS. I move to strike out the last word.

In the Forty-ninth Congress, when a bill substantially the same as the first five sections of this bill was under consideration, I entered my protest against its passage, and I am unwilling to let this bill pass through the House without renewing that protest now.

The reasons for that protest were then given and I do not choose now to consume the time of the committee by undertaking to repeat them. I wish to add that if there is any feature of this bill which is worthy of consideration at all, it is, in my humble judgment, the provision or the ideas embraced in the last sections of the bill, from section 6 to section 11, inclusive. It was said that this was substantially what the President of the United States had recommended in one of his former messages. I desire, Mr. Chairman, to dissent from that statement. The President did say this in a special message sent to the Forty-ninth Congress on April 22, 1886:

But I suggest that instead of arbitrators chosen in the heat of conflicting claims and after each dispute shall arise, for the purpose of determining the same, there be created a commission of labor, consisting of three members, who shall be regular officers of the Government, charged among other duties with the consideration and settlement, when possible, of all controversies between labor and capital.

If this bill embraced a permanent board, with the duties indicated by the President of investigation, and, as I believe he states, in connection with the Bureau of Labor, I should feel inclined to give it the most earnest consideration. But I do not perceive that those provisions of the bill which are substituted for this idea accomplish this end, and I am unwilling to give my sanction to them, especially inasmuch as they are in connection with other provisions of this bill which I regard as absolutely unconstitutional, and not only so, but as a deception on honest labor through this country.

With these observations and without consuming further time I am content for the House to take whatever action it pleases on this bill.

Mr. TILLMAN. I am opposed to this bill, but it is evident that it is going to pass, as anything else proposed here for labor would be sure to pass. Therefore, as the bill is to pass, I desire to perfect it all I can. I have had the honor of offering one amendment which the House has adopted, limiting the expense of any single arbitration to a maximum of $5,000. I move now to add the words "or commission" after the word "arbitration;" then there will be no ambiguity about it.

The amendment comes in at the end of line 33 in section 5.

Mr. O'NEILL, of Missouri. That is all right.

Mr. DINGLEY. Let the amendment as it is proposed to be adopted be read.

The Clerk read as follows:

Add:

"And provided likewise not more than $5,000 shall be expended in defraying the cost of any single arbitration or commission."

Mr. DINGLEY. If the gentleman has attended to the reading, he must see that the amendment does not exactly express his meaning.

Mr. BLOUNT. I ask that the amendment be read again.

Mr. DINGLEY. I suggest the insertion of the word "investigation."

Mr. TILLMAN. I will accept that.

The amendment as modified was read, as follows:

And provided likewise not more than $5,000 shall be expended in defraying the cost of any single investigation by the commission hereinafter provided for.

The amendment was agreed to.

Mr. MACDONALD. I move to amend by inserting after the word "railroad," which occurs on the third and fourth lines of section 1, the words "or other transportation."

Mr. O'NEILL, of Missouri. I move the adoption of that amendment.

The amendment was agreed to.

Mr. O'NEILL, of Missouri. Now, Mr. Chairman, I move that the committee rise and report the bill to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCCREARY, from the Committee of the Whole, reported that they had had under consideration the bill H. R. 8665, and had

directed him to report it to the House with sundry amendments and with the recommendation that the bill as amended do pass.

Mr. O'NEILL, of Missouri. Mr. Speaker, I move to concur in the amendments reported from the Committee of the Whole, and I move the previous question upon ordering the bill to be engrossed and read a third time.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any of the amendments? If not, the vote will be taken on them in gross.

Mr. O'NEILL, of Missouri. Take them all together.

The amendments reported from the Committee of the Whole were agreed to.

Mr. PARKER. Mr. Speaker, I wish to know if it is not now in order to refer this bill back to the Committee on Labor without instructions.

The SPEAKER. Not at this stage. The question now is not upon the passage of the bill. The previous question has been ordered on the third reading of the bill.

The question was taken upon ordering the bill to be engrossed and read a third time, and it was so ordered.

The SPEAKER. The question now is on the passage of the bill, and upon that the gentleman from Missouri [Mr. O'NEILL] demands the previous question.

Mr. PARKER. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor.

The question was taken on the motion of Mr. PARKER to recommit, and it was rejected.

The SPEAKER. The question now is upon the passage of the bill.

The bill was passed.

Mr. O'NEILL, of Missouri, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The title of the bill was amended so as to read: "A bill, etc., to create boards of arbitration of or commissions for settling controversies, etc."

PARIS INTERNATIONAL EXPOSITION OF 1889.

The SPEAKER. The Chair appoints as managers on the part of the House of the conference on the disagreeing votes of the two Houses on House resolution (H. Res. 83) accepting the invitation of the French Republic to take part in the international exposition to be held at Paris in 1889, the gentleman from New York, Mr. BELMONT, the gentleman from Maryland, Mr. RAYNER, and the gentleman from Illinois, Mr. HITT.

EMPLOYMENT OF ENLISTED MEN IN COMPETITION WITH CIVILIANS.

Mr. O'NEILL, of Missouri. Mr. Speaker, I now call up the joint resolution (H. Res. 99) in reference to the employment of enlisted men in competition with local civilians.

The joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, etc., That hereafter no enlisted man in the service of the United States, the Army and Navy respectively, whether a non-commissioned officer, musician, or private, shall be detailed, ordered, or permitted to leave his post to engage in any pursuit, business, or performance in civil life for emolument, hire, or otherwise, when the same shall interfere with the customary employment and regular engagement of local civilians in their respective arts, trades, or professions.

Mr. O'NEILL, of Missouri. If any gentleman wishes to debate this bill and will indicate his desire I will yield him time.

Mr. HERBERT. I would like to have ten minutes.

Mr. REED. I should like to have ten or fifteen minutes.

Mr. O'NEILL, of Missouri. I yield ten minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, this bill proposes to do what I think I am safe in saying no law ever passed by the United States Congress has ever heretofore attempted. Its purpose is to prevent men from doing anything whatever to help themselves or their families.

No person coming within the provisions of this bill can lift his hands in any honest employment other than the service of the United States to better his condition. Just listen to the words:

That hereafter no enlisted man in the service of the United States, the Army and Navy respectively, whether a non-commissioned officer, musician, or private, shall be detailed, ordered, or permitted to leave his post to engage in any pursuit, business, or performance in civil life for emolument, hire, or otherwise, when the same shall interfere with the customary employment and regular engagement of local civilians in their respective arts, trades, or professions.

To enforce this bill as law it will be an outrage on natural liberty. If it be not intended to enforce it it is an absurdity to pass it; and the American Congress can be engaged in better business. This is a new rule the Committee on Labor is proposing to establish, that one free American shall not compete with another American, and the persons on whom it is to operate are not officers in the Army or the Navy, who are presumed to have some social and possibly political influence, but the privates, the enlisted men, who have no political power, and who, it was presumed, I suppose, have no friends on this floor. Gentlemen perhaps did not intend the bill to be as broad as it really is. The demand for it, as I understand, comes from musicians, and from no one else. If I am right in that the measure was only intended to apply to musicians; why was it not so framed as to cover them and them only?

Mr. O'NEILL, of Missouri. Is the gentleman addressing his question to me?

Mr. HERBERT. I am directing my remarks to the gentleman who reported the bill.

Mr. O'NEILL, of Missouri. I will state to the gentleman that this bill was presented to the Committee on Labor in the first place by a committee of musicians, who appealed to us for protection against the unfair competition of members of Government bands, who were preventing them from earning a livelihood. It was urged that these members of Government bands, by taking outside employment in every locality and at all prices, were interfering with the efforts of outside musicians in earning a livelihood.

Mr. HERBERT. Now, was there any other demand for the bill?

Mr. O'NEILL, of Missouri. I am not aware of any other demand; but it appeared to us that the principle which may properly apply to the member of a Government band applies with equal propriety to every other enlisted man. These enlisted men are paid, fed, clothed, and housed by the Government; and it is unfair to permit them to accept employment outside, and thereby prevent other persons from earning a livelihood

Mr. HERBERT. Very well; then it is as I supposed; the only demand for this bill has come from a few musicians.

Mr. O'NEILL, of Missouri. Ten or twenty thousand of them.

Mr. HERBERT. Where are these Government bands? There are not in the service of the Government more perhaps than twenty bands. There is one in Washington, another in New York, another in Chicago. Most of them are in the West. Yet the Committee on Labor seems to have imagined that the limited number of musicians who did not wish to come into fair and honest competition with these few Government bands, stationed at a few points in the country, represented some widespread sentiment to which Congress ought to respond, and so it has been provided in this bill broadly that no enlisted man shall engage in any outside business whatever or perform any duties of civil life for emolument or hire.

Why did not the committee make the bill to apply to officers? Officers of the Army and Navy are detailed to service in colleges throughout the country as professors and commandants.

A MEMBER. But they do not get any pay for it.

Mr. HERBERT. The gentleman is mistaken. Some of them do. Why was not the bill made to apply to these officers?

Mr. O'NEILL, of Missouri. The gentleman can offer such an amendment, if he pleases.

Mr. HERBERT. I want to know what harm there is in allowing a poor enlisted man in the service of the Government, who receives $25 or $30 a month, what harm is there in permitting him, if he happens to be home on leave, to accept temporary employment in a blacksmith shop or a shoe-making establishment or in any other honest occupation by which he can add to his comfort and happiness? What difference is there in principle between an enlisted man enlarging his income by such outside employment and an officer of the Army or Navy increasing his emoluments in the same way? Is it just or right to make this discrimination?

Coming to the real demand for this bill, what is it? It is a demand on the part of musicians. Do the people who have petitioned the Committee on Labor for the passage of this bill desire to prevent all competition? If the bill were so framed as to operate only in cases of unfair competition—if it were so framed as to prevent underbidding, then possibly there might be something said in favor of the measure; but as it is it prevents all competition whatever.

Now, here in the city of Washington a petition has been presented to Congress, signed, I believe, by a majority, if not by all, of the professional musicians of the District. I read from it a single sentence:

It is believed that the best purpose of the musical profession is served by honest and fair competition among its members, whether in the employ of the United States Government or otherwise.

The chairman of the committee [Mr. O'NEILL, of Missouri] says an amendment will be offered, and, so far as he is concerned, allowed to exempt members of the United States Marine Band from the provisions of this bill.

Mr. O'NEILL, of Missouri. I did not say that "so far as I am concerned" I would allow it. I said an amendment would be offered.

Mr. HERBERT. From the gentleman's remark I supposed he had no objection to the amendment.

Mr. O'NEILL, of Missouri. I am willing to let the House act upon it.

Mr. HERBERT. If there ought to be an exception in favor of the members of the United States Marine Band, why should there not be a similar exception in favor of members of every other Government band?

Mr. TURNER, of Georgia. The gentleman will allow me to inquire how this bill could be enforced at any rate?

Mr. HERBERT. There is no provision for its enforcement.

Mr. O'NEILL, of Missouri. Then why is the gentleman making this opposition?

Mr. HERBERT. I object to the bill on principle; but I suppose one mode of enforcing it would be to make complaint (if there are persons mean enough to do so) to the officer in command, to point him to the law and say that a certain enlisted man, while upon furlough or when not occupied with his work for the Government, was competing with persons in outside employment.

Mr. TURNER, of Georgia. I call attention to the language of the bill, which says that no enlisted man "shall be detailed, ordered, or permitted" to engage in any of these outside employments. Under this provision the punishment, if there should be a court-martial on the subject, would fall, it would seem, on the officer who ordered or permitted the men to engage in these occupations outside.

Mr. HERBERT. In that way, and I presume in that way only, could the bill be enforced, for, as the gentleman suggests, it seems to be directed in its terms to the officers, who I suppose are expected to forbid the enlisted men from taking employment outside of their work for the Government.

Mr. TURNER, of Georgia. In other words, there is no penalty on the enlisted man himself.

Mr. HERBERT. No penalty on the man himself.

Mr. TOWNSHEND. The men engaged as members of these bands are mere privates in the Army, detailed as musicians.

Mr. HERBERT. There is no sort of complaint that the competition of these Government bands is unfair—none in the world. How will this measure operate? Suppose an Army band is stationed in a town where there are no other persons fit to furnish music for a public celebration, although there may be persons who call themselves musicians. In such a case the people might desire the services of the Government band; every man, woman, and child, except a lot of third-rate musicians, might demand good music and be willing to pay for it, and yet Congress would, by law, have declared that these third-rate musicians were masters of the situation. This would be an outrage upon a whole community.

[Here the hammer fell.]

Mr. O'NEILL, of Missouri. Mr. Chairman, I ask to have this bill laid aside for the present and to call up another bill for consideration. The gentleman from New York [Mr. COX], who originally introduced this bill in a preceding Congress, desired to be present when it came up to be acted upon. I have sent for him, but can not find him. I ask therefore the bill be withdrawn or passed over, not to lose its place upon the Calendar.

The SPEAKER. If there be no objection the bill will be withdrawn from consideration and passed over for the present, not to lose its place on the Calendar.

There was no objection, and it was ordered accordingly.

ACCOUNTS OF LABORERS, ETC., UNDER THE EIGHT-HOUR LAW.

Mr. O'NEILL, of Missouri. I now call up for consideration the bill (H. R. 9515) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law; and I will yield the floor to my colleague from Michigan [Mr. TARSNEY].

Mr. TARSNEY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which has been given by the chairman of the Committee on Labor.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. TOWNSHEND in the chair.

Mr. TARSNEY. Mr. Chairman, I ask that the bill (H. R. 9515) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law be read.

The bill was read, as follows:

Be it enacted, etc., That whoever, as a laborer, workman, or mechanic, has been employed at per diem wages by the Government of the United States since the 25th day of June, 1868, the date of the act constituting eight hours a day's work, shall be paid for each eight hours he has been so employed as for a full day's work, without any reduction of pay on account of the reduction of the hours of labor.

SEC. 2. That all claims for labor so performed in excess of eight hours per day are hereby referred to the proper accounting officers of the several Departments, and the Secretaries of such Departments shall cause these claims to be immediately adjudicated, after the approval of this act, on the basis that eight hours constitute a day's work, and are to be paid for at the price per day as provided for in the first section of this act; and the amounts found due such claimants are to be paid by the proper officers, as provided for by exisiting law; and no payment made or receipt given for a less sum per day of eight hours' work as provided for in the first section of this act shall bar the right to recovery: *Provided*, That all claims arising under this act shall be presented within two years from its approval by the claimants, their heirs, or administrators, except infants and insane persons, and that no draft or warrant for money on such claim be delivered to any person except the heirs or personal representatives of such claimant; *And be it further provided*, That in no case shall any money be paid by reason of this act to any attorney or assignee.

Mr. TARSNEY. Mr. Chairman, on the 20th of last month the House had under consideration House bill 1539, which involved the merits of the measure which is now presented for consideration. There was at that time pending in the Committee on Labor the bill introduced by the gentleman from New York [Mr. COX], which was not reported upon in the former report of the Long bill. The committee, in view of the many objections urged and the amendments offered during the discussion at that time, have instructed me, sir, to present this bill to the House as a substitute for the bill H. R. 1664.

In order that the House may understand the difference, and the only difference, between it and the bill then under consideration, I will say that difference is just this: It was proposed at that time, as it is now proposed, whenever men shall be employed by the Government of the United States under a law which has been upon the statute-book since 1868, they shall be paid in accordance with the provisions of that law. The only difference here is as to the method by which that result may be reached. In the bill which we had under consideration last month it was provided that these claims should go to the Court of Claims for adjudication, that all rights under the law might be there adjudicated, and that then they should be brought before the House for an appropriation of money for their payment. In this bill you propose to pass by the Court of Claims and direct the accounting officers in the different departments of the Government to adjust all the claims of these men who have been compelled by duress to remain without payment of their just claims.

Mr. COBB. What is the difference between this bill and the bill passed in 1872?

Mr. TARSNEY. The eight-hour law was originally passed on the 25th day of June, 1868. Time passed on and President Grant was elected, and when his attention was called to the fact that the provisions of the eight-hour law had been disregarded he issued a proclamation, a copy of which I hold in my hand, directing the officers in the different Departments of the Government to enforce the law. On the 18th day of May, in the year 1872, which is the bill referred to by the gentleman from Alabama [Mr. COBB], at that time, by a rider on an appropriation bill, provided that all persons employed from 1868 to the date of the President's proclamation should be paid in accordance with the terms of the original act. That law covered only ten months and twenty-three days.

This bill now pending before this House to-day is strictly in accord with the original act, and with the spirit of the proclamation of President Grant as well as with the spirit of the act passed in 1872.

Subsequently a supplemental declaration was issued by General Grant, and during his entire administration, up to the 3d day of March, the end of it, in 1877, there was a practical compliance with the law throughout the country.

Mr. BLOUNT. I would like to ask the gentleman a question.

Mr. TARSNEY. Very well.

Mr. BLOUNT. I wish to ask my friend what is the scope of the bill? Does it cover all salaried officials; or does it simply refer to persons hired by the day?

Mr. TARSNEY. I will answer the gentleman in a moment—no, I will answer him now. The language of the original act provided—

Whoever, as a laborer, workman, or mechanic, shall be employed, etc.

It requires no profound or eminent jurist, I take it, to know who is a laborer, a workman, or a mechanic; and yet it is even possible that some technical official upon the Court of Claims or elsewhere might place a forced construction upon the words. But I am inclined to think that any intelligent accounting officer in one of the Departments of the Government might place a construction upon it. I am not here to make a definition.

But, sir, as I was proceeding to say when my friend from Georgia—not interrupted, but asked a question——

Mr. BLOUNT. I see upon an examination of the bill which is before me that this relates to per diem wages.

Mr. TARSNEY. I will explain in a few moments.

During that administration, the administration of General Grant, this law, as I have said, was practically enforced; but it was not during the succeeding administration, and I do not know but that it may be disregarded in some Departments of the Government even at the present hour.

Mr. BLOUNT. I do not wish to interrupt the gentleman, but would like to ask as he proceeds if I have the right bill? This is numbered 9515.

Mr. TARSNEY. That is the correct bill.

Mr. BLOUNT. In this bill the language used is—

That whoever as a laborer, workman, or mechanic has been employed at per diem wages, etc.

Mr. TARSNEY. Certainly.

Mr. BLOUNT. I understood you to say a moment ago that that was not the language of this bill.

Mr. TARSNEY. I did not mean that; no. The difference, I will state to the gentleman from Georgia, is in the eighth line of the bill, which was considered a month ago, where it provided—

Whether engaged on per diem compensation or piece or task work.

Those words have been stricken out and the words substituted which the gentleman finds in this bill. I will state briefly the reason why this was done.

One who is employed by the piece or task work may be employed perhaps but four hours' time during a day; but yet in this time, because of the character of work he is doing, he may be able to earn more than a person who is otherwise employed for eight or ten hours a day.

These men were employed under a special contract to do a particular kind of work in a given time, and to do it at so much compensation. They did it. These words, then, are stricken out so as to reach a class of people who have been paid everything the Government contemplated they should receive at the time they were employed, and all they expected to receive under their agreement.

The only other change in the bill that I now recall is this: When a like measure was before the House last month serious objections were urged here upon the floor, and amendments were offered providing that no assignee of these claims should be permitted to present the claims to the Government. Individually speaking, I should not care whether an assignee interposes or not; for I do not believe that any, or, if any, that many of these claims have been assigned. Other objections urged against the bill were that lawyers were engaged in this business with their sleeves rolled up, and waiting to get a chance in this grab. The change of this bill is found in the following language, as gentlemen will observe:

Provided, That all claims arising under this act shall be presented within two years from its approval by the claimants, their heirs, or administrators, except infants and insane persons, and that no draft or warrant for money on such claim be delivered to any person except the heirs or personal representatives of such claimant: *And be it further provided*, That in no case shall any money be paid by reason of this act to any attorney or assignee.

Now, then, while I stand here as a citizen and say that individually I would not care if an assignee interposed, or that a lawyer, if you please, presenting his client's case to the court, as he has a right to, should interpose, yet in the interest of that which I believe to be common justice to a wronged class of men in this country, and to whom you promised by your legislation to pay a certain sum for doing a certain service under a contract upon your part, but whom you compelled by stress of circumstances, and at times an appeal being made to the possibility of empty stomachs, to work beyond the limit fixed by the law—waiving, I say, all rights given under that law, when they come and ask that Congress shall do them simple and exact justice, and as the nation has been pledged to it, I repeat I waive any question of right of a particular individual as to the manner of presenting his claim, and stand here to say to this House to-day that the sole and only object of this bill is to carry out the provisions of the act of June 25, 1868, so that when it is enacted into a law and the wrong has been corrected you gentlemen may go back to your constituents at home and say that for once, at least, you have assisted in doing something that has carried out the promises made by Congress to the country. And let it not be said, gentlemen of the House, that the great Government of the United States dishonors its own promises, as it has dishonored them under this bill.

Mr. DOCKERY. Will the gentleman from Michigan permit me a question?

Mr. TARSNEY. Yes, sir.

Mr. DOCKERY. Will the gentleman give an estimate as to the probable cost of this bill?

Mr. TARSNEY. That I can not do. My recollection of the estimate obtained from the Navy Department is that it was about $3,000,000. But I say if it cost $50,000,000 it would not deter me as a Representative on this floor from voting it from the Treasury to pay an honest debt. We ought to pay in full what we promised to pay.

I have perhaps crudely, but as best I could, shown the differences between the bill we have here and the one we had before.

I reserve the remainder of my time.

Mr. ROGERS rose.

Mr. SPRINGER. Will the gentleman from Michigan allow me to ask him a question?

Mr. TARSNEY. Yes, sir.

Mr. SPRINGER. Does this apply to other departments of the Government than the Navy Department?

Mr. TARSNEY. It does. It applies to every department of the Government affected by the act of June, 1868.

Mr. SPRINGER. There are a number of men employed here about the Capitol and a number employed in the construction of the Library who are all put down in the Blue Book as paid by the day. So the geological chainmen, etc., are put down as paid by the day. In this Blue Book a great many persons are shown to be employed by the day in all the branches of the Government service. Does the gentleman desire to go over all these accounts for the last twenty years and have them adjusted?

Mr. TARSNEY. I do not; but I want the accounting officers of the Government to do it and carry out the provisions of the bill. Wherever a laborer, workman, or mechanic has been employed under the provisions of that law I want it to apply.

Mr. SPRINGER. Some of these laborers are put down as paid by the month. Are they not included? Some, for example, are paid $30 or $40 a month, while others are paid so much a day. Will you make a discrimination against those who are paid by the month?

Mr. TARSNEY. I will say to my friend from Illinois that of course none of us are responsible for the violations of law by Department officers. We have attempted to frame this bill and bring it before the House so as to conform with the spirit and letter of the act of 1868. We can not go into the Departments and look at the various rulings—and misrulings in many instances—made there.

Mr. WARNER. Will the gentleman permit me a question?

Mr. TARSNEY. Yes, sir.

Mr. WARNER. I wish to ask the gentleman if the only purpose of the committee in this bill is not to have the Government carry out in this case its contract and the law of Congress?

Mr. TARSNEY. The gentleman has expressed the entire purpose of the committee.

Mr. BLAND. If the gentleman will yield I understand we are to have a caucus this evening. The committee has another day, and I will move that the committee rise and that the House then adjourn.

Mr. ROGERS. I yield for that motion with the understanding that I will be recognized when this bill is again called up.

Mr. TARSNEY. I did not yield the floor.

The CHAIRMAN. The gentleman from Michigan said he reserved his time, and took his seat. The gentleman from Arkansas was then recognized. That gentleman yields to the gentleman from Missouri for a motion that the committee rise.

Mr. TARSNEY. I resumed the floor after stating that I reserved my time.

The question being put on Mr. BLAND'S motion that the committee rise, it was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TOWNSHEND reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 9515) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law, had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, informed the House that the Senate had passed the bill (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge the Red and Little Rivers in the State of Arkansas.

ORDER OF BUSINESS.

Mr. BLAND. I move that the House do now adjourn.

The question being taken, the Speaker stated that in the opinion of the Chair the "ayes" had it.

Mr. TARSNEY and others called for a division.

The House divided; and there were—ayes 84, noes 45.

Mr. MORRILL. I call for the yeas and nays.

The question being taken on ordering the yeas and nays, there were—ayes 29, noes 105.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

Mr. ANDERSON, of Kansas. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON, of Kansas. I understand the gentlemen on the other side of the House desire to meet this evening for consultation. [Cries of "Regular order!"]

Mr. DINGLEY. That is not a parliamentary question.

The SPEAKER. Of course not; and the regular order is demanded.

Mr. ANDERSON, of Kansas. My parliamentary question is this, whether the Labor Committee has an assignment for a later day?

Mr. O'NEILL, of Missouri. Yes; the 16th of May.

Mr. ANDERSON, of Kansas. Will you have this bill called up at that time?

Mr. O'NEILL, of Missouri. Yes, sir.

The question was taken; and there were—yeas 76, nays 119, not voting 129; as follows:

YEAS—76.

Anderson, Miss.	Cowles,	Kerr,	Randall,
Anderson, Ill.	Dalzell,	Kilgore,	Rice,
Baker, Ill.	Dargan,	Laffoon,	Richardson,
Bankhead,	Davidson, Ala.	Lagan,	Rogers,
Barnes,	De Lane,	Landes,	Rowland,
Blanchard,	Dockery,	Macdonald,	Sayers,
Bland,	Elliott,	Mansur,	Springer,
Blount,	Enloe,	Martin,	Stewart, Vt.
Buckalew,	Gay,	McCreary,	Stockdale,
Burnes,	Glass,	McKinney,	Stone, Ky.
Burnett,	Grimes,	McMillin,	Stone, Mo.
Candler,	Hare,	Mellae,	Tillman,
Cannon,	Hatch,	Montgomery,	Tracey,
Carlton,	Herbert,	Moore,	Turner, Ga.
Caruth,	Hiestand,	Morgan,	Walker,
Caswell,	Hooker,	Neal,	Whitthorne,
Catchings,	Hopkins, Va.	Outhwaite,	Wilkinson,
Clements,	Hudd,	Peel,	Wilson, W. Va.
Cobb,	Johnston, N. C.	Penington,	Wise.

NAYS—119.

Allen, Mich.	Bliss,	Burrows,	Darlington,
Anderson, Iowa	Bound,	Butler,	Davis,
Anderson, Kans.	Boutelle,	Campbell, T. J., N. Y.	Dingley,
Arnold,	Brumm,	Cheadle,	Dorsey,
Atkinson,	Bryce,	Cogswell,	Ermentrout,
Baker, N. Y.	Buchanan,	Conger,	Farquhar,
Bingham,	Bunnell,	Cummings,	Fisher,

Fitch,	Kean,	Parker,	Spooner,
Foran,	Laidlaw,	Perkins,	Stahlnecker,
Ford,	Laird,	Phelan,	Stephenson,
French,	Lawler,	Plumb,	Stewart, Tex.
Fuller,	Lehlbach,	Post,	Struble,
Gallinger,	Lind,	Rayner,	Tarsney,
Gear,	Long,	Reed,	Taylor, J. D., Ohio
Gest,	Lyman,	Rockwell,	Thomas, Ky.
Goff,	Mason,	Romeis,	Townshend,
Guenther,	McClammy,	Rowell,	Vance,
Harmer,	McComas,	Russell, Conn.	Vandever,
Haugen,	Merriman,	Ryan,	Wade,
Hayden,	Mofflit,	Sawyer,	Warner,
Henderson, Iowa	Morrill,	Scull,	Weaver,
Henderson, Ill.	Morrow,	Seney,	Weber,
Hires,	Nelson,	Seymour,	Whiting, Mich.
Holman,	Nichols,	Shaw,	Whiting, Mass.
Hopkins, Ill.	Nutting,	Sherman,	Wilber,
Houk,	O'Donnell,	Shively,	Wilkins,
Hovey,	O'Neill, Pa.	Smith,	Wilson, Minn.
Hunter,	O'Neill, Mo.	Snyder,	Yardley,
Jackson,	Osborne,	Sowden,	Yost.
Johnston, Ind.	Owen,	Spinola,	

NOT VOTING—129.

Abbott,	Cox,	Hopkins, N. Y.	Payson,
Adams,	Crain,	Howard,	Perry,
Allen, Mass.	Crisp,	Hutton,	Peters,
Allen, Miss.	Crouse,	Jones,	Phelps,
Bacon,	Culberson,	Kelley,	Pidcock,
Barry,	Cutcheon,	Kennedy,	Pugsley,
Bayne,	Davenport,	Ketcham,	Robertson,
Belden,	Davidson, Fla.	La Follette,	Russell, Mass.
Belmont,	Dibble,	Lane,	Rusk,
Biggs,	Dougherty,	Lanham,	Scott,
Boothman,	Dunham,	Latham,	Simmons,
Bowden,	Dunn,	Lee,	Steele,
Bowen,	Felton,	Lodge,	Stewart, Ga.
Breckinridge, Ark.	Finley,	Lynch,	Symes,
Breckinridge, Ky.	Flood,	Maffett,	Taulbee,
Brewer,	Forney,	Mahoney,	Taylor, E. B., Ohio
Brower,	Funston,	Maish,	Thomas, Ill.
Browne, T. H. B., Va.	Gaines,	Matson,	Thomas, Wis.
Browne, Ind.	Gibson,	McAdoo,	Thompson, Ohio
Brown, Ohio	Glover,	McCormick,	Thompson, Cal.
Brown, J. R., Va.	Granger,	McCullogh,	Turner, Kans.
Butterworth,	Greenman,	McKenna,	Washington,
Bynum,	Grosvenor,	McKinley,	West,
Campbell, F., N. Y.	Grout,	McShane,	Wheeler,
Campbell, Ohio	Hall,	Milliken,	White, Ind.
Chipman,	Hayes,	Mills,	White, N. Y.
Clardy,	Heard,	Morse,	Wickham,
Clark,	Hemphill,	Newton,	Williams,
Cockran,	Henderson, N. C.	Norwood,	Woodburn,
Collins,	Hermann,	Oates,	Yoder.
Compton,	Hitt,	O'Ferrall,	
Cooper,	Hogg,	O'Neall, Ind.	
Cothran,	Holmes,	Patton,	

So the House refused to adjourn.

During the roll-call,

On motion of Mr. JACKSON, by unanimous consent, the recapitulation of the names of members voting was dispensed with.

Mr. BLOUNT. Mr. Speaker, I desire to state that my colleague, Mr. STEWART, is quite sick at his room and unable to be present.

Mr. JOHNSTON, of North Carolina. I desire to say that my colleague, Mr. SIMMONS, was compelled to leave the House about two hours ago by illness.

The following-named members were announced as paired on all political questions until further notice:

Mr. MAISH with Mr. WHITE, of New York.

Mr. YODER with Mr. FINLEY.

Mr. RUSK with Mr. BROWN, of Ohio.

Mr. SCOTT with Mr. COOPER.

Mr. HEMPHILL with Mr. BUTTERWORTH.

Mr. LANE with Mr. WICKHAM.

Mr. LATHAM with Mr. GROSVENOR.

Mr. PERRY with Mr. DUNHAM.

Mr. SNYDER with Mr. THOMPSON, of Ohio.

Mr. HAYES with Mr. FELTON.

Mr. COTHRAN with Mr. LA FOLLETTE.

Mr. HOGG with Mr. MCCULLOGH.

Mr. FORNEY with Mr. BOOTHMAN.

Mr. CLARDY with Mr. BROWNE, of Indiana.

Mr. ALLEN, of Mississippi, with Mr. WILLIAMS.

Mr. MATSON with Mr. PUGSLEY.

Mr. HENDERSON, of North Carolina, with Mr. FLOOD.

Mr. FORAN with Mr. HOLMES.

Mr. HUTTON with Mr. PATTON.

Mr. MCSHANE with Mr. CROUSE.

Mr. SPINOLA with Mr. THOMAS, of Illinois.

Mr. COMPTON was announced as paired with Mr. BREWER, until Thursday next.

Mr. MCKINLEY was announced as paired with Mr. MILLS, for the remainder of this week.

The following-named members were announced as paired for this day:

Mr. HEARD with Mr. STEELE.

Mr. BURNETT with Mr. CLARK.

Mr. BRECKINRIDGE, of Arkansas, with Mr. HENDERSON, of Illinois.

Mr. SIMMONS with Mr. BROWER.

Mr. BOWDEN with Mr. LANHAM.

Mr. GRANGER with Mr. LAIRD.

Mr. RUSSELL, of Massachusetts, with Mr. MCKENNA.

Mr. DUNN with Mr. BAYNE.

Mr. BRECKINRIDGE, of Kentucky, with Mr. ALLEN, of Massachusetts.

Mr. DAVIDSON, of Florida, with Mr. KELLEY.

Mr. OATES with Mr. LODGE, after the 17th instant.

Mr. DIBBLE with Mr. MILLIKEN.

The result of the vote was then announced as above recorded.

Mr. TARSNEY. I move that the House go into Committee of the Whole on the state of the Union for the further consideration of the special order.

The question was taken; and the Speaker declared that the "noes" seemed to have it.

Mr. BRUMM. I call for a division.

The House divided; and there were—ayes 65, noes 36.

A MEMBER. No quorum has voted.

Mr. TARSNEY. Mr. Speaker, I ask unanimous consent to make a statement. If the House will now go into Committee of the Whole, I will at once move that the committee rise, and then will make a motion that the House adjourn.

Several MEMBERS. Make it now.

The SPEAKER. The gentleman can make that motion now if he wishes to do so. No quorum has voted.

Mr. TARSNEY. Then I move that the House adjourn.

The motion was agreed to; and the House accordingly (at 5 o'clock p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BINGHAM: A bill (H. R. 9535) granting a pension to Anna Marie Heitmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9536) granting a pension to Adelaide Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9537) removing the charge of desertion against Daniel O'Sullivan—to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 9538) granting a pension to Michael Ottinger—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 9539) for the relief of Wilbur F. Melbourne—to the Committee on Military Affairs.

By Mr. CASWELL: A bill (H. R. 9540) granting a pension to Martha J. Rushford, widow of John Rushford—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 9541) for the relief of Rebecca Rhodes—to the Committee on Invalid Pensions.

By Mr. DORSEY: A bill (H. R. 9542) to increase the pension of Olive Rogers, widow of Commodore Rogers—to the Committee on Invalid Pensions.

By Mr. GROUT: A bill (H. R. 9543) increasing the pension of Emily J. Stannard—to the Committee on Invalid Pensions.

By Mr. T. D. JOHNSTON: A bill (H. R. 9544) to place the name of Samuel Massey on muster-rolls of Company K, Tenth Michigan Cavalry—to the Committee on Military Affairs.

By Mr. LAFFOON: A bill (H. R. 9545) granting a pension to William C. Noel—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 9546) for the relief of Levi A. Swain—to the Committee on Claims.

By Mr. MAFFETT: A bill (H. R. 9547) granting a pension to Samuel J. Wright—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 9548) for the relief of Carl L. Recknagel—to the Committee on Claims.

By Mr. NEAL: A bill (H. R. 9549) granting a pension to Jacob C. Bean—to the Committee on Invalid Pensions.

By Mr. RANDALL: A bill (H. R. 9550) granting a pension to John K. McGinley—to the Committee on Invalid Pensions.

By Mr. O. B. THOMAS: A bill (H. R. 9551) granting a pension to Mary Davis, widow of Robert K. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9552) granting a pension to Nicholas T. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9553) for the relief of John Rapp—to the Committee on War Claims.

By Mr. WHITTHORNE: A bill (H. R. 9554) to authorize the Quartermaster-General of the United States Army to investigate the claim of the representatives of Robert T. Williams, deceased, against the United States, etc.—to the Committee on War Claims.

By Mr. THOMAS WILSON: A bill (H. R. 9555) granting a pension to Peter J. Cratzer—to the Committee on Invalid Pensions.

By Mr. J. R. WHITING: A bill (H. R. 9556) for the relief of George Heller—to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 9557) for the relief of Mrs. Margaret Longshaw—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BELDEN: Petition of J. C. Miller and 10 others, citizens of Baldwinsville, N. Y., protesting against the adulteration of lard—to the Committee on Agriculture.

By Mr. BINGHAM: Resolutions of the Philadelphia Maritime Exchange against the proposed change in the tariff on sugar—to the Committee on Ways and Means.

Also, resolutions of the Grand Army of the Republic of Pennsylvania, recommending the passage of Senate bills 509, 1000, and 1770, and the enactment of such legislation as recommended by the national committee on pensions of the Grand Army of the Republic—to the Committee on Invalid Pensions.

By Mr. BLISS: Petition of ex-volunteer officers of the Army, relative to refunding the income tax deducted from commissioned officers' salaries during the late war—to the Committee on War Claims.

By Mr. BOUND: Petition of E. W. Stewer and others, of Millersburgh, Pa., for repeal of so much of the internal-revenue laws classing druggists as liquor dealers, etc.—to the Committee on Ways and Means.

By Mr. BOWDEN: Petition of Mrs. Milton R. Muzzy, for relief—to the Committee on War Claims.

By. Mr. BRYCE (by request): Petition of merchants and others, of Chicago, Ill., for reduction of tariff on colored bottles—to the Committee on Ways and Means.

By Mr. FELIX CAMPBELL: Petition of postal clerks on Long Island, New York, in favor of House bill 8072—to the Committee on the Post-Office and Post-Roads.

By Mr. CAREY: Petition of 18 citizens, and of 27 citizens, of Wyoming Territory, for the payment of Indian depredation claims—to the Select Committee on Indian Depredation Claims.

By Mr. FITCH: Petition of the Lager Beer Brewers' Board of Trade of New York City, in favor of the reduction of letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES: Petition of Alexander Donnan, administrator of Ann F. Bolling, of Dinwiddie County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. HARMER: Protest of the Philadelphia Maritime Exchange against provisions contained in the Mills bill relating to sugar and molasses—to the Committee on Ways and Means.

By Mr. HATCH: Petition of James B. Fry, of Terre Haute, Mo., relative to an invention—to the Committee on Patents.

By Mr. HEMPHILL: Petition of 15 citizens of Chester, and of 35 citizens of Cheraw, S. C., in reference to pure lard—to the Committee on Agriculture.

By Mr. HOUK: Petition of ex-Union soldiers of Atlanta, Ga., of Swain County, North Carolina, of Sevier County, of Knox County, of Greene County, of Jefferson County, of Wayne County, of Bedford County, of Loudon County, of Hawkins County, of Nashville, Tenn., and of William Cams Post, of Ed. Maynard Post, of Byrd's Hill Post, and of Tazewell Post, Tennessee, for the establishment of a branch Soldiers' Home at Knoxville, Tenn.—to the Committee on Military Affairs.

By Mr. LEE (by request): Petition of John C. Rowe, of Stafford County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. McCOMAS: Petition of Edward F. Tucker, for relief—to the Committee on Invalid Pensions.

Also, petition of Robert H. Boteler, of Frederick County, Maryland, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Thomas P. Spates, heir of George W. Spates, of Montgomery County, Maryland, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MAHONEY: Petition of S. T. Homan, G. W. Fitch, and other postal clerks, for the passage of House bill 8072—to the Committee on the Post-Office and Post-Roads.

By Mr. NEAL: Petition of Semantha M. Snead, executrix of Robert Snead, of Monroe County, and of executor of estate of John M. Richardson, of Hamilton County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. NEWTON: Petition of Mrs. Catharine S. A. Miller, to have her claim referred to the Court of Claims—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Petition of the Maritime Exchange of Philadelphia, against the sugar and molasses schedule of the Mills tariff bill—to the Committee on Ways and Means.

By Mr. OSBORNE: Petition of Dr. George W. Kennedy and 32 others, citizens of Pottsville, Pa., for repeal of law requiring druggists to take out license as liquor dealers—to the Committee on Ways and Means.

By Mr. OUTHWAITE: Petition of O. Pollak and 40 others, favoring the passage of House bill 8381—to the Committee on Military Affairs.

By Mr. PHELAN: Petition of Shelton W. White and Mary E. White, executors of C. C. White, for relief—to the Committee on War Claims.

By Mr. RICE: Resolution of Farmers' Alliance of Washington County, Minnesota, favoring the placing on the free-list all articles of production, including iron and coal, controlled by so-called trusts or other combinations—to the Committee on Ways and Means.

By Mr. C. A. RUSSELL: Petition of steam-boat captains, engineers, and pilots of Connecticut, for refunding of license fees collected from officers of steam-vessels from June 8, 1864, to April 5, 1882—to the Committee on Commerce.

By Mr. SPRINGER: Memorial of the supervisors of Christian County, Illinois, for the passage of House bills 6409 and 4792—to the Committee on the Public Lands.

By Mr. STAHLNECKER: Petition of the Pennsylvania Forestry Association calling attention to defects in House bill 7901, etc.—to the Committee on Agriculture.

Also, petition of merchants and others of Chicago, Ill., against the present duty on colored glass bottles—to the Committee on Ways and Means.

By Mr. STOCKDALE: Petition of 228 citizens of Adams County, Mississippi, against the Butterworth and Dawes lard bills—to the Committee on Agriculture.

By Mr. SHAW: Petition of citizens of Chicago, Ill., against the present duty on colored glass bottles—to the Committee on Ways and Means.

Also, petition of the Pennsylvania Forestry Association to protect the forests on the public domain—to the Committee on the Public Lands.

By Mr. E. B. TAYLOR: Petition of citizens of Mahoning County, Ohio, for the passage of a law for the extirpation of contagious diseases of cattle—to the Committee on Agriculture.

By Mr. TILLMAN: Petition of Julia R. Speaks, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. G. M. THOMAS: Petition in the claim of Fleming Puckett—to the Committee on Invalid Pensions.

By Mr. TRACEY: Petition of the Empire Knitting Mills of Cohoes, N. Y., opposing tax on refined lard—to the Committee on Agriculture.

Also, petition of 600 bottlers of the United States for a reduction of duty on imported bottles—to the Committee on Ways and Means.

By Mr. WASHINGTON: Petition of Z. C. Utley, by his daughter, Oleste G. Ward, of Davidson County, Tennessee, for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of James Gardner, of Williamson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BUNNELL: Of citizens of Bradford County, Pennsylvania.

By Mr. BURNES: Of William H. Tibbals and others, citizens of Parkville, Mo.

By Mr. FORD: Of A. S. Kedzie and many others, citizens of Grand Haven, Mich.

By Mr. LAIDLAW: Of citizens of Bolivar, N. Y.

By Mr. MILLIKEN: Of L. A. Emery and others, citizens of Hancock County, Maine.

By Mr. REED: Of citizens of Gray, Me.

By Mr. STAHLNECKER: Of citizens of Yorktown and New Castle, N. Y.

The following petitions for the more effectual protection of agriculture, by means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. E. P. ALLEN: Of John F. Dusing and 48 others, citizens of Monroe County, Michigan.

By Mr. ATKINSON: Of 24 citizens of Fort Loudon, Pa.

By Mr. BROWER: Of citizens of Buncombe County, North Carolina.

By Mr. BUNNELL: Of citizens of Bradford County, Pennsylvania.

By Mr. DE LANO: Of 40 farmers of Fenner, Madison County, and of 30 citizens of Richford, Tioga County, New York.

By Mr. GROUT: Of M. C. Vance and 42 others, citizens of Groton, Vt.

By Mr. REED: Of citizens of Oxford County, Maine.

By Mr. C. A. RUSSELL: Of citizens of Nepang, and of Eureka Grange, of New Hartford, Connecticut.

By Mr. O. B. THOMAS: Of H. A. Ellis and 28 others, practical farmers of Clark County, Wisconsin.

By Mr. YARDLEY: Of 98 farmers of Montgomery County, Pennsylvania.

The following petitions, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BELDEN: Of Matthew F. Woods and 51 others, Knights of Labor of Syracuse, N. Y.

By Mr. BURROWS: Of citizens of Michigan.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BREWER: Of A. W. Matthews and 200 others, citizens and soldiers of Genesee County, Michigan.

By Mr. FISHER: Of George J. Hill and 77 others, of Michigan.

By Mr. FITCH: Of John J. Humphreys and 15 others, of E. S. Parego and 7 others, of Michael H. Quinn and 3 others, and of Miles Ryan and 4 others, residents of New York City.

By Mr. FULLER: Of R. Z. Latimer and 78 ex-soldiers of Fayette County, Iowa.

By Mr. GREENMAN: Of 20 citizens of Hartford, of 63 citizens of Granville, of 29 citizens of Whitehall, of 44 citizens of Fort Ann, of 26 citizens of Fort Edward, of 70 citizens of Cambridge, of 41 citizens of Argyle, and of 56 citizens of Greenwich, N. Y.

By Mr. HOVEY: Of Fred B. Wood and 29 others, ex-soldiers of Indiana.

By Mr. MAHONEY: Of Eugene Orr, John L. Bond, and others, citizens of New York.

By Mr. PETERS: Of ex-soldiers and sailors of Belle Plaine, Kans.

By Mr. J. R. WHITING: Of G. J. Hill and 38 others, ex-soldiers, of Tuscola County, Michigan.

The following petitions praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. MORSE: Of 97 citizens of Dorchester, Mass.

By Mr. STAHLNECKER: Of citizens of Dobb's Ferry, N. Y.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BOUND: Of P. F. Eisenbrown and others, of Greenbrier, Pa.

By Mr. COBB: Of M. T. Barksdale and others, of Dean, Ala.

SENATE.

THURSDAY, *April* 19, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 11th instant, a full and complete list of all judicial officers who have been retired on pay, with the date of the retirement of each, and if any have died the date of such deaths, the office held by each, the amount of his annual pay, the aggregate of annual pay of those so retired, and the aggregate of the money which has been so paid, etc.; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of February 6, 1888, certain information respecting the condition of the Missouri River near Sioux City, Iowa, and what improvements are needed in the navigation of that river; which, with the accompanying papers, were referred to the Committee on Commerce, and ordered to be printed.

COMMITTEE SERVICE.

Mr. COKE. I ask the unanimous consent of the Senate to be excused from further service upon the Select Committee on Indian Traders.

The PRESIDENT *pro tempore*. The Senator from Texas asks to be excused from further service upon the Select Committee on Indian Traders. If there be no objection, it is so ordered. How shall the vacancy be filled? ["By the Chair."] The Chair will appoint the Senator from West Virginia [Mr. FAULKNER] to serve upon the committee in place of the Senator from Texas, resigned.

PETITIONS AND MEMORIALS.

Mr. HARRIS presented a preamble and resolutions in the nature of a petition of the Merchants' Exchange of Memphis, Tenn., praying for legislation to prevent common carriers from discriminating between shippers by underbilling; which were referred to the Committee on Interstate Commerce.

Mr. CULLOM presented a petition of 51 citizens of Prophetstown, Ill., members of the Prophetstown Gun Club, praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented a petition of 50 citizens of Clayton, Ill., praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. MORRILL presented a petition of sundry ex-Union soldiers and sailors, citizens of Vermont, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. CAMERON presented a petition adopted by the annual encampment of the Grand Army of the Republic, Department of Pennsylvania, held at Allentown, Pa., praying for the passage of certain general pension bills; which was referred to the Committee on Pensions.

He also presented sundry petitions of citizens of Millersburgh, Bethlehem, and other towns in the State of Pennsylvania, praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers, and for the reduction of the tax on spirits; which were referred to the Committee on Finance.

He also presented a memorial of the Philadelphia (Pa.) Maritime Exchange, remonstrating against the proposed reduction of the duty on sugar contained in the Mills tariff bill; which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the repeal of the internal-revenue laws; which was referred to the Committee on Finance.

He also presented a petition of ex-Union soldiers and sailors, citizens of Spragg's, Greene County, Pennsylvania, and a petition of ex-Union soldiers and sailors, citizens of Wind Ridge, Greene County, Pennsylvania, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

Mr. HAWLEY presented the memorial of Richard Peck and 9 other citizens of New Haven, Conn., praying that a steam fog-horn be established near the entrance to New Haven Harbor, Connecticut; which was referred to the Committee on Commerce.

Mr. QUAY presented a petition of ex-Union soldiers and sailors, citizens of Greene County, Pennsylvania, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Greene County; a petition of druggists, citizens of New Brighton, Beaver County; a petition of physicians and druggists of Clarion County; a petition of physicians and druggists of Philadelphia; a petition of physicians and druggists of Montoursville, and the petition of Dr. William Delker, of Philadelphia, all in the State of Pennsylvania, praying for the repeal of the law classing druggists as liquor dealers, etc.; which were referred to the Committee on Finance.

Mr. COCKRELL. I present resolutions adopted by the St. Louis Circuit of Turners, remonstrating against the passage of any laws tending to make the right of immigration dependent on the personal views of the immigrant, or which may be construed so as to restrict or impede immigration, and praying that the existing laws against the importation or landing of bond slaves, laborers under contract, criminal convicts, insane people, and paupers be strictly enforced. I suppose the memorial should be referred to the Committee on Education and Labor or to the Committee on Foreign Relations.

The PRESIDENT *pro tempore*. The memorial will be referred to the Committee on Foreign Relations, if there be no objection.

Mr. FRYE presented a petition of citizens of the towns of Hartford and Sumner, in Oxford County, Maine, praying for the adoption of police regulations to prevent the manufacture and sale of adulterated articles, etc.; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of citizens of the towns of Hartford and Sumner, in Oxford County, Maine, praying that the work of the eradication of pleuro-pneumonia may be continued under the Bureau of Animal Industry, with a chief who shall be a competent veterinary surgeon, etc.; which was ordered to lie on the table.

He also presented a petition of citizens of Oxford County, Maine, praying for the repeal of the law allowing the products of Maine forests to be manufactured in the province of New Brunswick and reshipped to the United States free of duty; which was referred to the Committee on Finance.

Mr PLATT. I present the petition of W. H. Van Wert, chief engineer of the steamer Narragansett, and 86 other engineers, masters, and pilots of steam-vessels, citizens of Connecticut, praying for the passage of the bill refunding license fees. I understand that bill has been reported unfavorably, and is now upon the Calendar. I therefore move that the petition lie on the table.

The motion was agreed to.

Mr. SHERMAN presented three petitions signed by 125 ex-Union soldiers and sailors, citizens of Ohio, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

Mr. SPOONER presented a petition adopted by the Bartlett Clinical Club, of Milwaukee, Wis., praying Congress, in the cause of humanity, to remove all import duties upon medicines, medical and surgical appliances, and everything used in the treatment and diagnosis of disease; which was referred to the Committee on Finance.

Mr. PALMER presented a petition of E. B. Harris and 34 other surviving soldiers and sailors of the Union Army, citizens of New Haven and New Baltimore, Mich., praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. SABIN presented a petition of the Farmers' Alliance of Washington County, Minnesota, praying that all articles of production and manufacture controlled by trusts be placed on the free-list; which was referred to the Committee on Finance.

He also presented a petition of citizens of Little Falls, Minn., praying for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented a petition of the Minneapolis (Minn.) Board of Trade, praying for the construction of a ship-canal around Niagara Falls; which was referred to the Committee on Commerce.

He also presented a petition of citizens of Meagher County, Montana Territory, praying that mineral lands in that Territory be preserved to citizens of the United States; which was referred to the Committee on Public Lands.

Mr. DANIEL. I present the petition of Henry M. Price, a citizen of Virginia, grantee of the Republic of Venezuela, and of the officers and directors of the Venezuela Company, praying for the intervention of the Congress of the United States to secure protection of the rights of the grantees and reparation for wrongs committed by the authorities of Venezuela. In view of the nature of the petition, which involves an international affair, I ask that it be printed in the RECORD.

The petition was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

To the honorable the Senate and House of Representatives of the United States of America:

Your complainant, Henry M. Price, a citizen of the State of Virginia, would respectfully set forth and show that on the 5th day of February, 1866, at the office of A. I. Dovale & Co., South street, city of New York, Alvariz De Lugo, the accredited minister of the Republic of Venezuela to the United States of America, did, in fulfillment of a decree of his government, dated on the 13th of September, 1865, and by order thereof, enter into, sign, seal, and deliver a contract with and unto the said Henry M. Price and those whom he might associate with himself, all of the then unappropriated lands in the territory of Guiana and the Amizonias south of the eighth degree of north latitude for colonization purposes, and also certain exclusive privileges, mining, commercial, and otherwise, as set forth in the accompanying copy of said grant (*post*, marked A, pages 85, 86); which exclusive privileges were understood and intended as the source of compensation for the said Henry M. Price and his associates for their time, labor, trouble, and expense in carrying out the colonization part of the contract for the benefit of Venezuela.

Your complainant would further show that in accordance with the said grant, he associated with himself certain other citizens of Virginia and other States, and organized under the name and title of the "Venezuela Company," in order to carry out in good faith the intention and colonization purposes of said contract of grant, together with exclusive privileges accorded to them, mining, commercial, and otherwise. Said company duly organized in the town of Scottsville by the election of Henry M. Price, the grantee, as president and director; Rev. J. A. Doll, as vice-president and director; Jacob Briggs, of Scottsville, Va., as secretary and director; Christopher Hornsey, of Charlottesville, Va., as treasurer and director; and the following additional directors: James Mason, esq., of Scottsville, Va.; Col. R. H. Musser, of St. Louis, Mo.; R. R. Collier, esq., of Petersburgh, Va.; Richard Goodwin, esq., of Jackson, Tenn.; Octavius Goodrich, esq., of Smithfield, Isle of Wight County, Virginia; Commodore J. R. Tucker, C. S. N., Norfolk, Va.; Col. William Belton, Brooklyn, N. Y.; Maj. J. Harris, New York City, and Hon. Florentia Rivas, Venezuelan secretary of legation at Washington, to represent in the board of directors the special and specific interests of Venezuela.

Your complainant would further show that the officers and directors carried out the purposes of the company in good faith; he as its executive head devoting his entire time and energies to the interest and purposes of the company. That in accordance with his duty as such executive head, after first sending out from the city of New Orleans in January, 1867, under the auspices of Capt. Frederick H. Johnson, U. S. S., a party of fifty emigrants to fulfill the terms and conditions of the "contract of grant" (see book, page 119), that vested in him and his associates the grant together with the special exclusive privileges of mining, etc., emigrants chiefly citizens of Missouri, Kentucky, Tennessee, Georgia, and Texas, he in person visited the territory granted, sailing from Wilmington, N. C., with a party of Southern emigrants, in order to select a suitable point as a commercial center, to secure the trade, commerce, and control the mining operations of the territory granted, and insure its advantages to the United States in general and the State of Virginia specially. In fulfillment of this purpose, and in accordance with sound judgment, he selected Porte La Tablas, within the grant, on the Orinoco River, at or below the mouth of the Caroni, 60 miles below Ciudad Bolivar, the most accessible shipping point of the newly-discovered gold deposits, and possessing ample water front, and depth of water for the largest vessels, with a free, unobstructed channel out. This point he named "Caroni," and it is so designated on many American maps.

Our purposes and views for the selection were frankly stated to President De La Costa, the governor of Guiana, and the fact that the grant vested in us exclusive right, control over all mines and timbers and vegetable productions, in all lands within the grant then unappropriated, nor did he question it. He evinced, in common with all the business men of Ciudad Bolivar, objection to our selection for settlement of a site below that city, but urged these objections in no unpleasant, offensive, or arbitrary manner, suggesting and urging settlement at some point above Ciudad Bolivar, making our contemplated settlement entirely tributary, commercially, to Bolivar City; which was totally incompatible with our views and purposes.

However, to gratify and satisfy him and the citizens of Bolivar, the local government providing in the most generous and liberal manner for our comfort, we explored the upper Orinoco and the Couri to its falls, finding a most magnificent country, rich in varied and valuable vegetable productions, but in no other way or respect meeting our views of the future in the selection of a permanent commercial site, and we so reported to President De La Costa. While showing evident signs of disappointment, our intercourse was still pleasant, he requesting us to give the matter further thought before the arrival of expected emigrants.

One morning some days after we happened to meet his excellency on the plaza fronting the river, and a friendly greeting passed. In the short conversation that ensued he inquired: "Do you still hold the purpose of settlement at Porte La Tablas?" We replied, "we did." "You had better reconsider and follow 'counsel and a device,'" he said. "No," we replied, "we have duly weighed and considered the matter with reference to the interests I represent, and can not change our purpose." "Do you," he asked, "see that vessel in the river?" pointing to a small vessel lying at the bank. "I order you to go aboard of that vessel, and to her destination below! You can take either of the two companions now with you in the city, to accompany you; select and I will send him aboard." I looked at him with surprise, astonished at this evidence of arbitrary power in the chief magistrate of a territory in a professed free republic modeled after the United States of America.

Your complainant would further show that after some weeks' sojourn on the Lower Orinoco he became prostrated with malignant malarial fever, and his life feared. An order came to him and his companion, John Vancourt, of St. Louis, Mo., to be ready to leave on a vessel to pass down next day bound for New York. It proved to be a Dutch vessel loaded with hides. On landing in New York we requested ourselves taken to the Manhattan House—our usual stopping place in the city—where we for weeks upon weeks hovered between life and death, but most carefully nursed and taken care of by the kind and generous host, the southern residents of the city, and the Sisters of Charity, all of whom, at one time, hourly expected our demise. We at last reached Virginia, so broken down and shattered in health that it was some two years before we fully recovered. Our companion, John Vancourt, threatened with fever, also hastened home on our arrival in New York, but developed malignant malarial fever on the way and died either before or soon after reaching home.

Your complainant would further show that after his return both himself and the officials of the company—as far as his debility permitted—continued to labor in good faith for the colonization interests of the grant, and the arranging for funds to carry out the vested exclusive purposes of the "contract of grant" in mining and commercial purposes of the company. In order to be placed in a position to borrow capital or sell bonds and stock for the purpose of carrying out these purposes a portion of the Venezuela Company, associated as a body and were duly incorporated February 13, 1868, under the laws of the State of Virginia, as per copy of the act of incorporation accompanying, marked B, Book 92-95, and organized by the election of the officers of the Venezuela Company, and continuing the same directors, except, owing to Dr. H. M. Price's health, Col. R. H. Musser, of St. Louis, Mo., was elected president of the newly incorporated company, and Benjamin H. Vancourt, of St. Louis, and A. F. Ruddler, esq., Augusta, Ga., directors, and arrangements made to blend the interests and purposes of the two companies, and I, Frederick Pattison, was chosen a director and agent of the combined companies in England, to enlarge the emigration, and also to sell stock or negotiate loans, under the Virginia charter of incorporation, to purchase vessels, to facilitate emigration, and raise funds to develop the mines and carry out the commercial ends of the company. Unconscious of any complaint or cause of complaint upon the part of the Venezuelan Government, an English emigration, sent out under the auspices of the agent of the combined companies, were refused acknowledgment under the terms and conditions of the contract of grant—as informed from private sources—but no information or reason was extended to either the grantee, the company, or officers of the company by the Venezuelan Government.

From private sources we received information that the grant was rescinded; but the Government retained the most profound silence upon the subject—why or wherefore? This was the more strange from the fact that their secretary of legation, Hon. Florentio Rivas, was not only one of the directory of the Venezuela Company but one of the charter members of the company, incorporated by the laws of the State of Virginia, and cognizant of and fully posted upon all its acts and purposes. Yet even he became suddenly most profoundly silent.

The terms and conditions of the "contract of grant," as to questions arising or that might arise between the company, or any member thereof, and the Venezuelan Government, required they should be decided or determined in their courts, but under the supervision of the accredited minister of the government from which the party hailed. They ignored this contracted and agreed method knowing they had no ground of complaint; ignored all form of legal proceeding common and requisite in all other constitutional, civilized communities, but acted alone by arbitrary power, and a simple *ipse dixit*, regardless of the rights of others.

Your complainant, as the grantee, would further show that neither he nor the company could avail themselves of the contracted means of redress against the Venezuelan Government except by, with, and through the concurrent action and order of the executive and State Departments instructing the American minister accredited to Venezuela to act. His complaint, with a copy of the contract of grant, was duly filed, and repeatedly since, with the Chief Executive and State Department, but so far resulting only in the withholding redress to him, the grantee, and also from the hundreds of American citizens, stockholders in the Venezuela Company, suffering pecuniarily from and by this arbitrary act of the Venezuelan Government in the face of the plain requirements of the "contract" as to mode and method of their redress.

Under these circumstances of withholding redress to him from the Venezuela Company, the stockholders, American citizens, we are compelled to throw ourselves for protection and redress due them as American citizens upon your honorable body, the representatives and protectors of the rights of each and every American citizen, be he ever so humble, against any and all foreign wrong and aggression upon and in their vested rights secured by contract. Therefore your complainant, the grantee and executive head of the Venezuela Company, organized to carry out each and every of the provisions of the contract of grant, prays that he may be restored to all and every of the special exclusive rights under the "contract of grant" made him and, through him, the numerous American citizens, stockholders in the Venezuela Company in all their vested rights acquired through the "contract of grant" to him.

Your complainant would further show that the grant gave and gives to him and his associates (the Venezuela Company) the exclusive right and control of all minerals within the grant, a mean of compensation for time, labor, and expended means in carrying out the intention of the grant. Such was his construction of the grant, such the view of President De La Costa, and such of the Hon. Horatio Rivas, the Venezuelan secretary of legation, with whom the entire correspondence preliminary to the making the grant was conducted. He so led all persons to believe with whom he corresponded, as is fully shown by his published letter, to different citizens of the South, and inserted in the Manual of the Venezuela Company, issued by them to aid colonization, page 87, which he prays may be taken and made a part of this complaint, the authenticity being duly established by accompanying paper marked C. This vested right now includes the rich and productive gold mines of Guiana, all of which are embraced within the said grant of territory, besides deposits still richer, known now only to your complainant.

Your complainant would further show that if the Venezuelan authorities meant equivocation as to the grant of exclusive privilege, such course was beneath the dignity of a sovereign State, as it is that of all honorable men—is a fraud, and can not in equity hold in either State or private affairs as against man and man.

The mines and minerals are our property and should be returned to our possession, use, and benefit by all rules of equity, as was the intention of the parties conducting the negotiations.

Your complainant would further show that a portion of the said bounds of territory embraced in the grant, that lying to the east of the Caroni River, including the gold mines, have been lately seized and taken possession of by the authorities of British Guiana as a part of their territory. As to the rights of actual sovereignty or to which it belongs is not for us to decide; but it is beyond all question that at the date of grant, in 1865, and the date of its being perfected to your complainant and his associates, in 1866, and for years after, the Republic of Venezuela held certainly the *de facto* sovereignty, and unquestioned exercised all the rights of sovereign authority and the rights of eminent domain. Should any future settlement pass and vest the undisputed sovereignty in British Guiana it can in no way affect the actual rights of your complainants except as to a change of sovereignty and laws and form of govern-

ment; and your complainants are as justly entitled to protection at your hands as American citizens in all and every of their vested rights as fully and perfectly in the one case as the other. Of the vested rights of your complainants there can be no doubt, if any weight is attached by governments to the sanctity and inviolability of contracts as set forth and understood as to their true spirit and intent. Your complainant has no doubt of the fullest and amplest protection and the fullest and amplest reparation for all wrongs done him and his associates as American citizens by the arbitrary acts of the Venezuela Government and its officials; and he and they will ever pray, etc., as in duty bound.

HENRY M. PRICE,
Grantee and President of the Venezuela Company.

ANTIOCH, FLUVANNA COUNTY, VIRGINIA.

Your petitioner, Henry M. Price, in his own right, asks and claims special damages for his own use and benefit, not only for the period he was engaged in carrying out the purposes of the grant at his own cost, without compensation, through the arbitrary action of the Venezuela Government, but also for the losses and expenses of the four years subsequent, owing to disease brought on by the action towards himself of one of the officials of the Venezuela Government as set forth. He was incapacitated physically and mentally to take charge of or discharge the duties of any business. And he will ever pray, etc.

HENRY M. PRICE, *Grantee.*

ANTIOCH, FLUVANNA COUNTY, VIRGINIA.

IN FLUVANNA COUNTY COURT CLERK'S OFFICE, *April* 11, 1888.

Henry M. Price, grantee, whose name is signed to the foregoing writing, this day personally appeared before me, George M. Winn, deputy clerk of said county court, in my office aforesaid, and made oath to the same, and I further certify that I am well acquainted with the said Henry M. Price and know him to be the man he represents himself to be.

In testimony whereof I have hereunto set my hand and affixed the seal of the court the day and date above written.

[SEAL.] GEO. M. WINN, *Deputy Clerk.*

The following constitute the names and addresses of the present officers and directory of the Venezuela Company, death having brought changes. Certain of the justness and equity of their vested rights, the company have kept their organization perfect and continuous:

Dr. Henry M. Price, Antioch, Fluvanna County, Virginia, president and director; Col. R. H. Musser, Brunswick, Mo., vice-president and director; Jacob Briggs, esq., Scottsville, Va., secretary and director; James H. Price, esq., Jackson, Tenn., treasurer and director.

Directors: Hon. Charles F. Collier, Petersburgh, Va.; General J. C. Hill, Richmond, Va.; Octavius Goodrich, esq., Smithfield, Va.; Jonathan Browning, Albemarle County, Virginia; David Pitts, esq., Scottsville, Va.; George L. Kidd, Antioch, Fluvanna County, Virginia; Col. B. W. Taylor, Palmyra, Fluvanna County, Virginia.

NOTE.—There are about 2,000 shares of stock held, chiefly in the South, that holders' addresses are at present unknown or dead, and represented by minor heirs. The only large stockholders whose names are not signed to accompanying petition of stockholders are Benjamin P. Vancourt's heirs, St. Louis, Mo., 125 shares; S. Rowland, Raleigh, N. C., 250 shares; Frederick A. Johnson, New Orleans, 50 shares; Col. A. F. Ruddler, Augusta, Ga., 125 shares; I. Frederick Pattison, England, 50 shares; George L. Kidd, Fluvanna County, 125 shares; Col. B. W. Taylor, Palmyra, Fluvanna County, Va., 75 shares.

HENRY M. PRICE,
President Venezuela Company.

Mr. HISCOCK. I present a petition of the "Society of the Old Brooklynites" for a monument to the martyrs in the prison-ships at New York in the war for the independence of the country, presented by FELIX CAMPBELL, of Brooklyn. I move its reference to the Committee on the Library.

The motion was agreed to.

Mr. FAULKNER presented a memorial of Pomona Grange, No. 2, of Martinsburgh, Berkeley County, West Virginia, and a memorial of C. M. Brown, chairman of the Live Stock Sanitary Commission of Arizona, and others, protesting against the passage of the bill providing for the establishment of a Bureau of Animal Industry, etc.; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (H. R. 4365) to authorize the construction of an arsenal for the repair, storage, and distribution of ordnance and ordnance stores for the use of the Government of the United States at Columbia, Tenn., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1711) to close the account of Franklin W. McCauley, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (S. 2395) authorizing the President to appoint and retire John C. Frémont as a major-general in the United States Army, reported it without amendment, and submitted a report thereon.

Mr. COCKRELL. That is not a unanimous report, I desire to say.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 2461) appropriating $150,000 for quarters and barracks at the branches of the National Military Home for Disabled Volunteer Soldiers, reported it with an amendment, and submitted a report thereon.

Mr. HOAR submitted the following report:

The Committee on Claims, to whom was referred the bill (H. R. 8962) for the relief of Anthony L. Woodson, have carefully considered the same, and, in accordance with the resolution of the Senate of February 7, 1884, report as follows:

That they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (H. R. 7715) for the relief of Georgia A. Stricklett, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6453) granting a pension to George P. Stone, reported it without amendment, and submitted a report thereon.

Mr. PALMER, from the Committee on Commerce, to whom was referred the bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Virginia, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2457) to provide for the establishment of a light-house at or near St. Joseph's Point, Florida, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2517) for the establishment of a light-ship at Bush's Bluff Shoal, Elizabeth River, Virginia, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2398) to provide for a light-house at Holland's Island Bar, near the entrance to Kedge's Straits, in the Chesapeake Bay, Maryland, reported it without amendment, and submitted a report thereon.

PRINTING OF TARIFF BILLS AND REPORTS.

Mr. MANDERSON, from the Committee on Printing, reported the following resolution; and it was considered by unanimous consent, and agreed to:

Resolved, That there be printed in document form for the use of the Senate 5,000 additional copies of the Mills tariff bill, H. R. 9051, the majority and minority reports thereon, No. 1496, and of the Randall tariff bill, H. R. 8383.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 2729) granting a pension to Charlotte W. Boalt and minor children; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLODGETT introduced a bill (S. 2730) for the relief of Charles F. Bowers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2731) for the relief of Mary E. Johnson; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 2732) granting an increase of pension to Samuel H. Rook; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2733) granting an increase of pension to Shadrach Brown; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2734) granting a pension to John E. Watts; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 2735) for the relief of the heirs and legal representatives of James C. Booth, deceased, late melter and refiner of the United States Mint at Philadelphia; which was read twice by its title, and referred to the Committee on Finance.

Mr. PLUMB introduced a bill (S. 2736) for the relief Edward Minter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2737) for the relief of John Garaghty; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. SABIN introduced a bill (S. 2738) granting an increase of pension to John G. Merritt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KENNA introduced a bill (S. 2739) for the relief of R. A. Francis; which was read twice by its title, and referred to the Committee on Claims.

CONSIDERATION OF THE FISHERIES TREATY.

Mr. HOAR submitted the following resolution; which was referred to the Committee on Foreign Relations:

Resolved, That when the proposed treaty with Great Britain shall be under consideration, the Stenographic Reporter shall be admitted and shall report the debates and proceedings, which may thereafter be made public if a majority of the Senate shall so order, except such portions thereof as it shall determine that the public interest requires shall be kept secret. So much of the third clause of Rule XXXVI as conflicts with the resolution is suspended so far as necessary in order that the same shall take effect.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that he was directed to return to the Senate, in compliance with its request, the bill (S. 2613) to amend an act approved June 15, 1882, changing the boundaries of the fourth collection district of Virginia.

The message also announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889, asked a conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. BELMONT, Mr. RAYNER, and Mr. HITT managers at the conference on its part.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 5929) to extend the time for the completion of a bridge across Staten Island Sound;

A bill (H. R. 8560) to establish a department of labor; and

A bill (H. R. 8665) to create boards of arbitration or commission for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and Territorial transportation of property or passengers and their employés.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 7220) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and the act amendatory thereof, approved February 25, 1887; and

A bill (H. R. 7315) to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations, and to secure the relinquishment of the Indian title to the remainder.

ADMISSION OF DAKOTA.

The PRESIDENT *pro tempore.* If there be no further concurrent or other resolutions, the order of morning business is closed and the Senate resumes, as in Committee of the Whole, the consideration of the unfinished business of yesterday.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 185) to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of Lincoln, the pending question being on the amendment proposed by Mr. BUTLER to the amendment reported by the Committee on Territories.

The PRESIDENT *pro tempore.* The Senator from Kansas [Mr. PLUMB] is entitled to the floor.

Mr. PLUMB. Mr. President, I should not have said anything upon this somewhat trite question if it had not been for a remark or two of the Senator from Missouri [Mr. VEST], which seemed to indicate on his part a lack of knowledge of some history in which all Missourians especially ought to be pretty well posted.

In speaking of the objections which he had to the admission of South Dakota he made the following remark:

> To judge from the speeches we have heard here it is only a question for the Territory of South Dakota. When and how did it become so? What act of Congress called it into existence? When before in the history of this country was it ever known that the people of a Territory had a right to subdivide their own Territory, their own area? Will Senators point me to one single instance of the twenty-five new States admitted into this Union since 1789 where any people of a Territory but those of Dakota undertook to divide their own area and then demand admission as a State?

Mr. President, the Territory of Kansas did exactly what the Senator from Missouri says was never done. The boundaries of the Territory of Kansas extended from the Missouri River to the crest of the Rocky Mountains. Congress by an act passed in 1857, known as the English bill, offered to the people of that Territory the option of taking the Lecompton constitution, and said to them in substance that if they declined by a majority vote to be admitted under that constitution, then they should be authorized to form a new State constitution and be admitted under it. That referred of course not only to the people of the entire Territory, but to the boundaries of the Territory then existing, and yet when the Wyandotte constitutional convention assembled under and by virtue of the authority of the enabling act of which I have spoken, it proceeded to fix as the western boundary of the State of Kansas a line nearly 300 miles east of the western boundary of the Territory of Kansas. The Kansas discussion was one in which the people of Missouri took a great deal of interest, and if this particular thing was not observed by my friend at that time, it must have been because there were other phases of that struggle in which he took greater interest.

The State of California came in by boundaries self-imposed, Congress having passed neither an enabling act nor any other act defining the boundaries of the Territory, or which were to be those of the State of California.

I have no doubt there are other instances, but I refer to these in the comparatively recent history of this country for the purpose of showing that this complaint made against South Dakota is entirely without foundation.

Mr. President, it is competent for any number of citizens located in any Territory of the United States to propose to Congress to admit them into the Union as a State, and their proposition would properly embrace a statement of the boundaries which they preferred as those of the new State. It is competent for them also to propose the institutions under which they wish to be taken into the Union, and it is in no wise a derogation of any privilege of Congress that they should do this. Their petition for this purpose would be entitled to respectful consideration. It is not only perfectly competent for Congress, but Congress has in many instances, as has been stated in this debate already, accepted propositions of that kind without requiring the passage of an enabling act, or without entering into any controversy in regard to the form of the institutions or the character of the constitution as submitted.

The only consideration which the Constitution specially imposes upon Congress is that the State should have a government republican in form; and there has been nothing in the proceedings in Dakota of an anti-republican character, and no proposition of a sufficiently revolutionary character to alarm even as sensitive a person as the Senator from Missouri.

It is proper to take into account the interest of the entire nation in the admission of a new State, and yet the aspiration for statehood on the part of the people who have sought homes in the new Territories has been all-pervading. It has been recognized as in a sense a right that a Territory having as great a number of population as constitutes the ratio of representation for the admission of a Representative into the lower House of Congress should be admitted, unless there were some objection to the character of the people, to the character of the institutions proposed, or something else of a very important character indeed.

In addition to this, in the case of Dakota a promise that this Territory should be carved into new States at the proper time was contained in the treaty by which we acquired it. If the Senator has one exemplar greater than another it is Jefferson. This treaty was the work of Mr. Jefferson. No doubt that far-seeing statesman had that provision inserted in the treaty for a purpose, and for just such a purpose as the people of Dakota are now endeavoring to have carried out.

They have a right therefore, not only because they have sufficient numbers, not only because they have settled institutions, not only because they are by comparison prosperous and have all the elements of statehood, but because of the promise contained in the treaty to present themselves to Congress for admission into the Union.

This feeling upon their part and the effort which they have made in this direction has been carried on for a number of years, and the subject is not a new one. During all the progress of the debate there has been nothing said anywhere to indicate either that the people of Dakota were not possessed of requisite intelligence or that in any respect the State of South Dakota if admitted into the Union would be one which might not with propriety hold up its head in the family of States.

The Senator from Missouri was candid enough to say that this was a partisan question—that is, that the question of the admission of new States had usually been partisan in its character, and this was no exception. That this was the case at a time when parties were divided upon a different question entirely from what they are supposed to be divided upon now is unfortunately true. There was some ground for the jealousy with which the South regarded the admission of new States into the Union, and if the Senator were representing the Missouri of 1860, he would be representing that sentiment which its people regarded as material to their interests in declining to vote for the admission of any more free States. But I had hoped that with the disappearance of the institution of slavery the sentiment which justified obstruction to the admission of new States on partisan grounds merely, disappeared.

Mr. President, there has been a good deal said about the representation of small States on this floor, about the representation of States like Rhode Island, Connecticut, Vermont, and New Hampshire, and the undue proportion of power which their inequality of representation gives them in this Chamber over the larger and more populous States in the Union. It is something which we can not be rid of directly, because the Constitution says that in that particular it shall never be changed except with the consent of those States, and I do not suppose they will ever consent. Therefore, we are to rest under this inequality of representation in this Chamber unless there shall be a revolution. But in the mean time it can be modified by such a proper division of the Territories or such a limitation of the boundaries of the new States as shall give to the western part of the country a larger proportionate representation here than they would otherwise have. The preponderance of the smaller States in this body is not to be overcome or even modified by the admission of unduly large new States.

But, Mr. President, it is something which is, I think, apart from the proper division of parties, that there should be any question raised about the admission of Dakota under existing circumstances. It has not been always that the party which the Senator from Missouri represents has objected to the admission of new States for such reasons as he now puts forth. In 1857 a portion of the people of the Territory of Kansas adopted a constitution known as the Lecompton constitution. The convention which framed that constitution did not represent a majority of the people of the Territory; in fact it represented a very small minority. The convention did not submit its work in its entirety to the people, and yet when a copy of that constitution found its way through the hands of the president of the convention into the hands of Mr. Buchanan, President of the United States, Mr. Buchanan transmitted it to Congress with an urgent plea for the admission of Kansas under that constitution.

After the adoption of that constitution by the convention in the fall of 1857 and the failure to submit its work to the people, the Legislature of the Territory of Kansas submitted the question directly to the people as to whether they desired admission into the Union under the

Lecompton constitution, and at an election held for that purpose on the 4th day of January, 1858, nearly nine-tenths of the people of Kansas voted against such admission and repudiated the constitution utterly. Yet, on the 2d day of February following, President Buchanan sent that constitution to Congress, himself alluding to the fact that it did not represent the people of the Territory and to the fact that it had been voted down by a large majority of the people, and he excused himself for thus asking that the will of the people should be overridden by saying that it was common for people to commit to their representatives the exercise of authority which they did not afterwards desire nor expect to pass in judgment upon.

The Senator will remember the struggle which ensued the effort to admit the State under a constitution which not only had been adopted in violation of the expressed wish of the people of the Territory, which had been voted down by them by an overwhelming majority, but a constitution which in terms fastened upon them an institution which they held in utter and eternal abhorrence, and which their presence in the Territory of Kansas was a protest against.

I never have heard the administration of Mr. Buchanan complained of from Democratic sources. The only regret I ever heard expressed concerning it from any member of the Democratic party was that it did not succeed in its effort, in the first place, to put slavery upon Kansas, and, in the next place, to compass a dissolution of the Union. Mr. Buchanan felt that the rights of the people of Kansas to be admitted into the Union under a constitution they did not frame and did not want, and which fastened slavery upon them, were so sacred that he was determined that they should come in whether or no. The people of South Dakota have framed a constitution by means of delegates which were elected by them, and their work was submitted to a popular vote and by that vote ratified. Whatever else can be said, the people of Dakota are represented in this movement for statehood.

The Senator from Missouri said further, speaking with that sensitiveness which becomes the representative of a great State:

> Gentlemen on the other side of this Chamber speak as if this were a question local to Dakota. Why, Mr. President, two Senators in this Chamber from the State of Dakota would legislate for my people and yours, Representatives in the other branch of Congress would enact laws which affect the interests of your people and mine. Is it a local question that more Senators, more Representatives, more electoral votes shall be called into existence, or is it true that Dakota is a State outside of the Union coming into existence *in proprio vigore* from its own people alone?

Mr. President, I think I appreciate the feeling which animates the Senator from Missouri in the critical view which he takes of the people who are seeking admission into the Union. He wants good society; he wants to associate with the representatives of vigorous, intelligent communities; he wants the people represented here by those who, coming in contact with those from Missouri and the other States of the Union, will take a view of the affairs over which they take jurisdiction which is consonant with national dignity, national power, virtue, and the interests of all, and at the same time, of course, the interests of each one of the great family of States.

What shall be said about Dakota to its discredit that can not be equally said about the States now in the Union to whose association the Senator from Missouri makes no objection? Dakota cast in 1886 in the election of delegate to Congress 104,811 votes. I am advised that the population of South Dakota, living within the area proposed by this bill, is about two-thirds of the entire population of the Territory of Dakota. Saying nothing now about the increase that has occurred in the population since 1886, South Dakota has a voting population of about 80,000.

Mr. PLATT. There were about 77,000 votes cast in South Dakota in that election. There were 104,000 votes cast in the whole Territory.

Mr. PLUMB. The Senator from Connecticut tells me there were about 77,000 votes cast in 1886 in what is proposed to be the State of South Dakota. I turn here to the table of votes cast in other States, and I find that in Florida, in 1884, at the Presidential election of that year, an event which should have awakened some interest and brought out a full vote, the entire vote cast was 59,872. Florida has two Senators, and two Representatives in the other House of Congress. Delaware I find at the same election, in 1884, cast 30,000 votes. Turning to the vote of the State of Georgia, I find that in 1886 there was cast in that State 25,123 votes; and Georgia has ten Representatives in the other House of Congress.

The same year the State of Kansas, with only seven Representatives in the other House of Congress, cast a total vote of 273,201. A single district in that State cast more votes by two to one than the entire State of Georgia, to wit, 61,465. Arkansas last year cast about 40,000 votes, Louisiana about the same number, and there are very few indeed of the Southern States which have cast as many votes in the last five years as South Dakota cast at the last election held in 1886.

In South Carolina I find that the total vote for Congressmen in 1886 was 39,072. The Senator from Missouri does not find association with South Carolina uncomfortable on account of the small voting population contained in that State, nor is he disturbed by the fact that South Carolina casts seven votes in the House of Representatives with a voting population of less than 40,000.

Perhaps it may be the quality of the people in Dakota to which my friend from Missouri objects. The people of Dakota are as fair a representative of what we call the Anglo-Saxon race on this continent as any similar number of people in the world. It may not be perhaps fair to say that they are a choice selection, but they have been taken from the most active, energetic, and forceful of the people of the Eastern, Middle, and Western States, with a sprinkling from the South. They are men chiefly in the prime of life. They have converted a desert into a habitable land. They cultivate more acres of farm land than two-thirds of the Southern States. They devote more money annually to schools than any one of the Southern States, leaving out three or four, and the church buildings and all the other things which are at least *prima facie* evidences of a state of civilization which has been the accompaniment of the march of the Anglo-saxon race across this continent, are in stronger and more manifest existence in Dakota than in the majority of the States of the Union.

I think their progress from the day when the white man first set foot within the limits of Dakota to the present time has been marked by less excesses than have been common to some of the older States of the Union during that same time, and there has been in every respect not only a careful regard for the public will, but ample laws passed to give it effect, and I have yet to learn that there has ever been in Dakota, either by direction or by indirection, a serious effort to prevent a fair expression of the popular will or support it after it was made. There are not so many ballot-boxes there at the annual elections as there are in the State of South Carolina, however. The citizen of Dakota is willing to deposit his ballot containing on it the name of every person for whom he wishes to vote in a single ballot-box. When he deposits it he is positively certain that that vote will be counted. If he should happen by any freak of fortune to be transported to South Carolina, and become an elector there, he would have need to exercise most carefully his visual organs when he came to vote, for there the votes must be deposited in eight different boxes, one for each officer to be voted for, in order to be perfectly sure that he did not get some or all of his ballots in the wrong box, and thus lose his vote. That elector who makes a miss and puts a ballot into a wrong box thereby loses his vote as utterly as though he had never gone to the polls.

I shall be glad to have some Senator state whether he thinks that that mode of gathering the popular will in South Carolina is preferable to the Dakota plan and more likely to result in a fair election and the will of the people being made known, and whether Dakota, with her free elections, her free institutions, and her Anglo-Saxon people, with their order, sobriety, their school-houses and their churches, is not as fit a representative of what an American State should be as South Carolina? Who ever heard of a candidate for Congress, or any other office in Dakota, starting out on his campaign with a 12-pound cannon, as was done in Mississippi? Nor has there been in any of the elections in that Territory, so far as I am aware, any serious charge that any man was prevented from casting his vote or having his vote counted.

In all the sharp contention of interests, in all the uprooting of those ties which go to constitute what we call order, which are to some extent the accompaniment of the removal of men from their homes and settlement on the frontier, and especially a condition of things in which there is no title, there never has been anything in the career of Dakota for which any citizen of that Territory, or any citizen of the United States, or any one interested in the destiny of his race, has ever been called on to blush.

I said that the laws of Dakota were calculated to secure a fair expression of the popular will. They are fashioned after those of most of the Northern States. There is not only the division of the Territory into counties, but by minute subdivisions into townships, into school districts, into road districts, into cities; and in each one of these there is preserved to every citizen of each one of them his power as a citizen, his rights as a citizen, to vote upon every single question which concerns the well-being of the community in which he lives.

That State which my friend who sits next me [Mr. RANSOM] so ably represents, "the good old North State," in common with her sister States of the South, at a time when there was a great outcry about carpet-bag legislation, echoed the general Democratic cry in favor of what they were pleased to call local self-government, and yet what is known in the North as local self-government has no existence whatever in North Carolina.

When a county comes to be organized in that State the Legislature enacts that certain persons, who are named in the bill, shall be the magistrates for Buncombe County, or for whatever other county it is proposed to organize, and those magistrates, thus elected by the Legislature and not by the people of the county, not only perform the judicial functions due to their place, but they elect every single county officer, except sheriff and register of deeds, including the county commissioners, and these county commissioners not only levy all the taxes, but in turn appoint all the election officers in every election precinct in every county, and nearly all the township officers as well, and the people of the counties of that State do not vote on the question of the levying of taxes for any purpose, nor upon that of the building of bridges, court-houses, or other public improvements, but they are all settled through the medium of this board of county commissioners, who

are created, not by a vote of the people, but by an act of the Legislature. No question vital to the people of that State is settled by a direct vote of the people.

In Virginia an election board has been erected by law at the capital, which appoints election officers in every election district in the State. The people have nothing to do with their selection, either as election officers or as officers *ex officio* of the class to which they belong. Everything comes from the central power, and the right of the people to express themselves freely upon all the questions which concern them has standing between them and that expression these boards created without their knowledge and without their consent.

Mr. President, the Senator from Missouri does not object to associating here with the representatives of these two old States of the original thirteen, the State of North Carolina and the State of Virginia. No one quarrels with them because they do not have institutions which gather the popular will and give it ample and constant reflection the same as in the Northern States. The Senator from Missouri is delighted with companionship of that kind, more especially perhaps because he sees in the laws and institutions which I have mentioned that "assurance double sure" which is dear to his heart that thereby those States will remain Democratic.

When I come to the State of my genial friend with whom I have served in committee so long, and of whom I am personally very fond, the Senator from Alabama [Mr. MORGAN], and for the purpose of showing that my friend from Missouri is a little oversensitive about the admission of Dakota, I call his attention to the exhibit of taxable property returned by the auditor of state of the State of Alabama for the year 1880. It is found in the report of the State auditor to the governor, and under the head of "Exhibit 10—Continued" is a list of the counties in that State and the value and the kinds of property which are assessed for taxation therein. I find in the first column, as is perhaps proper, the first thing to be enumerated, the value of the "guns, pistols, and dirks" subject to taxation. The counties in the State are put down in alphabetical order, the first one being Autauga, and the value of guns, pistols, and dirks assessed in that county in 1880 was $4,452.

Running along over the various other items subjected to taxation in that county, an agricultural county, I come to the item of "farming tools," and I find that that county, which had $4,452 worth of guns, pistols, and dirks for taxation in 1880, only had $580 worth of farming tools. This proportion of about 8 to 1 in favor of the guns, pistols, and dirks is very nearly maintained throughout the State.

Going further down I find in the county of Dallas that there were $13,066 worth of guns, pistols, and dirks assessed for taxation, and in the same county $2,751 of farming tools; and in not a single one of the counties of the State is the proportion more favorable—the guns, pistols, and dirks always being of greater value than the farming tools. The total of guns, pistols, and dirks subject to taxation in the entire State is $357,150.75, while the total of farming tools is only $77,206.05.

When I look at the item of mechanical tools, the total value of all assessed for taxation in the State of Alabama is $222,454 as against $357,150.75 for guns, pistols, and dirks. Turning back to a preceding table I find the assessed value of libraries in the State is $181,949, being the entire value of all the books assessed for taxation in the State of Alabama, while the guns, pistols, and dirks stand at the comfortable total of $357,150.75. It exceeds not only the libraries, but the jewelry, plate, and silver ware, this last item being only $194,419, while all that I can do will not reduce this total of guns, pistols, and dirks from the appalling sum total of $357,150.75. It is not worth while to make the comparison in regard to paintings, but I observe paintings are assessed at $14,979. I will present the table.

The comparison in value of the guns, pistols, and dirks with the hogs and sheep is equally striking, and nearly equally to the disadvantage of the hogs and sheep. I will ask to have the table inserted at this point in my remarks.

Counties.	Value of guns, pistols, dirks, etc.	Value of farming tools.	Value of libraries.	Value of hogs.	Value of sheep.
Autauga	$4,452.00	$580.00	$2,130.00	$714.00	$585.00
Baldwin	4,485.00	395.00	120.00	504.00	15,468.00
Barbour	5,629.50	(*)	3,390.00	1,204.00	932.50
Bibb	3,650.00	355.00	840.00	675.00	1,515.00
Blount	5,157.00	96.50	1,210.00	828.00	1,899.00
Bullock	5,859.00	70.00	2,545.00	380.00	1,535.00
Butler	6,004.00	335.00	6,495.00	1,323.00	840.00
Calhoun	6,169.00	1,103.00	1,385.00	598.00	1,639.00
Chambers	5,195.00	1,312.00	1,480.00	564.00	863.00
Cherokee					
Chilton	4,108.00	128.00	170.00	750.00	1,609.00
Choctaw	8,514.50	9,007.00	1,615.00	2,206.00	2,199.00
Clarke	8,210.00	583.00	975.00	2,219.00	2,439.00
Clay	3,917.00	25.00	520.00	570.00	624.00
Cleburne	2,490.00	50.00	220.00	203.00	509.00
Coffee	2,885.00	50.00	325.00	871.00	6,228.00
Colbert	4,297.00	1,029.00	1,415.00	680.00	1,114.00

* With mechanical tools.

Counties.	Value of guns, pistols, dirks, etc.	Value of farming tools.	Value of libraries.	Value of hogs.	Value of sheep.
Conecuh	4,378.50	210.50	1,315.00	612.00	3,621.00
Coosa	6,167.00	136.00	1,185.00	726.00	1,109.00
Covington	3,523.00	21.00	75.00	909.00	9,653.75
Crenshaw	4,469.00	45.00	425.00	670.00	788.00
Cullman	2,595.00	18.50	275.00	120.00	1,163.50
Dale	4,602.75	95.00	870.00	1,739.00	2,155.50
Dallas	13,066.00	2,751.00	13,965.00	1,714.00	2,217.00
De Kalb	2,326.00	2,460.00		276.00	621.00
Elmore	5,352.50	323.00	1,950.00	596.00	1,335.50
Escambia	3,540.50	15.00	261.00	485.00	11,371.00
Etowah	5,692.00	141.00	1,695.00	449.00	1,598.00
Fayette	4,357.00	2,117.00		1,248.00	285.00
Franklin	3,656.00	145.00	822.00	563.00	809.00
Geneva	2,482.75		45.00	1,990.25	15,895.50
Greene	6,283.00	1,274.00	3,785.10	387.00	3,447.00
Hale	9,021.00	2,535.00	5,295.63	1,887.00	2,314.00
Henry	5,915.00	451.00	2,900.00	3,044.47	3,106.25
Jackson	6,231.00	2,138.00	1,550.00	3,400.00	2,840.00
Jefferson	6,500.00	279.00	3,315.00	314.00	1,621.00
Lamar	4,390.00	10.00	1,250.00	335.00	660.00
Lauderdale	7,080.00	15,650.00	3,150.00	22,460.00	9,370.00
Lawrence	7,756.00	2,802.00	2,735.00	1,250.00	2,662.00
Lee	3,735.00	843.00	5,885.00	248.00	414.00
Limestone	7,142.00	2,571.00	3,125.00	1,123.00	2,240.00
Lowndes	6,837.00	3,475.00	1,290.00	2,851.00	1,456.00
Macon	5,654.00	2,108.00	3,175.00	309.00	1,456.00
Madison	5,319.00	1,803.00	10,565.00	440.00	350.00
Marengo	9,668.00	7,754.00	3,350.00	2,852.00	3,637.00
Marion					
Marshall	4,170.00	1,164.00	730.00	2,427.00	1,263.00
Mobile	3,784.00	210.00	18,900.00		1,926.00
Monroe	7,386.00		860.00	520.00	4,845.00
Montgomery	12,204.00	4,619.00	21,400.00	2,144.00	3,037.00
Morgan	5,928.50	1,060.00	2,115.00	1,623.00	1,295.00
Perry	7,735.00	2,936.00	4,553.00	1,956.00	2,607.00
Pickens	5,378.00	1,286.00	3,335.00	562.00	1,565.00
Pike	4,872.50	599.55	2,600.00	8,665.00	449.00
Randolph	2,351.50	60.00	725.00	160.00	864.00
Russell	5,984.00	1,255.00	925.00	1,235.00	2,095.00
Shelby	4,831.00	80.00	1,513.00	458.00	1,495.00
St. Clair	4,414.00	60.00	705.00	258.00	1,128.00
Sumter	7,217.00	1,605.00	7,105.00	7,150.00	2,195.00
Talladega	7,348.00	1,518.00	4,550.00	602.00	1,085.00
Tallapoosa	5,694.00	245.00	1,875.00	306.00	1,156.00
Tuscaloosa	10,354.00	2,249.00	6,450.00	1,147.00	2,882.00
Walker	2,619.25	40.00	385.00	509.00	772.00
Washington	5,087.00		100.00	1,835.00	8,964.00
Wilcox	9,064.00		4,560.00	997.00	2,422.00
Winston	1,268.00		5.00	290.00	448.00
Total	357,150.75	77,206.05	181,949.00	98,805.22	169,818.50

The Senator from Missouri does not object to the representation of Alabama on this floor, or in the other House of Congress. He is willing to meet here the representatives of all the Southern States on the plane of equality. He does not feel that their presence here destroys the value of the representation of Missouri, or is in any way contrary to the interests of the people of that great State. Is it because of the area of Alabama? I take it not, because the area of Alabama is a little less than that of South Dakota as proposed. Is it on account of the number of people? They are greater in proportion to the representation Dakota would have than the population of the State of Alabama. Is it because the State is less fertile? I never have heard that as an objection. Or is it on account of the quality of the people? Well, Mr. President, Dakota has more farming implements, more agricultural development, more products of the soil, but has less guns, pistols, and dirks. I never heard that human life was safer in Alabama, that property was held more sacred on account of the presence of a superabundance of fire-arms; and yet after all it may be that if I could get the Senator from Missouri on his *voir dire* he might say under stress of an oath that it was the preponderance of agricultural implements in Dakota and the lack of guns, pistols, and dirks, and therefore the less security for Democratic success, which occasioned his present position.

Mr. President, it may not be that the votes of Dakota in the electoral college would decide the next contest for President of the United States. I do not believe myself the result will be that close; and yet shall Dakota be kept out on that account? The election of governor of a great State was once settled by one vote. The present Chief Magistrate was elected by a plurality of less than 1,200; that is to say, the plurality that gave him one State—the State of New York—with votes enough and more than votes enough to change the result was determined by less than 1,200.

The people of South Dakota are entitled to be admitted, if at all, because their State as proposed has the proper area, because it possesses the proper population in numbers, and because that population is competent for all the purposes of self-government; and these three essentials being present, what odds is it that their presence in the Federal Union might determine the election of a President of the United States? If that is a reason for keeping them out, why not for the same reason disfranchise other communities whose votes may be equally decisive?

If this is a valid objection, then it may continue forever, and the right of self-government be denied for all time. So far as I am concerned I do not care what the politics of any one of these Territories may be. I will vote for the admission of Montana, Democratic though it be; I

will vote for the admission of Washington, Democratic though it be, whenever the showing is made here which has been made in the case of Dakota, and I believe that it can be made in regard to both those Territories now, because I believe the peace, the progress, and the welfare of the Republic consist, not in the existence of Territories to be governed from the national capital, not in the existence of colonies that form no integral part of the great body of the American people in their governing capacity, but because I believe the power and the perpetuity of the Republic depend upon the equal representation of all the people acknowledging allegiance to this Union, first as citizens of States—each State revolving in its own orbit, taking care of its own local concerns, but each forming one of the family of States comprising the National Government, acknowledging allegiance to the supreme power thereof, and all going one way.

The PRESIDING OFFICER (Mr. SPOONER in the chair). The question is on the amendment of the Senator from South Carolina [Mr. BUTLER].

Mr. ALLISON. Mr. President, before the vote is taken on that amendment, I desire to say a few words respecting the present situation of the Territory of Dakota. My reason for this desire lies in the fact that a good portion of South Dakota lies immediately west of the western boundary of my own State, and also in the fact that three great lines of railway having their eastern terminus at Chicago pass through my State and far into the Territory of Dakota, and also because, of the people who are in that Territory, a large number migrated from Iowa.

I have listened as well as I could to the objections made to the bill reported by the majority of the committee, which proposes to erect a State out of the southern portion of that Territory. I have tried to ascertain whether there was a substantial argument against the admission of South Dakota. The Senator from South Carolina [Mr. BUTLER] exhausted himself in the discussion of two or three points, one being that a portion of the Territory of Dakota had arrogated to itself the right to divide that Territory and form a State constitution; and the Senator from Missouri [Mr. VEST] made that a cause of indictment against this people, that they had undertaken, without the previous advice or consent of Congress through an enabling act, to fix boundaries for the admission of a State, and characterized that as a revolutionary proceeding unheard of in the past history of our country. The Senator from Kansas [Mr. PLUMB] has shown us that his State came in under substantially similar circumstances and conditions. Why, Mr. President, nearly all of the Northwestern States came in under these conditions.

How did the Territory of Michigan come in, organized, I believe, in 1805? When the Territory of Michigan sought admission as a State its boundary extended to the Rocky Mountains, practically, and far northwest to the British possessions. It extended far beyond the Missouri River; it took in whatever there was of the Louisiana purchase, certainly as far west as the river which is a part of the western boundary of the proposed State of South Dakota. The Territory of Michigan comprised what is now the entire area within the existing Territory of Dakota. According to the doctrine of the Senator from South Carolina the State of Michigan was guilty of a revolutionary movement when she carved out of this territory a limited and prescribed boundary and formed for that limited area a State constitution and presented that constitution here for admission into the Union.

The Senator from Missouri said it was revolutionary because this Territory came not in a submissive way as a Territory, but that she came here as a State demanding admission. Is that a revolutionary proceeding? What do we admit if we admit this State? We do not admit the Territory of Dakota. We admit the State of Dakota or South Dakota as the case may be. The Constitution provides that new States may be admitted into the Union, and not new Territories. So the phraseology of which the Senator from Missouri and the Senator from South Carolina complain is the phraseology of the Constitution, and it finds its precedent in the State of Michigan, which, without previous authority from Congress, formed her State government, elected a Legislature and State officers, and elected Senators of the United States and asked for admission as a State into the Union, as Dakota has done.

It was not revolutionary in Michigan to do this, because the then President of the United States, Andrew Jackson, treated that petition or prayer of the State of Michigan with the consideration it deserved, and sent it here with a message to Congress saying that the State of Michigan applied for admission into the Union. And yet, forsooth, we are told by the Senator from South Carolina and by the Senator from Missouri that because South Dakota comes here pretending to be a State that is sufficient to reject her prayer, and the Senator from Missouri has made use of some rather impetuous remarks, I think, of a gentleman who came here some years ago in the interest of this Territory of South Dakota, Mr. Hugh J. Campbell; but when Senators know that Mr. Hugh J. Campbell came from rather a mercurial portion of our Union and settled in Dakota they will pardon perhaps his impetuosity in this regard.

So, Mr. President, there is nothing in what is proposed here as respects the manner of the approach of South Dakota. But it is said that South Dakota has no right to come here forming her own boundaries. So we agree; that is to say, if Dakota shall fix her boundary that boundary is subject to whatever revision we may choose to make here, which revision, I take it, if we act in good faith, must be again submitted to that people for their ratification. I believe in the bill proposed by the majority of the committee they change the boundary proposed. Is not that true?

Mr. PLATT. Yes, sir.

Mr. ALLISON. They change the boundary from the forty-sixth parallel of north latitude to the seventh standard parallel. That is precisely what was done in Iowa. Iowa, I believe, was made a Territory in 1838, cut off from the Territory of Wisconsin, which originally had been cut off from the Territory of Michigan when Michigan became a State.

The territorial boundary of Iowa extended not only to the Missouri River, but extended as far, if I am not mistaken, as the original Territory of Wisconsin extended west of the Mississippi River, as far north as the original Territory of Wisconsin extended; so that Iowa, as a Territory, embraced practically nearly all of what is now the State of Minnesota. What did Iowa do? She framed a constitution and asked admission into the Union fixing her own boundaries. Did anybody find fault with that situation at that time? Was it suggested then by the men who were in this Chamber that this was a revolutionary proceeding? Did they become indignant because Iowa of her own volition and without the consent of the two Houses of Congress undertook to organize herself into a State? Not at all. Congress proceeded to admit Iowa into the Union, admitting with it at the same time a slave State, the State of Florida, which then had a population, by the way, far less than sufficient to entitle a community to one Representative on the floor of the House of Representatives. But they admitted Florida and Iowa together, changing the boundary of the State of Iowa.

Iowa did not enjoy the changes made by Congress as respects her boundary, and when the act of admission was submitted to her people, as it provided for submission, it was rejected by the State of Iowa.

Mr. PLATT. Rejected on account of the boundary?

Mr. ALLISON. Rejected on account of the boundary. Congress undertook by its act to crib and confine the boundary of the State of Iowa so that the Missouri River should not constitute its western border as it now constitutes it, and they undertook to circumscribe the northern boundary as well. So, although Iowa was anxious to become a State in this Union, her people rejected the proposed change in her boundaries, and then proceeded straightway, in a revolutionary method, according to the characterization of the Senator from Missouri, to form her own constitution.

The Territorial Legislature of Iowa, as the Territorial Legislature of Dakota, called another constitutional convention, and that constitutional convention did just what this constitutional convention did in South Dakota. It fixed the boundaries of the State and carved those boundaries out of a much larger area, which then comprised the Territory of Iowa.

So, then, if South Dakota, in this process of fixing her own boundaries, has been guilty of a revolutionary proceeding, the State of Michigan and the State of Iowa, as also the State represented by the Senator from Kansas, were guilty of the same thing. Yet when Iowa came here with her second constitution, fixing and declaring her own boundaries and carving them out of the original Territory of Iowa, Congress admitted Iowa as a State into the Union without ever raising the question suggested by the Senators from Missouri and South Carolina.

Mr. President, the Senator from Missouri stated truthfully in the opening of his remarks yesterday or the day before that this was a political question. It is a political question. Why is it so? It is made so in this Chamber and elsewhere, where political questions are involved in the admission of States. Has not South Dakota had a population sufficient to admit her as a State of this Union for the last six years, certainly for five years? Whilst I believe in this body we have passed an act admitting Dakota twice before, in the other branch of Congress, in the House of Representatives during the Forty-eighth and Forty-ninth Congresses, that question was never raised in that House either by a measure or a voice. During the Forty-eighth Congress the House Committee on Territories did not even consider the question, and during the Forty-ninth Congress it was submitted at so late a period that every one knew it was impossible to be considered in the House of Representatives before adjournment.

It is a political question, it is a party question. What is the attitude of the Democratic party upon this question on this floor? What is the attitude of the Democratic party with respect to it in the other Chamber? I perhaps can not speak of what now occurs in that Chamber, but the attitude of the Democratic party in this Chamber is non-action. Their policy is clearly disclosed in the letter which Mr. SPRINGER wrote to the Aberdeen convention in December last. I have that letter here. It is perfectly well known in Dakota that the people in that Territory are in favor of a division of the Territory. It is true, as the Senator from Missouri stated the other day, that the majority for division was only 5,000 last year; but if you were to submit to the people of Dakota whether they will have two States or one—if instead of admitting South Dakota, you proposed to admit South and North Dakota at the same moment—and then will submit to them the question whether they desire to come in as one State or two States, I venture to

state, without fear of contradiction from any quarter whatever, that nine-tenths of all the people in that Territory would vote in favor of two States. You have never presented to them that issue. You have presented to them, so far as the force of a great and influential party in power is concerned, the only issue that if they did not choose to come in as a single State they should not come in at all. That is the attitude in which the Democratic party stands to-day with reference to this question. I believe that South Dakota should be admitted; I believe that North Dakota should be admitted as well; and I should be glad at this session and now to vote for the admission of the Territory of North Dakota as well as South Dakota. North Dakota has resources and population equal to those of any of the Territories that are now seeking admission on this floor.

Mr. PLATT. Or to any Territory that ever was admitted as a State.

Mr. VEST. Will my friend from Iowa permit me to ask him a question?

Mr. ALLISON. Yes, sir.

Mr. VEST. Suppose there were a bill now presented admitting the State of Dakota, the whole of it, I would vote for it. Will the Senator from Iowa?

Mr. ALLISON. The Senator catechizes me personally. He says he will do this; so does the Senator from South Carolina; but why do they not say that the Democratic party as a political organization is willing to admit the whole of Dakota to-day and allow her to come in here as an equal part of this great Union of States?

Mr. VEST. Will the Senator permit me a word?

Mr. ALLISON. Certainly.

Mr. VEST. My friend from Iowa is a fair debater, and I do not think he wishes to take any sort of indirect advantage. As a matter of course he knows that neither the Senator from South Carolina nor myself can speak for the Democratic party. We are here representing our respective States and responsible to our constituents for the manner in which we discharge the trust committed to us. I will say this to him, and that is as far as any Senator can go; I will say that after full deliberation and consultation (without any sort of caucus about it) with my colleagues on this side of the Chamber, there is not one Democratic Senator here who will not vote for the admission of Dakota as a whole at any time.

Mr. ALLISON. Now, Mr. President, how do we judge men or parties? We do not judge them by individual or single utterances. Has not the Democratic minority in this Chamber upon the Committee on Territories presented a counter proposition here? They propose an enabling act for the whole Territory of Dakota, but do they propose that the State shall be admitted? They simply propose that when that enabling act shall have been acted on and the various processes which are prescribed in the amendment of the Senator from South Carolina shall have been gone through with, then the Territory of Dakota shall come back here and run the gauntlet again of the two Houses of Congress and the Presidential veto of affirmation, as the case may be, depending then upon the political exigencies that may exist at that time. Am I right or not in that statement?

Mr. BUTLER. What does the Senator want?

Mr. ALLISON. I desire to know from the Senator from South Carolina if his substitute providing for the whole of Dakota authorizes its admission on Presidential proclamation after it shall have formed a constitution, or does it not provide that it shall again come here for the consideration and action of Congress?

Mr. BUTLER. For ratification by Congress of the constitution.

Mr. ALLISON. Is not that true?

Mr. BUTLER. That is true.

Mr. ALLISON. Very well. So I understand.

Mr. President, although these two Senators on this floor have stated that they are in favor of admitting Dakota as a single State, yet when we come to see the action of the Democratic party in its political capacity, with the responsibility of party power, we find no such proposition. I hold in my hand a public document which not only places the admission of the whole Territory of Dakota upon that condition with a political party behind it, but also places it upon the condition that four other Territories shall come in *pari passu* with this Territory of Dakota.

This, in my judgment, is political legerdemain with the people of the Territory of Dakota. They have stood here for nearly six years asking for admission into the Union, and their petition has been unheard in the other House, where the Democratic party has a majority, although twice we have sent from this Chamber bills looking to the admission of South Dakota.

It will not do for Senators to say that by reason of the fact that South Dakota asks for separate admission she therefore fails to secure what the whole of Dakota could secure. If the Democratic party in their place of power have been willing hitherto to admit the whole of Dakota, why have they not made some proposition for that admission? Can anybody point me to the report of a committee of the House of Representatives in the last four years looking to the admission of Dakota? Have they not, to use a common phrase, sat down upon that Territory for the last four years in the House of Representatives, where the Democratic party had power and control?

Now, Mr. President, I desire to state, so far as the people who have gone from my own State to the Territory of Dakota are concerned, that there is no definite, distinct proposition now presented whereby the people of the Territory can come in as a State. Certain persons mean to dandle with this question until the Presidential election of 1888 shall have passed away, and then, if the political exigencies of the future shall require it, they will continue to play in the future as they have in the past.

We were told in 1884 that if that election could pass away, so that Dakota would not stand in as a political factor to disturb the requirement of the votes of the two States of New York and Indiana to elect a President, then the Territory of Dakota should have full and fair consideration; but over three years since that time have passed away and she stands in no better position now than she did then, except that she has, day by day and year by year, increased her population, her power, and her resources. Now, I put this to the Democratic party wherever it has power: if it wants Dakota in this Union let it present a bill for the admission of Dakota undivided.

I next proceed to answer the Senator from Missouri, who asked me if I would vote for the admission of Dakota as a single State. I answer that question in this way: I would hesitate long before I should be willing to admit Dakota as a single State. My reasons for that I shall proceed to state. I believe Dakota, with 150,000 square miles of area, wholly agricultural except the mineral resources of the Black Hills and the coal resources, depending almost wholly upon agriculture for its great future, is too large for one State. It should not be a State of 150,000 square miles for the convenience of the people.

Nor do I believe that it is in the interest of the great body of the people of this country living in and represented in their various capacities in the other States of this Union, that we should make a State 150,000 square miles in area in the Northwest composed entirely of an agricultural population. All the precedents are against it. It is true that under the conditions that existed in 1850, and I need not rehearse them as they are well understood here, California was admitted with a large area and a widely extended boundary; but with that exception and with the exception of Texas no other State in this Union has the territory which is proposed by Senators on the other side of the Chamber for Dakota. The admission of Texas was exceptional.

I heard the Senator from Delaware [Mr. GRAY] the other day make an inquiry as respects the obligations and duties of the country respecting the provisions as to division in the act for the admission of Texas, whether or not that was a binding obligation in any sense on the people of this country? It was, as it were, a project injected into that bill whereby a constitutional majority in both Houses of Congress, with the assent of the President, might divide the State if the people of Texas were willing that it should be divided. Why was it? The Senator from Massachusetts [Mr. HOAR] partly gave the reason; but he did not state the whole reason that entered into the minds of the men who admitted Texas in the last hours of the Congress which adjourned on the 4th of March, 1845. It is true that under the boundaries as claimed by Texas at that time a portion of its territory lay north of what was called the Missouri compromise line of 36° 30′; but that portion of Texas would not have carried any State into this Union in and of itself. That was a small area, if I am not mistaken. It is true that the old Spanish boundary by the treaty of 1819, which was made by John Quincy Adams, extended to the forty-second parallel of north latitude, but it extended to that parallel in mountain ranges and not in gorges, and no State was likely then to be carved out of that Territory which was then claimed by the State of Texas as a part of its boundary acquired from Mexico. So the great reason which entered into the minds of the men who provided for this division of the Territory of Texas, was first to make States "of convenient size." Why was that language inserted in the act—"States of convenient size, not exceeding four in number?" It was because hitherto the size of States admitted from Territories had ranged from 40,000 to 45,000 square miles, and it was the intent and purpose of the men of 1845, whenever the exigencies of Texas and this country should require it, to reserve power to divide that State into five States. Does any man doubt now that if the equilibrium which existed in 1845 existed to-day the State of Texas would be dismembered and destroyed in its present area for the purpose of making five States there where one exists now?

It did not enter the minds of the men of 1845 on either side to believe that at this period of our country's history Texas itself, with all its territorial area, would be a free State in this Republic. They intended that the equilibrium which had been maintained by successive admissions of new States from 1820 should go on forever, but history proves that the war with Mexico, which followed the annexation of Texas, became the Trojan horse of slavery, and when California was admitted into the Union in 1850 the equilibrium between slave and free States was destroyed.

It may not be that in the history of our country as it is to-day Texas will be divided into five States. It may not be that Congress will make that proposition to the State, or that the State will assent to it; but having made that blunder in 1845 to carry out the equilibrium then in view, is it wise for us now to admit great States into the Union agricultural in their character? Why was it that in the ordinance of 1787

it was provided that new States might be carved out of that Territory, not less than three nor more than five? What did the men mean who framed our Constitution and our system of government, in providing for local self-government through States and for a General Government covering all the great national affairs of all the States? They meant that the Northwest Territory should be carved into three or five States. Why? Because those States should be of convenient size, and not one of these five States, if I am not mistaken, covers an area of over 50,000 square miles; certainly not one of them extends to the 77,000 square miles of area in the Territory of South Dakota.

So, Mr. President, from the very beginning, from the establishment of our Government down to this present moment, it has been the public policy of this country to create States of convenient size and not of enormous size for local self-government. It is true we have many small States in the Union, and they will remain; but whilst these States are a part of our Union, and I believe ever will and ever ought to remain such, I do not think it is to the interest of the States of the Union to take an agricultural population, such as that of Dakota is and must be forever, in the very heart of this continent, and put 150,000 square miles of such agricultural territory into a single State. Therefore it is that I believe the public policy of the people of this country requires that Dakota shall be divided, and that policy of States of convenient size will remain the policy of this Government as long as we have territory to gather into States, notwithstanding the exceptional cases of California and Texas, and to some extent Colorado.

Mr. MANDERSON. If the Senator from Iowa will permit me to interrupt him, let me call his attention to the fact that the rule he speaks of is particularly to be observed in that agricultural territory lying west of the Missouri River. For instance, in carving out that which was formerly the great Territory of Nebraska, which included Kansas and the territory north, the first slice south was Kansas, with about 80,000 square miles in area; the next was Nebraska, about 77,000 square miles in area; so that due regard has been paid to that proportionate area so far as we have progressed in that agricultural district.

Mr. ALLISON. True, and I am obliged to the Senator from Nebraska for that suggestion, which I think I will amplify enough to say that the agricultural interest of this country is after all the predominating and controlling interest. What will the people of this country say if the agriculturists are to be told that when we reach an agricultural region, instead of a State of convenient size for their comfort and convenience as respects local government, we will huddle them together in States 150,000 square miles in area, thereby, as the Senator from Massachusetts [Mr. HOAR] truthfully says, diminishing their power in the Senate, which many of them think is small enough already.

Mr. President, I have said that the agricultural interest is the great interest in our country. This Territory of Dakota is the garden of that agricultural interest. Edward Atkinson, in a speech which he made about a month ago, which I have had the pleasure of reading, said that 60,000 square miles of territory employed in the production of wheat, producing 13 bushels of wheat to the acre, would produce 500,000,000 bushels, or a quantity nearly 150,000,000 bushels in excess of the consumption of our country to-day, or nearly 50,000,000 bushels in excess of our production hitherto of wheat. It is well known to every man upon this floor who has traversed the Territory of Dakota that North Dakota, with its 75,000 square miles of area, is almost wholly adapted to the raising of wheat. The Territory raised last year 60,000,000 bushels; it will raise this year 100,000,000 bushels, and it is one of the factors that will sustain and maintain our country against all comers, whether in Russia, or India, or Asia, as respects the control of the wheat-producing regions of the world. If we treat this agricultural region as we ought to treat it we shall excel in the production of wheat; we do excel now, but we shall continue so to excel every other country. We do it now in the production of cotton. What country undertakes to compete with the United States in the production of cotton or wheat, or what country can in the great future?

I appeal to Senators whether it is wise for us to be higgling here for mere temporary party advantage—because that is all it is? No man can tell, in the upheavals of party politics, what will come to pass ten years from now, or five years from now, as respects its organization. I will not enter upon that field of prophesy; I merely refer to it. But here we are for the sake of temporary party advantage—because it is nothing more or less—undertaking to keep out a great agricultural area and a great agricultural people, numbering probably 150,000 voters and 700,000 or 800,000 population, from participation in the affairs of this great Government of ours.

Look at it! Since this day's proceedings began we have released from Indian reservations 11,000,000 acres of land in South Dakota. What is to be the effect of that? The effect of it will be within the next two years to practically double the population, or nearly so, of South Dakota. Men will go in there and seize upon those agricultural lands for cultivation, so that South Dakota, that is now asking admission with 400,000 population, before another year shall have passed away will probably have a population of 600,000.

Mr. President, I would not have engaged in this debate at all (because I am not disturbed by the pleasant allusions of the Senator from South Carolina) except that I wished to present some considerations which are conclusive to my mind as respects the great political importance of admitting South Dakota as a State and North Dakota as a State as well. I will join hands with the Senators for the admission of Montana. Why should Montana be kept out of the Union? She formed a State government long ago and is entitled to admission as a State without going through the roundabout performance of an enabling act. So, Mr. President, I am ready to vote now for South Dakota, and I shall be ready to-morrow to vote for North Dakota if the Committee on Territories shall bring in a bill for that purpose and create two States out of this great Territory of 150,000 square miles.

Mr. PLATT. We have reported a bill.

Mr. ALLISON. I am obliged to the Senator for stating that. I did not know the bill was reported.

I have now said all I care to say as respects this great question. I think it is one of the most important that can come before us for consideration, because it relates to the exclusion of six or seven hundred thousand people from participation in the affairs of this great Republic of ours. That is an unjust exclusion, and it ought not to be tolerated a moment longer than they can have an opportunity to come into the Union.

Mr. BUTLER. Mr. President, I think that the Senate is to be congratulated that this discussion has got back to the issue before us, and I am obliged to the honorable Senator from Iowa [Mr. ALLISON] that he has discussed it from the standpoint of a patriot and a statesman; and I only regret that the example set by my honorable friend from Connecticut [Mr. PLATT] and by the honorable Senator from Illinois [Mr. CULLOM] had not been followed by others who have spoken on this question, and confined the debate, as I attempted to confine it, to the issue before the Senate

The Senator from Iowa has said that the Democratic party, as a party, has prevented the admission of Dakota, notwithstanding the assurances given by myself and by my honorable friend from Missouri and by other Democratic Senators, as far as they have the right to speak for that party, that that is not true, that we have been in the past, are prepared now, and will be in the future to admit this great Territory into the Union as a State upon terms of equality with the other States of the Union.

Mr. PLUMB. Will the Senator allow me to ask a question?

Mr. BUTLER. Yes, sir.

Mr. PLUMB. Is he willing also to vote for an act of admission containing a covenant like that of the State of Texas, authorizing new States to be formed out of the Territory?

Mr. BUTLER. Perfectly. I have said over and over again that the best solution of this question was to admit the Territory of Dakota as a whole and leave it to the people of that State, when it became a State, to determine the question of the geographical area of the State, if it should be divided.

Mr. PLUMB. Without an enabling act?

Mr. BUTLER. No, sir.

Mr. PLUMB. The Senator will admit it at some future time?

Mr. BUTLER. No, sir; I will admit it as quickly as it can be done according to the forms prescribed by the Constitution and laws.

Mr. PLUMB. When prescribed?

Mr. BUTLER. I am amazed that the Senator from Kansas should ask me that question. Fifteen out of twenty-five other States admitted into this Union have come in that way, and I will say to him that in every single instance where that regular constitutional mode has not been adopted it has been an exceptional case, as I attempted to explain in a speech which I made on this subject at the last session of Congress. In every instance where a State has been added to the Union it has been in pursuance of an enabling act by Congress except certain States referred to by the Senator from Iowa this morning, but, as I stated, those cases were exceptional. The cases of California, Oregon, Kansas, Iowa, Florida, Arkansas, Michigan, all were exceptional.

Mr. PLUMB. The Senator from South Carolina admits that in these cases admission was obtained without a previous enabling act from Congress. Why not give the same effect to the will of the people of Dakota now?

Mr. BUTLER. I will answer the Senator's question: because I do not believe the will of the people has been expressed. I will answer him, sir, by saying that I oppose this so-called South Dakota movement simply because, in my judgment, it is a political trick to get two Senators into this body who are not constitutionally and legally entitled to be here.

The Senator who now presides [Mr. SPOONER in the chair] stated the other day, quoting from Mr. Lincoln, that parties can not fool all the people all the time. Let me say to that Senator that the Republican party in this instance can not fool the smallest page upon this floor for one moment of time. It is so transparent, flimsy, and I was about to say flagrant in its pretensions that a blind man could almost see it.

Whilst I would not put my opposition to the admission of any Territory upon the ground that its people differed with me in political sentiment, I couple that statement with the further statement that I never will consent, if I can prevent it, to any party getting by a snap judgment a political advantage in a body where their political supremacy is rapidly waning. I hope that answers the Senator.

Mr. PLUMB. Well, Mr. President, the Senator makes a pretty broad statement, and I ask him if he did not do that same thing at one time in the organization of the Senate by putting a member of his side in the chair of the Senate, notwithstanding that there was a Republican majority elected, but three members of that party had not yet been presented for being sworn in.

Mr. BUTLER. No, sir.

Mr. PLUMB. The Senator did, I think, do that very thing.

Mr. BUTLER. No, Mr. President; not at all. The Senator is mistaken in his facts, and I refer to the record to prove that he is not correct. However, that is aside from this question.

I admit, Mr. President, that I am as devoted a party man as perhaps there is on this floor; but if I know myself and know my duty to my country and to the Constitution of my country, I would perish before I would resort to some of the methods of the party to which the Senator belongs to perpetuate my party power. The Senator has indulged this morning in a very broad and sweeping statement, as did the Senator from Wisconsin the other day, arraigning the South, criticising the methods in that community, denouncing those methods, and claiming at the same time that they were governed and controlled by a judicial and non-partisan spirit for the good of the country.

Mr. President, if those two Senators and the Senator from Ohio had carried their reform sentiments into their sections of this country where there have been charges of fraud, of corruption, of bribery, of intimidation, and violence, and arson, I should have had some respect for the sincerity of their statements and some regard for the honesty of their protestation. But, sir, when they see evil in one section and close their eyes in another I must be excused if I say—and I say it without meaning to be personally disrespectful—that it descends to the level and into the very quagmire and slime of ward politics and ward-meeting controversies.

If I had the time and this were the occasion to go into ancient politics, and if I could go into those Southern States now struggling to re-establish themselves upon a basis of devotion to the Union and the institutions of this country and re-erect those disgraceful, shameful abortions of government, debauching high places of State, diffusing into the very atmosphere the stench of their corruption; those so-called State governments sustained by the Senators (who are now denouncing the present State governments) in word and deed and act, ay, more, who bolstered them up by the unwilling bayonets of the United States Army—if I could re-erect the disgraceful Republican governments in the South, hold them up and ask the country to look upon this picture and then on that one, those States as they now are with all the evils and all the abominable political heresies that characterize their elections according to the Senators, and see peace and quiet and progress and devotion to constitutional government and the Union of this country with just laws impartially executed, I think the statements of Senators who have spoken against them would be utterly scorned and driven out by intelligent people everywhere, and that they would hang their heads in shame for provoking the contrast.

But, Mr. President, something was said about slavery. I think the Senator from Wisconsin said that the first gun fired at Fort Sumter gave the death wound to slavery. So it did, sir, and the echoes from that gun rose and swelled in magnitude and volume until it sounded around the world. Slavery did go down. Speaking for myself I say I rejoice that it did; but instead of planting flowers of good-will and peace on the grave of slavery, as I think every patriot ought, the Senators who are maligning and slandering that section revive the gospel of hate and sectional animosity.

If they do not, sir, if that is not their purpose, why have they confined their animadversions to one section of this country? Why, sir, the ink is scarcely dry in the public press of this country charging the grossest, most insidious, most dangerous frauds upon the freedom of elections in the little State of Rhode Island. The country has not forgotten, and the Senators could not have forgotten, that the echoes of the election frauds and violence and outrage and wrongs in Ohio have scarcely died out in this country, and yet there is not one word of them.

I do not intend to imitate the bad example of those Senators and arraign that gallant little State of Rhode Island. I do not know, it is not my business to know, whether those charges are true or untrue, and I will not degrade my position upon this floor by arraigning a sovereign State in the settlement of her domestic affairs. Rhode Island is capable of taking care of herself, and she will. South Carolina is capable of taking care of herself, and she will; and in taking care of herself she will have due regard to the honor, and the dignity, and the character, and the welfare of this whole country. But she can do it much better than the Senator from Wisconsin or the Senator from Kansas, and so can Rhode Island attend to her affairs much better than I can. I do not intend to depart from what I conceive my duty and arraign the people of that State or any other State for the local disturbance which may have occurred. But this is rather apart from what I intended to say, and perhaps I was diverted by the questions of the Senator from Kansas.

Coming back now to what was said by the Senator from Iowa in regard to the responsibility of parties for keeping Dakota out of the Union, I will give him a little modern history which seems to have escaped his mind as it has the minds of others who have spoken upon this question. I will remind him, as I did the Senator from Missouri the other day, that the very first sound of opposition that came to the admission of Dakota came from a Republican Senator upon the other side of this Chamber, the Senator from Maine [Mr. HALE], who, as he said, kept Dakota out of the Union to collect a debt.

But that was not all. What occurred in 1882? I give my friend from Connecticut notice that I am going to read from the proceedings of the Aberdeen convention, a body of men whom I do not know, except, I believe, a single one; but to all appearances they are intelligent, they are patriotic; they wish the good of the country; they are evidently intelligent men, and all Republicans from whom I have quoted. They all belong to this paradise of Dakota, this country which the Senator from Connecticut says is in such a deplorable state of vassalage, horrible to think of, unsuited to be inhabited by any civilized man in a Territorial form of government. Yet with a rapidity that is marvelous and phenomenal, immigrants rush in wildly, earnestly, anxiously, and put their necks in the halter and perish by the oppressions of the Federal Government.

When the president of that convention took his seat he made this statement, and the records of Congress sustain him:

> The first real effort, however, that was made to secure the division of the Territory was made in January, 1882.

I wish the Senator from Iowa were in his seat that he might hear this:

> A mass convention was held at Sioux Falls, largely attended by representative men. A committee of over one hundred men was selected to go to Washington to aid the Delegate in Congress in securing the division of Dakota and the admission of the south half.

Mark you, Mr. President, to secure the admission of the south half of Dakota.

> At that time the politicians of the Territory of Dakota—the admission party of the Territory—were in harmony with the Administration and with both Houses of Congress. This committee went to Washington, and they labored with the Delegate all winter; they were the very friends of the Territory of Dakota. They were able to accomplish nothing, however. This was upon the very eve of the Presidential election.

There, sir, is the action of a Republican Executive, a Republican Senate, and a Republican House turning the south half of Dakota away from Congress and giving her a kick as they sent her off; and yet the Senators say that the Democratic party is responsible for keeping Dakota out of the Union.

Mr. PLATT. We were not playing any political trick then.

Mr. BUTLER. Ah, Mr. President, you had not then elected two bogus Republican Senators, in a bogus State government, by a bogus legislature. Now you have; hence the change of heart and impatient zeal to admit her. On every occasion when a proposition has been made to admit Dakota it has been antagonized by the other side of this Chamber.

The Senator from Wisconsin asked me the other day if I did not admit that the south half of Dakota, the State of South Dakota, as he called it, had territory enough, and population enough, and all the qualities for a State? I tell him frankly, yes; I have no sort of doubt about that; not the slightest. So would one-half of New York have the necessary qualifications for a separate State. So would one-half of Kansas have the qualifications necessary for a State. So would one-half of Pennsylvania, and I think not unlikely one-half of Colorado and of California.

Let me advert for a moment to the observation of the Senator from Iowa that the Democratic party had kept South Dakota out of the Union, and refresh his memory by the facts as proven by the record. I should like to ask the Senator if he were in his seat, if he made such an eloquent, stirring, logical, strong protest when the small, insignificant Territory of Colorado was applying for admission? We did not hear the Senator then. Colorado had 104,000 square miles, and yet the Senator sat in his seat, I presume placidly and amiably, as he always does, and permitted this great outrage upon the other States of the Union. Colorado came in bouncing, with 104,000 square miles. The Senator did not then see the danger to the small States in admitting very large ones.

But the Senator says that Dakota is purely an agricultural State and must always be. Why? We had a lecture yesterday by the Senator from Ohio in regard to how we should be good boys down in the South and behave ourselves, diversify our industries, maintain a war tariff, and if we would only vote the Republican ticket he would take us to his arms and embrace us as brothers. If any man from that section, however, dared to say that his soul was his own, or had the hardihood and temerity to vote the Democratic ticket, he was a rebel and a traitor, and a perjurer, and a villain; but if every pore of his body was reeking with treason and crime, rebel brigadier all piled on him thick and heavy, and he votes the Republican ticket he is cleansed in a moment and taken into every heart and bosom of the Republican party. So it is.

It is said that the State of Dakota must always remain agricultural. Why? Have not the people of Dakota as much right to diversify their industries as Iowa? Have they not as much right to manufact-

ure lager beer in Dakota as in Iowa; and when they get the plant established and large amounts invested in lager beer breweries have they not as much right to confiscate that property as in Iowa? That is one of the industries. Have they not a right to manufacture cotton or woolen goods there if they choose, or wagons, or to put up blast furnaces? Why must it always be agricultural?

At present the largest part of the vote of Dakota is agricultural, and I am therefore not surprised that a gentleman, who I am glad to say is presented prominently to the people of this country for the votes of the people in a future election, should want to cultivate the largest majority in that Territory. But there is nothing in that argument. Dakota may have agriculture this year, and in ten years she may be teeming with industries of all kinds.

But to return. The statements made by Senators upon the other side are not borne out by the facts when they say the Democratic party have opposed the admission of Dakota.

They ask us why we oppose the admission of the State of South Dakota. Will some Senator be good enough to point out to me on the map of this country such a geographical entity as South Dakota? Will he point out such a political entity as the State of South Dakota? Of course it can not be done. The very first statement in this bill is an arraignment of the whole movement. It says that the State of South Dakota is hereby declared to be a State of the United States. Where is the State of South Dakota on the map? Can you point it out? Where, I repeat, is the political entity of the State of South Dakota? It can not be found. It is not there.

When other Senators have come upon this floor as representatives of States they have generally been accompanied by credentials from the governors of those States. Mr. President, you presented yours, and you could not be sworn in until they were read from the desk. Where are the credentials of these two so-called Senators from the State of South Dakota? By whom were they signed? They must have been signed by a blizzard and countersigned by a snow-bank. I had supposed that in order to get a seat upon this floor a Senator must present his credentials, regularly made out by the governor of a State. Who is the governor of South Dakota? Where is he? What are his powers? The mere statement of the proposition carries with it its own absurdity.

Yet when we present an enabling act, regular in form, fair to all parties, in accordance with the established precedents of the Government, and ask the Republican side of the Senate to vote "ay" on it, every single vote, if I am not mistaken, will be recorded against it. There might have been something like fairness, something like sincerity, something like a due regard to the orderly proceeding in this as in all similar cases, if the majority of the committee had provided in their bill that this constitution should be resubmitted to the people of all the Territory, and to have had a reorganization of the entire State government under the bill, and a constitution as voted upon by all the people of all the Territory brought to Congress, having elected, if you choose, or if it were practicable, the same Senators and the same governor and the same Representatives to the House of Representatives, and have them present themselves. There would have been some fairness in that. But, no, this political junta, headed by a new firm of political evangelists—not Moody and Sankey, but Moody and Edgarton—say, "No, the State will not be admitted in this generation of men and women in Dakota if we are not allowed to dictate to Congress our terms and say in what manner we shall be admitted." Very well, Mr. President, if they can stand it I expect some of the rest of us can.

I join the Senator from Iowa, and I implore his political allies on the other side of the Senate Chamber to stop this higgling for party advantage, which he says is evanescent and passes away. If he will get upon some common ground of fairness and justice to all parties, to the people of the United States and to the people of the Territory of Dakota, and admit her into the Union upon terms of equality with the other States, I will meet him more than half way, and I believe that my political friends on this side of the Chamber will do it; but, sir, we will never consent, I believe (I speak, of course, only for myself), to a proceeding which proposes to settle the political supremacy in this body, rapidly drifting away from them, by seating upon this floor two Senators elected as these two have been. That is what it means, Mr. President, and that is all it means; and all this sounding of gongs and diversion from the real issues is intended to cover up and conceal from the public the real motives behind all this movement.

But, sir, the Senator from Ohio, as he usually does, after indulging in a tirade of abuse and misrepresentation of one entire section of this country, condescends to deliver us a lecture as to how we shall conduct ourselves in a certain section of this country. He then, referring to the observation submitted by the Senator from Louisiana, who is absent, sick, and who will take care of himself in his own good time, said in effect at least—I do not quote his language—he is surprised that any Senator so elected could take advantage of the wrongs, and the outrages, and the bloodshed, and murder, and take his constitutional oath as a Senator of the United States. Suppose I were to retort upon him, which I will not do, by saying to him that he got the advantage of his own wrong as a co-conspirator in the greatest fraud that ever disgraced American politics; maneuvered himself into the Treasury Department of the United States; and that he did more—which I do not believe can be said of any Southern man—he rewarded his co-conspirators in that crime and fraud out of the public Treasury of the United States by giving them office. I will not say that the Senator from Ohio did that, but it would have been just as competent for me and for the Senator from Louisiana to have retorted that upon him as it is for him to insult the dignity of his fellow-Senators by saying that they are here by fraud and bloodshed and outrage at elections.

Mr. HAWLEY. But, if I may be pardoned, the Senator from South Carolina would say that boldly concerning the Senator from Ohio if it were true, would he not?

Mr. BUTLER. No, sir; I would not upon this floor. I have too much regard for the decencies and proprieties of life and the decorum of this body.

Mr. HAWLEY. The Senator has practically said it, however.

Mr. BUTLER. I said that I might retort it. What I mean to say is that that charge is just as much true as the other. For one I can submit, for the peace and good feeling and harmony of this country, to a great many slanders and misrepresentations; but the Senator from Ohio went to the verge and I think beyond the verge of decorum in this high forum at least in making these charges upon men who are his equals in every aspect of life.

I am not in the habit of taking advantage of my position in this body, where I am protected for words uttered in debate, to assail the humblest man in this country; but when a Senator goes out of his way, and, as I think, maligns not only independent commonwealths in this country, but every man, woman, and child in them, he has reached a point where I feel constrained to advert to it.

I wish to say again, and for the last time in this debate, that I would not object to the admission of Dakota because of the preponderance of Republican votes in that State, or because if she were regularly admitted she would send Republican Senators to this body and to the other branch of Congress. I believe I am as good a party man as any on this floor, but in the creation of States we ought, at least, whether we do it or not, to rise above mere higgling for party advantage, to borrow the language of the Senator from Iowa, and go about it with that solemnity and deliberation which so important an act involves.

I tender now and here my vote for an enabling act, because I believe that is the regular constitutional form, and I am sincere and conscientious and honest in that. I tender now my vote for the admission of this Territory into the Union as a State, but I do not recognize any such geographical division as South Dakota, and there being no such division I can not vote for the bill of the majority.

Mr. CALL obtained the floor.

Mr. VEST. Will the Senator from Florida permit me to make a motion?

Mr. CALL. Certainly.

ADJOURNMENT TO MONDAY.

Mr. VEST. I move that when the Senate adjourn to-day it be to meet on Monday next.

Mr. PLATT. Will not the Senator withhold the motion until we can see what becomes of this debate to-day?

Mr. VEST. I took it for granted that the Senate would carry out its order, adopted by unanimous consent, to take the vote to-day. This is the second agreement of that sort we have had, and I have never known the Senate for the second time to rescind it. My understanding is that we are to close the debate to-day, and I submit the motion.

The PRESIDENT *pro tempore*. The Senator from Missouri moves that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

FLORIDA PUBLIC LAND INVESTIGATION.

Mr. JONES, of Nevada, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, reported favorably thereon, and the resolution was considered by unanimous consent and agreed to:

Resolved, That the expenses attending the investigation of alleged illegal and fraudulent conveyances of public lands in the State of Florida, authorized by the resolution of the Senate of the 18th instant, be paid out of the contingent fund of the Senate.

ADMISSION OF DAKOTA,

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 185) to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of Lincoln.

The PRESIDENT *pro tempore*. The Senator from Florida [Mr. CALL] is entitled to the floor.

Mr. CHACE. I ask the Senator from Florida to yield to me for a few minutes.

Mr. CALL. Certainly.

Mr. CHACE. Mr. President, I was not in the Chamber at the time the Senator from South Carolina made his allusion to the recent election in the State of Rhode Island, and I am not aware of the absolute statement what it was.

Mr. BUTLER. I will repeat briefly what I said. I stated that the newspapers were full of charges of fraud, bribery, and corruption in that State, but that it was no part of my business and I did not undertake

to say whether they were true or untrue; that the State of Rhode Island could take care of herself as the State of South Carolina could take care of herself. That was the substance of my statement.

Mr. CHACE. The Senator from Missouri [Mr. VEST] took occasion yesterday to make a similar allusion, and inasmuch as it has been repeated again I feel it my duty to defend the good name of the Republican party of the State of Rhode Island and to repel the slander. I denounce it in so far as it respects the action of the Republicans in the State of Rhode Island as an unqualified falsehood, and I declare that there has never been in any State in this Union, so far as the action of the Republican party is concerned, a fairer election than was the last one which occurred in that State.

The State was flooded with money, with Democratic money, money furnished, as we are advised and believe, by men who are organized to manage the affairs of the Democratic party, national and State. The rum-sellers, the saloon-keepers of the State of Rhode Island, we are informed, were called upon and contributed without exception. The Mugwump free-trade organizations in Massachusetts, we are advised, contributed liberally towards the Democratic vote. How much of funds which had been collected in the Departments at Washington from office-holders, contrary to law, was used by the Democracy of Rhode Island I know not, but this much we do know, that the evidences of the corrupt use of money by the Democracy of the State of Rhode Island were patent in that State.

This is another instance of the man who has committed larceny running down the street and crying, "Stop thief!" I will not sit here and hear the good name and fair fame of my little Commonwealth traduced in this way. Gentlemen on the other side seize on these slanders published by Democratic papers and Mugwump papers and roll them under their tongue as a sweet morsel, and they hurl them at us here as a countervailing argument, as something to break the force of the charges which have been made against the election procedures in certain Southern States.

I do not intend at this time to enter into that question, but I wish to say that the charge made by the Senator from Missouri that the vote of the State of Rhode Island was suppressed is an error. I do not charge that he intentionally misrepresented the fact, but he quotes from the last census in the table that he gives and states the voting population of the State of Rhode Island to be 76,898. That is simply an enumeration of the male population within the State who have arrived at the voting age and not of the qualified voters. Many of those men lack the qualification from a lack of residence, many others from not being naturalized, and many others from not having qualified themselves to vote under the laws of the State.

I have not the exact figures with me, but I can state with sufficient accuracy that the popular vote at the last election in the State of Rhode Island was just about 80 per cent. of the voting population of the State, and further, that the Democratic vote at the election one year ago was the largest Democratic vote ever cast in the State, and that the Democratic vote at the last election was within about 600 of the number cast the year before. The result in the State grew out of the fact that the good Republican people of Rhode Island having experienced one year of Democratic misrule were entirely satisfied, or entirely dissatisfied, and they rose up and hurled them from power. There was no corruption, there was no unfair means, there was no suppression of the vote, and the assertion that the Republican party used money corruptly is false and without foundation.

Mr. VEST. Will the Senator from Florida permit me to say a word in reply to the Senator from Rhode Island?

Mr. CALL. Yes, sir.

Mr. VEST. I distinctly stated in my allusion to the State of Rhode Island that the authority for the statement came from the Providence Journal, a paper which belonged to Senator Anthony during his lifetime, and the ownership of which I do not now know. I ascertained by an examination of the record of newspapers and their political tendencies in the United States, which is open to the inspection of the Senator from Rhode Island, that this is a Republican paper, and I have been told by newspaper men since that debate that it never has supported a single candidate of the Democratic party.

Mr. CHACE. I have no doubt that my friend from Missouri believes what he says, and I have no doubt he will be very glad to be corrected.

Mr. VEST. As a matter of course I know nothing personally about it.

Mr. CHACE. It is true the Providence Journal was formerly owned by the late lamented Senator Anthony, and that during his life it was a sound, staunch Republican paper; but at the present time it is not only not a Republican paper, but it does not pretend to be such.

Mr. VEST. It certainly is not a Democratic paper.

Mr. CHACE. The Senator may acknowledge it or not, as he pleases; but I beg leave to say that it supports Democratic doctrine in regard to every single question which is at issue between the Republican and the Democratic party to-day. It supports the Mills tariff bill. It supports the President of the United States in his policy generally; it is opposed to internal improvements. In fact it supports all Democratic measures and opposes all Republican measures. It announces itself as an independent paper.

I suppose that the Senator will agree with me in one respect, he being a Democrat and I a Republican. I have no doubt that he will look upon an independent paper or a Mugwump paper very much as I do, and that he would say of it as we read in Holy Writ, "Thou art neither cold nor hot. * * * So, then, I will spew thee out of my mouth."

Mr. VEST. I do not know that there is any issue between the Senator from Rhode Island and myself in regard to the question of independence in politics, what is denominated in common parlance the Mugwump doctrine. That is not the issue. This paper has never supported any Democrat; that is certain.

Mr. CHACE. Oh, yes; this paper supported the entire Democratic ticket a year ago.

Mr. VEST. Yet it is not regarded as a Democratic paper.

Mr. CHACE. It advocated the election of the Democratic candidate for governor and the Democratic candidates for the Legislature openly and continuously.

Mr. VEST. I can take no issue with the Senator's assertions in regard to a State the size of Rhode Island, for it is to be taken for granted that the Senator knows intimately every fact within its domain. Therefore this is not a question of controversy between us, and can not be in the nature of the case. I stated distinctly that I had no personal knowledge in regard to it; but now I call the attention of the Senator to the unfairness of his charging the Democratic party with intending to do wrong and injustice to his people when he says that we have quoted here from a newspaper and then denounce it as an absolute falsehood. Yesterday the Senator from Ohio arraigned the whole South upon newspaper statements, reports of politicians and opinions expressed by public men, and one of them a member of this body; and yet when we quote from a paper, the largest in as small a State as Rhode Island, published in its principal city, a paper which is not a Democratic paper—if it has supported any Democrat it has not done it in any political sense, but for personal or selfish purposes—we are told that the whole Democratic party has committed a wrong and an outrage upon the people of Rhode Island.

When I made the statement from the census the Senator from Vermont interjected the inquiry whether I referred to the qualified voters or the persons over twenty-one years of age. My colleague [Mr. COCKRELL] answered before I could that it was the voters under the State law.

Mr. ALDRICH. The Senator's colleague was mistaken in that statement. The enumeration is that of all males in the State above twenty-one years of age.

Mr. VEST. I was about to observe that if left to my own judgment about the matter I should have stated from what I know of the enumeration of all the voters in the United States that it meant those over twenty-one years of age, because there are some 12,000,000 stated as voters in the whole Union, and they include Japanese, Chinese, Indians, and a great many who do not exercise the right of suffrage, but who are still in the enumeration, which fact I knew. They take down all those above the age of twenty-one years and who would be as a matter of assumption entitled to a right to vote.

I meant no injustice to Rhode Island. I should like to know from either of the Senators how many qualified voters there are in that State under the State laws, which I understand require a real-estate qualification.

Mr. ALDRICH. About fifty-odd thousand at the time of the recent election. We cast about 80 per cent. of our vote. I see that the Senator from South Carolina [Mr. BUTLER] is anxious to know how many people were disqualified.

Mr. VEST. Will the Senator for information tell us how many persons over twenty-one years of age are not permitted to vote under the laws of Rhode Island—who are disfranchised?

Mr. ALDRICH. By the enumeration made in 1885 by the State the number was found to be 3,402, as I remember, of foreigners who were naturalized and who could not vote on account of the real-estate qualification.

Mr. VEST. Do I understand the Senator to say that there are 50,000 qualified voters in the State?

Mr. ALDRICH. There were over 50,000 qualified voters at the time of the last election.

Mr. VEST. And that only 3,400 were disqualified by the property qualification?

Mr. ALDRICH. There were 3,400 who were naturalized and disqualified by the property qualification.

Mr. VEST. Then that census is the most misleading document that was ever issued in this country.

Mr. ALDRICH. It never has been doubted in Rhode Island, so far as I know.

Mr. VEST. The census shows that by the actual enumeration there were seventy-odd thousand voters in the State—that is, persons over twenty-one years of age.

Mr. ALDRICH. But the Senator must bear in mind that there are twenty-four thousand foreigners in the State who have never been naturalized, who as aliens would not be entitled to vote in any State in the Union. There were a certain number of our people who failed to qualify themselves by registration, and this would account for the dis-

crepancy between the aggregate of the numbers I have mentioned and the enumeration of males above twenty-one years of age by the census.

Mr. VEST. I meant no injustice to the State of Rhode Island. I took the census as I found it, and quoted it without any other intention than to elicit the facts.

Mr. CHACE. I wish to say one more word. The way this matter has been left does not seem to me to be entirely clear. Probably the Senator from Missouri did not observe what I said. There is a very considerable number of people within the State, as there almost always are, who have removed from other States, who have not yet acquired a residence. There are others who have failed to register. There are others who are disqualified for other reasons. There is a large number of excellent citizens of the State who came from the Dominion of Canada to seek employment within the State of Rhode Island. Many of them are not naturalized; at least a large number of them are not. Now, all those men who were of the age of twenty-one were enumerated in the census of 1880. But that election in the State of Rhode Island, the last election, and all elections have been fair and open, and that every qualified citizen had an opportunity without let or hindrance to cast his vote as he pleased, and when the vote was cast that it was counted, I challenge any man to bring a scintilla of evidence to the contrary.

I stand here to defend my State from these calumnies—calumnies set on foot by partisan papers—papers disappointed, discouraged, and sickened at the honest verdict of the people of Rhode Island against Democratic misrule. I wish to read a remark of the Senator from Missouri. In his speech the other day he used the following language:

> But the Senator brings newspapers here with stories of outrage and murder and crimes innumerable. Ah, Mr. President, where would the Senator from Ohio or myself be if the newspapers were to be quoted against us? Where would any member of the Senate be? What would become of any public man in this country if newspapers are to be taken as evidence before any tribunal?

This whole story is based upon the vile slanders of partisan newspapers who are disappointed at the result of the honest vote of the State of Rhode Island.

Mr. CALL. Mr. President, it is my intention to submit a very few brief observations upon the question of the admission of Dakota as a State under the pending bill.

The question of the degree of interest which the people of the different States may feel in public questions and in exercising the right of suffrage is one that has no concern whatever with the bill now before the Senate, with the question of the admission of Dakota either as one or two States, but I think it is due to the people of Florida that, before submitting any remarks upon that subject, I should put them right by comparison with other portions of the country and furnish the conclusive refutation of all the aspersions which have been made upon the Southern States so frequently, and which have been the predicate of so much hostile legislation, the coroner's inquest bill, and the various acts of Congress touching elections in the Southern States.

Facts are what the people want. Facts are what Senators and legislatures are required to have to legislate upon, and not the vain parade of assertion as the predicate of party advantage and party success.

We have been entertained here for days upon one of the most important public questions which can be presented to a legislator—the admission of a new political community to exercise important political influences, not alone upon the people of the State, not alone upon the people of to-day, but upon the generations yet to come and upon all the States which now compose the existing body-politic. We have been entertained with assertions in regard to the suppression of the vote in the Southern States, to what purpose, with what reasonable connection with this bill with the question of the admission of Dakota, can not be seen.

I wish to say that the evidence shows that by a comparison of the State of Florida, with nearly one-half the voting population of the State of Florida of the colored race, with the State of Massachusetts, black and white, the vote in the State of Florida is larger, a larger proportion of the actual voting people qualified by law to vote than in the State of Massachusetts. That fact should forever set at rest this whole question of unfair methods, of unfair disposition, of violence and intimidation on the part of the Southern white people toward the colored citizens.

The figures are, as I shall give them, from the last census, which, whether incorrect or correct, is the only accurate data, and is as fair for one as the other. The last census gave Massachusetts 1,783,085 people, of whom all but 19,303 were white. At the same time Florida had 269,493 people, of whom 126,888, or nearly one-half, were colored. The Congressional apportionment gives Florida two Congressmen and Massachusetts twelve. At the last election for Congressmen in Florida there were cast 21,882 votes in the First district and 34,895 in the Second—a total of 56,777, or an average of 28,388 for each district.

At the same election in Massachusetts the total vote cast in the First district was only 16,071, and in all twelve districts 245,304, or an average of but 20,442 for each district. In other words, while it took 34,895 votes to elect a Congressman in one district of Florida, 16,071, or less than one-half as many, sufficed to elect a Congressman in one district of Massachusetts; and while in the whole State of Florida it took an average of 28,388 to elect a Congressman, it required an average of only 20,442 votes to elect a Congressman in Massachusetts.

Mr. EDMUNDS. Will my friend from Florida allow me to ask him a question?

Mr. CALL. Certainly.

Mr. EDMUNDS. Suppose that in the State of Massachusetts the counting officers had doctored the returns and had only returned half the votes cast, then the comparison of course would not be so satisfactory?

Mr. CALL. That is true, but——

Mr. EDMUNDS. Or to put the other side of the picture, suppose that in the State of Florida the returning officers had resorted to a similar process of doctoring and had reported a very large vote that was never cast at all?

Mr. CALL. I will suppose a case, too. I have just as much right, and there is just as much evidence for me to suppose that the returning officers in Massachusetts returned twice as many, even of the small vote that was returned there, as that they returned an excess in the State of Florida. In other words, the Senator from Vermont without evidence, without a particle of reason, is making an assertion of criminal conduct against men for which he has no authority and no reason whatever.

Mr. EDMUNDS. Will my friend yield?

The PRESIDENT *pro tempore*. Does the Senator from Florida yield?

Mr. CALL. Unquestionably I do.

Mr. EDMUNDS. In the first place, I did not make any assertion at all; I merely put a supposed case. In the second place, and now, I will assert that I have information which leads me to believe (it may not be good for anybody else and it is of a general character) that in general the reign of violence in the States where a white minority do not think, as they put it, that it is safe to allow a colored majority to have the reins of government, has passed the stage of open violence that existed some years ago, and has come in the true course of progress from deep barbarism toward a better civilization at last to the age of fraud, and that it is the customary course, where anything is supposed to be gained by it, to manipulate the returns according to the necessities of the occasion. Now, I should not be candid if I did not say that I believe that to be so.

Mr. CALL. I challenge the Senator from Vermont here and now to bring any evidence whatever from any respectable person, or of any fact which evidences or tends to evidence the truth of his statements in regard to the State of Florida or the vote which I am referring to here. I aver that I have never heard from any Republican in the State of Florida an allegation of that kind—not one; and I venture to say that the Republicans of the State of Florida will not point to a single fact which maintains the statement of the Senator from Vermont. There were some years ago in the Presidential election various statements made by men whom the Republicans of the State of Florida denounce and discredit, and which they themselves proved even four years ago were utterly false in regard to the election in that State. The frauds committed in the State of Florida in the Presidential election in 1876 by the Republicans, by which Mr. Hayes was placed in the Presidency; the frauds in Alachua County, at Archer precinct, where an entire return was manufactured and a false signature and oath attached, increasing the Republican vote, which was proved and admitted by its Republican perpetrator and rejected by a Republican court, ought to make the Senator from Vermont silent on this subject.

Mr. HOAR. Mr. President——

The PRESIDENT *pro tempore*. Does the Senator from Florida yield?

Mr. CALL. Certainly.

Mr. HOAR. I should like to call the attention of the Senator from Florida to two testimonials, neither of which I have in my desk, but they are perfectly familiar to the country. Within the last ten days it is said throughout the press, and I have no doubt it is true—the article is quoted *verbatim*, and I have never seen any contradiction of it—by Mr. Henry Watterson, of Kentucky, an eminent Southern Democrat, the editor of a prominent Southern Democratic paper, that he should not be a man of honor if he undertook to deny that the colored majority in many of the Southern States had been overcome and the colored people not permitted to vote. I do not give the exact language, but that is the substance of it. I am speaking now of a publication made in his paper within a fortnight. There is also an article by the same eminent gentleman in the Forum, stating the same thing in substance. The Charleston News and Courier has again and again (unless what purport to be extracts from that paper are forgeries) declared that there have been methods much to be lamented in regard to the elections in that State, which the Democrats there have felt compelled to resort to, and hoping that they will not be resorted to in the future. Now, what do these things mean, if the Senator knows?

Mr. CALL. Well, I will ask the Senator from Massachusetts a question. If I were to go into the newspapers to bring from the State of Massachusetts the assertions of crime, of outrage, of violence, and compare with all the newspaper statements he can find in regard to the State of Florida as to crimes there, in proportion it would be all against Massachusetts. He is taking the newspapers. Mr. Watterson is a brilliant and sensational writer for his newspaper, who expresses

an opinion without any accurate knowledge of the facts necessary to justify his opinion. If he means to say that other agencies are used than those that prevail in the Northern States, and that there is a greater proportion of unfair methods than exist in the Northern States, he is mistaken and can not prove his assertion by facts.

Mr. HOAR. Mr. President, I never heard of a Massachusetts newspaper, Democratic, Republican, or Mugwump, that claimed that the elections in Massachusetts had not been perfectly fair and honest and free, and the votes honestly counted. A few years ago the committee of the dominant party in Massachusetts, when the Legislature was counting the vote for governor, on the face of the apparent returns there being no popular choice, so that the Legislature would have the right to elect the governor, discovered a discrepancy which showed that the Democratic candidate, an eminent member of the other party, had been elected by one majority on the popular vote. That was disclosed, and the Democratic governor took his seat.

What I speak of is not the charges made by partisan presses against their political opponents. I agree with the substance of what was said by the Senator from Missouri [Mr. VEST], which has been quoted correctly by the Senator from Rhode Island [Mr. CHACE] in that regard. These are statements made by newspaper presses edited by men of high standing and character in their own party and in the country—one of them an eminent member of the other House with whom I myself served there, I think; at any rate he has been in that House—confessing or stating what they are obliged to admit to be true against their own party. I think that is a source of evidence which is to be respected. There is no use in meeting this thing without touching the merits of it. The Senator from Florida, who is a candid and honest and brave man, must know perfectly well that a statement of Mr. Henry Watterson, of Kentucky, in regard to the election conduct of the Democratic party at the South is not to be met by a sneer at newspapers.

Mr. CALL. The Senator from Massachusetts will not pretend to say that the opinion of Mr. Henry Watterson upon a public question is evidence of a fact. I am referring to the statistics for the purpose of showing whether votes were suppressed or not; I am showing the enumeration of population in a State where the suffrage is universal, where there is no restriction from taxes or from qualifications, and the Senator from Vermont asserts a hypothetical case, conveying a statement or insinuation that these statistics were produced by fraud in suppressing the vote or in making a fraudulent return. Then the Senator from Massachusetts refers to the opinions of certain men upon a public question and not in regard to facts within their knowledge, but a supposed result of certain conditions of race.

Why the Senator would hardly present a respectable position before a court or a jury even upon the subject of his own coroner's-inquest law in attempting to obtain a verdict by even Mr. Henry Watterson's opinion and the fact that in his belief the Southern colored majority had not been overcome, or, to go further, had been overcome by violence. There is the fact of the enumeration; there is the vote of Massachusetts; it takes twice as many people, according to the actual returns in Florida, to elect a member of Congress as it takes in Massachusetts. How does that happen? The census is as fair to Massachusetts as it is to Florida. The insinuation that these returns is a fraud is without foundation. Here is the return made in a Republican county, and never charged by any one there to be fraudulent; that settles the fact; that disproves this whole assertion of the Senator from Massachusetts of any force or even plausibility. I repeat again, it took but 16,071 voters in a district in Massachusetts to elect a Congressman in one district, while in the whole State of Florida it took an average of 28,388.

Take, for instance, Duval County, in Florida, which has a decided preponderance of negroes in its total population of 19,430. At the election of 1886 Duval County cast 4,910 votes. Take, now, Barnstable County, in Massachusetts, which has only 420 negroes among its 31,797 people. It is obvious that the total vote of Barnstable County ought to bear the same proportion to the total vote of Duval County that their respective populations bear to each other; or, stated according to the rule of three, 19,430 : 31,797 :: 4,910 : 8,035. But in point of fact only 2,713 votes were cast in Barnstable County, or but a trifle more than one-third of the number which ought to have been cast. It is clear that nearly two-thirds of the vote of Barnstable County was suppressed; but the full enormity of the offense does not appear until one reflects that by this suppression every man who does vote in the Massachusetts county really exercises three times as much power at the polls as every man who votes in the Florida county.

The disparity is not so great, taking the whole of each State, but still it is serious enough to demand remedy. It has been shown that it takes on the average 28,388 votes to elect a Congressman in Florida, and of course it ought to take at least as many on the average to elect a Congressman in Massachusetts. But in point of fact the suppressed vote in Massachusetts was so large that an average of only 20,442 votes elected a Congressman. The result is that a total vote in Massachusetts of only 245,304 elected twelve Congressmen, whereas the Florida ratio entitles the State to only nine. In other words, through the suppression of votes Massachusetts gets three Congressmen to which she has no right if held to the standard of Florida.

In the Republican county of Duval, in the State of Florida, in which the vote is largely, perhaps seven-tenths or three-fifths of the Republican vote in the county of Duval, in which is the city of Jacksonville, of the colored race, yet the returns for a series of years show that in that county they give a Republican majority of from 900 to 1,200, and 1,500, varying between those figures.

Mr. EDMUNDS. May I interrupt my friend?

Mr. CALL. Certainly.

Mr. EDMUNDS. I do not wish to interrupt him if it is disagreeable.

Mr. CALL. I am perfectly willing to yield.

Mr. EDMUNDS. I merely wish to ask for information and to make no comment upon it, if the Senator will kindly inform us what is the regulation in Florida in respect of the selection of the officers having charge of elections? Are they elected or appointed as they are in Vermont, for instance, by the people of the counties and the towns, as we call them (called parishes usually in the South, I believe), or are they elected or appointed under some general State administration?

Mr. CALL. My colleague [Mr. PASCO], who was a member of the last Legislature of Florida, which made the new constitution under which the present laws have been put in force, informs me that they are required to be two of one party and one of the other; and that law has been strictly adhered to under the Democratic rule, while it was not under the old Republican rule.

Mr. EDMUNDS. I am not on the question of who the election officers are, but under what form of law and by what authority and by what officers are they selected?

Mr. CALL. They are appointed by the county commissioners of the county.

Mr. EDMUNDS. Who elects or appoints the county commissioners?

Mr. CALL. They are appointed by the governor.

Mr. EDMUNDS. That brings it back then to the general State administration. That was what I wanted to get at.

Mr. CALL. I do not see anything in that to impeach the honesty of the men appointed. But be that as it may, there is the fact that Duval County, a colored county, gives a full Republican majority larger than the vote in Barnstable County, Massachusetts, in proportion to the population. That settles the fact about false returns. There is a Republican county, and the colored vote making it a Republican county, and there is the evidence of the actual vote larger than it is in the county of Barnstable, in the State of Massachusetts, not for one election, but for a series of years under Democratic rule; and if I had time I can prove by the records of the United States court of the Yellow Bluff frauds that under Republican rule, even in this county, this was not true.

Mr. EDMUNDS. Was that vote for a member of Congress, or for governor, or at what election?

Mr. CALL. The vote was for a member of Congress.

Mr. EDMUNDS. At the last election?

Mr. CALL. At the last election. That is the vote always there. It is not for one case, but always, and it has been so for years. The majority varies of course, according to the candidates, the degree of prejudice or partiality they may have for them, but always the vote has been in that way for years. That settles that question. Now, I want to say a few words in regard to the question of Dakota.

What has the question of the taxable value of guns in the State of Alabama to do with the admission of Dakota? What has it to do with the great production that she grows and sends abroad every year? Does anybody believe so preposterous a statement as that a great agricultural community supporting hundreds of thousands of colored people in comfort makes this vast amount of production with guns and pistols, instead of with plows and agricultural implements?

What has it to do, if true, with the question of forming a new political organization in this country; and how are we to treat the question as legislators amenable to a sound public opinion both in the present and in the future discharging this high trust reposed in us? What is it that we are doing? We are proposing to organize a new political life to join with us in controlling and directing the associated efforts, political, industrial, of a great organization and a vast population. From what points of view are we to consider the creation of this new function and new power amongst the people of the earth and in our own organization of States?

It has been asserted here and argued for weeks as if the people of a State to be created were alone concerned. The Constitution of the United States says Congress may admit new States. "New States may be admitted by the Congress into the Union." That "may be" means unquestionably, according to the sovereign will and discretion of the persons—the Congress to which the functions of government have been intrusted here to say when and how new States shall be created. Then what considerations should govern us? With this party has nothing to do. With this the suppression of votes in the Southern States has nothing to do. With this the indifference of the people of Massachusetts or the indifference of the people of Florida, a discrimination of one-half in the exercise of political power against this or that State, has nothing to do. What are the questions with which a reasonable man can justify or vindicate himself in his vote upon this subject? Manifestly these considerations relate, first, to the continued power and security of the States already in the Union, of the political organism

that is to create new States, of the 65,000,000 people who are now States. No one ever contended that new States could be created properly if that creation was to antagonize or affect injuriously the existing body-politic.

None, I presume, would say that it was fair or proper or wise to create twenty or thirty new States out of the Territory of Dakota. No one will deny that this power has been injudiciously exercised in some cases already by the creation of small States.

Then, Mr. President, the considerations are manifest which should govern this question. First, the welfare and happiness and continued power and permanence of the States already created; second, the welfare and happiness and permanence of the new States to be created and admitted. From that standpoint how are we to view this question? Certainly it is not by making States because they are agricultural; not by making them large or small because of the character of industries which exist among them. There is no permanence in that. We must have some regard in the exercise of the powers of government to the equilibrium of forces which now and hereafter are to exist in this country. We have 65,000,000 now; very soon there will be 100,000,000, and in the near future a far greater number of people.

It is not beyond the bounds of a reasonable statesmanship that Canada and Cuba, and Mexico, and perhaps Central America, may ask to be admitted into this Union of States. Shall we disregard the possibilities of such contingencies? Shall we create this Territory into small States like Rhode Island or Delaware, or even Massachusetts? Or shall we make them so large that the difference between this body and the other House in numbers will always exist, and that the number of persons in this body will bear some proportion towards a large and somewhat difficult body to manage as is the House of Representatives? Shall we preserve the idea of States so large that the Senators who represent them here will continue to be a conservative element in the Government, or shall we make the two bodies alike in all respects, throwing open the whole scheme of our Government to change, and to an essentially different character from that which it now possesses? Shall we create new States so as to concentrate the political power of the National Government in the Northwest, so as to sectionalize it, and again create sectional difficulties? Are we entirely sure that there may not be other questions besides the dead negro of the past upon which sections of the Republic may not divide?

Mr. President, I take it that is the only question to be considered in the creation of new States. Admitting the sufficiency of population, admitting the identity and sympathy of feeling, admitting the devotion to republican institutions and to our form of government, what other question is there to be considered? I venture to say that can be done in only one way, and that is by enlarging the areas of the States now to be created and those to be created in the future. In my judgment there can be no rational argument presented against this view, there has been none presented. The suggestion of imperial States has no significance. You have in the House of Representatives the full representation of the people. You have in this body a representation made equal in respect to the States, the political organization, the territory embraced within certain limits and designated by certain names as States. And the preservation of this equality of rights in this body is the great force of this Government, is its great and conservative force against sectionalism. That is the great point. Shall we give the States to be made in the Northwest territory such representation in the Senate as their increasing population will give them in the House of Representatives until they have ascendency over all other portions of the country, or shall we make them autonomies so large that they will bear their proper and just proportion of political strength and power, not as agricultural States, but as States differenced from the Middle and the East and South by distance, by climate, by the absence of that direct and immediate intercourse which even railroads will not bring.

I venture to say, then, that politically and philosophically there is no ground on which to consider this question except to so arrange these States that one section shall not have the absolute or permanent preponderance over the others. The war has passed away and slavery has gone; and my distinguished friend from Ohio, for whom I have a high respect for his ability, and the Senator from Massachusetts, are laboring in vain and are deluded when they think there remains in the people of this country any remnant of feeling which can be excited by the recollections of the war. All that is gone, and gone forever; and in the Southern States there is more sympathy, more protection, more regard for the colored race and the colored voter than there is or ever can be anywhere else, and less of violence than there is among the white race in the North toward each other, and less of intimidation and corrupt influence than there is in the party contests of the Northern States.

Mr. HOAR. Will the Senator permit me to ask him if he understood me to say anything about the events of the war?

Mr. CALL. Oh, no; but I was referring to the Senator's ideas about the colored people as a remnant of the war.

Mr. HOAR. What does the Senator refer to as violence in the Northern States?

Mr. CALL. Men killing one another; fathers killing their children; husbands killing their wives; trials and convictions for bribery, and election frauds. I see in the newspapers every day, in Boston, New York, Chicago, Cincinnati, everywhere, more crime than there is in the Southern States, more heinous crimes in proportion to population committed by individuals of the same race, one upon the other, than can be found in any Southern State.

Now, I venture to say that there are no communities—I would be willing to make the comparison with the statistics and man by man—where there is so much peace, so much good will, so little of crime, and so little of violence, as in all the Southern States; and I might go further and say, take it in the aggregate, it has always been so, and these statements are nothing but exaggerations and misapprehensions, having their existence only in the passions and prejudices that were the result of the war, and in the antagonisms and interests of party strife.

Mr. President, the reason why the Southern States have become Democratic, or, if you please, have come under the ascendency of the white people in those States, whether Republicans or Democrats, is simply because of the ascendency of a superior intelligence, superior wealth-giving occupation and employment, and a kind feeling amongst them. It is true the mass of the colored people are Republican voters, but the difference between the populations is not so great but that the superior intelligence, with superior means of employing them, with the kindly relations which exist amongst them, will always secure a minority of the colored people to act with the whites, who have been made almost a unit by the policy of the Republican party. There is always a colored minority sufficiently large to make the whites and that colored minority a decided majority of the whole vote fairly and honestly and properly cast and counted; and you will find it so always under the existing condition of things, and there is no truth in seeking to account for it by charges of fraud and violence.

But now I say that the only question which can possibly concern the people of the United States, of the States in the Union, is whether you will so divide the population of the Northwest and the States yet to be admitted as to create a sectional power in one section of the country over the others. In that point of view it would be wise for the Senate not to intervene party prejudices or party interests if they propose to act from the motive of legislators having in view the future glory and power of this Government, and, I may say, of the people of the world, the great hope for the improvement of mankind, for the distribution of the production of the earth fairly and justly, for the decrease of want and suffering, and the general advancement of humanity.

I think it would be wise that we should not intervene questions of personal interest or party politics in determining this question of the magnitude of the States which are to be brought into the Union. Everything points to the advantage of larger States and not too large a representation in this body as there would be by dividing them up into Territories like Rhode Island or Massachusetts. Therefore the suggestion that has been made by the Senator from South Carolina is a wise one. Admit the State of Dakota and let her exercise hereafter, in the discretion of Congress, power to divide her territory into two or more States.

The future alone can tell whether it will not be wise for the preservation of the autonomy of this Government that Mexico and Canada and Central America shall on their own request become States of this Union. The future alone can tell whether it would be wise to admit these Territories as large States or in what proportions of territory and population they should be created, while on the other hand divide this Territory and you are irrevocably committed, and you can never hereafter consider the question.

For that reason I should vote, if I had the power of determining this question, to admit Dakota as a whole, and I venture to say that these reasons can not be set aside as being merely visionary and unworthy of consideration, or as simply the result of partisan feeling and prejudice. They are facts, reasons, facts worthy of investigation. They are philosophical questions presenting political possibilities and probabilities which every man, I think, may well consider carefully, and which will be the basis of wise and safe legislation as to the creation of the new State of Dakota.

Mr. BERRY. Mr. President, I am not a member of the Committee on Territories, and I did not expect to say one word in regard to the question of the admission of South Dakota; but charges and insinuations have been made by a number of Senators on the other side of this Chamber affecting the honor and the good name not only of members of the Senate but of the people of every Southern State of this Union. It has been asserted and insinuated that in all the Southern States the votes of the colored population are suppressed, and that men hold seats in the other House, if not in this, by fraud and intimidation. If nothing was said on this side, it might be taken that it was a confession that the statement was true.

A short time ago the Senator from Rhode Island [Mr. CHACE] resented, with a great deal of feeling, a mere statement in regard to a newspaper publication with regard to frauds at an election in the State of Rhode Island. He was indignant that the Senator from South Carolina [Mr. BUTLER] had even alluded to the fact. Yet that Senator,

while he stood on his feet, uttered a slander and misrepresentation as to the whole people of the South as unjust and unfounded as he said the statement was in regard to his own State.

Mr. CHACE. I do not know that I understand the Senator. Is he alluding to me now?

Mr. BERRY. I am alluding to you. I said that the Senator stated that the Senator from South Carolina was attempting to divert attention from the frauds that were committed in the Southern States by charging fraud upon the State of Rhode Island. At least I so understood the Senator. If he did not say so he can disclaim it.

Mr. CHACE. I do not think I said it, but if I did I will not take it back.

Mr. BERRY. I assert that while the Senator resents the imputation on his own State, yet without any knowledge of the condition of affairs in the Southern States, he makes the same charge against them and upon less foundation than the other was made, if he makes the charge. One would infer from what we hear from the other side of the Chamber that all the frauds and wrongs that have ever been charged in the Southern States in regard to elections were committed by members of the Democratic party.

Senators go back to 1876 and look at the statements and charge fraud in the State of Louisiana and other States! They seem to forget that prior to the advent of the Republican party in the South in 1868, a charge of ballot-box stuffing, a charge of fraudulent counting, a charge of intimidation had never been heard throughout the South. I speak particularly of my own State and of what came under my own observation when I say that in 1868 the Republican party went into power under a constitution that many of them afterward admitted was beaten by more than 10,000 majority.

Mr. HOAR. Will the Senator allow me? I do not wish to interfere with him.

Mr. BERRY. I yield.

Mr. HOAR. Do I understand him to say that there was never a charge of fraud in an election at the South before 1868? Did the Senator ever hear of the Plaquemine vote in the election of Mr. James K. Polk?

Mr. BERRY. I was alluding especially to my own State when I stated that prior to 1868 a charge of stuffing the ballot-box, a charge of making false returns, a charge of intimidating a voter, had never been heard of until the Republican party came into power under the reconstruction of 1868. For six years after that every species of fraud, every method of rascality that the ingenuity of trained experts could invent, was resorted to in order to falsify the returns and place and keep a minority in power; and while the Senator from Ohio and the Senator from Vermont were both members of this Senate in those six long years, when whole counties were disfranchised, when men's names by the hundred and thousand were erased from the registry books without their knowledge and without a charge against them, when the ballot-box was stuffed and fraudulent returns were made, when twenty-two members of the Legislature who had been honestly elected by the people were thrust aside and twenty-two men whom the people had rejected at the polls were put in, not one of these Senators ever raised his voice to say a word against those frauds perpetrated by the Republican party.

For six years those frauds continued until, in 1872, a governor who was fairly elected was deliberately counted out, and when the governor wrongfully counted in refused to do the bidding of the Republican junta they raised a revolution and brought about a war in the State and tried to put him out.

I heard the Senator from Ohio yesterday serve notice on the people of the South that this condition of affairs must be revised, the colored people be restored to power there, that the people of the South should either submit to that or submit to worse.

Mr. President, when I look back to that to which we submitted from 1868 to 1874, I recognize the fact that the people of the South can bear much. In the six years that party was in power within my own State they increased the indebtedness of the State $8,000,000. They created the necessity for the issuance of $280,000 of what were called Brooks and Baxter war bonds. They had out more than $2,000,000 of floating indebtedness in State scrip. Every county in the State was involved from $25,000 to $100,000 and some of them $200,000, and no public building or public work of any consequence to show for all this enormous expenditure. During that time there was constant alarm and continuous agitation.

The militia swept over the eastern and southern portions of the State of Arkansas, leaving ruined homes and desolation in their pathway; and all this was done in the name of morality, a higher civilization, and the Republican party! Yet Senators come here to-day and pretend that they are outraged and greatly wronged because some newspapers charge that wrongs have been committed. I say that during that time the voice of these Senators was not heard to protest, but they by their votes and influence sent United States troops to keep up this state of affairs.

Now, Mr. President, I want to assert, furthermore, that since 1874, when the Democrats came into power in my State, every man who has occupied a position in the other House of Congress, every man who has served as governor or in any other State office in that State, has been fairly and honestly elected by an honest majority of the voters of the State of Arkansas. Not one single man has occupied a position, either on the State ticket or in either of these bodies, who was not fairly and honestly elected by a majority of the people of the State of Arkansas. And yet we are told that throughout the entire Southern States one man's vote counts for two in the North!

I had hoped that we should not be compelled to go back to these things again. I had hoped that the peace which prevailed throughout that State would protect us from again being assailed as we have been for the last two days on the floor of this Chamber. No man who lives in the South, who loves the South, can desire that this agitation should go on. For years and years, when we were slandered and misrepresented in the Congress of the United States, immigrants passed by our doors and went to the West, to the less fertile plains of the West, and to the less genial climate of Colorado, Kansas, and Nebraska, because the South was being slandered and misrepresented.

For the last four years since that policy has ceased the tide of immigration has turned toward our States. Within the time since the Democratic party came into power there we have paid off much of the indebtedness which was left upon us by the Republican party. We have more than doubled our population; we have more than trebled our school fund and those who attend the public schools. Peace and order prevail everywhere, and we had fondly hoped that the Republican party would find some other issue on which to go into this canvass rather than to go back and stir up the feuds that existed at that time.

Mr. President, that man or that party who for individual or party purposes would again rekindle the fires of hatred and passion that burned so fiercely from 1868 to 1874, that man who to gratify his own personal ambition would make it possible again to recreate the conditions by which the people of the South were plundered as they were during the unhappy period of reconstruction, has not that high order of patriotism, that love of country, and that love of the human family which qualifies him to be the Chief Magistrate of this great nation.

I trusted that this canvass might be made upon different grounds. It is unpleasant to us to revive these things. We had hoped that the issue might be joined upon the questions presented by the President's message; and while I may be mistaken in the temper of the people of the North I do not believe that it is possible for any number of men to divert them from the great questions of tax reform and of currency upon which this canvass is to be fought, and that any party can again hoist the bloody garment and march to victory by slandering and misrepresenting the people of the South.

I have felt called upon to say this because I believe these charges are untrue. I have felt called upon to say it because I believe it interferes with our material prosperity. I have felt called upon to say it because I believe it tends to turn the tide of immigration from our doors, which we so anxiously wish to settle in our midst; and I believe furthermore that every such speech that is made on this subject, as those that have come from Senators on the other side of the Chamber, increases the bitterness between the races or tends to create division between the white and colored people of the South. In addition to that, it tends to cripple those who are anxious to see the colored man protected in every right guarantied to him by the Constitution.

We have felt and hoped that the time had come when we were again in the Union indeed; when we stood here as equals; and I say that, so far as the people within my knowledge throughout the South are concerned, they are loyal to this Government, proud of its past history, and as anxious for its future prosperity and glory as the men who followed Grant into the trenches of Petersburgh, and I assert, furthermore, that I believe that with the same love and devotion that they rallied around the fallen banner, the banner that was furled forever upon the field of Appomattox, to-day they would rally around the Stars and Stripes and defend it against all foes, and be as loyal and true to this Government as any men in any portion of this Union.

Mr. SHERMAN. Mr. President, I ask a moment of the time of the Senate, simply to answer one or two observations which have been made, especially by the Senator from Arkansas [Mr. BERRY].

I did not participate in this debate until the Senator from Missouri [Mr. VEST] charged that a gentleman that I knew to be as pure as any man who had ever been in public life had been elected by fraud, applied to his name a term which is not usual in so grave a body as this, charged that he was elected by fraud and held his office by fraud and did a great many acts that are considered dishonorable among gentlemen. That language was uttered not in my presence. The Senator from Vermont [Mr. EDMUNDS] promptly took issue with the Senator from Missouri.

The whole question turned upon the events of 1876, whether or not there had been sufficient force and violence practiced in the State of Louisiana by the Democratic party as to authorize and justify the returning board in excluding the returns from certain parishes in that State. That was the whole controversy; nothing else.

In answering that charge, what did I do? Gentlemen say I read newspaper paragraphs and that newspaper paragraphs are not to be believed. What I read and all that I read was the carefully prepared and carefully revised report of a speech made by the governor of Louisiana,

printed with his consent in his office, every word of which had no doubt been conned over by him. I read that to the Senate. I also read the speech of a Senator of the United States in that same canvass, carefully prepared and carefully worded. No man who knows the Senator from Louisiana [Mr. EUSTIS], how careful he is in his utterances, how slow and deliberate, could read the words that he uttered there as reported in his friendly organ and doubt that he was reading the words as they came from the Senator's mouth. It was not the newspaper that gave force to these utterances. It was the words of a governor of Louisiana and a Senator of Louisiana justifying the events that occurred in 1876. I only brought their testimony in to show that the testimony produced before the returning board was sustained by the statements of gentlemen who admitted that they participated in the tragic acts of 1876.

Now, why this outcry? What else has been done except to read to you the testimony of your own witnesses submitted by them to the people of Louisiana about subjects which the people of Louisiana knew all about, testifying to what was done there. Not one word did I say to excite angry feeling or sectional feeling. I merely proved that fact which made good, upon the testimony of these great men, that the action of the returning board of Louisiana was justified by facts admitted by them, and this in answer to an attack made upon a President of the United States who certainly had been kind and generous and friendly to the people of the South. The harshest thing that I said yesterday and that which I felt most keenly was that these men should turn upon this President for doing what he felt bound to do for their protection, although he was accused and arraigned for it by the members of his own party, and that there came from that side of the House no friendly word to this President who had done what they desired to be done, but mainly and I believe solely because he was compelled to do it by his sense of the obligations of the Constitution of the United States.

There is this whole controversy. You talk about newspaper paragraphs. Look beyond the newspaper, which sometimes lies. If I had quoted editorial paragraphs, the case would have been different; but the only editorial paragraph I quoted here was a paragraph from the Picayune, the organ of one of the factional parties in that State, in which the editor gives his views of the effect of the publication of these speeches made by the Senator and the governor. I quoted that not as evidence to any fact, but as evidence of a view taken by this editor of the unfortunate character of these speeches. It was the speeches and the words of Governor McEnery and the words of Senator EUSTIS that I quoted.

Why, sir, you might as well say the same when we read from the CONGRESSIONAL RECORD the report of what is said in our debates, that that is nothing but what the reporter publishes in a newspaper, and therefore it is not to be believed! It was not the newspaper that spoke yesterday, but it was the voice of the governor of Louisiana and of the Senator from Louisiana.

I ask now, Senators, whether any one doubts or denies that these gentlemen made the very speeches that I read here. No man will question it. I did not think it necessary to ask that then, because that is one of those things that are known to all men.

When a President of the United States is charged with having held for four years the office of President, with having used the money of the United States in rewarding the men who made the returns on which he was elected, I, coming here as a Senator from his own State, say that this charge is false, false by whomever uttered, false whenever uttered; and I produce here the testimony of two witnesses who last summer in making their canvass in their State admitted everything that I alleged. That is all I did, and that I will do again whenever the occasion occurs and wherever it occurs; not to revive the animosities of the past, but to show that this foul charge made against a President of the United States is false, and in any presence, in any company, in church or graveyard, I stand by that ground; and I say that when any man impugns the integrity and character of President Hayes because according to the judgment of the organization created by the Democratic party (which I opposed), and because according to the returns of the returning board founded upon evidence furnished to them his election was legally declared, when any man asserts that he was a fraudulent President, or uses words to that effect, I declare that the statement is not true, and I will stand up and defend not only the action of the President, but my own action and the action of the great party to which I belong. Sir, that is all I did.

Newspaper paragraphs! No picked-up scandal and stuff manufactured and put into the Washington Post, and in some way or other got into the CONGRESSIONAL RECORD, and repeated here in the RECORD of yesterday's proceedings, but the solemn declarations made by officials of the very highest rank in the presence of the people who knew whether they were telling the truth or not. That is all I did.

Mr. EDMUNDS. May I call the attention of my friend from Ohio, in connection with what he is saying about the events of 1876 and 1877, to the fact that appears in the public statutes of the United States, which I suppose we may take to imply truth, that the very principle on which the Electoral Commission proceeded in regard to Louisiana, substantially in form and essentially in substance, has been put by both Houses of Congress, a Republican Senate and a Democratic House of Representatives, into a law that has been signed by a Democratic President of the United States, and passed unanimously by this body?

Mr. SHERMAN. Mr. President, one word more and I have done. The Senator from South Carolina I am told referred to frauds in Ohio, frauds on the elective franchise. They have been committed, Mr. President, but I assure the Senator that in every case where such fraud or crime or wrong has extended beyond a single individual it was done by the Democratic party.

Mr. BUTLER. What I said about Ohio was pretty much what I said about Rhode Island, that there had been charges of fraud in the elections in Ohio, and I did not undertake to be responsible for the truth or falsity of those charges, but that I had no doubt that Ohio was quite able to take care of all such questions within her own borders, as South Carolina is, and as Florida is, and as Louisiana is. That was what I said. I did not make any charges against the great State of Ohio. I am not here for any such purpose. I have stated what I said, sir.

Mr. SHERMAN. That is all right, and so far so good. But I wish now to say a little further that the only organized frauds that ever occurred in the elections in Ohio were committed by the Democratic party, and here I wish further to remark that what the Senator says is true, that we are able to take care of the ballot, and we have done it.

I wish to say in regard to the frauds committed in 1886, the frauds by which it was attempted to manufacture a Legislature and to defeat the election of the legislative ticket in the great cities of the State, especially in Cincinnati and Columbus, it is now conceded by men of all parties that those were shameless, scandalous, monstrous frauds, as bad as any that were ever committed in the South; but they were purely the work of the Democratic party.

Mr. BUTLER. Will the Senator pardon me?

Mr. SHERMAN. I am not quite through with this. When I am I will give way. I wish to say that when we undertook to punish these frauds, a committee of one hundred citizens of Cincinnati, where the greatest frauds had been committed, composed of men of both political parties, joined to ferret out and punish these frauds, the Democratic organization, however, opposing to every conceivable extent this careful and wholesome examination. However, that committee of a hundred did prosecute, and sent several of the guilty men to the penitentiary, and did disclose the most enormous frauds of almost every kind on the elective franchise. In the city of Columbus, where the fraud consisted in the forgery of a return by which the vote was endeavored to be changed in order to throw out the Republican members elected and put in Democratic members, the people of Columbus, without distinction of party, organized themselves to punish that fraud, and from that time to this they have been pushing the matter in every legal and proper way; and at the head of that movement, one of the leading men of that movement, and probably entitled to more credit than any other one man, was my former honored colleague, Judge Thurman, a Democrat. The public feeling in Ohio of both political parties is against these wrongs and frauds. Now, I will hear the Senator.

Mr. BUTLER. I expressed no opinion as to who was responsible for these frauds, which party or what people. It is not my business. The Senator, of course, says it was the Democratic party. The Republican party must be the immaculate party of this country——

Mr. SHERMAN. In comparison, yes.

Mr. BUTLER. And all that I complain of is, that when frauds the most disgraceful and acts the most humiliating that were ever committed by any people or any party in any country were being perpetrated in the South by the Republican party, the Senator kept his mouth, and his seat, and never uttered a word by way of remonstrance against them. That is what we complain of. If the Senator from Ohio would make his reform sweeping, universal, and extend it all over this country and correct evils in Ohio, and in Rhode Island, and in Massachusetts, and in Indiana, and in Wisconsin, or wherever they occur, if we could hear the powerful voice of the Senator from Ohio in redressing wrongs wherever they occur, committed by whatever party, we should have some hope of the country and have some respect for his opinion. But, sir, when he confines his animadversion, his insinuation, his charges against one section of the Union, and against one party only, he must pardon me if I doubt the sincerity of his motives.

Mr. SHERMAN. Mr. President, no case of fraud has ever been brought before me, either as a member of the House or of the Senate, where I have not done just what the Senator from South Carolina says ought to be done, and no case of that kind has ever been brought here which I have not treated fairly.

Now, let me go a little farther. The Senator prevented me from stating one or two more matters about the Ohio frauds. The same and kindred frauds were committed in Indiana for the same purpose. The same frauds have been committed in New York and by the Democratic party. He says that the Republican party is immaculate. No; far from it. No political party is immaculate; but, in comparison with the Democratic party, the Republican party, I claim, has always sustained and maintained the freedom of elections, the right of every man to cast one honest vote and no more, and whenever in any part of this country that right is denied to the humblest citizen of this land, I should be as hearty and earnest in condemning it whether committed by Repub-

licans or by Democrats. I say to the benefit and the credit of the Republicans of Ohio that they would not tolerate in any portion of that State any infringement upon the right of the elective franchise, and where a single individual has for his own purposes, or for any purpose whatever, voted illegally or wrongfully, both parties join in consigning him to the penitentiary or imposing on him the penalties prescribed by law. That is all I desire to say on that matter.

Senators show a good deal too much feeling about this. When I came to the defense of President Hayes and read these two documents, they seemed to feel as if I was reviving the animosities of the war. Who did it? Are we to sit here and hear the ablest, the purest, and the best men of our party arraigned as having participated in wrongs and have our mouths shut, humbly biting the dust? No; we will defend our own. If the Republican party is wrong, either in principle or in policy or in the conduct of individuals, we will join in correcting that wrong; and my own observation has been that whenever an accusation is made against a Republican, Republicans are as eager in prosecuting the offender as anybody else.

Mr. BUTLER. The Senator has charged that this character of debate was provoked from this side of the Chamber.

Mr. SHERMAN. Certainly.

Mr. BUTLER. May I not ask the Senator to recall the fact that the first suggestion made in regard to anything in the South came from the Senator from Wisconsin [Mr. SPOONER]? Had any word been uttered before?

Mr. SHERMAN. I did not hear all that the Senator from Wisconsin said.

Mr. BUTLER. Then I think perhaps the Senator had better revise his statement and recall the whole debate before he makes a sweeping charge of that kind.

Mr. SHERMAN. It seems to me the Senator is very sensitive about this matter.

Mr. BUTLER. Not at all; not one bit more sensitive than the Senator from Ohio.

Mr. SHERMAN. I have here before me the very article referred to a moment ago.

Mr. BUTLER. I am not more sensitive than the Senator from Ohio appears to be. He says when a charge is made against a member of the Republican party, a pure, upright man, he is called on to resent it; and he asks if he is expected to bite the dust and submit in humility to this charge. Would he expect that from a Senator on this side of the Chamber?

Mr. SHERMAN. Certainly not.

Mr. BUTLER. Does he therefore charge me with being sensitive when I resent in proper language a charge of dishonorable conduct made by him against me? I think the charge of the Senator that I am unusually sensitive is not well founded. I said not one word about any State, or any election in any State, until the charge was made by the Senator from Wisconsin, which I thought was entirely outside of this discussion.

Mr. SHERMAN. He made a general charge.

Mr. BUTLER. Precisely, and I resented the general charge.

Mr. SHERMAN. He made the general charge that is made by Mr. Watterson, and in the testimony of Governor McEnery and Mr. EUSTIS, which I read. The natural course for the Senators on the other side who are offended at that phrase is to pour their vials of wrath on these associates of theirs, not on me.

Mr. BUTLER. Permit me to interrupt the Senator.

Mr. SHERMAN. Certainly.

Mr. BUTLER. I was not offended, but the Senator will pardon me for saying that I was taken with astonishment and surprise that the Senator from Ohio arraigned the Senator from Louisiana [Mr. EUSTIS], who he knew was absent from this body from sickness or on some other account. It did not offend me. The Senator from Louisiana is quite able to take care of himself, and will do it I have no doubt. It was not that.

Mr. SHERMAN. I read his speech, and Senator EUSTIS will not object to that being read in his presence or in his absence. I would not do an act of discourtesy to a single Senator on that side, and especially to the Senator from Louisiana, for whom I have the highest respect, but when I read his speech here I did him no disrespect.

Mr. SAULSBURY. If the Senator will allow me, I will take the liberty of saying, without being authorized by the Senator from Louisiana, that he will object to the construction put upon that speech by the Senator from Ohio.

Mr. SHERMAN. That is all right, but the point that touched the marrow of this subject was what was said by the Senator from Louisiana, not what I said. What I said would have no effect. It is what the Senator from Louisiana said, and he will never go back on that. He is not that kind of a man, although he may say I have given it a wrong construction. But when a man speaks here in the Senate about the impression that prevails in regard to elections in the Southern States, how can it be wondered at when there is scarcely a newspaper published in the South but what contains more or less of this kind of material? And when I read the statement of Mr. Watterson, referred to already by the Senator from Massachusetts, how can you expect that the Senators of the United States and all others shall refrain from referring to this general fact as one of those facts that are conceded on all hands? I will now read.

Mr. BUTLER. And yet when I referred to the election in Ohio and when I referred to the election in Rhode Island this morning, both of the Senators from the latter State felt inclined to resent it, and yet Senators are surprised if we resent any imputation on our side.

Mr. SHERMAN. I do not resent it at all. I am trying to show that the Democratic party commits fraud almost everywhere and that we are not responsible for their frauds. I am not at all excited. The Senator must not think I am. Now, I will read what Mr. Watterson has said:

> I should be entitled to no respect or credit if I pretended that there is either a fair poll or count of the vast overflow of black votes in States where there is a negro majority, or that, in the nature of things present, there can be. There was not when the ballot-box was guarded by Federal bayonets. There is not now. There can be only when both races divide on other than race lines, and when, with the disappearance of old antagonisms, new issues, involving differences of opinion among the whites and the blacks alike, remove from each the dangers of bygone conflict.

This was in April, 1888. This states only what I suppose is a fact, a fact which I assume to exist, and upon the existence of that fact I urged our friends in the Southern States in person at Nashville and here to their representatives that it should be the common purpose of us all to turn our backs upon these bygone issues as rapidly as we can and divide our people upon new and living issues of national development. What I said yesterday is in the very line of the remarks made by Mr. Watterson. But when the issues of the past are brought up we must then stand by the impressions made upon us and stand upon the integrity and honor and good faith of the men with whom we have been associated in the Republican party.

Mr. PLATT. Mr. President——

Mr. VEST. Does the Senator propose to close the debate?

Mr. PLATT. I was in hopes that I might be able to do so.

Mr. VEST. I hope he will permit me to say a word.

Mr. PLATT. I will yield to the Senator from Missouri.

Mr. VEST. I had no idea that I should occupy the floor again on this subject, and I should not except for the extraordinary speech of the Senator from Ohio, which he seems to have meditated during the silent watches of the night and delivered to us here to-day with an enthusiasm which has heretofore not characterized his public efforts.

The Senator indulges in epithets and says he will in church or graveyard, at any time and in any place, denounce as false any statement that Hayes was not fairly elected President of the United States. This is no arena for epithet or abuse, and I hardly need remind the distinguished Senator from Ohio, with his public experience, that the world distrusts that cause which must resort to epithet in the discussion of great and historic questions. I asked a question here which has not been answered, and never will be answered to the satisfaction of the people of the United States: How was it that the returning board in Louisiana which gave the title to Hayes as to the electoral vote of that State, with the power in their hands over the governorship, while giving the Republican party the Presidential electors refused to Packard, their own candidate, the office of governor?

Mr. SHERMAN. They did return to the Legislature the list of men elected according to the returns, and the Legislature chose to disregard them, as they had the power to do under the constitution of Louisiana, and thus excluded Packard.

Mr. VEST. And Mr. Blaine, the last candidate of the Republican party for President, and their most distinguished leader, declared that that was simply a ministerial act of that Legislature.

Mr. SHERMAN. I venture to say—and I have looked into the facts—that Mr. Blaine never doubted in a single word or for a moment the legality of the election of President Hayes, but he did say that if Hayes was elected, so also was Packard, and so I say. So Mr. Blaine says in his Twenty Years' View.

Mr. VEST. If that be so, what sort of influences were brought to bear, what sort of machinations took place after "the visiting statesmen" of the Republican party went to the city of New Orleans, that brought about the result, that they were able to control the returning board so far as to obtain the electoral vote of the State of Louisiana for Hayes, but when it came to the election of a governor on the same authority Packard was thrown out and Nicholls installed?

Mr. SHERMAN. The answer is that the very men who participated in those frauds and violence had control of that Legislature, and they were passing upon the returns of their own election. The very members elected from those parishes that were in dispute voted that they were duly elected members.

Mr. VEST. The history of that transaction shows that fifty-one members of the Packard legislature went over in one single day to the Nicholls legislature—fifty-one of them. They hung on there for weeks under the guard of United States soldiers. They occupied, as the Senator from Connecticut [Mr. HAWLEY] said yesterday, a single building in the city of New Orleans, and camped and slept there until they broke up. Fifty-one of them went over in a single day, and yet we are told here, when we dare say one word in regard to that transaction, in regard to the remarkable fact that the same authority which was

induced to give the electoral vote to Hayes, while Packard who had a larger vote on the face of the returns for the governorship was declared to be defeated and was sent abroad as consul to Liverpool, we should hold our mouths. The Senator from Ohio talks about shutting our mouths and sitting silently under the insults and wrongs that were perpetrated.

Mr. HOAR. Will the Senator——

Mr. VEST. I will yield for a question.

Mr. HOAR. I want to ask a question. What does the Senator mean by the term "the same authority?"

Mr. VEST. The returning board.

Mr. HOAR. What had the returning board to do with giving the governorship of Louisiana to Packard?

Mr. VEST. I will answer the Senator in the language of Mr. Blaine, a very distinguished person, I believe.

In a debate with the Senator from Ohio Mr. Blaine said:

I understand the Senator from Ohio to admit that the Electoral Commission did decide that the Louisiana returning board was a legal and constitutional body, competent to do what it did do, and that they were unable to review or reverse it; and that same board, competent to declare who were the Presidential electors of that State, declared also who were the Legislature of that State——

Mr. SHERMAN. So they did.

Mr. VEST.—

and the Legislature—

Mr. HOAR. What has that to do with the governor?

Mr. VEST. Permit me to go on—

and the Legislature, performing a mere ministerial duty, declared who was the governor of that State.

That is what they had to do with it.

Mr. HOAR. Now, if the Senator will allow me to put him a question, what does he mean when he says that the Electoral Commission declared that the returning board were the final judges of the choice of Presidential electors?

Mr. VEST. I can not hear the Senator. Will he repeat his question?

Mr. HOAR. What does the Senator mean when he says that the Electoral Commission declared that the returning board were the final judges of the choice of Presidential electors, and that somebody else says that the returning board were the final judges of the returns of the Legislature, and that that Legislature which passed on the question of governor was the same authority?

Mr. VEST. I said it was the returning board, and Mr. Blaine says it was. That was some authority.

Mr. HOAR. Mr. Blaine does not say the returning board declared who was governor.

Mr. VEST. He says that the Legislature declared who was governor, and that that was a mere ministerial act.

Mr. HOAR. Suppose he does say it was a ministerial act, how does that make it the same authority with the returning board?

Mr. VEST. What is the use of cutting up into syllables on a question like this? I quoted the authority of Mr. Blaine, and the fact bears it out, that the returning board which gave the title to the electoral votes of Louisiana to Rutherford B. Hayes was the same authority which had the power to give the governorship of Louisiana to Packard on a larger vote than the Hayes electors claimed. They created the Legislature, and the Legislature performed a mere ministerial act in declaring who was elected governor.

Mr. HOAR. The returning board declared the Hayes electors chosen in Louisiana. The Electoral Commission said their judgment was final, and we could not go behind it, as I believe nine-tenths of the Democratic lawyers now believe the law to be. But the returning board also declared, man by man, who was chosen to the Legislature of Louisiana, and they declared a Republican majority chosen to that Legislature. When that Legislature assembled, there being two bodies, a portion of one body went over to the other and made a new Legislature, some members of which got their title from the returning board and others did not, and that Legislature thus composed passed upon the title of the governor, and thereupon Nicholls came in.

Now, what does the Senator mean by saying that the same authority did it in one case as in the other. And when he is asked why, he declares that Mr. Blaine stated it was ministerial.

Mr. VEST. I meant what I repeat again, that the same authority which gave the electoral vote of Louisiana to Hayes passed upon the Legislature which gave, or ought to have given, by a logical conclusion, the same vote to Packard and did not do it; and when I ask why they did not do it, then commences the confusion on the other side of the Chamber. Why did they not do it? Let me read what Mr. Blaine said, and then let members of his own party criticise him. Mr. Blaine, after stating these facts in regard to this ministerial duty, added:

And I stand here, if I stand alone, to say that the honor and the credit and the faith of the Republican party, in so far as the election of Hayes and Wheeler are concerned, are as indissolubly united in maintaining the rightfulness of the return of that body—

That is as to the Legislature which performed the ministerial duty of declaring who was governor—

as the illustrious house of Hanover that sits on the throne of England to-day is in maintaining the rightfulness of the revolution of 1688. You discredit Packard and you discredit Hayes.

What else have I or any other Democrat said here? You did discredit Packard. You did do it. The Senator shakes his head. He did not do it, but he used the returning board to get the electoral vote of Louisiana and then dropped them like a hot potato, to use a Western phrase. After they had got the electoral vote of the State and put Hayes in, then they said to that Legislature, "We have no further use for you or the returning board either." But Mr. Blaine says if you discredit one you discredit the other, and out of his mouth I say to the Republican party to-day they convicted themselves when they threw overboard this claim of Packard, who received upon the returns a larger number of votes than were cast for the electors for Hayes in Louisiana.

Mr. SHERMAN. I should like to ask the Senator a question. Would President Hayes have been justified, when he found that the action of the returning board had not been regarded by the Legislature of Louisiana, in sending troops down there to place Packard in power, although he had not received the certificate of his election from the Legislature?

Mr. VEST. The Senator from Ohio was the premier of that administration, and he ought to have determined his policy. What have I, a poor, erring Democrat to do with that?

Mr. SHERMAN. Now that the Senator is trying to represent the extreme view of this subject on the other side, I should like to have him tell me as an attorney would he have advised President Hayes to send the Army of the United States there to maintain Packard in power when the Legislature had refused to give him a certificate?

Mr. VEST. Mr. President, the absurd idea of my advising Hayes to do anything so appalls me that I can not frame a reply to any such question. I go on with Mr. Blaine, and I leave the gentlemen to argue with that distinguished Republican:

You discredit Packard and you discredit Hayes. You hold that Packard is not the legal governor of Louisiana and President Hayes has no title, and the honored Vice-President who presides over our deliberations has no title to his chair.

They did discredit Packard; they did pacify him with the consulship to Liverpool, and rewarded every solitary man who was engaged on the returning board from the doorkeeper up to the president. I have presented the official list of the salaries these men got, two hundred and thirty-odd thousand dollars a year of the people's money paid out on this account; and yet the Senator from Ohio says that it is false, and he will say so in church or graveyard, or before any tribunal in the world.

Well, Mr. President, when the Senator appears in the two rôles that he has assumed here to-day he simply astonishes the country. In the first place, he comes up here with epithets and bravado, and in the next breath he assumes the attitude of the mere political trickster, endeavoring to find out who has struck the first blow in this controversy. Are we to sit here, he says, and be insulted in silence? Oh, Mr. President, when the Senator from Vermont [Mr. EDMUNDS] accused the Democratic party of being the party of barbarism, of savagery, of opposition to civilization, and Christianity, and the plan of redemption, the Senator from Ohio sat with a bland and benign smile, as if he was about to take the oath as President of the United States. [Laughter.]

Sir, I care nothing about this ancient history. The fraud I have always thought was perpetrated, and no epithet will deter me from saying here what I thought about it at the time and think of it now. I then had a dear friend in the other House of Congress, and if my letters could be found to-day they would show what I thought of that transaction. I appealed to him to stand out against that Electoral Commission, against anything except the absolute, naked claim of right—right upon the part of Samuel J. Tilden to be inaugurated President of this Republic, to which he was as fairly elected as George Washington, or Thomas Jefferson, or any of their illustrious successors. It is the colossal fraud in the political history of this country, in my judgment, and let me say to the Senator from Ohio, in church, or churchyard, or graveyard, anywhere, I believe the people of these United States indorse that opinion.

Mr. PLATT and Mr. HOAR addressed the Chair.

The PRESIDENT *pro tempore*. The Senator from Connecticut [Mr. PLATT] is entitled to the floor.

Mr. PLATT. I will yield to the Senator from Massachusetts.

Mr. HOAR. Mr. President, if the statement of the reason of the honorable Senator from Missouri or the impassioned and excited and extravagant words which he spoke could go with him, I do not think either among the lawyers or the common people of this country it would be very important that his position should be answered; but it may be proper simply to state in half a dozen sentences what was the precise transaction which took place in the winter of 1876–'77 in regard to the Presidential election.

There was a dispute in the State of Louisiana, and in some other States, in regard to the election of two separate sets of Presidential electors, and according as that question was decided the title to the Presidency was decided. A large majority of both Houses of Congress believed that the right to determine the questions of law and fact which entered into the constitutional power of counting the electoral vote was lodged in the two Houses of Congress and not in the Presiding Officer of this body, which was the alternative claim; that those two Houses of Congress, therefore, constituted a tribunal consisting of an even number, and the framers of the Constitution had provided, according

to the opinion which then prevailed in both Houses by a large majority, no mechanism for determining what should be done when that body was evenly divided, one of its members voting one way and the other the other. Thereupon a joint committee of the two Houses framed the measure known as the Electoral Commission bill, which provided for a tribunal which, where the two Houses of Congress should differ, should decide the question of difference. When that tribunal was proposed, a Senator on the floor of the Senate offered an amendment to the bill declaring that it should be the duty of that commission, when elected, to go behind the return of the board, or other authority established in the State to count the vote and declare the result, and ascertain what was the true fact in regard to the election; and that proposition was voted down by an almost unanimous vote, indicating, therefore, the opinion of the Senate, in which a large majority of the Democrats, as well as the Republicans in this body, participated.

The question then was presented to the Electoral Commission whether the two bodies of Congress had the right to go behind the certificate of the tribunal created by the State as to what had been the lawful and constitutional result of the vote in the State, and I undertake to affirm that the conclusion to which that body came has at this moment the support not merely of Republicans, but of the vast majority of the Democratic jurists of this country.

Mr. HAWLEY. The Senator will allow me to put in there—he has not the book and I have—that vote showing how the Senate voted upon the proposition to permit the commission to go behind the returns.

Mr. HOAR. I shall be glad to hear it.

Mr. HAWLEY. January 24, 1877, pending the passage of the bill organizing the Electoral Commission, Mr. Morton offered the following amendment:

Provided, That nothing herein contained shall authorize the said commission to go behind the finding and determination of the canvassing or returning officers of a State, authorized by the laws of the State to find and determine the result of an election for electors.

Mr. EDMUNDS moved to amend the amendment by striking out, after the word "*Provided*," all the negative words; so that it shall read:

"That the said commission shall have authority to go behind the finding and determination of the canvassing or returning officers," etc.

Upon that question there was one yea, Mr. Cooper, and the nays were 61, not voting 12.

The nays are about half in italics and about half in Roman.

Among the nays were Barnum, Bayard, Bogy, COCKRELL, Davis of West Virginia, Dennis, Eaton, Goldthwaite, Gordon, Johnston, Jones of Florida, Kelly, Kernan, McCreery, McDonald, Maxey, Merrimon, Price, Randolph, RANSOM, Stevenson, Thurman, Whyte, Withers.

The amendment of Mr. Morton was then rejected—yeas 18, nays 47, not voting 9.

Declaring that nothing should authorize the tribunal to go behind the returns.

Mr. HOAR. Now, Mr. President, as I have said, the Electoral Commission came to just this conclusion, that the determination of the State through its lawfully constituted tribunal as to the election of Presidential electors was conclusive and binding against all the world, and that we had no more right to go behind that adjudication than a tribunal before which a justice of the Supreme Court of the United States should be sued would have the right to go behind that judgment to allege fraud or any other objection.

Mr. CALL. Will the Senator allow me to ask him a question?

Mr. HOAR. Certainly.

Mr. CALL. I should be glad to know how that statement of the Senator comports with the fact that the tribunals of the State, the courts of the State, the Legislature of the State, in the case of Florida, decided one way and the Electoral Commission another.

Mr. HOAR. The returning board of the State of Florida declared elected the persons whose votes were counted, and the judgment of the court of Florida, which was set up against it, was a subsequent judgment. But I want to make my statement on the general principle. I will answer the Senator afterward, if he will put the inquiry, because I wish to make my statement consecutive. I only want to take two or three minutes in what I have to say. I can get it into two.

I know personally there were eight members of the Electoral Commission who were members of the Democratic party. There were seven originally of the fifteen, and one of them, Judge Thurman, becoming ill before the end of the proceeding, another Democrat took his place. All those eight, a majority of those men, have at some time or other put themselves distinctly on record as affirming the doctrine which the majority of the commission then decided.

Mr. Bayard and Mr. Thurman are on record in the debates of this body in the discussion of what was known as the Morton bill, I think, of the previous year, earnestly denying the right of the National Government to interfere to make this great invasion of State rights. Mr. Abbott, of my State, at a meeting of a large number of the ablest lawyers in Boston, the Law Club, a very few months before the decision of the Electoral Commission, in a most earnest, impassioned statement of the law, stated his opinion the same way. Now that the heat of that controversy has gone by, it seems to me one of the clearest constitutional propositions ever asserted. There can be no invasion of the rights of the State which could approach in the flagrancy of its usurpation and the destructive character of its effects the assertion by the two Houses of Congress of the right to go into the question of the actual election of Presidential electors in any of the States.

I do not now criticise either party; but what has been the history of election cases in the House of Representatives in the past thirty or forty years? Is any statesman on the other side of the Chamber, who loves his country and who rests on its Constitution, willing to get up now and put on record his belief that the election of the President of the United States is hereafter to be put upon the same plane and the same level by which election cases are decided in the popular branch of the legislative department of this Government? Look for a moment at the practical absurdity of the contrary view. The Presidential election takes place in November, and the returns at that time came in I think by the 15th of December, and the entire official process of counting that vote, declaring the result, and inaugurating the President had to be completed by the 4th day of the following March, or this Government was to fall to pieces for want of an executive authority.

Just think of the possibility of going into a trial of the legality of the votes cast for Presidential electors, man by man. If that were the law in 1876 it was equally the law in 1796, when you could not travel from Boston to the seat of Government in less than four or five weeks. I had an honored ancestor who was a member of the Senate in 1793, and it always took him three weeks to go from his residence in New Haven to Philadelphia. Think of prosecuting such an election inquiry. You have to do the same thing for Oregon or for California that you are to do for Delaware or for Pennsylvania, and if any person chose to put in issue the title of the electors of Oregon returned by the returning-board of that State, by whatever name they are called, you would have to send to Oregon and have a judicial trial, take the evidence, and hear both sides, and this in aid of a constitutional process which has got to be all completed and all told within six weeks; and that might be required of us in regard to every State in the country.

Before the Electoral Commission the Democratic party put in issue the legality of the conduct of more than one thousand constables who were election officers in the State of South Carolina, and who, they said, had intimidated and overawed the voters. We should have been obliged, if we had opened that case, to have gone in that Electoral Commission into the trial of the conduct of each of the one thousand South Carolina special constables, man by man.

As I said, I do not believe there is a constitutional lawyer on the other side of the Chamber who in his sober and calm moments will not admit that the decision of the Electoral Commission saved this country from the establishment of a principle in our Constitution which in a very few years would have brought the Government to a fatal and ignominious end.

But it is said by the honorable Senator from Missouri that its decision, whether right or wrong, resulted in depriving the constitutionally elected President of the United States of his office. I do not believe it. I do not believe that will be the judgment of history. I think the confessions of men like Henry Watterson, that he should not be entitled to any credit if he declared that the African vote in the South had been either fairly cast or fairly counted, and that the confessions of Mr. McEnery and Mr. EUSTIS, high officials in the State chiefly in dispute at that time, seeking to commend themselves to the white Democracy to-day by alleging their services in a revolutionary overthrow of the lawful majority in that State at that time—I say these things are a sufficient answer to that claim.

The honorable Senator from Missouri cites a sentence of Mr. Blaine to the effect that if you discredit Packard you discredit Hayes, because they were voted for at the same election and by the same party, and the majority for Packard was certainly equal to the majority for Hayes. It may be true that if you discredit Packard you may be making a serious admission against the honesty of your claim that you believe Mr. Hayes was elected, but the answer is that the persons who discredited Packard were a very different class of persons from the persons who maintained Hayes.

The Senator forgets or overlooks the limitations of constitutional and lawful authority in this country. The question whether Hayes was lawfully elected was a question determined by the two Houses of Congress, using the mechanism of the Electoral Commission to get at the results in particular States. The question whether Packard was lawfully elected was a question for the Legislature of Louisiana. I am surprised that so accomplished a lawyer as my honorable friend from Missouri should have misled himself or should undertake to guide the mind of anybody else to the notion that because the returning board gave certificates as to the title of members of the Louisiana house of representatives, and also gave certificates as to the title of Presidential electors, and a portion of those members of the house of representatives left the Legislature to which they had originally belonged and went over to a Democratic Legislature, and then that Democratic Legislature, by a majority, gave the title to Mr. Nicholls, anybody who had anything to do with asserting the title of Mr. Hayes is to be said to have had anything to do with giving up the title of Mr. Packard.

But it is said that President Hayes ought to have employed the troops, if he believed honestly in his own title, to have asserted the title of Mr. Packard, who he believed and who I believe was the lawfully elected governor of the State of Louisiana. There are many good men in the

North who think that the greatest mistake under our Government was made when the peaceable and constitution-loving and law-abiding people of that section did not take their arms in their hands to prevent that usurpation and that overthrow of the lawful authority of a sister State. The power was there, the temptation was there, and the right was there amply; but we preferred to trust our rights and the rights of our Republican fellow-citizens in the South, and the hopes of a lawful and constitutional government in this country to the permanent though late and the returning good sense and sense of honor and honesty of the American people.

There were many reasons why President Hayes, though his title was as impregnable and as honest, to use the phrase of the Senator from Missouri, as that of George Washington himself, if he meant to obey the oath he had taken to support the Constitution, could not interfere. It is not for the President of the United States to say, "I will send the troops of the United States into any State and put in office the man whom I believe to be lawfully elected." It is for the Legislature of the State to determine that question, and the President can only send the troops under the Constitution when the Legislature of the State calls upon him to do it. No such call was made.

There is another reason which has not been stated in this debate. The Constitution of the United States provides that there shall be no appropriation for the support of the Army which shall last over two years, and in our practice under the Constitution that appropriation is made for a single year only. What is the significance, what is the purpose of that constitutional provision? It is this: The framers of the Constitution were jealous above all things else of executive power, and they meant to have it understood that the use to which the armies of the United States should be put by the Executive should be determined by the legislature and ultimately by the people, and that he should make no use of the military arm of the country for a period which should be determined by him, which should operate for a period longer than the time provided for the constitutional term of office of the popular branch. Therefore, when the two Houses of Congress have declared or intimated their purpose that the President shall not use the Army to accomplish a particular result, he is bound to stay his hand however lawful or constitutional or righteous he himself may believe that result to be.

The same Congress which declared President Hayes lawfully elected defeated the Army appropriation bill in the winter of 1876–'77. There was no lawful provision for an army in this country which would extend beyond the 30th of the following June. President Hayes assumed office on the 4th of March with that fact before him. The House of Representatives, then in Democratic hands, had declared that they would not continue the existence of the Army of the United States beyond the three or four months of the old fiscal year which remained unexpired; and it is perfectly notorious, everybody knows, that it was to prevent the use of the Army by the Executive in reference to the disputed election questions in the Southern States that the defeat of that measure was occasioned. However much President Hayes might differ from the House of Representatives, he was bound as a constitutional officer to heed that expression of the popular will manifested through the popular branch of Congress, the House of Representatives.

Mr. President, I do not desire to spend my time, which belongs to the living present, in a constant discussion of ancient history; but so long as these suggestions are made in regard to the conduct of the Electoral Commission, I think it is proper that there should be occasionally a clear statement of the facts as I understand them. My own political life has been a very humble and a very obscure one, and there are some things in it which, in looking back upon it, I wish were otherwise; but I have never had a doubt that the humble part which I was permitted by the confidence of my constituents to take in the creation of that tribunal, and the humble part I was permitted to take as a member of it by the confidence of the House of Representatives, to which I then belonged, are among the most honorable, the most useful, and the most satisfactory actions of my life.

Mr. PLATT. Mr. President——

Mr. CALL. I ask the Senator from Connecticut to allow me to make a very brief statement.

Mr. PLATT. I should like to accommodate the Senator from Florida, but I know the temper of the Senate. I know that we had yesterday an agreement to take the vote this afternoon. I know the impatience of the Senate at this time. I have yielded once and again, and I think I ought to have a few minutes to restate the case of the Committee on Territories.

Mr. CALL. The Senate has all night to conclude the debate.

Mr. PLATT. The Senate does not want to stay here all night.

Mr. CALL. The Senate can adjourn, but it can not cut off debate very well. If the Senator proceeds to speak now I shall have to submit the remarks I wish to make afterwards.

Mr. PLATT. I think I am entitled to the floor.

Mr. CALL. Very well.

The PRESIDENT *pro tempore*. The Senator from Connecticut is entitled to the floor, having yielded to the Senator from Missouri.

Mr. PLATT. Mr. President. I wish to change the scene and locality of this debate. It has been more than twelve years since there has been a pretense of a carpet-bag government in the South. It has been, with one exception, more than twelve years since the Republican party has had a governor in the South. The day of carpet-bag governments, so far as the South is concerned, are gone. Carpet-bag government is transferred to the Territory of Dakota. The only carpet-bag governments are in the Territories. There the people are governed by officers whom they do not elect, aliens in the land they rule. There they have no voice in saying who shall be their executive and administrative officers. There they are deprived of the rights of self-government, inherent in every American citizen, except so far as limited by the necessities of Territorial organization. There they can not say what the government shall be.

Yet when that people come to the door of Congress and ask, as I say, respectfully to be admitted to the Union, to participation in the conduct of its affairs and to have an equal share in its glories, they are told they can not come in, because when they come they will bring two Republican Senators to this floor. That is this issue. We are not to be diverted from it and the people of the Territory of Dakota are not to be diverted from it by allusions to what are said to have been carpet-bag governments in the Southern States now twelve years past. If the people of the South believe in a white man's government, if they believe that no carpet-bag government should be there, I ask them to let there be a white man's government in Dakota and to have the carpet-bag government cease. That is this issue.

Mr. President, if this discussion has turned into a political debate it is not my fault. I call the Senate to witness that I made no political allusion in my opening statement of this case. I refrained purposely from doing so, because I wanted to place the claim of Dakota to be admitted into the sisterhood of States upon such an impregnable basis that there could be no answer to it on the other side except that it did not suit the political interests of the Democratic party to admit the State. I succeeded. It is the only answer that has been made to it here. It is the only answer that can be made to it. The people not only of Dakota but of the United States understand that, and our hope is in an appeal to a higher authority than Congress or the Executive, and that is to the people of the United States.

The crime against Kansas of thirty years ago is supplemented by the crime against Dakota, the crime of denying to a considerable portion of the people of this country the right of self-government. That is a wrong which will be redressed by the people whenever understood, and from the Democratic party in Congress the people of Dakota appeal to the people of the United States.

Very magnanimously do Senators on the other side say that they will vote for a bill admitting Dakota as a whole. It is easy to make that promise when we know that in that branch of the legislature controlled by the Democratic party such a bill even as has been moved here as a substitute has no chance of passing by itself.

I may not allude to what takes place in the House of Representatives, but there is another body to which I may allude, and that is a body composed of the Democratic members of the House of Representatives when they meet in caucus. The edict has gone forth from that caucus that Dakota can not come in as a whole by herself; that Dakota with her 600,000 people, citizens of the United States deprived of self-government, can not be admitted as a whole into the Union upon her own merits. The resolution of the Democratic caucus of the other House, which was read here by the Senator from Wisconsin [Mr. SPOONER], proves that. It is a resolution that a bill should be passed admitting together Dakota as a whole, Montana, Washington Territory, and the Territory of New Mexico.

It is easy for those on the other side to say, "We will vote for a bill admitting Dakota as a whole. Will you vote for a bill admitting Dakota as a whole?" Let the body which controls the policy of the Democratic party present such a bill, and then ask the question. It will not do it.

There will be no consent to the admission of Dakota as a whole or as two States so long as it is thought by the Democratic party that the admission of Senators elected either in the one State or in the two States may determine the political complexion of the Senate. We may as well understand that. So it makes little difference, as far as the opposition of the Democratic party is concerned, whether Dakota presents herself here as one State or as two States. The condition imposed upon her is that she shall elect Democratic Senators or she shall not come in.

I am justified in the use of this language. I am justified in it by what the Senator from South Carolina [Mr. BUTLER] said the other day and has said again to-day. He says this measure is a "political trick to get ascendency in the Senate."

For seventeen long years there has been no political question in Dakota respecting this matter. Nine successive Territorial Legislatures, and usually with unanimity, have memorialized Congress to divide the Territory. Every Democratic Territorial convention that has been held in that Territory until the year 1886 has declared in favor of a division of the Territory. Yet we are told here that this bill is a political trick to maintain Republican ascendency in this Chamber.

Mr. BUTLER. May I interrupt the Senator for a moment?

Mr. PLATT. Certainly.

Mr. BUTLER. I should be glad if he would inform the Senate why

the Congress of the United States, in 1882, did not admit Dakota into the Union when the House of Representatives and the Senate were controlled by the Republican party and when the Executive was a Republican?

Mr. PLATT. We have heard that over and over again in this debate. I will tell you why. Because in another branch of Congress we could not suspend the rules and pass the bill. It was because we could not get a two-thirds majority to pass the bill, every man who voted against the suspension of the rules being a Democrat. If that had been done and the bill had come here we would have passed it, with some conditions in regard to the matter of bonds.

This movement for division has been without party in Dakota. I refer again to the fact that at every Territorial convention since 1871 called by the Democratic party resolutions have been passed in favor of division.

Now, I wish to call a Democratic witness to show that this is not a political trick. We have been told here that this movement is the movement of some factious politicians who brandish their insolence in the face of the Senate. I call Mr. WILLIAM M. SPRINGER to the stand, and from the letter he addressed to the Aberdeen convention I read:

This—

That is, the Aberdeen convention—

is the first concerted movement on the part of the people of Dakota for single statehood which has come to my knowledge. Heretofore the organized efforts of your people have been in the direction of division of the Territory into two parts, while individuals, partisan localities, and newspapers of the Territory have opposed such efforts.

That is what Mr. SPRINGER said; not that this is the movement of factious Republican politicians, but that it has been the movement of the whole Territory, and has been opposed only by partisan localities.

Mr. President, it is difficult to answer this claim. Senators would better not attempt to answer it. Let me refer to the two issues which they do attempt to make. One is that there is something disrespectful in the claim of South Dakota here; the second, that the people of the Territory of Dakota at this time do not desire division.

I wish to repeat what I have said heretofore in this debate, that there is no Senator here who maintains the right of the people of the Territory to frame a constitution and to demand admission into the Union as a right which can be enforced if it should not be regarded. The Democratic party in times past has held to the right of the people of a Territory to form a constitution and to be admitted into the Union. In the Cincinnati platform of the Democratic party in 1856 it was deliberately asserted that the people of a Territory, upon their own motion, had the right to form a constitution and to be admitted into the Union. But that right is to be exercised with limitations.

It is limited by the discretion of Congress as to the qualifications which a Territory must possess in coming with such a petition. Congress has a right to pass on its boundaries, on its population, on the character of its population, on the sufficiency of its resources, upon its institutions, and to see that all these are consonant with the principles of the Constitution and the principles of the Declaration of Independence. Congress has discretion in these matters, but when Congress abuses that discretion it puts itself in the wrong.

It is said there is no precedent for the people of a portion of a Territory forming a constitution for a State with boundaries less than the entire Territory. The Territories which have been admitted into the Union as States without lessening the area of the Territories at the time of admission are few—not more than two or three. The State has nearly always been less than the Territory. There are four instances in the history of the admission of new States where the people of the Territory without the sanction of Congress have formed a constitution for a new State with boundaries less than the whole Territory and have been admitted by Congress. Yet Senators stand up and say, "Why, this is without precedent." Michigan did it, Iowa did it, Oregon did it, California did it—every one of them forming a constitution without previous authority by Congress, coming with their constitutions, calling themselves States, and being admitted.

Mr. EDMUNDS. And all under Democratic administrations.

Mr. PLATT. And all under Democratic administrations. The State of Michigan, while I do not cite it here as a precedent, was very much farther on the road to revolution than anything Dakota has done. Dakota has been orderly, respectful. She has presented her petition to be admitted here with a constitution formed preparatory to admission, and that is all.

The time was in England when the citizen who presented a petition to the king had to do it on bended knees. Do Senators on the other side claim that because Dakota does not come on bended knees with her petition she is to be spurned? Michigan had her constitution formed; she had her State officers exercising the powers of a State government; she had her courts, the supreme court of the State of Michigan and inferior courts, in full operation; she had her militia under arms ready to contend with the State of Ohio about the boundaries of that tract which now embraces the city of Toledo; yet she came with her constitution under those circumstances, and Andrew Jackson transmitted it to Congress as the constitution of the State of Michigan. Do not let us hear any more about disrespect on the part of Dakota.

When the State of California came in her Senators presented "the memorial of the State of California to be admitted into the Union," and it went on the records of the Senate as "the memorial of the State of California to be admitted into the Union." Do not let us quibble over words.

Dakota has done nothing for which she should be kept out of the Union except that in all her trials, in all her troubles, she holds fast to the Republican party and will not send Democratic Senators to this body.

A caucus of the dominant party in this Congress was held to determine whether a State should be admitted. Who ever heard of such a thing before in the troublous history of the United States and the admission of States into the Union? Do you want to go to the country with the plain fact that a party has caucused as to whether it will let a State into the Union?

Mr. BUTLER. The Senator I hope does not mean to intimate that there has been any caucus of the Democratic party upon this question on this side of the Capitol.

Mr. PLATT. No; I do not. On this side they ask, "Why do you not vote to admit Dakota as a whole?" On the other side, not in Congress but out of it, they say this:

Resolved, That it is the sense of the caucus that an enabling act for the Territories of Dakota, Montana, Washington, and New Mexico should be passed at this session, providing for constitutional conventions in each Territory, and the submission of those constitutions for ratification at an election in November, 1888, substantially as provided for in the bill reported by the Committee on Territories at this session.

What is that bill? That bill provides what? That even those four Territories should come into the Union? Not at all. That they may have constitutional conventions and adopt constitutions which they may submit to the people, and if ratified they may come here to Congress asking once more to be admitted, and Congress will then determine whether they or any of them shall be admitted. Then will come up this same old question, if the Democratic party is in power, are a majority of the Senators from those four States Republicans? And the course of this debate justifies me in saying that if they are some pretext will be found to return the matter again to the consideration of those Territories which have not sent Democratic Senators to this body.

I have no words in which I can characterize such an opposition as this. If the population was not there, if the resources were not there, if the area was not there, if republican institutions in their fullest growth were not there, then there would be reason for the exercise of this discretion of Congress in refusing the admission of the State. But when the discretion of Congress is exercised upon any such ground as that two Republican Senators will occupy seats on this floor, it is no longer discretion; it is injustice and it is tyranny. I wish to read one sentence from Bouvier's Law Dictionary on this subject of discretion in law:

The discretion of a judge is said to be the law of tyrants—it is always unknown; it is different in different men; it is casual, and depends upon constitution, temper, and passion. In the best it is oftentimes capriee; in the worst it is every vice, folly, and passion to which human nature is liable.

Is this the American Republic? Is this the nation based upon the fundamental idea that men are free and independent, and therefore States must be free and independent—based upon the idea that men have a right to govern themselves, and that this is a Government of the people, by the people, and for the people, and yet is a Territory with 400,000 people to be kept out of this Union because forsooth it will seat two Republican Senators if it comes in?

I said we would appeal to the people, and I want to say to the people of Dakota that in my judgment they will not have long to wait. A great wrong like this goes beyond the boundaries of the locality in which it is committed. It goes to the hearts and consciences of men. This keeping Dakota out of the Union is un-American, and the party which adds to its other un-American tendencies this un-American act of depriving a people of the right of self-government can not stand before the judgment of the people of the United States.

Now, Mr. President, there is one other thing that I wish to speak of, and that is the question of whether the people of Dakota desire division. Who speaks for the people of Dakota? Is it the Delegate in Congress?

Every Delegate in Congress since 1871 has presented memorials of the Legislature of Dakota or introduced bills for the division of this Territory. Who speaks for a Territory if not its Delegate and its Legislature? Twice the Legislature of the Territory of Dakota has authorized the calling of a constitutional convention for the framing of a constitution for the southern half of Dakota as a State. Who else has a right to speak for the people of Dakota? Oh, the Senator says, Mr. Johnson and his skeleton Aberdeen convention are now to be listened to as expressing the popular will of that Territory. I have not a great deal to say about Mr. Johnson and the Aberdeen convention; and if I had it is too late an hour to say it; but Mr. Johnson is not the disinterested, business, non-partisan man that he assumes to be. Since politics has been lugged into this debate, let me ask who is Mr. Johnson?

Mr. Johnson was a member of the last (not the present) Democratic Congressional campaign committee for the Territory of Dakota. He was the Democratic manager of the last campaign for the election of Delegate in the Territory of Dakota. And yet he is presented by the

Senator from South Carolina as being a non-partisan man who is influenced only by disinterested motives and business considerations. When a Democratic governor went to the Territory of Dakota the edict went forth from this capital that the division of the Territory must be prevented. The campaign was made; the question was submitted to a vote of the entire people of the Territory of Dakota. The anti-divisionists, the one-State men, the Democratic officials of the Territory lost, and the verdict of the people of Dakota was against them. Something had to be done. I will not speak of different sections of the country; I will not say that there is any section of the country where the people do not abide by majorities; but I say wherever fair dealing is had, wherever regard for this Union is had, the people ought to regard the will of the majority.

Submitted to the people of Dakota in an election confessedly fair, where nobody charges that there was fraud, the people of Dakota voted by a large majority, 5,000, in favor of division. Something had to be done. Mr. Johnson thereupon, within ten days afterwards, moved in the matter of calling the Aberdeen convention. Where was the caucus held to decide upon that? Not in the Territory of Dakota, but in St. Paul, in the State of Minnesota. When two sections of the Territory wanted to meet to consider this question they went out of the Territory because the situation was such that it was inconvenient, if not impracticable, for them to meet at any point in the Territory, a commentary upon this whole question which ought not to be overlooked. That convention was called.

It is said that there were fifteen thousand names to the call. They never have appeared; nobody has ever seen those fifteen thousand names, unless it be Mr. Johnson. The Delegate of the Territory tells you in his testimony that the Territory was canvassed and advertised as a circus would be advertised to endeavor to get signatures to that call. It is said there were fifteen thousand names. Perhaps I can not deny it, but I say that nobody ever saw them that has told the committee so, except Mr. Johnson. The convention was held within about thirty days after this vote of the Territory, and I am not going to say anything about Captain Johnson or the men who attended that convention except what the Delegate says. He says their voice is entitled to the same credit that would be given to the voices of any other respectable gentlemen of Dakota in equal numbers, but the trouble is there were not enough of them to make a convention. You might as well talk about Falstaff and his recruits constituting a regiment or a brigade as to talk about the numbers that were there constituting a convention which was expressive of the popular will of the people of Dakota. There were in that convention not over 250 persons in an accredited delegation of 968. I have affidavits here on my table of three persons who say they counted the persons actually there, and that there were at no time over 180 persons in attendance upon that convention.

How was it when the constitutional conventions were held? From all portions of the Territory, in inclement weather, by stage and on foot, the delegates of the people of that Territory flocked to the convention. But here was a convention proposing to express a reversal of the judgment of the opinion of the people of that Territory given at the ballot-box, which consisted of one hundred and eighty men actually present; and how were they appointed? Some of them never were appointed. I can not refer to many of these affidavits, but here is one that I want to put in the RECORD:

TERRITORY OF DAKOTA, *County of Bon Homme, ss:*

We, the undersigned, whose names are reported as members from Bon Homme County, Dakota, to the convention held in Aberdeen, Dak., December 15, 1887, do solemnly swear that if elected as delegates to said convention it was without our knowledge or consent; that we did not attend said convention, nor authorize any person or persons to act for us in said convention, and that we are not in sympathy with the avowed object of the convention as we understand it, namely, the one-State movement.

There are nine names out of twelve delegates who appear on the roll of the convention who sign their names to this statement and swear to it and say they never were elected, and yet the vote of that county was cast, 12 votes, against the division of the Territory! I will refer in what I have to say now to no county in regard to which I have not affidavits upon my table.

Mr. BROWN. Will the Senator allow me to interrupt him one moment?

Mr. PLATT. Certainly.

Mr. BROWN. I understand there are possibly one or more speeches after the Senator concludes, and his speech will necessarily be a long one. Will he not yield to a motion to adjourn?

Mr. PLATT. I can not at the present time. Let me go through with my speech. It will not be long I assure the Senator.

I will refer with regard to the mode in which those delegates were elected, to no cases except where I have affidavits upon my table to sustain the statements I make. They are from men who, I am assured by the Territorial Delegate, can be relied upon.

Deuel County cast 10 votes on roll-call; no convention held or claimed to have been held for the election of delegates.

Bon Homme County I have spoken of.

Grant County, twelve persons held the "mass convention" which was to represent the sentiment, the overwhelming sentiment of the people of Grant County against division, and elected thirteen delegates. Twelve persons held a convention and elected thirteen delegates!

Day County, no convention, no delegates. The clerk of the county court voluntarily attended and cast 12 votes for Day County.

Mr. BUTLER. Is that done at any election in the North?

Mr. PLATT. I am trying to make the Senator understand that this was not an election and was not an expression of the people of that Territory.

Mr. BUTLER. I thought those things were confined entirely to my party, according to that side of the Chamber.

Mr. EDMUNDS. They are all for your party.

Mr. BUTLER. When we have the help of the Senator from Vermont everything will be lovely!

Mr. PLATT. I beg the attention of the Senator from South Carolina to this. I hope to shock even him.

Mr. BUTLER. I am shocked in advance.

Mr. PLATT. Union County had just voted, for division of the Territory 587, and against it 290. No delegates were elected or attended the convention, but there were 17 votes on the roll-call. Seventeen votes were cast in that convention for Union County against division.

Mr. BUTLER. The only thing that shocks me about that is that it occurred in Dakota.

Mr. EDMUNDS. Because the Democratic party exists there.

Mr. PLATT. The truth about it is just this, that by ways which I can not recite without stirring up the Senators on the other side, ways which are familiar in certain sections of the country, the Democratic officials undertook to hold a convention up in Dakota and to call it a convention which expressed the will of the people, undertook to make a pitiful minority appear to be a majority.

Mr. BUTLER. The fact is that the Republicans were in the majority in that convention.

Mr. PLATT. Oh, no.

Mr. BUTLER. So it is reported.

Mr. EDMUNDS. Reported by the same people who made up the convention.

Mr. PLATT. I am not through with this convention yet, this convention upon which the Senator from South Carolina bases all his hope of being able to show that the people of Dakota do not desire to be divided. Sanborn County had just voted, for division, 944, and against it, 95. They held a "mass meeting," composed of two men, the postmaster and a man by the name of Carpenter; they held a convention and elected eight delegates, and 8 votes were cast in the convention.

Mr. FRYE. Those votes were cast against division.

Mr. PLATT. They all were. It was unanimous against division.

Faulk County had just voted, 886 for division and 74 against it. There were four persons at the convention which elected delegates, the "mass convention" which elected delegates, and they sent six delegates. All voted against division.

Mr. FRYE. A mass convention of four!

Mr. PLATT. Codington County had just voted 977 votes for division and 361 against. At its "mass convention" there were eleven delegates chosen by six persons, and one delegate attended the convention and cast a vote for the whole eleven.

Burleigh County, in which Bismarck is located, the capital of the Territory, a populous capital, held another "mass convention" to elect delegates, and seven men and a boy sent eleven delegates. I have the affidavits here, and they would not be disputed if I gave the names of the men.

La Moure County, Northern Dakota. This is where it is said they do not want to be divided. There were five men and a boy in the mass convention and they elected five delegates. The boy did not get in.

In Yankton County, in the Southeastern part of the Territory, where it is said the home of this division sentiment is, which had just voted 796 for division and 67 against it, they had twenty persons attending the mass convention. Those eleven men chose nineteen delegates, and how many attended nobody knows, but the whole nineteen votes were cast.

As to Davison County, I have an affidavit here from a man who was one of the members of the mass convention. Davison County had just voted 1,013 votes for division and 179 against it. It sent twelve delegates to represent that county as being opposed to division and one of the men who attended that convention gives his affidavit in which he says:

A few of us got together and made up the list, not to exceed ten persons in all.

Lawrence County—and I must stop a moment. This will be the last to which I shall allude. They are all of the same kind, but I must allude to Lawrence County.

I wanted to read from the resolutions that were passed in the Lawrence County convention. Deadwood is in Lawrence County. Lawrence County is a populous county in the mining district of Dakota. It has ten or twelve thousand inhabitants. It has been a division county, always a division county, and Judge Bennett, whom the Senator from South Carolina quotes with a good deal of gusto, attended that convention. There they passed resolutions against division and in favor of

admission as one State; high-sounding resolutions. You would have supposed to listen to these resolutions that the whole people of Lawrence County were terribly in earnest about this question of being admitted as one State. Here are the resolutions:

Whereas the Territory of Dakota from small beginning has grown in strength, wealth, population, and in the varied industries of civilization to proportions so great as fairly to entitle her to statehood; and, as the times are auspicious for her citizens to request Congress of the United States—which is charged with duty and clothed with the power of admitting new States—to hasten that event by an early consideration of the condition of our people and their strong desire for local self government—to this end we invite public attention to the general intelligence of the people who have selected homes and cast their lots on the virgin bosom of this empire Territory, to their public and social virtues, to the rapid strides of social industries, the bounteous rewards bestowed on the labor of the husbandman and the miner, to the strong financial credit which the Territory has without as well as within her borders, and to the good order observed everywhere within her limits. The local feeling manifest, in times past, in certain sections, to arrogate for the inhabitants of a section of the Territory extraordinary political power belonging only to Congress has subsided, and is rapidly dissipating under more sober consideration.

Therefore, the people of Lawrence County in convention assembled at Deadwood, declare that they are desirous that our form of local government shall be changed to a more stable and satisfactory one of a State; and irrespective of party affiliations, they respectfully request the national Congress to pass an act to enable the people of the Territory to form a State government in the usual and ordinary manner, and that the same paternal solicitude heretofore evinced, and the same generous bounty that has been extended by Congress toward new States, may not be omitted in the enabling act for Dakota. It is therefore,

Resolved, That this Convention desires the early admission as a State of the Union of the entire Territory of Dakota.

I suppose that when these resolutions were presented by the Senator from South Carolina, Senators who paid attention pictured to themselves a great, earnest uprising of the people of Lawrence County to express themselves upon this subject. They thought of the full hall, of the enthusiasm manifested in their haste to get in not as two States but as one. I am sorry to disturb them in their enjoyment of the picture, but Lawrence County had just voted 1,054 for division and 641 against it. The "mass convention" consisted of sixteen persons—the convention that passed these high-sounding resolutions. I have here the names of all the persons who composed it, and their politics and their offices. Of the six names signed to the call for Lawrence County, two are unknown to anybody in the county, and one is a resident of Clay County. But these sixteen men sent twenty-one delegates to the convention that adopted these wonderful resolutions expressive of the will of the people of Lawrence County for early admission as a whole, but they did not attend.

They sent them, but they did not go; and the most remarkable thing about the whole matter is that this county, brought up here and relied upon by the Senator from South Carolina upon the authority of Judge Bennett as being in favor of the admission of the whole Territory as one State, cast its vote in that convention by Governor Pennington authorized by a vote of the convention to cast the vote of Lawrence County, and here it is in the record. Here is part of the record of the convention:

Governor PENNINGTON. As to the letter from my distinguished friend, of Lawrence County, I desire, as the Congressman would say, to adopt that as a part of my speech, and I move that the chairman be authorized to name some person present, if any one is present who can do so, to cast the entire vote of Lawrence County.

The motion was seconded by M. W. Greene, of Cass County, and carried.

The Chair then appointed Governor Pennington as the person to cast the vote of Lawrence County.

Mr. DAWES. Where did he live?

Mr. PLATT. He lived at Yankton. Is it not a farce? Was ever such a farce as the attempt to make out that this Aberdeen convention—this skeleton of a convention of not more than 180 men—speak for the people of the Territory of Dakota as to whether they want one or two States? It is too late to say that the people of Dakota do not desire division. They have been praying for it ever since 1871. They have been begging for it. They have come, as the Senator from Missouri would have them come, on their knees, to ask for it; and the only reason there was not a much larger majority in favor of division than appeared at the election in which the vote was cast, as I stated in my opening argument, was simply because they had been given to understand by the leaders of the Democratic party in Washington that they could not get in unless they came as one State.

Let me read just a word from the letter of Mr. SPRINGER to the Aberdeen convention. Was it not a strange thing in a far-off Territory, where its people were supposed to meet to determine how they should petition Congress to be admitted into the Union as a State, to express their own sentiments untrammeled and uninfluenced, that a letter from the Democratic chairman of the Committee on the Territories in the House of Representatives should be spread upon the records of that convention? What would have been said if at a division meeting a letter had been sent to the meeting from me telling them to hold on and stand by their position, that the day of deliverance was near; to be patient, and that their claim would at last be recognized by the American people? What would have been said about that? And yet Mr. SPRINGER tells them at that convention:

Those who are wedded to the idea of division may well postpone the realization of their hopes until a more convenient season. For I can assure them, from my knowledge of public sentiment here—

At Washington—

that the division of Dakota at this time, and the erection of two States within her border, is utterly impossible.

He told the truth; he spoke for a larger constituency than the Territorial Committee of the House; he spoke for the entire Democratic party.

Now, Mr. President, a single allusion to another thing that was said by the Senator from South Carolina. He attacks the report made by me, and suggests that it is impossible that the name that was proposed to be given to the Territory which would remain after the State should be admitted could have any influence whatever in determining whether the people would vote for admission as a whole or for division. I think it is a wonder that the people of that Territory at that election voted 5,000 strong for division. Their desire for statehood is so intense, they are so anxious to be admitted to participate in the benefits and privileges of this Union, they so desire statehood at any price, that I should not have been surprised if the vote had been against division; and then a people dislikes to have its name taken away from it. I have no doubt, as I stated in my report, that it cost many votes. The Senator from South Carolina says, is it possible that the proposed name of Lincoln should make anybody vote against division, that the proposal that the name of that great and illustrious President should be given to the Territory should have any influence upon the people?

He seems to draw by inference the conclusion that the people of Dakota do not reverence the name of Lincoln as do the people of South Carolina and the Senator himself, if that can be true. Why, Mr. President, no such inference is to be drawn. Suppose that some one should propose to change the name of the Senator and call him by the name of that most illustrious of all Presidents, the father of his country, and that his name henceforth, instead of being Matthew C. Butler should be Matthew C. Washington, and that he should object and say, "My name is Butler; I do not desire to change it." Would he be held lacking in respect and admiration for the great name of Washington? Not at all. And no more are the soldiers of North Dakota, who followed the flag and carried the musket, who, under the lead of the great Lincoln, preserved the Government when it was assailed—no more are they to be charged with being wanting in respect to the name of Lincoln. I congratulate the Senator from South Carolina, and I congratulate the country on his new-born zeal and admiration for the memory of Lincoln.

Mr. BUTLER. Will the Senator from Connecticut permit me to say a word?

Mr. PLATT. Certainly.

Mr. BUTLER. Every Southern man in his heart admits that Mr. Lincoln was a true patriot, and does him reverence and honor. So this is not new-born zeal on my part.

Mr. PLATT. Oh, Mr. President, I am not very old, but I remember the time myself—I do not attribute it to the Senator from South Carolina—when the men of his section and with whom he affiliated called that great man a "tyrant" and his soldiers "Lincoln's hirelings," when they called him a "buffoon" and a "baboon," and I think I do not misstate the truth of history when I say that a recently chosen occupant of a seat upon the bench of the Supreme Court in a public speech called him a "buffoon."

Mr. BUTLER. Where was that, and when?

Mr. PLATT. I think it was in a Richmond speech. All these things are too recent in the memory of some of us. The election of Abraham Lincoln was made the occasion of secession. In the secession convention it was insisted upon as a justifiable cause of secession. I congratulate the Senator and the country once more that whether the love and admiration are new-born or old-born, he and his people do now admire and reverence the name of Lincoln.

One other allusion, and I am done. There have been many surprises, Mr. President, in this discussion; but the greatest surprise of all was when the Senator from Indiana [Mr. TURPIE] suggested that I had some ambition in this matter, that I was ambitious in some way to connect my name with the future history of the State of South Dakota, that I might be considered in some sense as its legislative founder. No, Mr. President, this movement did not originate with me. It has been here year after year, advocated by abler men than myself, but by none, I am sure, who have felt more keenly the injustice done to this people. If the Senator from Indiana had known me as I would wish to be known, he would have understood that the idea of connecting my name with the future of the State of South Dakota had never entered my mind.

Mr. President, if I know my own heart, ambition is with me a thing of the past. Whatever of ambition I may have had in my younger years has been satisfied in full measure by the confidence which is reposed in me by the people of my own State. I have but a single ambition left, and that has prompted me in all that I have done with reference to South Dakota. It is to do well, as well as I may, those things which are set me to do. But, if I were ambitious, what nobler, higher incentive or motive could a man have than here in the Senate of the United States to speak for that voiceless people of South Dakota, to beg, yes, in their name, to demand that the citizens of that Territory shall be accorded the common right enjoyed by the humblest citizens of any State—the right of self-government?

Mr. PASCO. Mr. President, it was stated yesterday by the Senator from Ohio that gross outrages on the ballot-box had been committed all over the South; and the Senator from Massachusetts to-day has referred to the events of the election of 1876 in Florida. I do not think I should be justified in remaining entirely silent at the present time under such accusations, because my silence might be construed as admitting the truth of the statements made; but still I do not propose to consume the time of the Senate at this late hour, after this long discussion, in bringing up the matter; but I simply desire to give notice that I will on a future occasion submit a few remarks on the condition of things in the State of Florida.

Mr. CALL. I do not propose to detain the Senate by making any further remarks on this bill; but I wish to make a statement of facts, which will occupy about five minutes, that I think will be a successful refutation of and answer to the argument made by the Senator from Massachusetts [Mr. HOAR] in regard to the Electoral Commission. I wish it to go on the record in reply to his statement that the commission acted under the authority of the principle that the tribunals of the State were to be respected in their action as a finality in determining who were chosen electors of President.

In the State of Florida the Republican returning board, upon the conclusion of their informal canvass of the returns, were served with a mandamus from the Republican supreme court of the State of Florida, requiring them to canvass all the returns of the different counties. In reply to that writ the Republican returning board did canvass, under the instructions of the supreme court of the State, a Republican tribunal, the vote of that State, and declared the Democratic candidate, Drew, elected governor. No canvass was made by them under any writ of the court of the electoral candidates, but they applied a different rule to the canvass for the electoral candidates, excluding from the return the celebrated precinct box No. 2, I think it was.

At that stage of the transaction the circuit court of the State of Florida was appealed to and by a writ of *quo warranto* addressed to those electors who, under this canvass, were declared to be the electors, and upon proceedings had in accordance with law under the construction and the decision of the Republican supreme court of the State, the judgment was awarded in favor of the Democratic electors according to the canvass as made under the direction of the supreme court. The governor, who was installed under that decision of the supreme court, certified to the fact that these were the electors elected under that canvass and construction of the law by the supreme court of the State, that the judgment rendered in the circuit court, from which no appeal was taken, and the records of these proceedings were correct records to which full faith should be given under the provisions of law.

Thus stood the case before the commission, with the certificate of the governor installed under the mandamus of the supreme court declaring the canvass of the electoral votes to have been irregular and fraudulent, with the canvass as made by the Legislature of the State, having thus the judgment of the supreme court, the judgment of the circuit court, the certificate of the governor of the State, and behind it all the fact, as admitted and on file in the records here, that the vote for the Hayes electors at No. 2 precinct was a fraud from beginning to end and made upon a substituted return, forged and falsely sworn to and confessed by the very perpetrators of the fraud.

Mr. CHANDLER. I do not propose to delay the Senate from a vote on the admission of Dakota by entering at length this evening into the discussion of the Presidential election of 1876 in reference to the controverted State of Florida or any other State. I hope I may be present in the Senate when the junior Senator from Florida [Mr. PASCO] takes occasion to submit the remarks which he has given notice that he will make on that subject, and I shall hope to maintain as best I may the justice, equity, and lawfulness of the count of the Presidential vote of the State of Florida in 1876 for President Hayes.

In reference now to the statement made by the senior Senator from Florida [Mr. CALL] in regard to the judgment of the courts of the State of Florida, which he says was disregarded by the Electoral Commission, I take occasion to call his attention to the fact that what he refers to was the finding of one judge of a circuit court of the State. The judgment of the supreme court of the State of Florida never was rendered in favor of the election of my friend, the Senator, and the other three defeated candidates for Presidential electors. A *quo warranto* proceeding was commenced on the 6th day of December, 1876, at the time when the Presidential electors were engaged in casting their votes. It was prosecuted before one judge. A decision was rendered on the 25th day of January, 1877, and not until that time. An appeal was taken, and that appeal never was heard before the supreme court of the State of Florida, and the electors had cast their votes on the 6th of December and were casting them at the time this *quo warranto* proceeding was commenced, and, as every Senator knows, an appeal vacates a judgment, and the proceedings were in every point of view absolutely worthless for any purpose.

Mr. PASCO. I will state to the gentleman that the appeal was reached and that the counsel engaged in that cause for the Hayes electors abandoned the appeal.

Mr. CHANDLER. I think possibly such may have been the case after President Hayes was inaugurated.

Mr. PASCO. It was done when the case was reached on the docket.

Mr. KENNA. The Senator announced that it had never been heard at all.

Mr. CHANDLER. Which Senator is addressing me? Am I yielding to the Senator from Florida or to the Senator from West Virginia?

The PRESIDENT *pro tempore*. The Senator from New Hampshire is entitled to the floor.

Mr. CHANDLER. I am willing to yield to either Senator or to both at once.

Mr. PASCO. I was saying——

Mr. CHANDLER. The Senator will excuse me. I think he was interrupted by the Senator from West Virginia.

Mr. PASCO. Not at all. I will state that the appeal was heard by the supreme court. The counsel for the Hayes electors abandoned the case, and the appeal was dismissed.

Mr. CHANDLER. Will the Senator state at what date?

Mr. PASCO. When the case came up from the court below, when the case came to the supreme court on the regular call of the docket, after the election. It was delayed because the counsel on one side refused to advance the case on the docket and allow it to be heard.

Mr. CHANDLER. Will the Senator state now when, as a matter of fact, the appeal was abandoned?

Mr. PASCO. The appeal was abandoned. The appeal was only entered to delay action under the original judgment. It never was intended to be prosecuted.

Mr. CHANDLER. Will the Senator state, if he knows, when the appeal was abandoned in the supreme court?

Mr. PASCO. The appeal was taken after the election was over.

Mr. CHANDLER. On what date was it abandoned?

Mr. PASCO. I can not give the date, but it was after the election was over.

Mr. CHANDLER. After what election? After the 4th of March?

Mr. PASCO. It was after the vote declaring the canvass of the counties, and the result was declared by the Legislature.

Mr. HOAR. Here is the statement of Charles O'Conor, one of the Democratic counsel, of the whole case.

Mr. CHANDLER. Unless the Senator from Florida has something more to say, I will go on.

Mr. PASCO. The appeal was never prosecuted and never was intended to be prosecuted. It was abandoned in the supreme court, and, finally, when the case was reached in its regular order on the docket, the supreme court made an order dismissing the appeal.

Mr. CHANDLER. The gentleman has been very free in stating the objects and motives of the appeal and of that prosecution. It is sufficient to say that it was the judgment of one member of the court on a nisi prius hearing. It was appealed from and the appeal was never heard, and by every rule of law the appeal vacated the judgment and it was of no account.

Mr. KENNA. Will the Senator allow me to ask him a question?

Mr. CHANDLER. Yes, sir.

Mr. KENNA. Does the Senator mean to assert that when a judgment is rendered by a judge of a nisi prius court and that judgment is appealed from, the abandonment of that appeal does not leave the judgment of the judge of the nisi prius court in full force and effect?

Mr. CHANDLER. I did not say anything of that kind. I said that pending the appeal the judgment was of no account, and I stand by that assertion.

Mr. CALL. Will the Senator allow me to ask him a question?

Mr. CHANDLER. Certainly.

Mr. CALL. I should like the Senator to answer the question whether he asserts or denies that the canvass as ordered by the supreme court for governor determined exactly by the course of law what was the proper canvass of the vote for electors?

Mr. CHANDLER. I will answer the question by saying that I deny it, and I have before me the canvass. The vote for the Republican candidate for governor was several hundred less than the vote for the Republican candidates for electors, and when the recanvass was made by the canvassing board under the order of the supreme court of the State and in accordance with certain principles announced by the court, and that recanvass counted in the Democratic candidate for governor, the canvassing board proceeded to—

make further return to the court, and say that though not ordered so to do by the court, for various reasons they deemed it best to make, while reassembled as a board as aforesaid, a recanvass of the said returns of the said election on file in the office of the Secretary of State, of and concerning the election of other officers voted for at said election, which will be found in the certificate of the result of such recanvass hereto appended as part of this return. And the undersigned further inform the court that we regard our former canvass of the returns of the election for electors of President and Vice-President of the United States, on file in the office of the Secretary of State, as conclusive. Yet, in view of the decision of the Supreme Court, we have re-examined the said returns, and find that a recanvass of them according to the said decision would show that of the candidates for said electors Frederick C. Humphreys received 24,215 votes, Charles H. Pearce received 24,211 votes, Thomas W. Long received 24,209 votes, William H. Holden received 24,215 votes, James E. Yonge received 24,004 votes, Wilkinson Call received 24,001 votes, Robert B. Hilton received 24,001 votes, Robert Bullock received 24,001 votes.

So that upon the recanvass made by the canvassing board upon the order of the supreme court and in accordance with the principles of

the supreme court, my friend, the senior Senator, and the other three so-called Tilden electors were defeated by about 200.

Mr. CALL. The question I asked the Senator to answer is this——

Mr. BUTLER. The Senator from Florida will permit me to ask the Senator from New Hampshire a question. I should like very much to know whether the Senator wants to try that Florida case over again this evening. If that is the intention, I will make my arrangement to——

Mr. PLATT. I hope we may have a vote on Dakota.

Mr. CHANDLER. All I desire to add further—and I believe I have not occupied quite so much time as my interrupters—is to read at the request of the Senator from Massachusetts [Mr. HOAR] Mr. O'Conor's statement. He says:

A *quo warranto* was commenced against the Hayes electors in the proper court of Florida on the said 6th day of December, 1876—

That was when the electors were voting—

before they had cast their votes, which eventuated in a judgment against them on 25th of January, 1877.

Then it appears from Mr. McCrary's statement that—

An appeal has been regularly taken in that case and that it is now pending in the supreme court of the State of Florida, and whatever may have been the value or the force of the original judgment of the circuit court, it is vacated by that appeal.

This, however, is not the whole question with reference to the decision of the Electoral Commission, for a majority of the Electoral Commission held that after the electoral votes had been cast by the electors on the 6th day of December they were in the national ballot-boxes, and that they were beyond the reach of any State authority, Legislature, court, or any other authority, and that I understand to be, as stated by the Senator from Vermont [Mr. EDMUNDS], the exact law which has recently been passed by both Houses of Congress.

Mr. CALL. The Senator will allow me——

Mr. CHANDLER. I yield the floor altogether.

Mr. CALL. This is all I have to say. If the Senator had stated the fact that precisely the same return of the votes cast for electors and cast for governor required, by the decision of the supreme court, to be canvassed had been canvassed by that returning board, the result would have been in favor of the Democratic electors under the ruling of that court, not only in that case, but in the case of the governor.

Does the Senator not know the fact that Mr. Dennis, a Republican official, and a politician of conspicuous standing and reputation in that State, himself testified—and his testimony is on file—that the returns which the returning board assigned to the electors at ballot-box No. 2 was forged by himself and the affidavits attached to it, and that statement is on record?

Mr. CHANDLER. I deny the statement of the Senator *in toto*. Mr. Dennis never testified to any such thing, and the principle that the Senator states in reference to the declaration of the vote upon the recanvass he states incorrectly, as I understand.

Several SENATORS. Vote! Vote!

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from South Carolina [Mr. BUTLER] to the amendment reported by the Committee on Territories.

Mr. BUTLER. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Nebraska [Mr. PADDOCK]. As he is not here I shall withhold my vote. I would vote "yea" if at liberty.

Mr. FAULKNER (when Mr. COCKRELL's name was called). I am requested by the Senator from Missouri [Mr. COCKRELL] to state that he is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. HARRIS (when Mr. DANIEL's name was called). The Senator from Virginia [Mr. DANIEL] is necessarily absent. I have a standing pair with the Senator from Vermont [Mr. MORRILL]. I have transferred that pair, as the Senator from Vermont is also absent, to the Senator from Virginia, and therefore I reserve the right to vote.

Mr. DOLPH (when his name was called). I have agreed to pair with the Senator from Ohio [Mr. PAYNE].

Mr. CULLOM. He is paired with another Senator.

Mr. DOLPH. I am informed that the pair of the Senator from Ohio has been transferred to the senior Senator from California [Mr. STANFORD]. I vote "nay."

Mr. BUTLER (when Mr. HAMPTON'S name was called). My colleague [Mr. HAMPTON] is paired with the Senator from Pennsylvania [Mr. QUAY]. If present, my colleague would vote "yea."

Mr. HISCOCK (when his name was called). I was paired with the Senator from Arkansas [Mr. JONES] with the understanding that I may vote to make a quorum. Understanding that the pair has been transferred to another Senator, I vote "nay."

Mr. PLUMB (when his name was called). On this question I am paired with the Senator from Missouri [Mr. VEST]. If he were present, I should vote "nay" and he would vote "yea."

Mr. QUAY (when his name was called). I am paired with the Senator from South Carolina [Mr. HAMPTON].

Mr. SAWYER (when his name was called). On this question I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were here, I should vote "nay."

Mr. STEWART (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BECK]. If he were here, he would vote "yea" and I should vote "nay."

The roll-call was concluded.

Mr. MORGAN. I was paired with the Senator from New York [Mr. EVARTS], but the pair has been transferred to the Senator from Indiana [Mr. VOORHEES].

Mr. CULLOM. I rise simply to announce pairs. The Senator from Colorado [Mr. TELLER] is paired with the Senator from Louisiana [Mr. EUSTIS]. The Senator from Colorado, if present, would vote "nay," and I suppose the Senator from Louisiana would vote "yea." The Senator from Maine [Mr. HALE] is paired with the Senator from Louisiana [Mr. GIBSON]. The Senator from Maine would vote "nay," if present, and the Senator from Louisiana would vote "yea." The Senator from Nevada [Mr. JONES] is paired with the Senator from California [Mr. HEARST]. The Senator from Nevada, if present, would vote "nay," and the Senator from California would vote "yea." The Senator from California [Mr. STANFORD] is paired with the Senator from Ohio [Mr. PAYNE], and, if present, would vote with his party. The Senator from Virginia [Mr. RIDDLEBERGER] is paired with the Senator from New Jersey [Mr. MCPHERSON]. The pair of the Senator from Nebraska [Mr. PADDOCK], I believe, has been announced.

I believe those are all who are absent and unaccounted for.

The result was announced—yeas 23, nays 26; as follows:

YEAS—23.

Bate,	Call,	Harris,	Reagan,
Berry,	Coke,	Kenna,	Saulsbury,
Blackburn,	Faulkner,	Morgan,	Turpie,
Blodgett,	George,	Pasco,	Vance,
Brown,	Gorman,	Pugh,	Walthall.
Butler,	Gray.	Ransom,	

NAYS—26.

Aldrich,	Davis,	Hiscock,	Sabin,
Allison,	Dawes,	Hoar,	Sherman,
Blair,	Dolph,	Ingalls,	Spooner.
Bowen,	Edmunds,	Manderson,	Stockbridge,
Chace,	Farwell,	Mitchell,	Wilson of Iowa.
Chandler,	Frye,	Palmer,	
Cullom.	Hawley,	Platt,	

ABSENT—27.

Beck,	Gibson,	Morrill,	Stanford,
Cameron,	Hale,	Paddock,	Stewart,
Cockrell,	Hampton,	Payne,	Teller,
Colquitt,	Hearst,	Plumb,	Vest,
Daniel,	Jones of Arkansas,	Quay,	Voorhees,
Eustis,	Jones of Nevada,	Riddleberger,	Wilson of Md.
Evarts,	McPherson,	Sawyer,	

So the amendment of Mr. BUTLER to the amendment of the committee was rejected.

The PRESIDENT *pro tempore*. The question recurs on the amendment reported by the Committee on Territories to strike out all after the enacting clause of the bill and insert a substitute.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. EDMUNDS. I call for the yeas and nays on the passage of the bill.

Mr. BUTLER. Let the title be read.

The SECRETARY. "A bill (S. 185) to provide for the admission of the State of Dakota into the Union, and for the organization of the Territory of Lincoln."

Mr. PLATT. The title can be amended after the passage of the bill.

Mr. EDMUNDS. I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BUTLER (when Mr. HAMPTON'S name was called). My colleague [Mr. HAMPTON] is paired with the Senator from Pennsylvania [Mr. QUAY]. My colleague, if here, would vote "nay" and the Senator from Pennsylvania would vote "yea."

Mr. HARRIS (when Mr. DANIEL'S name was called). I announce the pair of the Senator from Vermont [Mr. MORRILL] with the Senator from Virginia [Mr. DANIEL].

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). My colleague [Mr. JONES, of Arkansas] is paired with the Senator from Nebraska [Mr. PADDOCK]. If my colleague were present, he would vote "nay."

Mr. MANDERSON (when Mr. PADDOCK'S name was called). My colleague [Mr. PADDOCK] is paired on this question. The pair has been announced, but I desire to announce further that he would vote "yea" if present. He is detained from the Chamber by sickness.

Mr. PLUMB (when his name was called). I am paired with the Senator from Missouri [Mr. VEST]. If present he would vote "nay" and I should vote "yea."

Mr. QUAY (when his name was called). I am paired with the Sen-

ator from South Carolina [Mr. HAMPTON]. If he were present, I should vote "yea."

Mr. STEWART (when his name was called). On this question I am paired with the Senator from Kentucky [Mr. BECK]. If he were here, I should vote "yea."

The roll-call was concluded.

Mr. CULLOM. I desire to announce that the Senator from Colorado [Mr. TELLER] is paired with the Senator from Louisiana [Mr. EUSTIS]. The Senator from Colorado, if present, would vote "yea." The Senator from Maine [Mr. HALE] is paired with the Senator from Louisiana [Mr. GIBSON]. If the Senator from Maine were present he would vote "yea." The Senator from Nevada [Mr. JONES] is paired with the Senator from California [Mr. HEARST]. The Senator from Nevada, if present, would vote "yea." The Senator from California [Mr. STANFORD] is paired with the Senator from Ohio [Mr. PAYNE]. The Senator from California, if present, would vot "yea." The Senator from Virginia [Mr. RIDDLEBERGER] is paired with the Senator from New Jersey [Mr. MCPHERSON], and, as I am informed, the Senator from Virginia would vote "yea," if present. The pair of the Senator from Nebraska [Mr. PADDOCK] has, I believe, been announced. The Senator from Pennsylvania [Mr. CAMERON] is paired with the Senator from South Carolina [Mr. BUTLER].

Mr. BUTLER. No, with the Senator from Missouri [Mr. COCKRELL].

Mr. CULLOM. The Senator from Pennsylvania [Mr. CAMERON], if present, would vote "yea."

Mr. FAULKNER. I announce that the Senator from Indiana [Mr. VOORHEES] is paired with the Senator from New York [Mr. EVARTS].

Mr. SAWYER. I am paired with the Senator from Georgia [Mr. COLQUITT].

The result was announced—yeas 26, nays 23; as follows:

YEAS—26.

Aldrich,	Davis,	Hiscock,	Sabin,
Allison,	Dawes,	Hoar,	Sherman,
Blair,	Dolph,	Ingalls,	Spooner,
Bowen,	Edmunds,	Manderson,	Stockbridge,
Chace,	Farwell,	Mitchell,	Wilson of Iowa.
Chandler,	Frye,	Palmer,	
Cullom,	Hawley,	Platt,	

NAYS—23.

Bate,	Call,	Harris,	Reagan,
Berry,	Coke,	Kenna,	Saulsbury,
Blackburn,	Faulkner,	Morgan,	Turpie,
Blodgett,	George,	Pasco,	Vance,
Brown,	Gorman,	Pugh,	Walthall.
Butler,	Gray,	Ransom,	

ABSENT—27.

Beck,	Gibson,	Morrill,	Stanford,
Cameron,	Hale,	Paddock,	Stewart,
Cockrell,	Hampton,	Payne,	Teller,
Colquitt,	Hearst,	Plumb,	Vest,
Daniel,	Jones of Arkansas,	Quay,	Voorhees,
Eustis,	Jones of Nevada,	Riddleberger,	Wilson of Md.
Evarts,	McPherson,	Sawyer,	

So the bill was passed.

Mr. PLATT. I move to amend the title so as to read: "A bill to provide for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota."

The amendment to the title was agreed to.

The preamble was agreed to.

Mr. PLATT. I had intended to ask the Senate immediately upon the conclusion of this bill to take up the other bills for three Territories, but I know now that the Senator from Michigan [Mr. PALMER] is desirous of proceeding with the special order, and that is entitled to the right of way. I wish merely to say that just as soon as I can get up those bills for the admission of the three other Territories as States I shall do so.

The PRESIDENT *pro tempore*. Two bills have been assigned by order of the Senate as special orders.

Mr. SPOONER. I ask the unanimous consent of the Senate to make a report.

The PRESIDENT *pro tempore*. The report will be received, if there be no objection.

REPORTS OF COMMITTEES.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the joint resolution (H. Res. 56) authorizing the use and improvement of Castle Island, in Boston Harbor, reported it without amendment.

Mr. HOAR. I shall ask to have that Castle Island joint resolution taken up in the morning hour at an early day next week.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 349) for the erection of a public building at Akron, Ohio, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1864) to provide for the erection of a public building at San Diego, Cal., reported it with amendments, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 1948) to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River, in the Choctaw Nation, near Fort Smith, Ark., reported it with amendments.

Mr. WILSON, of Iowa, from the Committee on the Judiciary, to whom was referred the bill (S. 1507) providing for an additional associate justice of the supreme court of the Territory of Utah, and for other purposes, reported it with amendments.

HOUSE BILLS REFERRED.

Mr. HARRIS. I move that the Senate do now adjourn.

The PRESIDENT *pro tempore*. Before submitting that motion the Chair will lay before the Senate bills from the House of Representatives for reference.

The bill (H. R. 5929) to extend the time for the completion of a bridge across Staten Island Sound was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 8560) to establish a department of labor was read twice by its title, and referred to the Committee on Education and Labor.

The bill (H. R. 8665) to create boards of arbitration or commission for settling controversies and differences between railroad corporations and other common carriers engaged in interstate and Territorial transportation of property or passengers and their employés was read twice by its title.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Interstate Commerce, if no objection be interposed.

Mr. BLAIR. The bill from the House providing for the appointment of a board of arbitration should be referred to the Committee on Education and Labor.

The PRESIDENT *pro tempore*. That reference will be made if there be no objection.

BILL INTRODUCED.

Mr. FAULKNER introduced a bill (S. 2740) for the relief of the trustees of the German Evangelical Church of Martinsburgh, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the special order, which is the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. HARRIS. I renew my motion that the Senate do now adjourn.

The PRESIDENT *pro tempore*. The Senator from Tennessee moves that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 41 minutes p. m.) the Senate adjourned until Monday, April 23, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April* 19, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

UNITED STATES PENITENTIARY, DEER LODGE CITY, MONT.

The SPEAKER laid before the House a letter from the Attorney-General, transmitting a letter from the governor of Montana, recommending additions to the United States penitentiary at Deer Lodge City, Mont.; which was referred to the Committee on Appropriations, and ordered to be printed.

KANSAS CITY, TEXARKANA AND GULF RAILROAD.

The SPEAKER also laid before the House the bill (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railroad Company to bridge the Red and Little Rivers, in the State of Arkansas; which was read a first and second time.

Mr. MCRAE. Mr. Speaker, this is exactly similar to the bill introduced by me some time ago, and which has been favorably reported by the House Committee on Commerce, and would no doubt have been passed but for the filibuster of last week, which knocked the committee out of its day. This road has been constructed to Red River, one of the rivers to be bridged, and I therefore ask unanimous consent that it be considered now.

The SPEAKER. The bill will be read, subject to the right of objection.

Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, I feel compelled to demand the regular order, even against the request of one of my colleagues.

Mr. MCRAE. Mr. Speaker, this is an important matter to the railroad company and some of my constituents who want the road. It is important that it pass at once. It will take no money, and but little time, only enough to read it. If more I will agree to withdraw it. It will not interfere with the tariff bill, or with any other matter of im-

portance, and it should be considered now. It will take but a very few minutes. The road is constructed to one of the rivers, and this authority to bridge the stream in question should be granted at once. I am utterly astonished that my colleague should interpose his objection to a measure so just and urgent.

Mr. BRECKINRIDGE, of Arkansas. There is no objection to the bill on my part; but for the purpose of getting on with matters of public importance I must insist upon the regular order.

Mr. McRAE. That is no explanation at all. It defeats the bill, and men are presumed to intend the consequences of their own acts. This is a matter of public importance.

Mr. SPRINGER. Let the bill lie over until to-morrow.

The SPEAKER. The bill will be referred to the Committee on Commerce.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills; which were severally read twice, and referred as follows, namely:

The bill (S. 21) to provide for the construction of a public building at Salem, Oregon—to the Committee on Public Buildings and Grounds.

The bill (S. 164) for the erection of a public building in the city of Pawtucket, R. I.—to the Committee on Public Buildings and Grounds.

The bill (S. 327) for the erection of a public building at Stillwater, Minn.—to the Committee on Public Buildings and Grounds.

The bill (S. 1200) for the erection of a public building in the city of Lansing, State of Michigan—to the Committee on Public Buildings and Grounds.

The bill (S. 1592) to continue the publication of the supplement to the Revised Statutes—to the Committee on the Revision of the Laws.

The bill (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon lights to said river—to the Committee on Commerce.

The bill (S. 2121) authorizing the construction of a public building at Burlington, Iowa—to the Committee on Public Buildings and Grounds.

The joint resolution (S. R. 24) authorizing the Secretary of the Navy to loan certain scientific instruments—to the Committee on Naval Affairs.

OMAHA INDIANS, NEBRASKA.

The SPEAKER also laid before the House the bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend the time of payment to purchasers of land of said Indians, and for other purposes; which was read twice.

Mr. DORSEY. I ask unanimous consent for the present consideration of that bill.

The SPEAKER. The gentleman from Arkansas insists upon the regular order, which cuts off all requests for unanimous consent.

Mr. DORSEY. It will take but a moment.

The SPEAKER. The Chair will submit the gentleman's request to the House. Is there objection to the present consideration of the Senate bill?

Mr. BRECKINRIDGE, of Arkansas. The regular order has been demanded, Mr. Speaker.

Mr. DORSEY. Then I ask that this bill be allowed to remain on the table for the present.

There was no objection, and it was so ordered.

Mr. BRECKINRIDGE, of Arkansas. Mr. Speaker, I make the same request with reference to the bill called up by my colleague [Mr. McRAE] a few moments ago.

The SPEAKER. Without objection, that order will be made.

There was no objection.

REFERENCE OF SENATE BILLS.

The SPEAKER also laid before the House bills of the Senate; which were severally read twice, and referred as follows, namely:

The bill (S. 2650) to change the time of the meeting of the district court of the southern district of Mississippi, and for other purposes—to the Committee on the Judiciary.

The bill (S. 888) granting a pension to Mercy A. Cutts—to the Committee on Invalid Pensions.

The bill (S. 1575) granting an increase of pension to William Wallace Young—to the Committee on Invalid Pensions.

The bill (S. 1819) granting an increase of pension to Col. D. M. Fox—to the Committee on Invalid Pensions.

The bill (S. 1885) granting a pension to Margaret Tonkin—to the Committee on Invalid Pensions.

The bill (S. 1912) granting an increase of pension to William Irving—to the Committee on Invalid Pensions.

The bill (S. 1922) for the relief of Theodore S. Stewart—to the Committee on Invalid Pensions.

The bill (S. 1933) granting a pension to Zenas T. Haines—to the Committee on Invalid Pensions.

The bill (S. 2208) granting a pension to Cyrus Tuttle—to the Committee on Invalid Pensions.

The bill (S. 2012) granting increase of pension to Marcus D. Raymond—to the Committee on Invalid Pensions.

The bill (S. 2018) granting an increase of pension to Henry Sprague—to the Committee on Invalid Pensions.

The bill (S. 2069) granting a pension to Penrose Frank—to the Committee on Invalid Pensions.

The bill (S. 2089) for the relief of Mrs. Elizabeth White—to the Committee on Invalid Pensions.

The bill (S. 2091) granting a pension to Frances H. Plummer—to the Committee on Invalid Pensions.

The bill (S. 2105) granting an increase of pension to Joseph Verbisky—to the Committee on Invalid Pensions.

The bill (S. 2106) granting a pension to William Kelsey—to the Committee on Invalid Pensions.

The bill (S. 2117) granting a pension to Ellen Miller—to the Committee on Invalid Pensions.

The bill (S. 2137) for the relief of Rosaloo Sage—to the Committee on Invalid Pensions.

The bill (S. 2144) granting a pension to Rosalie Alex—to the Committee on Invalid Pensions.

The bill (S. 2194) granting a pension to Annie Leonard—to the Committee on Invalid Pensions.

The bill (S. 2233) granting a pension to William P. Madden—to the Committee on Invalid Pensions.

The bill (S. 2240) for the relief of George S. Thwing—to the Committee on Invalid Pensions.

The bill (S. 2383) granting a pension to James Anderson—to the Committee on Invalid Pensions.

The bill (S. 2652) granting a pension to Gustave E. Peters—to the Committee on Invalid Pensions.

The bill (S. 2653) granting a pension to Mary Curtin—to the Committee on Invalid Pensions.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted, as follows:

To Mr. BROWER, until Thursday, April 26, on account of important business.

To Mr. BOWDEN, indefinitely, on account of important business.

To Mr. RUSK, until Thursday next, on account of important business.

To Mr. LODGE, for three days, on account of important business.

To Mr. YODER, indefinitely, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. GROUT to withdraw papers in support of House bill 7186, Forty-ninth Congress, granting a pension to John E. Rollins, without leaving copies on file.

Also, to Mr. WHEELER to withdraw from the files all the papers in the case of the claim of John B. Read, for compensation for the use of projectiles by the United States, such papers having been acted upon by the Military Committee of the House.

EMORY R. SEWARD.

The SPEAKER also laid before the House the bill (H. R. 7319) for the relief of Emory R. Seward, returned with amendments and a request by the Senate for a committee of conference.

Mr. BELDEN. I ask unanimous consent that the House non-concur in the amendments, and that the request of the Senate for a committee of conference be agreed to.

The SPEAKER. The Chair will state to the gentleman from New York that the gentleman from Arkansas demands the regular order, and unless that is withdrawn the Chair must enforce the regular order.

Mr. BRECKINRIDGE, of Arkansas. Let that lie on the table.

Some time subsequently,

Mr. BRECKINRIDGE, of Arkansas, said: I learn that the gentleman from New York [Mr. BELDEN], who asked for the appointment of a conference committee, is compelled to leave the city to attend a funeral. In regard to his request I withdraw the demand for the regular order.

The SPEAKER. The gentleman from New York has stated his request. If there be no objection, the Senate amendments to the bill (H. R. 7319) will be non-concurred in and a committee of conference agreed to as requested.

There was no objection.

The SPEAKER. The Chair will appoint the managers of the conference on the part of the House during the day.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 7220) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and the act amendatory thereof approved February 25, 1887.

A bill (H. R. 7315) to divide the Great Sioux Indian reservation into separate smaller reservations, and for other purposes.

ORDER OF BUSINESS.

The SPEAKER. The regular order is the call of committees for reports.

Mr. MILLS. I ask unanimous consent to make a request which I think will meet the views of gentlemen interested. I propose that to-day the Committee on Ways and Means shall give way to the Committee on Appropriations for the completion of the Indian appropria-

tion bill and for the pension appropriation bill, and that Saturday be taken from the Committee on Public Lands and be devoted to the continuation of the tariff debate, and that the Committee on Public Lands shall have next Tuesday in lieu of Saturday. To-morrow, of course, is private bill day.

Mr. PAYSON. I ask the gentleman whether the chairman of the Committee on Public Lands [Mr. HOLMAN] has been consulted?

Mr. MILLS. He has been, and agrees to this arrangement.

Mr. HOLMAN. That is correct.

Mr. BURROWS. Why might not the Committee on Public Lands have its day on Saturday, as previously agreed, and let the debate on the tariff be resumed on Tuesday?

Mr. MILLS. I made the suggestion at the instance of my friend from Tennessee [Mr. MCMILLIN]. If my friend from Tennessee is willing and the gentleman from Michigan [Mr. BURROWS] is willing, I have no objection to what the gentleman from Michigan suggests.

Mr. MCMILLIN. I have no feeling in the matter. Whatever suits the chairman of the Committee on Ways and Means will be agreeable to me. The House no doubt desires to get the appropriation bills into the Senate as speedily as possible that the Senate may have an opportunity of working upon them.

The SPEAKER. Then there is no necessity for any order.

Mr. MCCREARY. I wish to inquire whether the pension appropriation bill comes next on the Calendar to the Indian appropriation bill?

Mr. MILLS. It does.

The SPEAKER. There is no necessity for any order if it is understood that the House will assign to-day for the consideration of other business than the tariff.

Mr. MILLS. Is that agreed to?

The SPEAKER. There is no necessity for an agreement. The order giving Saturday to the Committee on the Public Lands has already been made; and all the gentleman from Texas has to do to carry out his proposition is simply not to move to-day that the House go into Committee of the Whole for the consideration of revenue measures.

Mr. REED. Then that is understood.

BEACON LIGHTS FOR ILLINOIS RIVER.

Mr. ANDERSON, of Illinois. I ask unanimous consent that the bill (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon lights to said river, which was laid before the House this morning, be returned to the Speaker's table.

There was no objection.

PERSONAL EXPLANATION.

Mr. FORAN. I desire to make a personal explanation. During the latter part of last week I was paired with the gentleman from Iowa [Mr. HOLMES]. When I reached the city yesterday morning I notified the officer who has charge of the pairs that my pair would be withdrawn, and supposed it would be. On yesterday I voted and find that I am recorded as being paired. It was not my fault.

ORDER OF BUSINESS.

Mr. PEEL. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of resuming the consideration of the Indian appropriation bill.

The SPEAKER. The gentleman will have first to move to dispense with the morning hour for the reports of committees, which requires a two-thirds vote.

Mr. PEEL. I make that motion.

Mr. BUCHANAN. If the morning hour is dispensed with, I ask unanimous consent that gentlemen who have reports to make have leave to file them at the Clerk's desk.

There was no objection, and it was so ordered.

The motion to dispense with the morning hour was agreed to, two-thirds voting in favor thereof.

The reports filed at the Clerk's desk were as follows:

RELIEF FOR POOR IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (S. 1938) making an additional appropriation for the relief of the poor of the District of Columbia; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ARREARS OF TAXES IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back with a favorable recommendation the joint resolution (S. R. 42) extending the provisions of an act entitled "An act relating to arrears of taxes in the District of Columbia," approved March 3, 1887; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

RECORD OF WILLS IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (H. R. 1514) relating to the record of wills in the District of Columbia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

THOMAS H. NORTON AND JAMES M'LEAN.

Mr. MCCULLOGH, from the Committee on Claims, reported back with a favorable recommendation the bill (S. 109) for the relief of Thomas H. Norton and James McLean; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS POTOMAC RIVER.

Mr. ROWELL, from the Committee on the District of Columbia, reported back with an amendment the bill (S. 2458) to amend an act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east; which was referred to the Committee of the Whole House on the state of the Union, and, with the amendment and accompanying report, ordered to be printed.

WASHINGTON CABLE ELECTRIC RAILWAY.

Mr. ROWELL also, from the Committee on the District of Columbia, reported back with amendments the bill (S. 931) to incorporate the Washington Cable Electric Railway of the District of Columbia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendments and accompanying report, ordered to be printed.

PUBLIC BUILDING AT LIMA, OHIO.

Mr. NEAL, from the Committee on Public Buildings and Grounds, reported, as a substitute for the bill H. R. 6142, a bill (H. R. 9556) for the erection of a public building at Lima, Ohio; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The bill H. R. 6142 was laid on the table.

CITY OF TACOMA, WASH.

Mr. VOORHEES, from the Committee on the Public Lands, reported back with a favorable recommendation the bill (S. 1870) granting the use of certain lands in Pierce County, Washington Territory, to the city of Tacoma for the purposes of a public park; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PATENT TO LAND IN ARKANSAS.

Mr. WHEELER, from the Committee on the Public Lands, reported back with a favorable recommendation the bill (S. 1082) to authorize the issuance of patent to certain land in Arkansas; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AID TO WRECKED VESSELS.

Mr. CHIPMAN, from the Committee on Foreign Affairs, reported back with a favorable recommendation the bill (H. R. 8063) to amend an act entitled "An act to aid vessels wrecked or disabled in the waters coterminous to the United States and the Dominion of Canada," approved June 19, 1878; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PENSIONS.

Mr. GALLINGER, in accordance with leave hitherto granted, presented the views of the minority of the Committee on Invalid Pensions on the bill (S. 181) granting pensions to ex-soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to dependent relatives of deceased soldiers and sailors; which were ordered to be printed with the report of the committee, as Part 2.

INDIAN APPROPRIATION BILL.

The motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of appropriation bills was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering general appropriation bills. The Clerk will report the pending bill.

The Clerk read as follows:

A bill (H. R. 8565) making appropriations for the current and contingent expenses of the Indian Department and fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1889, and for other purposes.

The CHAIRMAN. At the last sitting of the Committee of the Whole upon this bill an amendment was pending which the Clerk will now report.

The Clerk read as follows:

After line 1020, the following amendment was submitted by the gentleman from Illinois, Mr. CANNON:

"For the support of eighty Indians at the Cherokee training-school, at Cherokee, N. C., at $150 per annum each, $12,000."

To which the following amendment was proposed by the gentleman from North Carolina, Mr. JOHNSTON:

"To be paid out to such persons as may be employed by the Commissioner of Indian Affairs to superintend such schools, and for the support of such schools."

Mr. JOHNSTON, of North Carolina. Mr. Chairman, I desire permission to withdraw that amendment, in order that I may offer another by

way of a substitute for the amendment offered by the gentleman from Illinois [Mr. CANNON].

There was no objection.

Mr. JOHNSTON, of North Carolina, offered the following as a substitute for the pending amendment of Mr. CANNON:

For the support of the training-school at Cherokee, N. C., and such other schools as the Commissioner of Indian Affairs may think necessary, $12,000.

Mr. CANNON. I can not assent to that amendment.

Mr. JOHNSTON, of North Carolina. Mr. Chairman, my purpose in offering this amendment is to give a discretion to the Commissioner of Indian Affairs. I do not want to interfere at all with the school already established; but the trouble is that that school is so situated that a considerable number of pupils living at a distance of from 50 to 60 miles are deprived of its benefits. My purpose is to put within the control of the Commissioner of Indian Affairs this $12,000, so that he may keep up this existing school and also may establish such others as he may think necessary for the benefit of the whole of the Indians in that part of the country. I hope the amendment will be adopted.

Mr. CANNON. Mr. Chairman, if the gentleman desires to provide for additional training-schools, I hope he will offer an amendment for that purpose that will not interfere with the one I have offered. These are the facts touching the training-school for the Eastern Cherokees. There is one training-school, and it has now only forty pupils. Gentlemen understand what a training-school is. It is a boarding-school where the Indian children are clothed, boarded, and taught.

Now, there are only three thousand of these Eastern Cherokees in North Carolina, taken all together, men, women, and children. Besides this training-school there are day schools which are supported from the trust fund that belongs to the Eastern Cherokees. The Indian agent, an appointee of the present Administration, and, as I understand, a very intelligent man, reports that this training-school, now situate on the reservation, has a capacity for from eighty to one hundred students, whereas it has only forty. The amendment I have offered provides for eighty instead of forty at $150 a year each, which is $37 below the average cost of supporting the students at the other Government training-schools. It seems to me that where there are only three thousand Indians, men, women, and children all told, it would be folly to establish another training-school until the existing one is fully utilized. I have not seen Mr. Smith, the chief of the Eastern Cherokees, who is a man of very good intelligence and who represents his tribe here, but I am informed by gentlemen who have seen him that he is very anxious that this appropriation should be made according to the amendment which I have offered. Now, it may be that another boarding-school should be established for these Indians, but that will come in time. Let us first utilize the one we have before we undertake to provide for another. The education of these Eastern Cherokees and the progress they have made is a very interesting subject. I undertake to say from the examination I have been able to give to it that they have made better progress than perhaps any other Indians upon the continent within the last five years. But while that is true their funds have been somewhat dissipated.

In 1875 Congress set apart this fund for the purpose of educating the Eastern Cherokees. It then amounted to $76,927. A year afterwards, in 1876, it was found that the fund had dwindled to $51,423, and then a provision was inserted in the statute prohibiting the use of more than $6,000, principal and interest, in any one year. In 1877 the fund stood at $40,557, and in 1887 at $31,268; but it is fair to state that for some years past, as I am informed, under the present management of that fund, the interest only is used, and that for the support of the day schools for the Eastern Cherokees; and the chief says, the gentleman in charge says, the church says, and all hands say that the educational facilities have never before been so good and so thorough as they are at this time. I am told that the chief expressly desires there should be no interference with the present educational facilities for these Indians. Therefore, I feel constrained to resist the amendment offered by the gentleman from North Carolina, and to ask that the amendment which I have submitted be adopted. If, in addition to my amendment, any further provision be deemed wise by the House, let it be offered and adopted.

Mr. JOHNSTON, of North Carolina. Mr. Chairman, I have but a few words to say in reply to the position taken by the gentleman from Illinois [Mr. CANNON]. He proposes, he says, to preserve this training-school at Cherokee, N. C. My amendment proposes exactly the same thing. The very first sentence of my amendment provides that the Cherokee training-school at Cherokee, N. C., shall be kept up, and that, if the Commissioner of Indian Affairs finds it necessary to establish other schools in that portion of the country, the rest of the money shall be appropriated for that purpose.

The gentleman from Illinois says there are about forty pupils taken care of at this school, and that it can accommodate about eighty. I understand that to be the state of the case; and I am very much in favor, so far as I am concerned, of enlarging the attendance at that school to its full capacity. But I do think that the school ought not to be kept there for the purpose of educating only those children most conveniently located with regard to it, making no provision for the children of those people away over in the mountains, from whom I have had numberless complaints that they can not get the benefits of this school because their children, if instructed there, would have to be sent so far from home, entirely away from the supervision and control of their parents.

In offering my amendment I have two purposes in view. One is to have this school entirely under the control of the Commissioner of Indian Affairs; the other is to leave it to his discretion to establish such other schools as in his judgment may be necessary to accommodate all the Indian children in that portion of the country. So far as I can see no harm can come either to the Cherokee training-school or to the Indians if my amendment be adopted; on the contrary, I think it will tend to bring about a great improvement in the management of the school. Some two or three hundred of these people, among whom there are about forty or fifty children who ought to be pupils of the school, live across the mountains 50 or 60 miles distant from the school. Now, it may be said—and this possibly will be the reply of the gentleman from Illinois—that these children can be sent over to be boarded and educated at the school already established. That is very true; but if there were a training-school in the neighborhood of these people the children could be educated while remaining at home contributing to the comfort and aid of the families to which they belong. Thus the benefit of this appropriation would be enlarged rather than curtailed.

So far as concerns the dwindling of the educational fund, it did dwindle a long time under the serious mismanagement of affairs down there by the different people who had control of this fund. My purpose is to benefit the entire Indian population there, so that all the Indian children needing education may get the advantage of the appropriation which the Government sees fit to make.

Not only that; there is very serious and just complaint by the religious denominations which have heretofore tried their best to elevate these people in morals and education—the denominations (and I will mention especially the Baptists and Methodists) who, long before the Government undertook to educate these people, established, at their own expense, a school right in the midst of this Indian population, and sent teachers and preachers there, who have educated these people to a degree of morality which probably no other Indian tribe on this continent can exhibit. These religious denominations complain very seriously, and I think justly, that now, after they have spent long years in trying to educate these people, not only morally, but in a literary point of view, as soon as the Government begins to appropriate money for the education of these children persons from other sections come in and in the name of "sweet charity" propose to take charge of these schools for the sake of the Government appropriation of $125 a head.

Now, I wish to leave the matter in the power of the Commissioner of Indian Affairs, so that he can say what particular class of individuals shall take charge of these schools, that he may select those best qualified to train and educate not only the children but the adults, as was done for fifty years before the Society of Friends sent their educators down there. This is the only purpose I have in view. I want it distinctly understood that I am in favor of the amount which the gentleman from Illinois proposes shall be expended, and I would be in favor of increasing the amount. Of course I am not opposing the continuance of the school; but what I wish is to get the management in the proper hands and to enlarge the educational facilities.

Mr. CANNON. Is not the management now in the hands of the Commissioner of Indian Affairs? Has not the Commissioner of Indian Affairs full authority to contract for this schooling now wherever he pleases?

Mr. JOHNSTON, of North Carolina. That is it; he has full authority to contract, but the price is limited to $150 for each pupil. You say in effect to my people, who are unable to take these Indian scholars at that price, that they shall have no hand in their teaching and in their training. That is the object I have in view; it is to break down the barrier so that these men who have known these Indians all their lives, who have been with them all their lives, may be able to come in and teach them.

Mr. CANNON. I wish to understand the exact position of the gentleman from North Carolina if I can do so. The cost of the education and training of these scholars is to be $150 each per year. The Commissioner of Indian Affairs, under the law, has full and complete power to do whatever he pleases in reference to where and by whom these Indian scholars shall be taught and trained. Whether North Carolinians or anybody else will run the school for that price of $150 for each pupil, what possible objection can there be to it?

Mr. JOHNSTON, of North Carolina. Why, sir, just the very objection I have been urging; and that is that the North Carolinians, who will not be able to do it for that price, will have no share in this work; and the Society of Friends, coming from a distance, and who are backed up by their church, and who can do it under the circumstances at the price indicated, will take charge of the whole work.

Mr. CANNON. If the Society of Friends will do this work for $150 for each pupil—and there is no other society which will do the same work for a price as low under the circumstances, and especially as the Society of Friends have done their work heretofore well and efficiently—I do not see any good reason why, if they will continue to do their duty to these Indian scholars, they ought to have their teaching and training under the law. At least the Commissioner of Indian Affairs

ought to be permitted to say whether they shall have this duty intrusted to them or not. It is for the benefit of the Indians that we are now legislating and not for the benefit of the Society of Friends nor for the benefit of any other society whether in North Carolina or elsewhere.

The CHAIRMAN. Discussion is exhausted on the pending amendment.

Mr. PEEL. Mr. Chairman, I am in favor of the amendment of the gentleman from Illinois [Mr. CANNON], and merely wish to say a word or two, and then hope the debate will be brought to a close and we will proceed with the bill.

It is very true, Mr. Chairman, that there never was much good growing out of this work of teaching and training until it fell into the hands of the Society of Friends. I have not myself any partiality for any particular religious denomination. My object is to obtain the very best work and the very best result for the Government, as well as for these Indian scholars, and to obtain it on the payment of the least money.

If the school is not now, under the law, within the discretion of the Commissioner of Indian Affairs to say who shall have the control of it—that is, the price per scholar of $150—then I am much mistaken. He has the right to direct where these scholars shall be educated and trained, and I do not see why my friend from North Carolina desires further to amend it. I am perfectly willing to do anything which will not take out of the hands of the Commissioner of Indian Affairs the control of this matter. I believe the amendment of the gentleman from Illinois is all that can be asked, and I hope it will be adopted.

Mr. ALLEN, of Michigan. I wish to ask the gentleman from North Carolina whether, if we adopt his idea, we do not in effect say to the Commissioner of Indian Affairs that somebody in North Carolina is to be employed to run this school, regardless altogether of the interests of those who are to be taught and trained? Is he not in effect looking more to the interest of the white man than of the Indian in the action which he proposes to take in reference to this school? In other words, let me inquire whether it is not the duty of the Government, if the Society of Friends or any other society will do this work well and efficiently, to allow them to do it, rather than to give it to North Carolinians or anybody else, simply because they desire to take charge of the school?

I ask if the money so appropriated is not set apart for the benefit of the Indians themselves, and not in any sense for the benefit of the whites?

Mr. JOHNSTON, of North Carolina. I take it for granted, Mr. Chairman, that if this matter is left, as it is now, under the control of the Commissioner of Indian Affairs, he will do as well under my amendment as under the amendment of the gentleman from Illinois.

Mr. ALLEN, of Michigan. It should be under his control.

Mr. JOHNSTON, of North Carolina. And I provide for the school as the other amendment does, but add to the amendment that he shall not be confined to any one particular class of persons from which to select his teachers.

Mr. ALLEN, of Michigan. He is not now confined to any one class.

The CHAIRMAN. The Clerk will report the pending amendment, and also the substitute proposed by the gentleman from North Carolina.

The amendments were again read.

The question being taken on the adoption of the substitute, the committee divided; and there were—ayes 14, noes 61.

Mr. JOHNSTON, of North Carolina. All right; I shall not demand a further count.

So the substitute was rejected.

The amendment of Mr. CANNON was adopted.

Mr. JOHNSTON, of North Carolina. I now want to ask permission of the gentleman in charge of this bill to offer an amendment after line 962, which I hope will be adopted, thinking it will be after it is read.

The amendment was read, as follows:

Insert at the end of line 962: "For the payment of W. B. Ferguson and Fred C. Fisher for services as attorneys for the Eastern band of Cherokee Indians under contract from October, 1883, to November, 1887, $600 each; in all $1,200."

Mr. PEEL. I will have to reserve the point of order upon that until I hear what it is.

The CHAIRMAN. This amendment, the Chair thinks, could only be entertained now by unanimous consent, the committee having passed from the consideration of that part of the bill.

Mr. PEEL. I do not raise the point of order for that reason; but simply to obtain an explanation of the amendment.

Mr. CANNON. I reserve the point of order.

Mr. NELSON. Mr. Chairman, there is a mistake in regard to the condition of this bill; we are considering the bill now at the head of line 1025. This amendment was offered the other day out of its time, at the request of the gentleman from Indiana, and we had not reached the part of the bill to which it then belonged.

Mr. JOHNSTON, of North Carolina. Then my amendment will come in hereafter.

The CHAIRMAN. The gentleman from Minnesota is correct. The Clerk will report that portion of the bill which is now properly before the committee.

There is still, however, a pending amendment which the Chair will direct the Clerk to read before the gentleman from North Carolina proceeds. This amendment was offered by the gentleman from Arkansas, chairman of the committee, when the bill was under consideration on Saturday last, and a point of order was made upon it.

The Clerk read as follows:

For this amount, to pay Nimrod Jarrett Smith, chief and delegate of the Eastern band of Cherokee Indians in North Carolina, for services rendered to such band from January 15, 1882, to April 16, 1887, as delegate to Washington, D. C., $3,571.66; the same to be paid out of any funds belonging to said Indians in the Treasury, to be immediately available.

Mr. PEEL. That is the amendment which was pending on Saturday.

The CHAIRMAN. This is the pending amendment. This amendment was submitted by the gentleman from Arkansas at the last sitting of the committee, and the point of order was made upon it by the gentleman from Georgia [Mr. BLOUNT]. The point of order was pending and not decided when the committee rose.

Mr. PEEL. Mr. Chairman, I only desire to say in regard to this amendment that these Indians are citizens of the United States, and as such have a right to control their own affairs. This fund is held by the Government as a trust fund; and as their general council has audited the account and ordered it to be paid, our committee thought it proper to go upon this bill; hence the amendment was offered. I think the point of order is not well taken. I have changed my mind somewhat as regards it since the last meeting upon a further examination of the subject.

The CHAIRMAN. This amendment seems to be for the purpose of paying an agent or attorney employed by this band of Indians to attend to some business for them in the city of Washington, he being at the time the chief of the tribe. The money out of which the sum is to be paid seems to be a trust fund in the Treasury of the United States for the benefit of the Indians, and, if so, it seems to the Chair that the United States, being the trustee for the benefit of the Indians, can exercise its discretion as to the manner in which the fund shall be disposed of. This is the proper bill upon which that discretion may be exercised, and the Chair is therefore of the opinion that the amendment is a proper one and overrules the point of order.

It is a matter resting in the legislative body having charge of that fund for the benefit of the Indians.

The question is on the adoption of the amendment.

Mr. CANNON. I will be glad to know something as to the merits of this proposition before the vote is taken. The gentleman from Arkansas has said that this fund is under the control of these Indians; and if I got his expression correctly that this Indian council, or some other Indian body having charge of these affairs, had requested this payment out of the particular fund in question.

Mr. PEEL. That is correct.

Mr. CANNON. Has the gentleman a copy of the act of the council authorizing it?

Mr. PEEL. The chief has the papers. I do not know whether they are now in the committee or not. The committee, however, had access to them.

Mr. CANNON. I want to say right in that line that this money out of which it is proposed to pay this $3,000—possibly under the lead of the gentleman from Georgia, but I am not sure as to that—was in 1876 set aside as a trust fund for the education of the Indians. But it has been whittled down to about $31,000, out of which the schools for the Eastern Cherokees are wholly and totally supported on the interest of this fund at 5 per cent. Now, when you whittle it down by $3,000 more you get it down to $28,000, and so on until it is all exhausted.

A MEMBER. Does the law provide how it shall be distributed?

Mr. CANNON. Oh, yes. We examined the law of 1875 and 1876, setting it aside as an educational fund.

Mr. BLOUNT. There is no dispute about that, I reckon.

Mr. CANNON. I do not know anything about this claim. I have no doubt the gentleman from Arkansas [Mr. PEEL] thinks it is just as he states. But as to whether it is too much or too little or a wise expenditure, or how it was audited, or anything about it, I simply do not know, and have said all I want to say about it.

Mr. BLOUNT. I wish to say that I did not know the question of order was pending on this proposition, or I should have desired to say something about it myself. I do not wish to be understood, by not appealing from the decision of the Chair, as acquiescing in the ruling on this question. The question is likely to occur later on in the bill, and I will not make any appeal at this time.

The CHAIRMAN. The Chair will withdraw his ruling if the gentleman from Georgia desires to be heard on it.

Mr. BLOUNT. The matter will come up again, when I may argue the question of order.

Mr. PEEL. It may all be true that this fund was set aside for educational purposes. But I want to know if all Indian funds are not a trust fund just as sacred for one purpose as for another? The Cherokee council have examined this matter thoroughly. They have found the services of the chief have been rendered, allowed the claim, and passed a resolution ordering it to be paid. This fund, as I have said, is not more sacred for one purpose than another. The account on its face shows the services were rendered by this chief running through several

Congresses. It is impossible that it can be an extortionate charge. His services were rendered in three Congresses; and I do not see how a man can come to Washington and look after the interests of his people for three successive Congresses for less money, and pay expenses.

Mr. BLOUNT. Will the gentleman state what his services were during the sessions of Congress?

Mr. PEEL. I can not enumerate all of them. He was the Cherokee agent.

Mr. RYAN. I know something of the services rendered by the claimant. This man, Mr. Smith, is chief of the Eastern Cherokee tribes. There was a controversy extending over a number of years between the Eastern Cherokees and the Cherokees in the Indian Territory. It was claimed by the Eastern Cherokees that they were entitled to a certain proportion of the proceeds of lands sold for the Cherokee Nation; and they also claimed a share of certain appropriations that were made by the Government for the Cherokee Nation. They were appealing to Congress for legislation to set apart from the fund of the Cherokee Nation their share for themselves. Congress did not see fit to agree to that, but finally did submit the questions in controversy to the Court of Claims with the right of appeal to the Supreme Court.

I think there were something like three or four millions of dollars involved in that controversy. Congress passed a law, as I have stated, authorizing these Eastern Cherokees and the Cherokee Nation proper to go into the Court of Claims and have these questions adjusted there, with the right of appeal to the Supreme Court. In pursuance of that act proceedings were instituted in the Court of Claims, and the Eastern Cherokees were defeated. It was finally appealed to the Supreme Court, and the Supreme Court affirmed the judgment of the inferior Court of Claims. That is one important matter that this Indian chief was looking after here, to my personal knowledge, for several years.

Mr. PEEL. What has been stated by my friend from Kansas [Mr. RYAN] is all correct.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. WHITE, of Indiana. Let it be read.

The amendment was again read.

Mr. JOSEPH D. TAYLOR. I wish to inquire of the gentleman from Arkansas whether this claim has ever been adjudicated by the Court of Claims or otherwise?

Mr. PEEL. It has been adjudicated by the Cherokee council itself. The claimant was employed by that council to look after the interests of the Eastern band of Cherokees.

The amendment was agreed to.

The CHAIRMAN. The Clerk informs the Chair that the point at which the committee was considering the bill at the last sitting of the committee was at the line where the amendment comes in that has just been adopted.

Mr. JOHNSTON, of North Carolina. What line is that?

The CHAIRMAN. The Clerk informs the Chair that at the last sitting, when the committee reached line 1023, unanimous consent was given to advance to line 1090 for the purpose of considering an amendment then offered. That amendment having been considered and disposed of, the committee has returned to line 1023 and has taken up the amendment there pending and disposed of that. It is now in order for the Clerk to read line 1024.

Mr. JOHNSTON, of North Carolina. I think my amendment would be germane at that point.

The Clerk read the amendment offered by Mr. JOHNSTON, of North Carolina, as follows:

Insert after the amendment just adopted the following:

"For the payment of W. B. Ferguson and Fred C. Fisher for services as attorneys for the Eastern band of Cherokee Indians under contract from October, 1883, to November, 1887, $600 each; in all $1,200."

Mr. PEEL. I reserve the point of order on that amendment.

Mr. JOHNSTON, of North Carolina. I do not know upon what grounds the gentleman bases his point of order, but if the amendment which has just been adopted was proper it seems to me that the one which I now offer is eminently proper. This is to pay two gentlemen in my district for services as attorneys rendered for a number of years under a contract with these same Indians. That contract I have now in my hand. At the beginning of this session I introduced a bill to pay these gentlemen. The matter was referred to the Commissioner of Indian Affairs to ascertain his views on the subject. Affidavits of the attorneys were submitted, setting forth the services they had rendered and the contract under which they had rendered them, and the only trouble that the Commissioner found about the matter was this: Under the Revised Statutes contracts with Indians are required to be made in a certain way prescribed therein, to be reduced to writing and attested by witnesses, and all that; while this contract was made directly with the chief of the Cherokees, and made at a time when the Indians were in great trouble about the lands which they held there. The litigation went on for a number of years.

These gentlemen filed their written contract, made with the chief (which is not denied), and with another gentleman who represented the Indians as agent, all of which is set forth in these papers which I hold in my hand; but the question was as to whether or no they came within the purview of the statute. In regard to the value of the services rendered, the Commissioner of Indian Affairs addressed a letter to the agent at that place. He has failed so far to receive any reply, but here is what the Commissioner says in reply to the call made upon him by the committee in regard to this claim:

The delay in submitting the views of the office on said bill has arisen from the call upon the agent to be furnished with a sworn statement and itemized account of the actual service rendered, etc.

I respectfully submit herewith the accounts of Messrs. Ferguson & Fisher for $1,200, duly sworn to, to which is attached an original agreement executed September 30, 1887, and signed by N. J. Smith as principal chief, and James Blythe, both as agents of the Eastern band of Cherokee Indians, to carry out and make perfect a former agreement executed October —, 1883, a copy of which is attached, to pay said parties as attorneys for said Indians the sum of $600 each, for four years' service from the date of said contract, October, 1883; also the original affidavits of Ferguson & Fisher, herein referred to and called for through Agent Leatherwood in connection with their claim for services rendered the North Carolina Cherokees as said attorneys.

From the communication of Agent Leatherwood there can be no doubt that the service was duly and properly rendered, or that the service resulted in a very great advantage to the Indians.

And, Mr. Chairman, I know of my own knowledge that there was a considerable amount of litigation about that time and about those lands.

Mr. PEEL. Mr. Chairman, I hope the gentleman will confine himself to the point of order. The merits of the claim are not in question at this time.

Mr. JOHNSTON, of North Carolina. Well, I come to the point of order. I have stated that here is a contract made by these gentlemen with the chief of the Cherokee tribe, whom you have just recognized as the chief—a contract to pay these gentlemen for services rendered. Now, you have just agreed to pay the chief for services which he has rendered, and therefore why not pay these attorneys also? If the one claim is good the other is certainly good.

Mr. RYAN. Is the claim approved by the tribe?

Mr. JOHNSTON, of North Carolina. The contract is made with the chief.

Mr. ALLEN, of Michigan. Is it not true that the claim which was allowed a few minutes ago was authorized by the council of the Cherokee Indians, while the claim which the gentleman from North Carolina [Mr. JOHNSTON] now seeks to attach to this bill never has been authorized by the Indian council at all?

Mr. JOHNSTON, of North Carolina. I do not know that I can answer that question.

Mr. ALLEN, of Michigan. I can. I can say that the one has been allowed, while the other has not.

Mr. JOHNSTON, of North Carolina. Well, I think the gentleman speaks too fast, because here is the chief who made this contract and who got his authority, I presume, from the council.

Mr. ALLEN, of Michigan. The council of the Indians of North Carolina fully acquiesce in the claim of the chief; but they have never acquiesced in this claim at all. And not only that, but this amendment offered by the gentleman from North Carolina [Mr. JOHNSTON] does not propose to pay this money from the funds of the Cherokees, but from the Treasury of the United States. In the amendment for the benefit of the chief it was provided that the money should be paid from funds belonging to the Cherokee Indians. The council of the Indians had agreed to that, and had voted for it, and the Committee on Indian Affairs reported the item upon that basis; but this amendment does not propose anything of the kind. It does not specify where the money is to come from, and obviously, if appropriated at all, it will come out of the Treasury of the United States.

Mr. PEEL. Mr. Chairman, I think I can make a suggestion which will settle this matter. The statement which my friend from North Carolina [Mr. JOHNSTON] has just made takes him out of court because he admits that the Indian Office can not pay these gentlemen for the reason that the contract was not made in strict accordance with law. Therefore an act of Congress would be necessary in order to authorize the payment of this claim, and we are now upon the Indian appropriation bill, where we can not enact any new legislation, but are simply to provide for the fulfillment of treaty stipulations and the payment of sums authorized by existing law.

This is a case where regular attorneys at law have been employed. It is not like the cases where the chief or a member of an Indian tribe acts for the tribe in matters of this kind. It is provided by the statute that where the Indians undertake to employ an attorney to prosecute a claim against the Government the contract must be reduced to writing before the services are performed, and must be approved by the Department. If these forms are complied with, the Department has authority to make payment for the services. It will be remembered that in a case which came before us during the present Congress Mr. Ellis had entered into a contract with the Pottawatomies. His contract was oral until a part of the work had been executed. Afterward a written contract was made in accordance with law; but, under the opinion of the Attorney-General, the Department could not pay for the services under the contract, because when the contract was reduced to writing a part of the services had been performed. Hence a special act of Congress was necessary to authorize the payment of that claim, and the House passed a bill for that purpose, which has gone to the Senate. So in the present case, there was a failure to comply with the law in regard to the making of the contract; hence the Department can not pay the claim without authority of an act of Congress, and such a provision

of law is not under our rules proper legislation upon a general appropriation bill.

Mr. PERKINS. In addition to what has been said by the chairman of the committee [Mr. PEEL], I wish to state to the gentleman from North Carolina [Mr. JOHNSTON], so that he may understand we are not discriminating against the claim which he brings to the attention of the Committee of the Whole, that it has been the policy of the Committee on Indian Affairs to exclude from these appropriation bills all claims for the services of attorneys. In declining to make provision of that kind in this case we are not making an exception, but simply following what we believe to be the proper and settled policy of the committee, to allow attorneys to look to the Department or to the Indians that employ them for their compensation, rather than to Congress. For this reason we are disposed to insist on the point of order.

Mr. JOHNSTON, of North Carolina. I understand all that. I recognize, in point of strict compliance with the rules, the force of the reasons urged in support of the point of order. But I wish to call attention to the fact that these gentlemen have acted by authority of a council of Indians. Here is the contract duly constituting these men the attorneys of the Indians. They have been so constituted by a resolution adopted by the council of the Eastern band of Cherokees. These attorneys were employed under that resolution of the council for the purpose of protecting the Indians from encroachment made upon their lands by trespassers. I think the point of order ought to be waived in this instance, because these gentlemen went on and discharged their duties to these Indians thinking they had authority under this resolution of the council, and they rendered very valuable service, as the Commissioner himself has said.

Mr. ALLEN, of Michigan. Mr. Chairman, the Committee on Indian Affairs never had before them the contract which the gentleman speaks of as having been acquiesced in by the council. I can readily understand how the council might have given permission that Congress appropriate out of the Treasury of the United States money to pay their attorneys; but I think it more proper that these gentlemen should be paid out of moneys belonging to the Indians.

The CHAIRMAN. The Chair is ready to decide the point of order. This amendment proposes to authorize the payment of this sum of money out of the Treasury of the United States. It therefore takes the form of a claim against the Government, and on that ground the Chair rules the point of order well taken.

The Clerk resumed the reading of the bill.

The following was read:

FOR SUPPORT OF SCHOOLS.

Support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for, for construction and repair of school buildings, and for purchase of horses, cattle, sheep, goats, swine, etc., for schools, $725,000.

Mr. RYAN. I will ask whether there is any objection to an understanding that this clause be returned to after the consideration of the other portions of the bill has been concluded. I may desire to offer an amendment.

Mr. PEEL. I have no objection.

The CHAIRMAN. The gentleman from Kansas [Mr. RYAN] asks unanimous consent that the clause just read may be passed over for the present, with leave to return to it at a subsequent stage of the proceedings. Is there objection? The Chair hears none, and it is so ordered.

The Clerk read as follows:

For support and education of two hundred Indian pupils at Lincoln Institution, Philadelphia, Pa., at a rate not to exceed $167 per annum for each pupil, $33,400.

Mr. PERKINS. I desire to offer at this point an amendment on behalf of the gentleman from Indiana [Mr. STEELE], who has been called home. I send the amendment to the desk.

The Clerk read as follows:

For support of sixty Indian pupils at White's Manual Labor Institute of Wabash, Ind., including transportation, $10,020.

Mr. PERKINS. In explanation of this amendment, I wish to say that this school is now provided for out of the general fund appropriated by this bill; and until quite recently the amount specified in the amendment was given to this school for the care and education of Indian pupils. But, in consequence of the growth of the Indian educational system during the last two years, the Commissioner has found it necessary to reduce the appropriation for this school, and to reduce the amount allowed per capita. The object of this amendment is to fix the amount and place this school upon the same footing with the Lincoln Institution at Philadelphia.

Now, this school has been in progress for thirty-five years. It was endowed by Mr. White, for whom it was named. He not only contributed the house and grounds, but also gave 720 acres in addition for the purpose of carrying on this school. It has been in operation ever since, doing all the time most excellent work.

I have here many letters and other evidences of the efficiency and able manner in which this useful work is and has been conducted at this White Manual Labor Institute, at Wabash, Ind. These recommendations demonstrate the progress in civilization which has been made by these Indian pupils since they left the institute, after their training had been finished. The evidence also demonstrates the fact that it is one of the best institutions in the country and is deserving of the favor of the Government.

I think the amendment is a reasonable one, and I hope it will be adopted. As suggested, it fixes the amount at that which has been allowed at the Lincoln Institute, of Philadelphia. It is not so much, however, as is given for pupils at schools conducted exclusively by the Government. Take the Carlisle school, where the Government has bought land and erected buildings and where the school is run at the expense of the Government, and at a cost of $186 for each pupil. Take the school also at Lawrence, Kans., where it pays the same amount. Here is a school at Wabash, Ind., which is carried on by private parties, where the buildings and grounds are not provided at the expense of the Government of the United States, and I believe the amount fixed in my amendment is only reasonable to pay for the education of these pupils. It is far less than the education of these scholars cost the Government at its own schools, while the education is just as efficiently rendered. In other words, Mr. Chairman, this school will educate and train these Indian scholars at an expense below that now incurred by the Government in schools exclusively under its own control. I trust there will be no objection to the amendment, but that it will be adopted at once.

In addition let me state that the whole number of pupils educated and taken care of at this White Manual Labor Institute at Wabash, Ind., is seventy-three. They only ask to be compensated for sixty, taking care of the remaining thirteen pupils at their own expense.

Mr. PEEL. My attention was engaged at the time the gentleman from Kansas submitted his amendment, and I do not know whether I have fully caught just exactly what it provides for. I understand the amendment proposes to give $167 to this White Manual Labor Institute at Wabash, Ind., for the education of these Indian pupils.

Mr. PERKINS. It provides for paying $167 each for sixty pupils, but there are seventy-three pupils in all, and the remaining thirteen they propose to take care of and educate at their own expense.

Mr. PEEL. When we come to the general appropriation, if this amendment be inserted in this place, and deduct the amount of the amendments which have been offered from that amount—not only to take out the amount provided in this amendment, if it be adopted, but also the amount provided for in the other amendment.

I think, however, Mr. Chairman, that instead of appropriating $167 for each pupil at this institute, the amendment should be reduced to $150. If the Lincoln Institute, in Philadelphia, where the expenses necessarily are heavier, can teach these pupils for this amount, I do not see why it can not be done as cheaply in Indiana or any other of the Western States. It seems to me $150 would be a fair estimate for the education of these pupils.

Mr. PERKINS. If the gentleman will take into consideration that the amount of $167 for each pupil is only for sixty pupils, while there are seventy-three pupils altogether, the remaining thirteen being taken care of and educated without payment from the Government. In other words, this institute is carrying more pupils than the Government pays for, and they do not really get $167 for each pupil. Besides, even if they did, it is much less than is paid by the Government for the education of pupils at Carlisle or Hampton.

Mr. PEEL. I move to reduce the amount to $150 each.

The amendment to the amendment was disagreed to.

Mr. PERKINS's amendment was adopted.

The Clerk read as follows:

For care, support, and education of Indian pupils at industrial, agricultural, mechanical, or other schools, other than those herein provided for, in any of the States or Territories of the United States, at a rate not to exceed $167 for each pupil, $85,200.

Mr. PEEL. As I have already given notice, I now move to reduce this amount from $85,200 to $63,180, which is the result after deduction of the amount covered by the amendments which have already been adopted.

The amendment was agreed to.

Mr. PERKINS. I offer the following amendment, to go in at the close of the paragraph.

The Clerk read as follows:

For the support and education of Indian pupils of both sexes at day and industrial schools in Alaska, $20,000. This is to be expended under the supervision and control of the Bureau of Education.

Mr. PEEL. I will state, Mr. Chairman, that this amendment, suggested by the gentleman from Kansas, is offered with the consent of the committee.

Mr. PERKINS. Our committee, I was about to state, had agreed upon the amendment, and if there be any one who desires further information upon the subject I will have read a letter from the Bureau of Education upon the subject. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. Let the letter be printed in the RECORD.

There was no objection.

It is as follows:

DEPARTMENT OF THE INTERIOR, BUREAU OF EDUCATION,
Washington, D. C., January 28, 1888.

SIR: I have the honor to state that on the 29th of October, 1887, I was informed by the Commissioner of Indian Affairs that he had come to the conclusion that

it would be much better that all the educational work of the Government in Alaska should be managed under the supervision of the Bureau of Education, and that his office should withdraw entirely from any attempt to support or manage Indian schools in that country; and that he had accordingly dropped from his estimates the usual item of $20,000 for Indian schools in Alaska heretofore under the control of his office.

His letter was referred to the Secretary of the Interior on November 1, 1887.

I beg to call your attention to so much of the report of the Commissioner of Indian Affairs as relates to this matter, to be found on pages 19 and 20 of his annual report for the year 1887; and, also, to so much of the annual report of the Secretary of the Interior for the year 1887 as refers to this subject, in the following language:

"EDUCATION OF INDIANS IN ALASKA.

"I concur in the suggestions of the Commissioner of Indian Affairs for the consolidation of the usual appropriation heretofore made for the support of education of Indian pupils of both sexes at industrial schools in Alaska with the general appropriation for the educational interests of the Territory, and that the whole be placed under the management of the Bureau of Education in developing the public school system which that bureau has undertaken to establish there for the benefit of all the people of Alaska."—*Report of Secretary of Interior*, page 30, 1887.

I am informed by the Commissioner of Indian Affairs that he omitted from his estimates the usual item of $20,000 for the Indian schools in Alaska, and as I made no estimates for these schools, it would seem that this fact should be brought to your attention in order that the appropriation of $20,000 "for the support of education of Indian pupils of both sexes at industrial schools in Alaska" should be continued, and not lost. The appropriation of $50,000 recommended in the estimates of the Secretary of the Interior for education in Alaska for the fiscal year 1888-'89 does not include "support of education of Indian pupils of both sexes at industrial schools." For this purpose the sum of $20,000 was appropriated in 1887-'88, and placed under the management of the Commissioner of Indian Affairs, and it is necessary to be continued for the year 1888-'89 for the support of the industrial schools which have been under his charge.

This letter was written after full conference with Hon. A. P. Swineford, governor of Alaska, who joins me in the recommendation that the sum of $20,000 is necessary for this purpose, in addition to the sum of $50,000 recommended by the Secretary of the Interior in his estimates for the support of education in Alaska during the next fiscal year.

Very respectfully,

N. H. R. DAWSON, *Commissioner.*

The Hon. SECRETARY OF THE INTERIOR,
Washington, D. C.

The amendment of Mr. PERKINS was adopted.

The Clerk resumed and concluded the reading of the first section of the bill.

Mr. PEEL. My colleague from Minnesota desires to offer an amendment at this point, relating to a portion of the first section of the bill.

Mr. NELSON. I ask unanimous consent to offer the amendment now which was read the other day in the House.

Mr. PEEL. A part of this relates back to the earlier part of the first section of the bill; and the other is a proposed section 8 to the bill to come in hereafter.

Mr. NELSON. The object is to establish the office of Indian school superintendent. This has been recommended by the Secretary of the Interior.

I ask unanimous consent to consider both the amendments together as one is improper without the other.

Mr. CANNON. Let us know what they are, first.

The CHAIRMAN. The amendments will be read, after which the Chair will ask for objections.

The Clerk read as follows:

Amend line 126, page 6, of the bill, to read:

"Pay of one superintendent of Indian schools, $3,000."

Strike out the remainder of lines 127, 128, 129, and 130.

Amend lines 131 and 132 to read as follows:

"Traveling expenses of one superintendent of Indian schools, including incidental expenses of inspection and investigation, $1,500."

Add also a new section, as follows:

"SEC. 8. That there shall be appointed by the President, by and with the advice and consent of the Senate, a person of knowledge and experience in the management, training, and education of Indian children, to be superintendent of Indian schools.

"That it shall be the duty of the superintendent of Indian schools to visit, from time to time, and as often as the nature of his duties will permit, the schools where Indians are taught in whole or in part, by appropriations from the United States Treasury, and, under the direction of the Secretary of the Interior, to report annually to Congress the condition and progress of said schools; what, in his judgment, are the defects, if any, in any of them in system, in administration, or in means for the most effective advancement of the children in them toward civilization and self-support; and what changes are needed to remedy such defects as may exist.

"It shall be the duty of said superintendent, subject to the approval of the Secretary of the Interior, to employ and discharge superintendents, teachers, and any other person connected with such schools, and to make such rules and regulations for the conduct of the schools as in his judgment the good of such schools may require. He shall embody in detail his doings under this section, with the reasons for his action in each case, in his annual report to Congress.

"The said superintendent shall be allowed and paid a salary of $3,000 per annum, and, in addition thereto, his actual and necessary traveling expenses incurred while in the discharge of the duties prescribed by this act, such expenses to be allowed and paid on vouchers approved by the Secretary of the Interior.

"The Secretary of the Interior shall cause to be detailed from the employés of his Department such assistants and shall furnish such facilities as shall be necessary to carry out the provisions of this act."

The CHAIRMAN. The Chair will state the request of the gentleman from Minnesota, which is that we now return to page 6 of the bill, and strike out all from line 126 to and including line 136, on page 7, and insert the first portion of his proposed amendment.

Then an additional section (8) is proposed to come in at the proper point, on page 46 of the bill. Is there objection to considering the two amendments now?

Mr. CANNON. In the absence of the gentleman from Tennessee [Mr. MCMILLIN], who made the point of order upon this proposition the other day, I think in all fairness to him, as well, perhaps, as for the benefit of the public service, that objection ought to be made.

The CHAIRMAN. The gentleman from Illinois objects.

Mr. PEEL. I hope the gentleman will not insist upon that objection. I do not think there is any objection whatever to the amendment proposed here.

Mr. NELSON. Perhaps the gentleman from Illinois will withdraw his objection after he hears an explanation.

Mr. CANNON. I am not ready to create another great bureau in the Interior Department without a fuller discussion. I have no objection, of course, to unanimous consent being given the gentleman to explain the amendment.

Mr. NELSON. I am very thankful for the grace of the gentleman from Illinois.

I want to say to the gentleman and to the committee as the explanation for this request, that the proposed amendment here is the substance of a bill which passed the Senate at this session of Congress, and came over to the House. That bill was referred to the Committee on Indian Affairs and the committee have unanimously recommended its passage.

We are seeking simply to incorporate the idea which the Senate has passed in the shape of a bill for the conduct of Indian affairs, so far as the school management is concerned, and incorporate it upon the Indian appropriation bill, where it properly belongs. That is all there is in the amendment.

Now, under existing law there is no such office as superintendent of Indian schools. The only law upon the subject is that of 1882, to be found in volume 22 of the Statutes at Large, creating the office of inspector of Indian schools. In the bill, as we have reported it and brought it before the House, we have followed the phraseology of that law. We have got an officer known as the inspector of Indian schools, but whose duties are not clearly defined. It is the desire of the President as well as the Secretary of the Interior, and concurred in by the Senate, that this office should be established and made an independent office under the Secretary of the Interior, separate from the control of the Commissioner of Indian Affairs.

The two great items that go to solve the problem of civilizing and improving the Indians are the allotment of their lands in severalty, and their education. Their educational system has, up to this time, made great progress; but unfortunately we have been for years, and we are still, lacking a proper head for carrying on the system. We have had an officer, as I have said, sometimes called an inspector of Indian schools, and sometimes a superintendent of Indian schools in the Indian appropriation bills, who has had a sort of advisory authority, authority to examine and report to Congress or the Commissioner of Indian Affairs as to the condition of these schools. But he has had no authority to appoint or remove teachers, or to exercise any of the functions which such an officer or head of the schools ought to have. At present the service is in such a bad condition that we have none at all; and the President, as I understand—I am not speaking by his authority—but the President I understand is hoping that some legislation will be given by which he can appoint a suitable man to take charge of the service, because under existing laws it is impossible otherwise to have the schools properly attended to.

For this reason, among others, the committee believe it to be proper that this amendment should be incorporated upon the bill so that the officer in charge of these schools should have the appointment and removal, if necessary, of the teachers, and general charge of the schools.

Mr. CANNON. Will the gentleman allow me to ask him this question: Do you propose to put the whole matter of Indian education under the superintendent of Indian schools?

Mr. NELSON. Certainly; subject to the authority of the Secretary of the Interior.

Mr. CANNON. That practically makes an additional bureau.

Mr. NELSON. The gentleman from Illinois dwells, as the gentleman from Indiana [Mr. HOLMAN] did the other day, on this being the making of an independent bureau. I say the justification for it is this: We are spending upwards of $2,000,000 a year in educating all the Indian tribes of America, and we have no head of our system of Indian school education. By this bill, which has passed the Senate, we propose to give it a head. That is the very idea I seek to incorporate in this bill, and if we create a bureau and if that bureau is essential to the discharge and care of this important function of the Government, why not have the bureau?

Mr. CANNON. I have so much confidence in the judgment of the gentleman from Minnesota, as well as in the judgment of the committee who have investigated this matter, that notwithstanding my judgment is against legislating in this way, yet the gentleman is so earnest about it and I have so much respect for his judgment that I will not interpose my objection against it.

The CHAIRMAN. The gentleman from Illinois withdraws his objection.

Mr. PEEL. There is no increase of appropriation by reason of this amendment.

The amendment was agreed to.

The Clerk read sections 2 to 7 of the bill.

Mr. RYAN. All the bill has been read now except section 8, relating to what is commonly called the Choctaw judgments. Therefore, with the permission of the gentleman in charge of the bill, I will go back to page 43, and in line 1029 move to amend by striking out "$725,000" and inserting "$900,000."

The Clerk read the amendment, as follows:

In line 1029 strike out "$725,000" and insert "$900 000;" so that it will read.

"Support of Indian day and industrial schools, and for other educational purposes not hereinafter provided for, for construction and repair of school buildings, and for purchase of horses, cattle, sheep, goats, swine, and so forth, for schools, $900,000."

Mr. RYAN. This clause in the bill provides $725,000 as a general fund for the education of the Indians upon their reservations. This is about the sum that was appropriated for this purpose for the current year. In other words, this bill carries no increase for this purpose over the law for the current year.

If we are to apply education as a civilizing agency we ought to apply it intelligently. The difficulty has been with our system of Indian education, that we practically waste the money expended to a considerable extent by inadequate appropriations, by providing inadequate educational facilities. In other words, we educate a few Indian children, we turn them out of the schools, they go back to their savage parents and savage surroundings, and it will be but a short period before they degenerate into the condition of their parents and their surroundings. And until we shall increase these educational facilities so that the children we turn out of these schools shall constitute a nucleus sufficiently strong to maintain their advanced condition we shall make very poor progress in civilizing the Indian through educational processes.

Therefore, if I had my way, instead of appropriating the amount provided for in this bill, I would appropriate at once $3,000,000, and I would plant an industrial school wherever there were Indian children to fill it, so as to have at one time in process of education every Indian child that could possibly be got into the schools. As it is now we are providing for the education of only about 25 per cent. of the Indian children of school age. There are about 40,000 of them that might to-day, if we had pursued a wise course in this matter, be in our schoolhouses receiving suitable education, and then when they shall be turned out they will be able to maintain their advanced position, and the Indian problem will be practically solved. I regard it as wise that we should at least extend the system year by year instead of merely maintaining the existing plant. Therefore, I have offered this amendment, which increases the sum proposed to be appropriated in this bill $175,000. I know that the Secretary of the Interior is in hearty accord with the views which I entertain upon this subject, and I have confidence that, if Congress would do its duty in the matter, under his administration we should not be long in solving the Indian problem through the influence of the school-house.

Mr. Chairman, before I conclude I want to call attention to the observations of the superintendent of Indian schools in his report on this subject. He says:

It is true that owing to the lack of funds the Indian Bureau has been able to do but little toward establishing schools as required by the treaties, but a beginning has been made, and with some of the tribes considerable educational work has been done, and it would seem to be better now to extend the work under the system already in operation or a modification of that system.

Further on he says:

Their children can only be reached through a boarding-school where the various industries required in the establishment of a home may be taught them. The Indian Bureau has, because of the insufficient appropriations, been unable to provide schools for but a small proportion of the children of the larger tribes. For example, the treaty with the Navajoes would, if carried out, call for the establishment of two hundred schools, whereas but one school, having accommodations for about eighty children, has been furnished.

Mr. Chairman, I submit this amendment with confidence that the House will adopt it.

Mr. PEEL. Mr. Chairman, while I agree with my friend from Kansas [Mr. RYAN] upon the general theory of Indian education, I am not ready to support the amendment offered by him. I am apprised that it is now well understood—and it is an opinion that I have long since come to myself—that the best way out of this Indian difficulty is to educate the children upon the reservations, to give them an industrial, mechanical, domestic education, to teach them how to take care of themselves, so that the Government may get rid of the burden, and that they may be placed upon an independent footing like the other people of this country.

I am aware of the fact, and I am proud to say to the House and to the country, that we have a Secretary of the Interior who is wide awake upon this question, who understands it thoroughly, and who, if supported by proper legislation, will within a few years have this matter so far advanced that the Indian difficulty will have practically disappeared. But, sir, while that is true, we are not yet ready to increase this item of appropriation to the extent to which this amendment would go. The estimate made by the Indian Bureau was $815,000. While we cut that down to $725,000 we increased another item from $61,000 to $85,000, out of which money can be applied for Indian education. So that the deduction from the estimate is really very little, and, all taken together, there is a slight increase over the appropriation for the preceding year.

Mr. RYAN. Only $10.000.

Mr. PEEL. You have increased it $900. The decreased appropriation for subsistence is accompanied by increased facilities for putting the Indian upon a self-supporting basis.

Now, if my friend will remember, it takes something besides money to employ teachers and establish schools. You must have school-houses enough to accommodate more children than are now accommodated under the present system. Heretofore we have been laboring under the embarrassment of having no real head to this educational bureau. An amendment was adopted awhile ago which, if it becomes a law, will give us a superintendent, and then the business will be in proper shape, so that in the future this item can be properly, legitimately, and economically increased according to the view presented by the gentleman from Kansas [Mr. RYAN]. Of course, it is a self-evident fact that until we educate a majority of the Indian children so that they may be able to overcome the influence of the minority, we can not hope to succeed. When we educate a small per cent. of them and turn them loose they are overshadowed and swallowed up by the others that still remain uneducated, and we really lose what has been spent in educating the few. The time is near at hand when this appropriation can be properly increased and the desired end obtained, but I do not think that time has yet come. Therefore I hope the House will vote down the amendment.

Mr. PERKINS. I move to amend by striking out the last word. Mr. Chairman, for myself I have never been converted to the theory that the best system of Indian education is the reservation industrial school. It is known to all who have given any considerable attention to this question that day schools on the Indian reservations and at the Indian agencies are, as a rule, failures; that they accomplish but little good; that it is almost impossible to keep the children in attendance; that they run off and secrete themselves, keep away from their schoolmasters. Such is my observation in connection with the industrial schools on reservations or in the Indian Territory.

Take the school at Chilocco, in the Indian Territory. It is the report, so far as I know, of all who have given attention to the matter that this school comes nearer being a failure than any industrial school in the country. And why? Because it is removed from those restraining and controlling influences which give success to the industrial schools in the States and Territories. The Indians go there and run their horses about, have their tournaments, foot races, ball-plays, etc., which distract the attention of the scholars; so that but little good is being accomplished. I am sorry to make this acknowledgment, but such is the fact; and we must conform ourselves to that which we know to be the history of these schools.

So it is with day schools at the agencies and on Indian reservations. Take the school at the Osage agency, in the Indian Territory. As much progress has been made there as at almost any day school. The appropriations have been liberal, because that tribe of Indians is rich from the sale of lands in the State of Kansas, and has large funds to be drawn upon for the support of schools. Yet to-day those schools are not nearly so efficient as they were when first organized. To-day the school-houses, I am sorry to say, are almost vacant—are being used in many cases for other than school purposes. Hence, as I have said, I have never yet been converted to the theory that the best school for the education of the Indian is the industrial reservation school. I think the best results are secured at the schools in the States and in the Territories near to the reservation and near to the Indians. If the proposition were before the House as an original one, I do not know that I should favor the school at Carlisle, Pa., the school at Hampton, Va., or the Lincoln Institute in Philadelphia; but the truth is, these schools are accomplishing good for the Indians, and are making successes; and why? Because the pupils are hired out to the farmers, to the good women as well as the good men of Pennsylvania, and of the cities surrounding the schools. Thus the Indian children learn to farm, to keep house, to do the domestic duties of the family, to do the work incident to civilization. Through these organizations and instrumentalities progress is secured; but on the reservation these advantages are not enjoyed.

If the amendment offered by my friend and colleague from Kansas is to prevail, I prefer that it be offered to the section authorizing the expenditure of money for the industrial schools in the States and Territories, rather than applied to the schools on the reservations. But, as has been suggested by the chairman of the committee, we are appropriating in this bill almost all that the Department has asked. In fact, the Department said to us a year ago that it would not do to make the appropriations for this purpose too large, because in such case the Department might not be able to care well for the work, might not be able to organize the necessary machinery for expending the money judiciously. In this bill we appropriate about as much as can be advantageously expended for these purposes with the machinery already organized. For this reason I oppose the amendment.

[Here the hammer fell.]

Mr. PERKINS. I withdraw the *pro forma* amendment.

Mr. CANNON. Mr. Chairman, I renew the amendment. From observation, and some considerable observation, which I have had concerning the operations of these schools, I can not agree with the gentleman from Kansas [Mr. PERKINS]. I grant you that industrial schools east of the Alleghanies—or west either—away from the tribe, are better

for the children while they are there; they make better progress than they would if attending schools upon the reservation. But the object of the education of an Indian child or a white child is a practical one—to fit him or her to do his or her part most efficiently in the struggle of life.

Mr. PERKINS. Is it not the gentleman's observation—and I know he has had the opportunity of observing quite closely the system of Indian education—is it not his observation that the day schools on Indian reservations are failures?

Mr. CANNON. They are comparative failures, if the standard of comparison be the day schools for white children where we have the best grade of civilization upon the continent.

Mr. RYAN. But there is no comparison between those and the industrial schools at all.

Mr. CANNON. The gentleman from Kansas on my left [Mr. RYAN] says there is no comparison between the day schools and the industrial schools on the reservation. Now, I undertake to say—and I think I speak within bounds—that nine out of ten of all the Indian children who are educated at the industrial schools off the reservation are, when they leave those schools, away ahead of members of the tribe from which they came, so that when they go back to the tribe they are persecuted on account of the peculiar position which their education has given them; they are not in harmony with other members of the tribe, and in an almost incredibly short time they drop back into barbarism. And I repeat what I once before said, that in a great majority of cases they are in a worse condition than they would have been if they had never left the tribe.

Now, Mr. Chairman, I would rather teach an Indian child to do one honest day's work out of the twenty-four. I would rather teach him to read the simplest sentences and to write the simplest sentences, and then to reside with his tribe just as much as he could, to give him just as much education as he can use for his benefit, rather than furnish him with a finished education, which he can not utilize when he goes back to barbarism. As I stated once before I state now, it is my belief it is the highest order of cruelty, as a general proposition, to train these Indian pupils in schools off the reservations, and then, when their education has been finished at these schools, to send them back upon the reservation and into barbarism. Sound policy and humanity would, it seems to me, demand on our part that if you take them away from their tribes and educate them, then from that time they should be taught to find their homes amongst civilized people. In that way, to a certain extent, they would be able to utilize the education which they had received, and be able to the same extent to better their condition and advance their positions.

I am in sympathy with the amendment of the gentleman from Kansas [Mr. RYAN]. I do not know whether the amendment covers too much money or not. But it is true that the education of these Indians should always be accompanied by an industrial feature, and they should not be educated to any greater extent than they can maintain after they have gone away from the schools. When they go out of school the very best place to which they can go is the reservation, amongst the members of their own tribes; and the education they receive should be of a character which they can utilize, and which will not only be a benefit to themselves, but to those with whom they associate.

Mr. PEEL. I hope we will now have a vote.

The CHAIRMAN. The *pro forma* amendment will be withdrawn.

The question recurred on Mr. RYAN'S amendment.

The committee divided; and there were—ayes 29, noes 54.

So the amendment was disagreed to.

The Clerk read as follows:

SEC. 9. That for payment to the Choctaw Nation, $2,858,798.62, the said sum being the amount of the judgment rendered in favor of said nation, by the Court of Claims, on the 15th day of December, A. D. 1886, on a mandate issued by the Supreme Court, at the October term of said court, together with such further sum as may be necessary to pay the interest on said judgment, at 5 per cent. per annum, from the date of the presentation of the transcript of said judgment to the Secretary of the Treasury for payment, as provided in section 1090 of the Revised Statutes, to the date of this act. The appropriation hereby made shall be a permanent and continuing appropriation, not subject to lapse, or to be covered into the Treasury; and said sum, together with the interest thereon, shall be paid from time to time, and in such sums as requisition therefor shall be made, to the national treasurer of the Choctaw Nation, or to such agent, or other person, as shall be named in the requisition or requisitions therefor, made by the proper authorities of the said Choctaw Nation, as required by article 12 of the treaty between the United States and the Choctaw and Chickasaw Nations, concluded June 22, 1855: *Provided*, That no interest shall be paid on this appropriation after the passage of this act, but the amount herein appropriated to be immediately available.

Mr. BLOUNT. Mr. Chairman, I rise for the purpose of making a point of order on the section of the bill which has just been read by the Clerk. It will be observed that it is not a part of the annual appropriation to carry out the treaties with the Indian tribes, nor for the general purpose of an Indian appropriation bill, but is, on the contrary, to pay a judgment against the United States, appropriating a given sum of money to that end.

The rules of the House have divided all the appropriation work amongst several committees. At one time all the appropriation bills belonged to the Committee on Appropriations. Subsequently certain bills were taken from that committee and given to other committees. The bill for the support of the Indian service was given to the Committee on Indian Affairs. The bill for the support of the Post-Office Department was given to the Committee on Post-Offices and Post-Roads. The annual appropriations for the consular and diplomatic service were taken from that committee and given to the Committee on Foreign Affairs. The residue of the appropriation bills were left with the Committee on Appropriations.

I beg pardon. My friend has suggested the naval appropriations were given to the Committee on Naval Affairs. That is true, and I omitted to state it, that the appropriations for the annual support of the Navy were likewise taken from the Committee on Appropriations and given to the Committee on Naval Affairs. The residue of the thirteen general appropriation bills were left to the Committee on Appropriations.

Under Rule XI we find the following:

All proposed legislation shall be referred to the committees named in the preceding rule as follows, namely: Subjects relating,

1. To the election of members: to the Committee on Elections;
2. To the revenue and the bonded debt of the United States: to the Committee on Ways and Means;
3. To appropriation of the revenue for the support of the Government as herein provided, namely: for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications; for the District of Columbia; for expenses; and for all deficiencies: to the Committee on Appropriations.

Then coming on down, omitting many of the paragraphs of this rule, we find this language:

To the post-office and post-roads, including appropriations for their support: to the Committee on the Post-Office and Post-Roads.

* * * * * * *

To the relations of the United States with the Indians and the Indian tribes, including appropriations therefor: to the Committee on Indian Affairs.

Now, sir, so far as these bills are concerned—their preparation and office—the practice of the House has determined what was intended, and this is expressed by that practice in a clearer manner than by any form of speech which I could employ. Almost any definition would be confusing, but in the light of the practice of the House, the general practice—I do not mean that there are not and have not been exceptional cases—but in the general practice of the House, there can be no difficulty whatever in understanding to which one of these several bills this appropriation belongs.

Prior to the distribution of these bills amongst the several committees of the House there were two bills which might be designated for convenience the "debt-paying" bills. Taking it year after year, and as a general rule, you will find that the judgments against the Government, and all obligations, have been placed in the sundry civil bill. Sometimes a variation has taken place, and these have been inserted in the deficiency bills, but during the jurisdiction of the Committee on Appropriations over the whole subject of appropriations I believe the House invariably conceded, when the question was raised, that a judgment was not in order for payment except on the sundry civil or the general deficiency bill, and most generally the sundry civil. I never knew it to be held at that time, when the question was distinctly raised, that a judgment of any kind was in order on the Indian appropriation bill.

It may be said, sir, that this judgment relates to treaty stipulations with the Indian tribes, and by reason of that language of the rule, notwithstanding what I have already stated in reference to the character of these bills, that it is in order on this Indian bill, because the language of the rule is:

To the relations of the United States with the Indians and the Indian tribes, including appropriations therefor.

But just above this clause of the rule, as I have already stated, you will find that appropriations with regard to postal affairs are embraced in these words:

To the post-office and post- roads, including appropriations or their support: to the Committee on the Post-Office and Post-Roads.

Now, if the language in relation to the Indian appropriations justifies the conclusion that because this is a judgment relating to a treaty stipulation, that therefore it goes properly on the Indian appropriation bill, then there is just as much force, I think, in the assertion that every appropriation relating to payment for the postal service, all deficiencies for post-offices and post-roads, go at once to the Committee on the Post-Office and Post-Roads to be placed properly on the post-office appropriation bill.

But never, so far as I know, has there been any direction by the Speaker, whenever there was a deficiency in that Department for any previous year in the postal service, to send such matters to the Committee on the Post-Office and Post-Roads. Always and invariably they are sent to the Committee on Appropriations, to be recommended in a general deficiency bill.

Already, sir, during this session of Congress we have passed in a general deficiency bill an item for compensation of clerks in post-offices, for mail-bags, mail-catchers, and various other items connected with the mail service, simply because that was a deficiency bill; and the fact that the language used in conferring jurisdiction upon the Postal Committee—to the post-office and post-roads, including appropriations for their support—has never been considered as authorizing the transfer of these deficiencies from the Committee on Appropriations to the Committee on the Post-Office and Post-Roads. And so, sir, it may be said in reference to other appropriations, and especially to the matter

that is now under discussion, that there is nothing in the rule which authorizes its transfer from the Committee on Appropriations to the Committee on Indian Affairs. I have never known it to be distinctly affirmed that deficiencies for the Indian service went on the Indian appropriation bill. On the contrary, in this very instance the Speaker of the House, in the early part of the session, in conformity to this understanding, referred this very matter to the Committee on Appropriations.

Mr. ROGERS. I think the gentleman is in error there, if he will permit me to say so.

Mr. BLOUNT. In what respect?

Mr. ROGERS. That the Speaker of the House referred this to the Committee on Appropriations.

Mr. BLOUNT. Well, that is a question of fact, and I do not know how we are going to settle it.

Mr. ROGERS. The record shows it.

Mr. PEEL. And that will settle it.

Mr. BLOUNT. My friend from Missouri, sitting near me [Mr. BURNES], has also his record, which shows just the other way.

But under any circumstances, Mr. Chairman, that would not conclude it. I suppose that if the reference was made, as suggested by the gentleman from Arkansas, there was no issue raised in the House at the time as to whether it belonged to the one or the other of these committees.

The question is: Was there a distinct purpose on the part of the House that, in reference to the naval appropriation bill, where they related to expenditures other than for the annual appropriation, where there were deficiencies, these deficiencies should go to the Committee on Appropriations? Was there a distinct purpose that, where there was a deficiency in the postal service, that deficiency should go to the Committee on Appropriations? Was there a purpose on the part of the House, when there were deficiencies in the consular and diplomatic service, that those deficiencies should go to the Committee on Appropriations; and was there at the same time a purpose to make an exception in reference to the Committee on Indian Affairs and give them jurisdiction in reference to every matter relating to the expenditures under the head of the Indian service?

I can not believe it. I can not see any reason why the House should have made this distinction in reference to the Committee on Indian Affairs as against all of the other committees having charge of appropriation bills. I can not see any reason, Mr. Chairman, at all for an impression that this judgment goes on the Indian appropriation bill, except under that language of the rule—

All legislation relating to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor—

gives it, which has not been, as I have already stated, regarded as covering such matters in reference to any other appropriations.

Now concede that this judgment goes on the Indian appropriation bill. It goes there in the nature of a deficiency for some service that has not been appropriated for, some failure to comply many years back with some Indian treaty. Concede that it goes there; shall the Committee on Appropriations hereafter take jurisdiction of any deficiency that relates to Indian matters? Concede that it properly goes there; will the Committee on Appropriations hereafter take jurisdiction of any deficiencies in reference to the postal service, the naval service, or the consular and diplomatic service? And if not, what becomes of the language of clause 3 of the rule?

For all deficiencies: to the Committee on Appropriations.

That was intended to be exhaustive. Why should this judgment go upon this bill when all other judgments in reference to all other branches of the service must go into the sundry civil and deficiency bills? What reason can there be for it?

I have never known, Mr. Chairman, any question of order touching an Indian appropriation where the rule did not apply as distinctly and emphatically to the matter of getting money out of the Treasury, whether it was a trust fund or whether it was the absolute property of the United States. There is every reason why this fund should be guarded with the same strictness as any other fund should be guarded. You, sir, would not hesitate one moment, if presiding over this House and there was an appropriation involving an expenditure out of an Indian trust fund, to declare that it was subject to the point of order that it must have its first consideration in Committee of the Whole because it took money out of the Treasury of the United States.

It seems to me, therefore, Mr. Chairman, that it is clearly not in order to place deficiencies on any one of the regular appropriation bills other than the sundry civil and the deficiency bills.

What I have said does not indicate at all my own inclinations as to whether or not this judgment shall be paid. The rules are designed for the regulation of the business of the House. It is by their observance that we have accuracy and order. It is through them that the proceedings of this House are governed. They are law to us, which we must recognize in our proceedings, and which should regulate the consideration of questions by the House. Each committee knows its own jurisdiction regulated by that law. Each member can well understand when a bill comes up what it contains, and there is not likely to be any surprise. It is only in this view that I feel anxiety to maintain the observance of our rules, the rules especially which relate to the appropriations of money out of the Treasury of the United States, which have grown to such enormous proportions, and which involve the idea of keeping up the burdens upon the people in the form of taxation. In the consideration of those questions especially there is exacted of us the most scrupulous regard for our rules.

I trust, therefore, that the Chair and the committee will see fit—whether this judgment shall be approved in the individual mind or not—shall see fit to declare that this appropriation shall not find its place, contrary to the rules of the House, in an appropriation bill to which it does not pertain.

But lest there might be some misunderstanding as to the purpose I have in raising this question of order, I wish to say now that I recognize the binding effect of the judgments of the courts of the country. I deny the authority of any committee of this House to review the judgments of the courts of the country. I insist that it is the duty of a committee of the House, when judgments shall have been sent to it, to insert appropriations for them in their proper place in the proper bills, and report them to this House for action. Put this judgment in a bill which I regarded as proper, and I can see no reason why I should not give it my cordial support.

I can not see why the appropriation should not be omitted from this bill and the subject referred to the Committee on Appropriations to be reported in the sundry civil or deficiency bill, whichever may be deemed most appropriate. And if the Committee on Appropriations shall see fit to exercise a power that does not belong to them and to withhold this judgment, it is competent for any member of this House, it is in order under the rules to move an amendment, and for one I shall take pleasure in giving my support to such an amendment or any one for a similar purpose.

Mr. PEEL. The concluding remark of the gentleman from Georgia confesses before the House and the country that this is merely a technical objection. The whole objection rests in technicality and nothing else, even conceding he is correct. But, sir, it is a question of law for the Chair to determine, which I am satisfied will be done, under the rules, from a proper and true construction of them.

Now, Mr. Chairman, originally the House as a whole has jurisdiction over all matters delegated to it under the Constitution. For convenience this body is divided into committees. For further convenience a system of rules has been adopted, and the jurisdiction of certain subject-matters conferred upon the respective committees of the House. Up to the Forty-ninth Congress the Committee on Appropriations had jurisdiction of all appropriations for the Indian tribes; not only appropriations growing out of treaty stipulations, but those for the current and contingent expenses of the Indian Bureau.

It is perhaps profitable to stop for a moment and consider what would have been the attitude of this case if it had come here on an appropriation bill when all such bills were controlled by the Committee on Appropriations. I presume it will not be contended for a moment that before the rules were changed so as to give to the Committee on Indian Affairs jurisdiction over Indian appropriations, the Committee on Appropriations having the original control of all these bills, would not have had authority to incorporate this item in the appropriation bill. If that is true, then let us look back to the rule changing the jurisdiction and see just what the House then did. By that change the House took from the Committee on Appropriations this whole subject and placed it with the Committee on Indian Affairs.

Mr. BLOUNT. Will the gentleman allow me a suggestion?

Mr. PEEL. I would prefer not to be interrupted. Now, Mr. Chairman, this is a question of jurisdiction merely. On the 3d of March, I believe, my friend from Mississippi [Mr. HOOKER] introduced the memorial of the Choctaw Nation, indorsed by him as a member of Congress, signed by the delegates accredited by the Choctaw Nation, in which the memorialists recite the history of this claim. If my friend will examine that history he will find that the claim is embodied and imbedded in a treaty made between the Government of the United States and these Indians as far back as 1830, and, pursuing it further, he will find that in 1855 another treaty was made by the Government with them, in which this disputed claim was recognized, and was referred to the Senate of the United States as an arbitrator. The Senate in 1859 passed upon the question and found due to this Choctaw Nation two million nine hundred and some odd thousand dollars, without computing a cent of interest for the long delay.

After that award was made, the Indians were still unable to force Congress to come up and pay the obligation, and in 1881 the matter was sent to the Court of Claims for adjudication, with the right of appeal to the Supreme Court of the United States. Under that law the Indians went to the Court of Claims, and from there to the Supreme Court; the litigation continued for five long years. The Court of Claims awarded them two million eight hundred and odd thousand dollars, the amount appropriated in this bill. Now, when the matter went to the Supreme Court what was the jurisdiction of that court? It had jurisdiction, not, as the gentleman from Georgia [Mr. BLOUNT] has argued, over a claim the subject-matter of which was unknown and unliquidated, and in which when judgment was rendered the evidence upon which it was based would merge in the judgment. That

was not the case at all. There is where my friend has been misled with reference to this point of order. He terms this a judgment of the court, and he says that the Committee on Indian Affairs has no right to appropriate for judgments. If he will go back and examine the elementary principles of this question he will find that what he calls a judgment is simply declaratory of what the treaty was between these people and the Government of the United States. This liability existed in 1830 as perfectly as it does now, and it exists no more now than it did then.

That treaty, including this item, has as much life to-day as it had in 1830, when it was completed between the Government and these Indians. Congress did not undertake to change the treaty, but referred the matter to the Court of Claims for examination of the treaty, and the court gave it a construction. It did not give it new life; it simply construed the treaty; it merely spoke and interpreted what already existed. When an appeal was taken by these people and also by the Government to the Supreme Court of the United States they could not do anything less. The great underlying distinction is this: If it had been a claim of an individual, or of an Indian, or of an Indian tribe which was unliquidated, which grew out of a trespass or out of some unliquidated cause of action, which had been merged, in the judgment of the Supreme Court, it would have been a very different proposition.

But, sir, this is simply declaratory of the treaty itself. The Supreme Court did nothing but affirm the decision of the Court of Claims, and then the nation, through their delegates, took the transcript of the judgment and the mandate and went to the Treasury of the United States some fifteen or twenty months ago and presented it and demanded payment, and, under the statute, it has been drawing 5 per cent. interest from that time. And, Mr. Chairman, while I am not upon this floor to criticise the action of any committee or of any gentleman, yet, if the jurisdiction of the matter belonged to the Committee on Appropriations, I ask my friend why that committee did not provide for it in the last session of the Forty-ninth Congress? This affirmation by the Supreme Court of the United States of the finding of the Court of Claims was rendered in October, 1886. The next day the mandate was presented to the Treasurer of the United States, and from that moment, under the statute, the judgment began drawing interest at the rate of 5 per cent., and we have already thrown away over $150,000 by keeping these people out of their money which they have been seeking to obtain for over fifty years.

Now, after the Indians have waited over eighteen months for the payment of this money since the court of last resort decided their rights, we are met with the technicality that the Committee on Indian Affairs had not jurisdiction of this question, but that it belonged to another committee of the House.

Mr. BUCHANAN. Does the gentleman state that this judgment is now, and from the time of its rendition has been, drawing interest? If so, at what rate?

Mr. PEEL. Five per cent.

Mr. BUCHANAN. And how much has it amounted to?

Mr. PEEL. Over $150,000.

Mr. BUCHANAN. And the interest is still running?

Mr. PEEL. The interest is running every day.

Now, Mr. Chairman, turning to the rules of the House, we find that the jurisdiction of each committee is defined. I will refer first to the jurisdiction conferred on the Committee on Appropriations, because it is contended that this appropriation is properly a deficiency, and therefore comes within the jurisdiction of the Committee on Appropriations. I will ask the gentleman who is to answer me in this argument to tell me where under the rules this can come in as a deficiency for any of the expenses of the Federal Government? By Rule IX it is provided that—

> All proposed legislation shall be referred to the committees named in the preceding rules as follows, namely: Subjects relating—
>
> * * * * * * *
>
> To appropriations of the revenue for the support of the Government as herein provided, namely, for legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications; for the District of Columbia; for pensions; and for all deficiencies: to the Committee on Appropriations.

Deficiencies of what kind? Deficiencies in the appropriations for fulfilling treaty stipulations with the Indians? It is not common sense to give the rule that construction. The meaning plainly is deficiencies in the appropriations for the support of the Government. This clause has no reference whatever to deficiencies in appropriations for fulfilling treaty stipulations. Since the finding of the Court of Claims, or since the award of the Senate in 1855, there has not been a dollar paid upon this account. The item has not even been included among current expenses appropriated for in the Indian bill. If this were an annual appropriation for the Indian service which Congress had failed to make, and which therefore came over from a previous year, it might be urged that it is a deficiency. But this is an independent item. It has nothing to do with the current expenses either of the Government or of the Indian Bureau itself. It is a provision for fulfilling the solemn promises that we made to these people fifty years ago.

I now turn to the sixteenth clause of the same rule:

> To the relations of the United States with the Indians and the Indian tribes, including appropriations therefor: to the Committee on Indian Affairs.

Now, Mr. Chairman, if this appropriation does not relate to Indians or Indian tribes, I do not understand the English language. By the very caption of our bill it is a bill providing "for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes." This is an appropriation to fulfill a treaty stipulation—a part of the law of the land—between the Indians and the Government. The highest law operating between the United States and an Indian tribe is a treaty. This appropriation does not propose, as the gentleman from Georgia has been pleased to assert, to pay a judgment of the Supreme Court of the United States. It is to pay a debt that we owe these people under a treaty made with them in 1830. In this bill we fix amounts for fulfilling treaty stipulations; this is an item of that kind. The Committee on Indian Affairs had as much jurisdiction over this question as over a dozen or twenty items in this bill for paying annuities to various Indian tribes under treaty stipulations.

The finding of the Supreme Court of the United States has not changed the legal status of this matter. It was impossible for the Supreme Court, under the reference of this question as made by Congress, to change its legal status. The court has but declared the indebtedness of the United States to this Indian nation under the treaty. The Court of Claims, under the reference made, found this amount due, and the Supreme Court on appeal affirmed the decision. The finding of the court simply placed beyond all further question the construction of this treaty, which had been in dispute for fifty years. The court of last resort has given this construction, and there is, in my judgment, no way to get around it. Mr. Justice Matthews, in rendering the decision of the Supreme Court, said, humanely and justly, that in construing treaties between these helpless people and the Government, the court, wherever the language was susceptible of more than one construction, would give it that construction which would protect these helpless wards of the country. In the same spirit, the Chair, I trust, if he has any technical doubts upon this question, will feel the propriety of deciding the matter according to the claims of justice, and will also see that it is economical for the Government to pay this claim, because its payment will stop the interest. I have nothing further to say.

Mr. PERKINS. Mr. Chairman, I desire briefly to supplement the position taken by my friend from Arkansas [Mr. PEEL], and in order that there may be, if possible, no question as to the powers of this committee and the construction to be given to this section, I desire to call the attention of the Chair to its history.

As the Chair is aware, Congress, by an act of March 3, 1881, conferred upon the Court of Claims the right to hear and determine the claim of the Choctaw Indians arising under treaty stipulations. For the information of members, and possibly to refresh the recollection of the Chair, I will read from the language of that act:

> That the Court of Claims is hereby authorized to take jurisdiction of and try all questions of difference arising out of treaty stipulations with the Choctaw Nation, and to render judgment thereon. Power is hereby granted the said court to review the entire question of differences *de novo*, and it shall not be estopped by any action had or award made by the Senate of the United States in pursuance of the treaty of 1855; and the Attorney-General is hereby directed to appear in behalf of the Government.

So it was understood from the language of this statute the Court of Claims was authorized to investigate and determine the question of treaty obligation and treaty stipulations with these Choctaw Indians.

Under this act of Congress the court investigated the claim which was presented by these Indians, and found there was a large sum of money due them under treaty stipulations. In consequence of the direction given to the Attorney-General of the United States by this act, an appeal was taken to the Supreme Court of the United States in the name of the Government. Not only was the judgment of the Court of Claims affirmed, but the amount of the judgment of the Court of Claims was increased by the Supreme Court. This statement is found in the opinion of that court:

> In pursuance of this act the Choctaw Nation filed its original petition on the 12th of June, 1881, which was subsequently amended by new pleadings filed February 25, 1884. The question of difference between the United States and the petitioner, it was alleged, resulted from the non-performance and non-fulfillment by the United States of the obligations assumed by it under various treaties between the United States and the Choctaw Nation, including those of the following dates, to wit: the 18th day of October, 1820; the 20th day of January, 1825; the 27th day of September, 1830; the 22d day of June, 1855; and the 28th day of April, 1866.

Then comes a statement which I wish to call particularly to the attention of the Chair, that the question of difference between the United States and the petitioner resulted, as claimed by these Choctaw Indians, from the non-performance by the Government of the obligations assumed by it under various treaties with the Choctaw Nation, including those of the dates which I have given, namely, of the 18th day of October, 1820; the 20th day of January, 1825; the 27th day of September, 1830; the 22d day of June, 1855; and the 28th day of April, 1866.

Those were the treaties which had been made between these Indians and the Government of the United States, under which it was claimed by these Indians there was something due them by the Government.

It was not, as has been suggested by the chairman of the committee, an unliquidated claim, but a claim simply that went to that tribunal for adjudication arising from and growing out of treaty obligations.

And the syllabus of the court is in support of the position we are taking.

But for the purpose of emphasizing my position, let me suggest to the Chair that if the phraseology of the bill were changed could there be any question as to the jurisdiction and power of this committee? If instead of saying we appropriate $2,858,000 for the satisfaction of this judgment of the Court of Claims, we should say we appropriate $2,858,798.62, the said sum being due the Choctaw Indians under treaty obligations; if, I say, such had been the language of the provision, would the point of order have been made against it? Would the point of order have been made if we had said that we make payment of this amount due under treaty obligations with these Indians, instead of saying that we appropriate the amount in obedience to a judgment of the Supreme Court of the United States, that amount being found due by the Supreme Court under treaty obligations? Would it be said under the circumstances the committee did not have jurisdiction of this matter? It is the very subject given to the Committee on Indian Affairs for its consideration.

If that was the language of the bill and the point of order could be made effectually against it, then the same point of order could be made effectually against every other provision contained in the bill.

It seems to me that it is only necessary to call to the Chair's attention this simple proposition to satisfy the Chair that the point of order is not well taken. This is no less an appropriation to fulfill obligations and treaty stipulations because the Supreme Court of the United States has found this amount to be due. It is no less an amount due under treaty obligations than if the Supreme Court had made no adjudication on the subject at all. It is no less an appropriation to carry out treaty obligations because the Supreme Court has found the amount due than it would be if the Supreme Court had made no decision on the subject, or if the matter had never been brought to the attention of the Supreme Court.

This bill is full of like paragraphs, full of items, appropriating money to carry out treaty obligations and treaty stipulations. It seems to me, therefore, under all the circumstances, the point of order is not well taken.

I am not now to discuss the merits of the section. My friend from Arkansas [Mr. PEEL] did that well and completely, and the gentleman from Georgia [Mr. BLOUNT] who raised the point of order stated that if the committee had jurisdiction of the subject, then the committee had the right to make the appropriation.

So, Mr. Chairman, when we remember that this item is inserted here but for the purpose of carrying out, as I have just stated, our obligations to these Indians resulting from treaty stipulations, it seems to me it must be apparent to every member of the committee that it is unquestionably in order on this bill.

Mr. CANNON. Mr. Chairman, I only want to say a word upon this question, and in the commencement I will say that I would like very much to see this judgment paid. I wanted it paid a year ago, and thought it ought to have been paid and appropriated for. But that is not the question we are now discussing.

I am inclined to think it is subject to the point of order. It is necessary in scrutinizing these rules to have some regard to the business of the House, some regard to its convenience. The gentleman claims, to sustain the jurisdiction of his committee from his standpoint, that we must go back of the judgment of the Court of Claims and of the Supreme Court and inquire upon what it is founded; and if in fact it was founded upon matters touching treaties, or other matters concerning treaties with the Indians, that then his committee is, under the grant of powers conferred by the rule, authorized to take jurisdiction of the subject and report the judgment of the Court of Claims for appropriation.

I do not think, sir, that would be found to be a convenient rule. I do not believe it is a reasonable construction to be given to the rule. If it were true, the same thing could be said with equal propriety of the Committee on the Post-Office and Post-Roads, the Committee on Military Affairs, or the Committee on Naval Affairs. Wherever the court gives jurisdiction sounding in contract or otherwise under a general or under a special law, the business of the House and its time would be taken up in going behind the judgment and inquiring as to the question of jurisdiction and the question it had adjudicated. It is not practicable to do that.

The time of the House would not be sufficient if you took all of the time of the House to hear all the allegations that may be made upon the one side or the other.

Now, the Committee on Appropriations is by this rule given jurisdiction of all deficiencies. This item is clearly a deficiency. What is a deficiency? A deficiency arises where in the annual appropriation bill or bills an appropriation has not been made for the service sufficient to carry it on or sufficient to pay the debts of the Government.

I grant you, in the first instance, that the Committee on Military Affairs, or Post-Office and Post-Roads, or Naval Affairs have jurisdiction under the rule to make or recommend appropriations to carry on the respective branches of the service committed to them; but if they fail, and the regular bill does not make the appropriation when it is enacted into law, then comes the estimate by way of deficiency or the additional estimate, and it becomes a deficiency of which the Committee on Appropriations is to take jurisdiction.

I think a due regard to the order of business here should control the ruling of the Chair, and that this item is subject to the point of order, however much sympathy I may have with it upon its merits, or however much I should like to see it go upon the appropriation bill.

Mr. ROGERS. Mr. Chairman, the gentleman from Illinois, who has just taken his seat, I hardly think has offered anything which tends to elucidate the proposition here presented to the Chair. I hope it would not be a gratifying thing to him to know that this judgment should go on unpaid for some time accumulating interest until it amounted to $300,000 instead of $150,000.

Mr. CANNON. I was not speaking of the merits of the case. I agree with you on that.

Mr. ROGERS. I know; but I hope the gentleman would not find any gratification in seeing this interest accumulating.

Mr. CANNON. Not the slightest. I tried to get this item on the deficiency bill in the last Congress, and was sorry it did not go on.

Mr. ROGERS. Now, having said that much, which I think is all that is necessary in reference to the observations of my friend from Illinois, I propose to try to discuss the legal propositions presented on this point of order.

What was the rule of the House when the present rules were adopted on this subject of appropriations? I hold in my hand the rules in force in the Forty-eighth Congress, and the Chair will remember that the present rules were adopted during the first session of the Forty-ninth Congress. The rule at that time applying to the Committee on Appropriations, the general rule in regard to the powers and duties of that committee, was in the following language:

All proposed legislation shall be referred to the committees named in the preceding rule, as follows, namely:

Subjects relating to appropriations of the revenue for the support of the Government: to the Committee on Appropriations.

Mark the language:

Appropriations of the revenue for the support of the Government.

Under this rule an appropriation when for the support of the Government went to the Committee on Appropriations. Then passing from that part of the rule, we come down to the other committees to which, under the new rule, are now assigned the appropriation bills, and we find:

To the relations of the United States with foreign nations other than appropriations therefor: to the Committee on Foreign Affairs.

Subjects relating to the naval establishment, other than appropriations for its support: to the Committee on Naval Affairs.

Subjects relating to the relations of the United States with the Indians and the Indian tribes, other than appropriations therefor: to the Committee on Indian Affairs.

Such was the old rule. Now let us look at the new rule:

All legislation shall be referred to the committees named in the preceding rule, namely:

Subjects relating to appropriation of the revenue for the support of the Government as herein provided, namely: For legislative, executive, and judicial expenses; for sundry civil expenses; for fortifications; for the District of Columbia; for pensions; for all deficiencies: to the Committee on Appropriations.

I read now in connection with that the subsequent rules:

Subjects relating to the relations of the United States with foreign nations, including appropriations therefor: to the Committee on Foreign Affairs.

Subjects relating to the naval establishment, including appropriations for its support—

Mark the difference between the language of the rule and the one which applies to the Committee on Foreign Affairs. The language in the one is "including appropriations therefor;" the language in the other is "for its support"—

And the same is true, if I may have the attention of my friend from Georgia [Mr. BLOUNT], with reference to the Committee on the Post-Office and Post-Roads.

Subjects relating to the Post-Office and post-roads, including appropriations—

Not "therefor," as first read by my friend, but—

for their support: to the Committee on the Post-Office and Post-Roads.

And then comes the rule in reference to Indian affairs:

Subjects relating—

Mark the language—

to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor.

Not merely for their support, not for support of the Government, but—

Subjects relating to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor.

Mr. BLOUNT. If the gentleman from Arkansas will permit me, as he has called my attention to the language of the rule with reference to the Post-Office Department, that it says "appropriations for the support of the post-office and post-roads," I will state that in the deficiency bill just passed there was provided an appropriation of $100,000 to be used during the current fiscal year for the compensation of clerks in post-offices. I wish to know if my friend holds that that properly went to the Committee on the Post-Office and Post-Roads?

Mr. ROGERS. I understand that is a deficiency.

Mr. BLOUNT. Call it what you please.

Mr. ROGERS. It was to make up a deficit now existing in the Department for the current year.

Mr. BLOUNT. The appropriation was in consequence of a desire to enlarge the service; call it a deficiency if you see fit.

Mr. ROGERS. I repeat the question. It seems that an appropriation was made, as I understand it, of $100,000 to enable the Post-Office Department to go on with the current business of the present year in addition to what had been previously appropriated for the same service.

That is, properly speaking, I take it, a deficiency; and if it is a deficiency it might be argued with much force that the subject ought to go to the Committee on Appropriations. And that brings me to where I should have reached if the gentleman from Georgia had not interrupted me. Let us see for a moment. He would place this appropriation either on the sundry civil bill or the deficiency bill. I take issue with the gentleman in the first place on the point, and insist that this judgment is not a deficiency at all.

Mr. OATES. Will the gentleman yield to me for a moment?

Mr. ROGERS. I should prefer going on.

Mr. OATES. What I have to suggest is right at that point.

Mr. ROGERS. Very well.

Mr. OATES. I ask the gentleman if it has not been the invariable practice of this House to make appropriations to pay judgments rendered against the United States either in the deficiency bill or the sundry civil bill?

Mr. ROGERS. The gentleman from Alabama is asking me a question which I should have reached in due time. In the first place I say this is not a deficiency. What is a deficiency? It is an appropriation made because of the fact that the Government has exhausted the previous appropriation already made.

This appropriation here is not in the first place for the support of the Government. If it had been for the support of the Government and this sum now sought to be appropriated was to supply a deficit it would have been a deficiency. But it is not a deficiency within the meaning of the rule. Then the gentleman says it can go to the bill providing for the sundry civil expenses of the Government.

Why should it go to either one of these two bills? If you say it should go to the sundry civil bill, then you nullify the language of the rule, which says:

Subjects relating to appropriation of revenue for the support of the Government as herein provided, etc., shall go to the Committee on Appropriations.

"Shall go to the Committee on Appropriations." Who pretends that this sum sought to be appropriated to pay this judgment into which have merged the unliquidated claims of these Indians under a treaty—who claims that that is an appropriation for the support of the Government? And yet if you put it on either the sundry civil bill or the deficiency bill, you have either to hold it is for the support of the Government or you nullify the first line of the third clause of this rule regarding the jurisdiction of the Appropriations Committee.

Mr. OATES. Will the gentleman let me ask him a question just there?

Mr. ROGERS. The gentleman will pardon me a moment. I will give him a chance to interrupt me later. Now, Mr. Chairman, to go back for a moment to the question put to me by the gentleman from Georgia [Mr. BLOUNT], which comes in just here, touching the appropriation recently made to enable the Postal Department of the Government to go on with its work, he wants to know if that would properly belong to the Appropriations Committee. Now, mark in that connection the language of this rule touching the post-office and post-roads, and I think that when I call my friend's attention to it a large part of his uneasiness about this matter will be removed.

Mr. BLOUNT. I have no uneasiness.

Mr. ROGERS. Oh, I had imagined from what had taken place in a former Congress that my friend did not want similar things loaded on to his committee. That is all that I referred to.

Mr. BLOUNT. I guess the gentleman does not mean exactly that. I think the record of the debate discloses that I was discussing the rule on a question of order. I do not think that anything in it indicates any feeling on my part about taking more labor upon our committee.

Mr. ROGERS. No; but I supposed you were influenced largely by that in your argument, unknowingly, of course.

Mr. BLOUNT. Well, possibly my friend does read me better than I read myself. That is very common with us all. Possibly my friend himself may be subject to the same rule now.

Mr. ROGERS. That may be. Now, Mr. Chairman, the gentleman from Georgia, if he will look at the rule, will find this:

All proposed legislation shall be referred to the committees named in the preceding rule, as follows: Subjects relating to the post-office and post-roads, including appropriations for their support—

What support? Why, the support of the post-office and post-roads. Then, on the other hand, the language of the rule conferring jurisdiction on the Appropriations Committee is this:

Subjects relating to appropriation of the revenue for the support of the Government, as herein provided, etc., and for all deficiencies—

Deficiencies for what?—

or the support of the Government.

If I were called, under the strict rules of law, to construe these two rules, which in their terms are somewhat conflicting, I should endeavor to do so in such a way as to permit both to stand; and it would be my judgment, in that aspect of it, that an appropriation of the kind which the gentleman from Georgia [Mr. BLOUNT] suggests would come under the head of "all deficiencies" for the support of the Government under this clause of Rule IX, which I am discussing, which would take it to the Committee on Appropriations. Construing them in that way, you allow both rules to stand; but if you take the converse of that rule, which would take it to the Committee on the Post-Office and Post-Roads, you nullify that provision of the rule which says that all deficiencies for the support of the Government shall go to the Committee on Appropriations. So, under the strict rules of interpretation, I should say that in that case the subject suggested by the gentleman from Georgia [Mr. BLOUNT] would go to the Appropriations Committee; but, as I believe, under the intention of the committee which framed these rules, it might reasonably go to either the one or the other.

Mr. BLOUNT. Do I understand that my friend holds that the Indian appropriation bill is not a bill for the support of the Government?

Mr. ROGERS. Well, I should not call it a bill for the support of the Government. It is a bill carrying out treaty stipulations in the main; but, however that may be, it is clearly an irrelevant point in the controversy, because we have it that the rule itself says "subjects relating"—relating to what? "Relating to the relations, etc." What terms can you have broader than these? Here is an obligation that grows out of treaty stipulations, the highest form of relation that can obtain between two governments. If you exclude this and let the minor things in then you reverse the logical proposition and say that the greater does not include the less.

Mr. BLOUNT. Will the gentleman yield to a question?

Mr. ROGERS. Yes. I ought to yield to the gentleman from Alabama [Mr. OATES], but I will yield now to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. I wish to know if the gentleman takes the position that the Indian appropriation bill, not being for the support of the Government, is not subject to the point of order that it must have its first consideration in the Committee of the Whole?

Mr. ROGERS. No, I do not take any such position as that; and the rule does not require that either. Anything that takes money out of the Treasury must, under the rule, go to the Committee of the Whole on the state of the Union. But, Mr. Speaker, my friend from Georgia and myself need not have any controversy about that question, unless he can demonstrate that this is a deficiency. Now where did this come from? It grew up out of the treaties made by this Government with these Indians fifty years ago, and after a long prosecution of it before the two Houses of Congress it was finally determined that it should go to the Court of Claims. And that brings me to the correction of an error into which my friend from Arkansas [Mr. PEEL] inadvertently fell, perhaps rather an error of words than of ideas, upon the subject of this judgment. I say that what the Supreme Court did was to affirm the judgment of the lower court, and what the lower court did was to liquidate an unliquidated claim by rendering a judgment against the United States for the sum due to these Indians under treaty stipulations.

Mr. PEEL. The point I desired to make was that the treaty did not lose its identity in consequence of this judgment; that it did not merge in the judgment so as to become extinguished as a treaty.

Mr. ROGERS. That is the precise point I was going to make. I knew my friend had inadvertently used the language which seemed to convey another view.

Now, this claim grew out of the treaty, and the treaty was not merged in the judgment. What supports this claim to-day? The same thing which has always supported it—the treaty, which is alive and must continue alive; otherwise this judgment falls. So that the unliquidated claim under the treaty is merged into the judgment, and the treaty supports it as the trunk supports the limb.

What was this act of Congress? I will ask the Clerk to read it.

The CHAIRMAN. The act of Congress has already been read.

Mr. ROGERS. Then I need not occupy time in having it read now. Let me come to another aspect of the case.

Mr. CANNON. I have listened with very great attention to the gentleman, and I would like to ask him which side of this point of order he is on. Does he hold that it is well taken or not well taken? I ask the question in good faith, for I have followed the gentleman's remarks with care. [Laughter].

Mr. ROGERS. There are some things which are within the range of human power, and some things which are not. That is my answer to my friend from Illinois.

Mr. BLAND. I would like to ask the gentleman a question about this treaty. As I understand, this is a private claim, founded upon a treaty. Suppose a court should decide that we were bound under a treaty to pay for damages done to the subjects of China, Great Britain, or any other foreign country. Would that be a claim to be appropriated for by special law, or would it go into a general appropriation bill? In other words, is not this a private claim which has nothing at all to do with an appropriation bill? Notwithstanding it grows out of a treaty, there is no law authorizing its payment.

Mr. ROGERS. I think my friend is in absolute error all along the

line. In the first place, this is not a private claim; it is a claim of this Indian nation. If that makes it a private claim, then it is such. But if I have not been able to demonstrate my point by the argument I have thus far made, I shall not be able to assist the gentleman.

Now, it is conceded on all sides that there has been no direct ruling either of the Speaker or of the Chairman of the Committee of the Whole upon this question. In this connection I am reminded of another matter. It was said by my friend from Georgia that this claim had been referred by the Speaker to the Committee on Appropriations. I took issue with the gentleman on that point. It is possible I may be in error; but I meant to say this: Early in the session, I believe, the gentleman from Tennessee [Mr. BUTLER] introduced a memorial upon this subject through the petition-box and sent it to the Committee on Appropriations. Later in the session my friend from Mississippi [Mr. HOOKER] introduced a resolution on the same subject through the petition-box, and it went to the Committee on Indian Affairs.

It is probable—though that I do not know about—that it may also have been embraced in some report or book of estimates which may have gone to the Committee on Appropriations. But the Speaker can not divide such a book; he is compelled to send it to some one committee. He does not divide claims of this kind; so that this feature of the matter can have no sort of bearing in the determination of the question of order.

Mr. BLOUNT. Does my friend from Arkansas take the position that the reference which a member makes of a petition by placing it in the petition-box with his name indorsed on it gives jurisdiction of the subject to that committee?

Mr. ROGERS. No, sir. I have just said—my friend evidently did not understand me—that that fact could have no sort of bearing upon the determination of this question. When a petition is put into the box and sent to the wrong committee, it ought to be returned to the House and sent to the proper committee.

Mr. BLOUNT. I supposed the gentleman mentioned those facts by way of showing that the committee had jurisdiction; otherwise I could not see why he mentioned them.

Mr. ROGERS. I was simply meeting the statement made by the gentleman and explaining what I understand to be the force and effect of the rule and the practice.

Mr. BLOUNT. But the gentleman mentioned the proposition I had made that this subject was referred to the Committee on Appropriations.

Mr. ROGERS. We will not consume time on that point; it is entirely irrelevant.

Mr. BLOUNT. I do not wish to annoy my friend; I only interposed because I thought he had ample time. I shall not interrupt him further.

Mr. ROGERS. I am always willing to be interrupted on any matter which is relevant.

Mr. BLOUNT. I exercised my best judgment in endeavoring to make my inquiry relevant. I regret that I have not satisfied my friend from Arkansas.

Mr. ROGERS. There is one more point which I come to at once. There has been no ruling either by the Speaker or by the Chairman of the Committee of the Whole touching this particular point. The matter, however, was up in discussion more than once during the Forty-ninth Congress; and by way of supporting the position I have assumed I desire to invite the attention of the Chair to what then transpired.

In the first session of the Forty-ninth Congress (I refer to pages 5927 and 5928 of the RECORD of that session) the Committee on Naval Affairs, in the naval appropriation bill, assumed jurisdiction of the construction of a Naval Observatory. That was the first instance of any assumption of jurisdiction of this character under the new rules by a committee standing on a footing with this one. No question of order was made at that time; but the discussion took place upon the merits of the question, the provision having been inserted in the bill by the committee, and not being offered as an amendment.

Later than that, on pages 6180 to 6183 inclusive, when the sundry civil bill was under discussion, the distinguished chairman of the Committee on Appropriations [Mr. RANDALL], insisted that appropriations for the construction of the dry-dock at the Brooklyn navy-yard should go to the Committee on Naval Affairs, and not to the Committee on Appropriations. There the point of order was discussed, the question of jurisdiction was discussed, and discussed fully.

I invite the attention of the Chair to the language of the distinguished gentleman from Pennsylvania on the subject:

Mr. RANDALL. When the Committee on Appropriations had the preparation of both the naval bill and the sundry civil bill, they had before them a view of the matters to be appropriated for in both; but when the transfer was made of the naval appropriation bill, the consideration of all matters relating to the support of the Navy went with it. That seems to me to be a common-sense construction of the rule.

Now, what is the difference between the rule we are now construing and that rule? Mark the language, Mr. Chairman:

Matters relating to the naval establishment, including the appropriation for its support, etc.

And yet under that rule the chairman of the Committee on Appropriations insisted that everything pertaining to the support of the Navy should go to the Naval Committee. Our rule is still wider than that, for it says:

Subjects relating to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor—

Should go to the Committee on Indian Affairs.

I will read no more of what took place at that time on this subject. The full discussion is here.

Still later, in the second session of the Forty-ninth Congress, 1886, page 97, when the sundry civil appropriation bill was under consideration, Mr. RANDALL, by a letter addressed to the chairman of the Committee on Naval Affairs, through his clerk, appearing in this RECORD, surrendered voluntarily everything relating to the navy-yards and stations and new Naval Observatory. I will turn to that for a moment, and will send to the Clerk's desk to have it read, so that it may be incorporated in my remarks.

The Clerk read as follows:

Mr. RANDALL. I yield fifteen minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. The bill we are discussing proposes to appropriate $19,183,911 for the sundry civil expenses of the Government for the fiscal year ending June 30, 1888. The amount appropriated in the sundry civil bill for 1887 was $22,661,910, making an apparent saving in the present bill of $3,477,999. How that saving is proposed to be made will be explained in part at least by a letter which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

"HOUSE OF REPRESENTATIVES,
"*Washington, D. C., December 6, 1886.*

"DEAR SIR: Referring to the estimates submitted under the titles 'Navy-yards and stations' and 'New Naval Observatory,' on pages 163 and 164 of the Book of Estimates for 1888, and which aggregate $4,418,961.16, I am directed by Hon. SAMUEL J. RANDALL, chairman of the Committee on Appropriations, to say that the subcommittee in charge of the sundry civil bill are of the opinion that said estimates belong to and should be considered as a part of the naval establishment, for which the Committee on Naval Affairs are charged under the rules of the House with reporting appropriations, and that no recommendation will therefore be made by the Committee on Appropriations touching these estimates.

"Very respectfully,

"JAMES C. COURTS,
"*Clerk Committee on Appropriations, House of Representatives.*

"Hon. H. A. HERBERT,
"*Chairman Committee on Naval Affairs, House of Representatives.*"

Mr. ROGERS. If the Clerk will send me down that volume I will be obliged to him.

Here, then, Mr. Chairman, was a formal surrender of matters of this character by the Appropriations Committee to the Committee on Naval Affairs; and the distinguished gentleman from Alabama [Mr. HERBERT], chairman of that committee, who prior to this time had been of the opinion this jurisdiction belonged to the Committee on Appropriations, subsequently agreed to the correctness of the interpretation of the gentleman from Pennsylvania, and assumed jurisdiction of those things which under the rules went to the Committee on Naval Affairs.

On page 146, on the part of the distinguished gentleman from Alabama, it will be found at that time a considerable discussion took place on the floor of the House, in which my friend from Georgia [Mr. BLOUNT] participated, when the gentleman from Alabama directly and absolutely reversed his conviction, as every man must when he finds himself in error, and affirmed the correctness of the position of the gentleman from Pennsylvania to which I have referred.

These, Mr. Chairman, are all that have been found, after a careful search, in the way of elucidating a correct interpretation of the language of the rule; and I insist that so far as the practice has been concerned in the House under the new rules the current of its action is with us. So far as the language of the new rule itself is concerned it is, in my judgment, humble though it be, absolutely and incontrovertibly with us.

Mr. LONG. Mr. Chairman, it seems to me that this is one of those items which, as sometimes happens, comes under either clause of the rule to which reference has been made. It is undoubtedly one of the sundry civil expenditures of the Government. As our habit is, it may be regarded as one of the judgments we now provide for and include in deficiency bills. But there is also no question whatever that it is providing for an appropriation which has reference to the general relations of the United States with one of the Indian tribes. It seems to me, therefore, that we are wasting time in discussing it to such an extent. It is perfectly apparent that it would be in order if upon the sundry civil appropriation bill; perfectly apparent that it would be in order upon the deficiency bill, and, in my judgment, perfectly apparent that it would be in order upon the Indian appropriation bill, because the rule, in just as broad and clear language as can be used, gives the Indian Committee jurisdiction over all subjects which have reference to the relations of the United States Government to the Indians and Indian tribes, including any appropriations therefor.

Mr. BURNES. I yield such time as he may desire to my colleague from Missouri [Mr. BLAND].

The CHAIRMAN. The Chair will request gentlemen to be as brief as possible on the point of order.

Mr. BLAND. Mr. Chairman, it seems to me that one of two propositions is conclusive of this whole subject under the rule. The rule is:

No appropriation shall be reported in a general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized

by law, unless in continuation of appropriation for such public works and objects as are already in progress, etc.

Now, in the first place, it must be authorized by law. The rulings heretofore had and the practice and the authorities cited all indicate that an amendment in the nature of an appropriation for a private claim against the Government is not in order on a general appropriation bill. That is stated here in the Digest to be the universal practice.

Now, what is a general appropriation bill? That is also laid down in the Digest, on page 279.

The general appropriation bills under the practice of the House number thirteen, among them being the agricultural, Army, consular and diplomatic, general deficiency, District of Columbia, fortifications, and Indian.

This, then, is one of the general appropriation bills, and no appropriation not previously authorized by law, and no amendment to it, are in order, unless to carry on public works and objects already in progress. This is not one of those provisions. If it originates in a treaty that fact does not take it out of the category of private claims.

There are many things arising under treaty stipulations, damages occurring and matters of that sort; but the payment must be previously authorized by law. If it does not belong to an appropriation committee and simply because this is a claim on the part of an Indian tribe or belonging to particular Indians, that has been ascertained as a claim, no matter how it originates, whether under a treaty or under some act of Congress—some existing law—it is still nothing more nor less than a private claim the payment for which has not been authorized by law. It is not in continuation of any public work or measure already in progress. The rule is positive that no appropriation shall be in order on a general appropriation bill unless it is of that character; and this is declared by the practice of the House to be a general appropriation bill. So I repeat, that point is conclusive of the whole subject. There is no escaping the proposition that it is simply a claim, a private claim, and can not be appropriated for on a general appropriation bill where the question of order is raised.

Mr. BURNES. I now yield such time as the gentleman from Alabama may desire to occupy.

Mr. OATES. Mr. Chairman, all are agreed, I believe, that this judgment ought to be paid; and the question of order involves the consideration, first, as to what particular appropriation bill should include it. An observance of the rules of the House is necessary in order to facilitate the proper transaction of its business; and a reasonable construction of these rules and a rigid adherence besides I think is wholly essential.

Now it is claimed that this appropriation is properly in the Indian appropriation bill, as I understand the argument, only for the reason that the appropriation is for the benefit of an Indian tribe. Why, sir, the appropriation is simply to pay a judgment of the Court of Claims against the United States, and it is of no consequence that the plaintiffs or beneficiaries under the judgment are Indians.

The jurisdiction of this committee is well defined and relates only to two general subjects—to the relations of the United States with the Indians and Indian tribes. Is this particular appropriation to pay a judgment a matter relating to anything between the United States and the Indian tribes?

The second part of the rule confers upon this committee the right to make appropriations in matters touching relations between the United States and the Indian tribes.

Now, this is an appropriation, I repeat, to pay the judgment of a court, and the fact that the Indians are beneficiaries under that judgment can not in the least make it a matter of relation between this Indian tribe and the United States; because it is not an inquiry into any of the relations which do not in fact exist between that tribe and the United States. All that is concluded by the judgment of the court; and it is as much and no more a judgment, standing precisely on the same basis as any other judgment in the United States in favor of a party.

If this committee has jurisdiction to make this appropriation to pay this judgment it has equal jurisdiction to make an appropriation to pay a judgment to a white man, or to any corporation which has recovered a judgment against the Government.

According to my observation it has always been the province of the Committee on Appropriations to provide for the payment of judgments against the Government of the United States either in the deficiency or in the sundry civil bill, the latter being a bill of odds and ends. Now, sir, suppose that this committee can properly make this appropriation for the payment of a judgment, then why can not the jurisdiction over every judgment and every other matter which is included in the deficiency and in the sundry civil bills be assumed and provision made to cover everything embraced in them in some of the other appropriation bills? Why can not any other committee that has a right to report an appropriation bill take any other subject or any other judgment and include it in the bill, for instance, for the post-office and post-roads, or for military affairs, or for anything else? They can with the same propriety that this committee can assume the right to appropriate to pay this judgment. There is nothing in the fact that they are Indians to whom the court has adjudged this money to be due which ives this committee any right whatever to make an appropriation. They might make an appropriation as well to pay any other judgment rendered against the United States as this one. And it seems to me to be a blending and practically an obliteration of all distinction in the matter of jurisdiction between the committees which have charge of appropriations.

[Mr. BURNES withholds his remarks for revision. See APPENDIX.]

Mr. HOOKER rose.

The CHAIRMAN. The Chair desires to state that he hopes gentlemen who are hereafter to discuss the point of order will be as brief as possible. The gentleman from Georgia [Mr. BLOUNT], who made the point of order, requests that he be allowed to close the debate on the point of order, and that for that purpose the Chair will recognize him. The Chair will now recognize gentlemen who are opposed to the point of order.

Mr. BUCKALEW. Mr. Chairman, I rise to make a brief appeal to the House in favor of this bill and in favor of the progress of the business of the House. This is the second day the House has been engaged on this bill, and the prospect on the point of order bids fair to consume the rest of the day and send the bill over for another day's consideration. In fact, the gentleman who makes the point of order on this bill seems to contemplate the bill and the point of order shall be kept open until some future occasion when the Speaker of the House shall be present to gratify him with a decision by the official head of the House.

Mr. BLOUNT. The gentleman refers to the gentleman from Missouri, and not to myself.

Mr. BUCKALEW. Now, so far as this particular provision is concerned, as I understand it there is no difference of opinion in this House as to its merits. It seems to be agreed this amount of money should be appropriated owing to some obligation of treaty, which is the public law of the United States, which has been ascertained and determined to be a subsisting obligation of this Government by the highest court known to our law. Yet we are delaying an important bill day after day when business is pressing upon us in order to determine an old dispute in a new direction in this House, to wit, the dispute at a former session as to whether all or most appropriation bills shall go to the Committee on Appropriations or a portion of them shall be distributed amongst other committees of the House.

Practically it is of no present importance which way this question of order shall be decided. If it shall be decided in favor of the proposition we will take a vote on it no doubt, and agree to it, and the bill will then be passed with that as one of its provisions. If it should be stricken out of the bill the Committee on Appropriations will bring it in again in what is called the deficiency bill, which I understand is a sort of *omnium gatherum*, a gathering of odds and ends of legislation which other committees have not reported, or cases where former appropriations were insufficient in amount.

There would be nothing extraordinary or unusual for two committees to have, in succession, jurisdiction over a particular subject; that the Committee on Indian Affairs, for instance, should make a report on such a provision and have it acted upon by the House; and if that failed in the House, that the same subject-matter should pass into a general deficiency bill which gathers up all of the measures which are proper in the action of the House and which have not been otherwise provided for.

Now, if we are to construe this question upon the text of the rule which has been adopted, there can be no difficulty, I assume, to the mind of any member of the House as to the warrant for placing it upon this bill. That rule is that all subjects pertaining to the relations of the Government to Indian tribes and appropriations, therefore with reference to those relations, shall pertain to the Committee on Indian Affairs. Our relations with the Choctaw Indian Nation are under a treaty out of which this appropriation comes. The judgment in favor of the Indians is founded upon the treaty.

Our present relations with the tribe are still under that treaty. That is the foundation of our obligation and duty to that tribe, and under a decision of the Supreme Court another relation has succeeded, not supplanting the former, but in addition to it, to wit: the relation of debtor. The Government and this tribe now stand in the relation of debtor and creditor under this judgment.

The Government of the United States sustains the relation to the tribe of an ascertained debtor of a certain amount of money. If we are to take this new rule, which is a departure, I understand, within the last few years, if we are to take that language and pass upon it according to its plain import, this is a legitimate amendment or measure or proposition to be added to or taken in an appropriation bill coming from the Committee on Indian Affairs.

I see, therefore, no difficulty whatever in voting to retain this appropriation on this bill; for whatever may be the views of gentlemen, we have had, I submit to the Chair, upon this subject already sufficient debate; and if the Chair is prepared with a clear mind to rule upon it, for one I am in favor of his doing so and have the debate terminate, for it will perhaps make no great difference, I take it, whether the point of order is ruled one way or the other.

Again, Mr. Chairman, I take it that a case like this, arising upon an Indian treaty, and a judgment of the Supreme Court, both being in-

volved, can never arise again for consideration in the House during the present session of Congress.

Mr. HOOKER. Mr. Chairman, I beg to say a word on the point of order. While I may not be able to add anything new to what has been said, yet I think that the history of this particular matter, the legislative history of it, should be considered, and that the Chair will take it into consideration in the determination of the point of order. I desire therefore to say no word except such as shall have direct reference to the legal question presented.

I precede what I have to say by remarking, sir, that you are familiar with the fact that in former times it was true, as stated by the gentleman from Missouri, just in front of me [Mr. BURNES], that these subject-matters were embraced either in the deficiency bill or in the sundry civil bill; because at that time the Appropriations Committee of the House of Representatives possessed all power of appropriation. It will be well remembered by gentlemen who were here then, and you, sir, were among them, that the struggle to divide the power of the Appropriations Committee, which had engrossed to itself the whole right of making appropriations under the law, was a long and protracted one; and that committee surrendered the authority to deal with all questions of that character with great reluctance. But it has been determined by a former Congress that the power of the Committee on Appropriations should be divided, and that the respective committees who look into and consider and treat of the respective matters submitted to them should also possess the privilege of making appropriations therefor. They resisted in vain this distribution of their power. It was granted to a great many committees; and if my memory serves me right the first committee to which was granted the power not only of considering matters primarily relating to the subjects properly referred to the committee, but of making appropriations therefor, was the Committee on Agriculture. It was conceived that if that committee should be intrusted by the House with the consideration of all the important questions relating to that great fundamental interest of the country, it should also be conceded the power to make appropriations for it.

That was the first invasion of the claims of the Committee on Appropriations, which prior to that had been absorbing all powers of appropriating, and then possessed the power of framing the agricultural appropriation bills. It went on, Mr. Chairman, and there was a division of these powers among the various committees of the House, not only to consider the subject-matters referred to them under the rules, but to make appropriations, and among others the Committee on Indian Affairs was granted that power by the fifteenth section of the eleventh rule that has been referred to, and which gives them the power that to-day results in the present bill before us—to consider the relations of the United States with the Indians and the Indian tribes, including the appropriations therefor. That was adopted in the Forty-ninth Congress, and is not therefore subject to the objection of the gentleman from Missouri that the power of the Appropriations Committee dates back forty years, and hence that this provision ought to be included in the sundry civil bill.

When this division of the power of the Appropriations Committee was made that committee had become colossal in the subject-matters which were referred to it and in the power of its appropriations, and the House determined, and wisely, I think, to divide them and give to the various committees dealing with important subject-matters the right to make appropriations for them.

Now, sir, look at this particular measure and see if it belongs to the Committee on Indian Affairs to appropriate for this judgment. How did it originate? It found its existence in the law read by the gentleman himself, which I had the honor to introduce into this House from the Committee on Indian Affairs long years ago. It gave to the Court of Claims the power to adjudicate the disputed question under the treaty called the Dancing Rabbit treaty of 1855, by which the Choctaw Nation sold the immense empire included in my State of Mississippi, and received the territory on the western side of the river.

Under that treaty they were entitled to receive so much money for lands sold prior to a given date, and so much for lands sold after that date.

They came to this Government asking a consideration of the question, and with wonderful magnanimity they agreed to refer to the Senate of the United States as an arbitrator, a body in which they had no one to represent them, and in which they had no voice, the power to determine the question as to whether they were entitled to anything, and if so, what; whether they were to be paid in bulk what the United States owed them, or were to be given the net proceeds of the sale of their own lands.

The Senate of the United States made the arbitration, and decided that the Indians were entitled to the net proceeds of the land of a given amount to a certain date, and another amount afterwards. Under that decision the Secretary of the Interior made the computation and the claim was then referred to the Committee on Indian Affairs, and the bill to which I have referred was reported by that committee and became a law. The claim then went to the Court of Claims. The Court of Claims decided against the rights and interests of the Indians. An appeal was taken under the provisions of the law to the Supreme Court of the United States, and the Supreme Court rendered a judgment for the two million eight hundred and odd thousand dollars, the amount I had always insisted was indisputably due them, if not a larger amount.

Mr. PEEL. If the gentleman will allow me I will state that the Court of Claims did not find adversely but found a different amount.

Mr. HOOKER. They found a small and insignificant amount. When the appeal went to the Supreme Court of the United States they made this adjudication giving this right under the treaty, fixing it by a definite judgment, ascertaining it by a judical enactment that there was so much due to the Indians under the treaty by which these lands were conceded.

Does it deprive the Committee on Indian Affairs of jurisdiction because a court of the last resort, the highest judical tribunal of the land declared that that amount was due under a treaty? In the first clause of this memorial of the Choctaw Nation, which was referred to the Committee on Indian Affairs, they say:

Whereas the Court of Claims of the United States, pursuant to a mandate of the Supreme Court of the United States, did, on the 15th day of December, 1886, render a judgment in favor of the Choctaw Nation for $2,858,798.62.

Then they say that the treaty of 22d June, 1855, provides in the eleventh article as follows:

That on the 22d of June, 1855, the United States and the Choctaw Nation concluded a treaty, which, among other things, provides as follows:

ART. II. The Government of the United States not being prepared to assent to the claim set up under the treaty of September 27, 1830, and so earnestly contended for by the Choctaws as a rule of settlement, but justly appreciating the sacrifices, faithful services, and general good conduct of the Choctaw people, and being desirous that their rights and claims against the United States shall receive a just, fair, and liberal consideration, it is therefore stipulated that the following questions be submitted for adjudication to the Senate of the United States:

First. Whether the Choctaws are entitled to or shall be allowed the proceeds of the sale of the lands ceded by them to the United States by the treaty of September 27, 1830, deducting therefrom the cost of their survey and sale, and all just and proper expenditures and payments under the provisions of said treaty; and, if so, what price per acre shall be allowed to the Choctaws for the land remaining unsold in order that a final settlement with them may be promptly effected. Or,

Second. Whether the Choctaws shall be allowed a gross sum in further and full satisfaction of all their claims, national and individual, against the United States; and, if so, how much.

ART. 12. In case the Senate shall award to the Choctaws the net proceeds of the lands ceded as aforesaid, the same shall be received by them in full satisfaction of all their claims against the United States, whether national or individual, arising under any former treaty; and the Choctaws shall thereupon become liable and bound to pay all such individual claims as may be adjudged by the proper authorities of the tribe to be equitable and just, the settlement and payment to be made with the advice and under the direction of the United States agent for the tribe.

And so much of the fund awarded by the Senate to the Choctaws as the proper authorities thereof shall ascertain and determine to be necessary for the payment of the just liabilities of the tribe, shall on their requisition be paid over to them by the United States.

* * * * * * *

It being expressly understood that the adjudication and decision of the Senate shall be final.

That on the 9th day of March, 1859, the Senate did award to the Choctaws the net proceeds of the lands ceded by them to the United States by the treaty of September 27, 1830, and that thereupon, under article 12 of the treaty of 1855, the Choctaws became liable and bound to pay all such individual claims as the proper authorities of the Choctaw Nation might determine to be "equitable and just;" and the United States bound themselves that "so much of the fund awarded by the Senate to the Choctaws as the proper authorities thereof shall ascertain and determine to be necessary for the payment of the just liabilities of the tribe, shall on their requisition be paid over to them by the United States."

That on the 15th day of November, 1886, the Supreme Court of the United States affirmed the award of the Senate, and adjudged that there is due to the Choctaws under said award the sum of $2,981,247.30, subject to a deduction of $250,000, paid under the act of 1861.

Now, if there was such a treaty obligation on the part of the Government, because the court of last resort has intervened and settled what the treaty meant, and if it is undisputed that this amount is due, would the gentleman from Missouri say that the Committee on Indian Affairs had not the right to appropriate for it under the rules of the House? So far from robbing that committee of its power it ought to be *a fortiori* argued that it possesses the power because the court of last resort has said this was the undisputed obligation of the Government under the treaty. It does not rob the committee of the power because the court has intervened and fixed the sum due. On the contrary, it strengthens the argument of the chairman of the committee that this committee should report an appropriation to pay the judgment.

The gentleman from Missouri says the House had passed during this session two deficiency bills. Why did not the Appropriations Committee include this appropriation in one of those bills for the payment of a judgment of the court of last resort? No one will say it was not for a long time due. This judgment is a tardy act of justice on the part of the Supreme Court, and yet two deficiency bills reported from the Committee on Appropriations have been passed and nothing has been done.

The memorial referred to the Appropriations Committee is no argument against the jurisdiction of the Committee on Indian Affairs. These men, in desperation on account of the long-protracted postponement of this matter, were knocking at the doors of Congress and of every committee in it asking for justice and for an appropriation on their behalf. It does not, therefore, rob the Committee on Indian Affairs of the jurisdiction given under the rules and under the judgment of the court, but enforces the argument that the jurisdiction belongs to that committee.

Mr. OATES. I would like to know from my friend from Mississippi

[Mr. HOOKER] what is the difference between this and any other judgment?

Mr. HOOKER. The difference, so far as the jurisdictional question is concerned, is this, that, with reference to our Indian affairs, the Indian Committee, and the Indian Committee alone, has the power, and therefore if the judgment should be an Indian affair, I say to my honorable friend from Alabama [Mr. OATES] that this is not robbing the Committee on Appropriations of its jurisdiction, and no lawyer would say that it is.

Now, Mr. Chairman, upon the appeal made to you by the gentleman from Missouri [Mr. BURNES] I wish to say that I hope you will not avoid or evade, as I know you have no desire to do, the responsibility of judging and deciding upon this question. I agree with the gentleman from Massachusetts [Mr. LODGE] and with the gentleman from Pennsylvania who has spoken upon this question. It may be that the Committee on Appropriations might possibly have inserted this item in an appropriation bill, yet as they have not done it and as the jurisdictional power is unquestionably in the Indian Committee under the rule, I hope that the Chairman of this Committee of the Whole will promptly decide the question, and that, inasmuch as the new rule adopted early in the Forty-ninth Congress clothed this Indian Committee with power on this question, we shall not now seek to undo that which has been hitherto done, or by interpretration or construction, as the courts are said to do sometimes, deprive the Committee on Indian Affairs of its power and restore it again to this gigantic Committee on Appropriations, which once had so much power as to absorb almost every other committee in the House. I hope the Chairman of the Committee of the Whole will decide this question promptly, and will decide it as I believe the law and the jurisdictional question require him to decide.

Mr. PERKINS. Is this any less a claim arising under a treaty stipulation or any less a treaty obligation because it has been put in judgment?

Mr. HOOKER. I think not, sir.

Mr. PERKINS. It does not change the relation of the matter at all?

Mr. HOOKER. Not at all.

Mr. PEEL and Mr. BLOUNT both addressed the Chair.

The CHAIRMAN. The Chair does not desire to hear further argument, but will hear the gentleman from Georgia [Mr. BLOUNT], who has expressed a desire to close the debate.

Mr. PEEL. Mr. Chairman, I trust that the gentleman from Georgia will not interrupt me. [Laughter.] My friend from Missouri [Mr. BURNES] saw proper to allude to a conversation which took place between him and me and which I do not think had anything to do with this argument. I know the gentleman did not intend to put me in a false attitude before this House, but he knows as a lawyer that he and I have no power to change the jurisdiction of any committee of the House. It would have been a beautiful agreement for me as chairman of the Committee on Indian Affairs, and for him as a member of the House to have made, that the present occupant of the chair would not decide this point of order in a certain way, or that the Speaker of the House would not decide it.

Such a thing is too absurd to be talked about. It never entered my mind. I could not have done it. I would not have had the audacity to do it even if I had the power. Now, my friend did not tell it all. If the Speaker of the House, whose brain is as clear as a bell, and whose judgment of equity is as pure as snow, were in the chair, I would have no fear about the judgment upon this point of order, and the gentleman knows how he felt upon this subject. But it is not for us to attempt to trifle with the judgment of the Chair on a question of this importance. You, sir, have been selected under the rules of the House to preside over this committee, and if the decision is not in my favor I am not the man to complain. I never ask a change of venue after the trial is over.

Mr. BLOUNT. Mr. Chairman, this question has been argued at some length, and I propose to occupy but very little of the time of the committee. It has been said that a great while has been given to the question, but I do not think that we have given it more time than it deserves. The gentleman from Mississippi [Mr. HOOKER] has alluded to the fact that in the past there has been a great struggle in this House over the jurisdiction of the appropriations. That was a question of vast consequence and it excited the House for years. Exactly what was accomplished as the result of that struggle is now for you in part to decide. The appropriations for the support of this Government are over $238,000,000 per annum, and it is well, sir, when such large expenditures are to be made, that each committee shall understand distinctly what it has in charge, and that the House shall leave no appropriation committee in doubt upon that question. It is because I believe it an important question that I have seen fit to raise this question of order. It has been stated that the language in the rule in reference to the Indian appropriation bill is different from that in relation to other appropriation bills. It reads: "to the relations of the United States with the Indians and the Indian tribes, including the appropriations therefor." The present bill reads: "A bill making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes." That identical language is the language used in the title of the appropriation bill before the separation, and the language used in reference to the assignment of the work of appropriation will be found to be in harmony in idea with the language in the rule.

Now, then, if the language of this appropriation bill is the same as it was before the separation of the bill, then it would seem that the House in adopting this language in the rule had no other purpose than to define that duty. Until these new rules were adopted, there never was any rule giving the Committee on Indian Affairs jurisdiction of appropriations for the support of the Indian service; their jurisdiction related solely in the past to the relations of the United States to the Indian tribes; and the bill was as I have stated. So in reference to postal appropriations, the language used was the language used in the bill to-day. If we are really seeking the purpose of the House, we need not take up this bill and play upon the language, when we have the history of the legislation of this House distinctly under this language carrying judgments even in relation to the Indian tribes to the sundry civil appropriation bill. There never was in the debates on this question a single expression showing a purpose to take judgments relating to the Indian tribes away from the Committee on Appropriations. Therefore it seems to me no inference can be drawn from this language taken by itself.

Mr. Chairman, you will not stop here. You will take the language of these several rules. You will go back to prior appropriation bills and see, when such language as this was used, what the House then meant. You will thus ascertain what the House intended when it took from the Committee on Appropriations these appropriations for the Indian service and gave them to the Committee on Indian Affairs.

My friend from Arkansas [Mr. ROGERS] has seen fit to allude to a discussion on this floor between the gentleman from Pennsylvania [Mr. RANDALL] and the gentleman from Alabama [Mr. HERBERT] in relation to the question where an appropriation for yards and docks belonged.

It seemed that my friend from Pennsylvania was perfectly willing to unload a large amount of his bill upon my friend from Alabama [Mr. HERBERT], who was trying to push it back; but finally the gentleman from Alabama yielded and agreed to take it. That is about all there is in that discussion. The question of the construction of the rule was never passed upon by the Chair at all; those gentlemen settled the trouble amicably between themselves, and the matter has no place in a construction of this rule.

It is assumed, Mr. Chairman, that this bill by its very title is a bill providing "for fulfilling treaty stipulations with various Indian tribes;" that this claim is a judgment growing out of a treaty; and, therefore, the Committee on Indian Affairs had jurisdiction. This argument is not confined to judgments; and, by the same process of construction, these gentlemen hereafter need not wait for the judgment of a court, but may take up any treaty made with any Indian tribe and bring it into the House with their construction and propose any appropriation they see fit. I ask you, sir, whether it was ever the purpose of this House, which has been so careful to keep anything like legislative power or legislative construction from the Committees on Appropriations of this House, whether it was ever designed to give to the Committee on Indian Affairs a right to construe treaties and to put appropriations into the Indian bill in virtue of such construction? That is the logic of the position assumed. I do not believe that the present occupant of the chair is willing to go along with those gentlemen to the conclusion they have reached and give it the solemn sanction of a ruling by the Chairman of the Committee of the Whole of the House of Representatives.

Mr. KERR. Does the gentleman think that the term "civil expenses," interpreted without reference to any former history, would properly cover this kind of a claim?

Mr. BLOUNT. I answer my friend with a great deal of pleasure. I think too much has been said in the line of arguing this as a deficiency. I regard it as an item of sundry civil expenses; and the term "sundry civil bill" means nothing more nor less than a miscellaneous bill. It contains one year a certain class of items which are omitted the next year. It is constantly shifting in its character. Ever since I have been in this House until now it has been considered that the sundry civil appropriation bill was the proper place for judgments, though sometimes, after that bill has been passed, a judgment has been inserted in a deficiency bill. That a judgment is one of the ordinary sundry civil items under the rules and practice of the House, I undertake to say no man who knows anything of the legislation of this House, and especially legislation on the sundry civil bill, will undertake to question.

Mr. HOOKER. My friend will allow me to ask him what he is going to do with all the provisions of this bill which appropriate money for the payment of sums due the Indians under treaty stipulations.

Mr. BLOUNT. What will I do? Why, sir, it is the easiest thing in the world to ascertain. Just what we have always done. Estimates for the Indian service for any fiscal year are provided for in the Indian appropriation bill; but if the proposition is to pay a judgment or a claim, I know nothing in the past history of the House to authorize its going in this bill.

Mr. COBB. Will the gentleman allow me to ask him a question?

The CHAIRMAN. The Chair must appeal to gentlemen of the com-

mittee. If the gentleman from Georgia is to be interrupted in his argument by questions continually propounded to him, the residue of the day's sitting may be consumed without reaching a conclusion.

Mr. BLOUNT. I shall soon relieve the committee and the Chair.

The CHAIRMAN. The Chair recognizes that the gentleman from Georgia desires to answer all questions propounded to him; but as this point is to be determined by the Chair, the Chair prefers that the argument be addressed to him. When the gentleman has concluded, the Chair will be ready to decide the point. The Chair does not desire, however, to limit the gentleman.

Mr. BLOUNT. Now, Mr. Chairman, this whole matter, as I understand it, is simply this: The House took away certain annual appropriation bills from the Committee on Appropriations and nothing more. They took away from the Committee on Appropriations appropriations for the current Indian service, leaving, however, to the Committee on Appropriations appropriations for deficiencies in that service. They took away from the Committee on Appropriations appropriations for the consular and diplomatic service, but the claims remaining in that service for previous years were left to the Committee on Appropriations. In every instance where there has been a withdrawal from the Committee on Appropriations the residue in its amplest form was left with the Committee on Appropriations.

My friend, the gentleman from Arkansas [Mr. PEEL], in charge of this bill complains that my argument was technical in this case, that while making the point of order I admitted the justice of the claim. But, sir, when you come to investigate the subject of technicality we know from the legislative history of this country, just so soon as the question of technicality is removed life and force are given to the provision which is sought to be carried into effect by my question of order.

But, sir, I am only standing here upon the rules of the House, as I understand them. No legislative body of any respectability undertakes to enact legislation without rules. When the Committee on Indian Affairs understands they have nothing to do with this class of judgments, nothing to do with any questions growing out of treaties for previous years, they will not undertake hereafter to do it, but give themselves up to their proper work. So when each committee understands precisely the duty assigned to it, they will all then proceed in an orderly way to do what the rules enjoin. I am making this question of order, sir, in order that we may exactly understand where we are, and so that hereafter we may act in accordance with the rules of the House.

I have said perhaps as much as I ought to say, but I wish to say in conclusion a word or two. The gentleman from Pennsylvania [Mr. BUCKALEW] doubtless inadvertently stated that the gentleman who raised the point of order also desired to have the question referred for decision to the Speaker of the House. He referred to the gentleman from Missouri [Mr. BURNES], and not to myself. I do not take any part in that suggestion.

I have risen to discharge what I deem to be a public duty, and I take it for granted that the distinguished gentleman from Illinois in the chair [Mr. SPRINGER] feels the obligation of the duty imposed upon him equally with myself. He certainly would not question my purpose, and I will not question his. I will submit to his decision, whatever it may be. [Cries of "Rule!" "Rule!"]

The CHAIRMAN. The gentleman from Georgia makes the point of order that under the rules of the House, and especially under Rule XI, clauses 3 and 16, the section now under consideration should be properly reported by the Committee on Appropriations.

The gentleman from Missouri [Mr. BLAND] makes the further point of order that under Rule XXI, clause 3, this section should be ruled out, because that clause provides—

> That no appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law.

The latter point of order, made by the gentleman from Missouri, could not be sustained, from the fact, it has been the universal custom for appropriations to pay judgments of the Court of Claims to be reported in general appropriation bills. There is a law which requires such judgments to be certified to Congress for that purpose. The question, therefore, recurs to the point made by the gentleman from Georgia [Mr. BLOUNT], which is one purely of jurisdiction. The Chair desires to have read sections 1906 and 1907 of the Law and Practice of Legislative Bodies, by Mr. Cushing.

The Clerk read as follows:

1906. The rules, relating to the power of committees, in respect to the subject-matter referred to them, are two:

I. A committee is not at liberty to entertain any proposition, or go into any inquiry, which does not come within the direct purposes for which the committee is appointed, as expressed or clearly implied in the authority conferred upon it, or which is not grounded upon some paper which is referred to the consideration of the committee.

II. When a subject is referred to a committee, to consider the matter thereof, and to report its opinion thereupon to the House, the committee is authorized to recommend any measure connected with and growing out of the subject so referred.

1907. These rules are founded in the clear and indisputable principle of parliamentary law, that a committee is bounded by, and is not at liberty to depart from, the order of reference; a principle which is essential to the regular dispatch of business; for if it were admitted that what the House entertained in one instance, and referred to a committee, was so far controllable by that committee that it was at liberty to disobey the order of reference, all business would be at an end; and, as often as circumstances should afford a pretense, the proceedings of the House would be involved in endless confusion and contests with itself.

The CHAIRMAN. The subject-matter of this point of order is the provision incorporated in this bill providing payment to the Choctaw Nation of the sum of $2,858,798.62, which amount had been adjudged to be due that nation from the United States by a decision of the Supreme Court, and also by the Court of Claims acting in pursuance of a mandate of the Supreme Court.

It is true that this is a judgment of the court, but at the same time it does not prevent the House of Representatives, or a committee of the House, from looking into the decision of the court to determine the subject-matter of the decision; and if we refer to the legislation of Congress upon the subject it will be found that the act of Congress referring this claim to the Court of Claims provided that that court was authorized to take jurisdiction and try all questions of difference arising out of treaty stipulations with the Choctaw Nation and to render judgment thereon.

The matter, therefore, referred to the court was the matter of a treaty stipulation between the Choctaw Nation and the United States; and the Court of Claims and the Supreme Court of the United States have adjudged that under that treaty stipulation the United States was indebted to this Indian tribe, or Indian nation, in the amount set forth in this bill covering the judgment of the court, which sum of money is adjudged to be due them in pursuance of this treaty made between the Government and the Indians. Therefore, the subject-matter of this claim, as the present occupant of the chair understands and believes, comes within the very terms of clause 16 of Rule XI, which provides that—

> All subjects relating to the relations of the United States with the Indians and the Indian tribes, including appropriations therefor—

shall be referred to the Committee on Indian Affairs.

It has been stated in the discussion of this point of order that previous to the rule of the House which divided the powers of the Appropriation Committee judgments of the Court of Claims and of the Supreme Court of the United States were reported either in the sundry civil bill or in a deficiency bill. That may be true, but the present occupant of the chair is not aware of any ruling or any judgment of the Court of Claims or of the Supreme Court relating to Indian affairs or carrying out the stipulations of treaties with the Indian tribes which has been made since this new rule was established by the House of Representatives, and as this is the first time that the House or a Committee of the Whole House has been called on to interpret the powers of these committees, being the first claim arising out of treaty stipulations on a judgment since these powers of appropriations were divided among the committees, the Chair thinks that this committee may well infer that as this was a judgment based upon treaty stipulations, the subject-matter of that judgment is a proper one to be taken cognizance of by the Committee on Indian Affairs.

Now the question recurs as to whether this matter has been so referred. The Chair is of opinion that it has been. Under the rule laid down in Cushing, to which the Chair has called attention and which the Clerk has just read, the powers of a committee are found to be, first, those included by its title and the power which it has, and second, such matters as it has referred to it by the House of Representatives. Under both of these heads this committee, it seems to the Chair, has jurisdiction of the subject-matter here referred to. It is a proposition within the general powers or jurisdiction which the committee has; and it has also been referred to it by a memorial of the Choctaw Nation, which, in due course of proceedings, under the rules of the House, was referred to the Committee on Indian Affairs. That memorial, as appears by the indorsement upon the back of it, was sent to the Committee on Indian Affairs on the 3d day of March last; and by reference to the contents of the paper itself it will be seen that the memorial relates entirely to the subject-matter of these claims. The Choctaw Nation in this memorial requests Congress to make an appropriation for the payment of the sum of money found due under this award.

It seems, therefore, to the present occupant of the chair that on both grounds the Committee on Indian Affairs had jurisdiction of the claim. It also appears from various other papers cited that the Committee on Appropriations might have taken jurisdiction of this claim by the reference to it of the item in the Book of Estimates, or by reference to it also of those papers accompanying the case; and if the present occupant of the chair had been presiding in the House at the time, and the question had been raised as to the power of the Committee on Appropriations in the premises, or the committee had shown its right, by the papers cited, to take cognizance of it, the Chair would have held that it could take, and properly take, jurisdiction of the case. But as the Committee on Indian Affairs has reported this proposition, and it comes within the name and general scope of the powers of the committee, and as it has been placed in a bill the very title of which is in part "for the purpose of fulfilling treaty stipulations with the various Indian tribes," the Chair is of opinion that it is properly in the bill, and that the committee had rightful jurisdiction of the subject.

One word further and the Chair will submit the question. The Chair desires to state that he would be glad to be relieved of the responsi-

bility of deciding this question, and to have the judgment of the House upon it. It is a very important question, and the present occupant of the chair has no pride of opinion whatever upon the subject, but would greatly prefer that an appeal should be taken to have the matter decided by the House.

Mr. BLOUNT. I wish simply to ask for information, if the Chair will permit me——

The CHAIRMAN. Certainly.

Mr. BLOUNT. I understand the Chair to hold that under the present rule when a petition is referred through the box to a committee it gives the committee jurisdiction of the subject-matter of the petition?

The CHAIRMAN. Not necessarily. The attention of the Chair was called to clause 2 of Rule XXII, which is as follows:

Any petition or memorial or private bill excluded under this rule shall be returned to the member from whom it was received; and petitions and private bills which have been inappropriately referred may, by direction of the committee having possession of the same, be properly referred in the manner originally presented; and an erroneous reference of a petition or private bill under this clause shall not confer jurisdiction upon the committee to consider or report the same.

The Chair is of opinion that this was not an erroneous reference, but a proper reference. If it had been an erroneous reference it would have been the duty of the Committee on Indian Affairs to report it back and cause a proper reference to be made. But in the first instance the Chair held that the memorial was properly sent to the Committee on Indian Affairs.

Mr. PEEL. I ask unanimous consent to correct the footings of the bill.

Mr. BAYNE. Those are not a part of the bill. I desire to offer an additional section.

Mr. OATES. I desire to offer an amendment to the pending section.

Mr. HOOKER. So do I.

Mr. OATES. I yield to the gentleman from Mississippi.

Mr. HOOKER. I will state that this amendment is offered with the assent of the chairman of the committee.

Mr. NELSON. I desire to call the attention of the gentleman to the fact that the number of the section has been changed; it is now No. 9.

The amendment offered by Mr. HOOKER was read, as follows:

Add the following proviso to section 9:

"*And provided further*, That one-fourth of the amount hereby appropriated shall be retained in the Treasury until the amount due to the Choctaws in the State of Mississippi shall be fully satisfied and paid as provided in the treaty concluded with the Choctaws and Chickasaws on the 22d of June, 1855, and the amount due said Mississippi Choctaws shall be paid to them, or to their agents or attorneys authorized to receive the same.

"*And provided further*, That the Secretary of the Interior be, and he is hereby, authorized to ascertain the names and numbers of the Choctaws in Mississippi and their heirs who are entitled pro rata to a part of this judgment; and the expenses of making this enumeration and report to the Secretary of the Interior shall be paid out of the judgment rendered in favor of the Choctaw Nation against the United States."

Mr. PEEL. That amendment is perfectly proper. It has been agreed upon in consultation with the delegation from the Choctaw Nation, and is assented to by them.

Mr. HOOKER. By the terms of the treaty the Choctaw Nation is bound to pay the Choctaws in Mississippi. This amendment simply provides that one-fourth of the amount shall be retained in order to make that payment.

The question being taken on agreeing to Mr. HOOKER'S amendment, the Chairman stated that the "noes" seemed to have it.

Mr. HOOKER. I think if it were generally understood that the chairman of the committee makes no opposition to this amendment there would be no objection to it.

Mr. CANNON. Why not let the Secretary of the Treasury or the proper officers of the Government pay this money to those to whom it properly belongs?

Mr. HOOKER. It would go to the authorities of the Choctaw Nation. You will observe by this petition which the Choctaw Nation filed they themselves admit that they have agreed to pay a large proportion of the money out of the proceeds of this judgment to the Choctaws in Mississippi, who number two or three thousand. The object is to provide that a certain portion of this money shall be retained until the Choctaw Nation, which is entitled to the whole, shall pay the proper proportion to the Choctaws in Mississippi.

Mr. CANNON. But without full information we are asked to say in a few minutes' time what shall be done with this money. The Choctaw Nation has certain rights. They were plaintiffs in the action. Judgment was rendered. And if there is a conflict about to whom this money should go, it ought to be determined by proper authorities after full investigation. I have not the proper knowledge, for one, to enable me to say the Choctaws of Mississippi or anywhere else are entitled to this as against the Choctaws of the Indian Territory. For anything we know we may, by agreeing to this amendment, be giving a gratuity to these people, and Congress may hereafter be called upon to pay the full judgment to the parties in whose favor it was rendered. If these parties have legal rights let them be established, and let them receive what is due them under the law from the proper authorities.

Mr. HOOKER. In answer to what has fallen from the gentleman from Illinois, I will say there is no contest between these Choctaws and the Choctaw Nation, as a nation, in whose behalf this judgment is rendered by the Court of Claims. There is no doubt a certain amount is due to the Choctaws of Mississippi; and, as I have stated in this very petition, they mention that fact. What this amendment proposes is to reserve such portions of the judgment as shall satisfy that claim to be turned over to the Treasury, and that it shall remain there until the Choctaw Nation shall have paid the proportion due to the Choctaws in Mississippi.

Mr. CANNON. Did the Choctaws in Mississippi have any legal standing in court? Were they parties to the suit?

Mr. HOOKER. They had not. But this is done with the consent of the representatives of the Choctaw Nation. There will be no portion paid to the Choctaws of Mississippi if it is not shown under the terms of the treaty of 1830 that they are entitled to a part of it.

Mr. BAYNE. I ask the gentleman from Mississippi if he ever knew of an interpleader having been filed for a portion of a fund after a final judgment had been rendered?

Mr. HOOKER. I see no reason why, when you are appropriating money to pay this judgment, you should not provide for paying a portion of it to the parties who are entitled to it. The representatives of the Choctaw Nation asked you to make this provision, conceding that a certain amount is due to the Choctaws in Mississippi; and in order to accomplish that object it is proposed that one-fourth of the amount shall remain in the Treasury until that is paid.

Mr. ROGERS. I would like to have the attention of my friend from Mississippi [Mr. HOOKER] for a moment, and the attention of the House. The first proviso in this amendment I see no objection to, but the second one proceeds, I think, upon the wrong principle. By turning to the memorial of the Choctaw Nation it will be found that the ascertained amount of the claims due the Choctaws aggregates a sum in excess of this judgment, and at last there can only be a pro rata distribution of this fund among the different Choctaws in the Choctaw Nation and in the State of Mississippi. Now, as a safeguard designed to make the Mississippi Choctaws feel easy and quiet about the matter, there is no sort of objection to allowing one-fourth of this sum to remain in the Treasury until the Choctaw Nation, in pursuance of the terms of the treaty, shall have ascertained all these claims, so that the money may be distributed pro rata among the different claimants under the act. But the second proviso is that—

The Secretary of the Interior be, and he is hereby, authorized to ascertain the names and the number of the Choctaws in Mississippi and their heirs who are entitled to their pro rata part of the judgment, and the expense of making the enumeration and reporting to the Secretary of the Interior shall be paid out of the judgment rendered in favor of the Choctaw Nation.

Now, suppose this is not sufficient to pay the Choctaws in Mississippi and in the Indian nation all their claims?

Mr. HOOKER. The expression "pro rata" is used—"who are entitled to their pro rata part of the judgment."

Mr. ROGERS. The gentleman is correct. I see I am wrong about that. But this additional point remains: By the terms of the treaty the distribution of this money is left to the Choctaw Nation to settle it in their own way; but by this amendment you propose, instead, that the money shall be turned over to the Secretary of the Interior, there to remain, God only knows how long, if we are to wait until we get the decision of the Choctaw Nation as to all these claims.

Mr. HOOKER. Well, come to something practical. What do you want struck out?

Mr. ROGERS. Simply the second proviso. The other is all right.

Mr. HOOKER. You admit that the second proviso is right down to where it speaks of their pro rata share?

Mr. ROGERS. No, I do not admit that. I do not think that the Secretary of the Interior should be called upon to do this work. He has no machinery for ascertaining the names and numbers of these people, or anything of that sort.

Mr. HOOKER. It would be very easy to appoint an agent for that purpose.

Mr. ROGERS. But that has got to be paid for out of the money of these people. Now, why not let them control their own matters in their own way, and not require the Secretary of the Interior to incur additional expense? If you carry out this proposition, you will have the Choctaw commission or court undertaking to settle these claims down in the Indian country, while the Secretary of the Interior will be trying to settle them in Mississippi; you will have two courts undertaking to do the same work at the same time.

Mr. HOOKER. You make no objection to the first proviso, which proposes to retain one-quarter of the amount?

Mr. ROGERS. There is no objection to that.

Mr. HOOKER. Very well; let the other be struck out.

Mr. ROGERS. Then, Mr. Chairman, I move to strike out the second proviso, leaving the first to stand.

The CHAIRMAN. The gentleman from Mississippi [Mr. HOOKER] can modify his amendment in any way he pleases.

Mr. HOOKER. I accept the suggestion of the gentleman from Arkansas [Mr. ROGERS], to strike out the second proviso, leaving the first to stand.

The CHAIRMAN. The amendment will be read as it is proposed to be modified.

The Clerk read as follows:

Provided further, That one-fourth of the amount hereby appropriated shall be retained in the Treasury until the amount due to the Choctaws in the State of Mississippi shall be fully satisfied and paid, as provided in the treaty concluded with the Choctaws and Chickasaws on the 22d of June, 1855, and the amount due said Mississippi Choctaws shall be paid to them or to their agents or attorneys authorized to receive the same.

Mr. BUCHANAN. Mr. Chairman, I see two objections to that amendment. The first is that it proposes to disturb the purpose of this judgment as provided by the bill, and the second is that this payment is provided to be made to these Indians or "their agents or attorneys." A week or two ago a great howl went up from this Hall against attorneys receiving any portion of any money paid out from the United States Treasury, and allegations were made, extravagant in a great many instances and untrue in others, as to the amount thus to be paid. A week or two ago a committee with which I am connected had a bill here for the repayment to workingmen in this country of a certain amount of money which they claim belongs to them under the eight-hour law, and in that case the objection was made that the money should not be paid to the attorneys of those workingmen.

Now, sir, I fail to see wherein a Mississippi Choctaw is any better than a sovereign State of this Union, or than a workingman of this country. [Laughter.] And I fail to see wherein an attorney or agent living in the State of Mississippi is any more entitled to share in this money than any other agent is entitled to share in any other money paid out of the Treasury. I object to the amendment for that reason also.

Mr. HOOKER. Mr. Chairman, I am perfectly willing to change the phraseology to which the gentleman objects. I do not know a single one of the attorneys of these Indians. The Indians are few in number and scattered over the State. They have never been congregated together; they have no agent; they have nobody to take their enumeration.

Mr. BUCHANAN. Neither did we know of any attorneys for the workingmen; but they were conjured up by the vivid imaginations of members upon this floor. My further objection to this amendment is that it provides only for the payment to the Choctaws in Mississippi.

Now, I am informed that there are Choctaws in other States as well as in Mississippi, and unless there is to be a fair divide all round, let us follow up the judgment of the court and pay those who were parties in the court.

Mr. HOOKER. The judgment of the court is in favor of the Choctaw Nation. A portion of the Choctaw Nation was left in Mississippi when the tribe moved West. These Choctaws of Mississippi are interested in that judgment, and the object of the proviso is simply to secure to them the pro rata portion to which they are entitled. It may be much or it may be little. These Choctaws of Mississippi are few in number in comparison with the great aggregate of the nation on the other side of the Mississippi.

Mr. BAYNE. Mr. Chairman, this seems to me an extraordinary proceeding. A judgment has been obtained, and the parties who obtained that judgment are entitled to this money. If Congress makes an appropriation the duty devolves upon the Treasury Department to pay the money to the proper parties, the plaintiffs in this judgment. The judgment has been obtained; and because judgment was obtained this appropriation is to be made. But now by a proviso to the appropriation it is proposed to divert a part of the judgment away from the plaintiffs probably——

Mr. HOOKER. Oh, no.

Mr. BAYNE. Well, we can not tell. If these parties are the plaintiffs in the case, they will get the money; if not, they should not have it. The record must be kept straight and clear, and it will not be kept straight and clear unless this money is paid to the plaintiffs. If there is any difficulty in the way, the auditing officers of the Treasury Department can attend to this whole matter; that is a part of their official duty. They will see that this money goes to the proper plaintiffs, and that is what we want done.

Mr. RYAN. If a part of this money should be paid to somebody else would not the Government be still liable to the Choctaws for the balance?

Mr. BAYNE. Certainly. If we pay a portion of this money to the Choctaws of Mississippi, or any other particular State, we may make a misappropriation; for technically they may not be entitled to it, and thus we may be obliged to reappropriate in order to meet the judgment of the legitimate plaintiffs. This mode of proceeding is not the way to do business; it is irregular all the way through.

Mr. FARQUHAR. I rise to a parliamentary question. Although now too late in point of time, would not a point of order have been good against this proposition of the gentleman from Mississippi upon the ground that it is new legislation?

The CHAIRMAN. The point of order not having been made in proper time, the Chair will not entertain it now. [Cries of "Vote!" "Vote!"]

Mr. HOOKER. I wish to say, in answer to the gentleman from New Jersey [Mr. BUCHANAN], that the section making provision for this payment to the Choctaw Nation would be subject to the same objection which he makes to my proviso. I read from the section:

And said sum, together with the interest thereon, shall be paid from time to time, and in such sums as requisition therefor shall be made, to the national treasurer of the Choctaw Nation, or to such agent, or other person, as shall be named in the requisition or requisitions therefor.

I repeat that the objection of the gentleman from New Jersey would be just as tenable to the whole section as to my amendment. This money is to be paid on regular requisition of the duly authorized agent of the Choctaw Nation.

Mr. RYAN. But the Choctaw Nation itself is the plaintiff.

Mr. HOOKER. I know it. But it is simply proposed that, inasmuch as the Choctaws of Mississippi are a part of the Choctaw Nation, provision be made that they receive their pro rata share. This proviso is offered now without objection on the part of the committee or on the part of the Choctaws. They have themselves provided that this fund be retained in the Treasury, and only be paid out as they order. They agree that it be dedicated in the first place to the payment of all individual debts which they owe. I can not see any reason why the proviso should not be adopted.

Mr. BLOUNT. I understand my friend from Mississippi to say that the money to pay this judgment goes into the Treasury, and is paid out under orders of the Choctaw Nation. I wish to know whether, under this provision, the Secretary of the Interior will exercise the power usually exercised by him in the adjustment of claims against Indian funds, especially for attorneys' fees.

Mr. HOOKER. I do not know anything about the attorneys or the amount of their fees.

Mr. BLOUNT. I am not raising any question as to the amount at all.

Mr. PEEL. I think I can answer the question of the gentleman from Georgia. The money is to be paid out of the Treasury by order of the Choctaw Nation.

Mr. BLOUNT. My friend from Arkansas says that the money may be taken out of the Treasury by order of the Choctaw Nation. If that be true, all supervisory power by the Secretary of the Interior is negatived. This is contrary to the policy which has heretofore obtained in reference to such matters. It has been the custom to endow the Secretary of the Interior with authority to guard against the payment of Indian funds upon improper contracts. I trust that my friend from Mississippi will see fit to modify his proposition so as to subject the payment of this fund to the usual rules providing for supervision by the Department.

The CHAIRMAN. The question is upon the amendment of the gentleman from Mississippi [Mr. HOOKER].

Mr. HOOKER's amendment was disagreed to.

Mr. RANDALL. I desire to have a vote on section 9 of the bill, covering a payment of this Choctaw claim.

The CHAIRMAN. That can only be done by moving to strike out the section. Does the gentleman make that motion?

Mr. RANDALL. I do.

Mr. OATES. I move an amendment to the section.

The CHAIRMAN. That will take precedence of the motion to strike out, and the gentleman will send his amendment up to the Clerk's desk.

Mr. OATES. I offer the following amendment.

The Clerk read as follows:

Provided, That the money so appropriated shall be paid out upon the requisition of the Secretary of the Interior, who shall first ascertain what sums, if any, are due from said Choctaw Nation for services of its attorneys and agents engaged in the prosecution of said claim, and for that purpose the said Secretary shall hear, determine, award, and pay the sum out of said money so appropriated: *Provided also*, That in making such awards said Secretary shall consider the actual services rendered and expenses actually and necessarily incurred in and about the prosecution of said claim at any period or phase of its prosecution and the value of such services, and he shall also consider any and all contracts or agreements made in relation to such services by said Choctaw Nation or under its authority. But no award shall be made except for services actually rendered and expenses incurred by authority of said Choctaw Nation or its delegate or delegates duly authorized.

Mr. PEEL. I make the point of order against that amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. PEEL. I make the point of order that this is an attempt to legislate in regard to parties who are not parties to the suit which was decided by the Supreme Court. It is an attempt to allow those parties to litigate their claims for alleged services. We do not know who these parties are. We do not know just exactly what claims they propose to make. The section appropriates a sum sufficient to carry out the judgment of the Supreme Court. That is all we have to consider in this matter, and I make the point of order that these private claims are not in order as an amendment to this bill.

I desire to say further, Mr. Chairman, that this matter has been in litigation for a long time. Most of the contracts to which reference has been made were with Colonel Pitchlyn, who has been dead for many years. I make the point against this amendment, and believe it should not be allowed to be submitted on this bill.

Mr. LONG. I make the point of order against the amendment, Mr. Chairman, that it is not germane to the bill and ought to be ruled out.

The CHAIRMAN. Does the gentleman from Alabama [Mr. OATES] desire to be heard on his point of order?

Mr. OATES. I do.

Mr. PEEL. I have a letter from the Choctaw delegates in this city in reference to this matter, which I ask the Clerk to read.

The Clerk read as follows:

No. 516 THIRTEENTH STREET, NORTHWEST,
Washington, D. C., March 20, 1888.

DEAR SIR: Since you reported in the Indian appropriation bill a provision for the payment of the Choctaw judgment we have been threatened with the defeat of that provision unless we agree to pay exorbitant demands for services, or pretended services, to the Choctaws which were never rendered by the persons making such threats.

Similar threats were made immediately after the rendition of the judgment in November, 1886. The Senate Committee on Indian Affairs of the Forty-ninth Congress investigated such claims last winter, and the result of that investigation was that the Senate put into the deficiency bill which failed to pass at the last session of Congress a provision requiring the money due on said judgment to be paid directly to the treasury of the Choctaw Nation. Since that time the general council of the Choctaw Nation has requested that the money be held in the Treasury subject to its requisition, in accordance with the treaty of 1855.

For many years past the Choctaws have had in this matter the services of able and distinguished attorneys, whose services they recognize as valuable, and for which they propose to pay a just and reasonable compensation.

We take the liberty of writing you on this subject, in order that you may be apprised of the source and motive which may inspire any attacks that may be made on the above provision of the Indian appropriation bill.

We have the honor to be, respectfully,

C. LEFLORE,
E. McCURTAIN,
Choctaw Delegates.

Hon. S. W. PEEL,
House of Representatives, United States Capitol.

Mr. PEEL. I do not want to be put in the attitude, Mr. Chairman, of making any reflection against the gentleman from Alabama [Mr. OATES], who submitted the amendment. I have no doubt his purpose in offering the amendment was perfectly lawful and proper. I wish to say further that I do not know a single attorney in this case. I knew nothing of this matter until recently. I do think the judgment ought to be paid to the Choctaw Nation as the treaty requires it should be. If they do not pay a cent to a single lawyer it is none of our business.

Mr. BLOUNT. I wish to ask the gentleman from Arkansas a question just here for information. With many of the tribes I know the Interior Department has exercised a revisory power, but I have understood that this did not apply to the Choctaws and Cherokees with reference to contracts.

Mr. PEEL. I will yield to my colleague to answer the question.

Mr. ROGERS. I think possibly I may be able to answer the question better than my colleague, for the reason that I have given to this matter some careful investigation.

By the act of 1871 it will be found, if the gentleman examines it, that supervisory control is given to the Secretary of the Interior over contracts subsequently made either by an individual Indian or by an Indian tribe with reference to the prosecution of claims or suits here before Congress. This contract of the attorneys made by the delegates in pursuance of acts of the legislative council of the Choctaw Indians being prior to 1871 is not covered by it, and the statute does not apply.

But there is, however, a matter applying to it, which will be found in volume 18 of the Statutes at Large——

Mr. BLOUNT. Before the gentleman passes away from this provision I wish to ask him a question. Does he refer now to the act of 1872?

Mr. ROGERS. No; to the act of 1871.

Mr. BLOUNT. And prior to that act there was no supervision?

Mr. ROGERS. So far as I know all of the attorneys, indeed, I think I may speak authoritatively when I say all of the attorneys in this case, were employed prior to the date of that act, and hence it does not apply to them.

Mr. BLOUNT. Do I understand the gentleman to say that prior to that act these Indians were allowed to make contracts as they pleased?

Mr. ROGERS. Oh, yes; without any limitation, as far as I have been able to discover. I know of none, and have been able to find none, after a careful examination of the matter, and particularly did this apply to the five tribes.

Now I wish to call the attention of the gentleman and of the committee to the action taken on this subject in the Forty-third Congress, in which a provision was made and placed upon an Indian appropriation bill, requiring the money which was appropriated for educational purposes to be kept in the Treasury for the benefit of certain of these Indians in St. Louis. That act provided:

And the United States assistant treasurer at St. Louis, Mo., be, and he is hereby, authorized to open and keep accounts with the duly constituted authorities of the Cherokee, Creek, Choctaw, and Chickasaw Nations of Indians, the same as with the Government agents and disbursing officers.

This was done to allow the people to avoid being fleeced by such claims. I say that was the object. I do not know it to be so, but that is the inference.

Now, in the Senate last year, while the Indian appropriation bill was under consideration, the subcommittee, consisting of Mr. DAWES, Mr. INGALLS, and Mr. JONES of Arkansas, made a complete and thorough investigation into this whole subject; and notice was given to everybody of this class who had or claimed to have demands of this character upon the Cherokee funds, to come forward and present them. I have now on my desk a pamphlet containing the testimony, and a thorough examination of it, and after all were heard, they incorporated a provision in the appropriation bill in the following terms:

For the payment to the Choctaw Nation, $2,858,798.62, the same being the amount of the judgment in favor of the said Choctaw Nation, rendered on appeal by the Supreme Court of the United States at the October term of said court in the year 1886; and that said sum shall be paid over directly to the treasurer of the Choctaw Nation.

Now, I am authoritatively informed that those members of the bar who presented the claim of the Choctaws in this case were men of reputation, legitimate attorneys, long connected with the case, and every single, solitary one of them consents to deal now as they did in the beginning, with the Choctaw people themselves.

There is no disposition at all to make any other claim. Their names are Shellabarger & Wilson, no doubt well known to the most of the members on the floor; McKee & Luce, Denver & Pike; Judge Cuppy, no doubt some of you gentlemen know him well, I only know him by reputation; Mr. Weed, whom I do not know either; the heirs of Peter Pytchlyn, and the Choctaw delegates, and Matt Carpenter. These names, it will be seen, Mr. Chairman, are, with one or two exceptions, mostly men of prominence and national reputation in their professions; and these are the men who contracted with the Choctaw Nation, when they had the right to contract, before 1871, to carry on their claim against the Government, and the Choctaw people, trusting to their integrity in the settlement of their claims with them.

The Choctaws committed their case entirely to their hands, and this provision was put upon the Indian appropriation bill by the Senate last year, after a thorough, full, and complete investigation of the entire case, the Choctaw council in their memorial, and I think wisely, acting upon the advice of Messrs. Shellabarger & Wilson, saw fit to ask Congress not to put the money in St. Louis, because they did not want to have people who might possibly allege claims against the fund to follow it there and to get them into litigation and have their money tied up; but they came and asked Congress to put the money directly into the Treasury of the United States, and hold it there in trust for them, subject to their order. I have in my hand the petition which they have made in respect to this fund, and I ask gentlemen to notice the action of the council of the Choctaw Nation in this regard. This is their enactment:

Be it further enacted——

Mr. WILSON, of Minnesota. What section are you reading?

Mr. ROGERS. This is the act of the Choctaw Council in which it requested the United States to appropriate the full amount of the judgment in this case, to be paid over on requisition of the Council of the nation.

Second. *Be it further enacted*, That the Congress of the United States is hereby requested to appropriate the full amount of the said judgment, and interest thereon from the date of the rendition thereof, as and for a permanent and continuing appropriation, not subject to lapse or to be covered into the Treasury of the United States; the same to be paid over, from time to time, and in such sums and at such places as may be required, directly to the national treasurer of the Choctaw Nation, or to such agent or other person as shall be named in the requisition of the proper authorities of the Choctaw Nation; and the proper authorities of the Choctaw Nation, for the purpose of making such requisition or requisitions, is hereby declared to be the General Council of the Choctaw Nation, or such officer or other person as shall be designated and authorized by an act or resolution of the said General Council for that purpose; and such requisition or requisitions, when made, shall be taken and accepted as, and is, and are, hereby declared to be, the requisition of the proper authorities of the tribe, provided for by Article XII of the treaty of 1855.

Now, there are reasons for paying this to other persons than the Council or treasurer. The Choctaw Nation have to settle with all these people in Mississippi. They can come here by an authorized agent, who can by a Treasury draft or otherwise transmit these funds to them. Then the Choctaw treasurer only gives a bond of $20,000, and under those circumstances it would not be right to place this large sum, amounting to over $2,000,000, in the hands of the treasurer. So they say the Choctaw Council must draw the money itself through some person they have authorized by act of Council.

Now, after these persons have had adjudicated the amount under the treaty which provided it should be paid to them, I say we should pay it to them, and not let it be, as a gentleman said in language more expressive than elegant, a "licklog" for those who may choose to fleece these people.

Mr. OATES. I think I may as well claim judgment by waiver on the two gentlemen from Arkansas. The chairman of the committee made the point of order and proceeded to argue the amendment on its merits. His colleague followed suit. I think there should be some such thing as a waiver of a point of order when gentlemen proceed to discuss the amendment on its merits. If the amendment is to be disposed of on the point of order, it is not necessary to go into the merits.

With reference to the point of order, I think it is not well taken, because the amendment relates only to the distribution of an appropriation which the bill has made. Therefore it is certainly relevant to it

and in order; and if it is in order, the amendment offered by my friend from Mississippi [Mr. HOOKER] was in order.

I will not proceed to argue the merits till the Chair decides the point of order.

The CHAIRMAN. The Chair is ready to decide. If the amendment simply directed the manner in which the appropriation should be paid, and to whom, that would be a limitation which would be in order under the rule. But it includes a new tribunal to whom shall be referred the claims of some persons not named; and the Secretary of the Interior is authorized to hear, determine, award, and pay the sums found due to such persons. It seems to the Chair that this is new legislation, and that the amendment is not in order.

Mr. RANDALL. I move to strike out section 9.

The question being taken on the motion to strike out, the Chairman stated that the "noes" seemed to have it.

Mr. RANDALL. I call for a division.

The committee divided; and there were—ayes 17, noes 75.

Mr. RANDALL. That is not a quorum, and this is a large sum of money. I do not wish to retard this bill. If the gentleman from Arkansas will allow a vote on the same proposition in the House by a yea-and-nay vote, I will not insist on the point of no quorum.

Mr. PERKINS. I understand the gentleman from Pennsylvania [Mr. BAYNE] has an amendment which he desires to offer.

Mr. REED. I think we had better rise.

Mr. PEEL. I have no objection to the proposition of the gentleman from Pennsylvania [Mr. RANDALL].

The CHAIRMAN. It is competent for the gentleman from Arkansas, the chairman of the Committee on Indian Affairs, when the bill is in the House, to yield to the gentleman from Pennsylvania or any other gentleman to move an amendment.

Mr. PEEL. I understand the proposition is, that a vote is to be taken in the House on a motion to strike out the section.

The CHAIRMAN. And the Chair understands the gentleman from Arkansas will yield for that amendment to be offered.

Mr. RANDALL. And to be voted upon by a yea-and-nay vote.

Mr. RYAN. You will be entitled to it, if the House lets you have it.

The CHAIRMAN. If one-fifth of those present order the yeas and nays. The point of no quorum having been withdrawn, the noes have it, and the motion to strike out is disagreed to.

Mr. BAYNE. I offer the following amendment as a new section.

The Clerk read as follows:

SEC. 10. That day or industrial schools sustained wholly or in part by appropriations contained in this act, and at which schools church organizations are assisting in the educational work, the Christian Bible may be taught in the native language of the Indians if, in the judgment of the persons in charge of the schools, it shall be deemed conducive to the moral welfare and instruction of the pupils in such schools.

Mr. PEEL. I make the point of order.

The CHAIRMAN. What is the point of order?

Mr. PEEL. That it is new legislation.

The CHAIRMAN. The Chair is ready to decide. Does the gentleman from Pennsylvania [Mr. BAYNE] desire to be heard on the point of order?

Mr. BAYNE. I do for a moment. I can not see that this is new legislation in any sense of the word. It is simply a limitation on the appropriation. It vests discretion in the persons in charge of the schools to permit the Bible to be taught in the native language of the Indians, if in the judgment of those persons it shall be considered conducive to the moral welfare and instruction of the Indians.

It is not new legislation in any sense. It does not change existing law in any sense. It simply gives permission to those in charge to have this thing done if in their judgment it is advantageous to have it done.

The CHAIRMAN. The Chair is of the opinion that it is competent for the House to determine in this bill what branches of instruction shall be taught in the school the support of which is provided. The bill provides for teaching agriculture, and might provide that those in charge may teach the Bible. The Chair overrules the point of order. The question is on the amendment.

Mr. BAYNE. I want to say only a word. I do not wish to take up the time of the committee.

Mr. ROGERS. Mr. Chairman, I ask that the amendment be read.

The amendment was again read.

Mr. FARQUHAR. Mr. Chairman, I wish to ask the gentleman from Pennsylvania which edition of the Bible is meant, whether the King James version or the Douay version?

Mr. ALLEN, of Michigan. The Christian Bible.

Mr. FARQUHAR. Mr. Chairman, this House and the Christian people of the country will get into trouble about this matter unless it is clearly defined whether we mean the version of the Roman Catholics, who have many schools and missionaries among the Indians, or the King James version.

Mr. ALLEN, of Michigan. There will be no trouble about that. The Catholics in their schools will read their Bible, because they believe it to be the Christian Bible. That is all right. The Protestants read the version that we use, because they believe it to be the Christian Bible. That is all right. The word "Christian" is comprehensive. To the Catholic the Christian Bible is his Bible. To the Protestant the Christian Bible is the Protestant Bible. What we want permitted is the reading of the Bible by the Indians in their vernacular, which has been forbidden by the Government of the United States.

A MEMBER. Not by the Government.

Mr. ALLEN, of Michigan. Well, by one of its officers.

Mr. DORSEY. By the Commissioner of Indian Affairs.

Mr. ALLEN, of Michigan. We simply want to let the Indian hear the Bible read, or read it if he can, in a tongue that he can understand.

The amendment was agreed to.

Mr. PEEL. Mr. Chairman, I submit a statement of the amount appropriated in this bill compared with that of last year:

There was appropriated for the fiscal year ending June 30, 1888, $5,334,397.66, and there is appropriated for the fiscal year ending June 30, 1889, $5,489,253.74. This is exclusive of the amount required to pay the judgment of the Supreme Court of the United States in favor of the Choctaw Nation, amounting to $2,858,798.62.

On motion of Mr. PEEL, by unanimous consent, the Clerk was instructed to correct the footings of the bill in accordance with the action of the Committee of the Whole.

Mr. PEEL. I move that the committee now rise and report the bill to the House.

The motion was agreed to.

The committee accordingly rose; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. SPRINGER, from the Committee of the Whole House on the state of the Union, reported that they had had under consideration the Indian appropriation bill, and had instructed him to report it back with sundry amendments.

The SPEAKER *pro tempore*. Is a separate vote desired upon any of the amendments?

Mr. RANDALL. I want to make a motion to strike out the ninth section.

The SPEAKER *pro tempore*. If there be no objection, the Chair will submit the question upon agreeing to all the amendments agreed to in Committee of the Whole.

There was no objection.

The amendments were agreed to.

Mr. RANDALL. I now move to strike out the last section of the bill.

Mr. PEEL. A great many members were not present, and they will not understand what the motion proposes to strike out.

Mr. RANDALL. I do not want to go on to-night. I only want to have the motion pending.

Mr. SPRINGER. I suggest that the gentleman can test the sense of the House on a motion to recommit with instructions to strike out this section. That motion can be made after the previous question is ordered on the passage of the bill, and if the previous question is ordered on the passage, it will be the first thing in order in the morning.

Mr. RANDALL. Either way is satisfactory to me.

Mr. RYAN. I prefer the course suggested in Committee of the Whole, that the gentleman in charge of the bill now call the previous question on the bill.

The SPEAKER *pro tempore* (interposing). The Chair will suggest that the purpose in view can be accomplished by the gentleman from Pennsylvania [Mr. RANDALL] submitting his motion to strike out, and then the gentleman from Arkansas [Mr. PEEL] demanding the previous question upon the amendments and upon the bill.

Mr. RANDALL. That is the suggestion I made a few moments ago.

Mr. DUNN. I rise to a parliamentary inquiry. If the previous question is now ordered on the pending amendment and the bill, will there be any opportunity for debate in the House before the vote is taken?

The SPEAKER *pro tempore*. If the previous question is ordered there will be no debate.

Mr. DUNN. As I understand, the chairman of the committee desires that there shall be a reservation of twenty or thirty minutes for debate, so that the proposition to strike out this provision may be explained to the House and the objections to it.

Mr. HOLMAN. It is well understood.

Mr. RANDALL. Everybody understands that to strike out means not to pay that judgment to the Choctaw Nation.

Mr. DUNN. I ask unanimous consent that fifteen minutes be allowed for debate in the House upon the amendment proposed by the gentleman from Pennsylvania [Mr. RANDALL].

There was no objection, and it was so ordered.

Mr. RANDALL. My object is to let those gentlemen who do understand the question and who are opposed to the payment have an opportunity to record themselves.

The SPEAKER *pro tempore*. The Clerk will report the amendment of the gentleman from Pennsylvania [Mr. RANDALL].

The CLERK. The amendment is to strike out section 9 of the bill.

The SPEAKER *pro tempore*. The gentleman from Arkansas [Mr. PEEL] demands the previous question upon the amendment and upon the bill.

Mr. ROGERS. I rise to a parliamentary inquiry. If the previous question is ordered and the House adjourns, would that bring this up the first thing to-morrow?

Mr. CANNON. Not unless it is ordered on the passage of the bill.

The SPEAKER *pro tempore*. The Chair so understands, if the previous question is ordered on the passage of the bill.

By unanimous consent the previous question was ordered upon the engrossment and third reading and upon the passage of the bill.

OMAHA INDIANS IN NEBRASKA.

Mr. DORSEY. I ask unanimous consent that the House take up and put on its passage the bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend time of payment to purchasers of land of said Indians, and for other purposes.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. HOLMAN. Let the bill be read.

The Clerk proceeded to read the bill.

Mr. BLOUNT (interrupting the reading). Mr. Speaker, this is too important a bill to be passed in this way.

Mr. DORSEY. If the gentleman will withhold his objection a moment until the bill is read, I can explain the measure to the satisfaction of the House.

Mr. BLOUNT. I think the bill is of too much importance to be passed under the present circumstances.

The SPEAKER *pro tempore*. Objection being made, the bill is not before the House.

Mr. OATES. I move that the House adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 5 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ADAMS: A bill (H. R. 9559) for the relief of William Coakley—to the Committee on Military Affairs.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 9560) to grant a pension to James Paton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9561) for the benefit of Wikliffe Cooper—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 9562) for the relief of Madison Trent—to the Committee on Military Affairs.

By Mr. COCKRAN: A bill (H. R. 9563) for the relief of Charles Healy—to the Committee on Invalid Pensions.

By Mr. GLOVER: A bill (H. R. 9564) for the relief of Rodney D. Wells—to the Committee on Claims.

By Mr. GOFF: A bill (H. R. 9565) increasing the pension of Thomas A. Maulsby—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 9566) for the relief of Ludwig Kritzmeier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9567) granting a pension to Christina Lessitt—to the Committee on Invalid Pensions.

By Mr. S. T. HOPKINS: A bill (H. R. 9568) granting a pension to Edward F. Dewey—to the Committee on Military Affairs.

By Mr. LEE (by request): A bill (H. R. 9569) for the relief of Alexandria County, Virginia—to the Committee on the Judiciary.

By Mr. LONG: A bill (H. R. 9570) for the relief of Mrs. Laura A. Turner—to the Committee on Invalid Pensions.

By Mr. MERRIMAN: A bill (H. R. 9571) for the relief of William Henry Brown—to the Committee on Claims.

By Mr. STEPHENSON: A bill (H. R. 9572) for the relief of Huff Jones—to the Committee on Claims.

By Mr. O. B. THOMAS: A bill (H. R. 9573) for the relief of Jacob Shoemaker—to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 9574) to remove the charge of desertion from O. H. Gifford—to the Committee on Military Affairs.

By Mr. ADAMS: A bill (H. R. 9575) granting arrears of pension to Margaret J. Quirk, widow of Daniel Quirk—to the Committee on Invalid Pensions.

By Mr. BLISS: A bill (H. R. 9576) granting a pension to Elizabeth McEntee—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 9577) for the relief of J. H. Stovall and William Hughes—to the Committee on War Claims.

Also, a bill (H. R. 9578) for the relief of George W. Saunders—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 9579) for the relief of William R. Murphey—to the Committee on Military Affairs.

By Mr. BOUTELLE: A bill (H. R. 9580) granting a pension to Sarah Perham—to the Committee on Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. L. ANDERSON: Memorial of John W. O'Fewell and others, citizens of East Mississippi, relating to holding terms of the United States courts at Meridian, Miss.—to the Committee on the Judiciary.

By Mr. BANKHEAD: Petition of Isham Guttery, of Walker County, and of heirs of Charles P. Owen, sr., of Walker County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. BARNES: Petition of Mrs. A. A. Skrine, heir of Martha Price, of Burke County, Georgia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. BOUND: Memorial of the Pennsylvania Forestry Association, for the preservation of our forests, etc.—to the Committee on the Public Lands.

By Mr. BOWDEN: Petition of Mary Caroline Allan, widow of Patterson Allan, of Goochland County, Virginia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. C. P. BRECKINRIDGE: Petition of heirs of William Sanders, of Lonoke County, and of heir of Eleanor Maxwell, of Arkansas County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of G. W. Morris and other heirs, of Lonoke County, Arkansas, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. BUTLER: Petition of Aaron M. Spahr, of Sullivan County; of William T. Austin, of Hamblen County, and of James Davis, of Grainger County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. CLEMENTS: Petition of William Arnold, of Walker County and of W. H. Bankston, of Pike County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. DAVIS: Petition of George T. Wyer and 41 others, citizens of Wellfleet, Mass., for the protection of Wellfleet Harbor—to the Committee on Rivers and Harbors.

By Mr. ENLOE: Petition of citizens of Jackson, Tenn., against branding or taxing refined lard, etc.—to the Committee on Agriculture.

By Mr. ERMENTROUT: Petition of Daniel B. Boyer, of John H. Fink, of J. A. Hoak, of John Dry, of C. D. Kutz, of J. G. Zerr, of Henry Ahrens, of Ezekiel Jones, of representative of Reese Evans, of G. M. F. Rich, of Eshback, of N. Landis, of W. F. Girch, of J. S. Graeff, of Isaac Heydt, and of representatives of Edwin Loush, of Daniel Bilker, of D. W. Eirich, of P. S. Hill, and of Peter Harritz, late postmasters of Pennsylvania, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. FORNEY: Petition of Robert Blackburn, of Blount County, and of V. E. Foneville, of Calhoun County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. FRENCH: Petition of Charles Dunbar and others, citizens of New Haven, Conn., for the locating of a steam fog-horn on the west end of east breakwater off the harbor of New Haven, Conn.—to the Committee on Commerce.

By Mr. GAINES: Petition of S. A. Hinton and W. E. French and 9 others, physicians and druggists of Petersburgh, Va., for repeal of that portion of the internal-revenue law requiring a license of druggists—to the Committee on Ways and Means.

By Mr. GROUT: Memorial of Bentley & Gerwig, limited, against the removal of the duty on hemp and flax—to the Committee on Ways and Means.

By Mr. HATCH: Resolution of the National Grange for pure-food bill—to the Committee on Agriculture.

By Mr. HOLMAN: Petition of George A. Howard and 60 others, settlers on the indemnity lands of the Marquette, Houghton and Ontonagon Railroad grant in Michigan, asking Congress to forfeit said grant—to the Committee on the Public Lands.

By Mr. HOUK: Evidence of John C. Buckner, in support of House bill 7918—to the Committee on War Claims.

Also, petitions of John Price, of William Keys, of William Davis, of B. M. Atchley, of J. R. Henry, of Louisa M. Gay, of executor of John Gant, and of widow of Frederick May, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. JACKSON: Petition of 255 wool-growers and stock-breeders of Beaver County, Pennsylvania, asking that the schedule of duties on wool and woolens agreed upon by the wool-growers and woolen manufacturers at Washington be enacted into law—to the Committee on Ways and Means.

By Mr. McCOMAS: Petition of Dr. Daniel Keller, administrator, of Frederick County, Maryland, for relief—to the Committee on War Claims.

Also, petition of Joseph P. Baker, of Baltimore, Md., with claim—to the Committee on War Claims.

By Mr. MORROW: Petition of ex-Union prisoners of war for legislation providing pensions to ex-Union prisoners of war—to the Committee on Invalid Pensions.

Also, petition of Mrs. Selina J. Cross, of Raceland, La., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. O'DONNELL: Petition of 100 citizens of Sunfield, Eaton

County, Michigan, relating to legislation in the interests of agriculture—to the Committee on Agriculture.

By Mr. O'FERRALL: Petition of Mary Craig, widow of Frederick Craig, of Shenandoah County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: Petition of manufacturers of maccaroni and vermicelli for protection—to the Committee on Ways and Means.

By Mr. PLUMB: Resolutions of the La Salle County, Illinois, Grange, No. 61, Patrons of Husbandry, for the repeal of the tax on alcoholic liquors, etc.—to the Select Committee on the Alcoholic Liquor Traffic.

Also, resolutions of the same, for protection to silver by the purchase and coinage of the entire product of the mines and putting the same into circulation as money—to the Committee on Coinage, Weights, and Measures.

By Mr. RANDALL: Petition of William Delker to repeal that portion of the internal-revenue law which classes druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. RICE: Memorial of J. W. McClung, of St. Paul, Minn., for an appropriation of $20,000 to be awarded in prizes for the best essays on the subject of the origin of cyclones and means to avert them—to the Committee on Commerce.

By Mr. RICHARDSON: Petition of Henry G. Bowling, of Rutherford County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Mary A. Miller, widow of J. J. Miller, of Franklin County, Tennessee, for reference of her case to the Court of Claims—to the Committee on War Claims.

By Mr. ROWLAND: Petition of L. A. Leffler, of H. P. Helper, of D. A. Monroe, of J. M. Bivins, of U. C. Moffit, of representative of W. S. Smith, of representative of J. Fink, of J. A. Wallace, of A. Foil, of M. E. Patrick, and of representative of J. Campbell, late postmasters in North Carolina, for relief—to the Committee on Appropriations.

By Mr. SOWDEN: Petition of Simon Rau and others, citizens of the Tenth district of Pennsylvania, in favor of the repeal of special internal-revenue licenses for druggists—to the Committee on Ways and Means.

By Mr. STEPHENSON: Letter of Atley Petersen, railroad commissioner of Wisconsin, relative to House bill 8367—to the Committee on Commerce.

Also, memorial of the mayor and others of San Francisco, Cal., for a quarantine station at San Francisco—to the Committee on Commerce.

By Mr. STOCKDALE: Petition of Malinda Jones, widow of Isaac Jones, of Adams County, Mississippi, for payment of her war claims—to the Committee on War Claims.

By Mr. STRUBLE: Petition of J. P. Dee and 12 others, citizens of Plymouth County, Iowa, for relief of settlers on public lands which the Sioux City and Southern Pacific Railroad Company is now trying to remove them from—to the Committee on the Public Lands.

By Mr. J. D. TAYLOR: Petition of M. R. Ward and 63 others, and of Charles A. Jenkins and 54 others, of Belmont County, Ohio, against reduction of tariff on green and colored glass bottles—to the Committee on Ways and Means.

Also, petition of J. M. Priglist and 9 others, of John Glasgow and 8 others, and of A. S. Karr and 27 others, of Guernsey County, Ohio, for the re-enactment of the tariff of 1867 on wool—to the Committee on Ways and Means.

By Mr. O. B. THOMAS: Affidavit to accompany House bill for the relief of Jacob Shoemaker—to the Committee on Military Affairs.

By Mr. TILLMAN (by request): Petition of Samuel R. Ihly, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHEELER: Petition of Joseph M. Clem, of Limestone County, and of J. W. Philips, heir of A. T. Philips, and of John Young, of Lauderdale County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition of Jane M. Thompson, of Hanover County, and of Helen T. Farley, widow of Francis B. Farley, of Henrico County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BELMONT: Of citizens of Flushing, Queens County, New York.

By Mr. DAVIS: Of Daniel Ricketson and 39 others, citizens of New Bedford, Mass.

By Mr. FARQUHAR: Of citizens of Buffalo, N. Y.

By Mr. GIBSON: Of citizens of Talbot County, Maryland.

By Mr. T. J. HENDERSON: Of Fred. Schwab and 47 others, citizens of Fulton, and of Andrew J. Warner and 49 others, citizens of Prophetstown, Ill.

By Mr. A. J. HOPKINS: Of citizens of McHenry County, Illinois.

By Mr. O'FERRALL: Of citizens of Berryville, Va.

By Mr. PLUMB: Of P. C. Hoyer and 59 others, citizens of Grundy County, Illinois.

By Mr. J. E. RUSSELL: Of citizens of Northbridge, Mass.

By Mr. STEPHENSON: Of 16 citizens of Wittenberg, Wis.

By Mr. J. B. WHITE: Of citizens of Fort Wayne, Ind.

By Mr. WILLIAM WHITING: Of 45 citizens of West Northfield, Mass.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. A. C. DAVIDSON: Of B. S. Turner and others, of Selma, Ala.

By Mr. DE LANO: Of 51 farmers of Coventryville, Chenango County, New York.

By Mr. GROSVENOR: Of S. P. Pierce and 75 others, of Athens County, Ohio.

By Mr. T. J. HENDERSON: Of Daniel McNatt and 37 others, citizens of Mount Palestine, Putnam County, Illinois.

By Mr. LEE (by request): Of citizens of Fairfax County, Virginia.

By Mr. NUTTING: Of Hon. S. E. Bayne and 57 others, citizens of Cayuga County, New York.

By Mr. STEPHENSON: Of Aaron E. Rouse and 12 others, farmers, of Merrill, Lincoln County, Wisconsin.

By Mr. J. W. STEWART: Of citizens of Rutland County, Vermont.

By Mr. J. D. TAYLOR: Of John F. Frazier and 21 others, of Muskingum County, Ohio.

By Mr. O. B. THOMAS: Of 50 citizens of Juneau County, Wisconsin.

By Mr. J. B. WHITE: Petition of farmers of Noble County, Indiana.

By Mr. WILLIAM WHITING: Of 24 citizens of West Boylston, Mass.

By Mr. YARDLEY: Of memorial of Grange No. 606, Patrons of Husbandry, of Cold Point, Montgomery County, Pa.

The following petitions, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. BELDEN: Of Patrick F. Lyons and 27 others, Knights of Labor, of Cortland, N. Y.

By Mr. GROUT: Of Henry H. Bailey, of Bellows Falls, Vt.

By Mr. MERRIMAN: Of Edward Coyle and others, of New York.

By Mr. MILLS: Of citizens of Texas.

By Mr. ROWLAND: Of citizens of Dallas, N. C.

By Mr. SCOTT: Of E. L. King and 3,328 others, citizens of the Twenty-seventh district of Pennsylvania.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. CHIPMAN: Of R. Brompton and other ex-soldiers, of Michigan.

By Mr. GROSVENOR: Of Danford Post, Grand Army of the Republic, of Ohio.

By Mr. PARKER: Of Ezra D. Hilts and 34 other ex-Union soldiers, of Cape Vincent, N. Y.

By Mr. WEBER: Of Alex. Malon Post, Grand Army of the Republic, of Sanborn, N. Y.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. GEST: Of 155 citizens of Hancock, Mercer, and Warren Counties, Illinois.

By Mr. S. T. HOPKINS: Of 109 citizens of Ulster and Greene Counties, New York.

By Mr. PLUMB: Of 182 citizens of Kendall and La Salle Counties, Illinois.

By Mr. REED: Of 76 citizens of Cumberland County, Maine.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. ELLIOTT: Of citizens of Williamsburgh County, South Carolina.

By Mr. HERBERT: Of J. O. Green and others, of Pottersville, Ala.

By Mr. McCOMAS: Of A. M. Zimmerman and others, of Frederick County, Maryland.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April* 20, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

EXPENSES OF BURIAL OF PENSIONERS, ETC.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Third Auditor of an appropriation for the investigation of claims for reimbursement of expenses incident to the last sickness and burial of deceased pensioners; which was referred to the Committee on Appropriations, and ordered to be printed.

PUBLIC BUILDING AT SPRINGFIELD, MO.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate of the probable cost of the proposed public building at Springfield, Mo.; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BRIDGES OVER RIVERS IN ARKANSAS.

The SPEAKER also laid before the House the bill (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge Red and Little Rivers, in the State of Arkansas; which was read a first and second time.

Mr. MCRAE. I would like to have that bill considered now, if there is no objection.

The SPEAKER. The bill will be read, the right to object being reserved.

The Clerk proceeded to read the bill.

Mr. CRISP (interrupting the Clerk). I desire to suggest that this bill is entirely free from objection; it contains all the provisions that the Committee on Commerce place in bills of this character. I ask unanimous consent that the further reading of the bill be dispensed with.

There being no objection, the further reading was dispensed with.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. JOHNSTON, of Indiana, called for the regular order, but subsequently withdrew the call, when, there being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

Mr. MCRAE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BAKER, of New York, for three days, on account of important business;

To Mr. RUSK, until the 24th instant, on account of important business.

To Mr. BOWEN, for ten days, on account of important business.

To Mr. JOHN R. BROWN, for ten days, on account of important business.

NAVIGATION OF ILLINOIS RIVER.

The SPEAKER laid before the House the bill (S. 2085) to provide for protecting the navigation of the Illinois River, by extending the system of beacon-lights to said river; which was read a first and second time.

Mr. ANDERSON, of Illinois. I ask unanimous consent for the present consideration of this bill.

The bill was read.

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

Mr. ANDERSON, of Illinois, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EDWARD FITZGERALD.

The SPEAKER also laid before the House the bill (S. 316) for the relief of Edward Fitzgerald; which was read a first and second time, and referred to the Committee on Claims.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent that the bill just laid before the House be at once taken up for consideration. I will state that a bill of precisely the same character and identical in language has been favorably reported from the House committee.

The SPEAKER. The bill will be read, subject to objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMAN. I think the report had better be read.

Mr. ROGERS. I send up and ask to have read the report accompanying the House bill.

The report (by Mr. STONE, of Kentucky) was read, as follows:

This claim is for the value of a large quantity of wood and timber alleged to have been taken by the Federal troops at different times between the years 1863 and 1865 from the land of the Catholic Church near Fort Smith, Ark., and used for the construction of fortifications, building quarters for the soldiers, and for fire-wood.

The claimant is bishop of Little Rock, trustee of the Catholic Church in Arkansas, and as such is trustee of the property, and it is as such trustee that this claim is made.

The claim was presented in due time to the Southern Claims Commission, and under the rules of that commission proof was taken, which has been examined by the committee, who find it clearly established that a large quantity of timber and wood was taken and used by the Army, as claimed.

The Southern Claims Commission rejected this claim without any examination or hearing on the merits, because the commission held that it had no jurisdiction of corporations.

Your committee think that the claimant should be heard.

They therefore report a substitute for the bill, and recommend that it pass.

Mr. KERR. I demand the regular order.

Mr. ROGERS. Will the gentleman allow me to suggest that this only proposes to send this bill to the auditing officers of the Government for the purpose of ascertaining the amount of the claim, and does not propose to make an appropriation? After the matter has been determined and audited by the officers of the Department it is to be reported back to Congress, when it will come up for consideration on its merits. It only asks that this claimant shall have a right to be heard.

Mr. ALLEN, of Michigan. What disposition is proposed to be made of the bill?

Mr. ROGERS. I ask unanimous consent to consider the Senate bill now which proposes to send this claim to the Quartermaster's Department to be audited, after a finding of the facts. It then comes back to Congress for consideration upon its merits.

Mr. ALLEN, of Michigan. I demand the regular order on this class of bills.

SENATE BILL REFERRED.

The SPEAKER also laid before the House the bill (S. 1044) authorizing the Secretary of the Treasury to state and settle the account of James L. Wilbur with the United States, and to pay said Wilbur such sum of money as may be due him thereon; which was read a first and second time, and referred to the Committee on Claims.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. TOWNSHEND. Mr. Speaker, I am directed by the Committee on Military Affairs to report back the bill H. R. 6894, the Military Academy appropriation bill, with the Senate amendments, and to move concurrence in the amendments.

The SPEAKER. The amendments of the Senate will be read.

The amendments were read at length.

Mr. TOWNSHEND. These amendments are merely of a clerical nature; they neither reduce nor increase the amount of the appropriation, and the committee unanimously recommend concurrence in them.

The amendments of the Senate were concurred in.

Mr. TOWNSHEND moved to reconsider the vote by which the amendments of the Senate were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 807) for the relief of Horatio R. Maryman;

A bill (H. R. 3253) appropriating the sum of $52,000 for the enlargement and improvement of the United States Government building at Charleston, W. Va.;

A bill (H. R. 4106) granting a pension to Olive Wallace;

A bill (H. R. 4110) granting a pension to Mehitable Wheelock;

A bill (H. R. 4534) for the relief of Emily G. Mills;

A bill (H. R. 4672) granting an increase of pension to Mrs. Emily M. Wyman;

A bill (H. R. 5118) granting a pension to Theodore Gardner;

A bill (H. R. 5233) granting a pension to William F. Randolph;

A bill (H. R. 6759) granting a pension to Mary Robinson;

A bill (H. R. 6812) granting an increase of pension to Stephen Thurston;

A bill (H. R. 1805) for a public building at Greenville, S. C.; and

A bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased.

WILLIAM F. SMITH.

Mr. TOWNSHEND, by unanimous consent, from the Committee on Military Affairs, reported back favorably the bill (H. R. 9396) for the relief of General William F. Smith; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. KERR. Mr. Speaker, when I demanded the regular order my objection was simply to the consideration of the bill called up by the gentleman from Arkansas [Mr. ROGERS], because it had an adverse re-

port from the Southern Claims Commission. I did not insist upon the regular order for any other reason.

The SPEAKER. The gentleman from Iowa withdraws his demand for the regular order, but objects to the consideration of the bill called up by the gentleman from Arkansas.

Mr. ROGERS. What is the statement of the gentleman from Iowa?

The SPEAKER. That he withdraws the demand for the regular order, but objects to the consideration of the bill called up by the gentleman from Arkansas.

Mr. ROGERS. I think we had better have the regular order.

INDIAN APPROPRIATION BILL.

The SPEAKER. This being Friday the regular order is the call of committees for reports on bills of a private nature. But before that is done the Chair is advised that the previous question was ordered on the Indian appropriation bill on yesterday afternoon, and under the practice of the House the vote will be first taken upon that.

The first question is on agreeing to the amendment to strike out the ninth section.

Mr. PEEL. Mr. Speaker, it was agreed in the House on yesterday that pending the consideration of this bill in the House, fifteen minutes should be allowed on each side to discuss that amendment. In order that all may understand what the amendment is, and in order that the House may be able to act intelligently upon the question presented, I ask for the reading of so much of the report of the Committee on Indian Affairs, which reported the bill, as I have marked, and which relates exclusively to this branch of the subject. Before that is read I shall be glad to have the amendment stated so that the House may understand it.

The SPEAKER. The question is on the motion to strike out section 9 of the bill providing for the payment of the award by the Court of Claims and the Supreme Court to the Choctaw Nation of Indians.

The Clerk had better read the section again which is proposed to be stricken out.

The section was again read.

Mr. PEEL. I ask for the reading of that part of the report accompanying the bill which I have marked. It explains the whole matter.

The Clerk read as follows:

The eighth section of the bill appropriates $2,858,798.62, with the interest due thereon, to pay the judgment rendered by the Supreme Court of the United States in favor of the Choctaw Nation of Indians. This large sum draws interest at the rate of 5 per cent. per annum until paid, and therefore increases the liability of the Government more than $140,000 per annum.

Congress has no power under the Constitution to review or revise the judgment of the Supreme Court of the United States; neither can its decisions be rendered nugatory by the action or non-action of any other department of the Government. To attempt to do so would be revolutionory; to do so would be an end to government. Duty to the Constitution as well as to sound economic principles of public policy requires that the interest on this judgment be stopped by paying the principal. Therefore your committee report the eighth section, providing for its payment.

Mr. PEEL. What is spoken of there as the eighth section is now the ninth section of the bill. I yield one minute to the gentleman from Georgia [Mr. BLOUNT].

Mr. BLOUNT. I simply desire to state, Mr. Speaker, that the section having been ruled by the Chairman of the Committee of the Whole as in order in this bill, and as the object of the section is to pay a judgment, I have felt it my duty to oppose the motion to strike out.

Mr. PEEL. I have no other statement to make, and call for a vote, unless any gentleman desires to make a statement on the other side. I believe no one wants to discuss the question further. Every one understands it.

Mr. HOOKER. Let the question be stated.

The SPEAKER. The Chair has caused to be read the section which it is proposed to strike out. It is that part of the bill which provides for the payment of a judgment to the Choctaw Indians. The question is on striking out the ninth section.

The motion to strike out was not agreed to.

The SPEAKER. The question is on ordering the bill to be engrossed and read a third time.

Mr. PERKINS. I would like to know if the amendment I offered yesterday is correctly reported in the RECORD. If it is, there is an error in it.

The Clerk read the amendment offered by Mr. PERKINS, as follows:

After line 1101, add the following: "For the support of education of Indian pupils of both sexes at day and industrial schools in Alaska, $20,000. This to be expended under the supervision and control of the Bureau of Education."

Mr. PERKINS. That is correct. As published in the RECORD, the words "in Alaska" are omitted. I did not know but that in drawing the amendment the omission occurred.

The SPEAKER. Is the word "of" correct? Instead of "support of education," should it not be "support and education?"

Mr. PERKINS. That would be better. I ask unanimous consent to have that change made.

There was no objection.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PEEL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. LANHAM. I move to dispense with the morning hour for the call of committees for reports.

Mr. ROGERS. A moment ago I objected to the consideration of a bill called up by my friend from Nebraska [Mr. DORSEY]. I withdraw my objection that that bill may be considered.

The SPEAKER. The Clerk will read the bill.

The Clerk read the title of the bill, as follows:

A bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend the time of payment to purchasers of land of said Indians, and for other purposes.

Mr. BLOUNT. I object to the consideration of the bill at this time.

The SPEAKER. The gentleman from Texas [Mr. LANHAM] moves to dispense with the call of committees for reports. That requires a two-thirds vote.

The motion was agreed to (two-thirds voting therefor).

Mr. MORRILL. I ask unanimous consent that gentlemen having reports to present, authorized by committees, have leave to file them at the Clerk's desk.

There was no objection.

The reports filed at the Clerk's desk were as follows:

BRIDGE ACROSS OOSTANAULA RIVER, GEORGIA.

Mr. CRISP, from the Committee on Commerce, reported back with amendment the bill (H. R. 9086) to authorize the construction of a bridge across the Coosa River, or bridges across the Oostanaula and Etowah Rivers, at or near Rome, Ga.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM H. TYNER.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 5115) granting an increase of pension to William H. Tyner; which was laid on the table, and the accompanying report ordered to be printed.

SAMUEL F. C. GARRISON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 185) granting a pension to Samuel F. C. Garrison; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BERNARD CARLIN.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2233) granting a pension to Bernard Carlin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HIRAM BATEMAN.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 3836) granting a pension to Hiram Bateman; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MINOR CHILDREN OF LEVI M. HUNTER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 6603) to grant a pension to the minor children of Levi M. Hunter, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM IRVING.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1912) granting an increase of pension to William Irving; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH J. TOMPKINS.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1967) granting a pension to Sarah J. Tompkins; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

D. P. HOUGLAND.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2230) granting a pension to D. P. Hougland; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE W. DE MOTTE.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2108) granting a pension to George W. De Motte; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH B. TINGLEY.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1267) granting a pension to Joseph B. Tingley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH W. EUBANK.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1018) granting a pension to Joseph W. Eubank; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THEODORE GARDNER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1737) granting a pension to Theodore Gardner; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SHELTON FLANINGAM.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1266) granting a pension to Shelton Flaningam; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. HETTIE K. PAINTER.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back the bill (H. R. 3839) granting a pension to Mrs. Hettie K. Painter, with the recommendation that the amendment of the Senate be non-concurred in, and that the request of the Senate for a conference be granted.

The bill, with the accompanying report, was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

WILLIAM M. DAVIS.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1744) granting a pension to William M. Davis; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. ROCK WILLIAMSON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1687) to restore J. Rock Williamson to the pension-roll; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOEL B. MORTON.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 432) for the relief of Joel B. Morton; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EMILY M'CLURE.

Mr. SAWYER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 8884) granting a pension to Emily McClure; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARGARET LAHEY.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 9523) for the relief of Margaret Lahey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROSANNA K. GRIFFIN.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 4785) granting a pension to Rosanna K. Griffin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JULIUS C. MONSON.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 808) granting a pension to Julius C. Monson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY J. M'GREGOR.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2331) granting a pension to Mary J. McGregor; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH A. WILCOX.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 802) granting an increase of pension to Sarah A. Wilcox, now Roberts; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. MARY HEAP NICHOLSON.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1831) granting a pension to Mrs. Mary Heap Nicholson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JUDSON KNIGHT.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1192) granting a pension to Judson Knight; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AMANDA W. BEACH.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2255) granting a pension to Amanda W. Beach; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN R. WHEELOCK.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1193) granting a pension to John R. Wheelock; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. AURELIA HILLYER.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2151) granting a pension to Mrs. Aurelia Hillyer; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RACHEL PLUMMER.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2183) granting a pension to Rachel Plummer; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY M. BRIGGS.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with an amendment the bill (S. 899) for the relief of Mary M. Briggs; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendment and accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back with adverse recommendations bills of the following titles; which were laid on the table, and the accompanying reports ordered to be printed:

A bill (S. 897) for the relief of Rev. Corydon Millard;
A bill (S. 2375) granting a pension to Joseph McGuckian;
A bill (S. 1041) granting a pension to Mary E. Walker, M. D.;
A bill (S. 822) granting a pension to Sarah Errickson, widow of James S. Errickson, late seaman United States Navy;
A bill (S. 817) granting a pension to Peter Stusse; and
A bill (S. 830) granting a pension to David Williams.

GEORGE C. CHASE.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 9119) granting a pension to George C. Chase; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES E. GOTT.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1539) to increase the pension of James E. Gott; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

KEZIAH E. STRONG.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1142)

granting a pension to Keziah E. Strong; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH F. JONES.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 886) granting a pension to Sarah F. Jones; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH ANN NOE.

Mr. FRENCH, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 8763) granting a pension to Sarah Ann Noe; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH ANN WATERS.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1258) granting a pension to Sarah Ann Waters; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ELLEN COURTNEY.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1942) granting a pension to Mrs. Ellen Courtney; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ALPHONZO H. MELENDY.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1159) granting a pension to Alphonzo H. Melendy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with an adverse recommendation the bill (S. 1919) granting a pension to John Fox; which was laid on the table, and the accompanying report ordered to be printed.

JAMES W. POAG.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 9170) granting a pension to James W. Poag; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARSHALL BURTRAM.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back with an amendment the bill (H. R. 9029) for the relief of Marshall Burtram; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendment and accompanying report, ordered to be printed.

REFORM SCHOOL FOR GIRLS IN DISTRICT OF COLUMBIA.

Mr. LEE, from the Committee on the District of Columbia, reported back with a favorable recommendation the bill (H. R. 1361) to incorporate the Reform School for Girls of the District of Columbia; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JESSE MARION.

Mr. THOMPSON, of California, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 6383) for the relief of Jesse Marion; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ENOCH G. ADAMS.

Mr. THOMPSON, of Ohio, from the Committee on Invalid Pensions, reported back favorably the bill (S. 692) granting an increase of pension to Enoch G. Adams; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH WIRTH.

Mr. THOMPSON, of Ohio, also, from the Committee on Invalid Pensions, reported back with amendment the bill (S. 2033) granting a pension to Joseph Wirth; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EVENING SESSIONS FOR PRIVATE BILLS.

Mr. LANHAM. Mr. Speaker, before making the usual motion to go into Committee of the Whole for the consideration of business upon the Private Calendar, I desire to ask unanimous consent of the House for the present consideration of a resolution which I will send to the Clerk's desk, the object of which is to set apart three evening sessions for the consideration of bills upon the Private Calendar. The situation is this: There are one hundred and forty-two bills reported from the Committee on Claims upon the Private Calendar. Most of them are in my judgment meritorious and ought to be passed, and I think there are very few of them that will provoke any serious antagonism. As gentlemen of the House well know, heretofore the time set apart for the consideration of private business has been in the main absorbed by the consideration of bills reported from the Committee on War Claims involving reports from the Court of Claims, and unless some arrangement like that contemplated in this resolution can be made, I see no prospect of obtaining consideration of the bills reported from the Committee on Claims. At the evening sessions we are usually able to accomplish much more in the way of the dispatch of business than at the regular Friday sessions. I now send the resolution to the Clerk's desk and ask unanimous consent for its present consideration.

Mr. McMILLIN. Mr. Speaker, I wish to reserve the right to object.

The SPEAKER. The gentleman will have a right to object after the resolution is read.

The Clerk read as follows:

Resolved, That on Wednesday, the 25th of April, and on the first and second Wednesdays in May following, the House will take a recess at 5 o'clock p. m. until 7.30 o'clock p. m.; the evening sessions not to hold later than 11 o'clock p. m., and to be devoted exclusively to the consideration of private bills reported from the Committee on Claims, in such order as the said committee may designate.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. McMILLIN. Mr. Speaker, in view of the fact that we are very far behind with the appropriation bills and that we have an important tariff measure under consideration, I must insist that that resolution be referred to the Committee on Rules.

Mr. LANHAM. The appropriation bills will not be considered at evening sessions.

Mr. McMILLIN. There are a number of them that ought to be considered at evening sessions.

Mr. SPRINGER. Is the gentleman from Texas [Mr. LANHAM] willing to say that in case this order which he proposes is made by the House he will be willing to give up the Friday sessions?

Mr. LANHAM. There are other committees than the Committee on Claims interested in the Friday sessions for private business, and, of course, I can not undertake to make any agreement of that sort.

Mr. RICHARDSON. The gentleman ought to include in his resolution business from the Committee on War Claims.

Mr. LANHAM. Mr. Speaker, in view of the objections made, I ask that the resolution be referred to the Committee on Rules.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

Mr. KELLEY, by unanimous consent, obtained indefinite leave of absence on account of sickness.

CHANGE OF REFERENCE.

By unanimous consent the Committee on Claims was discharged from the further consideration of the bill (H. R. 7844) to fix the salary and fees of the clerk of the circuit and district courts at Paducah, Ky., and it was referred to the Committee on Expenditures in the Department of Justice.

ORDER OF BUSINESS.

Mr. LANHAM. I move that the House now resolve itself into Committee of the Whole for the consideration of bills on the Private Calendar.

Mr. BLANCHARD. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANCHARD. If the motion of the gentleman from Texas [Mr. LANHAM] is voted down, will it be permissible to go on with the general business of the House?

The SPEAKER. The rule provides that in case the motion to go into Committee of the Whole on Friday for the consideration of private business is not agreed to by the House, public business shall proceed as on other days.

Mr. BLANCHARD. Then would it be permissible for me to move that the House resolve itself into Committee of the Whole on the state of the Union, announcing my purpose to be to move to take up the river and harbor bill?

The SPEAKER. That motion would be in order.

Mr. BLOUNT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLOUNT. If the House shall decide to go into Committee of the Whole, will not the regular order be to take up the regular appropriation bills in their order on the Calendar?

The SPEAKER. Bills will be taken up in the order in which they stand, general appropriation bills, of course, having the preference.

Mr. FORAN. Mr. Speaker, I give notice that if the motion is made

which the gentleman from Louisiana [Mr. BLANCHARD] indicates, I will move to take up the pension appropriation bill. It can be disposed of in an hour.

Mr. LANHAM. Mr. Speaker, in the midst of this controversy among gentlemen who represent such important bills, I think it would be well for the House to give this day to the consideration of private bills.

The question was taken on the motion of Mr. LANHAM that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of bills on the Private Calendar, and the Speaker declared that the noes seemed to have it.

Mr. LANHAM. I ask for a division.

The House divided; and there were—ayes 66, nays 90.

Mr. LANHAM. The House having refused to give us evening sessions for the consideration of bills reported from the Committee on Claims, I wish to test this question further by asking for a yea-and-nay vote.

On ordering the yeas and nays there were—ayes 34, noes 114.

So (one-fifth of those present having voted in the affirmative) the yeas and nays were ordered.

Mr. LANHAM. Mr. Speaker, inasmuch as there is so large a majority against my motion, I will, if there be no objection, withdraw the demand for the yeas and nays.

Mr. STONE, of Kentucky. I object.

Mr. LONG. Mr. Speaker, is it in order to move to reconsider the vote by which the yeas and nays were ordered?

The SPEAKER. That can be done.

Mr. LONG. I make that motion.

The motion to reconsider was agreed to.

The SPEAKER. Unless the demand for the yeas and nays is renewed, the noes have it; and the motion of the gentleman from Texas [Mr. LANHAM] that the House resolve itself into Committee of the Whole for the consideration of business on the Private Calendar is not agreed to.

Mr. BLANCHARD. I move that the House resolve itself into the Committee of the Whole on the state of the Union, announcing it as my purpose to call up the river and harbor bill.

The motion of Mr. BLANCHARD was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. HATCH in the chair.

PENSION APPROPRIATION BILL.

The CHAIRMAN. The Clerk will report the title of the first bill in order.

The Clerk read as follows:

A bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States, for the fiscal year ending June 30, 1889, and for other purposes.

Mr. FORAN. Mr. Chairman, we are ready to proceed with the consideration of that bill.

Mr. BLANCHARD. How long will this bill probably take?

Mr. FORAN. I think not more than an hour.

Mr. BLANCHARD. In view of that statement I will not object to the consideration of this bill.

The CHAIRMAN. The Clerk will read the bill.

Mr. FORAN. I ask unanimous consent that the first reading of the bill be dispensed with.

There being no objection, it was ordered accordingly.

Mr. FORAN. Mr. Chairman, I can, in a very few moments, make all the explanation I think necessary in regard to this bill. The pension appropriation bill of last year appropriated $76,276,500, excluding the appropriation of $6,900,000 which was made for pensions arising out of the Mexican war. The Commissioner of Pensions estimates that of this sum of $6,900,000, $4,395,000 will remain unexpended at the end of the fiscal year; so that the amount expended for pensions during this fiscal year will be $78,772,500.

The present bill appropriates $80,286,500, being an increase of $1,514,000 over the appropriations of last year. This increase is made necessary by the increase in the number of pensioners. The net increase during the year 1887 was 40,224 pensioners; and it is fair to presume that the increase during the year 1888 will be equally large. The Commissioner of Pensions estimates that there will be placed upon the pension-roll during the coming year at least 10,000 pensioners of the Mexican war in addition to those of the late war.

In other respects this bill is substantially the same as the bill of last year. It appropriates for invalid pensions on account of the late war $75,000,000. Some gentlemen may think that the estimate embraced in the Book of Estimates, which simply estimated $75,000,000 for pensions, was somewhat of a mistake or blunder; but I think the trouble arose from the fact that the officers in the Treasury Department did not seem to understand that the balance of the appropriation for pensions of the Mexican war would revert to the Treasury, or be covered into he Trea sury at the end of the fiscal year.

The amount appropriated for clerk-hire last year was $162,000; the estimate this year was $198,000; the amount appropriated is $178,000.

According to the explanation of the Commissioner of Pensions, this large increase is necessary by reason of the large increase in the number of pensioners.

For stationery and other expenses the amount appropriated last year was $12,000; the estimate for the coming year is $20,000; the amount appropriated in this bill is $15,000.

The appropriation for rent remains the same. In the paragraph with respect to rents it is proposed, by amendments made by the committee since the printing of the bill, that the words "where possible," referring to the provision that the Secretary of the Treasury set apart in the public buildings under his control suitable rooms for the pension agencies, be stricken out. It has been reported by the Commissioner of Pensions that the Secretary of the Treasury does not manifest any great desire to provide the pension agencies in the various cities with rooms in the public buildings. Therefore the committee believed it would be wise to strike out these words, thus making it mandatory upon the Secretary of the Treasury to furnish to the pension agencies rooms in the public buildings, thereby doing away with this expenditure of $20,000 for rent.

The Commissioner of Pensions in his report asked for additional agencies. The committee did not think fit to grant that request, and no provision of that kind appears in the bill.

Now, Mr. Chairman, I know of nothing further which is necessary to be stated in explanation of the bill. How much of my time remains?

The CHAIRMAN. Does the gentleman desire to reserve the residue of his time?

Mr. FORAN. Certainly.

The CHAIRMAN. The gentleman has fifty-two minutes remaining.

Mr. FORAN. I yield forty minutes to the gentleman from Iowa [Mr. HENDERSON].

Mr. HENDERSON, of Iowa. I prefer to take the floor in my own right.

Mr. FORAN. All right; then I reserve my time.

Mr. HENDERSON, of Iowa. Mr. Chairman, I desire to submit a few observations in connection with this bill. One point I think the Administration ought to be informed upon has come to my notice, suggested by the action of this House quite recently; that is, the resolutions and action which took place in regard to the act of March 3, 1881, in reference to

THE PURCHASE OF BONDS.

It will be remembered by the House that this Administration found difficulty in buying bonds and relieving the Treasury of its surplus because the power conferred upon him was found in an appropriation bill. Now I discover in examining the arrears act which passed January 25, 1879, that there was no limitation in that act whatever as to the time when claims should be filed or considered in order to come within its provisions. The only limitation which was ever placed on the arrearages act is found in an appropriation bill which passed on March 3, 1879. It was the act which appropriated the money to meet the requirements of arrearages of pensions amounting to $25,000,000.

Hence we have no law to interfere with the allowance of arrearages of pensions except that which is found in an appropriation bill. And I feel it to be my duty to call the attention of the Administration to this fact, because if he had trouble in buying bonds with the surplus in the Treasury he should have equal difficulty to-day in denying arrearages of pensions. If he could not without expression from the House go into the markets and buy the bonds with the surplus he has no right, this Administration has no right, if it is to be logical and consistent, to withhold arrearages of pensions which are claimed under the act of January 25, 1879. And I appeal to this Administration to be consistent and to come up "like a little man" and allow arrearages of pensions to the boys who filed their claims within the provisions of the act. That certainly should be done, if he is to be consistent, until a declaratory act is passed saying that he may be governed by the provisions of the appropriation bill. The rule that the Administration applied for the benefit of the money-lender should have the same consideration in behalf of the soldiers.

I beg to call attention to another matter. I find that there is a great anxiety on the part of my Democratic brethren not only throughout the country, or I should say in the North, but among our good brethren here in this House, in which they claim to be the special champions of the soldiers. I hate to get into this kind of controversy, but they have forced it upon us. I think my eloquent and great-hearted friend from Michigan [Mr. TARSNEY]—I do not see his heart-warming countenance before me just now—made some generous claims on behalf of the Democracy on this floor. Yes, I see him now, and I feel better.

I call his attention, as well as the attention of the House, to a few facts. The claim is being made that the soldier is getting much better recognition from our Democratic friends than they did from the Republicans, and the fact is referred to that so many more claims are allowed under a Democratic administration. Now, let us look at the facts.

It is proper to be considered in this connection, and I am not going to detract from what is being done by the Democratic administration, so far as they do it; but I do not want these wholesale claims to go to the country without an analysis of them. I want to contrast some of the increases and allowances from year to year on the pension-roll.

Let us look at the annual increases in the issuing of certificates of pensions under the two administrations. Here are several of them:

1866	$126,722		1882	$285,697	
1865	85,986		1881	268,830	
		$40,736			$16,867
1867	153,183		1883	303,658	
1866	126,722		1882	285,697	
		26,461			17,961
1868	169,643		1884	322,756	
1867	153,183		1883	303,658	
		16,460			19,098
1869	187,963		1885	345,125	
1868	169,643		1884	322,756	
		18,320			22,369
1872	232,229		1886	365,783	
1871	207,495		1885	345,125	
		24,734			20,658
1879	242,755		1887	406,007	
1878	223,998		1886	365,783	
		18,757			40,224

From 1884 to 1885, the last year under Republican administration, and after the arrearages act went into operation, there was an increase of 22,369, and from 1885 to 1886, the first whole year under a Democratic administration, there were 20,658. The last year, from 1886 to 1887, there were 40,224, which, according to the report of the Commissioner of Pensions, includes 8,455 certificates granted under the Mexican pension act, passed January 29, 1887, leaving 31,769 allowed to other pension claimants. It will be seen that 40,736 was the largest increase in any one year, and that was by the Republicans.

Now, in this connection let me invite the attention of the House to the last report of the Commissioner of Pensions, to be found on page 35. In order to judge of what is being done under this head attention must be given to the claims which have been filed, and this report, on the page I have cited, shows that the claims filed annually, running up until the arrearages act was passed, ran along at 20,000, 26,000, once 43,000, 18,000, 16,000, 18,000, 22,000, and so on until we reached the year 1880, after the passage of the arrearages act.

That year, Mr. Chairman, there were filed 141,000 claims, which were suddenly dumped into the Pension Office for consideration. From that time on a large number of claims were filed. The next year it reached 48,000; then 41,000, 40,000, 49,000, and the last fiscal year, ending June 30, 1887, it reached 72,000, the increase evidently being made in that case by the filing of Mexican pension claims.

Now, what I desire to invite the attention of the House and of the country to specially is the fact that, when you consider the claims filed in the Pension Office in connection with the certificates allowed, the record of the Republican party and its administrations stand unchallenged for faithfulness to the interests of the soldier, and I defy the Democracy to make a comparison unfavorable to the Republicans.

Let me now call your attention to still another fact in this connection. In the Forty-seventh Congress it was found that the arrearages act brought in so many claims that it was necessary to make a new provision for their consideration. What was done to meet that increase? And by whom was it done?

A little army of extra clerks was created for the purpose of strengthening the force of the Pension Office and enabling it to meet the increased demand upon the office. Not only that, but a new system was inaugurated, that of special examiners, to go out through the country and examine the claims filed, so that those reaching away back into the past years could be carefully scrutinized, and so that the Government would not be injured, and at the same time no injustice be done to the soldiers themselves. Now listen: The Forty-sixth Congress commenced by giving an extra force of 141 additional clerks at a cost of $203,602, to meet the increased labor devolving upon the office. The Forty-seventh Congress, which was a Republican Congress, gave to the Pension Office proper—and all those that I now refer to were given because of the necessities growing out of the arrearages act—as follows:

Increase of clerical force for the fiscal year 1883, *on account of the arrears-of-pensions act.*

Forty-seventh Congress.	Number.	Amount.
Pension Office	977	$1,162,520
Surgeon-General's Office	166	224,290
Adjutant-General's Office	167	200,660
Secretary of War's Office	12	15,080
Second Comptroller's Office	8	13,600
Second Auditor's Office	20	24,000
Third Auditor's Office	20	27,400
Total	1,370	1,667,550

For the fiscal year 1882 an additional force was given in the Pension Office as follows: 141 persons, at a cost of $203,620; being in all in that Congress a force of 1,370 extra clerks, at a cost of $1,667,550.

Now it will be seen, Mr. Chairman, that the Congress of the United States, a Republican Congress, provided, owing to the necessities of the arrearages act, and with generous regard to old soldiers, an army of 1,370 men, costing $1,677,550, in addition to the regular force. The special examiners' bureau was organized and set at work. The claims were coming in rapidly after 1880, under the influence of the arrears act. The special examiners were out in the field. Their proofs were being filed, and their reports were being given to the office and undergoing examination. In 1885, when you gentlemen came into power, you found the fruits of this work almost ripe for your hands, with claims ready to be adjudicated and allowed; and now, when those legitimate and logical results, coming from Republican legislation, are being realized, I submit to the fair-minded judgment of this House and the country whether in justice the claim can be made, which is being made in behalf of my brethren who are now running the Government, that they are doing more for the old soldiers than the Republicans did? All the facts are against you.

These, sir, are a few of the facts to which I desire to call attention, because I want you gentlemen on the Democratic side to take them home with you to your districts and get them straighter in the coming fall campaign than you have in the past.

But there is a third matter to which I wish to call the attention of the House; and I desire particularly the attention of my Democratic friends.

THE MEXICAN PENSION BILL

was enacted and put into operation, and we have the statement here from the Commissioner of Pensions showing that on January 1, 1888, certificates had been issued to 13,412 Mexican pension claimants. He estimated that there would be allowed up to June 30, 1888, 5,000 more, and from June 30, 1888, to June 30, 1889, 10,000 more, and the Commissioner estimates that 28,412 will be the total number of certificates allowed to the Mexican soldiers, and, also, that after June 30, 1889, no new claims will be filed. There has been a wonderful amount of activity in connection with this Mexican pension bill, the benefits of which go mostly to the South. And I want to make this declaration here and now, for the consideration of my friends across the aisle, that so rapid was the Pension Bureau in recognizing this class of claims that pensions were allowed before the claimants even had put in their claims in some cases; and certificates were issued to claimants where they did not know that they were applicants for them. Do you doubt that, my friends?

A VOICE. Yes, sir.

Mr. HENDERSON, of Iowa. Who does?

Mr. TRACEY. Will the gentleman cite a case?

Mr. HENDERSON, of Iowa. Do you want an illustration?

Mr. TRACEY. Yes, sir.

Mr. HENDERSON, of Iowa. I will accommodate the gentleman and give an illustration to my Democratic brother. I like inquiring minds and always enjoy satisfying them when I can.

Mr. Chairman, before I give the illustration I desire to call attention to a provision of the Mexican pension act. I will read from section 3. Before I do so I want to invite the attention of the House to the point I am going to make; that is, that the law requires that claims shall be filed and the proof made before allowances are granted. I will read from section 3:

SEC. 3. That before the name of any person shall be placed on the pension-roll under this act proof shall be made, under such rules and regulations as the Secretary of the Interior may prescribe, of the right of the applicant to a pension; and any person who shall falsely and corruptly take any oath required under this act shall be deemed guilty of perjury.

It will be observed that by the law an application under oath is required before a certificate can be granted. Now I will ask the Clerk, whose voice rivals mine in power and clearness, to read the article I send up, from a Chicago paper.

Mr. WASHINGTON. A Chicago paper! Oh, Lord!

Mr. HENDERSON, of Iowa. You are taking that name in vain. Hear this.

The Clerk read as follows:

COLONEL MORRISON'S PENSION.

Some weeks ago Commissioner of Pensions Black instructed one of his clerks to issue a pension certificate to Hon. William R. Morrison. The clerk looked over the list of applicants and informed General Black that the name of Mr. Morrison did not appear thereon.

"That makes no difference," said the Commissioner. "Mr. Morrison served over sixty days in the Mexican war, and, being over sixty-two years of age, is entitled to a pension of $8 a month under the act of last January. Make out his certificate."

The clerk did as instructed, and the document entitling the Interstate Commerce Commissioner to draw $96 per annum was made out in due and approved legal form and transmitted to the beneficiary. Colonel Morrison perused the document, and, quietly folding it up, placed it in an Interstate Commerce envelope of official size and returned it to the Pension Office, accompanied by a terse little note, which stated that he had never applied for a pension and did not desire one, expressing at the same time his thanks for the unsolicited favor. As Colonel Morrison is without means, so to speak, outside of his salary, his action is highly commended by old-time patriots. Ninety-six dollars per year will buy shoes, flavored with a slight modicum of hats.

Mr. BLAND. That, I presume, is the first ever returned.

Mr. HENDERSON, of Iowa. It is not a Democratic fault to return donations of that kind.

Mr. BLAND. I never heard before of one being returned.

Mr. HENDERSON, of Iowa. I never did. I now ask the Clerk to read this communication also, which I send to the desk.

Mr. MACDONALD. I ask the gentleman from Iowa, do you suppose he would have refused it if he had been a Republican?

Mr. HENDERSON, of Iowa. I do not know; but this I do know, that Colonel Morrison never asked for the certificate, and if my friend

was as sensitive about the administration of the Pension Office as he is eager to be smart this morning he would be giving his attention to what I am submitting to the House.

Mr. MACDONALD. Your friend is smart enough to say, I do not believe that newspaper article states what is true.

Mr. HENDERSON, of Iowa. I do believe it; and now I will have read a letter from Colonel Morrison:

WASHINGTON, D. C., *October* 22, 1887.

DEAR MADAM: The inclosed certificate of $8 per month pension from September 14, 1887, to me for services as private soldier in the Mexican war, sent by you to my home at Waterloo, Ill., was received here yesterday. I am at a loss to know how it came to be issued. I have never applied for a pension nor taken any of the steps prescribed by law for obtaining one, and do not contemplate doing so under present circumstances. I therefore return the certificate to you.

Respectfully yours,

W. R. MORRISON.

Mrs. MARIAN A. MULLIGAN,
United States Pension Agent, Chicago, Ill.

Mr. MACDONALD. After hearing that read I have nothing more to say.

Mr. HENDERSON, of Iowa. There is a man that comes from the honest West. Now, Mr. Chairman, if there is any gentleman here who denies that, I will be glad to have him speak.

Mr. OUTHWAITE. Will the gentleman yield for a question?

Mr. HENDERSON, of Iowa. Yes, sir.

Mr. OUTHWAITE. You said that pension certificates, using the plural number, were issued. Will you prove another one now?

Mr. HENDERSON, of Iowa. Aha! My friend is anxious for more evidence. Dispose of the one nut you have got to crack before you ask for a bushel of them.

Mr. OUTHWAITE. I am anxious you should be kept to the truth.

Mr. HENDERSON, of Iowa. You are anxious for truth? I want truth to come from your pious Commissioner, who started out in his administration of that office by charging against a faithful and untiring officer and brother soldier, who had left a part of his body on the battle-field, General Dudley, that in the administration of the Pension Office, from turret to foundation-stone, "it was used for political purposes."

Mr. OUTHWAITE. And did he not prove it to the satisfaction of the country?

Mr. HENDERSON, of Iowa. No, sir; never! That same gentleman stands convicted on Democratic authority of violating the terms of the law and unlawfully issuing a certificate to a Democratic chief who was too high and clean to become a party to the transaction. How many more of these have been issued is only known to those who are running this kind of a machine. And I hear no Democrat in this Chamber rising and condemning that sort of thing; but cutting, petty little questions are sought to be interjected.

Gentlemen, if you are against such things rise up and condemn them. This man who entered upon the discharge of his duties with a heaven-erected face is caught in a Democratic trap as one who has got lower down in struggling for political influence than any bureau officer I have ever known. Am I outside the record? If so, fight it out among yourselves, boys. It is a Democratic witness testifying against a Democratic Commissioner, and "the devil take the hindmost." One thing is sure, no one ever heard of a pension being given unasked to any soldier of the late war, and 414,252 remain undisposed of.

I yield the balance of my time to the gentleman from Indiana [Mr. HOVEY].

Mr. HOVEY. Mr. Chairman, the bill under consideration provides for two classes of expenditures:

1. Making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889.

2. For examining surgeons, pension agents, clerk-hire, fuel, lights, stationery, etc., and rents, $1,275,500.

I have no hesitation in supporting the first provision, and would vote for it if it had been much greater, but I must confess that I sustain the second class, under our present pension laws, with great reluctance.

If the simple and just rule of permitting a soldier's honorable discharge to be his pension certificate had been adopted, more than $1,000,000 of useless expenses would have been annually saved, and could have been more justly applied for the relief of our soldiers and sailors.

Mr. Chairman, the petitions of many thousands of ex-soldiers have called upon this House for justice, for relief, and legislation. We have been over four months in session with hundreds of bills referred to the committees, but both the committees and the House seem deaf to the call of the men "who preserved us a nation." I need not ask you, sir, what is the cause of this "masterly inactivity." Every intelligent man on this floor now knows that from those committees and this House legislation in favor of ex-soldiers is not to be expected this session. No bills will be allowed to be discussed before this House that will give our soldiers even the shadow of justice. Over two hundred general bills have been smothered, and not even laid upon the table, until now, like Desdemona, they are dead, dead, dead. Nor can they be resurrected or allowed to be discussed or voted on this session. It will look to intelligent men outside this Chamber that they have been withheld and purposely crowded out. The cunningly-devised rules of this House have been so framed that the voice of the people in the mouths of a minority is suppressed and silent. No difference what the outside world may feel or think, the majority here can deny them all legislation and discussion.

On the 4th of January last I offered a service-pension bill, No. 1320, granting a pension of $8 per month for life to every honorably-discharged officer, soldier, or sailor who had served in the Army of the United States not less than sixty days between March 4, 1861, and July 1, 1865. This bill was the same day referred to the Invalid Pensions Committee. On the same day I offered bill No. 1319, granting a bounty of 160 acres of land to every officer, soldier, and sailor engaged in the military or naval services of the United States during the late rebellion of the so-called confederate States. On the 16th of January last I offered a bill, No. 5052, "to equalize the payment and do justice to the officers, soldiers, and sailors of the United States in the late rebellion who were paid in currency commonly called 'greenbacks,'" which was referred to the Committee on Military Affairs.

I had hoped that at least one of these bills might possibly meet with the favor of one of those omnipotent committees, and be reported to this House for fair discussion, so that a vote on the ayes and noes might be taken; but, like many other bills which have been introduced for the relief of the ex-soldiers of the late rebellion, neither of them has been reported; and they, too, have been smothered or filed in the unremembered pigeon-holes of the committee-rooms. Our ex-soldiers and sailors seem to be forgotten. Even the President in his message made no allusion to them, their services, or their sufferings, and his henchmen and partisans are following silently and closely in his footsteps.

The Committee on Invalid Pensions is composed of nine Democrats and six Republicans, the Committee on Public Lands nine Democrats and five Republicans, and the Committee on Military Affairs eight Democrats and six Republicans, so that the Democrats of those committees have the power to report to this House any bill referred to them, or they can crush, by refusing to report, every bill offered in favor of the ex-soldier. The responsibility is theirs; and I assure them they will be well remembered hereafter by the men whose rights they have so unfeelingly ignored.

Now, Mr. Chairman, it seems to me that the committees to whom those important bills have been referred dare not bring one of them before this House for fair discussion and action. The people who do not understand the gag rules of this House are watching with wonder and blaming their Representatives for not forcing a vote on the most important questions of the day.

Let us have a full hearing and a fair vote on the bills I have offered, and the "Boys in Blue" next autumn will bury more Congressmen politically who vote against them than ever fell upon any field of battle. The people do not understand the meshes with which the majority of this House have entangled legislation. Sir, we may talk about the power of the veto, the power of the President, the power of the crowned heads of Europe, but I greatly doubt if either has as much power in directing and molding legislation as the Speaker of this House under the parliamentary rules which have been adopted. He forms and selects the committees at his pleasure, and can so compose and arrange them as to favor or defeat the most important legislation. No member can be heard without his consent, and he can refuse for a whole session to recognize or hear the ablest orators on this floor.

But we are asked, What have the ex-soldiers and sailors done that they now so imperatively demand legislation? The great ship called the "South" had lost her bearings and was drifting without compass or pilot, in storms and tempests, in the midst of rocks and shoals, near the great maelstrom of certain destruction. Her great danger was seen by thousands, who rushed to her rescue. Many perished in their gallant effort to save her, whilst thousands returned from that terrible storm wounded, maimed, and with broken and shattered constitutions. But they saved the old ship from destruction. They brought her safely out to navigable waters and into the open and placid seas of sunshine and prosperity. And now the salvors of that old vessel come into this great court and ask that their services may be recognized by our Government, and for a small salvage that will keep many of the maimed and wounded from the chilling blasts of hunger and adversity. They are not asking alms, nor begging to be placed upon the lists of pensioners for charity; but they demand that all shall be treated alike for their gallant services.

Would it be unjust to demand salvage from the owners of that old ship alone? No one asks it; but all should willingly join in doing justice, and in conferring that honor upon them which their daring, teirh gallantry, their sufferings, and their sacrifices have so richly deserved.

But now let us drop the metaphor and come down to realities. What would the North be to-day, and what would be the condition of the South had a separation of the States been consummated? Does any reasonable man suppose that the great Mississippi River, with its 20,000 miles of tributary navigable waters, could be severed at Cairo and have peace in our land? Is the history of the settlement of the great West forgotten? Is it forgotten how Spain forbade the commerce of the West from passing down that river to the Gulf of Mexico, and how nearly our country at that early day came to being torn asunder?

Let us cast a retrospective glance at the condition of our country at that time. One hundred years ago the Kingdom of Spain was the owner of the Louisiana territory, embracing New Orleans, the mouth of the Mississippi River, and a vast wilderness now covered by several States,

and containing more than one-fourth of the whole territory of the present limits of the United States. Immigration was rapidly filling the rich lands bordering on the Ohio, the Cumberland, the Tennessee, and the Wabash Rivers, and the first settlers were producing a large surplus annually of beef, corn, and pork, which could only find an outlet and market at New Orleans.

Spain in 1784 had prohibited the navigation of the Mississippi River, and before that date had levied taxes upon the produce sent to New Orleans to the amount of 21 per cent. The people of Tennessee, Kentucky, and the territory northwest of the Ohio River, rose in arms against this unnatural outrage, and demanded free navigation to the Gulf of Mexico, which was refused, and a large amount in value of the cargoes of our flat-boats was seized and confiscated by the Spanish authorities. General George Rogers Clark then raised a small number of armed men, and made reprisals from Spanish subjects, at Vincennes and other localities. At that time war with Spain seemed imminent. Some of the older States sided with Spain, and desired if possible to force the commerce of the West into the Eastern cities. In this condition a separation of the West from the Eastern States was warmly discussed, and many able letters were printed and scattered, threatening secession and the aid of our old enemy, Great Britain, if the East did not join in shaking the Spanish shackles off of our Western commerce.

In 1800 Spain, by a secret treaty made at San Ildefonso, ceded the whole of the Louisiana territory to France. When Jefferson, who was then President, discovered this secret treaty, he became alarmed and was fearful that trouble with France would ensue. He immediately wrote to Livingston, our minister at Paris. "There was," he said, "one spot on the face of the earth so important to the United States that whoever held it was, for that very reason, naturally and forever our enemy; and that spot was New Orleans. The day France took possession of that city the ancient friendship between her and the United States ended. Alliance with Great Britain became necessary, and the sentence that was to keep France below low-water mark became fixed." (Jefferson to Livingston, April 18, 1802.)

Jefferson then caused negotiations to be opened with France for the purchase of a small spot or territory near the mouth of our great river, to be used as a place of outlet and deposit for the increasing surplus commerce of the West. James Monroe was sent as envoy extraordinary and minister plenipotentiary to the courts of Spain and France to aid our ministers, Livingston and Pickering, in negotiating the purchase. After much dallying with the artful Talleyrand, the whole of the Louisiana territory in 1803 was purchased for $15,000,000 from Napoleon Bonaparte, then First Consul of France. This produced great excitement in the Eastern States, and bitter partisan assaults were made upon Jefferson by the ablest orators and journals of that day.

Among all the great statesmen of the past Jefferson was regarded as the strictest of the strict constructionists of our Constitution. He knew that under that instrument he had no expressed power to make the purchase, but the necessity for the commerce of the West and the peace of our country was so great that he dared to rise above the letter of that sacred instrument which the master minds of the world had made. He relied upon the good sense of the people to ratify the purchase, and it was done, and done to save the secession of the West from the Eastern States. He clearly foresaw that the commerce which floated on more than 20,000 miles of navigable rivers must pass unobstructed and unmolested to the sea.

The wisest and most skillful surgeons in the world could not preserve life in the severed parts of the human body. The attempt to tie the arteries would be useless and ridiculous, and to cut the Mississippi in two parts or divide it between contiguous nations would be just as absurd and ridiculous. Blood would never cease to flow from such a surgical operation. Besides our great inland lakes and rivers that annually transmit billions of dollars' worth of produce through the throat of that great Father of Waters, over 153,000 miles of railroad now, like hoops of steel, bind every part of this great country together. To hinder the navigation of these streams and tear apart the steel ligaments that cover the land like network would be as fatal to our nation as it would be to life to tear the strings, fibers, and arteries from the human heart.

I have often wondered how intelligent men could even dream of dividing the Mississippi River, and how they could think it would be possible to rub the discordant institution of slavery along the rugged, solid, puritanical edges of the Northern States and even hope for peace.

No, Mr. Chairman, the United States can never separate in peace. Separation would inevitably entail continual war. And now, as these great arteries and lines of commerce carry the productions of over sixty-three millions of people to and from the seas, from the North to the South, from the East to the West, let it be forever understood and remembered, let it be shouted from the house-tops, from the lakes to the gulf, and from ocean to ocean, that we must not and can not separate the States of our great and glorious nation. The North could not separate from the South with less injury than the South would suffer by sep aration from the North.

But let us return from this brief digression to the consideration of the rights of our soldiers and sailors who prevented the suicide of our nation. What can pay them for their sufferings and sacrifices? There are men on this floor who in the late war have stood nearly one hundred days in battle, in the rattle of musketry and the roar of cannon. What amount in money would induce them to pass again under such fiery ordeals? If this magnificent Capitol were solid gold, the poorest veteran would scorn the offer.

We are flippantly told that our pension laws are ample and the most beneficent in the world, and that no ex-soldier has the right to find the least fault with the generosity and paternal care of our Government.

Yes, we have pension laws where the red-tape appendages, employés and machinery alone, not including any pensions, cost our Government over $1,000,000 annually to dole out a pittance that would starve a dog to thousands of helpless men, widows, and orphans.

Sir, we ought to be ashamed of our niggardly legislation, for our nation is too great for such pitiful parsimony. The one hundred and fifty-one rounds in the Jacob's ladder which leads the veteran to the Pension Department are simply ridiculous.

I have read where the noble Brutus proposed to "coin his heart and drop his blood for drachmas," but it was reserved for our Solons, who framed our pension laws, to measure the value of our veterans' blood by the fraction of one copper cent!

Only think of the blood and wounds of our soldiers being valued at $2.12½ per month; at $2.66⅔ per month; $4.66⅔ per month. The fraction of one copper cent by halves and thirds being set apart in fifteen of the one hundred and fifty-one grades to our maimed, broken-down, and wounded soldiers! These wise men must have had Shylock's famous "balance" to weigh their brother's blood, and after they had weighed the blood they must have examined every wound with a strong political miscroscope before they could figure pensions down to the fraction of one copper cent!

I may say that the Commissioner of Pensions (General Black) was my comrade, as we were at one time in the same army, and I have always regarded him as a gallant soldier and entertained for him great respect. I blame him not in his official capacity, for I believe he has been only acting in obedience to the command of his superiors in office. By his last report, in June, 1887, he shows that there were then on the pension-rolls 1,131 persons who received $1 per month, 30,823 who received $2 per month, and 65,946 who received $4 per month, and on the pension-rolls to-day there are over 100,000 persons who are now receiving 3½ to 13 cents per day! What magnificent generosity from a Government that has been saved and preserved by their valor, their sufferings, and their blood. These are some of the pensions about which we hear such loud and bombastic boastings.

We are tauntingly told that our ex-soldiers should be more than thankful, and that no nation in the world can show such a grand total of pensioners. Admitted, and why? What wars in history can compare with our terrible rebellion? Many of the dark-haired boys of to-day can not realize, like their gray-haired fathers, that our war lasted four years with an army of 2,300,000 men in the field. They have never learned that in that war more battles were fought and more men slain and wounded than in any war recorded in the pages of reliable history. These verdant orators and scribblers only need a little more loyalty to the Stars and Stripes and a little more humanity to bring them to their senses.

Again, it is dogmatically alleged that our Government is not able to pay the large sums of money that a service pension, either per diem or $8 a month, would require. There are about 1,000,000 surviving soldiers, and no doubt the amount would seem large to the great mass of our people, when compared with the ordinary transactions of private life, but it is by no means alarming when we consider the vast resources and income of our Government.

Our income now exceeds $402,000,000 per annum, or more than $1,100,000 for every day in the year. For the purpose of more fully understanding the resources and ability of our Government to pay large sums of money I will refer to our expenditures during the war period, from 1861 to 1865, both inclusive:

1861	$85,387,313.05
1862	565,667,563.74
1863	899,815,911.25
1864	1,295,541,114.80
1865	1,906,433,331.37
Total	4,752,845,234.27

Being not far from one billion or one thousand millions a year. Of the foregoing amount the War and the Navy were as follows:

	War.	Navy.
1861	$23,001,530.67	$12,387,156.52
1862	389,173,562.29	42,640,353.09
1863	603,314,411.82	63,261,255.31
1864	690,391,048.66	85,704,963.74
1865	1,030,690,400.06	122,617,434.07
Total	2,736,570,953.50	326,611,142.73

RECAPITULATION.

War	$2,736,570,953.50
Navy	326,611,142.73
Total	3 063 182 096.23

Our daily expenditures, including 1861 and 1865, for 1,825 days, amounted to $2,604,298.75.

At the close of the war, in September, 1865, our national debt amounted to nearly $3,000,000,000 or more accurately speaking, $2,757,689,751, and we are now informed by the Secretary of the Treasury that that vast sum has been reduced within twenty-three years, and he now reports: "Debt less cash in the Treasury April 1, 1888, $1,190,868,155.14." We are further informed that there is now "total cash by Treasury statement, $678,293,954.53" in the Treasury of the United States. In other words, over $678,000,000 now lying in the vaults of the Treasury Department of the United States. Sir, I am one who can not clearly understand that "a national debt is a national blessing," but I am fully convinced that an overflowing surplus in our Treasury is a national curse. It begets wanton extravagance, corruption, and frauds, and stagnates the very life-blood of commerce. It is the stimulating cause of the wildest kind of legislation. All kinds of bills are presented to this House. One wants the rivers in his district straightened and deepened; another wants the mud dredged out of the shallow bays in the lakes or ocean bordering on the lands of his constituency. Others would levy or embank the Mississippi River 50 feet high from Cairo to the Gulf of Mexico. Others would swell the ocean with iron and steel clad ships of war, and some would pay large subsidies to merchant vessels to carry and peddle our wares and merchandise among the nations of the earth, and then again there are others who would cut great ship-canals to connect the Lakes, the Mississippi and the St. Lawrence Rivers, from the Gulf of Mexico to the Atlantic Ocean.

There are other claims that should be preferred to any of these schemes, however wise or visionary they may be, and in my opinion our ex-soldiers and sailors' rights rise far above them all. Sir, if we had to even duplicate our national debt, the soldiers, like the bondholders, should be fully paid, and they should, for the short remnant of their shattered lives, be placed far above the confines of the poor-house. We were told in the other end of this Capitol a few days ago that there are now in the poor-houses of this country and receiving charity more than twenty-eight thousand of our ex-soldiers. A full Army corps! Within ten short years the most of all that gallant host who marched to victory will have passed away and our great and prosperous nation "will know them no more forever." Even the names of all our officers except a few may straggle a little way down the narrow and barren lane of history, but the great mass, like the dreams of bygone years, will be no longer remembered.

There is another view which I wish to present. What do we honestly owe the ex-soldier? Not in gratitude alone, for payments in that coin are very uncertain in quantity and in quality; but what does our nation honestly owe him on the basis of man dealing with his fellowman?

The promises that were held out to our volunteers will not be denied or forgotton. As an inducement to join the Army promises were made by the press, by proclamations, by the orators of the day, and the people, pledging them all that their fathers had enjoyed before them. When they returned home they were to have land-warrants of 160 acres. Every volunteer was to be pensioned for life, like his Revolutionary fathers and the soldiers of the war of 1812, and he was assured from the country cross-road bar-room to the sacred pulpit that if he fell in battle his family should become the wards of the nation and that no soldier's wife or child should suffer. All this and more was promised.

To assure him of his pay, in September, 1861, General Scott, then Commander-in-Chief of the Army of the United States, addressed his soldiers by his famous Order No. 16:

General Order No. 16.

HEADQUARTERS OF THE ARMY,
Washington, September 3, 1861.

The General-in-Chief is happy to announce that the Treasury Department, to meet the payment of the troops, is about to supply, besides coin as heretofore, Treasury notes, in fives, tens, and twenties, as good as gold, to all banks and Government offices throughout the United States, and most convenient for transmission by mail from officers and men to their families at home. Good husbands, fathers, sons, and brothers, serving under the Stars and Stripes, will thus soon have a ready and safe means of relieving an immense amount of suffering which could not be relieved in coin. In making up such packages every officer may be relied upon, no doubt, for such assistance as may be needed by his men.

By command of Lieutenant-General Scott.

E. D. TOWNSEND,
Assistant Adjutant-General.

Non-combatants may have forgotten all these promises and inducements, but the soldier and the soldier's widow and orphans have not. I need not stop to ask honest men how these promises have been fulfilled. No land-warrant of 160 acres for the soldier, no pension like his father's, and instead of General Scott's paper that was to be as "good as gold," he was paid in depreciated "greenbacks," which were not worth on an average 60 cents to the dollar. This he was compelled to accept or receive nothing. He could not leave the Army and return home, for desertion in time of war meant dishonor and death. After he was mustered into the service he was compelled to serve or die, payment or no payment, although his depreciated greenbacks would not buy the bread for his wife at home or clothe his cold and ill-clad children. What a great change has taken place as to the rights of our soldiers!

For one day in battle or fourteen days' service in the Army our soldiers, by acts of Congress passed before 1861, were each allowed a land warrant for 160 acres; but the soldier now of four years' service and a hundred days in battle, by the grace of this House, remains landless. And why? Not for the lack of public domain, for it is well known, as it was sung at the meetings to rally our volunteers, that "Uncle Sam is rich enough to give us all a farm."

The unsold public domain to-day is larger in area than the thirteen original States, and amounts to more than 1,000,000,000 acres. Do not excuse yourselves by saying that the lands are worthless. If they are the Government will lose nothing, and the soldiers will fully understand your motives if you give or refuse their just demands. The patent to them alone will be a patent of nobility, whether it is spread upon a prairie of flowers or a barren mountain peak, for it will be an acknowledgment to them and their children of loyalty and honorable service; and if they can not find lands that suit them they can frame their warrants and hang them in their houses as heirlooms for their posterity. They will be highly prized at no distant day and pointed to with pride. Do not deceive yourselves, Representatives, nor imagine that your motives are not fully understood. Do not let greed, politics, and a "solid South" make you forget the promises that have been made to our ex-soldiers. Remember the money or greenbacks you paid them is not the money with which you paid the bondholders. Do not forget the rewards paid their fathers for one day in battle or fourteen days' service in the Army.

Can our now proud and prosperous nation trample on her soldiers and sailors of the late rebellion and forget or refuse the fulfillment of these pledges and promises? Can our omnipotent committees close the doors of legislation and refuse to report their bills for justice and relief, or by delay until this late hour cut off all argument and debate?

We are constantly referred to Europe for comparisons of our pension and military departments. We are told that ours is far more expensive than theirs. That depends upon the manner in which the estimates are made. The standing armies of Europe in times of peace are now larger than they have ever been before. By the Encyclopædia Britannica (and you know encyclopedias have lately become very useful and of high authority) the standing armies in Europe in times of peace are estimated as follows: Great Britain, 190,000 officers and men; France, 450,000 officers and men; German Empire, 400,000 officers and men; Russia, 750,000 officers and men; Austria and Hungary, 275,000 officers and men; Italy, 200,000 officers and men. But we know that since the publication of that encyclopedia the standing armies of France, Germany, and Russia all exceed more than 700,000 men each on what they call their standing armies in times of peace. Now, basing the costs of those armies on the value of human labor and the necessary appliances and munitions for their use and establishment, and estimating such labor at $1 per day, such standing armies would cost annually more than the income of our Government. I admit that no such figures are found in their estimates and accounts; but when we compare them with our expenditures we forget the relative cost of labor and the munitions of war in Europe and in this country. We know such armies here, valuing the services of the soldiers and all necessary expenses, would far exceed our revenue.

But we are relieved of all these heavy European burdens by a wise provision of our Constitution. By the eighth section, Article I, Congress is shorn of the power to make provision or appropriations for such an army. Our standing army is composed of our citizen soldiers, and may be found in the fields of agriculture, in our manufactories, in our mines, in the shops of our mechanics, embracing all our laborers, merchants, business, and professional men. They cost our Government nothing as soldiers in times of peace, and are only paid when called into active service. We thus avoid the vast expenditures which are borne by the governments of Europe. Can we not be more than liberal to the men who voluntarily leave their homes to serve their country under such a system? Col. E. H. Ropes, in the American Magazine, has so vividly and truthfully given us a picture of such service that I quote from his article:

OUR DEBT OF HONOR.

People have forgotten the nature of the service asked of and obtained from their soldiers. Let the reader think a moment what sacrifices would be involved if he, now reading this magazine comfortably by his winter fireside, should feel it to have become his duty to drop his business wholly; to say good-bye to wife and children, knowing the grave risks that he never would see them again upon earth; to leave his pleasures and home comforts, don a private soldier's uniform, submit to rigorous physical discipline, march by night and by day, be houseless in rain and in snow, often sleeping without shelter under a pouring sky; to live on the coarsest fare always, and frequently have an insufficient supply of that; to be posted as a picket by day and night in pestilential swamps and bottom lands; to risk the imminent peril of losing health and accepting the tender mercies of a field hospital; to enter upon campaign, skirmish, battle; day after day to see comrades drop down one by one; to take the chances of wounds by shell and bullet, of torture in a prison-pen, and of death by any of these means—imagine all this, and then say whether he would consider that his country had redeemed a pledge of "eternal gratitude." There is no need o rhetoric. This possible experience is what hundreds of thousands of our brave boys actually endured. There is not a dash of added

somberness to the coloring. Here, then, is precisely the question that is pleading for settlement at the hands of the American people of to-day.

Where is the member of this House from the Northern States, Democrat or Republican, who does not boast to his constituency that our ex-soldiers saved this Government in the late rebellion? If there be one such, let him dare deny it on this floor. Thousands of brave and gallant men from the South now admit it. Saved our nation? Yes, these honeyed, flattering words are poured into the ears of our ex-soldiers during the canvass for every important election. We will hear them again from our Democratic and Republican orators over hill and valley in 1888. Saved our nation? Saved the North, saved the South? Yes, and prevented the pitiful spectacle of two contiguous and ever-belligerent republics imitating the battle of the Kilkenny cats, with the scorn and scoffs of all the European nations, who loathe and hate our institutions, ringing loudly in our ears!

Now, are all these boastings of our orators at our hustings true? If so, either section, North or South, could well afford to give to our ex-soldiers their just rights, if it should even double our debt. What untold billions have been saved, leaving out all the countless blessings which have followed peace and the solid union of our States.

Men from different standpoints view objects at a distance with very conflicting impressions. Sometimes the lenses through which they make their observations are imperfect or colored, and sometimes their positions are dissimilar and unfavorable; and it may be that they differ in the perfection of their visions. Be this as it may, George Washington and President Cleveland have viewed the rights of American soldiers in very different lights. One fought and suffered for the independence of the United States through a seven-years war, and was with his men in sunshine and storm; slept with them on the fields of battle, where the dead were lying cold and thick around him.

President Cleveland's experience was far different. He during our late revolution was no doubt faring sumptuously, snoring single and alone in his bed in Buffalo, and displaying all his chivalry and valor by proxy—by his hired substitute .I have no reflection to cast upon his substitute, for I have known some who were gallant soldiers in battle.

Who understood the soldier—General Washington or President Cleveland?

A committee of our Army in 1778 called upon Washington and made known their demands and sufferings. In his address to them he replied:

It is not indeed consistent with reason or justice to expect that one set of men should make a sacrifice of property, domestic ease and happiness, encounter the rigors of the field, the perils and vicissitudes of war, to obtain those blessings which every citizen will enjoy in common with them without some adequate compensation. It must also be a comfortless reflection to any man that after he may have contributed to securing the rights of his country, at the risk of life and the ruin of his fortune, there would be no provision made to prevent himself and family from sinking into indigence and wretchedness.—*Journal of Congress*, volume 4, page 211.

Nearly five years after this, March 18, 1783, Washington again made an effort to have justice done to the officers and soldiers who had fought with him in the Revolution. In his communication to the President of the Continental Congress he said:

For if besides the simple payment of their wages a further compensation is not due to the sufferings and sacrifices of the officers, then have I been mistaken indeed. If the whole army have not merited whatever a grateful people can bestow, then I have been beguiled by prejudice and built opinion on the basis of error. If this country should not in the event perform everything which has been requested in the late memorial to Congress, then will my belief become vain and the hope that has been excited void of foundation. And if, as has been suggested for the purpose of influencing their passions, "the officers of the Army are to be the only sufferers in the Revolution;" if retiring from the field they are to grow old in poverty, wretchedness, and contempt; if they are to wade through the vile mire of despondency and owe the miserable remnants of their life to charity which has hitherto been spent in honor, then shall I have learned what ingratitude is; then shall I have realized a tale which will imbitter every moment of my future life. But I am under no such apprehensions. A country rescued by their arms from impending ruin will never leave unpaid the debt of gratitude.—*Spark's Writings of Washington*, volume 8, page 397; *Journal of Congress*, pages 210, 211.

Such was the justice, the love, and the gratitude that swelled the heart of the Godlike Washington for his comrades and his soldiers. President Cleveland, too, has shown how his heart beats for our soldiers. But he is now silent, and if he has any sorrows, he keeps them to himself, and the only evidence of his emotions is to be found in the great book so much admired in the solid South. As long as print will last that book will never be forgotten. Of course, you understand I allude to that imperishable volume, containing his 101 vetoes of pension bills, which provided a pittance for disabled soldiers, and widows and orphans left helpless and destitute. There will soon be another edition.

The wit, force, and sarcasm of those vetoes have no doubt been keenly felt by the sufferers, but will never be fully appreciated by his literary admirers; and the economy of withholding charity where it was so much needed, with our great surplus in the Treasury, will be one of the wonders of the age.

What a contrast between the first and last President of the United States! Washington, at the head of a nation with an empty Treasury, without credit, and a worthless currency, with a sparsely-settled country, not exceeding four millions of people, begging, insisting, and demanding that the officers and soldiers who served under him should be pensioned with full pay during the terms of their natural lives.

Cleveland, at the head of the richest and greatest nation upon the face of the earth, containing a population of 63,000,000, with unbounded credit and resources, with a Treasury filled to repletion, and the vaults almost bursting with gold and silver—Cleveland, stubborn, stern, and heartless, refusing even a mite of charity to the men who wrecked their fortunes and their constitutions that our Government might live. Cold, and unshaken, with the greed of a miser, he has denied the demand of the people, and vetoed and trodden down the acts of the Senate and House of Representatives of the people of the United States!

When party passion and all individual hatreds shall have passed away the merciless pen of Truth will draw the parallel and paint the contrast. The only palliative to the darkness of the picture will be found in the fact that Washington knew what the services and sufferings of a soldier were and President Cleveland did not.

The weary march, day and night, through heat and cold, in dust, mud, snow, and rain, with hunger and thirst and a damp earth for his bed; the lone, dark watch on the picket line of death; the skirmish, the battle, with its hail of musketry and roar of cannon; the dead, the dying, the wounded in the thick smoke of battle, may be faintly sketched by the poet, the orator, and the painter, but can never be understood or realized by any man who has not been a soldier in battle. I am sure President Cleveland can not. [Applause.]

The following table and letters will explain themselves:

Wages of a soldier during the war.

[From the lecture of Comrade James Winston, of Boston.]

Per day.	Greenback value of a gold dollar.	Gold value of a greenback dollar.	Amount received in greenbacks two months' pay, $13 per month.	Amount received calculated in gold.	Deficit in gold.	Amount entitled to calculated in greenbacks.
March 1, 1862			$26.00	$26.00		
May 1, 1862	$1.02½	$0.98	26.00	25.48	$0.52	$26.52
July 1, 1862	1.09⅛	.91	26.00	23.66	2.34	28.34
September 1, 1862	1.17	.85	26.00	22.10	3.90	30.40
November 1, 1862	1.31½	.76	26.00	19.76	6.24	34.06
January 1, 1863	1.33⅓	.75	26.00	19.50	6.50	34.58
March 1, 1863	1.71⅞	.58	26.00	15.08	10.92	44.16
May 1, 1863	1.51½	.66	26.00	17.16	8.84	39.26
July 1, 1863	1.45	.68	26.00	17.68	8.32	37.70
September 1, 1863	1.27⅞	.78	26.00	20.28	5.72	31.02
November 1, 1863	1.46⅛	.68	26.00	17.68	8.32	37.96
January 1, 1864	1.52	.65	26.00	16.90	9.10	29.52
March 1, 1864	1.60	.62	26.00	16.12	9.88	41.60
May 1, 1864	1.77⅛	.56	26.00	14.56	11.44	46.02
July 1, 1864	2.50	.40	26.00	10.40	15.60	65.00
September 1, 1864	2.48½	.40	26.00	10.40	15.60	64.00
November 1, 1864	2.41½	.41	26.00	10.66	15.34	62.66
January 1, 1865	2.29½	.43	26.00	11.18	11.82	59.54
Total			468.00	314.60	153.40	723.12

It will be observed that the soldier, at the end of his three years' service, had lost $153.40 in gold, the value of which in greenbacks would have been $255.12.

[Copy of a letter from James Marwyn.]

INDIANAPOLIS, *March* 2, 1888.

MY DEAR GENERAL: I noticed in the papers a few days ago that you had presented a bill in Congress to do justice to the soldiers and sailors who served in the late rebellion, and who were compelled to receive their pay in depreciated "greenbacks." In my opinion your bill does not reach far enough. I think the soldier, like the bondholder, should have interest on the amount that he lost by being compelled to receive such depreciated currency.

The justice of your bill recalled to my mind three of the playmates of my boyhood, James H——, John H——, and Thomas H——, who were brothers and lived near the residence of my father in Ohio.

When the war broke out James was a married man with a small family and was compelled to remain at home to take care of his wife and children. He rented a small farm, and the extreme high prices of produce during the war left him, when peace was declared, very well off with a farm of his own.

John joined the Navy, and Tom was a volunteer in the Western army. You may have known him, as he was very severely wounded in your great battle at Champion's Hills. About the same time, in July, 1864, John and Tom both received about $100 each for their services. John was then on the western coast of California, and received his payment in gold. Tom got his in "greenbacks," then worth only $40 in gold, which he soon spent like a soldier. John was more careful, and with his $100 in gold bought $250 of United States bonds drawing 6 per cent., payable semi-annually. He is now a banker, and those bonds have realized him over $1,033, and are now worth a premium of 25 per cent. besides.

A few years after the war closed, Tom, who was a physical wreck, died in a poor-house in this State, and James is now one of the most substantial men of his county. I have often thought of those brothers.

If the army in which Tom served had been unsuccessful, it is more than probable that his brothers would have shared his fate in the poor-houses of the country.

Thousands of our ex-soldiers who impaired their constitutions in the Army and broke up all their habits of home life are now the poor men of our country. Many of them have shared the fate of poor Tom, and are now in poor-houses or living on charity.

This is a strange world, general, and the simple history of those boys adds

another link in the chain of evidence to prove that "republics are ungrateful." I wish you all success in your noble labors for your comrades.

Respectfully, yours,

JAMES MARWYN.

Hon. ALVIN P. HOVEY, M. C.,
Washington, D. C.

THE PUBLIC DOMAIN.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., April 13, 1888.

SIR: I am in receipt of your letter of the 10th instant, relative to certain statistics relating to the public lands, and in reply thereto herewith inclose a table showing the estimated area of the public domain disposed of, and the estimated area remaining to June 30, 1887.

Under date of April 9, I transmitted you a statement giving the area of the public lands surveyed and the estimated area unsurveyed to June 30, 1887.

Very respectfully,

S. M. STOCKSLAGER,
Commissioner.

Hon. A. P. HOVEY,
House of Representatives.

Statement showing the area of land in each State and Territory, with the area surveyed and unsurveyed to June 30, 1887.

States and Territories.	Area of States and Territories.	Number of acres surveyed up to June 30, 1887.	Area remaining unsurveyed on June 30, 1887.
	Acres.		*Acres.*
Ohio	25,581,976	25,581,976	.....
Louisiana	28,731,090	27,067,762	1,663,328
Indiana	21,637,760	21,637,760	.....
Mississippi	30,179,840	30,179,840	.....
Illinois	35,465,093	35,465,093	.....
Alabama	32,462,115	32,462,115	.....
Missouri	41,836,931	41,836,931	.....
Arkansas	33,410,063	33,410,063	.....
Michigan	36,128,640	36,128,640	.....
Florida	37,931,520	30,704,518	7,227,002
Iowa	35,228,800	35,228,800	.....
Wisconsin	34,511,360	34,511,360	.....
California	100,992,640	71,988,476	29,004,164
Minnesota	53,459,840	42,316,088	11,143,752
Oregon	60,975,360	39,867,995	21,107,365
Kansas	51,776,240	51,776,240	.....
Nevada	71,737,600	32,793,702	38,943,898
Nebraska	47,077,359	46,989,039	88,320
Colorado	66,880,000	58,184,750	8,695,250
Wyoming	62,645,120	47,093,498	15,551,622
New Mexico	77,568,640	46,580,485	30,988,155
Utah	54,064,640	13,078,172	40,986,468
Washington	44,796,160	21,281,622	23,514,538
Dakota	96,596,480	47,865,153	48,731,327
Arizona	72,906,240	13,804,538	59,101,702
Idaho	55,228,160	10,350,554	44,877,606
Montana	92,016,640	18,540,335	73,476,305
Alaska	369,529,600	.....	369,529,600
Public Land Strip	3,672,640	.....	3,672,640
Total	1,775,028,547	946,725,505	828,303,042

DIVISION OF ACCOUNTS, GENERAL LAND OFFICE, *April 9, 1888.*

OBSERVATION.

Up to June 30, 1887, the unsold public domain of the United States, as stated in the tables above referred to by the Commissioner of the Land Office, was as follows:

	Acres.
Surveyed and undisposed of	253,558,878
Area unsurveyed	828,303,042
Grand total	1,081,861,920

There were about 2,300,000 men in the service of the United States during the late rebellion, and allowing each man a land warrant of 160 acres, which has been given to all who served before them, their warrants would cover 368,000,000 of acres, and still leave of the unsold public domain 713,861,920 acres.

We can scarcely conceive the magnitude of our unsold public domain. After allowing every soldier the 160 land-warrant, as above, and we would still have an area of unsold lands more than thirty-two times as large as the State of Indiana! It is not probable that more than two million claims would be made.

The friends of the homestead need not be alarmed, for there is ample room for all. Millions of acres in the West that were regarded as worthless thirty years ago are now classed with the valuable lands of the country.

During the delivery of Mr. HOVEY'S remarks the following proceedings took place:

The CHAIRMAN (at 2 o'clock p. m.). The time of the gentleman from Indiana [Mr. HOVEY] has expired.

Mr. FORAN. How much more time does the gentleman require?

Mr. HOVEY. About fifteen minutes.

Mr. FORAN. I will yield the gentleman that time.

Mr. HOVEY. I have been given time by the gentleman from Massachusetts [Mr. LONG].

The CHAIRMAN. The Chair can not recognize the gentleman from Massachusetts in the matter, as he is not present in the Hall. The gentleman from Ohio [Mr. FORAN] is entitled to the floor and yields to the gentleman from Indiana such time as he requires.

Mr. FORAN. Fifteen minutes.

Mr. HOVEY. I thank the gentleman.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed an act (S. 185) for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota; in which the concurrence of the House was requested.

PENSION APPROPRIATION BILL.

Mr. FORAN. I had hoped, Mr. Chairman, that this bill making appropriations to pay the pensioners of the United States might be passed by this body without being drawn into the mire of party politics; in fact, there was an understanding to that effect. So far as the remarks of the gentleman from Iowa [Mr. HENDERSON] are concerned in relation to the expressed desire of the present Administration to be assured when it purchased bonds that it had authority to do so, I only desire to say that this country ought to be congratulated that its Chief Executive is honestly over scrupulous rather than corruptly reckless in his interpretation of the laws which, by virtue of his high office, he is called upon to interpret. That is all I desire to say about that except that there have been some administrations against which the charge of honest enforcement of law could not be made.

With respect to what the gentleman said in answer to some remarks made by the gentleman from Michigan [Mr. TARSNEY] a few days ago, I only desire to say that I, as a Democrat, congratulate myself upon the fact that the other side, instead of finding fault with our administration of the Pension Department, have found it necessary to apologize for their own administration of that great department. The gentleman also said that Mexican pension claims were rushed through rapidly. That may be true, but it should be remembered that the Mexican pension is a service pension, and that all the applicant or claimant has to do is to establish the fact that he was a soldier in the Mexican war and that he is over sixty-two years of age. That is very easy to do, and, as a matter of course, those claims are passed upon rapidly. So much for that.

As to what was said by the gentleman from Iowa [Mr. HENDERSON] about the pension given to Hon. William R. Morrison, I know nothing of it. It may be mere newspaper talk, or there may be some foundation for the statement. It involves no charge of corruption, and I let it pass. The administration and character of General Black speak for themselves. Neither demands nor needs apology or vindication. With respect to the remarks made by the gentleman from Indiana [Mr. HOVEY] I do not desire to say anything except that if the laws relating to pensions are surrounded, as he claims, by red-tape regulations, he ought to blame those who enacted those laws and made those red-tape regulations, which were a legacy to the present administration. The per diem service bill spoken of by the gentleman from Indiana would, as near as I can compute it, add to the pension expenditures of the United States over $100,000,000 per annum. General, Drum the Adjutant-General of the Army, estimates that the number of Union soldiers of the late war now living is 984,000, nearly one million. Their average service was two years and a half, which would make $9.13 a month. That would make about a hundred million dollars, which, added to the eighty millions that we are at present paying for pensions, would make about $180,000,000, or over $3 per capita upon all the people of the United States. Taxes are paid by those who labor; taxes are paid by the workingmen, who create wealth; and if a man has a family of four in addition to his wife, he would have to pay $18 per annum for pensions. A dollar in this country represents ten hours work, so that he would have to work eighteen days in the year for the payment of pensions. I believe that if the workingmen of this country, the ex-soldiers included, understood this, they would not be so anxious or a per diem pension bill. I was a soldier of the late war myself, and will go as far as any gentleman, in reason, for the soldier; but I think that if there are 984,000 Union soldiers of that war still living, and 406,000 of them are upon the pension-rolls (probably the number will be about 450,000 before the end of this fiscal year), this country is doing remarkably well for its soldiers. I do not say it has done more than it should, or even as much as it should; more will be done in time. If one-half of all the men now living who served in the war for the Union are upon the pension-roll, that is a condition of things never seen or heard of before in any country on this globe. Now, Mr. Chairman, I have said all that I think it necessary to say on these points, and I ask that general debate on this bill be considered as closed.

There was no objection, and it was so ordered.

The CHAIRMAN. The Clerk will now proceed to read the bill by sections for amendment and discussion under the five-minute rule.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1889, and for other purposes, namely:

For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives, and survivors and widows of the war of 1812, and with Mexico, $79,000,000: *Provided*, That the appropriation aforesaid for navy

pensions shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately.

Mr. CONGER. Mr. Chairman, I offer the amendment I send to the desk.

The Clerk read as follows:

Amend by inserting in line 14, after the word "purpose," the following: "*And provided further*, That in all pensions to widows payments shall be made from the date of the death of the husband."

Mr. FORAN. The point of order is reserved.

Mr. CONGER. What point of order does the gentleman make?

The CHAIRMAN. The gentleman will state his point of order.

Mr. FORAN. It changes existing law.

The CHAIRMAN. The Chair will hear the gentleman from Iowa briefly upon the point of order.

Mr. CONGER. Mr. Chairman, I take it that the point of order will not be sustained. Surely this amendment changes no existing law. Section 4702 of the Revised Statutes provides as follows (and I only read that portion of it referring to this subject):

* * * His widow, or if there be no widow, or in case of the death without payment to her of any part of the pension hereinafter mentioned, his child or children under sixteen years of age shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father and continue to the widow during her widowhood, and to his child or children until they have attained the age of sixteen years, and no longer, etc.

Now, section 4709 of the same law fixes a limit within which applications must be filed in order that they may refer back to the date of disability, or to the time that the right to pension accrued—that is five years thereafter.

The language of this section it is true is "all pensions."

But in order that the two sections may not be meaningless they must be construed together, and if they are construed together they are still meaningless unless we conclude that section 4709 refers to all pensions, as it says, except those mentioned in section 4702, namely, the pensions to widows.

It is claimed that section 4702 has been repealed by a provision in an appropriation act passed on March 3, 1879. Now, Mr. Chairman, it is apparent that this section has reference only to those cases mentioned in section 4709; it simply refers to the limitation as to time in which the cases shall be filed, changing the time from five years after accrued right to an absolute date, and fixing that date at the 1st of July, 1880, and it did not intend to, nor does it, repeal section 4702, because neither in its enacting clause nor in its limitation clause does it make any mention whatever of this section; but it does in specific terms, by a section in that appropriation act, repeal section 4709. Section 3 of that act of March 3, 1879, provided:

Section 4709 of the Revised Statutes is hereby repealed.

The specific terms of this section plainly precludes the idea of repeal by implication of a section not mentioned.

Now, Mr. Chairman, as to the question of repealing or enacting laws simply by a provision inserted in an appropriation act we have a very recent example which ought to be binding at least upon the members on the other side of this House, where the Chief Executive of this nation in a case of a most urgent character and of the most vital importance, as he says, expressed the gravest doubts as to the legality or the permanency of enactments embodied in appropriation bills. Then, if that is not enough, and if it is still claimed that section 4702 was repealed by this section of the appropriation act, because of its inconsistency with it, then that objection is overcome by the fact that by an act approved August 7, 1882, which is chapter 438 of the Statutes at Large, to be found in volume 22, this section 4702 is re-enacted in the very words of the Revised Statutes, in which it is specifically provided that the widow's claim for pension shall commence from the date of the death of the husband. I read from this act, but only that portion which relates particularly to this branch of the subject:

His widow, or if there be no widow, or in case of her death or payment to her of any part of the pension hereinafter mentioned, his child or children under sixteen years of age, shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled, to commence from the death of the husband or father, etc.

Language could not be plainer.

That is the very latest enactment upon this subject, and if it is true, as gentlemen must admit, that the latest enactment repeals all previous enactments that are inconsistent therewith, then certainly the widow is and must be by law entitled to a pension from the date of the death of her husband and not from the time of filing her application.

Now, as to the propriety of making these declarations or constructions of law in appropriation acts, the distinguished committee which prepared and presented this ought by their own acts to have their mouths closed against an objection of this kind. Why, this very bill, in the proviso just preceding where I have offered this amendment, declares that—

The appropriation aforesaid for navy pensions shall be paid from the income of the navy pension fund, so far as the same may be sufficient for that purpose.

When, Mr. Chairman, section 4755 of the Revised Statutes provides that these navy pensions shall be paid from this fund only, and can be paid from no other, why, then, the necessity for declaring it in an appropriation bill? Simply the same necessity as exists for the declaration of this amendment. Another very excellent reason, Mr. Chairman, why the point of order will not lie against a declaratory measure of this kind, or a construction of existing law in an appropriation bill, may be found in a very recent act of this House. I have not forgotten, and I trust that gentlemen on the other side of the House have not forgotten, that on Monday last this House resolved itself into an attorney-general, into a court, into a law officer, and a judicial forum, and declared, or construed rather, a law——

Mr. PETERS. Interpreted.

Mr. CONGER. Interpreted, my friend from Kansas suggests, a law for a halting Executive—a law, Mr. Chairman, which to everybody else but this Executive was perfectly plain and conclusive.

In this amendment we are enacting no new legislation, but we are simply following these precedents and construing a very plain law for another executive officer who does not seem to understand the law, or, understanding it, fails hopelessly in its execution. It seems to me, Mr. Chairman, the point of order is not well taken and can not be sustained.

Mr. FORAN rose.

Mr. PETERS. I would like to supplement the remarks of the gentleman from Iowa on the point of order by one or two suggestions, and then the gentleman from Ohio can reply to both of us.

Mr. FORAN. Very well.

Mr. PETERS. I simply want to supplement what the gentleman from Iowa has said by this statement.

If it is claimed at all that the law to which he refers has been repealed, no more, certainly, can be claimed than that it has been repealed by implication. Now, as you well know, it is a legal proposition adhered to by all courts that repeals by implication are not favored. But especially is that the case here where that implication, if there is an implication at all of repeal, has been limited by the act to which the gentleman from Iowa refers. Section 3 of the act of 1879 curtails the power of the limitation by declaring specifically that section 4709 of the Revised Statutes is hereby repealed and virtually says by implication that no other statute is repealed or no other section of the statute is repealed.

You will also observe another rule of law that where there is the express mention of one subject-matter, that in the construction of the law virtually excludes any other matter that is not expressed. Now, here in this law of 1879 is an express mention of the repeal of a certain section, which, in my judgment, according to all the rules of legal construction, precludes taking into consideration any other section that is not mentioned in it.

Those are the two points to which I desired to call attention.

Mr. FORAN. I would be more than gratified to allow a vote to be taken on this amendment, because I believe in the proposition as I further believe that it is the law now. And I believe the Commissioner of Pensions ought to so interpret existing statutes. But I can not permit these amendments which change existing law or which increase appropriations to go upon this bill, for the reason if one is permitted there will be a flood of them. This bill will be loaded down, and when it goes over to the Senate it may come back with the dependent-pension bill upon it.

I have no objection to the amendment except that I think the House ought to pass this appropriation bill and let these other measures relating to pensions stand on their own merits. I am willing to vote for them when they come up, and willing and anxious to vote to take them up at any time.

Mr. CONGER. I did not hear distinctly the gentleman's first sentence. Do I understand him to say that he believes this is the existing law?

Mr. FORAN. I do. I think if the argument of the gentleman from Iowa made to the chairman of the Committee of the Whole was made to the Commissioner of Pensions he would get a ruling from him in his favor.

Mr. MILLIKEN. If this is the law now, how will the amendment change existing law?

Mr. FORAN. It would be merely declaratory of existing law, and therefore unnecessary and useless.

Mr. PETERS. If this is the law now the only power which has jurisdiction to declare what the law is has placed a construction upon it which is in contradiction to a reasonable construction. Therefore it seems to me the amendment of the gentleman from Iowa, declaring what the law is, is not any new creation of law, but is simply an interpretation of existing law, and therefore is not subject to the point of order.

Mr. FORAN. I am not aware this matter has ever been appealed from the Commissioner of Pensions to the Secretary of the Interior. Is the gentleman aware whether the Secretary has ever passed upon this matter?

Mr. PETERS. I do not know.

Mr. FORAN. I would be very willing to let a vote be taken on this amendment if the House will after that stand by the committee and prevent the admission of these amendments changing existing law.

The CHAIRMAN. Does the Chair understand the gentleman from Ohio as withdrawing his point of order?

Mr. PETERS. I am as much opposed as any one can be to changing of existing laws by provisions in appropriation bills. But this is simply a declaration of what existing law is.

Mr. FORAN. I will reserve the point of order and let a vote be taken. That is, I wish to obtain the sense of the House.

Mr. McMILLIN. The gentleman can not properly do that. If he withdraws the point of order this inevitably opens the door for a great number of amendments.

Mr. FORAN. I insist on the point of order.

The CHAIRMAN. The Clerk will read clause 3 of Rule XXI.

The Clerk read as follows:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriation for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

The CHAIRMAN. The Clerk will now read section 4702 of the Revised Statutes down to the point indicated.

The Clerk read as follows:

SEC. 4702. If any person embraced within the provisions of sections 4692 and 4693 has died since the 4th day of March, 1861, or hereafter dies, by reason of any wound, injury, or disease which, under the conditions and limitations of such sections, would have entitled him to an invalid pension had he been disabled, his widow, or, if there be no widow or in case of her death without payment to her of any part of the pension hereinafter mentioned, his child or children under sixteen years of age shall be entitled to receive the same pension as the husband or father would have been entitled to had he been totally disabled; to commence from the death of the husband or father, to continue to the widow during her widowhood, and to his child or children until they severally attain the age of sixteen years, and no longer.

The CHAIRMAN. The Clerk will now read the amendment offered by the gentleman from Iowa [Mr. CONGER].

The Clerk read as follows:

And provided further, That in all pensions to widows payment shall be made from the date of the death of the husband.

The CHAIRMAN. The Chair has no hesitation in saying that the amendment offered by the gentleman from Iowa [Mr. CONGER] is a mere declaration of existing law. The Chair has no doubt about the law as read by the Clerk, and the amendment offered by the gentleman from Iowa is a mere declaration of it and does not change it in any respect. The Chair therefore feels impelled to overrule the point of order. The question is on the amendment offered by the gentleman from Iowa [Mr. CONGER].

Mr. CONGER. In support of this amendment I desire to have read a brief extract from the report of the Commissioner of Pensions.

The Clerk read as follows:

Our knowledge of the sacred relations of husband and wife makes us know that the last thought which often occurs to the widow is that of the pecuniary results of death. Moreover, there is a sense of delicacy which prevents a woman from immediately making application to be availed of the results of her husband's death, and so between cares, delicacy, and sometimes ignorance of right, long intervals elapse between the death of the husband and the filing of the application of the widow. In such cases as may hereafter arise it seems to me that the law should allow the commencement of the pension to date from the death of the husband where the other conditions required by the law are present.

The amendment was agreed to.

Mr. O'NEILL, of Missouri, offered the following amendment, to come in after line 16:

And provided further, That all United States officers now authorized to administer oaths are hereby required and directed to administer any and all oaths required to be made by pensioners and their witnesses in the execution of their vouchers free of charge.

Mr. O'NEILL, of Missouri. The chairman of the committee has no objection to that amendment, and I ask that it be adopted.

Mr. BLAND. If that amendment is adopted it may result in the pensioner never getting his money, because we are not to assume that anybody is going to administer these oaths as a matter of charity. If we are to adopt that amendment it ought to be coupled with another provision, that this service should be paid for by the Government. Somebody must pay for it, or the applicant will never get his pension.

Mr. McMILLIN. I reserve the point of order on that amendment.

Mr. O'NEILL, of Missouri. It is too late. The amendment has been discussed. Mr. Chairman, the law requires the pensioners every quarter to go with their vouchers and their witnesses and have their vouchers acknowledged. That imposes a tax on every pensioner of about $2 a year. Now, this amount can be saved to them by simply requiring the United States officers to perform this duty. I do not think it will interfere with the duties of these officials, and it is in the line of permitting the pensioner to obtain all the money which the Government says he is entitled to, by relieving him of this indirect tax.

Mr. McMILLIN. I withdraw the point of order.

The amendment was agreed to.

Mr. DOCKERY. I send up an amendment to come in after the one just adopted.

The amendment was read, as follows:

And provided further, That no agent or attorney shall demand, receive, or be allowed any compensation in any claim for increase of pension on account of the increase of the disability for which the pension has been allowed, or for services rendered in securing the passage of any special act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws.

Any agent, attorney, or other person instrumental in prosecuting any claim for increase of pension on account of the increase of the disability for which pension was allowed, or who has rendered services in procuring the passage of any special act of Congress granting a pension or an increase of pension in any case that has been presented at the Pension Office or is allowable under the general pension laws, who shall directly or indirectly contract for, demand, receive, or retain any compensation for such services, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for each and every such offense, be fined not exceeding $500, or imprisoned not exceeding two years, or both, in the discretion of the court.

Mr. FORAN. I make the point of order against this amendment that it is new legislation.

Mr. DOCKERY. I have no intention of discussing the point of order. The amendment is clearly obnoxious to the rule in that respect, but inasmuch as this provision has been unanimously recommended by the Committee on Invalid Pensions, and would save to the soldiers about $400,000 annually of deductions heretofore made from their allowances, I had indulged the hope that the gentleman would not insist upon the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FORAN. Mr. Chairman, it is not fair for the gentleman from Missouri [Mr. DOCKERY] to undertake to put me in that attitude. I might perhaps favor the proposition if it came up in the regular way, but I am compelled to make these points of order for the reasons I have already indicated.

The Clerk read as follows:

For fees and expenses of examining surgeons for services rendered within the fiscal year 1889, $1,000,000. And each member of each examining board shall, as now authorized by law, receive the sum of $2 for the examination of each applicant whenever five or a less number shall be examined on any one day, and $1 for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of $1 only until twenty examinations shall have been made.

Mr. GALLINGER. I make a point of order against the proviso of this paragraph that it changes existing law.

Mr. HENDERSON, of Iowa. I call the attention of the Chair to the fact that this is identical with a provision in the bill of last year, so that it is existing law.

Mr. RANDALL. Yes; it is existing law. The rate of pay was fixed in the act passed three years ago.

The CHAIRMAN. Does the gentleman from New Hampshire [Mr. GALLINGER] admit that this is the provision of the appropriation act now in force?

Mr. GALLINGER. I have not examined to ascertain whether it is or not. My impression is that it is not a part of the statute law. What the last appropriation act may have provided on this point I do not know.

Mr. RANDALL. I submit that it has been recently decided in this House in a very effective manner that legislation upon an appropriation bill is valid.

The CHAIRMAN. The Chair has no hesitation on that point, if he can ascertain what the fact is. [A pause.] The Clerk will read the provision embraced in the appropriation act for the present fiscal year.

The Clerk read as follows:

Provided, That if twenty or more applicants appear on one day no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of $1 only until twenty examinations shall have been made.

Mr. GALLINGER. Mr. Chairman, upon the statement made I desire to withdraw the point of order.

Mr. WHITE, of Indiana. I move to amend the pending paragraph by striking out all after the word "dollars," in line 19, and inserting the following:

That for each and every examination, regardless of numbers, made by said examining surgeons, they shall receive the sum of $2.

Mr. FORAN. I make a point of order on that amendment. It changes existing law.

The CHAIRMAN. The gentleman from Ohio makes the point of order that this amendment changes existing law. Does the gentleman from Indiana desire to be heard upon the point of order?

Mr. WHITE, of Indiana. Mr. Chairman, it does not appear to me that this amendment makes any change in the existing law, though it may possibly be regarded as a construction of the law. The present law provides that the members of the examining board shall receive a fee of $2 for the examination of each applicant whenever five or less shall be examined on any one day, and shall receive $1 for the examination of each additional applicant on the same day. But while there is provided a reduced fee for additional examinations over five, there is no provision for an increased fee in case less than five persons appear for examination. It appears to me that if the law is flexible in one direction, it ought to be so in another; it should not slide altogether one way, and to the detriment unjustly of these examining officers.

There is no provision that claim agents receiving more than five cases in any one day shall have their fees reduced. The claim agent is al-

lowed so much for every case, whether the number of cases be one or a hundred. Why should not the physician be placed upon a similar scale? Certainly the vocation of the examining surgeon is just as honorable as that of the claim agent; the part performed by the physician in reference to the pensioning of the soldiers is just as creditable as the work done by the claim agent. Yet we are adopting regulations which discriminate against these professional gentlemen.

I have been spoken to on this subject by a great many physicians, who have informed me that there is a hardship in the present operation of the law. On some days there may not be more than one or two soldiers examined; yet the members of the board are obliged to abandon their business and attend to the examination, although it does not pay them to do so. On the other hand, when the number examined exceeds five, there is a reduction in the fee. It seems to me there should be either a corresponding increase when a smaller number than five are examined, or there should be a uniform fee for each examination, regardless of numbers.

I trust that before this Congress adjourns we shall pass a law which, possibly, may dispose of this whole question. There is now, I understand, before the committee a bill similar to one presented at the last session of Congress, which, if it had become a law, would have rendered unnecessary any provision such as I now propose. I refer to what is known as the "general pension law," the provisions of which would relieve our ex-soldiers of a great deal of present trouble and annoyance in connection with examinations.

I hope that the amendment I now propose will not be ruled out of order. There is to my mind no reason why it should be looked upon as involving new legislation. It has substantially been the law heretofore; but the construction placed upon the law has been different. I hope the amendment will be adopted, not only in justice to the surgeons, but for the benefit of those who apply for pensions, and who, when an examination is hastily made, may suffer great injustice.

Mr. FORAN rose.

The CHAIRMAN. The Chair is ready to rule on the question.

Mr. FORAN. Only a word before the Chair decides. Mr. Chairman, at present the average fee per board for each examination is $4.80 or $1.60 for each surgeon. The scramble to get these appointments is almost unprecedented; and the surgeons ought not to complain of the present rate of pay. The adoption of this amendment would increase the annual expenses of the Government $193,000. The Committee on Expenditures in the Interior Department has unanimously made an adverse report upon the bill providing for a uniform fee of $2.

Mr. RANDALL. Will the gentleman from Ohio state, if he can, what is the average annual pay of each surgeon for these weekly meetings?

Mr. FORAN. The pay averages about $900 annually for each surgeon.

The CHAIRMAN. The amendment of the gentleman from Indiana clearly changes existing law. The Chair sustains the point of order.

Mr. GAY. Page 2, line 31, I move to strike out "18" and insert "19;" and in line 12 to strike out "72" and insert "76."

Mr. RANDALL. I do not know whether the amendment is subject to the point of order, but I desire to reserve it.

Mr. GAY. Mr. Chairman, the object of the amendment is to do comparative justice and contribute to the convenience of the thousands of pensioners in the southwestern district of the United States east of the Rocky Mountains. In the States of Louisiana, Texas, Arkansas, Florida, and Alabama the Commissioner of Pensions desires to establish an additional agency. There are now, or were at the close of the last fiscal year, 8,081 pensioners, receiving an aggregate of $987,528 of pensions. All of that at present goes to the pension agent at Knoxville, Tenn., and the Commissioner of Pensions recommends the propriety, and with a view to the convenience of the pensioners in that part of the country, of establishing an additional pension agency at New Orleans.

The subcommittee of the Committee on Invalid Pensions granted him one additional agency, but the full committee concluded it was only necessary to retain the present number. Hence the necessity for my amendment, and I hope it will be agreed to. I think there is necessity for this additional agency at New Orleans, and I hope the gentleman in charge of the bill will consent to allow the amendment to be included in the bill.

Mr. RANDALL. I do not know what the view of the gentleman in charge of the bill may be to this particular matter, but I can state the view of the committee is that this amendment should not prevail. In the Forty-eighth Congress, at both sessions, the House decided that a reduction should take place from eighteen to twelve in the number of those agencies, but the Senate in both cases insisted on keeping the number at eighteen for reasons of their own; I do not know whether political or otherwise.

We are asked to reverse our attitude in this connection, on this side at least, and to increase the number to nineteen, as recommended by the Commissioner of Pensions, who also recommends increases in regard to surgeons and in other respects. I do not think his recommendation should weigh with this House, especially at this time when the law which we have passed gives to the President the authority which I will ask the Clerk to read.

The CHAIRMAN (Mr. HATCH in the chair). The Chair is of the impression that the number of these agents is fixed by existing law. Is that so?

Mr. RANDALL. It is.

Mr. BLANCHARD. Does the gentleman from Pennsylvania rise to a point of order?

Mr. RANDALL. I do.

Mr. BLANCHARD. What is it?

Mr. RANDALL. I think the point of order is that the number of these agents is fixed by law, and, therefore, the amendment proposes a change of existing law.

Mr. BLANCHARD. I wish to say, Mr. Chairman, the object of the amendment offered by my colleague is to provide for an additional pension agent to be located at New Orleans. Under the present regulation locating these pension agencies, there is none provided for the payment of pensions in the Southwest nearer than Knoxville, Tenn. There are thousands of pensioners there, and the number has been increased since the passage of the bill placing on the pension-rolls the veterans of the Mexican war; there are thousands of people in the States of the Southwest who would largely be convenienced by the location of this pension agent at New Orleans. I understand this is in pursuance of the recommendation of the Commissioner of Pensions, and I hope the amendment will be adopted.

Mr. HENDERSON of Iowa. Is the question of order pending?

Mr. RANDALL. I have made the point of order, but have reserved it, willing to hear what could be said in favor of the amendment. The debate has been on the merits and on the point of order.

Mr. HENDERSON of Iowa. I wish to make a few observations myself.

Mr. FORAN. I desire to say to the House that I was in favor of this amendment in the committee, but I was out-voted, and of course accepted the situation with all the grace I could. I wish to state further to the House that I was mistaken in saying this amendment was subject to the point of order. It is not subject to it. The section of the Statutes which covers these agencies, section 4780, provides:

The President is authorized to establish agencies for the payment of pensions wherever, in his judgment, the public interests and the convenience of the pensioners require.

That is the general statute bearing upon the subject; so that all this bill would do, if we were to make this provision, would be to provide an appropriation for another agent. The Commissioner of Pensions, General Black, appeared before our committee and said that it was his purpose to establish an agency at New Orleans if the committee granted an appropriation necessary therefor.

Mr. RANDALL. The gentleman from Ohio has referred to the act which authorizes the President to establish these agencies. I have already stated that the President had this power wherever the public necessities demanded it; and the authority is given to him under the statute to make new pension districts. But I do say that he has not recommended any such increase as that contemplated here, and I desire to have that section of the act read in full.

The Clerk read as follows:

The President is authorized to establish agencies for the payment of pensions wherever, in his judgment, the public interests and the convenience of the pensioners require; but the number of pension agencies in any State or Territory shall in no case be increased hereafter so as to exceed three, and no agency shall be established in addition to those now existing in any State or Territory in which the whole amount of pensions paid during the fiscal year next preceding shall not have exceeded the sum of $500,000.

Mr. RANDALL. I submit that these pensions are mostly paid by drafts. Further, if there was necessity for an increased number of agencies the President has the power already to establish them. The President has made no such recommendation upon the subject, and this, in my judgment, is not a good time to reverse the action of the House of Representatives taken in the Forty-eighth Congress in this connection, when we sought to decrease the number from eighteen to twelve. This is a proposition for an increase.

That is all I desire to say upon the subject.

The CHAIRMAN. Does the gentleman from Pennsylvania insist upon the point of order?

Mr. RANDALL. Well, I am somewhat like the gentleman from Ohio—in a little doubt as to whether it is subject to the point of order. I prefer to let the committee act upon it on its merits, and shall not insist upon the point of order.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from Louisiana.

Mr. MILLIKEN. I wish to submit a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MILLIKEN. Is it in order now to move an amendment to the pending amendment?

The CHAIRMAN. It is.

Mr. MILLIKEN. Then I offer the amendment I send to the desk.

The Clerk read as follows:

Amend by striking out "eighteen," in line 31 of the bill, and inserting "twenty;" and add "one to be located at Augusta, Me."

Mr. FORAN. One word only in reference to this amendment.

Mr. MILLIKEN. Mr. Chairman, I wish to say——

The CHAIRMAN. The Chair desires to hear the gentleman from Ohio.

Mr. MILLIKEN. Very well.

Mr. FORAN. I only wish to state that the latter portion of the amendment is clearly susceptible to the point of order.

Mr. MILLIKEN. I wish to say, Mr. Chairman, that I make that amendment because a pension agency was recently established there, and I think that more than $500,000 are paid in pensions. At any rate a very large sum of money was paid out in pensions; and now all the pensioners from the State are compelled to go to New Hampshire for payment, there being no pension agency at all in the State of Maine. While it is true that these pensions are paid by draft, as suggested by the gentleman from Pennsylvania, yet it is at the same time a great inconvenience to the pensioners.

I have no objection whatever to the amendment offered by the gentleman on the other side of the House, for the establishment of an agency at New Orleans. I think there ought to be one established there, if, as alleged, the pensioners from that region have to go all the way to Knoxville to be paid; but, for the same reason, this should be established in Maine, and I offer the amendment.

The CHAIRMAN. The Chair will state that the amendment proposed by the gentleman from Louisiana did not locate the agency, and the Chair is compelled to sustain the point of order against the amendment of the gentleman from Maine, for the reason that it does locate the agency.

Mr. HENDERSON, of Iowa. Mr. Chairman, when our Committee on Appropriations investigated this subject we had the Commissioner of Pensions, General Black, before us, and every member of the committee desired to meet the wants of the country by having a sufficient number of pension agents. We gave the matter thorough consideration, and every member of the committee was satisfied that the present number is fully sufficient.

The average number of pensioners paid at the various agencies throughout the country is 22,555. There is now a pension agency at Knoxville, Tenn., and one at Louisville, Ky., to accommodate the Southern pensioners. At the Knoxville agency there are only 18,000 pensioners paid and at the Louisville only 10,733. Combining the two agencies the average is only 14,370, which is about 8,000 less than the average at the pension agencies generally throughout the country; showing that the accommodation for that country is absolutely and amply sufficient and far beyond the average.

You take the agency at Columbus and it pays there 39,126 soldiers, as shown by the Commissioner's report. The agency at Chicago pays 35,000 soldiers; at Indianapolis, 34,000; and the one at Topeka, 29,000; and so on of all the agencies, giving an average of over 22,000, taking all into account, and the lowest of any of them is the one I have indicated at Knoxville, and the one at Louisville, which is for the accommodation of the pensioners of the South. So we found no reason whatever in committee for giving the increase asked for here, and reported against it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maine [Mr. MILLIKEN].

Mr. MILLIKEN. Mr. Chairman, I offered that merely to test the question. I now withdraw it.

The CHAIRMAN. The question is on the amendment of the gentleman from Louisiana [Mr. GAY].

Mr. GAY. Mr. Chairman, in support of that amendment I desire to say——

The CHAIRMAN. The Chair will state to the gentleman from Louisiana that under the rule debate upon the amendment is exhausted.

The question was taken on the amendment of Mr. GAY, and the Chair declared that the "ayes" seemed to have it.

Mr. RANDALL. I ask for a division.

The House divided; and there were—ayes 30, noes 77.

So the amendment was rejected.

Mr. GAY. Mr. Speaker, I send an amendment to the desk, which I desire to have read.

The Clerk read as follows:

On page 2, line 32, after the word "each," insert "one of whom to be located at New Orleans, La."

Mr. FORAN. I make the point of order against that amendment.

The CHAIRMAN. The Chair is compelled to sustain the point of order. The amendment clearly changes existing law.

Mr. GAY. This is intended to call the attention of the President to an expression of the House that there should be a consolidation of some of these agencies with the one at New Orleans.

Mr. CANNON. I move to strike out the last word, for the purpose of making a suggestion to the gentleman from Pennsylvania [Mr. RANDALL]. He has well said that in the Forty-eighth Congress this House undertook to decrease the number of these agencies to twelve.

Mr. RANDALL. At both sessions.

Mr. CANNON. At both sessions, after full discussion; and very wisely, it seems to me. In fact, I think the number might be decreased to one, and that one located in Washington, because these pensions are paid by checks anyhow. But I suggest to my friend from Pennsylvania [Mr. RANDALL], that if the Fiftieth Congress should now make the reduction from eighteen to twelve and send it to the Senate it is possible that that body might be in a better humor to concur. [Laughter.]

Mr. RANDALL. I made an honorable compromise with myself on that subject, and thought I would not disturb it, but if the proposition is presented to reduce the number to twelve I will cheerfully vote for it, because I think now, as I thought then, that twelve is a sufficient number.

Mr. MILLIKEN. Can the gentleman tell us what is the necessity of having any agency but this one in Washington?

Mr. RANDALL. The gentleman, as a Representative here, can answer that as well as I can.

Mr. MILLIKEN. I like to get instruction from older members.

The Clerk read as follows:

For the salaries of eighteen agents for the payment of pensions, at $4,000 each, $72,000.

For clerk-hire, $170,000: *Provided*, That the amount of clerk-hire for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency.

Mr. FORAN. Mr. Chairman, on behalf of the committee I offer the amendment which I send to the desk:

The Clerk read as follows:

On page 2, line 34, amend by striking out "seventy" and inserting "seventy-eight;" so as to make it read "$178,000."

The amendment was agreed to.

The Clerk read as follows:

For fuel, $750.

For lights, $750.

For stationery and other necessary expenses, to be approved by the Secretary of the Interior, $12,000.

Mr. FORAN. On behalf of the committee I offer the amendment which I send to the desk.

The Clerk read as follows:

Page 3, line 41, strike out "twelve" and insert "fifteen."

The amendment was agreed to.

The Clerk read as follows:

For rents, $20,000. And the Secretary of the Treasury, where possible, shall cause suitable rooms to be set apart in the public buildings under his control in cities where pension agencies are located, which shall be acceptable to the Secretary of the Interior, for the use and occupancy of the said agencies respectively.

Mr. FORAN. On behalf of the committee I offer the amendment which I send to the desk.

The amendment was read, as follows:

Page 3, line 44, strike out the words "where possible."

The amendment was agreed to.

The following amendments, offered by Mr. FORAN on behalf of the committee, were agreed to:

Line 43, amend by striking out "$20,000" and inserting in lieu thereof "$18,200."

Also add at the end of line 48 the following:

And the Secretary of the Interior shall designate and provide suitable rooms in the Pension Building for the use and occupation of the pension agent at Washington, D. C., and the office of said agent shall be removed therein.

Mr. FORAN. Mr. Chairman, I move that the committee now rise and report the bills and amendments to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HATCH, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes, and had directed him to report it back to the House with sundry amendments.

Mr. FORAN. Mr. Speaker, I demand the previous question upon the amendments and upon ordering the bill to be engrossed and read a third time.

The SPEAKER. The question is on agreeing to the amendments reported from the Committee of the Whole. Is a separate vote demanded upon any amendment? If not, the vote will be taken upon them in gross.

There was no objection, and it was so ordered.

The amendments were agreed to.

The bill was then passed.

Mr. FORAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BLANCHARD. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole on the state of the Union.

Mr. CLEMENTS. Mr. Speaker, I desire to inquire whether it is in order to call up the bill first in order?

The SPEAKER. The bills come up in the order in which they stand, and will be considered in that order unless passed over by the House.

Mr. CLEMENTS. Then I wish to say that I shall endeavor to call up the bill making appropriations for the District of Columbia.

The motion to go into Committee of the Whole was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. MCMILLIN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union. The Clerk will report the first bill.

The Clerk read as follows:

A bill (H. R. 6833) making appropriations for the diplomatic and consular service of the Government for the fiscal year ending June 30, 1889, and for other purposes.

Mr. BLANCHARD. With the consent, as I understand, of the Committee on Foreign Affairs, I ask that this bill be passed over.

Mr. SOWDEN and others objected.

Mr. BLANCHARD. I move that the committee rise.

Mr. MCCREARY. As I understand, the proposition is to pass over the consular and diplomatic appropriation bill. I wish to say that the chairman of that committee is to-day absent, but will be here on Monday. We agreed that the bill be passed over. It does not lose its position on the Calendar. I hope, therefore, my friend from Pennsylvania [Mr. SOWDEN] will withdraw his objection.

Mr. SOWDEN. Upon the statement of the gentleman I withdraw the objection.

Mr. BLANCHARD. I withdraw the motion that the committee rise.

The CHAIRMAN. The Clerk will read the title of the next bill in order.

The Clerk read as follows:

A bill (H. R. 8989) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1889, and for other purposes.

Mr. BLANCHARD. I ask that this bill be passed over.

Mr. SOWDEN. I object.

Mr. BLANCHARD. I move that the committee rise.

The CHAIRMAN. No motion is necessary. Objection being made to passing the bill over, the committee rises, pursuant to the rule, in order that the House may determine the question.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCMILLIN reported that the Committee of the Whole on the state of the Union, having reached House bill 8989, and objection being made to passing it over, the question was reported to the House for its decision.

The SPEAKER. The question is, Will the House direct the Committee of the Whole to pass over the bill for the present?

Mr. CLEMENTS. I hope the gentleman from Louisiana will not antagonize this bill.

The SPEAKER. The question is not debatable.

The question being taken, there were—ayes 73, noes 8.

Mr. SOWDEN. No quorum.

Tellers were ordered; and Mr. SOWDEN and Mr. BLANCHARD were appointed.

The House again divided; and the tellers reported—ayes 156, noes 9.

So the House decided to direct the Committee of the Whole on the state of the Union that the House bill 8989 be passed over.

The Committee of the Whole on the state of the Union resumed its session, Mr. MCMILLIN in the chair.

RIVER AND HARBOR APPROPRIATION BILL.

The CHAIRMAN. House bill 8989 having been passed over by order of the House, the Clerk will read the title of the next bill in order.

The Clerk read as follows:

A bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. BLANCHARD. On behalf of the Committee on Rivers and Harbors, I desire to ask that the reading of the bill by paragraphs be now commenced, without any general debate.

The CHAIRMAN. Is there objection to the request to dispense with the first reading of the bill?

Mr. KERR and Mr. SOWDEN objected.

The Clerk proceeded to read the bill.

Mr. NELSON (interrupting the reading). I ask that the further reading of the bill be dispensed with.

Mr. KERR. Mr. Chairman, my objection was to cutting off discussion; I did not intend to insist that the bill be read at length.

The CHAIRMAN. Is there objection to dispensing with the first reading of the bill?

Mr. SOWDEN. I renew the objection.

The Clerk resumed the reading.

Mr. NELSON (interrupting the reading). I again ask unanimous consent that the first reading of the bill be dispensed with, not, however, to cut off debate.

The CHAIRMAN. The gentleman from Minnesota [Mr. NELSON] renews the request that the first reading of the bill be dispensed with. Is there objection? [A pause.] The Chair hears none, and it is so ordered.

Mr. SOWDEN. Mr. Chairman, why does not the Clerk proceed with the reading of the bill?

The CHAIRMAN. The gentleman from Minnesota asked unanimous consent to dispense with the first reading, and there was no objection.

Mr. SOWDEN. Mr. Chairman, I had objected and did not withdraw the objection.

The CHAIRMAN. The Chair, after putting the request, hesitated and looked at the gentleman from Pennsylvania before announcing the result.

Mr. SOWDEN. The Chair must have observed that at the time I was entirely surrounded by gentlemen who were endeavoring to have me withdraw my objection; so that what happened in the meanwhile was entirely lost to me, and thus an undue advantage was taken. I propose that this bill shall be read; that no trick shall be successfully practiced upon me and the House in this manner.

The CHAIRMAN. The Chair will state——

Mr. BAKER, of New York. May I put a question to the Chair?

The CHAIRMAN. In one moment. The Chair will state that the gentleman from Minnesota rose and renewed the request that the first reading of the bill be dispensed with. The request was stated to the House. The Chair hesitated before announcing the result, and looked toward the gentleman from Pennsylvania.

Mr. SOWDEN. The very gentleman that made the motion came here and asked me to withdraw my objection, and I told him that I could not do it; and it now seems that he went back to his seat and sought an undue advantage by making the motion when I was surrounded by members, as already stated, and could not possibly have seen nor heard what was going on.

The CHAIRMAN. The Chair will state that a conference having been had with the gentleman from Pennsylvania in the presence of the House, the Chair might naturally suppose that the objection had been withdrawn; but in order that there might be——

Mr. SOWDEN. How could any one else withdraw my objection or defeat its operation by a renewal of the motion for unanimous consent to dispense with the further reading of the bill under the circumstances stated?

The CHAIRMAN. In order that there might be no mistake about the matter, the Chair, when stating the request to the House, looked toward the gentleman.

Mr. SOWDEN. Mr. Chairman, I contend that the undue advantage sought to be taken can not be successfully practiced. After objection had been made by myself, and the Clerk proceeded with the reading of the bill, what right had the gentleman from Minnesota or anybody else to assume that my objection was withdrawn?

The CHAIRMAN. The Chair will state to the gentleman from Pennsylvania that pending the reading of a bill it is not at all unusual for a second request of this kind to be made after the first has been objected to. It occurs frequently. It is nothing unusual.

The Chair has no desire to take any advantage of the gentleman from Pennsylvania. He thinks he will be sustained in that statement by the observation of the House.

Mr. PERKINS. I call for the regular order of business.

Mr. SOWDEN. I beg to differ with the Chair. Undue advantage was taken. I was so surrounded that the Chair could not see me and I could not see the Chair. If the Chair was looking in my direction for the purpose of seeing whether I would renew my objection I did not observe it.

The CHAIRMAN. The Chair certainly saw the gentleman from Pennsylvania.

Mr. SOWDEN. I state now, Mr. Chairman, that I did not hear the Chair and did not hear the renewal of the motion; and under these circumstances I think I am entitled to be heard. No undue advantage ought to be obtained in a deliberative body in this way, and therefore I renew my objection.

Mr. BLANCHARD. It is too late.

Mr. SOWDEN. It is not too late to do that which is right. It is never too late to prevent the consummation of a trick. Here we have a repetition, Mr. Chairman, of the same tactics that were sought to be perpetrated on the House a few days ago when an attempt was made to force this very bill through under a suspension of the rules.

Mr. BAKER, of New York. Will the gentleman yield to me?

Mr. SOWDEN. No, sir; I renew my objection.

The CHAIRMAN. The Chair will state that there is no disposition on his part, and he thinks there is none on the part of the House, to take any undue advantage of the gentleman from Pennsylvania. Under the circumstances the Chair will therefore recognize the gentleman's objection, as it will result only in the loss of an hour or so in the reading of the bill.

Mr. BAKER, of New York. I hope the gentleman from Pennsylvania will not insist upon the reading of this bill entirely through, as it will have to be read by sections for amendment. [Cries of "Regular order!"] It will save considerable time, as well as save the clerks, by not insisting upon the objection. In the interest of the clerks I appeal to the gentleman from Pennsylvania to withdraw his objection.

Mr. NELSON. I desire to make a statement. I did go over to the gentleman from Pennsylvania and request him to withdraw his ob-

jection. I first requested the gentleman from Iowa [Mr. KERR] to withdraw his objection, which he did. Then I went over and asked the gentleman from Pennsylvania to withdraw his objection, and I left several gentlemen with him who were trying to convert him. They were laboring with him for that purpose, but he seems not to have been converted. As he now seems to think there was some effort to impose a trick upon him, I ask the privilege of the House to withdraw my request.

Mr. BAKER, of New York. I hope in the interest of the clerks the gentleman from Pennsylvania will withdraw his objection, as the bill will have to be read by paragraphs——

Mr. SOWDEN. As I understand the bill has already been read in full, and will now be read by paragraphs for amendment, and as my rights have been recognized, I will withdraw my objection. [Applause.] All I desire is that we proceed regularly, so that this important piece of legislation may be carefully and intelligently considered.

Mr. BLANCHARD. I ask the bill be taken up and read by paragraphs for amendment; and that by unanimous consent the general debate be closed, and that the debate hereafter shall proceed under the five-minute rule.

There was no objection, and it was ordered accordingly.

The Clerk proceeded with the reading of the bill.

Mr. BOUTELLE. I understood this bill was to be read.

The CHAIRMAN. The bill is being read.

Mr. BOUTELLE. I know that, but it was to be read in its entirety.

The CHAIRMAN. It is being read now by paragraphs for amendment.

Mr. BOUTELLE. But I understood the bill was to be read in its entirety, and that was the cause of all this quarrel.

The CHAIRMAN. The objection was withdrawn, and the bill is now being read by paragraphs for amendment.

The Clerk read as follows:

Improving harbor at Hingham, Mass.: Continuing improvement, $5,000.

Mr. BLANCHARD. I move to add the following:

Any part of which may, in the discretion of the engineer in charge, be applied to straighten the channel from the wharf to the end of Sarah's Island.

The amendment was agreed to.

The Clerk resumed the reading of the bill until line 104 was reached.

Mr. BRYCE. Mr. Chairman, in consideration of the fact that most of the New York members are absent attending the funeral of the late Senator Conkling, I ask unanimous consent that these items of the bill referring to New York be passed over informally, to be returned to hereafter.

Mr. BAKER, of New York. You have reference to the city of New York?

Mr. BRYCE. Yes, to the city.

The CHAIRMAN. Will the gentleman indicate the lines to which the request applies?

Mr. BRYCE. I have reference now specially to lines 104 and 105.

The CHAIRMAN. Is there objection?

Objection was made.

Mr. NUTTING. Mr. Chairman——

Mr. BLANCHARD. Will the gentleman from New York permit me a moment? I understand this request of the gentleman from New York is made on account of the absence of quite a number of the New York delegation who are specially interested in these appropriations for New York City and vicinity, and who are now absent attending the obsequies of Mr. Conkling; and he therefore asks only that these be passed over for the present, to be returned to hereafter. If the gentleman from New York has no objection, I wish to state that there is no objection on my part to acceding to the request.

Mr. NUTTING. I understand the gentleman to ask only that this item improving Buttermilk Channel, embraced in lines 104 and 105, be passed over. It should also include the item in regard to Gowanus Bay.

Mr. BLANCHARD. If the gentleman will allow me, I understand the request refers to those items relating to New York City and its immediate vicinity, for instance, this Buttermilk Channel improvement, Hell Gate Channel, improvements of the East and Harlem Rivers, Gowanus Bay, and Sheepshead Bay.

Mr. NUTTING. I understand. So far as I am concerned I have no objection.

The CHAIRMAN. Is there objection to the request of the gentleman from New York that these several items be passed over informally for the present?

There was no objection.

The Clerk read as follows:

Improving breakwater at Rouse's Point.

Mr. BLANCHARD. Lines 102 and 103, as I understand it, are not included in the request of the gentleman from New York.

Mr. FARQUHAR. I will forego for the present offering any amendment to lines 102 and 103, relating to the harbor of Buffalo, as I will go to the body which first put in the appropriation, the Senate of the United States, and endeavor to have an amendment made there.

The CHAIRMAN. That portion of the bill is regarded as disposed of.

The Clerk read as follows:

Improving harbor at Charlotte, N. Y.: Continuing improvement, $25,000.

Mr. BAKER, of New York. Mr. Chairman, I offer the amendment I send to the desk, to come in at this point.

The Clerk read as follows:

Page 6, line 113, strike out the words "twenty-five thousand" and insert in lieu thereof the words "making necessary renewals of piers where broken or destroyed by the storms of the past year; for removal of the old guide piles; for necessary dredging, and for contingencies, as recommended, $67,800.

Mr. BAKER, of New York. This amendment is in accordance with the recommendation of the local engineer. The Engineer-in-Chief recommended an appropriation of $25,000 for continuing the work for the ensuing year, and that the amount could be made available and expended to advantage. The local engineer—I should say first in all fairness to the committee that they reported the whole amount recommended by the Chief Engineer—but the local engineer in his report in relation to it states in a letter which I have before me, bearing date of March 29, and which I shall ask consent to incorporate in full in my remarks, refers to this harbor, and says that it is absolutely necessary for the proper prosecution of the work of improvement and for the completion of it that the items recommended by him should be appropriated. I think the Engineer-in-Chief inadvertently recommended only $25,000, although he writes a letter recently, stating that he thought $25,000 was all that could be profitably expended during the ensuing year. He also states, however, that the whole amount recommended by the local engineer may be profitably employed in improvement and repairs necessary for this harbor.

Now, Mr. Chairman, the local engineer recommends for the ensuing year as follows: For necessary repairs, $30,000. The exigency requiring this appropriation arises from the fact that during the past two seasons in consequence of storms the damage to the piers of this harbor has been very great, and hence it is necessary that the amount asked for and recommended by the local engineer, namely, $30,000, should be appropriated. He also recommends for the removal of certain guide piles $1,500, and for necessary dredging $25,000. The report of the local engineer shows that during the past season (and I may say that I have seen this daily myself, having spent my summers there for some time past) in many cases vessels coming out of this harbor of Charlotte have stuck upon the sand at the mouth of the harbor, and hence that this dredging is absolutely necessary.

This harbor has contributed to the Treasury in the past year a net revenue of about $80,000. The imports during the year were $499,000 and over.

Mr. KERR. What were the receipts of revenue there?

Mr. BAKER, of New York. The receipts of imports amounted to $499,798.

Mr. KERR. That was not the customs receipts?

Mr. FARQUHAR. Oh, no; the total imports.

Mr. BAKER, of New York. The net revenues amounted to $80,450.61. The total tonnage was 149,535 of arrivals and 146,181 of departures. The total number of vessels arriving 652, and departure 646. The business is exceedingly large. We have large lumber interests there and blast furnaces, extensive coal interests, shipping from the Pennsylvania mines and through a coal chute to vessels transporting it to the Canadian ports and to ports upon the south shore of Lake Ontario, shipping in this way immense quantities of coal from that harbor.

The demands of this district are so great and it is so strongly recommended by the local engineer as an appropriation for the chief port upon the south shore of Lake Ontario that I feel confident in asserting that if the amount had been indorsed by the Chief of Engineers there would have been no question about its allowance. The full amount recommended by the Chief of Engineers was allowed, and the only objection in the minds of the committee, I apprehend, is to having any change made in the item recommended by him.

UNITED STATES ENGINEER OFFICE, *Oswego, N. Y., March 29, 1888.*

SIR: I have the honor to acknowledge receipt of your letter of the 27th instant, a copy of which is herewith returned in accordance with your request.

The sum of $25,000 has so little relation with my recommendations that I have no idea whether it is intended to leave out definite items or to make a general reduction. There will be available at the end of this month $7,091.65, which gives a total a little less than two-thirds the amount of the estimated needs, taking account of the work done. Of the importance of this work there is little need that I should write you. The opinion which I have put on record (with the reasons therefor) in my report that Charlotte has better prospects than any other American port on Lake Ontario would make me especially regret any failure in this appropriation. Referring to my letter of January 6, 1887, the condition therein described is modified by the renewal in autumn of 1887 of 900 feet of the superstructure of east pier, as reported in my annual report, and by the renewal since the date of that report of 1,490 feet of that of the west pier.

Of the damage by storms during the winter of 1887–'88, a breach in the west face of the west pier 45 feet by 4 feet was repaired in connection with renewal of superstructure on that pier, and a considerable loss of stone from the east pier has also been repaired. The repairs made since my annual report are included in the estimate presented therein, and are paid for from the amount therein reported on hand, so that as regards the amount of money now needed I offer nothing which is not in my report. The work which has been done has cost about what it was estimated to cost, and both the amount of damage by storms and the progress of the work go to confirm my estimates. There is less work now needed and there is less money on hand; the amount of money really needed to be appropriated for the prosecution of the work as wise economy calls for is the same now as then.

With less than the amount estimated, either the piers can not have the full

renewal which they need, and the expensive method of petty patch-work with no permanent result to show for it must be adopted, or else no reserve can be held for dredging, and if the season should be one of low water the coal merchants must pay Welland Canal rates on their upper-lake shipments without being able to load in their own harbor for the full depth of the Welland Canal. The immediate saving which enters into either of these results can hardly be to the lasting profit of the United States.

I have the honor to be, very respectfully, your obedient servant,

CARL F. PALFREY,
Captain of Engineers.

Hon. CHARLES S. BAKER,
House of Representatives, Washington, D. C.

Annual report for fiscal year ending June 30, 1887, for improving harbor at Charlotte, N. Y.

Object.—To secure a navigable channel at the mouth of the Genesee River, on Lake Ontario.

Project.—The original project adopted in 1829, and executed between that date and 1834, was to obtain a channel 480 feet wide and 12 feet deep, formed and protected by parallel piers extending to deep water of the lake.

The present project, adopted in 1881, is to secure and maintain, by pier extension and dredging, a channel of navigable width and 15 feet depth at extreme low water.

No dredging has heretofore been done, the channel having been formed and kept open by the current of the Genesee River.

Present works—First. West pier, 3,173 feet of crib work; being 230 feet, 10 feet wide, 805 feet with substructure 20 feet wide and superstructure 10 feet wide; cribs built prior to 1834, 10-foot superstructure built 1864, decayed to water-level; then 1,835 feet, 20 feet wide, cribs built in 1829-'34; superstructure rebuilt in 1864-'72, in need of renewal (this includes the old pier head); 303 feet, 20 feet wide, built in 1883-'84; in good condition.

Second. East pier, 3,323 feet of crib work; being 420 feet cribs, 20 feet wide, built in 1829-'34, and superstructure not renewed since that time, now under water; then 646 feet of cribs, 20 feet wide, with superstructure of same width; cribs built in 1828-'34; and superstructure renewed in 1864-'67; then 800 feet, cribs 20 feet wide, built in 1828-'34; with superstructure 20 feet wide, renewed in 1886; then 1,004 feet of cribs 20 feet wide, built in 1828-'34, with superstructure renewed 1868-'70; then 303 feet cribs and superstructure, 20 feet wide, all built in 1883-'84; then 150½ feet cribs and superstructure, 20 feet wide, built in 1884-'85. All the superstructure needs renewal except those parts above described as built since 1883.

Channel.—The present channel has a least width of 150 feet, with 13 feet depth at zero of gauge.

Operations.—The rebuilding of 800 linear feet of superstructure of east pier near present shore line, wrecked by storm in spring of 1886. This work was carried on subject to interruption by storm and ice. Owing to difficulty in obtaining stone much of that used in filling the new work was taken from the dilapidated portions of the pier well inside the present shore-line. The work was done by hired labor and materials purchased in open market, after advertisement by circular.

Operations closed December 22, 1886; they will be resumed when the stage of water permits. The present stage is 2½ feet above the level at which work must begin.

Gauge readings of water-level have been kept up at Charlotte three times daily during the year.

Remarks.—At this port, since the commencement of work in 1829, the shore-line has advanced against the west pier about 1,100 feet, against the east pier about 700. The land so formed on the west side has been improved and cultivated by the Ontario Beach Improvement Company, who have rebuilt along their river front the superstructure of about 500 feet of the old pier. Of the land formed on the east side a plat was given to the United States Life-Saving Service for their station, and they are now rebuilding superstructure on their river front, as well as protecting their lake front against encroachment by waves. The portions of the old pier occupied and those inshore therefrom are no longer essential to the harbor works.

In estimating repairs required I have, therefore, included only the portions lakeward from the new work mentioned. The old guide-piles (303) along the channel face of the piers, now decayed and broken to a little below water-level, have become a serious damage. Unless the water-level should be higher than usual during this season it will be necessary to do a considerable amount of dredging outside the entrance. The larger coal steamers were barely floated at the close of last season.

By its position on the lake, near the middle of the south shore, Charlotte has greater advantages in length of haul over the railroad lines which pass around the lake than any other port. As the lake port of Rochester (which city is the seat of all its business), it has also a wider railroad connection than any other port. It is also the only port having a direct communication with the principal mining regions of bituminous coal and making large shipments of that product. A small quantity is shipped from Great Sodus. The trade in this article extends as far east as Montreal. From its railroad advantages, its favorable position on the lake as regards length of run in doubtful weather, and its present control of bituminous coal shipments, I consider Charlotte to have the best prospects of all the American ports on lake Ontario, and the completion and maintenance of its harbor works to promise material benefit to commerce.

I can not but regard the comparative statistics, presented as required, as misleading. The tonnage of 1881 was exceptionally large. A full examination of the statistics of the years past shows a general increase, which is also observable in 1882-'87.

Recommendation: At this harbor I have the honor to recommend, first, maintenance of existing piers, lake sections, as above described; second, removal of decayed guide-piles; third, dredging to 15 feet at extreme low water, both between piers and across outer bar.

ESTIMATES.

For repairs	$30,000
For removal of guide-piles	1,500
For dredging	25,000
Contingencies, 20 per cent	11,300
Total	67,800

MONEY STATEMENT.

July 1, 1886, amount available	$2,605.48	
Amount appropriated by act approved August 5, 1886	26,250.00	
		$28,855.48
July 1, 1887, amount expended during fiscal year, exclusive of liabilities outstanding July 1, 1886	7,948.50	
July 1, 1887, outstanding liabilities	167.60	
		8,116.10
July 1, 1887, amount available		20,739.38
Amount (estimated) required for completion of existing project		72,750.00
Amount that can be profitably expended in fiscal year ending June 30, 1889		67,800.00

Submitted in compliance with requirements of section 2 of river and harbor acts of 1866 and 1867.

COMMERCIAL STATISTICS.

Name of harbor, Charlotte, New York.
Collection district, Genesee, New York.
Nearest light-house, Genesee, New York (at Charlotte), a fixed red light of the fourth order, on crib, 800 feet inside of outer end of west pier. Forts Niagara and Ontario, New York, are the nearest works of defense.

Amounts of commerce and navigation when the work of improvement began under the present project, in 1881.

Arrivals.		Departures.		Imports.	Exports.	Revenue collected, 1881.
No.	Tonnage.	No.	Tonnage.			
652	149,535	646	146,181	$499,798	....	$80,450.61

Arrivals and departures of vessels during the fiscal year ending June 30, 1881.

Description.	Arrivals.		Departures.	
	Number.	Tonnage.	Number.	Tonnage.
Steamers	254	64,404	265	65,440
Sailing vessels	364	84,493	420	93,836
Total	618	148,897	685	159,276

Revenue from customs for fiscal year ending June 30, 1887	$72,278.32
Value of imports same year	451,617.00
Value of exports same year	620,926.00
Greatest draught of vessels about 12 feet.	

Respectfully submitted.

CARL F. PALFREY,
Captain of Engineers.

I received yesterday your telegram of that date to my predecessor, Captain Maguire, relating to public works at Charlotte, N. Y., and replied to it as follows:

"Superstructure decayed and damaged: West pier, 1,900 feet, including 40 feet breached; east pier, 1,687 feet, including 276 feet breached, of which 800 feet has been repaired. Needed: For repairs, $35,000; reserve for dredging if necessary, $10,000; contingencies, $10,000; total, $55,000; on hand for next season, $20,000."

Stating more fully the needs: The sections of superstructure referred to as decayed and damaged have been annually reported by my predecessors for several years past, as calling for immediate renewal. It has decayed from age, and, for the security of advantages to commerce already gained, should have been renewed long ago.

As soon as money was available and material could be collected I started work on the east pier which was in the worse condition. On December 22 the removal of 800 feet was completed, and work was closed, having, as I need hardly tell you, been carried on with special difficulty at this season. I think both piers will stand the winter, though the west is old and weak.

The money now available will put the west pier in fair but not in good condition, provided no dredging is needed in the spring. The last season was one of unusually high water and the coal-vessels were barely floated. A little lower water, with ordinary loading, would make dredging necessary, and then no repairs, of such thoroughness as to be economical, would be possible. It is of no use to bolt sound timbers to rotten ones, nor is it of much more to put timbers which ought to last ten or fifteen years into a work which may barely hold together two or three.

But the money now available can only be used for needed renewal, provided there is an appropriation for the next fiscal year. Otherwise such reserves must be kept on hand to meet the probable breaches by autumn gales that little or no general renewal of superstructure would be possible. In other words, if there is not money enough to make the whole pier sound and strong, I must wait for the storm to make a breach and then patch that. From the engineering point of view this policy is not economical. If the appropriation is not enough for the renewal of superstructure as per my telegram, there is little doubt that breaches will occur, the channel suffer, and the final cost of repair be greater.

I need hardly urge upon you the importance of a work in which you have already shown interest. I will mention, however, that of ports on the south shore of Lake Ontario (I write without knowledge of Cape Vincent) Charlotte is the second in its commerce, and shows an increase, while the majority of Ontario ports are on the decline.

I have written, in direct answer to your inquiry, of repairs and of the maintenance of present depth. I assume that the project of pier extension and of deepening the channel to 15 feet is known to you. The published reports of my predecessors are easily obtainable from the office of the Chief of Engineers.

If I can be of further service to you in this matter, command me.

I have the honor to be, very respectfully, your obedient servant,

CARL F. PALFREY,
Captain of Engineers.

Mr. BLANCHARD. The amendment offered by the gentleman from New York proposes to increase the appropriation for the harbor of Charlotte from $25,000, as it stands in the bill, to $68,700. That is a large increase. I will state to the Committee of the Whole that the Committee on Rivers and Harbors when considering the Charlotte Harbor gave it every dollar that the Chief of Engineers asked for as the amount that could be properly expended in the fiscal year ending June 30, 1889. However, Mr. Chairman, the committee at the request of the gentleman from New York addressed a communication to the Chief of Engineers and asked his idea touching the amount appropriated for the harbor at Charlotte. His reply I hold in my hand and I send it to the Clerk's desk to be read, because I believe it to be a conclusive answer to the argument of the gentleman from New York when he states there is no exigency existing why this increase should be made.

The Clerk read as follows:

OFFICE OF THE CHIEF OF ENGINEERS, UNITED STATES ARMY.
Washington, D. C., April 3, 1888.

SIR: In reply to your letter of yesterday's date, I beg leave to state that in submitting an estimate of $25,000 as the amount that could be profitably expended at Charlotte Harbor, New York, during the fiscal year ending June 30, 1889, the recommendations of the officer in charge of the work were duly considered, which were:

1. The maintenance of existing piers;
2. The removal of decayed guide-piles; and
3. Dredging to 15 feet at extreme low water.

There was a balance on hand at the beginning of the present fiscal year of $20,739.38; of this amount there has been expended to date in repairs to existing works $13,671.80, leaving a balance of $7,067.58 still applicable to the maintenance of existing piers and the removal of the decayed guide-piles.

The $25,000 asked for is to be applied, as far as possible, to dredging operations during the next fiscal year, and although the full amount of the estimate of $67,800 made by the officer in charge could be expended to advantage during the next fiscal year, should it be the pleasure of Congress to grant it, it should be borne in mind that in the preparation of these estimates the requirements of the whole service of rivers and harbors were taken into consideration, and that there is no special urgency existing in the condition of this harbor that would require an apportionment of public funds in excess of the numerous similar instances existing of reduction, for public reasons, of estimates for funds that might otherwise be expended to advantage.

Very respectfully, your obedient servant,

J. C. DUANE,
Brigadier-General, Chief of Engineers.

Hon. N. C. BLANCHARD,
Chairman Committee on Rivers and Harbors,
United States House of Representatives.

Mr. BLANCHARD. That letter, I submit, shows that the appropriation of $25,000 for the harbor of Charlotte, which is the full amount the Chief of Engineers asked for, is sufficient to meet the exigencies of repairs at that harbor and to continue the work of improvement there. I submit, therefore, that the amendment presented by the gentleman from New York ought not to be adopted.

Mr. BAKER, of New York, rose.

The CHAIRMAN. Debate on this amendment has been exhausted.

Mr. JOSEPH D. TAYLOR. I move to strike out the last word, and yield my time to the gentleman from New York [Mr. BAKER].

Mr. BAKER, of New York. In reply to my friend from Louisiana I beg to emphasize that portion of the letter of the Chief of Engineers which states:

The $25,000 asked for is to be applied, as far as possible, to dredging operations during the next fiscal year, and although the full amount of the estimate of $67,800 made by the officer in charge could be expended to advantage during the next fiscal year should it be the pleasure of Congress to grant it, etc.

Now, as a business proposition, recognizing the fact that this harbor turns into the Treasury two or three times the amount asked for in this amendment, it seems to me there should be no hesitation on the part of the House in following the recommendation of the local engineer, who has examined the necessities of this harbor, has been on the ground, and knows all about them, while the Chief of Engineers knows nothing about them. He takes the recommendations of the local engineers and arbitrarily cuts them down. He has done so in this case. The committee have wisely under their rule given all they could of the recommendation of the Chief of Engineers.

Now, I ask, in the interest of commerce and justice to this harbor, which is the second on the south shore of Lake Ontario, that the amount recommended by the local engineer as necessary, not only for the dredging to be carried on under the recommendation of the Chief of Engineers, but for the necessary repairs in consequence of the devastating storms of the past winter and the winter before, shall be granted.

This is a matter of business. We are not asking to have money from the Treasury put into a new enterprise, but it is to consummate, complete, and carry on to perfection the work now in progress.

Mr. SOWDEN. Will the gentleman allow me one word?

Mr. BAKER, of New York. Yes, sir.

Mr. SOWDEN. I understand the Chief of Engineers recommends the amount appropriated by the bill through the committee, and states that that amount only can be profitably expended—that is to say, $25,000—within the next fiscal year. Is that true?

Mr. BAKER, of New York. I thank the gentleman from Pennsylvania for the suggestion. The Chief of Engineers does not say that that amount only can be profitably expended. He says:

And although the full amount of the estimate of $67,800 made by the officers in charge could be expended to advantage during the next fiscal year, should it be the pleasure of Congress to grant it—

And he goes on to say that in view of the demands of other localities, where new enterprises, perhaps, are being undertaken, there is not a special urgency existing in this case.

Mr. SOWDEN. But the letter submitted by the chairman of the committee says——

Mr. BAKER, of New York. It is that letter from which I have just been reading. I will read the balance of the sentence in the words of the letter of the Chief of Engineers:

It should be borne in mind that in the preparation of these estimates the requirements of the whole service of rivers and harbors were taken into consideration, and that there is no special urgency existing in the condition of this harbor that would require an apportionment of public funds in excess of the numerous similar instances existing of reduction, for public reasons, of estimates for funds that might otherwise be expended to advantage.

Mr. SOWDEN. What does he say with reference to the expenditure of the $25,000?

Mr. BAKER, of New York. Just as I read it, that—

The $25,000 asked for is to be applied, as far as possible, to dredging operations during the next fiscal year, and although the full amount of the estimate of $67,800 made by the officer in charge could be expended to advantage during the next fiscal year.

Mr. SOWDEN. Does he not also state somewhere in that letter that the $25,000 appropriated in this bill is all that could be profitably expended on that work this year?

Mr. BAKER, of New York. He does not state that or anything like it in substance or effect.

This appropriation has been urgently recommended by the Rochester Chamber of Commerce. Their memorial was referred to that committee. It is not only a matter of importance to the city of Rochester, but to the State of New York and to the commerce of the Union generally.

I wish also to call attention to the fact that the last river and harbor bill, which failed to pass at the last Congress, carried $35,000, which was an increase over this.

The question was taken on the amendment of Mr. BAKER, of New York, and it was rejected—ayes 43, noes 81.

Mr. BAKER, of New York. No quorum. [Cries of "No!" "No!" "Do not do that!"]

Mr. BAKER, of New York. Well, Mr. Chairman, I think it is rather cruel, but at the instance of our friends on the other side I withdraw the point.

The Clerk read as follows:

Improving harbor at Dunkirk, N. Y.: Continuing improvement, $15,000.
Improving harbor at Flushing Bay, New York: Continuing improvement, $15,000.

Mr. BOUTELLE. Mr. Chairman, I move to strike out the last word. I presume, sir, that not a dozen members of the House were aware of any intention to bring this bill up to-day. There are certainly absent from the House at this time quite a number of members who are known to be opposed to this bill. I was called out myself a few moments ago, and on my return found pending an objection to dispensing with the reading of the bill. I heard the gentleman from Pennsylvania [Mr. SOWDEN] complaining that undue advantage had been taken of him to get this bill put in a more forward stage than it was entitled to. The Chairman permitted the gentleman's objection to stand because it was the desire of the Chair to avoid any appearance of taking advantage of the House. I understood, and I presume most members of the House understood, that that decision required the reading of the bill to be proceeded with, but to my surprise I learned a few moments later that the difficulty had been composed and that the bill had been "railroaded" through all the preliminary stages; that all the preliminary debate had been waived under the rules, and that we were launched upon the consideration of the bill by paragraphs. Now, there must be some object in this precipitancy.

Several MEMBERS. There is—to pass the bill. [Laughter.]

Mr. BOUTELLE. To pass the bill, undoubtedly, and the gentlemen who have furnished that reason are probably the gentlemen who are particularly interested in the passage of the bill.

Mr. FARQUHAR. They are.

Mr. BOUTELLE. Mr. Chairman, I propose now to suggest some reasons why those gentlemen are so anxious to have this bill passed. It is a very remarkable measure in many of its aspects. Here is a bill appropriating almost $20,000,000 of the public money, and yet a House which has been so jealous of appropriations that it has repeatedly spent hours in debating measures involving a few thousand dollars rushes to the discussion—not to the discussion but to the passage—of this bill without a single word of explanation on the part of anybody as to its character, or as to the reasons which have actuated some of its most remarkable provisions, without any argument being offered to the House or the country why we should add $20,000,000 to the appropriations of this Congress for the purposes provided for in this bill; $20,000,000 in the aggregate, to be applied for various works upon rivers and harbors in behalf of which gentlemen on that committee have been lobbying and beseeching members in this House the past week or ten days to consent that the bill should be passed under a suspension of the rules. Perhaps, Mr. Chairman, the special zeal of the gentlemen who form the *personnel* of that very able, and certainly, so far as this bill is concerned, very efficient, Committee on Rivers and Harbors is explained by the fact that out of the aggregate of about twenty millions they have appropriated to the States which they represent the modest sum of $13,326,000. That statement, sir, is inside of the limit, because there are various general improvements which also are for the benefit of the States represented by those gentlemen. Those appropriations are not included in these figures, but to their own States they have appropriated nearly fourteen millions out of the twenty millions carried by this bill.

The CHAIRMAN. The time of the gentleman from Maine [Mr. BOUTELLE] has expired.

Mr. KEAN. I renew the amendment, Mr. Chairman, and yield to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Chairman, there is a remarkable geographical distribution in this bill. The figures which I give are the result of a very hasty and cursory examination, but such an examination as I have been able to give the bill satisfies me that the more it is examined the more its beauties will be developed. I find that the States of Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Tennessee, Texas, Virginia, and South Carolina, twelve States, receive by direct appropriation an amount which, added to the amounts that will be expended within their limits on the Lower Mississippi River, aggregates $7,831,000. Here are twelve of the States of this Union, less than one-third of the number, which receive that large amount of money, and many of them are States with little or no seacoast States in which these appropriations are to be expended for the improvement of rivers, creeks, and minor streams in the interior. I find on examination that the entire appropriation for the improvement of the rivers and harbors of New England, with its great extent of coast line, amounting to thousands of miles, with its innumerable harbors and estuaries, and with its enormous commerce, is the magnificent sum of $908,000; while there is more than $1,000,000 appropriated for one or two harbors in the single State of Texas.

I find, Mr. Chairman, while, as the gentleman from New York [Mr. COX] stated the other day with such emphasis and force, the great imperial harbor of our national coast, the harbor of New York, has been almost entirely neglected in these appropriations, yet for two rivers, the Missouri and the Mississippi, the appropriations aggregate nearly five millions of dollars.

Mr. Chairman, I have not time in this five-minute debate to go into an elaborate analysis of this remarkable bill. As the bill progresses I propose to call attention to some of the details of its provisions. At the outset of its consideration, in default of any general discussion of a measure involving this enormous amount of expenditure, I have deemed it my duty to call attention to these remarkable features of this appropriation bill.

[Here the hammer fell.]

Mr. BLANCHARD. Mr. Chairman, the Committee on Rivers and Harbors did not desire to occupy the valuable time of the House in any general discussion of this bill. We preferred results to "buncombe." In order to economize time and to make as much progress as possible, we desire to go at once into the consideration of the bill by paragraphs.

Mr. Chairman, when the gentleman from Maine [Mr. BOUTELLE] rises and states that the great harbor of New York has received in this bill what he is pleased to term a "miserable pittance," I must say to him that I fear he has not read either the bill or the report. If he had read the report which I hold in my hand it would have shown to him, as it has shown to every one who has read it, that there is in the bill an aggregate for the harbor of New York of $835,000, and for the Empire State of New York appropriations, all told, amounting to more than $1,500,000. And when the gentleman criticises the appropriations made in this bill for the New England States I will inform him that that section of country had upon the Committee on Rivers and Harbors a gentleman whose fidelity and ability in the discharge of his duties can not be questioned by the gentleman from Maine or any one else; and when I tell the House that the allotments made for the New England States were and are entirely satisfactory to that gentleman, I do not think the House will be disposed to agree with the gentleman from Maine that the New England States have been unfairly treated in this bill.

Mr. Chairman, the gentleman has made other mistakes. He has stated that over $13,000,000 of the appropriations in this bill are for the States that had representatives on the Committee on Rivers and Harbors. To arrive at that amount, I presume my friend from Maine credited to some States that had representation upon the committee the very large appropriation in the bill for the Mississippi River from the Falls of St. Anthony to its mouth, and for the Missouri River from Fort Benton to its mouth—more than 3,000 miles. The gentleman also includes in his statement $1,500,000 which this bill carries for that channel of communication between Lake Superior and Lake Michigan, known as the St. Mary's River, through which there passes more than four times as much commerce as all of our foreign commerce put together amounts to. And when a gentleman proposes to credit the State of Michigan with that appropriation, it is only necessary, in order to show how very much he is mistaken, that I should point out that no water way of this country is more national in character than that.

Again, the gentleman states that for the Mississippi and Missouri Rivers there are appropriations amounting to over $6,000,000, or nearly $7,000,000.

Mr. BOUTELLE. I did not state that.

Mr. BLANCHARD. How much did the gentleman state?

Mr. BOUTELLE. I said about $5,000,000.

Mr. BLANCHARD. Now, Mr. Chairman, the report which I hold in my hand shows that the Mississippi River, from its headwaters to its mouth, receives $3,392,850, and the Missouri River, all told, $694,000, making, instead of five or six millions, as the gentleman puts it, only about $4,000,000. I commend to my friend from Maine the bill and the report before he passes upon this measure any more criticisms such as that.

[Here the hammer fell.]

Mr. BOUTELLE. Mr. Chairman, I beg to state to my distinguished friend from Louisiana [Mr. BLANCHARD] that there can not be much dispute on a question of mathematics in adding up the appropriations of this bill; and I do not propose to be finical about that. I have made the calculation of the amounts of appropriation, and my figures show the appropriations for the Mississippi River to be $4,212,850; and, with all due respect to the gentleman, I am inclined to think I am correct. My figures show the appropriations for the Missouri River to be $727,500, which I believe to be also correct. The aggregate of these two sums is $4,940,350, or about $5,000,000. So that I was not very far out of the way.

The gentleman questions my estimate or my statement of the amount absorbed by the members of the Committee on Rivers and Harbors.

I desire to say, Mr. Chairman, it is no part of my purpose to reflect on any gentleman of this House. Every man is here on his oath; every man is here to look after the interests of his constituents.

My impression, derived from the sessions of two Congresses, and the general impression of the House, has been as to the membership of the Committee on Rivers and Harbors—that gentlemen go there to look after the special interest of their localities. The House recognizes that to be true of the River and Harbor Committee in a more pointed sense than of any other committee of this House. I make no reflection; I am only stating a fact.

I have made a computation. The gentleman says I am in error in crediting to the committee the appropriation for the entire length of the Mississippi River. I beg the gentleman's pardon when I correct him; I have not made any such mistake, and that gentleman is hardly better able to make verification of my figures than myself.

And I will say that I am not entirely geographically ignorant about the Mississippi River. I have seen the river at its mouth and at various points from the Falls of St. Anthony down. I have learned the difference between the Upper and the Lower Mississippi. I have not credited the committee with the appropriation for the Upper Mississippi. I have simply credited it with the $3,024,600 for the Lower Mississippi, all of which passes through the States of the members represented on that committee. I would not have done injustice to have added a considerable slice of the appropriation for the Upper Mississippi, for the reason that the appropriations for that part of the river will also inure in large degree to the benefit of States represented on that committee.

My figures show, on the part of these gentlemen, a regard for their localities which, perhaps, is creditable to them, and for which I have no doubt their constituents will give them credit. Out of an aggregate appropriation of $19,494,783 the States represented by members on the committee have allowed themselves the very liberal share of $13,326,700.

The CHAIRMAN. The gentleman's time has expired.

Mr. CHEADLE. I will take the floor and yield my time to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. I thank the gentleman for his courtesy.

Now, Mr. Chairman, as there may be some criticism made of these figures I will give them in detail.

The State of Louisiana receives $315,500 outside, I beg my friend to observe, of what accrues to that State from the Mississippi River appropriations; Alabama gets $412,000; Texas, $1,012,500; Mississippi, $126,000; Virginia, $537,500; West Virginia, $409,700; Maryland, $300,500; Michigan, $2,183,300.

At that point I desire to observe that I am well aware those appropriations do cover, as the gentleman says, improvements which are of great interest and value to all parts of the country, but I submit there is a probability that in these figures for the improvement of the country at large the State of Michigan has not been neglected. It has $2,183,300, or about three times the amount appropriated for New England.

California receives $499,900; why they did not make it an even $500,000 I do not know. Illinois, $510,400; Pennsylvania, $595,000; Ohio, $1,039,000; New York, $1,570,800.

I desire to say, if my friend from Louisiana is as successful in persuading the gentleman from New York City [Mr. COX], as he seems to be in persuading himself, that the great harbor of New York is liberally treated in this bill, he will be fortunate. One million five hundred and seventy thousand dollars have been given to the State of New York, but the great harbor of New York and the great sea-way channels of New York have received but meager recognition.

The great bulk of the appropriations for New York State in this bill are interior, and not to the harbor of New York. They are above the city in the northern and central portions of the State. They are very properly appropriated, no doubt, and will probably do much good; but the fact remains that these appropriations, while they may be worthy in themselves, do not account for or excuse the fact that the committee neglected to make a provision so long demanded by the commerce of the whole country, and in the interest of the whole country, for improvements upon a grand scale in the harbor of New York.

Again, in this bill we find Wisconsin $414,000 and Massachusetts $378,000, aggregating, as I said before, without crediting the appropriations upon the Upper Mississippi River, $13,326,000 to States represented by members of the Committee on Rivers and Harbors.

Now, my friend from Louisiana [Mr. BLANCHARD] can not get up

a family difficulty between myself and the gentleman from Massachusetts, who represents New England upon the committee; and if he is satisfied and all the rest of New England are satisfied and the Committee upon Rivers and Harbors are satisfied, I do not know that it will make very much difference whether I am satisfied or not. But I desire to reiterate here my opinion that in a river and harbor bill aggregating $19,500,000 for the improvements requisite to facilitate the commerce of this country, the sum of $900,000 is a meager and miserable allowance to the great coast lines and harbors and rivers of New England.

I withdraw the *pro forma* amendment.

Mr. NUTTING. Mr. Chairman, I desire to move an amendment to strike out the last line.

I think, sir, for at least three times since this river and harbor bill has been reported to the House for consideration the action of the committee in reference to the great harbor of the city of New York has been called in question in terms not altogether complimentary to myself, and as the only member on that committee from the State of New York at this time, it is proper that I should make fitting response.

Now, I desire to call the attention of the House, and I think I am entitled to do so, to the exact state of facts in regard to this harbor. Nobody is going to dispute the fact that the State of New York has a great harbor. I believe that port collects about 66 per cent. of all the customs duties collected at all the ports of the United States; so, that the city of New York is entitled to a liberal consideration, there is no sort of question whatever. But I want to assert here, and I am able to prove it from the facts, that it has received proper consideration at the hands of the Committee on Rivers and Harbors.

The gentleman from Maine [Mr. BOUTELLE] says that a few thousand dollars have been dropped around here and there in New York State, amounting to some four or five hundred thousand dollars. Well, I should say——

Mr. BOUTELLE. The gentleman is mistaken; I did not say anything of the kind.

Mr. NUTTING. Well, you said it was scattered around here and there in different projects throughout the State of New York, outside of the city, but that the great channels, the great water ways of the city, had been treated miserably. In substance you said that. Now, I undertake to say that there is not a word of truth in that; and I have, I think, good foundation for the assertion.

Mr. BOUTELLE. I am very much obliged to the gentleman for his interpretation of my language.

Mr. NUTTING. We will see whether I am correct or not as I proceed.

Mr. Chairman, there are two great channels, two great great water ways in the city of New York, especially great, or three we will say. The first is what is known as Buttermilk Channel, New York harbor proper, and Hell Gate in East River. What did the committee do in reference to them? But first, what did the committee find when it proceeded to consider them? We have to-day, Mr. Chairman, for these projects on hand, or had on the 1st day of April, 1888, for the improvement of Hell Gate and East River, $30,775 of an unexpended appropriation. This was on hand before the committee commenced to deal with the subject. Then on a recommendation of $500,000 by the Chief of Engineers an appropriation of $250,000 more was given. So much for East River and Hell Gate. What do we find in regard to the main harbor of the city of New York? We find that for the great harbor of the city of New York, on the 1st day of April—this month—there was on hand in the Treasury of the United States already appropriated to this work, and this particular spot, in the great harbor, $666,683.36. Well, did we stop here, and say that is enough? Did we say that a river and harbor bill which had been in existence for two years, and which left this amount unexpended—two-thirds of the whole amount appropriated on hand—was enough, and that we would do nothing more? Not at all. The Committee on Rivers and Harbors, on a recommendation of $540,000, have appropriated for this particular spot $380,000 more. So that to-day, if the House should pass this bill, the particular spot the gentleman says is the great highway of commerce of the city of New York would have more than a million of dollars ready to be used in its improvement.

[Here the hammer fell.]

Mr. CATCHINGS was recognized, and yielded his time to Mr. NUTTING.

Mr. NUTTING. Now, the gentleman from New York the other day, and I am sorry he is not here—I allude to Mr. COX, and I refer to him for he is usually a fair man and a friend of mine—referred to another project in this city, namely, the Harlem River improvement. He said it was of great importance. I admit it. This Congress, with a generosity only commensurate to the magnitude of the work to be commenced, appropriated in 1878 $300,000 for that project. This project is entered upon for the purpose of allowing the commerce which comes from the great West to the city of New York, and which is intended to go out upon the sea and over the ocean, to have free egress to the ocean; and hence this is a work of more than mere local magnitude.

The committee rose informally, and the following reports were submitted.

ROCK CREEK RAILWAY COMPANY, DISTRICT OF COLUMBIA.

Mr. HEARD, from the Committee on the District of Columbia, reported back the bill (H. R. 2017) to incorporate the Rock Creek Railway Company of the District of Columbia, with the recommendation that the House non-concur in the amendments of the Senate and ask for a committee of conference.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

Mr. HEARD also, from the Committee on the District of Columbia, reported back the bill (H. R. 6899) to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia, with the recommendation that the House non-concur in the amendments of the Senate and ask for a committee of conference.

RIVER AND HARBOR BILL.

The committee resumed its session.

Mr. NUTTING (continuing). In 1878 Congress appropriated $300,000 for that project. Have you expended it? Not a dollar of it, even to this day. That $300,000 was on hand when we commenced our work upon that committee.

More than that, Mr. Chairman, in 1879 the committee began with this $300,000 in the Treasury available, and appropriated another $100,000, making $400,000 for Harlem. And yet gentlemen say the city of New York, with the great water ways around it, have been used meanly. Those gentlemen are desirous of creating a sentiment which the facts do not warrant, or else they have not been properly informed as to what has been appropriated for those projects. What did we do with Harlem? Upon the basis of having $400,000 on hand for that project, a work on which not a shovelful of dirt had been removed, or a single rock loosened, our committee in this bill gave $150,000 more, making $550,000 on hand for Harlem at this time. And yet gentlemen from New York seek to create the impression that the harbors of New York city have been left unattended to. They do not do themselves credit, and, unthinkingly, perhaps, they have been unfair to me, the only member from the State of New York on that committee.

Another thing. There has been a hint, merely a hint, but a man is sensitive even to a hint when it relates to his own home, in talking of the inadequate appropriation for the harbors around the city of New York, that the harbor of Oswego has been given too much.

Mr. BOUTELLE. Allow me to suggest to the gentleman that that statement was made by a member who is not now present.

Mr. NUTTING. Did you not say it?

Mr. BOUTELLE. I did not.

Mr. NUTTING. You came very near it.

Mr. BOUTELLE. Well, you can shoot at the "very near;" but when you shoot at that statement I wish you to understand that you are shooting at a gentleman who is absent.

Mr. NUTTING. Oh, when I shoot I will shoot with some object and at some object worthy of shot. [Laughter.]

Now, Mr. Chairman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALLEN, of Michigan. Mr. Chairman, I move to strike out the last word, and I yield my time to the gentleman from New York [Mr. NUTTING].

Mr. NUTTING. Mr. Chairman, I do not wish to be heated or excited about this matter or to misstate facts. If you will look at the figures which have been given to us here by the compiler of commercial statistics of the Treasury Department showing moneys collected as customs at the ports in the United States you will find and these gentlemen will find that the city of New York collected $144,000,000, of all that was collected in the United States in 1887. You will find in that same line Boston, San Francisco, Philadelphia, Baltimore, Chicago, New Orleans, Buffalo, Vermont, and then, Mr. Chairman, with great pride I say, you will find Oswego Harbor the tenth in importance in the amount of money which it collects and pays into the Treasury of the United States.

If you take the last seventeen years of collections of customs—and that is long enough to test any question, if a man is fair, and I take it that gentlemen desire to be fair here when they get down to it and are not heated or prejudiced—if you take the last seventeen years of collection of customs duties, you will find that the great city of New York has collected in that time the enormous sum of more than $2,000,000,000, which has been poured into the Treasury of the United States. That is so grand a result that it is almost incomprehensible; but when you go along to Buffalo you will find that in the same time there has been collected there about $11,000,000 in duties, and when you come to Oswego you will find that she has collected and paid into the Treasury of the United States during the seventeen years last past, to be drawn against for the improvement of other harbors, nearly $12,000,000. Now, Mr. Chairman, gentlemen make a mistake when they talk here about these appropriations for rivers and harbors being the projects of particular States or locality.

They are unfair to their own good sense, they are unfair to the country, because every project of that character in the United States worthy of an appropriation is the project of every locality, State, and individual in the country. The harbor of New York does not belong to

New York alone. All the States in the Union pay tribute to it, as their products go through it and out upon the sea and over the sea. So at Buffalo, so at Oswego, and so at all the other commercial points. These projects are great national projects. Gentlemen talk about the Mississippi River, and some may be disposed to talk flippantly about the harbor of New Orleans, and to laugh at the idea of calling New Orleans a harbor at all; yet they will find upon examination that in the value of the products exported during the last year, New Orleans comes second upon the list of our ports—New York first, New Orleans second.

[Here the hammer fell.]

Mr. BLANCHARD. It is now within five minutes of the time when the House, under previous order, will take its recess. I therefore move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. MCMILLIN reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. SPRINGER. I desire to offer a resolution and ask unanimous consent for its adoption, giving this evening session to the Committee on Rivers and Harbors, and to-morrow night to pension business.

Mr. BOUTELLE. I object to setting aside pension night for the river and harbor bill.

Mr. SPRINGER. Then I will withdraw the resolution.

GEORGETOWN BARGE, DOCK, ELEVATOR, AND RAILWAY COMPANY.

Mr. COMPTON, from the Committee on the District of Columbia, reported back a bill (H. R. 6129) to incorporate the Georgetown Barge, Dock, Elevator, and Railway Company; which was laid upon the table.

He also reported a bill (H. R. 9581) to incorporate the Georgetown Barge, Dock, Elevator, and Railway Company; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RIGHT OF WAY THROUGH INDIAN TERRITORY.

Mr. SHIVELY, from the Committee on Indian Affairs, reported, as a substitute for House bill 1203, a bill (H. R. 9582) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

House bill 1203 was, by unanimous consent, laid on the table.

A. N. KIMBALL AND OTHERS.

Mr. OATES, by unanimous consent, reported from the Committee on the Judiciary a substitute for House bill 7151, for the relief of A. N. Kimball and sureties on his official bond as a receiver of public moneys; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

REAL ESTATE IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL, from the Committee on the District of Columbia, by unanimous consent, reported back favorably the bill (S. 2307) to correct the records of the District of Columbia relative to certain real estate therein; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DUTIES OF COMMON CARRIERS.

Mr. ANDERSON, of Kansas (by Mr. MORRILL), introduced a bill (H. R. 9600) to declare the duties, enforce the obligations, and regulate the service of railroad companies as carriers of interstate commerce, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

Mr. DOCKERY. I move that the House now take a recess until 8 o'clock, for the consideration of pension business under the special order.

The motion was agreed to; and accordingly (at 4 o'clock and 58 minutes p. m.) the House took a recess.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m., and was called to order by Mr. MCMILLIN, who directed the reading of the following communication from the Speaker:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., April 20, 1888.

SIR: Hon. BENTON MCMILLIN is designated to preside as Speaker *pro tempore* at the session of the House this evening.

J. G. CARLISLE.

Hon. JOHN B. CLARK, Jr.,
Clerk House Representatives.

ORDER OF BUSINESS.

Mr. PIDCOCK. I move that the House resolve itself into Committee of the Whole House for the consideration of bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

FRANCES ANNE PYNE RICKETTS.

The CHAIRMAN. The House is in Committee of the Whole under the special order for the Friday evening session. The Clerk will report the first bill.

The Clerk read the title of the first pension bill on the Calendar, as follows:

A bill (S. 393) for the relief of Frances Anne Pyne Ricketts.

Mr. CHEADLE. Mr. Chairman, I shall object to the consideration of this bill for reasons which I gave on last Friday evening. I do not wish to be an obstructionist, yet I am not willing that bills of this class shall be passed, unless in a House with a constitutional majority present.

Mr. RANDALL. I hope the gentleman from Indiana will not object to the consideration of this bill. I have heretofore permitted it to be postponed many times, because I did not wish to interfere with bills in which other gentlemen felt an interest. The time has come, I think, when we should be permitted to have a vote on this bill.

Mr. CHEADLE. I am perfectly willing, so far as I am concerned, that an agreement be made by which a limited time may be allotted for debate on this question, and after that the previous question be considered as ordered, and a vote taken in the House. But, sir, I have convictions on this question of class legislation; and while I have profound respect for my distinguished friend from Pennsylvania——

Mr. RANDALL. As I have for you.

Mr. CHEADLE. I can not waive my convictions on a question of this kind. If I could have waived them in favor of any person on earth, I would have done so in the case of the widow of General Logan.

But, Mr. Chairman, I hope that other men who volunteered to save our temple of constitutional liberty volunteered from the same motives that I did—that we might preserve this Government, under which every citizen is guarantied absolute equality before the law.

There is now pending in this House a proposition to pension the widows of the men whose health was broken down in the war at so low a rate of pension as $7.20 a year, and from that amount up to $144 a year. And so long as I remain a member of this body the widow of no soldier who died in defense of the Government or from disease contracted in the war shall be pensioned at a greater rate than that allowed by law. The laws of this Government have fixed the rate of pension for the widows of enlisted men, and also for the widows of all officers above the grade of lieutenant-colonel. The widow of a lieutenant-colonel is given two-and-a-half times as much pension as the widow of an enlisted man.

And, Mr. Chairman, I say that under the spirit of our institutions that is a distinction great enough, and so long as one hundred thousand claims of my comrades are pending, men broken in health, living in penury and want, before Congress, and pending there for years, I will not permit the consideration of one bill of this class except it will be in the presence of a constitutional majority of this House.

Mr. RANDALL. Mr. Chairman, I do not object to the views of the gentleman. He is the custodian of his own judgment as well as his own acts; but it is a hardship that there should be a distinction and a discrimination made against a particular bill.

General Ricketts was a hero in three different wars; ay, more than that, the very woman whom we propose to pension here was herself a soldier in the Army of the Union, both under fire and in the capacity of nurse. But I am content with the suggestion of the gentleman from Indiana. If he will permit fifteen minutes' debate, pro and con, on this subject in the House on a Friday, I am content to let the matter go over and into a full House.

Mr. CHEADLE. To that I am perfectly willing to give my consent.

Mr. MCMILLIN. Mr. Chairman, if the previous question is ordered this bill comes up to-morrow.

Mr. RANDALL. I prefer not to make any arrangement that will interfere with the business of the House on any other day than Friday.

Mr. MCMILLIN. But the rules of the House can not be varied by our consent or action here in committee; and I for one would object to any proceeding which would permit any bill of this character to interfere with the public business of the House, which is now so far behind.

Mr. RANDALL. I will make the suggestion to the gentleman from Indiana, for between the two gentlemen I find I am to be under cross-fire in this connection——

Mr. MCMILLIN. Permit me to interrupt the gentleman. I only spoke in behalf of the public business in the House, which I want to further and have been trying to further, without regard to any particular matter which may be under consideration, during the whole of this session.

Mr. RANDALL. I do not accept the suggestion of the gentleman from Tennessee that we can not agree here to have this go over and into House on Friday; because the committee has over and over again

agreed upon such course as to other bills which have been so carried over; and I will on to-morrow myself, if there be any impediment such as the gentleman from Tennessee indicates, then ask consent of the House that the bill shall go over until Friday.

Mr. McMILLIN. And a single objection would force the House to a discussion of a half hour, and then a yea-and-nay vote, which consumes an hour of the time to be devoted to public business, when the time is so much in demand and the business so far behind.

Mr. RANDALL. I do not want a word of discussion as far as I am concerned. I am willing to rest upon the report of the committee and say not a word. I suggested fifteen minutes on either side only because the gentleman from Indiana had indicated that there might be a desire for debate in opposition to the bill.

Mr. BINGHAM. I desire to say to the gentleman from Pennsylvania as well as to my friend from Tennessee [Mr. McMILLIN] that it has always been the history of cases of this character that have gone over on Friday nights that fifteen minutes' discussion has been had, and I do not see why there should be an exception in this case.

Mr. McMILLIN. I do not object to the discussion suggested. I think such a bill, if passed at all, ought to be discussed. But I am trying to avoid any interference with the public business, which ought to be advanced and which is so unusually far behind. I am objecting to have the time of the House taken up with these matters. I have no feeling in regard to the question at all, except to do what I have been trying to do for weeks—advance the public business; and I think that all things of this character should be made subservient to it.

Mr. RANDALL. The gentleman from Tennessee is not the only member of the House who is advancing the public business.

Mr. McMILLIN. I don't claim to be.

Mr. RANDALL. Others are as anxious as he.

Mr. McMILLIN. And I am glad to know that we will have the assistance and co-operation of my distinguished friend from Pennsylvania.

Mr. TAULBEE. There is nothing whatever before the committee.

Mr. BINGHAM. There is a bill before the committee.

Mr. TAULBEE. I beg pardon, there is no bill before the committee.

The CHAIRMAN. The title of a bill has been read.

Mr. TAULBEE. And I would like to know what we are discussing? What does this bill propose to do?

Mr. RANDALL. The gentleman from Kentucky has probably been here every Friday night, and he knows that the consideration of this bill has been opposed on several occasions.

Mr. TAULBEE. I was not here on last Friday night, because I was sick.

Mr. BINGHAM. It has been put aside on four Friday nights.

Mr. TAULBEE. What is the rate of pension proposed?

Mr. BINGHAM. A hundred dollars a month.

Mr. TAULBEE. Then I shall oppose the bill.

The CHAIRMAN. The Clerk had better read the bill, as there is an amendment proposed by the committee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of Frances Anne Pyne Ricketts, widow of James B. Ricketts, late a major-general in the United States Army, retired, and to pay her a pension of $100 per month, to take effect from and after the passage of this act, subject to the provisions and limitations of the pension laws.

The committee recommend to strike out "one hundred" and insert "seventy-five," in the seventh and eighth lines.

Mr. TAULBEE. I shall object to any arrangement that carries this bill over to a Friday. The House has assigned Friday nights for the consideration of pension bills, and everybody knows the attempts that are being made all the time to crush out the consideration of private bills.

Objection was made to-day to assigning three nights for the consideration of bills on the Private Calendar. I will say further that I am going to vote against this bill. I always have voted against bills of this class. I have been consistent in my votes, and have objected to the consideration of many of these bills when a quorum was not present, and they were carried over to be voted upon in a full House. And there never was one of them that did not pass.

Mr. RANDALL. If a bill of this kind can be passed in a full House by a yea-and-nay vote, why not agree to give that opportunity?

Mr. TAULBEE. I am in favor of this bill having the opportunity now. We might as well vote on it now.

Mr. RANDALL. I want the House to agree to the arrangement suggested by the gentleman from Indiana [Mr. CHEADLE].

Mr. GEAR. In a full House there is an opportunity of discussing the bill on its merits.

The CHAIRMAN. The Chair has been indulging this discussion in order to see if some arrangement can be made.

Mr. RANDALL. I have no objection whatever to the proposition of the gentleman from Indiana [Mr. CHEADLE].

The CHAIRMAN. The Chair will suggest that some definite proposition had better be submitted.

Mr. RANDALL. The gentleman from Indiana I think will see my good faith in this connection. But here I am on one side met by the gentleman from Kentucky [Mr. TAULBEE] who says the bill shall not go to the full House, and on the other side by my friend, the gentleman from Tennessee [Mr. McMILLIN], who intimates that he does not want the bill to go over with the previous question ordered till to-morrow. I met the objection of the gentleman from Tennessee by giving him the assurance that I would make no effort to have the vote taken to-morrow. Having done so, I am now obstructed by the gentleman from Kentucky who states that he will not let the bill get into that position. I appeal to the gentlemen of this House to act fairly in this matter.

I am frank to say that if you corner this bill in this way I do not propose to play the part of dog in the manger and stop everything if I can not get this bill through. I do not propose to stop the granting of any pension because I can not secure the passage of the one under consideration. In that event I am willing you should go on and do what you please as to every other pension, because I consider innocent claimants should not suffer because of the difficulty as to this case.

Mr. BINGHAM. Perhaps the gentleman from Indiana [Mr. CHEADLE] will allow the bill to be discussed to-night.

Mr. DORSEY. Perhaps the gentleman from Indiana would like to have a call of the House.

Mr. RANDALL. The gentleman from Indiana, as far as I can see, is right from his standpoint. I make no complaint whatever against him. But I do not like to see the gentleman from Kentucky taking a position the result of which is to incorporate himself as a whole House. I say this respectfully.

Mr. TAULBEE. I wish to be very respectful towards the gentleman from Pennsylvania, and I wish to say to him that I do not intend to obstruct the passage of this bill.

Mr. RANDALL. But I am caught either way.

Mr. TAULBEE. I only wish to catch you one way, my object being to give the bills on the Private Calendar an opportunity of being considered. Resolution after resolution has been introduced and referred to the Committee on Rules, of which I think the honorable gentleman from Pennsylvania is a member, their object being to get some method by which we can consider the little bills on the Private Calendar, hundreds of them reported for four or five Congresses, which have never yet had a chance of being put upon their passage. And every resolution in favor of and looking in the direction of considering the bills on the Private Calendar has been crushed by committees or by the House; and it is time to stop.

Mr. RANDALL. I hope you will not punish an innocent applicant on account of the alleged dereliction of Committees on Rules.

Mr. TAULBEE. I am willing you should have an opportunity to have your bill passed.

Mr. RANDALL. I hope, then, the gentleman will take charge of this bill.

Mr. TAULBEE. Suppose we pass it to-night or have a call of the House?

Mr. MORRILL. In order to settle this matter I ask unanimous consent that the previous question be ordered on this bill, with the understanding that fifteen minutes be allowed on each side for debate and that a vote be taken next Wednesday immediately after the reading of the Journal.

Mr. GEAR. I wish to amend that proposition by placing the next bill on the Calendar in the same position.

Mr. RANDALL. You can not well do that.

Mr. GEAR. I withdraw the proposition.

The CHAIRMAN. The gentleman from Kansas [Mr. MORRILL] asks that fifteen minutes be allowed for debate; that the previous question be considered as ordered, and that the bill shall be considered immediately after the reading of the Journal on Wednesday next. Is there objection?

Mr. McMILLIN. I have already given my reasons for wishing this bill to be considered on the day set apart for private business, and it seems to me they are good reasons. I think the House will agree with me that we are so far behind that we ought not in any way to block public business. I have no objection to the time being allowed for discussion which has been suggested; but let it be assigned for the day peculiarly set apart for private business.

The CHAIRMAN. Does the gentleman from Tennessee suggest that Friday next be substituted for Wednesday next in the proposition which has been submitted?

Mr. MORRILL. Then I suggest Monday immediately after the reading of the Journal. Will that suit the gentleman from Tennessee better?

The CHAIRMAN. Is there objection to the request as modified by the gentleman from Tennessee [Mr. McMILLIN], that fifteen minutes be allowed for debate on each side, and that the previous question be considered as ordered on next Friday?

Mr. TAULBEE. Yes; I object to Friday.

A MEMBER. Monday was the day.

The CHAIRMAN. The Chair understood the gentleman from Tennessee to suggest Friday.

Mr. LONG. But the gentleman modified his suggestion.

The CHAIRMAN. The Chair understood the gentleman from Tennessee to mention Friday.

Mr. MCMILLIN. I indicated Friday.

Mr. MORRILL. But the gentleman from Kentucky [Mr. TAULBEE] objects to Friday, so the objection prevents that order being made.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. TAULBEE] object?

Mr. TAULBEE. Yes, sir; I object to any interference with the consideration of private business on Fridays.

Mr. MACDONALD. I move to substitute Wednesday.

The CHAIRMAN. That can be done only by unanimous consent.

Mr. CONGER. Mr. Chairman, I understood that the request of the gentleman from Kansas [Mr. MORRILL] was that the order should be fixed for Monday.

Mr. MORRILL. I made the request that Monday should be substituted, and that the bill should be taken up immediately after the reading of the Journal on Monday next.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas [Mr. MORRILL]?

Mr. BLAND. I will not make any objection, Mr. Chairman, but I think we ought to have an opportunity to amend the bill. I want to have an opportunity to move to amend it so as to make the rate $50 instead of $75.

Mr. MORRILL. Let that amendment be considered as offered now and as pending, and let the previous question be considered as ordered on the amendment and the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas [Mr. MORRILL] as modified by the suggestion of the gentleman from Missouri [Mr. BLAND]? [After a pause.] The Chair hears no objection, and it is so ordered, and the amendment suggested by the gentleman from Missouri [Mr. BLAND] will be considered as pending. The Clerk will report the next bill.

MRS. ELVIRA L. JOHNSON.

The Clerk read as follows:

A bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip E. Johnson.

Mr. RICE. Mr. Chairman, this bill provides a pension of $50 a month for the widow of the late Commodore Johnson. It is subject to the same objection made by the gentleman from Indiana [Mr. CHEADLE] to the preceding bill, and I only ask now that it shall take the same course as that bill.

Mr. MCMILLIN. Let the report be read.

The Clerk proceeded to read the report.

Mr. CHEADLE. Mr. Chairman, I enter the same objection to this bill as to the last. I am perfectly willing that it shall go over under the same order as the other bill.

Mr. RICE. That is all I ask.

Mr. MCMILLIN. Let the report be read.

The Clerk resumed the reading of the report.

Mr. CHEADLE. Mr. Chairman, I made the same objection to this bill as to the last, and I understood that by agreement it would go over under the same order.

Mr. MCMILLIN. Mr. Chairman, there has been no statement made concerning this case, and I think the report ought to be read.

The Clerk continued the reading of the report.

Mr. BREWER. Mr. Chairman, I ask that the further reading of this report be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan [Mr. BREWER]?

Mr. MCMILLIN. Mr. Chairman, I think that where we have a bill that varies the ordinary rule of pensioning the report ought to be read, especially as it can not be read when the bill comes into the House, because it will go there with the previous question ordered.

The CHAIRMAN. The gentleman from Tennessee [Mr. MCMILLIN] objects to the request of the gentleman from Michigan [Mr. BREWER], and the Clerk will proceed with the reading.

Mr. BREWER. The bill can not be considered to-night; but the report can be printed in the RECORD. What is the use in taking up time in reading it now?

Mr. MCMILLIN. If the bill is not to be considered or acted upon to-night I do not object.

Mr. BREWER. I understand that it is not. It has been objected to.

Mr. CHEADLE. Yes, I have objected to the bill. Mr. Chairman, I do not wish to appear as an obstructionist in legislation, and will not so appear; but I stated a week ago that I should object to all these bills unless there was a constitutional majority present. Therefore it may be understood that if I am here I shall object in all these cases. I object to this on principle. As I said before, if I would have waived my principles in the matter for any one on earth I would have done it in the case of Mrs. Logan, but I think I can give good reasons for my course, and I believe I shall be able to give my Republican friends reasons that ought to make them hesitate before they build up a line of precedents here that are at war with the very principles upon which this Government rests.

The report (by Mr. DE LANO) is as follows:

This is an application on the part of Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson, for pension at the rate of $50 a month.

The husband of the petitioner entered the naval service of the United States on the 31st day of August, 1846; January 8, 1852, he was promoted to passed midshipman; September 16, 1855, promoted to lieutenant; July 16, 1862, commissioned lieutenant-commander; April 13, 1867, promoted to commander; June 14, 1874, promoted to captain; July 28, 1884, promoted to grade of commodore.

He died at the navy-yard, Portsmouth, N. H., on the 28th of January, 1887.

From the age of seventeen until he reached the period of fifty-eight, the date of his death, he had given to the Government forty-one years of service.

During that forty-one years he was in the active performance of sea service, except nine years, when he was engaged in the Coast Survey service, at the Naval Academy, at the navy-yard at Mare Island, Cal., and at the navy-yard at Portsmouth, N. H.

His medical record in the Surgeon-General's Office shows that while in the service and in the line of duty he was stricken down with cholera and with epidemic fever; and while at the navy-yard at Mare Island he received a contusion, in the line of duty, in attempting to board a tug, which injury was in part the cause of his death; although the certificate of the surgeon shows the immediate cause of death to have been Bright's disease, yet it states that "there is fair evidence that the disease originated in the line of duty."

If long service, an unblemished record, and the conscientious discharge of every duty which the exigencies of the service imposed upon him can entitle the widow of an officer of his grade to an increased pension, as a partial recognition of the exceptional services of her husband, the widow of this officer, in the opinion of the committee, would clearly be entitled to the most favorable consideration of Congress. The precedents heretofore established are so numerous and familiar that it is unnecessary in this report to specify where such recognition has been promptly given by Congress.

In this case there are additional reasons why the appeal of the petitioner should receive favorable action. Mrs. Johnson is a native of Chili, and was married to Commodore Johnson at Talcahuano, January 8, 1870. As the wife of this American officer she sundered every tie that bound her to her native country, her family, and the associations of her former life, and has shared with him the trials and hardships incident to his occupation.

She has two children absolutely dependent upon her for support and education, a daughter aged twelve years, and a son aged eleven years.

In addition to this responsibility, since the death of her husband she has lost the sight of one eye and is threatened with blindness in the other. She now finds herself in her adopted country without the means of support, with these grave responsibilities resting upon her, and in a condition that renders it almost impossible for her by her own efforts to overcome the difficulties which surround her.

The records of the service in detail of Commodore Philip E. Johnson, the affidavits of Mrs. Johnson, and Dr. F. B. Loring, are appended to this report for the information of Congress.

Your committee is of opinion that the application is one of real merit, and therefore report the bill favorably, with the recommendation that it do pass, after amending the same by striking out "E." in the fifth line, so that it will read Philip C. Johnson.

Philip C. Johnson was appointed a midshipman in the Navy August 31, 1846, and ordered to the Naval School.

December 3, 1846, detached and ordered to the Ohio; August 2, 1849, detached from the Dale and granted leave; November 1, 1849, ordered to the Naval School; May 14, 1850, detached and ordered to the Congress; July 12, 1851, detached from the St. Louis and ordered to the Naval Academy; June 8, 1852, promoted to passed midshipman.

June 9, 1852, detached from the Naval Academy and ordered to the Princeton; June 22, 1852, order to the Princeton revoked and ordered to the Fredonia; September 15, 1855, promoted to master.

September 16, 1855, promoted to lieutenant; September 29, 1856, granted permission to return from the Coast Survey steamer Active; May 26, 1859, detached and ordered to the San Jacinto; October 2, 1861, detached from the Constellation and granted leave.

November 2, 1861, ordered to the Portsmouth; July 16, 1862, promoted to lieutenant-commander; December 2, 1863, detached from the command of the Katahdin and ordered to return north.

March 21, 1864, ordered to the Naval Academy; January 18, 1866, detached and placed on waiting orders; February 17, 1866, he was granted three months' leave, with permission to visit England.

September 17, 1866, ordered to the Sacramento; March 24, 1867, detached and placed on waiting orders; April 13, 1867, promoted to commander; June 10, 1868, ordered as fleet captain of the South Pacific squadron; September 9, 1870, detached and placed on waiting orders; October 15, 1870, ordered to duty on the Coast Survey; July 2, 1872, recommissioned as commander, to rank from July 25, 1866.

May 22, 1874, detached and ordered to examination for promotion; June 14, promoted to captain; June 7, 1874, ordered to command the Omaha; September 13, 1876, detached from command of the Richmond and placed on waiting orders; April 2, 1877, ordered to the navy-yard, Mare Island, Cal.; April 15, 1881, detached and placed on waiting orders; June 1, 1881, ordered to attendance torpedo instruction; June 15, 1881, detached and ordered to command the New Hampshire; November 22, 1881, detached and ordered as Chief Signal Officer.

June 28, 1884, detached and ordered to command the training squadron; July 28, 1884, promoted to the grade of commodore.

October 14, 1884, detached and ordered to command the navy-yard, Portsmouth, N. H. He died at the navy-yard, Portsmouth, N. H., on the 28th of January, 1887.

WASHINGTON, D. C., *January* 31, 1888.

I, Mrs. P. C. Johnson, do hereby certify that ever since the death of my husband, the late Commodore P. C. Johnson, United States Navy, I have been suffering with my eyes; that the sight of one of them is entirely lost and that of the other seriously impaired.

The conditions above mentioned render me unable to read or engage in any occupation or pleasure requiring the use of my eyes.

MRS. P. C. JOHNSON.

Sworn and subscribed before me this 31st day of January, A. D. 1888.

[SEAL.] EDWARD J. STELLWAGEN,
Notary Public, District of Columbia.

[Dr. F. B. Loring, 1407 New York avenue.]

This is to certify that Mrs. P. C. Johnson is under my charge for her eyes. Mrs. Johnson has lost one eye entirely from glaucoma, and has had a severe attack in the other. Nothing but constant care and treatment will save her from total blindness. This condition has existed from the time that she lost her husband.

F. B. LORING.

Sworn and subscribed before me this 31st day of January, A. D. 1888.

[SEAL.] EDWARD STELLWAGEN,
Notary Public, District of Columbia.

Mr. GALLINGER obtained the floor.

Mr. BREWER. I do not understand that this bill has taken the same course as the one last considered.

The CHAIRMAN. The gentleman from New Hampshire [Mr. GALLINGER] is recognized.

Mr. GALLINGER. Mr. Chairman, this is a report from the Committee on Pensions; and I understand that the gentleman who made the report is not present. I ask unanimous consent that the bill be passed over, retaining its place on the Calendar.

Mr. RICE. I object. I simply ask that this bill take the same course as the Ricketts bill.

The CHAIRMAN. The gentleman from Minnesota [Mr. RICE] asks that this bill go over until Monday next, to be disposed of after the pension bill already assigned for Monday; that fifteen minutes' debate be allowed on each side, and that the previous question be then considered as ordered. Is there objection?

Mr. BLAND. Is not this widow drawing a pension?

Mr. RICE. No, sir.

Mr. BLAND. Why not give her a pension like the others?

Mr. BREWER. I have tried to get the attention of the Chair for the purpose of making objection to the proposition that this bill be fixed for consideration on Monday next. By the rules of the House next Monday is assigned for business of the District of Columbia. In the first place, I do not believe that this Committee of the Whole has power to take any portion of that day away from the District Committee; and in the second place, I can not consent that the time of the House on that day be occupied by other business. We lost entirely the last day which was assigned for District business.

The CHAIRMAN. The gentleman from Michigan [Mr. BREWER] objects to the proposition of the gentleman from Minnesota [Mr. RICE].

Mr. MORRILL. I move that this bill be amended by striking out "$50" and inserting "$30." This will relieve it from all objection. The gentleman from Indiana [Mr. CHEADLE] will then be perfectly satisfied, because that is the rate established by the general law; and it will be satisfactory to all sides.

Mr. MCMILLIN. Has this widow made application for a pension under the general law?

Mr. MORRILL. No, sir.

Mr. MCMILLIN. Why not?

Mr. MORRILL. This proposition is for a service pension. Her husband was in service for forty years.

Mr. MCMILLIN. I understand that; but if the widow is entitled to a pension under the general law, she ought to apply for it.

Mr. SAWYER. I suppose that under the general law she would not be entitled to a pension, because she can not show that the death of her husband was caused by anything incident to the service. He died of old age after a service of forty years.

Mr. RICE. I assent to the motion of the gentleman from Kansas [Mr. MORRILL].

Mr. SAWYER. I wish to make a personal inquiry—whether it would be proper for the gentleman from Indiana [Mr. CHEADLE] to give notice to the Republican side of the House when he will favor us with an explanation of his views on this great moral question involving so much? [Laughter.]

The CHAIRMAN. The Chair is unable to give the gentleman the information.

Mr. CHEADLE. Mr. Chairman, I withdraw my objection to this bill if it is understood the amendment suggested by the gentleman from Kansas is to be made. I wish to state, without occupying time, that I think I shall be able, and I say it with a great deal of respect for my distinguished friend on the right [Mr. SAWYER], to give him good and valid reasons why he, as a Republican, should stand where I stand on this question.

The CHAIRMAN. The gentleman from Kansas moves to amend the bill by striking out "$50" and inserting "$30."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

EDWARD DURANT.

The next business on the Calendar was the bill (S. 765) granting an increase of pension to Edward Durant.

The CHAIRMAN. This is a Senate bill which, as appears by the Calendar, has been reported by the House committee adversely.

Mr. MORRILL. I ask that it be passed over, retaining its place. The gentleman at whose instance it was placed on the Calendar may be able at another time to give reasons why he wished it considered. I ask that it be passed over informally for the present.

The CHAIRMAN. If there be no objection, the bill will be passed over, retaining its place on the Calendar.

There was no objection, and it was ordered accordingly.

WILHELMINA KUHLMANN.

The next business on the Calendar was the bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Wilhelmina Kuhlmann, widow of Frederick Kuhlmann, deceased, late private in Company F, Twentieth Regiment New York Volunteers.

The report (by Mr. PIDCOCK) was read, as follows:

Wilhelmina Kuhlmann is the widow of Frederick Kuhlmann, who served as private in Company F, Twentieth Regiment New York Volunteers, from May 3, 1861, to June 1, 1863. Soldier applied for pension on account of rheumatism June 29, 1880, and died during the pendency of his claim, April 17, 1884. The widow successfully completed the claim, and was allowed the pension otherwise due the soldier. Her own claim has been rejected on the ground that the death cause, disease of kidneys and uræmia, are, in the opinion of the medical referee, not due to rheumatism, for which pension was allowed.

The attending physician, Dr. Herman Kudlich, a practitioner of some prominence, testifies that he was the soldier's family physician for many years prior to and during his last illness, but did not discover the existence of nephritis until in the early part of April, 1884; then examined his urine and found that he suffered from an aggravated case of kidney disease of long standing. From affiant's knowledge of the soldier, and the history of the case, it is his opinion that this disease was caused and produced from rheumatism of long standing from which soldier suffered.

The case having been submitted to the medical referee of the Pension Office, that officer held that inasmuch as medical examination of the soldier a year prior to his death failed to show the existence of cardiac disease, it is not likely that the fatal disease was a sequence of the rheumatism. He further states that the allegations of the widow that soldier suffered from dropsy for about three years before his death are against the theory of Dr. Kudlich, regards the fatal uræmia as the result of rheumatism, and suggests that the grounds for the doctor's opinion in the detailed report of his analysis of the urine should be obtained. In response to this Dr. Kudlich says:

"I have known the deceased soldier for some years, and during this time I attended him frequently enough for more or less severe attacks of muscular and articular rheumatism and other occasional disorders, but kept no special record of it, as I never expected to testify about it. But I know that he suffered frequently from rheumatism (muscular and articular). The action of his heart, which was considerably dilated, was at times very irregular, causing frequent attacks of short breathing, and preventing the disabled from his work. I do not know that he suffered from dropsy about three years previous to his death. Mrs. Kuhlman may either be mistaken—mistaking rheumatic œdematous swellings of the joints for dropsy, using this word in a more popular way—or else he has been attended by some one else, which is possible.

"My reason to believe that the fatal disease was directly caused by his frequent attacks of rheumatism and nothing else is simply this, that I can not otherwise account for it. Mr. Kuhlman has, as long as I have known him, always been moderate in his habits, especially moderate in using alcoholic stimulants; then, on account of his rheumatic disposition, he was always very careful not to expose himself to colds. And so there is hardly any other cause left for the fatal nephritis causing uræmia than his rheumatic disposition in general, and the effects which the same had on his heart and blood vessels. The examination of his urine, of which a very small quantity only was passed, showed, as far as I can remember, considerable albumen—over 30 per cent. I do not remember to have made a microscopical examination."

The claim, notwithstanding this opinion, was rejected, as heretofore stated.

While it may be true that the connection between the fatal disease and the service is not fully shown, yet this committee, knowing the impossibility of clearly demonstrating such a connection in diseases so obscure as the one which caused this soldier's death, believe that the opinion of attending physicians should govern its action, unless it is self-evident that such opinion is incompatible with the facts in the case.

In the case under consideration there is, however, a reasonable presumption that the fatal disease was chargeable to the soldier's military service, and therefore report favorably on the bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JESSE H. STRICKLAND.

Mr. BUTLER. I ask unanimous consent for the present consideration of the bill (S. 381) for the relief of Jesse H. Strickland. I will state that I am very unexpectedly compelled to leave the city to-night, and shall take the train in a few minutes.

There being no objection, the Committee of the Whole proceeded to the consideration of the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jesse H. Strickland, formerly colonel of the Eighth Regiment of Tennessee Cavalry, United States olunteers, and pay him a pension at the rate of $30 per month.

The amendment reported by the Committee on Invalid Pensions was read, as follows:

At the end of the bill strike out the words "and pay him a pension at the rate of $30 per month," and insert the following: "And for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the 30th day of January, 1863."

Several MEMBERS. Let us hear the report.

Mr. BLAND. This is a complicated and singular case.

Mr. TAULBEE. I make the point of order that this is not in accordance with the special order for the Friday evening session.

Mr. BLAND. This man, it seems to me, is to be discharged in order to get a pension. That does not certainly come within the special order. He is to be placed on the roll to be discharged, and then he is to come in for a pension. I think we had better not proceed with such a bill.

Mr. BUTLER. It is a unanimous report from the committee.

The CHAIRMAN. A part of this bill, it would seem, would not be in order at this time, and the Chair is of the opinion that it invalidates the entire bill from being considered at this time.

Mr. BUTLER. It is a bill which, under the rules, was required to come from the Committee on Invalid Pensions.

The CHAIRMAN. The Chair sustains the point of order.

MRS. D. P. WOODBURY.

The next business on the Private Calendar was the bill (H. R. 5961) to increase the pension now paid to Mrs. D. P. Woodbury.

Mr. MORRILL. The gentleman from Michigan [Mr. CHIPMAN], who reported that bill, is not present, and I ask by unanimous consent it be passed over.

There was no objection, and it was ordered accordingly.

SALLY A. RANDALL.

The next business on the Private Calendar was the bill (H. R. 88) granting a pension to Sally A. Randall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sally A. Randall, widow of Antipas Tabor, who served as private in the war of 1812.

The report (by Mr. HENDERSON, of North Carolina) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 88) granting a pension to Sally A. Randall, have had the same under consideration, and beg leave to submit the following report:

The claimant was the wife of Antipas Tabor, who, as the record shows, served as an enlisted man in the war of 1812, in Capt. Seth Staples', Company, of the Third Regiment, Second Brigade, Massachusetts Militia, from September 27 to October 30, 1814, and was honorably discharged. Antipas Tabor died at Trinidad, on the Island of Cuba, April 11, 1831, and his widow, the claimant, married Albert Randall on February 29, 1853. Albert Randall died on October 19, 1873, and since that date the claimant, Sally A. Randall, has been, and still is, a widow.

The evidence in the case establishes the above facts, and further shows that Mrs. Randall is a worthy woman, seventy-five years of age, in needy circumstances, with health much impaired. The petition for her relief was signed by prominent citizens of Norwich, Conn., where she now resides.

The claimant has not filed claim for a pension in the Bureau of Pensions, being debarred, under a decision of July 7, 1887, from a widow's title to an 1812 pension, on account of her remarriage, notwithstanding the death of her second husband and her present widowhood.

Your committee recommend the passage of the bill.

Mr. O'NEILL, of Missouri. This is a bill to grant a pension to the widow of a soldier of the war of 1812 who remarried and her second husband died in 1873. Of course I have no special opposition to this bill, but it seems to me the policy of the Government in all our pension laws has been to exclude from the benefit of those laws the widows of soldiers who remarry.

Mr. MORRILL. That was the policy of the Government.

There was no objection, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

ELIJAH MARTIN.

The next business on the Private Calendar was a bill (H. R. 5522) for the relief of Elijah Martin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elijah Martin, late a private in Lieut. James Whelpley's company of the Twenty-sixth Regiment United States Infantry in the war of 1812, at the rate of $30 per month, deducting therefrom the amounts heretofore received by him for pension.

The report (by Mr. HENDERSON, of North Carolina) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 5522) for the relief of Elijah Martin, would report that it appears from the record in the case that the claimant served as a private in Lieut. James Whelpley's company, Twenty-sixth United States Infantry, war of 1812; that he is now aged about eighty-seven years, and is in destitute circumstances. He is receiving a pension at the rate of $8, under act of March 9, 1878. The committee would recommend that the bill be amended by striking out the word "thirty," in the ninth line thereof, and substituting therefor the word "twenty;" and also by striking out the words "deducting therefrom the amounts heretofore received by him for pension;" and that the bill, thus amended, pass.

The CHAIRMAN. The question is on the amendments reported by the committee, which the Clerk will read.

The Clerk read as follows:

Strike out "thirty" and insert "twenty;" also strike out the words "deducting therefrom the amounts heretofore received by him for pensions."

The amendments were agreed to; and there being no objection the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JESSE H. STRICKLAND.

The CHAIRMAN. To return to the bill called up by the gentleman from Tennessee [Mr. BUTLER], the Chair desires to state that having consulted some excellent parliamentarians, he is inclined now to believe the bill is in order, as the amendment of the Committee on Invalid Pensions relates to the mode of procedure for pensioning this party. Therefore the bill will be entertained at this time unless there be objection to the request for unanimous consent.

Mr. BLAND. What is the proposition?

The CHAIRMAN. That the Chair will entertain the request for consideration unless there be objection.

Mr. BLAND. I do not object to it more than to any other bill, but I ask for the reading of the report.

The report (by Mr. GALLINGER), from the Committee on Invalid Pensions, was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 381) for the relief of Jesse H. Strickland, have had the same under consideration, and beg leave to submit the following report:

A similar bill passed the Senate during the Forty-ninth Congress, and upon its reference to the Committee on Invalid Pensions of that Congress, after much deliberation on their part they reported favorably thereon with certain amendments, as will more fully appear from their report, as follows:

"The papers filed in this case may be considered as establishing the following facts:

"That in January, 1863, Strickland received authority from the Government to recruit and organize a regiment of cavalry of loyal Tennesseeans. That he entered upon that duty and raised the Eighth Tennessee Cavalry (so named), but for some reason, which appears only in his own statement, was not mustered as colonel, although he performed the duties for months, and was recognized as such.

"That in September, 1863, he was sick with intermittent fever, and was certified from time to time, from September 4 to September 19, as being unfit for duty, surgeon on last date expressing opinion that he would not be able for duty for several weeks. It is most reasonable to accept the statement that to his sickness and his inability to perform active service his failure to be commissioned was attributable.

"That since 1868, as is established by competent medical evidence, he has been more or less disabled by lung trouble, rheumatism, typhoid pneumonia, hemorrhages, and nervous prostration. One other witness places these troubles as far back as 1865, and there is evidence that he was physically sound before entering upon his military duties.

"The evidence filed is not such, in the judgment of this committee, as to warrant them in recommending a pension at any arbitrary or fixed rating. We are of opinion, however, that justice would be conserved by giving this claimant a legal standing to prosecute his claim in the Pension Office, and accordingly recommend that the Senate bill pass with the following amendment: Strike out all after the word 'volunteers' in the seventh line, and insert 'and for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the thirtieth day of January, A. D. one thousand eight hundred and sixty-three.'"

Mr. GALLINGER. I can make a statement if permitted which will save time, unless objected to.

Mr. MORRILL. It is a lengthy report.

Mr. LONG. There was a surprising statement made in this case a year ago by the gentleman from Indiana [Mr. JOHNSTON].

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

Mr. LONG. I have no objection.

The CHAIRMAN. The Chair hears no objection, and the gentleman will proceed.

Mr. LONG. Will the gentleman permit me to have this statement read, and then perhaps the gentleman from New Hampshire can throw some light upon it?

Mr. GALLINGER. Certainly.

The Clerk read as follows:

Mr. JOHNSTON, of Indiana. I wish to state to the committee, Mr. Chairman, that I do not stand as an obstruction, but on the contrary wish to see every soldier entitled to a pension for services rendered obtain it. I wish the committee to understand this, and then if it is disposed to grant this man a pension I am not going to call a quorum. I was a member of the same regiment he claims to be a colonel of. I helped to organize that regiment. I helped to enlist one hundred and fifty who went into the regiment.

I went to the regiment at Camp Nelson, in Kentucky, the last of August, 1863. We were there mustered. I went with that regiment through Kentucky and Tennessee. It was the first regiment which ever entered the city of Knoxville. We were in the first Tennessee campaign. We went up to the siege of Knoxville. I staid with the regiment—about seven hundred men in it—until it was finally consolidated with the Tenth Regiment, making one regiment, and I never saw that man until I saw him in this city lobbying me to assist him. He never was with the regiment, never performed any service with the regiment.

Mr. WISE. Let me interrupt the gentleman a moment. I object to the bill. [Laughter.]

The CHAIRMAN. The bill will be passed over.

Mr. BLAND. Mr. Chairman, I had some intimation about this case, and I give notice now that no claim of that character will go through this House while I am here without a quorum. I look upon it as an attempt to muster a man in and muster him out; to make him a soldier and to pension him in the face of facts and against the record of the Government itself.

Mr. GALLINGER. Notwithstanding the statement of the gentleman from Indiana [Mr. JOHNSTON], which the Committee on Invalid Pensions were cognizant of, every member of that committee, after a very careful consideration of this case, have agreed to report the bill in the form in which it appears before the House to-night. I think it is possible that Mr. JOHNSTON has somewhat changed his mind on this case. Indeed, I have an intimation to that effect. But for the purpose of allowing the gentleman from Missouri, who seems to antagonize the bill, time to investigate the matter further—for the Committee on Invalid Pensions has no desire to pass the bill unless it be just and right—I ask unanimous consent that it be passed over, retaining its place on the Calendar, for to-night.

Mr. OUTHWAITE. I would like to ask, before that consent is given, whether Mr. JOHNSTON has changed his knowledge of the facts? He may have changed his opinion, but has he other information?

Mr. GALLINGER. I think it not wise to discuss that matter to-night. The committee are satisfied that Mr. Strickland had recruited this regiment; and had he not been sick and upon his back in bed, as he was for weeks, he would have been mustered as colonel of it. He lost his commission through sickness and through no fault of his own. It was the unfortunate condition of his health at that time, this sickness coming upon him, which occasioned the loss of his command.

Mr. OUTHWAITE. Does this bill give arrearages?

Mr. GALLINGER. No, sir.

Mr. OUTHWAITE. That was my impression from hearing it read.

Mr. GALLINGER. That is a mistake; it simply gives him standing to prosecute his claim. It does not even give him a pension.

The CHAIRMAN. Without objection, the request of the gentleman from New Hampshire will be agreed to, and this bill will be passed over, retaining its place upon the Calendar.

There was no objection, and it was so ordered.

NOAH S. CRAMER.

The next business on the Private Calendar was the bill (H. R. 5237) granting a pension to Noah S. Cramer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Noah S. Cramer, late of the United States Navy.

The report (by Mr. PIDCOCK) was read, as follows:

Cramer served as landsman, United States Navy, from August 24, 1864, to June 29, 1865, when discharged.

He filed his application for pension December 24, 1879, in which he alleges that while on the Aphrodite, about October 3, 1864, he was wrecked near Beaufort, N. C., and was kept wet and cold for three nights and days without change of clothing, in consequence of which he contracted rheumatism. The claim has been rejected, and the rejection affirmed by the Secretary of the Interior, on the ground that the evidence fails to show that the alleged rheumatism was contracted in the service and line of duty.

The records of the Navy Department show that claimant was transferred to the Aphrodite September 29, 1864; that the same was lost and no rolls furnished to the Department. He was transferred to the Monticello, and there served as paymaster's steward on account of his lameness, as he alleges, until his discharge. The records furnish no evidence of treatment in the service. The claim was specially examined in 1882, and upon this examination was based the action of the office in rejecting the claim. It is true that the special examination failed to disclose any medical treatment for rheumatism until the fall of 1865, probably three or four months after discharge. But it is shown thereby that he had diarrhea, and complained of pains in his bones, and was treated therefor immediately after discharge.

A continuous disability from rheumatism is clearly established by the testimony and the medical examinations in the case. The only known officer of the vessel on which claimant last served has no personal knowledge of the alleged disability, but three shipmates testify to the incurrence of rheumatism and its existence in the service. The special examiner failed to interview one of these witnesses, because at the time "he was not sober enough to have his deposition taken;" the other two in substance affirmed their former statements.

There are also on file two letters written by the claimant, one to his mother, the other to his brother, then a practicing physician. The first, bearing date of March 4, 1865, says: "I have a bad cold, and am very lame at times;" the other, written shortly after discharge, alludes to his illness and confinement to bed.

While the evidence in the case may not be conclusive enough to warrant favorable action in the Pension Bureau, yet your committee can not but reach the conclusion that the disability from which claimant has suffered since discharge is directly chargeable to the exposure endured by reason of the shipwreck heretofore referred to, and therefore report favorably on the accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LAFAYETTE LAKIN.

Mr. MORRILL. Mr. Chairman, I ask unanimous consent to take up for present consideration the bill (H. R. 8211) to pension Lafayette Lakin.

Mr. SEYMOUR. Do I understand this to be a request for the consideration of a bill out of its regular order on the Calendar? If so, I desire to object.

Mr. MORRILL. One bill has been already taken up and so considered. I will state that I shall not be here on next Friday.

Mr. SEYMOUR. I do not know how to get on the list myself for unanimous consent, and I think we had better proceed in the regular order. However, as this is a proposition coming from my friend upon the committee, I dislike to interpose an objection; and as I understand he will not be here on Friday next I withdraw the call for the regular order.

The CHAIRMAN. The bill will be read.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lafayette Lakin, late of United States steam-ship Albany.

The report (by Mr. BLISS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 8211) granting a pension to Lafayette Lakin, submit the following report:

The claimant in this case enlisted on July 5, 1848, as a landsman in the United States Navy, and was discharged September 6, 1850. In his application for pension, filed July 8, 1886, he alleges that he contracted a severe cold, resulting in chronic nasal catarrh, pain over the eyes, and loss of sight. His application was rejected on the ground of no record, the claimant being unable to furnish satisfactory testimony.

In his affidavit he says that going from Norfolk, Va., on sloop of war Albany, *en route* to Vera Cruz, Mexico, he caught a severe cold in the autumn of 1848, causing pain in the head and resulting catarrh; that during the next year, picketing off Block Island, on the Mississippi coast, at the time of the Lopez expedition, he contracted another cold, increasing his catarrh trouble, of which he had never recovered since the first attack, and from which combined attacks he has never recovered; that as a result of this disease his eye-sight has been gradually failing him, and that now he is nearly blind.

The journals of the steamship Albany show that claimant was admitted to the hospital December 9, 1848, with cephalalgia, origin not stated. Medical referee of Pension Office says this is a premonitory symptom of catarrh.

The journals of the Pennsylvania and of the North Carolina, upon which he subsequently served, afford no information.

Mrs. Elizabeth McCaull testifies that she has known claimant from childhood, and up to the time of enlistment she had never seen any sign of disease; that he was considered a healthy man; that since his return from the service he was suffering from catarrh, and knows that he has been a constant sufferer therefrom ever since. This has been followed by a general breaking down in health and loss of eye-sight.

John D. B. Lakin testifies that he was more or less in the company of Lafayette Lakin during the time prior to the year 1848; that claimant was then and had been in good health; was considered by all acquainted with him a healthy man; that on his return home he was suffering from catarrh.

Arthur D. Kinney, thirty-three years of age, testifies that he has known claimant from his (affiant's) boyhood, and that he has been troubled with nasal catarrh during all the time of their acquaintance.

Daniel Candy testifies that he has been personally acquainted with claimant since 1850, and knows that he has been a sufferer of chronic nasal catarrh ever since. Says that his knowledge is obtained through personal observation; that said Lakin came to his home in Memphis, State of New York, in the autumn of 1850, having just received his discharge from the United States Navy, and remained with him during the winter, and was employed by him during the year 1851 as clerk in his grocery store, and that he lived a neighbor to him until 1860.

The examining board at Cortland, N. Y., report him as totally blind in the right eye; that the vision of the left eye is seriously impaired, and that there is an aperture in the septum narium about a half inch in diameter, the margin of which is in an ulcerated state.

The claimant for many years managed his business affairs, studdily refused to ask for a pension, but finding himself now in his advanced age, through business misfortunes, unable to care for himself, he seeks from the Government that aid to which he has so long been entitled. The man's condition is indeed a sad one. He will doubtless be in a few months totally blind. This condition is the result of the nasal catarrh.

The evidence satisfies your committee that the disability was contracted in the naval service of the United States, that it has continued ever since, and they therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. FORD. Mr. Chairman, I ask unanimous consent to take up for present consideration the bill (H. R. 4774) granting a pension to Mathew H. Reynolds and put it upon its passage.

Mr. PIDCOCK. Regular order.

The CHAIRMAN. The regular order being demanded, the Clerk will proceed to read the next bill upon the Calendar.

CYRENIUS G. STRYKER.

The next business on the Private Calendar was the bill (H. R. 5234) granting a pension to Cyrenius G. Stryker.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Cyrenius G. Stryker, late a private in Company A, Thirtieth Regiment New York Volunteers.

The report (by Mr. PIDCOCK) was read, as follows:

Stryker enlisted for nine months September 3, 1862, in Company A, Thirtieth Regiment New Jersey Volunteers, and was discharged June 27, 1863. In his application for pension, filed June 4, 1879, he alleges that in October, 1862, while getting off the cars on which the command was transported to Washington, D. C., he was crowded against and pushed off the platform, and in the fall injured his spine, from which injury he is still suffering. That he was treated therefor by Surgeon Barkley, deceased, and afterwards at Aquia Creek hospital. In corroboration of his allegations he filed the testimony of Lieut. Joseph B. Smith and Comrades Edward and Peter S. Smith. It is also shown in evidence that soldier was under medical treatment by Dr. James B. Van Derveer from discharge to 1866, and subsequently by Dr. J. V. Fritts, for contusion of spine, affecting the kidneys and sexual organs.

The claim was specially examined in 1886, and upon this examination the claim has been rejected, upon the ground that the evidence is not satisfactory as to the incurrence of disability in the service, and that medical examinations fail to disclose any physical signs of disability therefrom.

The affiants as to the incurrence of the disability are shown by the papers in the case to be credible witnesses. The former lieutenant is chief deputy collector of internal revenue for the Third New Jersey district. At the time of his examination by the special examiner he had no distinct recollection of the injury aforesaid, but gave it as his opinion that his affidavit must have been based upon entries in a memorandum book which has since been lost. The two comrades whose testimony was filed, as heretofore stated, were not interviewed by the special examiner. Two other comrades, however, were examined by that officer, and while they are unable to testify to the precise nature of the disability incurred, they state that claimant was in apparent good health at time of enlistment, and that some time during service he became disabled from some cause.

The record of the Surgeon-General corroborates claimant's allegation as to treatment at Aquia Creek hospital in April, 1863, but fails to show the nature of the disability for which treated.

That claimant has been suffering from some injury of the spine ever since discharge can not be doubted, while the writer of this report has personal knowledge of the soldier's disabled and feeble condition, the nature of which, however, he is unable to diagnose.

Medical examination, it is true, discloses no physical signs of the alleged injury. But two medical examinations do show lumbago, lameness, and tenderness over sacrum.

The committee are of opinion that the evidence in the case corroborates claimant's allegation as to the injury in the service, and that he should be pensioned for any disability now found to exist which can reasonably be attributed thereto.

The bill is therefore returned with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ALETTA V. QUICK.

The next business on the Private Calendar was the bill (H. R. 7181) granting a pension to Aletta V. Quick.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Aletta V. Quick, dependent mother of Abram Quick, late sergeant-major of Thirtieth Regiment New Jersey Volunteers.

The report (by Mr. PIDCOCK) was read, as follows:

The claimant is the mother of Abram Quick, who died of typhoid fever April 9, 1863, while serving as sergeant-major of the Thirtieth Regiment New Jersey Volunteers. Her claim for pension has been rejected by the Pension Bureau on the ground that at the time of the son's death she was comfortably supported by her husband, and therefore not dependent upon the soldier. It is true that at the critical period and for years thereafter the claimant's husband was in possession of real estate sufficient to afford their support. He had not then come into full possession of the property, the same belonging to his father. Upon the latter's death, however, probably about 1866, he became sole owner

of one-half of the farm of 224 acres, heavily encumbered, however, and by reason of bad management, serious disability, and other causes, it gradually passed out of his possession, until now claimant is really dependent.

It is also shown by the evidence on file that the soldier sent money home during his service. He died leaving neither widow nor minor child surviving him.

The rejection of the mother's claim by the Pension Bureau on the grounds heretofore referred to, it is admitted, was proper under the requirements of the general pension law. But Congress in many instances has adopted a more liberal view by recognizing present dependence upon others as sufficient ground for special legislation. In fact, a change in the law looking in that direction has been recommended by the Secretary of the Interior and the Commissioner of Pensions, and such a measure is now before the House.

Believing, however, that relief should be granted in the case under consideration before the proposed change in the law can go into effect, your committee report favorably on accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. FORD. I again ask unanimous consent to call up the bill I have indicated.

Mr. SEYMOUR. I object, and demand the regular order.

GEORGE E. OLIPHANT.

The next business on the Private Calendar was the bill (H. R. 2167) for the relief of George E. Oliphant.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll the name of George E. Oliphant, late a private in Company I, Seventeenth Regiment of Indiana Volunteers, subject to the provisions and limitations of the pension laws.

The report (by Mr. MATSON) was read as follows:

George E. Oliphant was enrolled on the 12th day of June, 1861, in Company I, Seventeenth Indiana Regiment Volunteers, and was honorably discharged at Nashville, Tenn., on the 4th day of January, 1864, and re-enlisted as a veteran January 4, 1864, in same company and regiment, and was honorably discharged at Macon, Ga., August 8, 1865.

The relief asked for in this bill is based on the application of the soldier for pension, in which he avers that while in the service and in line of duty, at the town of Macon, Ga., on or about the 1st day of July, 1865, he was attacked with typhoid fever, which, together with exposure, caused the entire loss of sight of right eye, and has impaired the sight of the left eye to a great extent, rendering him incapable of following his usual avocation most of the time.

The claim was rejected by the Pension Department on the ground that disease of the eyes existed prior to enlistment. There is testimony to show that claimant had some trouble with his eyes when a boy, but all of the witnesses agree that for several years before enlistment and during four years of service his eyes were sound. "Is it possible," says the special examiner, "that if claimant was subject to disease before enlistment, as the reviewer thinks, he would have served faithfully from June 12, 1861, to July 1, 1865, in the mean time re-enlisting as a veteran, without showing some signs of the disability?"

The fact being established by a preponderance of testimony, and, in the opinion of the committee, "beyond a reasonable doubt," that the soldier's eyes were sound prior to enlistment, and that he had no trouble with them during his entire service of four years, it remains only necessary for the committee to investigate the question as to whether the alleged disability was incurred while in the service and in line of duty. At the time of the soldier's alleged disability the war had closed, and the soldier was waiting to be mustered out with his company, which was done on the 8th of August, 1865. The records of the Adjutant-General's Office furnish no evidence of the alleged disabilities, for the reason that the hospital record covers only the period from January 29, 1864, to June 30, 1865, while the soldier's sickness occurred about the latter part of July, 1865. The records from that time on are lost or were never made, and the surgeons at this late day do not remember the case.

Sergt. Caleb J. Thompson testifies that claimant, in July, 1865, at Macon, Ga., was very ill and sick of fever; that said fever settled in the soldier's eyes, and he lost the sight of one eye and the sight of the other was greatly impaired. He knew these facts from personal knowledge, being a member of the same company and regiment.

Jackson Lewis testifies:

"On July 1, 1865, at Macon, Ga., said soldier was taken sick with fever, and so remained for the space of about four weeks, at which time said fever settled in soldier's eyes, which resulted in the loss of the right eye and the other has been badly affected. I know these facts by being his nurse while he had the fever."

Elijah Hightower testifies as follows:

"On July 1, 1865, at Macon, Ga., claimant was taken sick with what was said to be typhoid fever, and immediately after his recovery his eyes were much affected; that he has been acquainted with claimant for the whole period of his life, and that he has full knowledge that claimant's eyes have been badly affected ever since his return from the Army in August, 1865; and further, that he is totally blind in his right eye, and he believes his eyes were affected to the extent that they are by service in the Army."

Albert L. Masters testifies that he has been acquainted with claimant for the past thirty-five years, and his eyes have been badly affected ever since his discharge in 1865; and further declares that he is totally blind in his right eye and the left eye is in a bad condition.

Jacob McAller and Edward Beagley testify that claimant's eyes, after his return home, immediately after his discharge, were very much affected, and in about one year he became entirely blind in the right eye, and the other eye is badly affected.

The committee are of the opinion that it is abundantly proven—

1. That the soldier's eyes were sound at the time of his enlistment.

2. That his eyes were sound during all his service in the Army up to the time of his sickness in July, 1865.

3. That the preponderance of testimony is to the effect that the loss of his right eye and the injury to the other were caused by said sickness and exposure on his way home after final discharge.

He is proven to be a man of excellent character, and to have been a faithful soldier all through the war. The committee believe this to be a meritorious case, and therefore submit a favorable report and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. WILBER. I ask unanimous consent that House bill 5249 may be taken up for present consideration.

Mr. DINGLEY and others demanded the regular order.

JOHN E. SMITH.

The next business on the Private Calendar was the bill (H. R. 130) granting a pension to John E. Smith.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be placed on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John E. Smith, late a private in Company B, Fifty-ninth Regiment Indiana Volunteer Infantry.

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 130) granting a pension to John E. Smith, have had the same under consideration, and submit the following report:

The record of this soldier's service is as follows: He was drafted in December and mustered January 10, 1865, as a private in Company B, Fifty-ninth Indiana Volunteers, and was honorably discharged July 17, 1865.

He was granted a pension of $2 per month, commencing July 18, 1865, and ending March 17, 1880, for chronic diarrhea contracted in the Army while in line of duty. The pension was discontinued for the reason, as stated by the Commissioner of Pensions, that the disability had ceased. The history of this case as gleaned from the papers on file in the Pension Office is about as follows:

The soldier was drafted, mustered into the service, and hurried away from a cold northern climate to South Carolina, where he was put into active service with veteran soldiers who had become acclimated and hardened to the severe duties of army life, and while he was doing picket duty at Pocataligo Station, on the line of the Charleston and Savannah Railroad, there were continual heavy rains, and he was frequently drenched through and through, and in this way caught a severe cold in his head, and at the same time was suffering with chronic diarrhea, which he had contracted some time previous. This cold was followed by a severe dizziness in his head. The cold lasted ten days or two weeks and the dizziness has continued ever since. This dizziness continued increasing until the 21st of November, 1868, when he was completely prostrated by a stroke of paralysis of the right side, since when he has not been able to perform any manual labor.

The evidence of several of his comrades, members of the same company, all tends to corroborate the facts above set forth. He received no hospital treatment, although it is in evidence that he several times applied to the regimental physician, but for some cause which does not clearly appear, no treatment was given him. The war was then near its close, and the soldier states that the surgeon was absent most of the time, and the assistant surgeon, for the reason that he was able to perform duty, did not think it worth while to prescribe for his chronic diarrhea. There is no dispute that the soldier contracted the disease while in the line of duty in the Army, and that it continued until after he was stricken with paralysis. The testimony, which is quite voluminous, all goes to show that he was greatly emaciated when he returned home from the Army, and that up to the time he was prostrated with paralysis he was able to perform but little manual labor.

Special Examiner John W. Clampitt, to whom the case was referred, made, among other things, the following report, August 14, 1885:

"He (the soldier) appears to be frank and honest in his statements, and bears a good reputation in the community for veracity, sobriety, and good morals. He is almost totally disabled for the performance of manual labor, the right side of his body having been completely paralyzed by a stroke which occurred on the 21st day of November, 1868."

Dr. M. F. Smith, who treated him after his discharge for chronic diarrhea, says he was informed by reliable parties that immediately after his discharge he was in a state of general debility and nervous prostration, which preceded the stroke of paralysis, and this is corroborated by Dr. Luther Johnson, who treated him prior to and at the time of his prostration by paralysis.

His claim was rejected by the Pension Office on the ground that the evidence was not sufficient to establish the fact that paralysis resulted from chronic diarrhea contracted in the Army while in line of duty. The soldier is in a physical condition which totally prevents him from earning a living by manual labor, and, being in entirely destitute circumstances, he is dependent on his neighbors and friends and public charity for support.

The committee believe, after a careful consideration of this case, that there is a strong probability that paralysis was the result of general prostration, arising from chronic diarrhea, contracted in the Army while in the line of duty; and, so believing, submit a favorable report and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. BAKER, of New York. I ask unanimous consent that the rest of the evening be devoted to taking up bills out of their order when called up by gentlemen particularly interested in them.

Mr. SAWYER. I object.

Mr. WILBER. I have to leave the city and will be gone for two weeks. I ask unanimous consent that the bill I have already indicated be now taken up.

The CHAIRMAN. The regular order is demanded.

Mr. MACDONALD. I think gentlemen who come here to look after their bills should have an opportunity to present them. I give notice that if that is not agreed to I will demand a quorum on every bill.

Mr. BLAND took the chair as Chairman of the Committee of the Whole.

HANNAH VARQUISON.

The next pension bill on the Private Calendar was the bill (H. R. 431) granting a pension to Hannah Varquison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitation of law, the name of Hannah Varquison, widow of John M. Varquison, late private in Company A, One hundred and forty-first Regiment of Pennsylvania Volunteer Infantry.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 431) granting a pension to Hannah Varquison, submit the following report:

The claimant in this case is the widow of John M. Varquison, private of Company A, One hundred and forty-first Regiment of Pennsylvania Volunteers. The soldier at the time of his death was receiving a pension for disease of the lungs. The application of the widow was rejected on the ground that the fatal disease was not due to the disease of the lungs. The cause of the soldier's death, as shown by the evidence on file, was congestive apoplexy, complicated with lung disease.

The physician attending him at the time of his death says that he was first taken sick with congestive apoplexy. The second day he had an attack of pleurisy of the right side. His lungs troubled him from the first; expectoration

indicated chronic pneumonia, but the immediate cause of his death was that the cerebral hyperdermia produced strangulation.

Your committee are utterly unable to decide from the evidence submitted to them whether the immediate cause of the death of the soldier was from the lung trouble or disease of the brain, but it seems absolutely certain that at the worst the brain trouble only hastened his death a few weeks or months, as death must have resulted from the lung trouble before many months.

Your committee therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with a favorable recommendation.

ORDER OF BUSINESS.

Mr. DOCKERY. I ask unanimous consent to make a brief statement.

There was no objection.

Mr. DOCKERY. I desire to make a suggestion for the consideration of the Committee on Invalid Pensions. It is fair to members of this House who come here on Friday evenings that if one is to be recognized to call up a bill on a particular evening, all present should be recognized. That is impossible if the calling up of bills by unanimous consent begins about 9 o'clock. The result is that ten or fifteen members go away from here every evening without recognition. I suggest to the Committee on Invalid Pensions that hereafter we either have the regular order the entire evening, or that we have the calling up of bills by unanimous consent commence at 8 o'clock, so that every gentleman here may be recognized. It is not fair that some should be recognized and some should not be.

Mr. WEBER. I suggest that the regular order be observed; but that unless gentlemen are here in person to call up bills when they are reached on the Calendar they be passed over, retaining their place on the Calendar.

Several members called for the regular order.

The CHAIRMAN. Unanimous consent not being given, the Clerk will call the next bill on the Calendar.

Mr. DOCKERY resumed the chair as Chairman of the Committee of the Whole.

WILLIAM J. MILLER.

The next pension bill on the Private Calendar was the bill (H. R. 4519) to grant a pension to William J. Miller.

Mr. OUTHWAITE. I ask that that bill be passed over.

Mr. MORRILL. I object.

Mr. OUTHWAITE. The gentleman from Kansas had a favor granted him, and should not object to other gentlemen present getting an opportunity to be recognized.

Mr. MORRILL. So far as I am concerned I am perfectly willing that the gentleman from Ohio [Mr. OUTHWAITE] should be permitted to call up a bill for himself. This bill, however, that is now reached upon the Calendar is one in which my colleague [Mr. ANDERSON], who is out of the city, is much interested. And I should feel that I was doing him much injustice if I did not insist on its being considered in its regular order.

Mr. OUTHWAITE. Then it seems the rule which was suggested a few moments ago is to be violated in favor of gentlemen who are absent.

Mr. MORRILL. I understood the suggestion to be that if no one present called up a bill when it was reached on the Calendar it should be passed over.

Mr. MACDONALD. I think when the gentleman from Kansas states that he calls up the bill at the request of his colleague no objection should be made.

Mr. OUTHWAITE. I withdraw my objection.

The bill (H. R. 4519) to grant a pension to William J. Miller was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of William J. Miller, of Salina, Kans., late a private in Company G, One hundredth Pennsylvania Volunteers, on the pension-roll, subject to the restrictions and limitations of the pension-laws of the United States, to be paid a pension from.

The Committee on Invalid Pensions recommended the following amendment:

Strike out the words, in line 8, "of the United States, to be paid a pension from."

The report (by Mr. MORRILL) was read in part.

Mr. MACDONALD (interrupting the reading). I ask unanimous consent that the further reading of the report be dispensed with. It is manifestly a good case.

There was no objection, and it was so ordered.

The report is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4519) granting a pension to William J. Miller, submit the following report:

The claimant in this case enlisted October 2, 1862, as a private in Company G, One hundredth Pennsylvania Volunteers, and was discharged April 2, 1865. He filed an application for pension in 1865, claiming that while detailed to drive teams at division headquarters a mule threw him and injured his back very severely. The claim was rejected in the Pension Office upon the ground that no disability in a pensionable degree on account of rheumatism has existed since filing the claim.

The evidence shows that claimant was discharged for chronic rheumatism the 2d day of April, 1865, and that his general health was so much injured as to unfit him for the Veteran Reserve Corps.

The late assistant surgeon of the One hundredth Pennsylvania certifies, October 15, 1865, that he has that day carefully examined claimant and finds that he is suffering from an injury to the spinal column and lumbar muscles as the result of a hurt said to have been received while in the service.

"The injury to this man I believe to be permanent and unfits him entirely for the prosecution of his profession. He is compelled to walk with a cane and can not stoop to the ground for anything without getting down on his knees, and in my opinion, he is totally and permanently disabled."

I. P. C. Murdock, Henry A. Miller, and others testify that when he came home from the service he was suffering severely from rheumatism.

The examining board of Kansas City, Mo., reports that claimant walks with an unsteady gait and can hardly walk at all with eyes closed; there is tenderness and loss of sensibility at junction of sacral with spine. His back and hips appear to be stiff and yet no real anchylosis. They report him totally disabled.

The claimant seems to have been unable to establish the origin of his disability, as claimed, from the fact that having been detailed at headquarters he was away from his comrades and those who knew him intimately. The fact that he suffered severely from rheumatism in the Army seems to be clearly shown by hospital records and by evidence of his officers and comrades; that he was suffering at the time of his discharge and has been suffering ever since is established beyond a question of doubt.

That he was sound at enlistment is equally certain. The papers have been in the hands of many special examiners, and, without exception, they all reported that there is merit in the case, and that if the injury by being thrown from the mule could be established the case would be a clear one. The matter seems to be very much mixed up as to the real cause of the disability. The claimant has failed to establish the fact of the alleged injury, but has shown conclusively that he suffered in the service from rheumatism. It may be possible that what was called rheumatism in the service was simply the result of the injury, and this seems highly probable from the fact that the surgeon of the regiment certified soon after discharge that the man was suffering from injury to the spine.

The examining board now reports the disability, but do not attribute it to rheumatism.

It seems to your committee that it makes very little difference what the doctors call it, so long as the disability and the suffering existed, and there can be no doubt but that the disability was incurred in the service, and that it existed at the time of discharge and has continued ever since and the man is totally disabled.

Your committee therefore recommend the passage of the bill with an amendment, striking out all after "laws," in line 7.

The amendment of the Committee on Invalid Pensions was agreed to, and the bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

MRS. JULIET G. HOWE.

The next pension bill on the Private Calendar was the bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe.

Mr. OUTHWAITE. I ask that this bill be passed over, if no gentleman desires its consideration to be proceeded with.

Mr. LAIRD. I ask that the Senate bill granting a pension to Mrs. Juliet G. Howe be substituted for the House bill. The two bills are identical.

There being no objection the bill (S. 300) granting a pension to Mrs. Juliet G. Howe was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Juliet G. Howe, a volunteer nurse during the late war, and pay her a pension at the rate of $25 per month.

The bill was reported with an amendment to strike out in line 7 "$25" and insert "$18."

Mr. SAWYER. What is the pension fixed by the House bill?

Mr. MORRILL. The House bill gives $18.

Mr. LAIRD. I think I can make a statement of the facts which will be somewhat shorter than the statement of them in the report.

Objection was made.

The report on the Senate bill (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 300) granting a pension to Mrs. Juliet G. Howe, submit the following report:

This committee has already reported a House bill placing this lady upon the pension-roll at the rate of $18 per month.

Your committee therefore recommend the passage of the bill with an amendment striking out the words "twenty-five" and inserting the word "eighteen."

Mr. McMILLIN. Is that all the report? Let the report on the House bill be read.

Mr. LAIRD. That is what I wanted permission to state. I have the report on the House bill in my hand.

The report on the House bill (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe, submit the following report:

The Senate Committee on Pensions reported a similar bill in the Forty-ninth Congress and again in the Fiftieth Congress. Your committee adopt the report of that committee, as follows:

"[Senate Report No. 15, Fiftieth Congress, first session.]

"That Mrs. Juliet G. Howe served during the war with great distinction as an army nurse, and is now suffering from disease contracted during such service.

"The records in the office of the Surgeon-General show that Juliet G. Howe (at that time Juliet G. Robbins) served as nurse in Hammond General Hospital, Point Lookout, Maryland, from August 3, 1862, to October 5, 1863; at Columbian College General Hospital, Washington, D. C., from June 6, 1864, to August 30, 1864, and at De Camp General Hospital, David's Island, New York Harbor, New York, from September, 1864, to September 19, 1865.

"At all places she served with great acceptance to the sick and wounded soldiers and the surgeons in charge, and received flattering testimonials from them.

"April 24, 1865, a testimonial, signed by nearly one hundred soldiers, says:

"'She has always been kind to us, and we shall always remember her with pleasure. She is indeed the soldier's friend.'

"At Point Lookout, Maryland, Assistant Surgeon Allen, United States Army, said:

"'Faithful, efficient, always cheerful, beloved by the patients universally. A better nurse could not be obtained. She has had my warmest thanks, and has my heartiest indorsement.'

"William H. Gardner, assistant surgeon, United States Army, on October 8, 1863, at Hammond General Hospital, says:

"'It gives me much pleasure to testify to the character and qualities of Mrs.

Juliet G. Robbins (now Howe), who has long been a nurse in this hospital. * * * In her wards she was kind and attentive to the sick and wounded under her care, ever ready to relieve their wants, and never sparing of labor or pains which could conduce to their happiness or comfort.'

"'At same hospital, April 10, 1866, Th. Siebold, acting assistant surgeon, United States Army:

"'I take pleasure in offering this trifling mark of regard for Mrs. Juliet G. Robbins (now Howe) and Mrs. M. S. Poole, who have so faithfully attended in my ward since the 20th December last.'

"The above indorsed by S. H. Allison, acting assistant surgeon, United States Army, and surgeon of volunteers.

"At De Camp General Hospital, May 22, 1865, T. E. Martindale, assistant surgeon, United States Volunteers, says:

"'My connection with this hospital being about to terminate, I find it difficult to leave without tendering you this expression of my high esteem for you * * * I testify to your untiring devotion, your unceasing attention, and your success in ministering to the patients, * * * and the eminent abilities you have displayed in your profession of nurse.'

"This and other testimonials, and the proof of disease and suffering from the sacrifices she then made, satisfy your committee she is entitled to the pension she seeks, and they report said bill favorably.

"Your committee have made diligent inquiry at the offices of Adjutant-General, United States Army, and Surgeon-General, and can not find that the said nurse was paid for any such service."

The committee recommend the passage of the bill; but also recommend that the words "twenty-five," in line 7, be stricken out and the word "eighteen" be inserted.

The amendment striking out "$25" and inserting "$18" was agreed to.

The Senate bill (S. 300) as amended was ordered to be reported to the House with a favorable recommendation; and the House bill (H. R. 8117) was ordered to be reported with the recommendation that it do lie on the table.

Mr. WILBER. I ask unanimous consent to have the bill H. R. 5249 taken up now, as I expect to be absent for two weeks.

Mr. SPOONER. I call for the regular order.

The CHAIRMAN. The regular order is called. The Clerk will report the next bill.

ABBIE R. BROWN.

The Clerk read as follows:

A bill (H. R. 7642) granting a pension to Abbie R. Brown.

Mr. FORD. Mr. Chairman, unless the gentleman who introduced that bill is present to ask for its consideration, or some member calls for its consideration, I ask unanimous consent that it be laid aside, retaining its place on the Calendar.

There was no objection, and it was so ordered.

HANNAH H. GRANT.

The Clerk read the title of the next bill, as follows:

A bill (H. R. 7466) granting a pension to Hannah H. Grant.

Mr. OUTHWAITE. Mr. Chairman, I ask unanimous consent that that bill be laid aside, retaining its place on the Calendar.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. MORRILL. Mr. Chairman, in order to save time I suggest that the Clerk read the bills in their order on the Calendar, and when a bill is read, if no member asks for its consideration let it be laid aside, retaining its place on the Calendar.

There was no objection, and it was so ordered.

FRANK LEWIS.

The next bill on the Calendar, the consideration of which was asked by Mr. DINGLEY, was the bill (H. R. 7574) granting a pension to Frank Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension-roll, subject to the pension laws, the name of Frank Lewis, non compos son of Franklin Lewis, Company B, First Battalion Infantry Maine Volunteers.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7574) granting a pension to Frank Lewis, respectfully report as follows:

Claimant is the son of Franklin Lewis, late of Company B, First Battalion Infantry Maine Volunteers. The father died from his army service in Washington, D. C., and the widow drew a pension until her remarriage. The claimant also drew a pension until he was sixteen years of age. It is now asked that a pension be granted on the ground of physical and mental unsoundness to an extent which wholly incapacitates claimant from earning a living. On this point conclusive evidence is filed with the committee, among which are the following papers:

"PEMAQUID, LINCOLN COUNTY, MAINE, *February* 15, 1888.

"This is to certify that I have examined Frank Lewis, and I find in him a congenital deficiency of cerebral development, whereby I consider him incapable of properly managing his financial affairs or of maintaining himself; and I further declare that I have no interest, direct or indirect, in the above statement.

"W. S. BRAINERD, M. D.

"Personally appeared before me, N. J. Hanna, a justice of the peace in and for the county of Lincoln, this 15th day of February, A. D. 1888, and made oath to the above affidavit,

"N. J. HANNA, *Justice*."

NEW HARBOR, ME., *February* 4, 1888.

"I, Robert A. Brackett, do depose that I am the last legal guardian of Frank Lewis, the son of Franklin Lewis, late of Company B, Regiment First Battalion Infantry of Maine Volunteers, and that I have been his legal and lawful guardian since he was fourteen years of age. I further depose that he was about two years of age when I married his mother, and that she was then drawing a pension for her husband, Franklin Lewis, late of Company B, First Battalion Infantry of Maine Volunteers, which was conferred upon her son, Frank Lewis, and that he continued to draw said pension until he was sixteen years of age.

"I further depose that I have supported the said Frank Lewis since he was sixteen years of age, and that he is not of sound mind, but, in other words, mentally and physically affected and wholly incapacitated to self-support, and that he has no other means of self-support save what I procure. I have a large family of my own and can not support them as they should be, having no income but what my own hands produce. I married his mother about twenty years ago, and have no interest in this matter further than he is my wife's son and that I am wholly unable to support an idiotic boy whose father died in the service of his country.

"ROBERT A. BRACKETT.

"Witness:
"CHAS. LOLAND.
"WILLIAM HARMON."

"Personally appeared before me, N. J. Hanna, a justice of the peace in and for the county of Lincoln, the said Robert A. Brackett, and made oath to the above affidavit.

"N. J. HANNA, *Justice*.

"This 16th day of February, A. D. 1888."

This case seems to come directly within the precedents of Congress.

Your committee recommend that the bill be amended by inserting after the word "volunteers," in the last line, the words "at the rate of $18 per month, payable to his legal guardian," and with these amendments recommend the passage of the bill.

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ELIZABETH TWIGG.

The next bill on the Calendar, the consideration of which was asked for by Mr. SPOONER, was the bill (H. R. 5847) granting a pension to Elizabeth Twigg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll the name of Elizabeth Twigg, as dependent mother of Henry Twigg, late a member of Company H, Fourteenth Regiment United States Infantry, and pay her a pension, subject to the provisions and limitations of the pension laws.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5847) granting a pension to Elizabeth Twigg, respectfully report:

Elizabeth Twigg is the mother of Henry Twigg, who was a private of Company H, Fourteenth Regiment United States Infantry.

The soldier enlisted in said service July 16, 1861, and was discharged January 15, 1862, upon surgeon's certificate of disability, and died June 14, 1866, leaving neither widow nor minor child surviving him.

The mother's claim for pension was rejected by the Pension Office on the ground that no record or other evidence established that death of soldier was due to the service and line of duty.

The soldier's discharge, as stated in said certificate of disability, was because of hernia, which entirely disabled him from duty as a soldier. It is also stated in said certificate that "said Henry Twigg had hernia when enlisted," though all other testimony on file, of his comrades and neighbors, attests his soundness prior to and after enlistment, and (which seems conclusive of the fact) the examining surgeon certified, in the soldier's original enlistment papers, that he carefully examined said Twigg, "and that in my opinion he is free from all bodily defects and mental infirmity which would, in any way, disqualify him from performing the duties of a soldier."

The evidence also shows the continued good health of the soldier until the time of the sickness which resulted in his discharge, the cause and course of which is stated by Sergt. W. H. Myers, of the same company, as follows:

"I first met him at Fort Trumbull, Conn., on or about August 15, 1861. Shortly after the regiment was ordered into Camp Thomas. Never knew him to be sick in said camp. Shortly after the regiment was ordered to Perryville, Md., arriving on or about 1st November, 1861. I remember Twigg doing picket duty with me up the river some time in November, 1861. * * * I was sergeant of the guard. * * *

"I remember it being a cold, stormy time; wood wet; men shivering and wet, and insufficient tenting to protect the men. I remember Twigg from the fact he seemed to be always the life of the company—jovial and happy. On this occasion he was taken sick. Twigg complained to me of aching pains in head, breast, and over the abdomen, claiming he had caught a severe cold, which indications proved to me by his hoarseness and continued coughing. I ordered him to camp, * * * and afterwards saw him in regimental hospital, to my judgment a very sick man. * * * Twigg seemed to me to be entirely broken down."

A special examiner of the Pension Office reports said Myers's "reputation and standing good—A, No. 1."

The public record of said soldier's death states "abscess" as "disease, or cause of death."

Dr. A. C. Dedrick, formerly an army surgeon, testified that he attended the soldier professionally, after his discharge until his death, and that—

"He was suffering from hernia and a broken-down constitution generally, as regards health, arising, as I was informed and believe, from exposure while in the Army. * * * Near the close he had a large inguinal abscess, which opened externally, after which he rapidly sank. Whether in his case the immediate cause of death was more the result of this than from the general break up of the powers of life—a distinction of infinitely small moment if justice is the object in view—at this late date I am quite unable to say."

The fact is clearly established that, from the time of his discharge to the time of his death, the soldier was completely broken down in constitution and health, unable to perform any manual labor, and continually growing weaker until he died.

The mother has been a widow for many years; she is without property, and dependent upon her own labors for support; and her dependence upon her said son, prior to his enlistment, is established.

Your committee, being satisfied that the disease of which the soldier died resulted from his military service and the exposure and hardships incurred therein, recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HENRY B. VERY.

The next bill on the Calendar, the consideration of which was asked

by Mr. SPOONER, was a bill (S. 173) granting a pension to Henry B. Very.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Henry B. Very, late a private in Company A, Twelfth Rhode Island Volunteers.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 173) granting a pension to Henry B. Very, respectfully report:

That the Senate report upon said bill is as follows:

"[Senate Report No. 117, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 173) granting a pension to Henry B. Very, have examined the same, and report:

"Henry B. Very was a private in Company A, Twelfth Rhode Island Volunteers, serving from the 3d of October, 1862, to the 22d of March, 1863, when he was discharged on account of disability. He was wounded at the battle of Fredericksburgh, December 13, 1862, and remained in hospital up to the time of his discharge. He received a flesh wound in the left arm, and was also knocked down an embankment by the concussion of a passing shell, injuring his shoulder, hip, and foot. From the testimony of a well-known physician, Dr. James H. Eldredge, who had treated him, and from the report of the board of examining surgeons at New London, Conn., it is clear to your committee that the disability from which the claimant is now suffering was incurred in the service and in the line of duty, resulting from wounds above alluded to.

"Your committee therefore recommend the passage of the accompanying bill."

Your committee further report that from an examination of the papers on file in the Pension Office it further appears that said soldier was discharged the service March 22, 1863, upon surgeon's certificate of disability "because of sprained right foot at Fredericksburgh, Va., December 13, 1862, by falling down an embankment; unable to use the foot properly and toes everted; disability one-eighth;" that the cause of said fall was the concussion or blow of a passing shell; that in the prosecution of his pension claim he was three times examined by boards of examining surgeons—once by the board at Providence, R. I., which reported no disability, but of whose hurried and careless examination the claimant bitterly complained to the Pension Office, as appears by his letter and affidavit on file—and twice by the board at New London, Conn.

In their report of their first examination of the soldier, the New London board say he "presents the general picture of broken constitution, probably resulting from some severe shock to nervous system; slight right lateral curvature of spinal column;" and express their opinion that his disability, resulting from his wound and other injuries, for a portion of same should be rated at "total," and for others "three-fourths of total." In their report of their second examination the same board say that this further examination reveals nothing beyond what they had stated as to their former examination.

The Pension Office seems to have relied entirely upon the report of the Providence board in rejecting the soldier's claim; but your committee are of the opinion that the careful and particular report of the New London board is entitled to the higher consideration, and that the current of the testimony very clearly shows the origin, continuance, and existence of disability incurred in the service and line of duty, in actual battle, for which the soldier should be allowed a pension.

Your committee therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. OUTHWAITE. Mr. Chairman, I now ask unanimous consent to have a bill considered, for the reason already given, that I can not be here on the next Friday session.

Mr. SAWYER. I desire to object on the ground——

Several MEMBERS. Do not object.

Mr. SAWYER. Hear me through, if you please. I desire to object on the ground that a gentleman here [Mr. WILBER], a friend of mine, who is also going away to be absent for two weeks, has asked to have a bill considered and objection has been made on the other side of the House. Now, I object to this request coming from that side.

Mr. OUTHWAITE. One recognition of this kind has been conceded to your side. Mr. Chairman, I move that the committee now rise.

Mr. MACDONALD. I would state to the gentleman from New York [Mr. SAWYER] that the objection to the consideration of his friend's bill came from the other side the last time.

Mr. WILBER. I hope that any gentleman who has objected to the request of the gentleman from Ohio [Mr. OUTHWAITE] will withdraw his objection.

Mr. MCMILLIN. As both of these gentlemen [Mr. OUTHWAITE and Mr. WILBER] have indicated that they can not be present at next Friday evening's session, I suggest that they both be recognized to have their bills considered.

Mr. SAWYER. With that understanding I am perfectly willing to withdraw my objection.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Ohio [Mr. OUTHWAITE] and the gentleman from New York [Mr. WILBER] be permitted to have the bills indicated by them considered. Is there objection?

There was no objection, and it was so ordered.

MARY M. SWEET.

Mr. OUTHWAITE called up for consideration the bill (H. R. 955) granting a pension to Mary M. Sweet.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary M. Sweet, the widow of George W. Sweet, late a private in Company A, Seventy-third Regiment Ohio Volunteer Infantry.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 955) granting a pension to Mary M. Sweet, have had the same under consideration, and beg leave to submit the following report:

Mary M. Sweet is the widow of George W. Sweet, who enlisted in Company A, Seventy-third Regiment Ohio Volunteers, November 12, 1861, and was discharged upon surgeon's certificate of disability May 5, 1864, because of gunshot wound of head of left tibia, received in the battle of Gettysburgh, Pa., July 2, 1863, which resulted in necrosis and adhesion. For this disability he was pensioned, and in receipt of pension at the rate of $12 per month at date of his death, July 3, 1885. The widow's claim has been rejected on the ground that in the opinion of the medical referee of the Pension Bureau the death cause is not chargeable to his military service.

Dr. T. Irwin testifies that he first became acquainted with the soldier in 1873; then treated him for a combination of neuralgia and rheumatism, affecting his lower limbs, especially the left, and back. Soldier attributed his trouble to the wound of left leg. Treated him again for neuralgic troubles in April, 1875. About June, 1885, affiant examined soldier and found him suffering from a continual and distressing cough, hurried breathing, weak and rapid pulse, great emaciation, presenting altogether a clear case of the latter stages of phthisis pulmonalis. Just prior to his death he also suffered from edema of feet, extending to knee of wounded leg.

Dr. W. G. Dawson testifies that he has treated soldier more or less from his return from the Army until his death, during which time his nervous system was much impaired; gave him special care from February 15, 1885, till near his death, and considers his death the result of his old and chronic troubles, which had gradually undermined his life power.

It is shown that about January, 1885, soldier received an additional injury to his side by reason of a fall received while walking along the road. The wounded limb gave way, throwing him upon a rock, and from that time on he commenced failing rapidly.

The widow's case is greatly strengthened by a careful examination of the papers in the invalid claim. As far back as 1872 he made claim for increase of pension on account of neuralgia caused by the wound, rheumatism, disease of lungs and heart, and in support of his allegations filed what appears to your committee evidence sufficient to have granted him pension in addition to that granted him for the wound had the laws then in force permitted such action.

The medical examinations in the case afford additional proof of the justice of the widow's claim. An examination in May, 1867, reveals the existence of heart disease in no small degree. One in March, 1868, shows the same. The certificate of examination of October 15, 1872, shows rheumatism of spinal chord, left shoulder, and lumbar regions, which the surgeon says may fairly be ascribed to deranged vital action and the establishment of a rheumatic diathesis from primary injury. September 6, 1875, an examining surgeon makes the following certificate:

"Exit on outer aspect of leg, fracturing the tibia and fibula. On the tibia the cicatrix is deep and adherent, permitting the introduction of the finger to the depth of an inch. Muscles of limb atrophied. Biceps muscle contracted. I find an impaired condition of general health by reason of rheumatic diathesis by reason of the wound. He is emaciated and countenance pale."

Subsequent examinations point to a continuous decay of the vital powers, marked emaciation, and, finally, well-developed disease of lungs. The statement made by Dr. Dawson, heretofore referred to, to the effect that the soldier's death was the result of "his old and chronic troubles," would seem justifiable from the whole history in the case, as appears by the several medical examinations in the case. There is no doubt in the minds of this committee as to the direct connection between the soldier's death cause and his military service. The claim of the soldier for the additional disabilities alleged as far back as 1872 appears to have been ignored entirely in the latter adjudication of his increase applications, which in a measure accounts for the rejection of the widow's claim.

Believing the claim meritorious, your committee report favorably on the accompanying bill and ask that it do pass.

The bill was laid aside to be reported to the House with a recommendation that it do pass.

CHARLES H. SMITH.

Mr. WILBER called up for consideration the bill (H. R. 5249) granting an increase of pension to Charles H. Smith.

The bill was read, as follows:

Be it enacted, etc., That the present pension of Charles H. Smith, late corporal Company K, Seventy-sixth New York Volunteers, be increased from $31.25 to $100 per month, and that the Secretary of the Interior be, and he is hereby, authorized and directed to place his name on the pension-roll at the increased rate above mentioned.

Mr. MCMILLIN. Let us have the report in that case read.

The report (by Mr. SAWYER) was read in part.

On motion of Mr. BAKER, of New York, the further reading of the report was dispensed with.

The report is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 5249) granting an increase of pension to Charles H. Smith, submit the following report:

That this is one of the most remarkable cases to which the attention of the committee has ever been called. The number and the severity of the wounds received, the suffering consequent thereon, are among the marvels in the surgical history of the war. The sad and pitiable condition in which the beneficiary has lived for the past twenty-four years, and in which he must continue during his whole future life, renders him an object of great sympathy. Two of the committee, physicians themselves, have made a personal examination of the soldier, the conditions of his wounds, and their effects, and fully corroborate the medical evidence attached to this report.

The committee have attached hereto and made a part of this report the statement of the soldier, the letter of Dr. D. S. Foster, one of the prominent surgeons of this city, and the medical examination of Drs. Foster and Baker, extracts from the Medical and Surgical History of the War of the Rebellion, and a letter from Captain Currier, an officer in the soldier's regiment. The high personal character of the soldier is fully established.

The soldier can not receive at the Pension Office the relief to which the committee think he is entitled.

He first was allowed a pension of $8 per month, which has been increased to $31.25, the highest sum he can receive under the law as it now is.

The committee are strongly of the opinion that the soldier is entitled to the relief asked, and they therefore recommend that the bill do pass with the amendment striking out the words "one hundred," in the fifth line, and inserting in the place thereof the words "seventy-two."

"WASHINGTON, D. C., *March* 2, 1888.

"DEAR SIR: Some five weeks ago, after having seen my wounds, and having learned of their general condition, you introduced a bill in the House of Representatives for an increase of pension therefor, and that the committee (who has said bill in charge) may more readily understand and appreciate their nature, I will make a brief statement relative thereto, and of my services during the late war.

"I enlisted in the United States service, in the town of Cherry Valley, Otsego County, New York, October 14, 1861, being then but sixteen years old; leaving a widowed mother, who at that time was, and is to-day, dependent upon me for support.

"From the time of my enlistment to that of receiving my wounds, I was not absent from regimental duty two days, either from sickness or otherwise,

"I participated in the following engagements: Rappahannock Station, August, 1862; White Sulphur Springs, August, 1862; Gainesville, August, 1862; Bull Run, August, 1862; South Mountain, September, 1862; Antietam, September, 1862; Union, November, 1862; Fredericksburgh, December, 1862; Chancellorsville, May, 1863; Kelley's Ford, June, 1863.

"I will here state that in all of the above engagements my regiment lost both in killed and wounded; in some more, in some less.

"On the 1st of July, 1863, my regiment opened the battle of Gettysburgh, and during the forenoon of that day I received the following wounds:

"The first ball passed through my left thigh; the second ball entered the left groin, passed through the body, and came out at the right hip; the third ball entered above the left hip, passed through the body, fracturing the spinal column, and while lying prone on my face a shell bursting over me tore off a large portion of my right buttock, and in this condition I lay upon the battle-field, much of the time unconscious, for four days, without any assistance or nourishment whatever, the rebels taking my canteen of water, my haversack, shoes, and stockings.

"On the night of the 4th of July my comrades found and carried me to what is known as the McPherson barn, and after divesting me of my clothing wrapped me in a blanket and laid me in the cow-shed.

"On the morning of the 5th I discovered that I was submerged and almost drowned in cow ooze. In this condition I remained until the afternoon, when I was taken from this barn shed, carried to a tree near by, where my comrades wiped me off with straw, and applied to the Christian Commission agents for assistance, and from them I received the first nourishment since the early morn of July 1.

"I was then put on a stretcher and carried to the town of Gettysburgh. On the way I met the regimental surgeon, Dr. Metcalf, who examined my wounds, and told me that if I desired to send any communication to my mother that I had better do so at once. He then gave directions where I should be taken.

"I was placed in an old freight warehouse where there were two amputating tables, and where only those were brought whom the surgeons considered incurable. Here I remained until the 17th of July.

"I was totally helpless, unable to move hand or foot, and was nursed by a comrade. Here it was, after my wounds had been bathed and I had taken nourishment, that I realized the full extent of my wounds. I then discovered my food, in a partially-digested condition, passing out through my wounds on my left side and back, and for nine months all that I ate passed out in this way. I had no regular passage of the bowels during the nine months or more.

"From this building I was taken to an express company building, by Sergt. William H. Myers, where I remained a few days, and was then taken to the private residence of Mr. Robert Sheads, where I remained until December in this helpless condition.

"I had no regular physician, but strange surgeons called continually to examine my wounds. I had no operation performed, took no medicine, as most of the surgeons informed me that it was impossible for me to recover, while some few said that 'while there was life there was hope.'

"From Gettysburgh I was taken on a cot bed to the Citizens' Hospital, corner Broad and Prime streets, Philadelphia, and from there to the Cuyler Hospital, Germantown, where I remained until my term of enlistment expired, and was discharged on the 24th of October, 1864.

"At the time of my discharge I was able to move about with the assistance of two canes, and from that time until the present, a period of twenty-four years, I have had to dress my wounds two, three, and four times each day. The dressing consists in bathing with a sponge and water, applying linen cloths, with a bandage 8 yards in length and 4 inches in width wrapped around my body.

"From the nature of these wounds it is necessary that an orifice be kept open to allow the gases to escape from the stomach, the gathering of which causes the most intense agony, so that it is necessary to have the services of a surgeon very frequently.

"Suppuration continually goes on, and a constant discharge therefrom.

"There have been times when I have been confined to my bed for months, and have had the almost constant attendance of a physician during all these years.

"I have thus briefly stated my condition, and if you think it advisable, and the Committee on Pensions desire, I will gladly appear before them and show my wounds, that they may judge for themselves as to the truth of the matter and the simple justice of my claim.

"From the above you may think that I am complaining of my country for not dealing more liberally with me, but of this fallacy I desire to disabuse your mind. I did not enlist in the service of my country for the compensation which she then paid her soldiers, nor for the pension which she might award her disabled. I enlisted for the grand cause for which she was contending, irrespective of personal comfort, life, or limb. I responded to every call, performed every duty that devolved upon me until I was left helpless upon the field of carnage; and I make no complaints of my country, for I believe that if our Representatives know of and fully understand my case they will at once recognize my claim to an increase of pension and pass the bill without dissension.

"My case was reported by and appears in United States Surgeon-General Barnes's 'Medical Works of the War' (vol. 2, page 88, I think), and after President Garfield was shot, one of the attending physicians having been informed of the similarity of my case, I was examined by him. He stated that one of my wounds was of a more serious character than the President's, from the fact that in my case the intestines were cut, while in the other they were not punctured.

"The above statement is a true and accurate one, and the truth of which I am willing to certify to under oath, and applies to House bill 5249.

"Respectfully, yours,

"C. H. SMITH,

"*Late Corporal Company K, Seventy-sixth New York State Volunteers.*

"Hon. DAVID WILBER,
"*House of Representatives.*"

"WASHINGTON, D. C., *March* 7, 1888.

"SIR: My attention having been called to the bill introduced by you for the relief of Corporal Charles H. Smith, Company K, Seventy-sixth New York Volunteers, the following statement of his case is respectfully submitted:

"I have known Mr. Charles H. Smith for about fifteen years. Being called to attend him at that time, I found him suffering from wounds (four in number) received in the line of duty at the battle of Gettysburgh, Pa., July 1, 1863. (See description of wounds on accompanying paper.)

"At that time the wound described as No. 3, which had healed at the point of entrance and occasioned the most suffering, was opened, allowing a free discharge of pus, wind, and fecal matter. It soon healed, and this delicate, dangerous, and painful operation of opening the intestines has had to be performed as often as once a month, on an average, during the past fifteen years. At such times the patient is usually confined to his bed in a condition of extreme prostration, requiring attendance.

"At all times the discharges being exceedingly offensive to himself and attendants, it is necessary to dress the wounds three or four times daily with sponge and water, and to apply very thick padding to absorb the discharges; the padding being secured by bandages some 4 inches wide and 6 to 8 yards in length.

"Dr. Otis, United States Army, in Medical and Surgical History, says: In 59 cases of stercoral fistula, 9 remained open, 50 closed; 17 in a month, 28 in less than a year, and 5 in from one to four years."

"In addition to the injury to the bladder and spinal column, this case presents two openings from the intestines. One remains open, the other has to be opened, as stated, and is the only case known to me where fistula, having healed, has to be opened periodically to save the patient's life. Besides the disability and suffering which it occasions, the expense attending such a condition is necessarily great, requires attendance, and leaves the patient with the conviction that he is in immediate danger at all times.

"In my opinion the case is exceptional, and deserving the most generous recognition by Congress and the Executive.

"D. S. FOSTER, M. D.,
"*No.* 19 *Iowa Circle.*

"Hon. DAVID WILBER,
"*House of Representatives.*"

"Medical examination in the case of Charles H. Smith, corporal Company K, Seventy-sixth Regiment New York Volunteers, wounded at Gettysburgh, Pa., July 1, 1863.

"The injuries appear to have been made by four distinct missiles; the first three were conical balls, the fourth a fragment of shell.

"*First missile.*—Wound of entrance situated on left side 1½ to 2 inches below the great trochanter. Wound of exit upon the nates of same side near the median line and just above the infragluteal fold. The ball passed deeply through the glutei muscles for a space of 7 inches.

"*Second missile.*—Wound of entrance in the left inguinal furrow about 2 inches from the anterior superior spine of the ilium. Wound of exit on the outer side of the right leg about 3 inches downwards and backwards from the great trochanter. The ball must have traversed the floor of the pelvic cavity and the base of the bladder, emerging through the great sciatic notch.

"*Third missile.*—Wound of entrance on the left side just above the crest of the ilium in the axillary line. Wound of exit near the spinous process of the third lumbar vertebræ. The ball must have passed through the muscles of the abdominal wall and of the back, penetrating the descending colon behind the peritoneum and shattering the third and fourth lumbar vertebræ. The bodies of the vertebræ were probably uninjured. The wound of entrance did not heal for eleven years. It then closed, but opens from time to time or requires to be opened by a surgeon in order to relieve accumulations of fecal matter and pus. In connection with the track of the ball in this wound a fistulous opening, 3 inches in length, has formed over the colon, and connected with this there are several sinuses which burrow among the muscles of the back. This fistula discharges fecal matter and pus and requires constant attention, as it is very prone to inflammation and causes much suffering.

"*Fourth missile.*—About 2½ inches from the spine to the right, and above the intergluteal furrow, a considerable portion of the erector spinæ and glutei muscles have been torn up, leaving several large scars. The cicatricial tissue is adherent to the sacrum and the fascia in the vicinity.

"D. S. FOSTER, M. D.
"FRANK BAKER, M. D.,
Professor of Anatomy, Georgetown University.

"WASHINGTON, D. C., *March* 7, 1888."

"[Case 269, page 88, Medical and Surgical History of the War of the Rebellion, part second, surgical volume.]"

"Corporal C. H. Smith, Company K, Seventy-sixth Regiment New York Volunteers, aged twenty years, was wounded at Gettysburgh, July 1, 1863, by a conoical ball. He was admitted to the Seminary Hospital from the field, where he had been treated in a private house, and was afterwards transferred to the Citizens' Volunteer Hospital at Philadelphia, where he was admitted on October 3. He was transferred to Germantown March 14, and admitted to Cuyler Hospital on the same day, with 'gunshot wound of abdomen, perforating cavity and injuring intestines,' * * * and discharged the service October 24, 1864. Pension Examiner Horace Lathrop, of Otsego, New York, reported, August 30, 1866:

"'Ball entered left side just above the crest of the ilium, 2 inches above the anterior superior spinous process, passed downward and backward through the wing of the ilium, and out near the last lumbar vertebra. There is now an opening in both localities, and the anterior one discharges fæcal matter. The colon is probably wounded. He requires constant assistance from another person; his other wounds are healed. Disability total.'

"In the Washington Post of July 10, 1881 (soon after President Garfield was shot), appeared the following:

"'Dr. Pope, of this city, cites the following case of recovery from desperate gunshot wounds, which probably has no parallel in the annals of war:

"'Mr. C. H. Smith, a non-commissioned officer in the Seventy-sixth Regiment New York Volunteers, at the battle of Gettysburgh, July 1, 1863, received the following wounds:

"'The first bullet passed clean through the left thigh, close to the body; the second entered the left groin, through what is called Poupart's ligament, grazing the iliac blood vessels and nerves; traversed the pelvis, passing directly through the bladder and hip bones, came out a little behind the right hip-joint; the third entered the body just above the crest of the left ilium, commonly called the edge of the hip-bone, traversed obliquely the abdominal cavity, passing through the descending colon or large intestine, came out close by the spine, partially shattering the bodies of the lumbar vertebræ.

"'All these wounds, by minie-bullets, were received within fifteen minutes, and finally, as the crash of battle on that part of the field rolled away, as he lay prone upon his face, a shell burst directly over him. The explosion jerked his body upward from the ground and the ragged iron tore away masses of flesh from the nates or buttocks down to the sacrum. For four days and nights he lay upon the field without food, drink, or shelter, exposed to the glaring sun and chilling dews, dozens of dead bodies lying around him, while night prowlers, ghouls of the battle-field, robbed the wounded and the slain.

"'On the fifth day the relief party picked him up, rolled him in a blanket, and laid him in a cow-shed, the only shelter, where for two days he was almost immersed in cow-ooze; then he was taken to an old house, where for seventeen days he lay on his back on a hard board plank.

"'The regimental surgeon looked for his death at any moment, but he lived on, improved, took not a single particle of medicine; nor were his wounds probed, the urine dribbling through the wound in the spine. Finally, after several months, he recovered to a certain extent, and now this battle-scarred veteran, modest and courteous gentleman, resides in this city.'"

"SHERBURNE, N. Y., *March* 9, 1888.

"SIR: The bill you introduced in the House of Representatives on January 16, 1888, to increase the pension of Corporal Charles H. Smith, of Company K, Seventy-sixth Regiment New York Volunteers, merits your earnest attention and the respect and favorable consideration of Congress.

"I will state for your information that I have known Corporal Smith since 1861, when he enlisted at Cherry Valley, Otsego County, New York. He was a good and faithful soldier, performing his duty satisfactorily in every particular up to the battle of Bull Run, August, 1862, when I was wounded, he remaining with the regiment until the battle of Gettysburgh, where he was desperately wounded by three minie-balls and a piece of shell.

"He lay four days upon the battle-field, subject to the exposure of the intense heat of the July sun and the chilling dews of night, without any care, food, or shelter whatever.

"From time to time during the past eighteen years I have seen his wounds, and can testify from personal knowledge of their severity and the great amount of suffering which they entail upon him, and the constant care and attention which he requires in consequence thereof, both from a surgeon and an attendant.

"In conclusion, I think I but voice the sentiment of the loyal people of the country when I say I hope this act of justice will be done to one who gave up all, and freely offered his life to his country in her time of need, and has, and must ever continue, to suffer so much from wounds received in her service.

"Respectfully, yours,

"R. W. CARRIER,

"*Late Captain Seventy-sixth Regiment New York Volunteers.*

"Hon. DAVID WILBER,

"*House of Representatives, Washington, D. C.*"

The amendment reported by the Committee on Invalid Pensions was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. CARUTH. I ask unanimous consent for the consideration of a bill which I will send to the desk.

Mr. SAWYER. I object.

The CHAIRMAN. The Clerk will read the title of the next bill on the Calendar.

Mr. WARNER. I can present, I think, a special reason why this bill which I hold in my hand should be called up now. I have been here at every one of these evening sessions, and I expect to be here at every one during this Congress. Therefore I would like to call up a bill by unanimous consent.

Mr. SAWYER. I object. I do not know what the special ground is.

Mr. WARNER. I say that I have been here at every evening session during this Congress, and expect to be present at every evening session hereafter. Therefore I ask unanimous consent.

Mr. SAWYER. I object.

Mr. BAKER, of New York. I am obliged to go away from the city to-night to be absent several days. I desire very much to have considered the case of a lady seventy-five years of age who is near her grave. I am exceedingly anxious to take to her the news that her bill has passed. The bill is short, and also the report.

The CHAIRMAN. The gentleman from New York [Mr. BAKER] asks unanimous consent for the present consideration of a bill for the reasons which he has stated. Is there objection?

Mr. SAWYER. I ask the gentleman whether he will be here next Friday evening.

Mr. BAKER, of New York. I hope to be; but I wish this bill passed now, so that I may take the news of its passage to this old lady.

Mr. BLAND. I think we had better go on with the Calendar.

MRS. ARABELLA CODDINGTON.

The next business on the Calendar was the bill (S. 293) granting a pension to Mrs. Arabella Coddington.

Mr. GEAR. I ask that this bill be considered.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of $25 per month, the name of Mrs. Arabella Coddington, widow of E. H. Coddington, late captain of Company H, Forty-fifth Regiment of Iowa Infantry Volunteers, in lieu of the pension she now receives.

The report (by Mr. SPOONER) was read, as follows:

Mrs. Arabella Coddington is the widow of Eli H. Coddington, who was a sergeant of Company F, Fourteenth Regiment Iowa Volunteers, and also a captain of Company H, Forty-fifth Regiment Iowa Volunteers, which latter rank he held at the time of his final discharge.

The soldier lost his left arm from a gunshot wound received in action at Fort Donelson, Tennessee, February 13, 1862, he then being a sergeant, and was discharged for disability August 15, 1862. He was subsequently mustered into service as captain of Company H, Forty-fifth Iowa Volunteers, and served until September 16, 1864, when he was mustered out with his company.

He was pensioned for loss of his arm and its results, first at $8 per month, and subsequently, by reason of increasing disability, etc., at $15, then at $18, and finally at $24 per month, which last-named rate of pension he was receiving at the time of his death.

He died July 30, 1877, of consumption. After his death his widow was pensioned at the rate of $8 per month, on the ground that the loss of arm of the soldier (which was assumed as the origin of the cause of soldier's death) occurred when the soldier was a sergeant.

The medical evidence on file, which is very full and particular, shows that the soldier suffered, after said wound, and while in hospital from chronic diarrhea, which reduced him to a mere skeleton and very nearly caused his death; and that after his final discharge his general health was badly shattered and his system greatly debilitated as the result of said wound and his army service, incapacitating him for physical and largely for mental labor, and finally resulting in consumption, of which he died.

Although the loss of his arm appears to have been the chief primary cause of said increasing disabilities and their result, your committee are inclined to concede something as a co-operating cause as the result of service of the soldier while a captain, not only in recognition of the patriotism which induced a man so grievously mutilated to again enter the military service, but also for the, perhaps, more practical reason that they are led to believe, in view of the medical history of his case, that said latter service must have aggravated, and probably created, some of the disabilities which eventually terminated in the soldier's death.

An additional reason exists which renders the widow's claim for increase peculiarly meritorious. Prior to her marriage with the soldier she was a hospital nurse, served faithfully as such, was exposed to and contracted a contagious disease (measles), with which she was seriously and dangerously sick, from which and its results her health was so seriously and permanently impaired that she is a suffering invalid at the present time, and largely disabled from doing any labor for her own support.

Your committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. BAKER, of New York. I renew my request for the consideration of this bill for the benefit of the old lady whose case I have already mentioned.

Mr. BLAND. Let us have the regular order.

The CHAIRMAN. The Clerk will report the next bill.

HENRY STAFFORD.

The next business on the Calendar was the bill (S. 679) granting a pension to Henry Stafford.

Mr. SPOONER. I ask that this bill be considered.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Henry Stafford, late a member of Company K, Seventh Regiment of Iowa Veteran Volunteer Infantry.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 679) granting a pension to Henry Stafford, respectfully report:

That they adopt the accompanying Senate report as their own, and recommend the passage of the bill.

["Senate Report No. 136, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 679) granting a pension to Henry Stafford, have examined the same, and report:

"Henry Stafford, of Company K, Seventh Regiment Iowa Veteran Volunteer Infantry, made claim for a pension, which was rejected by the Pension Bureau March 5, 1886. This action was affirmed by the First Assistant Secretary of the Interior July 28, 1887. The ground of rejection was the absence of any record of the alleged rheumatism and disease of the lungs, no testimony showing treatment therefor while claimant was in the military service, and no medical evidence showing such treatment prior to 1872. The Commissioner of Pensions states in his letter transmitting the papers to the chairman of this committee that 'the disabilities being classed as obscure, the testimony of laymen can not be accepted to show the facts.' This statement also appears in the opinion of the First Assistant Secretary of the Interior.

"The claim is based on allegations that, during the Atlanta campaign, the soldier contracted disease of the lungs and chronic rheumatism.

"This re-enlisted veteran has no hospital record, and, in the light of the testimony, it is to his credit that he has not.

"Dr. Thomas S. Mealey deposes that he was his family physician before the war; that he never gave him any medicine (referring, evidently, to the period before the war); and that before going into his regiment claimant was in good health.

"James Montgomery, a private in the same company, deposes that at the time of enlistment claimant was 'a strong, able-bodied man, free from disease, and had no symptoms of rheumatism or lung disease;' that at Dallas and Big Shanty, Ga., he was exposed, while marching and on guard duty, to rain; that he contracted something like cramps while in camp, and from that time on had rheumatism, sometimes in one part of his body and sometimes in another, and had also sharp pains in his lungs and difficult breathing; that when he took cold he suffered very much; that these spells continued until he was discharged, and since, up to the present time; and that claimant is totally unfit for hard labor. The grounds of this affidavit are stated to be the personal knowledge of the deponent.

"James W. Campbell, a comrade, deposes to the same effect.

"Timothy Spencer, the captain of claimant's company, deposes that claimant was a well man before he enlisted; that during June, 1864, near Big Shanty, Ga., he contracted, from exposure, lung disease and rheumatism, from which he never fully recovered. 'Being very ambitious, he remained with the company until the close of the war, and did duty at times, but was very much broken in health. He was an excellent soldier.' Deponent knows these facts from 'being personally present with the command.' Asked for another statement, Captain Spencer writes to the Commissioner February 19, 1883, that Stafford, 'while marching and fighting day and night, through rain and mud, in the Atlanta campaign in Georgia, took sick with a cough, and complained of a lameness in the shoulders, and for a great part of the time was unfit for duty, and was very much changed in appearance.'

"Michael Craft deposes that he has known claimant since 1865, and that ever since then he has been afflicted with rheumatism so badly as to lay him up for days and weeks at a time, and unfit him for doing any manual labor; has frequently heard claimant complain of pain in his heart and weakness of lungs; and has been a near neighbor of claimant for eighteen years.

"To the same effect is the affidavit of James H. Frosher, who has known claimant ever since he came from the war in 1865, and has frequently worked for him, claimant being a farmer.

"Dr. R. J. Jay has treated claimant at different times since 1875 until 1882, for lung troubles and rheumatism. Claimant's condition has been such ever since deponent has known him (1875) as to render him unable to labor, at least half the time.

"Dr. Mealey deposes, in addition to his former testimony, that he first visited claimant September 19, 1872, and treated him then for chronic rheumatism.

"The claimant was examined by a board of examining surgeons in 1882, who report their opinion that his disability originated in the service and in the line of duty, and that he is not incapacitated for obtaining his subsistence by manual labor. The disability is rheumatism; can discover no lung trouble. He was examined again January 7, 1885, two of the examining surgeons being of the board which examined him in 1882. As to lung disease the report is adverse, but it states that 'his cough is caused by the disease of his throat.' The report also states that there is a difference in the two sides of his body, resulting from the effects of rheumatism on the muscles. His right shoulder is lower than the left. The right scapula is uncommonly prominent.

"The muscles of the right side of his chest and right arm are soft and flabby. Raising the right arm causes pain. We find tender points as follows: To the right of the fourth and sixth dorsal vertebræ, in the right fifth intercostal space,

in the right side, in axilla. The report concludes: 'From the existing condition and the history of this claimant, as stated by himself, it is in our judgment probable that the disability was received in the service, as he claims, and that it has not been aggravated or prolonged by vicious habits. He is in our opinion entitled to a one-half total rating for the disability caused by disease of his throat; total (?) for that caused by rheumatism, the sum of which aggregates ¾, third grade.'

"The claimant applied by letter, in 1884 and 1885, to Messrs. Ashton and Morgan, who, your committee infer, were the surgeons of his regiments, for evidence, but they answered that they had no records and no recollection on the subject of his disability. Want of recollection by a surgeon of an individual case, in such a campaign as that of Atlanta, is not surprising. Exact recollections, unassisted by records, would, after the lapse of twenty years, be suspicious. Besides, as Captain Spencer's testimony shows, this man did not seek medical aid, but, on the contrary, being an 'excellent soldier,' and very 'ambitious, remained with the company until the close of the war.'

"As to the objection that claimant did not call a doctor until 1872, he explains this by saying that he took domestic remedies and patent medicines. This is what the majority of men living on a farm in the country do. The mere fact that he did not call a physician until 1872 weighs nothing against the mass of uncontradicted testimony by which this faithful soldier has sustained his claim. The diseases which afflict him may be 'obscure,' according to medical classification, but the evidence in this case is plain to common sense, even if it is that of 'laymen,' and it would establish claimant's case in any court in Christendom.

"The passage of the bill is recommended."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. BAKER, of New York. I understand the gentleman from Missouri [Mr. BLAND] withdraws his objection to the consideration of my bill.

Mr. MORRILL. I move that the committee rise.

Mr. BAKER, of New York. Before that is done, I hope my friend from Kansas will allow this bill to be considered.

Mr. MORRILL. Let us pass in the House the bills already acted on in the Committee of the Whole; and afterward, if there should be time, the gentleman can obtain unanimous consent for the consideration of his bill.

The motion of Mr. MORRILL, that the committee rise, was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. DOCKERY reported that the Committee of the Whole, having had under consideration pension bills on the Private Calendar, had directed him to report sundry bills with various recommendations.

Mr. RANDALL. Mr. Speaker, is any action of the House required now in relation to the bill for the relief of Mrs. Ricketts?

The SPEAKER *pro tempore*. That bill will come up in regular order. It is among those reported from the Committee of the Whole House with amendments. The bills reported without amendments will be first taken up.

BILLS PASSED WITHOUT AMENDMENTS.

Bills of the following titles, reported without amendment, were severally ordered to be engrossed and read a third time; and being engrossed, were accordingly read the third time, and passed, namely:

A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann;
A bill (H. R. 88) granting a pension to Sally A. Randall;
A bill (H. R. 5237) granting a pension to Noah S. Cramer;
A bill (H. R. 8211) to pension Lafayette Lakin;
A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;
A bill (H. R. 7181) granting a pension to Aletta V. Quick;
A bill (H. R. 2167) for the relief of George E. Oliphant;
A bill (H. R. 130) granting a pension to John E. Smith;
A bill (H. R. 431) granting a pénsion to Hannah Varquison;
A bill (H. R. 5847) granting a pension to Elizabeth Twigg; and
A bill (H. R. 955) granting a pension to Mary M. Sweet.

BILLS PASSED WITH AMENDMENTS.

Amendments reported to bills of the following titles were severally agreed to, and the bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 5522) for the relief of Elijah Martin;
A bill (H. R. 4519) granting a pension to William J. Miller;
A bill (H. R. 7574) granting a pension to Frank Lewis; and
A bill (H. R. 5249) granting an increase of pension to Charles H. Smith.

ADVERSE REPORT.

The bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe, reported adversely, was laid on the table.

SENATE BILLS PASSED WITHOUT AMENDMENTS.

Senate bills of the following titles, reported without amendment, were severally ordered to a third reading, and were accordingly read the third time, and passed, namely:

A bill (S. 173) granting a pension to Henry B. Very;
A bill (S. 293) granting a pension to Mrs. Arabella Coddington; and
A bill (S. 679) granting a pension to Henry Stafford.

SENATE BILLS PASSED WITH AMENDMENTS.

Amendments to Senate bills of the following titles were severally agreed to; and the bills as amended were ordered to a third reading, and were accordingly read a third time, and passed, namely:

A bill (S. 752) granting a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson; and
A bill (S. 300) granting a pension to Mrs. Juliet G. Howe.

FRANCES ANNE PYNE RICKETTS.

The SPEAKER *pro tempore*. A bill (S. 393) for the relief of Frances Anne Pyne Ricketts has been reported with the understanding that the bill shall go over until Monday next after the reading of the Journal. It is also understood that the amendment of the gentleman from Missouri [Mr. BLAND] and the amendments of the committee shall be considered as pending, and that the previous question shall apply to those amendments as well as to the passage of the bill. The understanding also goes to the extent of allowing fifteen minutes of debate on each side.

Mr. RANDALL. That is the understanding.

The SPEAKER *pro tempore*. The bill will go over under that agreement.

Mr. MORRILL moved to reconsider the several votes; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SIDNEY W. WHITELOCK.

Mr. MACDONALD. I ask unanimous consent to discharge the Private Calendar from the further consideration of the bill (H. R. 7490) for the relief of Sidney W. Whitelock, and put it upon its passage.

The SPEAKER *pro tempore*. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll the name of Sidney W. Whitelock, late a private in Company K, Eleventh Regiment Missouri State Militia Cavalry, subject to the provisions and limitations of the pension laws.

Mr. MORRILL. I ask unanimous consent to dispense with the reading of the report in this case. This is one of the strongest cases I have examined, and I have looked into every paper in connection with it. I know it is a good case.

There being no objection, the reading of the report was dispensed with, and it was ordered to be printed in the RECORD.

The report (by Mr. MORRILL) is as follows:

This soldier enlisted February 21, 1862, and was discharged April 20, 1865. October 20, 1879, he filed an application for pension, alleging sciatica and spinal disease contracted from exposure. The case was rejected on the ground that there was no record, and that the evidence filed failed to establish origin in the service.

Abundant evidence is offered to show the soundness of the soldier at enlistment, but your committee feel that this is unnecessary, as the long service of the soldier ought to be sufficient to establish that fact.

Benjamin F. Snyder, first lieutenant of claimant's company, testifies that from exposure claimant contracted disease of the liver, and in consequence of the same he was sent to the hospital and received treatment for a long time before he was able to join his regiment; that he testifies from personal knowledge, being present when claimant contracted the disability.

Samuel Boyer and W. T. Whitlock, privates in the same regiment, testify that claimant contracted disease of the liver, which terminated in spinal complaint and sciatica, while in the service, as the result of exposure.

Dr. J. Benjamin testifies that he was claimant's family physician from 1865 to 1872, and from time to time during that period he treated him for chronic rheumatism, and that during the time he was not able to perform any labor nearly one-half the time.

Dr. A. Barber testifies, February 14, 1882, that he has been practicing medicine about twenty years; has known claimant since June, 1865, and since then up to the present time; that he treated claimant for disease of the spine and chronic rheumatism; that the disability should be rated at one-half.

Dr. T. Wakefield testifies, February 14, 1882, that he has been practicing medicine for eleven years; has known claimant for about ten years; that claimant took medicine from him for a few months in 1875; that he treated him at that time for a diseased condition of the spinal nerves, complicated by chronic rheumatism; that he should be rated at one-half.

W. D. Tucker testifies that claimant has been more or less unfit for manual labor since discharge, by reason of rheumatism and other diseases.

Charles K. Goodnow testifies that he has been intimately acquainted with claimant since 1866 and has seen him on an average once or twice every week during each year. Since they have known him they have seen him only able to go around on crutches, and from seeing him and speaking with him they are satisfied that he is diseased and has been ever since they first knew him.

Fred. W. Sumner testifies to an acquaintance since 1867, and has seen claimant on an average once a week during that time. He has been incapacitated from the performance of manual labor at least one-fourth the time.

The examining surgeon at Litchfield, Minn., October 15, 1881, rates him at one-half, incapacitated from obtaining a subsistence by manual labor, and adds that the disability is probably permanent.

All of the witnesses are vouched for as being men of high character.

It seems to your committee that this is an unusually strong case, as the incurrence of the disability in the service, its existence at time of discharge, and continuance since have been established. They therefore recommend the passage of the bill.

There being no objection, the bill was considered and ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. MACDONALD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NANCY VAN DYNE.

Mr. BAKER, of New York. Mr. Speaker, I ask unanimous consent to discharge the Private Calendar from the further consideration of the bill (H. R. 7094) granting a pension to Nancy Van Dyne, and put it upon its passage.

The SPEAKER *pro tempore*. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Nancy Van Dyne, mother of James B. Van Dyne, who was a private in Company B, Thirty-third New York Volunteers, and late orderly sergeant in Company I, First Regiment New York Veteran Cavalry, and pay her at the rate of $12 per month.

The report (by Mr. SAWYER) was read, as follows:

Nancy Van Dyne, of Palmyra, N. Y., aged sixty-seven years, is the mother of James B. Van Dyne, late a private in the First Veteran Cavalry Volunteers of New York, in which he enlisted in August, 1863, after having served from October, 1861, in the Thirty-third Regiment New York Volunteers. This mother gave to the Union Army two other sons, namely, Charles H. Van Dyne, who was a member of the One hundred and sixtieth New York Volunteers in 1862, and Peter H. Van Dyne, who entered the United States Navy in 1864. The former son died in January, 1873, and the latter is a resident of Chicago, Ill., an invalid, unable to labor, has no means, and is unable to help his mother.

Nancy Van Dyne is the daughter of Seneca Page, who enlisted in the Ninth or Eighth Regiment of New York Heavy Artillery, at Auburn, N. Y., in November, 1863, and who was probably killed in battle, and so far as we can know fills an unknown grave, for he was never heard from after the month of December, 1863.

The son James, subsequent to his enlistment in the First Veteran Cavalry, and prior to proceeding to the front with his regiment, married, but there were no children born of said marriage. He was in the battle of Cedar Creek, taken prisoner and confined in Confederate prisons at Lynchburgh, Danville, and Salisbury. In the winter of 1865 he was paroled at Wilmington, N. C.; from there sent to Annapolis, Md., which place he reached March 7, 1865, weak and emaciated owing to lack of food, and at that place the mother met him and remained with him until March 26, 1865, when he died.

Shortly after the death of James his widow married one Charles E. Wilbur. This was in July, 1865 or 1866. With her Wilbur lived about three years, and then procured a divorce on the ground of the woman's unfaithfulness. At the time of the divorce the parties resided in Palmyra, and shortly thereafter the unfaithful wife left for parts unknown, and her whereabouts have ever since been and are now unknown.

The mother, Nancy Van Dyne, is in destitute circumstances, dependent upon charity for her support.

It appears that the widow of James B. Van Dyne received a pension as such up to July 3, 1866, which seems from the report from the Pension Bureau to be the date on which she married.

The mother made application for a pension as the mother of James, but the same was rejected for the reasons stated.

The claim of this mother is, in the opinion of your committee, entirely meritorious.

Your committee report the bill favorably, and recommend its passage with an amendment striking out after the word "Cavalry," in line 8, and inserting in place thereof the words "subject to the provisions and limitations of the pension laws."

There being no objection, the bill was considered and the amendment agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. BAKER, of New York, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

And then (the hour of 10 o'clock and 30 minutes p. m. having arrived) the Speaker *pro tempore* declared the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. E. P. ALLEN: A bill (H. R. 9584) to place the name of Nannie B. Hadley on the pension-roll—to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 9585) for the relief of Thomas J. Powell—to the Committee on War Claims.

By Mr. FULLER: A bill (H. R. 9586) to amend the military record of Samuel S. Troy—to the Committee on Military Affairs.

By Mr. GALLINGER: A bill (H. R. 9587) granting a pension to Louise F. D. Hoit—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 9588) authorizing the Secretary of the Interior to place on the pension-rolls the name of James Freeman—to the Committee on Invalid Pensions.

By Mr. T. D. JOHNSTON: A bill (H. R. 9589) for the relief of Lucinda Simonds, widow and legal representative of J. R. Simonds, deceased—to the Committee on War Claims.

By Mr. MASON: A bill (H. R. 9590) for the relief of Mrs. Susan Scofield—to the Committee on Invalid Pensions.

By Mr. PIDCOCK: A bill (H. R. 9591) granting a pension to Peter V. Weaver—to the Committee on Invalid Pensions.

By Mr. SAWYER: A bill (H. R. 9592) for the relief of Adoniram J. Rose—to the Committee on Military Affairs.

By Mr. SIMMONS: A bill (H. R. 9593) for the relief of the heirs of H. Barrus—to the Committee on War Claims.

Also, a bill (H. R. 9594) for relief of Fred Jones, of Lenoir County, North Carolina—to the Committee on Claims.

By Mr. SPOONER: A bill (H. R. 9595) granting a pension to David A. Yeaw—to the Committee on Invalid Pensions.

By Mr. STRUBLE: A bill (H. R. 9596) granting an increase of pension to Peter Cress—to the Committee on Invalid Pensions.

By Mr. VANCE: A bill (H. R. 9597) for the relief of Edward Pearl—to the Committee on Military Affairs.

By Mr. BINGHAM: A bill (H. R. 9598) granting a pension to Margaret S. Heintzelman—to the Committee on Invalid Pensions.

By Mr. T. L. THOMPSON: A bill (H. R. 9599) granting a pension to Patrick Farrell—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. E. P. ALLEN: Petition of Litchfield Grange, of Hillsdale County, Michigan, for the enactment of laws that will protect purchasers of patented articles—to the Committee on Patents.

By Mr. C. R. BRECKINRIDGE: Petition of Daniel Hammon, of Prairie County, and of John C. Clements, administrator of Samuel Clements, of Prairie County, Arkansas, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. W. C. P. BRECKINRIDGE: Petition of the Board of Trade of Frankfort, Ky., against the passage of House bill 4923—to the Committee on Expenditures in the War Department.

By Mr. CANNON: Petition of O. P. Frick, for relief of acting assistant surgeons United States Army—to the Committee on Military Affairs.

By Mr. COBB: Petition of Mrs. F. W. Brown, widow of John U. Brown, of Macon County, Alabama, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. COTHRAN (by request): Petition of citizens of Liberty, S. C., against the passage of bill to restrict the use of cotton-seed oil or beef fat in the composition of lard—to the Committee on Agriculture.

By Mr. FORNEY: Petition of Elizabeth C. Hill, of Saylesville, Cherokee County, Alabama, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, petition of W. A. McMillan, of John McAnnally, of R. B. Simms, of T. L. Weaver, of Samuel C. Ward, of J. R. Wimberg, of L. M. Turner, of J. R. Baxter, of W. T. Ewing, of E. C. Lusk, of John C. Slack, of J. A. Elliott, of Thomas Thompson, of Samuel S. Holbrook, of Thomas Childers, of Abbie R. Wiggs, and of James Lawson, late postmasters, of Alabama, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. GIFFORD: Petition of G. W. Gilbert and 33 others, of Parker, of S. B. Howe and 96 others, of Valley Springs, of D. S. Waldo and 105 others, of Lincoln County, and of Nelson H. Twogood and 25 others, of Fulton, Dak., for the retention of the present tariff on flax and flax products—to the Committee on Ways and Means.

By Mr. JACKSON: Additional testimony to accompany bill for the relief of George Harkins—to the Committee on Military Affairs.

By Mr. LAGAN: Petition of M. Haulihan and others, for back pay under the eight-hour law—to the Committee on Labor.

By Mr. LEE: Petition of L. B. Wheeler, for payment of his war claim—to the Committee on War Claims.

By Mr. MILLS: Petition of citizens of Washington County, Texas, against branding or taxing refined lard, etc.—to the Committee on Agriculture.

By Mr. OSBORNE: Petition of Hon. Charles A. Miner and 30 others, citizens of Wilkes Barre, Pa., for reduction of letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. PHELAN: Petition of John R. Greer, administrator of David S. Greer, of Shelby County, and of Eliza B. Pugh, widow of James F. Pugh, of Hardeman County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. RANDALL: Petition of George Fletcher and others, to repeal that portion of the internal-revenue laws which class druggists as liquor dealers—to the Committee on Ways and Means.

Also, memorial of the Board of Trade of Philadelphia, Pa., to abolish all direct taxes levied on the people of the United States—to the Committee on Ways and Means.

By Mr. RICHARDSON: Petition of Sarah G. Collins, and of William L. Collins, of Franklin County, and of Thomas Bailey, of Lincoln County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of Louisa B. Worthen, of Pulaski County, Arkansas, for reference of her war claim to the Court of Claims—to the Committee on War Claims.

By Mr. J. E. RUSSELL: Petition from the Texas Woolen Mills, of Oxford, and of citizens of Holden, Mass., to secure pure lard—to the Committee on Agriculture.

By Mr. SIMMONS: Petition of citizens of Eastern North Carolina, asking Congress to authorize the purchase by the Government of the New Berne and Beaufort Canal—to the Committee on Railways and Canals.

By Mr. SOWDEN: Petition of Dr. R. J. Linderman and others, of the Tenth district of Pennsylvania, for repeal of all special internal-revenue licenses for druggists—to the Committee on Ways and Means.

By Mr. TOWNSHEND: Petition of Lewis F. Carey and of Samuel L. M. Proctor, for relief—to the Committee on Pensions.

Also, papers to accompany bills for the relief of Sarah Allen and of John Pendergrast—to the Committee on Invalid Pensions.

Also, petitions to grant pensions to Elizabeth Wilson and to Mary M. Shipley—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Thomas Harrington—to the Committee on War Claims.

Also, petition and papers to accompany bill for relief of James A. McFarland—to the Committee on Military Affairs.

Also, petition of James M. Garvin, for an invalid pension—to the Committee on Invalid Pensions.

Also, paper in the claim of William Aud—to the Committee on Invalid Pensions.

Also, petition of W. B. Fleming, for a pension—to the Committee on Invalid Pensions.

Also, petition of Edmund Drake, for payment of his war claim—to the Committee on War Claims.

By Mr. TRACEY: Petition of the Cigar Makers' Union, of Albany, N. Y., against the repeal of the internal-revenue tax on cigars—to the Committee on Ways and Means.

By Mr. VANCE: Petition of Edward Pearl, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. WILKINSON: Papers in the case of R. H. Crider, for relief—to the Committee on War Claims.

By Mr. YOST: Petition of J. T. McCrum & Son and others, of Lexington, Va., for repeal of that portion of the internal-revenue law imposing a license on druggists—to the Committee on Ways and Means.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BURROWS: Of citizens of Grand Rapids, Mich.

By Mr. FORAN: Of 40 citizens of Garrettsville, Ohio.

By Mr. GROUT: Of C. H. Kottion and 28 others, citizens of Vermont.

By Mr. HUDD: Of T. A. Thorp and others, of Wisconsin.

By Mr. LONG: Of G. F. Pinkham and 16 others, citizens of Wollaston, Mass.

By Mr. PARKER: Of C. E. Rees and others, citizens of Clayton, N. Y.

By Mr. STONE, of Kentucky: Of citizens of Calloway County, and of the Princeton Gun Club, of Princeton, Ky.

By Mr. SYMES: Of citizens of Denver, Colo.

By Mr. WILKINS: Petition of J. F. Meek and 50 others, citizens of Coshocton, Ohio.

The following petitions for the more effectual protection of agriculture, by means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. GALLINGER: Of B. F. Martin and 19 others, of Bennington, and of Charles F. Porter and 37 others, of Oxford, N. H.

By Mr. GROUT: Of citizens of Andover, Vt.

By Mr. GUENTHER: Of farmers of Fond du Lac County, Wisconsin.

By Mr. KETCHAM: Of D. A. Knapp and 19 others, of North Clove, N. Y.

The following petition, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, was referred to the Committee on the Post-Office and Post-Roads:

By Mr. PERRY: Of numerous citizens of South Carolina.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BURROWS: Of members of Frank Graves Post, No. 64, Grand Army of the Republic, of Michigan.

By Mr. CHEADLE: Of ex-Union soldiers and sailors of Cicero, Hamilton County, Indiana.

By Mr. CUMMINGS: Of ex-soldiers and sailors of the Sixth district of New York.

By Mr. J. H. O'NEALL: Of ex-Union soldiers, sailors, and citizens of Shoals, Huron, Martin, and Lawrence Counties, Indiana.

By Mr. SHIVELY: Of Post No. 429, Grand Army of the Republic, of Mentone, Ind.

The following petitions for an increase of compensation of fourth-class postmasters were referred to the Committee on the Post-Office and Post-Roads:

By Mr. BARNES: Of citizens of Hephzibah, Richmond County, Georgia.

By Mr. T. J. HENDERSON: Of William Taylor, jr., and 33 others, citizens of Whiteside County, Illinois.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. HITT: Of 132 citizens of Ogle County, Illinois.

By Mr. PERRY: Of 87 citizens of Greenville County, South Carolina.

By Mr. VANCE: Of 123 citizens of Hartford County, Connecticut.

By Mr. WILKINS: Of 57 citizens of Licking County, and of 92 citizens of Muskingum County, Ohio.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April* 21, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of the proceedings of yesterday.

Mr. HOLMAN. I ask unanimous consent to dispense with the reading of so much of the Journal as relates to the introduction of reports of committees.

There was no objection.

The remainder of the Journal was read and approved.

ADMISSION OF SOUTH DAKOTA.

The SPEAKER laid before the House the bill (S. 185) to provide for the admission of the State of South Dakota into the Union, and for the organization of the Territory of North Dakota; which was read a first and second time, and referred to the Committee on the Territories.

Mr. GIFFORD. Mr. Speaker, precisely a similar bill has been reported from the Committee on the Territories, and I ask unanimous consent that it be considered on Monday next.

Mr. RANDALL. What time on Monday?

Mr. McMILLIN. I object.

Mr. SPRINGER. Let it take its usual course.

Mr. GIFFORD. I did not suppose any gentleman on that side would object. [Laughter.]

CHARLOTTE HARBOR, FLORIDA.

The SPEAKER also laid before the House the bill (S. 1431) making an appropriation for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida.

Mr. DAVIDSON, of Florida. Mr. Speaker, a bill similar to this has been considered by the House Committee on Commerce, and I ask unanimous consent that the bill be taken up and considered now.

The SPEAKER. The bill will be read, subject to the right of objection.

The Senate bill was read, as follows:

Be it enacted, etc., That the sum of $35,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida, the said amount to be expended under the direction of the Secretary of the Treasury.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DAVIDSON, of Florida. I now move to amend by striking out all of the Senate bill after the enacting clause and inserting the House bill as recommended by the Committee on Commerce.

The amendment was read, as follows:

That a light, or lights, and other aids to navigation to guide into Charlotte Harbor, Florida, be established at a cost not to exceed $35,000.

Mr. SPRINGER. Let the original bill be read.

The SPEAKER. The original bill provided an appropriation of money.

Mr. DAVIDSON, of Florida. And this amendment provides only for the establishment of the lights or guides to navigation.

Mr. SPRINGER. All right.

The amendment was agreed to.

The bill as amended was ordered to a third reading, and being read the third time was passed.

Mr. DAVIDSON, of Florida, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The bill (H. R. 7033) was ordered to be laid on the table.

EMORY R. SEWARD.

The SPEAKER announced as the managers on the part of the House on the disagreeing votes of the two Houses on the bill (H. R. 7319) for the relief of Emory R. Seward, Mr. CAMPBELL, of Ohio, Mr. SIMMONS, of North Carolina, and Mr. KERR, of Iowa.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PENINGTON, indefinitely, on account of important business.

To Mr. CUTCHEON, for five days, on account of an important business engagement.

To Mr. BUTLER, on account of important business, from Saturday, the 21st, to Wednesday, the 25th instant.

To Mr. ALLEN, of Michigan, and Mr. HARE, for Saturday next, April 28, on account of important business engagements calling them to Philadelphia.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. RANDALL to withdraw from the files of the House the petition of Hugh Harkins for a pension, without leaving a copy on file.

PUBLIC BUILDING AT OXFORD, MISS.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury submitting an estimate for an additional appropriation to complete work on the approaches to the public building at Oxford, Miss.; which was referred to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Mr. LANHAM. I ask a change of reference of the bill (S. 71) for the relief of Admiral Carter. It was referred to the Committee on Claims. It ought to go to the Committee on Naval Affairs.

The SPEAKER. If it was an erroneous reference that change will be made.

Mr. LANHAM. A House bill of the same character is pending before the Committee on Naval Affairs.

There being no objection, the Committee on Claims was discharged from the further consideration of the bill, and it was referred to the Committee on Naval Affairs.

ORDER OF BUSINESS.

Mr. SPRINGER. I desire to present a resolution for reference.

Mr. RANDALL. I call for the regular order.

The SPEAKER. The Chair understands that the resolution which the gentleman from Illinois desires to offer relates to a change of the rules. The Chair thinks that under the rulings heretofore resolutions to change or amend the rules are in order. If that is the character of this resolution it is in order, but it must go to the Committee on Rules or lie over for one day.

Mr. RANDALL. But there ought to be a discrimination between resolutions having that privilege and those which have not.

The SPEAKER. If it is not a resolution to amend the rules, if it is a mere resolution to fix a day for the assignment of business, it is not in order.

Mr. SPRINGER. I withdraw the resolution.

Mr. BLANCHARD. I move that the morning hour for the call of committees be dispensed with.

The SPEAKER. If the regular order is enforced there will be no morning hour. If the House proceeds to the special order it comes up immediately after the reading of the Journal.

Mr. HOLMAN. I desire to call up the measure the consideration of which by a special order was set for to-day.

The SPEAKER. The Chair will state that if the House declines to proceed with the special order, then the motion of the gentleman from Louisiana will be in order.

Mr. BLANCHARD. I raise the question of consideration.

The SPEAKER. The special order is the consideration of the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 7901) to secure to actual settlers the public lands adapted to agriculture, to protect forests and the public domain, and for other purposes.

The SPEAKER. The gentleman from Louisiana raises the question of consideration.

Mr. BLANCHARD. My object being to call up the river and harbor bill, I propose to the gentleman from Indiana to allow us to-day and accept in lieu of it some day in the week after next, immediately after the morning hour. If that arrangement can be made I understand the gentleman from Indiana to be willing to forego his privilege for to-day.

Mr. HOLMAN. The statement of the gentleman from Louisiana is correct; with this limitation, however, that this bill being set specially for to-day, and having been pending for a good while, some six or seven weeks, the Committee on Public Lands would be glad to proceed with it. But I do not wish to consume the time as to which bill shall have priority. I ask unanimous consent—and if that is granted I think the Committee on Public Lands will be content to accept the gentleman's proposition—that the Committee on Public Lands have next Tuesday week after the reading of the Journal for the special order of to-day.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the special order for to-day be postponed until a week from Tuesday next, immediately after the reading of the Journal——

Mr. HOLMAN. Including a night session.

The SPEAKER. And a recess to be taken at 5 o'clock for an evening session.

Mr. DOCKERY. Beginning at 8 o'clock.

Mr. PAYSON. I understand the request to be that that day shall be set apart for the business of the Committee on Public Lands, and not merely for the special order.

The SPEAKER. The proposition is that the special order for to-day shall be continued until the day named, Tuesday week next.

Mr. HOLMAN. I ask permission to add that I have suggested the day named for the reason that the gentleman from Illinois [Mr. PAYSON], who is largely identified with the measure the title of which has been read, is not able to be here during the coming week.

Mr. HEARD. I ask the gentleman from Indiana if his motion contemplates the consideration at that time of any other bills than this one. As I understand the proposition it refers to this only.

Mr. HOLMAN. There are other bills which we wish to take up.

Mr. HERMANN. We desire also the consideration of some local measures already reported from the Committee on Public Lands.

Mr. HOLMAN. Certainly. If the House gives the committee next Tuesday week after the reading of the Journal, including an evening session, the committee will determine what bills shall be taken up.

Mr. HERMANN. With that understanding the proposition is satisfactory to me.

The SPEAKER. The Chair will restate the request. The gentleman from Indiana asks unanimous consent that next Tuesday week, immediately after the reading of the Journal, be set apart for the further consideration of the bill the title of which has been read, and such other bills reported by the Committee on Public Lands as may be reached, and that there be a recess from 5 o'clock until 8 o'clock, the evening session also to be devoted to the consideration of such bills. Is there objection?

Mr. BRECKINRIDGE, of Kentucky. I object.

Mr. HOLMAN. Then I call up the special order.

The SPEAKER. The gentleman from Indiana calls up the special order and the gentleman from Louisiana [Mr. BLANCHARD] raises the question of consideration.

Mr. SPRINGER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SPRINGER. Would it be in order to move to postpone this bill?

The SPEAKER. Not if the House refuses to consider it, because the motion to postpone is in the nature of consideration.

Mr. SPRINGER. If the House should postpone its further consideration until the 1st of May next, would not the bill occupy the same position at that time which it does now?

The SPEAKER. The Chair has answered the gentleman's parliamentary inquiry. If the House determines not to proceed to the consideration of the bill, no motion to postpone can be made because the bill is not before the House; but if the House should determine to consider it, then that motion might be made.

Mr. SPRINGER. And would not the bill have the same status that it has now?

Several MEMBERS. Regular order.

The SPEAKER. This bill would, but the special order as to the other bills would be lost. The regular order is demanded. The question is, Will the House now proceed to the consideration of the bill the title of which has just been read?

A MEMBER. What is the bill?

The Clerk again read the title:

A bill (H. R. 7901) to secure to actual settlers the public lands adapted to agriculture, to protect the forests on the public domain, and for other purposes.

The question was taken; and there were—ayes 73, noes 76.

Mr. HOLMAN. I demand the yeas and nays.

The yeas and nays were ordered, 41 members voting in favor thereof.

The question was taken; and there were—yeas 85, nays 126, not voting 113; as follows:

YEAS—85.

Anderson, Iowa	Dalzell,	Landes,	Plumb,
Anderson, Ill.	Darlington,	Lehlbach,	Randall,
Atkinson,	Dockery,	Lyman,	Richardson,
Baker, Ill.	Enloe,	Maish,	Rowell,
Bland,	Ermentrout,	Mansur,	Russell, Mass.
Blount,	Fuller,	McAdoo,	Ryan,
Boothman,	Gallinger,	McComas,	Scull,
Bound,	Grout,	McCormick,	Smith,
Boutelle,	Hall,	McKenna,	Sowden,
Breckinridge, Ark.	Hatch,	McKinley,	Springer,
Breckinridge, Ky.	Heard,	McMillin,	Stahlnecker,
Bryce,	Herbert,	McRae,	Stockdale,
Buchanan,	Hiestand,	Mills,	Stone, Mo.
Bunnell,	Hires,	Montgomery,	Turner, Kans.
Burnett,	Holman,	Morrill,	Vandever,
Bynum,	Hopkins, Ill.	Nichols,	Wade,
Candler,	Hopkins, Va.	O'Neall, Ind.	Weaver,
Cannon,	Jackson,	O'Neill, Mo.	Whitthorne,
Chipman,	Johnston, Ind.	Osborne,	Yardley.
Clements,	Johnston, N. C.	Outhwaite,	
Conger,	Kerr,	Payson,	
Cummings,	Laffoon,	Peters,	

NAYS—126.

Abbott,	Brewer,	Collins,	Davis,
Allen, Mich.	Browne, T. H. B., Va.	Cothran,	Dibble,
Anderson, Miss.	Caruth,	Crain,	Dorsey,
Bankhead,	Caswell,	Crisp,	Dougherty,
Barry,	Catchings,	Culberson,	Dunn,
Bayne,	Clark,	Dargan,	Farquhar,
Biggs,	Cobb,	Davidson, Ala.	Fisher,
Blanchard,	Cogswell,	Davidson, Fla.	Ford,

Forney,	Jones,	Oates,	Stewart, Vt.
French,	Kean,	O'Donnell,	Stone, Ky.
Funston,	Kilgore,	O'Ferrall,	Tarsney,
Gaines,	Lagan,	O'Neill, Pa.	Taylor, E. B., Ohio
Gay,	Laidlaw,	Parker,	Thomas, Ky.
Gest,	Laird,	Perry,	Thomas, Wis.
Gibson,	Lanham,	Phelan,	Thompson, Ohio
Glass,	Latham,	Reed,	Thompson, Cal.
Goff,	Lee,	Rice,	Tillman,
Granger,	Lind,	Robertson,	Tracey,
Greenman,	Lodge,	Rockwell,	Turner, Ga.
Grimes,	Lynch,	Romeis,	Vance,
Guenther,	Mason,	Rowland,	Walker,
Hare,	McClammy,	Russell, Conn.	Warner,
Haugen,	McCreary,	Sawyer,	Weber,
Hayden,	Milliken,	Sayers,	West,
Henderson, Iowa	Moffitt,	Scott,	White, Ind.
Hermann,	Moore,	Seymour,	Whiting, Mich.
Hooker,	Morgan,	Simmons,	Wilkinson,
Houk,	Morrow,	Snyder,	Wilson, Minn.
Hovey,	Neal,	Spinola,	Wise,
Howard,	Nelson,	Spooner,	Yost.
Hudd,	Newton,	Stephenson,	
Hunter,	Nutting,	Stewart, Tex.	

NOT VOTING—113.

Adams,	Clardy,	Hopkins, N. Y.	Rayner,
Allen, Mass.	Cockran,	Hutton,	Rogers,
Allen, Miss.	Compton,	Kelley,	Rusk,
Anderson, Kans.	Cooper,	Kennedy,	Seney,
Arnold,	Cowles,	Ketcham,	Shaw,
Bacon,	Cox,	La Follette,	Sherman,
Baker, N. Y.	Crouse,	Lane,	Shively,
Barnes,	Cutcheon,	Lawler,	Steele,
Belden,	Davenport,	Long,	Stewart, Ga.
Belmont,	De Lano,	Macdonald,	Struble,
Bingham,	Dingley,	Maffett,	Symes,
Bliss,	Dunham,	Mahoney,	Taulbee,
Bowden,	Elliott,	Martin,	Taylor, J. D., Ohio
Bowen,	Felton,	Matson,	Thomas, Ill.
Brower,	Finley,	McCullogh,	Townshend,
Browne, Ind.	Fitch,	McKinney,	Washington,
Brown, Ohio	Flood,	McShane,	Wheeler,
Brown, J. R., Va.	Foran,	Merriman,	White, N. Y.
Brumm,	Gear,	Morse,	Whiting, Mass.
Buckalew,	Glover,	Norwood,	Wickham,
Burnes,	Grosvenor,	Owen,	Wilber,
Burrows,	Harmer,	Patton,	Wilkins,
Butler,	Hayes,	Peel,	Williams,
Butterworth,	Hemphill,	Penington,	Wilson, W. Va.
Campbell, F., N. Y.	Henderson, N. C.	Perkins,	Woodburn,
Campbell, Ohio	Henderson, Ill.	Phelps,	Yoder.
Campbell, T. J., N. Y.	Hitt,	Pidcock,	
Carlton,	Hogg,	Post,	
Cheadle,	Holmes,	Pugsley,	

So the House refused to consider the homestead bill.

On motion of Mr. BLANCHARD, by unanimous consent, the reading of the names of members voting was dispensed with.

The following-named members were announced as paired on all political questions until further notice:

Mr. HOGG with Mr. YARDLEY.

Mr. HAYES with Mr. FELTON.

Mr. TAULBEE with Mr. ANDERSON, of Kansas.

Mr. PENINGTON with Mr. DAVENPORT.

Mr. PIDCOCK with Mr. HARMER.

Mr. CLARDY with Mr. BROWNE, of Indiana.

Mr. ALLEN, of Mississippi, with Mr. WILLIAMS.

Mr. MATSON with Mr. PUGSLEY.

Mr. HENDERSON of North Carolina, with Mr. FLOOD.

Mr. FORAN with Mr. HOLMES.

Mr. HUTTON with Mr. PATTON.

Mr. MCSHANE with Mr. CROUSE.

Mr. YODER with Mr. FINLEY.

Mr. MAISH with Mr. WHITE, of New York.

Mr. TIMOTHY J. CAMPBELL with Mr. BELDEN.

Mr. BURNETT with Mr. WHITING, of Massachusetts.

Mr. RUSK with Mr. BROWN, of Ohio.

Mr. SCOTT with Mr. COOPER.

Mr. HEMPHILL with Mr. BUTTERWORTH.

Mr. LANE with Mr. WICKHAM.

Mr. LATHAM with Mr. GROSVENOR.

Mr. PERRY with Mr. DUNHAM.

Mr. BURROWS with Mr. WILSON, of West Virginia, on all political questions, from this day until Tuesday, April 24.

The following-named members were announced as paired for this day:

Mr. MAHONEY with Mr. JOHN R. BROWN.

Mr. CAMPBELL, of Ohio, with Mr. BOWDEN.

The following were announced as paired on this vote:

Mr. TOWNSHEND with Mr. BAKER, of New York.

Mr. ALLEN, of Massachusetts. Mr. Speaker, I understood that I was paired, and therefore refrained from voting; but I have not heard the pair announced, and I now desire to vote.

The SPEAKER. The gentleman can make a statement, which will go into the RECORD, but the Chair thinks that under the rule his vote can not be recorded.

Mr. ALLEN, of Massachusetts. Very well; if the statement goes into the RECORD I am satisfied. If I could be permitted to vote, I should vote "no."

Mr. FORAN. Mr. Speaker, I find that I am still paired with the gentleman from Iowa [Mr. HOLMES], although I gave notice Tuesday morning that the pair was withdrawn. Under the circumstances I withdraw my vote.

Mr. DOCKERY. Mr. Speaker, I was paired with the gentleman from Indiana [Mr. OWEN] on the river and harbor bill. I do not think that pair properly applies to this vote; and, inasmuch as it does not affect the result, I will allow my vote to stand.

The SPEAKER. The pair was not announced.

The result of the vote was then announced as above recorded.

Mr. HOLMAN. Mr. Speaker, I again ask unanimous consent that next Tuesday week, after the reading of the Journal, be set apart for the consideration of this bill and bills forfeiting land grants.

Mr. MILLS. I object.

Mr. BLANCHARD. I ask unanimous consent to dispense with the morning hour for the call of committees.

Mr. BUCHANAN. Pending the request of the gentleman from Louisiana [Mr. BLANCHARD], I ask unanimous consent that gentlemen having reports to present may hand them to the Clerk.

Mr. BLANCHARD and others. There is no objection to that.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana that the morning hour for the presentation of reports be dispensed with?

Mr. KEAN. Regular order.

The SPEAKER. Does the gentleman from New Jersey [Mr. KEAN] intend that as an objection to the request?

Mr. KEAN. I do.

Mr. BLANCHARD. I move, then, to dispense with the morning hour.

Mr. BUCHANAN. Pending that motion I ask unanimous consent that, if it be agreed to, members having reports may send them to the Clerk.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey, that if the morning hour for reports be dispensed with gentlemen having reports may send them to the Clerk? The Chair hears no objection, and it is so ordered. The question is now upon the motion to dispense with the morning hour, which requires a vote of two-thirds.

The question having been put,

The SPEAKER said: In the opinion of the Chair more than two-thirds have voted in the affirmative. [A pause.] The motion is agreed to.

PURCHASE OF FOREIGN-BUILT SHIPS.

Mr. DUNN, from the Committee on Merchant Marine and Fisheries, by unanimous consent, reported back with amendment the bill (H. R. 3280) to amend sections 4132 and 2513 of the Revised Statutes of the United States, so as to authorize the purchase of foreign-built ships by citizens of the United States, and to permit the same to be registered as vessels of the United States, and to admit certain materials to be used in the construction of vessels free of duty; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. DUNN. On behalf of the gentleman from Maine [Mr. DINGLEY] I ask unanimous consent that the minority of the committee have leave to file their views on this bill, to be printed with the report of the majority.

There was no objection.

Mr. FARQUHAR submitted in writing the views of a minority of the committee on the bill just reported.

AMENDMENT OF REVISED STATUTES.

Mr. COLLINS, from the Committee on the Judiciary, reported back with amendment the bill (H. R. 8715) to amend Title LX, chapter 3, of the Revised Statutes of the United States; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

MILO M'CRILLIS.

Mr. KERR, from the Committee on Claims, reported back favorably the bill (H. R. 7718) for the relief of Milo McCrillis; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MONUMENT TO COMMEMORATE THE BATTLE OF TRENTON.

Mr. O'NEILL, of Pennsylvania, from the Committee on the Library, reported back with amendment the bill (S. 599) in regard to a monumental column to commemorate the battle of Trenton, in the State of New Jersey, and appropriating $30,000; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. BLANCHARD. I move that the House resolve itself into Committee of the Whole House on the state of the Union, my purpose being to have the river and harbor bill again taken up.

The motion of Mr. BLANCHARD was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, Mr. MCMILLIN in the chair.

Mr. MCADOO. Mr. Chairman, I move to amend by striking out the last word.

The CHAIRMAN. The river and harbor bill, on which, as the Chair assumes, the gentleman proposes to speak, has not yet been reached.

Mr. SPRINGER. I ask whether the river and harbor bill is not the unfinished business in Committee of the Whole?

The CHAIRMAN. The Chair will state that the rules make no provision for taking up unfinished business in Committee of the Whole, as is done in the House. The river and harbor bill must be reached by passing over the intervening bills.

Mr. SPRINGER. With a bill of this character—a general appropriation bill—the practice, it seems to me, has been to proceed at once to the consideration of the bill if left unfinished at a previous sitting of the Committee of the Whole.

The CHAIRMAN. The Chair would be obliged to the gentleman from Illinois [Mr. SPRINGER] if he would indicate any rule under which that can be done. The gentleman will probably concede that the rules do not so provide.

Mr. SPRINGER. But the practice, it seems to me, has always been for the Committee of the Whole to return at once to the unfinished business.

The CHAIRMAN. The Chair thinks the proper way to reach any bill in the Committee of the Whole is to pass over the preceding bills. Does the gentleman from Louisiana [Mr. BLANCHARD] ask that the first bill in order be passed over?

Mr. BLANCHARD. Yes, sir.

The CHAIRMAN. The Clerk will read the title of the first bill in order.

The Clerk read as follows:

A bill (H. R. 6833) making appropriations for the diplomatic and consular service of the Government for the fiscal year ending June 30, 1889, and for other purposes.

The CHAIRMAN. Is there objection to passing over this bill?

Mr. McCREARY. On the part of the Committee on Foreign Affairs there is no objection, it being understood that the bill does not lose its place on the Calendar.

The CHAIRMAN. The Chair hears no objection, and the bill is passed over.

The next bill in order, being the bill (H. R. 8989) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1889, and for other purposes, was also, by unanimous consent, passed over.

RIVER AND HARBOR APPROPRIATION BILL.

The Committee of the Whole resumed the consideration of the bill next in order, the bill (H. R. 9050) making appropriations to provide for the construction, repair, and preservation of certain works on rivers and harbors, and for other purposes.

The pending paragraph was the following:

Improving harbor at Flushing Bay, New York: Continuing improvement, $15,000.

Mr. McADOO. I move *pro forma* to amend by striking out the last word. Mr. Chairman, when the debate closed last evening the gentleman from the upper portion of New York State [Mr. NUTTING] had made some criticisms upon the remarks of the gentleman (then absent) who represents a part of New York City [Mr. COX] as to the appropriation for the harbor of New York. In the absence of the gentleman from New York City, and representing, as I do, the territory immediately opposite that great city, and bounding upon its bay, I think it only just to the place which I represent, with its all-important interests in the improvement of that harbor and the water ways surrounding it, that I should say a few words in reply to the gentleman from New York.

I did not comprehend at the time why the gentleman from New York [Mr. NUTTING] should have entered into a defense of his own town. The gentleman seemed to be supersensitive of what he called a suggestion or a hint that the harbor in his own district, that of Oswego, had been very liberally dealt with.

But when I come to examine the facts and read the engineer's report, which accompanied this bill, I am not at all surprised at the gentleman from New York, and before the place had been attacked, should have entered upon a very vigorous defense of Oswego.

But I must say, and I say it dispassionately and without anger or feeling other than friendship for the gentleman from New York [Mr. NUTTING], that I think he had no right to make a criticism on the statement of the illustrious gentleman from the city of New York [Mr. COX], and which statement was to the effect that the committee had failed to appreciate the importance of the great water ways which surround that metropolis, in the light of the facts and figures with reference to the harbor of Oswego in his own district.

Mr. Chairman, the gentleman has stated that during the last twelve or seventeen years the port of Oswego had paid into the United States Treasury the sum, I think, of $12,000,000. That is so; but the gentleman from New York neglects to tell this House that the trade and importance of Oswego as a commercial port have been revolutionized by railroad transportation and has steadily decreased. We have appropriated from the beginning for the improvement of the harbor of Oswego a very large sum of money, over $1,000,000, while the commercial importance of that place has been decaying year by year. In 1870 there was collected of revenue at the port of Oswego $1,112,352.82. In 1886 it had fallen off to $620,599.34, as is shown by this table.

The following table shows the commercial statistics of the port from 1870 to 1886, inclusive:

Year.	Revenue.	Exports.	Imports.	Tonnage.	Number.
1870	$1,112,352.82	$1,388,802	$6,868,162	846,743	5,164
1871	798,288.00	.....	6,804,977	801,261	5,153
1872	1,096,172.60	.....	7,018,264	621,883	4,080
1873	897,889.00	1,169,414	7,481,559	641,488	2,501
1874	765,902.67	200,879	7,356,646	592,381	3,805
Average three years	.....	.....	.....	608,617	3,462
1875	570,478.73	1,458,380	5,775,127	446,566	2,539
1876	641,589.46	1,094,065	5,722,807	354,626	2,343
1877	430,748.59	1,096,695	4,122,876	390,466	2,130
1878	416,025.10	900,852	4,718,660	413,315	2,367
1879	507,193.77	832,331	4,993,736	357,329	2,045
1880	749,562.99	786,825	5,142,697	405,685	2,350
1881	853,716.46	1,070,722	5,458,414	402,974	2,459
1882	886,558.77	1,076,184	8,764,551	451,384	2,662
1883	786,423.31	1,102,244	8,313,713	449,200	2,596
1884	697,818.86	1,162,109	6,451,862	349,563	2,144
1885	629,594.78	1,247,537	5,647,042	434,184	2,190
1886	620,599.34	1,182,694	5,160,698	350,201	1,823
Average 12 years	.....	.....	.....	400,393	2,280

The engineer in his report in reference to this harbor and its commercial importance makes the following remarks. When these improvements began this was the situation:

1. For the upper lakes. The Erie Canal as against the water-route by Lake Ontario and the Welland Canal, and the railroad lines westward, as against all water-routes.

2. For Lake Ontario ports. None.

At the present time the freights first referred to are almost or quite diverted from Oswego by the competition among themselves of the other competitors.

For the carrying trade of the Ontario Basin there is now the competition of the railroad systems (embracing Canadian roads) which pass around the lake by bridge at Niagara, and by ferry at Morristown, Brockville, thus opening a winter route for a traffic (formerly) confined to the navigation season on the lake. For two years past this competition has been felt to the detriment of the commerce of Oswego, in each of its three principal lines, coal, lumber, and barley; in the first two shipments have diminished; the last holds nearly up to the average of the last nine years.

The general effect of the commercial rivalry as above has obliterated that of the harbor improvement.

And yet for this Ontario Basin, which includes Oswego and contiguous ports on Lake Ontario, we are asked in addition to the great sums heretofore spent to add by this bill the thousands and thousands of dollars thereby appropriated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEAVER. I will take the floor and yield my time to the gentleman from New Jersey.

Mr. McADOO. I thank the gentleman from Iowa for his courtesy.

Now, Mr. Chairman, in turning to the recommendation of the engineer, in his annual report for this year in reference to this harbor, I find it stated that the amount that can be profitably expended in the fiscal year ending on the 30th of June, 1889, is $80,000. Here is a harbor which by the figures is shown to be decreasing in commercial importance, and for which the engineer states only $80,000 can be profitably expended for the next year; yet in the face of that the Committee on Rivers and Harbors asks for Oswego an appropriation of $100,000—$20,000 in excess of the amount, Mr. Chairman, which the engineer says can be profitably expended at that place, and in face of the fact that it is usual to cut down rather than increase. This is one of the inconsistencies of the committee, and yet I appreciate their labors.

I frankly admit I believe they have done, under the existing vicious system, their best, considering the delicate situation which they have occupied to the House and the country in their desire to pass a bill; but it is only right I should call the attention of the House to these items by way of showing how this system works. The Passaic River, which runs from far above the city of Newark into Newark Bay, and thence into the Bay of New York, has a commerce of over 13,000,000 tons, and greatly in advance—about twice as large as that of Oswego Harbor. If I had time I would be glad to read the engineer's report, and run a comparison between the importance of the Passaic River and the great city of Newark, as a commercial port, with that of Oswego.

And there, where the engineer shows that $107,000 at the very least ought to be the sum appropriated to that important harbor, that great city with 170,000 people, and on my own side of the river, the district which I represent, with a population near the river of 20,000 more, a great manufacturing center, they have given in this bill, I think, only $35,000.

Mr. LEHLBACH. Thirty thousand.

Mr. McADOO. A cut of $70,000 on the amount recommended by the engineers for this very important river. So we find now on the one hand while the committee gives to the city of Oswego, a city which has been revolutionized commercially, where the engineer states that the grass is growing on its docks, an excess over the amount recom-

mended by the engineers of $20,000, for this great and important city of Newark and its suburbs, and the all-important Passaic River, emptying its waters into the bay of New York, with manufactories springing up on its banks in all directions, with steadily-increasing trade and population, instead of diminishing as at Oswego, there is a cut of $70,000 below the sum recommended by the engineers. Is this just? Is it not glaringly inconsistent? Does not this show the radical weakness of river and harbor bills?

[Here the hammer fell.]

Mr. GOFF was recognized.

Mr. NUTTING. Mr. Chairman, I do not know that I am surprised——

The CHAIRMAN. The gentleman from West Virginia has been recognized.

Mr. NUTTING. I beg pardon; I did not observe that the gentleman had the floor.

Mr. GOFF. Mr. Chairman, surely the position assumed by the gentleman from New Jersey [Mr. MCADOO] can not be sustained. We hear too often, it seems to me, objections to this bill based upon the idea, as charged, that the appropriations are made in favor of the several States of the Union. That seemed to be the objection taken by the gentleman from Maine [Mr. BOUTELLE] on yesterday. It is claimed that this bill is unfair, full of favoritism, and that it merits defeat, because the States represented in part by the members composing the Committee on Rivers and Harbors receive, as it is expressed, the larger part of the appropriations provided for by the bill. This comment is, in my opinion, unjust, though in one sense the statement is true. And why? Because that committee is properly composed of members living in the sections of the country where these great improvements are located, familiar with their condition, and interested in their completion and success. The committees of this House are supposed to be formed on this theory. But that does not make these appropriations local in character.

I trust this House will not consider the matter in this narrow view. In the first place the States get nothing by this bill; State lines are obliterated, and the nation has the entire amount. The fact that a great river flows through or by a State, not represented by me, does not deprive me, or the people I represent, of my, of their interest in that river. The fact that the money appropriated is to be expended in a State does not give the citizens of that State the entire benefit flowing from it. The States have not control of our navigable water ways, the nation has, and it is well for us that it is so. Shall I oppose an appropriation to improve the Missouri, the Cumberland, the Wabash, or the Kennebec, because those rivers do not flow through the State I in part represent here? Certainly not. I am interested in Missouri, in Kansas, in Nebraska, in "the wonderland of Dakota," where the Missouri runs; also in Kentucky and Tennessee where the Cumberland is; in Indiana and Illinois, where we find the Wabash, and in Maine, where the Kennebec rolls down to the sea, just as much as are the gentlemen who represent those States. Their interest is my interest, their gain the gain of my people, and their loss the loss of my constituents.

Shall I oppose an appropriation in which Minnesota, Wisconsin, Michigan, and Ohio are directly interested concerning the commerce of our great Northwest and our system of lake improvements and traffic because forsooth the money is not to be expended in West Virginia, or because the waters of that State do not flow northward to the lakes? Most assuredly not. The flag of my country is on those waters, floats through those lakes, and stands sentinel to their commerce, and that is enough for me.

Again, shall I support an appropriation for the Lower Mississippi, for the valley of the Ohio, just because the rivers running from the mountains of West Virginia by my own door—laden, if not with the white sails of commerce, at least with the love and patriotic devotion of the people with whom I live—take those channels to the Gulf? I trust not; but I will support such an appropriation cheerfully because those valleys receive the waters of a great part of and bear the interior commerce of a continent. Over sixty million people are interested in them.

[Here the hammer fell.]

Mr. LONG was recognized, and yielded his time to Mr. GOFF.

Mr. GOFF. Am I to oppose the improvement of Boston Harbor, of the harbors of New York, Norfolk, Charleston, Galveston, New Orleans, and San Francisco because West Virginia has no seacoast and no harbors to improve, in the sense of the arguments submitted by the opponents of this measure? I hope not. West Virginia is interested in all these harbors. She is not a silent but an active partner. These harbors, these improvements, are the assets of our common Union, and the sisterhood of our States makes us all participants in their benefits and colaborers for their protection.

Mr. BOUTELLE. Mr. Chairman——

The CHAIRMAN. The gentleman from West Virginia has the floor.

Mr. BOUTELLE. I beg pardon. I thought the gentleman had concluded.

Mr. GOFF. Not quite.

Mr. BOUTELLE. I do not care to interrupt the gentleman, but I thought he had finished. It sounded like a peroration.

Mr. GOFF. No, sir; wait until you hear it.

Mr. BOUTELLE. Very well.

Mr. GOFF. A few words more, Mr. Chairman, and I shall be pleased to hear, as I always am, from the gentleman from Maine.

I believe in internal improvements. I am in favor of Congress making liberal appropriations for our rivers, our harbors, our water ways. I believe money so expended is well expended. Because occasionally mistakes are made, and they are, it seems, in this character of legislation as in others, is no reason why the system should be condemned. There is not an appropriation in this bill for a purpose not in continuance of work heretofore commenced or not recommended to this House repeatedly by the engineers in charge and by the War Department. I will not be deterred from casting my vote for this bill by reason of such criticisms as we have been favored with by its opponents. I for one wish this measure had passed under suspension of the rules, so that valuable time could have been utilized, spring time and summer time, in pushing and completing the work provided for.

Mr. Chairman, much good has been accomplished by legislation similar to this. Avenues of trade have been opened up and our commerce has been greatly increased. Sections of our country heretofore inaccessible to and distant from each other have been placed in communication and brought close together. The interior has been sent to the seacoast, and in return the coast has gone up to the mountains. Manufacturing establishments have been built up and the hum of our industries has invaded the wilderness. The water ways of the country are the arteries by which much of the prosperity and happiness of the people is provided for and regulated; therefore I would guard them with the strong arm of the nation's law and sustain them with the golden wealth of its Treasury. [Applause.]

[Here the hammer fell.]

Mr. NUTTING. I do not know that I am surprised at the course or the language of the gentleman from New Jersey [Mr. MCADOO]. I am not surprised at it because I know that my friend is not so unfair as he is ignorant about the facts. I think if my friend from New Jersey had understood what he was talking about he would himself have left no necessity for a reply. The gentleman speaks of the city of Oswego and of the harbor of Oswego, and he says that the docks of that city are overgrown with grass. He has no basis upon which to found such an assertion. In order to prove to the House that he has not, I desire to show two sets of figures which the gentleman has in his hand; but I suppose, in reading the report, when he got to the clause which would have explained all about it his eye-sight failed or something of that kind, so that he did not read it.

Last year there was collected in the harbor at the city of Oswego $622,198.27 of customs duties on goods that came in from a foreign country, and I suppose the most of those goods went forward to assist the commerce in the channels which the gentleman has so eulogized near his own home. The commerce which comes from the Great West and Canada goes down to New York and helps the commerce there to be and appear what it is. The gentleman says the business of Oswego has fallen off. The tonnage of this harbor in the year was 446,560 tons; for the year 1886 the tonnage of this harbor was 350,201 tons, and the average tonnage for twelve years, commencing with 1875 and ending with 1876 inclusive, was 400,303.

Let us see a little further. The gentleman stated one thing which upon its face had some appearance of truth, and therefore it is proper I should answer him on that. He says that in the report of the Chief of Engineers his recommendation for the harbor of the city of Oswego is $80,000, and there has been appropriated $100,000. That is half true, and I am glad the gentleman has succeeded in being thus much correct in what he has said. But he forgot to read a little further and find what the Chief of Engineers said later on in obedience to a resolution of this House, and before this appropriation was made. The Chief of Engineers says in that supplemental report that $80,000 should be immediately appropriated for the repair of a breach in the piers of the harbor of Oswego, which occurred as long ago as 1883. In 1883 the storms from the northwest breached the piers in the harbor of the city of Oswego and swept away 150 feet. And I came here myself to the Committee on Rivers and Harbors and begged of them to appropriate the money necessary to fix up this breach in the piers and make this harbor safe for the shipping that went in there. This House gave me $80,000 by the bill of 1885, and the bill finally failed. And to-day, and all through the years 1884, 1885, 1886, 1887, and up to this time, the breach in the piers of 150 feet remains.

It remains now so that for 150 feet in a pier which is a mile and some hundreds of feet long the sea sweeps into the harbor and injures and endangers the shipping there and the property upon the docks and the very piers themselves. The Chief of Engineers says that we should have $80,000 now to repair that breach in the pier. Another thing which my friend forgot to state is that by some mistake in years past the engineers placed in the mouth of the harbor a pier which made an opening of 350 feet for ships to go through, but experience has taught that the channel is too narrow, and it has been a costly experience, for within the last ten years seven vessels have been wrecked there, if my memory serves me correctly, and the engineer reports that this pier should be removed and that it would cost $15,000 to remove it. Now, Mr. Chairman, this bill carries $100,000 for Oswego; $80,000 must be used to

repair the breach and $15,000 to remove the pier. That leaves only $5,000 for the purposes of ordinary repair.

This appropriation is reasonable, for it is only $100,000 of $160,000 recommended by the Chief of Engineers. I submit as a part of my remarks the resolution of the House and the answer thereto upon which this appropriation is founded.

Mr. BOUTELLE. Mr. Chairman, if appropriations for river and harbor improvement were made upon the basis of the local product of eloquence, I should at once propose to amend this bill by doubling the appropriation for West Virginia. [Laughter.]

Mr. GOFF. That is what you ought to do any way.

Mr. BOUTELLE. And if the other portions of the country could only be persuaded as easily as the gentleman from West Virginia [Mr. GOFF] persuades himself that appropriations to be expended upon rivers in the interior of some particular State will answer the same purpose to another locality on the seaboard as the actual improvement of its own harbor, perhaps there would be less dissatisfaction than there is with this bill.

Mr. GOFF. If that interior improvement sends commerce to the harbor to which the gentleman alludes, does it not benefit that harbor?

Mr. BOUTELLE. Unquestionably; and I am in favor of these internal improvements; but my friend will observe that even if the improvement of his interior locality does increase the amount of commerce to one of these ports on the seaboard, if the harbor of that port is left without needed improvement, the commerce will have a pretty hard time getting in and out.

Now, Mr. Chairman, I desire to have it understood at the outset that I am not criticising this bill because of the amount of the appropriations that are to be applied to legitimate improvement of rivers and harbors. I am in favor of improving rivers and harbors. I believe there is no object to which the surplus revenue of this country can be more beneficially applied than improving the navigable waters of the country; but my objection to this bill is that it does not proceed upon a fair treatment of the different localities. The gentleman says that I complain because appropriations are made for the several States of the Union. Why, the several States form the Union. I make no such complaint as that. I make no complaint because large appropriations have been made for States represented by the members of the Committee on Rivers and Harbors. My complaint is based on the background of that fact, upon the fact that States which are not represented on that committee are not so liberally treated as they ought to be.

According to the surveys of the Engineer's Bureau, as shown in the report up to last December, to say nothing of some additional surveys that have been sent in since the report was made, there ought to be expended upon the improvement of rivers and harbors in the State of Maine $1,857,000. These are improvements of a practical, substantial character, in recognized harbors and rivers of much importance, where there is a large commerce and where the need is obvious; and for these improvements the Engineer's Bureau recommends an appropriation of nearly $2,000,000. Now, if the money is available it ought to be expended at once. It would be a matter of economy to the Government to expend every dollar of that sum in one or two years. But how much is appropriated in this bill for improvements in the State of Maine? The bill appropriates just $170,500. I am told that that amount is entirely satisfactory to the Committee on Rivers and Harbors, and that therefore I ought to be satisfied. The gentleman from West Virginia [Mr. GOFF] tells us that this is a part of a great scheme to benefit the whole country, and that because some other States have been liberally provided for I ought to be satisfied to have the improvements in my own locality neglected.

[Here the hammer fell.]

Mr. COGSWELL was recognized.

Mr. BOUTELLE. I wish the gentleman would let me go on. There will be plenty of time, and if he will give me five minutes I may say something more that will require his attention.

Mr. COGSWELL. Mr. Chairman, I will not occupy five minutes. In what I have to say I may give the gentleman from Maine [Mr. BOUTELLE] an occasion to reply, for my remarks will be devoted to him.

The gentleman from Maine [Mr. BOUTELLE] stated yesterday that the allowance in this bill to the rivers and harbors of New England States was "meager and miserable." If the gentleman says that for effect elsewhere I have nothing further to say, but will leave it to the gentleman himself, with that high regard for accuracy and moderation for which he is distinguished, to reflect upon in his leisure moments prior to making his biennial raid upon the discriminating and intelligent citizens of his district this fall. [Laughter.] But if he makes the statement for the purpose of prejudicing the passage of this bill, I have a word to say. As a member of the River and Harbor Committee, particularly charged with the interests of the improvements of the rivers and harbors in New England, I wish to say, in justice to my associates upon the committee, that those interests have been not only fairly but handsomely treated by that committee.

Mr. Chairman, the rivers and harbors of this country are divided into districts, each under the charge of some member of the United States Corps of Engineers, that member being called the local engineer. The estimates of these local engineers of amounts which could be profitably expended during the coming year for the whole country, with its 25,000 and more miles of coast and lake and river front—not all of it in Maine—aggregated the sum of $160,000,000. Those estimates, carefully reviewed and considered by the Chief Engineer here in Washington, looking to the minimum amount which could be expended without wasting the improvements we had entered upon, could only be cut down to $40,000,000. The committee, looking to practical results, did not think this House would support them in a bill making an appropriation of the amount estimated by the Chief Engineer—$40,000,000. So they adopted a rule looking to a bill appropriating 45 to 47 or 50 per cent. of the Chief Engineer's estimates for the entire country. This was the only guide they had; and they were warranted by practice and by the sanction of law in following it.

Mr. BOUTELLE. Do I understand the gentleman——

Mr. COGSWELL. I have no time for interruption now. To be sure, the gentleman from Maine had not then made his speech, and we could not avail ourselves of that information, nor did he appear before the committee, although invited to do so. Now, what has the committee produced? A bill aggregating about 47 per cent. of the Chief Engineer's estimate for the entire country; and the gentleman says that New England's share in this bill——

[Here the hammer fell.]

Mr. BLANCHARD obtained the floor and yielded his time to Mr. COGSWELL.

Mr. COGSWELL. And the gentleman says that New England's share of that bill is a "meager and miserable pittance." Why, Mr. Chairman, the whole country getting but 47 per cent. of the Chief Engineer's estimate; New England gets the "miserable pittance" of 64 per cent. of his estimate for her rivers and harbors—some 17 per cent. higher than the average of the whole country; and the State of Maine, out of the whole bill, gets the enormous proportion of 80 per cent. of the Chief Engineer's estimate. Yet the committee having followed this rule, the only safe and intelligent rule to follow, the amount allowed to New England is called a "miserable and meager pittance." What does the gentleman from Maine want?

Mr. BOUTELLE. I will tell you.

Mr. COGSWELL. Does he want the earth, or to hear himself talk?

I dislike, Mr. Chairman, to discuss this bill upon any basis of a geographical analysis; it is neither fair nor intelligent to discuss it in that way, but the gentleman from Maine has forced that style of discussion upon me. I feel that his remarks reflect upon what I have tried to do, and ignore the generosity of my associates upon that committee. Why, sir, New England has been so well treated—so content was she that not a word have I heard, not a word will you hear, Mr. Chairman, from her in the way of complaint. She has been so well treated that I was remaining perfectly quiet in my seat in the hope that her good fortune in this matter would not be found out. [Laughter.] But the gentleman from Maine, like the precocious child at the tea-table, has let it out; and hence I have made these remarks. This committee has treated New England fairly, and New England appreciates it; for she believes in the motto "Live and let live," and whoever undertakes to voice her sentiments as otherwise misrepresents her from Maine to Connecticut.

One word more, Mr. Chairman, and I have done. It has never been my honor before the present session to sit with a committee of this House; but it has been my lot to sit with many legislative committees on important subjects, and I want to say (excepting myself always) of the Committee on Rivers and Harbors, with whom I have had the honor to associate, that I have never met a committee devoted more fairly or ably or industriously, and with so little prejudice or favoritism, to its public duties as in my experience I have found the Committee on Rivers and Harbors of this House. [Applause.]

Mr. BOUTELLE. Mr. Chairman, it is a very ungracious task to interfere with this delightful season of mutual admiration. I do not know anything more affecting in my brief experience in this House. The ardent affection with which these gentlemen of the River and Harbor Committee are attached to each other is a sight for gods and men. I have seen measures brought in here from every committee of this House, and very rarely has any bill come here from any of our committees concerning some provision of which some member of the committee has not felt at liberty to diverge, slightly perhaps, from the views of his associates. This committee is the one grand and glorious exception. Every member of this committee is satisfied that every other member is a patriot and a statesman and a river and harbor financier [laughter], and I am inclined to think that by the time we get through the consideration of this bill at least a portion of that claim will be recognized and conceded by the House and the country.

I want to say, Mr. Chairman, that I am not responsible for this remarkable degree of heat which has been developed among some of my associates on this side of the House. We had a corruscation from New York yesterday, and we have had an eruption from Massachusetts today. I come from a cold section of the country, where we do not allow ourselves to get excited on small occasions, and I do not propose to add anything to the fire-works of this discussion. My purpose is to hold this debate down, so far as I participate in it, to a consideration of cold facts; and while I would have preferred to avoid any criticism which

might have caused even a momentary pang to my friend from New York [Mr. NUTTING] or my friend from Massachusetts [Mr. COGSWELL], for whom I have as sincere a regard as any person not associated with them on the Rivers and Harbors Committee can have (I hardly would claim to get up to that height), yet in criticising this bill I have been obliged by a sense of duty to my section and my State to complain of what I believe to be. notwithstanding the assertion of my friend from Massachusetts, a very inequitable recognition of the rights of my people.

And I say to the gentleman in all candor I do not share with him that exuberant degree of gratitude he has expressed to the Rivers and Harbors Committee for the liberality with which they have treated the State of Maine. [Laughter.] I want to say I do not regard $170,000 of appropriation——

Mr. COGSWELL rose.

Mr. BOUTELLE. I dislike to decline, but the gentleman would not permit me to interrupt him, and I must hold him to the rule of the Rivers and Harbors Committee courtesy. [Laughter.]

I desire to say, Mr. Chairman, I do not believe you will find any bonfires burning on the hill-tops of the State of Maine or any celebration in the harbors of that State for the enormous appropriation of $170,000 for a shore line of thousands of miles, including great harbors as well as some of the grandest rivers.

A MEMBER. Why did you not go before the committee?

Mr. BOUTELLE. I am responsible for my action and we will come to that in due time. I do not know that it is the duty of any gentleman of the House to ask that question to ascertain the reason, or for the committee to ask it. But I say, in all courtesy, this is a long bill and I can not do everything on one paragraph, but before we get through I will try to do justice to the subject and will come to that.

One hundred and sixty thousand dollars is appropriated for the rivers and harbors of the State of Maine. It is 10 per cent.—less than 10 per cent.——

Mr. WISE. Two hundred and seventy thousand dollars is the money appropriated by the committee for Maine.

Mr. BOUTELLE. I understand my friend from Virginia says the amount reported by the committee is $207,000.

Mr. WISE. No; $270,000.

Mr. BOUTELLE. I beg the gentleman's pardon.

Mr. WISE. No; I beg your pardon.

Mr. BOUTELLE. I have carefully made a computation and find it is only $170,500. But even if the statement of the gentleman be true, if they swelled that appropriation up to $200,000, it would be less than one-half of the recommendation of the Chief of Engineers, which was $575,000.

[Here the hammer fell.]

Mr. BLANCHARD. I ask, by unanimous consent of the committee, that debate be considered as closed upon the pending paragraph.

There was no objection, and it was ordered accordingly.

The Clerk read as follows:

Improving river at Greenport, N. Y.: Continuing improvement, $5,000.

Mr. BOUTELLE. I move to strike out the last word.

Now, Mr. Chairman, when interrupted I was saying this appropriation for the State of Maine is in the face of the official report of the Chief of Engineers and of the local engineers who made the examination, for more than $575,000. I do not feel very grateful for that. The very reports to which the gentleman has referred, as stated repeatedly in this book, object to having these small appropriations made; they state that it is a matter of extravagance to make these small appropriations for these works. For instance, in one case, a few years ago, when the committee made an appropriation of $10,000, I went before the committee with the official protest of the engineer against making appropriations so small, as he could not obtain bids at a reasonable and fair rate, but I obtained from that committee a very meager degree of satisfaction, which induced me to avoid taking that trouble this year.

My complaint is not simply of the neglect of my own State. I am not here pleading for appropriations for Maine. If there had been no appropriations made at all there would have been no complaint made by me. My complaint is that the distribution in this bill is obviously, is manifestly, is glaringly inequitable. Why, the case cited by the gentleman from New Jersey [Mr. MCADOO] tells the whole story. I have no desire to pick out a case here and there or to make any special point against the appropriation of any individual on that committee, but when my friend from Massachusetts [Mr. COGSWELL] tells me the State of Maine and New England have received an excessive proportion of the appropriations in this bill, I ask him how he reconciles that with the fact that in Oswego the engineer recommended only $80,000, and yet the committee, with a degree of courtesy I can only attribute to the peculiar fraternity which exists amongst the members of that committee, increased it by $20,000? [Laughter.]

Now, my friend from West Virginia [Mr. GOFF], in his very handsome and eloquent speech to-day, would seem to put me in the position of complaining that improvements have been made in West Virginia or in some other section of the country. I do not intend to be put in any such position. I do not intend to be put in any sectional position on this bill. If I can be shown a case where any great commercial river of this country or any great harbor of this country can be improved for commerce and business and trade by a liberal appropriation out of the United States Treasury, there is no man on this floor who will go further than I to make that appropriation.

But if I find a meager allowance, a meager recognition of well-established avenues of commerce, that are well known to be in need of improvements, while at the same time there is a lavishness, going to the point of absolute extravagance, in appropriations for doubtful projects, and for projects which have been discountenanced and denounced on this very floor, and by members representing the very sections in which they are to be placed, then I shall complain and protest against it, as I feel it my duty to do.

[Here the hammer fell.]

Mr. ALLEN, of Michigan. Mr. Chairman, I want in this connection, because I am satisfied that my friend from Maine [Mr. BOUTELLE] proposes piecemeal to attack this bill at many points, to reply briefly to an allusion made by him yesterday to the appropriations for the State of Michigan. In his remarks he stated that over $2,000,000 were appropriated to the State of Michigan by this bill. I wish to say that one and a half millions provided in the bill are appropriated for the improvement of the great Hay Lake channel and the canal at Sault Ste. Marie. This is the great gateway of that region through which passes 75 per cent. of the commerce of eight great States and Territories west and northwest of the State of Michigan.

Mr. BOUTELLE. The gentleman will find that I recognized that fact.

Mr. ALLEN, of Michigan. Very well; the gentleman says he recognized it; but did he recognize it when he stated that Michigan had so large a sum, when he might have stated that the large share of the sum named is really not for Michigan at all?

Mr. BOUTELLE. I so stated.

Mr. ALLEN, of Michigan. But that they were for that almost limitless empire to the northwest of our great lakes. When the appropriations for these great works are deducted from the gentleman's estimate he will find that it leaves only about one-half million of dollars for the State of Michigan proper. And yet, Mr. Chairman, with that limited appropriation I want to tell my friend that we have to-day more coast line, by double, in extent than the State of Maine. We are surrounded by great interoceans upon whose bosoms float the commerce not only of the State of Michigan but of half a dozen of the vast States of the Northwest, and we have more water line than Maine.

And, Mr. Chairman, the gentleman forgets another thing, speaking as he does for Maine, because his entire burden is here that Maine and New England have not received their due share of recognition in these appropriations. He forgets that Maine has received appropriations from the Government of the United States for sixty years, to the extent, in the aggregate, of millions of dollars; and not only that, but the State of Maine was receiving money from the Treasury of the Government for her harbors when Michigan was a howling wilderness. Ay, receiving money long before the gentleman from Maine was born, or at least before he had reached the years of discretion——

A MEMBER. Has he? [Laughter.]

Mr. ALLEN, of Michigan. And the question is, will Maine ever be finished? Now, my friend from Maine, having received for his State for these two generations money for the rivers and harbors of his region, comes in and antagonizes the bill now pending because he does not receive as much as our great Northwestern region, for instance, and for that reason is opposing the bill step by step. Having got his share he does not propose to let others have anything. The gentleman's attitude reminds me of the story of the man who for forty years borrowed wheelbarrows from his neighbors, but when he finally got one of his own he put a placard upon his gate announcing, in emphatic terms, "I neither borrow nor lend wheelbarrows." [Laughter.]

Mr. Chairman, in order to appreciate exactly the meaning and the importance of this bill we must look beyond the limits of any State. You may take Maine and put her down into one of the great lakes that surround Michigan, and she would simply make a very beautiful small summer resort. [Laughter.]

Mr. Chairman, when I believe that a committee of this House, made up as is this from a dozen different States of the Union, whether they come from Maine or from Louisiana, are corrupt, I will vote for nothing that they offer. But when I see conscientious work here by a committee I am bound to believe that their results are honestly arrived at, at least. We may spend the whole summer fighting the bill paragraph by paragraph, but if we do let us do it for other reasons than those my friend has so far offered.

Mr. LODGE. I was absent yesterday when the clause appropriating money to the harbor of Lynn, Mass., was passed. I desire to offer an amendment to that clause, and ask unanimous consent that I may offer that amendment now.

The CHAIRMAN. That can only be recurred to by unanimous consent.

Mr. LODGE. I ask unanimous consent.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to recur to the clause to which he has called attention in order to offer an amendment. Is there objection?

Mr. LODGE. The amendment I propose to offer makes no change in the amount of the appropriation.

Mr. BLANCHARD. I have seen the amendment which the gentleman proposes. It is only a verbal amendment, and I have no objection to its being offered.

There was no objection.

Mr. LODGE. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 3, at the end of line 40, add the words "and a portion in the basin inclosed by the wharves of said city of Lynn."

Mr. HOLMAN. Let the clause be read as proposed to be amended.

The Clerk read as follows:

Improving harbor at Lynn, Mass.: Continuing improvement, $10,000; a part of which may, in the discretion of the engineer, be used at the Point of Pines and in the western channel leading thereto, and a portion in the basin inclosed by the wharves of said city of Lynn.

The amendment was adopted.

The CHAIRMAN. The Clerk will report the next paragraph.

The Clerk read lines 126 and 127, as follows:

Improving harbor at Oak Orchard, N. Y.: Continuing improvement and repairs, $6,000.

Mr. PAYSON. I feel inclined to begin with a parliamentary inquiry as to whether it would be in order to address one's remarks to the precise subject under consideration.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois [Mr. PAYSON] for that purpose.

Mr. PAYSON. There is a larger audience than that in this Chamber paying some attention to what is being done with reference to this bill. The tax-payers of this country are interested in what we are doing now and here.

I take it, sir, that I utter only the unanimous opinion of the people of this country when I say that they indorse legitimate appropriations for river and harbor improvements. I do not forget that during the time I have been here the river and harbor bill varies with the change of the *personnel* of this House. We no longer hear upon this floor reference to the euphonious name of Kiskiminetas, in Pennsylvania. Reference to that river and its importance ceased when certain prominent gentlemen from the State of Pennsylvania went out from this body. I do not remember to have heard within the last two years anything said with reference to the importance of Cheesequake Creek, in New Jersey. The importance of that stream seems suddenly to have ended with the exit from this House of certain members from that State.

Mr. BUCHANAN. A certain member.

Mr. PAYSON. Perhaps; I am corrected—a certain member. The point I intended to make is that it may be in this bill, as in other bills which have been presented for consideration here, there may be some works which ought to be benefited by appropriations from the Treasury of the United States.

There may be—and I say it with no disrespect when I use the expression—there may be some chaff in this bill, and I believe there is; and it is the duty, if I may venture the suggestion, of members of this House to clear this bill from any such hindrances to its passage, so that when the bill shall go from this committee to the House it may be one to which we may all give our support.

In saying this I remember another thing, Mr. Chairman, that the party which I believe has always been the pioneer in behalf of liberal appropriations to internal improvements, the Republican party of this nation, have never been strict constructionists with reference to appropriations from the Federal Treasury in aid of works of national improvement. But, sir, with reference to many items in this bill, as it has been in the past with reference to objectionable items in other bills, I fear that for some reason, ignorance or otherwise, items have been incorporated in this bill that members of this body ought not to support, no matter how enthusiastic they may be with reference to the general subject that is involved.

Approaching the subject from that standpoint I call your attention, Mr. Chairman, and the attention of the House, to the item here being considered.

Here is an appropriation for—

Improving harbor at Oak Harbor, New York: Continuing improvement and repairs, $6,000.

I find by referring to the report of the Chief of Engineers that this improvement was begun in 1833. Transportation methods have been revolutionized since then; but we have gone on and expended nearly $100,000 in improving the harbor at this point, of the locality of which I am in utter ignorance. I simply know it is in the State of New York from the fact that it is so stated in the bill. But I find in the report of the Chief of Engineers that the total amount of tonnage to and from that port was carried in five small vessels. The total value of the exports from that port was $29! Think of it a moment. The total amount of exports from this port, for which we are asked to appropriate $6,000 in addition to nearly $100,000 heretofore appropriated and spent, is $29, and only five vessels, large or small, have entered or made their exit from the port during the year. Now, sir, as one who favors river and harbor improvements, one who is in favor of the most liberal appropriations for legitimate objects of that character, I ask somebody upon that committee to explain to this House the necessity of continuing appropriations from the Treasury of the United States for this purpose.

Mr. LONG. What are the imports?

Mr. PAYSON. The report of the Chief Engineer states that the value of the imports is $8,431.

Mr. BLANCHARD. Mr. Chairman, I move to strike out the section. I yield five minutes to the gentleman from New York [Mr. SAWYER] in whose district this port is.

Mr. SAWYER. Mr. Chairman, I am very glad that the distinguished gentleman [Mr. PAYSON] has seen fit to select a little port in my district for the purpose of making a charge against the bill now under consideration.

Mr. PAYSON. Oh, I hope the gentleman will not think that I am doing this captiously. I am doing it in perfect good faith, and I give notice that a little later I hope to call attention to other items in other districts. I am seeking for information.

Mr. SAWYER. Well, I am simply talking about this item. I do not know what the gentleman may talk about hereafter.

Now, Mr. Chairman, the fact with reference to the port in question is, that as a port of refuge it is the most valuable port upon the southern shore of Lake Ontario, and the engineer in charge, located either at Oswego or Buffalo, appeared before the Committee on Rivers and Harbors and made that statement.

True, it is not of so much value as a commercial port, but as a refuge in time of storm it is the most easily approached and altogether the best and safest harbor upon the whole southern shore of the lake. No other place on that shore of Ontario equals it as a port of refuge from storms, and it is on that account that appropriations have been made for it. There is a light-house there, a port of entry, and a custom-house. Two or three years ago almost all of the eastern pier of the harbor was carried away by a tremendous storm. An appropriation of $12,000 was made to rebuild that pier, and all that is asked for now by the friends of the harbor is simply an appropriation sufficient, with the amount appropriated by the last Congress, to perfect the improvement and preserve the harbor. That is all that we asked, and that is the appropriation that is made, and I hope that the gentleman [Mr. PAYSON] will select some other item for his criticism, and that he may be more fortunate in his selection than he has been in this case.

Mr. PAYSON. Will the gentleman permit a question?

Mr. SAWYER. Certainly.

Mr. PAYSON. I see that by looking over the reports of the engineers, that during 1886-'87 only five vessels entered that port. Is the gentleman prepared to say that any other vessels entered during the year except those five?

Mr. SAWYER. I say that it is a daily occurrence in time of storm for vessels to enter that harbor for refuge, and frequently it occurs many times a day.

Mr. MILLIKEN. May I ask a question?

Mr. SAWYER. Certainly.

Mr. MILLIKEN. Is it a fact that vessels may go into that harbor and may go out again without entering at the custom-house?

Mr. SAWYER. I do not know about that; but I know that I have seen at one time more vessels in that harbor than are named in that report.

Mr. FARQUHAR. I think that after the explanation of the gentleman from the Orleans district [Mr. SAWYER] it will be conceded that the gentleman from Illinois [Mr. PAYSON] did not make a very good point upon this item of appropriation. I was present in the committee when Captain Mahan, one of the best engineers on the Lakes, was before it, and when the question was directly put to him why, in view of the small commerce of this port, should there be any more appropriations made for it, and he replied that it was the only harbor of refuge, so far as he knew, on the whole south side of Lake Ontario, and that if it was competent for the committee to give the whole amount of money estimated for he believed it should be given to this harbor at once. The recommendation of the engineer, as I understood it, was $12,000, but the wisdom of the Chief of Engineers, or possibly of the committee, cut it down 50 per cent.; so the appropriation was put at $6,000.

And, Mr. Chairman, while I am speaking of harbors of refuge, I wish to say further that if gentlemen are going to hit them geographically all over this country, the same remarks which the gentleman from Illinois [Mr. PAYSON] has made about Oak Orchard would apply with ten times more force to Sand Beach Harbor, in Michigan, where there is nothing but a harbor of refuge, yet where, if Western commerce and Western men could have their way before Congress and before its committees, there would be an appropriation four times larger than the Committee on Rivers and Harbors has ever given to that place. I believe Sand Beach deserves all it gets; and let me say to the committee that while there are appropriations for small harbors, and while I must say that there is seeming injustice in some of the appropriations, which I feel to a moderate extent myself, yet it should also be remembered that on the Great Lakes last year, on account of the niggardliness of the United States Government in providing harbors of refuge and harbors

fit for a boat drawing 10 feet of water to enter, 204 men lost their lives on those lakes. That fact, I think, is a sufficient justification for the appropriation for Oak Orchard or any other of what are called the obscure ports provided for in this bill.

Mr. BLANCHARD. I ask that we have a vote on the pending proposition.

The CHAIRMAN. Debate on the amendment is exhausted.

Mr. PAYSON. I withdraw the amendment and move to strike out the last word. I do that for the purpose of saying that the explanation given by the gentleman from New York [Mr. SAWYER], in whose district this harbor of Oak Orchard is, supplemented by the statement of the other gentleman from New York [Mr. FARQUHAR], shows the necessity of having sometimes a little more debate and a little more explanation of measures of this character than we have had on this bill. Those statements obviate the objection I made, and I withdraw the amendment.

The Clerk read as follows:

Improving harbor at Ogdensburgh, N. Y.: Continuing improvement, $15,000.

Mr. STONE, of Missouri. I move to amend by striking out "fifteen," in line 129, and inserting "ten."

I find in the Engineer's Report extending up to July 30, 1886, that including the appropriation for the fiscal year beginning then, there was on hand $10,272.90 available for this work. During that year there was expended, all told, including all outstanding liabilities on the 1st of July, 1887, $3,705.46, leaving on hand available for this work in July 1, 1887, $6,568.44.

Now, it seems, Mr. Chairman, that during previous years very much less than the amount asked for has been actually expended. Indeed, during the last fiscal year only $3,705 was expended, leaving on hand at the beginning of the present year nearly two-thirds of the appropriation made in 1886.

I find this same state of facts running through a large number of these items of appropriation. Turning back only two or three pages of this bill to the appropriation for Great Sodus Harbor, New York, I find that that work was inaugurated in 1829, and from that time till June 30, 1887, $399,000 had been expended. The amount expended from the adoption of the present project, in 1881, to June 30, 1887, a period of six years, was $41,844.68; and all of that was for pier work. The appropriation made for this work in 1886, the last one of this character, was $16,875, which, added to the amount on hand, made an aggregate of $18,517.76. During the fiscal year ending June 30, 1887, only $4,255.44 of this sum of over $18,000 seems to have been expended, leaving on hand $14,262.33 unexpended and available.

And then take the very next item, the appropriation for Little Sodus Harbor. There was on hand July 1, 1886, $2,418.28, and there was appropriated for that year $12,500, making an aggregate of $14,918.28 available for that work. On the 1st of July, 1887, there was still $14,193.08 of that money on hand available; so that during the fiscal year ending July 1, 1887, only $725.20 seems to have been expended.

Finding this state of facts with reference to so many of these appropriations——

[Here the hammer fell.]

Mr. BLANCHARD. In answer to the criticism of the gentleman from Missouri [Mr. STONE] upon the appropriation for the harbor of Ogdensburgh, especially his statement that we have given for this harbor a larger amount than that in the bill of 1886, while the report shows that although only $10,000 was appropriated in 1886, $6,000 was on hand available for this improvement on the 1st of July, 1887, I will call his attention to the concluding portion of the paragraph from which he himself read. It says:

With the completion of the present contract during this working season there will have been some 150,000 cubic yards removed from the channels of this river at a cost of $34,543, consuming the available funds.

It thus appears that when we incorporated this appropriation in the bill there was nothing on hand to the credit of this harbor, except what was included in the existing contracts, which by this time have been completed; so that now there is nothing on hand to the credit of this harbor, and the gentleman's criticism is without foundation in fact.

Mr. PARKER. Mr. Chairman, perhaps I should say a word on this proposition. I do not suppose that the gentleman from Missouri [Mr. STONE] had any intention of striking at this harbor especially, but wishing to strike into the bill, he struck by accident at this point.

It is well known that the port of Ogdensburgh is located at the foot of slack-water navigation upon the lakes. No sailing vessels go below there except those capable of running through the Canadian canals or running the great rapids of the St. Lawrence. Consequently this is the lowest point where the slack-water navigation of the lakes touches and where freight for transportation is reshipped east and west. The value of the dutiable imports entered for consumption there during the year 1887 was something over $1,000,000. The amount of domestic merchandise exported there was over one million and a half of dollars. The total ascertained and estimated value of the commerce of the port is over $16,000,000. The number of entries of vessels was 1,330; the number of clearances, 1,296; the tonnage of vessels entered was over 280,000 tons, and there were clearances to the same amount. The corn entered at that harbor aggregated nearly 3,000,000 bushels; the lumber, more than 52,000,000 feet; lath, over six million and a half feet; shingles, nearly 3,000,000. And so I might go through the list. But it does not seem to be necessary to go on with this exhibit, because it is well known to any one who knows anything of the commerce of the Great Lakes that this is an important point—important to the East as well as to the West. Therefore I ask that this amendment be rejected. Perhaps a single additional statement should be made. The engineer in charge recommended the expenditure of $30,000 for the current year, and the Chief Engineer cut the amount down to $15,000 without explanation.

The question being taken on the amendment of Mr. STONE, of Missouri, it was rejected.

Mr. PARKER. I desire to offer a verbal amendment to which there is no objection.

The Clerk read as follows:

In line 128 insert after the words "New York," the words "including the clearing out of the mouth of the Oswegatchie River."

Mr. PARKER. This follows the appropriation of last year.

Mr. BLANCHARD. There is no objection to that.

The amendment of Mr. PARKER was agreed to.

The Clerk read as follows:

Improving harbor at Oleott, N. Y.: Continuing improvement, $5,000.

Mr. PAYSON. I move to strike that out. Now, Mr. Chairman, this improvement was begun in 1866, and there had been expended on it down to the 30th of June, 1887, $28,000. The amount of commerce there was during the last fiscal year shown by the report of the Board of Engineers to have been as follows: Value of exports in that year, $1,929; value of imports, $500; and the total amount of revenue collected, $17. [Laughter.] It does seem to me, Mr. Chairman, there ought to be some explanation from somebody as to the necessity for the further continuance of this work. How can a harbor be of national importance where the total amount of revenue collected is only $17, and the total value of all merchandise imported or exported in round numbers is only $2,000?

It does seem to me, before this should be permitted to remain, and especially after it has been in existence for twenty years, and upon which has been expended nearly $30,000, some explanation ought to be given to the House.

Mr. DINGLEY. Is not the gentleman aware of the fact this harbor is useful to a large coastwise trade? Not a single dollar of revenue is collected from the coastwise trade.

Mr. PAYSON. I understand there is a coastwise trade there to the extent of thousands of dollars, but according to the returns there were only eighteen vessels, most of them small vessels, which entered there.

Mr. DINGLEY. Of course the gentleman knows only vessels in the foreign trade are entered at the custom-house.

Mr. PAYSON. I am aware of that fact, but the entries and departures from that port I take from the report of the engineer.

Mr. BUCHANAN. Many vessels belonging to the coastwise trade enter and depart from that harbor which are not entered in the custom-house.

Mr. PAYSON. I am aware of that fact, but nevertheless the point which I have made of the great expense already incurred at this place and the small amount of revenue collected makes some explanation necessary why we should longer continue this appropriation.

[Here the hammer fell.]

Mr. WEBER. Now, Mr. Chairman, I have the highest regard for the opinion of the gentleman from Illinois [Mr. PAYSON] on the land question, and he knows that fact because I told him so myself this morning. [Laughter.] But I regret I am unable to pay him the same compliment so far as the improvements of our harbors are concerned.

I am glad he has called attention to the pending paragraph, for it enables me to condemn as strongly as I can this method of appropriating for Government work, which no doubt has been brought about by just such obstructions as we have witnessed since this bill was taken up for consideration.

This work, sir, was commenced, it is true, some years ago. It was long before I came to Congress, and for which I am not responsible. This progress, at a mere snail's pace, has been caused simply by the recommendations of the engineers in its behalf, being cut down to fit the public idea as to the whole amount which should be appropriated for this purpose.

Now, sir, the improvements on the upper lakes and the channels connecting those lakes have been in advance of the improvements made upon these small harbors. That, perhaps, is the reason why there are such meager figures in this case. The depth of water there is only 7 feet, which was ample a few years ago for the purpose of commerce; but there has been since then, as I have already stated, marvelous improvements made in the channels on the upper lakes, enabling our people to float a heavier tonnage than they could before. When the improvements were first begun 600 tons burden was, perhaps, the largest of lake vessels, but now 100,000 bushels of grain are transported upon vessels of 3,000 tons burden. I presume when these other improvements have been completed the vessels which now float upon Lake Ontario will be able to enter this harbor, which was origi-

nally designed as a harbor of refuge, and which has afforded shelter and protection to a vast amount of coastwise trade.

In the report of the engineers there are four harbors on that lake which are designed as harbors of refuge, the importance of which will increase when the Welland Canal has been completed, and when the House consents these appropriations shall be enlarged so as to increase the depth of water, which will enable the vessels floating upon the upper lakes to enter into it. If the gentleman will go with me and strike out "$5,000" and put in the amount the engineer claims as necessary, and which he says he can profitably expend, I believe he would be doing a better work than in attempting to strike out the appropriations.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

The amendment was rejected.

The Clerk read as follows:

Improving harbor at Oswego, N. Y.: Continuing improvement and repairs, $100,000; of which $15,000 shall be used in removing the east breakwater at the mouth of the river.

Mr. SOWDEN. I move to strike out, in line 133, the words "one hundred" and insert "eighty."

Upon an examination of the engineer's reports it appears that on July 1, 1887, there was an amount on hand and available for the purpose of this improvement, under the appropriation act of August 5, 1886, of $62,737.78.

That is to say, the amount available for repairs was $47,737.78; and for continuing the improvement $15,000. We have now his estimate here in which he says it will require for the completion of this project $79,612.00.

Is it true that there is on hand an unexpended balance of $62,737.78 of the moneys appropriated for this improvement under the act of August 5, 1886? If so, it strikes me that the amount to be appropriated by this bill should not exceed the difference between the said sum of $62,737.78 and $79,612, the amount of the engineer's estimate for the completion of this work, or $16,874.22. If it be otherwise, that the entire amount required for the completion of this project be $79,612, and the engineer reports that the amount that can be profitably expended upon this work in the fiscal year ending June 30, 1889, is only $80,000, why is it that this committee report and ask at the hands of this House an appropriation of $100,000?

I would like the chairman of the committee to explain this question, if he can, or the gentleman from New York [Mr. NUTTING], who is himself a member of the committee, and who represents the district in which the Oswego Harbor is located.

Mr. NUTTING. Mr. Chairman, I appreciate the condition of mind of my friend from Pennsylvania upon this question. But I think I can satisfy him in a very few words that he is wrong.

I want to say to the gentleman and to the House that the Chief of Engineers has, in a supplemental report, reported that it will take $80,000 to repair the breach in the harbor which now endangers the whole structure, and the commerce of the port; and that it is absolutely necessary that this work should be done at once. The $80,000, then, is for the repair of the breach. He says also that the obnoxious pier, which is an obstruction in the mouth of the harbor, will require $15,000 for its removal. I may say for the information of the gentleman from Pennsylvania and of the House that this obstruction in the mouth of the harbor has within the last ten years been the cause of the death of two persons and the destruction of seven vessels. There is the $80,000 necessary to preserve the harbor itself; there is the $15,000 to take out the obstruction from the mouth of the harbor, making $95,000, leaving only $5,000 of the $100,000 appropriated to be used for the ordinary repairs of the breakwater of a harbor that has a mile and a quarter of piers.

Those are the exact facts in regard to the matter; and I will say further to the gentleman that the report of the Chief Engineer shows his recommendation for this harbor to be $160,000, and yet there is appropriated but $100,000. That is my answer to him.

I ask to have printed upon this question, as a part of my remarks, the resolution of the House calling for the supplemental report and the report itself.

Mr. NUTTING submitted the following resolution:

Whereas it appears by the report of Chief of Engineers in regard to river and harbor improvements for 1887 that about 150 linear feet of the west breakwater or pier in the harbor of Oswego, N. Y., has been swept away;

It also appears that between two and three hundred linear feet of the east breakwater or pier in said harbor has been built; and

Whereas it is alleged that the above-described breach in the said breakwater, in time of storm, allows the sea to come into the inner harbor to the extent that commerce (and vessels with the property connected therewith) is endangered; it is also alleged by sailors and masters of vessels frequenting said harbor that the said portion of the east pier or breakwater already built is too near the west breakwater, thereby making the channel necessarily passed by vessels so narrow that in heavy weather, with west-northwest winds, all vessels are in danger in passing through, and that in fact since the building of said part of said east breakwater vessels have been wrecked because of the position of the said east pier or breakwater: Therefore,

Resolved, That the Secretary of War, by the Chief of Engineers aforesaid, be, and he is hereby, requested, if consistent with the public welfare, to report to this House—

1. Whether the said breached part of said breakwater or pier ought at once to be repaired; and, if so, what the cost of such repair will be.

2. Whether in the opinion of the engineers the said east breakwater, so called, now erected in the mouth of the river, does endanger vessels entering said harbor, and whether vessels have been injured and wrecked on said east pier, and whether said pier ought or ought not to be removed, and if it ought to be removed, what the cost of such removal will be.

3. Whether the $80,000 recommended in the engineer's report for 1887 to be appropriated to Oswego Harbor by Congress at this session includes the expenditures necessary to repair said west breakwater and remove said east breakwater, if the said pier or breakwater should be repaired and removed.

4. What the Chief of Engineers recommends Congress to appropriate for the benefit of Oswego Harbor, and the amounts and particular purposes for which said money should be expended, including the repair of said west pier or breakwater and the removal of said east pier, if such piers ought to be repaired and removed.

WAR DEPARTMENT, *Washington City, March 3, 1888.*

The Secretary of War has the honor to transmit to the House of Representatives a report of the 1st instant, with its inclosure, from the Chief of Engineers, relative to the cost of repairing the west pier or breakwater at Oswego Harbor, New York, and the necessity and cost of removing the east breakwater now erected in the mouth of the river, stating that the $80,000 estimated in his report for 1887 included the removal of the east pier or breakwater, but not the repairs to the west breakwater; and submitting an estimate for the improvement of Oswego Harbor to take the place of the one in his annual report for 1887, the same being transmitted in response to House resolution of the 24th ultimo, calling for this information.

WILLIAM C. ENDICOTT,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

OFFICE OF THE CHIEF OF ENGINEERS, UNITED STATES ARMY,
Washington, D. C., March 1, 1888.

SIR: In answer to the reference to this office of the resolution of House of Representatives of February 24, in regard to the further prosecution of the public works at the harbor of Oswego, I have the honor to submit the following replies to the questions therein asked, namely:

"1. Whether the said breached part of said west breakwater or pier ought at once to be repaired, and, if so, what the cost of such repair will be?"

Answer. The repairs to the west pier or breakwater are absolutely necessary. The cost of these repairs is estimated by the officer in charge at $80,000.

"2. Whether in the opinion of the engineers the said east breakwater, so called, now erected in the mouth of the river, does endanger vessels entering said harbor, and whether vessels have been injured and wrecked on said east pier, and whether said pier ought or ought not to be removed, and if it ought to be removed, what the cost of such removal will be."

In answer I beg leave to submit herewith printed pages 2386 to 2391, detached from the annual report of this office for 1887, which contain a report dated December 15, 1886, from Capt. C. F. Palfrey, Corps of Engineers, in charge of this improvement, and a report dated February 15, 1887, from the permanent Board of Engineers, to whom the subject of the removal of the east breakwater was referred, and to add my concurrence in the opinion of the board that this breakwater should be removed.

It is proper to state that the construction of the breakwater having been sanctioned by Congress, no steps can be taken by this Department for its removal until Congress so directs by proper legislation.

"3. Whether the $80,000 recommended in the Engineer's report for 1887 to be appropriated to Oswego Harbor by Congress at this session includes the expenditures necessary to repair said west breakwater and remove said east breakwater, if the said pier or breakwater should be repaired and removed."

Answer. The $80,000 estimated in the annual report of this office for the year 1887 included the removal of the east pier or breakwater, but not the repairs to the west breakwater.

"4. What the Chief of Engineers recommends Congress to appropriate for the benefit of Oswego Harbor, and the amounts and particular purposes for which said money should be expended, including the repair of said west pier or breakwater and the removal of the said east pier, if such piers ought to be repaired and removed."

Answer. Should Congress sanction the removal of the east pier, the following estimate is submitted to take the place of the one in the annual report of 1887, namely:

For continuing existing works and repairs	$65,000
For removal of east breakwater	15,000
	80,000
To which add for repair of the great breach in the west breakwater	80,000

The attention of Congress has been invited in previous annual reports to the repair of the great breach and an estimate submitted.

The resolution of the House of Representatives is herewith returned.

Very respectfully, your obedient servant,

J. C. DUANE,
Brigadier-General, Chief of Engineers.

Hon. WILLIAM C. ENDICOTT,
Secretary of War.

Mr. KERR. Mr. Chairman, I move to strike out the last clause of that section.

The CHAIRMAN. The Chair will state that there is an amendment pending.

Mr. KERR. I move this as an amendment to the pending amendment.

The CHAIRMAN. The gentleman will state his amendment.

Mr. KERR. To strike out the words:

Shall be used in removing the east breakwater at the mouth of the river.

It seems from this item in the bill that it is proposed to use $15,000 for doing away with improvements that have been heretofore made.

Mr. NUTTING. That is true.

Mr. KERR. Now it seems to me that this perhaps illustrates as forcibly as anything that could be found for that purpose the impropriety of a large majority of these improvements that are presented here for the consideration of the House in these bills, and without any adequate consideration by the engineers. Here is perhaps an improvement costing hundreds of thousands of dollars for all that we know, money expended heretofore by this Government in making the breakwater there; and now the gentleman from New York comes in and asks that $15,000 more of the people's money shall be appropriated to take it away after it has been made.

Now, in connection with that I wish to call the attention of the committee to the report accompanying this bill. Here is a bill embracing four hundred items of expenditure that are asked to be provided for by this Congress, and yet there is not one particle of recommendation in the report of this committee upon any single one of the items of expenditure. I say that it is not just to ask the members of this body to vote upon a proposition coming from a committee of this House without having any light thrown upon it in order that we may judge of the propriety of the action we are asked to take. And that, moreover, Mr. Chairman, I again suggest, shows the impropriety of these omnibus bills for the improvement of little creeks and rivers throughout the various parts of the country that are asked of the National Government, and that are of no consequence whatever except to the locality; and many of them, no doubt, are undertaken by the party in power for the purpose of getting work for hands that may be used in the election and for the increased power of the party.

Mr. WASHINGTON. Will the gentleman allow me a question?

Mr. KERR. I have but a very few brief moments.

Mr. WASHINGTON. I only want to ask the gentleman if he has any creek or river in the district.

Mr. KERR. I have not; and I do not wish my people to be taxed in order that the gentleman's creeks and rivers may be improved. We had forty years ago in Iowa a great river running from the northwestern corner of the State of Iowa across the State, and thousands and thousands of dollars of the money of the United States were expended in improving that river; and it has all been lost. And millions and millions more will be lost if these appropriations asked for in the river and harbor bill are allowed. I hold that it is wise to engage in a generous system of internal improvements if they are improvements of national importance. But the proposition brought forward by one of these gentlemen shows how this river and harbor bill has been brought about. Every member of this House has been invited to go before that committee and ask if he had not some scheme; and nearly three-fourths of them as is shown by the items of the bill have appeared before the committee and have succeeded in having their schemes incorporated; and three-fourths of them on account of the little piece of pork that they had in the bill are ready to vote for its passage.

[Here the hammer fell.]

Mr. BLANCHARD. I wish to say that if the Committee on Rivers and Harbors, or some member of it, does not reply to some criticisms, such as that now passed on the bill, it is simply because we do not desire to take up the time of the committee. I hope there will be a vote.

Mr. SOWDEN. I would like to understand, and I ask the gentleman from New York, who represents the committee, where the report of the Secretary of War submitted to the House contains an estimate including $160,000 for the improvement of Oswego Harbor?

Mr. NUTTING. I will show it to the gentleman with great pleasure.

Mr. SOWDEN. I find that this project was commenced in 1827, and that the total amount expended since the date of the first appropriation to June 30, 1887, is $1,572,754.89. The amount expended since the adoption of the project in 1870 to June 30, 1887, is $1,099,422.16.

In the Engineer's report also I find it stated that in December, 1884, a severe northwest storm caused a breach in the west breakwater 145 feet in width, and necessitating repairs for 100 feet on each side of the breach.

We have here submitted an estimate of the Chief of Engineers of $80,000 to make the repairs; and we have an appropriation of $100,000 in this bill. Now, I would like the gentleman who represents the committee having this bill in charge to explain to this House why it is that he asks an appropriation of $100,000 to make repairs which the Chief Engineer, having the matter in charge, says can be done for $80,000; why there should be an appropriation of $20,000 more upon this particular harbor than the officers in charge of the improvement ask at the hands of this Congress.

Mr. FARQUHAR. In reply to a remark of the gentleman from Iowa [Mr. KERR], who was very broad in his statements, I desire to say that while I represent on this floor one of the greatest commercial districts of the country I never was invited to appear before the Committee on Rivers and Harbors and never have been a party to any schemes or jobs before that committee. I never knew how much was to be appropriated to the harbor of Buffalo until I saw it in the printed bill. I wash my hands completely of being implicated in any such broad assertions, and of any charge that I have been a party in any way to bring influences together for my own harbor or any other.

Mr. KERR. I made that statement because one of the members of the Committee on Rivers and Harbors had stated that every member had been invited before it, and I knew I had been invited, although I had no desire to go before the committee.

Mr. BOUTELLE rose.

The CHAIRMAN. Does the gentleman from Iowa [Mr. KERR] withdraw his amendment?

Mr. KERR. I do.

Mr. BOUTELLE. I renew the amendment in order to ask the gentleman from Massachusetts [Mr. COGSWELL] how the rule of 50 per cent. was applied in this case. I understood the gentleman from Massachusetts to state that this bill was constructed on the basis of a uniform rule of inserting in the bill an appropriation equal to 50 per cent. on the recommendation of the engineer. How is that rule applied to this item?

Mr. COGSWELL. In reply to the question of the gentleman from Maine, I will say I suppose he can ascertain with due diligence the per cent. that $19,500,000 bore to $40,000,000. It is about 47 per cent. That was the rule that, with hardly an exception, was followed by the committee.

Mr. MCADOO. I do not wish to be misunderstood because of my criticisms of this bill. There is no gentleman on the floor of the House who is more strictly in favor of the legitimate improvement of rivers and harbors of the United States than I am. But what I object to, and what many other gentlemen object to, are the glaring inconsistencies which appear in these bills as annually brought to the attention of the House and the country.

I heartily agree with what was said, and very ably said, by the gentleman from Illinois [Mr. PAYSON] when he said that the proper spirit in which to approach this bill is not one of captious criticism or mere platitudinal objections, but that we should point out to this House and this House should give its attention to the inconsistencies of the bill and to the appropriations which are not needed for harbors that are almost mythical.

I sincerely trust, Mr. Chairman, that the amendment which has been offered by the gentleman from Pennsylvania [Mr. SOWDEN] with regard to the item we are now considering will be adopted. The engineer himself states to the House, through the committee, that only $80,000 can be profitably expended at the point in question. Why, therefore, should this House vote $20,000 out of the public Treasury as an additional amount to what the engineer recommends, for a harbor which, as I have proven by the figures, has been steadily decreasing in its commercial importance?

Now, sir, there is great force in the objection made by the gentleman from Iowa [Mr. KERR]. It is only a few years ago that the United States, upon the advice of this very Board of Engineers, erected the east breakwater which now protects a part of the harbor of Oswego. I think it was in 1882 that the appropriation was made, and a very liberal and large one it was, for the erection of that breakwater. We were then told that it was absolutely necessary for the protection of their port that this breakwater should be constructed by the Government, but now we are asked to devote $15,000 of the public money for the purpose of removing that which but a few years ago by a vote of this House was constructed at the entrance to this harbor.

Mr. Chairman, as this debate has progressed I am glad to say that I find that the scriptural ingratitude of the lepers is not shown among the beneficiaries of this bill. We are told in the New Testament that out of the ten lepers that were healed only one returned to give thanks, but the beneficiaries of this bill on this floor, unlike the scriptural lepers, are gushing in their gratitude for the favors they have received. [Laughter.]

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. SOWDEN].

Mr. BRYCE. Mr. Speaker, I agree with the remarks of my friend from New Jersey [Mr. MCADOO] in what he says about the inconsistency of this bill. Why should this House vote $20,000 more than the Board of Engineers call for in favor of Oswego, when New York is allowed less than the estimates of the same board?

As regards the harbor of New York, the estimate of the Board of Engineers calls for $540,000, but it only allowed $380,000. Sandy Hook is the main entrance to New York. The various channels have ample breadth but are all shallowing, while the draught of vessels is rapidly increasing. New York collects about 60 per cent. of the entire revenue, therefore her supremacy becomes of national importance, and it becomes of national importance that ships can get into her harbor. At present our large steamers are obliged to wait off the bar at Sandy Hook until the tide is at the highest, and vessels have been known to wait two days. With the gradual increase in size of our ocean steamers it will soon be impossible for them to approach New York at all unless these channels are deepened.

As regards Buttermilk Channel, but $30,000 are allowed by this bill-while $50,000 are asked for. Colonel McFarland observes of Buttermilk Channel, and I quote from Mr. COX, that the large and increasing traffic of this part of the river warrants the removal of the whole shoal at a cost of $115,000.

As to Gowanus Bay channels, the allowance is but half of the engineer's estimate, while Colonel McFarland observes, again, that these channels ought to be increased now to 21 feet at low water and their width to 400 feet. This recommendation is made in view of the great increase in the size of vessels generally.

Now, gentlemen, I do not wish to antagonize this bill further than to put in my protest against the distribution of the various amounts contained in it, which gives, in my opinion, so little to the important places and so much to insignificant ones.

The House divided on the amendment of Mr. SOWDEN; and there were—ayes 36, noes 79.

Mr. SOWDEN. No quorum.

The CHAIRMAN. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Pennsylvania [Mr. SOWDEN] and the gentleman from Louisiana [Mr. BLANCHARD].

Mr. SOWDEN (before the count was completed). Mr. Chairman, I withdraw the point of no quorum on condition that the supplemental report of the Chief of Engineers be read for the information of the House.

Mr. BLANCHARD. Mr. Chairman, I send to the Clerk's desk to be read the supplemental report in relation to Oswego Harbor, which was referred to by the gentleman from New York [Mr. NUTTING] in his remarks, but which the gentleman from New Jersey [Mr. MCADOO] and the gentleman from Pennsylvania [Mr. SOWDEN] did not hear. It shows that instead of $80,000 the engineers asked for $160,000.

The supplemental report, already printed in the remarks of Mr. NUTTING, was read.

Mr. BLANCHARD. Mr. Chairman, replying to the gentleman from New Jersey [Mr. MCADOO], I will state that the basis of the appropriations recommended by the committee is the estimate of the Chief of Engineers. But in the case of Oswego Harbor, this House adopted a resolution of inquiry asking the Secretary of War whether the amount stated in the Book of Estimates as coming from the Chief of Engineers would be sufficient to do the work needed in that harbor. The Committee on Rivers and Harbors is not responsible, of course, for the action of the House, which deliberately adopted a resolution of inquiry addressed to the Secretary of War on this subject. In response to that resolution there came to the House an estimate of the War Department, showing that there was needed for this harbor $160,000 instead of $80,000 as stated in the Book of Estimates. The House referred that reply of the Secretary of War to the Committee on Rivers and Harbors, and we were compelled to take notice of it.

Mr. MCADOO. I did not know the inquiry was made by the House; I thought it was simply a committee inquiry.

The Clerk resumed the reading of the bill.

The following was read:

Improving New York Harbor, New York: Continuing improvement, $380,000.

The CHAIRMAN. Under the agreement of yesterday, the line just read will be passed over informally.

The Clerk read as follows:

Improving harbor at Glen Cove, N. Y., $20,000.

Mr. SPINOLA. I move to amend by striking out the paragraph just read and inserting the following:

Improving harbor of Glen Cove, $10,000.
Improving and completing breakwater at entrance to Port Jefferson Harbor, $10,000.

Mr. Chairman, I ask the Committee of the Whole to adopt this amendment, for the reason that I was necessarily absent four months from my seat in the House and was unable to appear before the committee to present this claim in behalf of the breakwater at Port Jefferson Harbor. This amendment does not increase the appropriation, but simply divides it, leaving the amount the same as now proposed in the bill.

Mr. BLANCHARD. As the amendment does not increase the amount of appropriation, the committee will not object.

The amendment was agreed to.

The Clerk read as follows:

Improving harbor at New Rochelle, N. Y.: Continuing improvement, the balance remaining on hand from former appropriations to be expended in pursuance of the project adopted in 1871.

Mr. BLANCHARD. I desire to offer a verbal amendment. I move to correct the date in the last line of this paragraph by striking out "1871" and inserting "1881."

The amendment was agreed to.

The Clerk read as follows:

For the preservation and protection of the peninsula of Presque Isle, Erie Harbor, Pennsylvania, as recommended by the Chief of Engineers, January 13, 1885, and in accordance with such plans as the Secretary of War may prescribe, $60,000.

Mr. RANDALL. I offer the amendment which I send to the desk.

The Clerk read as follows:

Improving the harbor of Philadelphia; for the removal of Smith's Island, and Windmill Island, in the State of Pennsylvania, and Petty's Island, in the State of New Jersey, or such parts of them as may be required, and for the improvement of the harbor between the cities of Philadelphia, Pa., and Camden, N. J., $250,000: *Provided*, That no part of this sum shall be expended until the title to the lands forming said islands shall be acquired and vested in the United States without charge.

Mr. RANDALL. Mr. Chairman, I submit this amendment in obedience to what I believe to be the united voice of the people of the city that I have the honor in part to represent on this floor. The warrant for the amendment grows out of a law authorizing a survey with a view to the removal of these obstructions in the Delaware River between the cities of Camden and Philadelphia. The bulk of the land mentioned in the amendment is located in the district which I represent. All the commercial and official bodies of the city of Philadelphia and representative bodies from the city of Camden and the State of New Jersey have heretofore appeared before the Committee on Rivers and Harbors and made plain the absolute necessity for this appropriation, and I think I am justified in saying that the Committee on Rivers and Harbors, if they had been in possession of the report when the bill was framed, would have reported this paragraph as a part of it.

I wish to say, however, that the proviso does not meet the approval of the Representatives from Philadelphia. They feel that, in view of the past liberality of the city of Philadelphia in presenting to the Federal Government, at a cost of $1,000,000, a large naval depot, our city should not have been called upon to contribute means for the purchase of these islands, but that the Government, this being a national and public work, should have been willing to pay for this property. I found a resolute purpose in the Committee on Rivers and Harbors against entering upon any such expenditure in connection with this work; therefore I yielded to that condition, in regard to which I believe the committee, with one exception, adhered. I think I can now say—and if I do not correctly state the position of the committee I hope the chairman or some member of it will correct me—that the proposition now presented meets the approval of the Committee on Rivers and Harbors.

Mr. BLANCHARD. Mr. Chairman, in the early part of the proceedings of the Committee on Rivers and Harbors a delegation came before us from the city of Philadelphia, urging the inadequacy of the appropriations in behalf of the commerce down there. It was alleged that Smith's, Petty's, and Windmill Islands, in front of the city, and between it and the Jersey shore, should be removed. This was a matter of great importance, and so impressed was the committee there existed a real necessity to do something to enlarge the harbor of the second port of our country that a report was made to the House, appropriating $5,000 to defray the expense of a special survey to be made of those islands, in order to ascertain what the cost would be of buying them and what the cost would be of removing them. The House unanimously adopted the resolution for that purpose, and the Secretary of War appointed a board of special engineers, who visited the harbor of Philadelphia and sat in judgment upon the proposed projects for the removal of those islands. But that report did not reach the House until after the river and harbor bill had been reported by the committee and referred to the Committee of the Whole House on the state of the Union and placed upon the Calendar.

Now there can be no question of the necessity and great importance of the removal of these islands to the commerce of the city of Philadelphia, and I think I am safe in saying had that report of the engineers reached the Committee on Rivers and Harbors before the bill had been reported, the committee would have incorporated in it a sum at least as large as the one proposed by the gentleman from Pennsylvania [Mr. RANDALL] in his pending amendment.

It was proposed by a portion of the delegation from the city of Philadelphia which waited upon the Committee on Rivers and Harbors that the Government should buy these islands and then remove them. The committee, while they did not sit in formal judgment on it, were almost unanimously against it. We thought that while these islands should be removed from the water front of the city, the city should first purchase them, in order that there should be no expense to the General Government for the land forming those islands; and after they were purchased and the title vested in the United States, then we should undertake the work of their removal. That is what is proposed by the amendment of the gentleman from Pennsylvania [Mr. RANDALL], with the proviso that no part of the money shall be expended until the title to these islands has been placed in the General Government without cost to it.

I repeat that the Committee on Rivers and Harbors would have put in this item had the report of the special engineers reached them before their bill had been reported and referred to the Committee of the Whole House on the state of the Union and placed upon the Calendar; and under the circumstances I do not feel the committee can make strenuous objection to the amendment which has been offered. This matter came to us by the order of the House, but reached us after the bill was reported. I again repeat that had it reached us before the bill had been reported we would have inserted it for the same amount.

Mr. RANDALL. I wish to state, Mr. Chairman, in support of the strong position taken in favor of this proposition, that the port of Philadelphia pays into the Treasury from customs duties about $18,000,000 a year. There is, besides, an enormous coastwise trade constantly going up and down the Delaware River or lying at the wharves of Philadelphia.

Mr. BAYNE. Mr. Chairman, the chairman of the Committee on Rivers and Harbors made a lucid and forcible statement of the facts in this case. An appropriation would have been included in the bill equal to that proposed by my colleague for the improvement of this harbor if the report had come in time. We had a very large delegation of Philadelphians before us representing all the great commercial interests of that city and representing the transportation interest, and it was made to appear to the committee there was very great necessity for the improvement of the channel at that port.

The river has become too narrow to accommodate the large vessels that are now carrying on the commerce of that great city. The removal of these islands, which stand out in the middle of the river and between the cities of Philadelphia and Camden, has simply become a matter of absolute necessity in view of the commerce of that city, and in view, as I have already said, of the large vessels engaged in it.

There is nothing in this bill which will more commend it to the people of this country and their great commercial interests than the adoption of the amendment which has been offered by my colleague. The report of the Board of Engineers is full, clear, and explicit. I myself believe that the Government of the United States should purchase these islands. I do not see why the city of Philadelphia should be obliged to do that; but my colleague from the city has consented to that proposition, and it will be a very clever thing for Philadelphia to do if she consents to purchase the islands and give them to the Government, and only requiring that the Government shall expend the necessary amount for the removal of the islands and the deepening of the water way to facilitate the commerce of the river.

Mr. KERR. What does the report say about the cost of removal?

Mr. BAYNE. It does not give it exactly, but is estimated. I understand the ultimate cost will be about $3,500,000.

Mr. KERR. That is a large sum.

Mr. BAYNE. It is true, Mr. Chairman, that this is a very large sum; but compared with the advantages that will accrue to the harbor and to the people of the country it is but a small sum. The fact is, it has become absolutely necessary that these islands should be removed, and in view of the fact that Philadelphia pays $30,000,000 annually into the Treasury, and with the removal of these obstructions will doubtless largely increase this annual payment to the Government, there is no reason whatever why the city should not have the advantage of an appropriation to afford her commerce the facilities it so much requires. [Cries of "Vote!" "Vote!"]

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I favor the amendment of my colleague appropriating $250,000 for the removal from the Delaware River Smith's and Windmill Islands, in the State of Pennsylvania, and Petty's Island, in the State of New Jersey. The first two islands are in the city of Philadelphia, within the boundaries of the Congressional district represented by my colleague. I, as a member from a Philadelphia district, feel an equal interest with my colleague in having this improvement commenced and carried to completion. The condition contained in the amendment requiring that the title to these islands should be put in the United States free of expense is a hard condition; but the River and Harbor Committee having decided that they could not favor the amendment in any other shape, my colleague assents to that form of it, as do I. Indeed, I look upon my colleague's amendment as part of the original bill, and the Committee of the Whole should consider it in that light, a joint resolution having been passed February 17 last creating a special commission of United States engineers to report upon the feasibility of the improvement and its cost. Eminent engineers composed the board, and the report was favorable. It came to the Committee on Rivers and Harbors after the river and harbor bill had been reported—too late to incorporate it in the provisions of the bill—but, as you have heard from its chairman and my colleague of the committee [Mr. BAYNE], it would have been inserted.

Mr. Chairman, this proposition to remove these islands came before that committee in a bill presented by my colleague [Mr. RANDALL], but its adoption was urged before the committee by all the commercial boards of Philadelphia, and the intelligent manner in which it was presented by them made a favorable impression upon the committee, and the result now is apparent, as the committee unanimously consent to the passage of the amendment. Philadelphia with its large commerce has not the wharfage to-day to accommodate the large steam-ships and sailing vessels from foreign ports, and with the immense coastwise fleet coming to the port the removal of these islands is a necessity. Proper width and depth of channel and piers of adequate length and size, especially on the city river front, can only be accomplished by the improvement now proposed. I hope the Committee of the Whole will adopt the amendment.

Mr. KERR. Mr. Chairman, I trust the House will consider that this is not an expenditure of only $250,000, as proposed here, but is a proposition as to whether Congress is prepared to enter upon an expenditure of three and a half millions of dollars for this purpose. It is very evident from the nature of this proposition that the expenditure will be entirely worthless unless the whole amount is appropriated.

Mr. BAYNE. Oh, no; the gentleman is entirely mistaken about that.

Mr. KERR. I understand the sum is for the removal of the islands.

Mr. BAYNE. No; this is for widening the river, and to that extent will benefit the commerce of the city.

The question being taken on the amendment of Mr. RANDALL, it was adopted.

The Clerk read as follows:

Improving ice-harbor at Marcus Hook, Pennsylvania: Continuing improvement, $15,000.

Mr. MILLIKEN. I offer the amendment which I send to the desk.

The Clerk read as follows:

Insert after line 173:
"For constructing breakwater at Bar Harbor, Maine, $50,000."

Mr. BLANCHARD. I must make the point of order upon the amendment that it is not germane to that portion of the bill. It pertains to the State of Maine, and we are now considering appropriations for Pennsylvania.

Mr. MILLIKEN. Is it not proper to make the amendment in any part of this section of the bill?

The CHAIRMAN. The Chair thinks that it would come in more properly in the portion of the bill pertaining to Maine.

Mr. BAYNE. We will reach that part of the bill after awhile which relates to the rivers of Maine.

Mr. MILLIKEN. Yes; but we will not go to the harbors of Maine again.

I think this amendment is in order, but will of course accept the decision of the Chair.

The CHAIRMAN. The Chair thinks that, while this would more properly come in in another section of the bill, the amendment is in order here.

Mr. BLANCHARD. Then I ask the gentleman from Maine to withhold it until we reach that portion of the bill referring to the rivers in Maine.

Mr. MILLIKEN. If that will satisfy the committee better I have no objection.

The CHAIRMAN. The amendment will then be temporarily withdrawn.

The Clerk read the following paragraph:

Improving the inland water way between New Berne and Beaufort, N. C.: Continuing improvement, $15,000.

Mr. SIMMONS. I offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out $15,000 and insert $25,000.

Mr. SIMMONS. The State of North Carolina in the year 1826, by cutting a canal of about three and one-half miles in length, beginning on the one side at the head of the navigable waters of Harlowe River and on the other side at the head of the navigable waters of Clubfoot River, connected the waters of Pamlico Sound with those of Beaufort Harbor. That canal was very small, and was only of sufficient depth and width to admit of the passage of small vessels. But it was found that it was a very great convenience to the people, and was very much used until some time just before the beginning of the war, when the locks broke down and it went out of use.

Several years ago Congress, with the view of connecting the waters of Pamlico Sound with those of Beaufort Harbor, so as to avoid the dangerous shoals of Hatteras and Cape Lookout, on the North Carolina coast, authorized a survey of the several projected routes for connecting the waters of Pamlico Sound with Beaufort Harbor. That was made, and the old canal channel authorized by the Legislature of North Carolina, and appropriated for, was approved and recommended.

This enterprise is not only a work of local but it is a work of national concern as well. When it is opened it will connect not only the waters of Chesapeake Bay with those of Beaufort Harbor, but it will furnish the now only missing link between the great harbor of New York and the harbor of Beaufort, N. C., thus affording through inland navigation from that great center of commerce, so as to avoid the dangerous part of the North Carolina coast. It will be apparent to any one who is at all familiar with the dangers of the North Carolina coast, and with the general character of the coast from New York to Beaufort Harbor, that some such route as this is needed for the small coasting vessels plying between the cities of the Atlantic coast and the great centers of trade, New York, Philadelphia, Baltimore, and Norfolk. Not only this, Mr. Chairman, but this work when completed will be of great benefit to the United States in case of a war with a foreign country, not only affording protection for vessels engaged in general commerce but affording protection for its fleet of war.

[Here the hammer fell.]

Mr. MCCLAMMY was recognized, and yielded his time to Mr. SIMMONS.

Mr. SIMMONS. Now, Mr. Chairman, the engineer, in his report upon the survey, says that the Government by expending the sum of $883,000 can secure a channel from one of these sounds to the other of 9 feet in depth and 80 feet in width, but he does not recommend in the report which I now have before me so extensive a work on the part of the Government.

He says, however, that it is of great importance from a national point of view, and he recommends that for the present the Government, by the expenditure of $90,000, which he says will be amply sufficient, shall begin this work by securing a channel between these points of 5 feet in depth and 30 feet in width.

Personally I am acquainted with the character of the soil along this canal, and I agree with the engineer when he says in this report that the great bulk of this $90,000 ought to be appropriated at once.

Now, the committee have only allowed $15,000 for this work. The soil is of a marshy character. And I undertake to say that while that appropriation will do some good, so small a sum will merely begin the work, leaving it in such a condition as to expose it to damage and decay before any other appropriation can be had that will nearly undo that which has been done.

This work, of course, is of great local importance, not only to the towns that happen to be situated along the canal, but it is of importance to the whole of Eastern North Carolina, as affording direct ocean

communication for the Trent, the Neuse, the Pamlico, the Tar, and other rivers that enter into Pamlico Sound.

The Government, so far as the report shows, has only spent about $10,000 on this work, but it has made a canal sufficient for boats drawing 4 feet. Last year twelve hundred of these vessels passed through the canal, developing a commerce of $20 for every dollar the Government spent. And, notwithstanding that New Berne and Beaufort are connected by railroad transportation, this canal reduced the usual freight rates between these points 25 per cent. in one year.

Now, I know it is very difficult to secure an increase of an allowance made by this committee.

There are in the district that I happen to represent five different streams under improvement by the Government. One of those streams is 360 miles in length; another is 140 miles. They have an immense drainage area, and yet for all of those five streams the committee have allowed only about $35,000. In view of the importance of this work, both from a local and a national standpoint, as I have outlined, I do hope that the committee will agree to this increase, and if the committee does not, then I do hope that the House will take the matter in its own hands and will allow the small additional sum which I ask.

Mr. BLANCHARD. Mr. Chairman, I wish to assure my friend from North Carolina [Mr. SIMMONS] that this water way in which he is so much interested has not been treated unfairly by the Committee on Rivers and Harbors. The estimate for that water way was $36,000. We give it $15,000, which is about 47 per cent. of the estimate, and the make-up of our bill upon the estimates is upon the basis of about 47 per cent., so that the committee in this case have allowed the full amount in accordance with their general rule. This inland water way between New Berne and Beaufort was begun to be improved in 1882. The first appropriation was made in that year and was $5,000. Appropriations were made in 1884 and 1886, and there is one in the present bill. I call the attention of the gentleman from North Carolina to the fact that the bill of 1886 contained only $10,000 for this water way, while in the pending bill we allow $15,000. Now, with an appropriation in 1886 of only $10,000, the statements of the amounts on hand to the credit of various river and harbor improvements throughout the United States on the first of November, 1887, shows that, to the credit of the fund for the improvement of this particular inland water way, there was on that date $15,655. To that we have added $15,000 in the bill under consideration; which, as I have said, is 47 per cent. of the estimate of the Chief of Engineers, and $5,000 more than this water way received in the bill of 1886. For these reasons, Mr. Chairman, it must be apparent to the Committee of the Whole that this particular water way, at least, has been fairly treated by the committee.

Mr. SIMMONS. I understand the gentleman to say that the estimate of the engineer is $35,000.

Mr. BLANCHARD. The estimate of the Chief of Engineers is $36,000.

Mr. SIMMONS. Then I have been misled by the report.

Mr. BLANCHARD. My friend probably looked at the estimate of the local engineer, but it is a fact that the Chief of Engineers revised the estimates of the local engineers for the different river and harbor improvements throughout the United States, and reduced them fully two-thirds.

Mr. SIMMONS. The estimate of the local engineer is $72,000 for the next year, and he advises that that all be expended at once.

Mr. BLANCHARD. But the chief reduced the amount to $36,000, and of that estimate we have given 47 per cent.

The question was taken on the amendment of Mr. SIMMONS, and it was rejected.

The Clerk read as follows:

Improving harbor at Charleston, including Sullivan's Island, South Carolina: Continuing improvements, $350,000.

Mr. DIBBLE. Mr. Chairman, I offer an amendment, to come in on lines 205 and 206.

The Clerk read as follows:

In lines 205 and 206 strike out "350" and insert "500."

Mr. DIBBLE. Mr. Chairman, I have no complaint to make of the gentlemen of the Committee on Rivers and Harbors. On the contrary, I am indebted to them for a very attentive and courteous hearing in relation to this great work of national improvement, and I have also felt that they have realized the importance of the work in the appropriation which they have recommended.

But, Mr. Chairman, as a measure of economy, of pure business economy, as well as a measure of vast importance to the constituency which I have the honor to represent, this great work should be speedily completed. What is the history of this work? The distinguished engineer officer, General Gilmore, submitted a project for this improvement ten years ago, and it was initiated and entered upon with an appropriation of $200,000.

The work was to have been completed in the course of five years, but under the system of small appropriations which we have pursued it has already proceeded for ten years; and at the rate of appropriation which is granted in this bill it will take five years longer to complete it, the amount remaining to be appropriated under the estimate being one and one-half million dollars.

Now, I submit that this work should be completed in a shorter time, and that it will save the Government a large amount of money if it is completed speedily. I ask to have read at this time some extracts from the report of General Gilmore on this subject.

The Clerk read as follows:

I have no doubt that under the present plan the practicable low-water depth of 21 feet in the channel, equivalent to about 26 feet at mean high water, can be established—an increase of over 9 feet over the present depth of the bar channel. I am equally confident that a still greater increase in depth can be secured by adding to the length and height of the jetties.

It has been roughly estimated that, other things being equal, the tonnage of a harbor the depth of the entrance to which has been increased, compared with its average tonnage before the channel had been improved, is in the proportion of the cubes of these depths. According to this estimate, the marine business of Charleston, when the jetties shall be finished and the desired depths on the bar secured, should be three or four times greater than at the present time.

When the present shifting and comparatively shallow channel of entrance shall be replaced by a single one of ample depth and permanently fixed in position, affording the most direct access from the sea to the inner harbor, the one needed element will have been supplied which, in conjunction with the natural advantages of the geographical situation of the port, its deep, capacious, and sheltered anchorage, its wharves and its railroad connections with the West and Southwest, will undoubtedly assure the development of Charleston into a great commercial city.

APPROPRIATIONS.

For several years past I have in my annual reports and in other official communications called attention to the necessity of making more liberal appropriations for completing the improvement of the entrance to Charleston Harbor. In the nine years which have elapsed since the first appropriation was made funds have been provided at an average rate of $165,000 per year, or 5¼ per cent. of the amount of the estimated aggregate cost of the work.

The appropriation of $187,500 made in 1886 will, owing to the failure of the bill passed at the last session of Congress to become a law, have to serve for carrying on the work for a period of two years, permitting an annual expenditure of only about 3 per cent. of the total estimated cost of the work, a sum which might perhaps be deemed sufficient for annual repairs and maintenance of a work of this magnitude, but inadequate to an absurd degree for the successful prosecution of operations having in view the completion of the project within the present century.

In the half-finished condition of the jetties, deterioration during periods when operations are suspended for want of funds is, naturally, certain and rapid, and fully 40 per cent. of the amount last appropriated has been expended in work which would have been unnecessary if the funds required to secure a gradual but continuous development and consolidation of the structures had been more liberally and regularly provided.

It is obvious, therefore, that while the current appropriations are in amounts that only slightly exceed the requirements for current repairs, the final completion of the jetties will be indefinitely postponed, if, indeed, it is ever accomplished. The inevitable results of the policy which has obtained heretofore in the matter of supplying money for improvements of this character, in their increased cost, in their exposure while unfinished to serious damage, if not total destruction, and in the contingent losses which the delay in their completion causes the commercial interests for the benefit of which they were designed, have been suggested in previous reports and need not be again detailed. I desire, however, to repeat my former recommendation that annual appropriations of from $500,000 to $750,000 be made, with a view to speedily and economically completing this important improvement.

During the reading of the foregoing extract, when five minutes had expired,

Mr. HEMPHILL obtained the floor, and yielded his time to Mr. DIBBLE.

Mr. DIBBLE. Now, Mr. Chairman, upon that report the Chief of Engineers adopted as his recommendation the larger of those two amounts. I have adopted in this amendment the smaller. The Chief of Engineers recommended an appropriation of $750,000. He did not, as is generally the case, cut down the estimates of the local engineer, but he took the largest figure and based his recommendation upon that, showing his opinion of the importance of the work. I have asked of the House the minimum figure which General Gillmore said is absolutely necessary.

I realize, Mr. Chairman, the difficulties in connection with a bill of this kind, and nothing but my sense of responsibility and my conviction that the appropriation I ask is absolutely necessary has urged me to advocate the adoption of this amendment. This work and one other in this country are exceptional. This and the improvement at Galveston consist of work run out into the depth of the ocean, subject while going on to the action of wind and wave. General Gillmore in that report says that of the last $187,000, 40 per cent. was required to repair the damages which were caused by the deficiency in a previous appropriation and a consequent stoppage of the work.

Now, sir, this work has ceased again since last November. The funds are exhausted. Work has heretofore been interrupted in the same way. Will not the committee consent to give us the amount necessary to carry on this work continuously? It is one of the great national improvements, and owing to the exposure of the work to the action of storm and wave a large portion of the money appropriated—at least fifty or seventy-five thousand dollars—has to be held back, reserved out of the contract, for the purpose of preserving the work in the interim in case Congress should fail to make appropriation, in consequence of the failure of a river and harbor bill, or otherwise. Of the last appropriation $50,000 had to be reserved, and it was expended in securing the work during the time the appropriation for continuation was exhausted.

It is true economy to make the work on this improvement continuous. It is a work which Congress has entered upon—a work which all the engineers, as well as everybody else who has studied the subject, are satisfied will eventually be absolutely successful. It is beyond the region of doubt—it is now in the region of absolute certainty;

and the question is, whether this work shall be completed in ten or fifteen years more under the system pursued in the past, or shall be finished within the next three years by an adequate appropriation each year. I hope my amendment will prevail.

Mr. BLANCHARD. In the river and harbor bill of 1886, the last one passed, there was appropriated for the harbor of Charleston $187,500. Of this amount I find there was on the 1st of November, 1887, $66,822 still on hand——

Mr. DIBBLE. I beg the gentleman to notice that all——

Mr. BLANCHARD. I grant that this or most of it is included in existing contracts; still, the fact remains that the $187,500 appropriated in 1886 had not all been expended on the 1st of November, 1887, and is not now all expended.

Mr. DIBBLE. I will ask my friend how much was available on that day?

Mr. BLANCHARD. Of the amount then standing to the credit of that fund, not included in the contract, there was $7,000 available.

Mr. DIBBLE. Yes; that is all.

Mr. BLANCHARD. If we gave Charleston Harbor in 1886—two years ago, or less than two years—$187,500, I submit that when in this bill we appropriate $350,000 it is quite as much, at least in view of our experience, as can be profitably expended there in the next year. For this reason I think the Committee of the Whole should not adopt this amendment.

Mr. DIBBLE. Mr. Chairman, the sum of $66,822 which the gentleman speaks of as unexpended on the 1st of November, 1887, was mainly included in contracts previously made, the work under which had already been done, so that the fact was simply that the money was not actually paid out to the parties who had done the work. All but $7,000 of the reserve fund of $50,000, of which I have spoken, had then been expended, and the balance has been expended since.

Mr. BLANCHARD. I so stated.

Mr. DIBBLE. I do not think, Mr. Chairman, that the argument of the gentleman is a good one. General Gillmore shows to the House that here is a work which was to have been finished in five years—which has now taken ten. He condemns the system of appropriations heretofore adopted. Here is an illustration: Of the $187,500 there had to be kept back as a reserve fund $50,000. Thus, money is lost which might have been saved if means had been at hand to proceed with the work. Are we to repeat our experience and consume ten years more in the completion of this work? I say that as a business proposition the amount of this appropriation should be increased. This is really an appropriation for two years' work. It has been two years since any appropriation has been made. I repeat that not only will Charleston be benefited, but as an economical measure this appropriation ought to be increased to at least $500,000.

The question recurred on Mr. DIBBLE's amendment; and on a division there were—ayes 43, noes 61.

So the amendment was disagreed to.

The Clerk read as follows:

Improving harbor at Georgetown, S. C.: Continuing improvement, $7,500.

Mr. DIBBLE. I move an amendment which does not increase the amount and to which I suppose there will be no objection.

The Clerk read as follows:

Add at the end of line 206:
"Of which $5,000 may be expended on Mount Pleasant shore of inner harbor of Charleston, S. C."

Mr. BLANCHARD. There is no objection to that.

The amendment was agreed to.

The Clerk read as follows:

Improving Winyaw Bay, South Carolina: Continuing improvement, $100,000.

Mr. MCADOO. I move to strike out the last word.

Now, Mr. Chairman, I am in favor of genuine river and harbor improvements; when constitutionally and honestly and practically expended I am their zealous advocate. I will take occasion for a few minutes to call attention to this item; and I will do so only to expose what I consider the weakness of these river and harbor bills, and the reason why some of us are compelled to oppose them.

In 1866 there was ordered in one of the provisions of a river and harbor bill a survey as to what could be done to get a greater depth of water in Winyaw Bay. It was thus it bowed itself, as it were, before the Congressional foot-lights.

In 1885 there was appropriated $18,000 for this work, and of that sum only about $2,000 have been expended, as shown by the reports. This leaves a balance of some $16,000 on hand.

Now, sir, I want to call the attention of the committee to this fact, that the engineer's estimate shows it will take $2,500,000 to make the improvement suggested here. This bill gives for these improvements the sum of $100,000. I want to impress upon the members of this House the fact that $100,000 so appropriated is just so much money taken out of the national Treasury and wasted; and that if they honestly intend to get a depth of 13 or 15 feet of water in Winyaw Harbor, they will have, according to the report of the engineers, to expend ultimately $2,500,000. You have reached the jumping-off place. If you want Winyaw Harbor improved, why not face the issue and appropriate $2,500,000, or reject the claim and give nothing. One hundred thousand means simply so much wasted—sunk in the bay.

Another fact: the wording of these reports as they come from the engineers seems to be ingenious. I think about $2,000 have been expended on this harbor, and the report begins by stating that prior to the appropriation of 1885 there were only so many feet of water on the bar, and that the $2,000 have been expended in the preliminary plans. Then, pray, what improvement has been made by the expenditure of that portion of the appropriation? If the depth of water has increased in that harbor it is not because of the fact that Congress appropriated in 1885 $18,000, but because of the fact that nature has been kind to the waters of Winyaw Harbor, and has deepened the channel.

This item is one of many which will be found throughout this bill, for they have always existed in prior bills, and I see no reason to doubt that they are also here. It is giving a driblet; it is wasting the public money for improvements which, if Congress honestly intends to make, will require millions of dollars, according to the statements and plans of those upon whom we are in the habit of depending for our estimates. So, I repeat that the expenditure of $100,000 this year in getting a greater depth of water in Winyaw Harbor will be that much money thrown away, if the engineer's statement is reliable, as we find it embodied in the annual reports, namely, that it will take $2,500,000 before the navigation of that harbor will be improved as contemplated by the plans submitted for its improvement.

Mr. WISE. That is for the completion of the improvement.

Mr. MCADOO. I have seen, Mr. Chairman, during my short career in Congress, the public money taken out in sums ranging from $5,000, $10,000, $20,000, $25,000, and $100,000, and devoted to the improvements of rivers and harbors, too little for anything valuable and too much for nothing, and then lost, because oftentimes there will be a failure of appropriation, and the next report of the Engineer's Office conveys to us the intelligence that the amount expended formerly in the improvement was wasted, as the works had been destroyed, the machinery decayed, and, through the lapse, the beginnings gone. This is a mere pebble in a great ocean. It will accomplish nothing but maps and reports.

The House is reminded that the time between making the appropriations was so long that the money theretofore spent in the work was absolutely wasted, and every dollar of the public money appropriated by Congress for carrying out the work of improvement was thrown away.

I would like, and think it due to the House, to have the Chairman of the Committee on Rivers and Harbors, and the gentleman on this floor, I know not who, who represents the particular district in which this Winyaw Bay is situated, make an explanation why an appropriation of $100,000 of money is asked from the public Treasury of the United States for the improvement of this harbor.

Mr. BLANCHARD. Mr. Chairman, it is rather unfortunate for the gentleman from New Jersey that he should have selected out this particular appropriation for his attack upon and lecture to the committee and to Congress upon river and harbor improvements generally. This Winyaw Bay project is one the appropriation for which is fully justified by the commerce of the rivers of which Winyaw Bay is the only outlet to the ocean. If the gentleman had read on page 1080, at the bottom of the page, of the report submitted by the Board of Engineers under the heading of "Commercial statistics" he would have found:

This bay is the ocean entrance to Georgetown Harbor, South Carolina.

No work has yet been done except a survey to see if there is any way of advantageously expending the inadequate funds now on hand. The present commerce of this bay is that of the Waccamaw, Pee Dee, Black, and Sampit Rivers and Georgetown Harbor, a commerce of already $7,000,000 per year, carried by two hundred ocean vessels and two steamers, making bi-weekly trips to Charleston. At the ocean bar there is at present only 9 feet depth at ordinary low water. Otherwise navigation is practicable for boats of 12 feet draught. At present, however, vessels drawing no more than 10 to 12 feet are frequently detained for several days awaiting a flush high water to take them over the bar; and however great the distress in which a vessel may be while outside the harbor, no tug drawing over 7 or 8 feet can go to her assistance during low water.

A commerce that aggregates from one point two hundred ocean vessels and two steam-ships, and which accommodates $7,000,000 of commerce annually, would certainly seem to be a suitable subject for consideration in a river and harbor bill.

Mr. MCADOO. Will the gentleman permit me to interrupt him? I find in part 1 of the engineer's report they refer to an appendix, "M 15," as giving the report of the local engineer in reference to this improvement. On looking over to that part of the work, that appendix "M 15," I find that the report of the local engineer is omitted. It refers to page 1078 as giving further information about the harbor; but I can not find a word about it. I understand the gentleman from Louisiana is reading in reference to the Ashley River.

Mr. BLANCHARD. I am reading from the report of the Chief Engineer, to be found on pages 1079, 1080, and 1081, of part 2 of the Engineer's Report for 1887, in which he says:

Already Winyaw Bay is the outlet to $7,000,000 of annual commerce of the Sampit, Black, Pee Dee, and Waccamaw Rivers. More than this, it is now connected by a 7-mile canal to the Santee River, so that it will soon be the shortest and most accessible outlet to $5,000,000 of annual commerce which will come down the Congaree, Wateree, and Santee Rivers as soon as the railroad bridges over these rivers are properly furnished with draw-spans. These river basins at present raise over 400,000 bales ($16,000,000) of cotton per year. These rivers

are now navigable over 800 miles by steamers and over 1,000 miles by pole boats. The amount of water now flowing in and out of Winyaw Bay at mid-tide is about 220,000 cubic feet per minute, sufficient to keep open a passage-way of 4,000 feet width and 21 feet average depth if provided with proper training-walls or dikes. All opinions of the Government engineers in charge of this work so far are to the effect that the bar is well worthy of improvement, and that it can be easily improved provided the necessary funds are voted in adequately large annual appropriations. An immediate appropriation of $800,000, properly spent, would undoubtedly develop at once an additional commerce of $8,000,000 per year.

Now, Mr. Chairman, in order to deepen the bar at the entrance of Winyaw Bay to the ocean, we make this appropriation of $100,000 out of an estimate of $300,000. And yet my friend from New Jersey passes a severe criticism upon the committee, notwithstanding the fact that $7,000,000 value of commerce is to be benefited by the appropriation.

Mr. MCADOO. I owe it to the able and fair chairman of the Committee on Rivers and Harbors to say that I was unfortunately reading from the report of last year. I had not in my hand at the time I made my remarks the report of the present year.

I do not feel at liberty to dispute the statement made by the local engineer as to the importance of the commerce of this bay. But I hold to my position that if it will take $2,500,000 to give a depth of water that will meet the wants of the commerce of this important harbor $100,000 is not enough, and if this is a legitimate public work, and this appropriation is not sufficient for the purpose, then it is too much.

The amendment offered by Mr. MCADOO was not agreed to.

The Clerk read lines 211 and 212, as follows:

Improving harbor at Brunswick, Ga.: Continuing improvement, $35,000.

Mr. HENDERSON, of Iowa. I had hoped that this river and harbor bill would be reported in such a condition that I could support it. That was my desire. I believe in improving the great water ways of the country. I believe it to be a safeguard for the people against the undue charges that are often made by the railroads. But there must be a reasonable rule adopted. If we are going to put through a river and harbor bill it seems to me that rule must aim at the improvement of the great water ways and not of the trivial water ways. And this bill—I say it in all kindness to the committee—for I know the embarrassments they are under this bill steps entirely beyond the rule which ought to obtain and brings in a vast amount of appropriations that will baffle the knowledge of the best equipped man here in the geography of this country.

We have tested the pulse of the people in regard to river and harbor bills. In the Forty-seventh Congress there was appropriated $18,743,875; this bill appropriates $19,494,783.13 as brought in from the committee. It is possibly in the memory of many gentlemen on this floor what the verdict of the people was in respect to the river and harbor bill which passed the Forty-seventh Congress, although less than this in amount. It was made the slogan of battle through the campaign of 1882. And even the Democracy, who joined in putting through that legislation, nailed to the masthead and painted upon their banners: "Down with the Republican party because it passed this enormous appropriation bill of $18,000,000."

And I am frank to say that the verdict of the people at the polls in that campaign was against the appropriation of so large a sum. With that recent piece of history in our memory, I for one do not purpose to vote for a bill that goes beyond the bill which was condemned by the people through the great popular verdict in 1882. Our Democratic brethren then voting side by side with the Republicans, the bill having two to one in its favor, were swift to use it as an instrument against us in the great struggle referred to.

Now, we are asked to give our approval to a bill vastly more in amount, disregarding the rule that I have alluded to with a recklessness not even found in the bill of 1882; and I caution the House to act upon a policy that will compel the committee of the House, I should say compel the House itself, to recognize that the people are willing to be liberal to a bill which will provide for the great water thoroughfares, but which will not dump millions into small inlets, rivers, and creeks that we can not find upon the map, and never heard of before.

[Here the hammer fell.]

Mr. HENDERSON, of Iowa. Just one word more.

Mr. GEAR was recognized, and yielded his time to Mr. HENDERSON, of Iowa.

Mr. HENDERSON, of Iowa. I am not censuring the committee about this. I know how hard it is for them to resist when we are all around clamoring for our respective localities. And I recognize also, kindly, the courtesy of the committee in giving notice to all that we might go and be heard. I thought that was a proper thing for them to do with regard to so important a bill. I recognize that the purpose was a kind and proper one. But it is the pressure that comes from all of us interested in our districts that forced the condition which now confronts us with this particular bill.

I say I regret that I can not give my approval, and I take this method of stating most kindly to the House the reasons which will govern me in recording my vote against the bill, as I feel it to be my duty to do.

I withdraw the *pro forma* amendment.

The Clerk read lines 216 and 217, as follows:

Improving harbor at Savannah, Ga.: Continuing improvement, $50,000.

Mr. DOUGHERTY. I offer the amendment which I send to the desk.

The Clerk read as follows:

Improving harbor at St. Augustine, Fla., $35,000.

Mr. DOUGHERTY. I am not offering that amendment to consume the time of the committee; and in speaking to the amendment I do not deem it necessary to go into any commercial statistics at all, because those commercial statistics are all given in the letter of the Secretary of War, Executive Document No. 87.

The circumstances which make it necessary for this amendment to be offered at this stage of the bill are exceedingly peculiar. It is owing to the fact that this report is printed in such a manner that neither the chairman of the committee nor the clerk of the committee nor several members who with myself earnestly searched for this report, could find it at all.

An examination of the document will show that it is a report covering some thirty-six pages. Thirty-two of those thirty-six pages relate to the improvement of the harbor at St. Augustine, Fla. But nowhere in the paging or in the title page does the name of St. Augustine appear except in very small type, so that in looking through the great mass of executive documents any gentleman, no matter how much he might be interested, would pass this letter of the Secretary over as not relating to this harbor of St. Augustine, but as relating to the harbor of Punta Rassa, in the southwest portion of the State.

I do not know but I am justified in making the statement that if the committee had had this report before them they would have put the item in the bill which is covered by the amendment, $35,000.

It is proper for me further to state to the committee that it was altogether by accident that this document was discovered, and it was only found after I had written and visited both the Department of War and the Department of the Treasury.

That is my reason for offering this amendment, and I do not believe it will be opposed by the committee.

Mr. SPRINGER. What is the estimate?

Mr. DOUGHERTY. The estimate is some $1,400,000; but I am in possession of a letter from the engineer in charge which says that the shore end of the proposed jetties can be built for the amount of money I have named in the amendment.

Mr. SPRINGER. What is the amount?

Mr. DOUGHERTY. Thirty-five thousand dollars.

Mr. BLANCHARD. Mr. Chairman, in the river and harbor bill for 1886 Congress incorporated an order for a survey of St. Augustine Harbor for a deep-sea channel on the outer bar. In accordance with that direction of Congress the Secretary of War caused a survey to be made, but it was not printed in the report of 1887 which was submitted to the Committee on Rivers and Harbors, and it only came before the committee in a list of new projects recommended by the Chief of Engineers. When the Committee on Rivers and Harbors came to take up the new projects they made appropriations for several, but when they came to those pertaining to the State of Florida somehow or other they were unable to find the one pertaining to St. Augustine. A delegation of citizens of that city had appeared before the Committee on Rivers and Harbors and had presented the needs of the harbor for improvement, and the committee became satisfied that it was a meritorious project which should be appropriated for; but, as stated by the gentleman from Florida [Mr. DOUGHERTY], we could not find the report anywhere. It was not in the Engineer's Report and it could not be found among the public documents in the document-room. We therefore could not consider it for want of data. We had the statement of the Chief of Engineers that he had sent a report to Congress, but where that report was we could not ascertain. However, after we had reported the bill the gentleman from Florida [Mr. DOUGHERTY], who represents that district, by his own diligence and by calling to his aid the office of the Chief of Engineers, succeeded in finding the report under another heading. But since the report was found the Committee on Rivers and Harbors has never sat in judgment upon the project.

The report shows that the work is one of merit, and I have no doubt that if we had had it before us before we reported the bill we would have incorporated an appropriation for that harbor. I submit this statement of facts to the Committee of the Whole.

The amendment was agreed to.

The Clerk read as follows:

Improving harbor at Mobile, Ala.: Continuing improvement on enlarged project for securing a channel 23 feet deep and 280 feet wide, $250,000.

Mr. BOUTELLE. Mr. Chairman, at this point I wish to call attention to a feature of this bill which must strike the most casual observer, that is, the easy way in which the compilers of this remarkable document have slid along from small appropriations of $2,500, $3,700, $5,000, and a reluctant $10,000, up to such figures as we find on page 10 of the bill. I take them as they come: $7,500, $100,000, $35,000 $112,500, $90,000, $20,000, $7,500, $35,000, $20,000, $250,000.

Now, Mr. Chairman, I do not rise to say that all of these appropriations are not justifiable. I make no complaint about these particular items, but I do say that there is some system of mathematics or some process of distribution employed by the Committee on Rivers and Harbors

which is beyond my understanding, and by the operation of which they are led to give, for instance, an appropriation of $250,000 to improve the harbor of Mobile, while my friend from Massachusetts [Mr. COGSWELL] insists that my people ought to be exceedingly grateful that they have given us $10,000 for the entire Penobscot River, with half a dozen ports situate upon it doing as much business as is done at Mobile. For instance, and I do not propose to go into detail, I find that for the year 1887 the entire amount of duties on imports collected at Mobile was $19,042.32, while the customs collections the same year at the single port of Bangor, on the Penobscot, were over $87,000.

Now, there are circumstances under which it might be argued that these figures would not prove that money might not properly be expended at Mobile while none was expended at Bangor, because the one harbor might be in excellent condition while the other might need improvement; but the answer in this case is that the United States Engineer's Report shows that improvements are in progress at both these points. The recommendations are much more liberal, I grant you, for the port in Alabama than for the one in Maine, and I think you will find a similar liberality to the South all through these engineers' reports; but still there is this enormous, and, to my mind, unaccounted for, discrepancy between an appropriation of $250,000 for Mobile and an appropriation of $10,000 for the entire Penobscot River, with its 60 miles of navigable water and the great bay into which many of the so-called harbors of this bill might be dropped and lost. For those great navigable waters we are grudgingly granted $10,000, an amount which the engineers have stated to me time after time and which I, in turn, have stated to the Committee on Rivers and Harbors, is not sufficient to incite that competition among contractors which will enable the Government to get the work done at an economical rate.

Now, Mr. Chairman, I wish to say again that I have not risen to oppose this Mobile appropriation. I want to see the harbor of Mobile improved and I do not grudge a quarter of a million of dollars, if necessary, to do it; I am ready to vote adequate appropriation for that harbor; but I do say again that I can not understand and do not appreciate the system of distribution which is exhibited here by the figures to which I have called attention.

Mr. JONES. Mr. Chairman, the appropriation for Mobile is perfectly consistent with all the others in the bill; that is, it is about 50 per cent. of the amount recommended by the engineers. The engineers give the reasons why this improvement ought to be made, and they are urgent. One is that the commerce of the port is rapidly increasing and can not be accommodated by the present depth of water, which is only 17 feet, while larger vessels are coming to that port every year.

He goes on to say that the harbor of Mobile is destined in the near future to be an important one to the United States Government, from the fact that it is the only point on the Gulf at which cheap coal and iron can be obtained.

Mobile, Mr. Chairman, is the only seaport in America to which coal can be transported by tide-water navigation. It is true that coal is brought 2,000 miles, from Pittsburgh and the adjacent region, to New Orleans, but is then 110 miles from the Gulf. The coal-fields of Alabama, 2,600 feet in depth, and embracing 5,500 square miles, are only 250 miles from the seaboard, with which they are connected by five navigable rivers, some of them over 500 miles in length, constituting a part of a river system which, with the exception of the Mississippi system, is the finest on this continent.

We want to bring this coal to Mobile. We want the Gulf squadrons to get the benefit of it. We want to export it to South America and Central America. Mobile is only 1,300 miles from Aspinwall. England, which now sends coal to Aspinwall, is 5,300 miles distant. We can make three trips with cargoes of coal from Mobile to Aspinwall while a ship is going from England to Aspinwall.

I do not see why the gentleman from Maine should undertake to attack this appropriation for Mobile; for he said a few moments ago that whenever a seaport or harbor could be found which deserved a liberal appropriation he would gladly vote for it. I think this is such a case.

Mr. BOUTELLE. Mr. Chairman, the gentleman from Alabama [Mr. JONES] certainly misunderstood me if he supposed I was "attacking" this appropriation. On the contrary, as I tried to state distinctly, I am very glad to see appropriations made where there is a harbor or a river legitimately entitled to improvement. I have some knowledge of Mobile Harbor and the Alabama River. I have navigated them from Sand Island Channel to Montgomery. Mobile was once one of our greatest commercial seaports. I trust it may become so again; and certainly I shall be glad to do my part in bringing about that result.

I selected this particular appropriation, not for the purpose of antagonizing it, but to express my regret that my friend from Alabama, while looking after the interests of his own locality so efficiently as a member of the Committee on Rivers and Harbors, did not allow his eye to glance along the Northeastern seaboard, and did not use his endeavors to secure for us something a little more reasonable than the small pittance which has been granted.

Mr. JONES. Your State gets 80 per cent. of the estimates.

Mr. BOUTELLE. I beg the gentleman's pardon. If he will look at the figures he will find that the Chief of Engineers has applied his reducing process very much more severely to my section of country than to some others. The appropriations recommended by the men who have carried on these improvements—the local engineers in charge of the work—aggregated $575,000 for the coast of my State. The committee propose to appropriate $170,000—about one-third of what the local engineers recommended.

The Clerk read as follows:

Improving harbor at Biloxi Bay, Miss.: Continuing improvement, $18,500.

Mr. CRAIN. I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 236 insert the following:
"Improving Pass Caballo, Texas: Continuing improvement, $50,000."

Mr. CRAIN. Mr. Chairman, this is just one-fourth of what the local engineer recommends.

Mr. BLANCHARD. Mr. Chairman, on behalf of the committee I feel called upon to oppose the adoption of this amendment. The committee took into consideration—I might say into painful consideration—Pass Caballo Harbor; and in spite of our willingness to oblige my amiable friend from Texas [Mr. CRAIN], we found ourselves unable to make any recommendation for this harbor. The report (pages 1429 and 1430) which I hold in my hand does not justify an appropriation for this horbor; and I therefore hope the amendment will not be adopted.

Mr. CRAIN. Mr. Chairman, I feel exceedingly grateful to the Committee on Rivers and Harbors for the personal consideration which they gave to the "gentleman from Texas," but I was under the impression that in considering these questions the commercial importance of the place was regarded, not the personal feelings of the individual who happened to represent that place.

Mr. KERR. There is where you made a great mistake. [Laughter.]

Mr. CRAIN. I may, and doubtless have, made a great mistake in that particular; because if the committee had regarded my personal feelings in this matter they certainly would have recommended an appropriation for Pass Caballo. I really do not believe that the chairman of the Committee on Rivers and Harbors knows where Pass Caballo is. [Laughter.] And I will read for his information and the information of the committee the opinion which has been pronounced by one of the most distinguished engineers that America has produced, that it is the most susceptible of improvement of any harbor on the Gulf coast. I refer to General Joseph E. Johnston.

The engineer of the improvements on the coast of Texas differs very materially in his representation of the necessity for the continuation of this improvement from the gentleman who has charge of this bill in this House. He recommends an appropriation of $200,000, and he uses this language on the very page of the report to which the gentleman who is chairman of the committee refers:

In the capacity of a harbor of refuge it will be a benefit to all of the coast trade of Texas.

And in connection with this improvement I will take the liberty of appropriating the remarks made by the gentleman from New York [Mr. SAWYER] when he stood before the House in opposition to the amendment proposed by the gentleman from Illinois [Mr. PAYSON] in behalf of the appropriation recommended by the committee, I believe, for Oak Orchard.

While it is true, Mr. Chairman, that some years ago Indianola, which was the principal seaport on Matagorda Bay, was destroyed, it is equally true that to-day Port Lavaca, upon the Lavaca Bay, is the county seat of Calhoun County, and is one of the termini of the Southern Pacific Railroad, which connects the East with the West.

The report of the deputy collector, dated July 11, 1887, shows that the value of the cargoes which entered for the year ending June 30, 1887, at Port Lavaca was nearly a half million of dollars. I will ask the chairman of the Committee on Rivers and Harbors if it is not true he has given to places, and when I say "he" I mean the committee—given appropriations of a quarter of a million of dollars to places which have not had five boats of 50 tons enter them for ten years.

In view of the fact that I have not made a very long speech in support of this amendment I hope the committee will adopt it.

Mr. BLANCHARD. I am obliged to my friend from Texas for the statement that perhaps the chairman of the Committee on Rivers and Harbors did not know where Pass Cavallo was.

Texas has a long seacoast, some 800 miles in length; and among the many inlets indenting that long coast line if I failed to find any town or harbor by the name of Pass Cavallo, I will be excused when I tell the committee there is no town there. [Laughter.]

Mr. CRAIN. Will the gentleman pardon an interruption?

Mr. BLANCHARD. No, not just now. Now, Mr. Chairman, my idea of a harbor is you must not only have water which will permit the entrance of vessels from the ocean and passage out to the ocean, but there must be something there in the way of people and commerce to be benefited. That is what I take a harbor to be.

Now, in that place there is no harbor of Pass Cavallo. I will read from the report:

The town of Indianola, at which the custom-house was formerly located, the only town of any importance on Matagorda Bay, has been abandoned. It suf-

fered so severely during the storm of 1875, and again during that of last August, that the inhabitants have concluded to seek a safer location. The custom-house has been removed to Eagle Pass, on the Rio Grande. No steamer has entered Matagorda Bay during the year. Small coasting schooners, drawing 5 feet or less, still visit Port Lavaca, upon Lavaca Bay, which communicates by shoal water with Matagorda Bay on the north.

It is said there is no commerce there to be benefited; no steamer for years has entered that bay, and the Committee on Rivers and Harbors were not apprised of anything before us in the way of a report that any harbor of refuge was needed on that portion of the Texas coast.

For these reasons, I submit, the committee were justified in not appropriating for the improvement of the harbor of Pass Cavallo, and especially since it will require the enormous sum of $1,360,000 to complete the project there to benefit which there is no town and no commerce.

[Here the hammer fell.]

Mr. CRAIN. Mr. Chairman, I regret very much to be compelled to dispute the statement of the chairman of the Committee on Rivers and Harbors, but there is a town there. There is a county seat there. There never has been a collection district there, notwithstanding the statement of the local engineer. There is not now a collection district there, for there never was one. The town of Indianola was unfortunately destroyed in 1875, but the county seat of the county now is the town of Port Lavaca, which is 16 miles inland, and, as shown by the report to which the chairman refers, there was entered there last year $2,500,000 worth of merchandise. Yet the gentleman says there is no town there.

I say that this bill contains appropriations of a quarter of a million dollars for places into which not five vessels have entered for a hundred years.

Mr. BLANCHARD. I wish to state that the gentleman from Texas is not disputing any statement made by the chairman of the committee.

Mr. CRAIN. I do not dispute it offensively, you understand.

Mr. BLANCHARD. I know that. The gentleman is disputing the statement of the engineer who wrote the report.

Mr. CRAIN. That was what I stated.

Mr. BLANCHARD. Now, the engineer's report said there was no town there.

Mr. CRAIN. He refers to three years ago, 1885.

Mr. BLANCHARD. This town is 16 miles inland, and of the few vessels that get to Port Lavaca the greatest draught amongst them is only 5½ feet. There is practically no commerce to be benefited there by the appropriation the gentleman suggests; practically none whatever. As a harbor of refuge there is not a line in favor of it or suggesting that one is needed.

Mr. CRAIN. Will the gentleman pardon an interruption there? Please look on page 1430.

Mr. BLANCHARD. He says:

In its former capacity—

Referring to Pass Cavallo as a harbor of refuge—

it will be of benefit to all of the coasting trade of Texas.

But there are no statistics furnished of its trade, and nothing to justify Congress in expending the one million three hundred and odd thousand dollars required to complete the existing project.

Now, we would like to have continued this improvement, but we were not justified by the facts before us, and therefore omitted it after taking it more than twice under consideration. [Cries of "Vote!"]

The question being taken on the amendment of Mr. CRAIN, it was rejected.

The Clerk read as follows:

Improving Aransas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, $100,000.

Mr. CRAIN. Mr. Chairman, I offer the amendment I send to the desk.

The Clerk read as follows:

In lines 238 and 239 strike out "$100,000" and insert "$200,000."

Mr. CRAIN. That is the amount recommended by the Chief of Engineers; and I trust that the chairman of the committee will not oppose that amendment.

Mr. STEWART, of Texas. Mr. Chairman, as a member of the Committee on Rivers and Harbors it is proper that I should say a word in this connection. I have no particular objection to increasing the amount of the appropriation to the extent of the amendment offered by my colleague; but I think it due in justice to myself that I should say something in regard to the matter.

As has been stated by one of my colleagues on the Committee on Rivers and Harbors, the estimates of the officials in charge of the different works in the United States aggregated a total of $160,000,000. The Chief of Engineers in submitting his estimate saw proper to cut these amounts down to about $40,000,000, and the Committee on Rivers and Harbors, knowing that it was impracticable to pass a bill carrying $40,000,000 for river and harbor improvements, reduced the estimates of the Chief of Engineers to the amount embodied by the present bill. In that connection I desire to say that for Texas the rule was adopted, and not only for Texas, but here let me say, as I think of it now, that in considering these appropriations we did not regard States or State lines, but supposed that all the ports of the United States belonged to the General Government, and we have appropriated for the items embodied in the bill without regard to State lines.

We found it necessary to adopt some rule to guide us, and we fixed what can not be called an iron-clad rule, but one which we adhered to as nearly as possible in making the appropriations, and we gave, as gentlemen have discovered, from 40 to 50 per cent. of the amounts reported.

For Aransas Pass the original estimates submitted (and I speak from recollection, though I believe I have the estimate before me), as stated by the engineer, which could be profitably expended during the fiscal year was $1,500,000. The Chief Engineer cut that estimate down to $200,000; and we gave 50 per cent. of the amount, which I thought was fair and in accordance with the appropriations that we made for other places, not only in Texas, but generally throughout the Union.

But, as I stated before, I have only said this much because I was a member of the committee, and did not want to be put in the position of not having taken care of the interests of the State of Texas confided to me; and not only of Texas, but of the other States of the Union under this bill. If, however, the House sees proper to increase the amount of the appropriation, I am perfectly willing it shall do so; but I believe at the same time that the appropriations here made are just, and in accordance with the appropriations made for other places throughout the Union. [Applause.]

The amendment was rejected.

Mr. BLANCHARD. I move that the committee rise.

The motion was agreed to; and Mr. RICHARDSON having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, had come to no resolution thereon.

PETER LYLE, DECEASED.

Mr. LAWLER, from the Committee on War Claims, reported back favorably the bill (S. 1353) for the relief of the legal representatives of Peter Lyle, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

HEIRS OF CHARLES B. SMITH, DECEASED.

Mr. LAWLER also, from the Committee on War Claims, reported back favorably the bill (S. 1039) for the relief of the heirs of Charles B. Smith, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

E. B. CROZIER.

Mr. LAWLER also, from the Committee on War Claims, reported back favorably the bill (S. 73) for the relief of E. B. Crozier, executrix of the last will of Dr. C. W. Crozier, of Tennessee; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PROHIBITING ALIENS ACQUIRING TITLE TO PROPERTY.

Mr. DIBBLE submitted views of the minority of the Committee on the Revision of the Laws on bill (H. R. 2916) to prohibit aliens from acquiring title to lands within the United States of America; which were referred to the House Calendar, and ordered to be printed with the majority report.

MOLLIE B. WALDO.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported a bill (H. R. 9601) for the relief of Mollie B. Waldo; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ISAAC BROWN.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably the bill (H. R. 8620) for the relief of Isaac Brown, of Jones County, North Carolina; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PATRICK G. MEATH.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported a joint resolution (H. Res. 152) referring the claim of Patrick G. Meath, of Shelby County, Tennessee, to the Court of Claims; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LEWIS D. ALLEN

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably the bill (H. R. 5089) for the relief of Lewis D. Allen; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. SALLIE H. CARROW.

Mr. BREWER, from the Committee on War Claims, reported back favorably the bill (H. R. 8979) for the relief of Mrs. Sallie H. Carrow, executrix of Samuel T. Carrow, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ORDER OF BUSINESS.

Mr. BLANCHARD. I ask unanimous consent that the House take a recess from now until 8 o'clock.

Mr. WILKINS. I move that the House do now adjourn.

The SPEAKER *pro tempore*. The Chair will state the request of the gentleman from Louisiana. He asks unanimous consent that the House take a recess until 8 o'clock p. m. Is there objection?

Several members objected.

Mr. BLANCHARD. I move that the House now take a recess until 8 o'clock p. m.

Mr. WILKINS. I move that the House do now adjourn.

The SPEAKER *pro tempore*. The question is on the motion to adjourn.

The House divided; and there were—ayes 89, noes 60.

So the motion was agreed to; and accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BACON (by request): A bill (H. R. 9602) for the relief of Mrs. Ann O'Brien—to the Committee on Invalid Pensions.

By Mr. DUBOIS: A bill (H. R. 9603) for the relief of Fred. Phillips, of Idaho Territory—to the Select Committee on Indian Depredation Claims.

Also, a bill (H. R. 9604) for the relief of Gilbert H. Tracy—to the Select Committee on Indian Depredation Claims.

By Mr. J. A. ANDERSON: A bill (H. R. 9605) granting a pension to Martha E. Frame—to the Committee on Invalid Pensions.

By Mr. CHARLES O'NEILL: A bill (H. R. 9606) to remove the charge of desertion from the military record of Eugene Purucker—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 9607) granting a pension to Peter Elford, of Kansas—to the Committee on Invalid Pensions.

By Mr. G. M. THOMAS: A bill (H. R. 9608) for the relief of Benjamin F. Royse—to the Committee on Military Affairs.

By Mr. WALKER: A bill (H. R. 9609) granting a pension to Joshua Caldwell—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BACON (by request): Petition of Mrs. Ann O'Brien, for a pension—to the Committee on Invalid Pensions.

Also (by request), petition of Saxony Woolen Mills, against the tax on lard—to the Committee on Agriculture.

By Mr. COWLES: Petition of the North Carolina department of agriculture for the reduction of postage on seeds, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. DARGAN: Petition of citizens of Timmonsville, S. C., against the bill prohibiting the use of cotton-seed oil and beef fat in the manufacture of lard—to the Committee on Agriculture.

Also, petition of citizens of Florence, of Marion, of Darlington, and of Clio, S. C., protesting against the passage of the so-called lard bills—to the Committee on Agriculture.

By Mr. DAVIS: Petition of Charles E. Lathrop and 47 others, citizens of Dennis and Harwich, Mass., in favor of granting a certificate of discharge to Ira B. Chase from the naval service of the United States—to the Committee on Naval Affairs.

By Mr. DORSEY: Petition of citizens of Nebraska, Ark., for the repeal of the internal-revenue law taxing druggists—to the Committee on Ways and Means.

By Mr. ENLOE: Petition of E. W. Walker and of the administrator of David Wilson, of Henderson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, papers in the claim of J. H. Morgan—to the Committee on War Claims.

By Mr. FULLER: Petition of 50 citizens of the Fourth district of Iowa, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. GIFFORD: Petition of J. W. Hooper and 19 others, of Hughes County, of J. A. Brower and 85 others, of Clarke County, and of O. J. Backus and 23 others, of Spink County, Dakota, for the retention of the present duty on flax and flax products—to the Committee on Ways and Means.

By Mr. GROUT: Petition of A. J. Ferriss, of Swanton, Vt., for better mail facilities between New England and the West—to the Committee on the Post-Office and Post-Roads.

By Mr. J. S. HENDERSON: Petition of Henry Whitener Grange, of Catawba County, North Carolina, asking that the work of eradicating pleuro-pneumonia be continued in the Bureau of Animal Industry, and that the bureau be allowed to remain in the Department of Agriculture—to the Committee on Agriculture.

By Mr. HOLMAN: Petition of citizens of Polk County, Minnesota, settlers on the lands granted to the State of Minnesota to aid in the construction of a certain railroad, for the passage of an act to declare the forfeiture of said grant—to the Committee on the Public Lands.

By Mr. LEE (by request): Petition of T. H. Smithan and others, for repeal of that portion of the internal-revenue law requiring druggists to take out a license—to the Committee on Ways and Means.

By Mr. LODGE: Petition of Frank Tanny and 89 others, of Barre, of George W. Allen and 71 others, of Nantucket, of Horatio Briggs and 52 others, of Attleborough, of W. B. Mendrum & Co. and 150 others, of Boston, of John Donohue and 74 others, of Fitchburgh, of T. C. Stanton, jr., and 37 others, of Winchester, of A. W. Berbyshire and 50 others, of Lowell, of Ira K. Messer and 150 others, of Haverville, of Edward Devlin and 56 others, of Lawrence, of L. N. Chamberlin and 53 others, of East Greenwich, and of A. Sherman and 43 others, of Fitchburgh, Mass.; of Alexander Leveille and others, of Kingman, of T. W. Philbrick and 37 others, of Waterville, of Joseph T. Lane and 113 others, of Waterville, and of Simon Prescott and 81 others, of Brownville, Me., and of W. D. Stockville and 150 others, of West Brattleborough, Vt., and of John B. French and 89 others, of Meredith, N. H., in favor of the bill introduced by Mr. LODGE, of Massachusetts, for the repeal of the duties on sugar and molasses—to the Committee on Ways and Means.

By Mr. McCOMAS: Petition of David Miller, and of Sharpsburgh Lutheran Church, of Washington County; of Enoch G. Ward, of Montgomery County, and of administrator of George Chrissinger, for relief—to the Committee on War Claims.

Also, petition of Mrs. Bridgett Knott, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. McCORMICK: Petition of G. D. Maine and others, of A. H. Harriman and others, and of Dr. Charles L. Lyon and others, of Pennsylvania, for repeal of the law classing druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. McCULLOGH: Petition of Dr. T. H. White and others, and of M. J. Goldsboro and others, physicians and pharmacists, of Fayette County, and of Dr. M. R. Banks and others, physicians and pharmacists, of Westmoreland County, Pennsylvania, for repeal of internal-revenue law imposing license fee on druggists—to the Committee on Ways and Means.

By Mr. MAISH: Petition of Henry H. Jacobs, of Rachael D. Finfruck, of Isaac Lightner, of Levi M. Plank, of estate of Jacob Weikert, of estate of Philip Snyder, of estate of Daniel Schaeffer, of James Thompson, of estate of Abraham Tawney, and of Emanuel Weikert, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. MORGAN: Petition of Henry Gorman, of Benton County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. NELSON: Petition of Local Assembly No. 2388, Knights of Labor, of Duluth, Minn., in favor of the tonnage bill—to the Committee on Merchant Marine and Fisheries.

By Mr. O'FERRALL: Petition of E. Lawson and others, for the protection of the mineral lands of Montana Territory—to the Committee on the Public Lands.

By Mr. PEEL: Petition of Mary J. McCall, administratrix of James Bridgman, of Carroll County Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PERRY: Petition of William G. Hinnant, executor of A. W. Kennedy, of Richland County, South Carolina, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition for an appropriation for sprinkling the street around the public building at Little Rock, Ark.—to the Committee on Appropriations.

By Mr. ROWLAND: Petition of citizens of Mount Pleasant, Cabarrus County, North Carolina, in behalf of the Bureau of Animal Industry, etc.—to the Committee on Agriculture.

By Mr. SENEY: Petition of Brentley & Gerwig, for a duty on hemp and flax—to the Committee on Ways and Means.

By Mr. STRUBLE: Petition of A. M. Davidson and 49 others, citizens of O'Brien County, Iowa, that the present duty on flaxseed and linseed oil be not changed—to the Committee on Ways and Means.

By Mr. G. M. THOMAS: Papers to accompany bill for the relief of Benjamin Royse—to the Committee on Military Affairs.

By Mr. TILLMAN (by request): Petition of William Cook, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. VOORHEES: Resolutions of Typographical Union No. 193, of Spokane Falls, and of No. 202, of Seattle, Wash., indorsing the Chace bill for international copyright—to the Committee on Patents.

By Mr. WASHINGTON: Petition of John Dolan, by Caroline Dolan, executrix, of Humphreys County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WEAVER: Petition of the railroad commissioners of Iowa, for a law to compel railroad companies to use uniform automatic couplers on roads engaged in interstate commerce—to the Committee on Commerce.

Also, petition of B. W. Pettitt and others, for the passage of the tonnage bill—to the Committee on Merchant Marine and Fisheries.

Also, petition of L. J. Spickelmeier and 84 others, citizens of Nebraska, for the passage of the Oklahoma bill—to the Committee on the Territories.

By Mr. WEST: Petition of the Methodist Episcopal Conference of the Troy district, New York, in favor of suppressing the traffic in alcoholic liquors in the Congo Free States and the valley of the Niger—to the Committee on Foreign Affairs.

By Mr. WHEELER: Petition of Richard Taylor, of Franklin County, and of James M. Peters, of Lauderdale County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WISE: Petition of citizens of Virginia, for repeal of internal-revenue law which classes druggists as liquor dealers and requires them to pay a license tax, etc.—to the Committee on Ways and Means.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BACON (by request): Of 24 citizens of Rockland County, New York.

By Mr. FORD: Of Charles Fluhrer and others, citizens of Grand Rapids, Mich.

By Mr. HAYDEN: Of Douglas Frazar and others, of Somerville, Mass.

By Mr. HIESTAND: Of citizens of Marietta, Pa.

By Mr. MILLIKEN: Of Edward A. Heath and others, and of John T. Richards and others, of Maine.

By Mr. WEST: Of citizens of Amsterdam, N. Y.

By Mr. WILLIAM WHITING: Of 82 citizens of Fitchburg, Mass.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. HIESTAND: Of John F. Landes and 15 others, of Dublin, Bucks County, Pennsylvania.

By Mr. McCOMAS: Of citizens of Union Bridge, Md.

By Mr. WEST: Of Gardner Morey and 41 others, and of David J. Winne and others, of Bethlehem Centre, N. Y.

By Mr. WILLIAM WHITING: Of William Wright and 16 others, citizens of Russell, Mass.

The following petitions, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. COBB: Of citizens of Bibb County, of Chilton County, and of Ashley and Brierfield, Ala.

By Mr. FORNEY: Of citizens of Peters, Mines, and Montevallo, Ala.

By Mr. J. S. HENDERSON: Of J. E. Walker and 91 others, and of R. W. Giles and 68 others, of Randolph County; of R. P. Mayo and 158 others and of W. F. Daniel and 117 others, of Rowan County; of J. D. Kelly and 156 others and of J. H. Coulter and 69 others, of Catawba County, and D. L. Wheeler and others, of the Seventh district of North Carolina, and of Albert Brockwell and 138 others, of Ulster County, New York.

By Mr. McCULLOGH: Of R. D. Keifort and 3,519 others, citizens of the Twenty-first district of Pennsylvania.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BELMONT: Of citizens of Suffolk County, New York.

By Mr. BUNNELL: Of ex-soldiers of Bradfield County, Pennsylvania.

By Mr. DARLINGTON: Of soldiers and sailors of Pennsylvania.

By Mr. McCORMICK: Of H. M. Choate and 57 others, veterans of the war.

By Mr. McCULLOGH: Of J. H. Pearce and others, ex-soldiers and sailors, and of C. L. Palmer and others, ex-soldiers and sailors of Westmoreland County, and of S. H. Barnette and others, ex-soldiers and sailors, of Greene County, Pennsylvania.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. BLOUNT: Of 79 citizens of Upson County, Georgia.

By Mr. LATHAM: Of 105 citizens of Pasquotank County, North Carolina.

By Mr. McCORMICK: Of 169 citizens of Tioga County, Pennsylvania.

By Mr. WEST: Of 168 citizens of Saratoga County, New York.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. COBB: Of J. W. Parker and others, of Sand Tuck, Ala.

By Mr. HUNTER: Of R. G. Brown and 69 others, of Townsville, Butler County, Kentucky.

By Mr. PERRY: Of citizens of Cavins, S. C.

SENATE.

MONDAY, *April* 23, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 26th ultimo, certain information in detail and by classes therein named as to the amount allowed and disallowed of accounts for services of laborers, workmen, and mechanics under section 172 of the Revised Statutes; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of April 17, 1888, a statement of the amount of money belonging to the United States and deposited in national banks, and stating that no money is paid by national banks on public funds deposited therewith, etc.; which, with the accompanying papers, was ordered to lie on the table and be printed.

TERRITORIAL LAWS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting copies of the laws passed by the Tenth Legislative Assembly of the Territory of Wyoming, and the letter of transmittal of the secretary of the Territory; which, with the accompanying documents, was referred to the Committee on Territories.

THE WASHINGTON MONUMENT.

The PRESIDENT *pro tempore* laid before the Senate a letter of the chairman of the Joint Commission for the Completion of the Washington Monument, transmitting certain resolutions adopted by the commission April 18, 1888, recommending that the general care of the Washington Monument should be placed under the charge of the Secretary of War, that all sums of money appropriated therefor should be expended under his direction, and further recommending a suitable annual appropriation for the maintenance and operation of the machinery at the monument; which, on motion of Mr. SHERMAN, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

CENTENNIAL OF WASHINGTON'S INAUGURATION.

The PRESIDENT *pro tempore* laid before the Senate a letter of John A. King, chairman of the subcommittee of the committee on the centennial celebration of the inauguration of George Washington as President of the United States, transmitting an invitation to the Senate of the United States to participate in the celebration, to be held in New York April 30, 1889; which was referred to the Committee on the Library.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the General Assembly of the Presbyterian Church at Puget Sound, Washington Territory, praying for the indemnification of Chinese for the destruction of their property in the Northwest; which was referred to the Committee on Foreign Relations.

He also presented a petition of citizens of New Mexico and a petition of 40 citizens of Salina, Kans., praying that provision be made for the payment of Indian depredation claims; which were referred to the Committee on Claims.

Mr. FARWELL presented a petition of ex-Union soldiers and sailors, citizens of Mercer County, Illinois, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. CULLOM presented a petition adopted by the Trades and Labor Assembly of Quincy, Ill., praying for the passage of the Chace bill, providing for an international copyright; which was ordered to lie on the table.

He also presented a petition of 98 ex-Union soldiers and sailors, citizens of Casey, Ill., praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. SHERMAN presented a memorial of 61 citizens of Granville Township, Licking County, Ohio, remonstrating against the passage of the Mills tariff bill; which was referred to the Committee on Finance.

He also presented a petition of 42 citizens of Granville Township, Licking County, Ohio, praying for better protection of farm products by tariff legislation; which was referred to the Committee on Finance.

Mr. MANDERSON presented a petition of citizens of Broken Bow, Custer County, Nebraska, praying for the repeal of that portion of the revenue law which classes druggists as liquor dealers and that the tax on spirits be reduced; which was referred to the Committee on Finance.

Mr. PADDOCK presented three petitions of citizens of Nebraska, praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor-dealers and for a reduction of the tax on spirits; which were referred to the Committee on Finance.

He also presented a petition of the Salt Lake City Chamber of Commerce, praying that an appropriation be made for the erection of a public building at Salt Lake City, Utah; which was referred to the Committee on Public Buildings and Grounds.

He also presented a communication from Francis Armstrong, mayor of Salt Lake City, Utah, transmitting a resolution of the city council of that city, tendering to the United States a certain block of land upon which to erect a Government building; which was referred to the Committee on Public Buildings and Grounds.

Mr. REAGAN presented a petition of Typographical Union No. 138, of Austin, Tex., praying for the passage of the Chace international copyright bill; which was ordered to lie on the table.

He also presented a petition of citizens of Llano County, Texas, praying for the passage of a bill providing for the payment of claims for Indian depredations; which was referred to the Committee on Claims.

He also presented a petition of citizens of Limestone County, Texas, praying that the work of the Bureau of Animal Industry be continued in the Agricultural Department, where it now is; which was ordered to lie on the table.

Mr. COKE presented a petition of citizens of Young County, Texas, praying that some provision be made looking to the payment of Indian depredation claims of the citizens of Texas and the frontier; which was referred to the Committee on Claims.

Mr. DAVIS presented a petition of citizens of Buffalo, Minn., praying for the enactment of laws for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. PALMER presented resolutions adopted by the College of Physicians and Surgeons of Michigan, attested by Dr. E. P. Gaylord, president, and J. M. Griffin, secretary, favoring the removal of duties upon all medical and surgical supplies, instruments, and appliances; which were referred to the Committee on Finance.

He also presented the petition of R. H. Rea and 18 other ex-Union soldiers, citizens of Plymouth and vicinity, in Michigan, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. HISCOCK presented a petition of 346 ex-Union veterans and citizens of the State of New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented the petition of C. C. Rees and 25 others, citizens of Clayton, Jefferson County, New York, praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. SAWYER presented a petition of members of Grand Army Post, No. 192, Department of Wisconsin, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. ALLISON presented a petition of citizens of Algona, Kossuth County, Iowa, praying that binding-twine be placed on the free-list; which was referred to the Committee on Finance.

Mr. VEST presented a memorial of the St. Louis (Mo.) Circuit of Turners, remonstrating against any change in the immigration laws; which was referred to the Committee on Foreign Relations.

He also presented a petition of Pressmen's Union No. 6, of St. Louis, Mo., praying that the wages of printers in the Government Printing Office may be restored to the rate allowed prior to March, 1877; which was referred to the Committee on Printing.

Mr. PLUMB presented six petitions of citizens of Kansas, praying for the imposition of an import duty upon raw silk; which were referred to the Committee on Finance.

He also presented a petition of ex-soldiers and sailors of the Union Army, citizens of Mound Valley, Kans., praying that the difference in value between the greenbacks paid to soldiers during the war and coin may be made up to them by appropriate legislation; which was referred to the Committee on Claims.

He also presented a petition of the Chamber of Commerce of Lawrence, Kans., praying for the passage of the bill reported by the Committee on Pacific Railroads, providing for the settlement of the claim of the United States against the Union Pacific Railroad; which was referred to the Select Committee on the President's Message transmitting the Report of the Pacific Railway Commission.

Mr. BROWN presented a petition of the mayor and general council of the city of Atlanta, Ga., praying that a special appropriation be made for continuation of the work at the military post now being constructed near that city; which was referred to the Committee on Appropriations.

He also presented a petition of the Savannah (Ga.) Cotton Exchange and a petition of the board of managers of the Savannah (Ga.) Board of Trade, praying for such amendment of the interstate-commerce law as will prevent uniust discriminations by underbilling; which were referred to the Committee on Interstate Commerce.

Mr. BROWN. I shall introduce, when the proper order is reached, a bill to carry out the objects of the petitions I have just presented.

Mr. WILSON, of Iowa, presented a petition of citizens of Oskaloosa, Iowa, praying for the passage of a bill granting a pension to Isabella Higgins; which was referred to the Committee on Pensions.

Mr. DAWES presented a petition of the trustees of the public schools of the District of Columbia, praying for the passage of Senate bill 1996, to prohibit selling, giving, or furnishing tobacco in any of its forms to minors under sixteen years of age in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. CHACE. I present a petition which is signed by the names of 257 physicians in the District of Columbia, including among the names all or nearly all of the most prominent physicians in the District. The petition prays for the passage of the bill (S. 1996) to prohibit selling, giving, or furnishing cigarettes or tobacco in any of its forms to minors under sixteen years of age in the District of Columbia. I wish that the petition, with its signatures, might take some other course than the ordinary course of lying on the table. It refers more especially to the sale of cigarettes. These men have investigated the subject with a great deal of care, and have become impressed with the belief that it is a very great and serious evil.

I do not like to make the request, but I will suggest that the petition with the signatures be printed in the RECORD. I think it is a proper thing to be done.

Mr. STEWART. I think that the petition relates to a very grave evil. I believe cigarettes are destroying more youth than any other one thing that is affecting the prosperty of the country. The use of cigarettes by boys is most injurious, and it is destroying the rising generation in many of our large cities.

Mr. CHACE. I am glad to hear the Senator say that.

Mr. PLUMB. I should like to ask the Senator from Rhode Island what is his purpose in having the petition printed in the RECORD? Is it for the purpose of giving greater publicity to it?

Mr. HARRIS. I object to the printing of the petition in the RECORD.

Mr. CHACE. Then I move that it be printed as a document.

The PRESIDENT *pro tempore*. That order will be made if there be no objection.

Mr. HARRIS. I object to that.

Mr. CHACE. The use of cigarettes is undermining the health of the whole community by destroying the physical constitutions of the youth of this country.

Mr. HARRIS. Is the question debatable, Mr. President?

Mr. CHACE. It is a very serious evil, indeed, and it is a matter not to be treated as trivial in any of its effects.

The PRESIDENT *pro tempore*. The petition will be received and referred to the Committee on the District of Columbia. The Chair understands that objection is made to the printing of the petition as a document, and the question will be submitted to the Senate, shall the petition be printed as a document? [Putting the question.] The ayes appear to have it.

Mr. HARRIS. I call for a division.

The question being put, the ayes were 27——

Mr. HARRIS. I do not ask for a further count.

The PRESIDENT *pro tempore*. The motion is agreed to, and the order to print the petition as a document will be made.

Mr. STEWART. In order to complete the record, as the petition presented by the Senator from Rhode Island is to be printed, I present a petition of pastors of the churches and officers of the schools on the same subject; which I should like to have printed with it.

The PRESIDENT *pro tempore*. The petition presented by the Senator from Nevada will be printed in connection with the petition of the Senator from Rhode Island, if there be no objection.

Mr. SHERMAN. Certainly we ought not to print all this multitude of papers.

The PRESIDENT *pro tempore*. The Chair understands it to be one petition, with numerous signatures.

Mr. SHERMAN. Then I would not print the names. It never has been done. Let a memorandum be made simply of the signatures. With that modification I have no objection.

Mr. STEWART. I want to have the whole petition printed. The matter is well stated in it.

The PRESIDENT *pro tempore*. The petition presented by the Senator from Rhode Island was voluminous, containing several hundred names of leading physicians. Under the statement of the Senator from Ohio, if there is no objection, the body of the petition presented by the

Senator from Nevada will be printed only, with the statement of the number of signatures.

Mr. SHERMAN. That is all right.

Mr. STEWART. And the official character of those who signed the petition.

Mr. SHERMAN. Certainly; a memorandum of the signatures.

Mr. STEWART. A memorandum showing who the petitioners are.

Mr. DAWES. I understood the Senator from Rhode Island to desire the petition which he presented to be printed that the testimony of those who had signed it might have its due weight with this community, and if their names are left out the whole purpose of printing the petition would be lost. I presented a petition this morning for the same purpose. I did not ask to have it printed, because I suppose they are all in one form. The petition presented by the Senator from Rhode Island was signed by leading physicians whose reputation is such that they are entitled to a great deal of weight in this community. I supposed it was for that reason that the Senator desired his petition to be printed, and if the names are left off the force of his petition will be lost entirely. I call his attention to the suggestion of the Senator from Ohio that the petition be printed without the names.

The PRESIDENT *pro tempore*. The Chair will state that the petitions are from three sources, 86 pastors of churches having signed one, 257 physicians another, and 524 superintendents, officers, and teachers of public schools another. They are identical in language, and differ only in the signatures. The Chair will await the order of the Senate about their printing.

Mr. DAWES. It seems to me that the petition with the names of the physicians upon it should be printed, and that there would be no particular advantage in having the others printed.

Mr. STEWART. A memorandum of the others will be sufficient.

Mr. CHACE. Yes; a memorandum reciting the fact that such petitions, with so many names signed to them, were presented.

The PRESIDENT *pro tempore*. Then the petition and signatures of the petition of physicians will be printed at length and the others will be noted by memorandum.

Mr. CHACE. I suggest that the memorandum state the character of the parties and the number of signatures.

The PRESIDENT *pro tempore*. It will be so ordered.

Mr. EDMUNDS presented a petition of ex-Union soldiers and sailors, citizens of Vermont, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. MITCHELL presented a petition of citizens of Idaho Territory, and a petition of citizens of Wyoming Territory, praying for legislation to provide for payment of Indian depredation claims; which were referred to the Committee on Claims.

Mr. JONES, of Arkansas, presented a petition of the Chamber of Commerce of the city of Fort Smith, Ark., praying for the passage of a bill granting to the Fort Smith, Paris and Dardanelle Railway Company authority to construct a railroad from Fort Smith, Ark., through the Indian Territory, to the southern boundary of Kansas; which was referred to the Committee on Indian Affairs.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 2198) to authorize the building of a railroad bridge at Little Rock, Ark., reported it with an amendment.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 1377) for the relief of Henry Pickett, of Washington, D. C., submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the joint resolution (H. Res. 123) authorizing and directing the Secretary of War to lend five hundred army tents to the State of Tennessee, reported adversely thereon, and the joint resolution was postponed indefinitely.

Mr. WILSON, of Maryland, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 68) for the relief of James H. Smith, late postmaster at Memphis, Tenn., reported it without amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1092) for the relief of St. Vincent's Orphan Asylum in the District of Columbia, reported it with an amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Military Affairs, to whom was referred the bill (H. R. 314) authorizing the Secretary of War to place the name of James L. Henderson on the roll of Company B, Sixteenth Kentucky Volunteers, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 2161) for the relief of Thomas J. Taylor, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2434) for the relief of John P. T. Davis;

A bill (S. 1501) for the relief of James Downing; and

A bill (S. 1460) for the relief of Walter D. Plowden.

Mr. PALMER, from the Committee on Commerce, to whom was referred the bill (S. 2318) to constitute Sault Ste. Marie, Mich., a port of delivery with privileges of inland transportation in bond, reported it with amendments.

He also, from the same committee, to whom was referred the bill (H. R. 1540) to establish a port of delivery at Grand Rapids, Mich., reported it without amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 335) granting a pension to General W. E. Woodruff;

A bill (H. R. 112) granting a pension to George Schneider;

A bill (H. R. 2664) for the relief of Francis Daniels;

A bill (H. R. 404) for the relief of Mary McGrath;

A bill (H. R. 3735) granting a pension to Eliza Shreeve;

A bill (H. R. 401) granting a pension to Mrs. Jeannie Stone;

A bill (H. R. 138) granting a pension to Joseph Perry;

A bill (H. R. 7882) granting a pension to John Kinney;

A bill (H. R. 680) granting a pension to Henry H. Stutsman; and

A bill (H. R. 879) granting a pension to Royal J. Hiar.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6098) authorizing the construction and repair of the roads from the entrance to the reservation on the Presidio at San Francisco, Cal., to the national cemetery on the same, and the fencing and protection of the said reservation and the cemetery thereon, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2423) to increase the rank of Maj. Joseph B. Collins, United States Army, retired;

A bill (S. 1247) directing the Secretary of War to furnish States with copies of the record of troops; and

A bill (S. 2378) to correct the military record of John D. Thomas.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 2261) to correct the military record of Roswell M. Shurtleff, of New York, submitted an adverse report thereon.

Mr. PLATT. I ask that that bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar, with the adverse report of the committee.

Mr. WILSON, of Iowa, from the Committee on the Judiciary, to whom was referred the bill (S. 2702) to amend so much of section 351 of the Revised Statutes as fixes the salary of the chief clerk of the Department of Justice, reported it without amendment.

Mr. PLUMB, from the Committee on Public Lands, to whom was referred the bill (S. 1872) for the relief of E. W. Redway, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1880) declaring that certain water reserve lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875, reported it with an amendment.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (S. 1747) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of Kansas, reported it with amendments, and submitted a report thereon.

PUBLIC LANDS IN MISSISSIPPI, ETC.

Mr. WALTHALL. I am directed by the Committee on Public Lands, to whom was referred the joint resolution (S. R. 73) relating to the disposal of public lands in Mississippi, to report it with an amendment, and to ask unanimous consent that it may be immediately considered.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The PRESIDENT *pro tempore*. The amendment reported from the Committee on Public Lands will be stated.

The CHIEF CLERK. In line 3 change the word "State" to "States;" and in line 4, after the word "Mississippi," insert "and Alabama;" so as to make the joint resolution read:

Resolved, etc., That the public lands of the United States in the States of Mississippi and Alabama now subject to private entry shall be disposed of under and according to the provisions of the homestead laws only until the pending legislation affecting such lands shall be disposed of or the present session of Congress shall adjourn.

The amendment was agreed to.

Mr. PLUMB. Was not the joint resolution to be amended so as to include also the State of Arkansas?

Mr. WALTHALL. After consultation with the Senator from Arkansas [Mr. BERRY], who belongs to the committee, the State of Arkansas was withdrawn from the operations of the joint resolution.

Mr. BERRY. I ask that it be inserted.

Mr. WALTHALL. You have changed your opinion?

Mr. BERRY. Yes, sir.

The PRESIDENT *pro tempore*. The Senator from Arkansas moves to amend the joint resolution. The amendment will be stated.

The CHIEF CLERK. In line 4, after the word "Mississippi," it is proposed to insert the word "Arkansas;" so as to read:

That the public lands of the United States in the States of Mississippi, Arkansas, and Alabama now subject to private entry, etc.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PLUMB. The title should be amended.

The title was amended so as to read: "A joint resolution relating to the disposal of public lands in certain States."

PARIS INTERNATIONAL EXPOSITION.

Mr. SHERMAN. I ask the Senate to take action on the request of the House of Representatives for a committee of conference on House joint resolution 83.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives on the amendments of the Senate to the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889.

Mr. SHERMAN. I move that the Senate insist on its amendments and agree to the conference asked for by the House of Representatives on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. SHERMAN, Mr. EVARTS, and Mr. BROWN were appointed.

BILLS INTRODUCED.

Mr. VANCE introduced a bill (S. 2741) for the relief of Nathaniel Magruder; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. RIDDLEBERGER introduced a bill (S. 2742) to incorporate the Brightwood Railway Company of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SAWYER introduced a bill (S. 2743) for the relief of John W. Atwood; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. DAWES introduced a bill (S. 2744) to authorize the accounting officers of the Treasury Department to allow certain credits in the settlement of the accounts of Indian agents; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. DAVIS introduced a bill (S. 2745) authorizing the city of Aberdeen, in Brown County, Territory of Dakota, to purchase certain public lands; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. STOCKBRIDGE introduced a bill (S. 2746) granting a pension to Ezra E. Annis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 2747) for the relief of John W. Keating; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 2748) for the relief of Charles S. Lewis, of Henry County, Tennessee; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 2749) to amend sections 2990 and 2996 of the Revised Statutes of the United States in relation to the immediate transportation of bonded goods; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 2750) to increase the pension of Samuel A. Tate; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2751) for the relief of Caroline T. Cockle; which was read twice by its title, and referred to the Committee on Claims.

Mr. BECK introduced a bill (S. 2752) for the establishment of a zoological park in the District of Columbia; which was read twice by its title.

Mr. BECK. I ask that the bill be referred to the Committee on Public Buildings and Grounds. I do not propose to refer it to the Committee on the District of Columbia, because it provides for the appointment of a commission to be composed of the Secretary of the Interior, the president of the board of commissioners of the District of Columbia, and the secretary of the Smithsonian Institution, and the friends of the measure believe that the enterprise can succeed better with such a commission than any other.

The PRESIDENT *pro tempore*. The bill will be referred to the Committee on Public Buildings and Grounds, if there be no objection.

Mr. SHERMAN introduced a bill (S. 2753) granting a pension to Louisa N. Noble; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BROWN introduced a bill (S. 2754) to amend the interstate-commerce law, and for other purposes; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. MITCHELL introduced a bill (S. 2755) for the relief of Esther Holladay, widow of the late Ben Holladay, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLAIR introduced a bill (S. 2756) granting a pension to Andrew J. Hadley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 2757) granting an increase of pension to Isabella Higgins; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2758) granting a pension to Susan P. Murdock; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2759) granting a pension to James M. Frost; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 2760) granting a pension to Albert O. Thomas; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2761) for the relief of Berry Eaton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

AMENDMENT TO BILL.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

PAPERS WITHDRAWN.

Mr. SHERMAN. I submit the following order:

Ordered, That the papers in the case of William Bushfield be withdrawn from the files of the Senate and returned to him.

The PRESIDENT *pro tempore*. The order will be made, subject to the rule, if there be no objection.

Mr. SHERMAN. I wish to say in regard to the rule that the report in this case is not an adverse report, but it is a recommendation that the papers be sent to the Pension Office, and therefore I am entitled to have the order made under the rule.

The PRESIDENT *pro tempore*. The order will be made, there being no objection.

MILEAGE TO INDIAN WITNESSES.

Mr. CHANDLER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized to pay to the four Indian witnesses who have been in attendance before the Select Committee on Indian Traders mileage from Washington to their respective homes in the States of Wisconsin and Minnesota.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 88) granting a pension to Sally A. Randall;
A bill (H. R. 130) granting a pension to John E. Smith;
A bill (H. R. 431) granting a pension to Hannah Varquison;
A bill (H. R. 955) granting a pension to Mary M. Sweet;
A bill (H. R. 2167) for the relief of George E. Oliphant;
A bill (H. R. 4519) to grant a pension to William J. Miller;
A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann;
A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;
A bill (H. R. 5237) granting a pension to Noah S. Cramer;
A bill (H. R. 5249) granting an increase of pension to Charles H. Smith;
A bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes;
A bill (H. R. 5522) for the relief of Elijah Martin;
A bill (H. R. 5847) granting a pension to Elizabeth Twigg;
A bill (H. R. 7094) granting a pension to Nancy Van Dyne;
A bill (H. R. 7181) granting a pension to Aletta V. Quick;
A bill (H. R. 7490) for the relief of Sidney W. Whitelock;
A bill (H. R. 7574) granting a pension to Frank Lewis;
A bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe;
A bill (H. R. 8211) to pension Lafayette Lakin; and
A bill (H. R. 8565) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1889, and for other purposes.

The message further announced that the House had passed the following bills, with amendments, in which it requested the concurrence of the Senate:

A bill (S. 300) granting a pension to Mrs. Juliet G. Howe;
A bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson; and
A bill (S. 1431) making an appropriation for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida.

The message also announced that the House had passed the following bills:

A bill (S. 173) granting a pension to Henry B. Very;

A bill (S. 293) granting a pension to Mrs. Arabella Coddington;

A bill (S. 679) granting a pension to Henry Stafford;

A bill (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon lights to said river; and

A bill (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge the Red and Little Rivers, in the State of Arkansas

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7319) for the relief of Emory R. Seward, agreed to the conference asked by the Senate on said bill and the amendment thereto, and had appointed Mr. CAMPBELL of Ohio, Mr. SIMMONS, and Mr. KERR managers at the conference on its part.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6894) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1889.

LIGHTS AT CHARLOTTE HARBOR, FLORIDA.

Mr. CALL. Senate bill 1431 has just come from the other House with a formal amendment which is not a material one. I ask unanimous consent that it may be taken up for consideration, and the amendment of the House of Representatives concurred in.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the action of the House of Representatives on the bill (S. 1431) making an appropriation for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida. The amendment of the House of Representatives will be stated.

The CHIEF CLERK. Strike out all after the enacting clause and insert:

That a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida, be established, at a cost not to exceed $35,000.

Amend the title to read: "An act for establishing a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida."

The PRESIDENT *pro tempore*. The Senator from Florida moves that the Senate concur in the amendments made by the House of Representatives.

Mr. HARRIS. What is the difference between that substitute and the bill as it passed the Senate?

The PRESIDENT *pro tempore*. The original bill as passed by the Senate will be read.

Mr. CALL. I will state the difference. The other House simply struck out the appropriating clause and left the appropriation to be made in the sundry civil bill, that being the policy of that body.

Mr. HARRIS. Is that the only difference between the two measures?

Mr. CALL. It is the only difference.

The amendments were concurred in.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. PLUMB. I move that the Senate proceed to the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

The motion was agreed to.

BOOK AND POOL MAKING.

Mr. BLACKBURN. Will the Senator from Kansas, before proceeding with the consideration of the land bill, yield to me to ask unanimous consent for the present consideration of a bill which I am sure will not require a moment's time and which will occasion no debate? I refer to the bill (H. R. 4964) to prevent any person or persons in the cities of Washington and Georgetown from making books and pools on the results of trotting or running races or boat races. I will state that the bill has passed the House of Representatives, it has been reported unanimously by the Committee on the District of Columbia of the Senate, and, as the Senate knows, there is reason why it should be considered now if it is to become operative before the inauguration of the meeting at the race-course which begins on Thursday of this week.

Mr. PLUMB. If the bill will not consume any considerable length of time I will yield.

Mr. BLACKBURN. If it provokes any debate I will withdraw it.

The PRESIDENT *pro tempore*. The Senator from Kentucky asks unanimous consent that the pending order be informally laid aside for the consideration of the bill indicated by him.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4964) to prevent any person or persons in the cities of Washington and Georgetown from making books and pools on the result of trotting or running races or boat races.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the amendment proposed by Mr. PALMER to the amendment of Mr. STOCKBRIDGE.

The PRESIDENT *pro tempore*. The amendment and the amendment to the amendment will be stated.

The CHIEF CLERK. It is proposed to strike out section 4 of the bill and to insert in lieu thereof:

That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, have heretofore been disposed of by the proper officers of the United States, by sales, entries, locations, or State selections, under color of the public-land laws, and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided*, That there were no pre-emption or homestead settlers, bona fide, residing thereon on January 1, 1888.

It is proposed to amend this amendment by inserting after the word "sales," in line 5, the word "or;" and after the word "entries," in the same line, striking out the words "locations or State selections" and inserting the words "by cash, warrants, or scrip."

The PRESIDENT *pro tempore*. The amendment first read was proposed by the junior Senator from Michigan [Mr. STOCKBRIDGE]. His colleague [Mr. PALMER] proposes to amend the amendment. The question is on agreeing to the amendment to the amendment.

Mr. STOCKBRIDGE. The pending amendment was presented by me, not expecting that it would lead to the extended debate which has occurred upon it; and as the matter contained in the amendment is rather complicated and difficult to arrive at a correct understanding of on the floor, it never having been referred to a committee, I desire, with the consent of my colleague [Mr. PALMER], who has proposed an amendment to my amendment, to withdraw the proposition and not encumber the present bill with the question involved. I ask leave, therefore, to withdraw the amendment.

The PRESIDENT *pro tempore*. The Senator from Michigan asks leave to withdraw the amendment proposed by him to the pending bill. Is there objection? The Chair hears none.

Mr. PLATT. I should like to make an inquiry in reference to that. Suppose this amendment to be withdrawn, how does the bill then affect these conflicting rights of parties who are claiming lands under the grant to the State of Michigan?

Mr. PLUMB. It does not affect that matter at all, but leaves it, as far as their rights with respect to each other are concerned, precisely as they are now.

Mr. HOAR. Mr. President, this amendment, which was suggested by the junior Senator from Michigan [Mr. STOCKBRIDGE], and which he now proposes to withdraw, affects, as I understand, very seriously indeed the rights of some citizens of Massachusetts claiming under the State selections made in behalf of the canal which has been referred to. Those citizens paid the consideration, amounting to more than a million of dollars, under the original land grant, and their rights or the rights of persons claiming under them, actual purchasers, will be very seriously affected by this bill. I understand that in one case some persons have been sent in under an arrangement prohibited by the United States law as to pre-emption to actually pre-empt the spot where the grave-yard and where the church of a village are located.

What will be the precise effect of the bill if the proposed section is entirely withdrawn I am not able to determine without a full examination, and I should like very much to have the Senator in charge of the bill consent that at least there shall be no final vote on the measure until I can have time to consider it.

Mr. PLUMB. There will not be a vote on the bill to-day.

Mr. HOAR. Very well.

Mr. PLUMB. The short time between now and 2 o'clock will prevent a vote to-day.

Mr. HOAR. I can make my statement much more condensed to-morrow than to-day, after time for examination.

Mr. MCPHERSON. I rise for the purpose of appealing to the Senator from Kansas to let this bill go over until to-morrow. The reason I have for so doing I will state.

I was unexpectedly called away from the city on Thursday by reason of illness in my family, and I did not know that this bill was to be considered to-day. Since then I have had many letters from constituents of mine who are interested in matters appertaining to the amendments now pending before the Senate; and as I have just returned this morning I have been unable to investigate the matter and give it that attention to which I think it is entitled from me. I desire to investigate the amendments that have been offered by the Senators from Michigan, and as I have not the data before me I ask the courtesy of the Senate and of the Senator from Kansas that the bill lie over informally without losing its place until to-morrow morning that I may acquaint myself with some of the facts.

Mr. PLUMB. I have already stated to the Senator from Massachusetts [Mr. HOAR] that the bill can not be disposed of to-day.

Mr. MCPHERSON. But the question now is on the amendments, which, I think, are the essence of the matter.

Mr. PLUMB. The amendment to which the Senator refers is already withdrawn, and the Senator will have ample opportunity to speak to-

morrow it he desires. There are other amendments to be acted on. The Senator from Nevada [Mr. STEWART] has risen to take the floor now for the purpose of making extended remarks on the subject, and all the Senator desires to accomplish by what he has stated will be entirely met by allowing us to go on with the bill.

Mr. MCPHERSON. I was not aware that the Senator from Nevada desired to speak.

Mr. HOAR. Allow me to make a suggestion. The Senator from Kansas says there will be no vote taken on the bill in the Senate to-day. The amendments adopted in committee will have to be readopted in the Senate.

Mr. PLUMB. I do not expect that any final vote will be taken to-day at all, even on an amendment.

Mr. HOAR. Very well.

Mr. PLUMB. There is enough pending in the shape of amendments to occupy the time, independent of the remarks of the Senator from Nevada, and I have given that assurance this morning to the Senator from New Jersey because of his convenience, and I suppose it is entirely satisfactory.

Mr. PALMER. I agree with my colleague that it is wise to withdraw this amendment, for I think it will lead to more discussion than all else in the bill. I do not think it has any business on the bill any way. I think it is an independent matter; and leaving it out affects no interest injuriously.

In regard to the canal selections, they have one obstacle removed to their confirmation; but no one is damnified by the withdrawal of the amendment.

Mr. DAWES. The Senator from Michigan is familiar with the matters which interest my colleague and myself, and I tried to get an explanation out of him on Thursday; and I should like to have him look at the first section of the bill, and then see if the facts I state are correct.

There is certain land in Michigan that was granted by the United States to the railroad company which has been named, which has never been earned by the railroad company, because the railroad went somewhere else. Michigan, supposing she had obtained the right from the United States to assign lands elsewhere, assigned those lands to the canal company, and the canal company has sold them to bona fide purchasers. Now, I understand that they stand on the record as unearned lands granted to a railroad company, although Michigan, assuming that she had the right, has made other disposition of them, and has disposed of them so that they are in the hands of innocent purchasers for a valuable consideration.

The first section of the bill proposes to forfeit to the United States all unearned lands granted for railroads. Why take these lands out of these purchasers, for valuable consideration in good faith, from Michigan and forfeit them because they stand included in the description of "unearned railroad grants?" I should like to have the Senator's attention called to that, because the effect of it, as I understand it, would be to forfeit to the United States as well the title claimed by these bona fide purchasers as also the claim of the settlers of whom he spoke on Thursday. The force of this first section, as I understand, would forfeit to the United States everybody's rights because, in point of fact, there is a legal defect both in the rights of these bona fide purchasers and in the homesteaders, and therefore the lands stand as the unearned lands of a railroad grant, and will go back to the United States by the force of the first section of the bill, as I understand it. So it will operate as well upon the constituents of the Senator from Michigan, who spoke on Thursday in their behalf, as upon my constituents, who hold their title as bona fide purchasers from the State of Michigan.

Mr. STEWART. Mr. President, inasmuch as this will take some time——

Mr. PALMER. It will take me but little time, and I would like to answer the question of the Senator from Massachusetts at once.

Mr. STEWART. Very well.

Mr. PALMER. I do not understand that we can by any legislation here interfere with vested rights. If the canal company has got rights there, by this bill we could not interfere with them unless it was by confirming some imperfect title.

Now, in regard to the forfeiture of these lands, it is what the canal company has sought to do for the past eight years—ever since the grant was conferred upon the Ontonagon and Brulé road. All this legislation, pure and simple, is of their seeking; and they have desired very much to have the forfeiture of the Ontonagon and Brulé grant made for the past five or six years. That is the way I understand it. I understand that the forfeiture of this grant removes one obstacle which stands in the way of their rights.

Mr. DAWES. I am after the facts. The Senator says he does not understand that this bill takes away any vested rights. That is true, because it can not; but the difficulty of the constituents of the gentleman and my constituents is that the rights of neither are vested, because of technical defects. I may be mistaken; I am inquiring.

Mr. PALMER. But they have certain equities, I imagine.

Mr. DAWES. Yes; the Senator has constituents whom he represents as bona fide settlers. I have constituents whom I represent as honest purchasers from the State of Michigan. Now, it turns out that there was no title in Michigan, and there was no opportunity for his settlers to perfect their title. So both of them have a defect and have no vested rights, which, as he says truly, we can not take away. The bill does not propose to take away vested rights. It could not take them away if it did propose to do so; but it proposes to forfeit to the United States all unearned railroad grants. Now, this stands on the record as an unearned railroad grant which Michigan, supposing it had the right, undertook to make a different disposition of; but there is a technical defect in that disposition, and settlers, observing that there was a technical defect proposed to locate upon these lands, and when there is a forfeiture they will be able to perfect their locations. That is the real state of the case, as I understand it.

Mr. PALMER. All I can say is that I am not posted in the critical niceties of the law, but I know that this forfeiture, pure and simple, is what the canal company have sought for the last seven or eight years. They regarded the forfeiture of the Ontonagon and Brulé grant as removing one obstacle from their path towards the confirmation of their titles, and if I am not correct the chairman of the Committee on Public Lands will correct me. I do not think it is going to injure their chances or their equities if we pass a forfeiture bill; but this confirmation of title is a question of such magnitude that I think the bill should be divested of it, because it will assume greater proportions than the bill itself. We are all pretty well agreed on the essence of the bill without the amendment, but if you attach this amendment we shall not get through with it in many weeks.

Mr. DAWES. Then the Senator proposes to except from the operation of this bill these lands in Michigan so that they will stand just as they did before this bill was introduced.

Mr. PALMER. I am perfectly willing to do that. I think they are left that way by the operation of the bill.

Mr. DAWES. That is what I desire to ascertain. If they are left just that way by the operation of the bill, I am content, but as I understand it, everybody's claim is cut off from the day this bill passes, and they become public lands *de novo* in the control of the United States. I may be mistaken; I am inquiring.

Mr. PALMER. I think the Senator is mistaken, but I should have more confidence in his judgment than in mine if he had looked up the subject.

Mr. STEWART. Mr. President, I think that the matter of discussion between the Senator from Massachusetts and the Senator from Michigan had better be deferred for the present. It is clearly in the power of the United States to cut off an equity, though it can not destroy a vested right. I agree that, with the language as it stands, the Senator from Massachusetts is right. Forfeiting the grant as declared in the first section of the bill would cut off all existing equities in favor of third parties, no matter what they have done short of a full compliance with the terms of the original grant.

The larger part of the public domain has already been disposed of, but what remains is still vastly important, and many irregular methods exist under which the public lands are being squandered. Under such circumstances it may not be unprofitable to consider briefly the legislation and the modes of administration by which the public lands have been and are still being alienated.

The principal laws on this subject are known as the pre-emption law, the homestead law, the common-school and agricultural-college grants, bounty-land grants to soldiers and sailors, half-breed-scrip grants to Indians, swamp and overflowed land grants, grants for internal improvements, railroad grants to States for the use of corporations, railroad grants to corporations in States and Territories, timber-culture grants, the desert-land law, and the law for the sale of timber lands. A brief review of the practical operations of these various modes of disposing of the public lands will show to what extent the Government has been able to secure cheap homes for the people, and how far the professed friendship for settlers has been thwarted by speculators.

Soon after the formation of the Government Congress commenced the disposition of the public lands by special grants and sales for cash at auction, which continued for about half a century. During this period the pioneers were forced to pay the middlemen, who bought the lands from the Government, large advances on the prices paid the United States. I have not ascertained the number of acres so purchased and resold or the amount of money realized by dealers in public lands while this policy prevailed, but the amount must have been large, as the land in several Western States was sold in that manner. Settlers upon the public lands in the early history of the Government were regarded as trespassers, and for many years it was the practice of Congress to pass acts for the relief of persons who entered upon the public domain and were making homes in the West.

THE PRE-EMPTION LAW.

In 1841 a general law was passed, which is known as the pre-emption law. That act provides that any citizen of the United States, or a person who has declared his intention to become such, may enter upon any surveyed quarter-section of the public land, and after having made a bona fide settlement thereon may purchase the same at the minimum price of $1.25 per acre. Special acts were soon thereafter passed granting the right to enter upon unsurveyed lands, until that right was finally extended to all unsurveyed public lands, with the condition

that after the survey the pre-emption claim of the settler shall be made to conform to the legal subdivisions of the United States surveys.

The law authorizing public lands to be sold at auction unfortunately was continued in force after the passage of the pre-emption law. It became the practice, after lands had been surveyed and not entered by pre-emptioners for a given length of time, to advertise them for sale at auction to the highest bidder. Any lands so offered for sale and remaining unsold became subject to private entry (purchase) at $1.25 per acre. The surveys in the Valley of the Mississippi were cheap and easy. Large appropriations were obtained and the surveys extended much more rapidly than the population. It generally happened that before the surveyed lands were reached by the settler they were offered for sale, became subject to private entry, and were purchased by speculators at $1.25 per acre, to be resold to settlers at an enormous advance in price. The lands taken by pre-emptors and those sold at private entry were paid for in cash at $1.25 per acre, and entered in the books of the Government as cash sales. The records in the Land Office do not always show what lands were taken by pre-emptors and what lands were purchased at private entry. The best information that I have been able to obtain on this subject, by various estimates which I have caused to be made during the last twenty years, is that the speculators got more than one-half of the land entered as cash sales.

Since the passage of the homestead law the practice of offering lands for sale at public auction has been generally abandoned and private entries have been confined to lands previously offered. But inasmuch as the actual settler could obtain land without payment under the homestead law, comparatively few bona fide pre-emption entries have been made since the passage of that law. The principal use that has been made of the pre-emption law during the last twenty-five years has been for purposes of speculation. The names of fraudulent entrymen, or "dummies," were used to acquire land without actual settlement. The Commissioner of the General Land, in his report for 1887 (page 51 *et seq.*), gives a graphic description of the extent of these fraudulent entries, and points out various modes by which the frauds are perpetrated. From the showing made by him it would hardly be safe to estimate that as much as one-third of the pre-emption entries since the passage of the homestead law were made by bona fide settlers.

The aggregate amount of land disposed of under the pre-emption law to settlers, fraudulent pre-emptors, and at private entry up to June 30, 1887, is 182,762,926.90 acres. Making the liberal allowance of one-half to bona fide pre-emptors, we have—

	Acres.
Pre-emptors	91,381,463.45
Speculators	91,381,463.45

A profit of $5 per acre made by speculators on resale to settlers would be a low estimate, making the sum of $456,907,371.25 which has been paid as a bonus by the people to land operators under the pre-emption law.

Mr. MITCHELL. May I ask the Senator a question in that connection?

Mr. STEWART. Certainly.

Mr. MITCHELL. I ask whether the Senator, in giving the estimate he has of the amount of entries that are fraudulent under the pre-emption law, takes the entries which have been declared fraudulent finally by the Secretary of the Interior, or whether he takes simply those which have been charged to be fraudulent by special agents?

Mr. STEWART. I do not take either. If I took the estimates of the Commissioner of the General Land Office the amount of fraudulent entries would be greater than I have estimated. I judge from my knowledge of the situation and from the information I can obtain from all sources. Settlers had no legitimate use for the pre-emption law after the homestead law was passed, because under the pre-emption law a settler had to pay for his land $1.25 an acre, whereas under the homestead law he could get it by settlement, and I take it for granted that very few would prefer to pay unless they were using other people's money to obtain the land for somebody else.

Mr. MITCHELL. The proportion being so great as stated by the Senator, amounting to 50 per cent. of the whole entries, I asked the question. I stated, I thought distinctly, that my understanding was that only about 2 per cent. of all pre-emption entries had been declared fraudulent.

Mr. STEWART. I undertake to say that the fact that men entered under the pre-emption law when they could enter without paying anything by staying on their land indicates that they had some other object. I do not believe, as a matter of fact, that there have been one-third of the pre-emption entries since the passage of the homestead law made by men who really intended to settle on the land themselves; but they undoubtedly have complied with the letter of the law, but not with the spirit. Somebody else has got the land by some arrangement. I am now speaking of the lands entered under the pre-emption law since the passage of the homestead law. My estimate of 50 per cent. acquired by speculators under the pre-emption law previous to that time is based upon investigations made at my request in the Land Office and estimates made by former Commissioners of the General Land Office—Joseph S. Wilson, Judge J. M. Edmunds, and others—which I believe to be reliable.

I am not one of those who propose to rip up and unsettle these entries. When you have disposed of lands under a law and they are in the hands of private parties, the Government never does any good by disturbing titles and keeping the people in hot water. I am speaking of the operation of these laws simply for the purpose of showing what has been done under them and the caution that should be exercised in the future not to enter into a wholesale scheme of unsettling titles where men have entered in good faith. All this produces trouble in the community and always does harm.

THE HOMESTEAD LAW.

Soon after the passage of the pre-emption law in 1841 the question was agitated of allowing actual settlers to enter upon the public lands, and by a residence of five years to obtain title without the payment of any purchase-money to the United States. The question was frequently brought before Congress, and a bill for that purpose was finally passed during President Buchanan's administration, but was defeated by a veto. The homestead law now in force was passed in 1862. Under its operation 107,201,986.40 acres of land were disposed of to actual settlers up to June 30, 1887. This law was more beneficial to settlers than any other laws ever passed by Congress. If the remaining public lands could be cultivated without irrigation and were similar in character to the lands of the Mississippi Valley, every law for the disposition of the public lands, except the homestead law, ought to be repealed at once.

As I shall hereafter show, the homestead law has no application to the greater portion of the lands yet undisposed of, and can not be made available for their disposition.

COMMON-SCHOOL GRANT.

The grant of the sixteenth and thirty-sixth sections in each township in aid of common schools amounts to 67,893,919 acres. Some frauds have been perpetrated under this grant, but it has generally been well administered and has conferred, and is conferring, vast benefits by aiding to educate the masses in the new States. The fact that it was land in place and not land selected by speculators, and as most of the States allowed the school districts in which the lands were situated a voice in its disposition, accounts for a more equitable disposition of this grant than land for which scrip is granted, or land acquired by private entry.

AGRICULTURAL COLLEGE GRANT.

This grant was a donation of land scrip to the States in proportion to their representation in Congress, and amounted in the aggregate to 9,600,000 acres. The vicious feature of this grant was the issuance of scrip which could be located in advance of settlement. The actual settler was forced to buy the land so acquired at an enormous increase in price. A very small part of the money actually paid by settlers for the land was devoted to the cause of education. The profits of the speculators far exceeded the amount realized for educational purposes.

BOUNTY LAND-WARRANTS.

Under the acts of 1847, 1850, 1852, and 1855 bounty land-warrants were issued to soldiers of the Mexican war and the few surviving soldiers and sailors who had participated in earlier wars, aggregating 61,088,430 acres. The act of 1847 required these warrants to be located by the soldier in person. Afterwards, under a plea that he could not afford to travel to the place of location, Congress by the act of 1852 authorized entry by an agent, and afterwards by the acts of 1855 and 1858 the soldiers were authorized to assign their warrants. Of these warrants 58,752,910 acres had been located and patented up to June 30, 1886. Of this amount only about 3,000,000 acres were located by soldiers themselves, more than 55,000,000 acres being located by assignees. These warrants were sold by the soldiers to these assignees for from 10 to 60 cents per acre, and were located upon the public lands and resold to actual settlers at a profit not less than $5 an acre. While this bounty was of trifling advantage to the soldiers it operated as a direct tax of more than $275,000,000 upon the pioneers who settled in the Western States.

SCRIP GRANTS TO HALF-BREED INDIANS.

Various grants of land scrip were made to half-breed Indians. The aggregate amount of land issued for this purpose was over 1,500,000 acres. Although by the terms of these grants the land was to be entered by the Indians in person, it is asserted that every acre has been entered by white men.

SWAMP AND OVERFLOWED LAND GRANT.

I want to call particular attention to this remarkable record of the disposition of the public lands. The following statement concerning this grant is found in the report of the Commissioner of the General Land Office for 1886 (pages 38–39). And here is one of the matters in which I concur pretty heartily with the general conclusions at which the Commissioner has arrived:

> In fifteen of the public-land States the swamp and overflowed lands, "made thereby unfit for cultivation," were granted by Congress to enable those States "to construct the necessary levees and drains to reclaim such lands." At the date of the original acts, in 1849 and 1850, it was estimated that 5,000,000 acres would satisfy the grant. Claims have been presented up to the present time for more than 75,000,000 acres, and patents have been issued for over 56,000,000 acres.
>
> The area thus claimed is greater than the whole surface of the States of New

Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, Maine, New Jersey, Delaware, Maryland, and West Virginia. * * *

There is little or no evidence to show that the lands conveyed to the States under this grant have ever been appropriated to the purposes for which the grant was made. The contemplated levees do not appear to have been constructed from the avails of the granted lands, the lands do not appear to have been reclaimed as a result of the grant, but the purposes of the grant would seem, generally at least, to have been totally defeated.

While a small portion of this grant is swampy and worthless without reclamation, the main body of it is rich alluvial bottom land and exceedingly productive, requiring no reclamation. It is difficult to conceive of a more reckless waste of the public domain than has been accomplished by this legislation. It is possible that a few States received something valuable for the grant.

The statement of the Commissioner may be slightly exaggerated, but it is substantially correct. The practice of giving away the public domain in large quantities under this grant was by no means its most objectionable feature. The question of what is swamp land and what is not has clouded the title to vast regions of country, and, notwithstanding constant litigation in Federal and State courts for the last forty years, about 21,000,000 acres are still suspended in the Land Office waiting investigation in regard to the question whether it is swamp or dry land. The swamp-land grant was held by the Supreme Court to be a grant *in præsenti;* consequently many of the States claimed the right to give title to the land in advance of United States surveys. After such survey the United States officials have claimed the land as dry land, and issued United States patents therefor. The result was constant and almost unending litigation.

Besides, the character of the land changes. In a new country, before the vegetation is trampled down or eaten up by stock, and before the timber on the surrounding hills is cut off, much land is swampy that afterwards becomes dry in settling the country. The character of the land is so changed by settlement, cultivation, and the raising of stock, that it is difficult to prove that it ever was swamp land. The result is, as before stated, unending dispute and uncertainty as to land titles, which is one of the greatest calamities that can befall any community.

I repeat that the worst feature of the swamp-land grant is the fact that there is no certain way of determining what is swamp and what is not swamp land. The passage of the swamp-land law created a most complicated confusion of titles. There should never be another grant allowed unless there is some definition that can be followed by honest men. It will not do to pass further laws, leaving the land to be disposed of dependent upon caprice or change of circumstances. I know of cases in which men have invested large amounts of money in the best of faith on the condition of the land as they found it twenty years ago, since which time the conditions are so changed that they are involved in litigation as to the character of the land. This has grown out of bad and uncertain legislation. I say the swamp-land law was improvident, extravagant legislation, which ought never to have been enacted.

GRANTS FOR INTERNAL IMPROVEMENTS.

By the act of September 4, 1841, there were granted to certain States named, and to such States as might thereafter be admitted, 500,000 acres of land in aid of internal improvements, from which previous grants were to be deducted. This includes all the States, except Maine, Vermont, West Virginia, Kentucky, Tennessee, Texas, and the original thirteen, none of which contained public lands. There have also been granted for the same purpose, in addition to this, to the State of Ohio, 743,001.77 acres; to the State of Indiana, 1,409,861.61 acres; to the State of Iowa, 833,079.90 acres, and to the State of Wisconsin 683,728.43 acres. Various lesser grants have been made in aid of internal improvements, amounting to about 1,000,000 acres. The total thus disposed of amounts to about 13,669,671.71 acres. These grants were administered by the States, sometimes honestly and successfully, and sometimes wasted or absorbed by speculators to the detriment of settlement.

RAILROAD GRANTS TO CORPORATIONS AND STATES FOR USE OF CORPORATIONS.

The system of land-grant railroads was inaugurated during the administration of President Fillmore. From September 20, 1850, to February 9, 1853, grants were made to the States of Illinois, Mississippi, Alabama, Missouri, and Arkansas, in aid of the Illinois Central, Mobile and Chicago, Mobile and Ohio River, Southwest Branch of the Pacific, Hannibal and St. Joseph, St. Louis, Iron Mountain and Southern, Little Rock and Fort Smith, and Memphis and Little Rock Railroads, aggregating 8,372,883.85 acres. During the administration of President Pierce there were granted lands to the States of Florida, Iowa, Louisiana, Michigan, Wisconsin, Mississippi, and Minnesota, to aid in the construction of various railroads named in the grants, 19,678,176.79 acres. There were granted during President Lincoln's administration, to Michigan, Iowa, Wisconsin, Minnesota, and Kansas, and to corporations, to aid in the construction of railroads, 74,395,801.61 acres. The Union and Central Pacific Railroads and their branches and the Northern Pacific Railroad were included in these grants.

Mr. ALLISON. The Senator includes Iowa. There were no 400,000 acres of land granted to the State of Iowa at that time. The aggregate seems large, but Iowa received a very small amount.

Mr. STEWART. It was very small to the State of Iowa during that time. The principal grant to Iowa was during President Pierce's administration.

During President Johnson's administration there were granted 34,001,297.77 acres to the States of Minnesota, Kansas, Arkansas, and Missouri, and to corporations. The Atlantic and Pacific grant constituted a portion of this amount. During the administration of President Grant there were granted to Minnesota and Michigan and to corporations 19,231,121.69 acres. The Texas Pacific grant is included in this amount.

Mr. PLATT. If the Senator from Nevada has it in his mind, I should like to ask him, so that it may go into the RECORD as part of his speech, when the last grant of public lands was made by Congress to a corporation to aid in the building of railroads, or to States for that purpose?

Mr. STEWART. The Texas and Pacific grant, which has since been forfeited, was the last.

Mr. PLATT. There have been none since?

Mr. ALLISON. That was in 1871.

Mr. STEWART. Yes; March 3, 1871.

All these grants amount to 155,504,994.59 acres, as will be seen by the report of the Public Land Commission of 1880, part 4, page 273, entitled "Public Domain."

The following forfeitures on account of failure of the corporations to complete the roads in the time prescribed have been declared by Congress:

By act of June 28, 1884 (23 Stats., 61), the grant to the Iron Mountain Railroad from Pilot Knob, in Missouri, to Helena, in Arkansas, was declared forfeited, and the land restored amounting to about 601,600 acres.

By act of January 31, 1885 (23 Stats., 296), the grant to the Oregon Central Railroad, in Oregon, adjacent to and coterminous with the uncompleted portions of said road was declared forfeited, and lands restored amounting to about 810,880 acres.

By act of February 28, 1885 (23 Stats., 337), the grant to the Texas and Pacific Railroad Company was declared forfeited, and lands restored amounting to about 15,692,800 acres.

By act of July 6, 1886 (24 Stats., 123), the grant to the Atlantic and Pacific Railroad Company was declared forfeited for all lands adjacent to and coterminous with the uncompleted portions of said road, and lands were restored in California and New Mexico amounting to about 10,795,480 acres.

By act of February 8, 1887 (24 Stats., 391), the grant to the New Orleans, Baton Rouge and Vicksburg Railroad Company (now New Orleans Pacific) was declared forfeited, and lands were restored amounting to about 352,587 acres.

Thus making an aggregate of railroad lands forfeited of about 28,253,347 acres.

The Commissioner of the General Land Office estimates that 7,081,836 acres of the land granted to railroads where no roads have been built and the time for the construction of the roads has expired still remain subject to forfeiture. Congress will undoubtedly forfeit the larger part of this amount. If we deduct the 28,253,347 acres already forfeited from the original grants, to wit, 155,504,994.59 acres, the total amount of unforfeited grants to roads, we have 127,251,647.59 acres. Deduct from this the lands patented up to June 30, 1887, to wit, 49,745,715.27 acres, leaves 77,505,932.32 acres for which no patents have issued. The great mass of the lands already patented are agricultural lands east of the Rocky Mountains. The lands remaining and unpatented are in the interior, and a further deduction must be made in addition to what may hereafter be forfeited on account of worthless lands in the mountain and desert regions, and also for mineral lands, through which the roads pass. It is misleading to count the number of acres within the limits of these grants and assume that it is all agricultural land and fit for settlement.

No one familiar with the country through which these roads pass will estimate that more than one-third of the total area of the lands between the eastern slope of the Rocky Mountains and the Pacific coast can ever be inhabited. In order to make a fair comparison of the magnitude of the grants to railroads as to value with other lands sold by the Government, and particularly lands selected for purchase at private entry and for location with land warrants, and the rich and alluvial bottoms donated as swamp and overflowed, a deduction of at least two-thirds must be made for railroad grants in the region above mentioned. This would virtually reduce the aggregate of lands granted to railroads for which no patents have issued to 25,835,310.77 acres, which, added to the amount already patented, to wit, 49,745,715.27, leaves not more than 75,581,026.04 acres as the total amount of grants in aid of railroads.

On June 30, 1887, there had been constructed 17,898.06 miles of land-grant railroads, and it is estimated by well-informed railroad men that the construction of these aided roads has induced the building of much more than an equal amount of unaided roads, and it is safe to say that from 30,000 to 40,000 miles of the railroads of the United States have resulted directly and indirectly from the policy of the Government in aiding the construction of railroads by grants of land and money.

It is impossible to estimate the vast wealth created by the grand railroad system of the West. More than half the area of the United States otherwise inaccessible to settlers has been rendered available for homes for the people. Before the construction of railroads civilized man was compelled to reside sufficiently near navigable waters to enable him to interchange commodities by water transportation. The region from the Missouri River to the Pacific Ocean would have remained the hunting ground of the red man and the home of the deer, the elk, and the buffalo without the agency of railroads.

Both great political parties desired the construction of these roads. The system was commenced by the Democratic party and was continued under Republican rule. Blunders have undoubtedly been made—not so much from design as from a lack of accurate information of the country to be traversed by the roads and the amount of aid necessary to accomplish the purpose. The persons and corporations to whom the grants were made have exhibited indomitable energy and perseverance, and while they were benefiting the public they have undoubtedly aimed to benefit themselves in the administration of these grants. I have no apologies to make for the blunders of Congress in this respect, or for any mistakes or maladministration that may have occurred in building the roads or disposing of the lands. I am merely considering the general results of a policy inaugurated by the people, not by any particular party, and continued for a quarter of a century without opposition or complaint from any quarter.

The whole subject of land grants to railroads has gone into history, and whether good or bad can not now be remedied. It must be admitted by every candid man that the system of land grants to railroads supplanted a system of waste and extravagance of the public domain under which settlers were robbed of hundreds of millions of dollars without any public improvement or benefit to the community at large. The systems of private entry and land scrip, which we have already described, were abolished by land grants to railroads, which raised the even sections not granted to double minimum price and caused the abandonment of that ruinous system of offering lands at public auction for the purpose of making them subject to private entry. The exclusion of speculators and transportation furnished by the roads made it possible for settlers to acquire over 100,000,000 acres of land under the homestead law, most of which is situated too far from water transportation to be inhabited without railroads.

I do not propose to discuss the complaints that have been made in regard to some of the roads for the manner in which they have disposed of their lands. It was manifestly for their interests to furnish every facility for settlement, and as a general rule it is certain that the railroad companies have sold their lands on better terms than was formerly done by speculators, who acquired their lands from the Government at a nominal price by means of scrip and private entry. However that may be, all that can now be done is an honest adjustment of grants already made. Whatever legal rights have been acquired can not now be disturbed, and there is no danger that new rights will be conferred by legislation.

I make these remarks for the purpose of showing that no advantage can be obtained by either political party by making an issue on the past policy of the Government in granting aid to railroads, because both political parties indorsed the policy at the time and did so in pursuance of a well understood public sentiment. Whatever difference of opinion there may now be as to the wisdom of that policy, and whatever criticisms may be made of its imperfections—for which I have no excuses to offer—it is an issue of the past and not of the present. If it is necessary to utilize dead issues for present political purposes, why not make an issue of the swamp-land grant, or the private entry scheme, or the soldiers' bounty land-warrant enormity? No excuse can be given for the legislation which made such extravagant wastes of the public lands possible, except want of knowledge of the situation and want of care and attention in framing the laws. These schemes are also a matter of history which no future legislation can change, and their discussion is unprofitable except as a warning to Congress to avoid like mistakes in the future.

THE MINERAL-LAND LAW.

Under this law, up to June 30, 1887, 342,060.26 acres of land had been sold in small quantities. The law originated in a confirmation of the possessory rights acquired by miners on the public lands of the United States. The law has been generally satisfactory. It was inaugurated at a time when the question was agitated of selling the mines at auction without regard to the possessory claims of nearly 1,000,000 of inhabitants in the mining regions, which claims were recognized by local customs and laws. Congress confirmed these possessory claims and provided a method of acquiring title in conformity with the customs of miners. I gave that matter much study and attention, and with all the information and aid that I could obtain from every source, and in conjunction with other representatives of the Pacific States and Territories, secured the passage of the law now in force. The law is not perfect, but has been subject to less abuse than was feared by its friends at the time of its passage. It requires but slight amendments to cure the defects which have grown up under its operation to render it entirely satisfactory. The Committee on Mines and Mining at the present session has prepared a bill for that purpose, which it is believed will remedy the evils suggested.

THE TIMBER-CULTURE LAW.

The amount of land entered under the timber-culture law up to June 30, 1887, was 35,315,253.35 acres. The design of this law was to encourage the cultivation of forest trees. Some benefits have been secured under its operations, but it has been the occasion of much fraud and waste of the public lands. Under it lands can be claimed and held for several years with very little expense and without the cultivation of trees that are any benefit to the country or the land itself. The practice is to locate claims and hold them until the land becomes valuable for settlement, and then abandon them to homestead settlers on payment of the value of the land. This mode of acquiring land to be sold to settlers is entirely similar in its effect to purchasing land at private entry or acquiring it with scrip to be sold to settlers at high prices. The Commissioner of the General Land Office, in his report for 1885 (page 73), says:

> The proportion of totally fraudulent entries under this act (timber-culture act) is estimated at 90 per cent.

This estimate may be too high, but it is safe to say that at least 75 per cent. of the entries were made for speculative purposes, without any bona fide intention of complying with the provisions of the act.

In Montana and Idaho, and throughout the country generally, I am informed by settlers and officers of the Land Department, a custom exists to locate timber-culture claims for sale and for none other. When these locations become valuable for homesteads they are abandoned for a consideration. I want to call attention to that law, so that in future we may guard against the abuses that have grown up under it.

The PRESIDING OFFICER (Mr. CULLOM in the chair). The hour of 2 o'clock having arrived, the Chair will interrupt the Senator to lay before the Senate the unfinished business.

Mr. ALLISON. I hope that will be informally laid aside.

The PRESIDING OFFICER. The Senator from Iowa asks that the unfinished business be informally laid aside, not losing its place. It will be so ordered, if there be no objection; and the Senator from Nevada will proceed.

TIMBER AND STONE LAND LAW.

Mr. STEWART. Under the act of June 30, 1878, for the sale of timber lands in California, Oregon, Nevada, and Washington Territory, there have been sold 1,063,979.39 acres, at $2.50 per acre, for which the Government received $2,659,950.69. This law was very necessary to enable miners and others to obtain timber for their purposes in regions unfit for cultivation, but the law is not sufficiently guarded to prevent fraudulent entries. The Commissioner of the General Land Office condemns it in unmeasured terms and advises its absolute repeal, and publishes many pages in his report of investigations made by him of fraudulent entries. The very nature of the case makes it difficult to pass any law which will not be subject to abuse. Settlement is impossible on the lands described in the act, consequently one of the principal safeguards against fraud is not available; but it is absolutely necessary that some legal and legitimate mode shall exist for acquiring title to timber. Without it all the great industries of the interior would be crippled, if not destroyed.

That is perfectly manifest. The land can not be taken for homesteads; it can not be settled upon. It is the only timber available for the mines, and it is necessary for the use of the inhabitants to mine, farm, or conduct any other industry. But the act should be confined to timber lands, and strict proof should be required of the character of the land, and the price to be paid should bear some proportion to the value of the timber. From $2 to $10 per acre would be a fair price, the land to be graded by the Secretary of the Interior. There should also be a limitation upon the right of sale for a reasonable length of time.

I desire to say in this connection that the prosecution of miners out in the desert region for cutting a little brush for fire-wood for their cabins is a great annoyance. It has been carried in many instances to an extreme, producing great hardship without any good to the Government or any one else.

The repeal of the law would force whole communities to violate the law or abandon their property and their homes. The practical effect of prosecuting large numbers of people for doing what necessity compels would be more destructive to timber than it would be to allow every one to cut and remove timber from the public lands without compensation to the Government, or any Government supervision whatever. In the mountainous regions of the West more timber is destroyed by fire than is used for all the industrial pursuits combined. To save these forests from fire the community must be interested in their preservation. This can only be done by reasonable and just laws, which will restrain waste, and at the same time secure to the people wood and timber for necessary purposes. I call particular attention to this because there are many propositions pending looking to the absolute repeal of all laws authorizing the purchase of timber land in the two Houses of Congress.

DESERT-LAND LAW.

Under this law any person may enter upon a section of land on which

crops can not be raised without irrigation, and upon the payment in advance of 25 cents an acre can acquire the privilege of irrigating the land within three years and obtaining a patent therefor upon the payment of an additional sum of $1 per acre. The act has been in force about eleven years. There were 15,057 entries made up to June 30, 1887, embracing 4,991,950.93 acres. Of this 854,779.70 acres have been reclaimed, final payments made, and patents issued.

This law is also defective and should be amended. At least two-thirds of all the remaining public land in the United States upon which homes for settlers can be established requires irrigation to fit it for successful cultivation. As a general rule, large expenditures are required for reservoirs and canals before the land can be occupied. It generally happens that thousands of acres can be irrigated by one system of hydraulic works. Individual settlers can do very little in the construction of these works. Their operations must necessarily be confined to the banks of streams and at places where water can be obtained at trifling expense. The great mass of the land must remain a waste unless a system can be devised for the co-operation of capital and labor. The present law is defective in many respects.

First. After the first payment three years are allowed to irrigate the land, and if nothing is done during that period there is no speedy method of restoring the land to the public domain, but practically it is held indefinitely and until it can be finally canceled, after long delay, by the Interior Department. A requirement of a certain expenditure during each year, and making a failure to comply with such condition an absolute forfeiture of all rights, with a further provision that in case of such failure the lands should be subject to entry by third parties as other public lands, would probably remedy this defect.

Second. There is another and still more serious objection to the law. An individual may select his land along a stream and appropriate the water in such a manner as to monopolize both land and water. This defect in the law can only be remedied by Government surveys, segregating the land capable of irrigation from other lands and requiring the entries to be made in such a manner as to utilize the available waters, both such water as may be found in running streams and such as may be accumulated in reservoirs constructed for that purpose.

Third. To avoid monopoly the Government should hold the title until the land is thoroughly reclaimed by irrigation. There is less danger of monopoly of lands which have been irrigated and are comparatively valueless without irrigation than in any other class of lands. Irrigated lands are much more productive than lands in the most favored regions which depend upon rainfall for moisture. The certainty of a good crop and frequently two crops in a year make much less land necessary to support a family in arid regions, where irrigation is necessary, than elsewhere. It is also true that much more labor and attention are required to farm irrigable lands than other lands. Neglect means a total failure of production and ruin. The great number of people required to make irrigated land profitable will naturally compel a division of the land among the people. Experience in California and elsewhere proves that the only method of realizing profits from irrigated lands is to divide it into small farms.

The subject of dealing with the public lands requiring irrigation is of the first importance.

The homestead law, as it was originally passed, is the best that can be devised for the public lands where the rainfall is sufficient for farming purposes. If it had been adopted and adhered to at the formation of the Government it would have saved many hundred millions of dollars which the settlers have been compelled to pay to speculators, as we have already shown. But the homestead law is not applicable to lands requiring irrigation. The experience of the past must not be disregarded in future legislation.

We ought not to repeat former mistakes. There should be no more swamp and overflowed lands granted to the States. The pre-emption law should be repealed. It is now used only for speculative purposes. Everything valuable in it has been superseded by the homestead law. No more land scrip ought ever to be issued to soldiers, or for educational purposes, or otherwise. It is an unmixed evil. No more lands should be granted to railroads. The necessity for such grants has passed. Every provision in the homestead law which allows a person to acquire title without a bona fide residence of five years should be repealed.

The commutation provision, and the provision allowing the time that soldiers served in the Army to be deducted from the period of residence are subversive of the principles of the law and injurious to the persons intended to be benefited thereby. It is no hardship for a person to stay at home five years. The fact that he does not want to stay there is *prima facie* evidence that he does not want the land for a home, but wants somebody else to have it for speculation. Better reward him in some other way than to make him an instrument for putting the public lands in the hands of speculators.

The timber-culture law should be repealed. No law ought to remain on the statute-books which compels settlers to buy off speculators to secure homes.

The only laws that should be preserved are the homestead law, amended as before suggested, the desert-land law, reformed so as to prevent frauds, the mineral-land law with slight amendments, and a well-guarded law which will enable persons to buy at a reasonable price sufficient timber land, unfit for cultivation. to live in the new States and Territories and develop mining and other industries.

The following is a summary of the lands disposed of up to June 30, 1887, under the acts of Congress I have named:

	Acres.	Acres.
1. Pre-emption law:		
Pre-emptors	91,381,463.45	
Speculators	91,381,463.45	
Total		182,762,926.90
2. Homestead law		107,201,986.40
3. Common-school grant		67,893,919.00
4. Agricultural-college grant		9,600,000.00
5. Bounty land-warrants:		
Located by soldiers, about	3,000,000.00	
Speculators (or assignees)	55,792,910.00	
Total	58,752,910.00	
6. Scrip grants to half-breed Indians		1,500,000.00
7. Swamp and overflowed land grants		56,000,000.00
8. Grants for internal improvements		13,669,671.71
9. Railroad grants to corporations and States for use of corporations, amount granted	155,504,994.59	
Less amount forfeited	28,253,347.00	
Leaves	127,251,647.59	
Less amounted patented	49,745,715.27	
Leaves	77,505,932.32	
Less two-thirds worthless	51,670,621.55	
Leaves	25,835,310.77	
Add amount patented	49,745,715.27	
Makes actual amount grant		75,581,026.04
10. Mineral-land law		342,060.26
11. Timber-culture law:		
Settlers	8,828,813.35	
Speculators	26,486,440.00	
Total		35,315,253.35
12. Timber and stone land law		1,063,979.39
13. Desert-land law		854,779.70
Grand total		610,538,512.75

NOTE.—Amount to satisfy swamp grant unknown. Twenty million acres suspended in Land Office, and several more States are asking for the grant.

HOUSE BILLS REFERRED.

The following bills, received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 88) granting a pension to Sally A. Randall;
A bill (H. R. 130) granting a pension to John E. Smith;
A bill (H. R. 431) granting a pension to Hannah Varquison;
A bill (H. R. 955) granting a pension to Mary M. Sweet;
A bill (H. R. 2167) for the relief of George E. Oliphant;
A bill (H. R. 4519) to grant a pension to William J. Miller;
A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann;
A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;
A bill (H. R. 5237) granting a pension to Noah S. Cramer;
A bill (H. R. 5249) granting an increase of pension to Charles H. Smith;
A bill (H. R. 5522) for the relief of Elijah Martin;
A bill (H. R. 5847) granting a pension to Elizabeth Twigg;
A bill (H. R. 7094) granting a pension to Nancy Van Dyne;
A bill (H. R. 7181) granting a pension to Aletta V. Quick;
A bill (H. R. 7490) for the relief of Sidney W. Whitelock;
A bill (H. R. 7574) granting a pension to Frank Lewis;
A bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe; and
A bill (H. R. 8211) to pension Lafayette Lakin.

The bill (H. R. 8565) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1889, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

The bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States, for the fiscal year ending June 30, 1889, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

JULIET G. HOWE.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 300) granting a pension to Juliet G. Howe, which was in line 5 of the bill to strike out "twenty-five" and to insert "eighteen."

On motion of Mr. PADDOCK it was

Resolved, That the Senate non-concur in the amendment of the House of Representatives to the said bill, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer.

The PRESIDING OFFICER appointed Mr. PADDOCK, Mr. DAVIS, and Mr. TURPIE.

MRS. ELVIRA L. JOHNSON.

The PRESIDING OFFICER laid before the Senate the amendment

of the House of Representatives to the bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson, which was in line 3 of the bill to strike out the word "fifty" and insert "thirty."

On motion of Mr. DAVIS, it was

Resolved, That the Senate non-concur in the amendment of the House of Representatives to the said bill, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the Presiding Officer.

The PRESIDING OFFICER appointed Mr. SAWYER, Mr. FAULKNER, and Mr. BLAIR.

BUREAU OF ANIMAL INDUSTRY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. McPHERSON. I move that the bill now under consideration be laid aside informally to enable me to call up a bill.

Mr. PALMER. The Senator will permit me to say that there is a motion pending in regard to this bill, and after that is withdrawn I will send up a substitute for the present bill; and after it is read I shall ask that it be laid aside informally, with the intention of bringing it up to-morrow at 2 o'clock.

Mr. CHACE. I wish to state that at the conclusion of the reading of this bill I shall ask to take up the bill (S. 554) to amend Title LX, chapter 3, of the Revised Statutes of the United States.

The PRESIDING OFFICER. When this bill was last under consideration a motion was pending, made by the Senator from New York [Mr. HISCOCK], to refer the bill to the Committee on the Judiciary with instructions. That is the motion now pending.

Mr. HISCOCK. I withdraw that motion.

The PRESIDING OFFICER. The motion to refer is withdrawn.

Mr. VOORHEES. Will the Senator from Michigan allow me to give notice that the day after to-morrow, at the conclusion of the morning business, I shall call up the resolution submitted by the Senator from Ohio [Mr. SHERMAN] for the reference of the President's message to the Finance Committee, on which, with the consent of the Senate, I will submit some remarks.

Mr. PALMER. Mr. President, the bill under consideration was offensive to many Senators on account of the radical ideas expressed therein as to the powers of the General Government, and acting on the suggestion of the Senator from New York [Mr. HISCOCK] that it should be referred to the Committee on the Judiciary, I went over it with a distinguished member of that committee, and, with the consent of the Committee on Agriculture and Forestry, I now offer a substitute and ask that it be read.

The PRESIDING OFFICER. The Senator from Michigan offers an amendment as a substitute for the bill under consideration.

Mr. GEORGE. I feel it my duty to say that the substitute does not meet the approbation of all the members of the Committee on Agriculture and Forestry.

Mr. PALMER. That is so; but it does meet the approbation of a majority of the committee.

The PRESIDING OFFICER. The proposed substitute will be read.

The CHIEF CLERK. The amendment is to strike out all after the enacting clause of the bill and insert the following:

That for the purpose of better promoting the exportation of cattle and the products of live-stock from the United States, and for the purpose of increasing, promoting, and facilitating the commerce in cattle and their products among the several States of this Union, and for the purpose of removing the obstructions to such commerce with foreign nations and among the States when occasioned by the existence of contagious, infectious, or communicable diseases among cattle and other live-stock, and especially contagious pleuro-pneumonia and tuberculosis, the President of the United States is hereby authorized and required, immediately after the passage of this act, to appoint, by and with the advice and consent of the Senate, four persons, who, together with the Commissioner of Agriculture, who shall be *ex officio* chairman, shall constitute a bureau in the Department of Agriculture, to be known as the board of animal industry. The board shall contain two practical cattle-growers of known executive ability and a competent veterinary surgeon. The salaries of said four members of said board, respectively, shall be $4,000 per annum. The said board shall exercise the following powers and discharge the following duties:

SEC. 2. That it shall be the duty of the said board to investigate and report upon the condition of the domestic animals of the United States, their protection and use, and also inquire into and report the causes of contagious, infectious, and communicable diseases among them, or conditions likely to convey contagion, which for the purposes of this act shall be designated as "disease-conditions," and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country: to examine and report upon the best means of treating, transporting, and caring for animals, and the best means for the suppression of the disease and disease-conditions of live-stock; and to cause investigation to be made as to the existence of contagious pleuro-pneumonia, tuberculosis, foot-and-mouth disease, rinderpest, glanders in horses, swine-plague, hog-cholera, and other diseases or disease-conditions of live-stock. The said board is hereby authorized to enter, either in person or by their duly authorized agents, any premises or places, including stock-yards, cars, and vessels, on or in which are any animals in course of or destined for transportation from one State to another or to a foreign country, or to or from any Territory of the States, or to or from the District of Columbia, or which premises, places, stock-yards, cars, and vessels are accustomed to be used for the keeping or in respect of such animals so in course of or destined for such transportation as aforesaid, in or at which they have reason to believe and do believe there exists any of such diseases, or disease-conditions, or any infectious matter or thing injurious to such animals, and to make search, investigation, and inquiry in regard to the existence thereof. Upon the discovery of the existence of any of the said diseases, or disease-conditions, or any such infectious matter or thing, the said board is hereby authorized to give notice, by publication, of the existence of such disease, diseases, or disease-conditions, or such infectious matter or thing, and the locality thereof, in such newspapers as they may select, and to notify, in writing, the officials or agents of any railroad, steam-boat, or other transportation company, or any individual or firm engaged in transportation business, in or through such infected locality, of the facts so ascertained. Said board is hereby authorized and required to establish and maintain such quarantine of animals so in the course of or destined for such transportation as aforesaid, and such premises, places, stock-yards, cars, and vessels so accustomed to be used for or in respect of the keeping and transportation aforesaid as they may deem necessary to prevent the spread of any such disease, diseases, or disease-conditions, and also to cause the appraisal of any such animal or animals before described affected with, or that have been exposed to, any such disease or disease-conditions, and also to cause the same to be destroyed, except as hereinafter provided. They shall cause all such animals so about to be destroyed to be appraised by three competent and disinterested men under oath, at the value thereof at the time of the appraisement, and the amount of the appraisement shall be paid out of any moneys appropriated by Congress for the purposes of this act.

SEC. 3. That the said board is hereby authorized and required to make, and from time to time alter, and publish rules and regulations not inconsistent with law providing for and regulating the agencies, methods, and manner of conducting and making the investigations aforesaid regarding the existence of said contagious diseases or disease-conditions; for ascertaining, entering, and searching the premises, places, stock-yards, cars, or vessels, respectively, described in section 2 of this act, for ascertaining what animals are so diseased or have been exposed to any such contagious diseases or disease-conditions; for making, reporting, and recording descriptions of the said animals so diseased or exposed or destroyed, and to make all other lawful and needful rules and regulations which may, in the judgment of the board, be deemed requisite to the full and due execution of the provisions of this act. All such rules and regulations, before they shall become operative, shall be approved by the President of the United States, and thereafter published in such manner as may be provided for in such regulations. Said board shall certify such rules and regulations as relate to the speedy and effectual suppression and extirpation of said diseases or conditions to the executive authority of each State and Territory, and invite said authorities to co-operate in the execution and enforcement of this act. Whenever the governor or other officer of a State or Territory, duly authorized by law, shall signify the assent of said State or Territory to such rules and regulations, or their readiness to co-operate for the extinction of any contagious, infectious, or communicable disease or disease-conditions, in conformity with the provisions of this act, or shall satisfy the said board that the laws, rules, and regulations of the said State or Territory, for the suppression of such diseases, are such as would prove efficient in eradicating such diseases, and shall signify the assent of the said State or Territory to co-operate for the extermination of such diseases, the said board shall co-operate with the proper authorities of said State or Territory for the extinction of such disease.

SEC. 4. That any person who shall knowingly and willfully refuse permission to the members of said board, or to either of them, or to any duly authorized agent of said board, to make, or who knowingly and willfully obstructs said board or any member thereof or any such agent, or either of them, in making all necessary examinations of or as respecting any such animal so described in section 2 of this act, and suspected or believed by said board or any member thereof or any such agent to be diseased, or to have been exposed as aforesaid, or in lawfully destroying the same, or who knowingly and willfully prevents or attempts to prevent said board, or any member thereof, or any such agent, or either of them, from entering upon any of the premises, places, stock-yards, cars, or vessels so described in section 2 of this act as aforesaid, where any of such diseases or disease-conditions are by said board, or any member thereof, or any such agent thereof, suspected or believed to exist, or who knowingly and willfully violates, or so attempts to violate, any quarantine established by said board under the authority of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine not exceeding $300 or by imprisonment not exceeding three months, or by fine and imprisonment, at the discretion of the court.

SEC. 5. That any person who being the owner of, or possessed of any interest in, or in possession of, any animal described in section 2 of this act affected with or which has been exposed to any of the diseases named in section 2 of this act, or any person who, as agent, common carrier, consignee, or otherwise, shall be charged with any duty in regard to any such animal so affected with or exposed to any of such diseases, or any officer or agent charged with any duties under the provisions of this act, who shall knowingly make any false representations to any person lawfully acting under the authority of this act concerning the existence of any case of any such disease, or disease-conditions, or the fact of the exposure of any animal described in section 2 of this act, to any such disease, or concerning the existence of any such disease-conditions in the premises, places, stock-yards, cars, or vessels described in section 2 of this act, or the location of any such case of disease or disease-conditions, or who shall knowingly transport, cause to be transported, or sell for transportation, as described in section 2 of this act, any animal known to be affected with, or to have been exposed to, or which he has reason to believe is affected with, or has been exposed to, any of the diseases or disease-conditions described in section 2 of this act, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, suffer the penalties mentioned in section 4 of this act.

SEC. 6. That if the laws of the State or Territory where any animal having any infectious or contagious disease, or any animal exposed to any infectious or contagious disease, exists provide means for the condemnation, appraisement, and slaughter of such animal, and the proper officers of such State or Territory shall, at the request of the said board or its agents, condemn, appraise, and slaughter such diseased or exposed animal, the said board is authorized to pay to the treasurer of the said State or Territory the amount of such appraisement and the cost of making the same, provided the appraised value of the animal so slaughtered shall be deemed reasonable by said board.

SEC. 7. That no person or persons owning or operating any railroad, and no owner or owners or master of any steam, sailing, or other vessel within the United States, shall receive for transportation, or transport from one State or Territory to another State or Territory, or to any foreign country, or from any State or Territory into the District of Columbia, or from the District of Columbia into any State or Territory or to any foreign country, any animal affected with any of the diseases named in section 2 of this act, or that has been exposed to any of such diseases or disease-conditions, especially the disease known as contagious pleuro-pneumonia, knowing such animal to be so affected or to have been so exposed; and no person or persons, company or corporation, shall deliver for such transportation to any railroad company, or to the master or owner of any vessel, any animal, knowing it to be affected with or to have been exposed to any such disease or disease-conditions; and no person or persons, company or corporation, shall drive on foot or transport by any means of conveyance from one State or Territory to another, or to any foreign country, or from

any State or Territory into the District of Columbia, or from said District into any State or Territory, or to any foreign country, any animal, knowing the same to be affected with, or to have been exposed to, any such disease or disease-conditions. Any person, company, or corporation violating the provisions of this section shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine not exceeding the sum of $5,000, or by imprisonment not exceeding one year, or by both fine and imprisonment, in the discretion of the court.

SEC. 8. That when the President of the United States shall be satisfied that the said contagious or infectious diseases, or any of them, no longer exist in any State, Territory, or the District of Columbia, or any part thereof, previously declared infected, he shall, by proclamation, declare such State or Territory, or District, or part thereof, free from such disease, diseases, or disease-conditions. When the President shall be satisfied that said diseases, or any of them, have been extirpated throughout the United States, he shall proclaim such fact, and cause the same to be made known to foreign governments.

SEC. 9. That it shall be the duty of the several United States district attorneys to prosecute, by due course of law, all violations of this act which shall be brought to their notice or knowledge by any person making the complaint under oath; and also to prosecute without such complaint all such violations as he shall deem proper, and such prosecutions shall be heard in any district or circuit court of the United States or Territorial court of general jurisdiction holden within the district in which the violation of this act shall be committed, and such courts shall respectively have jurisdiction thereof.

SEC. 10. That the said board shall keep an office, and shall make and preserve a full record of all rules and regulations promulgated under the provisions of this act, of all payments and expenses incurred under its authority, and all other transactions performed by said board in the discharge of their duties as herein provided; and the said board shall, on or before the first Monday in November of each year, and at such other times as they may deem conducive to the public interests, report to the President full and accurate accounts of their expenditures, and other proceedings under the provisions of this act, and of the condition of said diseases throughout the United States, who shall communicate the same to Congress.

SEC. 11. That the said board shall have power, and are hereby authorized, to employ skilled veterinarians, and such other agents and employés as they may deem necessary to carry into effect the provisions of this act, and to fix the compensation of the person or persons so employed, and to terminate such employment at their discretion; and they are authorized, out of any moneys appropriated for the purposes of this act, to make such expenditures as may be needed for the actual and necessary traveling expenses of themselves and their said employés, payment of such employés, rents, office expenses, expenses of disinfecting premises, cars, vessels, and other places, appraising and destroying diseased and exposed animals and paying for the same, and such other expenses and expenditures as they may find to be actually necessary to properly carry into effect the intent and provisions of this act.

SEC. 12. That in order to promote the exportation of live-stock from the United States the board shall cause to be made special investigation as to the existence of pleuro-pneumonia, or any contagious, infectious, or communicable disease of live stock along the dividing lines between the United States and foreign countries, and along the lines of transportation between all parts of the United States and ports to and from which live-stock may be exported or imported, and make report of the results of such investigation to the Secretary of the Treasury, who shall, from time to time, establish such lawful regulations concerning the exportation and importation of live-stock as he shall deem needful in the premises.

SEC. 13. That all expenditures under this act shall be made on vouchers to be certified by the chairman of said board.

SEC. 14. That for the purpose of carrying into effect the provisions of this act for the present fiscal year, any unexpended balance of appropriations made for the use of the existing Bureau of Animal Industry shall be immediately available for the purposes of this act.

SEC. 15. That the Commissioner of Agriculture shall furnish for the use of the board the necessary office rooms, furniture, fuel, lights, stationery, etc., necessary for the transaction of the business of said board.

SEC. 16. That the act entitled "An act for the establishment of a Bureau of Animal Industry, etc.," approved May 29, 1884, and all other acts and parts of acts, so far and only so far as the same are inconsistent or in conflict with the provisions of this act, be, and the same are hereby, repealed: *Provided*, That all agreements and arrangements for co-operation between the Bureau of Animal Industry and any State or Territory, existing at the time of the passage of this act, shall continue until otherwise ordered by said board; and all employés of the said bureau shall continue until relieved by the said board.

SEC. 17. That all offenses against any of the acts or parts of acts hereby repealed shall be prosecuted, tried, and determined in the same manner and with the same effect as if this act had not passed.

Mr. PALMER. As several Senators desire to look over the amended bill and this is the first opportunity they have had, I yield to their request to have the measure laid aside informally.

Mr. PLATT. With the idea of taking it up, when?

Mr. PALMER. Taking it up to-morrow at 2 o'clock.

The PRESIDING OFFICER. The Senator from Michigan consents to having the bill under consideration laid aside informally, which will be done unless objection is heard, and it will come up as the unfinished business to-morrow at 2 o'clock.

INTERNATIONAL COPYRIGHT.

Mr. CHACE. I move now to take up for consideration Senate bill 554.

The PRESIDING OFFICER. The Senator from Rhode Island moves that the Senate take up for consideration the next special order, being the bill (S. 554) to amend Title LX, chapter 3, of the Revised Statutes.

The question is on that motion.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

REGISTRY OF BARGES.

Mr. McPHERSON. Will the Senator from Rhode Island yield to me that I may call up a bill which will not provoke discussion? As his bill is one that may provoke a great deal of discussion, I ask him to yield for a few moments before proceeding with his bill.

Mr. CHACE. If the Senator's bill will not take much time, I shall yield. I give way for a short time.

Mr. McPHERSON. I ask to lay aside the pending bill informally for the purpose of taking up Order of Business 800, being the bill (S. 1483) for the registry of the barges Albert M, Condor, and Adelante.

The PRESIDING OFFICER. The Senator from New Jersey asks that the pending bill be laid aside informally and the bill indicated by him be taken up. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1483) for the registry of the barges Albert M, Condor, and Adelante. It proposes to authorize the Commissioner of Navigation to admit to registry, as vessels of the United States, the foreign vessels Albert M, Condor, and Adelante, owned by John Scully, of South Amboy, N. J., on satisfactory proof that he is a citizen of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NEW YORK INDIAN LANDS.

Mr. PLUMB. I ask the Senator from Rhode Island if he will not yield to me as well as to the Senator from New Jersey?

Mr. CHACE. I do not want to lose my position, and I do not want to lose much of my time.

Mr. PLUMB. There is a House bill here which ought to be disposed of.

Mr. CHACE. I will yield temporarily.

Mr. PLUMB. I ask unanimous consent of the Senate to proceed to the consideration of Order of Business 802, being House bill 1406.

There being no objection, the bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. HISCOCK. I should like to inquire of the Senator from Kansas what Indians these are.

Mr. PLUMB. This is to provide for a fraction of a New York Indian tribe that went to Kansas.

Mr. HISCOCK. Are they in the occupation of the lands?

Mr. PLUMB. No, sir, and never have been.

Mr. PLATT. They are to get pay for the lands.

Mr. HISCOCK. Is the sum absolutely fixed?

Mr. PLUMB. The sum is absolutely fixed. Each person went there with the intention of complying with the terms of the treaty between the tribe and the Government and made selections. On these selections a certain certificate was issued to them by the Secretary of the Interior. They are to have the proceeds of the sales of these lands.

Mr. HISCOCK. The question I mean to suggest is whether the lands ought not to be sold to the highest bidder.

Mr. PLUMB. They have been practically. They have been settled on for the last thirty years.

Mr. HISCOCK. How many acres are there?

Mr. PLUMB. About 32 half sections of land.

Mr. HISCOCK. Have the tribes been heard in reference to the bill?

Mr. PLUMB. I can not say that they have been at this session. The whole matter has been settled by the Interior Department. The Senator who has charge of the bill can state as to that point. I can not state as to the present session, but they have been heard heretofore. The Senator from Connecticut has had charge of it heretofore.

Mr. PLATT. These New York Indians were not any tribe of Indians that removed from New York, but they were individual Indians who went, as they supposed, under a treaty that provided for the removal of the Six Nations of New York Indians and the St. Regis tribe to these lands in Kansas. There were only a few of them that went. About two hundred of them were selected by Dr. Hogan and taken out there, and after they had been there awhile in 1860 the Commissioner of the General Land Office allotted to thirty-two of them who were found there land amounting to 320 acres each, but these thirty-two Indians never occupied the lands. They were squatted upon by settlers and the settlers have been in occupation of them ever since, and these thirty-two or their heirs are scattered about everywhere, some in the Indian Territory and others are distributed around in different portions of the country.

There has been a long history of this matter. At one time it is said, and I think truly, that the Indians, by their attorney, agreed to take two and a half dollars an acre for the lands which had thus been allotted to them. I do not think that this allotment ever conveyed any title in fee to these Indians. The Commissioner of the General Land Office in allotting the land evidently thought he was pursuing the treaty of 1838; but that only provided for the allotment of lands to the tribe. There never was anything in that which provided for the allotment of lands to individual Indians. So I do not think they ever had any actual title to these lands, but they evidently had an equitable right to the lands, and the only question there has ever been is as to the amount which should be paid to them.

Mr. HISCOCK. You say they were never occupied by the Indians?

Mr. PLATT. They have never occupied them at all, and the only question is about the amount that should be paid.

It may be remembered that the Senate Committee on Indian Affairs has once reported in favor of paying a larger sum than is here proposed. The House passed the bill paying $2.50 an acre to these Indians or their heirs wherever they might be found. Acting for the committee at one time I reported a bill to pay them $4.54 an acre. I will not stop to explain how that sum was arrived at. It was the sum which the Com-

missioner thought ought to be paid to them. The bill was recommitted to the committee, and upon the whole the committee thought that for the purpose of settling a controversy which has run over twenty years perhaps it was best to pass the bill as it came from the House, fixing $2.50 an acre.

The bill was ordered to a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 393) for the relief of Frances Anne Pyne Ricketts, with an amendment in which it requested the concurrence of the Senate.

INTERNATIONAL COPYRIGHT.

Mr. CHACE. I ask that Senate bill 554 be now proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 554) to amend Title LX, chapter 3, of the Revised Statutes of the United States; which was read.

Mr. CHACE. There are a few verbal amendments besides those reported by the committee which I should like to have acted upon.

The PRESIDING OFFICER. Does the Senator desire to have the amendments reported by the Committee on Patents disposed of at this time?

Mr. CHACE. I think they had better be taken up *seriatim*. I can move the verbal amendments as we go along. The first amendment would be to strike out the letter "s" in my name and insert the letter "e." The Senator from Connecticut [Mr. PLATT] suggests that the committee amendments be acted upon first.

The PRESIDING OFFICER. The Chair was trying to suggest that course to the Senator. The amendments reported by the Committee on Patents will be stated in their order.

The first amendment reported by the Committee on Patents was, in section 1, line 22, before the word "publish," to strike out "or," and after the word "publish" to insert "dramatize, translate, or import," and the words "so printed, published, or imported" shall read "so printed, published, dramatized, translated, or imported;" so as to make the clause read:

That in sections 4964 and 4965 the words "publish or import" shall read "publish, dramatize, translate, or import," and the words "so printed, published, or imported" shall read "so printed, published, dramatized, translated, or imported."

The amendment was agreed to.

The next amendment was to strike out of section 2 the following words:

That at the end of section 4957 the following clause be inserted:

"*Provided*, That if the author, designer, or composer of the book or other article for which a copyright is applied for be not a citizen of the United States or resident therein, then the name of such copyright, book, or other article shall be recorded as above in the office of the Librarian of Congress, not later than the day of its publication in the country of its origin; and in case of a book, printed musical composition or photograph, two copies of the best edition of the same printed in the United States shall be deposited with the Librarian of Congress within the term of three months after the date of recording such copyright, in default whereof such copyright shall be held void and of no effect, and after the recording of any copyright as above."

The amendment was agreed to.

The next amendment was to insert, in lieu of the words just stricken out:

SEC. 2. That section 4956 of the Revised Statutes of the United States be, and the same is hereby, amended so that it shall read as follows:

"SEC. 4956. No person shall be entitled to a copyright unless he shall, before publication in this or any foreign country, deliver at the office of the Librarian of Congress, or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, D. C., a printed copy of the title of the book or other article, or a description of the painting, drawing, statue, statuary, or a model or design for a work of the fine arts, for which he desires a copyright, nor unless he shall also, not later than the day of the publication thereof in this or any foreign country, deliver at the office of the Librarian of Congress, at Washington, D. C., or deposit in the mail within the United States, addressed to the Librarian of Congress, at Washington, D. C., two copies of such copyright book or other article, printed from type set within the limits of the United States, or in case of a painting, drawing, statue, statuary, model, or design for a work of the fine arts, a photograph of the same."

Mr. CHACE. In line 10, after the word "drawing," I move to insert the word "chromo;" so as to read:

Description of the painting, drawing, chromo, statue, statuary, etc.

The amendment to the amendment was agreed to.

Mr. CHACE. In line 18, after the word "or," I move to strike out the words "other article," and insert "dramatic composition;" so as to read:

Two copies of such copyright book or dramatic composition, printed from type set within the limits of the United States.

The amendment to the amendment was agreed to.

Mr. CHACE. In line 20, after the word "of," I move to insert the words "engraved works, photographs, or other similar articles, two copies of the same, or in case of;" so as to read:

Or in case of engraved works, photographs, or other similar articles, two copies of the same, or in case of a painting, drawing, statue, statuary, etc.

Mr. CHACE. In line 20, the word "statute" should be changed to "statue."

The PRESIDING OFFICER. That correction will be made. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The next amendment of the Committee on Patents was, in section 2, after the word "importation," at the end of line 22, to strike out "of any" and insert "into the United States of any book or other;" in line 24, after the word "copyrighted," to strike out "into the United States;" in the same line, after the word "it," to strike out "is;" in line 25, before the word "prohibited," to insert "is;" and in the same line, after the word "prohibited," to strike out "and" and insert:

Except in the cases specified in section 2505 of the Revised Statutes of the United States, and except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation;

So as to read:

During the existence of such copyright the importation into the United States of any book or other article so copyrighted shall be, and it hereby is, prohibited, except in the cases specified in section 2505 of the Revised Statutes of the United States, and except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation.

The amendment was agreed to.

The next amendment was, in section 2, line 33, before the word "all," to strike out "detain" and insert "destroy;" in the same line, before the word "articles," to strike out "copyrighted" and insert "prohibited;" in line 34, after the words "at the," to strike out "custom-houses" and insert "custom-house or otherwise brought into the United States;" and in line 35, after the word "transmitted," to strike out "in" and insert "to;" so as to read:

All officers of customs and postmasters are hereby required to seize and destroy all copies of such prohibited articles as shall be entered at the custom-house or otherwise brought into the United States, or transmitted to the mails of the United States.

The amendment was agreed to.

The next amendment was, in section 2, line 36, before the word "in," to strike out "but;" in line 37, before the word "translations," to insert "only;" in line 39, before the words "of the same," to strike out "translations" and insert "translation;" and in line 40, after the word "permitted," to strike out:

Unless the original shall also be copyrighted and an American edition thereof shall be issued within three months after the date of entry of copyright.

So as to read:

In the case of books in foreign languages, of which only translations in English are copyrighted, the prohibition of importation shall apply only to the translation of the same, and the importation of the books in the original language shall be permitted.

The amendment was agreed to.

The next amendment was, in section 3, line 11, after the word "mails," to strike out "and such lists shall likewise contain the title or description of all articles on which copyright shall have expired or become void under the proviso of section 4957;" in line 24, after "United States," to insert "except upon the conditions above specified;" and in line 26, after the word "act," to insert "during the term of the copyright;" so as to make the section read:

SEC. 3. That at the end of section 4958 the following clause be inserted:

"*Provided*, That the charge for recording the title or description of any article entered for copyright, the production of a person not a citizen or resident of the United States, shall be $1, to be paid as above into the Treasury of the United States, to defray the expenses of lists of copyrighted articles to be printed by the Secretary of the Treasury, at intervals of not more than a week, for distribution to the collectors of customs of the United States and to the postmasters of all post-offices receiving foreign mails; and it is hereby made the duty of the Librarian of Congress to furnish to the Secretary of the Treasury the material for the publication of such weekly lists, for which service he shall be authorized to employ an additional clerk, at a salary of $1,200 per annum; and such weekly lists, as they are issued, shall be furnished to all parties desiring them, at a sum not exceeding $5 per annum; and the Secretary and the Postmaster-General are hereby empowered and required to make and enforce such rules and regulations as shall prevent the importation into the United States, except upon the conditions above specified, of all articles copyrighted under this act during the term of the copyright."

The amendment was agreed to.

The PRESIDING OFFICER. This concludes the amendments of the Committee on Patents.

Mr. CHACE. In section 4, line 8, I move to strike out the word "additions" and insert "editions." It is an error of the printers.

The amendment was agreed to.

Mr. CHACE. On the first page of the bill, line 5, before the word "shall," I move to insert the word "the;" and in line 7 I move to strike out the word "words" and insert "works."

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

Mr. MORRILL. Before the bill is reported to the Senate I desire to offer an amendment.

Mr. CHACE. Mr. President, this bill comes before Congress under different auspices from those under which any of the other bills have ever been presented. There is, so far as I am aware, no class of people nor are there any particular interests among the people of the United States who are opposed to this bill. On former occasions when bills have been presented looking toward the extension of the principle of copyright protection to authors not citizens of the United States, there have been either present in the bill some provision which has drawn

opposition from some interest or there has been lacking from such bill some provision which has so far worked a defect as to call for the opposition of some interest.

At present happily the committee feel that they are able to present to the Senate a bill which commands the united, harmonious support, almost without an individual exception, in fact I think I may safely say without one, of every author, for, as represented by the Authors' Copyright League of this country, they are all unanimously in favor of the adoption of the bill. The publishers of the country who have upon other occasions stood in an antagonistic position to the authors are now united in support of the bill. The men who carry on the business of printing are, so far as I am aware, also in favor of it; and the men who do the work of type-setting are the most earnest in their support of it. I think no one class of all those directly interested have been more earnest in their expression than have been the printers through the representatives of their organized bodies.

Large numbers of people who feel an interest in literature have expressed themselves in the strongest terms in favor of the bill, and so far as I am aware there has been, perhaps, with a single exception, no voice raised in the presence of the committee in opposition to the bill; and perhaps I might say, without taking too much liberty, that in that case I think the individual was simply pursuing a course that he had adopted long years ago in opposition to other bills that were perhaps objectionable, and he was following that course more from the force of habit than from any real opposition to the bill.

The purpose sought to be accomplished by the enactment of this bill is to secure to foreign authors, compilers, and artists the same privileges of copyright as are granted by our present domestic statute to the American author and artist, and soon requiring of foreign authors similar and only similar conditions in regard to registration and deposit and otherwise, with the single exception that the provisions in section 4956 in regard to the delivery of a printed copy before publication are changed somewhat to meet the necessities of the case arising from the residence of the foreign author. There is also a slight increase in the fee for recording—from 50 cents, the charge made to a citizen of the United States, to $1 for a foreign author. This increase is made in order to cover the extra expense of increased clerical force, and the printing of the weekly lists of foreign articles copyrighted.

The object of the change in section 4952—and I will go into this thing a little in detail, so that Senators who have not paid attention to it may, if they choose to spend their time in reading my remarks, be aided a little—where the words "A citizen of the United States, or resident therein, who shall be," are stricken out, is apparent. The last sentence in the same section, the change is intended to cover the right of all authors to dramatize and translate their own works without any action on their part being necessary to reserve said right. The change in section 4954 simply extends the provisions of the bill to foreigners; so also that in section 4967. Section 4971 is repealed for the same purpose.

The words "publish or import," in sections 4964 and 4965 are changed so as to read, "or publish," for the same purpose.

No attempt has been made to alter or amend the general provisions of the present copyright law, except so far as is necessary for this purpose.

It is claimed by many that the present law is imperfect and requires considerable amendment and extensions to meet the wants and suitably protect and guard the rights of authors and publishers.

The committee did not believe that it was expedient at the present time to take up that subject, the object being now simply to extend this principle to foreign authors, and thereby gain for our own American authors rights in foreign countries, which at the present time they are not able to avail themselves of.

The dividing line between copyright and the law of trade-mark is very narrow. At some future time it may be desirable to legislate in regard to that matter, but of that the committee did not see fit at the present time to take any account.

It would be too trite to allude to the provision of the Constitution, perhaps, but I will introduce it at this place in my speech.

The Constitution provides, article 1, section 8, clause 8, that in order to promote "the progress of science and the useful arts," Congress may "secure for limited times to authors and inventors the exclusive rights to their respective writings and discoveries."

Under the Confederation no such power existed.

On motion of James Madison, in May, 1783, Congress passed an act recommending to the States that they pass acts securing copyright for a brief period—I think it was for fourteen years—and I will print in my remarks a copy of the resolution introduced by Madison at that time. I will not detain the Senate to listen to it now.

Connecticut and Massachusetts had already passed copyright laws running for twenty-one years. New York and New Jersey passed copyright laws in 1786.

Virginia passed a copyright act in 1785, although the governor of the colony of Virginia, Sir William Berkeley, in 1671 used the following remarkable language in one of his messages:

I thank God there are no free schools nor printing (in Virginia), and I hope we shall not have these hundred years; for learning has brought disobedience and heresy and sects into the world, and printing has divulged them, and libels against the government. God keep us from both.

Other States also took the matter up. I should say here in parenthesis that several of these acts accorded to foreigners the rights of copyright.

After the adoption of the Constitution, in the year 1790, the first United States copyright law was enacted. This gave to citizens and residents the privilege of copyright for fourteen years, with a renewal of fourteen more if the author were living at the time of expiration of the first term.

Sundry amendments were made to the law in 1802 and 1819, changing the conditions and extending its scope.

In 1831 the previous acts were consolidated and the term extended to twenty-eight years, with a renewal for fourteen years, to the author, his widow, or his children, which is the condition existing in the domestic law at the present time.

In 1834 recording of the assignment in the court of original entry was required.

In 1846 one copy was required to be delivered to the Smithsonian Institution and one to the Library of Congress.

In 1856 the right to dramatize and perform was added. In 1859 the duty of depositing with the Smithsonian Institution was repealed, and the Interior Department instead of the State Department was made the custodian of deposit.

In 1861 an amendment provided for an appeal of suits to the United States Supreme Court. In 1865 an act was passed requiring deposit in the Library of Congress within one month of publication, and it also included photographs. Up to this time it applied only to literary productions. In 1867 an amendment provided $25 penalty for failing to so deposit.

In 1870 the law was revised and consolidated and extended to include paintings, drawings, chromos, statuary, models, and designs, doing away with the district court system of registration, making the Librarian of Congress the copyright officer, and requiring two copies to be filed with him within ten days after the publication.

In 1874 the act was amended providing a short form of record and relegating labels and trade-marks to the Patent Office.

I am indebted to the admirable summary of the principles and law of copyright, by R. R. Bowker, of New York, for the saving of much labor in looking up the history of copyright legislation in this country, and I desire here to make this acknowledgment to him for the great service he has done authors, publishers, and the public in the preparation of that volume. Any Senator who wishes to look at it will find a considerable amount of information on the subject.

Such is a very cursory history of domestic copyright legislation.

In 1837 Henry Clay presented to the Senate a petition of British authors asking that copyright privilege in this country should be given to foreign authors, which I will take the liberty to print with my remarks—I will not detain the Senate by reading them now—copies of some of those quotations signed by the most eminent authors in England. That petition was referred to a select committee, which made a report, taking high ground in favor of the rights of foreign authors. In their report they use the following language:

That authors and inventors have, according to the practice among civilized nations——

Mr. PLATT. That report was made by Henry Clay?

Mr. CHACE. I am reading from the report made by Henry Clay. The report was made, I think in 1838, just fifty years ago. In their report the committee use the following language:

That authors and inventors have, according to the practice among civilized nations, a property in the respective productions of their genius is incontestible; and that this property should be protected as effectually as any other property is by law, follows as a legitimate consequence.

Authors and inventors are among the greatest benefactors of mankind. They are often dependent exclusively upon their own mental labors for the means of subsistence, and are frequently, from the nature of their pursuits or the constitution of their minds, incapable of applying that provident care to worldly affairs which other classes of society are in the habit of bestowing. These considerations give additional strength to their just title to the protection of the law.

It being established that literary property is entitled to legal protection, it results that this protection ought to be afforded wherever the property is situated. A British merchant brings or transmits to the United States a bale of merchandise, and the moment it comes within the jurisdiction of our laws they throw around it effectual security. But if the work of a British author is brought to the United States, it may be appropriated by any resident here and republished, without any compensation whatever being made to the author. We should be all shocked if the law tolerated the least invasion of the rights of property in the case of the merchandise, whilst those that justly belong to the works of authors are exposed to daily violation, without the possibility of their invoking the aid of the laws.

The committee think that this distinction in the condition of the two descriptions of property is not just, and that it ought to be remedied by some safe and cautious amendment of the law.

No action was taken on that report. The question came up again in Congress in 1853, when another bill was introduced, which met the same fate.

In 1873 another bill to establish international copyright was introduced, and referred to a joint committee of the Senate and House of Representatives, of which Senator Morrill, of Maine, was chairman. But so great was the conflict of opinion and so earnest and persistent the efforts of the parties who demand the right to "pirate" books, that

the committee were discouraged, and, in utter despair, were not able to reconcile themselves or the different parties, and the result was an entire failure.

The President of the United States has in two of his messages recommended the passage of a law recognizing the rights of foreign authors, and I will introduce and print in my remarks extracts from those messages.

The President of the United States also communicated to the House of Representatives in a special message the proceedings of a convention comprising nearly all the civilized nations of the world, who sat recently at Berne, in Switzerland, for the purpose of establishing an international copyright union, recommending at that time that the United States send commissioners to that union. The result of the sessions of that conference was the drafting of a treaty providing for an international copyright union similar to the postal union which is in existence, and to which the United States was a party. Into that union entered all the great Governments of Europe, Great Britain, France, Spain, Germany, Austria, Italy, Switzerland, and two or three of the Governments of South America, Mexico, and several of the islands. By the provisions of their laws most of them now grant to the citizens of any country which grants to their citizens copyrights all the privileges which inure to citizens of their own country.

I make one remark here, and I desire to call the attention of Senators to it, because further on in the consideration of the bill no doubt the question of reciprocity will be presented. I desire to say here that there will be no need, it seems to me, of any section providing for reciprocity in this bill, because in the event of the bill becoming a law, particularly in regard to Great Britain, the great English-speaking nation of the world, and her colonies, by the provisions of the British law as it stands now, our citizens will, at the moment our Government accords to the citizens of Great Britain the privileges of copyright, be they more or less in extent so they are materially a granting of the privileges of copyright in this country—I say by the provisions of English law our citizens will immediately become vested with those rights. All that will be necessary will be for the Government to issue what is called an order of council announcing that fact, and then, whenever a citizen of the United States shall have brought proof that he has acquired copyright in his own country, he will be immediately accorded by the laws of Great Britain all the privileges of copyright that a citizen of Great Britain would possess.

Mr. WILSON, of Iowa. I desire to ask the Senator from Rhode Island whether laws of similar import are in force in the several British possessions, as Australia, the Dominion of Canada, and elsewhere?

Mr. CHACE. They are. It extends over the whole British dominion.

Mr. WILSON, of Iowa. Is there any provision in this bill, or is it contemplated to put such a provision in it, as will withdraw from English authors within any possession of Great Britain the privileges of this bill in the event that they fail to accord like privileges under their laws to our citizens?

Mr. CHACE. The Senator's question is included in the other question which I raised, and to which I am addressing my remarks. That covers the question of reciprocity, of course; and I think if the Senator will recall what I said he will see that I had already answered the question. But I will repeat it. It is not proposed to put in any such provision, and the committee believe that it is not necessary or best, for the term "reciprocity" to be strictly construed would invest the provisions of the law in either country necessarily with conditions exactly parallel and equal. That becomes an impossibility without an entire revision of the whole copyright laws of the world, because, as the Senator will see further along as I proceed with my remarks, the copyright laws of each nation vary in some of their provisions from the provisions of the copyright law of every other nation, in the length of time, in the conditions expressly required on the part of the author, and in regard to various other matters. So that to insist upon absolute reciprocity would introduce very great difficulties, and we should gain nothing.

It is not proposed to make any such provision, for the reason that by such a provision the committee do not believe that citizens of the United States would gain any particular advantage, but on the other hand would be likely to lose.

This principle of the recognition and acknowledgment and protection of the rights of foreigners in property of this character has long been recognized and acted upon by this Government in regard to patents. George Washington very early interested himself in this and the patent question. I am indebted to Moncure D. Conway for a copy of an unpublished letter written by George Washington, which I will read to the Senate, and for the possession of which I wish to give due acknowledgment to that gentleman. This letter is in reply to a letter from Dr. Priestley. It is in regard to patents, but it covers exactly the same international principle. The protection to patentees is provided for under the same section of the Constitution, and depends upon the same principle. Therefore I read this letter from Washington, as it may interest Senators, and as I should like to have it published in my remarks. Washington said:

The President of the United States has, agreeable to his promise, caused the laws of the United States "to promote the progress of useful arts, etc.," to be examined, and finds that the last act passed on this subject, namely, on the 21st of February, 1793 (repealing the first act of the 10th of April, 1790), confines the granting of patents to citizens of the United States. The first act of the 10th April, 1790, does not appear to have limited this right to any particular description of persons, and why it is confined in the second the President can, at this time, see no good reason; but he will take occasion to inquire into the cause of this limitation, and if it should not appear improper to relinquish it, he can have no doubt of the disposition of the Legislature to make such alteration in the existing law as will give to the United States the advantage which may arise from the useful inventions and improvements of foreigners, as well as of our own citizens.

I merely read this letter because it covers the same principle which is sought to be provided in the enactment of this bill.

I quote as follows from the report which I had the honor to submit during the Forty-ninth Congress to the Senate on behalf of the Committee on Patents:

In 1793 the act of 1790, relating to patents, was repealed, and a new act passed providing for the issuance of patents to citizens of the United States only. The act of April 17, 1800, extended the privileges of the act of 1793 to all aliens "who shall, at the date of application, have been residing in the United States for two years."

The act of July 3, 1832, extended the privileges of the act of 1800 to all aliens who shall have, at the date of application, declared their intention to become citizens. The act of 1836 provided for the issuance of patents to persons without reference to citizenship or residence, but provided that if the applicant be a citizen of the United States, or shall have been residing in the United States for one year next preceding, and shall have made oath of his intention to become a citizen, the fee for the issuance of the patent should be $30. If a subject of Great Britain, the fee should be $500, and all other persons the sum of $300, etc. It also provided (section 15) that an alien patentee should put his invention on sale within eighteen months after the granting of the patent.

* * * * * * *

Our fathers who formulated and adopted the Constitution evidently put the two kinds of property in the same class and gave them the same recognition, the provision for the protection of each being in the same clause of the Constitution. The first act, providing for the issuance of patents for valuable inventions, extended the privilege to citizens of all nations. By the next act the privilege to foreigners was repealed, but it appears that soon thereafter it was restored to foreign citizens, not, however, upon the same terms, the citizens of other nations, except Great Britain, being charged a fee ten times as great as our own citizens, and the citizens of Great Britain seventeen times as great a fee.

This discrimination, however, has long since been withdrawn, and in so far as patents for inventions in the arts are concerned we put the citizens of all nations on an equal footing with our own. This was in the line with much of the legislation of the country, and in keeping with the general progress of international law, and that recognition of comity among nations upon which rests to a large degree that valuable and fructifying international intercourse, the value of which is coming to be recognized by all the great civilized nations of the earth. The United States Government has recognized this principle in its treatment of all international questions save and except this one of international copyright.

There is a difference between a patent and a copyright, inasmuch as the patent protects the author in the exclusive right to the income which may accrue from the development of an idea, while copyright covers clothing ideas with a certain form of language; yet both are based upon the same principle, that the public are benefited by the mental labor which has developed or produced something of value to the community.

It may be said that there is no such thing as absolute property. The ownership of everything is limited by the demands of society. The old principle of the right of discovery is still to some extent acknowledged. In all the jarring theories of the present time in regard to the rights of occupation, of prior discovery, of the prerogative of crowns, or the binding force of government patents to land, all, I believe, admit that if there is any property right which may be said to be sacred it is the right of the individual to the enjoyment of those valuable things which by his own effort of brain or muscle he has himself produced.

There is a marked difference between that character of chattels which the hand of man, aided by the forces of nature, develops and those incorporeal creations which are wrought out by the human intellect. While this property is metaphysical and intangible in its character, lacking the physical characteristics of most things which are produced by man and recognized as property, it is of a nature of more nearly absolute creation than any other species of property recognized by legislation, and as such demands of the conscientious legislator recognition and careful guarding.

I have prepared a brief digest of the provisions in regard to the length of time for which copyright runs in different countries, and I will read it now, because it perhaps may have some bearing upon some other questions that may come up.

The following is a list of the nations who have enacted copyright laws, with the duration of the right:

United States: Twenty-eight years, with privilege of fourteen more to author, widow, or children.

England: Life of author and seven years, or forty-two years.

Canada: Twenty-eight years, with manufacturing condition.

France: Fifty years beyond author's death, with privilege for any foreigner to publish and be protected.

German Empire: Thirty years beyond author's death, with protection to foreign works if published by a firm having its place of business in the German Empire.

Holland and Belgium: Author's life and twenty years, but requires works to be published in those countries.

Norway: Life of author and fifty years.

Spain: Life of author and eighty years.

Portugal: Life of author and thirty years.
Italy: Life of author or forty years, with privilege of a second term, after author's death, of forty years.
Hayti: Life of author, life of widow, children, and twenty years.
Austria-Hungary: Life of author and thirty years.
Sweden: Life of author and fifty years; formerly perpetual.
Denmark: Life of author and thirty years.
Switzerland: Life of author or thirty years.
Russia: Life of author and fifty years.
Turkey: For forty years, or twenty years for translations.
Greece: Fifteen years, subject to royal extension.
Mexico: Perpetual literary copyright.
Venezuela: Life of author and fourteen years.
Chili: Life of author and five years.
Brazil: Life of author and ten years.
Japan: Thirty years, with extension to thirty-five years.

All these nations, then, recognize this as property. We alone of all the great civilized nations of the earth stand by ourselves in the unenviable notoriety of failing or refusing to grant to the citizens of foreign countries that recognition of this partial property right, which has stood the legislative test in all lands for hundreds of years, and the assaults in court and legislative hall of interested parties on every hand, and yet has everywhere shown a steady advance in the recognition of its rights to protection.

We are the Barbary coast of literature, and the American people the buccaneers among books. We alone in all this world are a great nation of thieves, corsairs; and I am indebted to the Senator from Minnesota [Mr. DAVIS] for the word. It is a good word. We are corsairs on the great ocean of literature.

I do not put my appeal alone upon the constitutional ground of the encouragement of science, but upon the higher, nobler, and more ancient law, that "the laborer is worthy of his hire."

It is sometimes denied that prospective copyright encourages the development of that which is highest and best in letters. The growth of that wonderful literature which has kept fresh for more than twenty centuries the Hellenic tongue was, I presume, without any such stimulus. All the great Roman authors, it is said, wrote without it, but how few were the authors in those days and how many are they at the present day, and how little influence had literature towards the preservation of and growth and up-building of their institutions?

Blackstone says:

> That the Roman law adjudged that if a man wrote anything on the paper or parchment of another the writing should belong to the owner of the blank material, but gave no other ownership to the productions of the intellect.

The greatest and most enduring works in the English, French, and German languages were written before the adoption of even the most limited and local statutes to protect the authors who wrote them. But it is to be borne in mind that up to the time of the adoption of the statute of Queen Anne the principle was recognized by the courts of Great Britain that this was a common-law right. Further on I shall allude to that subject again.

I wish in parenthesis to call the attention of my legal friends here to that point. I think it is very material. The change in the position of the English legislature and the enactment of the law in Queen Anne's time were owing to a popular desire that there should be some restraints put upon the royal prerogative of selling all sorts of rights. In order to make some exception they had to pass a copyright law, and the courts of highest resort in Great Britain (I believe it has been confirmed by the House of Lords) have decided that previous to that act it was a common-law right and was perpetual.

In fact the earliest copyright laws seem to have been enacted more for the benefit of publishers than authors. The nature and quality of the author's right, and the reasons for and against its recognition in law, have been hotly contested from the outset. As to whether the right to multiply an author's works rests in the common law or should be treated only as a privilege temporarily vested in the author, we need not discuss; because, whatever may be the case in other countries, we are limited by the express language of the provisions of the Constitution, and under that inhibition we can only legislate for limited times. It is, and must of necessity be, treated in this country as a temporary privilege.

Copyright may not be property in the ordinary sense in which that term is used, although it is in the legal and larger sense; but it is not correct to say that copyright, or a patent, is merely "the right to enjoy or use the products of labor." It is something more than that. The author produces one book. That book is his and his right to it is as indefeasible as that to any other chattel, and the law protects them in it just as it would protect him in the possession of any other piece of property. But as to no other kind of property, except copyright and patents, is there any interdiction against another's producing more of the same kind of things. This is happily illustrated by the example of the pheasants. A man may hatch out pheasants and the law protects him in the possession of them but does not prevent others from hatching them out also. In all kinds of ordinary chattels any person is left free to produce and multiply them at pleasure. The attempt to establish copyright as ordinary property will fail, and it is unworthy the intelligence of some of those who essay it.

The very fact of this protection of this property being limited in duration by nearly all governments everywhere, both republican and monarchical, and such limitation being supported and defended by all statesmen, with scarcely an exception for two hundred and fifty years, is conclusive evidence of so general and long-continued a consensus of opinion that it seems to me altogether futile at this day to set up the other argument. Of all the many nations who have granted copyright only four—Holland, Belgium, Sweden, and Mexico—have ever made it perpetual, and of these all but one have rescinded and limited the time, which shows that there is in the peculiar nature of this property a necessity for its limitation in the course of time. The Republic of Mexico alone still recognizes literary copyright as perpetual.

On the other hand, Blackstone claims that the statute 8 Anne, chapter 19, in 1710 was suggested by the exception in the statute of monopolies, 21 James I, chapter 3, the object of which was to suppress the royal grants of exclusive right to trade in certain articles, and to reassert the common law in relation to such monopolies—

> That this act, or any declaration, provision, disablement, penalty, or other thing before mentioned, shall not extend to any letters patent or grants of privilege heretofore made, or hereafter to be made, of, for, or concerning printing, etc. * * *

But I do not subscribe to the dictum announced by Lord Camden that:

> Glory is the reward of science, and those who deserve it scorn all meaner views.

He said:

> I speak not of the scribblers for bread who tease the press with their wretched productions.

Fourteen years are too long a period for their perishable trash. It was not for gain that Bacon, Newton, and Locke instructed and delighted the world. When the bookseller offered Milton five pounds for Paradise Lost he did not reject it and commit his poem to the flames, nor did he accept the miserable pittance as the reward of his labor; he knew that the real price of his work was immortality, and that posterity would pay it.

It is a special kind of property. But that property which rests upon the fact that the thing possessed is the product of the proprietor's own labor must be admitted to rest upon the strongest claim. In the case of book making or publishing there enters another element of material interest and effect upon us as legislators.

The author must publish his work. His remuneration is another and separate thing from the profits of publishing. By granting international copyright we recognize and protect his income; but to superadd to that the demand that the foreign publisher shall be granted the monopoly of our market is, to my mind, an unparalleled demand, to which we have no right to give our assent. If we give to the foreign author the same rights which we give to our own, how can he claim any more?

By the law of all nations the author's rights are the same. He owns absolutely the copy original as long as it remains unpublished. That right is recognized as perpetual. It is only when he publishes it that he crosses the line of his common-law right. By the law of all nations the prescriptive right of the author to publish a book is contingent upon his asking to have it protected. So incorporeal and imperfect is this right in its characteristics that of necessity it must be treated in a different manner from ordinary chattels. The question should be dealt with, however, in a broad and liberal spirit, with candor and careful inquiry to search out and guard every interest which rightfully claims our protection, free as far as possible from bias toward the interests of any particular class. In pursuance therewith the committee have, as they believe, succeeded in drawing a bill to cover and protect carefully the rights and interests of all parties directly interested in the enactment of such a law.

Now I wish to address myself briefly to the question raised by the Senator from New York [Mr. HISCOCK]. Very naturally he addresses himself to this phase of the subject, the question of protection in the ordinary sense of that term, in other words, of a tariff upon imports. Whether it is a question of protection or free trade, of the right to bring into this country merchandise, I apprehend if Senators will look at it with very little care they will see that it is in no sense a question of protection or free trade. As I remarked a few days ago when introducing this bill, the duties upon the importation of goods may be doubled or quadrupled, they may be indefinitely increased or entirely removed, without in any sense seriously affecting the operation of this proposed law. Whether this proposed law be enacted or not, it will not have any influence upon the tariff or upon the protection of American industries. The Government in no sense gets any income from this source. It is simply a question of the acknowledgment and protection of the right of a foreign author in exactly the same manner as we protect the rights of a domestic author, simply whether we will remove from ourselves the stain of standing alone amongst all the nations of the earth as pirates in literature. That is it, and that alone is it. It is nothing else.

There are other questions which arise in connection with this mat-

ter very naturally, which have been frequently put to me. People say it will make books more expensive. Very well. The first answer is, suppose it does? If it is right, that makes no difference. Some people might say it was cheaper to steal any kind of chattels. I apprehend, however, that in the long run we as a people shall find that is a mistake. Evil brings its own penalty inevitably. The individual or the nation that persists in any evil course, theft or other, inevitably meets the punishment of wrong-doing sooner or later, and the longer it is put off the greater the penalty, and we in this country are not exempt from that penalty in regard to our literature.

What is the fact? The people of the United States at the present time are debarred from participating in the best foreign literature. We are flooded, it is true, with a host of immoral and bad publications. Like the weeds in the garden, they grow readily without cultivation, while the seed or plant that bears good fruit both in the garden and in the field of literature needs water and attention and careful nurture.

Such is the fruit. Anybody may see the result by an examination of the titles of foreign books which are flooding the country at the present day—immoral novels of the worst nature scattered all over the land. But if you look through your book-shelves you will find the best works of English authors, of French and German authors, are very scarce, and why? I will explain to the Senate why it is.

To publish a book at the present day is a very different matter from what it was, comparatively speaking, a few years ago. The public demands that the book shall be put upon the market at a cheap rate. In order to do that the ground must be laid out carefully. The expenses of the publishing office, clerical expenses, stereotyping, and the amount of money that has to be paid out in what may be termed the plant in order to get out a single book amounts to what a few years ago would have been a small fortune. Added to that it is necessary to expend a very large sum of money to advertise every book which is brought before the public. Suppose the publisher when he has put all this capital into this plant and this advertising is not protected by a copyright; suppose he puts his book on the market at a dollar a volume; some man, seeing he has advertised that book and drawn the attention of the public to it, prints it on poorer paper, with meaner type, with narrower margin, and takes advantage of his advertisement and sells it at 75 cents a volume? The other publisher has the loss of the capital he invested in the enterprise. Consequently publishers hesitate and often do not do it, and the American public are debarred the privilege of getting good English books at a cheap price. Go wherever you will, search the shelves of the book-sellers, and if you find them at all you find foreign editions at very low prices. Hence the common apprehension that the enactment of this law is going to make the cost of foreign literature dearer, higher to the American reader, I apprehend, is a mistake. On the contrary, let us see how it will operate.

The foreign author may come here and take out his copyright. By the provisions of this bill in order to take out the copyright his work must be published simultaneously in the two countries. It must be published here from type set in this country. Therefore the foreign author who copyrights a book here must arrange with some American publisher. The American publisher in order to meet the market knows full well that he must prepare himself to offer that book at a price which will compete with the price at which our best American books are offered, and therefore he will offer the foreign book at a low price. It seems so me that if I am correct in the position—and I believe I am, I believe it is unassailable—then it is clear that the effect of this law will be, instead of making foreign literature dearer to the American people, to make it cheaper.

There are one or two other matters to which I will allude at the present time to which, no doubt, Senators have had their attention drawn. There are published in this country, I believe, two magazines that are in the nature of what are called eclectic magazines. I know of only two. Their circulation many years ago was very considerable. They have from year to year been gradually diminishing, and they are now, in comparison with the great magazines published in this country, very inconsiderable.

Those magazines are made up by copying articles from foreign publications. They have been, as I understand, published without paying the authors of the foreign articles any consideration for their work. They are what are termed—and I do not use the term now in an offensive sense—pirated works. That is a technical term to designate works that are printed without paying the writer anything for his article or book. Those magazines have gained a place with many readers, and some feel a very warm regard for them. For my own part I have a very considerable sympathy with the publishers of those magazines.

It has been urged that the enactment of this law will interfere with their "rights." I put the word in quotation—"rights"—and the stenographer will see that it is done. These gentlemen have no rights in the premises, the Senator from Massachusetts [Mr. DAWES] adds, that white men are bound to respect. The principle should be as broad as the world, and if it is right to protect the author of a book, it is right to protect the author of a magazine article. And I wish to say that two or three circuit courts of the United States, and I think Judge Curtis was one, have decided that the law does not contemplate that a book must be bound, that it may be a printed article upon a single sheet of paper and is entitled to the protection of the legislature.

Mr. PLATT. May I ask the Senator from Rhode Island a question?

Mr. CHACE. With pleasure.

Mr. PLATT. I suppose he refers to Littell's Living Age?

Mr. CHACE. I do, and to the Eclectic.

Mr. PLATT. Those magazines are made up by reprinting articles from foreign periodicals.

Mr. CHACE. They are.

Mr. PLATT. How will the publishers of those magazines be interfered with?

Mr. CHACE. I was coming to that a little further on. I always dislike to argue such a question as this upon the lower ground. I should have to bring it in after awhile, but I should like to have this law enacted, if it is enacted at all, upon the broad and high principle that it is right, that it is only doing justice between man and man, that the principle of justice does not stop at State lines, that we do not propose that our law shall fail to protect this class of property while it protects every other class of property; nor are we going to take the ground that the man who has attained a position before the public, who has become known so that people buy and read his books, shall be protected and cared for, and the young author who forsooth can only get the ear of the public through a magazine shall not be protected by the law. The humblest citizen who seeks redress before the courts ought to be protected as well as the richest. I believe, in regard to this matter as well as in regard to everything else, that the glory of our civilization is that every man can get justice, no matter how small his claim, before any court anywhere in the land, and that principle ought to apply to this question.

But for the relief of gentlemen who do not see this matter as I do I wish to call attention to the fact that by the necessities of the case we are obliged to provide in this law that any foreign author in order to get a copyright in this country must publish his work simultaneously in this country and abroad. These foreign magazines will hardly attempt to do that. There are many and cogent reasons why they will not. In the first place, the character of the English and German magazines is not such as would render them adapted to the general reading public here. It is only occasionally that an article from them is sought to be published here, and they must perforce change the whole character, not only of the publication itself, but of the methods and means and mechanical appliances; they must come here; they must transplant themselves to this country. They can not do it, and they will not do it. There is no room for the great English quarterlies or the great English monthly magazines in this country. The field has been fully occupied by the most magnificent series of magazine publications that the world ever saw. On the contrary, our magazine publishers are filling not only our own market fully but are invading Great Britain.

The splendid Century Magazine, unexcelled in its letterpress and in the quality of its paper, and I might say almost unequaled in its illustrations, publishes some 200,000 copies and circulates them every month in this country, and from thirty-five to fifty thousand every month in Great Britain. That will never be accomplished by any foreign magazine in this country, in my judgment, at least not for long years to come, so that these eclectics will still have the field left open to them.

The subject is so well, forcibly, and succinctly discussed by H. C. Lea in his statement to the Senate Committee on Patents that I will incorporate a part of what he says in my remarks. A scholar and an author of high repute, having been for fifty years engaged in the business of publishing books, with eminent business success, but now retired, no man in the country is better qualified than he to speak on this subject. Being now a comparatively disinterested party, his great attainments and wide experience enable him to view the subject in all its phases in an impartial manner. Enjoying a well-earned competence he is still alive to the interests of all classes whose efforts, whether intellectual or manual, go to the making up of a book. He says:

> I trust that by this time every one will admit that the existing state of American law inflicts injustice on literary men on both sides of the Atlantic. The foreign author is deprived of his just dues when his works are reproduced in this country without his permission and without payment, and though it is the custom of all reputable American houses to compensate the writers whose works they reprint, still the absence of all legal rights necessarily limits such payments. The American author is subjected to an unfair and unnatural competition with the unprotected labor of the foreigner. His markets are limited by the excessive sales of works written abroad and made here at the lowest possible cost, and the prices at which his books can be sold, and his consequent remuneration, are reduced below what they would be in the absence of such competition.
>
> * * * Society recognizes no absolute and unlimited ownership in any species of property. All that the individual makes, earns, or inherits is held under such limitations as society sees fit to impose in return for the protection which is afforded by the social compact and the value which is imparted to ownership by the aggregation of individuals in communities.
>
> This limitation of ownership is especially applicable to so purely an artificial creation as copyright. I have alluded to the author in his commercial capacity as a seller of words, and such, under the legal construction of copyright, he simply is.
>
> There is no copyright in ideas, but only in the form in which they are clothed. The man of science, the philosopher, the historian, the investigator in any branch of human knowledge, may spend a lifetime in discovering principles which may profoundly affect the moral and material well-being of the race, or in discovering facts of the highest interest to the progress of mankind, and as

soon as he divulges them to the world they become the common property of his fellow men. Any author may at once seize upon them and embody them in his essay or his text-book, without even an acknowledgment to the laborious originator or discoverer, and can then claim a copyright upon the dress in which he has clothed his borrowed ideas.

The wisdom of society has decided that it is conducive to the progress and welfare of mankind that in books the verbal expression alone shall be the subject of monopoly and ownership, while the ideas shall be free to all, rewarding the inventor and discoverer, the thinker and investigator, with only the barren tribute of fame or the consciousness of service rendered to his fellow creatures, while it stimulates the compiler and the literary man with a certain limited monopoly in selling the form in which he may clothe ideas, whether original or borrowed. In the cognate subject of patents, the wisdom of society has arrived at a conclusion almost directly opposite.

There the monopoly has been bestowed on the idea as an incentive to inventiveness, and the material form in which the idea is clothed is regarded as indifferent. If a patentee makes a machine in one style it can not be reproduced in another, or even improved, if the patented principle is retained. The subject of the patent is the idea, the subject of the copyright is the form.

Thus, by common consent, literary property, the creation of law, is peculiarly subject to the limitations which society may see fit to define for its own protection or advantage when asked to grant and enforce a monopoly. No natural exclusive rights ever have been or can be recognized, and it becomes simply a matter of expediency what conditions shall be imposed when the benefit of monopoly, heretofore restricted to our citizens, is proposed to be extended to foreigners. * * *

I will quote again from Henry C. Lea:

There is another class of the population whose claims to be recognized in this legislation can not be ignored. The book business in this country gives support to many thousands of industrious people of both sexes. There are few products in which labor forms so overwhelmingly large a percentage of the value as in books. The raw material of the most finished volume is a few rags or a billet of wood, a little lamp-black and oil, and a handful of cotton fiber.

The rest is labor, partly unskilled, but mostly skilled and requiring long apprenticeship. In every paper mill, printing office, and bindery in the United States the effect of this legislation will be felt. If it is so framed as to lead our markets to draw their supplies from abroad, diminished work must throw numbers out of employment, while those who are retained must be content with lower wages. In considering the expediency of the conditions to be imposed on foreign authors admitted to the benefit of American copyright, this is a consideration which legislators can not overlook.

Its neglect would, indeed, be suicidal, as there would be an additional and most powerful element of discontent created for the speedy overthrow of improvident and one-sided legislation. I am sure that what every one wants is that this question shall be settled with such wise and equitable adjustment of all contending claims that each shall be measurably satisfied, and that the present decision shall be a finality.

Were we to adopt a plan by which every foreign author or publisher could, if he chose, become possessed of an absolute monopoly of our market for his book, by registering and paying a fee of $1, he might refuse either to publish or sell here, and thus we would have cut ourselves off entirely. You may say that is not likely; but why should we expose ourselves to the chance of such a contingency? What would happen would be that the author, more particularly those in England, would arrrange with his home publisher, and the American reader would be obliged to pay whatever price he saw fit to fix upon the work. The customary high English prices would be demanded of our readers, and our aritsans and laborers would be deprived of the income which I hold it is the duty of Congress to secure to them.

The committee, feeling themselves charged with the duty of listening to all classes, and of endeavoring to care for and foster all, the poor as well as the rich, the man who works with his hands as well as the intellectual toiler, or the merchant in his counting-house, have endeavored to frame a bill which would give protection to all these. These are all laborers, and have an equal claim upon the fostering care of the Government, toward the support of which each contributes his share.

Existing statutes require American authors to publish here and give the book-makers an opportunity to secure their portion of the fruits of the enterprise. We should not require less of a foreigner to whom we grant this special privilege. The Constitution provides that authors may for a limited time be secured the exclusive right to their respective writings. We recognize thus far the exclusive rights of authors to their writings. The purpose of this bill is to extend that recognition to citizens and residents of foreign countries.

There are two great reasons which should move us thereunto. First, and of the least weight, is the expectation that our own writers will reap a compensation from the reciprocal protection which they will receive. This is not large; but the great, and to my mind, the controlling reason is, that common equity and that comity which ought to exist between nations demand it at our hands. Copyright for a limited time is recognized as a privilege belonging to the writer of a book by every civilized nation in the world. All the great nations have international patent laws, including ourselves. The foreign inventor can secure a patent here.

We permit aliens to hold and transmit property of every nature except copyright. Having demonstrated for ourselves, in a manner as I believe should be convincing to others, that this is in the nature of property which is recognized by all civilized nations; proclaiming, as we do, ourselves a Christian nation, bound by the obligations of right, justice, equity, good neighborhood, and the ordinary comity which does and of right ought to exist between nations, are we not bound to extend that recognition to the foreign author? We proclaim ourselves not only the greatest, the richest, but the most liberal nation on the face of the globe. We boast of our honor and our integrity. "*Probitas laudatur et alget.*"

Shall we longer stand in this humiliating position? What are the compensations which the public may expect from the enactment of a law, leaving out of view for the present the ethical side of the question? Are the public real gainers by the present policy? I believe not. They have been served by the Monroe, Lovells, the Seaside, the Franklin Square, and other publishers of certain works of foreign authors at a very low price. But it is by no means certain that the reading public will not be nearly as cheaply served by the passage of such a bill as this. The small amount of royalty which would go to the author, usually 10 per cent. or less, is not a material addition to the cost of a 25-cent book—2½ cents. But it is to higher considerations that I appeal.

Shall we continue to permit this stain to rest upon our good name? Such a law has met the approval of statesmen of all parties. The most eminent men on both sides of this Senate are on record in favor of some form of international copyright. A committee consisting of such great men as Webster, Clay, Buchanan, Preston, and Ewing, reported favorably to the Senate a bill for this purpose.

All international law is based, like the domestic enactments of nations themselves, upon the common principles of natural justice and right reason, to which all organized society must acknowledge its allegiance. I have little respect for that man calling himself a statesman who, in this age of the world, is willing to proclaim by his voice or his vote that he is unwilling to recognize the property rights of any character of citizens of foreign lands.

Such negation of the rights of others deserves to be ranked with the ancient, and now odious, *droit d'aubaine*. It is worse than the old feudal practice of four hundred years ago, called the "right of detraction," under which the sovereign and his feudatory took only part of the inheritance left by strangers and magnanimously gave the heirs the rest. In England, in the time of Henry II, every alien was made responsible for the debts of every other alien, and not until 1870 could an alien inherit property there. The property of dead aliens "escheated" to the crown. Our failure to legislate in this matter is worse—it is "cheating."

At the recent international copyright congress, held at Berne, Switzerland, all the civilized nations recognized this international right. We alone excepted this among "the sacred and inalienable rights of humanity." We stand disgraced before the world. We, the richest of the nations, appropriating, because we can, the fruits of others' labor. Demosthenes said:

We are justly more exasperated against those who, abounding in riches, commit evil actions, than against those who impelled by want do the same. Humane judges are always ready to make allowance for necessity, but when wealth is united with injustice no pretext can be pleaded in excuse.

Let whoever thinks we gain give his voice against this righteous act. I believe, and will maintain, that "whatever is just is advantageous."

Woolsey says:

Inasmuch as rights and obligations are correlative, there is an obligation lying on every State to respect the rights of every other, to abstain from all injury and wrong towards it, as well as towards its subjects.

That is the *jus naturæ*—the great law of nature which is perpetual and irrevocable.

Agriculture has been called the imperial industry, but I hold that literature is the foundation of all prosperity, of all progress, of all civilization. Neither church nor state can thrive without it. Printing has been termed the art preservative of arts; but without literature there would be no printing—there could be no arts. The foundation of civilization itself rests upon literature.

The growth of all nations depends upon their literature. The wonderful success of the colonies in this country, and of the Union afterwards, was, in my apprehension, due to the fact that the men who first came to this country were largely men of letters.

Had they not drunk deeply at the fountain of learning they never could have elaborated that wonderful state polity, the final fruition of which was our wonderful Constitution and compact of Union and the constellation of States, each with its own polity, tending to promote the arts, sciences, and literature and to conserve the liberties of the people. Thus are we deeply indebted to the author, the poorest paid of all laborers; he who labors while others sleep. The protection of their toil is only for a brief season, while generations often enter into the fruits of their labors. Shall we not cease to discriminate, but let him, like other citizens, feel that when he goes abroad the flag of the nation is the emblem of the protection of his rights also, as it is of every other citizen?

We negotiate with other governments for the mutual extradition of a thief who steals pelf; shall we not receive from them the extended hand offered to join us in mutual protection to the most useful of all classes of citizens? Shall we not take this step which will bring as its fruits large additions to the general welfare, the progress of mankind, and most useful and beneficent results to every industry? Shall literature, which was the foundation of our modern civilization, be left an outcast, relegated to the dark ages? The avenues of trade, commerce, agriculture, and manufactures offer inducements of money value as well as of the plaudits of success.

Why should we not open as wide a field to the writer of books? He ministers to our pleasure; he adds to our learning; he fosters the arts; he teaches the farmer improved methods; he develops the sciences; he reforms the minds and incites the youths to noble lives; he defends our institutions and our religion; why is he alone unworthy of our just consideration?

I appeal to you my countrymen, fellow-Senators, to join in this tardy act of justice. Let the American Senate no longer by its action cause honest Americans to hang their heads in shame for our failure to join the other civilized nations of the earth in an act of plain and simple justice.

[House Miscellaneous No. 76, Thirtieth Congress, first session.]

International copyright—Memorials of John Jay and William C. Bryant and others in favor of an international copyright law.

March 22, 1848.—Referred to a select committee.
April 29, 1848.—Ordered to be printed.

To the honorable the Senate and the House of Representatives in Congress assembled:

The memorial of the undersigned, a citizen of the State of New York, respectfully asks the attention of your honorable bodies to the insufficient protection afforded to American literature by the present law of Congress on the subject of copyright.

Your memorialist, from a careful examination of the subject, is well persuaded that many injuries, direct and remote, are inflicted by the exclusion of foreigners from the privileges of that act, upon the rights of American authors, upon the stability and respectability of the American book trade, and upon the interests of the American reading public; and that the passage of an international copyright law, by which foreign authors shall be allowed their copyright here, and American authors assisted to their copyright abroad, would not only be an act of national justice, but of national policy; that it would afford to our native authors what they have never yet enjoyed, "a fair field;" that it would supply a new stimulus to intellectual exertion, infuse a more elevated tone into our national literature, give a healthier character and a wider competition to the American book trade, and secure a better class of books for general circulation.

In support of these views, your memorialist prays leave to submit to your honorable bodies a few arguments and facts.

That the restriction of the privileges of copyright to American authors may have been intended for their advantage is highly probable; but its full operation, until within a few years, has been very imperfectly understood, and has never been brought to the attention of Congress.

The Committee on the Judiciary in the House of Representatives (December 17, 1830), who reported the present copyright act, after drawing a comparison between the legislation of this country for the protection of literature, and that of England, France, Russia, Norway, and Sweden, and declaring that the comparison showed that the United States were far behind the states of Europe in securing the fruits of intellectual labor, and in encouraging men of letters, thus warmly expressed themselves in regard to the rights and claims of authors:

"Your committee believe that the just claims of authors require from our legislation a protection not less than what is proposed in the bill reported. Upon the first principles of proprietorship in property, an author has an exclusive and perpetual right, in preference to any other, to the fruits of his labors. Though the nature of literary property is peculiar, it is not the less real and valuable. If labor and effort in producing what before was not possessed or known will give title, then the literary man has title perfect and absolute, and should have his reward; he writes and he labors as assiduously as does the mechanic or husbandman. The scholar who secludes himself and wastes his life, and often his property, to enlighten the world, has the best right to the profits of those labors. The planter, the mechanic, the professional man, can not prefer a better title to what is admitted to be his own. Nor is there any doubt what the interest and honor of the country demand on this subject. * * * We ought to present every reasonable inducement to influence men to consecrate their talents to the advancement of science. It can not be for the interest and honor of our country that intellectual labor should be depreciated, and a life devoted to research and laborious study terminate in disappointment and poverty."

No constitutional objection to the extension of copyright to foreigners existed to influence the committee in their restriction of that right to American writers, for the Constitution authorizes Congress "to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." There is no limitation of the power to natives or residents of this country. The object was to promote the progress of "science and useful arts," which have been well said to belong to no party or country, but to mankind generally. And Congress has already adopted the principle in the laws regulating patents by extending their benefits to foreign inventions and improvements.

It seems, therefore, evident that the Congress by which the present amended copyright act was passed were not aware of the many injuries growing out of the exclusive system which they recognized and re-established, to the very parties whom it was intended and expected to benefit. These injuries may be thus stated:

I.—INJURY TO AMERICAN AUTHORS.

1. *In regard to the sale of their books at home.*—The present act, while intended to protect American authors in the full enjoyment of their work by giving them an exclusive right to their disposition for a long term of years, at the same time introduces an unfair and ruinous competition by allowing them to be undersold by American book-sellers, selecting and appropriating at their will the unprotected productions of the British press, multiplied editions of which naturally crowd out of the market works of American origin which are subject to copyright. In general, too, the popularity of the British works thus reprinted is a thing established, while that of the unpublished manuscript of the American author is still uncertain.

It is evident, then, that the position in which our native authors are thus placed is discouraging in the extreme; that a fair opportunity of success is denied them; and that this position is not the result of any inferiority in their productions, nor of any reluctance on the part of the liberal American publishers to aid American literature, but that it is the direct and inevitable consequence of the present law, which creates an unfair and overwhelming competition by the admission of unbought foreign literature.

That the infant literature of our young land has struggled successfully even with these obstacles, and that a few of our countrymen have achieved both fame and wealth by their writings, is very true; but it is also true that some, whose early literary productions were marked by great excellence and great promise, have been forced to relinquish the profession of letters for other pursuits more likely to yield them a support; and it is equally true that many American authors, whose writings have delighted and instructed both the Old and the New World, instead of enjoying from their works a comfortable independence, and being enabled to devote themselves, untrammeled by other cares, to their honorable and elevating task, derive with difficulty slender subsistence from the price received for the copyright of works which have, in some instances, realized fortunes to English publishers.

2. *In regard to the sale of their books abroad.*—By act of the British Parliament, 1st and 2d Vict., chap. 59, for securing to authors, in certain cases, the benefit of international copyright, provision is made for affording protection within Great Britain to the authors of books first published in foreign countries, and their assigns, in cases where protection shall be afforded in such foreign countries to the authors of books first published in Great Britain; but in the absence of such protection here to foreign authors, it is denied in Great Britain to American authors, and the denial of this protection is to them a serious injury. The extent to which American books are reprinted and sold in England is probably little known in this country. In the "Report of the Committee on Patents and the Patent Office," adverse to an international copyright law, in the Senate of the United States (Twenty-fifth Congress, second session, No. 491, June 23, 1838, less than ten years since, after referring to the advantages which such a bill would give to an English author here, the report proceeded:

"It may be asked if we should not have an offset in similar advantages under the copyright law of Great Britain. The answer is found in the significant inquiry of the British reviewer, 'Who reads an American book?' The difficulty and expense of bringing an American work into notice with the British public are entirely insurmountable by American authors generally. It is stated in a recent publication that 250 copies of Marshall's Life of Washington, revised and condensed some six years since by the author, were sent to England by one of our publishing houses, whose bookselling connections there were extensive, and offered to the trade at about one-fourth of the price of the first editions. The books remained in London two years, and fifty copies only were sold, on a long credit. The remaining two hundred copies were sent back, saddled with heavy expenses. This is a single instance from many, illustrating how little demand there is in England for American literature."

To exhibit, by positive proof, the singular incorrectness of this statement, your memorialist has hereto appended a list (Appendix B) of upwards of five hundred American works reprinted in England by English publishers, which have been selected from a catalogue of English books, in which they appeared with nothing to designate their American origin. *

Incomplete as this list probably is, from the impossibility of always recognizing American works under the new titles with which they are often reprinted, and imperfect as is the view it presents of American literature in England, for the reason that it frequently designates but one edition and one publisher—whereas, in many cases, numerous editions have been put forth by various publishers; and inasmuch, also, as of late years a large number of American books have been exported to England and there sold through an American agency at London, of which no note is here taken—it will yet suffice to give some idea of the extent to which our own authors are losers by being deprived of a copyright in Great Britain.

The North American Review, after noticing the common impression that the benefits of an international copyright would be, with an immense preponderance, on the side of English authors, and that those of America are too few and the works too little relished in England to be of much importance in the comparison, remarks: †

"No opinion can be more erroneous. Since the Edinburgh Review asked, some twenty-five years ago, 'Who reads an American book?' the tables have been turning exceedingly fast. They are turning at this moment faster than ever: and it is the opinion of as impartial and competent judges as any to be found, that in half as much more time an international copyright law will be decidedly of more value to American authors than to British. A very large part of the transactions of the book trade in both countries is in books for children's reading, and for their use in school education; and in both of these departments—in the latter, from the most elementary to the most elaborate treatises—American works (generally, but not always, under some thin disguise) are fast driving the English out of their market. Dr. Anthon's series of school classics * * * they find much better than any to which they have hitherto been used: and from Peter Parley and the Abbott books up to Leverett's Latin Lexicon and the Cambridge Mathematics, the ingenuous youth of the fast-anchored isle are enjoying luxuries in the way of instruction hitherto all unknown. In law, the treatises of the American Judge Story are regarded by the profession in England as the most important productions of the day. And in the department of theology, the superior estimation in which the writings of American divines are held in the parent country, from sermons to the various kinds of composition of a more scientific character, may, we hesitate not to say, be regarded as an equally established fact. The most popular essays of the age in the English language are, without question, those of Dr. Channing; the most important books of travels are the recent ones of Professor Robinson and Mr. Stephens; the most successful history is that of Mr. Prescott. The writings of Irving and Cooper take rank in England with those of its own eminent authors in the same walks; and some even of our recent poets—the hardest case of all that enter into the comparison—are read almost as much as any native bards. This is but the beginning of a movement altogether unanticipated a few years ago. Such things do not go backward

In Weily & Putnam's "American Book Circular," April, 1843, page 3, is the following passage on the acknowledged excellence of many American books: "We have also good English authority for the opinion that the Hebrew Grammar, by Nordheimer; the Hebrew English Lexicon, by Robinson; the Greek Lexicon to New Testament, by the same; the Commentary on Isaiah, by Barnes; System of Theology, by Dwight; Geography of Palestine, by Robinson; Text-Book, edition of Horace, etc., by Anthon; Modern Contribution to Spanish History (Ferdinand, etc.), by Prescott; Medical Jurisprudence, by Dr. Beck; Medical Jurisprudence of Insanity, by Dr. Ray; Dictionary of the English Language, (!!!) by Dr. Webster, are all the best works, in their several departments, existing in the language."

But American authors are not only deprived of a fair market at home, and of all share in the profits of their works abroad; but

3. They are deprived of all protection in regard to their literary fame and the integrity of their works in foreign countries. English publishers frequently abridge, mutilate, and adapt American works to suit their purposes in the same manner that American publishers often treat English books; and they occasionally change the titles, and omit the author's name.

Mr. Putnam says, in his Book Circular, upon this subject: "Some few American writers would scarcely recognize their own offspring under their new names and foreign dress; and authors are apt to take some pride in their bantlings, whether clever or otherwise. Who, in looking over a list of titles would suppose that 'Quebec and New York, or the Three Beauties,' was the same as 'Burton, or the Sieges;' and 'Cortes, or the Fall of Mexico,' a reprint of 'The Infidel;' that 'The Last Days of Aurelian' is no other than Mr. Ware's 'Probus, or Rome in the Third Century;' and 'Montaeute,' only a new title for 'A New Home;' that Mr. Muzzy's 'Young Maiden' and 'Young Wife,' are translated into the 'English Maiden' and the 'English Wife;' and Mr. Sparks's 'Life of Ledyard, the American Traveler,' is only made more attractive as 'The Memoirs of Ledyard, the African Traveler' (anon); and two volumes of his 'Writings of Washington,' in twelve volumes, are reprinted with the original title, and apparently as if complete. Dr. Harris's 'Natural History of the Bible,' Bancroft's translation of 'Herreus's Politics of Greece,' Mr. Everitt's translation of 'Buttman's Greek Grammar,' were all reprinted and sold as English books: Judge Story's 'Law of Bailments' was chopped into fragments, and appended

* The following classification of American books, printed in England some five years ago is taken from Wiley & Putnam's American book circular, April, 1843:

	Works.		Works.
Theology	68	History	22
Fiction	65	Poetry	12
Juvenile	56	Metaphysics	11
Travels	52	Philology	10
Education	41	Science	9
Biography	26	Law	9

† North American Review for July, 1842, page 262.

here and there, by Mr. Theobald, in his Notes on Sir William Jones. These are a few specimens; in most of them the preface, etc., is sufficiently altered to conceal their origin, and in several the author's name is entirely suppressed." (Page 6.)

II.—INJURIES TO AMERICAN PUBLISHERS AND THE NUMEROUS ARTISANS CONNECTED WITH THE BOOK TRADE.

The present system is unfavorable to American publishers and the workmen in their employ, by rendering the business of reprinting speculative and unsafe.

When a publisher has purchased the entire copyright of a work, or the right to print the same for so many years or to the extent of a given number of copies, he has only to calculate, as accurately as may be, what will be the demand, and determine the supply and the price accordingly. The materials for safe and prudent calculation are within his own grasp, and publishers of small means can enter into competition with publishers of large means in bidding for copyrights. But in the case of reprints, under the present system, the publisher who reprints a foreign work can not in advance form certain calculations as to the result of the enterprise. The work being open to all, other publishers may be printing it at the same time; and the more popular the work, the more numerous the editions; so that neither in regard to the required supply, nor the reasonableness of the price, nor the extent of the sales, can he form any estimate with probable certainty. The publication of books under such circumstances becomes a mere speculation, where the risk of loss counterbalances the chance of profit, and which prudent and cautious publishers are apt to shun, as opposed to safe and correct principles of business, and from which men of small capital are driven by the fear of being ruined.

The natural results of such a state of things are unfavorable to the numerous classes engaged in the book trade. The business of reprinting the new and popular books that issue from the English press is to a great extent monopolized by a few large houses, whose wealth and power enable them to crush competition; and this monopoly, if profitable to the few, is injurious to the many.

There is frequently, too, a waste of capital in the multiplied editions of the same book; capital which would otherwise be profitably employed in the production of different works; and the risk attending this business, when it does eventuate in loss, is apt to affect not only individual publishers, but the numbers engaged in their employ, and whose remuneration depends upon their success.

It has been supposed by many that an international copyright law, if of advantage to authors, must be detrimental to publishers; but such an opinion has been based upon a narrow view of the subject, and has been rejected by a large number of printers, publishers, booksellers, and bookbinders throughout the country, as your honorable bodies may see from various petitions heretofore presented to Congress, one of which, from persons concerned in the book trade in New York, Boston, Hartford, New Haven, Philadelphia, Charleston, and other cities, is hereto appended (Appendix A), in which the memorialists declare their opinion that "the interests of the authors, the publishers, and the purchasers, are reciprocal, as those of the producer and consumer always are."

III.—DISADVANTAGES TO THE READING PUBLIC AND THE NATION AT LARGE.

Besides the disadvantages which this reciprocity of interest between authors, publishers, and readers naturally entails upon the latter, by aught which deranges the regularity or impairs the prosperity of the book trade, and the direct inconvenience to which they are often subjected from the slovenly editions of some books put forth in haste from fear of competition, and the loss, far more important, of others from the same motive, the present system has strongly tended to lower the standard of taste, feeling, and principle amongst us, by flooding the land with reprints and translations of light, ephemeral, and often an immoral cast, whose influence upon the minds of American youth is little calculated to encourage patriotic sentiments or Christian principles, or to fit them for the practical duties of American citizens.

Those works which add to a country's glory, and secure true fame for their authors, generally require great learning, great industry, and sometimes large capital, in their preparation. For such works by American writers no encouragement is held forth by a system which favors the introduction from abroad of foreign books, whose tone is characterized by "that ensnaring 'meretricious popularness' in literature which threatens to break up and scatter before it (with those subjected to influence) all robustness and manly vigor of intellect, and all masculine fortitude of virtue." A principal intent of the copyright act beyond what is required by the principles of natural justice and equity, is that the security afforded to authors "may encourage men of learning and genius to publish their writings which may do honor to their country and service to mankind."* But in its practical operation a great temptation is afforded to our native authors to overcome, if possible, the competition of unbought foreign reprints, by producing works suited to the artificial demand they have created, and calculated to gratify the feverish and unhealthy taste engendered by the perusal of transatlantic novels, rather than to reform so morbid an appetite by supplying books of real value, teaching republican principles and inculcating American feelings.

This view of the case, in the opinion of your memorialist, forcibly addresses itself to the consideration of all who are friendly to an elevated American policy. "A vigorous literature is always the congenial growth of a native soil, and an able work in almost any department will have its train of thought in some measure tinged by the character of the institutions under which its author has been reared, and will of course exert, however insensibly, some degree of corresponding influence upon the reader's mind." Native writers have been, with reason, said to be as indispensable as a native militia. To them must we look for the dissemination, the exposition, and the maintenance of our country's principles and institutions, which, with her rapidly increasing power and extent, are daily becoming more and more the objects of jealousy and misrepresentation in foreign lands, whose imported literature, breathing another spirit than our own, now displaces that which springs from American soil, and which would, if duly cherished, or if only allowed fair opportunity for growth, prove the true-hearted guardian and ever-eloquent maintainer of American institutions. Under monarchial governments it may be a matter of comparatively little importance whether the mass of the people are carefully informed and rightly appreciate the principles of their foundation. But in our land, whose institutions are based upon the capacity and integrity of the people, and can only retain their stability while maintained by their honesty and intelligence, we are forced to recognize the importance of a literature based upon popular principles and adapted to the genius of our Government.†

OBJECTIONS WHICH HAVE BEEN URGED AGAINST AN INTERNATIONAL COPYRIGHT LAW.

First objection. That it would transfer the manufacture of books for the American market from this country to England: In the adverse report of the Committee on Patents and the Patent Office already referred to, made to the Senate of the United States on the 25th June, 1838, the number of persons employed in the various branches connected with book-making and periodical publication in this country was estimated at two hundred thousand, and the capital employed in those branches at from thirty to forty millions of dollars; and it was argued that this large class would be seriously affected by the proposed measure, "in its inevitable tendency to divert labor and capital from their accustomed channels, and to derange an extensive and valuable business which it should be the cherished policy of the Government to foster and protect;" that it would materially lessen an important manufacture, and take employment from our own citizens and transfer it to foreigners, to the great discouragement of American industry; that "a valuable portion of the book-making business, with the extensive employment and manufactures connected with it, will inevitably be transferred from our own country to Europe." That large editions of books can be printed at a much less average cost than small editions; and that when we take into consideration the great abundance of capital and the cheapness of labor in England, it could not be doubted that the printing of foreign books for the American market would, to a great extent, be engrossed by foreign publishers, especially as the power and controlling influence of the great publishing houses in London over the literary market in that country would secure to them a monopoly also of American copyright for the writings of British authors;" and the committee concluded by regarding it as perfectly clear that by the enactment of an international copyright "the profits of trade and manufacture, and all the benefits arising from encouragement to national industry, would be for us on the wrong side of the ledger."

The whole force of this objection rests in the supposition that an international copyright for the protection of authors and the encouragement of a national literature would allow British publishers to secure a copyright in this country for English editions, and supply the American public with imported books, to the great detriment of the American book trade.

No such necessity exists, and no such privilege for foreign publishers could be desired by any American friendly to the encouragement of native industry. All that is asked is protection for the rights of authors; and that protection may be given both at home and abroad by an international copyright, coupled with the conditions, as regards foreign books, that "the type, ink, and paper shall be made, and the printing and binding done, in American workshops."

And then the new impulse thus given to American authorship, the increased stability and prosperity thus added to the business of American publishers, so far from operating injuriously upon our type-founders, paper-makers, and bookbinders, will naturally and necessarily, from the unity and harmony of their interests, have a beneficial influence upon all the varied and numerous classes who find employment in the American book trade.

Second objection. That the inevitable effect of an international copyright would be to enhance the price of books to American readers, and consequently to circumscribe their sale. The supposition that because a publisher pays for a foreign copyright he must therefore charge a higher price for the book might be sound if he were to receive from the copyright no corresponding benefit. But he will receive an equivalent in the security it affords against interference; and in the case of popular works he will by the copyright be enabled to stereotype them, which otherwise he could not safely do; and thus the copyright may procure "not a less, but a greater multiplication and cheapness of copies, for the public benefit, along with a larger sale for the benefit of booksellers."‡

It has been suggested that foreign authors may probably charge exorbitant prices for their books; and that "the favored publishers, secure from competition, would doubtless find in the enhancement of price a compensating profit under a restricted sale."† But such objections belong to past years, and were evidently made by persons who little understood the fundamental and now universally acknowledged principles of trade. The price paid for foreign copyrights would be regulated not by the author's own estimate of his genius, but by the popularity of his works, and, as in the case of all commodities, the demand would regulate the supply; and the American publishers who may secure such copyrights, instead of acting on the exploded maxim of restricting sales and raising prices, would pursue their accustomed plan—the great principle of successful business, never better understood than at the present day—of large sales and small profits.

As an illustration of the fact that copyright will not materially enhance the price of books, if indeed it shall enhance it at all, may be cited the two series of works published by Wiley & Putnam, New York, under the joint title of "Library of Choice Books." One of these series consists of foreign reprints, for which nothing is paid, but which is liable to competition; the other of American books of which the copyright has been purchased. Both series are published precisely in the same form and style, and at the same price.

"The statute of Anne," says Chancellor Kent, "had a provision against the scarcity of editions and exorbitancy of price. The act of Congress has no such provision; and it leaves authors to regulate, in their discretion, the number and price of their books, calculating (and probably very correctly) that the interest an author has in a rapid and extensive sale of his work will be sufficient to keep the price reasonable and the market well supplied.‡

Third objection. The want of reciprocity from an alleged scarcity of American books in England. This objection, which was urged with great pertinacity in the report of the Committee on Patents, has been already cited and answered by reference to the annexed list of nearly six hundred American books which have been reprinted in Great Britain.

Fourth objection. That it would prevent the adaptation of English books to American prejudices. "We would also suggest," is the language‖ of a former remonstrance against international copyright, "another point of vital import. If English authors obtain copyrights upon their works here, and our markets are supplied with them, it is apparent that, having no power to adapt them to our wants, our institution, and our state of society, we must permit their circulation as they are. We shall thus have a London literature forced upon us, at once driving our own out of the field, and subjecting the community to its influence. So long as we have power over it, so long as we can shape it as may suit our own taste and condition, we have nothing to fear."

Although we may have "the power," under the present state of things, to mutilate and deface the unprotected works of foreign writers, yet, if authors do possess that property in their productions attributed to them by the committee who framed the present act of Congress, and recognized, in the words of Lord Mansfield, by "the universal consent of ages," then we have no right so to do; and if we had both the power and the right, it would exhibit but little confidence in the stability of our institutions and the principles of their foundation, and but slight reliance on the ability and patriotism of our own authors as the conservators and defenders of their country's honor, were we to shrink from fairly meeting the strictures and arguments of any writers, and especially were we to justify publishers, while appropriating the work of a foreign author, to violate its integrity by wanton and gratuitous interpolations, attributing to him sentiments which he never entertained, obliterating passages which they think may clash with their patrons' prejudices, and pleasantly disposing, by omission, of facts and arguments which might be hard to answer.

The "adaptation" of American books by British publishers has been again and

*Preamble to the copyright act passed by the State of Connecticut January, 1783—cited, Curtis on Copyright, 78.

† See memorial of citizens of New York, praying the passage of an international copyright law: Twenty-fifth Congress, second session, Senate Document 399, April 24, 1838.

*North American Review.

†Report of the Committee on Patents, page 4.

‡2 Kent's Commentaries, 375.

‖Memorial of a number of persons concerned in printing and publishing: Senate Document No. 323, Twenty-seventh Congress, second session, June 18, 1843.

again denounced as unfair, unreasonable, and in every view unjustifiable; and the same reasons which make it a base thing in foreign countries, exist to prevent it from being an honorable thing at home.*

Fifth objection. "That an international copyright law would be unjust, as it would have a retrospective operation, and impair the obligation of existing contracts."† This objection will be avoided by a bill applicable only to books which may be published after its passage.

Sixth objection. "That American copyright is more valuable than that of Great Britain in respect to time and the tax on authors." The Committee on Patents, in their adverse report, remark:

"An extension of copyright is claimed also on the score of reciprocity. But that principle is inadmissible, except where it is attended with equal advantages on both sides. In additional to the inequality already mentioned, it is proper to advert to the difference in the value of copyright under the British and American copyright law. In respect to time, calculating the chances of life and of issue, theirs is one third shorter than ours; and our law exacts of the author but one copy, while that of Great Britain imposes a tax of five, which is complained of there as an unjust and severe exaction."

Since the date of that report, in June, 1838, the term of copyright in Great Britain has been extended, by the act of 5 and 6 Vict., c. 45 (passed July 1, 1842), to forty-two years from the first publication of a work, with a further term of seven years to the author and his assigns—a provision in some respects more to the interest of authors than the copyright act of the United States.

In regard to the number of copies to be required from authors under an international copyright law, there has also been a change in the legislation of both countries. The act of 1 and 2 Victoria, chapter 59, entitled "An act for securing to authors, in certain cases, the benefit of international copyright" (passed 30th July, 1838), requires of the foreign author only one printed copy of each book, and of every volume thereof, to be delivered to the store housekeeper of the company of stationers, for deposit in the Library of the British Museum: Whereas by the act of Congress of 10th August, 1846, chapter 178, section 10, a copy of each book admitted to copyright is required to be delivered to the librarian of the Smithsonian Institution, in addition to that previously required for deposit in the Library of Congress. So that, were foreign authors admitted to the privilege of copyright in America, upon the same terms with our own authors, two copies of their future publications would be deposited in Washington, and thus two new libraries would spring up under the auspices of Congress, without the expenditure of a dollar from the National Treasury; libraries to whose shelves would be added year by year the valuable works to which foreign genius may hereafter give birth, and that would keep pace, in their enlargement, with the progress of letters, so long as the American Union may continue without money and without care.

Your memorialist is impressed with the conviction that the passage of an international copyright law would be attended by the various benefits that have been suggested, unaccompanied by the evils which a few have anticipated, and that such a law, even were it attended by some inconveniences from which it is free, would be warmly welcomed by American readers as an act of justice and benefit to many foreign authors who have for long years, without compensation, delighted and instructed them, and whose unpaid labors have afforded wealth to our publishers, and employment for our artisans in the book trade, and also as an act of justice and benefit to our own authors, borne down by the operation of existing laws intended for their benefit, but marked by an antiquated policy unworthy of our institutions and our age, alike illiberal and unjust.

Your memorialist shows to your honorable bodies that several of the European governments have within the last year entered into conventions with each other for international copyrights, based upon the same principle of reciprocity which was incorporated into the copyright law of several of the United States before the adoption of the constitution, ‡ and that very many of our liberal and enlightened countrymen are earnestly desirous to see the American republic in like manner recognize the rights and protect the interests of all who belong to the republic of letters, and not lag behind in the march of improvement, in which it is her boast to be even found foremost.

Your memorialist is further informed that in most of the copyright conventions recently entered into between European governments, the right of an author in his work is held to include the right to translate it into any foreign language, and that no person is allowed to publish a translation of another's work until the author has had an opportunity of himself supplying such translation, if he thinks fit to do so. And your memorialist submits that the extent to which the works of Cooper, Irving, Prescott, Sedgwick, Poe, and many others of our writers, are systematically translated into the various languages of Europe, renders it a matter of serious importance that the right in foreign translations should, if possible, be secured to American authors.

Your memorialist therefore respectfully prays your honorable bodies to take this subject under consideration, and to enact in amendment of the present law of copyright, with such further provisions and amendments as to your wisdom shall seem meet, that the provisions of the existing law respecting copyrights passed on the 3d day of February, 1831, shall be extended to, and its benefits enjoyed by, the citizens or subjects of any foreign State or country which shall first have granted to the citizens or residents of the United States the same privileges within such foreign State or country in regard to copyrights, as are enjoyed by the citizens or subjects of such foreign State or country, or by those of the most favored nations, upon their depositing a printed copy of the title of the book or other work for which the copyright is desired, in the clerk's office of the district court of any district in the United States, and complying with the other requirements of the said act, and depositng a duplicate copy of such work for the library of the Smithsonian Institute: *Provided*, That such privileges shall not attach to any of the works enumerated in the aforesaid act, which shall have been etched or engraved, printed or published, prior to the passage of such act for extending the benefits thereof to foreign authors: *And provided also*, That the title page of the work for which it is intended to secure the copyright shall be deposited in the clerk's office of the district court, as aforesaid, before any foreign copy thereof shall have been imported to this country: *And provided also*, That such work shall be printed and published in the United States within a specified time after the depositing of the title page as aforesaid.

And, further, that both American and foreign authors shall be equally entitled to copyrights for translations of their works into foreign languages, as for the original works themselves, on complying with the provisions and conditions for that purpose above specified.

And your memorialist will ever pray.

JOHN JAY.

NEW YORK, *March* 18, 1848.

*The recent number of the Literary World, New York, February 5, 1848, has the following notice of the "adaptation" of an American book "to the wants of Germany:"

"*European piracy of American books.*—A late number of the London Athenæum gives an account of an impudent exploit of book buccaneering which has recently been performed in Germany. Some German literary corsair has, it seems, boarded the home craft, known as Mrs. Sedgwick's 'Poor Rich Man,' and altered its register so as to make it hail from Hamburg. In a word, the plunderer has changed the title, and by striking out the word 'New York' where it occurred in the story, and substituting 'Hamburg,' with its streets and localities, has taken the credit of originality instead of getting a halter for his rascality."

†Remonstrance of inhabitants of Massachusetts against the passage of an international copyright law.—Doc. No. 416, House of Representatives, Twenty-fifth Congress, second session—June 4, 1838.

‡Curtis on the Law of Copyright, pages 80, 81.

APPENDIX A.

Memorial of citizens of the United States for an international copyright law, December 16, 1843.

To the honorable the House of Representatives of the United States:

This memorial of American publishers and booksellers respectfully represents that your memorialists, publishers and venders of books in the United States, and deeply interested, not only as booksellers in particular, but also as American citizens in general, in the greatest possible diffusion of knowledge and sound literature, are fully convinced, by their experience as traders in books, that the present law regulating literary property is seriously injurious both to the advancement of American literature and to that very extensive branch of American industry which comprehends the whole mechanical department of book-making. It is alike injurious to the business of publishing and to the best and truest interests of the people at large.

Your memorialists, after a careful and mature consideration of the important subject, are fully satisfied that the great interests of knowledge and industry of those who provide the community with reading, and of the vast reading community itself, would be most essentially promoted by the passing of a law which would secure to the authors of all nations the sole right to dispose of their compositions for publication in the United States (whether they may be published in foreign countries or not), provided always the book be printed in the United States within a certain time (to be settled by law) after its publication in a foreign country; and provided also that the copyright for this country shall be transferable from the author to American resident publishers only.

Your memorialists are satisfied that this equitable protection would enable the publishers to furnish their fellow-citizens both with foreign and American literature in such forms and at such prices as would truly meet the wants as well as the means of the people, while the writers of books would receive the just compensation for their labor and talent wherever their works may be read. Your memorialists are of opinion that the interests of the authors, the publishers, and the purchasers are reciprocal, as those of the producer and consumer always are.

Your memorialists would also refer to the fact that no more than a measure such as they respectfully but urgently desire, is necessary, in order to secure at once to the American authors a copyright for their books in Great Britain.

Your memorialists therefore respectfully request your honorable body to take into consideration the present law of copyright in the United States, and to enact such law as may secure to the authors of foreign nations the right to dispose of their works to American publishers, to be printed in this country, providing that such right shall extend to the authors of those countries only whose governments have granted, or may grant, a reciprocal privilege to our authors, and with such other provisions as may seem to your wisdom to be desirable and just.

And your memorialists, etc., etc.

Publishers and booksellers of New York: D. Appleton & Co., John Allen, Bartlett & Welford, Alexander V. Blake, T. J. Crowen, Robert Carter, M. W. Dodd, Edward Dunigan, Charles S. Francis & Co., Charles J. Folsom, Huntington & Savage, J. & H. G. Langley, Jonathan Leavitt, William Gowans, Roe Lockwood, Robinson, Pratt & Co., William Robinson, James A. Sparks, Swords, Stanford & Co., John S. Taylor & Co., E. Walker & Co., Effingham Embree, Turner & Hayden.

Printers of New York: William Osborn, James P. Wright, John F. Trow, J. H. Jennings, Thomas B. Smith.

Publishers of Boston: T. H. Carter & Co., Crocker & Brewster, William Crosby & Co., Robert S. Davis, Joseph H. Francis, Harrison Gray (provided American plate, type, and paper are used), Jenks & Palmer (provided American type and paper are used). Lewis & Sampson, Samuel G. Drake, Elizabeth P. Peabody, W. J. Reynolds, Saxton, Pierce & Co., Tappan & Dennett, W. D. Ticknor & Co., Thomas H. Webb, David H. Williams, R. H. Sherburne, D. S. King & Co., William B. Fowle and N. Capen, B. B. Mussey, Otis, Broaders & Co., Benjamin Bradley (bookbinder).

Bookbinders of New York: Samuel Middlebrook, Colton & Jenkins, George Hogg, A. T. Canfield, Edward Walker, Edward G. Taylor, James Liner.

Booksellers of Hartford and New Haven, Conn.: John C. Wells, Gurdon Robbins, jr.; Sidney Babcock, Croswell & Jewett, Dunie & Peck, A. H. Maltby, Benjamin Noyes.

Booksellers and publishers of Philadelphia: George S. Appleton, J. B. Lippincott & Co., J. Wheatham & Son., Hogan & Thompson, Edward C. Biddle, A. S. Barnes & Co., Carpenter Wharton, Henry F. Annas, Thomson & Brown, John W. Moore, William G. Wardle, James B. Longacre, T. K. & P. G. Collins, Judah Dobson, H. Hooker, T. Ellwood Chapman, Richard S. H. George, R. W. Pomeroy.

Booksellers at different places: John Owen, Cambridge, Mass.; Babcock & Co., Charleston, S. C.: Samuel Hart, sr. (per G. & P.), Charleston, S. C.; Pliny Miles, Watertown, N. Y.; William Wilson, Pougikeepsie, N. Y.; Francis Putnam, W. & S. B. Ives, Henry Whipple, Salem, Mass.; L. W. Hall & Co., Syracuse, N. Y.; W. B. & C. E. Peck, O. G. Steele, Buffalo, N. Y.; George Tracy, Bennett, Backus & Hauley, J. Tiffany, Utica, N. Y.; Allen, Morrill & Wardwell, Andover, Mass.

APPENDIX B.

Catalogue of American books published in Great Britain.

A.

Abbott, Jacob, China and the English, 18mo; 1s. 6d. Ward.
Corner Stone, 12mo; 5s. Wightman.
Corner Stone, by Dr. Pye Smith, 12mo; 5s. Seeley.
Corner Stone, with Essay, by Philip, 18mo; 2s. 6d. Ward.
Hoaryhead and the Valleys Below, 18mo; 2s. 6d. Hodson.
Little Philosopher, 18mo; half bound; 2s. Seeley.
Reader, Pieces in Prose and Verse, 18mo; 3s. Parker.
Rollo at Play, 12mo; 2s. 6d. Tegg.
Rollo at School, 18mo; 2s. 6d. Tegg.
Rollo at Vacation, 12mo; 2s. 6d. Tegg.
Rollo at Work, 12mo; 2s. 6d. Tegg.
Rollo Learning to Read, 12mo; 2s. 6d. Tegg.
Rollo Learning to Talk, 12mo; 2s. 6d. Tegg.
Rollo's Code of Morals, 18mo; 2s. 6d. Bogue.
Teacher, 18mo, 3s., Barton. By Mayo, 12mo, 5s. Seeley.
Way to do Good, 12mo; 3s. Dinnis.
Works, 8vo; 12s. Tegg.
Young Christian, by Cunningham, 12mo; 2s. 6d. Seeley.
Young Christian, by Inness, 12mo; 2s. 6d. Longman.
Young Christian, by Walton, 18mo; 2s. 6d. Mason.
Abbott, J. C., Child at Home, 32mo; 2s. Mason. 18mo; 2s. 6d. Seeley.
Abeel's (David) Residence in China, etc., 1830-'33, 12mo; 6s. Nisbet.
Adams, Hannah, History of the Jews, 8vo; 12s. Duncan.
Adams, Hannah, View of all Religions, by Fuller, 12mo; 7s. 6d. Williams.
Alsop, Richards, Translation of Molina's History of Chili.
Alexander (Arch.), Canon of the Scriptures Ascertained, 12mo; 5s. Miller.

Alston, Washington, Sylph of the Seasons, and other Poems.
Mouoldi, 18mo. Moxon.
American Biography, Lives of Mrs. Judson and Ramsay, 18mo; 3s. 6d. Hamilton.
American Biography, Broad Grins, 18mo; 2s. 6d. Tyas.
American Biography in England, by Lieutenant Slidell, 2 vols. post 8vo; 18s. Colburn.
Anthon's (C.) First Latin Grammar and Exercises, by Hayes, 12mo bd.; 4s. Tegg.
Anthon's (C.) Greek Grammar, by Major, 12mo, bd; 4s. Tegg.
Greek Reader, by Boyd, 12mo; 7s. 6d. Tegg.
Prosody and Metre, by Major, 12mo, bd.; 2s. Tegg.
Arthur's (T. S.) New Story Book, 32mo; 2s. Darton.
Atlantic Club Book, 2 vols. 8vo; 18s. Newman.
Audubon's Ornithological Biography, v. 1–5, royal 8vo; each £1 5s. Longman.
Audubon's Synopsis of the Birds of North America, 8vo; 12s. Longman.

[Senate, 398, Twenty-fifth Congress, second session.]

Memorial of a number of citizens of Boston, praying the passage of an international copyright law.

April 24, 1838.—Referred to the Committee on Patents and the Patent Office, and ordered to be printed.

To the Senate and House of Representatives of the United States in Congress assembled:

The undersigned, citizens of the United States, friendly to the due protection of native literature, respectfully request that the attention of Congress be directed to so amending the laws regulating literary property as to extend to all authors writing in the English language the privilege of obtaining a copyright for such works as may be originally or simultaneously printed and published in this country.

We are in favor of the proposed measure both because it is essential to the encouragement and development of American literature, and because it is demanded, with much propriety, as an act of justice by the principal foreign authors interested.

Under the existing system the American author is deprived of an adequate compensation for his labors in consequence of the unequal competition of a vast body of unpaid writers, comprising all the established authors of Great Britain, multiplied editions of whose works, printed frequently in magazines and newspapers, naturally crowd out of the market all those works of native origin to which a copyright tax is attached. The result is that the native author must either be content with so small a profit on his works as may not prevent them from being put on a level, in price, with those gratuitously obtained from their authors, or he must place them so far above the average cost as effectually to exclude them from circulation. It will be readily seen how disadvantageous and depressing this state of things must be to those native writers who may be compelled, by straitened circumstances, to seek for profit as well as fame from their writings. A fair field and no favor is all that they ask. But, under the present system, the operation is precisely as unfavorable to their efforts as if there were an actual bounty upon foreign literary produce and a tax upon all of native origin.

Were there no other good reasons for the proposed international copyright law, the mere fact that the greater part of the foreign authors interested had petitioned for its passage would be, in our estimation, a sufficient argument. We do not wish to purchase editions of books not only unlicensed, but virtually prohibited by the author, and where, by the republication, the author thinks a positive injustice is done him. We do not feel so dependent for our literary resources upon the forthcoming productions of the English petitioners as to inflict what they regard as an injustice in the purchasing or reading of unauthorized editions of their works.

The plea of the British authors appears to us to be founded on the plainest principles of justice. Our law already recognizes the right of native citizens to hold and transfer literary property as fully as it recognizes the right of transferring any other species of property. We cannot well conceive why a foreign author should not have the same liberty and right to consign or transfer literary property to his agents in this country that a foreign merchant has to transfer and consign his merchandise. We can not well conceive why the American creditors of a foreign author should not be enabled to avail themselves in this country of the sale of the products of that author's intellectual labor and ingenuity, as well as the American creditors of a foreign mechanic or manufactures should have the right to receive in payment the products of the latter's physical labor and handicraft. Is not the distinction palpably unjust and impolitic?

A serious evil under the present system, of which the British authors with great justice and propriety complain, is the liability of their works to mutilation and alteration by ignorant and incompetent persons. It is natural that these authors should be jealous of their transatlantic reputation. Their American fame is like the voice of posterity in their favor. How justly, then, may they lament that we permit them to exercise no supervision or control over their works in this country; that their names are often attached to garbled and mutilated publications, for which they are not responsible, and which are no less than gross impositions upon the community.

Another defect in our present system may be seen in the opportunity which is afforded to anonymous authors to avail themselves of a privilege which is denied to those who are known. An anonymous author in England may easily, by collusion with some person in this country, put forth his works as the productions of an American pen, and so enjoy a copyright for them in both countries. The fact is undeniable that Sir Walter Scott had it in his power, while he was unknown as the author of the Waverly novels, to reap the profit of a copyright upon them in this country. Why should he not have been enabled to enjoy the same privilege after he had avowed his authorship?

Your petitioners do not believe that any interests in this country would be injuriously affected by the passage of an international copyright law. It has been asserted that there are $30,000,000 enlisted in the publishing business in this country. Of this, less than $5,000,000 are devoted to the republication of such works as could be subject to a copyright under the proposed law. Of course, the value of the remaining $25,000,000 interest would be rather increased than diminished. The business of republishing new English works, novels, etc., it is well known, is monopolized by three or four of our wealthiest publishers; and it is highly improbable that they would be unfavorably affected in their business by the desired measure.

The only restriction necessary for the ample protection of all classes interested would be a provision that all foreign works, to be entitled to a copyright, should be printed in this country, and that they should be published here simultaneously with their appearance in England.

But, admitting it were true that the publishing interest would be injured by the passage of an international copyright law, your petitioners do not think that the circumstance should weigh in comparison with the great and obvious benefits which would result to the community in general with the nationalizing of our literature, which, under the existing system, is retarded and debased, and with a proper regard to the sacred rights of property.

In conclusion, your petitioners would respectfully urge that they consider the proposed measure as demanded by a due respect for the principles of justice founded in the use of a common language; by a sense of enlightened national reciprocity; and by the great literary interests of both countries. And your petitioners, etc.

Edward Everett, George Bond, William G. Lambert, Alfred Slade, Henry A. Johnson, Charles H. Mills, Samuel A. Appleton, William Almy, L. F. Stoddard, George William Gordon, John A. Blanchard, William J. Bellows, Caleb Andrews, Daniel K. Chud, Charles Scudder, David W. Horton, David S. Dutton, William W. Stone, Joshua Webster, jr., M. Day Kimball, H. Gassett, jr., Oscar Gassett, James McGreger, Daniel Chamberlin, J. Huntington Wolcott, Samuel Frothingham, jr., Charles R. Bond, Joseph M. Brown, F. A. Durivage, George S. Hillard, R. Choate, William J. Niles, T. Lewis Stackpole, C. C. Felton (Cambridge), W. B. English, Meldon Somerville, Isaac Knapp, Willard Phillips, Joseph Willard, Frederick Emerson, Isaac Boyle, John Brooks Fenno, R. J. Cleveland, George William Bond, Nathaniel Greene, Henry G. Foster, Thomas Odiorne (Malden), William B. Lawrence, William Lawrence, Samuel Lawrence, Amos A. Lawrence, Henry Rice, Thomas S. Weld, Henry Loring, George A. Fiske, Charles P. Blaney, Alanson Tucker, jr., Aaron Sweet, T. F. Holden, A. J. Gray, H. G. Hutchins, George Foster, Daniel MacGreger, Horatio Bigelow, George T. Curtis, John W. Gorham, John S. Wright, Thomas Lord, E. P. Whitman, P. Greely, jr., Henry F. Baker, Thomas J. Shelton, Thomas Tileston, jr., Isaac C. Pray, jr., Edward G. Loring, Epes Sargent, jr., E. J. L. Austin, W. W. Tucker, J. B. Wright.

[193, Twenty-fourth Congress, second session.]

Petition of the professors of the University of Virginia, praying an alteration of the laws respecting copyrights.

FEBRUARY 20, 1837.—Presented, and ordered to be printed.

To the Senate and House of Representatives in Congress assembled:

The petition of the undersigned, professors of the University of Virginia, respectfully sheweth:

That your petitioners have long felt and lamented the inadequacy of the law of copyright in the United States, to give that encouragement to the literature and science of the country which its patriotic framers intended, inasmuch as our publishers are neither willing nor able to pay the American author for his labors (except in a few special cases), so long as the productions of British authors can be republished here free of charge.

That in the country from which we derive our origin there is, and is long likely to be, a much larger class exclusively devoted to literary pursuits than with us; from which circumstance, if there was no other point of diversity, American writers must be exposed to a formidable competition; but the effect of that competition is greatly enhanced by the practical operation of the copyright laws of the two countries. In Great Britain the benefit of these laws is extended to American authors, whilst in the United States the benefit is limited to their own citizens. The consequence is, that the British author is protected in the fruits of his mental labor, not only by the temporary monopoly of his works, but also against the probability of being undersold by foreign competitors; and when he has produced a work which has found favor at home, and yielded him a corresponding profit, it is commonly reprinted in the United States and sold at a lower price than American productions for which the authors have received any remuneration: by which means American writers are reduced to the alternative of either giving their works gratuitously to the public, or of seeing them subjected to an enhancement of price from which the productions of their foreign competitors are exempt.

Whatever they receive for their literary labors thus operates as a bounty on the circulation of works reprinted from the British press; and it is impossible that they can enter in the field of competition on equal terms unless your honorable body shall, by extending the privilege of copyright to foreign authors, take from the booksellers the power they now possess of appropriating to themselves the unprotected property of British writers, to undersell the productions of the American press.

Your petitioners respectfully represent that an individual has as just a claim to remuneration from those who profit by his literary labors as from those who profit by any other species of his industry; and while the laws of Great Britain, by extending to aliens the privilege of copyright, have recognized this rule of natural justice, it would not accord with that liberal policy and those principles of reciprocity on which the United States have always acted towards other nations, not to follow her example.

Your petitioners are aware that the present state of things is favorable to the cheapness of new English books, but they are unwilling to believe that this advantage will outweigh the considerations that have been mentioned. If the most strenuous advocate for the doctrines of free trade does not hesitate to admit that, in providing the materials of national defense, the cheapness of the supply should be less regarded than its certainty, and that a part of the nation's wealth is wisely commuted for an addition to its security, he must also admit that the greater cheapness of a portion of its reading should be deemed unimportant when opposed to its justice, its honor, and its literary improvement.

Nor is this greater cheapness an uncompensated benefit. A considerable part of the English books republished in the United States, which could claim the benefit of copyright, are of a light and frivolous character, written confessedly for amusement rather than instruction; some of them, too, inculcating sentiments and principles little suited to the condition of society here, and unfriendly to some of our most cherished institutions. As the authors of such works would naturally seek to derive a profit from their sale here, if the privilege of copyright was extended to them, their circulation would, by the increased price, be materially checked, and the chasm they would leave would be filled either by other British works of more solid worth, or by those native productions which would better harmonize with the principles and feelings of our citizens, and be more apposite to the existing state of the times. In this way many a deleterious potion, when no longer recommended to an undiscriminating public by its superior cheapness, would be made to give place to wholesome aliment.

But if, notwithstanding the considerations that have been presented to your notice, your honorable body should think the greater cheapness of the current British literature is not to be disregarded, your petitioners would respectfully suggest that the privilege now sought to be extended to British authors is capable of being so modified as substantially to secure to them and to American authors the relief they ask, by limiting the monopoly in foreign works to a shorter term than that which is given to American citizens, by which means the supposed disadvantage of paying a higher price for those works would be proportionally diminished.

Hoping that your honorable body will make that change in the law of copyright which, as it seems to your petitioners, is due to strict justice (which our own self-respect enjoins), and is recommended by high considerations of national policy, they, as in duty bound, etc.

G. W. BLAETTERMANN.
GEORGE TUCKER.
J. A. G. DAVIS.
JOHN P. EMMIT.
W. B. ROGERS.
AUG. L. WARNER.
C. BONNYCASTLE.
GESSNER HARRISON.
ALFRED T. MAGILL.

[House Doc. No. 162, Twenty-fourth Congress, second session.]

Authors of Great Britain—Address of certain authors of Great Britain to the House of Representatives of the United States, in Congress assembled.

FEBRUARY 13, 1837.—Referred to the Committee on the Judiciary.

Respectfully showing that authors of Great Britain have long been exposed to injury in their reputation and property from the want of a law by which the exclusive right to their respective writings may be secured to them in the United States of America;

That, for want of such law, deep and extensive injuries have of late been inflicted on their reputation and property and on the interests of literature and science, which ought to constitute a bond of union and friendship between the United States and Great Britain;

That, from the circumstance of the English language being common to both nations, the works of British authors are extensively read throughout the United States of America, while the profits arising from the sale of their works may be wholly appropriated by American book-sellers, not only without the consent of the authors, but even contrary to their express desire, a grievance under which they have at present no redress;

That the works thus appropriated by American book-sellers are liable to be mutilated and altered at the pleasure of the said book-sellers, or of any other persons who may have an interest in reducing the price of the works, or in conciliating the supposed principles or prejudices of purchasers in the respective sections of your Union, and that the names of the authors being retained, they may be made responsible for works which they no longer recognize as their own;

That such mutilation and alteration, with the retention of the authors' names, have been of late actually perpetrated by citizens of the United States; under which grievance such authors have at present no redress;

That certain authors of Great Britain have recently made an effort, in defense of their literary reputation and property, by declaring a respectable firm of publishers in New York to be the sole authorized possessors and issuers of the said works, and by publishing in certain American newspapers their authority to this effect;

That the object of the said authors has been defeated by the act of certain persons, citizens of the United States, who have unjustly published, for their own advantage, the works sought to be thus protected, under which grievance the said authors have at present no redress;

That American authors are injured by the non-existence of the desired law. While American publishers can provide themselves with works for publication by unjust appropriation, instead of by equitable purchase, they are under no inducement to afford to American authors a fair remuneration for their labors, under which grievance American authors have no redress but in sending over their works to England to be published, an expedient which has become an established practice with some of whom their country has most reason to be proud;

That the American public is injured by the non-existence of the desired law. The American public suffers not only from the discouragement afforded to native authors, as above stated, but from the uncertainty now existing as to whether the books presented to them as the works of British authors are the actual and complete productions of the writers whose names they bear;

That, in proof of the evil complained of, the case of Walter Scott might be referred to, as stated by an esteemed citizen of the United States; * that while the works of this author, dear alike to your country and to ours, were read from Maine to Georgia, from the Atlantic to the Mississippi, he received no remuneration from the American public for his labors; that an equitable remuneration might have saved his life, and would at least have relieved its closing years from the burden of debts and destructive toils;

That, deeply impressed with the conviction that the only firm ground of friendship between nations is a strict regard to simple justice, the undersigned earnestly request the House of Representatives of the United States in Congress assembled speedily to use, in behalf of the authors of Great Britain, their power of securing to the authors the exclusive right to their respective writings.

Thomas Moore, J. D'Israeli, Benjamin D'Israeli, Amelia Opie, Thomas Campbell, Charles Lyell, Harriet Martineau, Mary Somerville, Henry Hart Milman, Peter Mark Roget, M. D., Anna Maria Hall, J. Montgomery, Joanna Baillie, M. M. Mitford, Allan Cunningham, Charles Babbage, L. Bonaparte, G. P. R. James, William Buckland, Grenville T. Temple, Maria Edgeworth, J. Bostock, M. D., Henry Hallam, J. N. Talfourd, M. P., Edmund Lodge Norroy, Edward Lytton Bulwer, M. P., Marguerite Blessington, J. P. Potter, Charles MacFarlane, Anne Marsh, Thomas Keightly, William Howitt, Mary Howitt, S. C. Hall, William Prout, M. D., Maria Callcott, G. Griffin, Henry F. Chorley, William Kirby, Thomas Carlyle, J. S. H. Pardoe, T. S. Grimshawe, Charles White, Henry Lytton Bulwer, Samuel Rogers, Thomas Chalmers, Charles Bell, J. C. Loudon, W. Whewell, Edward Tagart, F. G. S.; Emeline C. E. Stuart Wortley, Rob. Murchison, Rev. Prof. Vaughan, D. D., Glasgow; the Rev. G. Skinner, Cambridge University, England; A. Hayward, J. H. Caunter, Robert Southey.

Authors whose signatures are hereunto attached, with titles of their works.

Thomas Moore., esq., Irish Melodies, Lalla Rookh, Life of Lord Byron, etc.
J. D'Israeli, esq., Curiosities of Literature, etc.
Benjamin D'Israeli, esq., Vivian Grey, etc.
Mrs. Opie, Simple Tales, etc.
Thomas Campbell, esq., Pleasures of Hope, etc.
Charles Lyell, esq., Geology, etc.
Miss Martineau, Political Economy.
Mrs. Somerville, The Physical Sciences.
The Rev. H. H. Milman, Fall of Jerusalem, History of the Jews, etc.
Dr. Roget, Bridgewater Treatise.
Miss Colgworth, Tales, Practical Education, etc.
Dr. Bostock, Physiology.
Henry Hallam, esq., Constitutional History of England.
J. N. Talfourd, esq., M. P., Ion, etc.
Edmund Lodge, esq., Norroy King of Arms, Illustrious Portraits, etc.
Edward Lytton Bulwer, esq., M. P., Pelham, Eugene Aram, Athens and Athenians.
The Countess of Blessington, Conversations of Lord Byron, Book of Beauty, etc.
The Rev. J. P. Porter, The Religion of Socrates, Cowper, Heber, and Newton.
Charles MacFarlane, esq., Residence in Constantinople.
Mrs. Marsh, Old Men's Tales.
Thomas Keightley, esq., History of Greece and Rome, Mythology, etc.
William Howitt, esq., Book of the Seasons.
Mrs. Mary Howitt, Wood Leighton, etc.
S. C. Hall, esq., Book of Gems.
Mrs. Hall, Buccaneer, Outlaw, etc.
James Montgomery, esq., World before the Flood, etc.
Miss Joanna Baillie, Plays of the Passions, etc.
Miss Mitford, Our Village, etc.
Allan Cunningham, esq., Lives of the Painters, etc.
Charles Babbage, esq., Science and Manufactures.
Prince Lucien Bonaparte, Memoirs written by himself.
G. P. James, esq., Richelieu, Memoirs of the Black Prince, etc.
Rev. Dr. Buckland, Geology and Mineralogy.
Sir Grenville Temple, Bart., Travels in Greece and Turkey.
Dr. Prout, Chemistry, Meteorology, etc.
Mrs. Callcott, History of Brazil, Chili, and India.
G. Griffin, esq., The Collegians, etc.
H. F. Chorley, esq., Memoirs of Mrs. Hemans.
The Rev. W. Kirby, Habits, etc., of Animals.
Thomas Carlyle, esq., Sartor Resartus.
Miss Pardoe, Residence in Portugal.
The Rev. T. S. Grimshawe, Life of the Rev. Leigh Richmond, the Poet Cowper, etc.
Charles White, esq., Belgic Revolution.
Henry Lytton Bulwer, esq., M. P., France, Social, Literary, and Political.
Samuel Rogers, esq., Pleasures of Memory, etc.
Rev. Dr. Chalmers, Discourses, etc.
Sir Charles Bell, Bridgewater Treatise, etc.
J. C. Loudon, esq., Encyclopedia of Gardening, etc.
Professor Whewell, Bridgewater Treatise, etc.
Lady Emeline Wortley, Poems, etc.
Edward Tagart, esq., Life of Captain Haywood, etc.
R. Murchison, esq., Geology, etc.
Rev. Dr. Vaughan, History of Stuarts, etc.
Rev. G. Skinner.
A. Haywood, esq., Translator of Faust, etc.
The Rev. J. H. Caunter, Romance of History, India, Oriental Annals.
Rob. Southey, esq., Poet Laureate, Thalaba, etc.

* Dr. McVickar. *Vide* letter to the editor of the New York American, November 19, 1836.

Mr. BECK. I wish to inquire whether the Senator from Rhode Island expects a vote on the bill to-night. We hear him very indistinctly. I do not know whether he has been discussing the question I desire to ask him or not. He is not aware how low he speaks. We can not hear him over here. If he is not going to press the bill to a vote to-night, I can have the benefit of reading his speech to-morrow.

Mr. CHACE. I should very much like to bring it to a vote to-night.

Mr. BECK. I desire before it comes to a vote to know, first, what is the object of giving foreign periodicals the right to a copyright here. The publisher of those periodicals may not have written a word of them himself and he may employ the lowest and cheapest pauper labor to write those articles that he can find. And why for forty-two years we should give him the exclusive right, and then couple with it an additional provision that he shall not do either the material or the press-work at home, but shall employ some one here to do the reprinting at any cost that he may see fit, I can not see. How that is going to aid anybody except to add to the cost of the publication, I can not see. That point may have been discussed, but I have not heard it.

Mr. CHACE. I would say to the Senator from Kentucky, not by way of complaint, that while he is not able to hear me I have been able to hear the conversation on his side of the Chamber, and that may, perhaps, account for his not hearing me. I do not quite understand the Senator's question, which was very long.

Mr. BECK. First, why should the publisher of a foreign periodical, who does not, perhaps, write a word of it, be protected by a copyright here, and at the same time have that publication made in this country, the type work, the material, etc., done here, unless a combination of publishers here and publishers abroad seek to increase the price of the work without the brains of either being in it, and make our people pay double price? What is the object of that?

Mr. CHACE. I will say to the Senator that the foreign magazines can not be copyrighted in this country unless they are published simultaneously in this country and that; and if the foreign publisher chooses to do that, I should think the Senator from Kentucky would be the last man to say the foreigner should not have the privilege of coming here and participating in the protection of our laws. I know he would not do it. I imagine he does not intend to do it. I myself know of no reason why a man should not come from Great Britain to this country and set up business in this country and claim and receive all the protection that any citizen of the United States whose father happened to come here before him is entitled to. It seems to me that it is a very broad principle, that my friend from Kentucky must subscribe to.

I do not propose to rest it upon any treaty. The Senator from Vermont [Mr. EDMUNDS] suggests that the treaty of 1794 provides for it. I rest it on broad principle. I believe we have reached a question at last on which the Senator from Kentucky and myself can agree. At any rate, we ought to.

I noticed that he made an allusion to pauper labor. This is not a question of pauper labor. It is a question of labor here. It is not a question of protection; it is not a question of combination of authors. It is simply a question. Will we provide for the protection of authors and their right in their publications just as other nations do? And the provisions we have in this bill are similar to the provision in the laws of almost all foreign nations—I will not say everywhere. It is a question of the recognition of property rights.

Mr. BECK. Wherein is the publisher of a periodical necessarily an author?

Mr. CHACE. The publisher of a periodical is not necessarily an author, of course, but the Senator certainly would not object to the publisher instead of the author taking out the copyright if it is taken out for the benefit of the author. It is the commonest thing for a man to do a thing by his next friend.

Mr. BECK. I assume that it is not for the benefit of the author in any shape or form.

Mr. CHACE. But the Senator can not assume that. The author sells his article to the publisher, and if neither the publisher nor the author can get a copyright he has nothing to sell. It is a question of protection by law of a right of property. It may be assigned from one to another, and that does not invade the principle, if I apprehend the question.

Mr. President, I will reserve the rest of my remarks for the present until I hear what other gentlemen have to say. I shall have something more to say in regard to this matter, but as the Senator from Vermont [Mr. MORRILL] has some amendment that he wishes to offer, I will yield the floor.

Mr. MORRILL. I am expecting to support this bill if it shall assume such a shape as I hope it will assume before it is finally voted upon. I do not believe, however, that its passage is to be promoted by stigmatizing our American country as the Barbary coast and our people as pirates in relation to foreign publications. I take it that we have as much right to regulate what shall be introduced and printed here as we have in relation to the persons themselves who come here. We take no property of any foreigners who come here. If they send their books here to be printed and distributed, it is a kind of business that is undertaken in our land and which we may properly regulate as we please, protect or prohibit or exclude. But it does seem to me that it would be going quite far enough for us to grant a reciprocal copyright upon books, for even in that matter we shall give double the advantage to all foreigners that they give to us. Take it in Great Britain where most likely the works will be more numerous than anywhere else that will be brought here for reprinting and republication. A book that 10,000 copies would be considered a large sale of in Great Britain would find here at least 20,000 purchasers. Our people are not only more numerous, nearly twice as numerous, but certainly we have twice as many of those who are in the habit of buying books here as they have in Great Britain.

Now, Mr. President, I shall send to the desk an amendment which has been suggested to me that seems to me entirely reasonable. On page 4, section 2, after line 43, I propose to insert the following proviso:

Provided, That publishers of newspapers or other periodicals in the United States shall be allowed to copy in those publications any articles which may appear in the newspapers or other periodicals of any foreign country, and for that purpose, and not for sale, shall be allowed to import such newspapers and other periodicals.

Mr. President, I do not know how many such publications there are in the country. I know there are several; some that are entirely composed of foreign reprints and some in part. I think there are more than two. These publications commence the volume with the 1st of January. If this bill should become a law the proprietors of these magazines that have received payment for their publications for a year would be compelled to stop their publications at once upon the passage of this bill, and therefore be compelled to refund the payment of anything that had been paid for the entire volume, say to the 1st of January, 1889.

But outside of that, it seems to me that it is rather a small business for us to give a chance for copyrighting articles in magazines and newspapers, and I trust that the amendment which I have proposed will appear to the Senate a reasonable proposition and be accepted.

Mr. VANCE. Mr. President, I offer the following amendment, to come in on page 6, in section 4, line 4: Strike out from the word "and" to the word "above," inclusive, in line 6, and insert:

Provided, That newspapers, magazines, and periodicals shall not be entitled to copyright as herein provided.

Mr. CHACE. Does the Senator offer that as an amendment to the amendment of the Senator from Vermont?

Mr. VANCE. No, sir; as a distinct amendment.

Mr. CHACE. It is very similar in its character.

Mr. VANCE. No, sir; it is not similar in character. I simply desire to say in support of my amendment——

The PRESIDENT *pro tempore*. Before the Senator proceeds let the amendment be reported at the desk.

The CHIEF CLERK. On page 6 of section 4, line 4, after the word "effect," it is proposed to strike out all down to and including the word "above," in line 6, as follows:

And each number of a periodical shall be considered an independent publication, subject to the form of copyrighting as above.

And insert in lieu thereof:

Provided, That newspapers, magazines, and periodicals shall not be entitled to copyright as herein provided.

Mr. VANCE. This has reference to what I presume is well known as to the way in which magazines and periodicals are conducted. The publisher or owner of the publication employs writers to write articles for his magazine and pays them therefor, so that so far as the authorship of these magazine articles is concerned there is the end of the matter. Any subsequent profit inures to the publisher. If the design of this copyright law and all others is to reward genius that gives to the world valuable thoughts and information, this will not answer the purpose, for in all cases the publisher of the magazine when he has paid for his matter dismisses the genius who furnishes it to him and sends it over here, and copyrights his magazine and reaps all the reward himself.

It seems to me that this is in pursuance of the universal policy which runs through and permeates everything; that it is a sin and a wrong against the present generation that we should have anything without a tax. We have an enormous duty on school-books; we have a duty on children's slates and children's pencils. We have a duty on books, maps, charts, and other implements of information and education for our people. By the genius of our American workmen and the machinery which has been invented we have been enabled to excel almost all the people of the world in the matter of cheap literature; and seeing that our literature was becoming too cheap, this plan, I suppose, has been fallen upon to induce the rivalry of Great Britain, in order that, it being protected by a patent or a monopoly of publication in the interest of books, it will increase the price of our literature also and prevent the diffusion of it amongst those who are illy able to pay for high-priced literature.

It seems to me that can only be the result. I thought so at the beginning of this agitation in starting the copyright, but when I heard the Senator from Rhode Island solemnly assure the Senate and enter into an argument to prove, as usual, in the old-fashioned, well-established method, that this would absolutely cheapen literature, as high protective tariffs always cheapen production, then I was sure what the effect of it would be; and therefore, to save what little I can out of the wreck for that vast body of our people who are not able to pay for high-priced books, but who can manage to pay for the current literature of Europe when introduced into this country without a copyright, I offer this amendment.

Mr. CHACE. Mr. President, I should like to have the amendment read again; but what has become of the amendment of the Senator from Vermont?

The PRESIDENT *pro tempore*. It is pending.

Mr. CHACE. Which is to be acted on first?

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Vermont must be first acted on.

Mr. CHACE. Then I should like to have that reported again.

The PRESIDENT *pro tempore*. The amendment of the Senator from Vermont will be read.

The Chief Clerk read the amendment of Mr. MORRILL, as follows:

Provided, That publishers of newspapers or other periodicals in the United States shall be allowed to copy in those publications any articles which may appear in the newspapers or other periodicals of any foreign country, and for that purpose, but not for sale, shall be allowed to import such newspapers and other periodicals.

Mr. CHACE. I take it that the Senator does not care to put the newspapers in, because it is a matter of utter impossibility for a foreign newspaper to be copyrighted in this country. It must be published in both countries simultaneously in order to be copyrighted; and that would be a matter of impossibility, so I take it that is mere surplusage, and I shall not address myself to it at all.

So far as the question of the magazines is concerned, to which the Senator has alluded, it is the simple question whether you will protect the man with large interests and leave the little man out from under the protection of the law. Whether the man who publishes a great book, who has earned a reputation as an author, attained a position before the public, who is independent and has means—probably an income from his works—shall be cared for by the law, but the struggling young author, who has no other means to reach the public except through magazine literature, shall be exempted from your protection. That is the question.

So far as the moral question is concerned, it seems to me no Senator can hesitate for a moment. It would appeal to every man's sense of honor and justice. It seems to me that if you are to take care of the man who is well-to-do, certainly your law should take care of the struggling author who is seeking to make his way and get a place before the public.

Mr. BECK. The object of this bill I understand is to disseminate knowledge among men.

Mr. CHACE. Certainly, to encourage it.

Mr. BECK. Now, why not allow our own people to obtain in the cheapest way they can the product of the brains of foreigners? In other words, if we are to help our own people and at the same time allow the people of all foreign countries to have the reward of their own genius and their own talents, why not have free trade as regards books among all countries? Then our people would get the cheapest and everybody would be protected at home and abroad, and the people would get the benefit. That would be fair all around, would it not?

Mr. CHACE. I would say to the Senator that that is a very Utopian idea. If we could get the foreign countries to do it, perhaps we might; but they do not do it, and they will not do it.

Mr. BECK. Suppose we make the offer to them to bring their books in free for our people if they will do the same thing, and they would jump at it, I think.

Mr. CHACE. Is the Senator prepared to do that? Will he extend it to all kinds of property?

Mr. BECK. To free books. That is in the line of the educational bill and other things of that kind.

Mr. CHACE. This red rag of free trade and protection is constantly before the Senator's eyes; it has no more to do with this question than

the approach of the next comet. It is utterly irrelevant. This is simply a question of property right.

Mr. BECK. It is free trade and the dissemination of knowledge.

Mr. CHACE. It has no effect upon the question of free trade one way or the other. It is a question whether you will protect in the possession of his property a man who creates something out of his brain as you protect a man who creates something by the labor of his hands. You acknowledge his right by the existence of your present statute, by the domestic copyright law. You acknowledge the principle that this is a property right and deserving of the protection of the law. All nations all over the world acknowledge that right, and they apply it both to themselves and foreigners, except ourselves, to our shame and disgrace.

It is not a question of free trade and it is not a question of protection. In reply to the Senator from North Carolina [Mr. VANCE] I am almost tempted to say to him that the most earnest and staunchest advocates of the bill in this country are the strongest free-traders I know of. It is supported and defended and asked for by men on all sides of the question of protection and free trade. It has nothing to do with the question of free trade. It has nothing to do with the question of protection.

If the Senator from North Carolina wants to know, I will admit that you will get one book cheaper if you steal it; but if the law does not put any penalty upon you for theft, the penalty is inevitable, and you will suffer for it in the end, and we are suffering for it now in this country. The growth of literature is cramped. Our authors suffer and are debarred from foreign markets for their works. The nation which cramps and stints the growth of its literature is injured vitally.

Now, who is to be benefited? In the first place, you are going to open the foreign field to American authors; you are going to give them the chance of enjoying the right that the Government of the United States owes to them as it owes it to every other citizen. Wherever our flag sails, whatever property it covers, we follow it and we insist that foreign nations shall recognize it and protect it. Long years ago we sent to the Bey of Tunis our fleet and demanded at the cannon's mouth that he should recognize the rights of property of American citizens. We might go there to-day with the same demand, and he would say, "Oh, but you do not recognize the rights of my citizens." That is the principle that is involved; it is not the question of protection or free trade. It is the commonest principle of right and justice; it is the question whether you will help your own authors by protecting foreign authors; it is the question whether you will encourage the growth of American literature by opening to your American authors the broad field which covers the whole world instead of limiting them, as you do at the present time, to the United States.

As regards my friend, the honorable and venerable Senator from Vermont, who comes here to defend the publishers of the eclectic magazines, I wish to say to him I consider it a very low order of argument and I am a little ashamed to make it, but such is the fact, that his friends, the publishers of those magazines, are not likely to be interfered with, because, as I said a few minutes ago, the publishers of foreign magazines are not going to publish simultaneously in this country, as they must do to get their copyright; his friends will still be able to copy those foreign articles without paying for them; so that his amendment is inconsequential and is surplusage in this bill, and bad and unwholesome in principle, and I hope the Senate will vote it down.

Mr. MORRILL. I hope the Senate will not vote down the amendment. It is well known that Harper's Magazine and the Century Magazine are published in England simultaneously with their publication here. It is also known that newspapers here, and I suppose abroad, are frequently in the habit of copyrighting articles that are published in their papers.

It struck me that this amendment, which was sent to me, was a proper one, and I had no idea that it would be resisted. Certainly if there is no necessity for it now under the provisions of the bill, it can do no harm to adopt it. I trust, therefore, it will receive the favor of the Senate.

Mr. HISCOCK. Mr. President, I thought it possible when the Senator from Rhode Island [Mr. CHACE] was making his argument that this bill might go to its passage without the question being raised that it was a measure of protection; but as that issue has now been practically made in the discussion, there is no use in attempting to disguise it, and it may as well be fairly met.

It is true, in my judgment, that the foreign author is no more entitled to protection in the American markets for the work of his brain than the foreign producer of the coat upon my back is to an open and free market there, and I do not believe there is any refinement in reasoning which can establish a distinction between the two.

Mr. KENNA. Will the Senator allow me to ask him a question in that connection?

Mr. HISCOCK. Certainly.

Mr. KENNA. I should like to ask him if he does not know that the coat on his back and every known process of manufacture that produces it commands and pays tribute to the brain work of the men who have invented the various elements of machinery that enter into its manufacture?

Mr. HISCOCK. Certainly; I agree to that, so far as that element is concerned. The pending bill is not made an international copyright bill, because, as has been well illustrated by the Senator from Rhode Island, it is practically impossible to do that. On account of the various laws which exist in foreign nations and our constitutional limitation, that is practically impossible.

Then why is the bill in this form presented here? For this reason, and for this reason alone, that the producers, if you please, of foreign magazines or of foreign books will take out their copyrights on their productions in the United States, and to the extent of the value of that copyright, or its cost to the publishers of their books, the publications will be increased in value or price or cost here in the United States; and to some extent at least that affects, increases the price of American literature. It will increase, it is argued, and I hope, just that per cent.

It is true, I state in this connection, that the highest value of a copyright, so far as I have been able to learn by an investigation, is not to exceed 10 per cent. on the cost of the publications, the lowest measure of protection which is afforded to men of any class in the United States. As I understand it, there is not a gentleman upon this or the other side of the Chamber who is not willing to afford that measure of protection to the labor of the hand or of the brain in the United States. I repeat, the average would not exceed 10 per cent.

Under the copyright arrangement most frequent in this country the author receives a royalty on the copies of his book sold of 10 per cent. of the retail price—a dollar book, for instance, bringing to the author a return of $100 per 1,000 copies sold.

In England and in Germany the arrangement more frequent is to purchase outright the copyright of the author, and under such an arrangement the amount to be debited to each copy against the payment to the author must, of course, depend upon the final number of copies sold.

In France the American method of royalty on sales is the more general.

As an example of the English method, American publishers paid, for instance to Professor Mahaffy, of Dublin University, for the writing of his "Story of Alexander's Empire," the sum of £300. If they sell 5,000 copies of the book, this sum, the equivalent of $1,500, would be divided between these 5,000, making the cost of the author's royalty per copy, 30 cents. If they double the sale, the amount to be debited against each copy for the author's payment is necessarily halved. Therefore, the larger the market for a book, the smaller the amount to be debited to each copy for the compensation of the author.

If under a trans-Atlantic arrangement the markets of two or three countries can be assured, either to American or to European works, this author's payment will be proportionately reduced, and the selling price of the books can be, and will be, made proportionately lower.

I desire to supplement this by the further statement that the poorest paid labor in the United States and in the whole world is that of authors and writers. They are without fortune when they first commence, and usually at the close of their career with nothing but their talents and education for capital, and whether they can earn anything or not must depend upon the merit of their labor. If they undertake to write for magazines their positions and compensations depend upon their genius and their education. Poorly paid, poorly fed, and poorly clothed they are. This bill proposes to give authors the meager protection of not to exceed 10 per cent. on the cost to the public of the fruits of their labor; that is, 10 per cent. upon the value of the goods as sold in the market. It may possibly add so much to the price of a book, but no more.

Where is there an author who has accumulated a fortune who is a monopolist? Where is there one who is not struggling on from day to day to support himself and his family? Take the magazine articles that we read. I am in favor of the protection of the American magazines. Brilliant men are writing upon them. Articles appear in those magazines from the pens of the most accomplished and the most highly educated ladies and gentlemen, both living, perhaps, upon a salary of $1,000, $1,500, or $2,000 a year at the most, and supporting a family, or, as is more often the case, on account of their poverty being compelled to forego domestic life.

Mr. BECK. Will the Senator allow me to ask him a question for information?

Mr. HISCOCK. Certainly.

Mr. BECK. There is another difficulty which I should like to have the Senator explain. French, English, and German books are printed in this country in cheap editions. Under this proposed international copyright law, will not the German, the Frenchman, and the Englishman have a right under his copyright in this country to print the edition in any form that he likes and exclude altogether from the American market the cheap edition, which can now be published?

Mr. HISCOCK. Oh, no; I suppose not. It is not supposed that that will be the effect of the bill at all.

Mr. BECK. If he has the copyright, he surely can control it.

Mr. HISCOCK. There will be precisely the same interest in the publication of cheap works that there is now. To the publishers the cost of the copyright is like the cost of the advertising, of the engraving, of the stereotyping, of his rent, and the more editions of the work he publishes the less their cost to the public. These fixed charges are

spread over them. The publishers' profit is not on the copyright alone, but upon every element of cost that enters into the book, and in so far as this cost would all apply to one volume, if only one volume were published, it is distributed upon 1,000 volumes if they are published.

Mr. BECK. If the American publisher of a foreign author believes that a gilt-edged book is the one he can make the most money out of, and if it is a book that the people will have, and rather than not have the work in some form they will buy the costly edition, does it not put it in the power of the publisher in our own country to print a single edition which will give the most money to the publisher and the author and exclude the body of the American people from reading the book in any shape or form?

Mr. HISCOCK. It seems to me not, for the reason that the compensation which is given to the author is distributed, in most instances certainly, upon the number of volumes which are to be published. I have investigated that question very thoroughly, and in the cases of which I have been advised the copyright or its cost to the publisher is always made dependent upon the sales that are expected of the work or publication.

Mr. CHACE. If the Senator from New York will allow me one moment, I think it is a good answer to the Senator from Kentucky to say that the books published in this country, written by American authors, which are copyrighted in this country and which would have the same prescriptive right as against the public to which he alludes, are now published cheaper than any other books are published in the world, and why? Because the publishers think that it is to their interest to publish a very large number of volumes and sell them at a low price with a small profit on each volume; the net result is better to them.

Now, the same principle would apply whether they are publishing a foreign book or an American book, and in some instances where they have published foreign books, taking the risk of being pirated, as it is called, they have adopted that principle and published the book very cheaply; in one instance I have in mind it was sold for less than a quarter what the same edition was put on the English market for.

Mr. HISCOCK. The Senator from Kentucky will readily appreciate, the publisher has paid so much for the copyright, he makes his profit upon the volume of his business. There are certain charges that must be paid whether that volume is large or small, and the cost of the copyright is one of them, and it is distributed upon the sale, whatever it is, large or small.

The real profit, as I understand it, to the publishing houses in the majority of cases, of the copyright to them, depends upon the number of volumes which they can sell of the work. The more editions, the more profit; and, as I said before, the sums paid to the author have been dependent upon the number of copies of the book which the publishers expected to sell, distributed upon one thousand or ten thousand copies, as the case might be.

Mr. President, I think that I have at least made obvious the ground upon which I consented as one of the Committee on Patents to the report of this bill. We were told by those who seemed to be well advised in reference to the question that with this country flooded with cheap foreign literature, as it is, it is gradually drawing from the profession of authorship (and I suppose we may style that a profession) the best and the brightest young men who were in it, and deterring others from entering the profession. Authors have entered their profession with high ambition and hopeful of the future; but the cheap novels, the trash which is scattered all over the country, has come in direct competition with them, and they have retired from the field; and they tell us there has been a decay constantly going on in American literature for a number of years, and that it is gradually increasing. Perhaps I should change the word "gradually" and say that it is rapidly increasing.

That is the evidence which came before your committee which investigated this question. The authors appeared there and did not ask for a high measure of protection. You can not possibly make it to be more than 10 per cent. upon the value of the books as they are sold—less than that in many cases; $500 is a large compensation for a valuable work, which may have cost the author six months or a year to prepare; and the copyright which is paid to him on that volume is divided and distributed upon all the volumes and editions of it which are issued as long as the copyright exists.

It is unnecessary to have an international-copyright law. As I suggested in the outset, it would embarrass and defeat the object of this bill, for the reason that it is in that small percentage which is added to the value of the copyrighted works of foreign authors sold here that the American authors are looking to for protection more than to the foreign markets that may be preserved to them.

Mr. BECK. Will the Senator tell us where he gets that 10 per cent.?

Mr. HISCOCK. I am not aware that it is in the report. I have corresponded with publishing houses upon the subject, and I have letters which they have written me giving me usually the value of copyright, the amount which it returns to the author, etc., the distribution upon the volume of publication if bought outright by the publisher, and the sum paid upon each publication if it depends upon the sales.

Mr. BECK. That 10 per cent. may apply between the author and the publisher in their relations with each other; but an American publisher gets hold of a foreign book that the American people desire to read, and that they will read at some price, and all competition is destroyed, for he is the owner of the copyright; it is his property for forty-two years, and nobody else can publish it; nobody can send it from abroad; no other American publisher can compete with him; and when he finds it is a book of value, why can not he put up the price 50 or 100 per cent. to the person who reads it, while it may be only 10 per cent. between him and the author? It is the reading public whom I seek to protect, if I can.

Mr. HISCOCK. I desire to say in answer to that, that we never should legislate with reference to an extreme case which may be imagined. The profit of the author comes from the large number of copies of the book which the publisher may print, publish, and put upon the market.

Again, there has never yet been a book published, so far as I am advised, a novel, in reference to an astronomical, a geological, a historical, or upon any subject, that was so unique in its character, so valuable in the material which it collected, but that another author will be able to put on the market another work in substantially the same line, treating the same subject from his standpoint, using, perhaps, the same facts, referring to the same authorities, and appealing to the same tastes. In this way the price of the books themselves are regulated; and it has been found to be out of the power of any man or woman, however gifted, to create a monopoly in the way suggested by the Senator from Kentucky.

In reference to works of fiction I imagine that none will be published so remarkable in their character, so vivid in their details, so entrancing, but that others will be published that will appeal equally to the tastes of the people and hold the market and force down the price of the product of the brain of authors engaged in that branch of work in the market. My judgment is, and I think experience has proved, that with reference to the most valuable works which have been written and which have been copyrighted, they have been the cheapest in the market, because they have been the more universally demanded among the people, and their sales have been consequently large.

Mr. HOAR. Will the Senator from New York allow me to make a suggestion in regard to the question of the Senator from Kentucky, if it will not interrupt him?

Mr. HISCOCK. It will not; I am nearly through.

Mr. HOAR. The thing does not work practically in the mode suggested by the Senator from Kentucky. Unless there be a cheap edition upon the market, the demand for that edition diminishes under the practices of our people. They resort to book-clubs, where one copy furnishes twenty people, and they wait a little before they read it. They resort to public libraries, which are becoming enormously multiplied all over this country, especially in the compact parts. They resort to circulating libraries.

In England, as the Senator very well knows, the practice in the publication of new important works, whether works of fiction or science, is to publish a costly edition. That answers the entire demand of the English public for the first year, and it is almost entirely bought up by Mudie, or Smith, or some half a dozen of the great circulating library men. The people get their supply of those works from those libraries, and the cheap edition does not come out for a year or two after the author publishes the work.

In our country the practice is altogether different. Where you can get a tolerably cheap edition of a book for half a dollar or a dollar everybody buys it and wants to read it; but if the author undertook to substitute a two-dollar or a three-dollar edition of the book the result would be that there would not be one-twentieth or one-fiftieth part of the number of copies sold, because they would be taken by the public libraries and the people would get the book in that way. I had occasion myself to send abroad for a novel by Thomas Adolphus Trollope a few years ago, and when I got it the English edition of that ordinary novel cost $14.50, when about a year after that there was a five-shilling edition of it.

Mr. BECK. I wish to state what was running in my mind, if the Senator from New York will allow me.

Mr. HISCOCK. Yes: go on.

Mr. BECK. I was thinking about such a case as this: When I was a young man studying law I could buy Blackstone for $4, and I paid $12 for Kent. There are no more valuable books perhaps. They are books indispensable to a young man studying his profession. Of course the works of Kent were protected by copyright and were more costly. What interest is it to the American people that some publisher should get the exclusive right to publish Blackstone?

Mr. HISCOCK. Blackstone was not copyrighted at the time you purchased it.

Mr. BECK. Certainly it was not, for I got it for half what a book like that printed in England and copyrighted here would sell for.

Mr. HOAR. There is three times as much matter in Kent as Blackstone, and that explains the difference in price.

Mr. HISCOCK. I thank the Senator from Kentucky for calling attention to Blackstone, and it will help to illustrate my argument. A bright lawyer, a young man, devotes himself to preparing elaborate notes upon Blackstone. His genius is all he has. To the extent of this copyright measure he would be protected in that work. He might have devoted years to the preparation of those notes, and without such

a measure as this a book could be prepared upon the other side and brought here by some one who pirated it—that phrase is good enough—and put into competition against him; and the result would be that he would receive nothing for his copyright.

That illustrates this bill. You may take a work on evidence. A young man devotes years, if you please, to preparing notes upon an English author on evidence and he gets his work copyrighted here, and a work upon the other side may be published on a line with it and pirated and brought here and put into the market against him, and this young man gets nothing for his copyright. That illustrates it, and illustrates the principle underlying this bill.

Mr. GEORGE. Will the Senator allow me to ask him a question there?

Mr. HISCOCK. Certainly.

Mr. GEORGE. Does he know of any instance in which an American lawyer has prepared an American edition of an English book with American notes, and then an Englishman has published an edition in competition with that?

Mr. HISCOCK. I do not know that I recall one. I can not say that I do. Perhaps that case has not occurred. I took that as ready at hand to illustrate the principle of this bill.

Mr. BECK. One word, and I shall not trouble the Senator again. I got a table about an hour ago showing a class of English publications, and it seems that the increase of every class of books has been very much since 1880. The increase is as follows: Fine-art and illustrated books, 400 per cent.; literary history and miscellany, 250 per cent.; biography, memoirs, 40 per cent.; works of fiction, 330 per cent. As the table is short, I will hand it to the Reporter, to be inserted in the RECORD, so that Senators may see it. I do not know how correct it is.

The table is as follows:

Books published in the United States from 1880 *to* 1888.

	1880.	1881.	1882.	1883.	1884.	1885.	1886.	1887.	Increase 1880 to 1887.
									Per cent.
Fiction	292	587	767	670	943	934	1,080	1,022	330
Juvenile books	270	334	278	331	603	388	458	487	80
Law	62	341	261	397	455	129	469	438	700
Theology and religion	239	76	326	375	380	435	377	353	50
Literary history and miscellany	106	128	155	158	186	148	382	251	250
Poetry and drama	111	169	182	184	222	171	220	221	200
Biography, memoirs	151	212	184	161	178	174	155	201	40
Description, travel	115	164	185	155	136	161	159	180	55
Fine art and illustrated books	44	57	91	75	81	140	151	175	400
Medical science, hygiene	114	190	188	211	209	188	177	171	50
History	72	108	118	119	145	137	182	157	100
Political and social science	99	86	112	106	168	163	174	143	45
Useful arts	63	78	87	146	154	100	112	123	100
Physical mathematical science			106	90	134	92	148	76	
Domestic and rural	43	38	20	22	43	30	46	61	45
Sports and amusements	32	21	28	22	51	70	70	48	50
Humor and satire	30	35	35	47	29	18	17	26	
Mental and moral philosophy	22	27	21	15	19	25	18	21	
Music	24	23	21						
Education and language	131	157	221	197	358	225	275	283	120
Natural sciences	56	89							
Books of reference		75	86						
Art, sciences, and illustrated works					432	220			
Year books and serials					324	347			
Totals	2,076	2,991	3,472	3,481	4,088	4,030	4,676	4,437	112

Books published in Great Britain.

	1883.	1884.	1885.	1886.	1887.
Fiction	349	408	455	755	762
Juvenile books	741	603	671	390	439
Law	139	163	72	18	73
Theology and religion	704	724	636	616	680
Literary history and miscellany	250	160	205	348	368
Poetry and drama	145	170	118	60	82
Biography, memoirs			*375	†282	†394
Description, travel	414	490	169	178	227
Fine art and illustrated books	354	432	264	732	115
Medical science, hygiene	163	160	116	114	133
Political and social science	187	203	210	214	113
Education and language	556	543	533	458	582
Art, sciences, and illustrated works	199	208	146	128	140
Year books and serials	315	323	337	291	302
Totals	4,732	4,832	4,307	3,984	4,410

* Including travels and geographical research.
† History, including biography.

Mr. HISCOCK. So far as law-books are concerned the increase, as the Senator very well knows, is in the publication of our reports, which would account for all that. That there has been an increase in the volume of literature I think is true. I think that is conceded by the people who came before the committee, that there has been an increase in the volume of it, and a depreciation, a great depreciation, in the character of it.

Now, Mr. President, I would not expect that this bill would pass if it proposed a measure of protection to American talent and American authors which in any sense could be characterized as a monopoly. Whatever protection there is in it is not to such so great as it is afforded to every other class of workers; and it is offering a meager premium for their labors to the educators of the country, to the educated men of the country, to the scholars of the country, to the young men of the country who see in a career of literature at least honors and hope to realize from it an adequate reward for their services, not enough to make them rich—no, no, they will be poor when their work is done and their lives ended.

It will be all they can do to support themselves; they will be poor authors, I fear, still. The great work which they have in hand, and which they are doing now in the magazine articles which we have from them in these books which we lay our hands upon in every library and in every book-store, which enable us within an hour almost to equip ourselves upon any subject and every question of political economy, science, and history, is of inestimable value to all classes in our country, and to these men, to these educators, this bill promises some little reward and some little recognition.

Mr. BLAIR. Mr. President——

Mr. VEST. Will the Senator give way for a motion for an executive session?

Mr. BLAIR. Yes, sir.

Mr. VEST. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Before submitting that motion the Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a bureau of animal industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

The Senator from Missouri moves that the Senate proceed to the consideration of executive business.

Mr. DOLPH. I appeal to the Senator from Missouri to give me his attention for a moment. Will he not withhold his motion until I can call up a bill that was passed over in my absence when off on official duty visiting the Arthur Kill bridge, three weeks ago last Saturday? It was passed over on account of my absence.

Mr. VEST. I give way.

REVENUE-CUTTER THOMAS CORWIN.

Mr. DOLPH. As the Senator gives way I ask unanimous consent that Senate bill 46 be taken up.

The PRESIDENT *pro tempore*. The Senator from Oregon asks unanimous consent that the unfinished business be laid aside temporarily and that the bill (S. 46) for the relief of the First National Bank of Portland, Oregon, be taken up.

Mr. DOLPH. The bill has twice passed the Senate.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. DOLPH. There is a House bill identical with the Senate bill, and as soon as it is in order I shall ask that the House bill be substituted for the Senate bill.

The PRESIDENT *pro tempore*. The Senator can move to proceed now to the consideration of the House bill and postpone indefinitely the Senate bill.

Mr. DOLPH. I make that motion.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the Senate proceed to the consideration of the bill (H. R. 1761) for the relief of the First National Bank of Portland, Oregon, for money advanced the Oregon Iron Works, the contractor in building the United States revenue-cutter Thomas Corwin.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides for the payment to the First National Bank of Portland, Oregon, of $8,249.23 for moneys advanced by that bank to the Oregon Iron Works, the contractor with the United States for the construction of the revenue-cutter Thomas Corwin, built at Albina, Oregon, during the years 1875 and 1876, upon the security of the hypothecation of the payments to be made by the United States to the contractor and used in the construction of the revenue-cutter, and which sum has not been paid to the bank.

Mr. MITCHELL. There are two Senate bills reported unanimously from the Committee on Claims relating to this same subject. One of the bills has passed the other House and has just been read, for the relief of the First National Bank of Portland, Oregon. The other has not yet passed the House, and the two Senate bills unanimously reported and on the Calendar relate to the same subject-matter, for the relief of parties growing out of the same transaction. I move to amend

the House bill by adding the other Senate bill, which I send to the desk and ask to have read.

Mr. DOLPH. Both bills have twice passed the Senate.

The PRESIDENT *pro tempore*. The Senator can not move to amend by adding a Senate bill, but he can move to amend by adding the matter therein contained.

Mr. MITCHELL. I move as an additional section the amendment which I send to the desk.

The PRESIDENT *pro tempore*. It will be stated.

The CHIEF CLERK. It is proposed to amend by adding as a new section the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to R. G. Combs, ship-carpenter, of Portland, Oregon, the sum of $93; to A. Thompson, ship-carpenter, of Portland, Oregon, the sum of $134.37; to William I. Henry, of same place, the sum of $127; to Thomas Homes, of same place, ship-carpenter, the sum of $84.75; to Rhys Gwynn, of same place, night watchman, the sum of $127.50; to R. H. Holmes, of same place, ship-carpenter, the sum of $53; to Thomas Bulger, of same place, ship-carpenter, the sum of $117.50; to Edward Magee, of same place, ship-carpenter, the sum of $106.75; to Edward Cashen, the sum of $77.50; to John Smith, of same place, ship-carpenter, the sum of $158; to Ezra Brentnall, ship-carpenter, of same place, the sum of $60; to Ola Hansen, ship-carpenter, of same place, the sum of $31.50; to Reuben Crawford, ship-carpenter, of same place, the sum of $45; to John Thomas, ship-carpenter, of same place, the sum of $48.50; to B. A. Rickdol, ship-carpenter, of same place, the sum of $137.50; to Goldsmith & Loewenberg, of same place, hardware merchants, the sum of $889.17, for materials furnished; to Hodge, Snell & Co., of same place, druggists, etc., the sum of $132.62, for paints and oils; to Northup & Thompson, of same place, hardware merchants, the sum of $381, for iron, out of any moneys in the Treasury not otherwise appropriated; the several sums set opposite each of the foregoing names being the value of labor and materials furnished in the building of the United States revenue-cutter called Thomas Corwin, built at Albina, Oregon, during the years 1875 and 1876, and for which labor and materials no sum whatever has ever been paid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. DOLPH. The title should be amended by adding the words "and for other purposes."

The PRESIDENT *pro tempore*. The title will be so amended, if there be no objection.

Mr. MITCHELL. I move that the Senate insist on its amendments, and ask for a conference on the bill and amendments.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. MITCHELL, Mr. SPOONER, and Mr. WILSON of Maryland were appointed.

The PRESIDENT *pro tempore*. The bill (S. 46) for the relief of the First National Bank of Portland, Oregon, will be indefinitely postponed, if there be no objection.

PUBLIC BUILDING AT KEY WEST.

Mr. VEST. I renew the motion that the Senate proceed to the consideration of executive business.

Mr. CALL. I hope the Senator will yield for a moment.

Mr. VEST I want an executive session.

Mr. CALL. I want to call up a bill that will only take a moment. It is in regard to a public building at Key West, in my State.

The PRESIDENT *pro tempore*. Does the Senator from Missouri insist on his motion?

Mr. VEST. No, sir.

Mr. CALL. I move to proceed to the consideration of Senate bill 218, Order of Business 1013.

The PRESIDENT *pro tempore*. The Senator from Florida asks that the unfinished business be informally laid aside and that the Senate proceed to the consideration of Senate bill 218.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 218) to change the limit of appropriation for the public building at Key West, Fla.

The bill was reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in section 1, line 4, after the word "approved," to insert "February 28, 1885;" in line 6, before the word "hundred," to strike out "two" and insert "one;" and in the same line, after the words "hundred and," to strike out "fifty" and insert "seventy-five;" so as to make the section read:

That the act entitled "An act for the erection of a public building at Key West, Fla.," approved February 28, 1885, be amended by making the limit for said building $175,000, and that sum is hereby fixed as the limit of cost thereof.

The amendment was agreed to.

The next amendment was, in section 3, line 1, before the words "sum of," to insert "additional;" and after the words "sum of," to strike out "two hundred and fifty," and insert "sixty-seven;" so as to make the section read:

SEC. 3. That the additional sum of $67,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. VEST. I now renew my motion for an executive session.

The PRESIDENT *pro tempore*. Before submitting the motion the Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a bureau of animal industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

The question is on the motion of the Senator from Missouri.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, April 24, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the —— day of April, 1888.

COLLECTOR OF CUSTOMS.

Harry H. Kain, of Mississippi, to be collector of customs for the district of Vicksburg in the State of Mississippi, to succeed Cooley Mann, whose resignation has been accepted.

POSTMASTER.

Sherman T. Pell, to be postmaster at City Island, in the county of Westchester and State of New York, in the place of George W. Sembler, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 16, 1888.

FOR PROMOTION IN THE ARMY.

Corps of Engineers.

Lieut. Col. Cyrus B. Comstock, to be colonel April 7, 1888.
Maj. Jared A. Smith, to be lieutenant-colonel April 7, 1888.

Twenty-fifth Regiment of Infantry.

First Lieut. Harry Reade, to be captain April 1, 1888.
Second Lieut. George W. Webb, to be first lieutenant April 1, 1888.

FOR APPOINTMENT IN THE ARMY.

To be Major-General.

Brig. Gen. George Crook, April 6, 1888.

To be Brigadier-General.

Col. John R. Brooke, of the Third Infantry, April 6, 1888.

FOR APPOINTMENT BY TRANSFER IN THE ARMY.

Second Lieut. Alfred M. Hunter, Fifth Cavalry, to be second lieutenant Fourth Artillery, April 3, 1888, with rank in the Artillery arm from December 31, 1887, *vice* Phillips, promoted.

CHAPLAINS IN THE NAVY.

Walter G. Isaacs, of Alabama, and Charles Henry Parks, of New York, to be chaplains in the Navy.

CAPTAIN IN THE NAVY.

Commander Winfield Scott Schley, to be a captain in the Navy from March 31, 1888.

Executive nominations confirmed by the Senate April 23, 1888.

POSTMASTERS.

James D. Hubble, to be postmaster at Fairbury, in the county of Jefferson and State of Nebraska.

Jasper N. Hammond, to be postmaster at Seneca Falls, Seneca County, New York.

UNITED STATES MARSHAL.

Henry B. Lovering, of Massachusetts, to be marshal of the United States for the district of Massachusetts.

UNITED STATES CONSUL.

Thomas T. Tunstall, to be consul of the United States at San Salvador.

HOUSE OF REPRESENTATIVES.

MONDAY, *April* 23, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of Saturday's proceedings was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. YARDLEY, for one week, on account of important business.
To Mr. GREENMAN, indefinitely, on account of important business.
To Mr. COGSWELL, for ten days, on account of important business.

INAUGURATION OF THE FIRST PRESIDENT OF THE UNITED STATES.

The SPEAKER laid before the House a communication from the committee on the centennial celebration of the inauguration of George

Washington, the first President of the United States, respectfully requesting that the House of Representatives will do them the honor to participate in the celebration to be held in New York on April 30, 1889, signed by Hamilton Fish, president; Abram S. Hewitt, chairman; Elbridge T. Gerry, chairman executive committee; Clarence W. Bowen, secretary executive committee; Stuyvesant Fish, chairman of subcommittee on entertainments; and Ward McAllister, secretary of subcommittee on entertainments.

The communication was referred to the Committee on the Judiciary.

FRANCES ANNE PYNE RICKETTS.

Mr. RANDALL. I call for the regular order.

The SPEAKER. The regular order for this morning, after the reading of the Journal, is the consideration of the bill (S. 393) for the relief of Frances Anne Pyne Ricketts. By order of the House the previous question is ordered on the third reading of the bill, and fifteen minutes on each side are allowed for debate. The Chair will recognize the gentleman from Indiana [Mr. CHEADLE] in opposition to the bill, and the gentleman from Pennsylvania [Mr. RANDALL] in support of it.

Mr. BLAND. I ask the gentleman from Indiana, who controls the time in opposition to the bill, to yield to me that I may offer an amendment.

Mr. CHEADLE. I will yield the gentleman four minutes after I have concluded my remarks.

Mr. Speaker, the practical question involved in the bill under consideration is, shall the law governing the granting and rating of pensions be set aside and a special pension be granted at a rate more than three times greater than that authorized by law?

There underlies our system of government a principle of vital importance to national life, and that is the equality of citizenship under the laws of the land; and I hold that our safety lies in adhering strictly in this class of legislation to the letter and spirit of the law. The laws now in force are, I think, a fair expression of the public sentiment of the nation upon the question of pension ratings. The highest rate authorized by law to be paid a soldier is $72 a month. The highest rate authorized to be paid the widow of an officer above the grade of lieutenant-colonel is $30 a month.

The only way by which we can arrive at a conclusion of the justice of these latter ratings is to institute a comparison between the rate of $30 a month, $360 a year, allowed the widow of the officer, and the rate allowed the widow of an enlisted man. The latter is paid only $12 a month, $144 a year. Thus we find that the law has given to the widow of a general officer above the grade of lieutenant-colonel two and one-half times more pension than is paid the widow of the private soldier. This is a liberal discrimination in their favor, quite as much so, I take it, as can be justified under our form of government, where equality before the law and equal rights and privileges are fundamental principles, and where one life equals another life, and where caste and class are not known or tolerated at all. The distinguished gentleman from Pennsylvania [Mr. RANDALL] and other gentlemen who favor these measures tell us that this distinction is not great enough; that some should have $50 a month, others $1,200 a year, and still others $2,000 a year. I say, Mr. Speaker, that this bill is, and all similar ones are, in direct conflict with the fundamental principles of our Government; that they are dangerous and pernicious in their tendencies, inimical to the public welfare, an insult to the widow of every private soldier and officer below the grade of lieutenant-colonel, and ought never be introduced and brought here for consideration.

I grant all that has been said in behalf of the distinguished services rendered by the husband of the claimant in the bill under consideration. These services brought him position, and honors, and the pay and emoluments of the rank to which he attained. Grant all that is claimed, all that can be claimed, and then, Mr. Speaker, see how it all becomes dwarfed into littleness compared with the claims of the widow of the private soldier, who in 1861 bid her good-by, and went down to the front, and was afterwards killed at Antietam or Gettysburgh, leaving her to sit amid the desolation of a broken home all these intervening years. If the claimant in this bill is entitled to a pension of $1,200 a year by reason of the distinguished services of her husband, services which brought to them both honors, rank, pay, and the solace of enjoyment of honors conferred for a long period of years, what shall the widow be entitled to whose husband died in the war, thus depriving her of his support, companionship, sympathy, and love all the years since then; left her perchance to struggle with poverty and want in order to keep together the children born to them? Again, if these special cases are entitled to $1,200 or $2,000 a year, what shall be the measure of the pension to the mother who gave one, two, three, four, five, and in rare instances six sons to die that the Government might live?

If these special cases are entitled to $1,200 or $2,000 a year, what shall be the measure of the widow's pension who gave not only her husband, but in addition thereto gave one, two, three, and in one case of record four sons to die for their country?

Mr. Speaker, what greater service, what more distinguished services can a citizen perform for his government than to offer his life a willing sacrifice and die in its defense? Take the case of a mother I knew, who had three sons grown to man's estate when the war began, all of whom volunteered early in 1861, all of whom gave their lives ere the year 1862 had ended upon fields of battle, died fighting to preserve and perpetuate this Government of the people wherein every citizen is guarantied the sovereignty of equality before the law. If, Mr. Speaker, the claimant in this case is entitled to a pension of $1,200 a year, who can estimate the pension in dollars and cents to which the mother I referred to should be entitled?

I have made these comparisons to show that there is not one single reason urged in favor of any one of these special pensions that can not be urged with tenfold more force in behalf of some other and infinitely more meritorious case. Therefore I appeal to the deliberate judgment of the members of the House, and ask them to call a halt in the enactment of these special pensions for the favored few. Let us not forget our duty to the brave men who periled life to save the Government. I would provide for all of them liberally, and for their widows and orphans, but I would treat them all alike. Pension them under the general laws where the ratings are uniform and where we can do comparative justice to all of them. This is our highest duty, Mr. Speaker. The officers did not put down the rebellion; they did not save the Union. They did not make all the sacrifices. The men of the muskets saved the Union. The enlisted men made the great sacrifices required in order to preserve the life of the Government. We are indebted to them for all the blessings of this freest, best, most prosperous Government on earth. We owe these men a debt of gratitude we never can repay. There are some things, however, we can do for them. There are some things we ought to do for them. The Government made a solemn contract with its soldiers to pay them $13 a month in gold or its equivalent. That promise has not been fulfilled. There is a great surplus in the national Treasury, every dollar of which is there because of the dauntless courage and patriotic sufferings of the Union soldiers. The Government can and it should make good the solemn promise made its defenders. The Government promised the men who loaned it money to prosecute its defense to pay them in gold or its equivalent.

I rejoice as an American that my Government kept its promise with the men who furnished it money, and pays them every cent due. I now demand that it keep its promises made to the Union soldiers who saved the Union and thus made it possible for the Government to pay its debts. I demand that the claims of Union soldiers shall be placed upon an equality, side by side, with the claims of the men who furnished it money, that they be paid as honestly in gold or its equivalent as the men who risked their gold. The obligation of the Government to the Union soldier is the most solemn one that could be made. To keep that promise is to execute justice, and this is the first and highest duty of the Government to its soldiers. Shall this Government of the people do less for those who risked life in its defense than it does for those who risked money? That is the question. The solution of this problem lies in the enactment of a service pension now for all who are disabled from service in camp or field.

The Government promised to care for the widow of him who died in battle or on the march, and for his orphans; for him who was broken in health, care for him tenderly. We are doing more than any Government ever did for its soldiers. The other day, without debate, we appropriated eighty millions for pensions, and yet that great sum is not nearly enough. There are pending in the Pension Department one hundred thousand claims that can not be allowed by reason of technical failure of evidence. These claims are just, legal, binding, and ought to be provided for. A measure passed the Senate known as the dependent-pension bill that would have afforded relief to many thousands of these deserving heroes; that bill was sent to this House, has been considered by the Committee on Invalid Pensions, and amended by ingrafting on it for these disabilities the ratings of the per diem pension of 1 cent a month pension for each day the soldier served in the Army.

Thus the soldier whose health is broken and who is dependent will, should the bill become a law, if he served sixty days, be granted a pension of 60 cents a month, $7.20 a year; if he served ninety days, 90 cents a month, $10.80 a year; if he served one hundred and eighty days, $1.80 a month, $21.60 a year; and then to complete this unique and original proposition the bill proposes to pension the widows of these unfortunate comrades at the same rate.

Can it be possible, Mr. Speaker, that we, the representatives of the people, their agents, will formulate a proposition and enact it into law that shall grant to the widow of one Union soldier a pension of $2,000 a year, to another $1,200, to another $600, to another $144, and then, running down the line I have noticed, finally reach a point where we shall give to the widow of another Union soldier the pitiful sum of $7.20 pension a year, and this in a land where equality before the law is a constitutional right guarantied every citizen of the Republic?

If a foreigner who had read the history of our country and was familiar with its fundamental principles should perchance see this list of inconsistencies, the last thought to enter his mind would be that they were American statutes. There is not in any one of these special pensions one single American principle. They are copied from English precedents, and are quite English, "you know."

Mr. Speaker, standing here as I do, a representative of the rank and file of the Union Army, and of the people of a district noted for their

intelligence, their love of country, their love of justice and fair play, I desire to enter my protest against all this class legislation, because it is un-American in all its provisions and tendencies.

I am in favor of keeping all the promises made the Union soldiers. I am in favor of the most liberal pension laws, a pension now for every soldier broken in health and a service pension for every comrade after he is fifty years of age. I shall favor a pension for every soldier's widow and for the orphan children; but, Mr. Speaker, I shall insist that they be granted under the general laws where the ratings are uniform, and where, comparatively speaking, justice can be done to every pensioner. Under our theory of government there are no classes here; one life equals another life; therefore I shall vote to pension the widow of every Union soldier under the ratings of the laws of the land their husbands died to save.

Mr. BLAND. I congratulate the gentleman from Indiana, who has been a soldier himself, on the position he occupies to the private soldier in contrast to the munificence this House has constantly bestowed on those who, from their high position, were more favored in the Army. For the reasons expressed by him, as well as those I desire to advocate myself, I voted heretofore against the pensions of Mrs. Hancock, Mrs. Logan, and Mrs. Blair. If we are to continue the pensions to private soldiers and their widows, it is a matter to be considered whether we can afford to go on with these discriminations in favor of the widows of soldiers in high position, who are not pecuniarily as deserving as the widows of the poor soldiers.

Mr. Speaker, upon this pension question it would seem that Congress has no idea that any other war will ever occur in this country. It is to be hoped that none will, but all nations are subject to war. We have treaties pending now in the Senate, difficulties with foreign governments, that may result in a conflict and a serious one, and should we have another serious war the question may arise whether we can continue this pensioning system, for if we are to pension the soldiers of war after war, as they may occur, as liberally as we have pensioned those of the last war, the whole system may be broken down for the want of means of paying the pensions. Therefore, it is necessary for us to proceed with caution, and while we are all in favor of pensioning the soldier who was wounded in battle or who contracted a disease in the service, and pensioning him liberally, yet the system which prevails in this House and at the other end of the Capitol in favor of placing upon the pension-roll not only those who were wounded or diseased in the service, but all who may apply, and especially the system of singling out those who move in the aristocratic circles of society for these large bounties or gratuities, that system, if it be followed out, may not only deprive the soldiers of the last war of the pensions that are justly due them, but may result in doing injustice to the soldiers of future wars by depriving them of pensions altogether.

So, I say, it is due to the common soldier, or to the widow or dependents of the soldier who was wounded or contracted disease in the service, that we should somewhat modify this policy so as to do him justice and not imperil the pension that he deserves by granting pensions to all who seek them, and by increasing pensions, especially in these cases where the applicants have access, by reason of their standing in society, to members of Congress to whom they make appeals of this kind. I therefore, sir, have moved the amendment that is now pending, not in the hope that it will be adopted, but simply in the discharge of a duty which I felt I owed to the soldiers of the country and to the House.

Mr. RANDALL. Mr. Speaker, the remarks of the gentleman from Indiana [Mr. CHEADLE] and the remarks of the gentleman from Missouri [Mr. BLAND] have been directed against pensions generally, granted under circumstances like those which surround the pending case.

The officer, whose widow this bill proposes to pension, distinguished himself in three wars, the Mexican, the Florida with the Seminole Indians, and the civil war. He rendered services to his country that I hardly have language at my command to describe. He was repeatedly promoted for gallant conduct; and, in order that the House may understand and appreciate the character of his services as a soldier, I ask the Clerk to read, first a list of his promotions, and then a list of the battles in which he participated.

The Clerk read as follows:

He was brevetted lieutenant-colonel United States Army July 21, 1861, "for gallant and meritorious services in the battle of Bull Run, Va.;" colonel United States Army June 3, 1864, "for gallant and meritorious services in the battle of Cold Harbor, Va.;" brigadier-general United States Army, March 13, 1865, "for gallant and meritorious services in the battle of Cedar Creek, Va.;" and major-general United States Army March 13, 1865, "for gallant and meritorious services in the field during the war."

He was appointed a brigadier-general of volunteers July 21, 1861, and honorably mustered out as such April 20, 1866.

He was brevetted major-general of volunteers August 1, 1864, "for gallant conduct during the war, and particularly in the battles of the campaign under General Grant, the Monocacy under General Wallace, and Opequan, Fisher's Hill, and Cedar Creek, in the Shenandoah campaign, under General Sheridan."

He joined his company at Plattsburgh Barracks, N. Y., October 1, 1839, and continued on duty with it in the Middle and Eastern States to October, 1845, in Texas to May, 1846, and in the war with Mexico, being engaged in the battle of Monterey, September 21, 23, 1846, holding of the Rinconada Pass February 22, 23, 1847, during the battle of Buena Vista, and at the capture of the city of Mexico, in August, 1847.

He left Mexico with his company and served at Fort Columbus, New York Harbor (regimental quartermaster June 15, 1849, to August 3, 1852), to November, 1860, at New Orleans, La., to March, 1852, in Florida hostilities against the Seminole Indians to October, 1852, and in Louisiana to November, 1853; on recruiting service to November, 1854; with his company in Texas to October, 1858; in Louisiana to December, 1858; in Texas to April, 1860; at Fort Monroe, Va., to April, 1861; in the defenses of Washington, D. C., to July, 1861; being in command of a light battery in the capture of Alexandria, Va., May 24, 1861; and in the Manassas campaign in July, 1861, being engaged in the battle of Bull Run July 21, 1861, where he was severely wounded and captured by the enemy, and held as a prisoner of war until January 5, 1862, when he was paroled, and in February, 1862, discharged.

From May to June 19, 1862, he commanded the First Brigade, First Division, Department of the Rappahannock; the Second Division of that department to July, 1862; the Second Division, Third Corps, Army of Virginia, to September, 1862; and the Second Division, First Corps, Army of the Potomac, to November 2, 1862, being engaged in the battle of Cedar Mountain, Va., August 9, 1862; action of Rappahannock Station, Va., August 22, 24, 1862; action of Thoroughfare Gap, August 28, 1862; battle of Manassas, August 29 to 30, 1862; battle of Chantilly, September 1, 1862; battle of South Mountain, September 14, 1862; battle of Antietam, September, 1862; and skirmish of Shepardstown, Va., September 19, 1862. He was on court-martial duty to March, 1864; in command of the Third Division, Sixth Corps, Army of the Potomac, to October, 1864, being engaged in the battle of the Wilderness, May 5, 6, 1864; battles around Spottsylvania, May 9, 21, 1864; skirmishes on North Anna, etc., May, 1864; battles and actions of Cold Harbor, June 1, 13, 1864; siege of Petersburgh, June 18 to July 6, 1864; battle of Monocacy, July 9, 1864; skirmishes at Snicker's Gap, July 18, 1864; near Berryville, Va., August 21, 1864; and Smithfield, Va., August 29, 1864; battle of Opequan, September 19, 1864; and battle of Fisher's Hill, September 22, 1864. During the battle of Cedar Creek, Va., and the morning of October 19, 1864, he assumed command of the Sixth Corps, and was severely wounded while exercising that command. He was disabled by his wounds until April 7, 1865, when he resumed command of the Third Division, Sixth Corps, and participated in the pursuit of the rebel army, terminating in the capitulation of General Lee at Appomattox Court-House.

Mr. RANDALL. Mr. Speaker, in addition to the distinguished services rendered by this soldier, his wife (now his widow) immediately on learning that her husband was wounded at the first battle of Bull Run, crossed the Confederate lines and went to his relief, and, while caring for her husband at that time, she also cared for other Union soldiers who had been wounded and captured and taken to Libby prison at Richmond, where she remained many months acting, as it were, in the capacity of a nurse. This fact, in connection with the distinguished services of her husband, entitles her to additional consideration.

As to the amendments that have been offered, I want to add a few words. The amendment of the gentleman from Missouri [Mr. BLAND] proposes $50 a month. Of course this House will not, in a case like this, give the pittance suggested by the gentleman from Missouri—I say this with the utmost respect—nor will they, I hope, accede to the proposition to give this claimant only $75 per month. It appears of record as the amendment of the committee, but that is not exactly correct. The Committee on Invalid Pensions did at first suggest such amendment to the Senate bill, but upon a review of the case and a recital in their presence of the distinguished services rendered by this officer, and also of the services of his wife, they reconsidered their previous action and recommended to this House that the $100 per month provided for in the Senate bill should be allowed.

Mr. HATCH. Will the gentleman from Pennsylvania permit a question?

Mr. RANDALL. Certainly.

Mr. HATCH. The gentleman speaks of $50 a month as a "pittance." Is it not a fact that a large number of the widows of major-generals today are receiving only $50 a month?

Mr. RANDALL. Where the necessities of a widow were involved, I have never cast an unfriendly vote——

Mr. HATCH. But is not that the fact?

Mr. RANDALL. It may be, as to a good many of them, but I have never on this floor cast a vote to restrict in that way the amount of pension allowed to a widow where the merits of the case warranted more, and I think this is one of the most remarkable and most meritorious cases in the history of our country.

Mr. O'NEILL, of Pennsylvania. Mr. Speaker, I became acquainted with General Ricketts after he was wounded at Cedar Creek. The acquaintance commenced in the city of Washington. I do not believe a more gallant soldier than he ever lived. I do not believe any soldier in the Army of the United States had more opportunities or made better use of his opportunities for showing his soldier-like qualities than General Ricketts.

In reference to his widow, to whom I hope this pension will be granted, I wish to say that during the war and up almost to the present time she was ever busy in acts of kindness and humanity, more especially for the benefit of the soldiers, those who were here in Washington suffering from sickness and want.

She was for many years, as appears by the report which I hold in my hand, and as gentlemen know, the president of the visiting lady directors of the Children's Hospital of the District of Columbia. She was also for many years one of the directors of the Garfield Memorial Hospital; and the older members of this House will recall the nobleness of the woman, who so many times appeared before the proper committees of the House urging appropriations for such institutions in this city as I have mentioned.

Independently of the great services of her husband in the Army, his long service, his frequent engagements, his severe wounds, this lady

herself can, through her friends, appeal justly to Congress for a pension such as this bill proposes. She was a noble, brave woman, who lived to do good.

General Ricketts died from the effects of his wounds received in the service. No one ever suffered more than he did for months from the wound received at Cedar Creek. But as soon as he was able to do so he again joined the Army and rendered distinguished service in the field until the close of the rebellion. I am sure that in voting for this pension members will all feel that they but discharge a duty to the widow of a gallant soldier.

[Here the hammer fell.]

The SPEAKER. The time for debate has expired. The first question is upon the amendment of the gentleman from Missouri [Mr. BLAND] to the amendment reported by the Committee on Invalid Pensions. The amendment of the committee is to strike out "$100" and insert "$75." The amendment of the gentleman from Missouri is to strike out "$75" and insert "$50."

The question being taken on the amendment of Mr. BLAND, it was not agreed to, there being—ayes 51, noes 78.

The amendment of the Committee on Invalid Pensions was agreed to, there being—ayes 80, noes 56.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time.

The question being on the passage of the bill,

Mr. BLAND said: Inasmuch as this is a bill in the interest of aristocracy in social circles, I call for the yeas and nays.

The yeas and nays were not ordered, there being—ayes 27, noes 117; less than one-fifth voting in the affirmative.

The bill was then passed.

Mr. RANDALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. This being Monday, the Chair will proceed to call the States and Territories for the introduction of bills and resolutions, in accordance with the standing rule.

BRIDGE ACROSS TOMBIGBEE RIVER, ALABAMA.

Mr. DAVIDSON, of Alabama, introduced a bill (H. R. 9610) to authorize the Birmingham, Selma and New Orleans Railroad Company to build a bridge across the Tombigbee River, in Alabama; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BRIDGE ACROSS BLACK WARRIOR RIVER, ALABAMA.

Mr. BANKHEAD introduced a bill (H. R. 9611) to authorize the Macon, Tuscaloosa and Birmingham Railroad Company to build a bridge across the Black Warrior River, in Alabama; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

BRIDGE ACROSS TOMBIGBEE RIVER, ALABAMA.

Mr. BANKHEAD also introduced a bill (H. R. 9612) to authorize the Macon, Tuscaloosa and Birmingham Railroad Company to build a bridge across the Tombigbee River, in Alabama; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

FUR-BEARING ANIMALS IN ALASKA.

Mr. DUNN introduced the following resolution; which was referred to the Committee on Merchant Marine and Fisheries:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to inform the House of Representatives what contracts or leases of the right to take fur seals or other fur-bearing animals in Alaska have been made by the Treasury Department, to whom made, for what length of time, for what considerations, and upon what conditions, and when the same will expire.

And also to inform the House what sums of money have been expended by the Government to prevent the unlawful killing and extermination of fur seals and fur-bearing animals in Alaska, and for the enforcement of the laws in relation thereto; and what sums have been received by the Government on account of any leases of the right to take fur seals and fur-bearing animals in Alaska, and on account of any and all other Government charges for the taking and shipping of such furs from Alaska.

And also to inform the House as to whether or not the terms and conditions of any such contracts or leases for the taking of fur seals and other fur-bearing animals in Alaska have been violated, and to what extent; and whether or not other persons and vessels than those authorized by the laws of the United States to do so have been engaged in taking fur seals and other fur-bearing animals in Alaska, and transporting such fur from there, and to what extent.

ALASKA SEAL FISHERIES.

Mr. DUNN also submitted the following resolution; which was read, and referred to the Committee on Merchant Marine and Fisheries:

Resolved, That the Committee on Merchant Marine and Fisheries be authorized and directed to fully and thoroughly investigate the fur-seal fisheries of Alaska, and all contracts or leases made by the Government with any persons or companies for the taking of fur seals or other fur-bearing animals in Alaska; the character, duration, and conditions of such contracts or leases; and whether and to what extent the same have been enforced and complied with or violated; the receipts therefrom, and the expenses incurred by the Government on account of such contracts or leases; and to fully investigate and report upon the nature and extent of the rights and interests of the United States in the fur-seal and other fisheries in the Bhering Sea, in Alaska; whether and to what extent the same have been violated, and by whom; and what, if any, legislation is necessary for the better protection and preservation of the same; and that said committee be authorized to send for persons and papers, issue processes, summon witnesses, administer oaths, etc., and to employ a clerk, stenographer, and messenger, whose compensation shall not exceed $5 a day while so employed; and that all expenses of such investigation shall be paid out of the contingent fund of the House.

CHINESE IMMIGRATION.

Mr. MORROW introduced a bill (H. R. 9613) to execute certain treaty stipulations prohibiting Chinese immigration; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

GOVERNMENT OF SAMOA.

Mr. MORROW also introduced a joint resolution (H. Res. 153) relating to the government of Samoa; which was read a first and second time, referred to the Committee on Foreign Affairs, and ordered to be printed.

SURVEYS IN PACIFIC OCEAN.

Mr. MORROW also introduced a joint resolution (H. Res. 154) authorizing the Secretary of the Navy to make surveys in the Pacific Ocean to determine the existence and position of dangers in the tracks of commerce and navigation, and for the purpose of ascertaining the proper location for submarine telegraph cables; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

LEGISLATIVE REFORM.

Mr. SPRINGER submitted the following concurrent resolution; which was read, and referred to the Committee on Rules:

Resolved by the House of Representatives (the Senate concurring therein), That the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to appoint three members of their respective Houses, who shall constitute a joint select committee on legislative reform, whose duty it shall be to inquire into the best method of relieving Congress from the consideration of private measures of all kinds; and to report by bill or otherwise at the next session of this Congress, with power to sit during vacation, to employ a clerk, and with privilege to report at any time after the first Monday in December, 1888.

BUSINESS FROM THE COMMITTEE ON THE TERRITORIES.

Mr. SPRINGER also submitted the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That on Wednesday, April 25, the House shall take a recess at 5 o'clock until 7.30 o'clock p. m., the evening session to be devoted exclusively to the consideration of bills reported from the Committee on the Territories, in such order as said committee may designate; and that should any bill be under consideration and undisposed of at the time of adjournment, such bill shall be put on its passage immediately after the reading of the Journal on Thursday, April 26.

Mr. SPRINGER also introduced the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That on Tuesday, May 29, the House will take a recess at 5 o'clock until 7:30 o'clock p. m.; the evening session to be devoted exclusively to the consideration of bills reported from the Committee on the Territories, in such order as said committee may designate; and that should any bill be under consideration and undisposed of at the time of adjournment, the consideration of such bill shall be resumed on the next day immediately after the reading of the Journal; and after two hours' debate thereon the vote shall be taken on the final passage thereof.

BUSINESS FROM THE COMMITTEE ON MILITARY AFFAIRS.

Mr. TOWNSHEND submitted the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That it is hereby ordered by the House that Thursday, May 17, and Saturday, May 19, immediately after the reading of the Journal, be set apart for the consideration of bills and resolutions reported from the Committee on Military Affairs, in such order as may be designated by said committee, but not to interfere with revenue bills, appropriation bills, or prior orders; and if displaced by any of these or by any cause the same days on each subsequent week shall be substituted for those named herein, until two days, or so much thereof as may be necessary, are devoted to the consideration of measures reported by said committee.

UNION PACIFIC RAILROADS.

Mr. ANDERSON, of Iowa, introduced a bill (H. R. 9614) to direct the Attorney-General of the United States to commence judicial proceedings against the Union Pacific Railroad Company and other parties, and for other purposes; which was read a first and second time, referred to the Committee on the Pacific Railroads, and ordered to be printed.

RECORDS OF LAND OFFICES IN IOWA.

Mr. ANDERSON, of Iowa, also presented a joint resolution of the Legislature of the State of Iowa, contemplating the erection at the capital of the State of Iowa of a building for the preservation of the records of the Government land office in Des Moines; which was referred to the Committee on the Public Lands.

STATUE TO GENERAL LOGAN.

Mr. HENDERSON, of Iowa, introduced a joint resolution (H. Res. 155) authorizing the erection of a statue to the late Maj. Gen. John A. Logan by the Society of the Army of the Tennessee and the Grand Army of the Republic, in Iowa Circle, Washington, D. C., and donating condemned guns therefor, and making an appropriation for the pedestal of said statue; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

BUSINESS OF COMMITTEE ON INVALID PENSIONS.

Mr. MORRILL submitted the following resolution; which was read, and referred to the Committee on Rules:

Resolved, That it is hereby ordered that Wednesday, May 23, and Thursday, May 24, immediately after the reading of the Journal, be set aside for the consideration of bills and measures reported from the Committee on Invalid Pensions, in such order as may be designated by said committee, but not to interfere with revenue bills, appropriation bills, or prior orders; and if displaced by these or by any cause the same days on each subsequent week shall be substituted for those herein named until two days, or so much thereof as shall be necessary, are devoted to the consideration of measures reported by said committee.

CANCELLATION OF POSTAGE-STAMPS.

Mr. PERKINS introduced a bill (H. R. 9615) authorizing the Postmaster-General to adopt a device for canceling postage-stamps; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

VESSELS FOR REVENUE-CUTTER SERVICE.

Mr. LONG introduced a bill (H. R. 9616) authorizing the construction of seven steam-vessels for the revenue-cutter service; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REVENUE-STEAMER.

Mr. COLLINS introduced a bill (H. R. 9617) for the construction of a revenue-steamer for Boston, Mass., to take the place of the steamer Hamlin; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC BUILDING AT SPRINGFIELD, MO.

Mr. WADE introduced a bill (H. R. 9618) to extend the limit for the erection of a public building at Springfield, Mo.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

BRIDGE ACROSS MISSOURI RIVER.

Mr. WARNER introduced a bill (H. R. 9619) to authorize the construction of a bridge across the Missouri River at some accessible point within 1 mile north and 1 mile south and east of the mouth of the Kansas River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ASSESSMENT OF DISTRICT OF COLUMBIA REAL ESTATE.

Mr. HATCH introduced a bill (H. R. 9620) to levy an assessment of the real estate in the District of Columbia in the year 1889 for purposes of taxation; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

WASHINGTON'S HEADQUARTERS.

Mr. BACON (by Mr. COX) submitted the following resolution; which was read, and referred to the Committee on the Library:

Resolved, That the Secretary of War be, and he hereby is, requested to transmit to this House copies of all reports made to him by the engineers of the War Department or others relating to the present condition of the work on the monument at Washington's headquarters, in the city of Newburgh, State of New York, and any other information relating to the same in possession of his Department, together with any recommendation he may deem proper to make in relation to the completeness thereof, according to the plans adopted therefor by the joint committee of the Senate of the United States and this House.

CENTENNIAL CELEBRATION OF INAUGURATION OF WASHINGTON.

Mr. COX submitted a resolution for the acceptance of the invitation to the House of Representatives to attend the centennial celebration of the inauguration of George Washington at New York City April 30, 1889; which was referred to the Committee on the Judiciary.

MUSTER-OUT ROLLS.

Mr. COX presented a joint resolution of the Legislature of the State of New York, requesting the Senators and Representatives from that State to support the bill (H. R. 8857) introduced in the House of Representatives March 26, 1888, by Mr. WEBER, entitled "A bill directing the Secretary of War to furnish the States with copies of muster-out rolls;" which was referred to the Committee on Military Affairs.

PUBLIC BUILDING AT DURHAM, N. C.

Mr. NICHOLS introduced a bill (H. R. 9621) to provide for the erection of a public building at Durham, N. C.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROGRESS OF COLORED RACE.

Mr. SIMMONS (by request) introduced a bill (H. R. 9622) creating a commission to inquire into and report upon the material, industrial, and mental progress of the colored race since 1865, and making appropriation for the same; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

PRINTING OF GOVERNMENT SECURITIES.

Mr. FORAN (by request) introduced a bill (H. R. 9623) to provide for printing Government securities in the highest style of art; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

EASTERN JUDICIAL DISTRICT, PENNSYLVANIA.

Mr. BOUND introduced a bill (H. R. 9624) to enlarge the boundaries of the eastern judicial district of Pennsylvania by attaching the counties of Northumberland, Union, and Snyder thereto; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

PUBLIC BUILDING AT COLUMBIA, PA.

Mr. HIESTAND introduced a bill (H. R. 9625) for the erection of a public building in Columbia, Lancaster County, Pennsylvania; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

GETTYSBURGH BATTLE-FIELD.

Mr. MAISH introduced a bill (H. R. 9626) to furnish the Gettysburgh Battle-Field Memorial Association, at Gettysburgh, Pa., with specimens of arms, accouterments, etc., used by the armies in the battle of Gettysburgh, for exhibition and preservation at the Gettysburgh Museum; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MONUMENT AT GETTYSBURGH.

Mr. MAISH also introduced a bill (H. R. 9627) to purchase land on the battle-field of Gettysburgh occupied by the regular Army in said battle, to erect monuments or tablets to mark the positions of the commands of said Army, and for the restoration and care of the grounds and monuments of said battle-field; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

POLICE REGULATIONS FOR THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL introduced a bill (H. R. 9628) to amend an act entitled "An act to authorize the commissioners of the District of Columbia to make police regulations for the government of said District," approved January 20, 1887; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

IMPROVEMENT OF ROCK CREEK.

Mr. HEMPHILL also introduced a bill (H. R. 9629) for the improvement of Rock Creek, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

RIVER FRONTS IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL also introduced a bill (H. R. 9630) to authorize the commissioners of the District of Columbia to regulate the use and occupation of the river fronts for wharfage and other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

INDIAN DEPREDATIONS.

Mr. WHITTHORNE offered the following; which was read, and referred to the Committee on Rules:

Resolved, That Tuesday, May 15, next, be set apart, immediately after the morning hour, for the consideration of bill H. R. 8990, reported by the special Committee on Indian Depredation Claims, said bill being a bill to provide for the adjudication and payment of claims arising from Indian depredations.

MENOMONEE INDIANS, GREEN BAY.

Mr. HUDD (by request) introduced a bill (H. R. 9631) for the relief of the Menomonee Indians, Wisconsin, Green Bay agency; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

MENOMONEE INDIANS.

Mr. HUDD also (by request) introduced a bill (H. R. 9632) for the relief of the Menomonee tribe of Indians, Wisconsin; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

RETURN OF ESTRAY CATTLE FREE OF DUTY.

Mr. SMITH, of Arizona, introduced a bill (H. R. 9633) to authorize citizens of the United States to return their estray cattle from Mexico without payment of duty; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

PUBLIC BUILDING, DEADWOOD, DAK.

Mr. GIFFORD introduced a bill (H. R. 9634) for the erection of a public building at Deadwood, Dak.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

CLAIMS UNDER OLD LAND GRANTS IN NEW MEXICO.

Mr. JOSEPH offered the following resolution; which was read, and referred to the Committee on Private Land Claims:

Resolved, That the Secretary of the Interior be directed to furnish this House copies of all the reports of the surveyors-general of Arizona, New Mexico, and Colorado touching claims for land by virtue of Spanish or Mexican land grants arising out of treaties between the Republic of Mexico and the United States that have heretofore been reported to Congress by the Secretary of the Interior for action, including therein copies of original grants, translations, and testimony affecting the same.

IMPROVEMENT OF PUBLIC GROUNDS, SANTA FÉ, N. MEX.

Mr. JOSEPH also introduced a bill (H. R. 9635) for the improve-

ment of the grounds belonging to the United States surrounding the public building at Santa Fé, N. Mex.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

GROUNDS FOR ORDNANCE PURPOSES, ETC.

Mr. MCADOO introduced a joint resolution (H. Res. 156) authorizing the Secretary of War to purchase a suitable site for testing heavy ordnance and making experiments in gunnery, and to lease a portion of the lands at Sandy Hook not required for Government purposes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SUSPENSION OF STATUTES OF LIMITATIONS.

Mr. GIBSON introduced a bill (H. R. 9636) to suspend the statute of limitations in certain cases; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

LIGHT-HOUSE AT TODD'S HEAD, MAINE.

Mr. BOUTELLE introduced a bill (H. R. 9637) to establish a light-house at or near Todd's Head, Eastport, Me.; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

PUBLIC DOCUMENTS FOR SALE.

Mr. BOUTELLE also introduced a joint resolution (H. Res. 157) providing for printing public documents for sale; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed, and also printed in the RECORD.

It is as follows:

Resolved by the Senate and House of Representatives, etc., That whenever applications to the number of 250 or more for the purchase of public documents, of which no copies remain for sale, and the stereotype plates of which are in the care of the Public Printer, are received by the Secretary of the Interior, he is hereby authorized to make requisition upon the Public Printer for the number of copies of said documents required to meet such application, and the Public Printer shall print the same from the stereotype plates and deliver to the Secretary of the Interior, to be sold in compliance with the terms of a joint resolution, approved March 3, 1887, providing for the sale of public documents. All money received from the sale of said documents shall be turned into the Treasury, and the cost of printing and binding the same shall be paid from the general appropriation for printing and binding for Congress.

DEPOSITORIES OF PUBLIC DOCUMENTS.

Mr. BOUTELLE also introduced a joint resolution (H. Res. 158) providing for the supply of additional public documents to depositories of public documents; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed, and also to be printed in the RECORD. It is as follows:

Resolved by the Senate and House of Representatives, etc., That the Public Printer be, and he is hereby, authorized and directed to deliver to the Department of the Interior a sufficient number of copies, bound, of the CONGRESSIONAL RECORD of the Forty-eighth and each subsequent Congress, of the Statutes at Large, beginning with the Fiftieth Congress, and of every publication of the Government not already supplied for the purpose, hereafter printed at the Government Printing Office, bound in volumes of convenient size and in style uniform with the executive and miscellaneous documents, including the publications of all bureaus and offices of the Government excepting bills, requisitions, documents printed for the special use of committees in Congress, and circulars designed not for information to the publ c but for use within the several Executive Departments and offices of the Government, to enable the Secretary of the Interior to supply one copy to each State and Territorial library, and to each depository of public documents already designated or that shall hereafter be designated, according to law: *Provided*, That hereafter no library containing less than 3,000 volumes shall be put upon the list of depositories, unless a large district will be otherwise unsupplied: *And provided further*, That all depositories shall, under proper regulations, hold the publications of the Government gratuitously supplied, accessible to the public for purposes of reference free of charge.

SHAWNEE INDIAN LANDS IN KANSAS.

Mr. RYAN introduced a bill (H. R. 9638) to authorize the conveyance of certain Absentee Shawnee Indian lands in Kansas; which was read a first and second time, referred to the Committee on Indian Affairs, and ordered to be printed.

STATUE TO GENERAL JOHN A. LOGAN.

Mr. HENDERSON, of Iowa, by unanimous consent, presented a memorial of the Society of the Army of the Tennessee and the Grand Army of the Republic, in favor of the passage by Congress of the joint resolution authorizing the erection of a statue to Maj. Gen. John A. Logan in Iowa Circle, Washington, D. C.; which was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD. It is as follows:

APRIL 19, 1888.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

The undersigned petitioners wish respectfully to bring to your attention the fact that, at the annual meeting of the Society of the Army of the Tennessee held at Detroit, Mich., September 14 and 15, 1887, the subject of the death of Maj. Gen. John A. Logan was duly considered, and amongst other resolutions the following were unanimously adopted by the society:

"*Resolved*, That in the opinion of this society it would be fitting that a suitable statue should be erected at the national capital in some public place to commemorate the great services in war and peace rendered by Maj. Gen. John A. Logan to the country, and this society proposes to co-operate with the Grand Army of the Republic and other organizations and citizens in general in raising the necessary funds and securing suitable legislation by Congress to accomplish the proposed end.

"*Resolved, therefore*, That a committee of five be appointed for the above purpose, and said committee is hereby authorized to fill vacancies in its own body, to appoint other committees, and to co-operate with committees appointed by other organizations or bodies of citizens to raise funds and to take such action from time to time as they may deem necessary and proper to secure the erection of a statue of General Logan as above proposed."

In pursuance of the above resolutions and for the purpose of carrying out the recommendations therein made the following-named persons were appointed a committee on behalf of said society: Green B. Raum, M. D. Leggett, D. B. Henderson, John McNulta, and W. H. Calkins.

We also wish to bring to your attention the further fact that the National Encampment of the Grand Army of the Republic, held at St. Louis, Mo., on the 27th, 28th, 29th, and 30th days of September, 1887, in considering the subject of the death of General Logan, among other resolutions, unanimously adopted the following:

"Your committee, to whom was referred the matter of co-operating with the trustees appointed by the Legislature of the State of Illinois at its last session to erect, in one of its parks of Chicago, a monument to that illustrious comrade and statesman, Maj. Gen. John A. Logan, and to whom also have been referred the resolutions of the Society of the Army of the Tennessee, adopted at its annual meeting held in the city of Detroit on the 14th and 15th instants, asking that the Grand Army of the Republic co-operate with said society in erecting a suitable monument at the nation's capital in honor of that great comrade, beg leave to submit the following:

We do not deem it wise at this time to ask the Grand Army to aid in erecting two monuments to General Logan, much as we would wish to do so, fearing that the double undertaking would weaken if not defeat both. And inasmuch as the great State of Illinois has so nobly begun the work in Chicago, and nothing has as yet been done towards the statue in Washington, we believe it wise to use all our own energies in erecting the latter.

We therefore, believing every comrade in the United States will wish to join in this work, recommend that the Grand Army, through its several departments and posts, be earnestly requested to at once raise the small sum of 10 cents from each of its members for said object, and that a permanent committee of five be appointed by this body, with power to fill vacancies, whose duty it shall be to co-operate with the committee of five, appointed by said Society of the Army of the Tennessee, to carry on and complete the work of erecting this statue in Washington. We recommend that all sums so collected shall be transmitted through department and national headquarters to said committee, with a roster of all the names of comrades who shall contribute to said fund, that the latter may be preserved in the archives of the society having in charge this noble work.

And in pursuance of said resolutions a committee was appointed to represent the Grand Army of the Republic, consisting of the following-named persons: R. A. Alger, Hannibal Hamlin, James A. Beaver, John M. Palmer, and H. H. Thomas.

Your petitioners are of the opinion that the action of these two societies looking to the erection of an equestrian statue in the city of Washington to General Logan will meet with the hearty approval of the people of the United States.

The undersigned petitioners, committees of the societies above named, propose, with the sanction of Congress, to raise the necessary funds and to erect a suitable equestrian statute to General Logan at the national capital. To the end that this may be done, your petitioners respectfully pray that your honorable bodies will pass a joint resolution authorizing the erection of such a statue at the crossing of Vermont and Rhode Island avenues and P and Thirteenth streets in the reservation known as Iowa Circle in the city of Washington, D. C.; that a suitable number of condemned cannon be donated by Congress for the metal for this work, and that a proper appropriation be made for the erection of a pedestal for said statue. This action we respectfully urge upon Congress as a fitting tribute of the country to a man who is universally recognized as the foremost volunteer soldier of the Union Army during the late civil war. The action we ask of Congress in this case is similar to the action of Congress for the erection of the statues to those distinguished soldiers, General McPherson and General Thomas.

GREEN B. RAUM,
M. D. LEGGETT,
D. B. HENDERSON,
JOHN MCNULTA,
W. H. CALKINS,
Committee of the Society of the Army of the Tennessee.

R. A. ALGER,
HANNIBAL HAMLIN,
JAMES A. BEAVER,
JOHN M. PALMER,
H. H. THOMAS,
Committee of the National Encampment, Grand Army of the Republic.

TONNAGE BILL.

Mr. WHEELER, by unanimous consent presented resolutions of the American Shipping and Industrial League in favor of the passage of the tonnage bill; which was referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed in the RECORD. They are as follows:

NATIONAL CONVENTION OF THE AMERICAN SHIPPING AND INDUSTRIAL LEAGUE,
Washington, D. C., January 16, 17, 18, 1888.

[Extracts from Minutes.]

Hon. Orlando B. Potter, chairman of the committee on resolutions, presented the following resolutions to the convention:

Whereas the decay of American shipping demands the adoption of prompt and efficient measures for its restoration to strength and prosperity: Therefore be it

Resolved, That in the opinion of this convention the passage of the following bill by Congress will promptly restore our ocean commerce and naval power:

THE TONNAGE BILL.

Be it enacted, etc., That on and after the passage of this act there shall be paid, out of any moneys in the Treasury of the United States not otherwise appropriated, to any vessel, whether sail or steam, built and owned wholly in the United States, engaged in the foreign trade, the sum of 30 cents per registered ton for each 1,000 miles sailed, and pro rata for any distance traveled less than 1,000 miles on any voyage or voyages between this and any foreign country or countries, and the measure of distance traveled, and the distance between ports or places in this country and ports or places in foreign countries, and between one foreign port or place and another foreign port or place, and from any designated point of longitude or latitude to any port or place in this country or any foreign country, shall be determined by measurements which shall be furnished by the United States Hydrographic Office to the Bureau of Navigation; and such payments to any vessel as aforesaid shall be paid on the vessel's arrival at a port of entry in the United States, in accordance with such regulations as the Secretary of the Treasury shall prepare and promulgate. The payment at the rate of 30 cents per ton for each 1,000 miles sailed, as herein provided to be paid to vessels engaged in the foreign trade, shall continue for the term of ten years, and thereafter for another term of nine years at a reduction of 3 cents per ton each year upon each 1,000 miles sailed, and pro rata for any less distances.

Resolved, That this convention further urge upon Congress the immediate provision for the defense of the coast and seaport cities of the United States on the lakes as well as on the seaboard.

Resolved, That this convention further urge upon Congress the rebuilding and equipment of a strong, efficient navy, not only for maritime defense, but for the security of our commerce and carrying trade on the high seas.

Resolved, That this convention further urge upon Congress the adequate and progressive provision for the improvement of harbors and rivers of the whole country concurrently with the restoration and development of our ocean commerce, so that all sections and States of the Republic shall participate in and enjoy the benefits of restored and enlarged commerce with each other and the outside world through the natural water ways and harbors, developed by the fostering hand of the nation.

Resolved, That the United States mails ought to be carried between this and foreign countries in American ships, under our own flag, as soon as practicable, consistently with certainty and celerity of the service, and that for such service the Government ought to pay just and adequate compensation, regardless of the price at which other nations are willing, for this, a foreign service.

Resolved, That the vast and prospective manufacturing and commercial interests of this country entitle them to a foreign mail service, the promptness, celerity, and certainty of which shall be insured, in peace and in war, by national patriotism, national pride, and national ambition to extend our influence, our commerce, and our markets throughout the world.

Resolved, That such service can only be relied upon, in peace and in war, from American hands, warmed by American hearts, under the American flag.

ORLANDO B. POTTER, *of New York, Chairman*,
CHARLES D. MOODY, *of Massachusetts*,
GEORGE A. KELLY, *of Pennsylvania*,
ROBT. D. GRAHAM, *of North Carolina*,
GEORGE REESE, *of Florida*,
BREEDLOVE SMITH, *of Louisiana*,
W. W. BATES, *of Illinois*,
ARTHUR C. SEWELL, *of Maine*,
JAMES BUCHANAN, *of New Jersey*,
JOHN D. IMBODEN, *of Virginia*,
RUFUS B. BULLOCK, *of Georgia*,
H. A. MONEY, *of Mississippi*,
W. C. WHITTHORNE, *of Tennessee*,
J. H. GEAR, *of Iowa*,
CHARLES N. FELTON, *of California*,
Committee on Resolutions.

On motion of Hon. H. C. Calkins, of New York, the secretary was authorized to have these resolutions issued separately and a copy presented to the President of the United States and Cabinet, to each Senator and Representative of Congress, and to the governor of every State and Territory of the United States; and further, that the secretary be instructed to hand these resolutions to one of the league's members in the Senate and House of Representatives, each to be properly presented to those bodies for record.

The above is a true copy.

JOS. WHEELER,
President.

[SEAL.] CHAS. S. HILL,
Secretary and Commissioner.

GOVERNMENT TELEGRAPHY.

Mr. BAKER, of Illinois, by unanimous consent, presented a petition of 1,646 citizens of the United States residing in the Eighteenth Congressional district of Illinois, in favor of the establishment of a system of Government telegraphy; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed in the RECORD without the names. It is as follows:

To the United States Congress:

We, the undersigned citizens and residents of the United States, living in the Eighteenth Congressional district of the State of Illinois, represented by JEHU BAKER, respectfully call your attention to the dangers which threaten our country and her institutions through the consolidation of the various systems of telegraphy.

We ask that the Fiftieth Congress take immediate steps to establish a system of telegraphy, to be owned and controlled by the Government of the United States, the same to be operated in connection with the Post-Office Department.

ORDER OF BUSINESS.

The SPEAKER. This being the fourth Monday of the month, business from the Committee on the District of Columbia is now in order, if the time be claimed by that committee.

Mr. HEMPHILL. Mr. Speaker, the unfinished business at the adjournment on the last District day was House bill No. 5042, known as the bill for the promotion of anatomical science. I ask that the bill be passed over for the present without losing its place on the Calendar.

There being no objection, it was ordered accordingly.

POLICE FORCE IN THE DISTRICT OF COLUMBIA.

Mr. HEMPHILL. The bill which I next desire to call up is in the Committee of the Whole on the state of the Union. I therefore move that the House resolve itself into Committee of the Whole on the state of the Union for the consideration of the bill (H. R. 6677) to amend an act entitled "An act to increase the police force of the District of Columbia, and for other purposes," approved January 31, 1883, and for other purposes.

Mr. BLANCHARD. Against that bill, I desire to raise the question of consideration.

The SPEAKER. This bill is in Committee of the Whole on the state of the Union, and the question can not be presented in that form. The House may refuse to consider the bill by disagreeing to the motion to go into Committee of the Whole for that purpose.

Mr. BLANCHARD. I hope that motion will not be adopted.

The question being taken on the motion of Mr. HEMPHILL, there were—ayes 42, noes 85.

Mr. SOWDEN. I call for the yeas and nays.

The yeas and nays were ordered, there being—ayes 30, noes 116; more than one-fifth voting in the affirmative.

The question was taken on the motion of Mr. HEMPHILL; and it was decided in the negative—yeas 55, nays 166, not voting 103; as follows:

YEAS—55.

Anderson, Iowa	Dalzell,	Kerr,	Rockwell,
Atkinson,	Darlington,	Ketcham,	Rowell,
Bliss,	Dorsey,	Latham,	Ryan,
Bound,	Enloe,	Lee,	Scull,
Brewer,	Ermentrout,	Lehlbach,	Sowden,
Buchanan,	Fuller,	McCormick,	Stone, Mo.
Bunnell,	Gallinger,	Morrill,	Townshend,
Campbell, T. J., N. Y.	Grout,	Nichols,	Turner, Kans.
Candler,	Hemphill,	Osborne,	Vance,
Cannon,	Hiestand,	Payson,	Wade,
Cheadle,	Hitt,	Perkins,	Weaver,
Compton,	Hopkins, Ill.	Peters,	West,
Cothran,	Johnston, Ind.	Plumb,	Whitthorne.
Cowles,	Johnston, N. C.	Post,	

NAYS—166.

Abbott,	Elliott,	Long,	Sayers,
Allen, Mass.	Farquhar,	Lyman,	Seney,
Allen, Mich.	Forney,	Macdonald,	Seymour,
Anderson, Miss.	French,	Mansur,	Shaw,
Anderson, Ill.	Funston,	Martin,	Sherman,
Baker, Ill.	Gaines,	Mason,	Smith,
Bankhead,	Gay,	McClammy,	Snyder,
Barnes,	Gear,	McCreary,	Spinola,
Barry,	Gest,	McKenna,	Spooner,
Payne,	Gibson,	McKinley,	Springer,
Biggs,	Glass,	McKinney,	Stahlnecker,
Blanchard,	Goff,	McMillin,	Steele,
Bland,	Granger,	McRae,	Stephenson,
Blount,	Grimes,	Milliken,	Stewart, Tex.
Boothman,	Grosvenor,	Mills,	Stewart, Vt.
Boutelle,	Guenther,	Moffitt,	Stockdale,
Bowden,	Hall,	Moore,	Struble,
Breckinridge, Ky.	Hare,	Morgan,	Symes,
Browne, T. H. B., Va.	Hatch,	Neal,	Tarsney,
Browne, Ind.	Haugen,	Nelson,	Taylor, E. B., Ohio
Butterworth,	Hayden,	Newton,	Thomas, Ky.
Bynum,	Henderson, Iowa	Nutting,	Thomas, Wis.
Carlton,	Henderson, Ill.	Oates,	Thompson, Ohio
Caruth,	Herbert,	O'Donnell,	Thompson, Cal.
Caswell,	Hermann,	O'Neall, Ind.	Tillman,
Catchings,	Holman,	O'Neill, Pa.	Turner, Ga.
Chipman,	Hooker,	O'Neill, Mo.	Vandever,
Clark,	Hopkins, Va.	Parker,	Walker,
Cobb,	Houk,	Peel,	Warner,
Cooper,	Hovey,	Perry,	Washington,
Crain,	Howard,	Phelan,	Weber,
Crisp,	Hudd,	Phelps,	Wheeler,
Culberson,	Hunter,	Randall,	White, Ind.
Dargan,	Jackson,	Rice,	White, N. Y.
Davidson, Ala.	Jones,	Richardson,	Whiting, Mich.
Davidson, Fla.	Kilgore,	Robertson,	Wilber,
Davis,	Laffoon,	Rogers,	Wilkins,
De Lano,	Lagan,	Romeis,	Wilkinson,
Dibble,	Laidlaw,	Rowland,	Wilson, Minn.
Dockery,	Lanham,	Russell, Conn.	Wise.
Dougherty,	Lind,	Russell, Mass.	
Dunham,	Lodge,	Sawyer,	

NOT VOTING—103.

Adams,	Cogswell,	Hopkins, N. Y.	Owen,
Allen, Miss.	Collins,	Hutton,	Patton,
Anderson, Kans.	Conger,	Kean,	Penington,
Arnold,	Cox,	Kelley,	Pidcock,
Bacon,	Crouse,	Kennedy,	Pugsley,
Baker, N. Y.	Cummings,	La Follette,	Rayner,
Belden,	Cutcheon,	Laird,	Reed,
Belmont,	Davenport,	Landes,	Rusk,
Bingham,	Dingley,	Lane,	Scott,
Bowen,	Dunn,	Lawler,	Shively,
Breckinridge, Ark.	Felton,	Lynch,	Simmons,
Brower,	Finley,	Maffett,	Stewart, Ga.
Brown, Ohio	Fisher,	Mahoney,	Stone, Ky.
Brown, J. R., Va.	Fitch,	Maish,	Taulbee,
Brumm,	Flood,	Matson,	Taylor, J. D., Ohio
Bryce,	Foran,	McAdoo,	Thomas, Ill.
Buckalew,	Ford,	McComas,	Tracey,
Burnes,	Glover,	McCullogh,	Whiting, Mass.
Burnett,	Greenman,	McShane,	Wickham,
Burrows,	Harmer,	Merriman,	Williams.
Butler,	Hayes,	Montgomery,	Wilson, W. Va.
Campbell, F., N. Y.	Heard,	Morrow,	Woodburn,
Campbell, Ohio	Henderson, N. C.	Morse,	Yardley,
Clardy,	Hires,	Norwood,	Yoder,
Clements,	Hogg,	O'Ferrall,	Yost.
Cockran,	Holmes,	Outhwaite,	

So the House refused to go into Committee of the Whole on the state of the Union for the purpose indicated.

During the roll-call, the following additional pairs were announced:

Mr. BURROWS with Mr. WILSON, of West Virginia, on all political questions until Tuesday, April 24.

Until further notice:

Mr. BRYCE with Mr. WHITE, of New York.
Mr. MCSHANE with Mr. MCCULLOGH.
Mr. ALLEN, of Mississippi, with Mr. CUTCHEON.
Mr. CLARDY with Mr. WHITING, of Massachusetts.
Mr. GREENMAN with Mr. THOMAS, of Illinois.
Mr. CAMPBELL, of New York, with Mr. BELDEN.
Mr. RUSK with Mr. BROWN, of Ohio.
Mr. LANE with Mr. WICKHAM.
Mr. PIDCOCK with Mr. HARMER.
Mr. PENINGTON with Mr. DAVENPORT.
Mr. TAULBEE with Mr. ANDERSON, of Kansas.
Mr. HAYES with Mr. FELTON.

Mr. HUTTON with Mr. PATTON.
Mr. YODER with Mr. FINLEY.
Mr. HENDERSON, of North Carolina, with Mr. FLOOD.
Mr. MATSON with Mr. PUGSLEY.
Mr. HOGG with Mr. YARDLEY.
Also, on river and harbor bill, Mr. HOGG would vote for the bill and Mr. YARDLEY against it.
For this day:
Mr. CAMPBELL, of Ohio, with Mr. BINGHAM.
Mr. OUTHWAITE with Mr. J. D. TAYLOR.
Mr. MAHONEY with Mr. DINGLEY.
Mr. BRECKINRIDGE, of Arkansas, with Mr. KELLEY.
Mr. WILSON, of Minnesota, with Mr. STONE, of Missouri.
Mr. O'FERRALL with Mr. BAKER, of New York, on this vote.
The vote was then announced as above recorded.

APPROVAL OF BILLS.

A message, in writing, was received from the President, by Mr. PRUDEN, one of his secretaries.

It was also announced that the President had approved and signed bills of the following titles:

An act (H. R. 1262) granting the right of way to the Denver and Rio Grande Railroad through the Fort Crawford military reservation;
An act (H. R. 5829) for the relief of Joseph Driskill;
An act (H. R. 742) for the relief of John F. Cadwallader;
An act (H. R. 5639) for erecting a fire-proof workshop at the National Armory;
An act (H. R. 4811) for the relief of Robert Johnston, of the State of New York;
An act (H. R. 7262) for the erection of a public building at Texarkana, situated on both sides of the line between the States of Arkansas and Texas;
An act (H. R. 3796) to purchase of the widow and children of the late General James Shields certain swords;
An act (H. R. 5062) for the erection of a public building at Birmingham, Ala.;
An act (H. R. 1818) for the construction of a revenue-cutter for Charleston, S. C., in maintenance of the service, to replace the United States revenue-cutter McCulloch;
An act (H. R. 8044) to change the time of the sessions of the circuit and district courts of the northern division of the eastern district of Missouri;
An act (H. R. 6051) regulating the time for holding the terms of the United States courts in the northern district of Iowa;
An act (H. R. 5673) to give validity to certain patents for inventions which were irregularly executed;
An act (H. R. 97) granting a pension to Ida B. Linthicum;
An act (H. R. 159) granting a pension to Jane Thomas;
An act (H. R. 407) granting a pension to G. W. Burkhart;
An act (H. R. 416) granting a pension to Thomas H. Aulls;
An act (H. R. 441) granting a pension to Eliza J. Currier;
An act (H. R. 442) granting a pension to Emily B. Newell;
An act (H. R. 782) granting a pension to Marble H. Baird;
An act (H. R. 6879) to authorize the Secretary of the Treasury to convey to Anson Rudd, of the State of Colorado, certain real estate in the county of Fremont in said State;
An act (H. R. 1076) authorizing the construction of a bridge across the Tennessee River at Chattanooga, Tenn.;
An act (H. R. 6291) for the relief of R. S. Stanley, postmaster at Booneville, Miss.;
An act (H. R. 816) granting a pension to Charlotte Broad;
An act (H. R. 818) granting a pension to Sarah E. Pribble;
An act (H. R. 824) granting a pension to Isaiah G. Mayo;
An act (H. R. 893) granting a pension to Julia Stokes;
An act (H. R. 2078) granting a pension to Charlotte T. Clark;
An act (H. R. 2077) granting a pension to Mahalla Robbins;
An act (H. R. 2416) granting a pension to Mrs. Hannah F. Brock;
An act (H. R. 2491) granting a pension to John Bisbey;
An act (H. R. 2694) granting a pension to Julia A. Griffen;
An act (H. R. 3488) granting a pension to Mary Dull;
An act (H. R. 3849) granting a pension to Mrs. Martha M. Bagley;
An act (H. R. 3870) granting a pension to Albert Nevin;
An act (H. R. 4516) granting a pension to Mrs. Delilah Agard;
An act (H. R. 7856) granting a pension to Emma R. Johnson;
An act (H. R. 5236) granting an increase of pension to Mary K. Taylor; and
An act (H. R. 7220) to amend an act entitled "An act for the erection of a public building at Chattanooga, Tenn.," approved February 25, 1885, and the act amendatory thereof, approved February 21, 1887.

ORDER OF BUSINESS.

Mr. HEMPHILL. Mr. Speaker, I now call up the bill S. 1938.
The SPEAKER. The Clerk will report the title of the bill.
The Clerk read as follows:

A bill (S. 1938) making an additional appropriation for the relief of the poor of the District of Columbia.

Mr. BLANCHARD. I raise the question of consideration against that bill.

The SPEAKER. This bill, the Chair is advised, is also in Committee of the Whole House on the state of the Union, and the only way to reach the object the gentleman from Louisiana has in view is to vote down the motion to go into Committee of the Whole.

Mr. HEMPHILL. I desire to make a brief statement, with the consent of the House.

Mr. BLANCHARD. I hope the motion to go into Committee of the Whole will be voted down.

Mr. HEMPHILL. My motion is to go into Committee of the Whole, but I wish to make a brief statement, if the House will give consent, before the vote is taken.

The SPEAKER. The question is not debatable; but if there be no objection the gentleman from South Carolina will be permitted to make a brief statement.

There was no objection.

Mr. HEMPHILL. Mr. Speaker, the object of my motion is, of course, to test the sense of the House as to whether or not it will go on with the District of Columbia business on this day, it having been assigned to us for that purpose under the rules. We have already been cut out of one day by the dead-lock, for which the District Committee was in no wise responsible. There is a large accumulation of business on the Calendars from that committee; and I do not know of any people who need legislation more than the people of the District of Columbia. Of course, however, if the House by a majority vote sees proper to determine that it will not take up the District business to-day, I can only submit gracefully.

I make this statement in order that the House may know that I will consider this as a test vote whether or not they will proceed with the District business.

The question being taken on the motion of Mr. HEMPHILL, there were, on a division—ayes 34, noes 87.

Mr. SOWDEN. I call for the yeas and nays.

Mr. HEMPHILL. I trust we will not have a yea-and-nay vote, as the sense of the House is evidently against us. It will do no good, and I hope the time will not be taken up.

Mr. SOWDEN. I will withdraw the demand for the yeas and nays.

So (no further count being demanded) the motion was not agreed to.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BLANCHARD. I move that the House resolve itself into Committee of the Whole House on the state of the Union, my purpose being to further consider the river and harbor bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. MCMILLIN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. CRAIN. Mr. Chairman, I desire to offer an amendment to the paragraph which the House had reached when the committee rose and the House adjourned on Saturday.

The Clerk read as follows:

In lines 238 and 239 of the bill strike out "100" and insert "150;" so it will read $150,000.

Mr. CRAIN. This, the committee will remember, is the provision for the improvement of Aransas Pass, in Texas. The amount proposed by the amendment is $15,000 less than the amount which was recommended by the Committee on Rivers and Harbors in the bill of last year, which failed to become a law. If my memory in that respect is incorrect I trust the chairman of the committee will correct me. It is stated that this bill is large in the aggregate because it is really and substantially a bill making appropriations for two years. If so, all the better reason why the recommendation of the committee of $165,000 in the bill of the last session of Congress should not be reduced to $100,000 in this bill.

When I offered an amendment on Saturday to this paragraph, increasing the amount to that which was recommended by the Chief of Engineers, I simply asked a favorable consideration for it at the hands of the Committee of the Whole. My colleague [Mr. STEWART] who represents an adjoining district in this Congress, and who is a member of the Committee on Rivers and Harbors, took occasion to indirectly oppose this amendment, if I understand from the language which he employed in its discussion. I desire to say to him, and in presence of the committee, that in offering the amendment I did not intend to reflect either directly or indirectly upon him. I am satisfied that he did everything in his power, that he did everything that he could conscientiously do in the Committee on Rivers and Harbors to secure for every place along the coast of Texas the largest possible amount of the appropriations, but at the same time I saw no objection to my acting as his coadjutor in the Committee of the Whole, and asking the increase of the appropriation which was contained in the proposition I then submitted.

I have now reduced the amount which I then asked the committee to appropriate, from $200,000, which was the entire amount proposed by the Chief Engineer, to $150,000, which, as I said at the outset of my remarks, is $15,000 less than was appropriated in the bill which failed to become a law in the last session. In support of the amendment I ask that the Clerk read a communication addressed to me, upon this subject of the improvement of Aransas Pass, from a gentleman who was in local charge of the harbor improvement and represented the Government under a contract for that improvement.

The Clerk read as follows:

ARANSAS PASS, TEX., *March* 30, 1888.

SIR: I have been for years in local charge of the harbor improvement conducted by the United States Government at this pass and am at present inspecting agent for the Government while the work is being carried on under contract. I am perfectly familiar with all things pertaining to the pass and its improvement. I have made the winds and tides and currents, with their effects, a study, and have carefully noted the result of all work done. In short, sir, I have been right on the ground here as agent for the Government, giving my whole time and attention to this work, and have gained so much of the confidence of all persons interested in this work that they have appealed to me to address you, calling your attention to the smallness of amount of money recommended by the Committee on Rivers and Harbors for the improvement of this pass, asking you to call to your aid our respected Senators and your colleagues who are interested, or who represent a constituency who are interested in this work, and exert all your powers to have the amount increased every dollar possible.

Our people have come to realize that deep water on Aransas Bar is a matter of vital importance to them, as the development of the country depends entirely upon it. They see bright prospects ahead in the tide of immigration tending toward this part of Texas, and in the many capitalists seeking advantageous investments.

The United States Government should give to the State of Texas at least one deep-water port in the interest of her great commerce. It should give to the navigators of the world one deep water on the coast of Texas as a harbor of refuge. There is not a port on the coast of this great State in which a deep-sea vessel can seek safety in distress. With these considerations in view, I suggest that our Representatives make a study of the results already obtained by the money expended here. The reports of the United States engineers show that the results promised were very nearly obtained under most unfavorable circumstances, and will satisfy any observing person that had the amounts they recommended as asked for been appropriated, those results would have been realized. This bar was deepened, by Government work, from 6 feet in 1879 to 10½ feet—both at mean low tide—in 1884, and that depth was maintained until appropriations ceased and work suspended.

The present officer in charge has renewed operations with the appropriation of 1886, which will soon be expended in repairing damage during delay, and all interested citizens of Southwest Texas pray to the honorable members of Congress to appropriate and place in his hands sufficient funds to enable him to carry his projects to a speedy and successful issue.

The $100,000 recommended by the committee should be increased to $200,000, but even $150,000 would enable the engineers to make such a showing that their estimates and reports would demand more attention than ever before.

You will observe, sir, that I do not address you by virtue of my position, but as a citizen, by request of my fellow-citizens on account of my long acquaintance with the work and thorough knowledge of the bar and pass.

Your , most respectfully,

C. H. BUTTS,
Rockport, Tex.

HON. W. H. CRAIN, M. C.,
Washington, D. C.

[Here the hammer fell.]

Mr. BLANCHARD. I yield to the gentleman from Texas, who wishes to be heard further.

Mr. CRAIN. As I stated at the beginning, in offering this amendment I was not certain as to the amount which had been recommended by the last bill; but I called upon the chairman of the committee to state whether my recollection was correct or not. While the communication was being read he handed me a copy of the bill, and I discover now that I was in error. The amount appropriated by that river and harbor bill was $101,250, instead of $165,000.

Mr. BLANCHARD. Will the gentleman allow a correction?

Mr. CRAIN. Certainly.

Mr. BLANCHARD. To this extent: The Committee on Rivers and Harbors in the first session of the Forty-ninth Congress recommended more for Aransas Pass than the amount there stated; but the Senate cut it down, and it was finally reduced in that manner to the $101,000 the gentleman finds in the bill.

Mr. CRAIN. My statement, then, as to the action of the House is correct.

Mr. BLANCHARD. The appropriation was larger than this, but the Senate reduced it.

Mr. STEWART, of Texas. I wish to say a word in reply to the statement of my colleague that on last Saturday I opposed his amendment. I deny that I gave any opposition to it, and I am not willing that the RECORD should show by the remark of my colleague that I made any opposition.

As every member of the House who was present knows, what I said was that I felt called upon, as a member of the Committee on Rivers and Harbors, in vindication of my course as a member of the committee, to state the rule adopted by the committee in making appropriations. I stated we had to be governed by the reports of the engineers in charge of the work, and that notwithstanding more than a million of dollars was recommended by the officer in charge of the work, that estimate by the Chief of Engineers was cut down to $200,000. But the rule we had adopted was to give from 40 to 50 per cent. of the estimate of the Chief of Engineers. In this instance we gave 50 per cent. of what was asked for the improvement of the Aransas Pass, and I, as a member of the committee, representing on that committee not only the interests of Texas but the interests of every State of this Union, could ask no more for Texas than for other States.

I undertook also on Saturday to say that so far as the amendment of my colleague was concerned I had no objection to it if the House sought to adopt it. I stand to-day as I did then, offering no opposition to his amendment, but vindicating myself as a member of the committee as regards the amount appropriated for the State of Texas.

Mr. BLANCHARD. The Committee on Rivers and Harbors is opposed to the amendment of my friend from Texas [Mr. CRAIN]. Aransas Pass is fairly treated. The estimate for the improvement there was $200,000. We give it $100,000, or 50 per cent. of the estimate. This is $50,000 less than was appropriated in the last appropriation bill.

We have given that harbor 50 per cent. of the estimate, which is a little larger than the percentage at other localities. It is true this bill is some millions larger than the bill of 1886; but it must be remembered that the present bill includes considerably more items for the improvement of rivers and harbors than did the bill of 1886.

Mr. WISE. I do not propose to detain the House more than a moment. I think it is proper to call attention to one fact which must stare every member in the face when he reads the page upon which the gentleman from Texas offers this amendment. I do not think any sectional feelings ought to govern us in making appropriations for rivers and harbors. I think each appropriation should stand upon its own merits. But I do not think all the money embraced in this bill ought to be expended in one State.

I want to call attention to the fact that on the page the gentleman's amendment is offered $975,000 are appropriated for these improvements in the State of Texas, and more than half of that $975,000 is expended or to be expended in the district represented by my friend from Texas. I do not think he has any reason to complain of the Committee on Rivers and Harbors or of his colleague on that committee, the gentleman from Texas [Mr. STEWART].

Mr. CRAIN. If I represent a district which ought to be improved, should not the money be spent there?

Mr. WISE. You have got one-twentieth of the whole bill.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Texas [Mr. CRAIN].

The amendment was not agreed to.

Mr. NUTTING. I desire unanimous consent to return to the items relating to New York City, which were passed over the other day. My colleagues who are interested in those items are now here.

Mr. BLANCHARD. I hope that will not be insisted upon at this time.

Mr. NUTTING. Very well; I withdraw the request.

Mr. CRISP. My colleague from Georgia [Mr. NORWOOD], who is unavoidably absent, has written me asking that an amendment be offered to the portion of this bill in relation to the harbor at Savannah. Unfortunately that item has been passed. I now ask unanimous consent to go back to that part of the bill that I may present the amendment which my colleague desired to offer.

Mr. BLANCHARD. I feel compelled to object. I would have to oppose the amendment if offered, and I think I will save time by now interposing an objection.

The CHAIRMAN. The Clerk will read the next section.

The Clerk read as follows:

Improving Brazos Santiago Harbor, Texas: Continuing improvement, $25,000.

Mr. CRAIN. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 241, strike out $25,000 and insert $100,000.

Mr. CRAIN. In support of this amendment I propose to offer some data for the consideration of the Committee of the Whole.

The lower Rio Grande Valley comprises, on the Texas side, more than 600,000 acres of splendid agricultural land, which only awaits facilities for transportation of its products to be opened up by farmers. Two crops of corn are produced annually, while it is unsurpassed, by reason of climate and grasses, for producing or breeding fine stock.

It has been demonstrated here for several years that the river-bottom lands will readily produce from 30 to 40 tons of sugar-cane per acre, each ton insuring easily 150 pounds of sugar; and the cane needs replanting only once in several years.

There is a sufficient population and enough land between Carrizo and the mouth of the Rio Grande to produce annually 50,000 bales of cotton alone on each side of the river. That would make the cotton trade alone worth $2,500,000, and it is certainly to the interest of the United States to encourage this export trade.

Cameron, Hidalgo, and Starr Counties have an area in the aggregate of 5,000,000 acres, with a population of, very likely, near 40,000. This vast territory and large population have, as yet at least, no other means of communication than over Brazos Santiago Bar.

This is the gateway to Tamaulipas, the only State in Mexico of any agricultural importance, and the great future highway into Mexico and South America, doubtless, will run within 25 miles of Brazos Santiago.

This is an important military point, and in case of trouble with

Mexico, a contingency very likely to occur, a good harbor at Brazos Santiago would be of inestimable advantage to the United States.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. CRAIN].

The amendment was rejected.

Mr. STONE, of Missouri. Mr. Chairman, I move to strike out this paragraph. Upon examining the report of the engineer I find that this work was inaugurated in 1881, its object being to fix the channel across the bar and deepen it. Since 1881 there have been appropriated $222,500 for this work, exclusive of $6,000 appropriated in 1878, to remove a wreck. The work has been going on for six or seven years, and the sum of $185,204.17 had been expended up to July 1, 1887. The Chief of Engineers, in his report, uses this language:

The total amount expended to June 30, 1887, is $185,204.17, including outstanding liabilities. It has not as yet resulted in any useful effect upon the bar.

This sum of nearly $200,000, after seven years of experimenting, has resulted, by the admission of the engineer, in absolutely no good whatever, and a scheme is now on foot to change the system of carrying on the work. Lieut. George A. Zenn, with a corps of engineers and a party, was sent out from Galveston on June 24, 1887, to procure information required as a basis upon which to project a new plan of improvement.

Mr. STEWART, of Texas. Will the gentleman please state what are the lines of the bill he proposes to strike out?

Mr. STONE, of Missouri. Lines 240 and 241. Mr. Chairman, both the Chief Engineer and the engineer in charge state in their reports that no reliable estimate of the amount of money can be made until the information now being sought is obtained. Here, then, is a work begun in 1881 which it was estimated by the engineers would cost $678,084.50 to complete. They had figured down even to the exact number of cents that would be required to construct the work; but after six or seven years of experimenting, and the expenditure of $185,000, it stands admitted by the engineers themselves that the work is a failure and that no further progress will be made in it until reports are obtained from the engineers who were sent out from Galveston in June last to survey and examine the bar and ascertain what system is best adapted to its improvement.

[Here the hammer fell.]

Mr. SOWDEN was recognized, and yielded his time to Mr. STONE, of Missouri.

Mr. STONE, of Missouri. Now, Mr. Chairman, I want to call the attention of the House to the money statement made by the engineers. The act of 1886 appropriated $37,500 for this work, and at that time there was on hand, coming over from previous appropriations, $336.28, making a total amount on hand of $37,836.28 on August 5, 1886, the date of the approval of the act.

Since that time only $540.45 have been expended, including outstanding liabilities, leaving on hand on July 1, 1887, $37,295.83. In 1886, I say, we appropriated $37,500 for this work, and at last accounts we still had on hand over $37,000 of that money, with no definite plan determined upon for its expenditure, and with a surveying party sent out to examine the harbor and ascertain what work was necessary and to report a plan of improvement. It seems to me, sir, that, with the entire appropriation of 1886 on hand at the beginning of this fiscal year, under the conditions stated, this additional appropriation is wholly unnecessary, and it swells the aggregate of this enormous appropriation bill for which this House, if it passes, will be criticised and condemned.

I move to strike out the item.

Mr. STEWART, of Texas. Mr. Chairman, Brazos Santiago is at the mouth of the Rio Grande River. It is the only outlet to the sea for the extreme western portion of Texas, and the gentleman will observe that in this instance the Committee on Rivers and Harbors departed from their rule and allowed only 25 per cent. of the amount recommended by the engineer. The amount recommended by the engineer, notwithstanding the fact that a surveying party was out, was $100,000, and, because of the fact that this was a river and harbor bill for two years instead of for one, last year's bill having failed to become a law for want of the signature of the President, we thought we would give $25,000 upon the recommendation of the engineer in charge of the work that $100,000 was needed, thinking and feeling as we did and do that that was a proper appropriation to be made and that the amount on hand would be very small considering the difficulties and obstacles to navigation at that point. I think that we did right in that. I think this sum ought to be left in the bill, and, in fact, I have no objection to the amendment offered by my colleague [Mr. CRAIN], but because of the report to which I have referred, we departed from our rule in this instance and allowed only 25 per cent. of the amount recommended by the engineer, which, added to the amount now on hand, considering the fact that they have had no appropriation now for two years, is but a very meager sum for the benefit of the commercial interests involved in this improvement.

Mr. BLANCHARD. In addition to what has been said by the gentleman from Texas, I will merely say that Brownsville, which is the town at Brazos Santiago, and is connected directly with it, has some six or seven thousand people. There is a custom-house located there; a regular line of Morgan steam-ships plies between Brazos Santiago and Galveston. Besides that, a number of schooners and sloops enter there, and very considerable commerce is carried on in that way. The collections of revenue there amount to $32,500 a year more than this appropriation of $25,000. The appropriation for Brazos Santiago, therefore, is amply warranted by the facts of the case.

The question being taken, the amendment of Mr. STONE, of Missouri, was not agreed to.

Mr. STONE, of Missouri. I move now to amend by striking out "$25,000" and inserting "$10,000."

In reply to my friend from Texas, who says that the engineers recommended an appropriation of $100,000 and that the Committee on Rivers and Harbors reduced that estimate to $25,000, I wish to say, with all due respect to the opinion of the engineers, that I am really unable to understand how they could make any intelligent estimate of the amount of money required for a given improvement until they had first determined what the improvement was to be. This estimate was made within a week after the surveying party was sent out to Brazos Santiago and before any report whatever had been received from them.

My friend from Louisiana [Mr. BLANCHARD] talks about the commerce at that harbor. I hold in my hand a report embracing the commercial statistics of Brazos Santiago. Instead of there being a very extensive line of Morgan steamers coming in and out of that place, this report says:

There enters and clears about once every ten or twelve days during the year a Morgan line steamer of about 1,000 tons burden, at present the Aransas, of 678.73 tons; the following-named schooners in the lumber trade between this port and Calcasieu, La.; chiefly the George Locke, Catha, Minerva, Leman No. 3, Henrietta, Lottie Mayo, Willie, Ann, Tilly, Ida, and Quintana. They make frequent trips, say about sixty during the year, carry no passengers, and not being recorded in this district, tonnage can not be given.

What do they bring and what do they carry away in the form of freight?

They bring here cargoes of lumber, and generally take away cargoes of bones.

Here, then, is a harbor which, so far as the statistics made by interested parties show, instead of being an outlet for the immense commerce of a rich and fertile country, is visited by vessels which bring in a little lumber and take out a few dry bones—what kind of bones I do not know.

The question being taken on the amendment of Mr. STONE, of Missouri, it was rejected.

The Clerk read as follows:

Improvement of entrance to Galveston Harbor: Continuing improvement, $500,000.

Mr. BOUTELLE. I move to amend by striking out the last word. Mr. Chairman, this item is one of those which illustrate the characteristics of this bill, to which in my previous remarks I have called attention. Here are two items, one of $500,000 and the other of $100,000 for the harbor and the ship-channel at Galveston, Tex. I have taken occasion to look over some figures showing the appropriations made since this system of river and harbor improvements was inaugurated; and as I examined the figures I have observed the rapid upward slide in the liberality and magnificence of some of those appropriations.

This appropriation of $600,000 for the single harbor of Galveston represents a project which, as stated in the engineer's reports, involves for the harbor an ultimate expenditure in round numbers of $8,478,000, and for the ship-channel an expenditure of $813,000, making the enormous aggregate of $9,291,553 for the improvement of that port, and the appropriation proposed in this bill is but a step on that magnificent highway of expenditure which is opened up by the report of the engineers. Now, Mr. Chairman, when it is considered that the intended ultimate expenditure for the improvement of this single harbor on the Gulf aggregates almost as much as the entire amount which had been appropriated from the beginning of the Government to the year 1862 for the whole coast and interior of the Empire State of New York it seems to me we have abundant cause to look into the character of such extraordinary appropriations.

In the executive documents, showing the statistics of these improvements from the beginning of the Government, I find these suggestive figures: New York State, including all of its river and harbor improvements from the beginning of the Government, has received $10,237,000. The great State of New Jersey, with its immense coast line, with its enormous and valuable commerce, has received altogether $1,099,000; Massachusetts, $3,119,000; Maine, $1,475,000. Georgia, with its great harbors and rivers and water-courses, has received only $1,412,000 from the organization of the Government, and Illinois, with all its enormous interests of water-borne traffic, has received in the same period but $2,672,000. In other words, as I have said before, the project for the improvement of the single harbor of Galveston involves almost as much money as has been spent in the State of New York since the Government was formed, and carries more than the aggregate amount which has been expended for the improvement of rivers and harbors in New Jersey, Massachusetts, Maine, Georgia, and Illinois since the inception of the Government.

Mr. Chairman, it strikes me that these comparisons should at least cause us to pause and inquire as to the character of the operation which has been carried on at such an extraordinary expense. In the first place, we might well consider the importance of the port, the volume

and extent of its business, and its relative claim on the expenditure of the Government as a great entrepot and outlet for trade and commerce.

I will not, however, go into that, because I think that in this House the relative importance of the trade, present and prospective, of Galveston, Tex., as one of the seaports of our country, is tolerably well understood. I have no desire to depreciate or belittle it, but, Mr. Chairman, it is my duty to remind the House—not to call its attention originally to the fact, because the fact has been hitherto pointed out, but to remind the House—that this enormous expenditure which is proposed in this project is not brought before us with the highest recommendation of its utility, but stands discredited by those who have been sent to represent the business and other interests of Texas on this floor.

The CHAIRMAN. The gentleman's time has expired.

Mr. GALLINGER. I will take the floor and yield my time to the gentleman from Maine.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. STEWART].

Mr. BOUTELLE. I hope the gentleman from Texas will allow me to go on and finish this portion of my remarks.

Mr. STEWART. I will yield for that purpose.

Mr. BOUTELLE. I thank the gentleman. My purpose, Mr. Chairman, is to call attention to the statements of those representative men tending to show that the project upon which it is proposed to expend this money is of doubtful character, to say the least. It has been declared on the floor of the House by eminent gentlemen, who ought to be qualified to speak in regard to the interest and the needs and the condition of that section of Texas, that this proposed work is not only not calculated to benefit the trade and commerce of Galveston, but has been up to this time an absolute waste and an actual detriment to that harbor.

I call the attention of the House to the remarks made on that subject on the 29th of January, 1885, by the Hon. Mr. REAGAN, then a Representative in this body. He was at that time advocating a different kind of expenditure—a different plan for the improvement of Galveston Harbor. He then represented a portion of Texas in this branch of Congress, and since he made that speech he has been sent to the Senate, perhaps on account of the frankness with which he denounced such proposed expenditure of the public money at that time.

He said with regard to the expenditure on these jetties for the improvement of the channel of Galveston:

> I will answer the gentleman, Mr. Chairman. For eleven years this Congress has been most liberal in its appropriation for the harbor of Galveston. It has required expenditures there to be made under the direction of the Engineer Corps of the United States. It has expended in the attempted prosecution of that work about one million and a half dollars. That money has been expended and substantially no progress has been made.

In another place he says in relation to this expenditure of money on Galveston Harbor:

> It is true a million and a half of dollars have been expended from first to last, and there is but little difference in the condition of the harbor now and when the expenditure was commenced.

But, Mr. Chairman, I do not rest my criticism of this project on what has been said of it by the gentleman who has gone to the other House. I desire to call attention to the views expressed on the same subject by a gentleman who now holds a very high representative position on the Democratic side, the present chairman of the Ways and Means Committee, a gentleman who is now at the head of a great scheme involving the reorganization of the entire commercial and manufacturing system of the country, who certainly ought to be an authority on a question of this kind in his own State. The Hon. ROGER Q. MILLS on the 31st day of January, 1885, stated as follows in regard to this proposed expenditure:

> Such was the result of the work of the United States engineers at Galveston. We are told they are men of great learning, that they have been educated at West Point by the Government; that they are learned and skillful, and all that. Their success has been precisely the same at Galveston that it was at the mouth of the Mississippi River, and precisely the same at Brownsville that it was at Galveston and at the mouth of the Mississippi River, and that is, their success is expressed by the word "failure."
>
> In 1874 they began the work of the improvement of Galveston Harbor by the "gabionnade" system. The engineers all expressed confidence that this system was a success. They never faltered in their devotion to it, and never wavered in their confidence of procuring what they undertook to get, that is, 18 feet of water on the bar. But in 1879 the gabionnade system was abandoned, swept away, and it has gone "where the woodbine twineth."

[Laughter.]

[Here the hammer fell.]

Mr. STEWART, of Texas. Mr. Chairman, I move to strike out the last two lines.

Mr. BOUTELLE. I hope the gentleman will not interrupt his colleague [Mr. MILLS] in the midst of his remarks.

Mr. STEWART, of Texas. I did not hear the gentleman.

Mr. BOUTELLE. I say I hope the gentleman will not interrupt his colleague, but allow this quotation from his colleague's remarks to be completed.

Mr. MILLS. The gentleman need not trouble himself; the remarks are already in the RECORD.

Mr. BOUTELLE. But I want to read them again.

Mr. MILLS. Once will do.

Mr. COX. They are all right.

Mr. STEWART, of Texas. I have accorded to the gentleman from Maine all the time it is proper for me to yield; and as a member of the committee I feel that it is necessary or incumbent upon me to say something in regard to this appropriation.

Mr. Chairman, before addressing myself to the question before the committee I desire to express my sincere regret that anything like sectionalism should have been brought into a discussion of this bill. I stated, on a former occasion during this discussion, that in considering places where the public money was to be appropriated for such improvements we were not governed by State limits or State lines; but we conceived that the only jurisdiction Congress had over the matter was because of the fact that these ports belonged to the United States, and we gave consideration to the improvement of these different places for which we have appropriated money, not because they happened to be embraced within the limits of a State, but because they were harbors that belonged to this great Government, and this Government was appropriating money for the improvement of them.

I stated also on a former occasion that before the committee attempted to deal with these subjects we found it necessary to be governed by some sort of rule. What better rule, I ask, could we have adopted than the reports of the different officers of the Government on these various works and in charge of them? We adopted, as a means of guiding us in the appropriations we made, these reports; and, as I have stated, whilst it was not a rule to which we adhered in all cases and at all times, we did most generally adhere to that rule of giving from 40 to 50 per cent. of the appropriations demanded for the improvement of these different points.

Now, Mr. Chairman, in regard to Galveston. This is the great commercial emporium of the great State of Texas. It is the largest city in our State; and if results commensurate with the amount of money expended there have not been obtained, it is not due altogether to the obstacles to the improvement of the navigation at Galveston, nor should I say that it is due to the ignorance or inefficiency of the officers who had the work in charge. Every one who has familiarized himself with jetty works must know that they are somewhat tentative in their character; and that the engineers, from the experience gained in the prosecution of the work, and from the result of the tides upon the works themselves, have often been compelled to change their plans, for sometimes these plans have failed.

This, I admit, is the misfortune at Galveston. A large amount of money was appropriated, which resulted in no practical benefit. But in 1882 the jetty works were commenced there, after a survey by a board of competent engineers of the United States Army. Unfortunately they adopted the mattress system, and the mattresses were destroyed by the teredo; and, perhaps, there was subsidence of the mattresses themselves because of the weight placed upon them. In view of the experience of the past the plan has been changed again, and instead of using wooden mattresses, subject to the attacks of the teredo, they use stone and granite; and the recommendation made by the officer in charge at Galveston for the necessary works on this plan was $3,000,000. The Chief Engineer saw proper to cut that estimate down to $1,000,000; and we, adhering to the rule that was adopted in other States, and to which I have referred, gave 50 per cent. of the amount recommended by the Chief Engineer.

Mr. Chairman, there is no more important work in this whole country than the improvement of the harbor of Galveston.

[Here the hammer fell.]

Mr. CULBERSON was recognized, and yielded his time to Mr. STEWART.

Mr. STEWART, of Texas. Without going into a detailed statement of the work that has been done there, let me say to the committee that there are two projects: One to extend these sea-walls out to and across the bar, which, it is believed, and the engineer so expresses the opinion, will give 18 feet of water. By extending them farther a depth of 30 feet of water can be obtained. To accomplish the first will require $3,000,000, but by the second plan it is estimated that $7,000,000 would be required.

Galveston is one of the chief cotton ports of the United States. It has a very large and steadily increasing trade. The Engineer's Report shows that there is commerce there amounting annually to some $73,000,000. There is a tonnage there of 250 steam-vessels and more than 296 sail vessels that enter and depart from that port annually. The tonnage amounts to 448,801. And back of this port is the great State of Texas with its immense resources, with a population now of perhaps two and one-half millions of people, continually increasing in number, in property, in products, in wealth, and the chief seaport for that great State is this city of Galveston. But not only is Texas, great as is the empire of that State, benefited, but I say that all the country lying between the Mississippi River and the Rocky Mountains is directly interested in the improvement of this harbor; for the time is not far distant, if there be proper legislation upon the part of Congress, when we will have the trade not only of Mexico, but of all the States of Central and South America; and when that is done it is not within the power of the human mind to conceive of the amount of commerce that will pass through this outlet at Galveston. The West is directly interested. The whole country is interested in the project.

I remember well, sir—I believe it was in the Forty-eighth Congress—when a Representative from Galveston attempted to have stricken from the appropriation bill the amount set apart for that port, in order that this improvement might be under private contract, when the honorable senior member of this House, Judge KELLEY, of Pennsylvania, rose in his place and objected, saying that Galveston did not belong to Texas, but to the whole country; that it was a port of the United States, and not of Texas alone.

I appeal to the members of this House to let this appropriation remain undisturbed. This is only half what the Chief of Engineers asks. By that amount great good will be done. It will deliver Galveston and the State of Texas in a measure from the control of the railroads in that State. [Applause.]

Mr. BOUTELLE. I do not think the gentleman from Texas [Mr. STEWART] could have understood me when he thought that I was looking at this proposition from any sectional standpoint. There was nothing sectional in my remarks. They were entirely practical. When he interrupted me I was about to read the remarks of the distinguished senior Representative from Texas [Mr. MILLS], to show that in his opinion this was a useless expenditure of money. I will continue my reading from that point. Mr. MILLS says:

But in 1879 the gabionnade system was abandoned, swept away, and it has gone "where the woodbine twineth." It has gone out into the wide sea, and the $527,000 expended by the Government to make a channel by the gabionnade system has been sunk in the depths of the sea. In 1879 the mattress system was adopted. A jetty 4¼ miles in length was constructed at a cost of $975,000, including $100,000 contributed by the city of Galveston. The total amount expended up to the present is $1,578,000. That single jetty was to perform wonders, and it did perform wonders. There is something strange about it to one who does not comprehend fully the science of engineering. It deepened the water. There is no doubt about that, for the engineers tell us so in their report. But it deepened it on the wrong side of the jetty.

It was the design of the engineers that the channel should be on the north side of the jetty, but the water refused, and cut the channel on the south side. The engineers designed that the south side should be shoaled, but the water determined to shoal the north side, and they cut a channel from 4 to 8 feet deep on the south side. The water was 12 feet deep on the bar when the work began in 1874. In September, 1875, a heavy storm came and plowed out a channel 9 inches deep. Now they have 13 feet of water, and there is 3 inches of that 13 feet involved in a contest between the engineers and the clerk of the weather as to who is entitled to claim it.

In addition to the grand success of getting a channel on the wrong side of the jetty, they have turned the current of the Gulf along the shore of the island, which is cutting it away and threatening the permanent destruction of that part of the island and the submerging of houses along with the jetty in the waters of the Gulf. Such have been the achievements of our engineers. The people of Texas have no confidence in obtaining deep water under their plans, and they look for success only by the adoption of the plans of Eads at the mouth of the Mississippi, and that is by raised jetties, confining the outflow to the channel and making it do the dredging.

Mr. CRAIN. When was that?

Mr. BOUTELLE. Does the gentleman ask when this speech was delivered?

Mr. CRAIN. Yes, sir.

Mr. BOUTELLE. I have been reading from the speech of Mr. MILLS, on the 31st of January, 1885.

I say, as I said before, that every word of that criticism, which was justly applied to the work going on at Galveston at that time, applies as justly to the work going on to-day. And it does seem to me that this testimony, so emphatic, so unqualified, coming from so high a source, declaring that not only does this work fail to produce the result desired but that it has produced damage and is fast destroying the commerce of that great commercial emporium which my friend has depicted in such glowing colors, the realization of which I should be very happy to see.

I say, in view of the fact that the House is advised up to this time by the men best qualified, or who ought to be best qualified, to speak as to the work carried on at that point, that the expenditure is extravagant, is wasteful, is worse than useless, is destructive: it does seem to me that Congress ought to pause before going forward with an expenditure which in the aggregate is to involve not only this outlay of $9,291,000 for this one port, but is also to involve, if these statements are true, the probability of seriously if not permanently injuring the harbor of Galveston.

[Here the hammer fell.]

Mr. BAYNE. When the proposition of Captain Eads was made to improve the harbor of Galveston I opposed it with all the energy and ability I had at command. I felt very certain it would not prove a successful scheme for the improvement of that harbor. It was a wonderful measure, which handed over really to Captain Eads between eight and nine million dollars without responsibility and without a bond, and enabled him to go to work and improve that harbor in his own way and according to a plan which had not yet been devised. When he appeared before the Committee on Rivers and Harbors of the House and was questioned as to his plans he said he proposed to place the jetties from one to two thousand feet apart, and from that time on I believe the conclusion of the engineers all over the country, and the common sense of Americans everywhere, was that the scheme, if it had been undertaken, would have proved an absolute failure. Congress was happily delivered from that grievous mistake by the opposition made to the measure in the House of Representatives. The able Representative from the State of Texas [Mr. STEWART] had no confidence in it, and was one of those who opposed it. Before that time various schemes for the improvement of the harbor at Galveston had been undertaken, and almost every scheme proposed and put partially in practice had proved a failure. But the appropriation on this bill is on a different basis. A board of engineers went there, examined the harbor, ascertained the difficulties in the way, and have devised a scheme for the improvement of the harbor of Galveston, which I believe is going to be as successful as any scheme which can be devised for any harbor similarly situated and having similar characteristics.

It appears to be admitted by the board which has recommended this scheme that there will always be more or less dredging required in that harbor to keep the channel open. I think that is correct; but notwithstanding the fact that no scheme is possible which will enable that harbor to clear its own channel, and notwithstanding the fact that dredging will always be necessary in order to keep an open channel-way there, I think every patriotic man throughout the entire country will admit that that harbor, with its great commerce, should be afforded the best facilities possible, and should have liberal appropriations made for its improvement by the Congress of the United States. That was the feeling of the Committee on Rivers and Harbor, and after having had this scheme submitted to them, after having examined it as critically as they knew how, and after having compared it with those that had gone before, the committee felt satisfied that it was proper to make this appropriation for that harbor. I think that if my friend from Maine [Mr. BOUTELLE] understood the situation as fully as the Committee on Rivers and Harbors do, he would not hesitate to vote for the appropriation, and he certainly would not interpose against the scheme, under which the Engineer Department is now working, objections which were made to a prior and entirely different scheme.

Mr. BOUTELLE. Do I understand my friend from Pennsylvania [Mr. BAYNE] to differ with the gentleman from Texas?

Mr. BAYNE. The gentleman from Texas, Mr. MILLS. At that time, unfortunately, there were a number of persons who favored the Eads scheme.

Mr. BOUTELLE. I am not speaking of the arguments in favor of the Eads scheme, but of the arguments against the other scheme. Did you approve of that?

Mr. BAYNE. No, sir.

Mr. BOUTELLE. I thought you did.

Mr. CRAIN. Mr. Chairman, the gentleman from Maine [Mr. BOUTELLE] said that he did not propose to discuss this from a sectional standpoint, and yet he, representing a prohibition district, proposes to deprive my district of water. [Laughter.] If that is not sectional I do not know what is. Whatever may have been said three or four years ago by my colleague, Mr. MILLS, or by Mr. REAGAN, with reference to the scheme that was then pending for the improvement of this harbor, it does not apply to the scheme that has now been adopted under the auspices of the Chief of Engineers himself, who was one of the board of survey that condemned the very scheme which the gentleman from Maine condemns.

Mr. BOUTELLE. I do not condemn it. The gentleman from Texas condemns it. Now, will the gentleman [Mr. CRAIN] make it clear what change has been made?

Mr. CRAIN. Yes, sir. In the first place the original plan contemplated submerged jetties. In the next place it contemplated walls built of mattresses and of rock. It was discovered, however, that in the Gulf there is a marine insect, called the teredo, which destroyed these mattresses, and, as a result, the work done under that scheme deteriorated whenever the appropriations failed to pass the House or whenever the meager appropriations doled out were used up by the engineers in charge.

Mr. BOUTELLE. When did the engineers of the United States discover that there was a teredo in the waters of Texas?

Mr. CRAIN. Several years ago, when this board of survey was appointed to go down there and make a survey.

Mr. BOUTELLE. I thought that discovery was a very old one.

Mr. CRAIN. Under the new plan the jetties are built up at least 5 feet above high-water mark. They are constructed not of wooden mattresses, which are subject to the ravages of the teredo; they are built of solid masonry, sometimes concrete, sometimes large blocks of stone. They are 7,500 feet apart, instead of being, as I believe the others were, 10,000 feet apart. In addition to that, as was suggested by the gentleman from Pennsylvania [Mr. BAYNE], it is contemplated to do such dredging as may be found necessary to keep the silt in motion. Those are the distinguishing features of the two systems.

And now, Mr. Chairman, in justice to my colleague, the chairman of the Committee of Ways and Means [Mr. MILLS], and to the former Representative here, who is now in the Senate of the United States [Mr. REAGAN], I wish to say that the very scheme which they then advocated is the scheme which is being carried out to-day, with but one difference; that is in regard to the width between the jetties. I have stated the distinguishing features of these two different schemes, the one which they condemned then, and which they would doubtless condemn now, and which has been condemned by the Government engineers under the auspices of a board of survey appointed by General John Newton, one of the members of that board being the distinguished officer who is now Chief of Engineers of the United States Army.

The CHAIRMAN. Debate on this amendment is exhausted. Does the gentleman from Texas withdraw his formal amendment?

Mr. CRAIN. I do.

The CHAIRMAN. Does the gentleman from Maine withdraw his formal amendment?

Mr. BOUTELLE. I do. I move now to strike out the last three words.

Mr. Chairman, I notice that the only statement in contradiction of my suggestion that this present scheme is practically and substantially identical with that which met the sweeping condemnation that I have read from the speeches of Texas Representatives in the Forty-eighth Congress has come from the gentleman from Texas [Mr. CRAIN] who has more recently entered this body. I do not hear any such contradiction from the gentleman who made the criticism in 1885 or from either of his colleagues who were then on this floor.

Mr. STEWART, of Texas. If the gentleman will allow me I will say that my colleague [Mr. CRAIN] has stated the fact. It appears in the Engineer's Report that the jetties, which were originally placed 10,500 feet apart, have been changed so as to be 7,000 feet apart; and instead of being submerged jetties, according to the original project, they are now raised 5 feet above mean low tide. That is substantially the plan recommended by Captain Eads.

Mr. BOUTELLE. Then the gentleman understands that this project has been so modified as to avoid the criticisms which I have read and which were made in a previous Congress by the Representatives from Texas. I am unable to understand the matter in that way, and I do not predicate my views on scientific knowledge of my own, for I do not pretend to be a specialist in engineering or in harbor improvements; but in contradiction of the impressions of my friends from Texas [Mr. CRAIN and Mr. STEWART], who are undoubtedly sincere in believing that there has been a radical change in this project, I venture to quote from a recent report, as late as February 20, 1886, by a very distinguished engineering officer of this Government, who has had a great deal of experience in these matters of river and harbor improvements; the officer, I may say, under whose direction these improvements were carried on for many years while he occupied the position of Chief of Engineers, and a gentleman who adds to his other qualifications as a witness one which may not perhaps tend to discredit him on the other side of the House, that of being such an old-fashioned Jacksonian Democrat that it is currently reported that the mayor of New York has persuaded him to retain an important position in that city until after the Presidential election, notwithstanding the earnest desire of the President of the United States to appoint him to another high office under the Government, the position at the head of the Coast Survey. I refer to General John Newton, of the Engineer Corps, an authority that will hardly be questioned.

I do not propose to read his report in anything like its entirety; but if I can understand the English language his statements here, made more than a year after the criticism of the gentleman from Texas, are intended to be a direct refutation of those statements, a reiteration of his belief in the utility of the project then being carried out, and an assertion that the present scheme is substantially and practically a continuation of the original project. He says, speaking of this matter, that the use of concrete in place of wood was adopted as far back as 1874 and is nothing novel. He goes on:

> The parallelism of the jetties, as found in the original project of Major Howell, was, however, modified by inclining the south jetty towards the other, and by the recommendation of the board that, after carrying out the two jetties a certain distance, about half their proposed length, observations should be made with the view of changing their directions; that is, bringing them nearer together.
>
> The difference between low jetties and high jetties is one of degree, not of kind, though it has been industriously promulgated that their effects are diametrically opposite.

[Here the hammer fell.]

Mr. BLANCHARD. If the gentleman from Maine desires to go on, I will yield to him.

Mr. BOUTELLE. I am very much obliged to the gentleman. It will make my remarks more connected to continue them now and will not take any more time.

I was trying to show that according to General Newton's report there has been no substantial departure from the original scheme; and here on page 3 of Executive Document No. 85 (Forty-ninth Congress, first session) is a very pertinent paragraph, the significance of which is increased by a recollection of the very pointed strictures upon the United States Engineer Corps which I recently read. General Newton says:

> It will be noted that the date of this report is prior to the commencement of the south jetty by Colonel Mansfield, and this fact constitutes a sufficient answer to the reckless and false statement said to have been uttered upon the floor of Congress, that the north jetty was in condition to act when the south jetty had been finished, and that the want of success in deepening the bar proved that the plan of the engineers had been a total failure; whereas there was but one jetty, the south, the portion of the north jetty constructed having been years before the speech swallowed up in the sand.

This refers, presumably, to the speech of the gentleman from Texas, which I read.

General Newton goes on further to say in regard to the criticism that the current had cut a channel on the wrong side of the jetties:

> The trenches on either side of the jetties are not of unusual occurrence in such situations. In the present case they have been attributed to the overfall of the tides, and may be due also to the racing of the waves along the jetties.

Still further he says:

> I invite particular attention to the conclusions of the board that a great contraction of the channel by jetties would but slightly increase the velocities of the currents and extreme depth in the channel, while it would on the other hand ruin the harbor of Galveston, as well as expose the jetties to destruction.

This is as direct a contradiction of the criticisms made on the floor of the House by the Representatives from Texas as could well be put into official language; and it is made by the then Chief of Engineers, General John Newton, in vindication of his claim that the operations originally projected by the United States Engineer Corps were not subject to the criticisms which had been leveled at them in this House, and that they are continued to this day without substantial modification.

Mr. BLANCHARD. Mr. Chairman, the objection the gentleman from Maine [Mr. BOUTELLE] has raised to this appropriation is deserving of attention. Let us examine it. The port of Galveston is one of the greatest importance. The statistics which were presented before the Committee on Rivers and Harbors show the annual commerce there is of the value of $75,000,000, and that there enter at the port five hundred and fifty vessels a year, two hundred and fifty of which are steam-vessels.

There can be, therefore, no question about the importance of this harbor. The question, then, is whether Congress is pursuing the proper course to arrive at the end desired, which is the deepening of the water in the harbor to benefit the commerce which gathers there.

The gentleman from Maine [Mr. BOUTELLE] refers to the year 1885, when a certain debate took place in this House. Mr. Chairman, I was a member of the House at that time, and a member of the Committee on Rivers and Harbors, and I participated in the action of the House which resulted in the striking out of the bill of that year a large appropriation for Galveston Harbor. The striking out of that clause of the bill had the concurrence of my judgment.

The appropriation stricken out was in continuation of a plan begun several years prior to that time. The striking out of the clause was justified by the showing made that the plan the engineers were following was not a proper one and had resulted in no good and would not result in any. To err is human, and the Engineer Corps of the United States Army is no exception to that general rule. It was shown that the course they were pursuing at Galveston was erroneous; and when the motion was made to strike out the appropriation the debate occurred from which the gentleman from Maine has quoted, and the remarks then made by the gentlemen from Texas [Messrs. MILLS and REAGAN] were in reference to the plan which was then being pursued.

Mr. BOUTELLE. By the United States engineers.

Mr. BLANCHARD. Yes; by the United States engineers. Following the striking out of that appropriation by the House there was a Board of Engineers appointed consisting of General Duane, now Chief of Engineers, Henry L. Abbot, lieutenant-colonel of engineers, and C. B. Comstock, lieutenant-colonel of engineers, who were directed to repair to Galveston and investigate the plan of improvement going on there and to report to Congress whether it was likely to achieve the end in view, namely, the deepening of the water in the harbor; and, if not, to report a plan which would increase the depth. My friend from Maine has ignored that report of the Board of Engineers.

Mr. BOUTELLE. No; it is referred to by General Newton.

Mr. BLANCHARD. You read what General Newton had to say, but you did not read from the report of the Board of Engineers which sat in judgment on the harbor since the debate took place from which you quoted.

Mr. BOUTELLE. General Newton refers to the report of that board.

Mr. BLANCHARD. The report which the gentleman read from was the report in reference to the new plan, but the debate you quoted from was a criticism on the former plan. That debate took place prior to the time of the appointment of the Board of Engineers, and prior to the adoption of the new or modified plan which they said would meet the necessities of Galveston Harbor by deepening the water to a depth of 25 or 28 feet.

Mr. Chairman, it is on this modified plan the estimates submitted to the River and Harbor Committee of the Forty-ninth and Fiftieth Congresses were based.

The CHAIRMAN. The gentleman's time has expired.

Mr. CATCHINGS. I will take the floor and yield my time to the gentleman from Louisiana.

Mr. BLANCHARD. That modified plan was adopted by the Forty-ninth Congress, of which my friend from Maine was a distinguished member, by appropriating $300,000 to carry on the work under it. It thus appears, Mr. Chairman, that the appropriation of $500,000 which this bill contains is on a different plan from that criticised by Mr. MILLS and Mr. REAGAN in the Forty-eighth Congress.

My friend from Maine was certainly aware of the existence of that report of this Board of Engineers and of the modifications they had proposed. So careful were the Committee on Rivers and Harbors of this Congress in its dealings with the Galveston Harbor, so anxious were we to be certain we were right before incorporating in this bill the appropriation of a half million of dollars for that harbor, we requested the present Chief of Engineers, who, before he became chief had been a member of the board which was sent to Galveston—we requested him to appear before us, and he did so, and we examined him and cross-

examined him with respect to the plan of improvement at Galveston Harbor.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MCCREARY having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate agreed to the amendments of the House of Representatives to the bill (S. 1431) making an appropriation for the establishment of a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida.

Also, that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas; and

A bill (H. R. 4964) to prevent any persons in the cities of Washington and Georgetown from making books and pools on the result of trotting or running races or boat races.

Also, that the Senate insisted on its amendment, disagreed to by the House, to the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exhibition to be held in Paris in 1889, asked a conference with the House thereon, and had appointed Mr. SHERMAN, Mr. EVARTS, and Mr. BROWN as managers on the part of the Senate.

Also, that the Senate disagreed to the amendments of the House to the bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson, asked a conference with the House thereon, and had appointed Mr. SAWYER, Mr. FAULKNER, and Mr. BLAIR managers on the part of the Senate.

Also, that the Senate disagreed to the amendments of the House to the bill (S. 300) granting a pension to Mrs. Juliet G. Howe, asked a conference with the House thereon, and had appointed Mr. PADDOCK, Mr. DAVIS, and Mr. TURPIE managers on the part of the Senate.

The message further announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested, namely:

Joint resolution (S. R. 73) relating to the disposal of public lands in certain States; and

A bill (S. 1483) for the registry of the barges Albert M., Condor, and Adelante.

RIVER AND HARBOR APPROPRIATION BILL.

The Committee of the Whole resumed its session.

The CHAIRMAN. The gentleman from Louisiana will proceed.

Mr. BLANCHARD. Mr. Chairman, I was saying at the time the interruption took place that General Duane, Chief of Engineers, who had visited the harbor of Galveston and inspected thoroughly the works there, was before us, and we questioned and cross-questioned him with a view to ascertaining for ourselves, as far as we could, whether the plan which was being proposed there now was adequate to the end contemplated.

In the course of our examination of General Duane we asked the question whether he had any doubt that the plan of improvement would achieve the deepening of the harbor to the extent claimed by the engineers. His reply was that he did not have a doubt of it. So that we not only had the report of the engineers before us, but we took verbal testimony with respect to the improvement there; and after all that we recommended to Congress the allowance of $500,000 on an estimate of $1,000,000 to continue the work.

This is the situation, sir, and I submit it fully justifies the action of the Committee on Rivers and Harbors.

Mr. BOUTELLE. At this point I desire to express my appreciation of the ability as well as the suavity and tact with which my friend from Louisiana, the chairman of the committee, has conducted the discussion in behalf of the bill he has in charge, and if it were not for the pride I naturally have in my political affiliations I might express regret that he had not made an appropriation out of his own liberal fund of equanimity to some of his committee colleagues on my side of the House. The gentleman and I will discuss this matter in a candid way. When he said a little while ago that I had apparently studiously failed to refer to some report on this subject I thought perhaps I had unwittingly ignored something that ought to have been considered.

I really did not know just where to look for that report. I looked up the references to this matter somewhat hastily, endeavoring to get the latest official utterances on the subject, and I find upon examination of the document to which I have already alluded, Ex. Doc. No. 85, that I was correct in the statement that General Newton's report, from which I read, is the superior officer's final condensation and revision of the subreports made by the board of officers to which the gentleman from Louisiana referred. This document contains that identical report of Colonel Duane, Lieutenant-Colonel Abbot, and Colonel Comstock to which he refers.

But that report, after being sent to headquarters, is made the subject of revision by the Chief of Engineers; and as the River and Harbor Committee, in making up their bill, have as a rule ignored in their appropriations all the recommendations made by the local engineers, and have based their action generally upon the revised estimates and conclusions of the Chief of Engineers, I felt quite justified, and do still, in quoting General Newton as expressing the sense of the board with reference to the character of the work at Galveston. His report is dated February 28, 1886. The report of the board of officers was sent to him more than a month before that.

Mr. BLANCHARD. On January 21, 1886.

Mr. BOUTELLE. Yes; January 21, 1886. So the report from which I read embodied General Newton's conclusions, after receiving the benefit of the information derived by the board sent to Galveston, and after reading the conclusions of that board he indulged in that very emphatic refutation, or denial, or protest, whatever you may please to call it, against the criticisms that had been leveled by the gentleman from Texas at the engineer officers of the United States Army in regard to their operations at Galveston, and if there is anything that he says most clearly in that report it is that the project originally designed by the Board of Engineers is being carried out to-day with only some slight modification which does not interfere with the general plan that was so severely criticised in the House in 1885.

[Here the hammer fell.]

Mr. HOPKINS, of Illinois, was recognized, and yielded his time to Mr. BOUTELLE.

Mr. BOUTELLE. General Duane speaks of this project, saying it was adopted in 1874, modified in 1880, and again modified in 1886, the modification in 1886 being simply that slight divergence which is referred to by General Newton, and which in nowise corrects any of the evils complained of by the gentleman from Texas. And whether it is desired by the person examining this matter to sustain or condemn the plan of the Army engineers, it is not denied by any of the members from Texas in regard to the operations at Galveston, carried on for many years, in which there has been appropriated up to July of last year $1,481,000—nearly a million and a half—that up to that time the money had produced most meager, if any, favorable results. One of the piers had sunk, and General Newton himself says that one of the jetties had disappeared.

Mr. CRAIN. There never was but one there, and it is there yet. There was a gabion, which disappeared.

Mr. BOUTELLE. I read from the report of General Newton, who says "there was but one jetty, the south, the portion of the north jetty constructed having years before been swallowed up in the sand." General Newton uses the term "jetty;" and I suppose he knew what he was writing about.

But if it were true that the board to-day were proceeding on a new project; if it is also true, as alleged, that the expenditure of a million and a half dollars was discovered in 1886 to have been an absolute loss, a failure, a detriment to the harbor, I would like to know what assurance the critics of the former project can furnish in going on with this expenditure to involve $9,000,000 under the operations of the same officers whose alleged incapacity has been so vigorously denounced by gentlemen on this floor.

Mr. BLANCHARD. I will state to the gentleman from Maine [Mr. BOUTELLE] that the same officer is not down at Galveston now.

Mr. BOUTELLE. The simple change in the detail of an officer does not alter the fact that the work is under the control of the United States Engineer Corps, and the criticisms made by Texas Representatives upon this floor—which I regarded as somewhat reckless at the time—were that the United States Engineer Corps were unqualified by their training, their experience, and by the failure of their projects to carry to successful completion great works of harbor improvement of that kind.

[Here the hammer fell.]

The CHAIRMAN. Does the gentleman from Maine withdraw the *pro forma* amendment?

Mr. BOUTELLE. I do.

The Clerk read lines 244 to 246, as follows:

Improving Sabine Pass and Blue Buck Bar, Texas: Continuing improvement, $250,000.

Mr. STONE, of Missouri. I move to strike out the last word.

So far as Galveston Harbor is concerned I said nothing because of the apparent necessity incumbent upon the House to proceed; but I would cheerfully vote to increase the appropriation for that harbor, because of its great importance, to the full amount asked for by the engineers.

I believe, sir, in substantial improvement, rapid improvement of the important water ways and seaports of the country, important from a commercial and national standpoint. And I would be very glad to take a large number of these wasteful and unnecessary appropriations and utilize them to some good purpose by devoting them to such an enterprise as the improvement of the harbor at Galveston.

But I want to say a word or two as to this item following the Galveston Harbor appropriation. It appropriates $250,000 for Sabine Pass.

There are two small rivers flowing down Eastern Texas and emptying into a pool called Sabine Pass or Lake, connected with the Gulf. In 1878 a project was set afoot to remove a bar so that ingress and egress might be had to the Gulf. Large amounts were also appropriated to remove obstructions at the mouths of these rivers.

In 1878 to 1880, inclusive, large sums of money were expended in dredging. In 1882 that system of improvement was abandoned and

the immense expenditures upon it, it was admitted, had resulted in an absolute and total loss.

The plan adopted in 1882 was to deepen the channel by a system of jetties. It was estimated the cost would be $3,177,606.50. Since 1882 Congress has appropriated $548,750 to this work, in addition to which, as I have already stated, large amounts were appropriated to remove obstructions at the mouths of the rivers emptying into the lake.

The report of the engineer in charge of this jetty work at Sabine Pass is an interesting document. He claims to have made a foot and a half of water; but it seems the outer reaches of the jetties are being constantly destroyed by the operation of the waters of the Gulf. I read from the report of the engineer:

From 9,000 feet to 11,000 feet from shore the injury to foundation course increases, and beyond 11,000 feet, namely, from 11,000 to 16,070, the foundation course is destroyed. On this foundation course a second tier of mats 6,146 feet long and 30 feet wide was built in 1883. This tier is very little injured, excepting the top fascines, which were not covered with rock. Of the third or top tier, built in 1885, which was 6,700 feet long and 15 feet wide, 3,000 feet remains; the other 3,700 feet were broken up or moved to the sea slope of the jetty in the storm of June, 1886.

The loss in height of jetty was traced and accounted for as follows: The foundation tier invariably settled into the mud equal to the depth of the lower fascines, namely, about 5 inches. The weight of rock ballast on top, together with pounding of sea, compressed and compacted the brush after each mattress was laid, sometimes 50 per cent. of its bulk as compared with its measurement when launched, and on the outer mile of foundation course the loss is due entirely to loss of brush owing to insufficient ballast and the teredo. When the jetties were sufficiently ballasted there was practically no loss of material; the destruction of the teredo was insignificant. The compression of the brush within the mattresses when first placed must and will continue.

[Here the hammer fell.]

Mr. SOWDEN was recognized, and yielded his time to Mr. STONE, of Missouri.

Mr. STONE, of Missouri. The engineer complains that the appropriations are too small to do the work efficiently. Here is what he says:

The best results in the way of obtaining deep water by jetties can only be obtained by continuously rapid work on them. Large appropriations only can accomplish good results. At the rate at which appropriations have been made for this work it will require sixteen additional years to complete the jetties as projected and approved, thus compelling a work to be twenty years in progress of construction, which, if economic considerations are to govern, should have been completed in about three years after the commencement.

One million of dollars is the amount of money that can be expended on this work in a fiscal year that will produce the best results. Whether or not there has been an increased depth of water on Sabine Pass Bar during the past five months is not definitely known. On the completion of the work this month a resurvey will be made, and the results of such survey will be forwarded as soon as known.

Mr. Chairman, if this work is to be done at all, and done efficiently, adequate appropriations should be made. As it is, it seems to be a race between the engineers and the sea, whether the one can construct faster than the other can destroy. And under what pretense, Mr. Chairman, are all these millions being poured into this maelstrom? Not to meet any existing commercial demand, because none exists, but with the uncertain and improbable hope of creating one. Sabine Pass is a seaport, but in 1886 the town was entirely destroyed by a tidal wave. There has never been any commerce there worth speaking about, and now there is absolutely none. I read again from the report of the engineer:

There has been practically no commerce at Sabine Pass the past year. The large vessels which came there brought the rock from New York for building the jetties. A few little schooners passed in and out, carrying small loads, generally to and from Beaumont and Orange, Tex. No railroad trains have run to or from the pass since the storm of last October, as about 10 miles of the roadbed was seriously damaged or destroyed, and this has not been repaired or replaced.

Vessels come there, it appears, for no other purpose but to transport rock taken from New England quarries, probably from the district of the gentleman from Maine [Mr. BOUTELLE] who is complaining about the appropriation for Galveston Harbor. They come there with cargoes of rocks to be dumped in as playthings for the sea.

It seems, then, Mr. Chairman, that there is absolutely no commerce demanding this enormous expenditure. Already over half a million dollars has been wasted in this improvement, although there is no commerce inviting it at all. But, sir, if it is necessary to make this improvement, then let us make an appropriation adequate to the demand in order that the work may not be destroyed as rapidly as it is constructed.

[Here the hammer fell.]

Mr. STEWART, of Texas. I regret very much, Mr. Chairman, the necessity which forces me before the House again, but it seems that Texas is to be attacked all along the line. [Laughter.] Heretofore I have been defending appropriations made for ports not in my own district, but in the district represented by my colleague [Mr. CRAIN]; but now I rise to defend an appropriation that is made for the only port on the Mexican Gulf that is within my district, and naturally I have some feeling about it. The gentleman from Missouri [Mr. STONE] says that all the money that has been expended at Sabine Pass has been wasted, and he refers to the report of the engineer, not knowing or not remembering that that report was made for the fiscal year, which closed on the 1st of July last. Since then nearly $200,000 has been expended there, and the damage that was done to the west wall of the jetty has been repaired.

Now, if you draw a line on the map from Sabine Pass to Brazos Santiago, at the mouth of the Rio Grande, you have a distance of nearly 400 miles, and if the meanderings of the coast are counted the distance will be very nearly doubled. Along that entire line of coast there is not a harbor, with the exception of one, that will admit a vessel drawing 15 feet of water. Back of that coast is the great State of Texas, about which I talked a while ago, and I will not now repeat what I then said. The plans adopted for the improvement of the harbor at Sabine Pass are two jetty walls. One of those walls has been completed up to high tide for 13,312 feet from the shore, and the west jetty wall has been built 16,071 feet in length, and built up to high tide 7,270 feet.

The Government has already expended upon those works over a half a million of dollars. Will the gentleman from Missouri now say that the Government should stop and let what it has already expended be lost? Is that wise policy? I make the assertion now, without the fear of contradiction from any one, that no jetty works which have been built in this country, with perhaps the exception of the works at the mouth of the Mississippi River, have accomplished such great results as have been accomplished at Sabine Pass. When these works were commenced in 1882 there was scarcely 6½ feet of water on the bar; to-day there is, according to measurements in the month of February last, over 11 feet of water at low tide. This is the result of that work. You do not find it in the report of the engineer, but it is the measurement made in February last; and this result has been accomplished though not more than 50 per cent. of the scouring power of the jetties has been brought into operation because of the incomplete condition of the jetty walls. Give us the amount of money we ask for, $250,000, and I venture the assertion that when this amount is expended we shall have more than 15 feet of water at low tide.

[Here the hammer fell.]

Mr. LANHAM obtained the floor and said: I yield to my colleague [Mr. STEWART, of Texas].

Mr. BLANCHARD. I hope we shall have a vote.

Mr. STEWART, of Texas. I will not detain members more than a few moments longer.

This is the only port for Eastern Texas and that country lying east of the Trinity River, which comprises an area larger than many of the States of this Union. It is a great lumber region—a great pine country. There are saw-mills adjacent having an output of 250,000,000 feet of lumber and 80,000,000 feet of shingles. The Report on Forestry shows that tributary to this point there are over 50,000,000,000 feet of pine lumber. To-day the men who undertake to bring that lumber to market are completely in the hands of one railroad company. Give us the depth of water that we require upon that bar, and we will ship lumber to New York and all the Eastern ports, without coming in competition with any other locality, because our lumber is different from theirs; it is the long-leaf, yellow, hard pine. The improvement now going on affords the only possible outlet for the lumber of Eastern Texas and the agricultural products of that great region.

There is not a port between the mouth of the Mississippi River and Vera Cruz that affords such a harbor of refuge as does Sabine Pass; this is known to all the mariners who traverse the Mexican Gulf.

The gentleman from Missouri says there are two small rivers there. I beg the gentleman's pardon; there are two large rivers—the Neches and the Sabine—which enter into Sabine Lake. These waters find their outlet to the Gulf of Mexico through what is called Sabine Pass, a cut of about 4½ miles in length. Inside of that cut there is now a depth of from 28 to 40 feet of water. There is no obstruction except the bar, which is being rapidly removed by these jetties. When completed, this improvement will give to the country one of the very best ports on the Mexican Gulf. These being the facts, as they undeniably are—anybody acquainted with that country will verify my assertions—would the gentleman from Missouri have the Government stop now, after having expended more than half a million of dollars, and let the work which has been done deteriorate and go to decay? With these facts before the House, I do not think it necessary to occupy further time.

[Here the hammer fell.]

Mr. STONE, of Missouri. Mr. Chairman, in answer to my friend from Texas I desire to say that the remarks which I submitted were predicated upon the report made by the engineer. The information which the gentleman now furnishes was not in my possession. Looking to that report alone, I found that this work was falling to pieces about as rapidly as it was being built.

My friend says that we have spent half a million of dollars there already, and he asks whether it is wise to abandon that work. Certainly not, if there is any commercial demand for the work itself. One of the evils of this system of river and harbor improvements is that, inspired by local influences, we inaugurate enterprises which have no great national or commercial importance; and when a few thousand dollars have been sunk in them we are asked, "Is it wise or politic or good business policy, after this work has been done, to abandon it? Is it not best to go on with it?" Perhaps, in this instance, after the explanations made by my friend, it is best to continue the work. He says that a large commerce comes down these rivers and passes out to the Gulf. I do not know anything about it; my remarks were based upon such information as I gathered from the report of the engineers

themselves. This report distinctly says that during the past year there was practically no commerce there, and that the town of Sabine Pass was destroyed in 1886. It has not been rebuilt, as I am informed.

Mr. STEWART, of Texas. That is not true.

Mr. STONE, of Missouri. Does the gentleman mean to say the town has been rebuilt?

Mr. STEWART, of Texas. I want to correct the gentleman's statement in this way. There was an unprecedented storm at Sabine Pass in October of the year the gentleman mentions; but the town was not destroyed; no substantial building in the town suffered any injury; some little board shanties were destroyed.

Mr. STONE, of Missouri. I am sorry my friend——

Mr. STEWART, of Texas. I know whereof I affirm.

Mr. STONE, of Missouri. I accept the gentleman's statement as unquestionably correct; but I was misled by this report, which says:

The water is credibly reported to have reached a height of 8 feet above the ground on which the town of Sabine Pass stood. In less than an hour from the time this wave reached its height over 90 per cent. of the houses in Sabine Pass were either lifted off their foundation, thrown down, drifted away, or destroyed. One hundred and thirty lives were lost, and the few people spared were left destitute.

[Here the hammer fell].

Mr. STONE, of Missouri. I withdraw the *pro forma* amendment.

The CHAIRMAN. The *pro forma* amendments being withdrawn, the Clerk will continue the reading of the bill.

The Clerk read as follows:

Improving ship-channel in Galveston Bay, Texas, from Morgan's Cut to Bolivar Channel: Continuing improvement, $100,000.

Mr. BOUTELLE. Mr. Chairman, this appropriation of $100,000 is for a ship-canal in Galveston Harbor and from Galveston Bay to Buffalo Bayou. I find that there have been appropriated up to July 1, 1887, $446,500 upon that operation, and that the estimate of the total expense as proposed in 1887 is $813,503. That is a large amount of money to appropriate for a canal in a harbor, and I have been interested in looking into the report to see what the work is.

Mr. KERR. I make the point of order that there is no amendment pending before the House on which debate can take place.

Mr. BOUTELLE. I move to strike out the last word. I find, Mr. Chairman, this project was discountenanced by the engineers. An examination was made in 1882 of the cut through the lower bay by Major Mansfield, the officer in charge, and he believed the results were not such as would induce him to go on with the work. It was accordingly suspended on the contract then in force in 1883, and the facts were reported to Congress. In the next river and harbor act, notwithstanding the report of the engineer, an appropriation was made for carrying on this work, with the proviso that no part of the money should be used until the Buffalo Bayou Ship Canal Company should relinquish or abandon to the United States all their franchise and right of collecting toll. But in the river and harbor act of August 5, 1886, the appropriation was continued, except that the final condition was omitted, so the work could proceed without requiring of the Buffalo Bayou Ship Canal Company any change in the terms of their agreement of 1881.

I will read from the Engineer's Report, in which they go on to describe the character of this work:

The survey developed the fact that the 12-foot contour in Bolivar Channel has receded southward about 2,400 feet. To complete the work it will be necessary to extend the excavation that far beyond its original terminus.

It appears, therefore, that out of the total length of channel excavated—18½ miles—9.43 miles have been obliterated, 2.11 miles have been fully maintained, and the remaining 6.81 miles have deteriorated 75 per cent., and the length of the channel must be increased 2,400 feet.

The rate of deterioration has not been uniform. An examination of the cut between Bolivar Channel and Redfish Bar was made in October, 1882, by which it was ascertained that about three-quarters of the work had been undone at that time, which was only two and one-third years after its completion. (See Annual Report of the Chief of Engineers for 1883, pages 1079, 1080.)

* * * * * * *

The deterioration between Redfish and Morgan's Cut has been less rapid than in the lower bay. It amounts to about 75 per cent. in four years, or 19 per cent. per year, if the rate of deterioration were uniform. But as the rate must have been greater the first year than in subsequent years, it is moderate to estimate that the maintenance of a channel 12 feet deep would require the removal each year of not less than 25 per cent. of the amount originally excavated.

Here are the facts, which leave but little scope for theory or opinion as to the amount of work which will be required to maintain the channel, or as to the necessity, when once the excavation is begun, of pushing it through to completion rapidly and then making the work of maintenance continuous.

It sometimes happens that a temporary deepening of a channel will be of value to vessels using it, even if it subsequently return to its original condition, because it enables them to load to a deeper draught for a longer or shorter period. Such is not the case here. The design is to create a commerce which does not now exist; that is, to provide a channel for sea-going vessels of deep draught, such as do not now visit Houston or cross the bay at all. The natural depth is sufficient for all vessels which now navigate the bay, loaded to their fullest capacities.

Mr. Chairman, I content myself with calling the attention of the House to these statements from the official reports bearing upon these expenditures. I do not propose to resort to any obstructive tactics or dilatory motions to prevent the House from voting such appropriations in these cases as the majority may be willing to approve, and the large preponderance of the votes in favor of the appropriations embraced in this bill shows plainly the intention of the House. I think it proper, however, that the facts which I have cited should be stated to the House and go upon the record.

[Here the hammer fell.]

Mr. KERR. Mr. Chairman, the report of the engineers in this case does not, in my judgment, justify any appropriation whatever. But before proceeding further, I move to strike out the entire appropriation of $100,000 for this ship-canal in Galveston Bay. The engineers in charge say of it that it is an attempt to make a seaport of Buffalo Bayou at or near Houston, some 60 miles from the Gulf of Mexico. They say further in the same report:

An examination made in October, 1882, of the cut through the lower bay led Major Mansfield, the officer in charge, to believe that the results were not such as to justify going on with the work. It was accordingly suspended at the termination of the contract then in force, in June, 1883, and the facts were reported to Congress. The unexpended balance then remaining available was $159,870.50.

I wish to call attention specially to the following statement, taken from his report:

It sometimes happens that a temporary deepening of a channel will be of value to vessels using it, even if it subsequently return to its original condition, because it enables them to load to a deeper draught for a longer or shorter period. Such is not the case here. The design is to create a commerce which does not now exist; that is, to provide a channel for sea-going vessels of deep draught, such as do not now visit Houston or cross the bay at all. The natural depth is sufficient for all vessels which now navigate the bay, loaded to their fullest capacities. No useful result can be obtained from expenditures upon this work until it is completed and such provision made for its maintenance as will inspire confidence in its permanency as a highway of commerce. Important trade will not follow an uncertain highway. To half finish it, or one-quarter finish it one year, and then leave it to be continued at some indefinite time in the future is a waste of money. There should be on hand when the work is begun funds sufficient to carry it through and maintain it at least one year.

The report goes on further to state:

Believing it to be useless to begin the work with the funds available, I recommended in my report of May 30 that their expenditure should be deferred until they should be largely increased by further appropriations. This recommendation was disapproved "by reason of the mandatory terms of the act of August 5, 1886, directing its expenditure," and I was ordered to begin work with as little delay as practicable.

Further on in the same report I find the following:

The estimate, $317,000, submitted for continuing the work during the year ending June 30, 1889, is the amount required to complete the original excavation and to maintain it one year. With this sum, and with regular appropriations thereafter, the work can be carried to a successful completion. With a sum much less than this, or with irregular appropriations thereafter, the work is, in my judgment, entirely impracticable.

The report goes on to say that if it were finished it will require $100,000 a year of the people's money to maintain that channel.

We are asked here in this bill to make an appropriation which the engineer in charge of this work has reported to be entirely useless, or, in other words, to appropriate $100,000 for nothing. After all the appropriations which have been made upon this work, and which the engineers show has been destroyed, we are told by the engineers that it will require $100,000 a year, even when finished, afterwards through all time to keep it so that it will be of any value. And that is the kind of appropriations recommended by this Committee on Rivers and Harbors, including with the other appropriations in the bill nearly $1,000,000 for the harbor of Galveston alone—one-twentieth of the entire appropriation to a single district in Texas, and a large part for a work that the engineer in charge says is under the circumstances entirely impracticable.

[Here the hammer fell.]

Mr. STEWART, of Texas. Mr. Chairman, perhaps it will be necessary for me to give an explanation of this work. It was originally commenced by private enterprise, under a charter granted to the company by the State of Texas. After that company had accumulated considerable work and expended quite a large sum of money upon it, it made a proposition to the Government of the United States, which I will read. It is in the following words:

Resolved, That when the Government of the United States shall have completed a ship-channel—

And here in parenthesis I may say it is not a "canal," but a "channel"—

for vessels of 12 feet draught, from Bolivar Channel to the channel constructed by this company, it will turn over and surrender to the United States Government the said work at cost, or at the valuation that may be placed upon it by a commission of United States engineers designated by the Government of the United States to determine the value of the same.

Under this proposition Congress passed the following act:

In consideration of the propositions of the Buffalo Bayou Ship Channel Company to turn over their work at Morgan's Point, and to surrender their charter granted by the Legislature of Texas, which proposition is now on file in the War Department, and is hereby accepted—

I call attention to the language of the act, "which is hereby accepted"—

the Government hereby adopts the line surveyed from the cut in Red Fish Bar to the cut in Morgan's Point, and the sum of $80,000 is hereby appropriated for the improvement of that line: *Provided*, That no part of said sum shall be expended until said Buffalo Bayou Ship Channel Company shall file with the Secretary of War, in manner and form to be by him approved, the acceptance of these provisions of this act.

The ship-channel company filed a release in the War Department, which was accepted by the Government as a full compliance with the act, and which is now on file.

Now I contend, Mr. Chairman, that good faith upon the part of this Government, having accepted all the propositions made by the ship-channel company, having required them to file a release, with which provision they have complied, and having appropriated a part of the money for the construction of the work, good faith on the part of the Government requires that they should go on and complete the work. As a matter of course, invested with sovereignty as it is, the Government may repudiate its contracts, but I do not believe that any member of this House, knowing the contract has been made by this Government, will vote to repudiate the same.

In addition to the question of good faith upon the part of the Government involved in this matter, I say there is also a great and commercial necessity for the completion of that work, as much so as for any work almost in progress. The city of Houston is situated upon Buffalo Bayou, which bayou empties into the San Jacinto River, and the San Jacinto River empties into Galveston Bay. At Galveston Bay we have at this point an average depth of but 9 feet of water. What we want is this channel of 12 feet in depth and 100 feet in width, which the Government undertook and is under a moral obligation to complete to give us an outlet to the sea. The importance of the work will be manifest from an examination of the commerce there, and its speedy completion is imperative.

Mr. Chairman, Houston is a great railroad center. There are a number of railroads centering there which transport to that point for shipment vast amounts of the products of the country.

[Here the hammer fell.]

Mr. LANHAM was recognized and yielded his time to Mr. STEWART, of Texas.

Mr. STEWART, of Texas. We have the Southern Pacific Railway with a mileage of 2,596 miles; the Texas and New Orleans division, 603 miles; the Houston and Texas Central Railway, 747 miles; the International and Great Northern Railway, 332 miles; the Gulf, Colorado and Sante Fé Railway, a mileage of 359 miles; the Galveston, Houston and Henderson Railway, 50 miles; the Houston and Columbia Railway, 50 miles. There is also the Texas Western Railway, the Texas Transportation Company on Buffalo Bayou, and the Houston, East and West Texas Railway Company; and without going further it is only necessary to say that eleven roads center at this one point, with a total mileage of 5,535 miles, and this channel is the only outlet for this great railroad center to the Gulf. Two other roads are now in progress of construction and partly built, both heading for the city of Houston.

The traffic upon the bayou is large. I will not consume time by giving all the statistics which I hold in my hand, but I will call the attention of the committee to one or two of the leading articles of commerce there. I read from a report from the Cotton Exchange and Board of Trade for the city of Houston, which shows that in the year 1887 they received 748,036 bales of cotton in that town. More than a half million, aye, nearly three-quarters of a million bales of cotton were received there in that one year, and that vast traffic is completely at the mercy of the railroads. The only thing to regulate the freight there, in order to enable our people to get their cotton to the sea, is the completion of this channel. But for a long time after the commencement of the channel work was suspended for want of appropriations, and necessarily there was a deterioration in the work consequent upon this lapse of time.

These things being so—and I could advert to other statistics, but I am reminded that I am consuming time, though I must be pardoned in this case, for this is my own town, my own city—these things being so, and this being our only outlet to the sea, we want it completed. We want it completed, Mr. Chairman, I care not what it costs. If it costs a hundred thousand dollars a year it is a sum worthily expended, because of the vast commerce that will go through it. But I do not believe it will cost such a sum. The engineer the gentleman quotes had only recently been appointed to duty there, and he has made a supplemental report in which he says that the cost will not be within a hundred thousand dollars of the amount he first estimated, while the cost of maintenance will not exceed $70,000. I do not believe it will take $50,000. I believe $25,000 will do it and maintain the channel properly; and when it is done it is of vast benefit to us, to our State, and all the people of Texas; and not only will it be of local advantage to Texas, but is a matter of internal commerce benefiting the entire nation.

[Here the hammer fell.]

Mr. CANNON. Mr. Chairman, I believe in the judicious and liberal appropriation of money for the improvement of the rivers and harbors of the Republic, and so believing I would refuse appropriation of money that will not accomplish the end in view. I know nothing of the item under consideration, except from the report of the engineer officer in charge, page 1420, from which it appears there has already been a very large amount expended on this work, three-fourths of which has been lost by filling up. That it will take $317,000 to complete the work and maintain it one year, and $99,000 annually to maintain it after completion. The engineer says to half finish the work in one year, then leave it to be continued in the future, is a waste of money. There should be on hand when the work is begun funds sufficient to carry it through and maintain it at least one year. This takes over $300,000. The bill only carries $100,000. The $100,000, if given, will be wasted. If anything is given the whole amount should be given. I believe the work could be abandoned without injury to any interest of sufficient importance to warrant appropriation. I will vote for the motion of the gentleman from Iowa [Mr. KERR] to strike it out.

Mr. KERR. I made the motion to strike out the entire appropriation.

The CHAIRMAN. The question is on the motion of the gentleman from Iowa [Mr. KERR] to strike out the appropriation.

The question being taken, the Chairman stated that the "noes" seemed to have it.

Mr. KERR. I call for a division.

The committee divided; and there were—ayes 30, noes 71.

Mr. KERR. No quorum.

The CHAIRMAN appointed as tellers Mr. KERR and Mr. BLANCHARD.

The committee again divided; and the tellers reported—ayes 24, noes 123.

Mr. KERR. I do not desire to take up uselessly the time of the committee, and as the result is inevitable, I withdraw the point of no quorum.

So (further count not being called for) the motion to strike out the paragraph was not agreed to.

Mr. CRAIN. I desire to offer the amendment which I send to the desk, and I ask unanimous consent to print in the RECORD the remarks I desire to offer in connection with the amendment.

The Clerk read the proposed amendment, as follows:

In line 243 strike out "$500,000" and insert "$1,000,000;" so that it will read: "Improvement of entrance to Galveston Harbor, Texas: Continuing improvement, $1,000,000."

The CHAIRMAN. The gentleman from Texas asks unanimous consent to print some remarks on this amendment.

There was no objection.

Mr. BLANCHARD. I ask unanimous consent that every gentleman who desires to print remarks on this bill may be allowed to do so.

Mr. HEARD. I object.

The question being put on the amendment of Mr. CRAIN, it was not agreed to.

The Clerk read the following paragraph:

Improving harbor at Cleveland, Ohio: Continuing improvement on the last plan projected, $75,000.

Mr. FORAN. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 255 strike out "$75,000" and insert "$150,000."

Mr. FORAN. If I can obtain the attention of the committee for a moment, I think I can make it very evident that this amendment should prevail. I do not rise for the purpose of hearing myself talk, or for the satisfaction of seeing my name in the RECORD. I am exceedingly glad we have escaped from the sand-laden, teredo, and tornado-cursed waters of the Gulf of Mexico and are now on the placid and crystalline waters of Lake Erie. The committee gave Cleveland the usual percentage of what the local engineer estimated. One hundred and fifty thousand dollars was the estimate of the engineer. Since that estimate, however, the plan of the breakwater in Cleveland has been changed so as to increase its cost $300,000. The engineer estimated that to complete the breakwater upon the old plan would cost $319,000, and that upon the basis of the new plan the cost will be $620,000.

So it is fair to presume if the engineer in making his estimate knew the work was to be completed on the last projected plan he would have made his estimate at least $300,000. I desire to say $75,000 is of no possible benefit to the breakwater at Cleveland. We might as well have no appropriation at all. One hundred and fifty thousand dollars can be very profitably expended upon that breakwater during the next fiscal year, and such an appropriation will complete so much of the work that it will be possible to utilize it this fall as a harbor of refuge.

A great deal was said about the commerce of Galveston, which it was stated amounted to $73,000,000. The commerce of the harbor of Cleveland, Ohio, amounts to $77,000,000. It has been said here that five or six hundred vessels entered Galveston during 1887. The entrances and clearances at Cleveland were over eight thousand vessels. The exports from Cleveland last year were $46,140,000, and the imports were over $30,000,000, including merchandise of all kinds and descriptions—coal, oil, and merchandise of a general character.

This breakwater at Cleveland has been in course of construction for thirteen years. There has never been less than $100,000 for it in any appropriation bill, except in the bill of last session, which failed. There was in that bill a small appropriation, because there was on hand at that time $165,000 unexpended.

But that money has been all expended and the engineer, if called upon to make his estimate now, seeing the plan has been changed, would undoubtedly estimate $300,000. Less than $150,000 will be useless. It would hardly pay to begin work with the amount this bill appropriates for that harbor.

Mr. Chairman, I have in my hand resolutions adopted by the Board of Industry and Improvement at Cleveland, which I ask to have read by the Clerk as bearing upon this subject. I really think that the chairman of the Committee on Rivers and Harbors and the members of that committee, when they understand the matter properly, will not object to my amendment.

The Clerk read the resolutions, as follows:

Whereas we are informed that $75,000 only has been recommended for appropriation by Congress towards building the Cleveland breakwater; and

Whereas we learn from competent authority that fully 2,000 feet of breakwater can be constructed during the season of 1888, costing not less than $150,000, provided such sum is appropriated for that purpose, so that early contracts can be made, thereby insuring an extended area of protected space for refuge purposes available in time this year for the severe storms that usually prevail every fall, thus probably saving valuable lives and property engaged in the Lake commerce; and

Whereas the great importance of securing continuous work and thereby early final completion of such a necessary water-way improvement can not be overrated: Therefore,

Resolved, That the members of Congress are hereby most respectfully but urgently requested to give due consideration to the interests of the great interlake commerce and permit such an appropriation, say not less than $150,000, for the Cleveland breakwater, so as to insure the completion of as much work as can be done during this year.

Resolved, That the secretary be requested to forward to Senators PAYNE and SHERMAN and to Representatives FORAN and GROSVENOR copies of this action of the board, with request that every effort be made to secure a commensurate appropriation.

Mr. FORAN. Mr. Chairman, in addition to what I have already said, I desire to say that although over $900,000 has been expended upon this breakwater it is to-day practically useless for the commerce of the lake because of its incomplete condition, but the merchants and vessel owners of Cleveland say that with the construction of 2,000 feet more the breakwater will be available to protect vessels in the fall and spring, the seasons when storms prevail. An appropriation of $75,000, as I have said, is of no possible benefit for this work. I hardly think it would be worth while to advertise for bids upon such an appropriation. Cleveland is one of the most important cities upon the lakes. It is a city of nearly 300,000 inhabitants, a city whose commerce is over seventy-seven millions annually. I am in earnest in this matter, and I trust that the committee will agree to the amendment I have offered, because it is really needed to make this breakwater of any service.

Mr. BLANCHARD. Mr. Chairman, the committee gave Cleveland 50 per cent. of the estimate submitted to them. This work fared better than the majority of the projects in the bill. In the bill of 1886 there was appropriated for the harbor of Cleveland $93,000 upon a very much larger estimate than the one submitted at this time. Now, while there was appropriated in 1886 $93,000, I find that on the 1st of November, 1888, only a few months ago, there was still on hand $91,000 of that amount. If we had provided for Cleveland and for the other places in this bill on the scale which my friend [Mr. FORAN] asks, we would have brought in a bill appropriating from forty-five to fifty millions of dollars. There are many other points in the United States just as meritorious as Cleveland and just as much entitled to be allowed the full amount of the estimates, but in all such cases we have reduced the amounts as we have done in this case. I repeat that if we give Cleveland what the gentleman asks for in this amendment there are forty other places in the country where we ought to do the same thing.

Mr. FORAN. Do I understand the gentleman to say that there is on hand now $91,000?

Mr. BLANCHARD. No, sir. I said that on the 1st of November, 1887, there was still in the Treasury, to the credit of this fund, $91,000. I will go farther now, and say to the gentleman that nearly all of it was covered by existing contracts, but, nevertheless, the money was still on hand unexpended. Mr. Chairman, I ask for a vote.

Mr. GROSVENOR. Mr. Chairman, as a member of the committee I shall stand by the report, but it is due to the interests represented by my colleague from Cleveland [Mr. FORAN] to say that the report of the engineers under which he asks for this appropriation was made at a period much later than the one on which the appropriation reported by the committee is based. Therefore, while it is true, as stated by the chairman of the committee, that the amount asked for in the estimate was $150,000, and that we gave 50 per cent. of that estimate, $75,000, it is equally true that the language of the supplemental report of the local engineer, which is approved by the Chief of Engineers, indicates a demand for a very much larger sum, the implication being that the amount which he desires to expend is $300,000. Of course it is not necessary for me to concede what is claimed by my colleague [Mr. FORAN], as to the importance of the harbor at Cleveland, nor is it important at this point in the discussion for me to reiterate what has been said by the chairman of the Committee on Rivers and Harbors. I only felt that it was due to myself, inasmuch as I had been appealed to so strongly by the commercial bodies of Cleveland, to point out how much at variance the two estimates are and to call attention to the fact of this supplemental report having been made.

Mr. KERR. Mr. Chairman, I desire to emphasize the remark made by the gentleman from Ohio [Mr. GROSVENOR], who has just taken his seat, in regard to this report. The gentleman says that as a member of the committee he will stand by the report. He is a Republican member of that committee, and yet here is the great harbor of Cleveland——

Mr. GROSVENOR. I want to correct my friend right there.

Mr. KERR. Are you not a Republican?

Mr. GROSVENOR. I am a Republican, but not a Republican member of the Committee on Rivers and Harbors.

Mr. KERR. Then I understand that committee is organized so as to be entirely neutral; that it has no politics except such as will secure the best distribution of the money in the national Treasury in the interests of the men who compose the committee, and I rose simply for the purpose of emphasizing that fact. [Laughter.]

Mr. FORAN. Mr. Chairman, the gentleman from Louisiana [Mr. BLANCHARD] made the statement that there was $93,000 appropriated by the Forty-ninth Congress for the improvement of the harbor at Cleveland. Now, the gentleman well knew that that statement was misleading. The amount given by this House for that work was over $120,000, but it was scaled down in the Senate.

Mr. BLANCHARD. I beg the gentleman's pardon. I have the book before me, and the act of 1886.

Mr. FORAN. Does not the gentleman understand that the Senate scaled down the river and harbor bill that year?

Mr. BLANCHARD. As the bill became a law there was $93,000 appropriated for this work.

Mr. FORAN. As it became a law—I am not talking about that.

Mr. BLANCHARD. That is all I stated.

Mr. FORAN. But the Committee on Rivers and Harbors of this House gave for the improvement of the harbor of Cleveland over $120,000 that year.

Now, Mr. Chairman, without going over these other items in the bill, I wish to say again, as to the harbor of Galveston and all these other harbors that have been discussed so largely, that not one of them is as important as the harbor of Cleveland, yet here is an appropriation of only $75,000 proposed for a work which will require $600,000 to complete. It is preposterous. I would rather have the item struck out entirely. As I said before, it would be idle to advertise for bids upon such an appropriation.

Mr. FARQUHAR. It is evident that a supplemental report has come in for Cleveland, which the gentleman from Ohio [Mr. GROSVENOR] agrees that it is right and proper we should consider before the bill is passed. At the same time he qualifies that by saying that he will stand by the report of the committee.

Now, my question is this: Is the rule of the River and Harbor Committee, or their line of courtesy, so inflexible that no man who offers on this floor an amendment in behalf of his own harbor or river can carry the amendment, although it is backed up by an engineer's report? I think it ought to be pretty well understood, and it is among old members, that annually this bill passes without our being able to amend it in any particular.

Here is a deserving harbor; here is a report which certainly sustains all that the gentleman from the Cleveland district [Mr. FORAN] has stated; yet in the face of this we have to have, first of all, the condescension of a committee in order to come to a vote sensibly on a proposition of this kind. I undertake to say this is a handicapping of a worthy object. I hope the chairman of the Committee on Rivers and Harbors will state whether it is not proper and just in reference to the harbor of Cleveland that this appropriation of $150,000 advocated by the gentleman from Ohio [Mr. FORAN] should go into the bill. All that the gentleman has said about Cleveland every member from the North and Northwest well knows to be true. There is no more deserving harbor. We all know that this work is in course of construction. This harbor is on the south shore of Lake Erie, and, until you reach Buffalo, there is not another harbor of refuge that any storm-ridden craft can go into. While we are voting money by hundreds of thousands to make harbors, here is one that ought to be fortified by its proper sea-wall.

The question being taken on the amendment of Mr. FORAN, there were—ayes 62, noes 56.

Mr. BLANCHARD. Let us have tellers.

Mr. FORAN. Then you will have tellers on every vote hereafter.

The CHAIRMAN. No quorum having voted, the Chair will appoint as tellers the gentleman from Ohio [Mr. FORAN] and the gentleman from Louisiana [Mr. BLANCHARD].

The committee again divided; and the tellers reported—ayes 65, noes 76.

Mr. FORAN. No quorum.

The CHAIRMAN. No quorum having appeared, the Clerk, in pursuance of the rule, will call the roll.

Mr. BLANCHARD. I ask unanimous consent that the committee rise.

There being no objection, the committee rose.

The Speaker having resumed the chair, Mr. ROGERS reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

HANNAH C. DE WITT.

The SPEAKER laid before the House a veto message from the President of the United States; which was read, as follows:

To the House of Representatives:

I return without approval House bill No. 823, entitled "An act granting a pension to Hannah C. De Witt." An act, the precise duplicate of this, was passed at the present session of the Congress, and received executive approval on the 10th day of March, 1888. Pursuant to said act, the name of the beneficiary mentioned in the bill herewith returned has been placed upon the pension-roll. The second enactment is of course entirely useless, and was evidently passed by mistake.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 21, 1888.

[Laughter and applause on the Democratic side.]

The SPEAKER. What action will the House take on this message? [A pause.] If there be no objection, the message, with the accompanying bill, will be referred to the Committee on Invalid Pensions, and ordered to be printed.

There was no objection, and it was ordered accordingly.

WILLIAM H. BROKENSHAW.

The SPEAKER also laid before the House the following veto message of the President of the United States; which was read, and, on motion of Mr. HOLMAN, referred, with the accompanying bill, to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 418, entitled "An act granting a pension to William H. Brokenshaw."

The history of the military service of the beneficiary mentioned in this bill, as derived from the records of the War Department, shows that he was received at draft rendezvous at Jackson, Mich., on the 25th day of March, 1865; that he was sent to the Twenty-Fourth Regiment of Michigan Volunteers on the 29th day of the same month, and that he was present with his command without any record of disability from that date until the 30th day of June, 1865, when he was mustered out with his company. It will thus be seen that he was in the service a few days more than three months, just at the close of the war. It is not alleged that he did any actual fighting.

In 1883 he filed an application for pension, alleging that on the evening of the 25th of March, 1865, being the day he was received at rendezvous, he was injured in his ribs while getting into his bunk, by three other recruits who were scuffling in the room and who jumped upon him or crushed him against the side of his bunk.

An examination made upon such application made in 1884 tended to show an injury to his ribs, but the claim was rejected upon the ground that no injury was incurred in the line of duty. It must be conceded that upon the claimant's own showing he was not injured as an incident to military service.

Aside from this objection, it is hardly possible that an injury of this kind, producing the consequences which it is alleged followed its infliction, could have been sustained by this soldier and not in the least interrupted the performance of his military service, though such service was very short, and, probably, not severe. When with this it is considered that eighteen years elapsed between the date of the alleged injury and the soldier's application for pension I am satisfied that no injustice will be done if the disposition made of this case by the Pension Bureau is allowed to stand.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 21, 1888.

MORRIS T. MANTON.

The SPEAKER also laid before the House the following veto message of the President of the United States; which was read, and, on motion of Mr. HOLMAN, referred, with the accompanying bill, to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 4633, entitled "An act granting a pension to Morris T. Mantor."

The records in this case show that the beneficiary named in this bill enlisted on the 25th day of February, 1864, and that he was mustered out July 18, 1865. It is also shown that though he was reported sick a considerable part of his period of service, there is no mention of any trouble with his eyes.

In the year 1880, he filed an application for pension, alleging dropsy and disease of his eyes, caused by an explosion of ammunition. The case was examined in 1882 and 1883, and was again specially examined very thoroughly and critically in 1885. The evidence thus secured seemed to establish the fact that the claimant's eyes were sore for many years before enlistment, and that their condition before that date, during his service, and after his discharge did not materially differ. It also appeared that no pensionable disability from dropsy had existed since the filing of his application.

On these grounds the application was rejected, and I am convinced such action was entirely justified. The reported conduct of the claimant on the last examination, and his attempts to influence witnesses in their testimony, add weight to the proposition quite well established by the proof, that his claim to a pension lacks merit.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 21, 1888.

Mr. BLANCHARD. I move that the House adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. C. H. ALLEN: A bill (H. R. 9639) granting a pension to Abigail Richards—to the Committee on Invalid Pensions.

By Mr. JEHU BAKER: A bill (H. R. 9640) to authorize payment to Sergt. James W. Kingon of amount withheld by reason of sentence of general court-martial—to the Committee on Military Affairs.

By Mr. BIGGS (by request): A bill (H. R. 9641) for the relief of the sureties of George W. Hook, deceased—to the Committee on Claims.

By Mr. T. H. B. BROWNE: A bill (H. R. 9642) for the relief of Launcelot Partlow—to the Committee on War Claims.

By Mr. CARUTH: A bill (H. R. 9643) for the relief of John Young—to the Committee on War Claims.

Also, a bill (H. R. 9644) for the relief of the estate of Sebastian Goss, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9645) for the relief of George Heafer—to the Committee on War Claims.

Also, a bill (H. R. 9646) for the relief of the estate of Isaiah James, deceased—to the Committee on War Claims.

By Mr. COMPTON: A bill (H. R. 9647) to incorporate the Brightwood Railway Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. DAVIDSON, of Florida (by request): A bill (H. R. 9648) to refer the claim of the owners of the property known as Tift's Wharf at Key West, Fla., to the Court of Claims—to the Committee on War Claims.

By Mr. DE LANO: A bill (H. R. 9649) continuing the pension of Milton Merwin, a minor—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 9650) for the relief of Bellamy S. Hines—to the Committee on War Claims.

By Mr. HOUK: A bill (H. R. 9651) for the relief of T. M. Alston—to the Committee on War Claims.

By Mr. JACKSON: A bill (H. R. 9652) granting a pension to John Allen—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 9653) granting a pension to Henry Alward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9654) granting an increase of pension to Jesse J. Clark—to the Committee on Invalid Pensions.

By Mr. LAFFOON: A bill (H. R. 9655) granting a pension to George Aton—to the Committee on Invalid Pensions.

By Mr. McCREARY: A bill (H. R. 9656) for the relief of John Sawder—to the Committee on War Claims.

Also, a bill (H. R. 9657) for the relief of Mrs. Lucy A. Johns—to the Committee on War Claims.

Also, a bill (H. R. 9658) for the relief of the legal representatives of Braddock Withers—to the Committee on War Claims.

Also, a bill (H. R. 9659) for the relief of W. L. Waddy—to the Committee on War Claims.

By Mr. NEAL: A bill (H. R. 9660) for the relief of Noah H. Benfield—to the Committee on Military Affairs.

By Mr. PETERS: A bill (H. R. 9661) granting a pension to L. W. Stovey—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 9662) granting a pension to Sarah King Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9663) granting a pension to Jesse Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9664) for the relief of Augusta Holland—to the Select Committee on Indian Depredation Claims.

By Mr. M. A. SMITH: A bill (H. R. 9665) for the relief of Frederick Holbung—to the Committee on Claims.

Also, a bill (H. R. 9666) for the relief of Patrick Ford—to the Committee on Claims.

By Mr. STEELE: A bill (H. R. 9667) for the relief of William Martin—to the Committee on Military Affairs.

By Mr. TILLMAN: A bill (H. R. 9668) granting a pension to Joseph Rosier—to the Committee on Pensions.

By Mr. VANDEVER: A bill (H. R. 9669) for the relief of Cordelia A. Ritchie—to the Committee on War Claims.

By Mr. MONTGOMERY: A bill (H. R. 9670) for the relief of Jane P. Messengale—to the Committee on War Claims.

Also, a bill (H. R. 9671) for the relief of George W. Smith—to the Committee on War Claims.

Changes in the reference of bills improperly referred were made in the following cases, namely:

A bill (H. R. 2095) granting a pension to Eunice A. Pauntain—from the Committee on Pensions to the Committee on Invalid Pensions.

Also, a bill (H. R. 9524) granting a pension to Julius Kaufmann—from the Committee on Pensions to the Committee on Invalid Pensions.

Also, a bill (H. R. 9152) to amend the act approved August 15, 1876, giving artificial limbs, so as to allow artificial eyes to pensioners—from the Committee on Pensions to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. H. ALLEN: Memorial of H. L. Sherman and others, citizens of Massachusetts, in favor of better postal facilities between New York and New England—to the Committee on the Post-Office and Post-Roads.

By Mr. BACON (by request): Petition of 16 citizens of Rockland,

Sullivan, and Orange Counties, New York, for the passage of House bill 8072—to the Committee on the Post-Office and Post-Roads.

By Mr. C. R. BRECKINRIDGE: Petition in the claim of Frances R. Gordon, widow of William Gordon, of White County, Arkansas—to the Committee on War Claims.

By Mr. T. H. B. BROWNE: Petition of William L. Savage and others, of Northampton County, Virginia, for increase of compensation of keepers of life-saving stations and surfmen—to the Committee on Commerce.

By Mr. CANNON: Petition of Benjamin Seymour, of Rantoul, Ill.—to the Committee on the Post-Office and Post-Roads.

By Mr. CLEMENTS: Petition of Henry N. Hagin, of Paulding County, and of Sallie P. Harrison, heir of Nancy Harrison, of Bartow County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. COX: Resolution of the New York Produce Exchange, protesting against all permission to obstruct the Hudson River by the erection of bridge piers, etc.—to the Committee on Commerce.

By Mr. DALZELL: Petition of certain druggists of the Twenty-second district of Pennsylvania, for repeal of a portion of the internal-revenue law—to the Committee on Ways and Means.

Also, petition of citizens of the Twenty-second district of Pennsylvania, for repeal of the portion of the revenue laws relating to druggists' licenses—to the Committee on Ways and Means.

By Mr. DORSEY: Petition of citizens of Nebraska, for the passage of House bill 1277, to open Oklahoma territory—to the Committee on the Territories.

By Mr. DUBOIS: Protest of the board of county commissioners of Boisé County, Idaho, against the division of Idaho Territory, and against Senator STEWART'S bill—to the Committee on the Territories.

By Mr. DUNHAM: Petition of merchants, bottlers of mineral waters, wine, beer, etc., throughout the United States, urging reduction of duty on bottles—to the Committee on Ways and Means.

Also, resolutions of the Chicago Furniture Manufacturers' Association, favoring repeal of duties on German mirror plates—to the Committee on Ways and Means.

Also, petition of the Illinois Woman's Press Association, favoring a copyright law—to the Committee on Patents.

By Mr. ERMENTROUT: Petition of J. R. Newland, late postmaster at Thurlow, Pa., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. FUNSTON: Petition of John B. Ross, for a pension—to the Committee on Invalid Pensions.

Also, petition of citizens of the Second district of Kansas, asking that the tariff on window glass be not removed—to the Committee on Ways and Means.

By Mr. GOFF: Petition of L. A. Hartman and others, of West Virginia, in favor of the service-pension bill—to the Committee on Invalid Pensions.

Also, petition of George Caroway, and of James Knight, administrator of Adam Bland, of Greenbrier County, West Virginia, for reference of their war claims to the Court of Claims—to the Committee on War Claims.

By Mr. GROUT: Petition of George W. Cushman, of Passumpsic, Vt., against putting wood pulp on the free-list—to the Committee on Ways and Means.

By Mr. HITT: Petition of R. C. Schutz, of Forreston, Ill., for the repeal of the tax of $25 on druggists as dealers in liquors—to the Committee on Ways and Means.

By Mr. HOUK: Petition of Augustine M. Hewlett, of Hamilton County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, evidence in support of bill for the relief of Hardin Skaggs, of Tennessee—to the Committee on War Claims.

By Mr. HUDD: Memorial of the Menomonee Indians, Green Bay (Wis.) Agency, in the matter of their claims for moneys wrongfully credited to the Stockbridge and Munsee Indians under the act of February 6, 1871—to the Committee on Indian Affairs.

By Mr. J. T. JOHNSTON: Petition of E. S. Vickey and 160 others, soldiers and citizens of Parke County, Indiana, for a bill to increase the pension of Jesse J. Clarke, of Company I, Thirty-first Regiment Indiana Volunteers—to the Committee on Invalid Pensions.

Also, petition of Henry Alward and citizens of Montgomery County, Indiana, for a pension to Henry Alward, dependent father—to the Committee on Invalid Pensions.

By Mr. JONES: Petition of the Marengo County (Alabama) Medical Society, that medicines and surgical appliances be put on the free-list—to the Committee on Ways and Means.

By Mr. KETCHAM: Petition of John E. West and 3 others, postal clerks, for the passage of House bill 8072—to the Committee on the Post-Office and Post-Roads.

By Mr. LAFFOON: Petition for the relief of George Aton, Company —, Thirty-fifth Kentucky Volunteers—to the Committee on Invalid Pensions.

By Mr. LANHAM: Petition of citizens of El Paso, and of Young County, Texas, for payment of Indian depredation claims on the frontier—to the Select Committee on Indian Depredation Claims.

By Mr. McCULLOGH: Petition of E. J. Elweed and others, citizens of Westmoreland County, Pennsylvania—to the Committee on Ways and Means.

By Mr. MERRIMAN: Petition of Lytle A. Rather, administrator of John Oswald, of Marshall County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. NEAL: Petition of Noah H. Benfield, for removal of charge of desertion—to the Committee on Military Affairs.

By Mr. OUTHWAITE: Petition of A. W. Jones and others, for the passage of House bill 8381, to increase the pay of privates in hospital corps—to the Committee on Appropriations.

By Mr. PATTON: Petition of druggists of the Twentieth district of Pennsylvania, for repeal of the druggists' license—to the Committee on Ways and Means.

Also, memorial of White Deer Grange, Pennsylvania, for reduction of postage on seeds, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. PEEL: Petition of James C. Garrison, of Carroll County, Arkansas, for relief—to the Committee on Invalid Pensions.

By Mr. REED: One hundred and forty-seven petitions of citizens of various cities and towns of Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, and Connecticut, asking that no article, raw or otherwise, of home production be added to the free-list, and that the existing tariff policy, which works in harmony with the industrial and productive interests of all sections of the country, be not changed—to the Committee on Ways and Means.

By Mr. SCOTT: Petition of F. K. Sturgis and 15 others, citizens of Titusville, and of Grange No. 286, of Spring Creek, Pa., for reduction of the postage on seeds, bulbs, and plants—to the Committee on the Post-Office and Post-Roads.

Also, petition of W. A. Rankin, mayor, and 16 others, male citizens of Warren, Pa., for better legal protection of women and girls—to the Committee on the Judiciary.

Also, petition of Grange No. 135, of Richmond, and of Grange No. 286, of Spring Creek, Pa., for the passage of a bill to prevent the adulteration of lard and food—to the Committee on Agriculture.

Also, petition of Freehold Grange No. 20, of Warren County, and of Grange No. 286, of Spring Creek, Pa., for a law to eradicate pleuro-pneumonia—to the Committee on Agriculture.

Also, petition of J. J. Taylor and 101 others, of Mrs. W. L. Thayer and 97 others, and of Mrs. Wallace Sherman and 73 others, citizens of the Twenty-seventh district of Pennsylvania, for a law prohibiting the sale of intoxicating liquors in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of William F. Nick and 13 others, druggists, of Erie, of H. J. Bethume and 7 others, citizens of Clarion County, of Dr. G. A. Elston and 15 others, citizens of Corry, and of Thomas Osborne, jr., and of M. McHenry, of Wellsburgh, Erie County, Pennsylvania, for repeal of portions of the internal-revenue law relating to druggists—to the Committee on Ways and Means.

By Mr. TAULBEE: Petition of James M. York for relief—to the Committee on Invalid Pensions.

By Mr. O. B. THOMAS: Petition of 75 citizens of the Seventh district of Wisconsin for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. WADE: Petition of N. F. Grier, administrator of Samuel Grier, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WARNER (by request): Petition of Clara B. Davidson, widow of John W. Davidson, late colonel Second Cavalry, for increase of pension—to the Committee on Invalid Pensions.

By Mr. S. V. WHITE: Protest of cigar-makers of Brooklyn, against repeal of the internal-revenue tax on cigars and cheroots—to the Committee on Ways and Means.

Also, protest of 2,099 citizens of New York and vicinity against prohibition of using cotton-seed oil and beef fat in the manufacture of lard—to the Committee on Agriculture.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. DUBOIS: Of citizens of Idaho Territory.

By Mr. FORD: Of the Board of Trade of Grand Rapids, Mich.

By Mr. GALLINGER: Of Channing E. Davis and 9 others, citizens of Warner, N. H.

By Mr. RYAN: Of O. S. Woodward and 35 others, citizens of Neosho Falls, Kans.

By Mr. STEELE: Of Mathew Doyle and 10 others, of Van Buren, Ind.

By Mr. TARSNEY: Of citizens of Saginaw and of East Saginaw, Mich.

By Mr. TOOLE: Of citizens of Dillon, Mont.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. T. M. BROWNE: Of 101 farmers of Indiana.

By Mr. GOFF: Of S. W. Atkinson and 49 others, of Potomac, W. Va.

By Mr. JACKSON: Of J. J. George and 22 others, of Primrose, Pa.

By Mr. MCKINLEY: Of farmers of Rogers, Ohio.

By Mr. REED: Of R. G. Noyes and others, citizens of Maine.

By Mr. C. A. RUSSELL: Petition of Lewis V. St. John and 17 others, of New Canaan, Conn.

By Mr. SHERMAN: Of L. R. Scott and 56 others, of Bridgewater, and of Robert Beyson and 49 others, of Alder Creek, N. Y.

By Mr. O. B. THOMAS: Of 50 citizens of Richland County, Wisconsin.

The following petitions, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. JEHU BAKER: Of 1,645 citizens of the Eighteenth district of Illinois.

By Mr. MCCORMICK: Of J. C. Weld and 6,240 others, citizens of the Sixteenth district of Pennsylvania.

By Mr. SCOTT: Of Peter Grossman and 154 others, citizens of the Twenty-seventh district of Pennsylvania.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. CROUSE: Of H. B. Hunsberger and 132 others, citizens of Wayne County, Ohio.

By Mr. FUNSTON: Of ex-soldiers of Lane, Greeley, and vicinity, Kans.

By Mr. D. B. HENDERSON: Of W. A. Roberts Post, Grand Army of the Republic.

By Mr. MCCULLOGH: Of Daniel W. Vanatter and others, ex-soldiers and sailors of Greene County, Pennsylvania.

By Mr. MOFFITT: Of E. J. Pickett and 23 others, and of J. H. Signor and 43 others, ex-Union soldiers of Clinton County, New York.

By Mr. O'DONNELL: Of 52 soldiers and sailors, citizens of Eaton County, Michigan.

By Mr. SCOTT: Of Austin N. Merrick and 221 others, of Erie and adjacent counties; of B. E. Swan and 173 others, ex-soldiers of Venango and Crawford Counties; of D. B. Foote and 65 others, citizens of Wattsburgh, Erie County; and of William A. Herrick and 15 others, ex-soldiers of McKean County, Pennsylvania.

By Mr. SHERMAN: Of Carl T. Seibel and others, citizens of Oneida County, New York.

By Mr. M. A. SMITH (by request): Of A. B. Sampson and others.

By Mr. J. D. TAYLOR: Of William H. Dykes and 20 others, of Missouri.

By Mr. WADE: Of ex-soldiers of Verona, Mo.

By Mr. WILBER: Of 101 members of the Grand Army of the Republic.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education.

By Mr. GOFF: Of 134 citizens of Tyler and Ohio Counties, West Virginia.

By Mr. GRANGER (by request): Of 62 citizens of Litchfield County, Connecticut.

By Mr. D. B. HENDERSON: Of 118 citizens of Bremer County, Iowa.

By Mr. NICHOLS: Of 43 citizens of Wake County, North Carolina.

By Mr. E. B. TAYLOR: Of 66 citizens of Geauga County, Ohio.

By Mr. O. B. THOMAS: Of 64 citizens of Monroe County, Wisconsin.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. ROBERTSON: Of A. D. Barrow and others, of West Baton Rouge Parish, Louisiana.

SENATE.

TUESDAY, *April* 24, 1888.

Prayer by Rev. H. PEREIRA MENDES, D. D., of New York City.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of ex-Union soldiers and sailors, citizens of New Mexico, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. CALL. I present a petition adopted by the Jacksonville (Fla.) Board of Trade, April 18, 1888, praying for the immediate passage of Senate bill 2493, entitled "A bill to perfect the quarantine service of the United States," and also for an amendment to the bill making provision for the appropriation of a suitable and further sum of money to be expended under the direction of the Surgeon-General of the Marine Hospital Service for the disinfection and destruction, when necessary, on land as well as at sea, of such articles as may be considered by him or his representatives, or by the State authorities, a source of infection or propagation of yellow fever. I move the reference of this petition to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. BATE presented the petition of George E. Morrison, master, and W. B. Van Hook, secretary, of the Nonconnan Valley Grange, Patrons of Husbandry, of White Haven, Shelby County, Tennessee, praying that the work of eradication of pleuro-pneumonia among cattle may be continued under the Bureau of Animal Industry as at present organized, and that the law establishing that bureau may be strengthened without changing the plan of work now in operation; which was ordered to lie on the table.

He also presented the petition of George E. Morrison, master, and W. B. Van Hook, secretary, of the Nonconnan Valley Grange, Patrons of Husbandry, of White Haven, Shelby County, Tennessee, praying that Congress may enact such laws as shall effectually prevent the adulteration of any and all articles of food, and prohibit the use of misleading frauds on labels; which was referred to the Committee on Agriculture and Forestry.

Mr. COCKRELL presented a petition of the Board of Trade of Kansas City, Mo., praying that Congress take up, consider, and pass at the earliest date possible a bill granting to the Kansas City and Pacific Railway Company a right of way through the Indian Territory; which was referred to the Committee on Indian Affairs.

Mr. STOCKBRIDGE presented 8 petitions of 800 citizens of Wisner, Kingstown, Vassar, Fairgrove, Almer, Tuscola, Millington, and Dayton, in the State of Michigan, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

Mr. VEST presented a petition of the Commercial Exchange of Kansas City, Mo., praying for the construction of the Nicaragua Canal; which was ordered to lie on the table.

Mr. VEST. I present a petition of the Board of Trade of Kansas City, Mo., similar to that which my colleague [Mr. COCKRELL] has offered. As the bill for the passage of which it prays has not come from the other House, I move that the petition lie on the table.

The motion was agreed to.

Mr. HOAR. I present the petition of R. B. Forbes, an eminent merchant of Boston, John Lowell, ex-Governor Alexander H. Rice, Sidney Bartlett, ex-Governor William Gaston, and a large number of leading citizens of Boston, praying for prompt appropriations in behalf of the sufferers from French spoliations. This petition is addressed to the Massachusetts delegation, but it is evidently intended as a petition to Congress. I move that it be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. HOAR presented a petition of the representatives of the Massachusetts Department of the Grand Army of the Republic, praying that an appropriation of at least $200,000 be made for the purpose of supplying the headstones over the graves of deceased comrades; which was referred to the Committee on Appropriations.

Mr. CULLOM presented a petition of the Savannah (Ga.) Cotton Exchange, and a petition of manufacturers of silver-plated ware of the United States, praying for an amendment of the interstate-commerce act to prevent discriminations by misrepresentation of the weight and character of freight offered for shipment; which were referred to the Committee on Interstate Commerce.

He also presented a petition of 70 ex-Union soldiers and sailors, citizens of Mercer County, Illinois, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. PLUMB presented a petition of the Board of Trade of Kansas City, Mo., praying for the passage of a bill granting the right of way through the Indian Territory to the Kansas City and Pacific Railway Company; which was referred to the Committee on Indian Affairs.

Mr. SPOONER presented a petition of the South Side Gun Club, of Milwaukee, Wis., praying for the passage of Senate bill 283, for the bet-

ter protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. ALDRICH presented a petition of citizens of Rhode Island and Massachusetts, praying that increased compensation be allowed employés in the Life-Saving Service; which was referred to the Committee on Commerce.

Mr. EVARTS presented the petition of C. J. Bogart and 23 other members of the Spring Hill Gun Club, residents of Blauveltville, Rockland County, New York, praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. GEORGE presented the petition of Phebe Sisson, wife of V. S. Sisson, late postmaster at Hickory, Miss., praying to be paid earnings as computed under the act of 1854 in the office of the First Assistant Postmaster-General; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. DANIEL presented seven petitions of citizens of Virginia, praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers; which were referred to the Committee on Finance.

He also presented the memorial of R. A. Dobie, president of the Merchants and Manufacturers' Exchange, of Norfolk, Va., and others, remonstrating against the passage of Senate bill 1448 and House bill 4923, providing for the creation of a national bureau of harbors and water ways; which was referred to the Committee on Commerce.

Mr. HAWLEY presented the petition of Hon. John R. Buck and 30 other citizens of Hartford, Conn., praying for the passage of Senate bill 283, to secure for the Yellowstone National Park proper protection; which was ordered to lie on the table.

He also presented the petition of Joel Mann, of Washington City, D. C., praying Congress to reimburse him for horses and wagon taken by the Federal forces in 1863; which was referred to the Committee on Claims.

Mr. PADDOCK presented a petition of the Mississippi River Improvement Convention, held at Dubuque, Iowa, praying for certain needed improvements of the Mississippi River in the interest of commerce; which was referred to the Committee on the Improvement of the Mississippi River.

Mr. PALMER presented the petition of Samuel Bell and 138 other citizens of Unionville and vicinity; the petition of H. C. Flambay and 53 other citizens of Gagetown and vicinity; the petition of J. Shafer and 64 other citizens of Watrousville and vicinity; the petition of N. M. Richardson, Dunger Wadsworth, and 191 other citizens of Cairo and vicinity; the petition of John Deitz and 61 other citizens of Ellington; the petition of J. H. Jarvis and 46 others, citizens of East Dayton and vicinity; the petition of William Gage and 111 other citizens of Gagetown and vicinity; the petition of Alexander Casebur and 55 other citizens of Reese and vicinity; the petition of James Sheck and 64 other citizens of Kingston and vicinity, and the petition of William Parks and 20 other citizens of Reese, Denmark, and vicinity, all in Tuscola County, in the State of Michigan, praying for the passage of Senate bill 1537, granting a service pension in the Army, Navy, and Marine Corps; which were referred to the Committee on Pensions.

Mr. MORGAN. I present a petition of sundry gentlemen, citizens of Montgomery, Ala., including David Clopton, a judge of the supreme court, and gentlemen engaged in quite a variety of pursuits, praying that the international copyright bill which is now under consideration may be passed by the Senate. I move that the petition lie on the table.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. VEST. I am instructed by the Committee on Public Buildings and Grounds to report an original bill, and I shall ask for its early consideration. It is a very important bill, recommended by the Postmaster-General, and I hope after it is printed it will receive the early attention of the Senate.

The bill (S. 2762) to provide for the erection of public buildings for post-offices in towns and cities where the post-office receipts for three years preceding have exceeded $3,000 annually was read twice by its title.

Mr. BLODGETT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2333) granting a pension to George W. Fogle;

A bill (S. 1481) granting a pension to Ellen White Dowling; and

A bill (S. 1269) granting a pension to Lydia K. White.

Mr. BLODGETT, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2053) for the relief of Frederick Parker;

A bill (S. 2328) for the relief of John P. D. Commerdinger; and

A bill (S. 2344) granting a pension to Minnie A. Bailey.

Mr. BLODGETT, from the Committee on Pensions, to whom were referred the following petitions, submitted adverse reports thereon; which were agreed to, and the committee were discharged from the further consideration of the petitions:

A petition of Mary N. Robinson, praying for arrears of pension;

A petition of Olivia Draper, widow of William H. Draper, praying for pension; and

A petition of Elisha M. Luckett, second lieutenant Company B, Second Pennsylvania Volunteers, Mexican war, praying for arrears of pension.

Mr. BATE, from the Committee on Military Affairs, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 777) to authorize the President to appoint (with advice and consent of the Senate) John Rigney, a sergeant in the Army, to be made second lieutenant;

A bill (S. 305) correcting the military record of Dennis Gunn, of Maysville, Ky., late private in Company I, Seventh Regiment Veteran Reserve Corps;

A bill (S. 118) for the relief of Francis J. Conlan; and

A bill (S. 507) to remove the charge of desertion from the Army against Thomas Morrison.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 506) to remove the charge of desertion against Thomas Conroy, deceased, reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 2581) granting an increase of pension to Alfred A. Reed, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2058) to increase the pension of John Taylor;

A bill (S. 2578) granting a pension to Nathan B. Karick;

A bill (S. 2616) granting a pension to James E. Kabler;

A bill (H. R. 5311) granting a pension to Alonzo H. Gregory;

A bill (H. R. 6971) to pension Peter Clark, jr.;

A bill (H. R. 8185) granting a pension to David L. Partlow;

A bill (H. R. 5195) granting a pension to David W. Seely;

A bill (H. R. 4579) granting a pension to Mary G. Crocker; and

A bill (H. R. 4491) granting a pension to Rosanna Robey.

Mr. SAWYER, from the Committee on Pensions, to whom was referred a petition of citizens of Haverhill, Mass., praying that a pension be allowed to William L. Eddy, submitted a report thereon, accompanied by a bill (S. 2763) granting a pension to William L. Eddy; which was read twice by its title.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2452) placing the name of Lena Neuninger on the pension-rolls; and

A bill (S. 2450) placing the name of Bridget White on the pension-rolls.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2414) granting a pension to Paulina Barbara; and

A bill (S. 2416) granting a pension to Jane Devines.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2525) granting a pension to Columbus C. Kerr;

A bill (S. 2507) granting a pension to Joseph Hicks;

A bill (S. 2504) granting a pension to Mary A. Moran; and

A bill (H. R. 2094) to increase the pension of Alonzo B. Chatfield.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of Robert W. Simmons, praying for an increase of pension, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 6609) for the relief of Sarah E. McCaleb; and

A bill (S. 2126) to pension Winemah Riddell.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2571) granting a pension to Edwin E. Chase;

A bill (S. 2547) to increase the pension of Mrs. Matilda Wilkins Emory;

A bill (H. R. 3579) granting a pension to Ellen Shea;

A bill (H. R. 3554) granting a pension to Catharine Black;

A bill (H. R. 6576) for the relief of James M. McKeehan;

A bill (H. R. 3844) granting an increase of pension to Wilson C. Moles;

A bill (H. R. 5545) granting a pension to Nancy F. Jennings;

A bill (H. R. 3180) granting a pension to John H. Sayers;

A bill (H. R. 6582) granting a pension to Elizabeth Ward;

A bill (H. R. 2071) for the relief of Martha Gray;

A bill (H. R. 3158) increasing the pension of Howard S. Abbott;
A bill (H. R. 6379) to increase the pension of David M. Rennoe;
A bill (H. R. 5966) granting a pension to Mrs. Lepha A. Osborn;
A bill (H. R. 2282) to pension Mrs. Theodora M. Platt;
A bill (H. R. 4580) granting a pension to Farnaren Ball; and
A bill (H. R. 8164) granting a pension to William H. Hester.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 2738) granting an increase of pension to John G. Merritt, reported it without amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the letter of the Secretary of War, transmitting, in response to a resolution of March 7, 1888, a report on the cost of approaches to the Aqueduct Bridge, asked to be discharged from its further consideration, and that it be referred to the Committee on Appropriations; which was agreed to.

FINANCE COMMITTEE HEARINGS.

Mr. MORRILL, from the Committee on Finance, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Finance be, and they are hereby, authorized to employ a stenographer from time to time, as he may be necessary, to report such hearings as may be had before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

MILEAGE TO INDIAN WITNESSES.

Mr. VANCE. I am instructed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by the Senator from New Hampshire [Mr. CHANDLER] for the payment of certain Indian witnesses, to report it favorably without amendment. I ask for its immediate consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized to pay to the four Indian witnesses who have been in attendance before the Select Committee on Indian Traders mileage from Washington to their respective homes in the States of Wisconsin and Minnesota.

BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 2764) granting an increase of pension to James McGowan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2765) granting a pension to Adaline A. Smyth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 2766) for the relief of Maj. James Belger; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. VEST (by request) introduced a bill (S. 2767) for the relief of Joseph Edward Montgomery; which was read twice by its title, and referred to the Committee on Claims.

Mr. SAWYER introduced a bill (S. 2768) granting a pension to Maria Brasted; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALDRICH introduced a bill (S. 2769) for the relief of John Griffitt; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2770) granting a pension to Mary Peckham Rodman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. EVARTS introduced a bill (S. 2771) for the relief of the estate of Clinton G. Colgate, deceased, late of the city of New York; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLAIR (by request) introduced a bill (S. 2772) providing for the distribution of public documents to the people; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Printing.

Mr. CALL introduced a bill (S. 2773) granting a pension to the widow of I. D. Sheldon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 2774) authorizing the Richmond and Danville Railroad Company to lay tracks, etc., in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BATE introduced a bill (S. 2775) for the relief of J. Kropp, administrator of Christian Kropp, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. STANFORD introduced a bill (S. 2776) to authorize the payment to Rear-Admiral John H. Russell of the highest pay of his grade; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. EVARTS introduced a bill (S. 2777) to amend the act of Congress approved March 3, 1875, entitled "An act to determine the jurisdiction of circuit courts of the United States and to regulate the removal of causes from State courts, and for other purposes," and to further regulate the jurisdiction of circuit courts of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MITCHELL introduced a bill (S. 2778) making an appropriation for the purchase of a site and the construction of a light-house on the headlands near the mouth of the Umpqua River, in the State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

Mr. EVARTS introduced a joint resolution (S. R. 75) authorizing and directing the Secretary of State to contract for the purchase of copies of the publication entitled "The Manufactures of the United States for Domestic and Foreign Trade," for use in the United States consular service; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENT TO A BILL.

Mr. STEWART submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

POSTMASTERS' CLAIMS.

Mr. GEORGE submitted the following resolution; which was read:

Resolved, That the Postmaster-General be requested to transmit to the Senate a tabulated statement of the disallowed postmasters' claims presented from the State of Mississippi under the act of March 3, 1883, exhibiting all such claims, as by an actual computation of commissions prescribed by the act of 1854, and entered upon claim-jackets, show that the paid salaries are 10 per cent. or more less than such commissions, such tabulated statement to show in each case, first, the name of the post-office; second, the name of the applicant; third, the period of service covered by the computation of commissions; fourth, the amount of the computed commissions; fifth, the amount of paid salary for the same term of service; sixth, the actual amount of commissions in excess of the paid salary.

Mr. GEORGE. I ask that the resolution be referred to the Committee on Post-Offices and Post-Roads.

Mr. HARRIS. I wish to accompany the resolution with a motion to amend by inserting, after the word "Mississippi," the words "and Tennessee." Let that motion accompany the resolution to the committee.

The PRESIDENT *pro tempore*. The amendment moved by the Senator from Tennessee will be stated.

The CHIEF CLERK. It is proposed to amend the resolution by changing the word "State" to "States," and at the end of line 3, after the word "Mississippi," inserting "and Tennessee."

The PRESIDENT *pro tempore*. The resolution, with the proposed amendment, will be referred to the Committee on Post-Offices and Post-Roads.

PRESIDENTIAL POST-OFFICES.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Postmaster-General be, and he is hereby, directed to transmit to the Senate, at the earliest practicable date, a list of the Presidential post-offices in the United States and in the Territories whose annual receipts for the three last preceding years have exceeded $3,000 per annum, and also a statement of the amount of rent paid by the Government for the accommodation of each such post-office.

PATENT-OFFICE APPOINTMENTS.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioners of the Civil Service be, and they hereby are, directed to send to the Senate, as soon as may be, a list of all persons certified for appointment to the Patent Office from March 4, 1885, to March 4, 1888; also a list of all persons selected and appointed under such certifications, with the class or grade of each.

CONSIDERATION OF PENSION BILLS.

Mr. DAVIS. I desire to give notice that on Thursday next, at the close of the routine morning business, I shall move the consideration of the unobjected pension cases on the Calendar.

COLUMBIA, TENN., ARSENAL.

Mr. HARRIS. If there be no further morning business, I ask the Senate to proceed at this time to the consideration of House bill 4365.

The PRESIDENT *pro tempore*. If there be no further resolutions, concurrent or other, the order of morning business is closed.

Mr. HARRIS. I move that the Senate proceed to the consideration of House bill 4365.

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the Senator from Tennessee moves that the Senate proceed to the consideration of the bill (H. R. 4365) to authorize the construction of an arsenal for the repair, storage, and distribution of ordnance and ordnance stores for the use of the Government of the United States, at Columbia, Tenn.

Mr. PLUMB. Yesterday the bill which I had in charge, Senate bill 1430, was under consideration with the understanding that its consideration should be resumed this morning. I have no objection to yielding reasonably to the Senator from Tennessee in the event that his bill will not take too much time. That is, I will not antagonize it, I mean.

Mr. HARRIS. I do not think it will take ten minutes to dispose of the bill. I was not aware, however, of the understanding the Senator from Kansas refers to.

Mr. PLUMB. I give notice that as soon as this bill is through I shall call up the land forfeiture bill.

Mr. HARRIS. If my bill should lead to any extended discussion, I shall not insist upon occupying the time of the Senate with it.

The PRESIDENT *pro tempore*. The question in on agreeing to the motion of the Senator from Tennessee to proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4365) to authorize the construction of an arsenal for the repair, storage, and distribution of ordnance and ordnance stores for the use of the Government of the United States, at Columbia, Tenn. It proposes to appropriate $200,000 for the purpose of establishing an arsenal at Columbia, Tenn., for the repair, storage, and distribution of ordnance and ordnance stores.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. PLUMB. I now move that the Senate proceed to the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. CHACE. I ask the Senator from Kansas to give way that I may ask unanimous consent to take up Senate bill 554, and proceed with its consideration.

Mr. PLUMB. This bill has been under consideration in the Senate for a number of days. I ought to have pressed its consideration a long time before I did, but on account of the wish of certain Senators to unite in the perfection of an amendment to it which they regarded as material I allowed it to go over from time to time. I do not feel as though I could properly discharge my duty, unless the convenience of some Senator who is interested in the bill is concerned, if I allow it to go over any further. Its importance is certainly equal, if not superior, to that of the bill to which the Senator from Rhode Island refers.

Yesterday I gave the assurance that the vote should not be taken because of the desire of the Senator from New Jersey [Mr. MCPHERSON] and the Senator from Massachusetts [Mr. HOAR] to be heard upon it, but with the fair understanding, as I thought then, that this morning the bill should be proceeded with. Unless those Senators say they are not ready to go ahead, or unless in some way it concerns the convenience of some other Senator in reference to the subject-matter of the bill, I feel as though I ought to insist on the Senate proceeding with its consideration.

Mr. HOAR. I do not see the Senator from New Jersey [Mr. MCPHERSON] in his seat now. I should be very desirous to have him present when the matter comes up, as he is acquainted with it. I am myself prepared to say what I desire to say to the Senate about the bill, but at the same time I should like very much to accommodate the Senator from Rhode Island [Mr. CHACE], whose bill is half way through. It would give me very great pleasure to have the land-forfeiture bill go over until to-morrow, but it would be on the ground of accommodating the Senator from Rhode Island. I have no personal wish in the matter.

Mr. CHACE. I have an assurance from the Senator from New Jersey that it would be more than agreeable to him to have the land bill go over.

Mr. MCPHERSON entered the Chamber.

Mr. COCKRELL. Here is the Senator from New Jersey now.

Mr. CHACE. He can answer for himself.

Mr. MCPHERSON. I have no objection to any arrangement of that kind.

Mr. PLUMB. That is not the point. Of course I am glad to know the Senator has no objection, but this is a bill of great importance, and its consideration ought to be proceeded with. The Senator from New Jersey said with some emphasis last week in a letter which he wrote to a brother Senator, and he said also yesterday, that he was desirous of being heard in regard to an amendment which he proposed to offer and which he regarded as material. I was willing the bill should go over until to-day for the purpose of giving the Senator ample time to consider what he would desire to offer. If he is prepared to say now that he does not desire to go ahead to-day, I shall ask the Senate to agree to consider the bill to-morrow.

Mr. MCPHERSON. I am free to say, if the Senator will allow me a moment, that I should prefer to be heard on the bill to-morrow, if that is satisfactory to the Senator.

Mr. PLUMB. I do not desire to press the consideration of the bill against the convenience of Senators, and if I can have unanimous consent that to-morrow, immediately at the close of the morning business, the bill shall come up as unfinished business, I am willing that it shall go over, with the understanding that I shall not then, unless compelled by a vote of the Senate, yield any further for the convenience of any one, but that the bill shall proceed to a conclusion.

The PRESIDENT *pro tempore*. The Senator from Kansas asks unanimous consent that Senate bill 1430 may be taken up to-morrow morning at the conclusion of the formal morning business.

Mr. BECK. The object, I understand, now is to take up the copyright bill, is it not?

Mr. PLUMB. The Senator from Rhode Island has that in view.

Mr. BECK. The only reason why I rose is that I never looked into the copyright matter until last night, when I read over the evidence and found references to several reports made in regard to it. I think such a measure has been rejected twice by the Senate. Unless there is some pressing urgency to bring up the copyright bill to-day, I should like to get a chance to look up these matters.

Mr. PLUMB. What I said about the land-forfeiture bill is entirely apart from the copyright bill.

Mr. BECK. I thought if that should go over the copyright bill perhaps would come up.

Mr. PLUMB. It is a question as to what the Senate will do if the land bill goes over.

Mr. HOAR. I understand that the Senator from Rhode Island [Mr. CHACE] is prepared to take the floor on the copyright bill.

Mr. BECK. Very well.

The PRESIDENT *pro tempore*. The question is, Will the Senate agree that the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, shall be taken up to-morrow morning at the conclusion of the formal morning business? Is there objection? The Chair hears none. It is so ordered.

INTERNATIONAL COPYRIGHT.

Mr. CHACE. I now move that the Senate proceed to the consideration of Senate bill 554.

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the Senator from Rhode Island moves that the Senate proceed to the consideration of the bill (S. 554) to amend Title LX, chapter 3, of the Revised Statutes.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDENT *pro tempore*. The pending question is on the amendment offered by the Senator from Vermont [Mr. MORRILL], which will be read.

The CHIEF CLERK. It is proposed to add to section 2 the following proviso:

Provided, That publishers of newspapers or other periodicals in the United States shall be allowed to copy in those publications any articles which may appear in the newspapers or other periodicals of any foreign country, and for that purpose, but not for sale, shall be allowed to import such newspapers and other periodicals.

Mr. CHACE. Mr. President, there is not much more that need be said in regard to the amendment proposed by the Senator from Vermont; but I believe I can bring to the knowledge of Senators a few matters which, if any of them are disposed to support that amendment, may influence their judgment.

In the first place, in regard to newspapers, I hold in my hand a supplement of the New York Times of November 17, 1887, and that paper contains a whole book, from beginning to end, the entire copy of Swinburne's Locrine. If the amendment of the Senator from Vermont should prevail, the author of that book would be not only prevented from securing a copyright abroad, but in effect his domestic copyright would be entirely destroyed and have no value whatever. It seems to me that this one instance is a sufficient illustration of the injurious and wrongful effects of the amendment proposed by the Senator from Vermont, if it should prevail.

Mr. GEORGE. I should like to ask the Senator from Rhode Island a question if he will allow me to do so.

Mr. CHACE. Certainly.

Mr. GEORGE. Would the effect of this bill be to destroy such publications as the Leonard-Scott Company republications of the English reviews?

Mr. CHACE. Not at all. If any publisher or republisher of any review wished to go on with his business he would simply have to do what he now ought to do, pay for what he gets. I will say in reply further to the Senator from Mississippi that I hold in my hand the most prominent magazine which is a reprint, and the retail price of it is 18 cents.

Mr. GEORGE. Such republications, as I understand the Senator, would be discontinued or prohibited by the bill——

Mr. CHACE. Not at all.

Mr. GEORGE. Unless the Leonard-Scott Company should succeed in buying the right to republish from the original parties?

Mr. CHACE. Undoubtedly. The sole and entire object of a copyright bill is to give the owner, the author, the man who produces the literary work, the control of his own production. It goes without saying that if we protect a man in the possession of his property no other man can take that property away from him without paying him for it.

Mr. GEORGE. Then I understand you answer my question in the affirmative.

Mr. CHACE. No, not at all in the affirmative, because it is the rule now that many publishers who reprint pay foreigner authors for their works. These men would undoubtedly do that. It is a simple question whether they shall pay for what they reprint, and in no sense a question of the suppression of the magazine.

The question has been bruited here about the cost of reading to the public. The impression seems to prevail that if this literature is—I

will not use the word pirated, because it seems to be offensive, although that has come to be a technicality in the trade, I will say that if it is taken without paying for it—the impression seems to have gained ground and got possession of the minds of Senators and others that if the publisher takes the work of the foreign author without paying for it, then perforce the reading public is going to get that literature at a lower rate. We have a practical test of that question right here. I have procured copies of a number of the popular magazines which are published in this country, and also of the two prominent magazines which are reprints, so called.

Littell's Living Age, which is entirely devoted to reprinting and which I understand as a rule does not pay for its literature, which takes it from the foreign author without pay, and which according to the idea that prevails in the minds of Senators would be sold cheaper, is published four times a month. This copy [exhibiting] contains fifty-five pages of reading matter. That would be equal to two hundred and twenty pages a month. The price of that magazine is $8 a year.

Now let us see what some other popular magazines are. There is the Century Magazine of one hundred and fifty-six pages, and the price of that is $4 a year. That magazine pays for its matter. The author gets his pay. If the publication of Littell was sold to the reading public at the same price per page that the Century Magazine is sold for, it would be sold for $5.75 instead of $8.

Mr. VANCE. Will the Senator allow me to ask him a question?

Mr. CHACE. With pleasure.

Mr. VANCE. Is not the matter on a page much greater in amount in Littell's magazine than it is in the Century?

Mr. CHACE. Oh, no.

Mr. VANCE. Is it not twice as much?

Mr. CHACE. No, no! That will not do. The fact is it is one of those cases that work like a good many other matters. Practically you find it is not what you supposed it was if you had not examined. Here is the other magazine, the Eclectic, as it is called. Senators can look at it. Here is the letter-press, almost identically the same, with this difference, that every one of these magazines that I hold in my hand, the Century, the Atlantic, the Lippincott, and Harper's, is better executed in paper and letter-press and type. Here they are [exhibiting], and Senators can look at them. Here is the Eclectic; and every one of them is better executed than it and Littell's Living Age. Here is one with one hundred and sixty-three pages—the Eclectic. That is a magazine that sells for $5 a year. Here is a magazine with one hundred and sixty pages in it. That is the magazine that pays for its literature, and that sells for $4 a year—a pretty practical illustration; and I should like to have Senators on the other side, if they have any doubts in their minds, come here and examine these magazines. It needs but a cursory glance to see that every word I have said about the size of the type, the amount of the matter, the quality of the paper, and all the work generally, is vastly superior in these other magazines to what it is in them.

It is said "comparisons are odious." I do not wish to make any. The Century Magazine sells for $4. It is just about the same size as Harper's, which also sells for $4.

Mr. VANCE. Then the Senator, as I understand him, contends that the copyright is wanted for the authors to enable them to furnish their works at a cheaper price.

Mr. CHACE. The Senator would please me very much indeed if he would use his felicitous manner of expression a little in my favor. What I propose is that the author shall receive the pay for what honestly belongs to him. I propose simply to do exactly even-handed justice to the author.

What I further say, and what I put against the theories of the Senator from North Carolina, and others like him, is that while he proposes to say that we shall get this literature cheaper if we take it without paying for it, the fact is, as appears by this practical illustration, that instead of getting it cheaper we pay more for it. Now, who gets that difference? The man who publishes the magazine who comes here and asks us to do an injustice to the author in order that he may continue his business, as he says, whereas, if this proposed law is put in force, it will not prevent him from continuing his business; the market is still open to him, and he can take these works and pay for them. As the Senator from South Carolina [Mr. BUTLER] suggests to me, he is just like everybody else, he pays for his matter. No, it will not do. Here is a demonstration patent before our eyes. These men take from the author without paying for it, and they take from the public more than the real value; and the difference goes into their pockets and not into the pockets of the public; but if it did go into the pockets of the public, it still would not make it any nearer right.

Now, I want to call attention to one or two more illustrations of this point. I hold in my hand Scribner's Magazine, which is also of a very high character of work. The execution is very fine, as the Senator from North Carolina can see. It is just about the same size as the Eclectic. That contains 126 pages and sells for 25 cents a number, or $3 a year.

Mr. VANCE. How many of the pages are devoted to advertisements?

Mr. CHACE. The Senator will excuse me. I am sorry he would impute to me such a matter as that. I do not make any such statements. I hope the Senator does not think I would attempt to impose on the Senate by palming off advertisements as reading matter. Mr. President, that is not my method. I am talking about the reading matter that is in these magazines. There is a magazine that pays for its material to the author, and is sold still cheaper—sold for $3 a year.

So I think, Mr. President, that these illustrations sufficiently dispose of the idea, and I have it further from gentlemen who are constantly procuring foreign matter to republish in this country that they pay for it. There is no difficulty in procuring it.

These, together with the illustration I have given of the newspaper with a whole book published in it, it seems to me ought to dispose of this amendment, and I ask the Senate to vote on the amendment now.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Vermont [Mr. MORRILL].

Mr. MORRILL. Mr. President, the Senator from Rhode Island has spoken of Littell's Living Age. Any Senator who will look at the type of Littell's Living Age will see that it is so much smaller than the type of Harper's Magazine or the Century that probably at least double the quantity of matter is printed on a single page that is printed on one of the pages of the Century or Harper's, but that does not determine the question at all.

Mr. CHACE. Will the Senator excuse me?

Mr. MORRILL. Certainly.

Mr. CHACE. I do not believe for a moment that the Senator from Vermont means to misstate things, but I am sure the Senator is mistaken. The two magazines are here, and if the Senator chooses to look at them and compare the size of the page, I think he will himself be readily convinced that he is greatly in error.

Mr. MORRILL. I think there is considerable of a difference.

But, Mr. President, the question is whether we shall admit these foreign magazines to come here and be copyrighted. It is not likely that many of them will come, but the expense would not be great for merely setting up the type and having a single copy or a few hundred or a few thousand printed here. There is no reason on the part of such American magazines as we have for going abroad and being copyrighted there, as no foreigners could afford to publish them with the illustrations, and therefore they are protected. It would be impossible in any reasonable time for any foreign publisher to get out an edition of Harper's, or of the Century Magazine, because it takes some considerable time to produce the plates.

Then the publications in the Eclectic Magazine and in Littell's Living Age are certainly of a select character. They contain the cream of all the foreign magazines; and the only way in which they can be obtained in this country is to allow them to be printed in that way. Otherwise they would not come here except at a very large cost, and very few people would ever have an opportunity to obtain any selection of the foreign magazines and standard periodicals.

I do not desire that the foreign publications shall come here and be reprinted as a whole, but there is a certain part and parcel of what appears in the periodical press abroad which is exceedingly valuable. I would not care to have Dickens's work here commenting on the United States, or Matthew Arnold's, or those of various other foreigners reprinted here, but there are some authors that it would be desirable we should obtain, and obtain at an early day. I trust, therefore, that the sense of the Senate will consider that we have done enough for copyrighting when we limit it to books, and that is the proposition which is made by my amendment.

Mr. JONES, of Arkansas. Mr. President, I agree to some extent with the suggestion in the report made by the Senator reporting this bill, on the second page, where it is said:

> This is a simple question of our moral obligation as a nation to recognize the property rights of foreign authors.

In so far as this bill proposes to proceed on that line, I am heartily in favor of it. I do not believe that we have any more right to appropriate the intellectual labor of one man than we have to appropriate the manual labor of another; but it seems to me that there is a very large-sized fly in the ointment. On page 4 of the bill the following provision appears:

> During the existence of such copyright the importation into the United States of any book or other article so copyrighted shall be, and it hereby is, prohibited, except in the cases specified in section 2505 of the Revised Statutes of the United States, and except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation. All officers of customs and postmasters are hereby required to seize and destroy all copies of such prohibited articles as shall be entered at the custom-house or otherwise brought into the United States, or transmitted to the mails of the United States. In the case of books in foreign languages, of which only translations in English are copyrighted, the prohibition of importation shall apply only to the translation of the same, and the importation of the books in the original language shall be permitted.

This proposition to absolutely prohibit the importation of books which happen to be copyrighted in the United States seems to me to be simply monstrous. If we were to provide a tariff tax of 100 per cent. on any copyrighted book imported into the United States, it might be

complained that the tax was unreasonable, that it was extraordinarily high, that it was a practical prohibition; but for the first time, I believe, in any legislation not pertaining to something pernicious, or in itself absolutely objectionable, we propose to apply absolute, actual prohibition in the case of the introduction of books from abroad.

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. JONES, of Arkansas. Certainly.

Mr. HOAR. Is not this proposition which he opposes the existing law everywhere? Is it not the existing law not only in this country, but in every country under heaven, that whatever works that country sees fit to copyright it prohibits the importation of from abroad. It is the case with our present domestic law; it is the case with the English law, and it is the case everywhere.

Mr. JONES, of Arkansas. If that is the case, and we propose now that the United States shall not be hereafter a Barbary Coast in literature and in commerce, I think it is time that we should take the example of the rest of the civilized world and that at least respectable foreign books should not be prohibited from circulation in our country.

So far as I am concerned, while I am perfectly willing to give to foreign authors the right to use their own publications here and to derive a benefit from their publications, I am not willing to say that any American citizen shall not have the right, if he chooses to do so, to buy foreign publications. You may put on any proper tariff tax that you see fit; but I am not willing to say that an American shall not have the right to import a foreign book if he chooses to do it. The proposition seems to me absolutely monstrous, and I for one will never consent to it; and if this provision remains in the bill, no matter whether I am in favor of copyright or not, I shall certainly vote against the bill.

Mr. CHACE. Before the Senator takes his seat, as he is a lawyer, I should like to ask him this question: If we grant a copyright to an author and permit foreigners to publish that book and bring it into this country, how are we going to enforce our law? It can not be done. It would be no copyright.

Mr. JONES, of Arkansas. Enforce the law as you would any other law.

Mr. CHACE. But suppose that I take out a copyright for a book in this country and that any foreigner is permitted to bring that book to our country, our Government having no jurisdiction beyond its own territorial limits, if we permit the publication of that book abroad and the bringing of it in here does not that in effect absolutely nullify and destroy the whole force and effect of our legislation?

Mr. JONES, of Arkansas. I do not see how that can be possible, especially where we propose to become a member of the international copyright arrangement. Copyrights abroad protect authors, at least that has been my understanding, as stated by the authors of this bill all the time, while we of all the civilized nations of the world are the only one that is affording no sort of protection to our authors. When an author is protected in Great Britain, France, Germany, or elsewhere, and he issues a book under the copyright laws of one of those countries, I confess I can not see why, after he has been compensated by the publisher of his book at home, he may not be allowed to send the book into the United States and have it received here on paying a reasonable tariff duty, as one is paid on everything else imported. I do not see the slightest difficulty in the way.

Mr. HOAR. Shall I interrupt the Senator if I say a word?

Mr. JONES, of Arkansas. Not at all, sir.

Mr. HOAR. As I understand it, this bill, as it is drawn, allows to be done precisely what the Senator thinks ought to be done; that is, the author or proprietor abroad certifying his desire by the proper evidence, signing his name with two witnesses, can do that thing. He must determine whether he wants to do it or not, if he sells his copyright here. But if you have a provision that an English author may take a copyright here, and do not prohibit the importation of that book printed in England by other persons than the author, our copyright is absolutely worthless, and he is not protected against that by the fact that he has an English copyright. The English copyright law only punishes and only can punish, in the nature of things, publication in England. Now, suppose you have got an English copyright in Macaulay's History, and sell it to Mr. Morrison, here in Washington. He owns the copyright, and has an edition to supply the American people to their entire satisfaction. It is not quite just that some Englishman who does not pay anything to the author should strike off a surreptitious edition and send it over here and sell it without any prohibition. That is all this bill prohibits.

Mr. JONES, of Arkansas. I was not aware before that the purpose of this bill was to protect the American people or to protect authors against pirating abroad. My impression was that the intention was to protect authors against pirating in the United States, and that the purpose of allowing a copyright here was to prevent an American publication of the work of a foreign author without proper compensation to him.

Mr. HOAR. Now, I would ask my honorable friend if he, on reflection (for he is a very candid man, as well as a wise one), thinks that it is just, as he says it is, that we should prevent the English author from having his work republished here without his consent by any American publisher, and at the same time allow that to be done by any English publisher. In other words, if we protect the man against the American pirate shall we permit the English pirate to come over here and establish himself on our soil and not protect the American publisher against him?

Mr. JONES, of Arkansas. If our Government is not more neglectful in its duty in the way of protecting the foreign author than other nations are, there is no reason whatever for the passage of this bill. If foreigners are not protected here by proper copyright laws, there is no reason why they can come here and insist that we shall take care of them. I understand that the claim has been all along made that there is no civilized nation except the United States that is failing to do its duty towards authors in the matter of protecting them against the improper use of their productions by publishers. If that is the case, that is one question; but the case suggested by the Senator from Massachusetts is one of the failure on the part of Great Britain to protect properly an author in Great Britain and allow a book pirated in Great Britain to be brought into the United States for the purpose of being sold.

Mr. HOAR. My honorable friend, I think, misunderstands the point of my question, or I do not make it clear. Let me state it again. Suppose the Senator writes a book, a history of Arkansas, and he copyrights it in America, and then he sends it to England and copyrights it there, and makes an arrangement with an English publisher to print and circulate it, it being in good demand. Now would he think it was quite reasonable or fair that any other American should print that book here—not publish it but only print it here—secretly and palm it off and send it over to England and sell it there in such a way as not only to destroy the profit of his publisher but his own profit from his English copyright?

It is not a question of our having guarded against that. I assume that we have got the fullest copyright possible to protect him here; but this provision in this bill prohibits nothing except when we have got our copyright for a foreign author that somebody in his own country shall secretly strike off an edition of that book and send it over here to destroy his copyright and destroy him and destroy his publisher. That is all.

Mr. JONES, of Arkansas. The supposition in the case submitted by the Senator from Massachusetts would be just as effective if you were to strike out England from the case absolutely. After an American author has been protected by a copyright here, is some man to surreptitiously print and put on the market books for which he has not paid a copyright? And the Senator asks me if I think that would be fair. Of course it would not be fair. It would not be fair done in the United States and it would not be fair done anywhere else. But this provision in the bill providing for the absolute prohibition of the importation of publications has no relation whatever to taking care of any such case as that or any other one except the barbarity inflicted on commerce, if I may use that phrase.

There is one other suggestion of the Senator from Massachusetts that I wish to reply to. He says that I overlook in the bill the provision made for the very difficulty I propose. The language of the bill is:

> And except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation.

I admit that you may import an English book for private use, not more than two copies at once, by having the written consent of the owner of the copyright, attested by two witnesses. You can import a book under those circumstances into the United States, but under no other. I insist that any American who wishes to buy an unlimited number of books abroad and bring them here for sale ought to have the right to do so, and the American reader ought to have the right to have foreign publications of any kind brought here and sold, if a proper guard is placed on the importation under the tariff laws, as there is at the present. But why go beyond any step ever taken in any sort of tariff law and absolutely provide for a prohibition to prevent the importation absolutely of a book published abroad? I confess I can not see an excuse or an apology for it.

Mr. BECK. I should like to ask the Senator a question. This, I understand, is a Senate bill—bill of the Senate No. 554.

Mr. JONES, of Arkansas. Yes, sir,

Mr. BECK. The act of 1883 provides that all books coming to this country shall pay a tax of 25 per cent:

> Books, pamphlets, bound or unbound, and all printed matter, not specially enumerated or provided for in this act, engravings, bound or unbound, etchings, illustrated books, maps, and charts, 25 per cent. ad valorem.

I ask whether this Senate bill is not changing the tax laws of this country and making the duty prohibitory?

Mr. JONES, of Arkansas. There is no question about it.

Mr. BECK. Can such a bill originate in the Senate?

Mr. JONES, of Arkansas. I should think not.

Mr. CHACE. Mr. President, we have at present a domestic copyright law, and under the provisions of that law the importation of books copyrighted in this country is prohibited absolutely—precisely the same feature that is in this bill. Now, I ask the Senator from Kentucky what is his explanation, and how does he excuse that? Nobody has ever discovered that that was a defect.

Mr. BECK. All books that are allowed to be used in the country

are, under existing law, authorized to be brought into this country by paying a tax of 25 per cent.

Mr. CHACE. The Senator is entirely mistaken. Neither he nor any other man can import a book into this country that is copyrighted here.

Mr. BECK. But English periodicals are not copyrighted here. Our own author is protected for forty-two years against all the world.

Mr. CHACE. But how is he protected? By an absolute prohibition of importation.

Mr. BECK. He is protected by our own copyright law, and no man can import his book or bring it here either in periodical or pamphlet, or anything else, without being fined and imprisoned, as the law provides for the violation of copyright. But this Senate bill now proposes to change the existing tax laws of this country and prohibit all that class of books that can now be brought in by paying a duty of 25 per cent. being brought in at all, and makes it the duty of custom-house officials to destroy them the moment they are found attempting to enter, as though they were smuggled.

Mr. VEST. Mr. President, I congratulate my friend from Kentucky on the discovery he has made in regard to the rights of the Senate and House of Representatives, respectively. Mr. Clay never made that discovery, and he was a very distinguished Kentuckian. In 1837 he reported a Senate bill with this identical clause, and I call his attention to Mr. Clay's statement in regard to the constitutional power of the Senate:

With respect to the constitutional power to pass the proposed bill the committee entertain no doubt, and Congress, as before stated, has acted on it. The Constitution authorizes Congress "to promote the progress of science and useful arts by securing, for limited times, to authors and inventors the exclusive right to their respective writings and discoveries."

The passage of that Senate bill was advocated by the most distinguished statesmen of the country then members of the Senate and House, and it was reserved for my distinguished friend from Kentucky to raise the point that this is a money bill, which can not originate in the Senate.

The object of this bill is not to raise money to affect taxation. It is a general measure of relief. It is simply protecting property—that and that alone. The Senator knows very well that the question of finance and taxation does not enter into it except as one of the results of general legislation on the part of Congress. That is the whole of it. There is no law passed by Congress but what affects finance and taxation. I say no law. As a reasonable assertion every law we pass here affects the business of the country to a certain extent; and if this be a finance measure all other bills and all other measures that come before the Senate are to the same extent financial measures.

Mr. President, no bill which has ever been introduced into Congress during my term of service of ten years commends itself more thoroughly, and after deliberate investigation, to my judgment and conscience than the pending measure. When we concede—and I take it for granted that every member of this body will concede—that there can be property in intellectual labor and intellectual production, it is conceded that international dishonor rests on the people of the United States under the existing status. What Senator would here stand in his place and say that any citizen of the United States would have the right to rob a foreigner who comes to this country of his personal property in the shape of clothing or other effects? What Senator would dare to put the American people in the position of being committed to so flagrant an outrage on the conscience and judgment of the public as to make such a statement?

The very moment you concede, as we have conceded in the Constitution and laws of the country and in public opinion, that a man's right to the production of his brain is as sacred as the right to his land or his house or his horse or his cattle, you concede that a wrong is being perpetrated under the old and barbaric idea that a foreigner is entitled to nothing in this country except what is given him *ex grâtia*, and not by any right. It was the doctrine of the old barbarians before the religion under which we hope for a better existence hereafter was created. Jesus of Nazareth brought into this world the declaration that there was a brotherhood of men; that there were great and indisputable principles of right not geographically confined to any portion of the world's surface; and to-day we hear, indirectly if not directly, the expression that no foreigner has any rights in this country except what we choose to give him, and that we can take his property in the shape of literary effort and appropriate it to our own use.

Why, Mr. President, after the adjournment of the Senate yesterday a gentleman called at my residence and presented me this pamphlet. He stated that he was the agent of publishers in the United States, and fifteen thousand of them he said would be almost ruined in their business if this pending bill became a law.

Something has been said here, or if not here, elsewhere, in regard to the tariff in connection with this subject. I want to read to my Democratic friends the argument which is used in this pamphlet thus left with me:

Third. That the American authors would receive less for their work than under the existing copyright law, which protects them; as, under the existing law, American authors can give exclusive rights to publishers, while foreign authors can not do this at present in the United States; but, if they could do so, as proposed in this bill, they would come into direct competition with the American authors and force them to take less for their work than at present.

I understand the doctrine of the Democratic party to be that this Government and its legislation shall not be used to enrich classes; that no man shall seize the powers of government and wrest those powers from their legitimate purposes, the protection of the whole people and their equality before the law, in order to put money into his own pocket; and yet these publishers would say "we are protected now, we are making money now under existing law, and if you change the law and allow foreign productions to come in, you take money away from us." As a Democrat I repudiate the argument; I repudiate the proposition. Why, sir, I should feel myself degraded if for one instant I could contemplate seriously the idea that a man because a foreigner had not the right in this country before the law to own his property which he offers the use of to our own citizens. We have a right to exclude his productions. Not long ago we passed a law that no foreigner should purchase real estate in this country. Suppose we had gone further and said that all existing rights of property in real estate by foreigners should be taken away, would any Senator here have voted for it? Would any Senator have gone on the record in favor of any such law? And yet we have been here for years taking the property of foreigners, admitted to be property, using it for our own purposes, for our own people.

Now, I want to read from an historic document, coming from an American, the author of the American system, Henry Clay, of Kentucky. He made a report to the Senate on Senate bill 233, February 15, 1837, in which he said:

The select committee to whom was referred the address of certain British, and the petition of certain American authors, have, according to order, had the same under consideration, and beg leave now to report:

This is from a high source. I commend it to my Democratic brethren, who can see where the tariff comes in and the protection of foreigners at the expense of American citizens.

1. That by the act of Congress of 1831, being the law now in force regulating copyrights, the benefits of the act are restricted to citizens or residents of the United States, so that no foreigner, residing abroad, can secure a copyright in the United States for any work of which he is the author, however important or valuable it may be. The object of the address and petition, therefore, is to remove this restriction as to British authors, and to allow them to enjoy the benefits of our law.

2. That authors and inventors have, according to the practice among civilized nations, a property in the respective productions of their genius is incontestable, and that this property should be protected as effectually as any other property is by law follows as a legitimate consequence.

Authors and inventors are among the greatest benefactors of mankind. They are often dependent exclusively upon their own mental labors for the means of subsistence, and are frequently, from the nature of their pursuits or the constitutions of their minds, incapable of applying that provident care to worldly affairs which other classes of society are in the habit of bestowing. These considerations give additional strength to their just title to the protection of the law.

3. It being established that literary property is entitled to legal protection, it results that this protection ought to be afforded wherever the property is situated. A British merchant brings or transmits to the United States a bale of merchandise, and the moment it comes within the jurisdiction of our laws they throw around it effectual security. But if the work of a British author is brought to the United States, it may be appropriated by any resident here and republished, without any compensation whatever being made to the author. We should be all shocked if the law tolerated the least invasion of the rights of property in the case of the merchandise, whilst those which justly belong to the works of authors are exposed to daily violation, without the possibility of their invoking the aid of the laws.

4. The committee think that this distinction in the condition of the two descriptions of property is not just, and that it ought to be remedied by some safe and cautious amendment of the law. Already the principle has been adopted in the patent laws of extending their benefits to foreign inventions or improvements. It is but carrying out the same principle to extend the benefits of our copyright laws to foreign authors. In relation to the subjects of Great Britain and France it will be but a measure of reciprocal justice; for, in both of those countries, our authors may enjoy that protection of their laws for literary property which is denied to their subjects here.

So far as I am concerned, Mr. President, even if this protection were not given to our people, I would be inclined to vote for a measure such as the pending bill, upon the broad principle of right. I say that it is piracy, it is robbery, for us to take possession of what we ourselves admit to be property, simply because the man who created it is not a citizen or an inhabitant of the United States.

Since Mr. Clay made that report an international copyright union has been established, and to-day the United States is the only civilized country in the world outside of that organization. We enjoy to-day the unenviable notoriety of standing alone in the assertion that when a foreigner puts his foot on American soil he loses his right to the highest property in the world, the fruit of his own genius. Sir, if Robert Burns were living to-day his immortal poems of the Cotter's Saturday Night and Tam O'Shanter would be republished and sold for ten cents a copy on the streets of New York, and Burns would be without compensation and might be a pauper on the cold charity of the world. All the protection we give to legitimate publication is protection to authorship. It is protection to this kind of property. The productions of genius belong to the commonwealth of letters. They are not circumscribed by territorial limits. While I occupy public position and have a vote, I will never sanction the national outrage of the last fifty years on this subject.

Mr. HOAR. Mr. President, I have repressed so far a considerable temptation to speak on this bill, because it seemed to me that the purpose of the Senate was all right as far as I could discover from the indications, and I was afraid that I might injure the bill by prolonging

the consideration of it more than I could help it by speech. But I do not like to let the occasion pass without putting on record at least my own opinion, the opinion that I have entertained for a long time, that the honor and the interest of the American people alike require the inauguration of the policy which this bill proposes to enact. If there be one thing on the face of the earth which beyond all the discussions of economy, of philosophy, of social science, must be admitted to be property in any individual it is the product of his brain, either in literary work or in an invention. There is a great deal to be said against the right of individuals to monopolize land, and there are shrewd arguments, sometimes difficult to answer, that you have no more right to take up to yourself the exclusive use of land than you have of the atmosphere or the sea. There is a great deal to be said against the right to inherit personal property or real property or to transmit it to your children by will. These things, all of them, are the creatures of artificial legislation adopted by the experience of mankind for the best interests of society. Every dollar which a man owns of personal property and every foot he gets of real estate is obtained from somebody else by some artificial process which is the creature of human law and depends on it for its sanction. But the product of a man's brain is his creation; it is his own. It is as much his as the milk in the mother's bosom is hers.

Now we stand nearly alone among civilized countries in denying to the foreign author who confers upon the people of this country the great benefit of a new creation, in denying, as the Senator from Missouri so aptly said, to Robert Burns, or Tennyson, or Macaulay the property in that thing which when he has created and while it is his property is also the chief source of benefit, of blessing, of benediction to mankind.

Mr. President, this legislation is required by the very genius of the American people and of the American Constitution. If we found it nowhere else we should be bound by the principles which lie at the bottom of our own society to establish it here. The American Constitution declares by a statement of principle, which is as applicable to the case of the foreign author as it is to our own, that it promotes the interest of literature and of invention to secure to the author and the inventor for a reasonable and limited period the property in the product of his brain. Our country should be the first in honor to set the example to mankind of a respect paid to men of letters by their contemporaries. Down to a period long after the American Revolution a man of letters, unless he were also a man of rank and a man of wealth, was treated with very little respect in European capitals, even in England. I suppose Senators are familiar with the story of the astonishment and contempt with which Sir Alexander Boswell, the old Scotch laird, heard that his son James was associated with Dr. Johnson. He thought the whole family rank and credit of the name was disgraced forever. What he had heard of Jamie's doing in London around with an "auld dominie" was Sir Alexander Boswell's complaint to his neighbor, and Dr. Johnson himself put on record in those touching lines the condition of the craft of which he was the leading member in his young days:

> There mark what ills the scholar's life assail—
> Toil, envy, want, the patron, and the jail.

It was even as late as Bulwer's time that he said that an Englishman of letters had to go abroad every year or two to keep up a decent self-respect in his own bosom. But from the very first we made Dr. Franklin, our foremost man of letters, our foremost man, with the single exception of Washington, in the estimation of the American people. Mr. President, until a time long after the adoption of our Constitution you can hardly point to a great English man of letters not a man of rank or not the companion of men of rank, who attained to any considerable respect in the estimation of his own countrymen. They did not even preserve the particulars of his life. Take Shakespeare; take Milton. Milton sold his great work for £5, and died in blindness and in want.

What are the objections that have come to this bill? All the objections which have been suggested on either side of the Chamber are that this bill is somehow or other to interfere with the profits of the American publishers or the American people by reason of putting some hindrance or obstacle in the execution of the process of selling this most precious property of the foreign author. No man has raised his voice to deny that justice, honor, respect for property require from us this legislation; but it is said you will not get your books quite so cheap or the profits of the American publisher will not be quite as great. Well, I do not believe that. I do not believe that while the receivers of stolen goods are willing to sell their wares a little cheaper than the lawful and honest trader, any community ever yet existed or ever will exist which will find it on the whole for its profit to deal with them.

The Senator from Kentucky put the question yesterday whether if we grant a copyright to foreign authors we shall not find that here an unpurchasable edition, one not within the means of the average of our people, will alone be published by the foreign author. The answer to that is that that question will be settled just as it is settled in reference to the products of the American author, by the interest of the people and the demand of the market. Of nothing is it so true as of books that the wider circulation at a low price brings to the author not merely the fame, which is to be after all his chief and principal reward, but brings to the author also the largest income and pecuniary return. I think we are by this bill to determine that the thinking interest, the interest of the brain, the interest of the idea, the interest which elevates and benefits the soul and the intellect of mankind, is as much an interest to be regarded and protected and cared for in legislation as the shipping interest or the manufacturing interest or the trading interest of this country.

Now, Mr. President, I have said, I believe, all I care to say on the subject. I rose not to argue the question, but merely to put myself upon record in the debate. Nothing has been suggested and nothing will be suggested which can wipe out or wink out of sight the simple proposition which was so eloquently put by the honorable Senator from Missouri [Mr. VEST], that the question is whether it is longer for the honor or the dignity of the American people that when a man has created an invention or written a book simply because he is a foreigner it shall be permitted any longer in this country to rob him of the property which our Constitution recognizes as property in our own citizens in that production. Refine as you will, the Tenth Commandment will not budge any continued disregard.

Mr. HAWLEY. Mr. President, I am not much disposed to argue upon the general merits of the bill, for it has seemed to me that they are indisputable. A German mechanic may invent a fish-hook upon which he may accumulate a fortune, but Goethe and Humboldt could not make and send to the United States their immortal and eternal works. A book-binder over there might invent an excellent book-binding machine and a practical printer might invent an excellent type-setting machine, and both might make their fortunes out of binding and printing. A new book, equal, we will suppose, to Paradise Lost or the Iliad, may be written, and the author can not get a penny out of it; and that is exactly the way the law stands now.

So it seems to me the general purpose of the bill can not be argued; and yet I confess my blood was stirred by the generous argument of the Senator from Missouri [Mr. VEST]. It appears to me as plain a proposition as the command against stealing.

I admit there are of course some embarrassments about the precise details. An English author can copyright his book over here, and nevertheless many men have an intense desire to get the original edition of that book, sometimes because it is published in better style, with better binding or finer illustrations, than the republications over here. I would not stand in the way of the gentleman who desired to make his library a perfect library of first editions, or the public library that would desire to do that. That was one of the difficulties in drawing the bill; but I confess that I think the committee has got around it as well as possible. I think the manner in which they have avoided that must be satisfactory to those who are most scrupulous about protecting American labor in the matter, for this bill is satisfactory to the trade unions and to the publishers. It is satisfactory, too, most happily and singularly, also to the authors. The singularity is in the bill being acceptable to everybody whose interests are to be affected by it.

Under these circumstances I think it is a matter of common rejoicing that we are to remove this stain from our legislation with such general satisfaction

It is quite natural that we should desire to print these books in the United States, and in that we are not differing from other countries that have been far ahead of us in establishing international copyright. If you go over from the continent to England with a trunkful of Bohn's very excellent edition of authors you must leave them behind you under the risk of forfeiting every one of them as a protection for an English copyright book; they will seize them at the custom-house. They will look as sharply for them as for whisky or tobacco. You must leave every such book; and it is a matter of every-day experience that Americans do not land at Liverpool without leaving on board, or throwing away, or giving to the stewards and the servants their American editions of English copyrighted books, if the American in his cabin has a 10 or 20 cent edition of a book that is published in England at a greater price and upon which the author gets something. We do not find any fault with that law. We are simply proposing to continue legislation which is universal abroad. It does not pertain to books alone. For example, Gatling and Hotchkiss patented very valuable improvements in fire-arms in this country and patented them in Germany and in England and in France, and while the gun might be prohibited in France it would not be prohibited in England, and nevertheless there was no market for it except at the hands of the government.

The French Government, the German Government, and the English Government require Hotchkiss to establish manufactories in those three countries. The French would not deal with him unless he made all his guns in France. So he put up a large establishment and a profitable one there. He did the same in Germany, and was about establishing a manufactory in England when he died, and the work was continued there, and the factories there are turning out guns that an American invented and that are paid for to his family. Who has found any fault with that? The Americans certainly did not find any fault with them for it. That is the general practice.

I think we have escaped the difficulty suggested by the Senator from Arkansas [Mr. JONES] remarkably well in the bill. I sympathize with him in the desire that we should have a right somehow to buy a copy of an original edition.

Mr. CHACE. Will it interrupt the Senator if I say a word?

Mr. HAWLEY. No, sir.

Mr. CHACE. That is fully provided for.

Mr. HAWLEY. I say the committee has happily met that difficulty in the bill.

Mr. CHACE. And I want to say further that section 2505 of the Revised Statutes provides for public and other libraries that they may import books for their own use.

Mr. HAWLEY. I do not know that I care to say anything further, for I see no practical difficulty and no reasonable objection to the bill.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. CHACE. I ask unanimous consent to continue the consideration of the copyright bill.

The PRESIDING OFFICER. The Senator from Rhode Island asks unanimous consent to continue the bill which has been under consideration.

Mr. PLUMB. I think I shall have to object.

Mr. PALMER. I object.

The PRESIDING OFFICER. Objection is made.

Mr. BECK. One moment. I asked this morning that the matter might go over until I could look into some reports that I had not been able to find till last night. I have now before me a very able report made in 1872 by Mr. Morrill, of Maine, indorsed by the Senator from Ohio [Mr. SHERMAN], not only answering very thoroughly the beautiful argument, as far as oratory is concerned, of the Senator from Missouri [Mr. VEST], but I think all that has been said on the other side, and I should like time to present that to the Senate against this whole scheme. It calls it a monopoly, and denounces it, and reported adversely to the Senate upon it.

The PRESIDING OFFICER. The Senator from Connecticut [Mr. HAWLEY] had the floor, and suspended to allow the Chair to lay before the Senate the unfinished business. The Senator from Connecticut requested unanimous consent to proceed with the consideration of the bill, but there was objection.

Mr. HAWLEY. I beg pardon. The Senator from Rhode Island desired it. He has the bill in charge.

The PRESIDING OFFICER. The Chair asks pardon. It was the Senator from Rhode Island.

Mr. CALL. I hope the objection will be withdrawn, and that we shall be allowed to go on with the copyright bill.

Mr. BECK. I will not withdraw the objection.

Mr. CHACE. I move that the Senate proceed with the consideration of the copyright bill notwithstanding the objection.

Mr. PALMER. Mr. President——

Mr. CHACE. I hope the Senator from Michigan will let his bill be laid aside temporarily.

The PRESIDING OFFICER. The Chair will state the question. The Senator from Rhode Island [Mr. CHACE] moves that the Senate proceed to the consideration of the bill which has been under consideration during the morning hour, the copyright bill.

Mr. PALMER. I hope that motion will not prevail.

Mr. PLUMB. Let the Chair state the question again.

The PRESIDING OFFICER. The Senator from Rhode Island will please restate his motion.

Mr. CHACE. I do not wish to antagonize the Senator from Michigan. It is not improper for me to remark that I understood him to say this morning that he would consent to the copyright bill being considered. I hope we shall get a vote on it before very long. I do not wish to press my motion, but I hope the Senator from Michigan will consent that his bill be laid aside temporarily until we can get a vote on the copyright bill. It seems to me it will not take a great deal of time.

Mr. PALMER. I should willingly give way if I thought it would expedite matters, but this bill will be talked upon all this afternoon. The Senator from Kentucky [Mr. BECK] will have an argument to make to-morrow, and I think the thing had better be condensed into an hour or two to-morrow rather than take up the whole of this afternoon. There is no Senator I would rather accommodate than the Senator from Rhode Island.

Mr. BECK. I have just laid my hand on another report bearing on this subject. I can in half an hour to-morrow do what I think would require two hours to do to-day, because I have not had time to read all the reports yet. Perhaps a few lines of each will be all I shall present to-morrow. I do not think there is any great urgency for going on with the bill to-day. I have not spoken before. I will not take over twenty or thirty minutes to-morrow, but I might take two hours this afternoon if I am forced into the discussion.

Mr. CHACE. Very well. I will not press my motion if the Senator from Kentucky wishes time.

The PRESIDING OFFICER. The Senator from Rhode Island withdraws his motion.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 1483) for the registry of the barges Albert M. Condor, and Adelante.

The message also requested the Senate to return to the House of Representatives the bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe.

The message further announced that the House had passed a bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning, in which it requested the concurrence of the Senate.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

BUREAU OF ANIMAL INDUSTRY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes, the pending question being on the amendment offered by Mr. PALMER as a substitute for the bill.

Mr. HALE. I wish to ask the Senator from Michigan who has charge of this bill whether his substitute embodies all the amendments to the original bill that were made before by the Senate.

Mr. PALMER. I think that it does.

Mr. HALE. There were certain amendments that were suggested to the Senate, and perhaps offered by my colleague in my absence.

Mr. PALMER. I can not tell now but what there may have been some clerical changes, but the only changes in this substitute have been those that were required to meet the constitutional scruples of many Senators. It was a little too radical as we had it originally, but all the amendments, I think, are incorporated in this substitute.

Mr. HALE. I have not had time to examine it.

Mr. FRYE. They are incorporated. I have examined the amendment.

Mr. PALMER. Mr. President, I do not propose to make a speech on this matter, but merely to make a few explanations. I want to describe the difference between this bill creating a new Bureau of Animal Industry and the old bill. In the bill before us the President, instead of the Commissioner of Agriculture, appoints an efficient board, large enough to personally superintend the work in the field, instead of directing it from Washington. That is the most material thing in the change, and it is the thing that is demanded most by the practical cattlemen of the country. Then, the board have authority to meet the needs of the disease with ample force, money, and power of quarantine, subject to the rights of the States.

The compensation of the board is $4,000 apiece; that is, for each member of the board, or $16,000. It differs from the present law, which gives $3,000 to the chief and $3,650 to each of his coadjutors or agents in the field. The board can pay for cattle instead of for inquiry as made under the original act. Texas fever may be handled as in the judgment of the board is necessary in the new bill, and is not exempt, as under old act. Rules must be made by the board and approved by the President, instead of made, approved, and promulgated by the Commissioner of Agriculture. When any State prefers to handle the disease in a manner acceptable to the board the Government will co-operate or pay the bills, as seems advisable.

No extraordinary powers are granted or the rights of States encroached upon, as was claimed by the Commissioner under the appropriation clause of 1887. The law is clear and its enforcement fully backed by penalties. The bill looks to the earliest possible removal of restrictions on our foreign commerce through official notice of cessation of disease.

That is the distinction between the present act and the one that the committee are now recommending for passage. The bill creating the present Bureau of Animal Industry was regarded as provisional and tentative, as will be seen by an extract from a letter of the Attorney-General of April 2, 1885, to the Commissioner of Agriculture.

The Attorney-General says:

> The act in question being, as probably was anticipated, the first of a series upon that subject, is consequently somewhat general and merely tentative in its provisions.

And again:

> As the results of experience and observation are accumulated upon the topic of which you speak no doubt more general legislation is intended.

The anticipations have been verified by the demands of the cattlemen of the country who appeared here last winter, and at whose instigation and on whose persuasion the Senate passed what is known as the Miller-Carey bill, a much more radical bill than this, by a vote of 31 to 19. However, that failed, and the authority that the bureau has been acting under is derived from some legislation in an appropriation clause

The language of the appropriation in 1887 was:

For carrying out the provisions of the act of May 29, 1884, establishing the Bureau of Animal Industry, $500,000; and the Commissioner of Agriculture is hereby authorized to use any part of this sum he may deem necessary or expedient, and in such manner as he may think best, to prevent the spread of pleuro-pneumonia, and for this purpose to employ as many persons as he may deem necessary, and to expend any part of this sum in the purchase and destruction of diseased or exposed animals and the quarantine of the same whenever in his judgment it is essential to prevent the spread of pleuro-pneumonia from one State into another, $100,000 of this sum or so much thereof as may be necessary to be immediately available.

I would say that the report of the Bureau of Animal Industry for 1885 shows that the bureau confined itself to and paid for investigation only. It was the same in 1886; but in the fall of 1886 there broke out in the city of Chicago in a very virulent form the disease of pleuro-pneumonia, and that gave rise to the legislation of the winter of 1887, and to the appropriation, and the legislation in that appropriation clause when the bill failed.

Now, to show how the Commissioner regards legislation on the subject, I will read from his address at Kansas City. Hon. Norman J. Colman, Commissioner of Agriculture, in an address made at Kansas City, October 31, 1887, before the Consolidated Cattle-Growers' Association of the United States, said:

The act of Congress creating the Bureau of Animal Industry was deficient in several particulars. It limited the number of employés to twenty; it gave no power to destroy diseased or exposed animals; it limited the expenditure of money to quarantining and disinfecting herds and premises in States whose executive officers would co-operate with the Bureau of Animal Industry; it appropriated an amount of money insufficient to accomplish any practical results; and, lastly, it failed to provide proper penalties for the enforcement of the means adopted to extirpate this disease.

It was hoped that these defects would be corrected at the last session of Congress, but the unfortunate division of sentiment between the two different measures apparently prevented legislation which might otherwise have been obtained. The friends of the Bureau of Animal Industry, however, succeeded in obtaining at the very close of the session an appropriation of $500,000, the first that has been sufficiently large to be of practical use in stamping out disease, and at the same time some additional authority was conferred upon the bureau in the appropriating act. The limit to the number of employés was removed, the right to kill both diseased and exposed animals was granted, and money could be expended in States even though the authorities failed to co-operate with the bureau.

You can see what construction the Commissioner of Agriculture puts on the legislation in that appropriation clause in this speech:

Immediately after the passage of this act, and in consultation with the Chief of the Bureau of Animal Industry, I prepared rules and regulations for the suppression of contagious pleuro-pneumonia, in accordance with section 3 of the act of Congress approved May 29, 1884; and these rules and regulations, by virtue of the authority contained in that section, became of equal force as if made by Congress itself.

It seems that the Commissioner of Agriculture considers himself a legislature as far as making rules and regulations which have the authority of law.

These rules I certified to the governors of all the States and Territories, and asked their co-operation in enforcing them. The governors of thirty-one States and Territories accepted these rules and regulations, and promised the assistance of the police officers of their respective States and Territories to secure their enforcement.

I also read from a letter of January 20, 1888, written by Commissioner Colman to the Committee on Agriculture and Forestry on this subject:

As the power to do this work now being done by the Bureau of Animal Industry comes in a large measure from the appropriation act of March 3, 1887, it would be advisable that the organic act of the bureau should be so amended as to include this authority and thus make it permanent, and not dependent on temporary legislation from year to year.

This is what is intended by the pending bill.

I would suggest, therefore, that certain amendments be made to the act of May 29, 1884, as follows:

In the first section of the act the limitation of the force of the bureau to "twenty persons at any one time," should be stricken out. The same section should give, in addition to the powers now granted, the right to inspect, quarantine, and disinfect all animals or premises and the right to enter upon any grounds for these purposes; also the right of condemnation, appraisement, compensation, and slaughter of any animals found to be diseased or exposed to the disease.

In section 3 of the present act the limitation of the expenditure of money to investigation, disinfection, and quarantine measures should be removed and authority given to expend money for all the purposes mentioned in the first section.

Section 6 should be so amended that no person can move any bovine animal from a district declared in quarantine by the Commissioner of Agriculture to any other State or Territory without a permit from an inspector of the Bureau of Animal Industry.

Section 9 should be amended so that it shall be the duty of the several United States district attorneys to defend all officers of the Bureau sued for acts committed by them in the discharge of their official duties, in addition to what the section now provides the district attorneys shall do.

A new section should be added to the act providing that the Commissioner of Agriculture shall declare in quarantine all districts in which pleuro-pneumonia is found to exist, and that notice thereof shall be published in one or more newspapers. Also, upon the extirpation of the disease, he shall give notice in like manner of this fact and of the removal of the quarantine.

The committee, in the bill which has been submitted as a substitute, have not taken any such radical steps as are proposed by the Commissioner of Agriculture, because it was considered that they had no constitutional right to do so. They have kept as near as possible to the powers granted by the clause "to regulate commerce with foreign nations and among the several States" in the Constitution, and, I think, have invaded none of the rights of the States. However, that will come up for discussion hereafter.

The question is now whether we shall have a Bureau of Animal Industry which shall be capable of coping with this and other diseases of live-stock, or whether we shall allow the diseases which threaten the live-stock of the United States at the present time to extend, or whether we shall continue an irregular kind of legislation in appropriation acts under which the Commissioner of Agriculture may do things or assume powers that are certainly unconstitutional.

The thing of greatest importance, however, at the present time is the establishment of the commission. The question is whether we shall have a dictator at the head of the Bureau of Animal Industry, with general powers conceded and assumed, as under the appropriation clause of 1887, or whether we shall have a commission with limited and well-defined powers, as is suggested in this bill.

The cattle-men of the country, and all who have given any attention to this subject that I have conversed with, and who had not taken sides from personal friendship or interest, believe that this can be handled much better by a commission, one of whom shall remain here and the rest of whom shall be in the field, than by one man who has a thousand other duties and who regards this as a subordinate thing in his department. It is an interest, as I said some days ago, representing $2,400,000,000. It not only represents that, but it represents the future food supply of our country as far as meat is concerned, and it seems to me that this bill and the establishment of a bureau and a board that shall be effective is one of the most important things that will come before Congress at this session.

The Commissioner, I believe, dislikes the idea of a commission. I do not know that I blame him for it. As it is now he commands the whole thing. The patronage is very large which he has in his hands, and I do not suppose he differs from most men in liking power and the ability to grant favors; but the committee believe that a commission of one man at Chicago or St. Louis or Kansas City, for instance, and one man at New York and one man in Texas would be much more efficient in stamping out this disease; and here I will read from the report of the live-stock board of Illinois the practical difficulty in the way of having the suppression of cattle diseases managed from Washington. I will take selections, and their relevancy will appear after I have read a little, although it may not at first. I am going to read in regard to cattle quarantine in the Empire Distillery stables at Chicago, from the report of the live-stock commissioners of Illinois to Governor Oglesby, February 27, 1888:

The 207 cattle quarantined in the Empire Distillery stables were not then slaughtered, none having died, to our knowledge, of contagious pleuro-pneumonia, nor shown signs of being affected with that disease. An agreement was made with the owner of the cattle, allowing them to remain in the stables until the latter part of the month of February following, on condition that he would then have them slaughtered under the supervision of the State veterinarian and his assistants, without expense to the State. The owner of these cattle absented himself from the State and did not return until April, when the cattle were slaughtered, and 117 were found affected with contagious pleuro-pneumonia in its chronic form. We desire to call especial attention to these cattle. They had been in quarantine for seven months. No fresh cattle were added during that time, no deaths occurred, and no acute case of contagious pleuro-pneumonia existed. The cattle apparently were healthy, fattened well on their feed, but notwithstanding this the post-mortem showed that fully 117 were chronic encysted cases of pleuro-pneumonia, capable, upon the breaking down of the cysts, of communicating the disease to healthy animals, showing clearly the necessity of a strict watch over an infected district for a long time after the disease has apparently disappeared.

Notwithstanding those animals had been quarantined for seven months they were liable to spread contagion any day when they were let out of those stables. The poisonous matter had become encysted in the lungs, and when the tissues should become weakened either by incidental sickness, by fatigue, by over-feeding or under-feeding, they were liable to break down, and they would immediately become the center of infection. Notwithstanding that state of facts, I think that the quarantine on animals imported is now only three months. They are only compelled to hold them in quarantine when they come into New York, Boston, Philadelphia, or any of the ports of the United States, for three months, and we are undoubtedly importing to-day pleuro-pneumonia from Great Britain.

Here were animals apparently healthy, which had been in quarantine seven months, and none of them had ever been affected with the disease but two, which had been exposed; but when they were killed one hundred and seventeen, or over half of them, were found to be possible centers of infection. I think it shows that we need a little new blood, a little new vigor, and a little more energy in the Bureau of Animal Industry, and in the remarks that I am about to make I wish to cast no reflection upon Commissioner Colman, whom I regard very highly, nor on Dr. Salmon, and I do not take any stock in any remarks reflecting upon them personally which I may read from this report. This report was undoubtedly gotten up while some feeling existed on the part of the live-stock board of Illinois, between whom and the Bureau of Animal Industry there had been considerable friction. Here is an illustration of the way things were managed in Chicago:

Dr. D. E. Salmon, chief of the Bureau of Animal Industry, on his departure from Chicago, informed the board that he had appointed Dr. M. R. Trumbower to represent him here, to which appointment this board objected on the ground that Dr. Trumbower was an inebriate and unfit to occupy the position named, and had been guilty of dishonest practices while engaged in stamping out contagious pleuro-pneumonia in Missouri. These facts the chief of the Bureau knew well, and requested this board to notify him if Dr. Trumbower continued

such practices, promising in such case to immediately remove him. On two occasions we notified Dr. Salmon of Trumbower's insobriety while on duty, but he was continued in his position against our protest; and in order to retain our self-respect and to enable us to suppress the disease we were compelled to withdraw his authority to act as an assistant State veterinarian in Illinois.

One of the incidents of friction under the present management of the Bureau of Animal Industry. It is just as impossible to manage the suppression of this disease at a thousand miles from Washington under this system as it is for a man to play on the piano with the keys of the piano two feet beyond the reach of his fingers. I read further from this report:

After slaughtering the cattle in the distillery stables and on the Harvey farm, the next step was to quarantine all the cattle within the area where the disease had extended, that inspection might be had, and the diseased and exposed animals slaughtered. There was no other way of determining the number of diseased and exposed animals. The area taken for quarantine was greater than was absolutely necessary, but the board deemed it better to err on the side of safety, regardless of a little extra cost. The system adopted in quarantining cattle was to note a description of the animal, take the name and address of the owner, and record the same in a record book made for that purpose, serving a written or printed notice of quarantine upon the owner or person in charge, and filing a duplicate notice in the office.

To do this work there were employed twenty deputy sheriffs and three veterinarians, paid by the Bureau of Animal Industry out of an appropriation made by Congress to extirpate the disease of contagious pleuro-pneumonia. This work of quarantining commenced December 14, 1886, from which date to February 1, 1887, but 1,217 head of cattle had been quarantined in 357 stables, at a cost to the United States Government of above $3,300, or $2.75 per animal. Nearly seven weeks of valuable time had passed during which the disease was allowed to spread rampant in the infected district, and the board made inquiry why so few cattle and stables had been quarantined, and were informed an order had been issued from Washington directing the deputy sheriffs and veterinarians to report to the chief deputy at the office of the bureau in Chicago, where they were detained the greater part of the day awaiting the arrival of Dr. Trumbower, to be assigned to duty. The board viewed with disgust the useless expenditure of money by the Bureau of Animal Industry and with alarm the liability of the disease spreading beyond its control, and knowing the law under which we were acting, as well as the rules of co-operation signed by your excellency and the chief of the bureau, required these men to work under the direction of this board (see articles of co-operation, rule 4), and that the people of the country and your excellency held this board responsible for the suppression of the disease, an order was issued directing the deputy sheriffs and veterinarians to report at the office of the board at 8 o'clock every morning, when they would be assigned to duty. This order was made known to the officials at Washington—

This is the statement of the Illinois live-stock board, as I remarked before, to the governor of that State—

This order was made known to the officials at Washington, and Dr. D. E. Salmon, chief of the bureau, addressed a communication to this board in which he says:

"I am informed that Mr. McChesney, a member of your board, who seems to be exercising the functions of an executive officer, has ordered the deputy sheriffs, paid by this Department, to report directly to him instead of to the chief deputy designated by this Department to keep their time and report the nature of their duties. I have the honor to direct your attention to these facts, and to state that, unless they are speedily corrected, it will become my duty to represent to the honorable Commissioner of Agriculture that it is impossible to cooperate with your board, and to recommend a different line of action for the protection of the other States from the contagion which exists in Illinois. I shall be very sorry indeed to be forced to do this, but it is simply wasting time and money for the Department to endeavor to co-operate under these circumstances."

Such was the system of co-operation by the Bureau of Animal Industry with the State board of live-stock commissioners of Illinois in suppressing contagious pleuro-pneumonia. After considering the gravity of the situation, we made an earnest appeal to the Legislature, then in session, for an appropriation to enable us to quarantine the cattle. A bill was drawn, presented, and passed both houses, with an emergency clause, and this board, with fourteen men, in thirty-five days, quarantined and registered 10,192 cattle in over 7,000 stables, at a cost to the State of less than 10 cents per animal, thus placing that kind of cordon about the pest and preventing the further spread of the disease.

It had cost the Bureau of Animal Industry $2.75 a head; it cost the live stock board of Illinois 10 cents a head. I merely cite these cases to show the difficulty of managing anything of this kind at points so remote as Chicago; and the disease is liable at any time to break out at points more remote.

During the quarantining of cattle, and previous to the time the Government commenced paying for slaughtered animals, the board had above 2,700 diseased and exposed animals slaughtered under the supervision of the State veterinarian and his assistants, on permits granted the owners and without a dollar's expense to the State. This work was noiselessly done by the board, and at the time they were censured by many people and a portion of the press for the apparent delay in stamping out the disease and with being inefficient officers.

A little further on the report says:

The reverse side of this picture is equally interesting.

It does not relate to what I have been reading, however.

Cattle in many stables were examined and quarantined by these bureau veterinarians and pronounced healthy, when in fact, subsequent post-mortem examinations showed they were diseased with contagious pleuro-pneumonia, both in acute and chronic forms, and this board was forced to employ competent veterinarians to go over the work done by the employés of the Bureau of Animal Industry. Such was the assistance rendered this board by the Bureau of Animal Industry in stamping out contagious pleuro-pneumonia till Professor James Law, of Cornell University, appeared and took the place of Dr. Trumbower.

* * * The Congress which adjourned March 3, 1887, made an appropriation of $500,000; to be used by the Bureau of Animal Industry, under direction of the Commissioner of Agriculture, in stamping out contagious pleuro-pneumonia. The Commissioner of Agriculture was aware that this disease existed in Chicago in its most virulent form, and that Chicago was recognized as the gateway of the cattle industry of the United States; and although he knew we were laboring with an insufficient appropriation to stamp out the disease, yet, under all these circumstances, he failed to use any of the money so appropriated here until the 20th of April, and not until we had written him demanding that he use such appropriation for the purpose of assisting us in stamping out the disease in Cook County. At the urgent request of prominent cattle-men in Illinois and other States, the Department of Agriculture sent Professor James Law, of Cornell University, as its chief inspector for Illinois to Chicago, to co-operate with us in our work, and he assisted in stamping out the disease in as rapid a manner as he could under the hampering influences of the Bureau of Animal Industry.

Mr. GEORGE. I should like to ask the Senator from Michigan a question.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Mississippi?

Mr. PALMER. Certainly.

Mr. GEORGE. I could not catch all that the Senator read owing to some confusion in the Chamber. I desire to ask him whether the pleuro-pneumonia in Chicago, about which he is reading, was or has been stamped out?

Mr. CULLOM. I think I can answer that it has been stamped out.

Mr. GEORGE. It has been stamped out?

Mr. CULLOM. I do not understand that there is anything of that disease there now.

Mr. PALMER. It is so considered; but they do not know at what time it may break out. Cook County, Illinois, now is——

Mr. GEORGE. It is understood, then, that it is stamped out. Now, I will ask the Senator——

Mr. PALMER. If the Senator will let me answer his question I will state that it is considered by superficial observers as stamped out. It may be stamped out. No one can tell. Cook County is not regarded by other States as a safe point to import cattle from, and Nebraska, to-day, as I understand it, has put Cook County and the State of New York under quarantine. It is a paper quarantine. To be sure they have no right to do it under the Constitution, but they can annoy breeders and dealers if they bring cattle from Cook County or from the State of New York. Although the Senator from Illinois says it is considered that the disease has been stamped out, I do not suppose that there is any certainty but what it may break out there to-morrow, a week hence, or six months hence.

Mr. GEORGE. The Senator said that it was considered by superficial observers that the disease was stamped out in Chicago. I should like to know to whom he applies the term "superficial observers," whether to the agents of the Agricultural Department or whether he applies that term to the city agents or the State agents or the agents of the cattle board in Chicago?

Mr. PALMER. "Superficial observers" is hardly a generic term. It does not apply to classes, nor does it mean any particular vocation.

Mr. GEORGE. Then I will put the question——

Mr. PALMER. Let me answer the question. It would naturally be inferred that men who had dealt with this disease among cattle would be more conversant with it, and would be more doubtful as to the disease being stamped out than those who merely saw the cattle and had heard that there were no cases within the last three months. The quarantine on the seaboard was only for three months. The people would naturally infer, if the quarantine was for only three months, that that would be enough to eliminate the disease, and yet here is an illustration that I have read from the Empire Distillery stables, in Chicago, where the animals had been quarantined for seven months and then were killed, and out of two hundred and seven animals one hundred and seventeen were found to have what are called encysted lungs, the germ of the disease walled in by encysted tissues, just the same as a bullet sometimes is in the human tissues, and the walls of that cyst are liable to break down at any time, and each animal become the center of infection. On that very account I think that the commission is demanded. There should be a man at Chicago all the time. There should be trusty men, men of character and men of position, put at these great cattle centers, men to whom the country would look up and to whose judgment the people would defer in matters pertaining to this disease.

Mr. GEORGE. Who did the stamping out there? Was it done by the Agricultural Department or by some authorities of the State of Illinois?

Mr. PALMER. It was done by the State board of Illinois, with the aid of Professor Law, than whom no man stands higher in veterinary science throughout the United States, and who was sent there by the Bureau of Animal Industry at the solicitation of the live-stock board of Illinois. In regard to stamping out the disease, I will say in justice to the Agricultural Department or the Bureau of Animal Industry that until the appropriation clause of March 3, 1887, they could not pay for cattle, but the live-stock board of Illinois had $47,000 at their disposal with which they could pay for cattle.

Mr. CULLOM. That was an appropriation by the State of Illinois?

Mr. PALMER. Yes, by the State.

Mr. GEORGE. All I want to get at is whether the authorities of the State of Illinois concur in the statement made by the Senator from Illinois that the disease is stamped out.

Mr. PALMER. *Prima facie* it is stamped out; but you can not tell whether it is stamped out effectively or not. No one knows how soon it may break out again.

Mr. GEORGE. There is no disease visible there at this time, is there?

Mr. PALMER. I think not.

Mr. CULLOM. If the Senator from Michigan will allow me to make

a remark, I will say that the statement he last made is the truth about it, as I understand. There is no pleuro-pneumonia among the cattle of Illinois that I know of, and none that I think the State authorities of Illinois would say that they know of. I do not think there is any disease there.

Mr. GEORGE. Are the State authorities as competent to decide that question as the authorities here?

Mr. CULLOM. The State authorities are just as competent as any other State authorities; and so far as their preparation and arrangements for the ascertainment of the condition of the cattle there, they are perhaps better qualified than in any other State, for the reason that there has been that disease there, which resulted in the killing of a good many cattle and in the expenditure of a good deal of money on the part of the State, and I am not sure but also on the part of the United States. There was very great difficulty and very great loss to the State of Illinois and to the country generally on account of the disease which existed there for a period of time. So far as appearances go, so far as it can be ascertained by outside examination——

Mr. GEORGE. And by skilled examination?

Mr. CULLOM. And by skilled men appointed for the purpose, there does not seem to exist any pleuro-pneumonia among cattle in Illinois at this time.

Mr. GEORGE. I understand now that this stamping out of the disease was mainly done by the authorities of the State of Illinois, and under their superintendence and supervision?

Mr. CULLOM. Very largely so.

Mr. GEORGE. And with their money?

Mr. CULLOM. Very largely so; but at the same time I desire to say that the Department of Agriculture here, through its Commissioner and men in connection with that Department, was co-operating with the State authorities in bringing about the condition of things that exists there to-day.

Mr. BLAIR. If the Senator will pardon me, I heard most of the testimony upon this matter, and I certainly got the impression that the efficient work in the State of Illinois was done by the Department of Agriculture and they should receive the credit of having accomplished it. It was said that they accomplished the work after dire opposition on the part of the authorities or influences at Chicago; and in fact Illinois was only enabled in the end to stamp out the disease so efficiently as it has been stamped out, at least to all appearances, by the effort of the national authorities, paid for almost wholly by the national money. That is the way I understand it.

Mr. CULLOM. So far as the remarks of the Senator from New Hampshire are concerned, there was a little friction, if you please, between the authorities of the State of Illinois and some men who were sent there in the first instance by the Government of the United States or the Agricultural Department; but, as I understand it, that disappeared and the State authorities and national authorities co-operated fully and freely, and the result was the disappearance of the disease so far as I know.

Mr. GEORGE. That is the point I want to make to the Senate, that by the co-operation of the Agricultural Department and of the authorities of the State of Illinois, under the law as it now exists, when there was a great deal of pleuro-pneumonia at Chicago, so far as science now can discover, through this co-operation that disease has been thoroughly stamped out. That is the point I want to make.

Mr. CULLOM. I have nothing further to say about that.

Mr. McPHERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. PALMER. Certainly; I like to have gentlemen take part in the debate and show interest in the question.

Mr. McPHERSON. I should like to have the Senator from Michigan, if he will be so kind, give me certain information, and I presume he has it. Is there a State west of here in which he knows that any pleuro-pneumonia exists to-day, or any of the diseases which he proposes to stamp out by the bill now under consideration?

Mr. PALMER. Yes, sir.

Mr. McPHERSON. Will the Senator please mention the States?

Mr. PALMER. In regard to pleuro-pneumonia, I will say that I know of no State in which pleuro-pneumonia is now prevalent west of the Mississippi River, but there is a disease——

Mr. PADDOCK. The Senator from New Jersey asked if there was any disease west of here.

Mr. PALMER. You mean west of Washington?

Mr. McPHERSON. Yes, sir.

Mr. PALMER. I should have to draw the line. I saw the other day that it had broken out in Cincinnati. There was a telegraphic report to that effect. A short time ago I saw that it had broken out in the western part of New York, but I can not speak authoritatively.

Mr. McPHERSON. Those two statements, I believe, have been contradicted, and I think the investigation of the Department will show that there was really no foundation for them.

Mr. VEST. I ask the Secretary to read a dispatch which I send to the desk, as to the Cincinnati statement, in connection with that identical report. It is good authority.

The PRESIDING OFFICER. If there be no objection, the dispatch will be read.

The Chief Clerk read as follows:

PIQUA, OHIO, *March* 29, 1888.

Dr. D. E. SALMON, *Washington:*

If pleuro-pneumonia exists in Cincinnati it is unknown to me.

J. S. BUTLER, *State Veterinarian.*

Mr. McPHERSON. Now, Mr. President, a single word more. As I understand, when the act of 1887 was passed, which conferred certain powers upon the Commissioner of Agriculture, subject, however, to the concurrence of the States themselves acting with the Commissioner of Agriculture, pleuro-pneumonia, and even the foot-and-mouth disease, so called, existed in a considerable number of the Western States in localities. In short, it had assumed a form that was decidedly dangerous for its spread throughout the whole country.

When we consider the transit of cattle over this country to different distributing points—for instance, the city of Chicago, is a great distributing point of cattle for all the country west of the Mississippi River as well as all east of it; when we consider the large feeding establishments scattered all over the West, distillery-fed cattle, in which the form of food or character of food is such perhaps as to aid in the spread of disease of this kind, and when we consider that within the brief period of time which has elapsed not a particle of pleuro-pneumonia is said to exist to-day, and there is no claim that it does exist in any of the Western States, it seems to me as though it would be well to continue a system which has produced such good results.

The Bureau of Agriculture has succeeded, I think, in expending during the past year only about one-half of the appropriation of money made. About $200,000, all told, is the sum that has been expended in stamping out this disease all over the country. It is true pleuro-pneumonia——

Mr. PALMER. I dislike to interrupt the Senator from New Jersey, but I thought he got up to ask a question.

Mr. McPHERSON. I do not mean to interfere with the Senator's speech. I supposed he had yielded the floor.

Mr. PALMER. I did not intend to interrupt the Senator offensively, but I shall never get through if I allow speeches to be interpolated every fifteen or twenty minutes.

Mr. McPHERSON. I understood the Senator to have yielded the floor, and I rose and asked him a question, taking the floor.

Mr. PALMER. The Senator was so entertaining that it is with difficulty I remember his question.

The PRESIDENT *pro tempore*. The Senator from Michigan is entitled to the floor.

Mr. PALMER. The question was whether pleuro-pneumonia or any other communicable disease existed west of this point. Am I correct?

Mr. McPHERSON. My question was intended more to apply to the Western States. When I speak of the Western States I refer to the States as far east as Ohio, the great cattle-producing States of the West.

Mr. PALMER. This bill goes even further than that. It proposes to take hold of all communicable diseases. There is a new disease, *mal de coit*, which has broken out among horses, which bids fair to ravage the droves of the West, and which now is rioting in Iowa and in Wyoming.

Mr. McPHERSON. Is there any reason existing why the Bureau of Animal Industry should not take cognizance of that disease as well as any other? Is there any limit in the law?

Mr. PALMER. They are to take charge of all communicable and contagious diseases among animals. That is the object of the bill.

Mr. McPHERSON. But does not the present Bureau of Animal Industry possess all the power with regard to that disease that it would have in respect to pleuro-pneumonia?

Mr. PALMER. The present Bureau of Animal Industry have little power in the act establishing it except to investigate. All the power that has made it effective at all the last year has been through a clause in an appropriation act which I read. If the Senator was in the Chamber he could have heard it. I will look that up and read it to the Senator for his benefit.

Mr. BLAIR. Will the Senator allow me to ask him a question?

Mr. PALMER. Certainly.

Mr. BLAIR. I ask whether it is not a fact that under existing law all the power of this bureau has over these tremendous diseases, which are multiplying in number and extent everywhere, is by virtue of the sufferance of the State itself, and that the Department has been enabled to accomplish what it has done simply by humiliating itself and beseeching the State authorities and paying all the bills; and that its efficiency depends only upon the courtesy of the State and the fact that the national money pays for everything?

Mr. PALMER. Not only that, but I have no doubt that the Department is doing many unconstitutional things. According to Commissioner Colman's report there are only six States that have passed appropriate legislation to co-operate. Thirteen States have passed statutes, but they are not of sufficient character to authorize proper co-

operation, and thirty-one governors of States have assented to the Department taking action.

But there was a question asked some time ago in regard to the stamping out of the disease in Chicago. I ask the Secretary to read the newspaper clipping which I send to the desk. It is from Professor Law, than whom no man stands higher in the veterinary science in my opinion. He is thoroughly indorsed by the Bureau of Animal Industry and by all the cattle-men of the country.

The PRESIDENT *pro tempore*. The Secretary will read, as requested.

The Secretary read as follows:

Professor James Law, the distinguished veterinarian of Cornell University, was last year called to assist the Department of Agriculture in stamping out pleuro-pneumonia at Chicago. The success which has followed these efforts are well known. Some of the true inwardness of the attempts which have been made to weaken the laws in relation to this matter have received our attention in previous issues. Professor Law writes in reply to our questions as to the advantages of the proposed Miller-Carey bill over existing legislation:

The present laws governing the Bureau of Animal Industry are wofully inadequate to the eradication of contagious animal diseases from the country, no matter what funds may be appropriated. This inadequacy is mainly due to the fact that no power is given to operate within the limits of the State, except where a State voluntarily confers this power on the employés of the bureau and constitute them State officers. On this fundamental weakness, it seems to me, the Miller-Carey bill would have little effect, even if the Commissioner of Agriculture was chairman.

Our recent success with lung-plague in Chicago was entirely due to the admirable State law, and could never have been achieved had not the power of the State been freely accorded to sustain the officers of the Federal Government and render the Federal money effective. When Senators and Representatives can rise to the statesmanship that will consider an insidious and invisible disease germ as a constant threat at the entire nation, a threat which no State has any right to maintain at the expense of hurt or peril to another State—when they are ready to control this within the States by the power of the General Government, as it now controls the poisons of alcohol and tobacco, then we may hope for a statute which will be incomparably better than the Miller-Carey or any other bill yet presented to Congress.

Until that time arrives, Pennsylvania, with her great Philadelphia cattle market, situated midway between Baltimore and New York and supplying both, can deny the existence of lung-plague, exclude Federal inspection or any sufficient Federal inquisition which would test the sanitary condition of her herds, and continue to spread disease North and South. It is true that Federal authorities may quarantine the entire State, but while this might be respected by railroad companies it would not prevent the driving of cattle across the State line.—*Farm and Home*, Springfield, Mass., February 11, 1888.

Mr. GEORGE. I hope the Senator from Michigan will indulge me in a statement of not over half a minute.

Mr. PALMER. I will yield any amount of time, Mr. President.

Mr. GEORGE. The paper read at the desk indorses the Miller-Carey bill as the only efficient means of stamping out this disease. I desire to call the attention of the Senate to the fact that the Miller-Carey bill has been abandoned in all its essential features, and that now the proposition before the Senate is confined, as I understand it, simply to the regulation of interstate and foreign commerce in these animals.

Mr. PALMER. That is as I understand it.

Mr. GEORGE. That is as I understand it; whilst the Miller-Carey bill gave the power to go into every house, every neighborhood, every cattle-field, whether the cattle were destined for transportation or not, and operated there.

Mr. PALMER. It was open to that objection, I will concede, but I think the Senator will see in reading this substitute that it is free from that objection.

Mr. BLAIR. Will the Senator allow me to call attention, however, to one point, and that is that until, by extraordinary effort on the part of the Commissioner of Agriculture in securing favorable legislation from the State of Illinois, which had opposed the efforts of the Department previously to extirpate the disease at Chicago—until, I say, by the extraordinary effort made by the Commissioner of Agriculture in person and through his influences to secure State legislation in the direction of the extirpation of the disease, all his efforts were thwarted, and the result was only accomplished by the aid of the legislation of the State? All the powers contained in the Miller-Carey bill were actually brought to bear for the extirpation of the disease, and they were unable to do it at all, and the United States paid the bills.

Mr. CULLOM. If the Senator——

Mr. PALMER. In a moment. What we are now trying to bring about is to meet the difficulty of applying remedial measures at remote points from the Bureau of Animal Industry in Washington. That is what I am trying to make plain to the Senate. Now I will hear the Senator from Illinois.

Mr. CULLOM. I simply wanted to say that I think there is an effort made here possibly to magnify the difficulty that existed between the State authorities of Illinois and the national authorities. There was a little friction, as I stated, in the first instance, but when an act was passed (by whatever influence it is not necessary here to say), that changed the situation so far as Illinois was concerned, and there was no difficulty between the national authorities and the State authorities afterwards.

Mr. GEORGE. They are in happy accord now?

Mr. CULLOM. They are in accord now as I stated. I desire to say further that while the United States did pay a pretty large sum of money for the work that was done there, and for the destruction of animals, yet the State of Illinois paid also all that it had subject to the control of the executive authorities at the time.

Mr. PADDOCK. I should like to ask the Senator from Illinois if the whole proceeding was not under the direction and control of the Bureau of Animal Industry, and if the State did not co-operate with and supplement the work of the bureau?

Mr. CULLOM. After the act of the State Legislature, which has been referred to, was passed, I think probably it is true that the national authorities took charge practically of the subject, although it was in accord with the State authorities.

Mr. GEORGE. The State authorities co-operated, did they not?

Mr. CULLOM. The United States co-operated with the State authorities in what was done.

Mr. PADDOCK. But still, whatever was done was under the control and direction of the Bureau of Animal Industry.

Mr. CULLOM. I am not prepared to say whether that was technically true or not. I am inclined to think that the power was exercised by the State authorities and the national authorities at the same time to some extent.

Mr. PADDOCK. I think the testimony before the committee——

Mr. CULLOM. I have not read that.

Mr. PADDOCK. Will bear me out in the statement that the whole matter was carried out by the direction and control of the Bureau of Animal Industry, with the assent and co-operation and help of the local authorities.

Mr. PALMER. In stating what I believe to be the facts I did not charge any blame on the Commissioner of Agriculture or the Chief of the Bureau of Animal Industry. I merely stated the incidents to show how difficult it was to work in accord a thousand miles apart. I could read *ad infinitum* sixty or seventy pages showing where the friction was continual and continuous and aggravated. Not only that, but it was very expensive to the United States. I wish to submit a letter from Dr. Law, who is regarded very highly by the Agricultural Department.

The PRESIDENT *pro tempore*. The letter will be read.

Mr. PALMER. I will state that Dr. Salmon, to whom the letter is addressed, is at the head of the Bureau of Animal Industry.

The Secretary read as follows:

JUNE 18, 1887.

DEAR SIR: I have to-day received the copies of instructions and the blanks F, G, and K. I opine that they are meant for our information and for such adoption as will not seriously interfere with the method of work already in operation in Cook County, Illinois.

It would entail great loss of time on the part of our inspectors to require them to report daily all the work done. When at work 10 miles from the office it is not always possible to visit or even to communicate with the office without great loss of time. So with Mr. Watt, the chief of our disinfectors. His time is wanted from morning to night in supervising the work, and any regular absences would entail much slackness in the disinfection.

The provisions in section 7 will be entirely unnecessary after July 1. At that date the infected district here will be quarantined by proclamation, and individual quarantines will only be required for herds outside such district. We will also have advanced so far that the registration of cattle will be kept up mainly by the tagging of the fresh animals admitted. At present we not only tag but give a quarantine paper with each fresh animal admitted; as we have no quarantine blanks issued by the bureau, and as the necessity for such blanks will about entirely end with this month, it seems unnecessary to provide and issue such notices in the short interval now remaining. We aim to do away with herd quarantines by substituting district quarantines, indefinite as to duration. The release, when that shall come, will be necessarily a release of the district, and by proclamation.

Section 9, referring to appraisement, will not apply here, as our appraisers are State officials appointed by the governor.

Section 10, if carried out in Cook County, would hamper our work in no small degree, as the United States is only charged the difference between the proceeds of the slaughter and the value as appraised. It is evident that it is impossible to send you vouchers for such balance, and a quitclaim signed by the owner, before the animal was slaughtered. Even the necessity for a report of appraisement to the chief of the bureau for his approval before the slaughter would often be impracticable. A cow escapes in a suspected or infected place, and can only be sent to the abattoir; there she is appraised and should at once be slaughtered. Must she be kept until authority is obtained from Washington?

Disease is found in a herd where it is a source of great danger to other herds; must this herd be preserved until its appraisal and slaughter are sanctioned from Washington? In the case of cattle being condemned, the owners refuse to feed or care for them; can they not be slaughtered until every step has been approved at Washington? The objections are so numerous that I can not suppose you mean us to apply this rule to Cook County. The success of our work depends very directly on its promptitude, and any unnecessary delay in slaughtering is fatal to a speedy triumph. I need not say that the appraisers at work here are men far above any shadow of suspicion. If you desire it, I shall fill in form F, and make regular returns, but they will necessarily be somewhat imperfect reports, for reasons referred to above.

Respectfully,

JAMES LAW.

Dr. D. E. SALMON.

P. S.—A fairly full report could be easily furnished, if that will serve the end.

Mr. PALMER. The Commissioner said—I think it was in his speech at Kansas City—that everything now is proceeding satisfactorily. I send to the desk to be read a letter from West Somers, in Westchester County, New York. I do not believe that these facts have come to the knowledge of the Commissioner, and it is well that he should know them.

The PRESIDENT *pro tempore*. The Secretary will read, as requested.

The Secretary read as follows:

WEST SOMERS, N. Y., *March* 21, 1888.

DEAR SIR: I see by the papers you are preparing a report as to pleuro-pneumonia. Will you please examine the inclosed clippings, which, will give you

some information as to how the business is managed here? Of course, our farmers are vitally interested in stamping out the disease; but when it breaks out twice on the same farm in a few months, as it has done on Brady's, and the Government pays him a good price for over 400 cattle which his son buys of the Government at a small price, and he continues to buy and sell cattle in large numbers, and drive them on the highways, whilst farmers are refused permits to use the highways along or through their farms, there is good reason to suspect favoritism, if nothing worse.

The officers appointed here are not such men as you would employ for your private business, and the general sentiment is that they are not doing any good, but much harm. Perhaps you will remember meeting me in the House Library last January 8, by the courtesy of Mr. STAHLNECKER.

If you wish further information in this matter I will cheerfully furnish it.

Respectfully yours,

M. E. FROST.

Hon. THOMAS W. PALMER,
Chairman Senate Agricultural Committee.

Mr. PALMER. I send to the desk one of the clippings from a Westchester County paper I suppose; Mr. Frost has not given me the names of the papers.

The PRESIDENT *pro tempore*. The Secretary will read the article.

The Secretary read as follows:

BUREAU OF ANIMAL INDUSTRY—THE INSTITUTION FOR USING UP THE SURPLUS IN THE UNITED STATES TREASURY.

The question of what shall be done with the surplus in the United States Treasury, which has so long perplexed our statesmen and worried the politicians, seems to be about settled. The manner in which the revenue is being absorbed in the upper part of our county, if generally adopted throughout the States—and one can see no reason why it might not be—would deplete the United States Treasury of its annual excess of a hundred millions or more.

The *modus operandi* by which the surplus is sized is very simple, and within the understanding of the plainest farmer or dairyman.

A farm is overstocked with old and dry cows, too old and toothless to be fatted or too broken down by the process of forced milk production to be resuscitated at even a slight loss, and the whole herd, with an occasional exception, having no market value. An animal valueless for milk production, but developing fine capabilities for spreading pleuro-pneumonia, is sought for and readily obtained and thoroughly circulated through the herd. Sometimes the herd greatly increased after the process of inoculation has been properly attended to.

Generally the price of the increase of stock is about $10 or $15 apiece, and an occasional good beast is purchased to mix in the lot, and by this way there is a plan by which this seeming needless outlay may be turned to good account. By the time the necessary stock is laid in the seed animal is about dead.

A Government official is notified, and he of course pronounces it pleuro-pneumonia of the worst and most contagious character. Every animal that has been exposed is seized, and, as expected, the whole herd has been exposed, new recruits and all. Government appraisers are ordered to the diseased district. They are met at the station with the team, supplied with the proper amount of corn whisky or applejack, and after being feasted and whiskied until their judgment has been raised to the proper standard they are taken to the barn. Each beast looks as large and fine as a show steer.

They finally conclude, after looking the herd over, that $40 apiece would be a fair valuation, and the Government does the butchering. The diseased ones are buried and the healthy ones—well, what is the Government to do with their carcasses? Why, sell them to the first man that will take them, at his own price; and that man, whoever he may be, can repurchase of the Government for, say, $10, what the Government has just paid $40 for. Their carcasses can be disposed of in the city for fair market rates, on an average, perhaps, of $30, making a clear profit of $20 on a carcass, allowing the beast to be worth the appraised value of $40.

Having a few of the better grade of cattle in the herd makes things look a little better. Those that are too poor and thin for market are all condemned as diseased, and buried, or perhaps sold as prison or aqueduct beef.

Gentle reader, calculate, for you can, how long it will take the Government to run through, say, $100,000,000 in purchasing $10 cows at $40 per head, and as many as can be offered; or, selling carcasses of beef worth $30, and which cost $40, at $10 apiece.

From present appearances it is quite evident that should this contagion spread over this country (and it seems likely to), it will make a red-hot fight—a sort of pull-doctor pull-devil affair—and it will take a better guesser than the head of the Weather Bureau to tell whether the Government will stamp out the disease or the disease stamp out the Government.

Mr. JONES, of Arkansas. I would like to ask the Senator if he knows——

Mr. PALMER. There is another clipping which I send to the desk.

The PRESIDENT *pro tempore*. The Senator from Michigan has other matter which he wishes to have read.

Mr. JONES, of Arkansas. I wished to ask if the Senator knew anything of the character of the man who wrote the article or where it comes from, or if it is simply a slander without authority.

Mr. PALMER. I do not pretend to vouch for the truthfulness of the articles, but they are such articles as would subject any paper publishing them to prosecution for libel. The one that will be read in a short time will convince the Senator, I think, that there must be some ground to induce a man or a paper to publish any such charges or implications.

Mr. JONES, of Arkansas. Will the Senator state what paper the article came from?

Mr. PALMER. I said I could not state. The articles were sent to me by Mr. Frost. I suppose they are clippings from newspapers, but he neglected to indicate the names of the papers.

Mr. JONES, of Arkansas. Then you do not know, even in point of fact, that they ever appeared in a newspaper?

Mr. PALMER. Oh, they were in a newspaper evidently, because they bear the foot-prints of newspaper typography. Mr. Frost is a reputable man and a man of substance. He renders himself liable by sending these clippings for use. There was no restriction put upon them. But if the Senator wants some real veritable articles from accredited papers, I can give him enough to occupy the attention of the Senate from now until to-morrow night.

Mr. JONES, of Arkansas. I should be very happy to have some of that character, because when this very question was before the Committee on Agriculture I asked whether the complaints made in this matter were complaints about the law or complaints of its administration, and the statement was distinctly made by gentlemen who were conducting this matter that they were complaints of the law, and there was no complaint whatever of the administration of the law as it stood at present—that is, as to the personal management of it. I should be glad to hear anything on the other side, as that has been disclaimed up to this time.

Mr. PALMER. I think the Senator from Arkansas must have misunderstood the case, because the only bills that we have had before the committee have been bills providing for a commission, and that very fact would indicate that the administration was faulty. That is the vital point.

Mr. JONES, of Arkansas. I am not mistaken, for I asked the question myself of the first witnesses produced on the stand. I asked them to explain this question to the committee, as I was anxious to know to what extent the complaint went, whether the allegation was that the administration of the law as it stood at present was defective or whether it was on account of the inefficiency of the law. I asked them whether it was an inefficient administration of the Bureau of Agriculture at present or whether they proposed to remedy some defects in the law, and the statement was distinctly made that there might be defects in the law. The management under the law as it stood at present was complimented so far as I heard before the committee all the time; and I never heard a charge of this kind until this moment. This would charge the Government officers with not only gross negligence, but with absolute dishonesty and corruption.

Mr. PALMER. I think it is open to that insinuation.

Mr. JONES, of Arkansas. I do not think it is open to any other construction. It is as plain as can be.

Mr. PALMER. I agree with the Senator.

Mr. JONES, of Arkansas. It struck me as being a little singular. When the gentlemen who propose to pass this bill came before the committee with the declaration that there was no complaint against the administration of the law, it is rather singular that they bolster up their case here with charges made which would partake of that nature.

Mr. PALMER. I will say to the Senator from Arkansas that these clippings have come to me since the meeting of the committee or since the examination or the hearing that we had; but if he will notice what I read from the statement of the live-stock board of Illinois he will remember that the same statement was made before the committee, that the management at Chicago was atrocious, that Dr. Trumbower was drunk half the time.

Mr. JONES, of Arkansas. That may be all true, but the chairman of the committee knows perfectly well that witnesses were present before the committee who proposed to testify from their personal knowledge about the management of the Government officers at Chicago, and it was those men who said that there was no complaint about the administration of the law as it stood at present. There were some charges that Dr. Trumbower or some other official there was drunk, but I never understood that it was alleged that every man connected with this business had been entirely reputable and efficient and competent. However, the statement was certainly distinctly made in my presence in the committee that the general management of this business had been fairly competent and efficient.

I have not a doubt in the world that clippings can be taken from newspapers issued all over this country that would blacken the character of any man who ever lived. We have seen that in many instances. No human being was ever so pure as to escape calumny. I believe even the Son of God himself was pursued to death by vile slanderers, and I suppose it can be done with any human being who lives to-day. I think certainly when charges of this sort are made, which affect not only the official character but the personal integrity and standing of men, we ought to know something of the authors of the communications which are read in the Senate, and we should certainly know whence they come.

Mr. PALMER. I will try and not have the other clippings open to that objection. I will give the names of the papers. To refresh the Senator's memory I will ask the Secretary to read from the red cross line on page 34 of the statements before the committee what Judge Wilson said.

The Secretary read as follows:

The CHAIRMAN. Give us the area.

Mr. WILSON. About 6 miles square.

The CHAIRMAN. None were discovered outside of that district in Illinois?

Mr. WILSON. No. Dr. Trumbower was the chief inspector of the Bureau of Animal Industry at Chicago, and I will state this for Dr. Trumbower, that he was well qualified, but he was an inebriate and a dishonest man. He is not fit to have charge of a responsible position; and when Dr. Salmon notified our board—I was not a member of the board when this took place—that he was intending to put Dr. Trumbower at the head of the bureau in Chicago, they told him that he was an inebriate, dishonest, and that he had been convicted of dishonest practices while treating pleuro-pneumonia in Missouri, and that he was not a man to put in charge of the bureau at Chicago.

Dr. Salmon said that he was a man of eminent qualifications; that he knew no man in whose judgment he could place as much reliance; that he had given him every assurance that he would do right, and that if he failed he should be removed.

Senator PADDOCK. Was he a skillful expert?

Mr. WILSON. Yes, he was.

Mr. PALMER. Here is an extract from the Philadelphia Record that I should like to have read.

The Secretary read as follows:

[The Record, Philadelphia, Saturday, April 21, 1888.]

DISGUSTED WITH THE COW-DOCTORS.

Farmers of Westchester County, New York, are turning at last upon the scores of cow-doctors who, in the usual free-handed way, have dominated their district for months past. "About one hundred indignant stock-raisers," the report says, "met at Mount Kisco last Monday, and, unappeased by the persuasive presence of the leader of the veterinary band, who sought to placate the assemblage, they passed resolutions denouncing the work of the Washington 'Bureau of Animal Industry' as 'highly injurious,' and 'demanding relief.'"

The speakers recounted their experience with some of the "deputy inspectors;" one critic declared that the average of these officials "could not tell a cow from a goat," and another charged that "they are by profession bar-tenders, dry-goods clerks, and tavern-keepers." It is an interesting and suggestive contest, and the sympathy of people familiar with the management of the nation's "contagion" business must necessarily be with the oppressed agriculturists.

Mr. PALMER. Here is another extract from a reputable paper vouched for by the tag, which I ask to have read.

The Secretary read as follows:

[Standard-Union, Brooklyn, N. Y., February 27, 1888.]

PLEURO-PNEUMONIA AND POLITICS—FEELING ON LONG ISLAND THAT FARMERS' INTERESTS ARE BEING SACRIFICED TO A DEMOCRATIC RING—PLAIN TALK ON THE QUESTION.

William Post, of East Williston, who recently had some trouble as to the transfer of his cattle, it is understood, is now perfectly satisfied with the arrangements made with Professor Law, of the Bureau of Animal Industry. He has been supplied with permits, which he fills out and forwards to the central office. Under the new arrangements he is required to save the lungs with the tag of the animal slaughtered, the lungs to be inspected twice a week by Inspector Ryder, who will report if any disease is found.

There is quite a breeze in Queens County at the high-handed manner in which some of the deputy cattle inspectors exercise authority claimed to be delegated to them by the National Government. In several places threats have been made that the deputies would be warned off the premises, but they have gone ahead regardless of threats, and in some sections have about completed their work.

It is stated that these deputy inspectors have been illegally appointed, and the work that they are doing, if any such work be required, should be done by the sheriff of the county and the town constables. Some of the cattle owners have already retained counsel to look after their interests. Most, if not all, of the deputy inspectors who have been appointed on Long Island are Cleveland and Belmont men, naturally.

As naturally the Hill wing of the Democratic party view with disgust the presence of such a band of politicians taking public money for the service of the Administration, largely to the consequent detriment of Hill's chances to secure the State delegation. The friends of the governor, however, look with great satisfaction upon the fact that the inspectors are not likely to do much effective electioneering among the farmers, so enraged are they against some of the more vexatious features of the law for the extermination of pleuro-pneumonia and its enforcement.

There can be no denying the fact that there is big politics in this pleuro-pneumonia business. At the meeting held at Jamaica a short time ago, Professor Law told the farmers that $500,000 had been appropriated by the Government to stamp out the disease, and when that appropriation was exhausted another would be forthcoming. He also told the farmers that the disease was carried from infected stables to healthy ones in the clothes of men.

Accepting this theory as correct, cattle-owners are inclined to shut out the army of inspectors, lest they, having constant employment among the diseased animals, may leave the germ of the disease where it never existed. Last week fifteen cows were taken from the infected stable of Mr. Schaurr, at Clarenceville, and driven to a slaughter-house in Brooklyn. The farmers say that Professor Law could do nothing better to spread the disease than this.

The Glen Cove Gazette, in speaking of the disease, has this to say: "It will increase. Pleuro-pneumonia is likely to be on the increase on Long Island, and keep increasing at the rate of 40 miles an hour until after the Presidential election. Politics having got into cows, it is a chance if there is so much as a heifer left in Queens or Suffolk Counties by November next.

Mr. PALMER. I could keep the Secretary reading until to-morrow night, but I will content myself with reading just one more extract at the request of the Senator from Mississippi [Mr. GEORGE], who hears indistinctly from the desk. This is an extract from the Advertiser, of Flemington, N. J., of March 30, 1888:

The New York papers are full of articles about pleuro-pneumonia in this and other counties of New Jersey. The health officials of Jersey City are complaining that the meat of some of the diseased cattle is sold in that city. Some time ago it was generally said that diseased meat of that kind had been shipped from White House, in this county, and that it was in such a condition that the railroad officials were afraid to handle it for fear of being poisoned. Any one who would sell diseased meat knowingly would, if not too cowardly, commit murder. One of the board of health of Jersey City said to a New York Herald reporter:

"Now just look at it. Here is a single official who can condemn a herd of cows worth $10 or $12 apiece and pay the owner $25 or $30, or even more, at his sweet will. That cattle owners would gladly buy up dry and broken down cows for the purpose of having them condemned goes without saying. They would not be human if they were not willing to pay a royal commission to pliant officials.

"When the cattle are condemned they must be slaughtered in the presence of an inspector. This official examines each animal after it is killed. If the animal is diseased it is sent to a fat-rendering establishment and rendered. If it is not diseased the inspector permits the owner to sell the carcass to a butcher, although it has already been paid for.

"We don't propose to permit meat that has been condemned while alive to be sold in Jersey City. If the cows are not diseased, then don't condemn them; if they are, don't attempt to sell diseased meat to the public. That is our position in a nutshell. The State of New Jersey is so jealous on this subject that its laws provide that when diseased animals are slaughtered the meat and hides shall be flayed and buried. If burial is impracticable the material shall be burned or rendered by the usual process.

"The Bureau of Animal Industry claims, I believe, that it has to condemn healthy animals because they have been in close contact with diseased ones. Inspectors do not want to take the risk of having any cows in a diseased herd live lest they may develop the disease later on and spread it anew. This may all be very well, but the board of health here will not permit the sale of meat from a cow that has been once condemned. We think that a live man is more valuable than a dead cow. It may be a wrong view to take, but it is the result of our humble meditation on the subject."

I merely read these extracts to show that instead of everything being lovely in this matter there is a great deal of complaint throughout the country. I suppose that I have in my possession over one hundred clippings, some of them short and some of them long. Some of the charges are by implication, some direct, and some are very atrocious; and if necessary, if any Senators wish to hear any more in that line, I can give them to-morrow.

Mr. McPHERSON. Will the Senator yield to me for a moment?

Mr. PALMER. Certainly.

Mr. McPHERSON. I know something about the efforts of the Agricultural Bureau to stamp out pleuro-pneumonia in Jersey City, admitting, as I do, that pleuro-pneumonia existed in milk-stables in and about the city and in the country surrounding Jersey City quite recently. The Commissioner of Agriculture was advised of the fact that the disease was spreading considerably, and most radical efforts have been made to stamp it out, and I think the Department has nearly succeeded.

I should like to ask the Senator from Michigan if he had a board of four commissioners, as he would have under the provisions of his bill, what better the four commissioners could do than the Commissioner of Agriculture with his corps of men is now doing? To illustrate——

Mr. PALMER. May I answer the Senator now?

Mr. McPHERSON. In a moment. If, for instance, you find in a herd of twenty cattle only one or two animals absolutely diseased, it is the practice, I understand, of those having charge and authority in such matters to take those cattle, where evidences of disease are apparent, to slaughter them, send them to the rendering-tanks, and bury them or burn them; that is, to do something to absolutely obliterate the disease where the disease apparently exists; but as to other animals that have been simply exposed to the disease without any evidence that it exists, whatever it is, the practice is, if the veterinary surgeons declare it to be safe, wise, and proper, to allow those animals to be slaughtered for other purposes—for instance, for consumption by the people. Certainly in the case of an animal which gave no evidence of disease it would not be necessary or proper, or wise, perhaps to destroy that animal, burn up the carcass, etc.

That has been the practice. These cattle are appraised by competent inspectors. Some of them, perhaps, are very poor, and in many cases really unfit for beef, so far as the condition of the animal is concerned, but not by reason of disease. However, whatever is received for it, for that purpose or for any purpose, is credited to the General Government. Certainly neither the Commissioner of Agriculture nor any Department of this Government having charge of this matter could do better than is now being done. The animals are appraised at their value, and we suppose in every case at their full value, because that would be the natural consequence of any machinery of this kind. Whatever the animal brings is credited to the Government, and if there is any loss the Government sustains it.

But in stamping out this disease all over the country, the Department is shown to have been very economical, and really no disease exists now in any of the Western States. The execution of the law has been most efficient as well as economical. I can see no good reason for attempting to change a system which has brought about such good results. If complaint is made that the administration of the law has not been what it ought to be, then I can readily see why the Senator should propose a new administration—a board of commissioners, if you please; but as it is to-day, the Commissioner of Agriculture having full control of this matter, being himself, you might say, a dictator, he can act upon his own judgment; and that judgment has been very wise and very prompt in all of these matters.

The evidence of it lies in the fact that the disease has been absolutely stamped out everywhere, and to-day it scarcely exists in this country, except, perhaps, in the city of New York and on Long Island, and in Westchester County, New York, and in some parts of New Jersey contiguous to New York City some trace of the disease is yet existing; but the Agricultural Department are bending every energy and have a strong force of men to-day engaged in this good work, and we hope in the immediate future to have it to record that no disease exists even there. That accomplished, certainly there is no occasion for taking this great work out of the hands of an efficient power that has done so well and so economically as the present Commissioner of Agriculture.

Mr. PALMER. Did the Senator ask me a question?

Mr. McPHERSON. No disease existed anywhere except in a few localities, and there they are engaged in stamping it out.

Mr. PALMER. Did the Senator ask me a question? I thought he rose to ask me a question.

Mr. McPHERSON. I asked the Senator several questions, or rather I asked one question several times.

Mr. PALMER. Which would he like to have me answer?

Mr. McPHERSON. I want to know the necessity for changing a policy which has proved to be of the very best possible advantage to the country, and instead of the Senator answering it personally, he reads newspaper articles.

Mr. PALMER. No, I have not commenced to answer the Senator yet.

Mr. McPHERSON. The Senator has given some dissertations on the question by some country gentlemen.

Mr. PALMER. I have not had an opportunity to answer the Senator yet. He asks me why we should change; why we should prefer a commission to a single dictator. Well, Mr. President, I have often found two heads better than one and four hands better than two. I think the way to manage a great difficulty of this kind is by having, not one dictator, who has a hundred other duties to attend to, but four men specially designated for the work and who will be responsible for that work to the country.

Here Mr. Seth, secretary of the live-stock sanitary board of Maryland, says that "we are able only to pick the fruit as its ripens;" we are merely holding it in check. All these measures have been merely tentative and preventive, and we can not tell in how short a time or when it may break forth with greater virulence than ever. It is a hydra-headed disease.

I do not know but that pleuro-pneumonia was what the hydra was conceived from, for it started in the marshes around Argos; and the way to treat pleuro-pneumonia is the way they treated hydra there, because every time they cut off one head two heads sprang out. They went to work and seared and burned and disinfected, and that is the way Hercules got his reputation. Now, what I contend is that the Bureau of Animal Industry, with a single head at Washington, is not equal to the work, and that it never can be. You want intelligent men; you want practical men at the great centers where the cattle are. What would we suppose of a man who attempted to garner wheat in Dakota with an office in Washington? Where these agents of the Government, this board, should be, would be at the great centers where cattle are.

You read the report of the Illinois live-stock board and you will find it was six months before they began to get that epidemic in Chicago under restraint, and I have no doubt it caused a loss of millions of dollars to the cattle trade throughout the country. What is the fact now? Every animal that goes to Great Britain is diminished in value $10, merely on account of the stigma fastened upon our country by the prevalence or at least by the existence of this disease in certain localities. We have tried four years with the Bureau of Animal Industry, and my opinion is that there are more cases known in the United States to-day than there were four years ago. I think that there are over one hundred thousand now ready tagged, and they are picking them up all the time. Have I answered the Senator?

Mr. MCPHERSON. Yes, sir.

Mr. PALMER. That is the reason why I should prefer four commissioners to one, because these men could be sent to the different centers; and it is nothing derogatory to the Commissioner of Agriculture to say that he is not Briarean-armed and can not reach all over this country and touch every steer or cow on the plains or in the different meat centers.

Now, in regard to quarantines. I am told that these quarantines are all illegal, and they are very unpopular. For instance, down in Virginia a steer is taken with pleuro-pneumonia at Norfolk. Immediately the whole of Virginia is put under quarantine. I think it was for a year that not a single animal was permitted to be taken from Virginia across the Mississippi River, merely on account of one animal being diseased at Norfolk. I am told these quarantines would not stand in law, but no man who has cattle to sell is going to try to test the constitutionality of these acts by running a lot of animals up to the State line and then stopping.

Mr. EDMUNDS. Without a good pasture.

Mr. PALMER. Mr. J. H. Sanders, of the Breeders' Gazette, a man who has no interest at all in cattle, but who knows generally, and is probably the best informed of any man in the United States, in a statement before the Committee on Agriculture and Forestry, says:

Mr. Chairman and gentlemen of the committee: Mr. Smith has made pretty much the speech I should have made if I spoke before him. I hope the members of the committee will give this question careful consideration. The most terrible evil the cattle industry of this country has felt the last two years is the vexatious state of things that has grown up on account of this particular disease. Give us some sort of strong remedy that will enable us to get rid of these quarantines and of the disease. We shall never be rid of the State quarantines unless Congress does give us a strong national law that will afford us protection. Quarantines grow fashionable, and they will grow up on every small pretext, and they are very embarrassing.

If I made a speech of an hour about the insidious nature of this state of affairs, and how it operates, and how it is affecting our foreign commerce, and how it is affecting our cattle interests generally, I should only repeat what you gentlemen have all heard, I have no doubt. The main thing is, I ask you in the name of the cattle interest of this country and of the agricultural industry, that you address yourselves earnestly to this question. Do not look on it as a light matter. It is a serious business, involves many interests, and deserves careful consideration.

Whether the bill framed by this delegation is best or not is for you to say. If you can not give us this bill, give increased powers to the Bureau of Animal Industry, so that the disease, which is the root of the matter, can be caught hold of at once and trampled out.

The CHAIRMAN. Let me ask you one question, Mr. Sanders, in regard to these quarantines by different States. Do you suppose or know that the existence of pleuro-pneumonia is made a pretext in any case for the establishment of State quarantines?

Mr. SANDERS. I think there is a great deal of human nature about men, and I think that people are very apt to draw conclusions that promote their interests. I think that the ruling powers in Territories and States are very much inclined to believe in danger when they find that believing in danger is likely to act protectively to them. I do not say that any man is sensibly influenced by that, but I think all men are influenced more or less by those considerations.

This was in regard to a bill a little more radical than the one now before the Senate. It had only three commissioners. We have now four provided for, with the Commissioner of Agriculture as chairman *ex officio* in the present bill. Here is a practical man, Mr. Bowman, of Saltville, Va., who says in his statement before the Committee on Agriculture and Forestry:

I will say a word with reference particularly to my own experience in this matter as a breeder and shipper of cattle. I am extensively engaged in breeding short-horn cattle, and a large portion of our trade has been selling bulls to the States and Territories west of the Mississippi River. In 1886 our trade west of the Mississippi River amounted to about $20,000. In 1887 we were not able to sell a single animal west of the Mississippi River, by reason of the quarantines against us. The day before I left home I got an order from the general freight agent of the Norfolk and Western Railroad, inclosing a letter from the Missouri Pacific Railroad Company, declining to take any shipments of cattle from the State of Virginia to points in the State of Kansas, without full notice to the shipper that they would be subject to a quarantine of ninety days at the Kansas State line.

The point I wanted to make is this: that if we were enabled in 1886 to sell $20,000 worth of cattle west of the Mississippi River, why should we now be subject to these quarantines when $500,000 has been at the disposal of the Bureau of Animal Industry during the last year, and they did not have a dollar before that, and especially when it is said by the officers of the Animal Industry Bureau, and the chief himself, that there is not a case of pleuro-pneumonia in the State of Virginia to-day? I do not believe there has been a case in Virginia for several years, though it is stated that a few cases existed in the county of Fairfax, just across the river, and in the city of Norfolk, over 300 miles from my place. Still I am prevented by reason of those cases, if they did exist, from shipping into any of these States that quarantine against us.

I could read *in extenso* on that subject, but I think that is sufficient. This subject of quarantine, I think, is fully as destructive of values as the disease itself and probably amounts to many millions. When I give figures I like to be exact, and therefore I will not say how many millions.

Mr. Colman, the Commissioner of Agriculture, sent a letter to Senators BLACKBURN and BECK. I said at that time that I would make a little analysis of it at some future time. He says that "the present bureau was established secondarily to suppress disease." That is news probably to all of us. He was not Commissioner of Agriculture in 1884 and perhaps does not know that this same committee of the united cattle interests of the country now urging this bill for their protection drew the act creating that bureau and urged its passage. Their primary, overwhelming object in that bill then was, as it is now, to stamp out diseases of live-stock.

The Commissioner says his "rules providing for co-operation have been accepted by the governors of twenty-seven States and seven Territories." His next sentence shows that legislation empowering co-operation exists in but thirteen, while in only six is it such as the United States law requires; and right there is one of the big points in favor of a commission. I believe that the first duty of the commissioners, and, if the commission is not created, of the Commissioner of Agriculture, is to give attention to seeing that the different States pass laws of co-operation, and all they want is to be invited to do it, and it seems to me that the Department of Agriculture is in fault in this respect that it has not solicited co-operation and gotten it, as it could have done if it had followed up the solicitation with any energy.

Mr. JONES, of Arkansas. Will the Senator allow me to ask a question?

Mr. PALMER. Certainly.

Mr. JONES, of Arkansas. Will the Senator explain how that duty can be any more efficiently performed by a board of commissioners than by the present or any other Commissioner of Agriculture alone?

Mr. PALMER. To me as a business man it is very clear, and I think it can be made to appear to the Senate very easily.

Mr. JONES, of Arkansas. I should be glad to have it explained.

Mr. PALMER. Suppose that the Senator from Arkansas, myself, and two other parties were on that commission. We should assign to the Senator that particular duty to go to every State and get legislation. That would be a part of his duty which would be assigned to him by the commission. This undoubtedly could have been done; these acts of co-operation could have been brought about if there had been any one to have pushed the States towards the passage of them.

Mr. JONES, of Arkansas. The Senator certainly does not contemplate having some part of these commissioners turn lobbyists in any sense to get a measure of that sort through the State legislatures by personal solicitation?

Mr. PALMER. To that extent, certainly I should. You may call him lobbyist or you may call him commissioner or anything you please. I should go right to a State legislature and go before a committee. I should ask of the legislature an opportunity to address them. I should exercise every means in my power to induce them to pass co-operating laws.

Mr. BLAIR. I would state further to the Senator from Arkansas that he ought to remember that the testimony before the committee of which he is a member shows that it was only by playing that part that the Commissioner of Agriculture was able to secure the necessary legislation from the State of Illinois to enable him to accomplish the extirpation of the disease there. It is necessary to do that.

Mr. JONES, of Arkansas. Such is my appreciation of the intelligence of the average American citizen that I believe if a communication should be addressed to the governor of a State calling his atten-

tion to the necessity for action on these matters, it would be just as well and speedily done as if some man bearing a commission, as a member of this special commission, should be sent to personally solicit members of the Legislature to pass laws that are absolutely necessary for the good of the country. That is the way I feel about it.

Mr. PALMER. I ask the Senator why has it not been done? They should have been invited, undoubtedly, or else the Commissioner of Agriculture has not done his duty.

Mr. JONES, of Arkansas. Legislative bodies do not always perform their whole duty the first time it is mentioned. They are somewhat slow.

Mr. PALMER. We should have a Commissioner whose business it should be to see that there was co-operative legislation.

Mr. JONES, of Arkansas. Legislatures do not always dispose of business with the promptness and rapidity with which it ought to be done. Some of us think that is so even in this body, which is supposed sometimes to be one of the highest legislative bodies in the world. We have been here for days and weeks wasting valuable time in the discussion of a measure that would, perhaps, have been much better relegated to the shades of oblivion long ago without taking up so much time with it. I mention this as an illustration that it is possible legislatures may sometimes go a little slowly in discharging duties that are absolutely clear and palpable.

Mr. BLAIR. This bill, however, the Senator will observe, obviates all that difficulty by giving the national Department power.

Mr. PALMER. Mr. President——

Mr. GEORGE. Will the Senator from Michigan allow me to ask him a question on that point?

Mr. PALMER. Certainly, sir.

Mr. GEORGE. Is there any lack of State legislation in those States in which it is known that pleuro-pneumonia exists now?

Mr. PALMER. Yes, sir.

Mr. GEORGE. In what States?

Mr. PALMER. Pennsylvania, one of the big centers, around Philadelphia, one of the breeding spots for pleuro-pneumonia. As I say, there are only six States that have statutes such as the United States law requires for co-operation.

Mr. GEORGE. Is that the only State in which legislation is wanting where pleuro-pneumonia is known to exist?

Mr. PALMER. There are only six States, I would state to the Senator, where they have appropriate legislation for co-operation.

Mr. GEORGE. My point is this: Is there any State besides Pennsylvania in which pleuro-pneumonia is known to exist which has not co-operative legislation?

Mr. PALMER. I can not say as to that. I may run across that in my analysis of the Commissioner's letter; but I will say this, as my co-laborer on the committee [Mr. PADDOCK] says, there is sufficient legislation in but six States. The Commissioner claims to have stamped out pleuro-pneumonia in certain localities.

Mr. GEORGE. Will the Senator allow me again? I have just been informed by the Commissioner that the State of Pennsylvania is in co-operation with the Department now on this subject.

Mr. PALMER. It has been since the last meeting of the committee, then.

Mr. GEORGE. I thought the Commissioner made the statement before the committee. I was not sure, but I thought he did, and I asked him a minute ago.

Mr. PALMER. I think the Senator is in error, but we will have time to look that over this evening. I will own up to-morrow if I find I am wrong.

Mr. GEORGE. At all events, as I understand it, the Senator only claims that the State of Pennsylvania, of all the States, has not the proper co-operative legislation now, so far as any State is known to have pleuro-pneumonia within its borders?

Mr. PALMER. No, sir; I make no such concession.

Mr. GEORGE. Will the Senator then name any other State in which pleuro-pneumonia is known to exist?

Mr. PALMER. Or ever has existed.

Mr. GEORGE. I am talking about where it is known to exist, in which this co-operation is not extended to the national authorities.

Mr. PALMER. I would say to the Senator that "known to exist" is a very indefinite term. It may be existing there now; it may be suppressed and out of sight to-day, and may develop itself to-morrow. I can only put my finger on those States where it is known to be rioting, and those are Maryland, Pennsylvania, New York, and New Jersey.

Mr. GEORGE. Is it known to exist in any degree in any other State?

Mr. PALMER. I can not say positively. When the Senator asks me for exact knowledge on so peculiar a thing as pleuro-pneumonia——

Mr. GEORGE. I do not mean the Senator's personal knowledge, except as to this point: I ask him as to the information upon which he relies. Has he any information on which he relies that pleuro-pneumonia exists in any State which does not accord co-operation to the Agricultural Department, except the State of Pennsylvania?

Mr. PALMER. If the Senator wants me to give a categorical response to that I should say this——

Mr. GEORGE. That is exactly the kind of response I want.

Mr. PALMER. Pennsylvania is the only State where I am positively advised the disease exists, where I believe appropriate legislation has not been had and proper facilities offered to the agents of the Bureau of Animal Industry. Is that satisfactory?

Mr. GEORGE. Very.

Mr. EDMUNDS. With the consent of the Senator from Michigan, I move that the Senate do now adjourn.

The PRESIDENT *pro tempore*. Does the Senator from Michigan yield for that purpose?

Mr. PALMER. Yes, sir.

EXECUTIVE SESSION.

Mr. EDMUNDS. At the suggestion of the Chair, who calls to my notice the fact that there are some messages from the President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, returned to the Senate, in compliance with its request, the bill (S. 1498) granting to the city of Grand Forks, Dak., the right to build two free bridges at said city across the Red River.

PUBLIC BUILDING AT PORTSMOUTH, OHIO.

Mr. SHERMAN. I move that the Senate proceed to the consideration of the bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio.

The PRESIDENT *pro tempore*. Does the Senator from Ohio desire to displace the unfinished business?

Mr. SHERMAN. No; there will be no objection to laying aside the unfinished business informally.

The PRESIDENT *pro tempore*. The Senator from Ohio asks unanimous consent that the unfinished business be informally laid aside to enable him to move that the Senate proceed to the consideration of the bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio. Is there objection?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ST. JOSEPH'S POINT LIGHT-HOUSE.

Mr. PASCO. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 2457) to provide for the establishment of a light-house at or near St. Joseph's Point, Florida.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT NEW LONDON, CONN.

Mr. PLATT. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 1846) for the erection of a public building at New London, Conn.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was in line 4, after the word "purchase," to insert "or acquire by condemnation proceedings;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, or acquire by condemnation proceedings, a suitable site for, and cause to be erected thereon, a substantial and commodious public building, with fire-proof vaults therein, for the use and accommodation of the post-office, the custom-house, the courts, and for other Government uses, at the city of New London, in the State of Connecticut.

The amendment was agreed to.

The next amendment was, in line 13, before the word "thousand," to strike out "one hundred and fifty" and insert "seventy-five," and in line 15, before the word "thousand," to strike out "one hundred and fifty" and insert "seventy-five;" so as to read:

The site and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $75,000; and for the purpose herein mentioned the sum of $75,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was, to add after the word "appropriated," in line 17, the following proviso:

Provided, That the site on which the said building shall be erected shall be so selected as to leave an open space around the same of not less than 40 feet in width, including streets and alleys.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT ALLENTOWN, PA.

Mr. PUGH. By request, I ask the Senate to take up and consider Order of Business 1041, House bill 4357.

The PRESIDENT *pro tempore*. The Senator from Alabama asks unanimous consent that the Senate proceed to the consideration of a bill the title of which will be reported.

Mr. BUTLER. Will the Senator from Alabama yield for a motion to adjourn?

Mr. PUGH. Not now.

The PRESIDENT *pro tempore*. The title of the bill will be reported.

The CHIEF CLERK. A bill (H. R. 4357) to erect a public building at Allentown, Pa.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINERAL LANDS AND MINING RESOURCES.

Mr. STEWART. I ask unanimous leave of the Senate for the consideration of Order of Business 596, being Senate bill 1888.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1888) to amend chapter 6, Title XXXII, of the Revised Statutes, relating to mineral lands and mining resources.

Mr. STEWART. It is only necessary to read the substitute reported by the committee.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. The amendment reported by the Committee on Mines and Mining is to strike out all after the enacting clause of the bill, and in lieu thereof to insert:

That section 2319 of the Revised Statutes be amended by adding thereto the following:

"But no person shall acquire, by location or possession, more than one mining claim on the same vein, nor shall any person relocate a claim which he has previously located."

SEC. 2. That section 2324 of the Revised Statutes be amended so as to read:

"SEC. 2324. The miners of each mining district may make regulations, not in conflict with the laws of the United States, or with the laws of the State or Territory in which the district is situated, governing the location, manner of recording amount of work necessary to hold possession of a mining claim, subject to the following requirements: The location must be distinctly marked on the ground so that its boundaries can be readily traced. All records of mining claims hereafter made shall contain the name or names of the locators, the date of the location, and such a description of the claim or claims located as will identify the claim. On each claim located after the 10th day of May, 1872, and until a certificate of entry has been issued therefor, not less than $100 worth of labor shall be performed or improvements made during each year. On all claims located prior to the 10th day of May, 1872, $10 worth of labor shall be performed or improvements made during each year for each 100 feet in length along the vein until a certificate of entry has been issued therefor; and for each 20 acres of placer claims, and for each subdivision thereof less than 20 acres, $100 worth of labor shall be performed or improvements made during each year until a certificate of entry shall be issued therefor. The period within which the annual work required to be done by this section shall commence at 12 o'clock meridian on the 2d day of January of each year: *Provided*, That upon claims located previous to the 1st day of November in any year the annual work shall be performed on such claim for that year prior to 12 o'clock meridian of the 2d day of January next succeeding. When the labor required by this section shall have been performed or the improvements made, an affidavit shall be filed with the officer authorized to record deeds in the county in which the mine is situated, particularly describing the labor performed and improvements made, and the value thereof, which affidavit shall be *prima facie* evidence of the facts therein stated. And upon a failure to comply with these conditions, the claim or mine upon which such failure occurred shall be open to relocation in the same manner as if no location of the same had ever been made: *Provided*, That the original locators, their heirs, assigns, or legal representatives, do not resume work upon the claim after such failure and before such location, and continue the same with reasonable diligence until the required amount of labor shall have been performed or improvements made. Upon the failure of any one of several co-owners to contribute his proportion of the expenditures required hereby, the co-owners who have performed the labor or made the improvement may, at the expiration of the year, give such delinquent co-owner personal notice in writing or notice by publication in the newspaper published nearest the claim, for at least once a week for ninety days, and if at the expiration of ninety days after such notice in writing or by publication, such delinquent shall fail or refuse to contribute his proportion of the expenditure required by this section, his interest in the claim shall become the property of his co-owners who have made the required expenditures, and such co-owner may relocate such individual interest in his own name. When a person or company has or may run a tunnel for the purposes of developing a lode, owned by said person or company, the money so expended in said tunnel shall be taken and considered as expended on said lode, and such person or company shall not be required to perform labor or make improvements on the surface of said lode in order to hold the same."

SEC. 3. That section 2325 of the Revised Statutes be amended by adding thereto the following:

"But no more than 3,000 feet in length along the vein of claims located prior to the 10th day of May, 1872, and not more than one claim located after said date shall be included in the same application for a patent, and not more than 160 acres of placer ground shall be included in the same application for a patent."

SEC. 4. That section 2335 of the Revised Statutes be amended so as to read:

"SEC. 2335. All affidavits required to be made under this chapter may be verified before any officer authorized to administer oaths in any State or Territory of the United States, or in the District of Columbia, and all testimony and proofs may be taken before any such officer, and, when duly certified by the officer taking the same, shall have the same force and effect as if taken before the register and receiver of the land-office. In cases of contests as to the mineral or agricultural character of land, thet estimony and proofs may be taken, under such regulations as the Commissioner of the General Land Office may prescribe."

SEC. 5. Amend section 2338 of the Revised Statutes so as to read:

"SEC. 2338. As a condition of sale, each patent shall reserve the right of way through or over any mining claim for roads, ditches, canals, cuts, and tunnels, for the purpose of working other mines: *Provided*, That any damages occasioned thereby shall be assessed and paid in the manner provided by the laws of the State or Territory in which such mine is situated for assessments and payments for land taken for public use under the right of eminent domain. And the rights and easements reserved under the provisions of this section in patents heretofore issued shall be regulated and made available as herein prescribed."

Mr. STEWART. I offer the amendments which I send to the desk, to make the time expire in the summer instead of in the winter, when snow may be on the ground.

The PRESIDENT *pro tempore*. The amendment to the amendment will be stated.

The CHIEF CLERK. In line 29 of the proposed new section 2, before the word "day," it is proposed to strike out "second" and insert "first;" and after the word "of," to strike out "January" and insert "August;" so as to read:

The period within which the annual work required to be done by this section shall commence at 12 o'clock meridian on the 1st day of August of each year.

The amendment to the amendment was agreed to.

Mr. STEWART. In line 30 of the same section after the word "claims," I move to insert the word "already;" in line 31, to strike out "November" and insert "March;" in line 33, to strike out "second" and insert "first;" and in the same line, to strike out "January" and insert "August;" so as to read:

Provided, That upon claims already located previous to the 1st day of March in any year the annual work shall be performed on such claim for that year prior to 12 o'clock meridian of the 1st day of August next succeeding.

The amendment to the amendment was agreed to.

Mr. STEWART. In line 33, after the word "succeeding," I move to insert:

And the time for performing annual work on claims heretofore located is hereby extended to the 1st day of August, 1889, at 12 o'clock meridian.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGIA A. STRICKLETT.

Mr. BECK. I ask unanimous consent of the Senate to take up House bill 7715, Order of Business 1068, which has been unanimously reported by the Committee on Pensions.

The PRESIDENT *pro tempore*. The Senator from Kentucky asks unanimous consent that the Senate proceed to the consideration of the bill named by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7715) for the relief of Georgia A. Stricklett. It proposes to place on the pension-roll the name of Georgia A. Stricklett, widow of P. M. Stricklett, late second lieutenant in Company A, Forty-fifth Kentucky Mounted Infantry Volunteers, in the war of 1861.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WATER-WORKS CRIB IN LAKE MICHIGAN.

Mr. CULLOM. I ask the Senate to take up Order of Business 801, being House bill 3333. There is no objection to it on the part of anybody, I think.

The PRESIDENT *pro tempore*. The title of the bill will be stated.

The CHIEF CLERK. A bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for water-works purposes.

Mr. BLAIR. I was about to suggest that we emphasize the action of the Senator from Kentucky in calling up a pension bill——

Mr. CULLOM. We can emphasize that after we pass this bill.

Mr. BLAIR. That we might emphasize that era in public affairs by an adjournment of the Senate. That is what I rose for. If the Senator from Illinois wants his bill to pass, I will withhold my proposed motion.

The PRESIDENT *pro tempore*. The Senator from Illinois asks unanimous consent that the Senate proceed to the consideration of the bill the title of which has been read.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with an amendment, in line 9, after the word "tunnel," to strike out:

Provided, That such piers or crib shall be furnished with a beacon light, which shall be lighted at all such seasons and hours as the light on the piers at the entrance of Chicago Harbor, and shall be satisfactory to the Secretary of the Treasury.

And in lieu thereof to insert:

The plan and location thereof to be subject to the approval of the Secretary of War: *Provided*, That said city shall furnish and maintain at its own expense such beacon lights or other signals on such piers or crib as the Light-House Board shall prescribe.

So as to make the bill read:

Be it enacted, etc., That the consent of Congress is hereby given to the city of Chicago, county of Cook, State of Illinois, to extend a tunnel, or inlet pipes, into Lake Michigan, so far as may be deemed necessary to insure a supply of pure water, and to erect a pier or piers and crib in the navigable waters of said lake, for the making, preserving, and working of said aqueducts or pipes or tunnel; the plan and location thereof to be subject to the approval of the Secretary of War: *Provided*, That said city shall furnish and maintain at its own expense such beacon-lights or other signals on such piers or crib as the Light-House Board shall prescribe.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. CULLOM. I move that the Senate insist on its amendment, and ask for a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. FRYE, Mr. CULLOM, and Mr. VEST were appointed.

LIGHT-HOUSE AT HOLLAND'S ISLAND BAR.

Mr. WILSON, of Maryland. I ask unanimous consent for the consideration of Order of Business 1073, Senate bill 2398.

The PRESIDENT *pro tempore*. The Senator from Maryland asks unanimous consent that the Senate proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. A bill (S. 2398) to provide for a light-house at Holland's Island Bar, near the entrance to Kedge's Straits, in the Chesapeake Bay, Maryland.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates $35,000 for the construction of a light-house at Holland's Island Bar, near the entrance to Kedge's Straits, in the Chesapeake Bay, Maryland.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC PARK AT THE DALLES.

Mr. DOLPH. I ask——

Mr. BECK. I have another little House pension bill that will take but a moment. As the Senator from New Hampshire [Mr. BLAIR] is so anxious that I should call up such bills, I should like to call up and pass one more.

Mr. BLAIR. Let the good work go on.

Mr. DOLPH. The bill I wish to call up will only take a moment. It is Senate bill No. 2003, Order of Business 820.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2003) to grant to the city of The Dalles, in the State of Oregon, certain lands for the purposes of a public park.

The bill was reported from the Committee on Public Lands with amendments, in line 3, after the word "That," to strike out "so much" and insert "the portion;" in line 4, after the word "Oregon," to strike out "as remains unsold" and insert "known and described as lots 17, 6, and 7, in section 4;" and in line 12, after "United States," to strike out the following proviso:

Provided, That said city may exchange fractional portions of lots and blocks, portions of which have been heretofore sold, for other lots adjacent to the main body of said lands.

So as to make the bill read:

Be it enacted, etc., That the portion of The Dalles military reservation in the State of Oregon, known and described as lots 17, 6, and 7, in section 4, be, and the same is hereby, granted to the city of The Dalles, in said State, for the purpose of a public park and place of public resort, upon condition that the same shall be forever inalienable by said city, and shall be held and maintained for that use; and if at any time any portion of the said land shall be diverted from such use, it shall revert to and become the property of the United States.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE P. STONE.

Mr. COCKRELL and Mr. BECK addressed the Chair.

The PRESIDENT *pro tempore*. The Senator from Missouri.

Mr. COCKRELL. I will yield in a moment to the Senator from Kentucky so as to relieve him, but I do not want the Senator from New Hampshire to lose the adjournment as soon as the Senator from Kentucky gets his bill through.

Mr. BLAIR. I ask as a personal favor that the Senator from Kentucky be allowed to go on and get all the pension bills through he wants.

Mr. COCKRELL. I yield.

Mr. BECK. I ask for the consideration of House bill 6453, Order of Business 1069.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6453) granting a pension to George P. Stone. It proposes to place on the pension-roll the name of George P. Stone, late captain of Company C, Thirty-seventh Regiment of Kentucky Volunteers, at the rate of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COLLECTOR AT PORT OF ST. PAUL, MINN.

Mr. FRYE. I ask unanimous consent to take up Order of Business 662, House bill 7546.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7546) to amend sections 2595 and 2596 of the Revised Statutes of the United States, and to provide a collector at the port of St. Paul, Minn., and for other purposes. It proposes to amend sections 2595 and 2596 of the Revised Statutes of the United States so as to read as follows:

SEC. 2595. That there shall be in the State of Minnesota two collection districts, as follows:

First. The district of Minnesota: to comprise all the territory of the United States east of the western line of the State of Minnesota and west of the westerly line of the State of Wisconsin, except the waters and shores of Lake Superior and the rivers flowing into the same, in which St. Paul shall be the port of entry and St. Vincent a subport of entry and delivery.

Second. The district of Duluth: to comprise all the waters and shores of Lake Superior and the rivers connected therewith, within the State of Minnesota, in which Duluth shall be the port of entry and delivery, with the privilege of immediate transportation as defined by section 7 of the act of June 10, 1880, entitled "An act to amend the statutes in relation to immediate transportation of dutiable goods, and for other purposes," being chapter 190, volume 21, of the Statutes at Large.

SEC. 2596. There shall be in the collection districts of the State of Minnesota the following officers:

First. In the district of Minnesota, a collector, who shall reside at St. Paul, and whose compensation shall be the same as that provided for the collectors named in section 2675 of the Revised Statutes of the United States, and a deputy collector, who shall reside at St. Vincent.

Second. In the district of Duluth, a collector, who shall reside at Duluth.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE F. CHILTON.

Mr. COCKRELL. I ask the Senate to proceed to the consideration of Order of Business 923, being the bill (H. R. 4557) for the relief of George F. Chilton.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Secretary of the Treasury to pay to George F. Chilton, of Eminence, Mo., $187.50, for services as mail contractor on mail-route No. 28620, from Van Buren to Eminence, Mo., between May 2, 1886, and November 14, 1886, in addition to the amount already paid him for such service.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIGHT-HOUSE AT NEWPORT NEWS.

Mr. RIDDLEBERGER. I ask the Senate to take up Order of Business 1070, Senate bill 1828.

The PRESIDENT *pro tempore*. The Senator from Virginia asks unanimous consent that the Senate proceed to the consideration of the bill named by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Va.

The bill was reported from the Committee on Commerce with an amendment in line 5, before the word "thousand," to strike out "thirty-five" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to cause a light-house to be constructed at Newport News, Middle Ground, Va.; and $50,000, or so much thereof as may be necessary, is hereby appropriated for this purpose from any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HEMAN D. WALBRIDGE AND REGINALD FENDALL.

Mr. WILSON, of Iowa. I ask that the Senate take up Order of Business 768, Senate bill 2311.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2311) for the relief of Heman D. Walbridge and Reginald Fendall, trustees. It directs the Postmaster-General to pay to Heman D. Walbridge and Reginald Fendall, trustees, rent of the post-office at Mount Pleasant, Iowa, at the rate of $750 per annum, from the 1st of July, 1885, till the 30th of June, 1888, being the rent agreed upon between the Postmaster-General and the trustees, by the lease entered into between them and him on the 1st of July, 1884, for the term of four years.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HARRIS. I move that the Senate do now adjourn.

JULIET G. HOWE.

The PRESIDENT *pro tempore*. Before submitting that motion the Chair will lay before the Senate a message from the House of Representatives requesting the Senate to return to the House the bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe. If there be no objection, the request of the House of Representatives will be complied with and the bill returned.

HOUSE BILL REFERRED.

The bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning, was read twice by its title and referred to the Committee on Commerce.

BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT *pro tempore*. The Senate as in Committee of the Whole resumes the consideration of the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

The Senator from Tennessee [Mr. HARRIS] moves that the Senate do now adjourn.

The motion was agreed to; and (at 4 o'clock and 56 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, April 25, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate April 24, 1888.

POSTMASTERS.

Lynn Boyd, to be postmaster at National City, in the county of San Diego and State of California, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Robert E. Tener, to be postmaster at Orange, in the county of Los Angeles and State of California, the appointment of a postmaster for said office having, by law, become vested in the President on and after April 1, 1888.

Alexander C. Hickman, to be postmaster at La Junta, in the county of Bent and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Joseph P. Macey, to be postmaster at Las Animas, in the county of Bent and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

James C. Outhouse, to be postmaster at Lamar, in the county of Bent and State of Colorado, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Nehemiah Jennings, to be postmaster at Southport, in the county of Fairfield and State of Connecticut, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Harry C. Briley, to be postmaster at Dell Rapids, in the county of Minnehaha and Territory of Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Daniel P. McLauren, to be postmaster at Grand Forks, in the county of Grand Forks and Territory of Dakota, in the place of Donald McDonald, resigned.

John B. Prendergast, to be postmaster at Webster, in the county of Day and Territory of Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Jacob E. Ziebach, to be postmaster at Scotland, in the county of Bon Homme and Territory of Dakota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Henry L. Phillips, to be postmaster at Seaford, in the county of Sussex and State of Delaware, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Oliver S. Glenn, to be postmaster at Bellevue, in the county of Alturas and Territory of Idaho, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

William T. Griffin, to be postmaster at Moscow, in the county of Nez Perces and Territory of Idaho, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Charles E. Hallock, to be postmaster at Pecatonica, in the county of Winnebago and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Thomas Terry, to be postmaster at Spring Valley, in the county of Bureau and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Fletcher A. Trousdale, to be postmaster at Metropolis City, in the county of Massac and State of Illinois, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

John D. Alvis, to be postmaster at Salem, in the county of Washington and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Alfred Kelley, to be postmaster at Waterloo, in the county of De Kalb and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Mary Thomas, to be postmaster at Garrett, in the county of De Kalb and State of Indiana, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Elias L. Brownell, to be postmaster at Spirit Lake, in the county of Dickinson and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Samuel E. Carrell, to be postmaster at Adel, in the county of Dallas and State of Iowa, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Charles F. Howe, to be postmaster at Greenleaf, in the county of Washington and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Charles J. Kerndt, to be postmaster at Bird City, in the county of Cheyenne and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Taylor W. Scott, to be postmaster at Stafford, in the county of Stafford and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Matthew Thomson, to be postmaster at Alma, in the county of Wabaunsee and State of Kansas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Jerry D. Adkins, to be postmaster at Williamsburgh, in the county of Whitley and State of Kentucky, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Patrick Carroll, to be postmaster at Lonaconing, in the county of Alleghany and State of Maryland, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Daniel F. Bommerscheim, to be postmaster at Three Oaks, in the county of Berrien and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Frank L. Bond, to be postmaster at Iron River, in the county of Iron and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Marshall B. Franklin, to be postmaster at Fremont, in the county of Newaygo and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

John Maguire, to be postmaster at Republic, in the county of Marquette and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Arthur A. Metcalf, to be postmaster at Crystal Falls, in the county of Iron and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Enoch T. Mugford, to be postmaster at Hart, in the county of Oceana and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

James Rutherford, to be postmaster at Milford, in the county of Oakland and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Robert White, to be postmaster at East Tawas, in the county of Iosco and State of Michigan, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

John Wetzel, to be postmaster at Little Falls, in the county of Morrison and State of Minnesota, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Christopher M. Heltibrand, to be postmaster at Poplar Bluff, in the county of Butler and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Otho J. Hurley, to be postmaster at Savannah, in the county of Andrew and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

K. F. Peddicord, to be postmaster at Palmyra, in the county of Marion and State of Missouri, in the place of Enoch A. McLeod, deceased.

Joel H. Shelly, to be postmaster at Princeton, in the county of Mer-

cer and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

George S. Stafford, to be postmaster at Kahoka, in the county of Clarke and State of Missouri, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Louis Weishar, to be postmaster at Edina, in the county of Knox and State of Missouri, in the place of Joel Brown, whose commission expired April 15, 1888.

James McLaughlin, to be postmaster at Gloucester City, in the county of Camden and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

John H. Middleton, to be postmaster at West Hoboken, in the county of Hudson and State of New Jersey, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Augustus Kelly, to be postmaster at Port Byron, in the county of Cayuga and State of New York, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Stephen Cramer, to be postmaster at Batavia, in the county of Clermont and State of Ohio, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

James G. Lummis, to be postmaster at Middletown, in the county of Butler and State of Ohio, in the place of Lewis Lambright, whose commission expires April 30, 1888.

William F. Boyle, to be postmaster at Freeland, in the county of Luzerne and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

John S. Bryan, to be postmaster at Newton, in the county of Bucks and State of Pennsylvania, in the place of Cyrus Hillborn, whose commission expired April 8, 1888.

Charles B. Crawford, to be postmaster at Mifflintown, in the county of Juniata and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

A. B. Herd, to be postmaster at Phillipsburgh, in the county of Centre and State of Pennsylvania, in the place of John Gowland, whose commission expired April 15, 1888.

C. Y. White, to be postmaster at Eldred, in the county of McKean and State of Pennsylvania, in place of Arthur B. Rowley, resigned.

Clark Wilson, to be postmaster at Smethport, in the county of McKean and State of Pennsylvania, in the place of Myron A. Sprague, resigned.

Thomas L. Crosland, to be postmaster at Bennettsville, in the county of Marlborough and State of South Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

William A. Moore, to be postmaster at Yorkville, in the county of York and State of South Carolina, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

William B. Norman, to be postmaster at Alvarado, in the county of Johnson and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

William A. Proctor, to be postmaster at Ballinger, in the county of Runnels and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

George M. Smith, to be postmaster at Mobeetie, in the county of Wheeler and State of Texas, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Christopher G. Allard, to be postmaster at Winooski, in the county of Chittenden and State of Vermont, in the place of Christopher Gordon, deceased.

Edwin Phillips, to be postmaster at Newport News, in the county of Warwick and State of Virginia, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

William H. Clark, jr., to be postmaster at Florence, in the county of Florence and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

James M. Custard, to be postmaster at Hayward, in the county of Sawyer and State of Wisconsin, the appointment of a postmaster for the said office having, by law, become vested in the President on and after April 1, 1888.

Hiram P. Graham, to be postmaster at Eau Claire, in the county of Eau Claire and State of Wisconsin, in the place of Charles R. Gleason, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 16, 1888.

POSTMASTER.

Denton E. Bingham, to be postmaster at Southington, in the county of Hartford and State of Connecticut.

Executive nominations confirmed by the Senate April 24, 1888.

INDIAN AGENTS.

Claude M. Johnson, of Lexington, Ky., to be agent for the Indians of the Pima agency, in Arizona.

Elmer A. Howard, of Iowa, to be agent for the Indians of the Kiowa, Comanche, and Wichita agency, in the Indian Territory.

UNITED STATES ATTORNEY.

George J. Dennis, of California, to be attorney of the United States for the southern district of California.

UNITED STATES CONSULS.

W. T. Walthall, of Biloxi, Miss., to be consul of the United States at Demerara.

James B. Chess, of Indiana, to be consul of the United States at Durango.

James B. Coffin, of East Boston, Mass., to be consul of the United States at St. Helena.

MINISTER RESIDENT AND CONSUL-GENERAL.

Ezekiel E. Smith, of Fayetteville, N. C., to be minister resident and consul-general of the United States to Liberia.

PROMOTIONS IN THE REVENUE SERVICE.

Second Assistant Engineer Charles F. Dyce, of Pennsylvania, to be a first assistant engineer in the revenue service of the United States.

Second Assistant Engineer Thomas B. Brown, of Pennsylvania, to be a first assistant engineer in the revenue service of the United States.

SURVEYOR OF CUSTOMS.

Robert Calvert, of Wisconsin, to be surveyor of customs for the port of La Crosse, in the State of Wisconsin.

RECEIVER OF PUBLIC MONEYS.

John Schleyer, of Hays City, Kans., to be receiver of public moneys at Wa Keeney, Kans.

COLLECTORS OF CUSTOMS.

John H. Thomas, of Maryland, to be collector of customs for the district of Annapolis, in the State of Maryland.

J. Howard Manchester, of Rhode Island, to be collector of customs for the district of Bristol and Warren, in the State of Rhode Island.

COLLECTOR OF INTERNAL REVENUE.

Leonard A. Geigerich, of New York, to be collector of internal revenue for the third district of New York.

POSTMASTER.

M. D. L. Martin, to be postmaster at Water Valley, in the county of Yalobusha and State of Mississippi.

HOUSE OF REPRESENTATIVES.

TUESDAY, *April* 24, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

CUSTOM-HOUSE, BANGOR, ME.

The SPEAKER laid before the House a letter from the Acting Secretary of the Treasury, with inclosures, recommending an appropriation for repair and construction of abutments adjacent to the custom-house at Bangor, Me.; which was referred to the Committee on Appropriations, and ordered to be printed.

STEAM REVENUE VESSEL.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting an estimate from the superintendent of construction and the consulting engineer of the United States revenue-marine service of an additional appropriation for the construction of a steam-vessel for revenue duty on the Southern coast; which was referred to the Committee on Appropriations, and ordered to be printed.

JULIET G. HOWE.

The SPEAKER also laid before the House the bill (S. 300) for the relief of Mrs. Juliet G. Howe, with amendments of the House disagreed to by the Senate, and on which a conference was asked by the Senate.

The SPEAKER. If there be no objection, the House will insist upon its amendments and agree to the conference asked by the Senate.

There was no objection.

Mr. MORRILL. In connection with this case, Mr. Speaker, I wish to call the attention of the House to the fact that on Friday evening last this Senate bill was substituted for the House bill.

The SPEAKER. In that case it became an amendment, of course, to the House bill, and the House bill as amended should have been communicated to the Senate in that form.

Mr. MORRILL. But both bills were communicated to the Senate as having been passed, as appears from the Senate proceedings—the House bill of the same title and the Senate bill just read, with an amendment by the House.

The SPEAKER. Still this bill had better go to a conference.

Mr. MORRILL. Yes, of course; but the House bill, I suppose, should be recalled from the Senate. It never passed the House, and after the Senate bill was passed the House bill should have been laid upon the table.

The SPEAKER. If the gentleman will give the number of the House bill the Chair will see that the error is corrected.

Mr. MORRILL. The House bill will be found in the proceedings of the Senate of yesterday, on page 3116. Its number is 8117.

MRS. ELVIRA L. JOHNSON.

The SPEAKER also laid before the House the bill (S. 752) granting a pension to Mrs. Elvira L. Johnson, with House amendments disagreed to by the Senate, and on which a conference was asked by the Senate.

The SPEAKER. If there be no objection, the House will insist upon its amendments and agree to the conference asked by the Senate thereon.

There was no objection, and it was so ordered.

SENATE BILL REFERRED.

The SPEAKER also laid before the House the bill (S. 1483) for the registry of the barks Albert M, Condor, and Adelante; which was read a first and second time.

Mr. KEAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill.

Mr. MILLS. I demand the regular order.

The SPEAKER. The regular order being demanded, the bill will be referred to the Committee on Merchant Marine and Fisheries.

The SPEAKER also laid before the House the joint resolution (S. R. 73) relating to the disposal of public lands in certain States; which was read twice, and referred to the Committee on the Public Lands.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. FISHER, indefinitely, on account of sickness.

To Mr. SHIVELY, for five days, on account of important business.

To Mr. OUTHWAITE, for five days, on account of important business.

ORDER OF BUSINESS.

Mr. MILLS. I move to dispense with the morning hour for the call of committees.

Mr. HEARD. I ask the gentleman to yield to me to allow me to make a privileged report from the Committee on Elections.

Mr. MILLS. Very well; I yield for that purpose.

MISSOURI CONTESTED-ELECTION CASE.

Mr. HEARD, from the Committee on Elections, submitted a report in the contested-election case of Frank *vs.* Glover, from the Ninth Congressional district of Missouri; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

Mr. HEARD. I wish to give notice that I will call this case up for consideration on Saturday next, immediately after the reading of the Journal.

ORDER OF BUSINESS.

Mr. MILLS. I now renew the motion.

The question was taken; and the House proceeded to divide thereon——

Mr. MILLS. I withdraw the motion.

PUBLIC BUILDING, CHEYENNE, WYO.

Mr. NEAL, from the Committee on Public Buildings and Grounds, reported back favorably the bill (S. 1333) for the erection of a public building at Cheyenne, Wyo.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, FAYETTEVILLE, N. C.

Mr. JOHNSTON, of North Carolina, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 4306) to provide for the erection of a public building at Fayetteville, N. C.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, SAN FRANCISCO, CAL.

Mr. NEWTON, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (S. 1931) to increase the appropriation for the purchase of a site for a building for the post-office, courthouse, and other public offices in San Francisco, Cal.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, BAY CITY, MICH.

Mr. NEWTON. I am also instructed by the Committee on Public Buildings and Grounds to report back the bill (H. R. 7263) with amendments of the Senate, and move non-concurrence in the Senate amendments and ask a conference thereon. I would like to ask unanimous consent——

The SPEAKER. That can not be done in this hour, which is to be devoted exclusively to the reports from committees, no other business to be transacted. The gentleman can withdraw for the present the report, and make the request at some other time.

Mr. NEWTON. Then I withdraw it for the present.

CAROLINE RUPPERT.

Mr. WALKER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 996) granting a pension to Caroline Ruppert; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PETER THOMPSON.

Mr. WALKER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1997) granting a pension to Peter Thompson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MATILDA BLEUMNER.

Mr. WALKER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1906) granting a pension to Matilda Bleumner; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LEMUEL R. REA.

Mr. WALKER also, from the Committee on Invalid Pensions, reported back with an amendment the bill (S. 2419) granting a pension to Lemuel R. Rea; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendment and accompanying report, ordered to be printed.

HARRIET L. VAUGHAN.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1877) granting a pension to Harriet L. Vaughan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ELIZABETH WHITE.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (2089) for the relief of Mrs. Elizabeth White; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROSALOO SAGE.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2137) for the relief of Rosaloo Sage; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back with an adverse recommendation the bill (S. 1922) for the relief of Thaddeus S. Stewart; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

CHANGE OF REFERENCE.

Mr. SPOONER also, from the Committee on Invalid Pensions, moved that the committee be discharged from the further consideration of the bill (S. 2118) granting a pension to Richard H. Van Dorin, and it was referred to the Committee on Pensions.

WEBSTER C. WEBB.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back with amendments the bill (H. R. 9284) granting a pension to Webster C. Webb; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendments and the accompanying report, ordered to be printed.

CHARLES TIDMARSH.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2100) granting a pension to Charles Tidmarsh; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHANGE OF REFERENCE.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back the bill (S. 2233) granting a pension to William P. Madden.

The Committee on Invalid Pensions was discharged from the further consideration of the same, and it was referred to the Committee on Pensions.

JOSEPH VERBISKY.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2105) granting an increase of pension to Joseph Verbisky; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GUSTAVE E. PETERS.

Mr. MORRILL also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2652) granting a pension to Gustave E. Peters; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SUSAN F. SCOTT.

Mr. FRENCH, from the Committee on Invalid Pensions, reported with an amendment the bill (H. R. 8553) granting a pension to Susan F. Scott; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendment and accompanying report, ordered to be printed.

ERASTUS B. BURNHAM.

Mr. FRENCH also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1629) granting a pension to Erastus B. Burnham; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHARLES JEWETT.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 9318) granting an increase of pension to Charles Jewett; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RUTH ANN PORTER.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back the bill (H. R. 9321) granting a pension to Ruth Ann Porter; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EDWIN J. GODFREY.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back the bill (H. R. 9363) granting a pension to Edwin J. Godfrey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MERCY A. CUTTS.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with amendment the bill (S. 888) granting a pension to Mercy A. Cutts; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY SPRAGUE.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 2018) granting an increase of pension to Henry Sprague; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES HALE.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back the bill (S. 734) granting a pension to James Hale; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHANGE OF REFERENCE.

On motion of Mr. GALLINGER, by unanimous consent, the Committee on Invalid Pensions was discharged from further consideration of bills of the following titles, and they were severally referred to the Committee on Pensions:

A bill (S. 867) granting a pension to Margaret Stafford Worth; and
A bill (S. 1844) granting an increase of pension to Ann Atkinson.

ADVERSE REPORTS.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back adversely bills of the following titles; which were severally laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 810) granting a pension to Charles Douglass;
A bill (H. R. 808) granting a pension to Edwin Bragg; and
A bill (H. R. 812) granting a pension to Maria B. Hatch.

ELIZA A. WILLIAMSON.

Mr. HENDERSON, of North Carolina, from the Committee on Invalid Pensions, reported, as a substitute for the bill H. R. 6494, a bill (H. R. 9672) granting a pension to Eliza A. Williamson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

The original bill (H. R. 6494) was laid on the table.

RACHEL BARNES.

Mr. STRUBLE, from the Committee on Pensions, reported back with a favorable recommendation the bill (H. R. 149) granting a pension to Rachel Barnes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EDWIN B. HAY.

Mr. TIMOTHY J. CAMPBELL, from the Committee on Claims, reported back with a favorable recommendation the joint resolution (H. Res. 41) for the relief of Edwin B. Hay; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM H. MANNING.

Mr. KERR, from the Committee on Claims, reported back with an amendment the bill (H. R. 2194) for the relief of William H. Manning; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARGARET KENNEDY.

Mr. LAWLER, from the Committee on War Claims, reported back with an amendment the bill (S. 307) for the relief of Margaret Kennedy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

AGNES AND MARIA DE LEON.

Mr. LAWLER also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 3121) for the relief of Agnes and Maria De Leon; which was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

CREW OF UNITED STATES STEAM-SHIP WYOMING.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back with an amendment the bill (H. R. 3740) for the relief of the crew of the United States steam-ship Wyoming; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed

MALINDA GRIMES.

Mr. THOMAS, of Wisconsin, also, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 4218) for the relief of Malinda Grimes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. A. M. WHEALTON VS. THE UNITED STATES.

Mr. GAINES, from the Committee on War Claims, reported back with a favorable recommendation the bill (H. R. 6629) referring the claim of John A. M. Whealton against the United States to the Court of Claims; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

B. S. BEVIER.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back with an amendment the bill (H. R. 6420) for the relief of B. S. Bevier; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

GEORGE W. GRAY.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back with an amendment the bill (H. R. 6239) for the relief of George W. Gray; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EXPENDITURES OF POST-OFFICE DEPARTMENT.

Mr. ANDERSON, of Mississippi, from the Committee on Expenditures in the Post-Office Department, reported back adversely the bill (H. R. 3415) requiring all expenditures of the Post-Office Department to be passed upon by a comptroller; which was laid on the table, and the accompanying report ordered to be printed.

RELIEF OF COUNTIES IN ARIZONA.

Mr. MANSUR, from the Committee on the Territories, reported, as a substitute for House bill 8166, a bill (H. R. 9673) for the relief of the counties of the Territory of Arizona, to legalize the indebtedness thereof and provide for funding the same, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

House bill 8166 was, by unanimous consent, laid on the table.

JOHN S. LOGAN, ASSIGNEE.

Mr. MANSUR also, from the Committee on Claims, reported back with amendment the bill (H. R. 7105) for the relief of John S. Logan, assignee; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

INTERNATIONAL EXHIBITION AT BRUSSELS.

Mr. RUSSELL, of Massachusetts, from the Committee on Foreign Affairs, reported back favorably the joint resolution (S. R. 70) appropriating $30,000 for the international exhibition in Brussels, Belgium; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

OWNERS, ETC., OF BRITISH BARK CHANCE.

On motion of Mr. BELMONT, by unanimous consent, the Committee on Foreign Affairs was discharged from the further consideration of the bill (S. 1026) for the relief of the owners, officers, and crew of the British bark Chance; and the same was referred to the Committee on Claims.

STRIKE ON CHICAGO, BURLINGTON AND QUINCY RAILROAD.

Mr. ANDERSON, of Iowa, from the Committee on Commerce, reported back, with an amendment in the form of a substitute, a resolution providing for an investigation of the "strike" on the Chicago, Burlington and Quincy Railroad; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

BRIDGE OVER HALIFAX RIVER, FLORIDA.

Mr. ANDERSON, of Iowa, also, from the Committee on Commerce, reported back with amendment the bill (H. R. 8534) to authorize the construction and maintenance of a pile bridge over the Halifax River at Daytonia, Volusia County, Florida; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE OVER COLUMBIA RIVER.

Mr. ANDERSON, of Iowa, also, from the Committee on Commerce, reported back with amendment the bill (S. 560) to authorize the Columbia River Bridge Company to construct and maintain a bridge across the Columbia River between the State of Oregon and the Territory of Washington, and establish it as a post road; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE OVER RED RIVER OF THE NORTH.

Mr. ANDERSON, of Iowa, also, from the Committee on Commerce, reported back with amendment the bill (S. 667) authorizing the construction of a bridge across the Red River of the North; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

COURSE OF INSTRUCTION AT NAVAL ACADEMY.

Mr. WISE, from the Committee on Naval Affairs, reported back, as a substitute for House bill No. 4918, a bill (H. R. 9674) to regulate the course at the Naval Academy; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

House bill No. 4918 was, by unanimous consent, laid on the table.

BRIDGE ACROSS HILLSBOROUGH RIVER, FLORIDA.

Mr. PHELAN, from the Committee on Commerce, reported back with amendment the bill (H. R. 8353) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Hillsborough River at a point in the town of New Smyrna, in the county of Volusia and State of Florida; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

KENTUCKY ROCK GAS COMPANY.

Mr. PHELAN also, from the Committee on Commerce, reported back with amendment the bill (H. R. 8783) to authorize the Kentucky Rock Gas Company to lay conduit pipes across the Ohio River; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGES ACROSS KENTUCKY RIVER, ETC.

Mr. PHELAN also, from the Committee on Commerce, reported back with amendment the bill (H. R. 8769) to authorize the construction of bridges across the Kentucky River and its tributaries by the Louisville, Cincinnati and Virginia Railway Company; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS TENNESSEE RIVER.

Mr. PHELAN also, from the Committee on Commerce, reported back with amendment the bill (S. 1889) to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem acceptable; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

OHIO CONNECTING RAILWAY COMPANY BRIDGE.

Mr. PHELAN also, from the Committee on Commerce, reported back, with a recommendation that the amendment of the Senate be concurred in, the bill (H. R. 3215) to authorize the construction of the Ohio Connecting Railway Company bridge; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHANGES OF REFERENCE.

On motion of Mr. BLISS, by unanimous consent, the Committee on Pensions was discharged from the further consideration of bills; which were severally referred as follows, namely:

The bill (S. 1007) granting a pension to John S. Coleman—to the Committee on Invalid Pensions.

The bill (S. 175) granting a pension to Eleanor S. Lawson—to the Committee on Invalid Pensions.

The bill (S. 1596) in relation to oaths in pension and other cases—to the Committee on the Judiciary.

The bill (S. 1529) to amend paragraph 3 of section 4693 of the Revised Statutes, and for other purposes—to the Committee on Invalid Pensions.

BRIDGE ACROSS THE NOXUBEE RIVER, ALABAMA.

Mr. CRISP, from the Committee on Commerce, reported back with amendments the bill (H. R. 8343) to authorize the construction of a wagon and foot-passenger bridge across the Noxubee River, at or near Gainesville, in the State of Alabama; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS THE TENNESSEE RIVER, AT KNOXVILLE.

Mr. CRISP also, from the Committee on Commerce, reported back with amendments the bill (H. R. 9079) to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tenn.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS CANEY FORK RIVER.

Mr. CRISP also, from the Committee on Commerce, reported back with amendments the bill (S. 1526) to authorize the construction of a bridge across the Caney Fork River, between Rock Island and Carthage, in Tennessee; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS THE TENNESSEE RIVER NEAR SHEFFIELD, ALA.

Mr. CRISP also, from the Committee on Commerce, reported back with amendments the bill (S. 1524) to authorize the construction of a bridge over the Tennessee River between Bridgeport and Sheffield, Ala.; which was referred to the Committee of the Whole House on the Private Calender, and, with the accompanying report, ordered to be printed.

MRS. FLORA ADAMS DARLING.

Mr. STEWART, of Georgia, from the Committee on the Judiciary, reported a bill (H. R. 9675) for relief and payment of Mrs. Flora Adams Darling, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

Mr. STEWART, of Georgia. Mr. Speaker, this bill is based upon a memorial presented to Congress and referred to the Committee on the Judiciary. I ask that the memorial be laid upon the table, and that the bill be referred to the Calendar as indicated.

The SPEAKER. Without objection, that order will be made.

There was no objection.

WHARF AT FORTRESS MONROE, VA.

Mr. THOMAS H. B. BROWNE, from the Committee on Commerce, reported back favorably the bill (H. R. 9441) for the enlargement of the wharf at Fortress Monroe, Va.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CAMP SHERIDAN MILITARY RESERVATION.

Mr. TURNER, of Kansas, from the Committee on the Public Lands, reported back with amendments the bill (H. R. 7410) for the relief of settlers upon the old Camp Sheridan military reservation; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CAPT. THOMAS SAMPSON.

Mr. DAVENPORT, from the Committee on Commerce, reported back favorably the bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

Mr. COX. I would like to ask unanimous consent to pass that bill now.

The SPEAKER. The Chair can not entertain the request in this hour.

Mr. COX. I thought it had expired.

The SPEAKER. The Chair completed the call, but is receiving reports from gentlemen who were not in their seats when their committees were called. The gentleman can make the request hereafter.

MAJ. GEN. HENRY J. HUNT.

Mr. STEELE (for Mr. LAIRD), from the Committee on Military Affairs, reported back favorably the bill (H. R. 3824) for the relief of Bvt. Maj. Gen. Henry J. Hunt, colonel, retired, of the United States Army; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

QUARTERS, ETC., FORTS ROBINSON AND NIOBRARA.

Mr. STEELE (for Mr. LAIRD) also, from the Committee on Military Affairs, reported back favorably the bill (H. R. 5654) to provide for the completion of quarters, barracks, and stables at Fort Robinson and Fort Niobrara, in the State of Nebraska; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS ST. JOHN'S RIVER, FLORIDA.

Mr. DUNHAM, from the Committee on Commerce, reported back with amendments the bill (H. R. 8355) to authorize the construction of a railroad, wagon, and foot passenger bridge across the St. John's River, between De Land Landing and Lake Monroe, in the State of Florida; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS POTEAU RIVER.

Mr. DUNHAM also, from the Committee on Commerce, reported back with amendments the bill (H. R. 7031) to authorize the Fort Smith and Choctaw Bridge Company to construct a bridge across the Poteau River, on the lands of Mrs. M. A. Bower, in the Choctaw Nation, near Fort Smith, Ark.; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BRIDGE ACROSS MISSOURI RIVER NEAR SIOUX CITY.

Mr. DUNHAM also, from the Committee on Commerce, reported back with amendments the bill (S. 1701) authorizing the construction of a high wagon bridge across the Missouri River at or near Sioux City, Iowa; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendments and the accompanying report, ordered to be printed.

BRIDGE ACROSS MISSISSIPPI RIVER.

Mr. DUNHAM also, from the Committee on Commerce, reported back with amendments the bill (S. 1405) to authorize the construction of a bridge across the Mississippi River at or near the city of Oquawka, in the State of Illinois, and to establish it as a post-road; which was referred to the Committee of the Whole House on the Private Calendar, and, with the amendments and accompanying report, ordered to be printed.

SISSETON AND WAHPETON INDIANS.

Mr. PERRY, from the Committee on Indian Affairs, reported back, as a substitute for the bill H. R. 6464, a bill (H. R. 9676) for the relief of certain Sisseton and Wahpeton Sioux Indians who served in the armies of the United States against their own people when at war with the United States, and of their families, descendants, and legal representatives, and of certain other Indians of said bands who served as soldiers in the armies of the United States during the civil war, from the operation of certain acts of Congress passed to punish the hostile Indians; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The bill H. R. 6464 was laid on the table.

CAPT. THOMAS SAMPSON.

Mr. COX. If there be no further reports, I ask unanimous consent to have put upon its passage the little bill which I called up a few minutes ago. If it gives rise to any debate I will withdraw it.

Mr. KEAN. The same courtesy should be extended to this side of the House.

Mr. MILLS. I will consent to the gentleman from New York and the gentleman from New Jersey being recognized, one on each side of the House.

The SPEAKER. The gentleman from New York asks unanimous consent to have considered at this time the bill (H. R. 9430); and the gentleman from New Jersey [Mr. KEAN] asks unanimous consent to consider a Senate bill for the registry of three barges. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill called up by the gentleman from New York.

The bill was read, as follows:

A bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to award to Capt. Thomas Sampson, of New York City, a gold medal of the first class, for bravery in rescuing, at the peril of his own life, five boys from drowning—three in June, 1854, and two in June, 1856.

The report from the Committee on Commerce (by Mr. DAVENPORT) was read, as follows:

The Committee on Commerce, to whom was referred the bill (H. R. 9430) authorizing and directing the Secretary of the Treasury to award a gold medal of the first class to Captain Thomas Sampson, of New York City, for bravery in rescuing, at the peril of his own life, five boys from drowning—three in June, 1854, and two in June, 1856—beg leave to make the following report:

Special legislation is made necessary in this case by reason of the fact that Captain Sampson is unable to make a technical compliance with the general law on this subject, of June 20, 1874, which authorizes the Secretary of the Treasury, upon the presentation of satisfactory evidence, to award medals in cases where human life is saved from drowning at the risk of one's own life.

The sworn petitions of Captain Sampson, under date of October 18 and December 3, 1886, respectively, addressed to the Secretary of the Treasury, making application for the bestowal on him of a gold medal of the first class, are herein annexed as Exhibits A and B.

The General Superintendent of the Life-Saving Service, in a letter on this subject, addressed to Hon. S. S. Cox, a member of this House from the State of New York, and who introduced the bill herein referred to (which letter is also herein annexed as Exhibit C) gives the status of the case of Captain Sampson. In concluding his letter the General Superintendent says:

"There is no doubt in my own mind that Captain Sampson deserves a medal, but I do not see how it can be given him until he produces the evidence which the Secretary requires, and this, I understand, it is difficult, if not impossible, to get after so great a lapse of time."

In view of the facts set forth in the petition and General Superintendent Kimball's letter, and the signal recognition of his bravery by the Life-Saving Benevolent Association of the City of New York in awarding him for his heroism, in both instances, a gold medal, suitably inscribed, and recognizing the further fact that it is almost impossible for the petitioner, after the lapse of so long a time, to technically comply with the requirements of the law, by presenting the "evidence of eye-witnesses," and having full faith and confidence in the merit and justice of the petitioner's application for a like recognition of his bravery by the Federal Government in the bestowal of a gold medal of the first class, suitably inscribed, your committee report the bill back with the recommendation that the same become a law.

EXHIBIT A.

To Hon. DANIEL MANNING,
Secretary of Treasury:

The petition of the undersigned respectfully shows: That public act 135, approved by the President of the United States July 19, 1886, entitled the petitioner to claim the benefits conferred by act of Congress approved June 20, 1874.

Your petitioner respectfully shows that for the past twenty-four years he has been connected with the subtreasury in this city (New York), and for over ten years next preceding was connected with the police department of the city of New York.

Your petitioner further says, during the month of June, 1854, that he saved from death by drowning, in the upper bay of the city of New York, the lives of three boys, at the imminent risk of his own life; for this act he was presented by the "Life-Saving Benefit Benevolent Association of New York" a gold medal suitably inscribed, as shown by the records of the society, a certified copy of which is inclosed.

Your petitioner further shows that on or about June 2, 1856, he saved the lives of two boys in the Narrows, through which all vessels enter the port of New York. For this act a medal suitably inscribed was presented your petitioner August, 1856, as shown by the records of the New York Life-Saving Benevolent Association.

The saving of the lives of the boys referred to was regarded as acts of heroic daring and great peril.

In view of the facts presented, your petitioner respectfully asks that a medal of the first class be awarded him.

THOS. SAMPSON.

STATE OF NEW YORK, *City and County of New York, ss:*

Thomas Sampson, being sworn, doth depose and say that he has read the foregoing petition and that the facts therein stated are true.

THOS. SAMPSON.

Sworn to before me this 18th day of October, 1886.

EDWARD DONOHOE,
Notary Public (50), *New York City and County.*

EXHIBIT B.

NEW YORK, *December* 3, 1886.

SIR: The petition of the undersigned, a resident of the State, county, and city of New York, respectfully shows that under the provisions of the act of Congress approved July 19, 1886 (public act 135), being an act for the relief of Thomas Sampson, has the privilege of filing application for consideration, under the provisions of section 7 of the act of June 20, 1874, entitled "An act to provide for establishment of life-saving stations, etc."

Your petitioner respectfully shows that on or about the 15th day of June, 1854, while in bathing near Fort Hamilton, in the harbor of the city of New York, his attention was directed by the outcries of several persons on shore to the dangerous position of three boys, aged, respectively, nine, twelve, and thirteen years, who were in a rude skiff or raft of their own construction (which they were unable to control), fast drifting to sea and to their sure death. Your petitioner, unable to secure any help from the terrified persons who were witnessing the peril in which the lads were placed, at once struck out for the raft, succeeded in calming the fear and terror of the eldest of the boys, placed the youngest, a lad named Darling or Darlington, on his back, and landed him safely ashore. Your petitioner immediately started back to the fast-receding wreck, snatched the second boy, and, with an admonition to the eldest, almost frantic with terror for his own safety, left for the shore, where the second lad was safely landed. This boy was a brother of the first rescued. Your petitioner further represents that at this time the water was very rough and the bystanders cautioned him to beware of his own safety. Unheeding the fears of these persons, he swam out for the third boy, whom he found paralyzed with terror and clinging to the wreck in an almost helpless condition. This lad he took on his back, and when less than 40 feet from the wreck the lad's hold loosened and he was washed off. A shriek of terror arose from those on shore, when, notwithstanding my almost exhausted condition, I caught the boy again, and with a death-grip around my throat, dragging me down with him under water, I was enabled to break his hold, and with the aid of those on shore, who by this time had secured a rope, I was able to bring the boy, unconscious, and myself exhausted, to a place of safety. For this act a gold medal of the Life-Saving Benevolent Association of the City of New York, suitably inscribed, was presented me. The letter of the society accompanying the medal was sent to the Treasury Department about the 20th day of October last, with other papers. Your petitioner further says that some time during the month of June, 1856, while engaged in fishing in the upper harbor of New York, near Little Hell Gate, at that time a much dangerous channel, his attention was attracted by the cries of a number of people that two boys who were in bathing were in danger of

drowning in that dangerous place. Without any thought of the consequences to his own safety, your petitioner jumped from a boat, swam for the place where the boys were, and, with the aid of an oar, with which he had provided himself, saved the lives of the two boys, one of whom had gone down for the third time and was given up for lost.

THOS. SAMPSON.

Hon. DANIEL MANNING,
Secretary of Treasury.

STATE OF NEW YORK, *City and County of New York:*

Thomas Sampson, of the State, county, and city of New York, being duly sworn, doth depose and say that he is the petitioner above named; that he has carefully read the statements contained therein, and swears they are true of his own knowledge.

Sworn to before me the 3d day of December, 1888.

MARVIN INGRAHAM,
Notary Public (No. 4), City, County, and State of New York.

[SEAL.]

Mr. COX. Mr. Speaker, owing to the failure of the Committee on Commerce to obtain its hearing on the days assigned, I crave permission upon this bill to make the remarks intended for other bills in reference to the life-saving system.

The general statute provides for medals to those who rescue human life, but as this is an exceptional case in which the evidence is not formulated according to the Treasury regulations I have proposed this measure in this House as an act of justice. The facts developed by the report show the heroism of my constituent, Captain Sampson. His is but one among the many honorable deeds which have distinguished this service. It is meet that Congress in a case where there is no doubt of the service rendered should decorate the hero with the same insignia which, under other circumstances, is within the discretion of the Secretary of the Treasury.

The unanimity with which this bill is taken up for passage is one of the signs that the service is strongly entrenched in the public mind and heart.

PUBLIC INTEREST IN THE SERVICE.

Besides, sir, the public interest in life-saving is evidenced by the number of bills on that subject which have been introduced during the present session. I have before me eight bills, for which my gifted and honorable friend from Michigan [Mr. TARSNEY], of the Committee on Commerce, has reported two substitutes.

The first class of bills, one of which was introduced by myself, authorizes the establishment of additional life-saving stations. The others look to a better provision for the pay and comfort of superintendents, keepers, and surfmen, and those who are rescued as well as a pension law for the families of keepers and crews whose lives are lost in the service.

The committee has wisely consulted with the excellent Superintendent of the Life-Saving Service, Mr. Kimball, and have reported such additional life-saving stations as our increased commerce and our new points of disaster warrant. These no doubt will receive the sanction of the House.

In making an increase of salary for those engaged in this perilous business the committee have limited their recommendation for the present to a small increase, which they say is a merited act of justice to those employed in saving life and property from shipwreck; and certainly no one who understands the usefulness of this service would be reluctant to increase the stimulus for the performance of the dangerous, trying, and arduous work of this class of Government employés.

Mr. Speaker, may I make this the occasion of arousing new and added interest in this great benefaction of our Government? In doing so may I be pardoned if I refer to its origin and results? The latter vindicate the former; for no department of our Government shows such precious compensation in valuable consequences to human life and property or such considerate care for the general welfare as the service with which for many years I have been associated in our legislation.

OBSERVATIONS ABROAD.

It may seem forward on my part to speak of observations which I have made abroad, and which almost directly, certainly indirectly, have influenced my regard for this service, but the occasion may justify the seeming egotism.

Emerson calls the desire to travel abroad a superstition. He thinks it springs from a want of self-culture; that "in our best and manly hours our best men stick fast where they are, like an axis of the earth, and that the wise man stays at home, and wherever he goes he is at home still." He must have had in his mind the celebrated French abbé who wrote a "book about his circumnavigation of the globe"—in his own chamber. Emerson makes one exception, and that is when a man travels for art, study, or benevolence; otherwise he regards traveling as a fool's paradise. The man who travels has a vagabond intellect. I am not sure but this transcendentalism is true, and that I am within some of its correlations, for I have enjoyed something of this paradise.

But, Mr. Speaker, I have not in traveling, whether in the Isle of Wight or near the classic Semplegades, been wholly unobservant of the qualities and conduct of this form of human benevolence, and out of this observation came my first little effort here as a commercial representative.

It happened once to me, in the fall of 1868, after my first election to Congress from New York, that I was on a steamer which came near shipwreck. A terrible hurricane had prevailed, and our vessel was amidst the dangerous Scilly Isles at Land's End. We had lost our way, owing to the inexactitude of the science of navigation. Instead of being in the English we were in the Irish Channel. No such storm has since appeared on the English coast. When I arrived at Southampton the English papers were full of it, and especially of the courageous conduct of the life-savers and coast-guards upon that coast. This led me to wonder why the United States, with a coast-line of 10,000 miles, washed by the vexed and vexing Atlantic, and with gulf and lake quite as tempestuous in certain seasons, had not organized some systematic plan under our Government for the rescue of human life and property stranded upon our coast.

ORIGIN OF THE PATROL.

When I returned to my seat I made examination into the matter. I endeavored to give my assistance to the member who then represented the New Jersey coast in his efforts to organize such a system for his own sea-bound State.

There had been a number of huts used for life-saving purposes upon that coast. They had fallen into decay; the appropriations had ceased, and there was no patrol system. In spite of great mortality on the coast from shipwreck, amounting to thousands where there are now hardly tens, there was general indifference to this humane object. Senator Stockton and Hon. Charles Haight, of the Monmouth district, were, however, making efforts for the resuscitation of these feeble endeavors to fight the elements.

When the sundry civil appropriation bill was in discussion in the House of Representatives on the 24th of February, 1871 (see Congressional Globe, volume 83, page 1607), my friend, Mr. Haight, moved his amendment. It failed. I saw it fall with keen regret. I renewed it with a less sum and for a fewer number of surfmen. All I asked was for six experienced surfmen to man the rickety boats at the few rotting stations upon the Jersey coast, commencing at Sandy Hook. The time of the service was limited from December 15 to March 15. The appropriation called for was not much. It was only $10,000. My appeal to the chairman of the Committee on Appropriations, now Senator DAWES, of Massachusetts—with whom I have had many pleasant relations from the beginning of our service here in 1857—was happily heeded. It was enforced in a picturesque way, by a book which I had found on a book-stall in London, which portrayed the life-boat, the rocket apparatus, and the line, and the car by which the imperiled passenger might reach the shore from the ship in safety.

Since the organization of this service I have had numerous inquiries, both at home and abroad, as to its history and *modus operandi*. Our encyclopedias, magazines, and newspapers have given much to the discussion on these themes.

And since, sir, there have been frequent requests made of me for the history of the beginnings of this work, I ask that there be printed my first remarks upon that appropriation, together with some extracts from a subsequent speech urging the enactment of the present law. These express better than I can express it at the present time the seminal idea which lies at the root of a tree which has spread its pleasant shadow since that time not only over our own but over other countries.

Certainly no object better illustrates the humanity of our constitutional order than the Life-Saving Service. No lawyer disputes that it comes within the provisions of the Constitution as to the regulation of commerce, and no man now disputes the benignity which tempers even the most stupendous storm, and rescues human life from its wildest commotions.

IMMENSE RESULTS SINCE 1871.

From a little spring of $10,000 in 1871, what immense results have followed! I would gladly share with Mr. Haight and Senator DAWES any honor which now, at this late day, may come to those who assisted this cause. My amendment was subject to a point of order, and the withdrawal of opposition by the distinguished Senator from Massachusetts gave an impulse to the service which was not then dreamed of, and which has never yet been arrested. In fact, this is the beginning of the patrol system from which we date the true origin of the service.

But in 1878 it became necessary to reorganize the business with a view to greater accountability and efficiency. Owing to two terrific disasters on the Virginia coast a great interest was manifested. Pursuing the subject on the wave of this emotion, I introduced the present law, and endeavored to champion it, along with the chairman of the Committee on Commerce, Mr. Roberts, of Maryland.

Although the service is operated during only a portion of each year, and has been limited during a part of the time since 1871 to the most inhospitable portions of our coast, there have been momentous results beyond all our hope and prescience.

Little did I think, sir, when I offered the first amendment, to which I have referred, that we would have to-day distributed upon our sea, gulf, and lake coasts 218 stations, and that the skill, courage, and humanity of the gallant men who man them would make that service not only honorable and humane, but generally appreciated by our people and their representatives.

RESULTS LAST YEAR.

I have before me an abstract of the unpublished annual report of the General Superintendent of the Life-Saving Service for the year ending

June 30, 1887. I draw upon its statements to illustrate the divine beneficence of the service:

The establishment embraced at the close of the last fiscal year 218 stations, 166 on the Atlantic, 44 on the Lakes, 7 on the Pacific, and 1 at the Falls of the Ohio, Louisville, Ky.

The number of disasters to documented vessels, reported within the field of station operations during the year was 332. On board these vessels were 6,327 persons, of whom only 55 were lost. The number of shipwrecked persons who received succor at stations was 737, to whom 1,894 days relief in the aggregate was afforded. The value of the vessels involved in the disasters is estimated at $4,786,925, and that of their cargoes at $2,288,775, making the total value of property $7,075,700, of which $5,788,820 was saved, and $1,286,880 lost. The number of vessels totally lost was 72.

Besides the foregoing, there were during the year 135 casualties to smaller craft, such as sail-boats, row-boats, etc., on which there were 274 persons, only 3 of whom were lost. The property involved in these instances is estimated at $96,830, of which $92,915 was saved, and $3,915 lost. The result of all the disasters within the scope of the service is therefore as follows:

Total number of disasters	467
Total value of property involved	$7,172,530
Total value of property saved	$5,881,735
Total value of property lost	$1,290,795
Total number of persons involved	6,601
Total number of persons lost	58
Total number of shipwrecked persons succored at stations	737
Total number of days' succor afforded	1,894
Number of vessels totally lost	72

Even as a matter of cold business, the saving of property justifies amply the annual appropriations, which last year—including $50,000 for new stations—amounted to $961,800.

In addition to persons saved from vessels, there was 23 others rescued, who had fallen from wharves, piers, etc. These would have perished without the aid of the life-saving crews.

The Superintendent may well congratulate himself, and the brave men who serve with him, upon this annual result. In view of these facts, he may well felicitate the country that there was more work accomplished than in any previous year, except the one immediately preceding, 393 vessels having been floated off when stranded, repaired when damaged, piloted out of dangerous places, and assisted by the station crews. There were, besides, 210 instances where vessels running into danger of stranding were warned off by the signals of the patrols, most of them thus being probably saved from partial or total destruction.

With his usual vigilance, the Superintendent caused investigations to be made in every case of loss of life. These show that there was no failure in duty on the part of the station force engaged. The sacrifice during the year of eight members of life-saving crews at scenes of shipwreck expresses the devotion of the men in their efforts at rescue.

Of the 58 persons lost during the year, 22 perished by the capsizing of the ship's boat and the surf-boat together while the people were being transferred from one to the other; 21 by the breaking up of the vessel while efforts for rescue were in progress; 8 in attempting to land in their own boats; 1 died from exposure and 1 was washed overboard during operations for rescue; 1 was swept overboard and 2 were frozen to death before assistance could reach them; 1 was drowned while being helped into the rigging by his shipmates, and 1 was thrown from a capsized boat and drowned before help could arrive.

The report thus gives full and specific accounts of all the circumstances connected with the loss of these persons.

An unusual prevalence of snow-storms and of fogs made the operations of the service for the past year more than usually dangerous; nevertheless the crews succeeded in saving a much greater number of lives and a larger amount of property than ever before, in some instances performing feats of unparalleled daring. On one occasion a life-boat crew went 110 miles to a rescue. They brought ashore twenty-four persons—the crews of two wrecked vessels. On several occasions the station-men went on distances of from 10 to 20 miles and wrought similar deliverances.

In comparison with the involvement of the most sacred thing belonging to our nature—human life—the values of property which have been saved are of little consequence. But I have been in the habit, in my vigilance over this subject, to recall to the attention of the House from time to time the statistics of the service in a summary form, so as to show from the first little appropriation, to which I have referred, in 1871, the results to the close of the fiscal year.

Ah, if the eye could only read between the figures of these disasters and values and rescues of human life and property! Here they are in bold and frigid statistics. What a benignant and gracious cycle of sixteen years since the little appropriation was given!

FROM 1871 TO 1887.

Total number of disasters	3,852
Total value of vessels	$44,609,960
Total value of cargoes	$20,939,819
Total value of property involved	$65,549,779
Total value of property saved	$47,330,992
Total value of property lost	$18,218,787
Total number of persons involved	35,427
Total number of lives lost	544
Total number of persons succored	6,373
Total number of days' succor afforded	17,207

The loss of life includes 183 persons lost at the wrecks of the steamers Huron and Metropolis, and also 14 other persons, really not chargeable to the service, for reasons given in the report. This leaves the total number of lives lost during the sixteen years of the existence of the system only 347, out of 35,427 involved.

The saving of human life up to the present time doubtless exceeds thirty-six thousand. Is there a member of this House who, in looking at this splendid result, would be indifferent or laggard in the pursuit of his duty in assisting to give new energy, better pay, and greater honors to this service? Why, too, should not the suggestion which was made by the Women's National Relief Association be heeded, when it asks this session for an additional appropriation to give that comfort to those who are rescued for which the Association has been organized, and to place upon the pension-list the families of those who have lost father and husband in their conflict with storm and sea?

Again, Mr. Speaker, I draw from the unpublished report of the Superintendent, Mr. Kimball, two more paragraphs, in order to show the continuous advance in the equipment and increase of the service:

NEW STATIONS.

New stations were completed and put into commission during the year at North Scituate, Mass., and at Frankford, Pent Water, White River, Holland, South Haven, and Sturgeon Bay Canal on Lake Michigan. Two others, one at Cape Elizabeth, Maine, and one at Cape Lookout, North Carolina, have been completed, and will be put in commission during the coming winter. A new station at Jerry's Point, New Hampshire, is also approaching completion.

Four old stations have been replaced by new and improved stations, and four more are under contract for rebuilding, while extensive repairs have been put upon twenty-two others on different portions of the coast.

The General Superintendent recommends the establishment of stations at Wallis Sands, New Hampshire; Plum Island, Massachusetts; Lynnhaven Inlet, Virginia; Ashtabula, on Lake Erie, and Marquette, on Lake Superior.

These last are in the bill I presented, and are adopted in the substitute of the committee, so that the House now has before it in all its completeness the past efficiency, present condition, and future provision for this service. They have, too, the most weird and wonderful record which has ever been made connected with human and humane government. It is an epic more humane than that of Homer and more ennobling than that of Milton.

ROMANCE OF THE SERVICE.

These extraordinary expressions may not be considered too exaggerative or romantic when you consider the ever-varying disaster and the terrific conflict of the heroes of the deep against the wildest turbulence of the elements.

As the waves of the Red Sea, at God's own voice, rolled back to make a pathway for His chosen people, so, out of the very depths, man redeems his brother man, safe, joyful, and free!

Shortly after the *La Amérique* was stranded on the Jersey coast and its hundred lives were rescued by our gallant surfmen, the artist Bierstadt, whose pictures adorn each side of your chair, Mr. Speaker, endeavored to portray upon canvas the scene which I vainly endeavored to picture in my speech in 1878. He told me that it defied his art. The storm, the wind, the ice floes, the snow, the seething brine, the stranded vessel, the strange lights upon the ship, and the stranger Coston signals upon the shore, with the tumult of the waves and sky, and the shrieks of the imperiled—these made up a scene upon the wild sands of New Jersey for which there is no expression in the art of painter or poet.

The reports of the Superintendent furnish a class of literature which illustrate that "truth is indeed stranger than fiction." The pen of Walter Scott, Fenimore Cooper, or Victor Hugo, each one facile, graphic, and grand in its own peculiar grace on maritime scenes, would fall from a nerveless grasp in striving to depict the storm and shore and darkness—"wondrous strong"—which furnish the *mise en scene* of these wonderful rescues. It furnishes a stage for heroic conduct as an example to mankind, but amidst the alarm, confusion, catastrophe, and gloom, and the huge dark surges upon the shore, they constitute the acts of a tragedy whose significance is unknown to the ordinary forms of human struggle and expression and whose features of divine sublimity only a Greek of the mould of Æschylus could reproduce in all the magnitude of its superhuman destiny. War with its death-dealing artillery and portentous cloud, is tame compared with the courageous effort made by our gallant heroes. What are all the instrumentalities which have been called into use by the invention of man—the guns, the explosives, and the vessels of war—compared with that little howitzer that shoots the line which leads the despairing to the shore? The inspiring courage which handles the wreck ordnance, the line rocket, the life-saving projectile, the howitzer, and the surf-boat—these are not the enginery of death but of life! It is this intelligent intrepidity which makes such dumb instruments subservient to humanity, and with such a result that every year new appliances are added to inspire human courage for the same great object.

This service did not belong to the Navy Department, for the men trained in the Navy are deep-water sailors and seldom know the currents, shoals, and dangers of the coast. It is to the fishermen, the surfmen who patrol the coast by night in all weather, even in the wildest Walpurgis night which would appall the stoutest heart, that we owe the wonderful work which our statistics display. It is by these men, well drilled for the performance of their duty in their perilous avocation, that these dead statistics are made vital with energy and humanity.

INSTRUMENTALITIES.

Our service differs from the service which I observed abroad, for we have substituted for the rocket, the howitzer, and for the life-boat the light and portable surf-boat. The latter is fitted especially for the shelving beach, but it requires the greatest skill for its management. The plan of throwing a rope to a vessel in distress, the mortar and the

ball which carries the line to the ship and makes its connection with the shore, the buoy known as the "breeches buoy," and the life-car for the expeditious removal of the passengers who are endangered, demonstrate the advancement in the United States upon this mechanical line of philanthropy. It is our pride, also, that our life-saving stations, though not models of architecture according to the esthetic mode, answer the purpose, and the comfort which follows the rescue has well been provided by the voluntary contributions from the Women's National Relief Association, of which Mrs. Chief-Justice Waite is the president.

PERSONAL INCIDENT.

May I not, therefore, take a pardonable pride in the establishment and progress of this system, which has no peer in the world for its effective work, and no paragon in the history of nations for its inspiration?

I sometimes think, Mr. Speaker, that I have had, through the mercy of God, more than my compensation for the little I have done in the promotion of this service. When struggling for life one year ago in this city, when the little will-power which was remaining was ready to succumb before the ravages of disease and the agony of pain, and when friends had almost given up hope of my surviving, I cast my eyes upon two pictures upon either side of my sick-bed. One is that of the life-boat going out through the storm to the rescue of a ship wrecked upon a rock-bound coast, while those on the shore, the relatives of the surfmen, stand speechless with anxiety as to the fate of the brave men who hazard all for the rescue. The other picture is that of the same life-boat coming in. It is laden with its precious freight. Amidst the howling of the storm, and the dark clouds around the beetling cliffs, the cry goes up from thankful hearts: "All safe! All well!"

In my poor, sick fancy I grasped the tiller of the life-boat; I clung to it with a tenacity that overcame the sinking heart and emaciated body. The good doctor, when I related to him the incident and the source which inspired me with a fresh hope and a new life, gave me smiling assurance that I might still survive, as a rescued man, to plead for the Life-Saving Service in many Congresses.

THE SEA.

Is there anything connected with our relations in this world surrounded with more sanctity, or to which we should give more thoughtful consideration, than the rescue of "those who go down to the sea in ships?"

Picture to yourself a fearful night upon the Northern lakes. The time is winter. The roar of the blast keeps a wild harmony with the waves of the sea.

> The storm dashes out with its wings,
> And over the sky, from south to north,
> In the strength of a mighty glee.

It is in such stormful emergencies that our stalwart surfmen trudge their weary, watchful patrol over shifting quick-sands and obscure paths to do their noblest work in wintry blasts, and when the crisis came to breast the breakers in which many of them have lost their own lives.

Ah! sir; there is a pathetic poetry belonging to the sea, which is all too sad for the ordinary prose of human composition.

The sea has been the theme of praise by many writers; their vivid descriptions forever remain in the memory. They have applauded its services as the great purveyor of the world's commodities for the diversity of food which it yields, and, most of all, for the "wonders of the Lord in the deep." But no pen has ever done justice to the grandeur of its aspect, even in calm, or to the might of its tempests in storm. It is said that it entertains the sun with vapors, the moon with obsequiousness, the stars also with a natural looking-glass, the sky with clouds, the air with temperateness, the soil with subtileness, the rivers with tides, the hills with moisture, and the valleys with fertility. It gives meditation to the mind, and the world to the world, all parts thereof to each part, by the art of arts—navigation.

Still, above all is that restless, overwhelming power, in the wild tumult of its wrath, when its crested waves make a compact with the clouds and the winds, the thunder and the thunderbolt, and sweep on in their dread alliance.

And yet, to sustain that art of navigation, there is another art, called into being by the genius of man, which dares contend against the wild, insatiable, and reckless Saturnalia of the sea.

Oliver Wendell Holmes compares the sea with the mountains, to the great disadvantage of the sea. He loves—as who does not—the mountains, where the least of things seem infinite; but the sea is to him a huge feline, licking your feet, purring at times pleasantly, but ready to crack your bones and eat you for all that, and then wipe the crimsoned foam from its jaws as if nothing had happened. The sea had for him a fascinating, treacherous intelligence, stretching out its shining length, and by and by lashing itself into rage, showing its white teeth, and ready to spring at the bars while howling the cry of its mad fury! That furious wild animal, the arts of man has caged and tamed!

Before the genius of man the wildest waves become calm. Parent and child, wife and husband, brother and sister and lover, who are tossed and stranded, are rescued from the washing and wasting element, which is subdued and enchained by human bravery. As Byron has sung, "Man has wantoned with its breakers, and that which was a terror becomes a pleasing fear." Our noble crews defying its billows, have laid their hands upon its mane and tamed it to their will.

NOBLER SERVICE THAN WAR.

Governments give medals for the taking of human life. We give medals, as in the pending case of Captain Sampson, for the saving of human life; but it was not without a hard struggle upon this floor that I obtained even a limited compensation for the families of those who died in the struggle to save others. This effort was partially successful in 1877, when some pecuniary and annual allowance to the relatives of the crew of seven heroes, who perished in striving to assist the United States steamer Huron on Lake Michigan. There are others similarly situated, to whose courage I then referred for their efforts to save life from the Italian bark Nuova Ottavia on the coast of North Carolina. Seven men perished in this attempt at rescue, and their widows and children cry aloud in their destitution for our help. Superintendent Kimball regards it as good for the service to bring both keepers and crews under the pension law. He says:

> These crews are composed of poor fishermen, who live scantily and find a main means of support in the slender pay they receive as surfmen. Grown old or disabled in the service, they sink into penury or dependence, and when they lose their lives, as in the signal disasters of the past year, in attempting to save others, or when they die in the course of nature, their death, after all their valuable and heroic service, leaves their families in poverty and want. It should be borne in mind that they are the very flower of their class, hardy and able seamen, dexterous and courageous, matchless in managing boats in heavy seas and in the perilous neighborhood of wrecks, and of such approved integrity, that the property of mariners and passengers and the cargoes of vessels saved by their efforts suffer no loss at their hands.
>
> Each year the record shows hundreds of lives and vast amounts of property saved by their exertions, and these exertions, laborious in themselves, are often made at the peril of their own existence. It is conceived, therefore, that the soldiers' right to pension exists in their case also, and that when age or infirmity has come upon them, or when they surrender life in the line of their duty, what they have done and suffered for others should be remembered to them and theirs by the nation. It is also recommended that the benefits of the pension laws be extended to such keepers and crews as may become disabled in the discharge of duty and to the widows and orphans of those who may perish in attempts at rescue.

Why, sir, should not this recommendation be accomplished? How much more ennobling is the system fostered by this service compared with the system by which whole hecatombs have been slaughtered in human warfare! "Ah," said DeQuincy, "what a vulgar thing does courage seem when we see nations buying and selling it at a shilling a day."

In the old days it was said that it was beautiful to die for one's country. Under the inspiration of martial music and other martial exercises patriotic men rush to the conflict and die. Nations vote pensions and decorations to the hero who first plants a flag on a parapet or rescues it from an enemy. How much nobler to decorate and pension the man who, seeing one of his own kind, though a stranger, in the struggle and despair of death, plunges into the very jaws of the unseen future amidst darkness and danger to reclaim his fellow-being from a watery grave.

LIFE BEFORE PROPERTY.

Let it not be forgotten, sir, that the orders of our Life-Saving Service are, first, to save life, and then property. Monte Cristo, with all his wealth of gems and gold, must give way to the weak woman and child; and if he had the jewels of Aladdin's cave they must wait the safety of the living before the salvation of gems, silver, gold, bonds, or any form of wealth.

OTHER AIDS.

This law but supplements other laws of a benevolent character for the safety of ships and the saving of lives. Our light-houses, coast surveys, revenue-marine service, and all voluntary aids are a part of that advancement which is warranted by the commerce clause of the Constitution. Our life-boats, light-signals, rafts, swimming-armor, buoys, guns, and fog-horns,—these are the instruments which invention has revealed for the salvation of life imperiled on the sea. The advancement of mechanical skill and chemical science has enabled us to talk through the telephone from one remote point to another; aye, even to telegraph from Washington to the remotest point on lake or gulf, amidst and above the roar of the storm and the surf to dictate the saving of human life, and even to give to every station its directions and warnings in most unambiguous tone and meaning.

We read of the wonderful light of Pharos, which is said to have beamed a hundred miles and stood fully 500 feet aloft. But electricity like a star glitters from afar, and develops a potential and magical illumination for the relief of the storm-tossed and despairing amidst the tempests of our earth.

When the fishermen of Nantucket, Fire Island, Barnegat, or Hatteras, Huron, and Michigan, or the surfmen upon the shores of Washington and Oregon, push through the mountain breakers into the furious flood to bring their human freight in safety to the shore, there is an epical splendor in the service, more faërie-like than that which Spenser sings of the enchanted diamond shield of Prince Arthur, or than that represented by the mythical maiden when she led the wise Ulysses over the blue Ægean to a harbor of safety by her magical scarf.

SUFFERING OF FRIENDS.

There is no mystery like that of human life. What links it so subtly to the human body which enshrines it, we do not know. Who can measure the goodness and grandeur of every act which tends to its sal-

vation? What ties of kindred, and friendship, and love, are not embound in the golden rigol of life! Its extinguishment by sudden death—is it not the terror of the living? And its prevention—is it not the burden of our religious litanies?

There is some consolation, Mr. Speaker, in the loss of friends who die in their homes. They are surrounded by medical skill and comfort; we can smooth the suffering brow of their death-bed; we can kiss the pallid lips of our loved ones before they go hence forever; we may close the fading vision in calm resignation, and, looking up through tears, we may whisper, "God wills." Husband, wife, child, father, mother, sister, and brother, all find it poignant to part, even though the summons comes among sweet and pleasant associations. But think, sir, of the terrible ordeal of shipwreck, with no rescuer near! How blessed, therefore, for such dire emergencies are heroes who, with cheerful duty, or leaping beyond it by some divine instinct, defy the monarch Death, and his terrible myrmidons, fire, storm, and water, to snatch from his clutch the victims of his power!

Who can measure the wonderful grace of that government which not only attempts to rescue the victims and the stranded ships from the storm, but gives consolation to those who, as Jeremy Taylor well says, have not yet suffered shipwreck, but who amidst the dark night, an ill guide, and a boisterous sea, and broken cable, and hard rock, and a rough wind, may be dashed in pieces with the fortunes of a whole family, and they that shall weep loudest for the accident have not yet entered into the storm?

LIFE MORE PRECIOUS THAN LIBERTY.

We may construct upon our shore the image of Liberty holding up its torch to enlighten the world; we may allure the immigrant to our country by this lustrous imagery at the harbor of our great metropolis; but no such light, even though dazzling with its electric brilliancy, will attract the attention of the good men of our kind like the serene and blessed illumination that radiates from our life-saving statute and proclaims to all the world—to men of every condition, race, and nationality—that when overcome by the terrific disasters of the sea, they have at every perilous point upon our coast the heroic courage of men who are equipped and ready to leap into the surf, to launch their boats through its "league-long rollers," to breast the tempest in its angry howling, and to rescue those who are hanging upon the vast abyss and about to be swallowed by the angry waters.

It is said in the New Testament that a man will give his life for his friend. But these men, almost without pay, with a lion-hearted courage, far excelling that of the soldier under the impulse of patriotic devotion—are ready in the pursuit of their high duty to glorify our human nature by laying down their lives, if need be, for those—even those who are aliens and strangers.

DIVINE ASSOCIATIONS.

What glory has an aureole so golden as this? It is peerless, because it has the holiest associations. The master grace of St. Peter was courage. When he perceives the Saviour walk upon the boisterous sea, and hears the voice saying:

"Be of good cheer; it is I," he cries out.

"Lord, bid me come unto Thee!" and the Master says:

"Come." When his faith begins to fail, and his body to sink, he cries again.

"Lord, save me!"

Then Jesus stretches forth His hand, and he is saved. He finds in that returning faith, stability; as if the waters were petrified into a rock of everlasting safety.

If it were not almost sacrilegious, Mr. Speaker, I would say that this is the one example with which our life-saving heroism can be paralleled. I need not say to this House how much that example has done for mankind, and how beautiful, beyond all expression, is the life which He lived, and the death which He gave for the salvation of men.

May the God who has implanted in human nature the courage and will to save others, and with such a marvelous and divine example before us, give to the American Congress, which has never failed to aid these measures, that blessing which makes life a daily beauty, and death an eternal beatitude.

ORIGIN OF THE PATROL SYSTEM IN 1871.

Mr. COX. I move the following amendment:

"For pay of six experienced surfmen to man the boats at alternate life-saving stations upon the New Jersey coast, commencing at the first station from Sandy Hook, from December 15 to March 15, to be appointed by the keepers thereof, at $40 per month, $10,080."

Mr. DAWES. Is not that the same amendment?

Mr. COX. It only provides for half the service of the amendment of the gentleman from New Jersey—for service in the winter season, from December to March, when storms extend along the coast of New Jersey. The gentleman from Massachusetts must know that there is no part of the coast of the United States, or any coast in fact in the world, so very treacherous as the coast from Sandy Hook to Cape May. It is owing to the unusual form of the coast and to the fact that the shore line is not in any sense the land line. Our surfmen are not always on duty in the winter season. And there is a necessity for additional service if we would save human life and property by this sort of service.

The gentleman from Massachusetts [Mr. DAWES] very properly and kindly said that this was a humane as well as a useful institution, and he complimented my friend from New Jersey [Mr. Haight] for introducing it here. It is a part of the civilization of our time. From 1785, when the first life-boats were made in England, they have been considered as of the greatest utility. By one society alone in England ninety-two hundred and twenty-two human lives were saved by means of this life-boat service

I hold in my hand a book which illustrates, not only by picture but by the text, the amount of human life which has been saved by this service. By firing a shot from a mortar over a boat a line is made and a car is connected between the ship and the shore. On the Ayrshire coast, which is shown in the picture I hold in my hand, two hundred and one persons were saved at one time by these humane regulations. But, sir, the board of underwriters, the marine-insurance people, the wreckers themselves—all the kindly people, all the commercial people of the city of New York and of New Jersey, and other parts of our largely extended coast are interested in this most beneficial service of life-boats. We need them there, not merely to save life and property, but to save life and property at the worst time, namely, in the winter.

I hope, therefore, if the gentleman from Massachusetts (Mr. DAWES) objects to the larger service which my friend from New Jersey has asked for, he will not object to this semi-service. I hope he will consent to this moderate and just proposition, and allow this half service at alternate stations along the coast in the winter season. There may have been no report from the Treasury in favor of this, although I think there is a difference of opinion between the gentleman from New Jersey and my friend from Massachusetts as to that. The time has not come yet for a full report as to what has been the result of last year's legislation. But before we break down the whole system by a neglect of legislation this year, let us at least break it down only halfway, maintaining the service in the inclement winter season, and when it may be of great utility and will not involve any very great expense.

Mr. DAWES. I would not weigh a dollar with the life of a man exposed in a storm, and the gentleman from New York [Mr. COX] knows that the opposition to this measure on the part of the committee does not arise in any desire to save money as against the perils of the sea. It is only because those who have charge of these appropriations believe that the best method of maintaining this service is that of paying for the occasion and the necessity when they arise. But I do not want to antagonize with my friends upon such questions as this. I therefore withdraw my opposition, and am willing to accept the amendment of the gentleman from New York [Mr. COX].

Mr. COX. I am very much obliged to the gentleman from Massachusetts, and I beg to say that I did not by any means impute to him any lack of humanity.

The question being taken on the amendment of Mr. COX, it was agreed to.

(Discussion on sundry civil appropriation bill in the House of Representatives, February 24, 1871. See Congressional Globe, volume 83, page 1997).

[Extracts from speech of S. S. COX, June 4, 1878.]

ORGANIZATION OF THE BUREAU OF LIFE-SAVING.

The House having under consideration the life-saving bill, reported by Mr. Roberts, of Maryland, from the Committee on Commerce—

Mr. COX, of New York, said:

Mr. SPEAKER: The necessities of our condition on this star make the seas highways to man. Prompted as well by curiosity and adventure as by a desire to trade and live, man has ever braved the ocean. It has its wonders and utilities, and human skill and courage have not been wanting to reveal them. From the frailest craft of the isles of the southern seas to the grand steamers that breast the Northern Atlantic; from the rude sailors of antiquity, who steered by the stars, to those who use the compass, the quadrant, the dead reckoning, and the signal lights; from the time when our largest oceans were a waste known to but few, or when its supremacy was disputed by Carthage and Rome, to this later era when Maury has traced the streams themselves amid the seas for the benefit of commerce, and the goblin of steam has shortened voyages and matched the storm king—it has been a part of the science of our advancement to watch, with unwinking espionage, the phenomena of the waters that cover the face of the earth.

COMMERCE TRIUMPHANT.

For thousands of years ships have glided through liquid leagues, from horizon to horizon, harmed and unharmed, under sun and star. They have brought to us the wonders of the deep for poetry, art, science, and civilization. From Salamis to Trafalgar human passion has imitated the angry elements of the sea in war, and ensanguined the deep with the blood of nations, and every muse has chanted its heroes of the sea. Beneath the blue of the Mediterranean repose the bones of past greatness, whose relics are epics like an Odyssey, forever sung in the memories of men to the "swelling of the voiceful sea." It has been reserved to another art to transcribe for the eye these memories. Vernet, Van Beest, Vandevelde, Bradford, and a galaxy of artists have pictured every mood of the ocean, from the drifting, drifting of the endless main, or the auroral radiance rising above the billows to gild the world, to the wild tumult of the cyclone, when the deep boileth and maketh a path to shine after it. These princes of the palette have given to the canvas, sun, shade, cloud, sky, shore, sail, craft, and water; sailor, boat, wreck, and storm, in all their beauty, vigor, truth, and wildness, and in every form and color to gratify art and glorify nature.

Science has dived below the surface to analyze the foundations of the earth, and lay the measures thereof, to confound our human surmises and propitiate our fears. To the superficial eye, even the ocean is unparalleled as an exhibition of force and sublimity; but when mechanism measures its depth it becomes, in comparison with the solid earth, "but as the sweat of the wrestler's brow compared to his knitted body." Byron called it "deeply, darkly, beautifully blue;" but it was La Place who ascertained its depth before the plummet had sounded it or observation had obtained it for the Atlantic cable. The science of man has penetrated its deepest zones, down among the oölites of the northern sea, and the coral reefs of the southern, and multiplied to infinity the wonders of that day when the sea shall give up its countless dead.

OCEAN DANGERS.

Strange as it may seem, one of the weird attractions of the ocean is its danger. Property and life beyond human estimate have been swallowed up by its capacious, all-devouring hunger. Civilized nations, especially those which are maritime, have levied taxes and concerted plans to lessen these dreadful dangers. Our light-houses, coast surveys, buoys, signals, life-boats, and mortars—like quarantine, and rods against the thunderbolt—these are but a small portion of the precautions which have been taken to rescue property from its insatiate clutch and welcome the mariner with joyful beacon from headlands, before he furls his sail for home.

Humanity, more beautiful than Art—and more profound than Science—has bent over the tempestuous seas her grand ethereal bow, infolding its hues of promise, as an everlasting covenant with heaven!

THE ENGLISH SYSTEM.

The English National Life-Boat Association has saved, within fifty years since its establishment, some twenty-five thousand lives and fabulous values in property. Its coadjutors, the coast-guard and rocket-saving bureau, under the government board of trade, have increased these benefactions. This has been done almost entirely by voluntary contributions. Two millions of dollars have been spent in these efforts.

The English system is not very old. It is no older than I am; it was born the same year. But it has a harvest of humanity garnered by the endurance, pluck, and goodness of its men. It has voted thanks and honors, inscribed on vellum, for those who cared not for medals or money. In money it has given $20,000 per year in gratuities to the rescuers of life. Since its organization it

has spent, up to 1876, $1,940,000, and given ninety-two gold medals and eight hundred and seventy-one silver medals. The lists are published annually. Besides, it has during that time paid $200,000 yearly for boats and apparatus, being the amount of its receipts from its invested bonds and donations.

Upon its medals is the picture of the royal patroness, the Queen, and the Biblical motto "Let not the deep swallow me," being the exclamation of a shipwrecked man as he is drawn into a life-boat by adventurous life-savers. These deeds, more golden than ever historic or epic pen recorded, are all done around the little sea-bound coast of Britain. Who shall complain that we spend the same sum per annum upon our 10,000 miles of sea and lake coast? What vicissitudes of weather meets our American mariner—from the tropical tornado to the tempestuous nor'easter; from the jagged fiords of Maine to the hidden shoals, rips, and ledges of Massachusetts and Rhode Island; from the menacing arm of Cape Cod to the insidious sand beaches, treacherous undercurrents, and exposed headlands and points, 600 miles southward to where Hatteras and Fear extend their dangers into the very main itself. Nor are these points of our vast coast the only ones prolific in ghastly disasters. My bill now pending proposes to rescue life upon the capricious gulf, the stormy lakes, and even upon the falsely named Pacific shore. Wherever our adventurous commerce goes, wherever Neptune disports with the elements to whelm the forces and agencies of man to master them, there men of our manliest mold will be found to combat him.

But, with all human precautions, how many are the disasters! Although in England but 1 per cent of the vessels is lost, and although our losses are less, yet the record is not what it should be.

REGULATIONS, NOT LEGISLATION, AS TO DETAILS.

The bill can not provide for all emergencies. Much must be left to its efficient execution. The complaints as to partisan preferences in certain localities can only be obviated by honest discharge of duty. The regulations provide for medical and other inspection, and the great body of the details, such as the mode of drill, kind of boats and lanterns, the use of telephone or telegraph, of horses, wagons, uniforms, life-preservers, buoyant rafts and breeches, buoys and rubber suits like Boyton's, and even dumb stations, as recommended in a letter to me from Captain Ollinger, as well as the selection of the men, can not be the subject of legislation. They belong to the "regulations," and are under control of the supervising agencies.

These the Secretary of the Treasury is already empowered by law to make. They are here in the volume before me. The life-boat stations, the life-saving stations, and houses of refuge each have a distinct unity. In the appointment of superintendent, inspector, and assistants, much care must be exercised, but the keepers and surfmen must undergo suitable examinations. They must be familiar with their locality and work. The duties of these officers is specially delineated by the regulations. Rules are given for the care of the apparatus. The first duty, before goods or property, is the preservation of life. Cargoes must have care, especially if dutiable. The resuscitation of those seemingly drowned is impressed with clear instructions. Patrolmen with their lights are organized, and in their duty they are held to a strict account. Guards against fraud and embezzlement of goods are imperative; and every precaution possible is to be used to identify and provide for the dead and the surviving. The rules are illustrated here on page 45, which show how the line from the rocket mortar should be faked on the ground; how it is to be shot, how secured, how the rope and the block are made fast to the mast, and how the hawser and the cylindrical iron car with its freight of six is hauled ashore. Not less rigorous is the direction for the self-bailing and self-righting life-boat. Those who saw the apparatus at the Centennial require no further elucidation of its use. Much depends upon the experience of the surfmen. They must dodge the seas or beach the boat, and much more depends on the character of the broken water and the shoring. Detailed instructions are given as to the rescue of the drowning, and the swimming against the outgoing tide or current. Signal flags, lights, and guns have their interesting chapter; and in all these matters drill is insisted upon with imperative command.

OTHER RESCUES IN THE HURON AND METROPOLIS STORMS.

Where the protection of the service is ample, such failures do not occur. In the same storm that wrecked the Huron the life-saving crews rescued eighteen persons, men and women, from the Russian bark Johanna Lang, on the New Jersey coast, and the crew of the schooner Maggie, on the Long Island coast; and in the storm which wrecked the Metropolis the crews of two vessels which were driven upon the New Jersey coast were taken ashore by the life-saving men. These were all the wrecks which occurred upon the coast in those storms. The columns of the New York papers of the 23d of February show what splendid work the life-saving crews did in the storm of Thursday night, the 21st of February.

In no instance within the past six years can failure to rescue imperiled seaman on stranded vessels be successfully attributed to the inefficiency of the Life-Saving Service. If any instance be cited as such I assert that proof to the contrary can be produced.

SUFFICIENCY OF FUNDS AND EFFICIENCY OF SERVICE.

The general answer to attacks on this point is, where there is sufficiency there is efficiency. On all other parts of the coast than North Carolina the Life-Saving Service has been a complete success. For years the public journals of the country, stimulated by the exploits of the crews of such wrecks as those of the Rusland, the Amerique, etc., have sounded its praises. Last year every illustrated newspaper in the country pictured the splendid work of these crews and could not say too much in their honor.

SHALL THE NAVY HAVE IT?

But it is said that "a practical man" should be placed in charge of the Life Saving Service. By this is meant a navy man or a seaman—one who may know Bowditch better than the Gulf Stream, and Norrie better than steam-engines.

The answer is that success is the criterion of administrative ability. We point to the extraordinary and admitted success of the Life-Saving Service on every coast where its system has been fairly tried. North Carolina is not to the purpose. Why not charge inefficiency because of disaster between Hatteras and Cape Fear, where there are no stations, as on the other parts of the North Carolina coast, where there are too few? Is a seaman for the head of an aquatic establishment necessary or preferable? Is not the Secretary of the Navy a civilian? Are not the heads of the life-saving institutions in Great Britain, from whence came the life-boat and the grand traditions of skill and prowess in life-saving, civilians?

The officer in charge of our Life-Saving Service has the assistance of "practical" men in the inspectors and assistant inspectors of the service, who are officers of the revenue marine, and are skilled coast navigators such as the Navy can not show. He has local superintendents who are old seamen and surfmen; besides the officers of the Ordnance Corps, whose services have always been available in relation to experiments in gunnery, with a view to getting shot-lines to vessels.

Sophistry may be expected on the subject of placing the Life-Saving Service in the able hands of naval officers who know the requirements of such a service, etc. The fact is that our naval officers are notoriously deficient in the very elements of the knowledge which is required to conduct the Life-Saving Service. For example, a primary requisite is knowledge of the coast and coast navigation. The wreck of the Huron, which was a new and good vessel, is a signal instance in point. In this disaster the cabin might have learned from the forecastle. This disaster tells far more against the Navy than it ever could be made to do against the Life-Saving Service. What sort of knowledge of the coast was shown by her being on that dangerous shore at such a time?

The revenue marine has frequently been employed in getting off Navy vessels. Ignorance of our coast or unskillfulness on the part of naval officers often causes them to get their ships aground. A number of our naval vessels have been lost within the last few years through this cause.

To transfer the Life-Saving Service to the Navy is to take it abruptly from the hands of those who have spent upon it years of toil and study and gained experience and knowledge which only time can bestow. It is to place it in the hands of amateurs—men who have no knowledge whatever of its nature and requirements, except what they have gained by reading or cursory observation during some chance visit to a life-saving station. This, to say the least, is a hazardous experiment.

At first thought there might seem to be a propriety in placing the Life-Saving Service in the Navy Department, both being aquatic; but here the analogy ends.

WHO ARE SURFMEN.

We do not want soldiers or sailors for the surf. We want surfmen who are mostly fishermen. Our fisheries are no less the nursery of coast navigation than the nurture of men. It is often the case that when our vessels order their boats lowered from the davits and sent ashore through a line of breakers by mere sailors the boats are swamped. There is as much difference between a seaman and a surfmen as between a seaman and a marine. What would young naval lieutenants know about our perilous coast, compared with the men who have gained experience from long residence there? An old surfman who writes to me that "much has been said about brave jack-tars making good surfmen, but put the captain of a canal-boat on board of a ship in mid-ocean in a heavy gale." He makes a picture of such a scene. When it is all icy so that the ablest seaman hesitates to go aloft, while the mate shouts out in thunder tones "Lay aloft there, you land-lubber, and furl that royal!" "Where, then," he asks, "would be that captain, albeit familiar with the raging canal?"

The trade of battling with breakers when mountain-high is hard to be learned, and is never learned to perfection. "There are men here," he writes, "who have launched their boats in the surf for the last forty years; they are learning something every day." Who will say that these men are not superior to any that can be produced from a man-of-war?

It may be all right for our honorable Speaker to appoint a gentleman from the interior, like my friend from Tennessee, on the Naval Committee, as chairman. He comes within the poetic description of Wordsworth:

"Though inland far we be
His soul has sight of that eternal sea,
Can in a moment travel thither,
And see the children sport upon the shore,
And hear the rolling waves, forevermore."

But this is as fanciful a picture as the use of blue-water sailors for coast and surf duties. He might manage a flat-boat, or perhaps could sail upon the open deep, as a navigator, and be able to tell me the difference between a sky-scraper and a scupper, or between a garboard-streak and a first futtock! But what could he do in the league-long rollers thundering on the shore or how clamber up their watery Alps and go through or over them in safety, as a sea-bird touches the bounding billow? *Experientia docet.*

THE INEFFABLE GLORY OF LIFE-SAVING.

I have said, Mr. Speaker, that we have one beautiful statute, which has a sacred halo around it. It makes a sunshine in the shadow of our selfish, sectional, and patriotic codes and laws. It is that which preserves human life. It is not merely a sentimental humanity, but a real benefaction. Like the orange-tree, it bears fruit and flowers at the same time. No language can make more emphatic that which every member must feel in contemplating its inestimable beauty and beneficence. It is no exaggeration to say, in view of its object, that it gives us a glimpse, though dim, of the golden age. The world's heart clings to it, as if it were a memory of a past paradise, or the hope of paradise regained. The sea itself plays its mighty minstrelsy in its honor! No reward can adequately remunerate for the saving of precious human life. Men, as Bacon has said, fear death as children fear to go into the dark, and in proportion as they fear so is their appreciation of its sacredness. There are a thousand deaths in the apprehension of losing life. It is the one terrible enemy. We are used to contemplating it, even in the most loving surroundings of home, as the arch foe of mankind. The silent closing of the flower around the insect is, however, none the less a death agony, even in the gardens of home.

Life is precious, because its loss can not be repaired. Jeremy Taylor has told us that while our senses are double, there is but one death—but only once to be acted, and that in an instant, and upon that instant, all eternity depends. Other losses may be recompensed by gains, but loss by death, never! No one is so lordly or powerful as to stay this irreparable loss. Every day puts us in peril. While we think, we die. What care and esteem can equal the eternal weight of human life? Can any legislation be too ample or adequate for its protection?

To you, inland legislators, far and aloof from the stormful perils of the sea, who sit happily in the blooming circle of household loveliness, it is the one hard lot of life for you to see the silver chord loosed and the golden bowl broken. None but the stoic, and he perhaps is a myth, can sing that sweetest of canticles, *Nunc dimittis*. But there is a peculiar terror connected with death by shipwreck amidst the leap and clash, the boiling and battling of the tempestuous coast. Who can picture the poignancy of such death, in the company of those whose piercing shrieks and prayers typify the worst agonies of human despair?

Who can picture the joy, beyond all joys, when in such despair and amidst the double darkness, the cry of "Life-boat!" rises above the surge of winds and waters? How buoyantly it floats, now under the weight of water, yet insubmergible, and now leaping above on the feathery plume of the wild wave.

The life-boat! oh! the life-boat!
We all have known so long;
A refuge for the feeble,
The glory of the strong!

It is a part of the progress of our civilization that death shall be wherever possible robbed of its sting, and even the watery grave of its victory; nay, the very stone removed from the sepulcher as if by angel hands, in the revivification of those only not drowned. Who can describe the terror of the long-absent, sacrificed at the threshold of home, in sight of the dear native shore? Think of Margaret Fuller Ossoli! Think of her at Rome, the lover of Italy; the synonym of all that was first fair, first good, first beautiful! What a romance was her life! In Rome, more than a Roman; in Italy more than an Italian; in America, the emblem of our best thought; an intellect and taste, no parallel except herself. What infinite and strange forebodings she had before she sailed on the good ship Elizabeth. Out of the flowers, sun, and sympathy of Italy, along with her noble husband and beloved child, she sailed, all-unwillingly, to her home, to her mother, sisters, friends. Passing through pestilence, and at last past the terrible trials of our coast, in midsummer, she lost by wreck her sweet and benignant hold on our mundane life. She went down with her husband and child in sight of home. Her written thoughts perished with her manuscripts, in sight of her home. There was no life-boat to save. She sat in her death-robes twelve

hours in sight of the Fire Island sands on the Long Island beach. Ossoli and her child and her noble self, they perished as one. She went from the storms of time and sea to the infinite One, who opened the doorway to the white throne.

STORM PIRATES.

It is recorded in the volume which honors her life and describes her death that her manuscript history of Italy was pirated and destroyed by the wreckers. Similar imputations most unfounded were made upon the honest folk of the Carolina coast, but they were promptly refuted by Hon. R. B. Roosevelt, of New York, who was near the wreck, and denied by members here. It is many years since the wreckers thrived on our coasts. But it is within the memory of men present when the name "wrecker" was a synonym for the "storm pirate." Upon the Cornish and the Jersey coasts he preyed upon the dangers and calamities of the sea. Much has been done in England from time to time by her shipping acts to mitigate the barbarities, cruelties, and wrongs which have for so many ages added to the perils of the sea. The most terrible penalties have been enacted against despoiling the wreck and murdering the shipwrecked. It was the disgrace of the centuries. But, happy change! The world rolls on, the footfall of progress is audible; every form which the inventive mind can adopt is called in requisition by human governments to rescue life.

STORM WARRIORS.

It has always been a law among nations that salvage should be allowed for the rescue of property in ships. It was but the other day that an English court gave a large sum to the heroes of the sea who brought the floating obelisk of Egypt safely to port. Only a year ago the Life-Saving Service on the Jersey coast saved two millions of bullion for our Treasury. But it is of more recent date, and from a better spirit, that the savior of human life can not only be rewarded with a salary under Government, but by medals of honor and the laudation of the good. It was but the other day that I picked up a volume by a minister of the Gospel about the life-boat work on the Goodwin Sands. He pictures a familiar scene of a century ago. With the skill of an artist he surrounds a company of low-browed villains with the environment of darkness, wildness, and storm, on a cliff near the sea. They plot for the destruction of a vessel. It is the story of Nagg's Head over again. A white horse is led along the edge of the cliff; a lantern is tied upon him; the light sways with the movements of the animal, not unlike the masthead-light of a vessel rocked by the sea. A ship is making steadily for the land. The captain grows uneasy. He will put his vessel round. The lookout man reports a dim light ahead, "What kind? Whither away?" "Ay, ay, sir! 'tis a ship-light, for it is in motion." Yes, it must be a vessel standing on the same course with this. The captain will go on. There is a lull in the storm. A hoarse murmur is heard. It is the sound of the sea beating on the rocks. Lo, a white gleam upon the water. Breakers ahead! Down with the helm! Round her to! Too late! too late! Crash! A shudder from stem to stern; the shriek of voices in agony; the sweep of the seas over the vessel. Broken timbers, and cargo, and lifeless bodies lie along the beach. No! One living body is thrown among the rocks. Dead men tell no tales. Murder closes the tragedy.

Think! all these pirates of the tempest have given way to the storm warriors, the life-boat, the howitzer, the rocket's flash, the hope-signals of safety—the salvation of human life. Can there be a nobler object for human legislation?

Imagine a wreck upon our coast in January! A steamer of 3,000 tons burden is steaming through the rain, cold, and darkness. Unconsciously, she approaches land. She has a pilot on board, but there is an error in sounding. There is a southeast wind and a heavy sea. Her immense dusky hulk is shadowed against the night like a living monster. Her gloomy lights are shades. They glimmer as faint stars gleam through clouds. How can words paint the scene? If there be one artist whose genius alone could do it, it is Turner—he who has portrayed the tossing sea and its wild crests, the desperate passengers and reckless crew, the broken rudder and general menace of the wreck. Add to his genius the obscurity of a Rembrandt with his shadows unbroken in their blackness, save by little flashes of luster, and fill the dim object with the throbbing enginery of man, trying to mate the surging sea, and you have all that the eye can see of this unspeakable terror.

Hardly do we discern her hull, her smoke stack, her masts and yards projected in black against the gloom, when we hear the noise of her steam, the mighty clank and throb of her engines, mingling with the rustle of the rain, and the weltering shocks of the seas, as she rushes on with vast undulations,

"Crunching down the brine,
Like a blind god that feels his way with thunder."

On her deck are a few muffled figures; below, in the berths, are two hundred or more sleeping forms. Suddenly there is a tremendous shock! Every one on board is thrown down, and the sleepers below are dashed about pell-mell. Then, above the din, is a storm of screams. The ship is in a strong convulsion, pounding upon the sand! The engines stop, the bell is still ringing, the whistles are shrieking, but amidst and above the hissing of steam, the swash of the ocean, and the shouts of command, are the human yells of dismay.

What does all this mean? It means that the steamer is hard aground on a bar, plunging and writhing with an ominous straining, and cracking, through all her huge bulk, as if in the grip of some vast monster. Gradually she settles with slanting deck, over which, to and fro, in the darkness, run half-clad tottering figures.

The rain matters little, for around her, like a shoal of monsters, are the winding seas; and there, on her lee, a few hundred yards off, in the gloom, up-shaking and down-falling, pallidly, with ominous uproar, are the breakers. She is stranded on the Jersey shore! Well may there be horror and confusion, and dismay! Between her freight of souls and the land is that unstable wall of surf. The storm increases, and the heavy coils of water swirling round her, rise and lick off her oaken planking as with the tongues of hydras, and the great surges club the bottom with her hull until they break her kelson! This is the wreck! Where is the savior?

Suddenly, amidst the confusion and alarm, there is a whiz of ruddy light, and there, vivid, in a sort of orb of ruddy bloom, stands a figure, holding high above his head a baton, from which flares the fire. It is a patrol of the Life-Saving Service. They stare at him from their unsteady deck. A cheer bursts out from them! "God be thanked! we are seen! help is at hand!" Then, in the last flicker of the expiring Coston light, their hearts sink again, as they see the patrolman race away. He bounds off to the station. It is near 3 o'clock in the dark January morning. By 4 he is back again, now as one of a crew of seven whom he has summoned. They are all hot and blowed, and splashed from head to foot with the mire of a winter road, through which, for a mile, they have dragged the surf-boat. They pause only to take a look! Then they bend, all together, to the launch. Along the beach is a wall of ice 3 feet high, over which they clamber, slipping and floundering with the heavy boat. Once over the barier they drag on, over great jags and bowlders of ice which pave the beach, to the edge of the water. There before them is a boiling surf, full of enormous ice-cakes. Whitening, thundering, crashing, and rising, spreading, and tumbling incessantly the slabs of ice with deafening uproar, looms that appalling abattis of breakers through which they will force out the boat to the vesel. In vain! Drenched and bruised, blown and reeking with the effort, they again clamber over the ice barrier. Another crew from a more distant station arrives, and the keeper in command gasps out the order which sends the men to the station for the mortar apparatus. Boats are useless. Now for the ordnance! The wreck artillery arrives and prepares for action. Suddenly the keeper sees a light near the water, alongside the steamer. His heart bounds in fear. It is the old folly. A boat from the ship to the shore! The deep-water sailor sees only the smooth line of the shore, instead of a swarm of enormous turbines, whirling all under and into the caverns of the brine! Keeper and beachman rush forward with their warning cries by voice and trumpet. In vain! The light starts on its phantom passage. It is borne in a boat with twelve sailors! Like the specter from the shadow of the steamer they see the little white craft emerge upon the summit of a huge wave. One moment's poise, and it flies smoothly toward them, so swiftly, so lightly, that it seems in one second more it will be upon the shore, and then in another instant, as by some deft magic, it has feathered over, crewless and keel upward, caught in the turbine wheels of the surf. Has the crew perished? No. Dark spots are seen struggling in the sea, and the voice of the keeper bursts forth with the loud "Come on, over the ice-wall, men!" They plunge into the under-tow. There they are braced on legs of bronze, resisting with all the might of hip and loin the hideous suck and swirl of the waters, staving off the ice-slabs, and clutching for the drowning men! Four of these figures are dragged from the surf. They are heaved upward over the icy barrier. Another powerful tussel in the foam, and they master four more. Another desperate struggle and one more is saved. Two more are seen, but can not be saved. Another struggle and the gallant keeper totters, gripped by a drowning man; the under-tow, like an accomplice, winds around him and throws him down; the mad body clings to him and he can not rise. In that moment of awful extremity the sea floods in upon them with its deathful roar, lifts and throws them inland, but before it can wash them back the keeper catches at a pile of ice and holds on. This enables him to resist the fearful siphonage of the under-tow, and with a desperate effort he regains his feet and makes for the shore. It is his last chance for life—a single second's delay and the surge may wash him down—but in that moment he does not forget that there is another life to save besides his own, and furious, with the sea upon his heels, he seizes his man and staggers on, dragging this human weight behind him. A mate rushes to his assistance; the surf falls in a crushing flood behind them. They are safe and one more body rescued. Of the twelve men of the boat's crew three have perished. Nine have been drawn from the ocean by this little band of heroes. [Long-continued applause.]

Is this a fanciful picture? No! This is what took place at the wreck of the French steamer Amerique, near Seabright, N. J., on the 11th of January, 1877. The day was Sunday. A Sabbath day for a Sabbath deed. That heroic keeper, whose breast deserves to be covered with decorations, was Abner H. West, of Station No. 3. Those three men, deserving of equal honor, who wrought with him in the ice and undertow to save those lives, and whose names I regret I do not know, were members of the station crew. How they and their mates toiled later and achieved that splendid rescue of all on board the French steamer, with which the country rang, is a matter of public record. Such labor and danger! Is there a splendor equal to its heroism? How that day they traversed the shore between the station and the wreck, lugging their heavy cart, before they could get the mortar apparatus and life-car to the scene; how, after two hours of hard pulling and hauling, they were there with it, drenched with sweat, clotted with mire, alive with energy; how, with thud and gun-flash, their shot lines fled swishing to the steamer, the hawser and the hauling-lines dragged aboard; how day broke, and again, with desperate labor, the effort was made to launch the boat through the surf and ice-floes; how difficult it was to get near the vessel, to make her foreign officers understand how to attach the life-lines; how, at last, the launch was achieved, and, despite the breakers and currents which engirt the steamer with a circle of hell-pools, the boat's crew got near enough to make their instructions known, and the slender bridge of rope for the life-car, narrow as the line Mohammed saw floating across the gulf to Paradise, was drawn taut from the vessel to the shore—these were a few of the incidents of that night and day. To and fro, hung by its rings to the hawser, and hauled backward and forward by those arms of brawn, sped the life-car with its burden of human lives—six or eight at a time, men, women, and children, till all were landed. Then the baggage of the passengers, the trunks with their wealth of apparel and adornment, the mails with their written weight of more than wealth, and the bullion of the Treasury, followed the delivered lives in the same car. First, as I have said elsewhere, we save the man, and then his gems and gold. Is there salvage sufficient to recompense such service?

The *Amerique* was seen by the patrolman at 3 o'clock in the morning. They toiled incessantly, never pausing for a mouthful of food or to change their soaked clothing—stern, pale, unflagging, bemired, bedraggled, rough, weary, indomitable, and magnificent. Such were they, and such, in very feeble outlines and faint colors, have I endeavored to display their heroic work at the wreck of the Amerique on that Sabbath day which they thus kept holy. *Laborare est orare.*

In conclusion, Mr. Speaker, it is impossible personally not to felicitate myself upon having given much earnest study to this life-saving legislation. It would not perhaps be in good taste to boast of having been instrumental in its organization and improvement. The inspiration for what I have done, however, came out of a storm upon the Scilly Isles in the winter of 1868, when a great steamer barely escaped shipwreck. It was the worst tempest in thirty years upon that coast. When we arrived in port the day after the peril, the English journals were full of the glorious exploits by rocket and signal and coast-guard and mortar and life-boat. I wondered if so much could be done in England, with her forty-five hundred miles of coast line, why should not our country, with double that number of miles, have a similarly effective service? It was this that led me to propose what the superintendent of the service called the efficient beginning of the patrol of the Jersey coast. Since that time how much has been done for the well-being and rescue of imperiled human life. How much of comfort and joy has been vouchsafed to families and friends of the beneficiaries, of that mercy which droppeth as the gentle rains from heaven in this warm-hearted legislation, blessing and blessed.

REWARD OF THE SERVICE.

Mr. Speaker, I have spent the best part of my life in this public service; most of it has been like writing in water. The reminiscences of party wrangling and political strife seem to me like nebulæ of the past, without form and almost void. Gladly I would if I could, for many reasons growing out of personal inconvenience and party incompetency, reverse much that I have done here. Confessing so much inadequacy, recalling so many that have come and gone from this House—gone, many of them, to another sphere, and I hope and trust a better world—I would gladly lay down my commission and turn to other duties, which the lapse of time admonishes me should have attention. But what little I have accomplished in connection with this Life-Saving Service is compensation "sweeter than the honey in the honeycomb." It is its own exceeding great reward. It speaks to me in the voices of the rescued—ay, in tears of speechless feeling; speaks of resurrection from death, "in spite of wreck and tempest's roar, in spite of false lights on shore;" speaks of a faith triumphant over all fears in the better elements of our human nature. It sounds like undulations of the Sabbath bell ringing in peace and felicity. It comes to me in the words of Him who, regardless of His own life, gave it freely that other lives might be saved.

Humanity and civilization should walk white-handed along with government. They strengthen and save society. In the perils which environ our country, from passion and prejudice, from old animosities and new irritations, let us do good deeds, pray hopefully that our vessels of state be free from leakage, collision, wreck, and loss. Send out the life-boat; fire the line over the imperiled vessel; free the hawser for the life-car, and then with stout hearts

and thankful souls lift up our prayer to Him who holds the sea in the hollow of His hand:

Jesu, bless our gallant boat,
By the torrent swept along;
Loud its threatenings—let them not
Drown the music of a song
Breathed thy mercy to implore
Where these troubled waters roar.

Guide our bark among the waves,
Through the surf our passage smooth,
Where the whirlpool frets and raves
Let thy love its anger soothe,
All our hope is placed in Thee.
Miserere, Domine.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. COX moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RECALL OF BILL.

The SPEAKER. The bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe was laid upon the table of the House on the 20th of April, but by mistake was engrossed and transmitted to the Senate as having passed the House. If there be no objection, an order will be made recalling the bill from the Senate.

There was no objection.

CHANGE OF REFERENCE.

The SPEAKER. The bill (H. R. 6803) for the relief of Augusta Heiss and Theodore Heiss was erroneously referred to the Committee on Rivers and Harbors. The bill involves a claim, and the Committee on Rivers and Harbors should be discharged from its further consideration and the bill referred to the Committee on Claims.

There was no objection, and it was so ordered.

REGISTRY OF BARGES.

Mr. KEAN. I call up for consideration at this time the bill (S. 1483) for the registry of the barges Albert M, Condor, and Adelante.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized to admit to registry, as vessels of the United States, the following-named foreign vessels, owned by John Scully, of South Amboy, N. J., on satisfactory proof that he is a citizen of the United States, namely, the Albert M, the Condor, and the Adelante.

Mr. KEAN. I ask for the reading of the report of the Committee on Commerce. Or if gentlemen do not care to hear the report I ask that it be printed in the RECORD.

There was no objection.

The report (by Mr. CRISP) is as follows:

The Committee on Commerce, to whom was referred the bill (H. R. 6072) for the registry of the barges Albert M, Condor, and Adelante, have had same under consideration, and beg leave to report as follows:

It appears from the papers in this case that the vessels named in the bill were not actually wrecked in American waters, as required by the law, but being old and unseaworthy they were unfit for navigation. According to an opinion of the Attorney-General the word "wrecked," as used in section 4136 of the Revised Statutes, is applicable to a vessel which is disabled and rendered unfit for navigation, by whatever casualty this condition may have been caused.

Believing that these barges are prevented from getting registry under the law by a mere technicality of this law, and that there will be no departure from the intent of the law if the registry asked for in this case is allowed, your committee recommend the passage of the bill.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. KEAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. MILLS. I ask unanimous consent that any member be allowed to print in the RECORD any remarks he may wish to present on the tariff, and also that there be a general leave to extend in the RECORD any remarks delivered in the House.

Mr. REED. I object to that request for the present.

Mr. MILLS. I ask unanimous consent that this evening a recess be taken at 5 o'clock until 8 o'clock.

Mr. HOPKINS, of New York. I object.

Mr. MILLS. When the proper time arrives I will move that the House take a recess, and I hope that proposition will be agreed to by a vote of the House. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of revenue measures.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

TARIFF.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read:

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the revenue.

Mr. MILLS. I ask unanimous consent that the gentleman from Tennessee [Mr. MCMILLIN] and the gentleman from Michigan [Mr. BURROWS] be allowed to continue their remarks until they get through; that they shall not be governed by the hour rule.

There was no objection, and it was so ordered.

Mr. MCMILLIN. Mr. Chairman, next in importance to personal liberty is the question of how and how much the people shall be taxed; and this is the subject for consideration to-day. As it pertains to taxation it is no new question, but was with us in the beginning of our Government, and will be with us to its close. He who advocates the present tariff favors a tariff not for revenue, not for protection merely, but a tariff for surplus and a tariff for trusts.

We are confronted with an anomalous state of affairs. We have, locked up in the Treasury, beyond the demands of the Government, about $108,000,000 and will have $150,000,000 in June, or $2.50 for every inhabitant—more than $180 for every day since the Saviour was born into the world. What is the cause of this overflowing Treasury? What is the cause of this accumulation beside which that of all other countries sinks into insignificance? What is the cause of hoarding in the Treasury at Washington more money than is gathered into the treasury of any monarchy, kingdom, or despotism under the sun? The answer to all these questions is, the people have been taxed beyond the reasonable demands of the Government. Robbery of them under the forms of law has been perpetrated; and to-day they stand moneyless, the tax-gatherer staring them in the face, and demand relief at our hands. Will we give it, or will we withhold it?

LABOR TROUBLES.

Mr. Chairman, I have had access to the advance sheets of the forthcoming third annual report of Hon. Carroll D. Wright, Commissioner of Labor. I wish to quote from it to show that twenty-seven years of alleged protection has not resulted in that peace, quiet, and prosperity to the laborers which it was claimed would follow it.

In the six years from 1881 to 1886 there have been strikes in 22,336 establishments. Of these, 16,692, or 74.74 per cent., were in the States of New York, Pennsylvania, Massachusetts, Ohio, and Illinois, where protection is claimed to have wrought such wonders for the laboring man.

There were lockouts during the same period in 2,182 establishments. Of these 1,981, or 90.8 per cent., occurred in the five States named. The number of employés striking and involved was 1,324,152. In addition to these there were 159,548 employés locked out, 31.22 per cent. of whom were females.

Of the 22,336 establishments in which strikes occurred, the strikes in 18,342, or 82.12 per cent. of the whole, were ordered by labor organizations; while of the 2,182 establishments in which lockouts occurred 1,753, or 80.34 per cent., were ordered by combinations of managers.

Concerning the loss to employés resulting from these disturbances the report will say:

Understanding, then, the difficulties in ascertaining the exact loss of employers and employés as resulting from strikes and lockouts, reference may be had to the summaries, where the information which has been collected is grouped. The loss to the strikers, as given in these tables, for the period involved was $51,819,163. The loss to employés through lockouts for the same period was $8,132,717; or a total wage loss to employés of $59,951,880. This loss occurred for both strikes and lockouts in 24,518 establishments, or an average loss of $2,445 to each establishment, and of nearly $40 to each person involved.

Will any gentleman say, in the face of these great disturbances, that the condition of the labor of this country is entirely satisfactory to the laborer? Has he derived that unmixed blessing from high taxation which was promised him? The tendency of our present legislation, I regret to say, is to make millionaires and paupers. Under the lower tariff rates of years gone by, when taxation was imposed to carry on the Government, the word "tramp" was not daily and hourly heard. The anarchist, the socialist, and the communist were also unknown in our midst.

Our rate of wages is higher than the rate in the Old World, and would be so under any tariff law that we would impose. The gentleman from Texas has very tersely and truly demonstrated the fact that the higher our wages the lower the labor cost of the product. If tariffs give high wages, why is it that labor in England is so much higher than it is in France or Germany, the latter countries having protective tariffs and England having none? Why is it that our manufacturing journals of this country begin to declare that the danger of our people lies in the cheap labor of Germany instead of the cheap labor of England?

With the highest-priced labor in the world, we send over their tariffs to Germany and France, having the cheap labor, machinery, stoves, ranges, hardware, tools, machine-needles, mechanical and scientific instruments, cutlery, fire-arms, printing-presses, locks, hinges, sewing-machines, clocks, watches, and pianos, and so far as I have been able to trace the relation I find that the more labor we get into a commodity the more certainly we can compete successfully with the old country. One of the manufacturers of pianos alone in this country sends five hundred pianos per annum to England.

PRESIDENTIAL RECOMMENDATIONS.

Sir, I congratulate the country that we have reached the point where there is a fair chance for the consideration of a bill looking to the reduction of the taxes on the necessaries of life. Heretofore the favorite

method pursued in the killing of tariff bills was either by refusing to consider them or by striking out the enacting clause. But I think we are fortunate in having before us now a bill which this Congress dare not refuse to consider, and of which its members dare not be rash enough to strike out the enacting clause.

Sir, for seven long years different Presidents have called upon Congress to discharge its duty and diminish taxation.

President Arthur called the attention of Congress, in his first annual message, to our excessive taxation in the following language:

It seems to me that the time has arrived when the people may justly demand some relief from their present onerous burden.

In his second he said:

I heartily approve the Secretary's recommendation of immediate and extensive reductions in the annual revenues of the Government.

In 1883, even after the present law was passed, in his annual message he said that he had no doubt that still further reductions might be wisely made.

But not ready to settle the question, Congress shifted its responsibility off to a tariff commission, and sent a band of itinerant patriots around the country to report what ought to be done. That commission consisted of men who were appointed from different industries because of their known favor to them; but the public clamor for tax reduction was so great and the necessity for it so patent that even they could not ignore the fact, and they reported that there should be a reduction of from 20 to 25 per cent. The Congress that appointed them, finding the rate of taxation averaged about 43 per cent., under the pretense of revising it, left it so that it has since reached 47 per cent., and the people have had no relief. It is higher to-day than it was any time during the late civil war.

Worn out with waiting, disgusted with the hesitation of the Congress that misrepresented the best interests of the country, they freed themselves from those who appointed the commission and refused to heed its recommendation, and sent here a different class of representatives, and to the White House a man of a different political party.

President Cleveland, in his first annual message, urged Congress to give this relief; and the Ways and Means Committee reported a bill making reductions averaging about 20 per cent.; but the gentlemen on the other side of this Chamber, aided by a few on this, succeeded in declining to even consider the bill, declined to make any effort to better it. A good many were left at home, and others were sent here in their stead, and still the question is here.

I quote the following from the last annual message of President Cleveland, who seems to have felt the gravity of the situation, and had all the manly courage and able statesmanship necessary to discharge fearlessly his duty and let the consequences take care of themselves:

When we consider that the theory of our institutions guaranties to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share towards the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public Treasury, which should only exist as a conduit, conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

Mr. Chairman, I will be pardoned for commenting a little more upon the surplus that is accumulating and the evils that are likely to grow out of it. We are drawing money from commerce and locking it up in the Treasury at such a rate that it is only a question of time when stringency will set in, panics begin, and ruin follow. We are robbing not only commerce of its life-blood but the people of the means of paying their taxes to their governments—municipal, county, State, and Federal—and their debts to their creditors. All sorts of jobs are proposed to Congress and all sorts of jobbers are flocking here. There is nothing conceivable more corrupting to government than a plethoric treasury. It revives stale demands; it encourages the prosecution of matters long since set at rest.

WHO RESISTED TARIFF REDUCTION.

The gentlemen of the minority in presenting their views have commented with severity upon the fact that hitherto the Democratic party has not reduced taxation. The gentleman from Ohio [Mr. MCKINLEY] is credited with the authorship of that document. Listen to the arraignment with which he adorns the pages of his "florid production:"

If it be claimed that for the most part during the Democratic control of the House the Senate was dominated by the Republican party, and therefore the responsibility of failure to reduce the revenues should be alike shared by them, we answer that under the Constitution of the United States the House alone can originate bills to reduce taxation, the Senate having no jurisdiction of the subject until it is given to it by a bill which passes the House, and that during all these years no such bill has gone from the House to the Senate, and therefore the sole responsibility for failure rests with the present majority in the House of Representatives.

Now, sir, I know of no better person to answer this charge made by the gentleman from Ohio than the gentleman from Ohio himself. He made a speech in Congress a few years ago in which he with equal severity arraigned the Democratic party for attempting to reduce taxation. I quote from that speech, and it will be observed that in this last quotation, which was his first utterance, he takes upon himself and the small number of Democrats whom he could get to act with him the responsibility with which he now charges the Democratic party:

The Democratic majorities in the Forty-fourth, Forty-fifth, and Forty-sixth Congresses, although committed by party utterances and by platforms, as well as the pledges of leaders, to a reduction of duties to a revenue basis, were unable, with all their party machinery and the free use of the party lash, to accomplish even a step in that direction. Every proposition for a change was met with the almost solid opposition of this side of the House, which, with the assistance of a few Representatives on the other side from Pennsylvania and the New England States, was strong enough to insure and did insure the substantial defeat of every measure looking to a disturbance of the existing tariff rates.

What shall we think of statesmanship which, forgetting its own record, charges upon its antagonist that which it has confessed to be its own fault?

INTERNAL REVENUE.

Sir, the distinguished gentleman from Pennsylvania [Mr. KELLEY] has delivered an able and characteristic speech, clamoring for the total repeal of the internal-revenue system. He arraigns the Democratic party for not repealing it; and without stint or moderation he uncorked and poured forth his vials of wrath upon that system and upon those who now refuse, at his behest, to create a deficiency by repealing it. Was the Democratic party the author of this law? Did the Democratic party put it upon the statute-book? Did we enact those stringent provisions under which citizens have been incarcerated, under which property has been seized and destroyed without process of law, and under which the Federal courts of the country have been filled to overflowing with men charged with violation of the internal-revenue laws? No, sir.

Mr. KELLEY. Does the gentleman wish a reply? I will not interrupt him otherwise.

Mr. MCMILLIN. I have no objection to the interruption.

Mr. KELLEY. The Democratic party did not enact that law. It only made it necessary for the Republican party, which remained in Congress during the war, to provide the sinews for that war, and thus forced it to resort to internal taxes and all the hardships involved in their collection. [Applause on the Republican side.]

Mr. MCMILLIN. But the gentleman from Pennsylvania imposed other internal taxes at the same time. He put a tax upon income, and a tax upon railroads. He put a tax upon the capital and deposits of national banks. They were a tax on accumulated wealth which at all times should be made to help support the Government that protects it. But those taxes have all been removed, and by his help; but the one that he says works hardship he never removed. Imagine my surprise when I turn back to the RECORD and see among those who enacted this law the name of the distinguished gentleman from Pennsylvania. When charging long and loud that we refused to repeal the system, does he forget that only five short years ago he was the chairman of the Ways and Means Committee and was the leader of the House of Representatives in the Republican organization, and that upon him devolved the responsibility of framing a bill for the reduction of taxation to relieve the people from burdens? Does he remember that he declined to take off what he now charges the Democratic party with being culpable for not removing?

Does he forget that ten years before that occurred he had announced publicly, privately, and everywhere that he was in favor of the repeal of the internal-revenue system, and yet does he now forget that he failed then to do, or even to propose to do, the very thing which he now says the Democratic party is culpable for not doing? Then he had responsibility resting upon him, and was careful about his action. He said then that he favored taking them off, but did not do it. [Applause on the Democratic side.]

Mr. KELLEY. He proposed to repeal the internal taxes——

Mr. MCMILLIN. I remember the gentleman's utterances. I remember his coming before this House and saying that he favored the repeal of that system, but that his caucus had determined otherwise and that he bowed his neck to the yoke. [Applause on the Democratic side.]

Mr. KELLEY. Has not that been done with like effect now by the Democratic caucus?

Mr. MCMILLIN. No, sir. Why does not the gentleman from Pennsylvania offer a substitute now and show that his side would repeal those taxes if the responsibility rested upon them to-day?

Mr. KELLEY. When we come to amendments you will find that I will offer one, and make you vote on it, too. [Laughter on the Republican side.]

Mr. MCMILLIN. Does your party favor a total repeal of internal taxes?

Mr. KELLEY. I speak for myself [jeers on the Democratic side], and say I do.

Mr. MCMILLIN. Who will speak for your party if you, the oldest member on that side, will not? [Applause.]

Mr. KELLEY. Will you vote for such an amendment?

Mr. MCMILLIN. I do not propose to vote for such an amendment while its adoption would create a deficiency of $60,000,000 a year, which would have to be raised by increase of taxes on necessaries. [Applause on the Democratic side.]

Mr. REED. Then what are you talking about? [Laughter.]

Mr. McMILLIN. And I think I voice the Democratic party when I say they will not do this. [Applause.]

Now, as this is a friendly conversation between me and my friend from Pennsylvania [Mr. KELLEY], I ask him upon what he proposes to place the $60,000,000 of taxes when he repeals the internal-revenue system? Does he propose to replace the tax on tea and coffee? Does he?

Mr. KELLEY. No.

Mr. McMILLIN. No, sir; you have not the courage to do it.

Mr. KELLEY. Have you and your party the courage to tax tea and coffee?

Mr. McMILLIN. No, sir. We do not propose to so legislate as to force a reimposition of the tax on tea and coffee.

Mr. KELLEY. As we are in this friendly conversation, I ask the gentleman, would the revenues of the Government be endangered by repealing the tobacco tax, including the $12,000,000 derived from cigars, cheroots, and cigarettes?

Mr. McMILLIN. With the same candor that the gentleman has shown in asking the question, I answer that it would not be endangered.

Mr. KELLEY. Then why do you not repeal the entire tax?

Mr. McMILLIN. The House would not pass such a proposition.

On yesterday there was presented to the Senate the petition of seventy ministers of the gospel, between three and four hundred teachers in the public schools of Washington, and one hundred and twenty physicians of this city, in favor of enacting laws in the District of Columbia that would prevent the sale of cheroots or cigarettes to children under sixteen years of age.

Mr. KELLEY. I will vote for it.

Mr. McMILLIN. Yes, you will vote for it.

Mr. KELLEY. Yes.

Mr. McMILLIN. But at the same time you say you will vote to give them cheaper cheroots and cigarettes. [Laughter on the Democratic side.]

Mr. KELLEY. Do we legislate for cities and States, and is not the question one of police and within their jurisdiction? I would repeal the national tax, and let the municipal authorities and the States derive their revenues from it.

Mr. McMILLIN. No gentleman on this floor would more cheerfully return to the States those powers, duties, and responsibilities that have been filched from them by the Federal Government than I would. Too many State powers have been absorbed by the Federal Government. But when I come to a point, Mr. Chairman, where I have to select the subjects upon which I will place taxation, I believe it is sound political policy to place it upon those things that the people can do without, which are not essential to their very comfort and existence, rather than upon the necessaries of life. I have striven to mollify internal-revenue laws, and by this bill more is done in that direction than by any other ever proposed to Congress since the system was inaugurated.

Mr. KELLEY. Will the gentleman allow me a moment further in an amicable spirit? I feel that in interposing already I have been guilty of a trespass which I could not have borne as patiently as the gentleman has; and I desire to say that unless he demands an interruption from me, I shall listen attentively to him, but not break the thread of his discourse by any remarks of mine.

Mr. McMILLIN. I would certainly not persecute the gentleman with any interrogatories after he is fatigued with answering. [Laughter and applause on the Democratic side.]

Mr. KELLEY. Oh! Put the questions and you will find an answer at hand for each of them. [Applause on the Republican side.]

Mr. McMILLIN. Now, Mr. Chairman, when interrupted I was going on to state the facts concerning the internal-revenue system. It yields, in round numbers, one hundred and twenty millions of revenue to the Government. The annual surplus is only about sixty millions; so that if all the internal-revenue laws were repealed, it would leave a deficiency in our taxes of sixty millions a year. What is this deficiency to be raised from? Shall we reimpose a tax on tea and coffee? No. There is not a man here who would retax coffee to untax whisky. Shall we increase the duties on woolen goods, rice, or sugar? No; for the people would not and should not tolerate any such legislation. Then, sir, we have to select the subjects from which we will reduce taxes; and in view of the fact that we can not repeal the internal-revenue system, we have to determine whether we will reduce the tax on whisky or the tax on clothing; the tax on whisky or the tax on sugar. In other words, reduce the tax on that without which men can live and prosper, or upon that which is essential to their very comfort and existence. When it narrows itself down to a contest between the drinking man's appetite and the poor man's back, I do not hesitate to say that we espouse the cause of the back, and defy the world, the flesh, and the devil in the fight. [Laughter and applause.]

No, sir, the gentleman from Pennsylvania did not repeal the internal taxes when the opportunity was presented to him. He would not do so to-day if upon him rested the responsibility of leadership of this House. Not only did he not do that, but he did not repeal those oppressive and obnoxious statutes without which the system could not have been run in the beginning and can be successfully operated now. But there was a class to whose rescue he rushed. There was a class when they held up their hands to the distinguished gentleman and said "Help me, Cassius, or I sink," for whom he braved the tide and the waves, and rushed into the flood to their rescue. There has been a tax imposed upon the capital and deposits of banks and on checks. If it ever landed anybody into the Federal courts, we did not hear of it. If it ever bankrupted anybody, we never knew it. If it ever worked any serious hardship, the man has not appeared upon whom it was wrought. It yielded to the Government more than eleven millions of dollars. It was a tax on wealth; yet these were the people in whose behalf, with feverish anxiety and impetuous haste, the gentleman from Pennsylvania made his exertions.

Your patent-medicine man, "Mrs. Winslow's Soothing Syrup," perfumery and cosmetics, and all manner of nostrums, were also the recipients of his statecraft and patriotic exertions, but when it came to free the citizen from the oppression that destroyed his property—without due process of law—it was so insignificant a subject that the distinguished gentleman never made an exertion to mollify the hardship of any law or to better the condition of any citizen.

Listen to the plaintive wail with which the gentleman from Pennsylvania speaks of the oppressions of taxation when it is imposed on national banks, those poor corporations created by the Government, to whom it has loaned its credit with such lavish hands, and that have never paid a single dollar of taxes on the bonds upon which their circulation is founded to the county, State, or National Government:

> I confess that I can not see the reason that animates any man to wantonly retain a tax on bankers for the mere purpose of branding them invidiously and locking up in idleness in the Treasury of the United States the taxes abstracted from them.—*Congressional Record*, Forty-seventh Congress, first session, page 5192.

But the distinguished gentleman has not the same sympathetic anxiety for the man who pays high taxes on sugar, high taxes on salt, high taxes on clothing. Although this man has no money deposited in bank; although he has no bonds that are not taxable upon which he gets a circulation to be loaned out to the people; although he lives after the commandment of God, "By the sweat of his brow," my distinguished friend is not able to see that it is wrong to take money from him that the Government does not need and locking it up in the Treasury. It makes all the difference in the world with the gentleman from Pennsylvania whose ox is gored. He says the passage of this bill will instantly paralyze the country, enterprise and energy of the people. How reducing the cost of salt, cotton goods, woolen clothes, and tin roofing will paralyze any man is hard to understand.

Mr. Chairman, what is the bill that we present for your consideration? It is a bill which proposes to take $878,000 off of chemicals; $1,756,000 off of earthen and glass ware; $1,480,000 off of sugar; $11,000 off of tobacco; $331,000 off of provisions; $227,000 off of cotton goods; $2,042,000 off of hemp, jute, and flax goods; $12,330,000 off of woolens; $3,000 off of books and papers, and $1,079,000 off of sundries. It is also proposed to add to your free-list flax, hemp, jute, chemicals, and salt, tin-plate, wool, and other things, amounting to $22,189,000, making in all a tariff reduction of $53,720,000. It proposes to make reductions in the internal revenue of $24,455,000, or a grand total of tax reduction from tariff and internal-revenue sources of $78,176,000—more than a dollar and a quarter to every individual, or $6 for every family in the United States. And the plain, simple question presented here to-day is: Will we take this burden off or will we leave it on? Will we free commerce by leaving it unshackled or will we keep it hampered? Will we continue to hoard up a corrupting surplus or will we leave the money in the pockets of the people, where it justly belongs? These are the grave questions which confront us, and these are the subjects upon which we are to act:

	Per cent.
Present rate on dutiable goods	47.19
Proposed rate on dutiable goods	40.00
Present rate on articles affected by bill	51.16
Proposed rate on articles affected by bill	33.36

Several of the schedules of the more luxurious articles are not touched.

What more have we proposed for your adoption? We recommend to you very material changes in the laws governing the collection of the internal revenue. Heretofore, by statutes of the United States, internal-revenue officers have been authorized, upon the seizure of property which they suppose to be used in illicit distilling, to destroy it in advance of presentment or indictment of the owner or trial, and hence to destroy it without due process of law upon mere suspicion. We recommend that you change this, believing that the Government should not set the example of destruction of the property of the citizen until after he has had a chance for a hearing before some tribunal of his country. We recommend to you the repeal of what was known as the minimum-punishment clause, contained in the laws fixing penalties for the violation of internal-revenue laws. The maximum remains unchanged, and it gives to the court trying the cause jurisdiction to impose a less penalty than that fixed now by law, if in its judgment

justice demands it. We recommend to you the repeal of license taxes imposed on retail dealers, for the reason that most of the indictments now found in the Federal courts and the oppressions growing out of the system originally were from these sources, and we believe that the law can be as well enforced without as with them.

All laws which restrain the producer of tobacco from selling it to whom he pleases and in any form except cigars, cigarettes, and cheroots are also proposed to be repealed; and we believe by the adoption of the bill which is now before the House, repealing the internal-revenue taxes to the amount of $24,000,000, that those hardships and oppressions of which there has been so much complaint will be removed.

The gentleman from Pennsylvania spent much of his time and most of his fervor in a tirade against Kentucky, and attributes her want of development of her resources to the tax on whisky. He advocates the removal of that tax. I am not going into an extended defense of that magnificent State or her grand people. They speak for themselves, and besides have representatives here who are amply able to take care of her, even when assaulted by the gentleman from Pennsylvania. But I want to stir up his pure mind by way of remembrance on one little thing or two of which he seems to have been profoundly oblivious when traducing that State. He had forgotten the fact that the last annual report of the Commissioner of Internal Revenue shows that whereas Kentucky has 3,702 retail dealers in spirits and malt liquors, Pennsylvania has 20,425. Comparing these figures with the census—and we have no reliable data as to population since—it gives one saloon for every four hundred and forty-five inhabitants in Kentucky and one to every two hundred and nine inhabitants in the great State of Pennsylvania. I have to announce to this House and the country that the gentleman from Pennsylvania has revolutionized on the question of free raw materials. He stands here to-day clamoring for it. Not free raw materials for his factories and furnaces; not free raw materials for his forges and foundries; not free raw materials for his carpet looms and woolen establishments, but he is exceedingly anxious for free raw materials for his twenty thousand saloons.

He announced in a speech some years ago that the consumer pays the tax imposed upon the commodity. It is not surprising, therefore, that holding to that faith he should wish a little less internal tax on this very flourishing industry.

PRESIDENT GRANT ON FREE WOOL.

The minority of the Committee on Ways and Means, and other gentlemen opposing tax reduction, have lain a great deal of stress on the injustice done by the proposed removal of the duty on wool and other articles added to the free-list. I submit for their consideration the fact that among the earliest suggestions—so far as I know, the earliest suggestion—since the war for the removal of the duty on wool came from the distinguished Chief Executive whom they twice honored with an election to the Presidency and attempted to elevate to that position a third time, President Grant. In his annual message submitted to Congress December 7, 1874, he made the following recommendation:

> I would suggest to Congress the propriety of readjusting the tariff so as to increase the revenue and at the same time decrease the number of articles upon which duties are levied. Those articles which enter into our manufactures and are not produced at home, it seems to me, should be entered free. Those articles of manufacture which we produce a constituent part of but do not produce the whole, that part which we do not produce should enter free also. I will instance fine wool, dyes, etc. These articles must be imported to form a part of the manufacture of the higher grades of woolen goods. Chemicals used as dyes, compounded in medicines and used in various ways in manufactures, come under this class. The introduction, free of duty, of such wools as we do not produce would stimulate the manufacture of goods requiring the use of those we do produce, and therefore would be a benefit to home production. There are many articles entering into home manufacture which we do not produce ourselves, the tariff upon which increases the cost of producing the manufactured article. All corrections in this regard are in the direction of bringing labor and capital in harmony with each other, and of supplying one of the elements of prosperity so much needed.

It will also be remembered in this connection that the first tariff law adopted was framed by Madison, the father of the Constitution, 1789. And contemporaneous with the public service President Washington and Mr. Jefferson left wool on the free-list. I would digress also far enough in this connection to ask why is it that in all the years from that time until 1807 there never was a tariff that aggregated 31 per cent.?

Mr. Chairman, of all the sufferers by this oppressive taxation the farmer is the greatest. With wheat at less than 80 cents, cotton at a rate that barely pays for production, corn so low that it will scarcely bear shipment, he toils from eight to fourteen hours a day and gets none of the benefits of the high tax. He has to sell his commodities in the lowest markets of the world and buy in the highest. The result on him has been disastrous in the extreme. The records of agricultural regions show a frightful increase of mortgages. The mortgages upon the farmers of the Northwest are startling to contemplate.

PRESIDENT CLEVELAND ON THE INTERESTS OF LABOR.

There is a statement made and reiterated by the gentleman from Pennsylvania which I think deserves more than a passing notice. It is that wherein he speaks of the President's message as a "free-trade message." The minority report also uses this phrase to characterize it. I am not willing that the opinions of the country shall be based upon the assertions of gentlemen who are averse to the President in every political sentiment. I therefore read from the message itself, that this House and the country may determine whether or not it is a free-trade document:

> It is not proposed to entirely relieve the country of this tariff taxation. It must be extensively continued as the source of the Government's income, and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufacturers. It may be called protection, or by any other name, but relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperiling the existence of our manufacturing interests.

Again:

> It is also said that the increase in the price of domestic manufactures resulting from the present tariff is necessary in order that higher wages may be paid to our workingmen employed in manufactories than are paid for what is called the pauper labor of Europe. All will acknowledge the force of an argument which involves the welfare and liberal compensation of our laboring people. Our labor is honorable in the eyes of every American citizen, and as it lies at the foundation of our development and progress it is entitled, without affectation or hypocrisy, to the utmost regard. The standard of our laborer's life should not be measured by that of any other country less favored, and they are entitled to their full share of all our advantages.

The following paragraph also bears upon this subject:

> To these the appeal is made to save their employment and maintain their wages by resisting a change. There should be no disposition to answer such suggestions by the allegation that they are in a minority among those who labor, and therefore should forego an advantage in the interest of low prices for the majority; their compensation, as it may be affected by the operation of tariff laws, should at all times be scrupulously kept in view; and yet with slight reflection they will not overlook the fact that they are consumers with the rest; that they, too, have their own wants and those of their families to supply from their earnings, and that the price of the necessaries of life as well as the amount of their wages will regulate the measure of their welfare and comfort.
>
> But the reduction of taxation demanded should be so measured as not to necessitate or justify either the loss of employment by the workingman nor the lessening of his wages; and the profits still remaining to the manufacturer, after a necessary readjustment, should furnish no excuse for the sacrifice of the interests of his employés either in their opportunity to work or in the diminution of their compensation.

Mr. Chairman, I wish to compare the record of the gentleman from Pennsylvania with that of the distinguished President of the United States, whose message he criticises. Let us compare their action on one subject that is of vital importance to the laboring man, and see if we can not get some additional light. The gentleman from Pennsylvania was a member of Congress in 1864, and on the anniversary of our country's liberty an act was passed by him and those acting with him which has only to be read to be most heartily despised. It is what is now known as the "contract-labor law." There was a clause in the Constitution which forbade the re-establishment of the African slave trade, but this opening of something like a Caucasian slave trade was made legitimate by the statute which I send to the Clerk's desk to be read.

The Clerk read as follows:

> SEC. 2. *And be it further enacted*, That all contracts that shall be made by emigrants to the United States in foreign countries, in conformity to regulations that may be established by the said commissioner, whereby emigrants shall pledge the wages of their labor for a term not exceeding twelve months, to repay the expenses of their emigration, shall be held to be valid in law, and may be enforced in the courts of the United States or of the several States and Territories; and such advances, if so stipulated in the contract, and the contract be recorded in the recorder's office in the country where the emigrant shall settle, shall operate as a lien upon any land thereafter acquired by the emigrant, whether under the homestead law when the title is consummated, or on property otherwise acquired until liquidated by the emigrant; but nothing herein contained shall be deemed to authorize any contract contravening the Constitution of the United States, or creating in any way the relation of slavery or servitude. (U. S. Stats. at Large, vol. 15, 1863-'65.)

Mr. WEAVER. Who signed the act which has been read?

Mr. McMILLIN. It passed during President Lincoln's term; but I do not know whether it received his signature or became a law by ten days' limitation.

Mr. KELLEY. Will you let me say a word in defense of Lincoln?

Mr. McMILLIN. Until the gentleman gets through defending himself, he will have to let Lincoln take care of himself. "Physician, heal thyself." It is not Lincoln who is in danger; it is my friend from Pennsylvania. [Applause.]

Mr. KELLEY. Do not violate Lincoln's grave!

Mr. McMILLIN. The gentleman can not take refuge behind the grave-stone of that great and patriotic man. [Applause.]

Not only were foreigners to be brought here by contract, but their services for a year were made liable for the fulfillment of the contracts, and any little home which they acquired by purchase, or even under the homestead act, was to be swept away from them and their children to satisfy the rapacity of the contractors who brought them over. Whenever the operatives in an American mine or at an American furnace became dissatisfied with their wages and struck for better pay, all that the mine or furnace owner had to do was to send his agent abroad to the densely populated, poor and squalid inhabitants of Russia, Poland, Italy, or other oppressed region, contract for laborers to take the places

of the strikers, and the machinery worked smoothly again. Whole colonies of American citizens have been swept away from their places of labor in this manner. Who was it that originated a bill repealing this law? It originated in a Democratic House of Representatives. Not only was the law allowing the importation of contract laborers repealed, but an amendment was made afterwards, with the approval of President Cleveland, which made the vessel bringing them to this country liable for the expense of transporting them back, and by a clause I offered, which was adopted, if it failed to do so, prevented it from entering in or clearing from our ports. This President Ceveland made effective by his approval. I leave this House to determine which has manifested the greatest affection and which has bestowed the greatest blessing upon the laboring man in this case, the honorable gentleman from Pennsylvania or the President whose message he criticises.

Now, Mr. Chairman, in order to show that I do not distort the facts of the case, I send to the Clerk's desk also to be read the testimony of the laboring men, taken before Senator BLAIR'S investigating committee, in my distinguished friend's State, showing the oppression that grew out of the act which has been read.

John Murray, of Shawnee (Ohio) Miners' Association:

"Our men are deeply interested in the bill against the importation of labor, and we expect Congress to do something to remedy the evil. There were seven hundred foreigners and seven hundred colored men brought to my district during a recent strike."

Fred Turner, of Philadelphia, Pa., secretary of the Knights of Labor, said:

"It is the universal sentiment that the bill of Mr. FORAN should be passed. The importation of foreign workmen is getting as bad as that of the Chinese. We have not the slightest objection to their voluntary coming. The African slave was better off than are these people under some of these contracts. The slave had some one to look after his welfare; these people have not. We present a petition to the committee containing 35,000 names of persons who pray for relief by the passage of a bill to remedy this matter."

Mr. Chairman, there is another gentleman whom I wish to quote to show the importance of tariff reduction. At a time when there was not one tithe the necessity or demand for tariff reduction that there is to-day, the gentleman from Pennsylvania [Mr. RANDALL] made a speech, in the Forty-seventh Congress, in which he used the following language, and made use of the following strong arguments in favor of a reduction in taxation; this, too, when we had outstanding, subject to the call of the Government, over $400,000,000 of bonds, and when the surplus was less than now:

It is equally true that excessive taxation, even when it is successful in securing revenue, is ultimately destructive of the sources of labor from which it is drawn, while at the same time it engenders extravagance, corruption, and decay. For when the Government sets the example of extravagance it is soon followed in every walk of life, and one does not need to be a prophet to foretell the general ruin which must inevitably result. Frugality and economy never destroyed any government, while they have built up the most powerful empires the world has ever witnessed.

And again in the same speech he says:

The existing overflowing Treasury brings a demand for reduction of the tariff and internal-revenue taxes. In my opinion, in such a condition of our finances reduction of taxation should at once begin. Unnecessary taxation is injurious to the interests of the people in many directions. Government has no justification for the collection of burdensome taxes in excess of the sum requisite for the support of its proper administration. What have we seen in this Congress? The excess of our resources has induced the presentation of every conceivable scheme to deplete the Treasury, and our expenditures, unless checked in time, will reach enormous proportions and bring back again, as prior to 1874, a saturnalia of extravagance and disgrace.

Your committee have done the very things that it was stated then were necessary to be done. They have prepared a bill for the reduction of internal-revenue and tariff taxes. Every bond that was subject to the call of the Government when that speech was made has been paid. Every dollar of indebtedness which can be discharged without the payment of a high premium has been extinguished; vast accumulations have been piled up in the Treasury until its vaults are fairly bursting with money which ought to be in the channels of trade, till there is about $150,000,000 where there was only a small surplus. This House stands ready to make good the words which he used on that occasion. It is ready to give the relief which he said the people were entitled to receive. We are ready and willing to remove the temptation to corrupt government which he said was always found in a plethoric Treasury. We are ready to aid him in insuring to the people that "frugality and economy" which he said never "destroyed any government," and to prevent that "saturnalia of extravagance and disgrace" which he said characterized the period just anterior to 1874.

CONSUMER PAYS TARIFF TAXES.

It is insisted by some protectionists that the foreign manufacturer pays the taxes which are collected from imports. A greater fallacy was never attempted to be palmed off on the people. When goods reach the custom-house the importer pays the tariff dues; he then sells to the retail dealer for the original cost, the insurance, tariffs, and his commissions added. Upon all of these the retail dealer adds a per cent. to pay him for dealing in the goods, and with this per cent. added upon the tariff cost he sells to the consumer, who in the end pays every dollar, both of the original cost, insurance, tariffs, and the profits of the two dealers through whose hands they pass added. The tariff duties, therefore, increase by so much the price at which the consumer buys them. There would be more comfort in the transaction if the Government got the benefit of all the costs thus added. But it is estimated that for every dollar that is paid into the Treasury on imported goods there is paid to the manufacturers of this country five; so that the tariff taxation costs not only what is paid into the custom-house, but the incidental increase of expense upon all, or a greater part, of the dutiable goods made and consumed in the United States.

The lowest estimate that can possibly be placed upon this increased cost of commodities to the people is hundreds of millions of dollars. I would like for some man versed in constitutional law to tell me under what clause of the Constitution a tax can be legally placed upon the people for any other purpose than the necessities of government. I would also be exceedingly gratified to have any man, be he constitutional lawyer or not, explain where is the justice in requiring one man to contribute a tax to make another man's vocation pay.

The following table will show what the increased cost added to these classes of articles of domestic manufacture has been by reason of the high tariff in one year:

Articles.	Imports, 1887.	Duties.	Domestic manufactures.	Cost added by tariff.
Iron	$50,618,985	$20,713,233	$296,557,685	$85,000,000
Cotton	29,150,058	11,710,719	192,060,110	55,000,000
Wool	44,235,243	29,729,717	267,252,913	107,000,000
Total cost added by tariff				247,000,000

The following, taken from the Million, further illustrates the cost to the people. I should state, however, that I have not had time to verify the calculations made:

In default of information by Government efforts have been made by experts to make approximate calculations of the cost of protection. The average of such estimates is about $750,000,000 per annum. Some estimates exceed a billion; few are so low as half a billion dollars a year. Perhaps the most elaborate and one of the most careful and detailed estimates places the annual cost at $556,000,000. We shall assume this as approximately correct, though far below the average calculation.

For the fiscal year ending June 30, 1882, the dutiable imports were $433,000,000 and the duties about $194,500,000, or nearly 45 per cent. of such imports.

The domestic production of dutiable goods exceeds the imports five or six times. We know that the manufacturers of dutiable goods, like all other men, get as high prices for their goods as they can. If the duty be added to the price, as some contend, then the figures would stand thus:

Domestic product of dutiable goods	$2,440,000,000
Enhanced price at 45 per cent., nearly	1,100,000,000

Suppose the enhanced price, however, to be half the duty. This would give the aggregate of $550,000,000.

In this calculation, however, as in most of the calculations, an important element has been omitted, namely: waste—the waste produced by misdirecting industry from natural channels into artificial. Few calculations lay proper stress on this very important element of price. In the cost of "protection" must be counted not only the enhanced cost of the artificial products forced, but also of the natural products neglected, the price of which is thereby enhanced. In a word, protection is a two-edged sword, working disastrously on the whole range of prices.

Can any one doubt that a half billion a year thrown in to derange the natural channels of industry will affect that industry? Can any one doubt that a duty of about 45 per cent.—equal to three or four profits—will draw people into artificial industries, to the detriment of the natural?

Suppose the effect on dutiable goods to be half the duty, say $550,000,000, and the enhanced price on the neglected goods to be half as great as the above, say $275,000,000, we should have as the cost of protection an aggregate of $825,000,000.

But for our present purposes we shall omit the element of waste and take for comparison one of the lowest estimates of the enhanced price of dutiable goods only.

On this view compare the cost of "incidental protection" with other big things:

Cost of all the State and Territorial governments combined	$52,000,000
Ten times their combined cost	520,000,000
Cost of protection	550,000,000

Excess of cost of protection over ten times the combined cost of all the State and Territorial governments, $30,000,000 per annum.

Take another view:

Cost of the Federal Government	$400,000,000
Cost of all the State governments	52,000,000
Cost of all the county governments	70,000,000
Total	522,000,000
Cost of protection	550,000,000
Leaving	28,000,000

as the excess of the cost of protection over the cost of all the governments of the Union, the States, the Territories, and the counties.

One other view only. The tariff yielded—

To Government	$194,500,000
To protection	550,000,000
Excess	355,500,000

Protection gets $355,000,000 more than Government gets. Double what the tariff yields, and we have $389,000,000. And so protection gets $161,000,000 more than twice as much as Government.

The following table, prepared with great care by the gentleman from Illinois [Mr. SPRINGER], shows these incidental expenses in detail:

Statement showing the amount of incidental taxes annually imposed on the people of the United States in the increased cost of home products by reason of discriminating duties on imported articles of like character, together with the value of such home products, the amount of wages paid and number of hands employed, and the imports and duties received thereon for the year 1882.

Articles affected by the tariff.	Merchandise imported during the fiscal year ending June 30, 1882.			Value of home products, census year 1880.	Average number of hands employed. Boys under 16 and girls under 15 counted as one-half a hand.	Total amount in wages during the year.	Estimated rate of increase ad valoren.	Incidental taxes—being increased cost of home products by reason of the tariff.
	Values.	Duty received.	Average ad valorem rate.					
			Per cent.				*Per cent.*	
Chemical products	$21,517,169	$6,718,561	31.32	$117,377,324	28,895	$11,840,704	20	$23,475,464
Earthenware and glassware	13,822,043	6,695,257	48.42	31,632,309	30,674	13,130,493	45	14,234,539
Metals—iron and steel and all metal manufactures	74,427,988	30,358,936	40.79	604,553,460	290,000	122,648,191	20	120,910,692
Wood and wooden wares	8,654,327	1,589,851	18.37	311,928,884	185,426	47,817,199	15	46,789,332
Sugar and molasses	94,540,269	49,210,573	52.05	See note.			40	4,846,771
Tobacco	8,216,132	6,000,961	73.03	118,665,366	81,809	25,041,257	25	29,666,407
Cotton and cotton goods	34,868,044	13,482,167	38.67	210,950,383	170,363	45,614,419	20	42,190,076
Hemp, jute, and flax goods	33,578,076	9,844,652	29.32	5,518,866	4,329	1,238,149	20	1,103,773
Wool and woolens	47,679,502	29,254,234	61.36	267,182,914	145,341	47,351,628	40	106,873,165
Silk and silk goods	38,535,475	22,632,490	58.73	41,033,045	28,554	9,146,705	50	20,516,522
Books, paper, etc	4,923,620	1,406,787	28.57	65,960,405	25,274	9,895,905	20	13,192,081
Sundries	62,410,690	17,272,269	27.68	665,699,693	337,216	129,881,399	20	133,139,936
Total	433,173,335	194,464,758		2,440,502,649	1,327,881	463,606,049		556,988,657

NOTE.—Planters' product for 1880 was: Sugar, 196,759,200 pounds; molasses, 16,573,273 gallons. Number and wages of laborers not stated.

DESTRUCTION OF AMERICAN SHIPPING.

Mr. Chairman, there is another thing to which I wish to call attention in passing to show the calamitous results which have followed this repressive policy. Under the rule of this Government before we attempted to exclude everything from our markets and forced the people to buy in the dearest markets, we had commerce carried on in American ships with all the nations of the earth. The American seaman was found in every port, the American vessel breasted the waves of all waters, and the American flag floated over the mastheads of hundreds of ships and thousands of seamen. We had conquered the lands and triumphed on the sea, and asked no people on earth to carry our commerce for us; but instead were engaged in successful rivalry in carrying on commerce between the other nations of the world. Glory, honor, and empire were ours. But what is the situation to-day? The Secretary of the Treasury has stated it tersely in the following passage from his report:

> Thus it will be seen that our foreign commerce, carried in vessels of the United States, measured by its value, has steadily declined from 75 per cent. in 1856 to less than 14 per cent. in 1887. Even of this small percentage less than one-half was carried in steam-vessels bearing our flag.
>
> A citizen of the United States may buy a foreign-built vessel in a foreign port; he may put the United States flag upon it and trade with all the countries of the world except his own. Our Government will protect him with all its power in such trade; but if he brings his ship with our flag upon it to one of our ports, our Government will confiscate it or impose prohibitory duties. He may, however, put the flag of any other country on that same ship and bring it to his home without molestation by our Government; it is then protected by the power of a foreign country. It is difficult to understand why it would not be well to so change our navigation laws as to allow foreign-built ships owned by our citizens to come and go between this and other countries while bearing the flag of the country of their owners.

We have absolutely driven our carrying trade from our own people. Pretending to protect, we have done nothing but destroy; pretending to assist, we have only crushed our seafaring industry; pretending to be a friend of the American merchant marine, we have been its worst and deadliest enemy, and to-day we carry but 13 per cent. of our foreign commerce and pay millions to others to do our work for us; and yet gentlemen come here and propose to undo this work by subsidies out of the people's Treasury.

So extraordinary are our laws if a citizen of this Government buys a ship abroad and puts the flag of his own country on it and comes into an American port his ship is seized by the United States authorities.

Mr. DINGLEY. Will the gentleman allow me a word at this point?

Mr. MCMILLIN. I will yield to the gentleman in a moment.

Whilst the Government does this, if the same citizen buys the same vessel and puts over it any other flag than his country's, he is protected and may come into any port of this land. Where is the justice of this, where is the patriotism? For myself, I am wholly unable to see it.

I now yield to the gentleman from Maine for a question.

Mr. DINGLEY. I do not want this question of the revival of the foreign carrying trade to drift into the rut of partisan tariff or free-trade discussion——

Mr. MCMILLIN. There is no danger that it will get into any "rut" where it does not belong; but where it does belong there it shall go.

Mr. DINGLEY. We want to get at the exact facts. The gentleman has suggested that at a certain period in the past, under another tariff policy, the foreign carrying trade of the United States was 75 per cent. of our exports and imports, and that now it is only 14 per cent. I desire to suggest, because it is important in this line, that it is true that in 1855——

Mr. MCMILLIN. Does the gentleman want to ask a question?

Mr. DINGLEY. Certainly; a question right on this point.

Mr. MCMILLIN. Well, ask your question; I do not want to yield for a speech.

Mr. DINGLEY. I want to know whether it is not true that though in 1855 75½ per cent. of the carrying trade of the United States was done by American vessels, yet in 1861 the proportion had declined to 66½ per cent.—a decline of about 9 per cent. in six years; so that the decline between 1855 and 1861, under the revenue tariff of which my friend has spoken, was as great per annum as it has been at any time since the war.

Mr. MCMILLIN. What is the gentleman's question?

Mr. DINGLEY. I ask the gentleman whether he is not aware that such is the fact.

Mr. MCMILLIN. I am aware that under the laws which existed prior to 1861 we had our own ships carrying our own commerce.

Mr. DINGLEY. But the decline of our foreign carrying trade was as rapid from 1855 to 1861, under the revenue tariff of which the gentleman has spoken, as it has been since the war under the protective tariff.

Mr. MCMILLIN. I admit that there was a slight decline; but I deny that there was anything like the rot and decay that have been experienced under our present system.

Mr. DINGLEY. The decline was as rapid, year by year, six years before the war as it has been since.

Mr. MCMILLIN. That I deny. Now, "turn about is fair play." Let me ask you a question. Do you favor that policy which permits the United States to seize and confiscate the ship bought by the citizen of the United States in a foreign port, if it comes into our own ports, but at the same time protects him if he goes somewhere else, and sails under the flag of some other country? [Applause.]

Mr. DINGLEY. I favor the policy of confining American registered vessels to vessels built in this country—a policy which was inaugurated by Washington, and has continued in operation from that day until the present. [Applause on the Republican side.]

Mr. MCMILLIN. I wish to say to my friend from Maine that by his policy he declines, through the operation of statute law, to let us buy vessels abroad, and then by reason of other statutes, known as high tariff laws, puts it out of our power to build in this country for a cost that will enable our people to compete with those buying ships built elsewhere. He knows——

Mr. DINGLEY. I favor the laws with reference to the registration of American vessels that have existed from the time of Washington to the present day.

Mr. MCMILLIN. The gentleman knows that the tariff rates on materials which enter into a ship are higher now than they were before the war.

Mr. DINGLEY. They are not so far as vessels for the foreign trade are concerned, I desire to say to my friend.

Mr. MCMILLIN. Is iron no higher?

Mr. DINGLEY. I wish to say——

Mr. MCMILLIN. Is iron no higher?

Mr. DINGLEY. Let me say——

Mr. MCMILLIN. I can not yield if the gentleman declines to answer my questions after I have answered his.

Mr. DINGLEY. Taking all the materials for a vessel for the foreign trade as they——

Mr. MCMILLIN. I can not yield further to the gentleman after declining to plainly answer my question.

Mr. DINGLEY. Ah, but the gentleman asked me a question, and refuses to allow me to answer.

Mr. McMILLIN. I must decline to yield; the gentleman wants to make a speech.

Mr. DINGLEY. The gentleman must not ask questions to which he does not allow an answer. He has unlimited time——

Mr. McMILLIN. I must decline to yield.

Mr. DINGLEY. But the gentleman does not wish to give a false impression in reference to this important matter?

Mr. McMILLIN. I do not give any false impression.

Mr. DINGLEY. Let me answer.

Mr. McMILLIN. But the gentleman has declined to answer me.

Mr. DINGLEY. I have not declined.

Mr. McMILLIN. You can say if it is true or false, you know it or you do not know it. Now, is it not true that the iron which enters into the construction of a ship in this country pays a higher rate of duty?

Mr. DINGLEY. If it is of iron——

Mr. McMILLIN. I am talking of the iron which enters into the construction of ships generally.

Mr. DINGLEY. The iron which enters into the construction of a wooden ship, such as we built exclusively before the war, pays less duty than before the war.

Mr. McMILLIN. Does not the gentleman know the cost of almost everything entering into the construction of a ship in this country is greater than it is in other countries?

Mr. DINGLEY. It was before the war. So far as the materials were iron, we could not have built iron ships then any more successfully in competition with the Clyde than we can now.

Mr. McMILLIN. Is it not 33 per cent. higher?

Mr. DINGLEY. It was as much higher before the war as it is now. [Laughter and applause.]

Mr. McMILLIN. Now, Mr. Chairman, the copper, the iron, the steel, and other materials which enter into the construction of a ship pay a higher rate of duty, and yet these same gentlemen complain that ship-building in this country costs more than it does in foreign countries, and a cry comes up of the decay of our merchant marine while you refuse to give any remedy.

Sad, sad to the patriotic heart is the reflection that we have so degenerated in our foreign carrying trade that when the American citizen goes to many of the ports of the world accredited as consul and desires once more to see the flag of his native land, he looks not out on the broad blue ocean! Alas, it is not there! He must turn sorrowfully into his own room, delve down into the bottom of his own trunk and get out the Stars and Stripes he carried with him.

Mr. Chairman, they propose to counteract the vicious and constricting policy which has been followed for so many years by levying taxes upon those who live inland to make the vocations of those who are engaged in the carrying trade pay. Commerce can not be restored in that way. It is futile to attempt it. So long as the American citizen can not fly the American flag on any vessel except those built in our ports—and has to pay 30 per cent. more to build his vessel than does the citizen of any other country—so long will we be laboring under a disadvantage which subsidy is inadequate to remedy. [Applause.]

LABOR.

Under what specious plea have we robbed the people, laborers and all? Under the pretense that it is for the benefit of the laboring men. The gentleman from Texas [Mr. MILLS] in the opening of this discussion made some illustrations, and quoted some statistics, which the gentleman from Pennsylvania [Mr. KELLEY] never answered, and which the gentleman from Michigan [Mr. BURROWS] I predict, will not attempt to answer.

Mr. Chairman, we only have to make a few comparisons to show the utter fallacy of the claim of the protectionists that the high duties now existing were imposed or are kept for the benefit of the laboring man. I give the following table, compiled by Mr. Seaton, superintendent, from the Tenth Census, showing the value of various manufactured products in 1880 and the per cent. that the labor cost bears to the whole cost. I have also added for convenience the present and proposed tariff rates, from which it will be seen that in no instance does the committee propose on these articles a duty less than the per cent. of labor cost that is contained in them.

Table, compiled from Tenth Census, showing value of various manufactured products, per cent. of labor cost, rate of duty existing and proposed.

Industries.	Value of product.	Labor.	Percentage of labor.	Present tariff.	Proposed rate.
				Per ct.	*Per ct.*
Carpets	$31,792,802	$6,835,218	21.5	47	30
Cotton goods	210,950,383	45,614,419	21.6	50	40
Bolts, nuts, etc	10,073,330	1,981,300	19.7	59	35
Nails and spikes	5,629,240	1,255,171	22.3	43	34
Iron pipe, wrought	13,292,162	1,788,258	13.5	70	35
Oil, castor	653,900	44,714	6.8	194	97
Oil, linseed	15,393,812	681,677	4.4	54	21
Screws	2,184,532	456,542	20.9	50	35
Wool hats	8,516,569	1,893,215	22.2	54	40
Woolen goods	160,606,721	25,836,392	16.1	70	40
Worsted goods	33,549,942	5,683,027	16.9	68	40

It will thus be seen that while the labor in carpets, leaving off fractions, is 21 per cent. of the cost, the tariff is 47 per cent. In cotton goods the labor is the same and the tariff 50 per cent. In wrought-iron pipe, labor is 13 per cent. and the tariff 70 per cent. In castor-oil, labor 6 per cent. and the tariff 194 per cent. In wool hats, the labor is 22 per cent. and the tariff 54 per cent. In woolen goods, labor is 10 per cent. and the tariff 70 per cent. In worsted goods, labor is 16 per cent. and the tariff 68 per cent. I do not blame manufacturers and capital for wanting to form a partnership with the laboring man when such a small per cent. of all the cost is labor when compared with the rate of duty imposed.

COMPLAINTS OF THE MINORITY.

Mr. Chairman, the gentlemen who signed the minority report complain of the manner in which the bill under consideration was prepared. I hazard nothing in saying that if their wishes in this regard had been complied with, and an attempt made to do all the work in full committee at odd times when the House was not in session June would have reached us without any bill before this House; for it will be remembered that when a request was made for the committee to sit during the sessions of the House it was opposed by the gentleman from Michigan [Mr. BURROWS], a member of the Committee on Ways and Means. What right have they to complain? The question is not how, when, or where the bill was prepared, but what is the bill? Is it good or bad? They are in no attitude to complain in any event, because it is a well-known fact that the very gentlemen who signed the minority report in 1883 railroaded through Congress a bill which was not only never prepared by the Ways and Means Committee of the House, as is contemplated by the Constitution, but was never read in the House of Representatives. The tariff law which we now seek to amend thus became a law without the members of Congress ever having heard or read it. Hence I say they are in no attitude to criticise anybody for any method adopted in the consideration of a tariff bill.

INCONSISTENCIES OF PRESENT LAW.

Mr. Chairman, the minority complain at what they are pleased to call the inconsistencies in the bill. Let those inconsistencies be what they may, they are not a tenth nor a hundredth part of those found under the present law, which these gentlemen helped to force upon the country. Let us take a few illustrations. Woolen yarns bear a duty of 69 per cent.; the higher-priced cloths of wool bear a duty of only 68 per cent., the cheaper dress goods a duty of 67 per cent., and the higher 59 per cent., while the ready-made clothing into which the cloths are made bears a duty of only 54 per cent. Take wool; let it be scoured, carded, spun, woven, and made into cloth by the carding process, and it bears a duty ranging from 68 to 89 per cent. But take the same wool, wash it, or scour it as you did before, and comb it, so that when spun and woven it is worsted cloth, and it bears a less rate of duty than is imposed on woolens. Whoever saw a more glaring inconsistency in a tariff bill than this? Nor is this confined to woolen goods. Look to cotton goods. Colored tarlatan has a duty of 250 per cent., while ruchings, that are made therefrom, bear a duty of only 35 per cent. Come down to the metal schedule. Hoop-iron not thinner than No. 20 bears a duty of 47 per cent., while cotton-ties, made of this same hoop-iron, bear a duty of only 35 per cent. Pig-iron bears a duty of $6.72 per ton, while die-blocks, etc., made of pig-iron, bear a duty of only $6.04 per ton. In this way, and by this kind of "tinkering," almost every worsted establishment in the country claims to have been on the verge of bankruptcy since 1883, when the iniquitous tariff under which we are now living was adopted.

If these gentlemen had attempted to put a premium upon the closing up of establishments on this side of the waters and opening them on the other, they could not have been more effectual than they have been by this inconsistent, incongruous tariff which we are now trying to amend; and yet they complain that there is not consistency in the bill which we present. There is another fault to be found with the present tariff law which we have striven to remedy by the bill which we present for your adoption. In almost every schedule of the present law it will be observed that the coarser the goods and the more likely they are to be worn or used by those in the humbler walks of life the higher the rate of duty fixed upon them; and the converse, of course, follows, that the more luxuriant the article the lower the rate of duty. We have attempted in the tariff which we present for your adoption to so frame it that the tax would bear most heavily upon luxuries and those things without which the people can live, rather than upon the necessaries of life. Hence we have reduced the tariff on the metal schedule, but have not lowered it on jewelry; we have reduced it on woolen goods, and have not lowered it on silks; and we have reduced it on sugar and taken it off of salt, but have not made one farthing of reduction on liquors, wines, etc.

Sir, there is an objection to our economic training of the day that may be justly urged. That is, the tendency to inculcate in the people concerning tariffs and almost everything else a desire for paternal government. We are striving to teach our people concerning tariffs and almost everything else that they can not prosper in their business pursuits without they are fortified by United States statutes; we are trying to inculcate in them the belief that upon Congress depends the amount of their wages, the number of hours which they shall labor and their prosperity or adversity in their industrial pursuits. There never yet

was an assemblage of lawmakers wise enough to devise laws which should control and regulate these things with perfect satisfaction to all. They must be left to their own best regulation. They are controlled best when they are controlled least. What is the result of this teaching? When you teach the people to look to government to do this you teach them to look for that in which they must inevitably be disappointed; and when the disappointment comes, believing that government is to blame for all the calamities that overtook them, they first become dissatisfied with it, then get to be lukewarm toward it, and may finally hate it.

Woe will betide the day when the laboring people of the United States come to believe that Congress, and it alone, can give them prosperity or adversity in their industrial pursuits. It is better to follow the old doctrine of the fathers, to protect the citizen in his life, his liberty, and his pursuit of happiness, and leave him to do the balance unhampered by legislative restraint and undeluded by demagogic flattery and folly. I now and then am most profoundly disgusted by hearing some man, while sawing the air with his hands and splitting the ears of the groundlings with his tongue, proclaim that the American citizen can not stand the least competition with the men of other countries. I am an American born, and an American by instinct, and an American in all my affections, and I am never going to do the people of the United States the injustice to suppose that God ever created a race of human beings on this earth who can successfully put down the American citizen in his race for supremacy in all that is right. [Applause.] I do not believe it now; I never will believe it until I shall have seen it tried and demonstrated that I am wrong; and he does himself injustice, he does his sires injustice and his sons injustice, who holds to the doctrine that we are a generation of pygmies to be overridden by other people without we have Congressional legislation to aid us.

Sir, protectionists are peculiarly unfortunate in the different arguments to which they resort to accomplish the same end. With seemingly bland simplicity, they tell the workman that he wants protection in order to give him higher wages. They turn round and in the same breath tell the citizen who pays these taxes that he wants protection for the purpose of giving him cheaper clothes; for, they say, "home competition inevitably does this." They tell the manufacturer he wants it to give him greater profits. How the same law is going to give cheaper clothes to the poor man, higher wages to the laboring man, and greater profit to the manufacturer they do not deign to show. But it is not for the laboring man that this claim is really made; it is not for the man who pays the taxes that it is made; but it is corporate capital disguised as the "friend of the laboring man and the taxpayer" that is making this argument. It will not be denied by any that we have the most fruitful and fertile soil, combined with the most genial climate in the world. We have, taken as a class, the most industrious people and the highest inventive genius in the world. There is no country on the earth that takes so few of its young men from the industrial callings to go into the military and naval service as does ours. These things being so, is the day not at hand or fast approaching when all of this energy, this inventive genius, this freedom to work in industrial pursuits, will not be satisfied or prosperous in simply making what it can eat and wear?

EXTEND OUR MARKETS.

No, sir, we must have other and broader markets. I say to-day to those living on the coasts that to them will first come the calamities of a restricted market. In the early history of the country our large cities were stretched along the coast, and those in the interior labored under great disadvantages. But railroads have changed our commerce, and just inside of this line of border cities have sprung up other cities which are as prosperous and promising as those on the seacoast. They are rapidly taking the trade from the seacoast, and those who live upon the outskirts will soon find their only refuge from decay will be upon the broad ocean, and there they will have to turn. They can not always beat down their neighbors in their own markets. They have to get out in the world or go down in the conflict. The time will come when New England will not be able to buy cotton in the South, manufacture it 1,200 miles away, pay two transportations, and sell it in competition with mills running beside the cotton-fields.

Sir, take my own State as an illustration. We are far in the interior. Originally we were a fine market for the products of Pennsylvania and the Eastern manufactures, but to-day we are doing much of our own manufacturing. Instead of going abroad for commodities we are sending them abroad. We are sending our marble from ocean to ocean; we are shipping our coke hundreds of miles; our iron carried through Pittsburgh is being sold as far east as Boston, and the generation is now here that will behold the auctioneer from Alabama and Tennessee standing upon the custom-house steps of the city of Pittsburgh auctioning off pig-iron in sight of furnaces from which the smoke is no longer curling.

Mr. Chairman, I hold in my hand a piece of steel made by the Henderson process at Birmingham, Ala., out of our Southern iron, high in phosphorus, at a cost, as the president of the works tells me, of $18 a ton. American pluck, energy, and inventive genius again triumphant!

Mr. WHEELER. And the phosphorus in the iron will almost pay for making the steel. [Applause.]

Mr. McMILLIN. Yes, I am told so.

Mr. ALLEN, of Michigan. Will the gentleman yield to me?

Mr. McMILLIN. Yes, for a question, but not for a speech.

Mr. ALLEN, of Michigan. We have no objection to the auctioneer going from Alabama and Tennessee; but we do object to his going from England or some other country to Tennessee. [Applause on the Republican side.]

Mr. McMILLIN. Fret not yourself. He can never come South, I assure you.

I regretted to hear the distinguished gentleman from Pennsylvania speak of the fact we have not further developed in the South. I do not recur to the past for any purpose, except for the lesson of wisdom which it teaches. God forbid that in my heart there should be found a corner deep enough or dark enough to wish misfortune to any quarter of this glorious country. [Applause.] I am for every foot of it, wherever that glorious flag floats [pointing to the flag over the Speaker's desk] or our eagle soars. [Prolonged applause.] Sir, in contemplating what has already been done there, I am not surprised that we have done so little, but I am astonished we have done so much. When the war closed we had eleven millions of people in the South. And of the eleven millions, the combined wealth of six millions of them above indebtedness would not have bought one suit of clothes. To-day we stand triumphant over misfortune. I recur to this not to criticise any, but to rejoice with all. [Applause.]

On the gloomy outlook for

NEW ENGLAND MANUFACTURES

I quote from a gentleman who lives in New England, a very distinguished diplomat under the last administration—I mean the Hon. James Russell Lowell. [Laughter and applause on the Republican side.] He was a diplomat and the representative of your administration accredited to the Court of St. James. [Applause on the Democratic side.]

Mr. KELLEY. Benedict Arnold was a major-general in the Continental Army. [Applause on the Republican side.]

Mr. McMILLIN. My friend from Pennsylvania has shown by his interruption and speech that he lives in the past and the past only.

Mr. KELLEY. Yes; and you will, too, when you get to be as old as I am. [Applause.]

Mr. McMILLIN. My sincere hope is that the gentleman's years may be lengthened out for many summers yet. [Applause.]

I send to the Clerk's desk to be read an extract from a speech made in New York on the 13th instant by Mr. Lowell, whose name has aroused so much ire on the other side of the Chamber.

The Clerk read as follows:

All that reasonable men contend for now is the reduction of the tariff in such a way as shall be least hurtful to existing interests, most helpful to the consumer, and, above all, as shall practically test the question whether we are better off when we get our raw material at the lowest possible prices. I think the advocates of protection have been unwise, and are beginning to see that they are unwise in shifting the ground of debate. They have set many people to asking whether robbing Peter to pay Paul is a method equally economical for both parties, and whether the bad policy of it be not all the more flagrant in proportion as the Peters are many and the Pauls few? Whether the Pauls of every variety be not inevitably forced into an alliance offensive and defensive against the Peters? Whether if we are taxed for the payment of a bounty to the owner of a silver mine we should not be equally taxed to make a present to the owner of wheat fields, cotton fields, tobacco fields, which are the most productive gold mines of this country? Whether the case of protection is not like that of armored ships, requiring ever thicker plating as the artillery of competition is perfected?

I confess I can not take a cheerful view of the future of that New England I love so well, when her leading industries shall be gradually drawn to the South, as they infallibly will be, by the great cheapness of labor there. It is not pleasant to hear that called the American system which has succeeded in abolishing our foreign commerce. It is even less pleasant to hear it advocated as being for the interest of the laborer by men who imported cheap labor till it was forbidden by law. That protection has been the cause of our material prosperity is refuted by the passage I have quoted from Burke.

* * * * * * * *

Of the surplus in the Treasury I will only say that it has already shown itself to be an incitement to every possible variety of wasteful expenditure, and, therefore, of demoralizing jobbery, and that it has again revived that theory of grandmotherly government which is most hostile to the genius of our institutions, and which soonest saps the energy and corrodes the morals of the people.

Mr. McMILLIN. Lest I should forget it let me now answer another of the positions taken, upon which the gentleman from Pennsylvania laid great stress in his speech a few days ago. It will be remembered that he stated that by indirection the committee had placed iron ore and coal on the free-list. That is absolutely without any just foundation. It was not the purpose of the committee to do it, it did not attempt to do it, and has not done it.

Mr. KELLEY. Well, that is a difference of opinion.

Mr. McMILLIN. A difference of opinion. Yes, and I will put the statement of the case before the House in such a light that there can be no honest difference of opinion upon it.

I read from the present law:

Iron ore, including manganiferous iron ore, also the dross or residuum from burnt pyrites, 75 cents per ton.

This the committee has left untouched.

Under another section the following is found, which was made free by us:

Mineral substances in a crude state and metals unwrought, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

Now, it will be remembered that those things which we did not touch in that law are left as the law now provides. That is the basis on which the bill is framed and upon which we expect it to be sustained.

Mr. O'FERRALL. I understood the gentleman to state that it was not the intention of the Ways and Means Committee to affect the present tariff on iron ore, manufactured iron, and coal.

Mr. McMILLIN. I had reference to iron ore and coal in my remarks. Some manufactured irons are reduced, but not ore or coal.

Mr. O'FERRALL. Then with reference to iron ore and coal. Will the gentleman answer this question in that connection: If it shall be determined upon an examination of the bill that there is any uncertainty upon that question, is the committee willing to so amend the bill as to remove all uncertainity?

Mr. McMILLIN. Not only willing, but we will do it. It was never intended to do anything different from that. The gentleman from Pennsylvania has not taken in the full scope of the situation, I think. He will remember that under existing law there were two classifications of ore, the one which I read and this one which he says has the effect to let in free coal and ore.

Mr. KELLEY. In connection with two other clauses.

Mr. McMILLIN. I will read the law, because I propose to lay the whole question before the House exactly as it is:

Mineral substances in a crude state, and metals unwrought, not specially enumerated or provided for in this act, 20 per cent. ad valorem.

That is the present law. Now, we changed that; but the other clause quoted was not touched. But it will be noticed that we made the change—

Mineral substance in a crude state, and metals unwrought, not specially enumerated or provided for—

Are placed upon the free-list. We left out the words "in this act," so that it does not affect the other classification, and to prevent it from doing so.

Mr. BAYNE. But what do you make of the proposition on page 59, where it provides:

And all laws and parts of laws inconsistent with the other requirements and provisions of this act are also hereby repealed.

Mr. McMILLIN. My friend will remember we only affect those things named in the bill, and the provision relating to iron-ore is not named—therefore is not affected by the bill, therefore not inconsistent with the bill, and therefore not repealed by the clause he cites.

Why, my friend will bear witness that we do not touch the duty on jewelry, for instance, in this bill; and yet it would not be claimed that that provision he has cited would have reference to jewelry and put it on the free-list. We do not touch wines or liquors, and they can not be claimed to be on the free-list. We do not touch the silk schedules, and yet they are left right where they were. And so I might go on through the bill. Many luxuries we have not lowered, and they remain as in the existing law, notwithstanding the repealing clause read by the gentleman from Pennsylvania [Mr. BAYNE]. This is an amendment to existing law, and therefore the classification in the existing law remains unless specifically amended or altered by this bill.

Mr. BAYNE. I think this does more than that.

Mr. McMILLIN. Well, the gentleman can explain it in his own time, I can not consent to detain the House longer on this point.

Mr. CANNON. Will the gentleman allow me?

Mr. McMILLIN. I regret very much to have to decline, but I have detained the House too long——

Mr. CANNON. I only wanted to ask, if the gentleman is in favor of cheap heat for the people why not put coal on the free-list, and also, if in favor of free raw material, why not put iron ore there?

Mr. McMILLIN. Ah! there are some things you can do and some things you can not. [Laughter.] But, to be serious, I will state to the gentleman from Illinois that our iron ore and our coal are so universally distributed that it can not be claimed that it would make a farthing's difference in the cost of these commodities to the people if they were made free.

Mr. CANNON. Well, that is an astonishing admission on the part of the gentleman from Tennessee.

Mr. MILLIKEN. You touch manufactured iron, however.

Mr. McMILLIN. We tried to give the relief to the people that they needed as far as it was in our power to aid them, and did lower duties on many iron products.

Mr. MILLIKEN. Then if you do that you would put iron and coal on the free-list. You fail to reduce the raw material but you reduce the manufactured material.

Mr. McMILLIN. We reduce in some cases, not in others. We made no reduction that we believed would interfere with or destroy the industries of the people.

Mr. MILLIKEN. Will the gentleman allow me again?

Mr. McMILLIN. I can not trespass upon the time of the House much longer. I have now spoken nearly two hours, and although the House has been very kind to me I must not abuse its favor. More than $10,000 of surplus has gone into the Treasury while I have been speaking, to be locked up, and we must hasten on.

Mr. MILLIKEN. I am sorry. I hope $10,000 more will go. I always like to listen to the gentleman.

Mr. McMILLIN. I thank my friend for his compliment.

TRUSTS AND POOLS.

Sir, let that deluded statesman who believes that the high duties which we have thrown around our country can ever insure to the people low prices for commodities behold the situation to-day. For years we have had these halls ringing with statements that by and by home competition would give us the lowest possible prices. The welkin has been made to ring with this declaration iterated and reiterated, until even those who first proclaimed it have almost gotten to believe it. But look at our unfortunate situation and let this delusion be dispelled. While the Government has thrown up its tariff walls without, monopolists have joined hands within for the purpose of putting up prices and plundering the people through the devices known as trusts, pools, and combines.

Mr. FORAN. Will the gentleman permit me to ask him how under this bill it is possible to prevent the formation of trusts either in this or in other countries?

Mr. McMILLIN. I am glad my friend asked that question. It is easy of elucidation. You can not absolutely prevent the formation of the trusts, but you make it vastly more difficult for them to control as you extend the area over which they are to operate.

Mr. FORAN. Another question. Is it not true that the only remedy for trusts is competition?

Mr. McMILLIN. Why, competition does not amount to a straw when they get together and determine with each other that they will not compete, and that they will close up every new establishment that starts and refuses to join the trust.

Mr. Chairman, we have the steel-rail trust, which cost the people of this country last year millions of dollars. It is not a trust to increase production, but to restrict it; it is not a trust to give cheaper commodities to the people, but to put bigger profits into the pockets of the monopolists. It has closed furnaces that were successfully running; it has, aided by the tariff, increased by more than $1,000 the cost of every mile of railroad built in the United States for the last five years; it has thrown men out of employment and broken up the means of living of thousands of workingmen. Why, even the existence of this trust has been denied; but listen to this quotation from the Bulletin of the American Iron and Steel Association, a paper printed in the interests of the iron and steel producers of the United States, and at their cost.

Under the head "American iron market for steel rails" we find the following:

STEEL RAILS.

One of the makers reports sales during the week aggregating 6,000 tons. Outside of this no transactions whatever are reported, and the market is extremely dull both East and West. The board of control has decided upon an increase in the allotment of 200,000 tons, which will relieve the pressure on some of the Eastern mills.

It would seem from this very business-like statement that the "board of control" is not misnamed, and absolutely controls the output of steel rails in this country. It determines when it shall be increased and when restricted, being careful only to maintain prices up to the cost of foreign goods with the duty added.

Have the gentlemen of the minority proposed anything better? Have they framed a bill to be adopted in lieu of ours? Have they told the House and the country what remedy they recommend for the evils which all admit to be upon us? No, sir. They are mute as to a remedy; they are dumb as to relief.

I tell them that policy will never win with a tax-ridden, a monopoly-oppressed people, a people weighed down by a trust, a pool, a combine-bound people. This is not a do-nothing occasion. Ours is not a do-nothing people. I have no fear, Mr. Chairman, concerning the ultimate result of this conflict between the people and the "pool." I have no fear as to the outcome in the contest between the country and the combine. I have no apprehension as to who will be victor in the battle about to be waged between legitimate taxation and that oppressive taxation which is invoked to aid trusts and make pooling profitable. The people have waited long and patiently. But at last they are aroused. Their voice comes thundering through these halls demanding reduction of taxes. "Justice has had to travel with a leaden heel, but is ready to strike with an iron hand." The procession for the relief of the tax-payer is moving. There are but two places about this procession—one after it, the other under it. Seek to-day, sirs, whether you prefer to follow and aid it, or go down under it and be crushed by it. [Prolonged applause.]

Mr. BURROWS rose.

Mr. KELLEY. I desire to ask the gentleman from Michigan to yield to me five or ten minutes that I may refer to the act of the 4th of July, 1864, and ask that a portion of my speech in favor of the bill to prohibit contract labor may appear in the RECORD to-morrow morning. I think five minutes will be sufficient for my purpose.

The act of 4th of July, 1864, was an act of humanity to restrain a custom that had prevailed in colonial days. I grew up among people who were brought from Germany under contract and were known to everybody as Redemptioners, because they had been sold to pay the expenses of the passage. Every gentleman from Pennsylvania will confirm the correctness of this statement.

On the 4th of July, 1864, we were engaged in a contest with the

Democratic party; it was behaving in a very unruly and obstreperous manner. It had arms in its hands, and its suppression was depleting our mines and factories of labor.

Mr. O'NEALL, of Indiana. I rise to a question of privilege.

The CHAIRMAN. The gentleman will state it.

Mr. O'NEALL, of Indiana. I regret to disturb the gentleman from Pennsylvania, but I ask if he is not out of order?

The CHAIRMAN. The gentleman from Michigan has yielded to the gentleman from Pennsylvania.

Mr. MILLIKEN. Is it out of order to refer to the facts of history in this House?

The CHAIRMAN. The gentleman from Pennsylvania is entitled to the floor.

Mr. KELLEY. We were importing labor from every country from which we could get it to keep our machinery going and send our citizens down to conquer the Democracy.

Mr. McMILLIN. Will the gentleman permit me to ask him a question?

Mr. KELLEY. I will if you get my time extended.

Mr. McMILLIN. I can not promise that. But I ask the gentleman, if that was his object why did he not repeal such a law at that time? Why did he keep it until twenty years afterwards?

Mr. KELLEY. Oh, hold your horses. The act repealed itself when Johnny came marching home and went at once to work in mine, furnace, or factory. We put a check upon that work by passing an act which authorized the President to appoint a commissioner, who should supervise the steamships and prevent the cruelty of which immigrants complained, and who should see that they should make no contract that should bind them for more than twelve months.

It was an act in defense of labor as well as of the unity and honor of the country. Here it is on page 386 of the United States Statutes at Large, volume 13. Gentlemen may read it for themselves. President Arthur signed the bill repealing the contract law.

Mr. McMILLIN. Will the gentleman pardon me for reminding him that the repealing clause, which made it effective by requiring ships to carry back immigrants free of charge and prohibiting them from ever again entering our ports, was signed by President Cleveland?

Mr. KELLEY. The gentleman is referring to the anti-Chinese legislation. The gentleman from Ohio [Mr. FORAN] had a bill which was under discussion on June 19, 1884, to prohibit contract labor. I was not on the committee that reported the bill. But the floor was yielded to me in my own right, and I give as a part of my remarks what I said on that occasion:

I have, Mr. Speaker, heard the word "socialism" whispered around me, and as loudly on the other side of the House when I went over to hear more clearly what the gentleman from Ohio [Mr. FORAN] was saying. Sir, when the lawmakers of the United States, national, State, and municipal, shall fail to regard and provide for the social well-being of the laboring classes, there will be an end to enlightened republican institutions, and instead of property being made safe by the sympathies of intelligent and aspiring laborers dwelling around the capitalists and property-owners, you will, by the importation of cheap labor in the persons of the worst classes of the least enlightened states of Europe, convert every industrial center into a nest of vipers and ferocious wild beasts. There is no law of nature that will exclude all the horrors which characterized the outbreak of 1793 and the French Revolution from any part of American soil when the masses of the American people shall have been degraded to the condition in which the French toilers then were.

The safety of capital and of enterprise in this country is not found in a standing army, for we have none. It is not found in armed police, coextensive with the country, or even with our great industrial centers, for we have it not, and we have not the means of providing such protective agencies. Our Army, for the protection of order and social well-being, is found in well-housed, sufficiently fed, reasonably well educated, hopeful, and aspiring working people; and while we maintain these conditions we shall continue to demonstrate to the world that that government is strongest and most secure which relies most confidently upon the affection and confidence of its people, without armed or other organized restraint.

In so far, sir, as to demand the best possible social conditions for our laborers I declare myself to be a socialist. Though born to comparative affluence, I learned in early childhood the hardships of the work-shop. I knew what it was to work for what were then good wages for a very young copy-reader—I speak of nearly sixty years ago—a dollar a week, and to find my way part of the year to the place of my labor by the light of oil lamps furnished by the municipality, knowing that my day's work would be done only when the clock struck 8. Somewhat later than this, when I had been apprenticed, my indenture calling for one quarter's schooling in each year, I learned that when 8 o'clock had come and freed me from labor I could make my way to the night school if it had not adjourned. But, sir, looking back upon that period, I see that there was in it a safeguard which does not exist in these times. During my long apprenticeship, running on well into the seventh year, my master's home was my home.

When he and his wife and children ate their meal my seat was with them at the table. When I suffered from sickness their family physician attended me, and almost maternal and paternal care watched over my recovery. There was sympathy between labor and its employers in those days. To borrow a phrase from the cynic Carlyle, there were other relations than those of shillings and pence and hours of work and pay-day between capital and labor.

Changes have come, inevitable upon scientific discoveries, and the invention of man-superseding machinery, for that is the true way of defining labor-saving machinery. The labor which it saves to capital is the labor of men, often skilled men, and every labor-saving machine is a man-superseding machine, unless it be to supersede the labor of what is becoming too much the rival to the labor of man, that of women and children.

I am not advocating this crude bill. I am making good the impulse that induced me to thank the committee that brought the subject to our attention, and that has given us a bill that may be amended into a competent one.

I have looked upon the misery of the British, French, Belgian, German, and Austrian laborer. I tried during the tariff debate to depict the suffering of some of them. I was told when I did so that all the ills I had pointed to could be found in this country.

I painfully admit that specimens of them all can be found in this country. The only answer I can make is that they are not general here as they are elsewhere. They are merely seminal here; there they are in full fruition; there they are not only germinal, but you will find them blooming everywhere you find population at all condensed.

It is our duty to guard against their spread while we may. Let us avail ourselves of every means by which we may inspire with hope and ambition the poor foreigners who have come to our shores or have been thrust upon them by speculating contractors and have drifted into the tenement houses and cellars of New York and elsewhere. Do not let us permit avarice to add to their numbers. Do not let us gratify the greed of Pole, Italian, or Slav by welcoming to the ranks of our laborers men and women from the worst associations of Eastern and Southern Europe. Do not let us permit grasping capitalists, whether making glass, or coke, or iron, or any other product, to herd together men and women who seem to be without a clear recognition of social or moral distinctions between the sexes, if we may judge from their daily life and the manner in which they inhabit indiscriminately their large but unfurnished sleeping apartments.

Can we prohibit such immigration? We have the general-welfare clause put at us every now and again. And should I fail to find the power elsewhere in the Constitution, I would invoke the general-welfare clause in behalf of the laborers of the country.

General welfare? Shall we not under that clause protect the entire estate of millions of good men and true? For what is our Army but to drive back Indian and other invaders of our frontiers, and to thus protect the property of citizens, to re-establish order when riot breaks forth; in short, to care for the general welfare when it is threatened?

When the great Bonaparte found himself lawmaker, not only for France, but for a large part of continental Europe, he told the savans and legislators that a new form of property had come into existence, and that they must care for it as they had cared for capital invested in land or other possessions. That new form of property was labor. Sir, what is the laborer's estate? It is the skill he has acquired in an "art, trade, or mystery," as the old-fashioned indenture of apprenticeship had it. It is the force of his will and the power of his thews and sinews. It is the education he has gathered in our public schools or elsewhere. It is his ability to convert one or several things into another thing or others, and thus to add to the convenience of the citizen and the wealth of the country. These constitute his estate, and if we allow traitors at home and invading hordes from abroad to rob him of this, we fail to regard the social condition of our masses and permit them to be despoiled of their estate.

I have no difficulty and shall have none in finding arguments enough to support a well-matured bill which shall propose to accomplish the objects indicated in this one. I have said that the want and suffering and the vice and crime extreme poverty engenders are simply more rare in this country than in others. But with the present scale of importing laborers, with the eagerness which we display for cheap goods and our willingness to reduce the wages of labor in order to get cheap goods, combined with causes which can not be controlled, we are inviting the woes that attach to labor abroad and will inevitably have a development of them in this country more rapid than has occurred in Europe.

The disparity between our very rich and very poor people is wider than that in other lands. England has no man whose possessions will compare with those of several citizens of New York. We do not know what the possessions of our people are. A newly-discovered mine, a new application of science, or an invention often makes a millionaire. We have had some specimens of the influence such men may exert recently reported through the police papers, and the reports of divorce courts of the gross sensuality in which some of our millionaires spend their time and money; that many of the papers from one end of the country to the other have gratified the vanity of an old debauchee by reporting his own testimony as to bestialities with dependent women that might shame a savage is my justification for alluding to this aspect of the question. When such fortunes as are now aggregating in this country come into the hands of such beings as the vulgar dotard who has sought this unsavory notoriety it is no wonder that as his millions aggregate, the poor about him, if they do not starve, live in hopeless poverty. Yes, sir; the aggregations of capital are greater and more sudden here than abroad, and we all know the power of wealth when dealing with masses of hungry laborers.

Again, sir, women and children are more rapidly engrossing our skilled labor than they are in other lands. While I have much to say against the British Government, I have, thank God, this to say in her behalf, that in the last few years she has permitted no more women or girls to go into coal or iron mines, and has greatly reduced the number of females employed at the mouth of the coal-pits and on trains that carry coal. And what is more, she keeps, under the superintendence of the metropolitan school board, a corps of inspectors who will permit no boy or girl under fourteen years of age who has not passed the fifth standard in a public school to work an hour for wages in any shop or factory. We have no such wise provisions as these. Sir, our machinery (which, as I said, is man-superseding) increases more rapidly than that of any other land. Almost all their machinery abroad, outside of the textile industries, is either ours in fact or made under our patents. So that if Congress and the State Legislatures be not quick to check the downward progress of our laboring classes they may find it too late to do it "decently and in order."

I ask permission to print my remarks at length in to-morrow's RECORD in response to the aspersions of the gentleman from Tennessee. I will add that it was Mr. Arthur and not Mr. Cleveland who signed that law.

The CHAIRMAN. If there be no objection, the gentleman from Pennsylvania will have leave to print in the RECORD the remarks to which he has referred.

There was no objection.

Mr. BURROWS. Mr. Chairman, It costs something to maintain a Government for 60,000,000 of people. The Secretary of the Treasury estimates that it will require $326,530,000 to meet the probable obligations of the Government during the fiscal year beginning July 1, 1888, and ending June 30, 1889. These liabilities must be discharged. The anticipated income of the Government for the same period from sources other than taxation is as follows:

From sales of public lands	$10,000,000.00
From national banks	2,000,000.00
From interest and sinking fund, Pacific railways	2,000,000.00
From customs fees, fines, penalties, &c	1,150,000.00
From fees consular, letters patent, and lands	3,500,000.00
From sales of public property	500,000.00
From profits on coinage, assays, &c	9,000,000.00
From deposits for surveying public lands	150,000.00
From revenues of the District of Columbia	2,400,000.00
From miscellaneous sources	4,500,000.00
Aggregating the sum of only	35,000,000.00

Deducting this amount from the estimated needs of the Government and there will remain $291,530,000 to be provided for. There are but two ways of raising this sum—one by a loan, the other by taxation. A proposition to borrow in times of peace and reasonable prosperity would excite universal derision. Taxation therefore is the only legitimate recourse. But this is already provided for by law. The Secretary of the Treasury estimates that at the present rate of taxation there will flow into the Treasury of the United States during the next fiscal year from—

Internal revenue sources	$120,000,000
Customs	228,000,000
Aggregating the sum of	348,000,000

an amount in excess of the estimated needs of the Government of $56,470,000. Fifty-six millions and a half in round numbers, therefore, measures the surplus which will be accumulated in the Treasury during the next fiscal year if the present rate of taxation be continued and the appropriations for governmental expenses shall equal the estimates of the Secretary. It is probable, however, that the full sum of $326,530,000 will not be appropriated. If the estimates of the Secretary for the next fiscal year are cut to the basis of expenditures for the current year, namely, three hundred and nine millions and a half, the surplus in the Treasury will be increased to seventy-three millions and a half.

Seventy-five millions, therefore, is the fullest measure of the surplus which will be accumulated in the Treasury during the next fiscal year at the present rate of taxation and expenditures. It must be borne in mind, however, that this estimate is based upon the assumption that the Democratic party is to take no thought of the Republic beyond its absolute needs. There is to be no provision for growth, for advancement, for the uplifting of the nation. Our 10,000 miles of seacoast exposed to foreign assault are to remain defenseless. Our Navy and merchant marine is to languish and decay. Fruitful fields, inviting commercial venture and giving promise of enlarged trade, are not to be occupied. Our vast system of internal improvements is to be neglected. The dark shadow of ignorance resting upon the people like a pall, precluding the possibility of good citizenship, is not to be lifted. The full measure of our just obligations to the defenders and preservers of the Republic is not to be discharged. In a word, this calculation is upon the hypothesis that the Democratic party is to use no more money than is necessary to keep the soul and body of the national life together.

Assuming such to be the settled policy of the Democratic party, there will be in the Treasury at the end of the next fiscal year seventy-five millions beyond the requirements for such a purpose.

That the accumulation of such a surplus must be averted there can be no question. A constantly accruing and ever increasing surplus not only invites to profligacy, but insures swift financial disaster. There can be, therefore, no conflict of opinion but that there must be such a modification of our tax laws as will insure a reduction of revenue to the basis of probable governmental expenditure. This would seem to be a problem easily solved, and indeed its solution would be attended with little difficulty if no other result was to be attained than a reduction of the surplus. In such case it would only be necessary to ascertain the sources of revenue and then cut off indiscriminately sufficient to insure the desired result. But a reduction of the revenue is not the only nor indeed the chief end to be attained. The method by which that reduction is to be accomplished has become the main point of controversy, and, indeed, the only point about which there is any serious conflict of opinion. Shall the proposed reduction be taken from internal or from customs revenues, or from both; and if from both, in what proportion from each? These are the questions of chief concern, and here parties divide and here the conflict begins.

What is the occasion for this division—why this conflict? It is this: We derive our revenues from two sources, internal taxation and a tax on imports. Our tariff on imports is to-day confessedly protective in that it is levied not with a view to raising "revenue only," but to protect American labor and encourage American industries. The Democratic party, or at least one wing of it, under the leadership of President Cleveland, assails this system, denouncing it as "vicious and illogical," and declares it to be not only unwise but unconstitutional; that duties on imports should be levied, in the language of the last national Democratic platform, for "revenue only," submitting of course to such accidental protection as may be incident thereto as an evil to be endured rather than an end to be attained. On the contrary, the Republican party believes in a protective tariff; that in imposing duties upon imports, revenue is not the only consideration, but that these duties should be so adjusted as to give encouragement to American enterprise, investment to American capital, and employment to American labor; and the Republican party insists that our present protective system shall not be disturbed except so far as it may be necessary to correct its incongruities and harmonize its provisions.

With these two conflicting theories it is easy to understand why the contest arises, at the very threshold, upon the method of reduction. If we reduce our revenues by removing or materially lessening internal taxes, our protective system can not be seriously disturbed; on the contrary, if we follow the lead of the President and secure a reduction by such a revision of the tariff as he proposes, leaving untouched our internal revenues, not only will our protective system be destroyed, but the nation itself will be well out on the highway to free trade. Therefore it is that the free-trader would take as little as possible from internal taxation that he may more successfully assail our protective policy; while the protectionist would take as much as possible from internal revenues that he may more surely defend it. At the foundation, therefore, of this controversy lies the question of policy which must be first settled before we can come to an intelligent consideration of the committee's bill; and as we are free-traders or protectionists that bill will be approved or condemned.

I propose, therefore, at this time to submit some general observations touching our revenue system, leaving the details of the proposed measure to an occasion when their consideration will be immediately in hand. I may pause a moment, however, in passing, to say of this measure as a whole that in its inception and presentation to this House it stands without a parallel in the history of American legislation. Conceived in darkness, brought forth in secrecy—its parentage carefully concealed—it was at last laid at the door of the Committee on Ways and Means [applause], where the majority took it up as tenderly as though it were their legitimate offspring and hurriedly brought the "lump of deformity" into this House, to be adopted by the Democratic party and nursed by the harlot of free trade. [Laughter and applause.] But whatever its parentage, whether British free-trader or the Cobden Club—either of whom are capable of the outrage—justice compels me to state that public suspicion does not attach to any member of the majority [laughter]; and in further vindication of their high character it will be no violation of the secrets of the committee-room to state that, when pressed upon this point, there was no member of the majority so lost to all sense of personal pride as to admit the parentage. [Applause.]

But seriously. Think of the majority of a great committee of this House, charged with the duty of considering an important message of the President of the United States, hiding away from the minority of that committee for six weeks and in some secret place taking counsel possibly of the enemies of our industries without consultation with the minority, framing a measure involving the industrial prosperity of 60,000,000 of people; and when completed and presented to the full committee, that same majority refusing to enter upon consideration of its provisions or to disclose any data upon which their action was based; stolidly refusing to answer any and every question propounded by the minority touching any portion of the bill; submitting to no modification in a single particular, unless suggested by the majority; declining to listen to any member of this House in behalf of the people he represents; refusing audience to Senators, the industries of whose States were to be crippled or destroyed; rejecting all appeals from manufacturers whose connection with their industries enabled them to point out the pernicious effects of the proposed measure; refusing to hear one word of protest from the farmer whose flocks and fields are to be despoiled; shutting the door of the committee-room in the face of the laboring men of the country who came to plead for the protection of their homes and their families; imagine, I say, such conduct on the part of a committee of this House and you have a faint conception of the Committee on Ways and Means of the Fiftieth Congress. [Applause.]

But to resume the course of my argument. We have to-day a double system of taxation, direct and indirect. Heretofore it has never been the settled policy of the Government to permanently maintain both. A choice of methods was open to the founders of the Republic, and they wisely determined to raise the needed revenue for the support of the Government by imposing a duty on imports. That method has never been suspended. It has undergone modifications, at different times, to conform to party demands, but it has never for an hour been wholly abandoned. It is the approved and established method of providing for the ordinary expenses of the Government. True, direct taxation has sometimes been resorted to to meet unforeseen national emergencies, but heretofore it has always been abandoned so soon as the exigency had passed. Previous to the war of the rebellion direct taxation was invoked only in two instances—first in 1791, to meet the extraordinary demands of a new Government with an empty Treasury and an unestablished credit, and again in 1813, to provide the sinews of war in the second conflict with Great Britain. In both instances, however, direct taxation was abandoned at the earliest moment consistent with national honor and safety. The law of 1791 remained in force but nine years, and was repealed at the earnest solicitation of President Jefferson, while the act of 1813, after having been on the statute-books but four years, was expunged upon the recommendation of President Monroe.

During the whole period of our national history from 1789 to 1862, nearly three-quarters of a century, not more than $22,000,000 of our revenues were derived from direct taxation. In 1862, for the third time, we supplemented our customs law by internal taxes, to meet the extraordinary demands of the civil war, and have continued these exactions until the National Treasury is overflowing with a needless surplus. Now for the first time it is proposed to ingraft the system of direct taxation onto the body of our revenue laws, to be permanently maintained, with its army of four thousand officials, at an annual cost

to the people of more than $1,000,000. But I have alluded to this only for the purpose of showing that heretofore it has been the settled policy of the Government, under all parties and at all times, to rely entirely upon revenues derived from a tariff on imports, to meet the ordinary expenses of the Government; and that direct taxation has never been resorted to except to meet some unforeseen national emergency, and heretofore promptly abandoned when the emergency had passed. Whatever conflict of opinion, therefore, may now exist touching the abolition or modification of our internal-revenue system of taxation there can be no question that to supply the needed revenues for the ordinary expenses of the Government by duty on imports has been from the beginning the established policy of the Government.

Yet, in the face of the uniform practice of all parties from the foundation of the Government, the gentleman from Texas criticises the course of the Republican party in this regard. Chagrined at the disclosure made by the gentleman from Ohio [Mr. MCKINLEY] in the views of the minority that the Democratic party since 1866, though in control of the House of Representatives eleven years of the time, has reduced taxation only a little over $6,000,000, while in the eleven years of Republican control we reduced taxation more than $362,000,000, he seeks to escape the arraignment by criticising the character of our reduction. Seventy-eight million dollars of it came from putting tea and coffee on the free-list, and other modifications of the tariff; $284,000,000 by removing internal taxes. But these were war taxes, imposed for war purposes, and to have retained them would have been an exaction as unnecessary as it would have been despotic. More than this, to have continued these exactions would have surely overthrown and destroyed our protective system. Let me say to the gentleman that the Republican party is not prepared to substitute direct taxation, with all its inquisitorial methods, for that beneficial policy which, while yielding sufficient revenue, fosters American industries and protects American labor. [Applause.] But I must remind the gentleman that in the reduction of $6,000,000 by his party they lost sight of the poor man's blanket and the necessaries of life and relieved that portion of our fellow-citizens who were staggering under the load of taxed snuff, tobacco, and whisky.

Assuming that the American people will not abandon a policy adopted by the fathers and approved by a century of experience, I come to the consideration of the vital point at issue, namely, upon what articles shall duties be imposed, and to what extent shall they be levied—with regard to revenue only or for the double purpose of revenue and protection? Shall the theories of the free-trader prevail and dominate in the revision of our tariff, or shall it continue to be adjusted not only with a view to revenue but for the promotion of American interests? This is the question at issue. In this contest the Republican party takes the side of protection and will resist to the uttermost any attempt coming from whatever source it may to cripple American industries, destroy American capital, or pauperize American labor. In adhering to this policy of protection the Republican party can invoke the teachings of the fathers whose patriotism and sagacity laid the foundations of the Republic. The first Congress that assembled under our national Constitution was confronted with an enormous debt, an uncertain credit, and an empty Treasury. Its first duty was to provide sufficient revenue to meet the national demands.

They conceived that in the exercise of the power of taxation and that no less important power to regulate commerce with foreign nations, that there were other and higher considerations than the mere requirement of revenue. Smarting under the recollection of the industrial thralldom imposed upon them by the British Government, reflecting upon the impotency of the Confederation to guard and promote the general welfare, they naturally embraced the earliest opportunity under the National Government to devise a plan not only for raising revenue, but for laying the foundations of that industrial independence which in its results has made the Republic the marvel of the world. So it was that having determined to secure the needed revenues by a duty on imports they proceeded to declare that in the imposition of such duties regard should be had not only to revenue but to the development of American industries in the following express terms:

> Whereas it is necessary for the support of Government, for the discharge of the debts of the United States, and for the encouragement and protection of manufacture that duties be laid on goods, wares, and merchandise imported: Therefore,
> *Be it enacted, etc.*

Here, then, in the beginning we have the bold avowal of the fathers that duties are to be levied not only for revenue but to encourage and protect American manufactures, which declaration received the support of such illustrious men as Madison, Lee, King, Ellsworth, Ames, Trumbull, and Roger Sherman, and the approval of that most illustrious of Presidents and patriots, George Washington. In the course of debate upon this first tariff measure Fisher Ames said:

> I conceive that the present Constitution was dedicated by commercial interest more than any other cause. The want of an efficient government to secure the manufacturing interests and to advance our commerce was long seen by men of judgment and pointed out by patriots solicitous to promote our general welfare.

George Washington, in his annual message to Congress, said:

> Congress have repeatedly and not without success directed their attention to the encouragement of manufactures. The object is of too much consequence not to insure a continuance of their efforts in every way which shall appear eligible.

John Adams, in a special message to Congress, said:

> The manufacture of arms within the United States still invites the attention of the National Legislature. At a considerable expense to the public this manufactory has been brought to such a state of maturity as with continued encouragement will supersede the necessity of future importations from foreign countries.

Thomas Jefferson, in his second annual message, said:

> To cultivate peace and maintain commerce and navigation in all their lawful enterprises, to foster our fisheries as nurseries to navigation for the nurture of man, and to protect the manufactures adapted to our circumstances, these are the landmarks by which we are to guide ourselves.

In a letter to Benjamin Austin, in 1816, he further said:

> We have experienced what we did not then believe that there existed, both profligacy and power enough to exclude us from the field of exchanges with other nations. That to be independent for the comforts of life we must fabricate them ourselves. We must now place our manufacturers by the side of the agriculturist. The former question is now suppressed, or rather assumes a new form. The grand inquiry now is, shall we make our own comforts or go without them at the will of a foreign nation? He therefore who is now against domestic manufactures must be for reducing us either to dependence upon that nation or to be clothed in skins and live like beasts in dens and caverns. I am proud to say that I am not one of these. Experience has taught me that manufactures are now as necessary to our independence as to our comfort.

James Madison, in 1809, in a special message to Congress, declared:

> The revision of our commercial laws appropriate to adapt them to the arrangement which has taken place with Great Britain will doubtless engage the early attention of Congress. It will be worthy at the same time of their just and provident care to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have been recently instituted or extended by the laudable exertions of our citizens.

James Monroe, in his inaugural address in 1817, declared:

> Our manufactures will likewise require the systematic and fostering care of the Government. Possessing as we do all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent the sudden event of war unsought and unexpected can not fail to plunge us into the most serious difficulties. It is important, too, that the capital which nourishes our manufactures should be domestic, as its influence, in that case, instead of exhausting, as it must do in foreign hands, would be felt advantageously on agriculture and on every branch of industry. Equally important is it to provide at home a market for our raw materials, as by extending the competition it will enhance the price and protect the cultivator against the casualties incident to foreign markets.

John Quincy Adams, in his fourth annual message to Congress, speaking of the agricultural, commercial, and manufacturing interests of the nation, said:

> All these interests are alike under the protecting power of legislative authority.

Again, on another occasion, he said:

> Is the self-protecting energy of this nation so helpless that there exists in the political institutions of our country no power to counteract this foreign legislation that growers of grain must submit to this exclusion from the foreign markets of their products, that the shippers must dismantle their ships, the trade of the North stagnate at the wharves, and the manufacturers starve at their looms, while the whole people shall pay tribute to foreign industry, to be clad in foreign garb; that the Congress of the Union are impotent to restore the balance in favor of native industry destroyed by the statutes of another realm?

Andrew Jackson, in his annual message to Congress, said:

> The power to impose duties on imports originally belonged to the several States. The right to adjust these duties with a view to the encouragement of domestic branches of industry is so completely identical with that power that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the Federal Government. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them, and consequently if it be not possessed by the General Government it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely can not be the case.

In a letter written in 1824 he further said:

> Heaven smiled upon us and gave us liberty and independence. The same Providence has blessed us with the means of national independence and national defense. He has filled our mountains and plains with minerals, with lead, iron, and copper, and given us a climate and soil for the growing of hemp and wool. These being the great materials of our national defense, they ought to have extended to them adequate and fair protection, that our manufacturers and laborers may be placed in a fair competition with those of Europe.

On another occasion he acknowledged the receipt of a home-made hat in the following terms:

> A few days since I had the pleasure to receive the grass hat which you had been pleased to present and forward to Mrs. Jackson as a token of the respect and esteem entertained for my public services. Permit me, sir, to return to you my grateful acknowledgment for the honor conferred upon us in this token. Mrs. Jackson will wear with pride a hat made by American hands and made of American materials. Its workmanship, reflecting the highest credit upon the authors, will be regarded as an evidence of the perfection which our domestic manufacturers may hereafter acquire if properly fostered and protected. Upon the success of our manufactures, as the handmaid of agriculture and commerce, depends in a great measure the independence of our country, and I assure you that none can feel more sensibly than I do the necessity of encouraging them.

These citations, from the pen and lips of illustrious statesmen in approval of a protective policy, might be multiplied indefinitely, but with the words of General Garfield I close the recital. In his letter accepting the Republican nomination for the Presidency in 1880 he said:

> In reference to our custom laws a policy should be pursued which will bring revenues to the Treasury and will enable the labor and capital employed in our great industries to compete fairly in our own markets with the labor and capital of foreign producers. We legislate for the people of the United States and not for the whole world, and it is our glory that the American laborer is more in-

telligent and better paid than his foreign competitor. Our country can not be independent unless its people, with their abundant natural resources, possess the requisite skill at any time to clothe, arm, and equip themselves for war, and in time of peace to produce all the necessary implements of labor. It was the manifest intention of the founders of the Government to provide for the common defense, not by standing arms alone, but by raising among the people a greater army of artisans, whose intelligence and skill should powerfully contribute to the safety and glory of the nation.

But this policy of protection has been approved not only by the foremost patriots and statesmen of the Republic, but its wisdom has been confirmed by a century of national experience. We have tried both systems, a protective tariff and a tariff for revenue only, and I affirm without fear of contradiction, and I appeal to the history of the country in confirmation of the assertion, that the periods of protection in this country have been periods of prosperity and that the eras of free trade or a revenue tariff have been eras of depression and disaster.

We began our national career substantially without manufacturing. During our colonial history it was the policy of the British Government to prevent the establishment of manufacturing industries on this side of the Atlantic. Then as now her insatiate greed knew no restraint but the limit of her power. The policy of the English Government at that time was graphically outlined in an article on "Trade," published in London in 1750, as follows:

Manufactures in our American colonies should be discouraged and prohibited. We ought always to keep a watchful eye over our colonies to restrain them from setting up any of the manufactures which are carried on in Great Britain, and any such attempts should be crushed in the beginning. As they will have the providing rough materials to themselves, so shall we have the manufacturing of them. If any encouragement be given for raising hemp, flax, etc., doubtless they will soon begin manufacturing if not prevented; therefore, to stop the progress of any such manufacture it is proposed that no weaver have the liberty to set up any looms without first registering at an office kept for that purpose; that all slitting mills and engines for drawing wire or weaving stockings be put down; that all negroes be prohibited from weaving either linen or woolen or spinning or combing wool or working in any manufacture of iron further than making it into pig or bar iron; that they also be prohibited from manufacturing hats, stockings, or leather of any kind. This limitation will not abridge the planters of any liberty they now enjoy; on the contrary, they will then turn their attention to farming and raising those rough materials. If we examine into the circumstances of the inhabitants of our plantations and our own it will appear that not one-fourth of their product redounds to their own profit, for out of all that comes here they only carry back clothing and other accommodations for their families, all of which is of the merchandise and manufacture of this kingdom. All these advantages we receive by the plantations, besides the mortgages on the planter's estate and the high interest they pay us, which is very considerable.

It was in this spirit that a manufacturing establishment in South Carolina was by act of Parliament declared a public nuisance and abated; and an English statesman but echoed the dominating voice of British counsels when he declared that the colonies should not be permitted to manufacture a hobnail within their borders.

But the tariff act of July 4, 1789, to which I have alluded, broke the fetters of commercial thralldom and gave to the nation industrial independence. While the early tariff acts were designed to give encouragement to domestic manufacturing, yet not until 1824 was a measure enacted sufficiently protective to guarantee capital and labor from ruinous foreign competition. Previous to that date our manufacturing industries were of feeble and uncertain growth. True, they received additional stimulus by the embargo of the war of 1812; but no sooner was peace declared than they went down before a flood of foreign importations that swept them into ruin. England, though forced to acknowledge our independence, was determined not to lose her American market, and there was no diplomacy, however questionable, no sacrifice, however onerous, that she did not invoke to retain it. Foreign goods were put upon our market at a loss to the manufacturer, with the deliberate purpose of destroying our industries. Mr. Brougham, in the House of Commons in 1816, made public avowal of such a purpose, declaring—

It was well worth while to incur a loss upon the first exportation in order by the glut to stifle in the cradle those infant manufactures in the United States which the war had forced into existence contrary to the natural order of things.

Horace Greeley, giving his personal recollection of this period, said:

My distinct personal recollections of this head go back to the period of industrial derangement, business collapse, and widespread pecuniary ruin which closely followed the close in 1815 of our last war with Great Britain. Peace found this country dotted with furnaces and factories, which had suddenly sprung up under the precarious shelter of embargo and war. These found themselves suddenly exposed to a determined and relentless competition. Great Britain had pushed her fabrics into almost every corner of the world. Of some of these great stocks had nevertheless accumulated, out of fashion and only salable far below cost. These were thrown on our market in a perfect deluge. Our manufactures went down like grain before the mower. Our agriculture and the wages of labor speedily followed. In New England I judge that fully one-quarter of the property went through the sheriff's mill, and the prostration was scarcely less general elsewhere. In New York the principal merchants united (1817) in a memorial to Congress to save our commerce as well as our manufactures from utter ruin by increasing the tariff and prohibiting the sale at auction of imported fabrics.

Henry Clay, speaking in the United States Senate of our industrial condition immediately preceding the tariff of 1824, declared:

If I were to select any term of seven years since the adoption of the present Constitution which exhibited a scene of the most widespread dismay and desolation, it would be exactly that term of seven years which immediately preceded the establishment of the tariff of 1824.

But this era of protection was followed by the tariff of 1824 and 1828 which enthused new life into our languishing industries and brought to the country a period of marvelous prosperity. The leading metropolitan journal epitomizes the history of this period as follows:

So soon as the tariff of 1824 went into operation the whole aspect and course of affairs were changed. Activity took the place of sluggishness. Capital was invested; labor came into demand; wages advanced; mines were opened; furnaces built; mills started; shops multiplied; business revived in all its departments. Revenue flowed copiously into the coffers of the Government. The debts created by two expensive wars were entirely paid off. Such a scene of general prosperity had never before been seen by our people.

President Jackson said in his annual message December 4, 1832:

Our country presents on every side marks of prosperity and happiness unequaled in any other portion of the world.

Mr. Clay, in speaking of this era of protection, said:

If the term of seven years were to be selected of the greatest prosperity which this people have enjoyed since the establishment of their present Constitution it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824.

But unfortunately this era of protection and prosperity was followed by the compromise tariff of 1833, which provided for a gradual reduction of duties until they should reach an average of not to exceed 20 per cent. And what was the effect of this change of policy? Long before that limit had been reached the evidences of its pernicious influence were everywhere visible. Capital invested in industrial enterprises, to save itself from absolute destruction, was withdrawn. Contemplated expansion of business was abandoned, our manufacturers one after another went down under a torrent of foreign importations, while American labor stood idle and empty-handed in presence of the appalling and widespread desolation which culminated in the frightful panic of 1837. And not only the people but the Government itself became so impoverished that the President of the United States was forced into a broker's shop to raise his overdue and unpaid salary. In 1842 the protective system was again invoked, and under its salutary influence our drooping industries revived and prosperity took the place of disaster. The general effect upon the country of the tariff of 1842 is best described by President Polk in his annual message in 1846:

Labor in all its branches is receiving an ample reward, while education, science, and the arts are rapidly enlarging the means of social happiness. The progress of our country in her career of greatness, not only in the vast extension of our territorial limits or in the rapid increase of our population, but in resources and wealth and in the happy condition of our people, is without an example in the history of nations.

But this brief period of prosperity was quickly followed by the revenue tariff of 1846 and 1857, which brought to the country another era of industrial depression, culminating in the panic of 1857, the disastrous consequences of which are still within the memory of living men. Universal bankruptcy overtook the people, and the Government with an empty Treasury was forced in times of peace to borrow money at a discount of from 12 to 30 per cent. Then came the era of protection in 1861, which has now been extended over a period of more than a quarter of a century, and who does not know that during these eventful years our industrial advancement has been steady and without a parallel in the history of the Republic?

In spite of the constant and frightful drain upon our resources, incident to and consequent upon a protracted war, we have nevertheless rapidly grown in national strength, until we stand to-day a marvel of industrial development. In 1860 we were without credit at home or abroad; to-day our securities are sought for investments and command a premium everywhere. Then, with an empty national Treasury, we were borrowing money at an exorbitant rate of interest to meet the ordinary expenses of the Government; to-day, with every matured obligation discharged and a Treasury overflowing, we authorize the Secretary of the Treasury to anticipate our obligations. Our manufacturing products have grown from less than $2,000,000,000 annually to nearly $7,000,000,000, advancing us from the third to the front rank of the manufacturing nations of the world. Our farm values have increased from a trifle over $3,000,000,000 in 1860 to more than $10,000,000,000 in 1880, producing an annual harvest value of more than $3,000,000,000. In 1860 England boasted of a national wealth as the result of her free-trade policy of $30,600,000,000, while our aggregate accumulations were only $16,000,000,000; but during these years of protection, under the most adverse circumstances, we have passed her in the industrial race, and while she lags behind with only $42,000,000,000 of accumulated wealth, we are the proud possessors of more than $50,000,000,000.

I submit, therefore, that our protective system comes down to us not only with the recommendation of the fathers, but its wisdom has been confirmed by a century of national experience. A policy of taxation thus doubly sanctioned and confirmed ought not lightly to be abandoned and destroyed; and yet it is proposed by the majority of the Committee on Ways and Means to reverse this beneficent policy, and under the advantageous pressure of an overflowing Treasury assail and demolish our protective system. The authors of this measure assure us that it will work a reduction of the revenues $78,000,000 annually. To accomplish this it is proposed to take only $24,000,000 from internal taxation and the balance of $54,000,000 from duties on imports. This reduction of $54,000,000 on imports is sought to be secured by transferring from the dutiable to the free list a large number of articles, among them wool, lumber, salt, flax, and other products of the farm and factory, upon which a revenue was derived last year of $22,000,000, and the balance of $32,000,000 is sought to be obtained by lowering the duties all along the line upon that false theory that in proportion as you lower the duty on imports you will diminish the revenue derived there-

from. These are the three methods employed in this bill to secure the proposed reduction of $78,000,000. Now, I submit that in taking only $24,000,000 from internal taxation, while we are collecting annually $120,000,000 from this source, confirms the public belief that this administration and its supporters are more anxious to assail and impair our protective system than to relieve the Treasury of its plethoric condition. While yielding to the general demand of all parties for a reduction of the surplus they insist that such a result shall be reached only through the methods of free trade. Hence only $24,000,000 is to be taken from internal taxation while $54,000,000 is to be secured by a revision of the tariff.

But what is the revision proposed by this bill? First by putting on the free-list articles which last year yielded a revenue of $22,000,000. Now, all parties agree that anything and everything which is not and can not be produced in this country, and can not therefore come in competition with any domestic industry, shall be admitted free of duty. But the free-list in this bill goes far beyond that and exposes to foreign assault many of our most important industries, particularly those of agriculture. There is not a schedule of our tariff it does not invade. The great wool-growing interest of the country, a matter of prime necessity to a civilized people, only in the infancy of its development, capable of producing, if properly fostered and encouraged, the material for the clothing of all our people, is to be exposed to a ruinous foreign competition which will surely prove its ultimate destruction with all the capital invested therein. The majority of the Committee on Ways and Means in their report on this bill seek to delude the people with the idea that free wool means cheaper wool, and with it cheaper clothing, and that the farmers can well afford to submit to the destruction of sheep husbandry that they may thereby obtain cheaper woolen goods.

That wool would be cheaper while our foreign rivals were engaged in destroying this domestic industry is quite possible; but when they have completed their work of demolition, when they have driven our flocks to the slaughter-pen and eliminated from our market an annual production of 300,000,000 pounds of domestic wool, we will find ourselves bound, hand and foot, manufacturers and consumers alike, at the mercy of the foreign producer. What restraint then will there be upon his power or cupidity?

What I have said touching this industry will apply with equal force to the main body of the free-list. But I must pass on to the third method proposed, namely, the reduction of rates on the dutiable list, and here we enter the field of speculation. Now, I do not hesitate to affirm that, taking this measure as a whole, no man living, even if a member of the secret cabal that framed it, is audacious enough to predict with any degree of certainty the amount of reduction it will secure. That the $24,000,000 taken from internal taxation and the $22,000,000 surrendered by the additions to the free-list will secure a reduction of $46,000,000 there can be no question. This much is certain.

But whether the further reduction of $32,000,000 will follow by the lowering of duties is a matter of the vaguest speculation, with the probabilities that such a course will augment rather than diminish the revenues. The natural tendency of such a policy will be to cripple and destroy competing American industries, stimulate importations, and increase the surplus. Such a result is strikingly exemplified in the history of our wool industry in connection with the tariff of 1883. By that act the duty on wool was slightly lowered, and what was the effect? Our flocks and fleeces diminished, importations increased, and our revenue from this source nearly doubled. The number of our sheep fell off from 50,620,626 in 1884 to 44,759,314 in 1887, a net loss of nearly 6,000,000 head in three years, with a corresponding reduction in the wool clip from 308,000,000 pounds in 1884 to 265,000,000 in 1887, a shrinkage of 43,000,000 pounds; while importations rapidly rose from 70,595,000 pounds in 1883 to 129,084,000 pounds in 1886; increasing the revenue in spite of the lowering of duties from $3,174,628 in 1883 to $5,126,108 in 1887. By the act of 1883 duties were lowered on wool, worsteds, knit goods, yarns, wearing apparel, and shoddy and kindred materials, and the revenue derived from the importations of these six articles during the three years following this act were greater by $11,465,503 than during the three years immediately preceding.

But I have alluded to this in this connection not so much for the purpose of showing the impracticability of the proposed method as to call attention to the fact that the majority of the Committee on Ways and Means proposed to take only $24,000,000 from internal taxation, while a reduction of $54,000,000 is attempted to be secured by the lowering or total abolition of duties on imports in the interest of foreign rival industries and to the detriment and destruction of our own. This fact alone is sufficient to confirm public apprehension and belief that the Democratic party, or at least the controlling wing of it, while professing an anxiety to relieve the people of unnecessary taxation, is much more anxious to destroy our protective system than to stop the accumulation of a needless surplus. With an easy and open way to a sure and ample reduction of the revenues without disturbing a single American industry or paralyzing a single arm of labor, yet the Democratic party declines to walk therein, preferring that other course, strewn with the wrecks of a nation's experience and fraught with the utmost peril to all our interests and all our people.

But this was to be expected. It is only following the general course commanded by the President in his annual message. True, in the exuberance of his zeal for free trade he advises no modification whatever of our internal-revenue system, but that the entire reduction should be secured by a revision of the tariff which should abolish all duties on some of our most important industries and lower others sufficient to secure the desired end; but even the free-trade wing of the Democratic party lacked the courage to at once occupy this advanced position. [Applause.] For prudential reasons it seemed advisable to move with greater caution. That the plan of the President and his party, if carried into execution, even as proposed in this bill, would prove disastrous to American industries and American labor can not be questioned. It is impossible to secure the necessary reduction of revenue by the abolition or lowering of duties without exposing our domestic industries to the most ruinous foreign competition. But the President seeks to allay public apprehension in this regard by declaring that in the execution of this plan care will be taken not to cripple or destroy our manufactures or work "loss of employment to the workingman or the lessening of his wages." As if his plan could be carried out without working such a result.

As well might the surgeon, having announced his intention to remove the heart of his patient, seek to allay his fears by the assurance that he would not disturb his circulation or impair his physical energies. [Laughter and applause.] One is as preposterous as the other. But the President, and I suppose the authors and advocates of this measure, will endeavor to induce the American people to submit to this suicidal operation by administering some sort of a narcotic, which for the moment will dethrone their judgment and make them oblivious to the dangers of the experiment. And here let me say there is nothing so conducive to this state of insensibility as the seductive influence of that theory that a duty on imports is a tax on the consumer. Once induce the people to believe that they are unjustly taxed and there is no political quackery they will not endure which gives promise of relief. Conscious of this fact, the President in his annual message reasserts in the most positive manner that theory, which I had supposed was long since exploded, that a duty imposed upon an imported article by so much enhances the price of such article to the consumer, and that therefore the removal of such duty would proportionately reduce the price. To show that I do not misrepresent the views of the President in this regard I beg to quote the following:

> But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, millions of our people, who never use and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

I should have thought the insensate pen with which the President wrote that paragraph would have refused to record the error. If it could have spoken it would have said to the President, "The very pen with which you write this folly is cheaper by one half than before the duty was imposed." [Applause.] But not only in the paragraph quoted is this theory affirmed, but the whole tenor of the message is in harmony with this expressed utterance. The President seems actually to believe that a duty imposed upon an imported article by so much enhances the cost of such article to the consumer, and is therefore a direct tax upon him to the amount of such duty, and therefore that the lessening or removal of such duty would by so much cheapen the article to the purchaser. He affirms with equal confidence that the duty imposed upon an imported article not only raises the price of such foreign article, but at the same time advances in equal degree the price of the entire domestic product, and then to aggravate the seeming injustice we are reminded that while the Treasury is benefited only to the extent of the duty collected, the enhanced price of the domestic product goes into the pocket of the manufacturer to swell his already ill-gotten fortune. This is the substance, the beginning and the end of the President's argument in support of the policy he champions, and I doubt not it will be echoed and re-echoed by every free-trader in the United States, as it has been hailed with unrestrained delight by every free-trader in England.

The gentleman from Texas asserts the same theory, and the whole burden of his speech is based upon the false assumption that a duty is a tax paid by the consumer. He says if the laboring man pays $10 for

a suit of clothes, and a duty of 100 per cent. is added, it advances the price to $20, which inures to the benefit of the manufacturer, and robs the laborer. I am not surprised that the President should fall into this error, but it is unpardonable in the chairman of the Committee on Ways and Means.

But what answer is to be made to this theory? There is one at least comprehensive and complete. It is not true. I commend to the President his admonition to others, to remember "it is a condition which confronts us, not a theory;" and that condition is an absolute refutation of his theory. [Applause.] It is not true that a protective duty is a tax paid by the consumer. It is not true that a protective duty enhances by so much the price of the article. It is not true that the duty on the foreign product raises by so much the whole volume of the competing domestic product; and in support of this denial I can summon as unimpeachable witnesses every established manufacturing industry in the United States. Call the roll of your industries, your iron, steel, glass, pottery, the whole array of American industries, and they will bear concurrent testimony to the fact that the duty of which you complain has been the means of reducing the price of their products to the consumer. I challenge any man to name the product of a single well-established American industry that can not be bought cheaper to-day under our protective system than during any period of our history under free trade or a tariff for revenue only.

Take as an illustration our steel-rail industry, and let us see if the theory of the President is correct. The first Bessemer-steel rail made in this country was in 1865. At that time there was a duty of 45 per cent. on the foreign product, which continued until January 1, 1871, when the act of Congress went into effect which imposed a specific duty of $28 a ton. In 1867 steel rails were selling in the American market for $166 a ton in currency, or $138 in gold. In 1870 the price had fallen to $106.75, when the duty of $28 was imposed. Now, if the theory of the President be correct, the imposition of the duty of $28 would have had the effect of advancing the price by the amount of such duty from $106.75 a ton to $134.75. But what in fact was the result? Under the stimulating effect of this protection the product of our steel-rail mills rose from 2,277 tons in 1867 to 2,101,904 tons in 1887, giving investment to millions of capital and employment to thousands of laborers, while the price went down from $166 a ton in 1867 to $31.50 in March, 1888. In the light of this example what becomes of the theory that the duty enhances the cost and becomes a tax upon the consumer?

Let me say to the President, "It is a condition that confronts us, not a theory."

Take the case of "blankets," to which the chairman alluded. A pair of 5-pound blankets were recently imported at the lowest possible cost. The statement of the cost, duty paid, is as follows:

Cost in England at wholesale	$4.45
Duty	4.25
Customs fees	.65
Total	9.35

If the theory is true, these blankets ought to sell for $9.35 a pair; but, as a matter of fact, American blankets of precisely the same weight and quality were selling at that time for $5.20. What becomes of the theory that the duty is added to the cost? [Applause.]

But a more forcible illustration, if possible, of the unsoundness of the President's theory is found in the history of a recently established industry in his own State. Previous to 1884 there was not a pound of soda-ash manufactured in the United States. We consume annually 175,000 tons in the manufacture of glass and other American products. Previous to 1884 we imported every pound of it at an average cost of $48 a ton. A duty of $5 was imposed, and the Solvay Process Company was organized at Syracuse, the only one on this hemisphere, at a cost of $1,500,000, with a capacity of 50,000 tons annually. It commenced manufacturing soda-ash in January, 1884. How has it affected the price of this commodity? Was the duty of $5 added to the $48, advancing the cost to $53 a ton? On the contrary, it fell in the American market as low as $28 a ton in three years, a saving to the people annually of $20 a ton on the entire consumption of the 175,000 tons, or $3,500,000. Again I say to the President, "It is a condition that confronts us, not a theory." But I need not multiply instances; they are as numerous as our industries. You can not touch a manufactured article on the farm or in the home, the product of a protected American industry, that has not been made cheaper by reason of such protection. Why, there are many things the market value of which is lower than the duty, and how idle, therefore, to say that the duty is added to the cost. But the difficulty with the President's theory is he forgets that the price of a commodity does not depend upon the rate of duty, but rather upon the great law of supply and demand—a law universal in its application and unvarying in its results. If the supply of a given article be limited and the demand great the price will be high; and, on the contrary, if the supply be abundant and the demand limited, the price will be low. Therefore it is if by a protective tariff we can establish and maintain a domestic industry which otherwise, by reason of unrestrained foreign competition, could not exist, we will thereby increase the product of such industry and inevitably bring down the price. Alexander Hamilton, nearly a century ago, formulated this law when he said:

> But though it were true that the immediate and certain effect of a tariff was an increase of price, it is universally proved that the contrary is the ultimate effect with every successful manufacture. When a domestic manufacture has attained to perfection, and has engaged in the prosecution of it a competitive number of persons, it can be afforded and accordingly seldom or never fails to be sold cheaper, in process of time, than the foreign article for which it is a substitute. The internal competition which takes place soon does away with everything like monopoly and reduces the price of the article to the minimum of a reasonable profit on the capital employed. This accords with the reason of the thing and with experience.

But further comment is unnecessary to expose the fallacy of the assumption that a duty imposed upon an imported article by so much enhances the cost of such article to the consumer and therefore becomes to that extent a tax upon him.

But the gentleman from Texas, while admitting that wages are higher here than in Europe, denies that it is attributable to our protective tariff. If so, he asks why are not wages uniform throughout the United States? He might as well assert that because manufacturing industries are not equally developed throughout this country therefore their establishment and maintenance is not attributable to our protective system. It is not pretended that a protective tariff, in and of itself, affects wages; but it does build up manufacturing industries, creates a demand for labor, and as a consequence increases its compensation. Wages are not uniform throughout the United States because the cost of production is not uniform. But the gentleman charges that labor is not sharing in the benefits of our protective system. Let me quote from Edward Atkinson, whom the gentleman pronounces "one of the clearest thinkers and writers on political economy of the present day:"

> In the judgment of the commissioner of savings-banks and of many others who are competent to form an opinion, at least three-fourths of the present deposits in these banks belong to those who are strictly of the working classes in the limited sense in which those whose daily work is necessary to their daily bread make use of that term. This system of savings-banks is practically limited to New England and the Middle States. The total sum on deposit in all those States is now computed at $1,100,000,000, at an average of $356 to each depositor. If the system were extended throughout the country, and the deposit per capita of the people of the United States were equal to that of Massachusetts, the total sum would amount to somewhat over $8,400,000,000.
>
> Another fact may be cited which fairly sustains the general statement that those who do the actual work of production are now securing to their own use a larger share than ever before of the joint product of labor and capital.

Again this author says:

> Wages of mechanics in Massachusetts were 25 per cent. more in 1885 than in 1860, while the purchasing power of money was 26 per cent. greater, and the working man could either raise his standard of living, or on the same standard save one-third of his wages.

But the chairman of the committee suggests that this protective system is crippling our commerce. He forgets that in 1860, the close of the last period of a low tariff, our exports were only $336,576,057, and imports, $356,616,119, leaving a balance of trade against us of $20,040,062. In 1880 our exports had risen to $835,638,658, and imports, $667,954,746, leaving a balance of trade in our favor of $167,683,912, an amount one-half as large as our entire export trade in 1860. Our total commerce in 1860 aggregated only $687,000,000, while in 1880 it reached $1,500,000,000. [Applause.]

It is an interesting fact that during the period of a low tariff, from 1848 to 1860 inclusive, there was but one year in which the balance of trade was in our favor, and the net balance against us in these thirteen years was $396,216,161, drawn out of the country in gold to pay for foreign goods. Yet during the last thirteen years, under a protective tariff, only one year has the balance of trade been against us, while the aggregate in our favor has reached the magnificent sum of $1,612,659,755. [Applause.]

The country will not suffer from changing foreign trade from $400,000,000 against us to $1,600,000,000 in our favor.

But the gentleman from Texas, referring to duties on imports, characterizes them as "war taxes; that they still remain and that they are heavier to-day than the average during the last five years of the existence of hostilities; that the average rate of duty during the last five years, from 1883 to 1887, inclusive, on dutiable goods amounted to 44.51 per cent., and that during the last year the average duty was 47.10 per cent." It will be observed that the gentleman speaks only of dutiable imports omitting all imports received free of duty. The average rate on the entire importations he prudently withholds making his calculation not only misleading, but entirely valueless. To illustrate: The duty of Cognac oil is 533 per cent. If everything else were omitted free of duty—if after the close of the war we had put all else on the free-list—it would be literally true that the average rate on dutiable goods would be 533 per cent., and greater now than during the war, when it was only 31 per cent., but it would convey no idea of the average on our entire importations. [Applause.] We are paying a duty of 134 per cent. on rice in the husks, and if that was the only dutiable article imported it would be exactly true to say that the average rate on dutiable imports was 134 per cent., but the statement would be as valueless as it would be misleading. Yet the gentleman takes the value of our dutiable imports, $450,325,321, as the basis of his calculation and the duty collected thereon, $212,632,423, and deduces the average ad valorem rate of 47.10 per cent. for 1887.

But if he had added to the dutiable imports the value of goods admitted free of duty, namely, $233,930,659, his aggregate of importations for 1887 would be $683,418,980, which would reduce his average rate to 31 per cent. So the statement that during the last five years, from 1883 to 1887, inclusive, that the average rate on dutiable goods is 44.51 per cent. is true; but if the entire importations are included, the rate will fall to 30 per cent. The same miscalculation destroys the force of his statement that the average rates to-day are heavier than during the war. We have seen that taking our entire imports the average to-day is 31 per cent., while during the war, from 1861 to 1865, the average was 30 per cent. But this average of 1 per cent. higher is attributable largely to lower prices, following the inexorable law that as prices decline the per cent. of ad valorem rates increase. If the value of an imported article be $10, and the duty $1, the equivalent ad valorem rate would be 10 per cent. If the value of the same article should fall to $5, the duty remaining the same, $1, the equivalent ad valorem rate would be 20 per cent. And so the entire statement of the gentleman is not only misleading and fallacious, but ceases to be interesting or instructive. [Applause.]

But special effort has been made and is being persisted in to induce the American farmer to believe that a protective tariff is hostile to his best interest and his prosperity would be promoted by an abandonment of that policy. How far this effort may be successful it is impossible to forecast; but this much may be affirmed with absolute certainty, unless the results of established law are uncertain and experience is no longer a safe guide, that any course which cripples or destroys our manufacturing interests and deprives labor of its employment therein will seriously disturb and impair the prosperity of our agricultural interests. Andrew Jackson was not mistaken when he said:

Upon the success of our manufactures, as the handmaid of agriculture and commerce, depends, in a great measure, the independence of our country.

Among the advantages conferred upon the farmer by our protective tariff is that derived from a direct protection to the products of his farm and the industries incident thereto as shown by the following table:

Wool at 30 cents a pound or less, 10 cents; at over 30 cents a pound, 12 cents. Beef and pork, 1 cent a pound. Hams and bacon, 2 cents a pound. Butter, 4 cents a pound. Lard, 2 cents a pound. Cheese, 4 cents a pound. Grapes, 20 per cent. ad valorem. Wheat, 20 cents a bushel. Oats, 10 cents a bushel. Corn, 10 cents a bushel. Rye, 15 cents a bushel. Barley, 15 cents a bushel. Potatoes, 15 cents a bushel. Hay, $2 a ton. Live animals, 20 per cent. ad valorem. Beeswax, 20 per cent. ad valorem. Vinegar, 10 cents a gallon. Honey, 20 cents a gallon. Fruit, shade, and ornamental trees, shrubs, etc., 20 per cent. ad valorem. All vegetables not otherwise provided for, 10 per cent. ad valorem. Rice, cleaned, 2½ cents per pound. Wheat flour, 20 per cent. ad valorem. Tobacco (unmanufactured) 35 cents per pound. Sugar, 1½ to 3½ cents per pound. Rice flour and rice meal, 20 per cent. ad valorem. Extract of meat, 20 per cent. ad valorem. Barley, pearled or hulled, ½ cent per pound. Barley malt, 20 cents per bushel. Corn meal, 10 cents per bushel. Oat meal, ½ cent per pound. Rye flour, ½ cent per pound. Potato and corn starch, 2 cents per pound. Pickles and sauces not otherwise provided for, 35 per cent. ad valorem. Garden seeds, 20 per cent. ad valorem. Hemp seed, ½ cent per pound. Currants, 1 cent per pound. Apples, 10 per cent. ad valorem. Hops, 8 cents per pound. Milk, preserved or condensed, 20 per cent. ad valorem. Flax, straw, $5 a ton. Flax, not dressed, $20 a ton. Flax, dressed, $40 a ton. Tow of flax or hemp, $10 a ton. Bristles, 15 cents a pound. Tallow, 1 cent a pound. Flax-seed or linseed, 20 cents per bushel.

That the farmer should still further be protected in some of these products there can be no question, and yet it is to be observed that the bill now under consideration strikes down with merciless hand many of the most important agricultural interests of the country by placing them on the free-list. When it is remembered that there was brought into this country last year, exclusive of tea, coffee, and sugar, $57,000,000 of agricultural products in competition with our home interests, the policy proposed by this bill which would still further expose the farmer to foreign competition will not be apt to receive the approval of our agricultural interests. But while this direct protection is of importance to the farmer, the indirect benefits accruing to him from the diversification of our industries are much greater and beyond the possibility of calculation. In this lies the chief advantage. Every farmer tills the soil for a double purpose, first, to supply the necessities for himself and his household, and, secondly, to secure a surplus with which he may obtain those articles of necessity and luxury which can not be produced from the soil.

For the disposition of this surplus he requires a market, and that market which yields the best returns will be to him the most advantageous. There are but two markets open to him, the home market and the foreign. Can it be possible that the farmer can be deluded into a belief that a policy which destroys his home market and forces him into the distant markets of the world with his surplus products, with all the attending and enormous cost of transportation, will redound to his advantage? Every farmer understands that the nearer his market to his farm the more abundant his profits. Therefore, any policy which tends to diversify our industries and give employment to a large class of our people outside of agriculture, and who thus become consumers of the surplus products of the farm at home, must inure to the benefit of the American farmer; and any policy which tends to diminish these industries and force the capital and labor employed therein onto the farm, to become producer rather than consumer, must from necessity increase the agricultural product while at the same time lessening the demand therefor. I can conceive of no calamity more appalling than that which would overtake our vast agricultural interests by the destruction of our manufacturing industries and the consequent annihilation of our home market. The importance to agriculture of a diversification of our industries and consequent creation of a home demand for the surplus product of the farm was strikingly set forth by Alexander Hamilton nearly a century ago.

This idea of an extensive domestic market for the surplus produce of the soil is of the first consequence. It is of all things that which must effectually conduce to a flourishing state of agriculture. To secure such a market there is no other expedient than to promote manufacturing establishments. Manufacturers, who constitute the most numerous class after the cultivators of the land, are for that reason the principal consumers of the surplus of their labor.

But the advantage of such a policy does not rest for its support upon a theory. It is affirmed by experience, and it may be well to again remind the President that "it is a condition that confronts us, not a heory." It is estimated that to-day our population is not less than 60,000,000, of which only 20,000,000 are actually engaged in any gainful occupation, 9,000,000 of whom are engaged in agriculture, leaving 11,000,000 employed in other pursuits. Nine million farmers are feeding a nation of 60,000,000 of people. How does this advantage the farmers? The estimated value of the products of our farms, exclusive of cotton and tobacco, is $3,000,000,000 annually, and yet 94 per cent. of this enormous product is taken in our own market and consumed by our own people. The farmers are compelled to export only 6 per cent. of their products. In this connection it is worthy of note that while the value of our manufactures reaches the almost fabulous sum of $7,000,000,000 annually, yet more than 90 per cent. of this is consumed within our borders. It is estimated that the value of our industrial products of farm and factory will aggregate annually $11,000,000,000, and yet nearly $10,000,000,000 of this is disposed of in our own market and consumed by our own people. And yet, with a home market of such absorbing capacity, built up and sustained by a diversification of our industries, the advocates of free trade are constantly holding up the phantom of the markets of the world as the one thing chiefly to be desired.

Of what value to the American farmer are the markets of the world in comparison with his home market? How much of the farmer's surplus products does the world's market require to-day? Before dropping the substance for the shadow it would be well to inquire the extent of the foreign demand for the products of our farm. If a policy is adopted which destroys the home market and forces the American farmers into the markets of the world, when his vessels are laden with the products of his farm, to what ports on the inhabitable globe will he direct his course? Not to South America, nor Asia, nor Africa, nor Australasia, nor the islands of the sea, for in all these there is practically no demand for our agricultural products, and there is no prospect that there ever will be, for these countries are abundantly supplied with agricultural laborers and surplus lands. Europe is the only country which does not feed its own people, and even there Russia, Germany, Turkey, Roumania, Servia, and Hungary produce their own food supply, and excluding Germany, furnish a surplus for the European markets. Outside of Great Britain, therefore, there is practically no demand for our agricultural products, and with the rich fields of India open to her it is not difficult to discern that the time is not far distant when even this demand will cease.

The chairman of the committee, in his recent speech, declared that—

We are the great agricultural people of the world, and have been feeding the people of Europe, and must receive European goods in exchange or fail to export our surplus, and thus surfeit the home market and reduce prices.

This hallucination of feeding the people of Europe is easily dispelled. As bread is the main staff of European life, let us see where it is obtained. The population of Europe is about 350,000,000, and the consumption of wheat about 3½ bushels per head, of which scarcely more than half a bushel is required from North and South America, Asia, and Australasia. In three-fourths of the entire area of Europe the consumption does not amount to 2 bushels per head, and nearly every grain of that is produced at home. On about half of the area of Europe there is a surplus to spare to the other half. The largest consumer of wheat in the world, France, was also the largest producer less than fifteen years ago, and has now about as large an area and product as ever, and needs of foreign wheat only about 10 per cent. of her supply.

The 80,000,000 people of Russia live mostly on rye, as do the people of Germany and Central Europe, and produce it all themselves. Many of the people of the North of Europe consume a large proportion of maize. Some in the North of Europe subsist largely on oat-meal. The consumption of all cereals in Europe usually averages at least 16 bushels per head, of which 3 pecks per capita come from other continents. Feeding the people of Europe! Four continents combining to supply a per capita deficiency of 3 pecks per capita in the fifth. A failure of one-half peck in this deficiency sends prices rapidly upward; an excess of one-half peck produces an instant and sudden fall in India and Dakota. An additional half bushel would sprout in the bin or be fed to farm animals without a foreign offer. This is so well known that it would be charity to attribute to ignorance the pretense of enlarging the exportation of wheat by low tariffs, or no tariffs, or by any other device short of the creation of a few million more foreign mouths.

If we do so little in feeding Europe with bread, still less do we sup-

ply the meat she consumes. Last year we exported 162,000,000 pounds of beef, fresh and salted; 138,000,000, or four-fifths of it, went to Great Britain. Very little is ever wanted elsewhere, and Englishmen are now straining every nerve and spending British gold in enterprises to supply their country with frozen and canned beef from Australia and the Argentines. Of 505,000,000 pounds of bacon, pork, and hams exported, 380,000,000 pounds, or three-fourths of it, went to Great Britain and a part of the remainder to Canada. Scarcely a nation in the world, Great Britain excepted, depends upon foreign nations for its meat supply. It is a necessity of their existence that they should supply themselves. It is the same with cheese, the only other food product of which there is an appreciable deficiency in Europe. Its market is confined chiefly to Great Britain, and exportation can not be enlarged at all without a reduction in price, and any sudden extension is a practical and physical impossibility. The rich there buy all they can eat now, and the poor all they can afford. The requirement is fixed and limited with the least possible element of elasticity, so that the foreign demand can only fluctuate with the annual variations of the home supply. This statement should dispose of the boastful and silly pretense so glibly and frequently made by free-traders, of feeding Europe, and ought to mark the exit of America in the rôle of the world's nurse and caterer to the universe. [Applause.]

Where then on the face of the globe can the American farmer market his surplus? At home or nowhere. This home market, therefore, should be to him the object of his deepest solicitude and protecting care, for upon it the future of agriculture in this country depends. I will submit here a table showing the value of the leading products of American farms in 1886, according to estimates of the Department of Agriculture, together with the amount consumed at home and exported, which demonstrates at a glance the importance of the home over the foreign market.

Value of products of American agriculture in 1886, *and of the proportion exported in the fiscal year* 1886–'87.

Products.	Production, farm value.	Exportation. Export value.	Farm value.	Per cent.
Breadstuffs:				
Corn	$610,311,000	$20,052,704	$11,790,046	1.9
Wheat	314,226,020	142,666,563	87,668,833	27.9
Oats	186,137,930	635,657	343,659	.2
Barley	31,840,510	853,405	691,809	2.2
Rye	13,181,359	227,971	197,687	1.5
Buckwheat	6,465,120			
Rice	5,000,000	29,204	26,284	.5
Total	1,167,161,910	164,465,504	100,718,318	8.3
Meats	748,000,000	78,152,731	62,522,185	8.4
Poultry products	186,000,000	88,970	71,176	
Hides, hair, etc	93,000,000	1,101,203	825,902	.9
Dairy products:				
Butter	192,000,000	1,983,698	1,487,773	.8
Cheese	32,000,000	7,594,633	6,455,438	20.2
Milk	156,000,000	258,971	181,279	.1
Total	380,000,000	9,837,302	8,124,490	2.1
Textile fibers:				
Cotton	257,295,327	206,222,057	177,895,501	69.1
Wool	77,000,000	78,002	70,202	.1
Hemp, flax, etc	9,000,000			
Total	343,295,327	206,300,059	177,965,703	51.8
Vegetables:				
Irish potatoes	73,441,940	318,259	238,694	.3
Sweet potatoes	20,000,000			
Peas and beans	13,800,000	562,864	450,291	3.3
Market gardens	68,000,000	427,530	256,518	.4
Fruits	175,000,000	2,669,965	1,601,979	.9
Hay	353,437,699	218,006	130,804	
Tobacco	39,082,118	25,637,983	20,510,386	52.5
Hops	3,500,000	54,970	46,725	1.3
Sugar and sirup, including honey	33,500,000	12,976,061		
Clover and grass seed	15,000,000	911,898	638,329	4.3
Wines	10,000,000	215,171	129,103	1.3
Totals	3,727,218,994	503,938,476	374,230,603	10.0

From this table it will be observed that the American farmer disposes of about 90 per cent., and excluding cotton and tobacco, more than 94 per cent. of his farm products at home, and no amount of sophistry can delude him into the belief that it is for his interest to destroy or lessen this home demand.

His interest lies rather in the direction of an enlargement of our manufacturing industries and a corresponding increase of the number of consumers, that he may ultimately find a home market for the entire product of his farm. Another consideration of incalculable value to the farmer must not be lost sight of, and that is the home market is a permanent and steady one. No business can be profitably prosecuted without some assurance of stability. If the farmer was forced to an entire dependence upon foreign markets for the sale of his products it would be impossible to calculate with any degree of certainty the extent of that demand, dependent as it would be upon the condition of the foreign supply, and the result would be, one year his surplus would find steady and profitable sale and the next perish in his fields. But with a steady market at home, created and sustained by our diversified industries, the demand is steady, and every farmer knows that when he sows he can reap with profit. Another advantage to the American farmer from the establishment and maintenance of manufacturing industries is the enhanced value of his acres. You can not build up anywhere a prosperous manufacturing industry without enhancing the value of the farm lands adjacent thereto. Cast your eye over the map of the Republic and indicate the localities where industries are the most diversified and the fewest people are engaged in agriculture, and there you will find the highest-priced farm lands. Mark the localities where farming is the chief occupation of the people and other industries are the least developed; there you will find farm lands of the least value. To demonstrate the truth of this assertion I will insert a table in which the States and Territories are divided into four groups, in the first of which is embraced that portion of the country having less than 30 per cent. of the people engaged in agriculture; the second, over 30 and less than 50; the third, over 50 and less than 70, and the fourth having 70 per cent. and over engaged in agriculture:

Classes.	Acres.	Value of farms.	Value per acre.	Per cent. in agriculture.
First	77,250,742	$2,985,641,197	$38.65	18
Second	112,321,257	3,430,915,767	30.55	42
Third	237,873,040	3,218,108,970	13.53	58
Fourth	108,656,796	562,430,842	5.18	77

From this table it will be discerned that where 77 per cent. of the people are engaged in agriculture the average value of farm lands is only a trifle over $5 an acre, while where only 18 per cent. are engaged in agriculture farm lands average over $38 per acre. What is true in the country at large is equally true in counties and States. The principal manufacturers in Pennsylvania are to be found in thirteen counties, and the average value of farm land within these counties is $86.73 per acre, while in the remaining counties it is only $42.02. The farm lands in the twelve chief manufacturing counties of Ohio average $67.85 per acre, while in the balance of the State they are worth only $42.46. The farm lands of Ohio, with only 40 per cent. of her people engaged in agriculture, are worth $46 per acre, while in Kentucky, separated only by the Ohio, but with 62 per cent. engaged in agriculture, they are worth only $14 per acre. The rugged land of Pennsylvania, with 21 per cent. of her people engaged in agriculture, is worth $50 per acre, while in Virginia, where 51 per cent. are engaged in agriculture, they are valued at only $11 an acre. By the census of 1880 in the six States of North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Arkansas 77 per cent. of the people were engaged in agriculture and only 5 per cent. in manufactures, and the average value of the farm lands in these six States was only $5.18 per acre.

It is an astounding fact derived from the same census that the value of the 200,000,000 acres of farm lands in the eleven States composing the late Confederacy are not equal to the 26,000,000 acres of farm lands in the States of New York and New Jersey. I beg to assure the gentlemen of the South that I have drawn this contrast in no invidious spirit, but only in confirmation of the fact that the development of manufactures tends to enhance the value of agricultural lands. It seems to me, however, that there is a lesson to be drawn from this of inestimable value to you. The South needs this development. Protection has brought it to the North—it will bring it to you. [Applause.] You have but to accept it and it will bring to you an era of unexampled prosperity. It will open and develop your mines, explore your forests, light the fires of your furnaces, build your factories, construct your railways, invite capital to investment, give employment to your labor, plant cities in your waste places, and lead your people into the highway of industrial progress. [Applause.] You have already entered thereon. During the last ninety days $36,000,000 of capital have gone into your manufacturing industries. In this I rejoice. There is not an industry in the South the development of which would redound to her glory that I would not as jealously guard as though it were the industry of Michigan. I believe in protection not for my State alone but for my country. [Applause.] I believe in American industries, American capital, American labor, against the whole world.

The chairman of the Committee on Ways and Means expresses the hope that this measure will pass. He is not alone in this desire. There is not a member of the Cobden Club or a free-trader in the United States who is not in sympathy with him. More than this, free-trade England stands on tip-toe of expectation and screams with delight. Listen to the voice of her exultation!

[London Times.]

They are no doubt right in believing that, whatever may be said of preserving the essence of the protective system and of ignoring free trade, the tariff

can not be reduced to the strict proportions of a revenue corresponding to the limited and diminishing necessities of the Federal Government without admitting a great flood of foreign competition.

[London Saturday Review.]

President Cleveland has devoted himself entirely to the tariff. It is impossible to recast this without touching directly the pockets of every citizen of the United States and indirectly influencing the commercial interests of the world.

[London Spectator.]

The message has struck a blow at American protection.

[The Statist.]

There is hardly a single industry in the United States that is not interested in maintaining protective duties.

[London Post.]

We shall be much mistaken if the effect of this state communication will not be to strengthen considerably the case of free-traders in all parts of the world. It will be regarded as a step in the right direction by all who believe in the soundness of free-trade principles.

[London Standard.]

Free trade becomes at once a living issue.

[London Daily News.]

The stone now set rolling will not stop until it has broken the idol of protection in pieces.

[Glasgow Herald.]

This reads like an extract from some old speech of Mr. Bright's.

[People's Journal, Dundee.]

The change in the American fiscal policy will be beneficial to this country, and the prospect of it has diffused fresh hope throughout the business circles in the city.

[Haddingtonshire Courier, Scotland.]

We may look to an impetus being given to our home trade that will go far to make up for the depression of late years.

[The Scotchman.]

The free importation of iron, coal, and wool would be a great boon to British producers.

[London Times.]

It is to the new world that the Cobden Club is chiefly looking as the most likely sphere for its vigorous foreign policy. It has done what it can in Europe, and it is now turning its eyes westward and bracing itself for the struggle which is to come. It can not rest while the United States are unsubdued.

I hope this bill will not pass. [Loud applause on the Republican side.] It ought not to pass.

Let me warn you, gentlemen of the South, that this measure bodes no good to you. It will arrest the investment of capital in your midst and bring your industries to a stand-still. There is no portion of our country where this measure should meet with a more united and determined opposition than in the South. Untoward circumstances have heretofore retarded her material progress, but the way is now open for her to march unimpeded to a splendid industrial future. The advance is already sounded. He who does not respond to its inspiring summons will soon find himself without a party and without a following. I rejoice that there is a new South, a new industrial South, born of the throes of war, but full of hope and full of courage. [Applause.] She stands to-day with uplifted brow facing the dawn of a mighty future. Her loins are girt for a new race. With unfettered hands she smites the earth, and fountains of unmeasured wealth gush forth. Beneath her feet she feels the stir of a marvelous life. Her pathway is already illumined with the light of blazing furnaces. Her heavens are aglow with the break of a new day. All hail its on-coming!

"Aid its dawning tongue and pen,
Aid it hopes of honest men,
Aid it, paper; aid it, type;
Aid it, for the hour is ripe,
And our earnest must not slacken into play;
Men of thought and men of action clear the way."

And when the sun shall reach the zenith of that glorious day, the North and the South cemented in the indissoluble bonds of commercial and fraternal unity will stand together under the banner of protection to American industries and American labor, and march to grander industrial triumphs. [Great applause.]

Mr. MILLS. I move the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenues, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT.

Several messages, in writing, from the President of the United States were communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

An act (H. R. 183) granting a pension to minor children of William Clark;

An act (H. R. 499) granting a pension to Catharine Maxwell;

An act (H. R. 509) granting a pension to James A. Halsey;

An act (H. R. 822) granting a pension to Miles C. Scribner;

An act (H. R. 2498) granting a pension to Alonzo Higley;

An act (H. R. 3490) granting a pension to James M. Berry;

An act (H. R. 3711) granting a pension to Harriett V. Stockton;

An act (H. R. 4107) granting a pension to Laura D. Pierce;

An act (H. R. 4655) granting a pension to Mary J. Francis;

An act (H. R. 4685) granting a pension to Lizzie F. Reed;

An act (H. R. 5176) granting a pension to Thomas J. Parker;

An act (H. R. 5228) granting a pension to Clara M. Flanders;

An act (H. R. 5363) granting a pension to David Johnson;

An act (H. R. 5388) granting a pension to Elizabeth Buffington;

An act (H. R. 5911) granting a pension to Elizabeth Hascall;

An act (H. R. 6586) granting a pension to Nancy O. Gray;

An act (H. R. 6984) granting a pension to Margaret E. Graves;

An act (H. R. 122) for the relief of Julia A. Darrell;

An act (H. R. 459) for the relief of Elvira Cooper;

An act (H. R. 2456) for the relief of Judith Plummer;

An act (H. R. 2663) for the relief of Alonzo Alden;

An act (H. R. 2662) for the relief of Mary M. Strong;

An act (H. R. 3183) for the relief of Kelsey Curtis;

An act (H. R. 7891) for the relief of Cynthia J. Leroy;

An act (H. R. 6974) for the relief of Mary E. Hawn, widow of Emanuel R. Hawn, surgeon of the Forty-ninth Regiment Indiana Volunteers, deceased;

An act (H. R. 2259) to grant a pension to Joab M. Haley;

An act (H. R. 4812) to grant a pension to Squire Admire;

An act (H. R. 3682) to pension Emily Goodall;

An act (H. R. 754) to increase the pension of Mrs. Eliza B. Anderson;

An act (H. R. 2806) to increase the pension of James Woody;

An act (H. R. 3603) to increase the pension of Maxwell Carroll;

An act (H. R. 6732) granting a pension to Leora E. Gear;

An act (H. R. 150) granting an increase of pension to Henry B. Shaw;

An act (H. R. 2518) granting an increase of pension to John Rowe; and

An act (H. R. 6343) to increase the pension of Nancy Raines, the oldest Revolutionary pensioner on the rolls, she being ninety-six years of age.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed without amendment the bill (H. R. 4365) to authorize the construction of an arsenal for the repair, storage, and distribution of ordnance and ordnance stores for the use of the Government of the United States at Columbia, Tenn.

The message also announced that the Senate had passed the bill (H. R. 1761) for the relief of the First National Bank of Portland, Oregon, for money advanced the Oregon Iron Works, the contractor in building the United States revenue-cutter Thomas Corwin, with amendments, asked a conference with the House on the bill and amendments, and had appointed as conferees on the part of the Senate Mr. MITCHELL, Mr. SPOONER, and Mr. WILSON of Maryland.

The message further announced that the Senate had passed a bill (S. 218) to change the limit of appropriation for the public building at Key West, Fla.; in which the concurrence of the House was requested.

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States:

To the House of Representatives:

I return without approval House bill 6908, entitled "An act granting a pension to William P. Witt." The beneficiary named in the bill was enrolled for one hundred days' service on the 13th day of July, 1864, and was mustered out on the 16th day of November in the same year. The record shows that he was reported present on all rolls until he was mustered out. He filed a claim for pension in 1884, alleging that he incurred chronic diarrhea, liver disease, rheumatism, and a disease of the head affecting his hearing during his military service. Two comrades testify to his being sick and being in the hospital to such an extent as to wholly discredit his presence with his company. A physician testifies that he prescribed for him some time in the month of November, 1864, for liver disease and jaundice to which rheumatism supervened, confining him six weeks or more. There seems to be a complete hiatus of any medical or other evidence concerning his physical condition from that time until nearly twenty years thereafter, in July, 1884, when he was examined and it was found that he had impaired hearing in both ears, but no symptoms of rheumatism, and that his liver was normal. Without further detailing particulars, the entire complexion of this case satisfies me that the claimant contracted no pensionable disability during his one hundred days of service.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April 24, 1888.*

On motion of Mr. HOLMAN, the message and the accompanying bill were referred to the Committee on Invalid Pensions, and ordered to be printed.

CHLOE QUIGGLE.

The SPEAKER also laid before the House the following veto message of the President of the United States; which was read, and, on motion of Mr. SPRINGER, referred, with the accompanying bill, to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 4530, entitled "An act granting a pension to Chloe Quiggle, widow of Phillip Quiggle."

The husband of the beneficiary named enlisted February 11, 1865, and was discharged September 27, 1865. The records show that he was reported August 31, 1865, as "absent, confined in post prison, at Chattanooga, since August 18, 1865."

He filed a claim for pension June 25, 1880, alleging that after a march from Chattanooga to a point 1½ miles distant and back, he, upon his return, drank some water which produced diarrhea, since which time he had been troubled also with disease of kidneys and rheumatism.

He died in September, 1883, and the claim then pending on his behalf was con-

pleted by his widow. After a special examination the claim for diarrhea was on the 21st day of April, 1887, allowed from September 28, 1865, to January 1, 1870, when it was shown that any disability from this cause ceased. The claim for disease of kidneys and rheumatism was rejected upon the ground that no such disabilities were shown to be due to military service.

The widow filed a claim on her own behalf August 27, 1883, alleging the death of the soldier from the results of prostration by heat while marching near Nashville, Tenn., and also from disease of kidneys, rheumatism, and chronic diarrhea.

It is reported to me that the evidence taken during a special examination of this case established that before and after enlistment the soldier was addicted to the excessive use of intoxicating liquors.

One physician stated to the examiner that shortly after the soldier's discharge he found him suffering from disease of kidneys and from rheumatism and diarrhea, but that he concluded the disease of the kidneys had been coming on for a year; that it could not have been caused by a sunstroke a few weeks previously, and that the diseases were of longer standing than that.

Another physician, who attended the soldier during his last illness, testified that he did not know that he suffered from any disease until the summer of 1882; that he found him suffering from retention of urine, and that the difficulty rapidly developed into an acute attack of Bright's disease; that no indications of rheumatism were found, but that the disease progressed steadily, and was a well-marked case of Bright's disease of the kidneys. He also testifies that the origin of the disease was no doubt recent, though possibly it might have existed in a low form for some years.

A medical examination in May, 1882, developed no disease of the kidneys. It seems to me that all the reliable testimony in the case tends to show beyond a doubt that the soldier's death was not due to any incident of his military service. I do not find that the medical testimony given by his neighbors makes a suggestion that it was; and upon all the facts I am of the opinion that the pension which has been already allowed was a liberal disposition of the case.

The beneficiary named in this bill is aged, and it would certainly be a gratification to grant her relief. But the question is whether we do well to establish a precedent for the allowance of claims of this character in the distribution of pension funds.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 24, 1888.

WILLIAM H. BRIMMER.

The SPEAKER also laid before the House the following veto message of the President of the United States; which was read, and, on motion of Mr. SPRINGER, referred, with the accompanying bill, to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 5247, entitled "An act granting a pension to William H. Brimmer."

The beneficiary named in this bill enlisted September 5, 1864, as a wagon-master, and was discharged on the 30th day of May, 1865. There is no record of any disability during his short service.

In February, 1888, nearly twenty-three years after his discharge, he filed an application for a pension, alleging that in the fall of 1864 he was made to carry sacks of corn, which produced a weakness of the walls of the abdomen, resulting in rupture. In an affidavit filed upon said application the claimant testifies that he said nothing about his injury or disability to any one while in the service, and can furnish no evidence except his own statement.

The first and only medical evidence presented touching this claim is that of Dr. Reynolds, who examined him in 1880 or 1881, who then came to the conclusion that the claimant was suffering from an incomplete hernia, which a few months thereafter developed in the right groin. From this examination and testimony no hint is furnished that the injury was due to military service, nor any intimation that it might be.

In February, 1888, a medical examination was made under direction of the Pension Bureau, when it was found that the claimant had the general appearance of being healthy and well nourished, but that he had a small uncomplicated inguinal hernia on the right side, which was easily retained.

I can not believe upon the facts presented that an injury of the character alleged could have been sustained in the service and still permitted the performance of all the duties of wagon-master for months thereafter, remaining undeveloped for so many years, and that there should now be such a lack of testimony connecting it with any incident of military service.

I believe the rejection of this claim was right and just upon its merits.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 24, 1888.

Mr. MILLS. I move that the House take a recess until 8 o'clock to-night.

HANNAH C. DE WITT.

Mr. BOUTELLE. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. BOUTELLE. Mr. Speaker, the veto message accompanying one of the bills returned to the House yesterday by the President, the bill granting a pension to Hannah C. De Witt, stated that by some mistake a bill had been twice passed by Congress at the present session in precisely the same form. I find by reference to the RECORD that the bill in question was disposed of in a proper and regular manner at a Friday evening session, the circumstances being these: Two similar bills were introduced—one in the Senate and the other in the House. The Senate bill first passed, came over to the House, and was placed on the Calendar.

Mr. MCMILLIN. I do not see that the gentleman is presenting any question of privilege.

The SPEAKER. The gentleman has stated no question of privilege yet.

Mr. BOUTELLE. I am coming to it.

The House bill was reported by the House committee in regular form, and took its place on the Calendar. At a Friday evening session, when the House bill was reached in regular order, a motion was made that House bill No. 823 be laid on the table and that Senate bill No. 451, similar in substance, be taken up and passed. Such action was taken; the House bill was laid on the table, and the Senate bill passed. The RECORD and the House Journal show these facts clearly. It seems that the House bill (which was tabled), instead of being disposed of under the order of the House, by some error or inadvertence of the Clerk got into the hands of the engrossing committee, was signed by the Speaker, sent over to the Senate, and passed by that body. But that bill was never, in fact, passed by the House, as stated in the message.

ORDER OF BUSINESS.

Mr. MILLS. I move that the House take a recess until 8 o'clock this evening.

Mr. REED. Mr. Speaker, it is pretty well known to the House and to the community at large that some efforts have been made toward fixing a limit to the debate on the tariff bill, or (speaking more exactly, perhaps) toward naming the time that should be given for debate upon the measure; and there have been some consultations on the part of members of the Committee on Ways and Means on either side. The members on this side, desiring to have a full discussion, had requested that ten days be allowed to them at such times as the bill was up for consideration. After some consultation on one part and the other we parted, because the gentlemen who represented the majority of the House were disposed to consult those whom they represented. This morning it was found that the agreement we hoped would be made was not made.

And I now ask the gentleman from Texas [Mr. MILLS] in open House that we may fix on some time as the extent of this debate. I suggest to him that ten days be allowed on a side, and as many evening sessions as people may be disposed to have be allowed in addition thereto.

I desire to suggest to the House that such discussion for such length of time is well befitting not only the importance and nature of the bill which has been presented, but also the circumstances under which it has been presented. There has been no consideration of the bill and no public hearing on the part of those who are interested; no public hearing on the part of members the interests of whose districts are concerned. There was on our side already on the list the number of men who would fully occupy the time which is suggested, and there are many more, undoubtedly, who would desire to address the House.

Now, it is well known these evening sessions are not really of the nature of discussion; that men do not desire to participate in the evening sessions except under the spur of a necessity which certainly does not now exist. If it should turn out, as it sometimes does, that discussion is not necessary for so long a time, then it will not be necessary to take the number of days suggested, and under such circumstances no more days should be used than actually required to enable members to address the House, and their constituencies through the House, on this important question. And I sincerely hope, the matter being brought to the attention of the whole House, we may have a distinct understanding to the effect which I have suggested.

I am bound to say it has been claimed that the gentlemen on the other side understood that they had an informal agreement with our side as to the night sessions for to-day and to-morrow. Of course, if I had had any such understanding I would never have objected to the evening session as I did, and the responsibility for which I take before the House, and it is proper I should take it, since another gentleman personally made the objection.

I should also say, while it seems to have been understood on the other side that the two nights should be allowed, it was not so understood by any member of the committee on this side. And as to evening sessions, talked of solely with reference to the idea that if the length of time given for debate, which I have suggested, was allowed to us, then we would have no objection to any number of evening sessions the members of the House should desire to have, because we believed in addition to the fifty on our side who have already presented their names there would be a great many more who would like to be heard.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, after what has been said by the gentleman from Maine, it is proper for me to say that the gentleman from Maine and the gentleman from Ohio, who served on the Committee on Ways and Means, and certain gentlemen of the majority had a meeting in which it was understood, not informally, but formally, that an agreement should be made covering the days of Tuesday and Wednesday, with a hope that further negotiations would result in a further agreement covering the whole of the debate.

We distinctly understood it to be a part of that formal agreement that there should be to-day a debate opened by the gentleman from Tennessee [Mr. MCMILLIN], followed by the gentleman from Michigan [Mr. BURROWS], who were to be followed by two gentlemen, one from each side of the House, not members of the Committee on Ways and Means; and also that there should be each day an evening session, at which gentlemen might be able to speak or not as they chose, not to lose their place on the list if they did not desire to do so, and if any member of the Republican side chose to speak at these two evening sessions his time should not be charged in the time which we might hereafter agree upon. On Wednesday the debate, it was understood, should be opened by the gentleman from Indiana [Mr. BYNUM], followed by the gentleman from Indiana [Mr. BROWNE], who was not present, but who was seen and said to be ready. And they were to be followed by two gentlemen not members of the committee; and there was then to be an evening session.

This was our understanding, and this morning, when in accordance with the agreement which was the result of our negotiations an evening session was proposed and it was objected to, as I frankly stated to the gentleman from Ohio, I looked upon the agreement between us as having been repudiated.

Now, the ten days the gentlemen of the minority claimed were not ten days only, but were to be, as they expressly specified, ten days of five hours each. Not ten days the House might meet and adjourn, but ten days of five hours each which should be day sessions, not including the evening sessions. It was to that length of time the majority of the Ways and Means Committee did not see their way clear under the circumstances to agree to. I am inclined to the opinion that there would have been no hesitation on the part of the majority of the Ways and Means Committee to have agreed to have given ten days to the gentlemen on the other side with the understanding on both sides there should be night sessions with the intention that the time for debate on each day should be made as long as possible.

As to the reasons suggested by the gentleman from Maine, why there should be given so long time for debate, those probably will be discussed as the debate goes on, and whatever may be said pro and con about them, or whatever may be said by gentlemen on the majority or minority side of that committee concerning what has been done or happened in the committee, are all questions about which I care to submit no observations now. At the proper time, under other circumstances and in other connections, it may seem proper to me to submit some suggestions in regard to them, but not now.

Mr. KELLEY. I desire to say, as a member of the Committee on Ways and Means, that I was present at the conference yesterday, and remained until the fact had become apparent that no conclusion or agreement could be reached. The pros and cons had been stated; my colleague from Maine had presented very much the suggestions that he presents now, and I left the committee with a perfect understanding that there was to be consideration of the points that had been made and that the committee would then act. I rested in that conclusion, ready to meet the committee at any time to make any effort for arriving at an agreement; and I had not heard, until I heard it here about the time the gentleman from Michigan [Mr. BURROWS] was closing his speech, that there was any allegation that an agreement had been reached, and that the Republican members of the committee had thereby bound themselves to assent to night sessions on this bill at this early date. I should like before we do go into night sessions that the Committee on Ways and Means should again make an endeavor to determine whether in view of the fact that the minority was excluded from all voice in making up the bill, or in presenting the wishes of their constituents who are interested in it, that the discussion by the House should be deliberate, open, and if possible in the hearing and gaze of the parties interested in the bill represented by Republicans. That can not be the case if we are now to begin with night sessions. I certainly am bound by no such agreement. Twelve o'clock came, and I had been in my committee-room up to that time, when the conclusion seemed to have been reached which did not cover night sessions, at which time I left.

I felt it due to myself to make this suggestion.

Mr. MILLS. I will be very glad, I will say to the members of the Committee on Ways and Means and to the House, to see our colleagues on that committee from the other side of the House with a view if possible to reach some amicable understanding both as to the limit of the general debate on this bill and as to the limit of debate in Committee of the Whole on the bill by its paragraphs. We are disposed to accommodate them just as far as possible.

It is true, as the gentleman from Maine said, that we had some conferences. We met and talked about the debate and failed to make an agreement, except as to the business for to-day and to-morrow. The whole thing was otherwise left open. We are now proceeding with the debate, and it is the desire of the majority that there shall be the amplest time and the fullest discussion of the question on both sides. We propose, gentlemen, to discuss it night and day. The discussion of the bill will go out over the whole country, whether the debate takes place in the day or night. It is not absolutely necessary that we should have the galleries present and daily sessions for that purpose. We have but a limited audience here.

The arguments that gentlemen propose to make will go out to the whole country through the medium of the public press, and this great question is to be determined not by the people of Washington City, but by the mighty constituencies which lie outside of the District of Columbia, and hence there is no just reason for not continuing this discussion at night.

It is now growing late, and I will simply say, for myself and my colleagues on the committee on this side of the House, that we will be glad to meet the minority again to-morrow, and see if we can not come to some amicable understanding. In the mean time I insist on the motion that the House take a recess until 8 o'clock.

Mr. MCKINLEY. Mr. Speaker, I think, as I am a member of the Ways and Means Committee who was in conference with our colleagues upon the other side touching this matter, that it is proper for me to say a word upon this question. It seemed to be the desire yesterday morning upon the part of the majority of the committee that there should be an understanding between the majority and minority as to the conduct of this debate and the final vote upon the bill.

The minority, or a part at least, met with the majority of the committee; and my understanding of that interview was that to-day and to-morrow were to be consumed in general debate upon the bill, and it was the expectation of the majority of the committee that before to-morrow they would be able to determine with us the duration of the general debate. I did not understand that we gave our consent to a night session to-night and to-morrow night; but when I was assured by the gentleman from Kentucky [Mr. BRECKINRIDGE] and other gentlemen of the majority side of the committee that it was their understanding that we had consented to that arrangement—at least the gentleman from Maine [Mr. REED] and myself—I stated to the gentleman from Kentucky to-day that if such was the understanding of himself and his colleagues, I would yield, so far as I was individually concerned, in the interest of good feeling in the Committee on Ways and Means.

But, Mr. Speaker, I want to say this: that when I gave my consent to these night sessions—to-night and to-morrow—for general debate, I did not undertake to speak for or bind any gentleman on this side of the House. I was speaking for myself only, and was only intending that, so far as I could, I would advise my friends on the minority of the Committee on Ways and Means to yield their assent to such an arrangement as the majority of the committee desired, believing they would do whatever was proper under the circumstances. And it being stated here to-day that the understanding was that we were to have a session to-night and to-morrow, I am perfectly willing, in the interest of good feeling and that the debate may be conducted properly, to advise my Republican colleagues to consent to that arrangement.

Mr. CANNON. Will the gentleman from Ohio allow me to ask him a question?

Mr. MCKINLEY. Yes, sir.

Mr. CANNON. To insure a full attendance to-night, if we have a session, can we receive the assurance that there will be one or two speeches on a side made by members of the committee?

Mr. MCKINLEY. It was distinctly stated that at the night sessions no gentleman on our side would be required to speak. The gentleman from Kentucky states so now.

Mr. MILLS. But any gentleman on that side can speak at the night session if he desires to do so.

Mr. MCKINLEY. And, as the gentleman from Kentucky said, the time to be occupied to-night was not to come out of the time allowed for debate.

Mr. BUTTERWORTH. Is the holding of a night session to be a reason for abridging the time allowed for debate?

Mr. MCKINLEY. On the contrary, I was informed by the gentlemen forming the majority of the committee that evening sessions if held would not abridge at all the time allowed us for debate.

Mr. HOPKINS, of Illinois. I should like the gentleman from Kentucky [Mr. BRECKINRIDGE] to hear the statement just made by the gentleman from Ohio.

Mr. MCKINLEY. I will repeat it. I understood from the gentleman from Kentucky if the two night sessions were held that was not to constitute an abridgment of the time for general debate which we might hereafter agree upon.

Mr. BRECKINRIDGE, of Kentucky. My understanding of the agreement made with the gentleman from Ohio [Mr. MCKINLEY] and the gentleman from Maine [Mr. REED] was that we would have these night sessions with the understanding that if the gentlemen of the Republican party did not desire to speak they were not to lose their places on the roster. And if any gentlemen on the Republican side did speak at the night sessions the time they occupied was not to be charged on any agreement we might be able to reach.

Mr. HOPKINS, of Illinois. So that these night sessions are not in any way to lessen the time for general debate?

Mr. BRECKINRIDGE, of Kentucky. They are not to be taken out of any agreement we may come to.

The SPEAKER. The gentleman from Texas [Mr. MILLS] moves that the House take a recess until 8 o'clock this evening.

Mr. DUNHAM. I move that the House do now adjourn.

The question being put on Mr. DUNHAM'S motion to adjourn, there were—ayes 57, noes 92.

Mr. DUNHAM. I call for the yeas and nays.

On the question of ordering the yeas and nays there were ayes 25—not one-fifth of the last vote.

So the yeas and nays were not ordered, and the House refused to adjourn.

The SPEAKER. The question is now on the motion to take a recess.

The question being put, there were—ayes 116, noes 2.

Mr. DUNHAM. No quorum.

Mr. MILLS. I call for the yeas and nays.

Mr. DUNHAM. I move that the House do now adjourn.

The SPEAKER. The House is now taking a vote, and the motion to adjourn is not in order until this vote is taken. No business has intervened since the former motion to adjourn.

Mr. MILLS. In place of calling for the yeas and nays at this time I call for tellers.

Tellers were ordered.

The SPEAKER appointed as tellers Mr. MILLS and Mr. DUNHAM.

The House divided; and the tellers reported—ayes 123, no 1.

Mr. DUNHAM. No quorum.

Mr. MILLS. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. DUNHAM. I move that the House do now adjourn.

The motion to adjourn was not agreed to.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House take a recess until 8 o'clock this evening; on which question the yeas and nays have been ordered.

The question was taken; and there were—yeas 131, nays 13, not voting 180; as follows:

YEAS—131.

Anderson, Miss.	Davidson, Ala.	Lawler,	Rowland,
Anderson, Ill.	Davidson, Fla.	Lynch,	Russell, Mass.
Bacon,	Dockery,	Macdonald,	Sawyer,
Baker, Ill.	Elliott,	Mahoney,	Sayers,
Bankhead,	Enloe,	Maish,	Seney,
Barnes,	Ermentrout,	Mansur,	Shaw,
Barry,	Forney,	Martin,	Smith,
Belmont,	French,	McAdoo,	Sowden,
Biggs,	Gallinger,	McClammy,	Spinola,
Blanchard,	Glass,	McCreary,	Springer,
Bland,	Granger,	McKinley,	Steele,
Blount,	Grimes,	McKinney,	Stephenson,
Boothman,	Hall,	McMillin,	Stewart, Ga.
Breckinridge, Ky.	Hatch,	McRae,	Stockdale,
Browne, T. H. B., Va.	Hemphill,	Milliken,	Stone, Ky.
Buchanan,	Henderson, N. C.	Mills,	Struble,
Burnett,	Herbert,	Montgomery,	Tarsney,
Bynum,	Hermann,	Morgan,	Tillman,
Campbell, F., N. Y.	Hires,	Neal,	Tracey,
Campbell, Ohio	Holman,	Newton,	Turner, Ga.
Candler,	Hooker,	O'Ferrall,	Vandever,
Cannon,	Hopkins, Va.	O'Neall, Ind.	Walker,
Carlton,	Howard,	O'Neill, Mo.	Washington,
Caruth,	Hudd,	Parker,	Weaver,
Catchings,	Johnston, Ind.	Peel,	Wheeler,
Cheadle,	Johnston, N. C.	Perry,	Whitthorne,
Clements,	Jones,	Reed,	Wilkins,
Cobb,	Kean,	Rice,	Wilkinson,
Cothran,	Kerr,	Richardson,	Wilson, Minn.
Cowles,	Laffoon,	Robertson,	Wilson, W. Va.
Crisp,	Lagan,	Rogers,	Wise,
Culberson,	Lanham,	Romeis,	Yost.
Dargan,	Latham,	Rowell,	

NAYS—13.

Allen, Mich.	Gaines,	Hovey,	White, Ind.
Bayne,	Gear,	Hunter,	
Caswell,	Gest,	Mason,	
De Lano,	Haugen,	Thomas, Ky.	

NOT VOTING—180.

Abbott,	Dalzell,	Kennedy,	Plumb,
Adams,	Darlington,	Ketcham,	Post,
Allen, Mass.	Davenport,	Kilgore,	Pugsley,
Allen, Miss.	Davis,	La Follette,	Randall,
Anderson, Iowa	Dibble,	Laidlaw,	Rayner,
Anderson, Kans.	Dingley,	Laird,	Rockwell,
Arnold,	Dorsey,	Landes,	Russell, Conn.
Atkinson,	Dougherty,	Lane,	Rusk,
Baker, N. Y.	Dunham,	Lee,	Ryan,
Belden,	Dunn,	Lehlbach,	Scott,
Bingham,	Farquhar,	Lind,	Scull,
Bliss,	Felton,	Lodge,	Seymour,
Bound,	Finley,	Long,	Sherman,
Boutelle,	Fisher,	Lyman,	Shively,
Bowden,	Fitch,	Maffett,	Simmons,
Bowen,	Flood,	Matson,	Snyder,
Breckinridge, Ark.	Foran,	McComas,	Spooner,
Brewer,	Ford,	McCormick,	Stahlnecker,
Brower,	Fuller,	McCullogh,	Stewart, Tex.
Browne, Ind.	Funston,	McKenna,	Stewart, Vt.
Brown, Ohio	Gay,	McShane,	Stone, Mo.
Brown, J. R., Va.	Gibson,	Merriman,	Symes,
Brumm,	Glover,	Moffitt,	Taulbee,
Bryce,	Goff,	Moore,	Taylor, E. B., Ohio
Buckalew,	Greenman,	Morrill,	Taylor, J. D., Ohio
Bunnell,	Grosvenor,	Morrow,	Thomas, Ill.
Burnes,	Grout,	Morse,	Thomas, Wis.
Burrows,	Guenther,	Nelson,	Thompson, Ohio
Butler,	Hare,	Nichols,	Thompson, Cal.
Butterworth,	Harmer,	Norwood,	Townshend,
Campbell, T. J., N. Y.	Hayden,	Nutting,	Turner, Kans.
Chipman,	Hayes,	Oates,	Vance,
Clardy,	Heard,	O'Donnell,	Wade,
Clark,	Henderson, Iowa	O'Neill, Pa.	Warner,
Cockran,	Henderson, Ill.	Osborne,	Weber,
Cogswell,	Hiestand,	Outhwaite,	West,
Collins,	Hitt,	Owen,	White, N. Y.
Compton,	Hogg,	Patton,	Whiting, Mich.
Conger,	Holmes,	Payson,	Whiting, Mass.
Cooper,	Hopkins, Ill.	Penington,	Wickham,
Cox,	Hopkins, N. Y.	Perkins,	Wilber,
Crain,	Houk,	Peters,	Williams,
Crouse,	Hutton,	Phelan,	Woodburn,
Cummings,	Jackson,	Phelps,	Yardley,
Cutcheon,	Kelley,	Pidcock,	Yoder.

No quorum voted.

During the roll-call,

On motion of Mr. McMILLIN, by unanimous consent, the reading of the names of members voting was dispensed with.

Mr. O'NEILL, of Missouri. Mr. Speaker, I am paired with Mr. EZRA B. TAYLOR, of Ohio, but I have voted, to make a quorum.

The SPEAKER. No quorum has voted.

Mr. O'NEILL, of Missouri. Then, as my vote does not make a quorum, I withdraw it.

The following pairs were announced on all political questions until further notice:

Mr. OUTHWAITE with Mr. PAYSON.

Mr. GLOVER with Mr. ADAMS.

Mr. SNYDER with Mr. GOFF.

Mr. SHIVELY with Mr. LA FOLLETTE.

Mr. BUCKALEW with Mr. JACKSON.

Mr. BRYCE with Mr. WHITE, of New York.

Mr. McSHANE with Mr. McCULLOGH.

Mr. ALLEN, of Mississippi, with Mr. CUTCHEON.

Mr. CLARDY with Mr. WHITING, of Massachusetts.

Mr. GREENMAN with Mr. THOMAS, of Illinois.

Mr. TIMOTHY J. CAMPBELL, of New York, with Mr. BELDEN.

Mr. RUSK with Mr. BROWN, of Ohio.

Mr. LANE with Mr. WICKHAM.

Mr. PIDCOCK with Mr. HARMER.

Mr. PENINGTON with Mr. DAVENPORT.

Mr. TAULBEE with Mr. ANDERSON, of Kansas.

Mr. HAYES with Mr. FELTON.

Mr. HUTTON with Mr. PATTON.

Mr. YODER with Mr. FINLEY.

Mr. MATSON with Mr. PUGSLEY.

Mr. HOGG with Mr. YARDLEY.

The following-named members were announced as paired for this day:

Mr. TOWNSHEND with Mr. MOFFITT.

Mr. O'NEILL, of Missouri, with Mr. EZRA B. TAYLOR.

Mr. COCKRAN with Mr. BINGHAM.

Mr. HARE with Mr. HOPKINS, of New York.

Mr. WHITING, of Michigan, with Mr. HAYDEN.

Mr. BRECKINRIDGE, of Arkansas, with Mr. DINGLEY.

Mr. WADE and Mr. BURNES were announced as paired for the remainder of the day.

Mr. STONE, of Missouri, and Mr. ALLEN, of Massachusetts, were announced as paired until Wednesday next.

Mr. DIBBLE and Mr. LEHLBACH were announced as paired until May 3 next.

Mr. LEE and Mr. BAKER, of New York, were announced as paired on this vote.

The result of the vote was then announced as above recorded.

Mr. MILLS. Mr. Speaker, the roll-call reveals the fact that no quorum has voted, and, as there seems to be no disposition on the other side of the House to proceed with the discussion of this question, I now move that the House adjourn.

The motion was agreed to; and accordingly the House (at 5 o'clock and 48 minutes p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BOUND: A bill (H. R. 9677) to remove the charge of desertion against D. Woodmansie—to the Committee on Military Affairs.

By Mr. BOUTELLE: A bill (H. R. 9678) granting a pension to Sarah E. Palmer—to the Committee on Invalid Pensions.

By Mr. W. C. P. BRECKINRIDGE: A bill (H. R. 9679) for the relief of William N. Robb—to the Committee on Pensions.

By Mr. BURNES: A bill (H. R. 9680) for the relief of William T. Hundley—to the Committee on War Claims.

By Mr. CROUSE: A bill (H. R. 9681) to amend the muster-rolls of Company B, Ninth Regiment Pennsylvania Volunteers, so as to place thereon the name of William C. Armstrong, late a private in said company—to the Committee on Military Affairs.

By Mr. DOCKERY: A bill (H. R. 9682) increasing the pension of Jesse Dickey—to the Committee on Pensions.

By Mr. DUBOIS: A bill (H. R. 9683) to authorize the Territory of Idaho to aid the construction of a wagon-road between Northern and Southern Idaho—to the Committee on the Territories.

By Mr. FINLEY: A bill (H. R. 9684) granting a pension to William J. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9685) for the relief of the soldiers of the Three Forks Battalion, Kentucky State Troops—to the Committee on Military Affairs.

By Mr. GLOVER: A bill (H. R. 9686) granting an increase of pension to John Merritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9687) for the relief of William Halpin—to the Committee on Invalid Pensions.

By Mr. HALL: A bill (H. R. 9688) granting a pension to Mrs. Clarissa Rice, mother of Silas M. Rice—to the Committee on Invalid Pensions.

By Mr. S. T. HOPKINS: A bill (H. R. 9689) for the relief of Edward F. Dewey—to the Committee on Military Affairs.

By Mr. HOWARD: A bill (H. R. 9690) granting a pension to John K. Thompson—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 9691) authorizing the President of the United States to grant an honorable discharge to William L. Lenan—to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 9692) for the relief of William S. Bradford—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 9693) granting a pension to Eli J. McGuire—to the Committee on Invalid Pensions.

By Mr. WILBER: A bill (H. R. 9694) for the relief of James H. Wayland—to the Committee on Claims.

By Mr. WHITTHORNE: A bill (H. R. 9695) to authorize and direct the Secretary of the Interior to place the name of William N. Edney on the pension-roll—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BOWDEN: Petition of R. A. Dabie & Co. and others, and of J. N. Vaughn and others, merchants of Norfolk and Portsmouth, Va., against the bill creating a bureau of harbors and water ways—to the Committee on Commerce.

Also, petition of the Norfolk (Va.) Importing and Exporting Company and others, in regard to the tariff on salt—to the Committee on Ways and Means.

Also, petition of J. W. Thomas and others, for repeal of laws classing druggists as retail liquor dealers—to the Committee on Ways and Means.

Also, resolutions of the Merchants' and Manufacturers' Exchange of Norfolk, Va., in regard to House bill 1890, changing the lines of the fourth collection district of Virginia—to the Committee on Commerce.

By Mr. BURNES: Resolution of the Board of Trade of Kansas City, Mo., for early consideration of bill granting the right of way through the Indian Territory to the Kansas City and Pacific Railroad Company—to the Committee on Indian Affairs.

By Mr. COOPER: Petition of E. W. Geunther and 33 others, citizens of San Antonio, Bexar County, Texas, for increase of tariff on wool—to the Committee on Ways and Means.

Also, petition of F. C. Stenley and 143 others, citizens of Warren County, Ohio, for increase of the wool tariff, etc.—to the Committee on Ways and Means.

By Mr. CRAIN: Petition of citizens of San Diego, and of Laredo, Tex., against bill to tax refined lard or discriminate against cotton-seed oil—to the Committee on Agriculture.

By Mr. DAVENPORT: Petition of citizens of Dundee, N. Y., in favor of forbidding sale of cigarettes to persons under the age of sixteen years—to the Committee on the Judiciary.

By Mr. DORSEY: Petition of druggists of Nebraska, asking repeal of a section of the internal-revenue laws—to the Committee on Ways and Means.

By Mr. ERMENTROUT: Memorial of Edwin Wily, of East Berkly, Pa., for reduction of postage on seeds, plants, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES: Petition of Alexander Dounan, administrator of Thomas Farrell, and beneficiary of estate of James Knox, of Prince George County, and of Fannie E. Dunn (*nee* Budd), of Dinwiddie County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. GROUT: Petition of E. J. Ormsbee, governor of Vermont, and others, asking for increase of pension to Emily J. Stannard—to the Committee on Invalid Pensions.

Also, memorial of Capt. Thomas H. Chubb, of Port Mills, Vt., for better mail facilities between New England and the West—to the Committee on the Post-Office and Post-Roads.

By Mr. T. J. HENDERSON: Petition of N. F. Fellser and others, for repeal of the personal tax of $25 on druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. S. I. HOPKINS: Petition of G. E. Faulkner and others, druggists of South Boston, Va., to repeal that portion of the internal-revenue law that classes druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. S. T. HOPKINS: Petition of the Merchant Tailors' National Exchange of America, protesting against the tariff in favor of foreign manufactured clothing—to the Committee on Ways and Means.

By Mr. HOWARD: Petition of John K. Thompson, private Company K, Twenty-third Indiana Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. LATHAM: Petition of citizens of Beaufort County, North Carolina, for the improvement of Pungo Creek, North Carolina—to the Committee on Rivers and Harbors.

Also, petition of citizens of Carteret County, North Carolina, for an appropriation to clean out Newport River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. LONG: Resolutions of the Grand Army of the Republic of Massachusetts, for an appropriation of $200,000 for headstones for Union veterans—to the Committee on Appropriations.

By Mr. LYMAN: Petition in support of House bill 8545, for the relief of Samuel Purcell—to the Committee on Pensions.

By Mr. McCOMAS: Petition of James Beck, of John L. Nicodemus, of Robert T. Cooley, of David W. Horner, of John L. Nicodemus, and of Hiram B. Snively and A. G. Lovell, executors of George Snively, of Maryland, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. MORGAN: Petition of L. C. Watson and 35 others, and of V. C. Tullas and 28 others, of Neshoba County; of J. K. P. Shaw and 50 others, and of James Wiley and 30 others, of Union County; of J. S. Scott and 47 others, and of L. F. Simmons and 64 others, of Newton County, Mississippi, in favor of pure food—to the Committee on Agriculture.

By Mr. CHARLES O'NEILL: Petition of citizens of Pennsylvania to repeal that portion of the internal-revenue law classing druggists as liquor dealers, etc.—to the Committee on Ways and Means.

By Mr. PERKINS: Evidence in support of House bill No. 7952, authorizing the Secretary of War to accept the resignation of Maj. D. H. David—to the Committee on Military Affairs.

Also, resolutions of the Board of Trade of Kansas City, Mo., and of Parsons, Kans., for the passage of the bill giving to the Kansas City and Pacific Railroad Company the right of way through the Indian Territory—to the Committee on Indian Affairs.

By Mr. PHELAN: Petition of Lucy P. Harwell, widow of Mark M. Harwell, of Shelby County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. RICHARDSON: Petition of Samuel Hunt, by Hugh Hunt, heir, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SHAW: Petition of citizens of Howard County, Maryland, against the sale of adulterated articles of food, etc.—to the Committee on Agriculture.

By Mr. STAHLNECKER: Petition of W. B. Peer and others, citizens of Wayne County, and of Jos. A. Parney and 54 citizens of Erie County, New York—to the Committee on Agriculture.

By Mr. STONE, of Missouri: Resolution of the Board of Trade of Kansas City, Mo., asking that House bill 3359 may be considered—to the Committee on Rules.

By Mr. TAULBEE: Petition for the relief of J. N. Brafford—to the Committee on Claims.

By Mr. WASHINGTON: Petition of James M. Hudson, administrator of H. A. Grizzard, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHEELER: Resolutions of the American Shipping and Industrial League, at their convention in Washington, D. C.—to the Committee on Merchant Marine and Fisheries.

Also, petition of James R. Johnson, of Marshall County, of Elizabeth E. Isbell, of Sumter County, and of Flora E. Womack, daughter of James M. Cloud, of Jackson County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. S. V. WHITE: Petition of surgical-instrument makers of Brooklyn, N. Y., for protection to that industry—to the Committee on Ways and Means.

By Mr. WHITTHORNE: Petition of John M. McDonald, of Giles County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Mrs. W. H. Polk, with accompanying papers, for relief—to the Committee on War Claims.

By Mr. WILKINSON: Petition of Alex. K. Finlay and others, of New Orleans, La., for the repeal of certain portions of the internal-revenue laws—to the Committee on Ways and Means.

By Mr. THOMAS WILSON: Petition of ship-owners, pilots, masters, and others in favor of Senate bill 1545 and House bill 5641—to the Committee on Commerce.

Also, memorial of the Board of Trade of Minneapolis, Minn., and of the Chamber of Commerce of St. Paul, Minn., in favor of a ship-canal around Niagara Falls—to the Committee on Railways and Canals.

Also, petition of the board of railroad commissioners of Minnesota, in relation to car-couplers, etc—to the Committee on Commerce.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. ABBOTT: Of citizens of Kaufman County, Texas.

Also, of citizens of Kaufman, Tex.

By Mr. BLANCHARD: Of citizens of Louisiana.

By Mr. DUNHAM: Of Lake George Sportsmen's Association of Chicago.

By Mr. FINLEY: Of W. F. Lane and 28 others, of Eubank, Ky.

By Mr. LODGE: Of H. M. Gordon and others, of Lynn, Mass.

By Mr. THOMAS WILSON: Of citizens of Le Roy, Minn.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. COOPER: Of J. N. Gates and 39 others, of Cardington, Ohio.

By Mr. DAVENPORT: Of C. H. Everett and 20 others, of Avoca, N. Y.

By Mr. DE LANO: Of 20 farmers of East Maine, and of 22 farmers of Hooper, Broome County; of L. L. Cummings and 80 other farmers of Stockbridge, and of E. L. Gage and 84 other farmers of Madison County, New York.

By Mr. S. T. HOPKINS: Of Andrew Devoe and 41 others, of Greenfield, N. Y.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. NUTTING: Of Michael Mead and 21 other soldiers, of Wayne County, New York.

By Mr. J. H. O'NEALL: Of Jessie Plunkett and others, and of Eli Mesner and others, of Sullivan, Ind.

By Mr. J. W. STEWART: Of L. E. Knapp and 64 others, citizens of Addison County, Vermont, and members of Wm. P. Russell Post, Grand Army of the Republic.

By Mr. E. J. TURNER: Of ex-soldiers and sailors of Lucton, Phillips County, Kansas.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. J. E. CAMPBELL: Of 91 citizens of Butler County, Ohio.

By Mr. DE LANO: Of 89 citizens of Madison County, New York.

By Mr. HAYES: Of 212 citizens of Scott, Clinton, and Muscatine Counties, Iowa.

By Mr. RYAN: Of 71 citizens of Wabaunsee County, Kansas.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. J. R. BROWN: Of M. R. Adams and others, citizens of Spring Garden, Pittsylvania County, Virginia.

By Mr. LATHAM: Of H. E. Frisbee, and others, citizens of North Carolina.

SENATE.

WEDNESDAY, *April* 25, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

FRANCES ANNE PYNE RICKETTS.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 393) for the relief of Frances Anne Pyne Ricketts, which was, in line 6 of the bill, before the word "dollars," to strike out "one hundred" and insert "seventy-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of Frances Anne Pyne Ricketts, widow of James B. Ricketts, late a major-general in the United States Army, retired, and to pay her a pension of $75 per month, to take effect from and after the passage of this act, subject to the provisions and limitations of the pension laws.

Mr. DAVIS. I ask the Senate to non-concur in the amendment of the House of Representatives with a view to a conference.

The amendment was non-concurred in.

Mr. DAVIS. I move that the Senate request a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. DAVIS, Mr. PADDOCK, and Mr. BLODGETT were appointed.

JAMES COEY.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1413) to increase the pension of James Coey, which was, in line 4, before the word "dollars," to strike out "sixty" and insert "forty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized to increase the pension of James Coey, late major of the One hundred and forty-seventh Regiment of New York Volunteers, and pay him at the rate of $45 per month in lieu of the pension now paid to him.

Mr. DAVIS. I move that the Senate concur in the amendment of the House of Representatives.

The amendment was concurred in.

PETITIONS AND MEMORIALS.

Mr. DAWES presented a petition of the Boston (Mass.) Executive Business Association, praying for an amendment of the interstate-commerce law so as to prevent certain unjust discriminations; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Holyoke (Mass.) Scientific Association, praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. JONES, of Arkansas, presented the petition of E. T. Herrick, H. A. Armstrong, and other citizens of Emmons County, Dakota Territory, praying that the work of the eradication of pleuro-pneumonia be conducted by the Bureau of Animal Industry as at present organized, and that that bureau be allowed to remain in the Department of Agriculture; which was ordered to lie on the table.

Mr. FAULKNER presented the petition of Henry Rewel, of Harper's Ferry, W. Va., praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. CALL presented a petition of citizens of Tampa, Fla., praying for speedy action on the proposition to make the tract of land known as the Fort Brooke (reduced) military reservation a part of the town site of Tampa, either in accordance with the plan presented in the memorial of the city council and Board of Trade of Tampa or on some other equitable basis; which was referred to the Committee on Military Affairs.

He also presented a petition of citizens of Tampa, Fla., praying for speedy action on the proposition to make the tract of land known as the Fort Brooke (reduced) military reservation a part of the town site of Tampa, either in accordance with the plan presented in the memorial of the city council and Board of Trade of Tampa or on some other equitable basis; which was referred to the Committee on Public Lands.

Mr. MITCHELL presented a petition of citizens of the States of California and Oregon, interested in the commerce of the Pacific Coast, praying for the speedy erection of a light-house at Umpqua Harbor, Douglas County, Oregon; which was referred to the Committee on Commerce.

He also presented a petition of 28 male citizens of Forest Grove, Oregon, praying for better legal protection of women and girls within the Territorial, admiralty, and maritime jurisdiction of the United States; which was referred to the Committee on the Judiciary.

Mr. DAVIS presented a petition of citizens of Nicollet and Belgrade, Nicollet County, Minnesota, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized, with a chief who shall be a competent veterinary surgeon, etc.; which was ordered to lie on the table.

Mr. PLUMB. I present the petition of a large number of citizens of California and Oregon, praying for the forfeiture of certain lands in the State of California, granted to the Southern Pacific Railroad Company between Tres Pinos and Huron. As a bill covering that point is before the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. PADDOCK presented the petition of Jesse Rife and 26 other citizens of Eden, Hitchcock County, Nebraska, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized, with a chief who shall be a competent veterinary surgeon, etc.; which was ordered to lie on the table.

Mr. CHANDLER presented the petition of Edward Spalding, George F. Andrews, and 20 other citizens of Nashua, N. H., praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented the petition of H. M. Putney, E. B. S. Sanborn, and B. F. Prescott, board of railroad commissioners of New Hampshire, praying for the adoption of measures for lessening the loss of life on railways in coupling and uncoupling freight cars and in handling the brakes of such cars, and in unsafe methods of heating passenger-cars; which was referred to the Committee on Interstate Commerce.

Mr. TURPIE presented a petition of the Indianapolis (Ind.) Board of Trade; a petition of Maj. Robert Anderson Post No. 369, Grand Army of the Republic, Department of Indiana, at Indianapolis, Ind., and a petition of the George H. Thomas Woman's Relief Corps No. 20, Grand Army of the Republic at Indianapolis, Ind., praying that a national soldiers' home be located at Indianapolis on the Government reservation known as the United States Arsenal Grounds; which were referred to the Committee on Military Affairs.

Mr. SHERMAN presented a petition of 21 ex-Union soldiers and sailors, citizens of Bethel, Ohio, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Military Affairs, to whom was referred the bill (S. 1837) to amend the military record of Timothy McCarty (or McCarthy), submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2663) granting an increase of pension to Mrs. Mary M. Ord;

A bill (H. R. 4519) to grant a pension to William J. Miller;

A bill (H. R. 8211) to pension Lafayette Lakin;

A bill (H. R. 5237) granting a pension to Noah S. Cramer;

A bill (H. R. 5847) granting a pension to Elizabeth Twigg;
A bill (H. R. 88) granting a pension to Sally A. Randall;
A bill (H. R. 431) granting a pension to Hannah Varquison;
A bill (H. R. 7181) granting a pension to Aletta V. Quick;
A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;
A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann; and
A bill (H. R. 130) granting a pension to John E. Smith.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of Eliza M. Scandlin, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 2779) granting a pension to Eliza M. Scandlin; which was read twice by its title.

Mr. FAULKNER, from the Committee on the District of Columbia, to whom was referred the bill (S. 1729) to provide for the fencing of vacant building lots in the city of Washington, D.C., and for other purposes, reported adversely thereon; and the bill was postponed indefinitely.

Mr. FAULKNER. I am instructed by the Committee on the District of Columbia, to whom was referred the bill (S. 1398) to prohibit book-making, pool-selling, or gambling on races within the cities of Washington and Georgetown, to report it adversely, a House bill having been passed for the same purpose.

The PRESIDENT *pro tempore*. The adverse report will be agreed to, and the bill will be indefinitely postponed, if there be no objection.

Mr. VEST. I am instructed by the Committee on Commerce to report favorably, with an amendment, the bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges across Red River.

Mr. DAVIS. I ask the unanimous consent of the Senate to proceed to the immediate consideration of the bill just reported by the Senator from Missouri [Mr. VEST].

The PRESIDENT *pro tempore*. The Senator from Minnesota asks unanimous consent that the Senate proceed now to the consideration of the bill reported by the Senator from Missouri. Is there objection? The Chair hears none, and the bill is before the Senate as in Committee of the Whole, and will be read.

Mr. VEST. It seems to me that it would be an unnecessary waste of time to read the amendment. This is a House bill which is identical with the Senate bill 1498, except as to one single section, and the amendment is the Senate bill with that section added, so that the Senate can understand the whole matter. We have passed the Senate bill, sent it to the House, recalled it, and now we amend the House bill by striking out all after the enacting clause and substituting the Senate bill. We want a committee of conference, and that is the whole object of the Senator from Minnesota. So it is a waste of time to read the whole of the House bill. It is the same bill.

The PRESIDENT *pro tempore*. What course does the Senator from Missouri suggest?

Mr. VEST. I suggest to simply read the House bill with the additional section, section 5.

The PRESIDENT *pro tempore*. The Chair apprehends that there will be confusion about the Journal entries unless some change is made in the report of the committee. It appears by the indorsement on House bill 7348, to be to amend by striking out all after the enacting clause and to insert Senate bill 1498.

Mr. VEST. Yes, sir. Perhaps we shall have to go through with the reading.

Mr. HARRIS. That is necessary. The bill will have to be read.

The PRESIDENT *pro tempore*. Senate bill 1498 will then be read as an amendment.

Mr. RIDDLEBERGER. I ask the Senator from Minnesota to allow the committees to finish their reports, that having been the last order, before we proceed with the consideration of the bill. It will only take a few minutes, and we shall soon get to the regular order on the Calendar.

The PRESIDENT *pro tempore*. The Senator from Virginia rises to morning business.

Mr. RIDDLEBERGER, from the Committee on Naval Affairs, to whom was referred the bill (S. 1169) for the relief of Commander George M. Bache, United States Navy (retired), reported it without amendment, and submitted a report thereon.

Mr. STANFORD, from the Committee on Naval Affairs, to whom was referred the bill (H. R. 1508) to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 130) to remove the charge of desertion from the record of Christopher Germer, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. PLUMB, from the Committee on Agriculture and Forestry, to whom was referred the bill (S. 784) to enlarge the powers and duties of the Department of Agriculture, reported it without amendment.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 5249) granting an increase of pension to Charles H. Smith, reported it without amendment, and submitted a report thereon.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House insisted upon its amendment to the bill (S. 300) granting a pension to Mrs. Juliet G. Howe, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHIPMAN, Mr. FRENCH, and Mr. MORRILL managers at the conference on its part.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased;
A bill (H. R. 807) for the relief of Horatio R. Maryman;
A bill (H. R. 1805) for a public building at Greenville, S. C.;
A bill (H. R. 3253) appropriating the sum of $52,000 for the enlargement and improvement of the United States Government building at Charleston, W. Va.;
A bill (H. R. 4106) granting a pension to Olive Wallace;
A bill (H. R. 4110) granting a pension to Mehitable Wheelock;
A bill (H. R. 4534) for the relief of Emily G. Mills;
A bill (H. R. 4672) granting an increase of pension to Mrs. Emily M. Wyman;
A bill (H. R. 5118) granting a pension to Theodore Gardner;
A bill (H. R. 5233) granting a pension to William F. Randolph;
A bill (H. R. 6759) granting a pension to Mary Robinson; and
A bill (H. R. 6812) granting an increase of pension to Stephen Thurston.

BILLS INTRODUCED.

Mr. MANDERSON introduced a bill (S. 2780) to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Nebr.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

He also introduced a bill (S. 2781) providing for the establishment of a bureau of public documents; which was read twice by its title, and referred to the Committee on Printing.

Mr. HISCOCK introduced a bill (S. 2782) granting a pension to Charity J. Towns and minor children; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PUGH introduced a bill (S. 2783) for the relief of the sureties of George W. Hook, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. FAULKNER introduced a bill (S. 2784) for the relief of Edith O'Donnell and others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. SHERMAN introduced a bill (S. 2785) granting a pension to Lewis Edwards; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GIBSON introduced a bill (S. 2786) for the relief of Louis Charles Perret; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON introduced a joint resolution (S. R. 76) authorizing the Secretary of War to purchase a suitable site for testing heavy ordnance and making experiments in gunnery, and to lease a portion of the lands at Sandy Hook not required for Government purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

OPIUM SMUGGLING.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate full copies of the following reports and all affidavits and other evidence attached thereto or transmitted therewith, made to his Department in reference to the alleged smuggling of opium into the United States from British Columbia, to wit: A report made by Special Agent Herbert F. Beecher on or about January 6, last; a report of Special Agent George R. Tingle, made on or about April 5, instant, including the report attached thereto, if any, of William H. White, United States attorney for Washington Territory.

INDIAN DEPREDATION CLAIMS.

The PRESIDENT *pro tempore*. If there are no further resolutions, concurrent or other, the order of morning business is closed, and, pursuant to the agreement of yesterday, the Chair lays before the Senate the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. MITCHELL. On the 11th of April I submitted a resolution which was laid on the table. I do not know whether it would come up now as morning business.

The PRESIDENT *pro tempore*. Resolutions which have been laid on the table must be called up on motion.

Mr. MITCHELL. I ask the Senator from Kansas to yield to me one moment. I think the resolution can be passed without any discussion. If it leads to any discussion I shall not insist upon it.

Mr. PLUMB. Very well.

Mr. MITCHELL. I then move that the Senate proceed to the consideration of the resolution.

The PRESIDENT *pro tempore*. The Senator from Oregon asks the unanimous consent of the Senate to proceed to the consideration of a resolution heretofore submitted by him. The resolution will be read.

The Chief Clerk read the resolution submitted by Mr. MITCHELL April 11, 1888, as follows:

Resolved, That a select committee of seven Senators be appointed, to be designated by the President *pro tempore* of the Senate, for the purpose of taking jurisdiction of and inquiring into and reporting upon claims of individuals presented to the Senate for compensation and damages sustained on account of Indian depredations.

Mr. PLUMB. I think that ought to go over.

Mr. MITCHELL. It has gone over once.

Mr. PLUMB. I meant to say that I doubt the propriety of adopting it, and I think before it is adopted there ought to be some considerable discussion as to the present status of the Indian claims and so on, and an exact determination after the discussion of what is proper to be done.

Mr. MITCHELL. That being the Senator's opinion, of course the resolution will go over to-day.

The PRESIDENT *pro tempore*. The resolution will lie on the table.

Mr. MITCHELL. I shall call it up at an early day.

RED RIVER BRIDGES.

Mr. DAVIS. I now renew my request that the Senate proceed, by unanimous consent, to the consideration of House bill 7348, which was reported by the Senator from Missouri [Mr. VEST] this morning.

The PRESIDENT *pro tempore*. Does the Senator from Kansas [Mr. PLUMB] yield the floor for the purpose indicated by the Senator from Minnesota?

Mr. VOORHEES. I desire to call the attention of the Senator from Kansas to the notice I gave day before yesterday that at the close of the morning business to-day, if the Senate would oblige me, I should like to call up the resolution of the Senator from Ohio [Mr. SHERMAN], now on the table, in order to submit some remarks. I make that statement so as to apprise the Senator with regard to any business he may have in hand.

Mr. PLUMB. I had not observed the statement made by the Senator from Indiana day before yesterday, but of course that has precedence, I believe, according to the unwritten law of the Senate. I will only say that at the expiration of the Senator's remarks I shall ask the Senate to continue the consideration of the bill which I have in charge.

Mr. VOORHEES. I yield to the Senator from Minnesota [Mr. DAVIS] to dispose of the matter which he desires.

The PRESIDENT *pro tempore*. Senate bill 1430 is then laid aside temporarily.

Mr. DAVIS. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges across Red River.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill; which was reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That the city of Grand Forks, a municipal corporation organized under the laws of the Territory of Dakota, be, and the same is hereby, authorized by its proper officers to construct and maintain either one or two bridges and approaches thereto over the Red River of the North, at the most accessible points within said city, across said river to the most convenient point or points in the State of Minnesota. Said bridge or bridges shall be constructed to provide for the free passage of wagons and vehicles of all kinds, for the transit of animals, for foot passengers, and for such street railways as may be authorized by the city of Grand Forks to be constructed over the same.

SEC. 2. That any bridge built under this act and subject to its limitations shall be a lawful structure, and shall be recognized as a post-route and shall enjoy the rights and privileges of other post-roads in the United States: *Provided*, That the United States may construct a postal telegraph over said bridge or bridges without charge therefor.

SEC. 3. That any bridge built under this act shall be constructed as a pivot draw-bridge, with a draw over the main channel at an accessible and the best navigable point, and with draw-spans giving a clear water way, measured at the lowest stage of water known at the locality, of not less than 80 feet in the clear on each side of the central or pivot pier; and the clear width, as herein provided for, shall not be reduced by deposits of riprap or by other material about the piers and abutments; and the spans shall not be of less elevation than 3 feet above extreme high-water mark, as known at the point of location, measured to the lowest part of the superstructure of said bridge; and provision shall be made in the location and construction of the abutments and approaches to allow the free passage of flood-water; and the piers of said bridge shall be parallel to, and the bridge itself at right angles to the direction of the current of said stream: *Provided also*, That the said draw or draws shall be opened promptly by said corporation, upon reasonable signal, for the passage of boats, and said city shall maintain, at its own expense, such lights or other signals thereon as the Light-House Board may prescribe, and said city shall provide at its own expense such sheer-booms, guide-piers, or other device as may be at any time deemed necessary by the Secretary of War to facilitate the safe passage of boats or other water-craft through the spans of said bridge. No bridge shall be erected or maintained under authority of this act which shall at any time substantially or materially obstruct the free navigation of said river; and if any bridge erected under such authority shall, in the opinion of the Secretary of War, obstruct said navigation, he is hereby authorized to cause such change or alteration of said bridge to be made as will effectually obviate such obstruction, at the expense of said city of Grand Forks, and in case of any litigation arising from any obstruction, or alleged obstruction, to the free navigation of said river, caused, or alleged to be caused, by said bridges, or either, the case may be brought in the circuit court of the United States of the district in which said obstruction or bridges are located: *Provided further*, That nothing in this act shall be so construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers, or to exempt any bridge or bridges constructed by virtue hereof from the operations of the same.

SEC. 4. That any bridge or bridges authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe; and to secure that object the said corporation shall submit to the Secretary of War, for his examination and approval, designs and drawings of the proposed bridges and a map of the location, giving, for the space of 1 mile above and 1 mile below the proposed locations, the topography of the banks of the river, the shore-lines at high and low water, the direction and strength of the currents at all stages, and the surroundings, accurately showing the bed of the stream, the location of any other bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plans and locations, or either of them, are approved by the Secretary of War there shall not be any bridge built at said point; and should any change be made in the plan of said bridge or bridges during the progress of construction, such change shall be subject to the approval of the Secretary of War.

SEC. 5. That the said city of Grand Forks, in the Territory of Dakota, is hereby authorized and empowered to issue in due form its municipal bonds to an amount not exceeding $50,000, payable in twenty years, with interest at 7 per cent. annually, at said city's depository in Grand Forks, Dak., for the purpose of defraying the necessary expenses, in whole or in part, for the erection of said bridge or bridges, and all acts or parts of acts of Congress or the Legislative Assembly of said Territory of Dakota heretofore passed in conflict with this section be, and the same are hereby, repealed.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in such structure or structures, or the entire removal thereof, at the expense of the owners, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

SEC. 7. That this act shall be null and void if actual construction of the bridges herein authorized be not commenced within one year, and completed within three years, from the date thereof.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDENT *pro tempore*. If there be no objection, the action of the Senate on the bill (S. 1498) granting to the city of Grand Forks, Dak., the right to build two free bridges at said city across the Red River will be reconsidered and the bill indefinitely postponed.

Mr. DAVIS. I move that the Senate insist on its amendment to House bill 7348, and ask a conference with the House of Representatives on the bill and amendment.

The motion was agreed to.

By unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. VEST, Mr. SAWYER, and Mr. DAVIS were appointed.

JOHN C. ADAMS.

Mr. JONES, of Arkansas. Will the Senator from Indiana yield to me to ask the unanimous consent of the Senate to take up House bill 3617?

Mr. VOORHEES. I yield for that purpose. I understand it is a very brief matter.

Mr. JONES, of Arkansas. Yes; it will only take a minute. I move that the Senate proceed to the consideration of the bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Claims with an amendment, in line 7, before the word "dollars" to strike out "8,747" and insert "4,435," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John C. Adams, administrator of the estate of Joseph Adams, deceased, the sum of $4,435, out of any money in the Treasury not otherwise appropriated, for stores and supplies taken by and furnished to the Army of the United States during the late rebellion.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PRESIDENT'S ANNUAL MESSAGE.

Mr. VOORHEES. I ask that the resolution of the Senator from Ohio be laid before the Senate.

The PRESIDENT *pro tempore*. The Senator from Indiana asks that the Senate proceed to the consideration of a resolution which will be read.

The Chief Clerk read the resolution submitted by Mr. SHERMAN, December 19, 1887, as follows:

Resolved, That the President's annual message be referred to the Committee on Finance.

The PRESIDENT *pro tempore*. The resolution is before the Senate, and the question is on agreeing to it.

Mr. VOORHEES. Mr. President, political parties can only reach their full strength and maturity as the offspring of free institutions, and wherever in human history freedom to speak, write, and publish has been secured, there the world's thinkers on politics, as well as upon religion, science, and philosophy, have associated themselves together, according to their agreements, and for good or for evil, for progress or reaction, for light or for darkness, have shaped and fashioned civilizations and the destinies of nations. They create the issues, those conflicts of ideas, those collisions of thought which are at last, and necessarily, submitted to the judgment and decision of the people whose most vital concerns are embraced and controlled by them. Wherever the contests, agitations, and discussions of parties have not existed in the conduct of human affairs, there will be found periods of inaction,

as stagnant and waveless as the Dead Sea, and as barren of advancement as its desolate shores are of vegetable growth.

I have been led to indulge in these general reflections by considering the issues which the two great political parties of this country will present to the American people for decision at the ballot-box in November next. It was Jefferson, the wisest amongst statesmen of his own or any other age, who said that error could be tolerated, and was not to be feared, as long as truth was left free to combat it, and upon this principle the pernicious ideas and dangerous policies now maintained by the Republican party may be looked upon without apprehension, and indeed welcomed into the great arena of debate. The reason and the instincts of the people can be trusted, and by the time the sober suns of autumn are over our heads they will behold with clear, unclouded vision the pathway of duty, justice, and right.

STATEMENT OF THE TARIFF ISSUE.

Sir, let us for a brief space take up the issues to which the Republican party is committed, and on which it seeks to be sustained by popular favor. They are already clearly disclosed, and plainly in view. An extensive discussion of the tariff, here and elsewhere, leaves no doubt as to the attitude of the leaders of the Republican party on that question. They have at last been forced to throw away masks and false faces and to openly avow the doctrine that taxation is not to stop at the revenue line for the support of the Government, but that it may, and shall be, turned loose without limit and without muzzle upon the labor of the people, and upon all the productions of labor, for the sole purpose of enriching and aggrandizing a privileged class, a favored few, a syndicate of devouring, insatiate monopolists. When I addressed the Senate in January last on this subject I could hardly conceive it possible that even the cormorant greed of the monopolists, and the helpless infatuation of their henchmen in Congress, and in control of the Republican press, would lead an intelligent party to assume a position so monstrous, so utterly at war with every principle of human equality and human freedom.

With the Treasury filled to overflowing with money not needed for the expenses of the Government, with millions and tens of millions still pouring in, and all drawn from the weary hands of labor, and all of it sorely needed at home, away from here, in the channels of trade, and in meeting the daily wants of the people; with all this, and more, presented squarely and beyond question to their view, it would seem an act of political madness, suicide, hari-kari, for party leaders of sound minds to go before the American people opposing every reduction of taxes except the taxes now paid by tobacco and alcoholic spirits. I think I remember a sort of poetic effusion some time ago on this floor from the Senator from Ohio [Mr. SHERMAN], in describing the daily laborer smoking his untaxed, cheap tobacco, but nothing was said by that Senator in regard to the overtaxed, high-priced woolen shirt and trousers which that laborer had been compelled to buy from some great, profit-gathering monopolizer of trade in woolen goods.

I do not intend that this issue shall be dodged or evaded in the coming canvass; at least not in Indiana. When the intelligent voters of that great Commonwealth distinctly understand that they pay a tax of 45 per cent. on their plowshares and on all their farming utensils they will not be consoled by the assurance of the Senator from Ohio that they can fill their pipes with tobacco and their glasses with whisky without paying any tax at all. Cheap whisky, cheap beer, and cheap tobacco will not conduce to their peace of mind while they know they are paying a tax of 83 per cent. on salt, 80 per cent. on sugar, and 72 per cent. on flannels. They will decide by a large majority that the pruning-knife of tariff revision must first be used in lopping off such enormous duties now laid by the policy of the Republican party on the absolute necessities of life. It is well known that I am no free-trader, and that in collecting a sufficient revenue for the expenses of the Government I would so adjust the tariff as to give all the protection possible to the interests of labor; but will any one have the hardihood to say that the present system is one of protection to the laboring men and women of the United States?

When was the condition of the working masses more deplorable than at this time? The legislation of the Republican party on the subject of the tariff has been dominant for the last quarter of a century, and remains so now. Under and by virtue of this legislation fortunes of the most gigantic and colossal proportions have been amassed by the favored few, while the condition of the wage-workers, the daily laborers in shop, factory, and mine, has been, and is now, a constant struggle for a bare subsistence, accumulating nothing from year to year, and half the time resisting the tyranny of their employers by strikes and other measures of self-defense. What answer can be made on this point? Sir, at this very hour the struggle of labor against the exactions and oppressions of the strong and pampered monopolies of the country is by far the most important feature in our public affairs. The relations between labor and capital are more unsettled in the United States than in any other government in the world, and constitute the most formidable problem of the present day. While these Halls are vocal from day to day, and from week to week, with eulogies on the protection afforded to labor by the present tariff, yet the hard, clear, bold, determined fact that labor has no protection at all under the present system of tariff taxation confronts each successive speaker, and mocks, derides, and stares him out of countenance.

While we are listening here on this floor to well-rounded periods poured forth as a perpetual chant of laudation to our present tariff laws as the sheet-anchor of protection, safety, and happiness for American labor, the laborers themselves are filling the whole country with the uproar of their strikes, revolts, and resistance against the iniquities of a system which compels them to pay double value for everything consumed by themselves and their families, and to pay, not to the Government, but to the monopolizer of trade, and to swell his enormous profits, while the monopolizer, as an employer, can and constantly does diminish the laborer's wages, and force him to work at low rates or starve. The situation at this time, as presented by the Republican party on its tariff issue, would be absolutely and supremely ridiculous were it not for the fact that human suffering inflicted by intelligent wickedness and conscious crime never can become a subject other than painful and distressing.

Under the highest tariff rates ever known in this country there came the panic of 1873, which for five years crushed and cursed the interests of labor to an extent never before known in the same length of time in the history of the world. And now with tariff taxes but little, if any, reduced, we have the authority of the United States Commissioner of Labor, Carroll D. Wright, that in 1885–'86 the number of strikes and lockouts, the number of unemployed, the resulting money loss to capital and labor, especially in the States where industries are largely protected, has been unprecedented. The truth is, a close look into the workings of the Republican tariff, as illustrated by the naked facts transpiring around us every day, plainly discloses that the meat of what is styled the protective system has thus far been all devoured by the manufacturing monopolists, while the bones, scraped clean, and with all the marrow sucked out, have been thrown to the working classes. This system, when watched closely in its practical operations, will be found to scatter not even the crumbs that fall from the tables of the rich among the toiling millions. Labor has no share in the wealth it creates, and no protection against the tyranny of reduced wages at its employer's unrestrained will and pleasure. While the legislation of the country remains in this shape the laboring masses have the same protection against the greed and exactions of capital that unsheltered, unherded sheep have against wolves, and no more. The position of the Republican party on the tariff issue may therefore be fairly stated as follows:

First. Taxation not limited by the expenses of the Government, but levied indefinitely with a view to the protection of manufacturing monopolies from rivalries in trade, which would cheapen what they have to sell.

Second. All the protection given, and all its profits to inure to the further enrichment of capitalists who employ labor, and not a dollar of it to go to the laboring men and women of the United States.

Third. If any reduction of taxes is to take place, it must be on alcoholic liquors and tobacco and not on the prime necessaries of life.

THE PENSION ISSUE.

Leaving the leaders of the Republican organization to reconcile these propositions as best they can with their professed devotion to American labor, I shall turn next, in the order of what I have to say on this occasion, to another false and fraudulent issue already vehemently promulgated and well under way on its partisan travels. The shameless and brazen effort to pervert the noble question of pensions to the base uses of party success, and that, too, by the willful and deliberate misstatement of history and the wholesale and brutal defamation of the Democratic party and of Democratic soldiers, calls for explicit attention and candid review on the part of every fair-minded man. If the Democratic party has failed in its duty to those who staked their lives on the integrity of this Union let it stand condemned in history; but if, on the contrary, the Republican party is responsible for every evil justly complained of in our pension laws, and has made a mean and parsimonious record towards the soldiers while bestowing munificent millions on corporations, bondholders, and monopolists generally, then and in that case no amount of audacity and mendacity combined will avail to cover up the facts and save the leaders of that party from the overwhelming contempt and execration of the American people.

Sir, no one can question the fact that rank and bitter injustice has been done to the soldier by various provisions of law on the subject of pensions. I have always held, and hold now, and shall hold with my dying breath that by every rule of legal justice and moral equity known to honest consciences the pension of the soldier should have commenced at the self-same hour when his disability in the service of his country occurred, and to his widow and children at the time of his death. When I entered this body in the Forty-fifth Congress, now more than ten years ago, I found this high rule of right totally denied on our statute-books, and a limitation put upon the soldier's right to a pension by fixing a long subsequent time when it should begin. Who is responsible for the odious statute of limitations on arrears of pensions?

It became a law in March, 1862. The Republican party was in the ascendant in every department of the Government, and that law was enacted by a Congress more than two-thirds Republican in both branches, and was approved and signed by a Republican President. And when in January and February, 1879, a great step was taken towards paying all arrears of pensions, yet the Senator from Kansas [Mr. INGALLS], in his extraordinary speech of March 6, on this floor, admits that he, as chairman of the Pension Committee at that time, consented to the

insertion of the compromise date of July 1, 1880, requiring all applicants for pensions to file their papers prior to that arbitrary date or be forever barred of all arrearages. It is this limitation of which the soldier now complains, and it, too, like the original law, is of Republican origin and enactment. Every evil and unjust principle to be found in our pension legislation was placed there by the very men who now rail loudest against the Democratic party for its alleged hostility to the soldier.

Take the instance of the recruit who was examined carefully by Government surgeons and pronounced sound and healthy when he entered the Army. Can there be anything baser or more dishonest in the legislation of this or any other country than the law by which the Government is allowed to ransack neighborhoods, counties, and States to prove that the official certificates of its own legal authorities were false; to prove that while the enlisted man was decided to be sound enough to do battle for one, two, three, or four years, yet too unsound at the time of his enlistment and throughout the war to be entitled to a pension when the war is over? A transaction of this kind between individuals would entitle the one repudiating his certificate of the facts and his solemn obligations arising from them to a suit of striped clothes in the penitentiary; and the guilt of the Government is still greater. And where did this abominable feature of legislation come from? Who were its authors? The records make answer. It was framed and fashioned in committee and enacted into a law by those who with venomous tongues now most loudly slander the Democratic party as the enemy of Union soldiers.

It has always been thought that the wolf who discussed the subject of muddy water with the lamb as told by Æsop was about as unfair a knave as ever engaged in debate; but it occurs to me if that wolf could hear a modern Republican speech assailing the Democratic party on the subject of pensions, he would feel his great inferiority in the art of making false issues and would catch many new points by which the more speedily to put the lamb in the wrong, and devour him.

Sir—

And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye?

Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye?

Thou hypocrite, first cast out the beam out of thine own eye, and then shalt thou see clearly to cast out the mote out of thy brother's eye.

These words fell from the lips of One who spoke as never man spoke, and they apply as forcibly now to those who charge their own sins on others as they did to the canting Pharisees of Jerusalem nearly nineteen hundred years ago. The Senator from Kansas had the exceeding hardihood to cry out on this floor as follows:

There never is an occasion when an attempt is made to pass a pension bill for the surviving soldiers of the Union armies that every Democrat does not put on his spectacles, go to the blackboard, and take the crayon and say: "It is going to cost too much." * * * The Democratic party do not like them (the soldiers); they never did.

I will not violate the rules of this high body by denouncing such a statement as it might be properly denounced elsewhere, but I can and will proceed in a parliamentary manner to prove it to be utterly and notoriously false. I will not pause to speak of my own services on the Committee on Pensions and on this floor, and to spurn as I might the charge that I, as well as every other Democrat, have declared that every pension bill was going to cost too much and figured to cut it down; but I will appeal to the record made by the party to which I am proud to belong, since its advent to power, and by the facts there disclosed the Senator from Kansas shall stand convicted of bearing false witness against his neighbors. Acts, not words, are the true test of friendship.

I will compare the acts of the Democratic party with what the Republican party has done for the soldier. I will not compare mere words, but deeds. During the fiscal years of 1882, 1883, and 1884, under the administration of Colonel Dudley, there were 100,018 original pension claims allowed. During the years of 1886, 1887, and nine months of the present fiscal year ending April 1, being three months short of three years, General Black has allowed original pension claims to the number of 135,715, being an increase of 35,697 allowances over his Republican predecessor, and in three months' less time. The official figures also show that during the six years preceding June 30, 1885, the monthly average number of claims allowed by the Republican administration of the Pension Office was 2,537, while for the last two years and nine months the monthly average of allowances under a Democratic administration has reached 4,415, an increased average per month of 1,878 over anything ever done by the Republican party in the business of granting original pensions. But suppose we go still further and consider all classes of work in the Pension Bureau, as well as the allowance of original claims. If we examine the records of the years 1883, 1884, and 1885, and for which the Republican party is responsible, we find the following facts:

FISCAL YEAR 1883.

Claims admitted and certificates issued:	
Original	38,162
Increase	22,746
Restoration, reissue, etc	796

FISCAL YEAR 1884.

Claims admitted and certificates issued:	
Original	34,182
Increase	22,517
Restoration, reissue, etc	1,221

FISCAL YEAR 1885.

Claims admitted and certificates issued:	
Original	35,767
Increase	33,975
Restoration, reissue, etc	1,855

This table of figures shows that in three years the Republican administration admitted a total of 191,211 pension claims of all kinds. But what do we discover when we turn to the records of the two years and nine months of Democratic responsibility on the same subject? I am now looking where it could be found, if anywhere, for evidence of Democratic enmity to the Union soldier. Instead, however, of finding proof of such a charge, I simply find ample and overwhelming proof of an enormous slander. Here is the showing under the present administration of the Pension Office:

FISCAL YEAR 1886.

Claims admitted and certificates issued:	
Original	40,857
Increase	113,271
Restoration, reissue, etc	2,229
Total	156,357

FISCAL YEAR 1887.

Claims admitted and certificates issued:	
Original	55,194
Increase	32,107
Restoration, reissue, etc	2,707
Total	90,008

FISCAL YEAR 1888 (NINE MONTHS ENDING APRIL 1).

Claims admitted and certificates issued:	
Original	39,664
Increase	32,028
Restoration, reissue, etc	11,583
Total	83,275
Grand total claims admitted for the two years and nine months under General Black	329,640

Sir, here is an increase of claims of all classes admitted and certificates issued in thirty-three months of the present administration over the thirty-six preceding months of 138,429; or, to state it differently, we find that the present administration in its two years and nine months' service admitted and issued 3,678 certificates more for each month to the soldiers of the country and their widows than was issued by its predecessor for the same period of time.

But, pursuing these comparative statistics into other branches of the pension work, I submit that the following table showing the disbursement of funds to pensioners for the past six years also refutes the indecent clamor of the enemies of the present administration, and is a matter of just pride to its friends:

DUDLEY.

Fiscal year 1883	$60,431,972
Fiscal year 1884	57,273,536
Fiscal year 1885	65,693,706
Total disbursement for three years	$183,399,215

BLACK.

Fiscal year 1886	64,584,270
Fiscal year 1887	74,815,486
Fiscal year 1888 (low estimate)	77,000,000
Total disbursement for three years	216,399,756
Increase in disbursements on account of pensions for the past three years over the preceding three years	33,000,540

The records also show that the annual value of pensions was $110.36 at the time the present administration came into power, since which time the value has been increased $19.74, making the total value in the year 1887, $130.74.

Sir, in the light of such an exhibit as this it would seem that the charge of hostility on the part of the Democratic party to the soldiers of the country would palsy the lips that uttered it. There are some things so self-evident as not to admit of argument or illustration, and the mendacity of such an accusation is one of them.

This annually-increased stream of money flowing constantly into the hands of the soldier and his widow has not only been ordered and directed in its course by the Democratic party, but the large sums needed have been voted in the general appropriations in every instance, and without a murmur, by those who wore the gray and fought like brave men while the war lasted, and who have borne themselves as true and faithful citizens of the Union since they laid down their arms. It is difficult to conceive a nobler spectacle than has been presented all the time by the Southern people and their representatives on this great subject. They have accepted the conditions and incidents of defeat in the field with a manliness and an uncomplaining fortitude which challenge the admiration of the world and constitute a lofty rebuke to their defamers.

But again in regard to what is shown by the record.

From the reports of the work of special pension examiners in the field we find that for the fiscal years ending June 30, 1884, 1885, 1886, and 1887 the following state of facts:

DUDLEY.

For 1884:	Examiners in the field	351
	Cases investigated	7,452
	Reports made	2,187
	Depositions taken	18,484

For 1885:	Examiners in the field	308
	Cases investigated	9,831
	Reports made	29,224
	Depositions taken	189,743
	Credibility reports	23,623

Expense account, $514,269.18. Of this sum $343,551 was charged as traveling expenses. Average cost of investigating, $52.31 per case.

BLACK.

For 1886:	Examiners in the field	277
	Cases investigated	12,715
	Reports made	29,395
	Depositions taken	171,380
	Credibility reports	23,246
For 1887:	Examiners in the field	253
	Cases investigated	31,010
	Reports made	26,399
	Depositions taken	140,544
	Credibility reports	33,192

Total expenses, $427,401; of which sum $153,180.20 was charged as traveling expenses. Average cost of investigating, $13.78 per case.

And now, sir, in order to give full emphasis to the foregoing statements it is only necessary to add that all this grand work has been done with an average of 123 less force in the last fiscal year than in the last year of Dudley's administration, and that General Black in 1887 covered into the Treasury $132,223.04 saved out of his appropriation on account of clerical hire, stationery, and other items of expense which had been abolished.

If we turn at this point from the splendid administration of the Pension Office to the halls of legislation, we may cite the act of August 4, 1886, approved by President Cleveland, increasing the pensions of 10,030 maimed soldiers from $24 to $30, from $30 to $36, and from $37.50 to $45 per month, and the act of March 19, 1886, increasing from $8 to $12 per month the pensions of 79,989 widows and dependents, as acts of justice to these worthy beneficiaries of a grateful country.

General Black's administration, be it also remembered, issued these 79,989 certificates, in addition to the work already stated, in the short space of three months, and without one cent of expense to the pensioners.

But in the very face of these solid and unassailable facts, demonstrating beyond all possible contradiction the magnificent work accomplished for the soldiers by the executive department of the Government under a Democratic administration, torrents of abuse and calumny have been poured upon the head of the Executive himself, charging a personal hostility on his part to those who defended their country in the Union armies. General Grant vetoed that great measure of absolute justice which passed both branches of Congress, equalizing the bounties of soldiers, a measure in which over two hundred thousand veterans were interested, and which equalized the meager bounties they received in the early days of the war with the larger bounties paid near its close. Those who would have been benefited by this bill were the most meritorious followers of the flag. They rallied to it at the opening roar of the guns; they bore the heat and the burden of the day, and they only asked to be made equal in bounty with those who went in at the eleventh hour and in many instances never saw a line of battle.

But the veto which deprived the best veterans of the war of many millions of justly-earned money was delivered by a Republican President, and the leaders of the Republican party became instantly blind to the rank injustice inflicted on its victims, and quietly submitted without a word. If, however, in passing upon more than a thousand private acts of Congress granting pensions to individuals who had failed to make sufficient proof in the Pension Office, a Democratic President has here and there found one he could not approve, it has been sufficient to invoke storms, blizzards, and cyclones of wrath against him from such as prove their friendship for the soldier by clamorous and scandalous abuse of their political opponents. Sir, I turn once more to the record. Who has approved and signed more acts of Congress bestowing pensions on men, women, and children than all the other Presidents put together since the war, according to the time engaged in such work?

General Grant in eight years signed 485 pension bills; Hayes in four years signed 303 pension bills; Garfield and Arthur in four years signed 736 pension bills. On the other hand, in the short space of two years, 1886 and 1887, Cleveland signed 863 pension bills, being 378 more than Grant in eight years, 560 more than Hayes in four years, and 127 more than Garfield and Arthur in four years. Should Cleveland remain in office eight years, and continue to sign pension bills at the same rate which marked his first two years, his record would reach 3,452, being largely in excess of all the individual pension bills approved since the foundation of the Government to the present hour. And such is the man and such his record who is to be painted in the darkest colors as a malignant enemy of the Union soldier! With tireless and unquenchable animosity he is to be pursued on this utterly and abominably false issue by the desperate leaders of a broken party seeking to repair their shattered fortunes and to regain their lost estate. No considerations of fairness or consistency will for a moment restrain them. The veto of what was known as the dependent pension bill in the Forty-ninth Congress will be rung as a bitter accusation against the President and against the Democratic party, although that measure had the distinct and explicit condemnation of the Grand Army of the Republic itself.

THE ISSUE AGAINST DEMOCRATIC SOLDIERS.

But while dealing with the question of pensions, and the wholesale slander of the Democratic party in that connection, another and still baser Republican issue has been thrust into our faces here, and upon the country for political purposes. The fame of dead soldiers is no longer safe if they were Democrats when they marshaled and led their comrades to the banquet of battle and of death. Thersites, in the camp of the Greeks before the walls of Troy—

> Cursed with a flow of words, ever speaking,
> But ne'er to the purpose,

railed with foul invective against the heroes of Achaia, against Achilles, Odysseus, and great Agamemnon, king of men. But the objects of his venomous spleen and rage were alive and present to rebuke and chastise their insolent defamer.

The scene in the Senate of the United States a few weeks ago was different. When the presiding officer of this body, holding the highest official position now held by a Republican anywhere in the Government, and elevated to it by the united vote of his party, descended to the floor and maligned the memory of American heroes, they were not here to answer; they were sleeping where flowers and tears are annually commingled on Memorial day; they were resting after their glorious lives in the quiet bivouac of the dead. The pious task of making response for their lofty courage and supreme loyalty was appropriately performed by one whose own conspicuous gallantry and daring in arms against them gave him the generous right of chivalry to speak in their praise. It is true that not even the eloquent tongue of the Senator from Kentucky [Mr. BLACKBURN] can reach McClellan or Hancock with assurances of their country's devotion and love.

> Can honor's voice provoke the silent dust,
> Or flattery soothe the dull, cold ear of death?

No; but the voice of the Senator from Kentucky on that occasion was an honor to American manhood and to American soldiery wherever they are to be found beneath the flag.

There are suggestions, however, inspired by the wanton and astounding assault of the Senator from Kansas which will not speedily pass from the public mind. He stood in his place in the Senate, a recognized leader of his party, and denounced two great Union generals as traitors to their country, allies of the Confederacy, and no word of dissent or rebuke has been uttered by a single one of his party associates here or in the other branch of Congress. We have waited, and some have wondered, but the silent acquiescence in the horrible charge remains unbroken. Its responsibility has therefore widened and deepened until we are forced to inquire its real intent and meaning. Are we to understand that the spirit of partisan falsehood is to dictate the history of the war for the Union, and to blacken for posterity not only the Democratic party, but to transmit to the future the names of individual members of that party, loaded with the odium of treason notwithstanding their great services in defense of their country?

There is much already written, called history of the war, to indicate a purpose of this kind. There was much occurred during the war, and in its management, evincing a disposition of not only unfairness, but of great hostility on the part of those in power towards officers in command who retained their fealty to the Democratic organization; but the speech of the Senator from Kansas is the first open and avowed attempt, and without disavowal from any of the associate leaders of his party, to impress the political literature of the country with the fact that no Democratic soldier was a loyal man, and that however distinguished he became in the military or naval service he was still an ally of the public enemy. Sir, what scenes of the past start afresh to our view upon the statement of an issue like this!

The uproar, the painful anxieties, the vigilant, sleepless sorrows of war seem again to be upon us. We hear the guns that broke the sacred stillness of peace at Sumter, and we behold the hurrying to and fro of the mighty forces of the North intent on the boundaries and the flag of the Union as made by our fathers. We behold the precipitate battle of the first Manassas, with unready, unseasoned, undisciplined troops, absent from their corn-fields and work-shops less, on the average, than sixty days. Some of us, yet here, walked the weird and solemn streets of this city during that Sunday night of July 21, 1861, with its midsummer moon and fleecy clouds, and heard the wearied gallop of the courier as he came over Long Bridge, and reached the War Department, with dispatches of disaster from the front.

We recall the dreadful morning that followed, when the very elements of nature seemed to mourn for the cause of the Union; when the clouds in inky darkness came down almost to the tree-tops, and when the rain fell in torrents, as if the heavens themselves wept over the brave remnants of a broken and routed army as they thronged back across the Potomac. McClellan! In this hour of national extremity he was called by despairing official authority from his brief but brilliant campaign in Western Virginia to perform a task greater far than was ever performed by Alexander, Hannibal, Cæsar, or Napoleon in the same length of time. He was ordered to the command of a disjointed, disorganized, demoralized body of defeated men, and was expected from them and the new levies which poured in to create, construct, discipline, and equip an army, and with it to seize upon the capital of the Confederacy and make complete conquest of the entire South in time to meet and control the political exigencies of the times.

He was an educated soldier, a vigilant and conscientious student of the art of war at home and in the different countries of Europe, and he

knew that the resistance of the people of the South, eight millions strong, would require for its suppression such a military organization as had never occurred to the political charlatans then prophesying a ninety days' war. From his skill, great ability, and patient toil there arose out of chaos an army which through every storm and vicissitude of the war remained intact and the same—an army more distinctly historic in military annals than any other ever known among men—the Army of the Potomac.

We see McClellan confront the unbroken, unwasted military resources of the entire Confederacy at Richmond with the Army of the Potomac deprived of forty thousand men who belonged to it, and whose proper place was in line of battle with their comrades. It has been claimed that Stanton, the Secretary of War, like Carnot, organized victory. Sir, he organized defeat far more frequently. After the seven dreadful days in front of the Confederate capital, we hear McClellan, from Harrison's Landing on the James, saying in plain, indignant words, that if the Army were saved there were no thanks due to the Secretary of War; on the contrary, that he had done all he could to destroy it by withholding the heavy forces under McDowell and others on the line of the Rappahannock and elsewhere. Events moved with rapidity.

In brief space the great organizer and commander was deposed by the head of the War Office, who had never set a squadron in the field, and knew no more of war than he had learned in practicing law in the civil courts of the country. Again, his interference was followed by swift and terrible disaster. A second time the Union Army was broken and driven from the historic field of Manassas, and the vaunting, bombastic proclamations and orders of the new commander suddenly died away, and were changed into false accusations against others in order to conceal his own incompetence and to hide the shame of the War Department for having placed him in command. A necessity which involved the immediate possession of this seat of government and the very existence of the Government itself was alone strong enough to compel the restoration of McClellan, and when he rode out to meet his retreating troops scenes more thrilling and pathetic than any which greeted Napoleon on his return from Elba saluted him on all sides.

Strong men with bronzed faces screamed, and wept, and embraced each other with joy when they saw the man once more in command whom they loved and trusted to the death. His presence came like the wave of a mighty re-enforcement, and brought faith, hope, and courage back to the shattered and disheartened ranks. Even that great captain in the art of war, General Lee, could not conceive that the Army of the Potomac, after its disasters under Pope, could be brought without preparation and fatal delay into condition and confidence to again meet his own victorious forces. He invaded the North at once, with his eye on Washington, Baltimore, and Philadelphia, and they all would have fallen, carrying all the consequences therein implied, if he had beaten the Army of the Potomac on Northern soil as he had just beaten it in Virginia under Pope.

What a crisis, not only in American history, but in the history of human events! But McClellan, though known by his troops and by the whole world to be under the ban, and discredited by the partisan authorities of the Government he was offering his life to defend, led his faithful, devoted, and unquestioning columns, with not a day of rest, repose, or recuperation, to the pitched battle of the Union—the battle of Antietam, on the 17th of September, 1862, but two weeks and a few days after their crushing overthrow while under the command of a vapid, ignorant, spurious, vain-glorious military pretender. Fresh, as they were, from demoralization and defeat, yet under the eye of McClellan they were as steady, confident, aggressive, and brilliant in the face of death as was ever the Old Guard under the eye of the great Napoleon. This is history, not fiction.

McClellan gathered around him what remained of the great army he had created, led it against Lee's victorious legions, drove them back to the south side of the Potomac, achieved a victory unparalleled in war, considering all the conditions, and restored safety and future hope to the Government. No warrior ever deserved better of his country in this or in any other age than the brave, determined soldier, the zealous, conscientious patriot, and the accomplished, well-bred gentleman, who made Antietam as immortal as Marathon, and then within fifty days, while sweeping forward in the current of victory, the immediate peril gone and a sense of security restored, he was stricken by partisan malice and closed his lofty military career forever.

An eagle towering in his pride of place
Was by a mousing owl hawked at and killed.

And to this day clamorous kites and crows and other ignoble scavenger birds seek to tear and mutilate his spotless and august fame. Yes, George B. McClellan was a Democrat; and when removed from command on the 7th of November, 1862, he could, with uplifted hand, have sworn that he had saved the Republic, as did Cicero in the forum at Rome when official authority denied him justice. He created the Army of the Potomac, commanded it fourteen months, and retired at the zenith of success without speck, stain, or blemish on his honored and beloved name. Amongst the highest, the most fortunate, and most distinguished characters produced by the war where will you point to a name cleaner, purer, freer from self-seeking, and more devoted to a sublime sense of duty than that of McClellan? "After life's fitful fever he sleeps well," not disturbed by the partisan declamation of judge-advocates, provost marshals, nor peevish politicians.

Sir, we will shift the scenes of the past, in the midst of which we are moving, and move forward to another crisis of fate to the Republic only ten months later than the rescue at Antietam. In the mean time the Secretary of War had organized the bloody disasters at Fredericksburgh and Chancellorsville, and General Lee, having beaten the Army of the Potomac under Burnside and under Hooker, felt encouraged to again push his columns across the river, and to make his second invasion of the North. Gettysburgh! The civilized world knows the whole story, word for word, by heart. With the Union literally at stake to fight for, Hancock selected the battle ground, pitched the line of battle, mingled with his men under the hottest fire, cheered them by his glorious presence, and there, on the soil of his native State, which he watered with his blood, he achieved the most valuable victory, in its results, of the entire war, and wrote his own name, with his sword, amongst "the few, the immortal names not born to die."

When the sun rose on the 4th of July, 1863, and shone on Lee's army in retreat from Gettysburgh the last hope of the Southern Confederacy disappeared forever. What came afterwards; the Wilderness, Spottsylvania, Cold Harbor, Petersburgh, were the heroic and desperate struggles of a giant, but of a giant already dying of a mortal wound.

Sir, what invisible spirit of the air, intent upon evil to the Senator from Kansas, could have been in attendance on him when he stood up and opened his mouth here on the 6th of March? Antietam and Gettysburgh; McClellan and Hancock! They were the heroes of the two most consequential battles of the war; the loss of either one of which would have brought European recognition to the Confederacy, and darkness and dismay, if not final dissolution, to the Union. They commanded in the only battles fought north of the Potomac, and each time met the enemy as an invading force, strong, confident, and flushed with recent victories.

Antietam and Gettysburgh involved the possession of this Capital and the perpetuity of the Government as our fathers made it, and to McClellan and Hancock, now stigmatized as allies of the Confederacy, was committed the measureless and awful trust of defending and preserving them both. If we are asked hereafter where were the greatest leaders of the Democratic party during the war, where the Democratic candidate of 1864 for the Presidency, and where the Democratic candidate of 1880, we will point to the undulating slopes of Antietam and to the crested heights of Gettysburgh. These men, I knew them both, and I bow to their mighty shades wherever they are this day. They were of loftier mold than Greek or Roman history supplies. The "warrior ranks of Achaia" furnish not their peers; not the golden-locked Achilles, nor "the high-born son of Laertes," nor the "wide-ruling king, Agamemnon."

Cæsar broke his military oaths, crossed the forbidden Rubicon, wrecked his country's liberties, and lost his life in pursuing his own ambition. McClellan and Hancock belonged rather to the type of manhood which illuminated and glorified the era of the American Revolution. Their strong and broad capacity, their unselfish and unquestioning subordination, their absolute love of country, and their unfaltering courage would have given them then, as they have now, a high place amongst the foremost military chieftains in the history of nations. And yet such are the soldiers who are mocked, scoffed, and denounced as belonging to the subservient elements of the North, and accused of treason by those who are of the breed of Job's war-horse, and who, like him, snuffed the battle from afar off.

Sir, I take leave of this theme for the present and turn to another which has been decreed in Republican councils as one of the foremost issues in the political canvass just now opening.

THE ISSUE OF SECTIONAL HATE.

Who, Mr. President, has not followed with loving heart the wanderings and the work of Old Mortality pursuing his pious task, with mallet and chisel, restoring the time-worn, weather-beaten, and fading names and epitaphs of the honored but almost forgotten dead? The genius of the great master and magician, rich and fertile as he was in wonderful and beautiful creations, evoked from the legendary lore of Scotland no picture more fascinating than the bent form of this old man, whose self-imposed mission it was to bring two distant periods of time together in tender and reverent memories, to fill the minds of his own generation with grateful affection for the past, and to produce, as far as in his humble power, peace and harmony on earth and good-will among men.

How dark and striking in contrast is the spectacle we behold at this time in our country and in our own midst! Nothing can be presented more repulsive to the minds of benevolent beings, whether in this world or in the world of justified spirits, than the leaders of a great party crouching down amongst the baser passions of mankind, and there fanning, kindling, and carrying fuel to the expiring and almost extinguished embers yet here and there to be found among the ashes of a dreadful fraternal war. Twenty-three springs and summers have decorated with flowers the graves of the dead, and as many autumns and winters have covered them with falling funeral leaves and shrouds of

snow, since peace was declared between soldiers in the field, and yet at this late day a campaign of political animosity is again declared against the people of the South, their rights, their security, and their good name.

The especial anger of Republican leaders is excited because the vote of the South in a national contest is solid against their party. Will some one on the other side of the Chamber, and with even the slightest knowledge of human nature, tell me how the vote of the South could be other than it is? You had political supremacy once from the Potomac to the Rio Grande. At one time and another for seven years and more after the war you had the ascendency in every State of the entire South; you elected Republican governors, State officers, and legislatures in them all. You had the purse with which to corrupt, the sword with which to intimidate, and a Republican Congress and President to enact and to enforce all laws necessary for the overthrow of individual and State rights and for the consolidation of your power.

You seized upon the enfranchised negro and sought to organize and hurl him against the peace and security of political and social order, and for a time and in many instances you succeeded. You and your allies, who mostly went there from the North, not "allies of the Confederacy," but allies for power and plunder, swept down upon the helpless South like Hyder-Ali upon the Carnatic, and left scarcely a vestige from which to hope and with which to rebuild, except its never-failing soil and its staunch and splendid manhood. You despoiled States of their resources, and you dismantled them of their credit. You issued their bonds and securities in the interest of fraud, and hawked them on the markets, like counterfeit paper, for anything you could get.

You ordered investigations, and sent committees and commissions, composed of your bitterest partisans, into the South, for the purpose of scraping together and putting in permanent form the perjuries of vagabonds and scoundrels with which to defame and blacken the reputation of the Southern people. They were proclaimed in some instances as bandits, and in others as barbarians. You repeatedly annulled honest elections when their results were favorable to the stability and good order of society and against the schemes of partisan plunderers. You would have overturned the State government of South Carolina in 1876, and again sacked the substance and the credit of the State, had it not been that a giant stood in your way upheld by the public judgment of the world.

You provoked collisions between the two races in order to justify military usurpation and to inflame sectional hate at the North. Sir, the career of the Republican party during its ascendency in the South was a career of crime, unrelieved by a single act tending to promote the education, the progress, the prosperity, the peace, or the happiness of either race, white or black. It reared and left behind it no monument of patriotism, wisdom, or benevolence to tell future ages that its presence had been a blessing and not a curse. And when the future historian comes to inquire why and how and exactly when the Republican party lost its tremendous hold on the prostrate South and slunk away to return no more forever, he will be puzzled to make answer in definite details, but he will finally write that its administration throughout all that region had become so vast and intolerable a scandal, filling the civilized world with its foul odors, that an intelligent and omnipotent public opinion here and everywhere demanded its downfall and the restoration on its ruins of home rule and decent government.

And it is this party, sir, whose leaders now fume and resolve and threaten the Southern people and their States, because they do not welcome it back again into power with all its unhallowed memories and its predaceous instincts and habits! As well might you expect a frontier settlement to welcome with joy a second invasion of tomahawks and scalping-knives.

Why gape and wonder at the result of the election a few days ago in Louisiana? There is nothing in the 75,000 Democratic majority to marvel at. It was simply the overwhelming protest of the people of that State, terrified and appalled at the prospect of ever again being governed by the leaders of the Republican party, and the only wonder is that the vote was not unanimous.

They had in former times seen their State government pass into Republican hands with a debt of but $1,500,000, and they had seen her in the short space of four years afterwards crushed to the very earth, financially ruined, bankrupted, and dishonored by a mountainous debt of $50,000,000. The people of Louisiana of both races had witnessed worse and more dishonest government in their State under Republican rule than the pirate chiefs of Barrataria ever inflicted in their lawless camps, and in the recent election they simply declared with great emphasis that they wanted such government no more forever.

But, sir, suppose we permit the people of the entire South to make answer by their works to the reproaches of sectional hate, to the proposed inquest legislation of the Senator from Massachusetts [Mr. HOAR], and to the other revolutionary and unconstitutional measures introduced at the present session here, and in the other branch of Congress. The spirit of wonderful progress does not seize upon a country afflicted with lawlessness and social and political disorder. Capital does not seek investment in a land of crime and insecurity. Business men do not carry their money to the homes of criminals and outlaws to make new purchases and to increase their gains. Let the condition of the South to-day interpret the full meaning of these propositions. Her development, since left to the control of her own local affairs, and during the last ten years, in all the great industrial pursuits, is to the minds of thoughtful observers a marvel in the history of mankind. Since 1879, careful and reliable statistics show that over 15,000 miles of railroad have been built on Southern soil, and that over $600,000,000 have been put into the construction of new and the improvement of old roads in that section of the country. Within the same length of time the cotton crop has averaged $300,000,000 a year, the total value of agricultural products upward of $700,000,000 a year, and the assessed value of the entire property of the South has increased more than $1,000,000,000 since 1879.

In order to show still further that the sound, conservative local governments of the South have encouraged their own citizens, as well as citizens of the North and of Europe, to embark in a wide diversity of new enterprises, and as showing the continued and increasing confidence inspired by the law-abiding people in the Southern States, I call attention to their industrial growth in 1887 as compared with the former year, 1886. I quote from high authority:

From Maryland to Texas the progress was remarkable, covering almost the entire range of industry, and there is scarcely a single line of manufacturing or mining business in which the number of new enterprises reported during 1887 is not more than twice as large as in 1886. Of the fourteen Southern States there are only four in which the capital invested in new enterprises was not double the amount invested last year. The number of new enterprises organized or established during 1887 was 3,430, as compared with 1,570 in 1886. The amount of capital, including capital stock of incorporated companies organized during 1887, was $256,238,000, as compared with $126,226,000 in 1886.

* * * In cotton manufacturing there has been great activity, and seventy-seven new mills have been projected, many of them being now under construction, which is the largest number of new mills ever reported in one year. Cotton mills are reported as having largely oversold their production, and many old mills are being enlarged to meet the demand for their goods. Increasing diversification of Southern industries is illustrated in the fact that Alabama alone secured during the year the location of five large car-building plants, two at Decatur and one each at Birmingham, Anniston, and Gadsden. The Anniston works will cost $1,000,000, employ one thousand mechanics, and will turn out twenty complete cars a day, from freight to passenger, parlor, and sleeping-cars—the entire work, from making the wheels to the upholstering, to be done in these shops. One of the car plants at Decatur is being built by the Louisville and Nashville Railroad and the other will be the large works, now at Urbana, Ohio, which are to be removed to Decatur. In the building of rolling-mills, pipe-works, machine-shops, and foundries the same activity is seen, while furniture factories, agricultural-implement works, flour mills, gas and electric works, canning factories, wood-working establishments, etc., are being started all over the South.

And when we add to this brilliant picture of material development the successful labors of the people of the South in the cause of those twin blessings, education and the Christian religion, we need no longer wonder that they are hopeful, and indeed confident, of their great future, and that at last they feel that the shafts of their political enemies will glance and fall harmless from their shield of honor, industry, and good faith, a shield more invincible and brighter far than that wrought and fashioned for the Grecian warrior by Hephæstus, and on which

He emblazoned earth, and the sky, and the belt of the blue sea.

I speak not of a New South, as if a new race had arisen, not of new faculties and gifts heretofore unknown, but of a people who for more than two centuries and a half have proved themselves equal to the requirements of the loftiest manhood, who were foemen once worthy of the Northmen's steel, and who are brethren now worthy of American embrace, affection, and pride everywhere.

When called upon before the people of my State in the approaching contest, as I have been for thirty years and more, to answer for the conduct of my political friends of the South, may I not respond with the immortal philosophy of the mighty Nazarene?

Ye shall know them by their fruits. Do men gather grapes of thorns or figs of thistles?

I rejoice that the corrupt tree once planted in the South has been torn up by the roots, and that the good tree, bearing good fruit, is towering under a Southern sky in perennial bloom and beauty. The declivities of the Southern mountains are pouring forth their wealth of iron and of coal, and the water-courses and boundless soil productions of that country combine to insure a future there more ample in its contributions to human happiness and more resplendent in its accumulated wealth than the most prosperous ages heretofore have known.

The South is simply rising to her manifest destiny, and with her gateways of immigration thrown wide open by the abolition of slavery, with a soil of unapproachable fecundity, with timber, water-powers, and mineral resources, practically boundless in extent, and with a climate adapted to the processes of a propagating garden, it bewilders the most imperial imagination to attempt to grasp her condition a hundred years hence, or even fifty, or even a quarter of a century. It would seem, in view of her grand resurrection and her speedy and lofty flight, that, with slight change of phraseology, and no change of meaning, the sublime conception and words of Milton might, with propriety, be applied at this time to the South:

Methinks I see in my mind a noble and puissant nation rousing herself like a strong man after sleep, and shaking his invincible locks. Methinks I see her as an eagle mewing her mighty youth, and kindling her undazzled eyes at the full midday beam, purging and unsealing her long-abused sight at the fountain itself of Heavenly radiance; while the whole noise of timorous and flocking

birds, with those also that love the twilight, flutter about, amazed at what she means, and in their envious gabble would prognosticate a year of sects and schisms.

Lo! the dawn of the coming and perfect day of union, nationality, and fraternity is breaking from the morning sky and streaming into our darkened windows. Joy cometh with the morning and all the flocking birds with their envious gabble can not retard its beams or turn back its beneficent course. The South is in and of the Union as much as when Washington, the great Virginian, the great American, led the forces of liberty and union from Bunker Hill to Yorktown. Virginia and New York may clasp fraternal hands as of yore; Massachusetts and South Carolina may again embrace; Georgia is the peer of Pennsylvania, and Texas in her giant stateliness is required by our matchless Constitution to bow on equal terms with the *petite* sovereignties of Rhode Island and Vermont. The Union is restored, the wounds of war have healed, and accursed as malefactors of their kind be those who would tear them open and make them bleed afresh!

Sir, I have spoken to-day for the truth of history, for the peace, harmony, and prosperity of our common country, in defense of the honor and good name of illustrious soldiers and citizens falsely defamed, and in vindication of that great political organization which has come down to us from the opening of the present century based upon the eternal principles of "equal and exact justice to all men and exclusive privileges to none." The Democratic party began its career and has maintained it in the broad spirit of nationality and fraternal union. No thought of a disunion of the States ever entered its councils as a party, and it filled the ranks of armies in the North and commanded them with its bravest and best; but when the war of the sections was over it longed to see the sword changed to the plowshare, the spear to the pruning-hook, and that confidence and affection should speedily prevail again in all our borders.

The Democratic party originated in a devotion to personal liberty, and to the guaranties, securities, and limitations of the Constitution. It was called into existence by the daring encroachments of Federal authority, and has stood sentinel ever since, in times of war, as well as in times of peace, over those fundamental muniments of civil and religious liberty, free speech, free press, the right to the writ of habeas corpus, and the right of trial by jury impartially selected.

A determined attempt was made during the war of the rebellion, and it has been continued since, to blacken the names of the great civil as well as military leaders who remained true to the Democratic party, as at enmity with the cause of the Union and in an alliance of sentiment at least with the Confederacy.

On the contrary, I assert that the impartial historian of the future will record as a fact that but for the attitude and influence of Horatio Seymour, Thomas A. Hendricks, Allen G. Thurman, William A. Richardson, and their political associates and followers, not only would the Union never have been restored, but that the dearest and most sacred rights of American citizenship would have been swept away in the blinding storm of partisan wrath, which was most frequently mistaken for patriotic zeal. Those who, through good and through evil report, kept the immortal safeguards of the Constitution displayed like beacon lights on a dangerous coast will be remembered with gratitude as long as the best principles of free government survive.

Sir, I have no fears for the future of the political organization in whose ranks I stand. For more than three-quarters of a century it has withstood and triumphed over all assaults, and it will do so now and hereafter. Mistakes may occur, and men will err, for to be human is to be fallible, but the sound and healthful principles of a Democracy faithful to liberty, equality, and to the fruits of labor, will always prove a speedy and a sovereign remedy.

The Democratic party contains the gathered wisdom and experience of generations, and towers in its strength and majesty far higher than the heads of any of its individual members. It has listened to and absorbed the teachings of Jefferson and Madison, of Jackson, Polk, Benton, Cass, Marcy, and Silas Wright; and though its giant leaders have fallen and passed away, yet it has not stopped nor faltered in its powerful and glorious career. The administration of this Government is now once more, after the lapse of years, in the hands of the Democratic party, and its response to the great trust has been worthy of its historic fame. Some disappointments have been felt, some complaints have been heard, as was inevitable; but the verdict of the American people in November of this year will be that there has been honest, capable government, and that it shall be continued.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Calendar under Rule VIII is in order, and the Secretary will report the next case in order on the Calendar.

Mr. DOLPH. I think under the agreement the Senate made yesterday the land-forfeiture bill comes up.

The PRESIDING OFFICER. The present occupant of the chair was not aware of any such agreement, but if there be such an agreement, as the Secretary informs him there is, the Secretary will report the bill referred to by title.

The CHIEF CLERK. A bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. BLAIR. I ask unanimous consent that the pending order be temporarily laid aside in order to ask the Senate to pass a resolution which is on the Calendar, providing for the printing of matter in a hearing before a committee. It was objected to the other day.

The PRESIDING OFFICER. The Senator from New Hampshire asks the unanimous consent of the Senate that the pending order be informally laid aside in order that the Senate may consider the resolution referred to by him. Is there objection?

Mr. BLAIR. It will take no time.

The PRESIDING OFFICER. The Chair hears none. The resolution will be read.

WOMAN SUFFRAGE HEARINGS.

Mr. BLAIR. I call the attention of the Senator from Arkansas [Mr. BERRY] to the resolution which I have called up. He objected to it the other day. I wish him to withdraw his objection and let it pass.

The Chief Clerk read the resolution, as follows:

Resolved, That the Select Committee on Woman Suffrage be authorized to employ a stenographer for the purpose of reporting arguments before it, who shall be paid from the contingent fund of the Senate, and to have the arguments before it printed.

Mr. BLAIR. The argument was given and it took only part of a day.

The PRESIDING OFFICER. The question is, Will the Senate agree to the resolution?

Mr. BERRY. When I objected to the consideration of the resolution I was under the impression that it provided for the printing of testimony hereafter to be taken. I learn that the testimony has already been taken and it is simply to pay the reporter for the work. Therefore I have no objection to the resolution.

Mr. HOAR. Should not the resolution have been referred to the Committee on Contingent Expenses?

The PRESIDING OFFICER. The resolution was reported from that committee.

The resolution was agreed to.

COMMITTEE ON EDUCATION AND LABOR.

Mr. BLAIR. I ask the Senate to consider Order of Business 1063, a resolution to print the notes of a hearing before the Committee on Education and Labor, which has also been reported by the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Education and Labor be authorized to employ a stenographer for the purpose of reporting the hearings before it upon Sunday-observance petitions and the proposed prohibition constitutional amendment, who shall be paid from the contingent fund of the Senate, and to have the reports of said hearings printed for the use of the Senate.

AMENDMENT TO A BILL.

Mr. JONES, of Arkansas, submitted an amendment intended to be proposed by him to the bill (S. 270) to establish a United States court in the Indian Territory, and for other purposes; which was ordered to be printed.

BUREAU OF ANIMAL INDUSTRY.

Mr. PLUMB. Mr. President——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. PLUMB. I wish to ask the Senator from Michigan [Mr. PALMER] if it would not be consistent with his duty towards the bill just announced to allow it to be laid aside, so that the Senate may proceed with the consideration of the forfeiture bill?

Mr. CHACE. Does that require unanimous consent, Mr. President?

The PRESIDING OFFICER. It does.

Mr. CHACE. I object.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes, the pending question being on the amendment offered by Mr. PALMER as a substitute for the bill.

Mr. PALMER. That bill has not been discussed as it ought to be, and I do not think that a vote on it at the present time is desirable. If it can be laid aside informally without losing its place, I should be willing to consent to that arrangement for the purpose of having the railroad forfeiture bill considered.

The PRESIDING OFFICER. The Senator from Michigan asks the unanimous consent of the Senate that the unfinished business be informally laid aside, in order that the Senate may proceed to the consideration of the railroad forfeiture bill. Is there objection? The Chair hears none.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. HOAR. I desire to move an amendment, which I have somewhere in my possession.

CONFERENCE WITH SOUTH AMERICAN COUNTRIES.

Mr. FRYE. While the Senator is looking for his amendment, I should like to take from the table a conference report on the proposed conference of American nations.

The PRESIDING OFFICER. The report suggested by the Senator from Maine [Mr. FRYE] will be stated.

The CHIEF CLERK. The report of the committee of conference on the bill (H. R. 1473) authorizing the President of the United States to arrange a conference between the United States of America and the Republics of Mexico, Central and South America, Hayti, San Domingo, and the Empire of Brazil.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference, which has been heretofore read.

Mr. FRYE. Mr. President, several Senators have suggested constitutional objections to one of the amendments reported; and while I am not prepared to admit the soundness of their criticisms, the profound respect I entertain for their learning does, I agree, leave my mind in some doubt. Now, sir, this is a very important bill, well calculated to promote immensely the interests of the countries taking part in the conference; and I do not wish it to go to the President with any unbaptized spot on it. I suggest to the Senate that we disagree to the report, insist, and ask for further conference. The conferees associated with me in this report concur in the opinion I express.

The PRESIDING OFFICER. The question is, Will the Senate agree to the report of the committee of conference?

The report was rejected.

Mr. FRYE. Now I move that the Senate further insist on its amendment and ask for another conference with the House of Representatives.

The motion was agreed to.

By unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1158) for the relief of Lewis Jacobson.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 173) granting a pension to Henry B. Very;

A bill (S. 293) granting a pension to Mrs. Arabella Coddington;

A bill (S. 679) granting a pension to Henry Stafford;

A bill (S. 1431) for establishing a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida;

A bill (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon lights to said river;

A bill (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge the Red and Little Rivers in the State of Arkansas;

A bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas;

A bill (H. R. 4365) to authorize the construction of an arsenal for the manufacture of ordnance and ordnance stores for the use of the Government of the United States at Columbia, Tenn.;

A bill (H. R. 4964) to prevent any person or persons in the cities of Washington and Georgetown from making books and pools on the result of trotting or running races, or boat races; and

A bill (H. R. 6894) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1889.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. HOAR. I move the amendment which I send to the desk to be inserted as a new section.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The amendment will be stated.

The CHIEF CLERK. It is proposed to add as a new section the following:

That in all cases where any of the lands forfeited by the first section of this act have heretofore been sold by the proper officers of the United States for cash, or with the allowance and approval of the proper officers of the United States entered in good faith under the homestead or pre-emption laws, or have been selected by any State and certified by the Commissioner of the General Land Office, and approved by the Secretary of the Interior in satisfaction or as part of any grant to such State in aid of any public work or improvement which has been fully completed, the right and title of all persons holding or claiming any such lands under such sales, entries, or selections, and certificates shall be, and are hereby, confirmed, where, at the date of the passage of this act, there are no adverse claims to the same on file or of record arising under the general land laws of the United States; and any controversies or conflicting claims between adverse claimants, or between such adverse claimants and those whose title would otherwise be confirmed by the provisions of this act shall be determined according to the priority of entry, certification, or application, and the provisions of existing laws, and in the same manner in all respects as though the said grants herein forfeited had never been made by the United States.

Mr. HOAR. Mr. President, the amendment which has just been read is one prepared by the late Secretary of the Interior, now the Senator from Colorado [Mr. TELLER], with the exception that the place in one sentence of a certain clause has been changed, making it a little clearer, but not, as I understand, at all affecting the meaning of the amendment.

Mr. PALMER. I would ask the Senator from Massachusetts if that was in regard to the State selections, a change of phraseology?

Mr. HOAR. Yes; but the effect is the same.

Now, Mr. President, the question presented by this amendment is a very important one, and yet a very simple one. It is intended by this amendment, as I understand it, to save the title of certain persons, and, among them (which has brought my attention specially to the bill), certain citizens of my own State, or certain residents of Michigan claiming under those citizens, who claim to have acquired titles to land in good faith, titles to which there is no equitable objection whatever, and resting on facts on which the unbroken policy of the Government has induced Congress to make confirmation in all similar cases. There is nobody who has, as I understand it, a pretense of title in law, in justice, or in equity who will be injured by it.

The story is a very simple one. Congress in the year 1856 granted to the State of Michigan certain lands for the purpose of building a railroad from Ontonagon to the Wisconsin State line, and the lands were to be selected within a certain distance of the line of that road. The railroad was not built, and there was a grant for another railroad at a later year and only 15 or 20 miles of that road were built, and the lands belonging to those 15 or 20 miles were duly selected, and are out of the way for the purposes of this debate. Then in the year 1865 Congress granted to the State of Michigan 200,000 acres of land for the purpose of aiding in the construction of the Portage Lake and Lake Superior Ship-Canal, a canal of the highest public importance, especially to the commerce of the State of Michigan and the other Lake States, which saved to that commerce many miles of stormy and dangerous lake navigation.

It was required that those lands should be selected within a certain distance of the proposed canal. Then at a later period a new grant was made for the same canal, it not having been constructed, in which Congress omitted the provision that the lands should be selected close to the canal, and the governor of the State of Michigan, who was empowered by the law to make the selections with the approbation of the Secretary of the Interior, who was empowered by the law to approve the selection, selected 15,000 acres in the lands which had been previously granted for this railroad, the railroad never having been built, except the little portion I have described, and there being no pretense whatever that the remainder of the railroad land grant had been earned.

Before the decision of the Supreme Court in the case of Schulenberg *vs.* Harriman, in 17 Wallace, it was supposed that when a grant of land was made to a railroad on condition of the road's being constructed it was a grant on condition-precedent, so that the company took no title until the construction was made, and that the land remained the public land of the United States, subject to other grants, to other entries or selections under existing law, until that was completed. But it turned out to be law under the decision of the Supreme Court that these land grants are conditions-subsequent, so that the title vests in the road to which they are granted, and even if the company has performed nothing stipulated on its part to earn the lands, still the title remains in the grantee of the United States until some act of Congress or other significant act of forfeiture under the authority of the Government of the United States.

Therefore it turns out that the governor of Michigan and the Secretary of the Interior erred when they undertook to select from these railroad lands the 15,000 acres for the canal grant. Some portions of these lands, though generally of very poor quality, were lands containing iron mines, as it turned out afterwards, and I understand—the gentlemen who are familiar with the land laws of the United States will correct me if I am wrong—that it is perfectly and absolutely settled by the decisions of the Attorney-General and of the Supreme Court of the United States that iron mines do not come within the description of mineral lands in the exception which prevents railroads to whom such grants are made from selecting that class of lands.

These were the only two flaws or doubts on the title of the grantees under this new selection. In the first place there was expended a considerable sum for the construction of the canal, about $3,000,000; but it remaining incomplete and the company being bankrupt, certain people raised a further sum of $1,000,000 in cash, purchased the charter, completed the canal, and proceeded to take possession of the land grant under a judgment of foreclosure.

So, then, the United States and the commerce of the country have got

beyond a question and beyond a dispute, everything in the way of consideration which the Government originally contemplated; and the simple question is, it having turned out that there was a technical title in this old railroad, which was never built until the Government had entered and foreclosed, whether now, as we have a bill foreclosing all these railroad grants, we propose not to confirm the title under this canal selection merely because 15,000 acres were selected in the vicinity of this railroad and not in the vicinity of the canal? That is the naked question.

Now, Mr. President, as I understand it, purchasers in good faith have gone in and settled upon these lands. There are villages, churches, schools, stores on them. These are purchasers in good faith, men who entered upon and cultivated the land; and there are in some instances, I understand, mines which have been worked, of great value and at great cost. I have in my desk here a selection of the acts of Congress where a similar policy in similar cases has been pursued; and with all the prejudice which exists against railroad grants, with all the strictness which the public sentiment looks for at our hands in legislating upon them, I am not aware of an instance where Congress has refused to confirm a title which is only doubtful in consequence of a technicality like that I have described.

But, Mr. President, there is a formidable opposition here, and I understand that that opposition comes from a single source. A company of speculators dwelling in the city of Washington, learning these facts, proceeded to get up a scheme. They proposed to engage and employ persons to go onto these lands or to profess to go on and make pretended entries as homesteaders or as pre-emptioners. With the men they got to go on there they made written contracts, that the schemers should have a quarter of the lands if they were obtained. They supposed that if they could get up a pretense of an actual homestead or pre-emption title Congress would be pretty likely to forfeit the railroad grant, and then go on and declare that the homestead and pre-emption titles which existed there should be confirmed, and thereupon the honest settlers under this canal title, or the honest claimants under it, would be ousted of their rights.

These men were sent there to put on their claims, as I said the other day, in some instances on a graveyard, in another instance on a church. There are claims five or six deep on particular tracts of land where the evidence taken before the Department of the Interior shows that no human being ever really visited the land or went upon it.

I have in my possession here the letters written by a member of this company to one of his associates, in which he expressly declares in the first letter that he knows that the persons who are sent upon these lands will be obliged to commit perjury, the law requiring them to make oath that they have made no contract for conveying any interest in the thing conveyed to anybody else, and in a second letter expressing his fear that some of these men will not go through with the scheme. He says he thinks they would do it if they had not got a "moral twist" over them. These, as I said, were to have one-quarter of all the interest. I should like to have the Chief Clerk read, beginning at page 119, the copy of the contract made between this company of speculators and the persons whom they sent on, and then read the letters which follow. The letter writers, as I understand, are citizens of Washington.

The PRESIDENT *pro tempore*. The Chief Clerk will read as indicated.

The Chief Clerk read as follows:

EXHIBIT No. 76.

Copy of contract referred to by affiant (original will be filed with the affidavit).

In consideration of the services performed and to be performed by Redington & Hill, land and mine attorneys, of Washington, D. C., as attorneys for John Rutter in the pre-emption claim for the N. ½ of SE. ¼, SW. ¼ of SE. ¼, and the SE. ¼ of SW. ¼, section 17, township 42 north, range 35 west, Michigan, now pending before the Secretary of the Interior, promise to pay to the said Redington & Hill, or order, the sum of one-fourth interest in the land, thirty days after date of decision by the honorable Secretary of the Interior.

Given under my hand, at Escanaba, in the State of Michigan, the 17th day of August, A. D. 1883.

JOHN RUTTER.

Signed in presence of—

____ ____.

____ ____.

[W. C. Hill, room 18, St. Cloud Building.]

WASHINGTON, D. C., *March* 4, 1882.

DEAR SIR: Yours of the 1st is received. You wrote to me to advise you and furnish scrip, and offering me an eighth interest. At that very time I was getting matters together for going for this very land; but on being called on by you, I considered myself estopped. You offered me an eighth, and wanted the scrip at $20 when it was selling at $25. I considered you would prefer giving me a quarter rather than pay $25, and sent the scrip and agreement as I did as a reply to your proposition, directing you not to take scrip if you did not agree. There was no ambiguity about it, and no lawyer was necessary to construe it. As to the scrip you propose to turn over in lieu, I have already bought it once, and I do not propose to buy it again if a lawsuit can get it. Mr. Black offered them to me at $12 per acre; his proposition was accepted, and then he, finding a few more dollars could be made, turned it over to you; but that is not the way I do business. The sale was made to me, and I propose to enforce it. Had you called on Johnson originally when you wrote to me you would have been advised that the land was disposed of, and would not have gone in. The exact status of the land he has not got through him yet, though he has been buzzing every attorney in town about it. The Commissioner of the General Land Office, as one of the board of adjudication, has reported these illegal Supreme Court locations for confirmation, and I stopped that, so they did not go before the board; but they would have for all the protection you would have had from him.

After you called on me for advice in the matter you should not have dropped me the way you did. I do not like to start a man into a good thing an' then have a mutton-head reap the advantage of it.

Yours, truly,

W. C. HILL.

A. MATHEWS, Esq.,
Marquette, Mich.

[W. C. Hill, room 18, St. Cloud Building.]

WASHINGTON, D. C., *March* 11, 1882.

DEAR SIR: Yours of the 8th is received. Mr. Black had contracted to sell those homesteads to me, and sold to you at an advance, and then told me he was unable to secure them.

Johnson is a clever fellow and honest, though I thought he should not have accepted your proposition when he knew I had started you in the matter. In fact, we have a rule here in our attorneys' association which forbids this very thing. He is a tolerable land lawyer for ordinary homestead and pre-emption matters, but not ready enough for a case like this, where we are opposed by large equities. I am very much disposed to stick when I fix a fee, but I have more at stake here than you, as I must keep up the status of the scrip, and so I can not afford to have a location fail, as I feared it would with J.

The applications are here, but to-day had not got to their proper division, and so I could not examine them; will Monday. Send agreements.

Yours, truly,

W. C. HILL.

A. MATHEWS, Esq.,
Marquette, Mich.

[W. C. Hill, room 18, St. Cloud Building.]

WASHINGTON, D. C., *March* 13, 1882.

DEAR SIR: Yours of the 9th is received. I advised Jacobs to locate E. ½ SE., 26; and as he said the parties, some of them, objected on account of friendship to locators of Supreme Court scrip, I myself mailed applications and scrip last Saturday. I will of course withdraw them. You did right in the matter, for, as the sequel shows, your not doing it would not protected these invalid entries. Somebody was bound to do it. Canal case *in statu quo*.

Yours, truly,

W. C. HILL.

A. MATHEWS, Esq.,
Marquette, Mich.

Have just withdrawn my applications by telegraph.

H.

We do not want action in your canal case until we get action by Secretary on Chandler's.

H.

[W. C. Hill, room 18, St. Cloud Building.]

WASHINGTON, D. C., *March* 31, 1882.

DEAR SIR: Yours of the 21st is received. Take all the settlers' claims on odd sections you can if you can get them on paper to agree to give us a one-quarter interest. If their filings are rejected, notify me in each case, and I will send form of appeal. I am satisfied they have no legal status under present law; but when the railroad grant is forfeited or extended, the settlers' claim will be recognized, and so we should get them on the record in some way.

Yours, truly,

W. C. HILL.

A. MATHEWS, Esq.,
Marquette, Mich.

Mr. HOAR. Let me interrupt the reading by calling the attention of the Senate to that passage. The writer of that letter says, after speaking of the large interest they have to contend with, that they must have a contract for a quarter interest in the entry. The statute of the United States, as it will appear in the next letter, the writer well knew required every one of these men to make oath that he had made no such contract with any person whatever.

The PRESIDENT *pro tempore*. The reading will proceed.

The Chief Clerk read as follows:

[W. C. Hill, land and mine attorney, room 18, St. Cloud Building.]

WASHINGTON, D. C., *April* 10, 1882.

DEAR SIR: I return herewith the duplicate agreement, duly signed.

I inclose draught of appeal in all cases of rejected pre-emption or homestead claims on the odd sections. As a matter of fact, I do not believe the lands are now public lands. But the appeal is in accordance with the theory of the General Land Office, or a number of prominent clerks in it; will serve our purpose, right or wrong, as I am confident the actual settlers can be protected by properly representing them before Congress, and the legislation on the grant made to conform, whether grant is extended or declared forfeited.

Of course the settlers, if they make agreements with us, will perjure themselves in making final proof. If we had agreements we could command the situation. If we do not we are helpless, except when you know the parties and can get a moral twist on them. It is the choice of evils, and you, being on the ground, can best judge.

In each case send me copy of D. S., with rejection and appeal on it, so I can have a record of the whole proceeding.

Yours, truly,

W. C. HILL.

A. MATHEWS, Esq.,
Marquette, Mich.

[Redington & Hill, attorneys at law, Nos. 16, 17, 18, 19, St. Cloud Building.]

WASHINGTON, D. C., *July* 10, 1883.

DEAR SIR: Since our correspondence relative to pre-emption and other claims against the cash-entry men and railroad, I have formed a law partnership with Mr. Redington, of which you were advised by our card.

We are getting the cases referred to in shape for action this summer, and propose to stir up the whole business. Upon examination I find the following cases, applications of file D. S., all sent me by you, and I have before me several of your letters relative to the best way of securing fees.

Our idea is to take a written contract for a certain money fee, contingent upon result; it ought not to be less than $500 in each case. If these parties still desire our services in the prosecution of their claims please advise us at once, and have them execute a contract to us on the inclosed form for a money fee, contingent

upon success in procuring an allowance of entry. The cases we have from you are as follows:

William J. Tully, S. ½ NE. ¼, NE. ¼ SE. ¼, and W. ½ SE. ¼, 19, 43, 34; Fred. A. Hall, W. ½ W. ½, 17, 43, 34; David Roach, SW. ¼, 29, 43, 34; Duncan McGillivray, NW. ¼, 19, 43, 34; A. J. Kalkins, W. ½ SE. ¼ and S. ½ SW. ¼, 31, 43, 34; John C. Hay, SW. ¼, section 33, 43, 34; Frank W. Singler, SW. ¼, section 33, 43, 34. The last two are for the same land, both sent to me by you. What was the mistake? If you have at any time sent me others, which in the hurry of business have been overlooked in our present arrangement of the cases, please advise me.

We are willing to serve these claimants and are quite confident of ultimate success, but we think we should be secured as to our fees. Please let us hear from you at your early convenience.

Yours, very truly,

W. C. HILL.

A. MATHEWS, Esq.,
Marquette, Mich.

WASHINGTON, D. C., *May* 26, 1884.

MY DEAR SIR: Your favor of the 20th instant has been duly received. I was very sorry not to see you again before you left Washington, but you know how busy I was just at that time, and how much I was obliged to be out of the office. I had hoped to consult at length with you in regard to the details of the Sault St. Marie case.

While, of course, this case involves other elements than were found in the Chandler case, and although it is undoubtedly more complicated and difficult, yet I still think the law is with us, and that the case ought to be won. You know, however, as well as I do, the uncertainty of departmental litigation. The Department is a court in little but the name.

If we go on with the case, the fight will be prolonged, and require a good deal of labor on my part. I should dislike very much to see a case of that kind, in which I have confidence, abandoned, and yet I do not feel like urging its continuance. I shall be glad to take hold of the case and fight it through if we can adjust the matter of compensation.

You know Mr. Hill has retired entirely from practice, and I have succeeded to the business of the firm, excepting the pre-emption and homestead cases in the Iron River district, which we still hold jointly. I shall have to look after your case without assistance from him; and as I already have more than I can attend to without working harder than a man really ought, I do not feel at liberty to take cases involving great labor without some reasonable compensation. This, I understand from your correspondence upon the matter, you are willing to arrange.

I think, under all the circumstances of the case, you should send me, say, $250 retainer, and give me a contingent interest in the claim. I should be glad to hear from you at an early day upon the matter; and I shall be in a position within a week or ten days to take hold of the case if desired.

I close the argument in the canal case to-morrow. Did you get a copy of the testimony? If not, I will send you one, although they are very scarce and hard to get.

Yours, very truly,

JAMES K. REDINGTON.

A. MATHEWS, Esq.,
Marquette, Mich.

EXHIBIT No. 78.

[These contracts relate principally to the lands occupied by the village of Iron River and the valuable iron mines adjoining the village.]

This agreement witnesseth that, whereas Abram Mathews, of Marquette, Mich., has applied to enter, with three certain Porterfield warrants, the N. ½ of SW. ¼ and NW. ¼ of SE. ¼ section 26, township 43 north, range 35 west, at the local land office at Marquette, Mich., and also at the same places with soldiers' additional homestead claims the SW. ¼ of SW. ¼ sections 26, 43, 35; SW. ¼ of SW. ¼ section 6, township 42 north, range 34 west; N. ½ of NW ¼ and E. ½ of NE. ¼ section 12; the N. ½ of NE. ¼ and NE. ¼ of NW. ¼ section 2, township 42 north, range 35 west, and the S. ½ of SW. ¼ section 22, township 43 north, range 35 west. And whereas certain professional services will be required in the General Land Office at Washington, it is hereby agreed between said Abram Mathews and W. C. Hill, of Washington, D. C., that in consideration of the said W. C. Hill having furnished the three certain Porterfield warrants above referred to, at $20 per acre, he shall be allowed, if he so elects, to receive the same back upon payment therefor to the said Abram Mathews the sum of $20 per acre in the event of the said applications being rejected and refused by the highest authority having jurisdiction over such matters.

It is hereby further agreed that in consideration of an undivided one-eighth (⅛) in and to the above-described lands, conditional upon the title thereto eventually resting in said Abram Mathews from the United States, the said W. C. Hill will, at his own expense, use his whole influence and legal ability in the direction of forcing the aforesaid applications to a successful issue, and, if possible for him to do so, secure patents from the United States for the aforesaid lands, all, or in part, in name of Abram Mathews.

In consideration of such influence and legal assistance, the said Abram Mathews hereby agrees, upon the receipt of patents from the United States covering the aforesaid lands, or any portion thereof, to deed to the said W. C. Hill an undivided one-eighth interest in and to such parcels of such lands as title may vest in him from the United States through the assistance and procurement of said Hill.

It is expressly agreed and understood and agreed by and between the parties hereto that in the event of the failure of said Hill to procure or cause to be procured patents from the United States to issue to and in the name of Abram Mathews, then he, the said W. C. Hill, is hereby estopped from demanding or receiving any compensation for his service in trying to secure the said patents.

Dated Washington, D. C., April 1, 1882.

W. C. HILL.

Witness:
BENJ. CLAYTON,
WILLIAM H. BRITTAIN.

EXHIBIT No. 79.

In connection with the above, the following from the Revised Statutes of the United States will be of interest:

"SEC. 2262. Before any person claiming the benefit of this chapter is allowed to enter lands he shall make oath before the receiver or register of the land district in which the land is situated that he has never had the benefit of any right of pre-emption under section 2259; that he is not the owner of 320 acres of land in any State or Territory; that he has not settled upon and improved such land to sell the same on speculation, but in good faith to appropriate to his own exclusive use; and that he has not, directly or indirectly, made any agreement or contract, in any way or manner, with any person whatsoever, by which the title which he might acquire from the Government of the United States should inure in whole or in part to the benefit of any person except himself; and if any person taking such oath swears falsely in the premises he shall forfeit the money which he may have paid for such land, and all right and title to the same; and any grant or conveyance which he may have made, except in the hands of bona fide purchasers, for a valuable consideration, shall be null and void, except as provided in section 2288.

* * * * * * *

"SEC. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath, states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than $2,000, and by imprisonment, at hard labor, not more than five years; and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed.

Mr. HOAR. As I have said, going back a moment, the bondholders of this canal received bonds for which they paid cash to the amount of between $3,000,000 and $4,000,000. They then assessed themselves in cash over a million dollars more for the completion of the canal. When the improvement was finally completed, and the governor of Michigan had certified to the same, lands were duly selected and the lists were approved by the Secretary of the Interior. The bondholders then caused a foreclosure of the original mortgage, and the land was bid in for them at judicial sale.

Mr. PALMER. Will the Senator permit me to ask him a question?

Mr. HOAR. Certainly.

Mr. PALMER. Does the mortgage which these bonds represent cover the whole of the 400,000 acres granted for the canal?

Mr. HOAR. I do not know. It certainly covers these 15,000 acres. I suppose it covers all that the canal company then owned; but I am not particularly instructed on that point.

The present canal company was then organized and became the owner, as was supposed, of the canal and of the 400,000 acres of selected lands. The lands when selected were not known to be of much value. There were, as the Senator will perceive, but 400,000 acres in all—200,000 acres under each of the two grants.

Mr. PALMER. Will the Senator please repeat his statement?

Mr. HOAR. I say there were but 400,000 acres in all, 200,000 acres under each of the two grants. The first 200,000 being insufficient, the second act of which I spoke granted 200,000 acres more.

As I am informed—and I have no doubt it will not be questioned here—the entire tract of 400,000 acres could have been purchased for the price of a dollar and a quarter an acre, and that entire tract which could have been purchased at the time for at most half a million dollars is all that these men got as a consideration for the construction of this expensive and costly public work, amounting to $4,000,000 or $5,000,000 in its entire cost, except the work itself; and the tolls received on that canal were up to a recent period all expended in its construction and its support.

Mr. MCPHERSON. And the Government got free tolls also.

Mr. HOAR. And the Government got free tolls also, as the Senator from New Jersey suggests, in addition, as a part of its consideration.

As I said, it transpired, it came to the knowledge of the writers of the letters which have been read here that 15,000 acres of the land selected fell inside of the Ontonagon and State Line Railroad grant, an unearned grant upon which, however, there has been no action of forfeiture. The selection of the lands was imposed by law upon an agent to be named by the governor and approved by the Secretary of the Interior. The lands selected, therefore, were not selected by this canal company and so taken at their risk and they to be held responsible; but it was a Government officer who selected the lands for them, and the lists of selections of the lands when made by that agent were reported to the Secretary of the Interior and approved by him.

So, then, the mistake which alone requires any act of Congress to confirm the title, was a mistake made by a Government officer appointed by the Secretary of the Interior in the first place; and in the next place his action was reported to the highest officer of the Government dealing with that class of questions except the President himself, and approved by him. The canal company had no legal voice in the selection of a single acre of this entire domain, and much less had the present canal company or the present occupants who claim the land under and by virtue of its title for a valuable consideration as bona fide holders.

Mr. President, it is to be observed that in regard to this case, as in nearly all like cases, after the term of limitation provided in the railroad grant, which in this case was ten years, had expired, the General Land Office treated the lands affected by the grant as having reverted to the public domain, and disposed of them exactly as other public lands were disposed of. Not only were they selected for canal purposes, but they were sold at private entry at a dollar and a quarter an acre, and homesteaders and pre-emptors were permitted to settle upon them.

No serious question was ever raised in regard to this title until the decision of the Supreme Court in 17th Wallace, which took place some time in the latter part of the year 1874 or the beginning of 1875, if I am not mistaken—the case of Schulenberg *vs.* Harriman. All these canal selections were made previous to that decision.

Of course the members of the present canal company, being largely persons who were bondholders under the original canal company, were not residents of the State of Michigan—the bonds were all sold in the East—but I do not suppose it is for the interest, even if injustice could ever be for any man's interest, of the portions of this country which seek to invite capital from where it is accumulated and have it flow over and spread over them and bring them its benefits and blessings in the shape of public improvements, to treat such persons as outlaws and as not entitled to the protection of Congress. I suppose there is no stockholder of this company who resides in Michigan, but its shareholders are men who have built up for Michigan this important public in-

provement when the capital of Michigan found itself unable or unwilling to do it.

The company, having put this amount of money in the lands, then investigated their value. They found that 25 or 30 per cent. of the whole amount was so utterly valueless that they have paid no taxes upon them, and they have been bid off to the State. Upon the rest of the lands they found some pine timber, and after expensive exploration they have developed a number of iron mines, and it was these iron mines and these timber lands which attracted the cupidity of the speculators.

Mr. President, but two questions have been raised with reference to the validity of the canal selections. The first one is whether the second statute, being *in pari materia* with the first, must not have, by construction, attached to it the limitation which was in the first act, and which required that the selection should be made within the distance prescribed from lands nearest the canal.

The second question is that a portion of the lands has been found to contain iron, while both grants excluded mineral land.

This first question, in addition to the facts which I have stated, that the selection was made by an agent of the governor and approved by the Secretary of the Interior, was submitted to the Attorney-General of the United States, and the Attorney-General gave two separate opinions upon it in the year 1874. It was Attorney-General Williams, but I suppose it is no impropriety to say that the opinions were written by Solicitor-General Phillips, one of the ablest and most admirable public officers we have had of late years in that Department. Both these opinions state in the clearest manner the opinion of the Attorney-General that the limitation of the first grant was not carried into the second, and that the last 200,000 acres might be selected from any public lands in the upper peninsula of Michigan. These two opinions will be found in a print entitled "Legislation by the United States and the State of Michigan in reference to Lake Superior Ship-Canal, Railway and Iron Company's Land Grant," pages 34–40. The opinion of the Attorney-General was accepted by the Secretary of the Interior, and the selections as made were approved.

Now, in regard to the second question whether they were entitled, when mineral lands were excepted, to select lands upon which iron mines were afterward discovered. In the fifth volume of the Opinions of Attorneys-General, page 247, it was decided by Attorney-General Crittenden that the word "mineral" does not apply to land containing iron mines, and I understand that ever since, now nearly forty years, that opinion has controlled the practice of all Departments of the Government.

The canal company have disposed of a portion of these lands in small lots to individual owners. None of these lands are fit for agricultural purposes. No one settler has gone there to get a home on a farm. The lands have been sold for their timber in some cases, and where a mine has been discovered they have been sold for the occupations which grow up along the mouth of a mine, for the benefit of the workmen and the population which the mine attracts.

The Senate Committee on Public Lands have twice unanimously recommended the confirmation of these canal titles, as I understand. The late Secretary of the Interior, Mr. Teller, recommended the same thing in his report, and he is the author of the amendment which is now pending.

Mr. PALMER. Will the Senator permit me to ask a question?

Mr. HOAR. Certainly.

Mr. PALMER. When did the Senate Committee on Public Lands recommend the confirmation of these titles?

Mr. HOAR. I have a reference to it here somewhere. I will get it.

Mr. PALMER. Any time. I merely interpolate the question because I may want to speak on it.

Mr. HOAR. In addition to this recommendation of Secretary Teller, Secretary Schurz in 1881 strongly recommended Congress to protect the interest of the canal company and of private purchasers, and on page 38 of the same pamphlet to which I have referred will be found his communication, inclosing a form of amendment to a then pending bill intended for this purpose.

So, then, we have as the fortification of this title which it is now sought to attack, in the first place, the payment four times over of the consideration; yes, ten times over; next, the selection under the approbation of the governor of Michigan; next, the selection of these lands by the public officer appointed for that purpose; next, the approbation of that selection by the Secretary of the Interior; next, two opinions of the Attorney-General of the United States; next, two recommendations of the Committee on Public Lands of this body; and next, the written official communications of two successive Secretaries of the Interior, and in addition to all that the disposition of this property for value to actual settlers who have put into it, in the work, in these mines, value many fold the original value of the land.

A pamphlet was laid on my desk just before I began in which there is an examination undertaking to show that there are only 22,642 acres of this land, which is in the hands of small individual owners, and that nineteen stockholders, who own the stock or bonds of the canal company, own the rest. Suppose they do, suppose it happens that there are nineteen men, who have paid their money and own part of the land, and that 22,642 acres (only about a tenth of the 200,000) are held by smaller proprietors, does that affect the justice of this question? But the significance is that the question put by the attorney at the hearing, tending to call out these facts, is pushed by this same gentleman, Mr. Redington, whose name appears on the letter in which the writers say they know that the settlers, the men who go on and pre-empt in this matter, will have to commit perjury; and in the next letter they say that if they do not carry the thing out they have a moral twist on them.

Mr. PALMER. Will the Senator permit me to interrupt him?

Mr. HOAR. Certainly.

Mr. PALMER. Since the Senator made his remark in regard to an alleged contract I have received this card:

> The genuineness of the contract has been denied under oath by me in the Interior Department. No such contract ever existed.
>
> JAMES K. REDINGTON.

Mr. HOAR. All I can say is that this contract and these letters were put in evidence in a hearing in the Interior Department. Does the Senator deny that the original letters, of which these are copies, are on file in the handwriting of that gentleman in the Interior Department?

Mr. PALMER. I neither deny nor affirm, for I know nothing about it.

Mr. HOAR. I am so informed. If it be true that those original letters and contract are on file in the Department, will the Senator assert that this denial of the genuineness of the letters and contract—it is there apparently in all the forms of an ordinary contract—is of very much importance?

Mr. PALMER. I should think not; I am free to confess it; but I wish to state to the Senator from Massachusetts that this very discussion has developed what I have contended for all along, and so will develop more and more to the end of the discussion; and that is that this amendment has no business on this railroad forfeiture bill. The attorneys of this canal company in this city, like a ferret, have watched all these railroad forfeiture bills.

Mr. HOAR. That is not the question. I know nothing of this gentleman. I should be sorry to do him any injustice whatever. I give my entire authority for what I have called to the attention of the Senate. I am informed by a gentleman who appears to represent this canal company and the claimants under it that these facts are on file, the original letters and what purports to be a copy of this contract. It may not have been delivered; there may be something to allow him to deny that there was any such genuine contract; but a paper purporting and pretending to operate as a contract when it is signed is there, and I can not see any reason for doubting the entire genuineness and good faith of the suggestion about it.

Now, to come to the suggestion of my honorable friend, I think it is in place in this discussion to put this amendment on the bill. Here was a grant to a railroad which never earned the grant. There was a subsequent grant to a canal company, which did pay the consideration four times over, and when that canal company selected its lands it selected them partly from land which had previously been granted to the railroad company and which the railroad company had not earned. The lands were selected not by the canal company, but by the public officer to whose decision they were obliged by law to submit, under the direction of the governor of Michigan, reported to and confirmed by the Secretary of the Interior, on the opinion of the Attorney-General of the United States, and these men were helpless to make any other selection. They performed the conditions first, and their $5,000,000 have been paid out; but they were as helpless to have done anything else as they would be under the decision of the Supreme Court itself. Now there comes before the Senate a bill to forfeit that railroad land grant, a general bill, and the forfeiture covers this selection, and if you forfeit that you put the title of these men back into the United States and leave these bogus and fraudulent entrymen to make their claim, to throw a cloud on the title of every miner's cabin, to throw a cloud on the titles even to the grave-yard where the children of the people who have gone there to develop this land are buried, as I said. In one instance these men put their claims on a grave-yard.

I undertake to say that if there is a spark of the sense of justice in this body, which represents the just, honest, generous American people, if there is any time when they should confirm this title, it is the time when they are forfeiting the railroad grant and thereby throwing a cloud upon it. In the next place, if there were no bill here, I undertake to say that the proper time to confirm this title is the very first moment after Congress learns the facts and can get at it.

Mr. PALMER. I agree with the Senator on that point.

Mr. HOAR. And as it is in order to move a proposition to confirm these titles, speaking as one Senator, I think it is my duty to do it without delay.

Mr. CHACE. Will the Senator from Massachusetts let me ask him a question?

Mr. HOAR. Certainly.

Mr. CHACE. I fail to discover that this statement of facts has been impeached. Has there been any attempt to impeach this statement?

Mr. HOAR. I have not heard of any. I asked my honorable friend from Michigan, who I suppose is in full communication with the other side, whether he is prepared to deny the fact about these letters, and he says he is not.

Mr. PALMER. Does the Senator wish me to answer now?

Mr. HOAR. You did answer.

The PRESIDENT *pro tempore*. Senators must address the Chair.

Mr. HOAR. I am merely repeating the question which I asked the Senator some time ago, and the answer he made then.

Mr. PALMER. I said I neither denied nor affirmed in regard to those statements of fact. There are a great many of them which the honorable Senator seems to have got by hearsay, and I wish to be very exact when I make a statement positively. In regard to the pathetic grave-yard story, I am informed that it never existed at all; that the canal company never owned a grave-yard.

Mr. HOAR. I should like to ask the honorable Senator from Michigan again if he denies that the persons who claim to be homesteaders or pre-emptioners against this title that I am speaking of are persons who were sent in there by the writer of these letters under a contract?

Mr. PALMER. Does the Senator wish me to answer?

Mr. HOAR. Certainly.

Mr. PALMER. I will say that I do not know by whom they were sent in. I know that for seven or eight years there have been homesteaders there, farms have been cleared up, and they are in possession now. But that is not the material point, for I think that they are pretty safe even under the Senator's amendment. What I contend is that under the shadow of a beneficent bill an effort is being made to smuggle the confirmation of this grant through, which should be considered on its merits alone and not confused with other matters.

Mr. HOAR. I do not know what my honorable friend's notion of smuggling is. It rather strikes me that this amendment of mine is regularly entered in the custom-house and brought to the notice of the collector, and so it has come to Congress.

Mr. PALMER. Will the Senator just answer me this question——

Mr. HOAR. My honorable friend rose for a question and under the guise of a question proceeded to say that I or somebody was smuggling this thing in Congress, and I think I am entitled to reply to that by the observation that if there ever was a proposed measure of legislation on earth that was regularly entered in the custom-house in the face of day, and any appeal on the subject brought to Congress, it is this amendment of mine.

Mr. PALMER. I ask the Senator if his amendment was ever referred to a committee?

Mr. HOAR. It is an amendment which two Secretaries of the Interior have transmitted to Congress in succession, urging them to adopt it, Carl Schurz and Mr. TELLER, who are not often found agreeing on other things; and it has been pending here for days. The measure has been here since last week. The general purpose that we had was made known to the Senate last week, and the facts were all disclosed in a printed document, a hearing in the Department of the Interior. That is what my honorable friend from Michigan describes as smuggling.

Mr. PALMER. Will the Senator permit me to interrupt him? If he is going to address me, he must permit me to answer, or else ask a question.

Mr. HOAR. I am addressing the entire Senate.

Mr. PALMER. But he was looking and pointing at me as if I were the object of his remarks.

Mr. HOAR. No; I was addressing the entire Senate, and I looked at the Senator from Michigan simply because he is the most dignified and the most handsome member of the body, but without any personal purpose whatever.

Mr. PALMER. The Senator himself excepted, Mr. President.

Mr. HOAR. We have here the affidavits of twenty-two persons showing the character of the contracts which they made, one or two of which were read from the desk, and showing that fraudulent and illegal contracts were made.

Mr. PALMER. Of what date, may I ask the Senator?

Mr. HOAR. Here is the affidavit of Mr. George M. Buckley, sworn to on the 15th day of July, 1884. He refers to a conversation with one of the firm of Redington & Hill.

Deponent further testifies that in the latter part of the month of October, 1882, there came to Iron River one W. C. Hill, who represented that he was an attorney and doing business at Washington, D. C.; that in a conversation held with deponent said Hill offered to take cases for any and all persons who would settle on any lands in Iron River township and conduct them before the Department of Interior at Washington. Said Hill also told deponent that all entries made with cash in said township would be canceled, and recommended settlers to squat on said lands. Said Hill further told deponent that the only terms on which he would conduct cases for settlers was one-fourth interest in the land and that he would not work them on any other terms. And deponent further says that said John B. Weimer became an agent for said Hill, and made a business of locating settlers on lands that had previously been entered for cash, charging a regular fee for his services. And deponent says further that upon one occasion he was present when said Weimer located two settlers on claims and heard the agreements, the terms of which were one-fourth interest in each claim, to be conveyed to Weimer and Hill jointly when the titles should be perfected in the squatters.

As I said, here are twenty-two distinct similar affidavits. There are twenty-five according to the memorandum, but I make the number twenty-two. Here are the forms of the contracts given, providing that the attorneys shall have a share in the land, and those contracts were made with these various persons. Here are the letters of the parties to the same effect, all given.

Here is a document which has been drawn off and left with me at my request. It is a list of the homestead and pre-emption filings made in the local land office of Marquette during 1882, 1883, and subsequent years, and certified to by the register of the land office at that place. Here is the official certificate, the original paper. This shows in that little territory of 15,000 acres over five hundred filings of persons pretending to be actual homesteaders or pre-emptioners, or whatever they were, on land which had been previously taken up and which had been entered in that very land office before.

Mr. PALMER. I ask the Senator, if he will permit me to interrupt him, how many acres did each homesteader take?

Mr. HOAR. I can not say, but the number is given here. Here is the date and the subdivision.

Mr. PALMER. Let me look at that.

Mr. HOAR. The Senator may look at it. I send this statement, with the leave of the Senate, to the Reporter, to be incorporated in my remarks—the whole thing.

The PRESIDENT *pro tempore*. It will be so incorporated if there be no objection.

The statement referred to is as follows:

[Abbreviations: D. S., declaratory statement; H'd, homestead; W'nt, warrant.]

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
NW. ¼ of SE. ¼	4	42	34	D. S.	Martin Daly	Nov. 12, 1883		William Watson	E. ½	Apr. 10, 1880	Cash.
S. ½ of SE. ¼	4	42	34	D. S.	do	do	Nov. 27, 1883	do	E. ½	do	Do.
S. ½ of NE. ¼, SE. ¼ of NW. ¼, and NE. ¼ of SE. ¼.	4	42	34	D. S.	William Morgan	do	do	do	E. ½	do	Do.
								James K. Hamilton	NW. ¼	Mch. 9, 1880	Do.
N. ½ of NW. ¼ and N. ½ of NE. ¼.	4	42	34	D. S.	Thomas Coyne	do	Dec. 1, 1883	William Watson	E. ½	Apr. 10, 1880	Do.
SW. ¼ of NW. ¼, sec. 4; N. ½ of NE. ¼ and SE. ¼ of NE. ¼.	5	42	34	D. S.	John H. Smythe	Nov. 9, 1883	Dec. 4, 1883	James K. Hamilton	NW. ¼	Mch. 9, 1880	Do.
								Do	NW. ¼ sec. 4	do	Do.
								Do	E. ½ of NE. ¼	do	Do.
								Samuel M. Stephenson and William Holmes.	W. ½ of E. ½	Mch. 8, 1880	Scrip.
SW. ¼	5	42	34	D. S.	Frank Beyer	Nov. 15, 1882		Solomon Greenhought and Jacob Buchholtz.	N. ½ of SW. ¼	Feb. 21, 1880	Cash.
								Solomon Greenhought	S. ½ of SW. ¼	Jan. 20, 1880	Do.
SE. ¼	5	42	34	D. S.	William Atkins	July 5, 1883	July 29, 1883	George W. Thorn	E. ½ of SE. ¼	Apr. 7, 1880	Do.
								Samuel M. Stephenson and William Holmes.	W. ½ of E. ½	Mch. 8, 1880	Scrip.
E. ½ of NW. ¼ and W. ½ of NE. ¼.	5	42	34	D. S.	Mich'l Corcoran	Nov. 9, 1883	Dec. 1, 1883	do	do	do	Do.
								John D. Ross	N. ½ of NW. ¼	Mch. 3, 1880	Cash.
								Solomon Greenhought and Jacob Buchholtz.	S. ½ of NW. ¼	Feb. 21, 1880	Do.
E. ½ of NW. ¼ and SW. ¼ of NE. ¼.	5	42	34	D. S.	John S. McLean	Nov. 9, 1883	Dec. 4, 1883	Jacob Buchholtz	S. ½ of NW. ¼	do	Cash.
								John D. Ross	N. ½ of NW. ¼	Mar. 3, 1880	Scrip.
								Samuel M. Stephenson and William Holmes.	W. ½ of E. ½	Mar. 8, 1880	Do.
W. ½ of NW. ¼, sec. 5, and E. ½ of NE. ¼.	6	42	34	D. S.	Otto F. Riebel	Nov. 10, 1882		John D. Ross	N. ½ of NW. ¼, sec. 5.	Mar. 3, 1880	Do.
								Solomon Greenhought and Jacob Buchholtz	S. ½ of NW. ¼, sec. 5.	Feb. 21, 1880	Do.
								James Robertson	E. ½ of NE. ¼, sec. 6.	Oct. 2, 1879	Do.*
W ½ of NW ¼ and NE. ¼ of NW. ¼.	6	42	34	D. S.	Henry Bartell	Nov. 9, 1883		L. D. Cyr	SW. ¼ of NW. ¼	June 22, 1878	Do.
								Jourdan Fugua	N ½ of NW. ¼, fri.	Feb. 19, 1883	(†)

* Patented.

† Additional homestead scrip.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
SW. ¼ of SW. ¼	6	42	34	(†)	Ole Furgeson	Feb. 27, 1882	Mar. 23, 1882	William F. Swift	S. ½ of SW. ¼	July 29, 1879	Scrip.*
SW. ¼ of	6	42	34	D. S.	B. H. Riebel	Nov. 10, 1882		do	do	do	Do.*
								Daniel Corry, jr	NE. ¼ of SW. ¼	Sept. 9, 1879	Cash.*
								L. D. Cyr	NW. ¼ of SW. ¼	June 22, 1878	Scrip.
SE. ¼ of	6	42	34	D. S.	Adam Bayer	Nov. 20, 1882		James Robertson	N. ½ of SE. ¼	Oct. 2, 1879	Do.*
								Do	SE. ¼ of SE. ¼	do	Do.*
								Alfred Kidder	SW. ¼ of SE. ¼	Sept. 29, 1879	Do.*
N. ½ of NW. ¼ and SW. ¼ of NW. ¼	6	42	34	D. S.	Andrew Longren	Jan. 25, 1884		Jourdan Fugua	N. ½ of NW. ¼	Feb. 19, 1883	(†)
								L. D. Cyr	SW. ¼ of NW. ¼	June 22, 1878	Scrip.
S. ½ of N. ½	7	42	34	H'd	Cutler Cram	Nov. 10, 1882	Dec. 6, 1882	James Robertson	S. ½ of NW. ½, S. ½ of NE. ¼	Oct. 2, 1879	Scrip.
N. ½ of NE. ¼	7	42	34	H'd	Walter Cavanaugh	Nov. 15, 1882	do	do	N. ½ of NE. ¼	do	Do.
NW. ¼	7	42	34	D. S.	Thomas Windsor	Nov. 13, 1882		L. D. Cyr, Donald Mackinnon, and Alexander Mackinnon.	N. ½ of NW. ¼	Sept. 19, 1879	Do.
								James Robertson	S. ½ of NW. ¼	Oct. 2, 1879	Do.
SW. ¼	7	42	34	D. S.	Petter Higgins	July 5, 1883	July 29, 1883	Solomon Greenhought and Jacob Bucholtz.	NE. ¼ of SW. ¼	Feb. 21, 1880	Do.
								G. M. Wakefield	W. ½ of SW. ¼	Dec. 29, 1879	Do.
								Samuel M. Stephenson and William Holmes.	SE. ¼ of SW. ¼	Mar. 8, 1880	Do.
SE. ¼	7	42	34	D. S.	J. F. Anderson	Dec. 7, 1883		Solomon Greenhought and Jacob Bucholtz.	N. ½ of SE. ¼	Feb. 21, 1880	Cash.
								Samuel M. Stephenson and William Holmes.	S. ½ of SE. ¼	Mar. 8, 1880	Do.
SE. ¼	7	42	34	D. S.	Martin Hanley	Dec. 28, 1883	Jan. 24, 1884	Solomon Greenhought and Jacob Buckholtz.	N½ of SE. ¼	Feb. 21, 1880	Do.
								Samuel M. Stephenson and William Holmes.	S. ½ of SE. ¼	Mar. 8, 1880	Scrip.
N. ½ of NW. ¼, SW. ¼ of SE. ¼, S. ½ of SW. ¼	8	42	34	D. S.	John Murphy	Nov. 10, 1883	Dec. 1, 1883	Solomon Greenhought	N. ½ of NW. ¼	Jan. 20, 1880	Cash.
NW. ¼ of NW. ¼	17	42	34	D. S.	Peter Quinn	Sep. 26, 1883	Oct. 13, 1883	John D. Ross	S. ½ of SW. ¼ sec. 8, SW. ¼ of SE. ¼ sec. 8.	Mch. 3, 1880	Cash.
								Samuel M. Stephenson and Wm. Holmes.	W. ½ of W. ½ sec. 17.	Mch. 8, 1880	Scrip.
SW. ¼	9	42	34	D. S	Jas. Harrington	Aug. 15, 1883	Sept. 8, 1883	S. M. Hay	SW. ¼	Jan. 27, 1880	W'nt.
NW. ¼	9	42	34	D. S	Dennis Reedy	Sep. 27, 1883	Oct. 13, 1883	do	NW. ¼	do	Do.
E. ½ of SW. ¼ and E. ½ of NW. ¼	17	42	34	D. S.	John Finn	Dec. 18, 1883	Jan. 14, 1884	Irenus K. Hamilton	SE. ¼ of NW. ¼, E. ½ of SW. ¼	Mch. 9, 1880	Cash.
								Samuel M. Stephenson and Wm. Holmes.	NE. ¼ of NW. ¼	Mch. 8, 1880	Scrip.
NE. ¼	17	42	34	D. S.	John Corbitt	Nov. 10, 1883	Nov. 26, 1883	do	NW. ¼ of NE. ¼	do	Do.
								Irenus K. Hamilton	E. ½ of N. E. ¼	Mch. 9, 1880	Cash.
W. ½ of W. ½	17	42	34	D. S.	Richard Williams	Oct. 19, 1883	Nov. 8, 1883	Samuel M. Stephenson and Wm. Holmes.	W. ½ of W. ½	Mch. 8, 1880	Scrip.
E. ½ of W. ½	17	42	34	D. S.	Chas. Williams	Oct. 19, 1883		Irenus K. Hamilton	E. ½ of SW. ¼, SE ¼ of NW. ¼	Mch. 9, 1880	Cash.
								Samuel M. Stephenson and Wm. Holmes.	NE. ¼ of NW. ¼	Mch. 8, 1880	Scrip.
W. ½ of N. W. ¼	18	42	34	(†)	Geo. W. Hills	Nov. 23, 1883	Jan. 2, 1883	Geo. A. Woodford	NW. ¼ of NW. ¼	Sep. 8, 1879	Cash.*
								Lewis Stegmiller	S½ of NW. ¼	Jan. 14, 1880	Do.*
N. ½ of NE. ¼, sec. 19, and W. ½ of NW. ¼	20	42	31	D. S.	David Porter	Dec. 1, 1882		Saul M. Stephenson and William Holmes.	Lots 1, 2, and 3, sec. 19.	Mar. 8, 1880	Cash.
								Do	NW. ¼ of NW. ¼, sec. 20.	do	Do.
NW. ¼	20	42	34	D. S.	Frank Ducker	Nov. 9, 1883	Nov. 27, 1883	do	NW. ¼ of NW. ¼, sec. 20.	do	Do.
Entire	5	43	34	Cash.	Jas. Dwyer and A. S. Tebbs.	Apr. 10, 1883	May 9, 1883				
NW. ¼	5	43	34	D. S.	A. W. Colson	Oct. 3, 1883					
SW. ¼	5	43	34	D. S.	John Hanson	do					
NW. ¼	5	43	34	D. S.	James Whalen	Nov. 12, 1883	Nov. 26, 1883				
SE. ¼	5	43	34	D. S.	David Rateliff	do	do				
SW. ¼	5	43	34	D. S.	John K. Dahl	Nov. 26, 1883	Dec. 17, 1883				
SE. ¼	6	43	34	D. S.	James Hanson	Oct. 19, 1883	Nov. 8, 1883	William Watson	SE. ¼	Apr. 18, 1881	W'nt.
NE. ¼	6	43	34	D. S.	John Erie	do	do	do	NE. ¼	do	Do.
S. ½ of NW. ¼	7	43	34	Cash.	Jas. Dwyer and A. S. Tebbs.	Apr. 10, 1883	May 3, 1883				
W. ½ of SW. ¼ and lots 5 and 6.	7	43	34	D. S.	Martin Mueller	Aug. 28, 1882	Sept. 20, 1882				
NE. ¼ of NW. ¼ and lots 1, 2, and 3.	7	43	31	D. S.	Elie P. Gillman	Nov. 17, 1882	Jan. 2, 1883				
SE. ¼	9	43	34	D. S.	Young Campbell	July 5, 1883	July 30, 1883				
NW. ¼	9	43	34	D. S.	Elisha Morgan	do	do				
NE. ¼	9	43	34	D. S.	Thomas Cox	do	Aug. 8, 1883				
SW. ¼	9	43	34	D. S.	Geo. Shork	Aug. 15, 1883	Sept. 11, 1883				
SW. ¼	15	43	34	H'd	Peter O. Erickson	Nov. 25, 1882	Dec. 20, 1882				
W. ½ of W ½	17	43	34	D. S.	Fred A. Hall	Apr. 12, 1882	Apr. 25, 1882				
E. ½ of SW. ¼ SE ¼ of NW. ¼ and lot 1.	17	43	34	D. S.	Charles A. Otto	Apr. 27, 1882	May 15, 1882				
E. ½ of SE. ¼	17	43	34	D. S.	M. H. Rodden	Aug. 21, 1882					
W. ½ of E. ½	17	43	34	D. S.	James Rodden	do					
W. ½ of E. ½	17	43	34	D. S.	Frank White	Aug. 28, 1882	Sept. 12, 1882				
E. ½ of E. ½	17	43	34	D. S.	Leon La Crosse	do	Sept. 20, 1882				
SE. ¼	18	43	34	H'd	A. B. Raymonds	Nov. 23, 1882	Dec. 20, 1882	Agnes B. Raymond	E. ½ of SE. ¼	Apr. 15, 1881	Cash.
SW. ¼	18	43	34	D. S.	M. Satterlands	Nov. 26, 1883	Dec 10, 1883	August Spies	W. ½ of SE. ¼	Apr. 23, 1880	Do.*
								Do	Lots 1 and 2 and NW. ¼ of SW. ¼	do	Do.*
N. ½ of N. ½	18	43	34	D. S.	Kaz. Gendzwill	May 26, 1883	June 22, 1883	Geo. M. Wakefield	Lots 4 and 5	May 24, 1880	Do.*
								Do	E. ½ of NW. ¼	Apr. 23, 1880	W'nt.
								Do	W. ½ of NW. ¼	May 8, 1880	Cash.*
S. ½ of N. ½	18	43	34	D. S.	M. Grosbusch	do	June 22, 1883	do	E. ½ of NW. ¼	Apr. 23, 1880	W'nt.
									S. ½ of NE. ¼		
								Do	W. ½ of NW. ¼	Apr. 8, 1880	Cash.*
								Do	Lots 1 and 2 and NW. ¼ of SW. ¼	Apr. 23, 1880	Do.*
E. ½ of SW. ¼, NW. ¼ of SW. ¼	18	43	34	D. S.	John Swanson	Nov. 9, 1883		August Spies	Lots 1 and 2 and NW. ¼ of SW. ¼	do	Do.
N. ½ of SW. ¼, SE. ¼ of SW. ¼	18	43	34	D. S.	George Lingley	do		Do	Lots 1 and 2 and NW. ¼ of SW. ¼	do	Do.*
E. ½ of W. ½	19	43	34	D. S.	Erland Peterson	June 11, 1883					
SE ¼ of NE. ¼, NE. ¼ of SE. ¼, and W. ½ of SE. ¼	19	43	34	D. S.	George Gaudsay	Dec. 28, 1882	Jan. 24, 1883				
NW. ¼	19	43	34	D. S.	Lovinas Hall	Nov. 27, 1882	Dec. 20, 1882				

* Patented.

† Additional homestead scrip.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
NW. ¼	19	43	34	D. S.	D. McGilliray	Apr. 12, 1882	Apr. 25, 1822				
SE. ¼ of NE. ¼, NE. ¼ of SE. ¼ and W. ½ of SE. ¼.	19	43	34	D. S.	William J. Tully.	Apr. 19, 1882	June 1, 1882				
NE. ¼ of SW. ¼ and lots 1 and 2.	19	43	34	D. S.	Albert Smith	Aug. 7, 1882	Aug. 12, 1882				
NE. ¼	19	43	34	D. S.	Chas. Cadwell	do	Aug. 9, 1882				
NW. ¼	19	43	34	D. S.	Chas. H. Burkley.	do	do				
SW. ¼	19	43	34	D. S.	Fred. Gage	Sept. 16, 1882					
E. ½ of E. ½	20	43	34	D. S.	Svan Janson	Oct. 12, 1883	Oct. 25, 1883	J. J. Borland	S. ½ of SE. ¼	Feb. 11, 1881	Cash.
								Joseph B. Davis	NE. ¼ of NE. ¼, S. ½ of NE. ¼.	June 25, 1881	Do.
								August Spies	N. ½ of SE. ¼	Apr. 23, 1880	W'nt.
NW. ¼	20	43	34	D. S.	Olof Anderson	Oct. 18, 1883		Joseph B. Davis	NW. ¼	June 25, 1881	Cash.
NE. ¼	20	43	34	D. S.	Gustaf Anderson	do		do	NE. ¼ of NE. ¼	June 25, 1881	Do.
								August Spies	S. ½ of NE. ¼	Apr. 23, 1880	W'nt.
								Do	NW. ¼ of NE. ¼	Apr. 23, 1880	Cash.*
NE. ¼	20	43	34	D. S.	Patrick Kelly	Nov. 10, 1883	Nov. 27, 1883	Joseph B. Davis	NE. ¼ of NE. ¼	June 25, 1881	Do.
								August Spies	S. ½ of NE. ¼	Apr. 23, 1880	W'nt.
								Do	NW. ¼ of NE. ¼	Apr. 23, 1880	Cash.*
E. ½ of NE. ¼ and SW. ¼ of NE. ¼.	20	43	34	D. S.	Michael Kelley	Nov. 10, 1883	do	Jos. B. Dorris	NE. ¼ of NE. ¼	June 25, 1881	Cash.
								Aug. Spies	S. ½ of NE. ¼	Apr. 23, 1880	W'nt.
SE. ¼	21	43	34	D. S.	Chas. H. Gates	Aug. 7, 1882	Sept. 5, 1882				
NW. ¼	21	43	34	D. S.	A. McNalley	Aug. 21, 1882	Sept. 20, 1882				
NE. ¼	21	43	34	D. S.	Elias Gates	Sept. 16, 1882					
NW. ¼	21	43	34	D. S.	Louis E. Gates	do					
SW. ¼	21	43	34	D. S.	Theop. Beaudoin.	Nov. 11, 1882	Jan. 2, 1883				
SW. ¼	21	43	34	D. S.	John Corbitt	Dec. 13, 1882	Dec. 28, 1882				
SE. ¼	21	43	34	D. S.	Tuffield Briesette.	Dec. 1, 1882	Jan. 2, 1883				
NW. ¼	21	43	34	D. S.	Thomas Cooney	Dec. 22, 1882	do				
NE. ¼	21	43	34	D. S.	J. W. Gaudray	Dec. 28, 1882	Jan. 24, 1883				
NW. ¼	22	43	34	D. S.	John Minding	Oct. 3, 1883		Geo. M. Wakefield	Entire section	Aug. 27, 1880	Cash.*
NW. ¼	7	43	34	D. S.	Gurtaf Edlund	Sept. 16, 1882	Sept. 20, 1882				
SW. ¼	27	43	34	D. S.	August Erickson	do	do				
NW. ¼	27	43	34	D. S.	J. E. Gromland	May 15, 1883	Allowed ‡				
E. ½ of SW. ¼, NW. ¼ of SE. ¼, and SE ¼ of NW. ¼.	28	43	34	D. S.	Joel Waters	Nov. 27, 1882		do	E. ½ of SW. ¼, NW. ¼ of SE. ¼, and SE. ¼ of NW. ¼.	Mar. 23, 1880	W'nt.
W. ½ of W. ½	28	43	34	D. S.	Alfred McCore	do		do	W. ½ of SW. ¼ and SW. ¼ of NW. ¼.	do	Do.
								Do	NW. ¼ of NW. ¼	do	Cash.*
E. ½ of E. ½	28	43	34	D. S.	E. Lauzon	Feb. 8, 1883	Feb. 23, 1883	do	E. ½ of E. ¼	Mar. 23, 1880	W'nt.
E. ½ of SW. ¼ and W. ½ of SE. ¼.	28	43	34	D. S.	J. B. Leonier	Apr. 17, 1883		do	E. ½ of SW. ¼ and W. ½ of SE. ¼.	do	Do.
W. ½ of SE. ¼ and E. ½ of SW. ¼.	28	43	34	D. S.	Erick Bergstrom	Oct. 3, 1883		do	W. ½ of SE. ¼ and E. ½ of SW. ¼.	do	Do.
W. ½ of W. ½	28	43	34	D. S.	Hans Hanson	Oct. 12, 1883		do	SW. ¼ of NW. ¼ and W. ½ of SW. ¼.	do	Do.
								Do	NW. ¼ of NW. ¼	do	Cash.*
SW. ¼	29	43	34	D. S.	M. H. Cooper	Mar. 31, 1882	May 2, 1882				
NW. ¼	29	43	34	D. S.	John Murthison	do	Apr. 25, 1882				
NE. ¼	29	43	34	D. S.	A. M. Deering	do	May 2, 1882				
SE. ¼	29	43	34	D. S.	David Roach	Apr. 12, 1882	Apr. 25, 1882				
SW. ¼	29	43	35	D. S.	B. H. Riebel	Dec. 11, 1882	Jan. 2, 1883				
NE. ¼	29	43	34	D. S.	F. E. Bernard	do	do				
SE. ¼	29	43	34	D. S.	John N. Bernard	do	do				
NW. ¼	29	43	34	D. S.	Sterling A. Ross	Dec. 22, 1882					
NW. ¼	29	43	34	D. S.	Cornelius Ryan	Jan. 20, 1883	Jan. 24, 1883				
NW. ¼	30	43	34	D. S.	David Porter	Nov. 10, 1882		Aug. Spies	NW. ¼	Apr. 10, 1880	Cash.*
E. ½ of W. ½	30	43	34	D. S.	Wm. T. Nesbitt	Dec. 11, 1882	Jan. 2, 1883	do	NW. ¼	do	Do.*
								Abram Mathews	NW. ¼	Apr. 12, 1880	Do.*
								do	NW. ¼	do	Do.*
								Aug. Spies	NW. ¼	Apr. 10, 1880	Do.*
W. ½ of W. ½	30	43	34	D. S.	Thos. H. Mellon	Dec. 11, 1882	do	George M. Wakefield	E. ½ of E. ½	Apr. 23, 1880	W'nt.
E. ½ of E. ½	30	43	34	D. S.	E. Mattsson	Dec. 11, 1882	Jan. 2, 1883		W. ½ of E. ½	do	Do.
W. ½ of E. ½	30	43	34	D. S.	Oliver Leonard	Oct. 19, 1883			W. ½ of E. ½	do	Do.
W. ½ of SE. ¼ and W. ½ of NE. ¼.	30	43	34	D. S.	John Lyng	do	Nov. 8, 1883				
W. ½ of SW. ¼, SE. ¼ of SW. ¼, and SE. ¼ of SE. ¼.	31	43	34	D. S.	Jacob B. Hemmer.	June 7, 1883					
SE. ¼ of NE. ¼ and NE. ¼ of SE. ¼.	31	43	34	D. S.	Michael Bloskey	Oct. 30, 1882	Nov. 24, 1882				
W. ½ of NW. ¼	31	43	34	D. S.	Louis Buldue	do	Nov. 28, 1882				
S. ½ of SW. ¼ and W. ½ of SE. ¼.	31	43	34	H'd.	Ole A. Werterbury	Mch. 1, 1882	Mch. 25, 1882				
E. ½ of SE. ¼, SE. ¼ of NE. ¼, and NW. ¼ of SE. ¼.	31	43	34	D. S.	R. T. Mullinder	April 12, 1882	June 1, 1882				
W. ½ of SE. ¼ and S. ½ of SW. ¼.	31	43	34	D. S.	A. J. Kalkins	do	Apr. 25, 1882				
W. ½ of NW. ¼	31	43	34	D. S.	James Farley	Aug. 7, 1882	Aug. 9, 1882				
E. ½ of SE. ¼ and S. ½ of NE. ¼.	31	43	34	D. S.	Louis Klinger	Dec. 11, 1882	Jan. 2, 1883				
S. ½ of SW. ¼ and SW. ¼ of SE. ¼.	31	43	34	H'd.	Frank Buldor	Nov. 27, 1882	Dec. 12, 1882				
SE. ¼ of NE. ¼ and E. ½ of SE. ¼.	31	43	34	H'd.	J. O. Westerbury	Mch. 1, 1882	Mch. 25, 1882				
SW. ¼	32	43	34	D. S.	Michael White	Dec. 1, 1882	Jan. 2, 1883	Abraham Matthews	W. ½ of SW. ¼	Apr. 12, 1880	Cash.*
SW. ¼	33	43	34	D. S.	Frank W. Singler.	Apr. 22, 1882	June 1, 1882	George W. Thorne	E. ½ of SW. ¼	Mch. 25, 1880	Do.*
SE. ¼	33	43	34	D. S.	R. B. Forest	Aug. 7, 1882	Aug. 25, 1882				
NE. ¼	33	43	34	D. S.	Chas. Bergquist	Sept. 16, 1882	Sept. 22, 1882				
NW. ¼	33	43	34	D. S.	Bergt. Rosengrist	do	Sept. 20, 1882				
SW. ¼	33	43	34	D. S.	John C. Hay	Oct. 14, 1882	Sept. 20, 1882				
SW. ¼	3	43	34	D. S.	Harry Lyns	Jan. 25, 1884					
Lot 4	29	45	34	(†)	George Timbers	Feb. 8, 1883	Feb. 23, 1883	Not in common limits.			
SW. ¼	1	42	35	D. S.	Joseph Brady	Feb. 13, 1882	Feb. 20, 1882	John D. Ross	SW. ¼	Nov. 22, 1879	W'nt.
NE. ¼	1	42	35	H'd.	F. Gueninger	Nov. 9, 1882	Dec. 6, 1882	James Robertson	NE. ¼ of NE. ¼, SW. ¼ of NE. ¼.	Oct. 2, 1879	Scrip.
								L. D. Cyr	SE. ¼ of NE. ¼	June 22, 1878	Do.
								Jos. Flesheim	NW. ¼ of NE. ¼	Sept. 4, 1879	Do.
NE. ¼	1	42	35	D. S.	John Butler	Nov. 13, 1882		James Robertson	NE. ¼ of NE. ¼, SW. ¼ of NE. ¼.	Oct. 2, 1879	Do.
								L. D. Cyr	SE. ¼ of NE. ¼	June 22, 1878	Do.
								Jos. Flesheim	NW. ¼ of NE. ¼	Sept. 4, 1879	Do.

*Patented. †Additional homestead scrip. ‡Shown by old diagram to be outside.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
E. ½ of NE. ¼, SW. ¼ of NE. ¼, and NW. ¼ of SE. ¼.	1	42	35	H'd	Joseph Levalley	Nov. 14, 1882	Dec. 6, 1882	James Robertson	NE. ¼ of NE. ¼	Oct. 2, 1879	Scrip.
								L. D. Cyr	SE. ¼ of NE. ¼	June 22, 1878	Do.
								James Robertson	SW. ¼ of NE. ¼, NW. ¼ of SE. ¼	Oct. 2, 1879	Do.
NW. ¼	1	42	35	D. S.	Alonis Dober	Nov. 13, 1882	Dec. 1, 1882	Jos. Fleshcim	NE. ¼ of NW. ¼	Sept. 4, 1879	Do.
								Mary L. Campbell	W. ½ of NW. ¼	Sept. 10, 1879	W'nt.
								Alfred Kidder	SE. ¼ of NW. ¼	Sept. 29, 1879	Scrip.
SW. ¼	2	42	35	D. S.	Mathew Naylor	Nov. 26, 1883	Dec. 10, 1883	Joseph Pecard	NE. ¼ of SW. ¼	Sept. 22, 1879	Do.
								John D. Ross	W. ½ of SW. ¼	Nov. 22, 1879	W'nt. *
								Do	SE. ¼ of SW. ¼	do	Do.
N. ½ of NE. ¼ and NE. ¼ of NW. ¼.	2	42	35	(†)	Ole F. Nash	Feb. 27, 1882	Mar. 23, 1882	William H. Selden	NE. ¼	May 22, 1879	Scrip.
								Do	NE. ¼ of NW. ¼	do	Do.
SE. ¼ of NW. ¼, NW. ¼ of SE. ¼, and SE. ¼ of SE. ¼.	2	42	35	(†)	Burrell Fleming	Sept. 26, 1882	Oct. 23, 1882	George A. Wordford	SE. ¼ of NW. ¼	Sept. 8, 1879	Do.
								James Robertson	NW. ¼ of SE. ¼	Oct. 2, 1879	Do.
								Nicholas Probeck	E. ½ of SE. ¼	Aug. 22, 1879	Do.
S. ½ of NE. ¼ and NE. ¼ of SE. ¼.	2	42	35	H'd	John S. Kinney	Nov. 23, 1882		William H. Selden	NE. ¼	May 22, 1878	Do.
								Nicholas Probeck	E. ½ of SE. ¼	Aug. 22, 1879	Do.
W. ½ of NW. ¼	2	42	35	D. S.	Frank Camers	May 26, 1883	June 22, 1883	Joseph Pecard	W. ½ of NW. ¼	Sept. 22, 1879	Do.
E. ½ of NW. ¼ and N. ½ of NE. ¼.	2	42	35	D. S.	Walter Neuse	Aug. 24, 1883		William H. Selden	NE. ¼ and NE. ¼ of NW. ¼	May 22, 1878	Do.
								George A. Wordford	SE. ¼ of NW. ¼	Sept. 8, 1879	Do.
NE. ¼ of SW. ¼	2	42	35	D. S.	John Ford	Sept. 26, 1883		Joseph Pecard	NE. ¼ of SW. ¼	Sept. 22, 1879	Do.
E. ½ of W. ½	3	42	35	D. S.	A. G. Sandstrom	Dec. 11, 1882	Dec. 26, 1882	Covill C. Royce	E. ½ of SW. ¼	Mar. 23, 1880	Cash.
								George M. Wakefield	E. ½ of NW. ¼	Apr. 15, 1880	Do.
W. ½ of E. ½	3	42	35	D. S.	Andrew Johnson	do		Jacob Buehholtz	NW. ¼ of NE. ¼	Feb. 23, 1880	Do.
								George M. Wakefield	SW. ¼ of NE. ¼	Apr. 27, 1880	Do.
								Covill C. Royce	W. ½ of SE. ¼	Mar. 23, 1880	Do.
N. ½ of N. ½	3	42	35	D. S.	F. Eerrickson	Dec. 14, 1882	Dec. 26, 1882	Jacob Buehholtz	N. ½ of NE. ¼	Feb. 23, 1880	Do.
								George M. Wakefield	NE. ¼ of NW. ¼	Apr. 15, 1880	Do.
								August Spies	NW. ¼ of NW. ¼	Apr. 10, 1880	Do.
S. ½ of N. ½	3	42	35	D. S	Chas. Errickson	Dec. 14, 1882	Dec. 26, 1882	Jacob Buehholtz	SE. ¼ of NE. ¼	Feb. 23, 1880	Cash.
								Geo. M. Wakefield	SW. ¼ of NE. ¼	Apr. 27, 1880	Do.
								Do	SE. ¼ of NW. ¼	Apr. 15, 1880	Do.
								Aug. Spies	SW. ¼ of NW. ¼	Apr. 10, 1880	Do.
N. ½ of S. ½	3	42	35	D. S	A. G. Stromberg	do	do	Geo. M. Wakefield	NE. ¼ of SE. ¼	Apr. 27, 1880	Do.
								Corvill C. Royce	NW. ¼ of SE. ¼	do	Do.
								Do	NE. ¼ of SW. ¼	Mar. 23, 1880	Do.
S. ½ of S. ½	3	42	35	D. S	Erick Errickson	do	do	Aug. Spies	NW. ¼ of SW. ¼	Apr. 10, 1880	Do.
NE. ¼	3	42	35	D. S	A. S. McNaughton	Jan. 6, 1883		Corvill C. Royce	S. ½ of S. ½	Mar. 23, 1880	Do.
								Jacob Buehholtz	E. ½ of NE. ¼	do	Do.
								Do	W. ½ of NE. ¼	Feb. 23, 1880	Do.
								Geo. M. Wakefield	SW. ¼ of NE. ¼	Apr. 27, 1880	Do.
E. ½ of NW. ¼	4	42	35	(†)	Andrew J. Fikes	Sept. 26, 1882	Oct. 23, 1882	do	E. ½ of NW. ¼	Apr. 14, 1880	Do. *
W. ½ of NE. ¼ and lot 3	4	42	35	(†)	Stephen Snow	do	do	do	W. ½ of NE. ¼ and lot 3.	do	Do. *
E. ½ of E. ½	4	42	35	D. S	Herman Moluring	May 26, 1883	June 22, 1883	Aug. Spies	E. ½ E. ½	Apr. 10, 1880	Do.
NW. ¼ of	5	42	35	D. S	J. C. Shuttle	Dec. 11, 1882	Jan. 2, 1883	Geo. M. Wakefield	NW. ¼	Apr. 14, 1880	Do.
NE. ¼ of	5	42	35	D. S	Joseph Hall	Aug. 6, 1883	Aug. 7, 1883	do	NE. ¼	do	Do.
SW. ¼ of	5	42	35	D. S	J. M. Bump	Aug. 6, 1883	Sept. 11, 1883	do	SW. ¼	do	Do.
SE. ¼	5	42	35	D. S	M. Brymgelson	Sept. 27, 1883		Henry A. Stanley	Lot 1, E. ½	Apr. 12, 1880	Do.
SE. ¼	6	42	35	D. S	S. W. Daniels	Sept. 6, 1883	Sept. 11, 1883	James B. Goodman	SE. ¼	Sept. 27, 1880	W'nt. *
SW. ¼	6	42	35	D. S	A. B. Carleson	Nov. 26, 1883	Dec. 10, 1883	do	SW. ¼	Sept. 18, 1880	Cash. *
N. ½ of N. ½	6	42	35	D. S	A. P. Brant	do	do	Francis Palms	N. ½ of NW. ¼ of NW. ¼ of NE. ¼	Aug. 24, 1880	
S. ½ of N. ½	6	42	35	D. S	C. A. Sunn	do	do	do	S. ½ of NW. ¼ of SW. ¼ of NE. ¼	do	Do. *
								James B. Goodman	SE. ¼ of NE. ¼	Sept. 18, 1880	Do. *
SE. ¼	7	42	35	D. S	John Joiner	July 5, 1883	July 31, 1883	W. C. Hamilton	N. ½ of SE. ¼	Apr. 14, 1880	Do.
								Louis D. Cyr	S. ½ of SE. ¼	July 7, 1880	Do.
NE. ¼	7	42	35	D. S	C. A. Ebslund	Nov. 26, 1883	Dec. 10, 1883	W. C. Hamilton	NE. ¼	Apr. 14, 1880	Do.
NW. ¼	7	42	35	D. S	Carl Carleson	do	do	do	NW. ¼	do	Do.
SE. ¼	8	42	35	D. S	John A. Brown	Aug. 18, 1883	Sept. 8, 1885	James B. Goodman	SE. ¼	Sept. 18, 1880	Do.
W. ½ of W. ½	8	42	35	D. S	H. J. Oleson Glenue.	Nov. 26, 1883	Dec. 10, 1883	W. C. Hamilton	Lots 5, 6, and 7	Apr. 14, 1880	Do.
								Chas. Smith, Louis Gibson, and Adam Schaible.	Lot 4	June 16, 1880	Do. *
E. ½ of NW. ¼ and N. ½ of NE. ¼.	9	42	35	D. S	Rudolph Ende	May 26, 1882	June 23, 1883	Aug. Spies	NE. ¼ of NE. ¼	Apr. 10, 1880	Do.
								George M. Wakefield	NW. ¼ of NE. ¼	Apr. 23, 1880	W'nt.
								Do	Lot 1	Apr. 15, 1880	Cash.
SE. ¼	9	42	35	D. S	John M. Bowden	Sept. 15, 1883	Oct. 1, 1883	do	E. ½ of SE. ¼	Apr. 23, 1880	W'nt.
								James B. Goodman	W. ½ of SE. ¼	Sept. 18, 1880	Cash.
S. ½ of S. ½	9	42	35	D. S	L. J. Wish	Nov. 26, 1883	Dec. 10, 1883	G. M. Wakefield	SE. ¼ of SE. ¼	Apr. 23, 1880	W'nt.
								James B. Goodman	SW. ¼ of SE. ¼	Sept. 18, 1880	Cash.
								George M. Wakefield	SE. ¼ of SW. ¼	Apr. 15, 1880	Do.
N. ½ of S. ½	9	42	35	D. S	John Holblum	Nov. 26, 1883	Dec. 10, 1883	Do	SW. ¼ of SW. ¼	Apr. 23, 1880	Do.
								do	NE. ¼ of SE. ¼	Apr. 23, 1880	W'nt.
								J. B. Goodman	NW. ¼ of SE. ¼	Sept. 18, 1880	Cash.
								G. M. Wakefield	NE. ¼ of SW. ¼	Apr. 15, 1880	Do.
E. ½ of W. ½	10	42	35	D. S	William Ziebarth	May 26, 1883	June 22, 1883	Do	Lot 3	Apr. 27, 1880	Do.
								Aug. Spies	NE. ¼ of NW. ¼	Apr. 10, 1880	Do.
								Geo. M. Wakefield	SE. ¼ of NW. ¼	Apr. 27, 1880	
								Do	E. ½ of SW. ¼	do	Do.
W. ½ of W. ½	10	42	35	D. S	William Nest	May 26, 1883	do	do	W. ½ of W. ½	Apr. 15, 1880	Do.
N. ½ of NE. ¼	10	42	35	D. S	John Allen	Sept. 6, 1883	Oct. 1, 1883	Aug. Spies	N. ½ of NE. ¼	Apr. 10, 1880	Do.
SE. ¼	10	42	35	D. S	Oliver Leonard	Nov. 9, 1883		Jas. B. Goodman	SE. ¼	Sept. 18, 1880	Do. *
NE. ¼	10	42	35	D. S	John Leonard	do		Aug. Spies	N. ½ of NE. ¼	Apr. 10, 1880	Do.
								Jas. B. Goodman	S. ½ of NE. ¼	Sept. 18, 1880	Do. *
W. ½ of E. ½	10	42	35	D. S	A. A. Johnson	Nov. 26, 1883	Dec. 10, 1883	do	SW. ¼ of NE. ¼, W. ½ of SE. ¼	do	Do. *
								Aug. Spies	NW. ¼ of NE. ¼	Apr. 10, 1880	Do.
E. ½ of E. ½	10	42	35	D. S	Israel Mort	Nov. 26, 1883	do	do	NE. ¼ of NE. ¼	do	Do.
								Jas. B. Goodman	SE. ¼ of NE. ¼, E. ½ of SE. ¼	Sept. 18, 1880	Do. *
W. ½ of W. ½	11	42	35	D. S	H. Cutler	Mar. 6, 1883	Mar. 8, 1883	Geo. M. Wakefield	W. ½ of W. ½	Apr. 15, 1880	Do.
S. ½ of NE. ¼ and E. ½ of SE. ¼.	11	42	35	D. S	John Hanson	Mar. 8, 1883	Mar. 12, 1883	John D. Ross	SE. ¼ of NE. ¼, E. ½ of SE. ¼	Nov. 22, 1879	W'nt.
								Geo. M. Wakefield	SW. ¼ of NE. ¼	Apr. 27, 1880	Cash.
N. ½ of NE. ¼ and E. ½ of NW. ¼.	11	42	35	D. S	John Sakereasan	do	do	do	NW. ¼ of NE. ¼, E. ½ of NW. ¼	do	Do.
								Alfred Kidder	NE. ¼ of NE. ¼	Sept. 29, 1879	Scrip.
E. ½ of SW. ¼ and W. ½ of SE. ¼.	11	42	35	D. S	N. A. Holmes	Nov. 26, 1883	Dec. 10, 1883	James Talbert	E. ½ of SW. ¼, W. ½ of SE. ¼	Jan. 5, 1873	W'nt. *
S. ½ of NW. ¼	12	42	35	(†)	John Anderson	Dec. 15, 1882	Jan. 2, 1883	Peter Walseh	S. ½ of NW. ¼	Sept. 19, 1879	Scrip.

*Patented. †Additional homestead scrip.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
E. ½ of NE. ¼	12	42	35	(†)	Geo. R. Arnold	*Feb. 27, 1882	Mar. 23, 1882	L. D. Cyr, Donald McKinnon, and Alex. McKinnon.	E. ½ of NE. ¼	July 9, 1879	Scrip.
N. ½ of NW. ¼	12	42	35	(†)	Charles Davis	do	do	George A. Woodford	NW. ¼ of NW. ¼	Sept. 17, 1879	Do.
								Do	NE. ¼ of NW. ¼	Sept. 8, 1879	Do.
S. ½ of SE. ¼	12	42	35	D. S.	R. Williams	Oct. 3, 1883		George M. Wakefield	SW. ¼ of SE. ¼	Dec. 29, 1879	Cash.*
								L. D. Cyr, Donald McKinnon, and Alex. McKinnon.	SE. ¼ of SE. ¼	July. 9, 1879	Scrip.
SW. ¼	12	42	35	D. S.	Jacob Ost	Nov. 26, 1883	Dec. 10, 1883	R. R. Cable	SW. ¼	Sept. 6, 1875	W'nt.*
SW. ¼ of SW. ¼ sec. 12, S. ½ of NW. ¼ and NE. ¼ of NW. ¼	13	42	35	D. S.	J. F. Holmberg	Jan. 18, 1884		do	SW. ¼ of SW. ¼ sec. 12.	do	W'nt.*
								George M. Wakefield	NE. ¼ of NW. ¼ sec. 12, S. ½ of NW. ¼ sec. 13.	Dec. 29, 1879	W'nt.
NE. ¼	13	42	35	D. S.	John Driscowe	Sept. 15, 1883	Oct. 1, 1883	Louis Stegmiller	NE. ¼	Jan. 14, 1880	W'nt.
S. ½ of SE. ¼ and S. ½ of SW. ¼	13	42	35	D. S.	Gordon Murry	Oct. 12, 1883	Nov. 8, 1883	August Rasch	SE. ¼ of SW. ¼, S. ½ of SE. ¼	Mar. 8, 1880	Cash.
								W. C. Hamilton	SW. ½ of SW. ¼	Mar. 23, 1880	Do.
N. ½ of SE. ¼ and N. ½ of SW. ¼	13	42	35	D. S.	Henry Stoch	do	do	do	N. ½ of S. ½	do	Do.
E. ½ of NW. ¼ and SW. ¼ of NW. ¼	13	42	35	D. S.	William Maher	Dec. 13, 1883		George M. Wakefield	E. ½ of NW. ¼, SW. ¼ of NW. ¼	Dec. 29, 1879	W'nt.
W. ½ of W. ½	14	42	35	D. S.	Edward Ledger	Dec. 11, 1882	Jan. 2, 1883	do	W. ½ of W. ½	Apr. 15, 1880	Cash.
W. ½ of E. ½	14	42	35	D. S.	Daniel Jamsson	Nov. 26, 1883	Dec. 10, 1883	do	W. ½ of SE. ¼	Apr. 27, 1880	Do.*
								James Talbert	W. ½ of NE. ¼	Jan. 5, 1874	W'nt.*
E. ½ of E. ½	14	42	35	D. S.	Peter Danilson	do	do	George M. Wakefield	E. ½ of E. ½	Apr. 15, 1880	Cash.
E. ½ of E. ½	15	42	35	D. S.	William Barrett	Dec. 11, 1882	Jan. 2, 1883	do	E. ½ of NE. ¼	Apr. 27, 1880	Do.
								A. C. Brown	E. ½ of SE. ¼	Apr. 24, 1880	W'nt.
S. ½ of S. ½	17	42	35	D. S.	Jesse G. Ford	May 10, 1883	May 25, 1883	Peter Mathews	SE. ¼ of SE. ¼	Apr. 12, 1880	Cash.
								George M. Wakefield	SE. ¼ of SW. ¼, SW. ¼ of SE. ¼	Apr. 15, 1880	Do.
								Joseph La May, Eugene Forrest, and Menzo Swart.	SW. ¼ of SW. ¼	June 11, 1880	Do.
N. ½ of SE. ¼, SE. ¼ of SE. ¼ and NE. ¼ of SW. ¼.	17	42	35	D. S.	Eliza Edwards	Nov. 26, 1883	Dec. 10, 1883	George M. Wakefield	N. ½ of SE. ¼ SE. ¼ of NE. ¼.	Apr. 27, 1880	Cash.
								Joseph La May, Eugene Forrest, and Menzo Swart.	NE. ¼ of SW. ¼	June 11, 1880	Do.
E. ½ of SE. ¼	18	42	35	(†)	Samuel H. Jones	Sept. 26, 1882	Oct. 23, 1882	A. C. Brown	E. ½ of SE. ¼	Apr. 24, 1880	Do.
W. ½ of SW. ¼, sec. 17, and E. ½ of SE. ¼.	18	42	35	D. S.	Joseph Cullin‡						
SW. ¼	18	42	35	D. S.	Alfred Gillman	Aug. 15, 1883	Sept. 8, 1883	Frank H. Van Cleve	E. ½ of SW. ¼, and SW. ¼ of SW. ¼.	July 23, 1880	Cash.*
								Frances E. Barras	NW. ¼ of SW. ¼	May 8, 1880	Do.*
W. ½ of SE. ¼, and lots 2 and 5.	18	42	35	H'd.	Dennis Cashen	Nov. 17, 1880	Dec. 17, 1883	do	Lots 2 and 5	do	Do.*
								Do	W. ½ of SE. ½	June 26, 1880	Do.*
NE. ¼ of NE. ¼, and lots 3, 4, 5, and 6.	19	42	35	D. S.	Wm. Duparent	Aug. 24, 1883	Aug. 29, 1883	Philemon La May, Eli P. Royce.	Lot 3	July 12, 1880	Do.
								Louis D. Cyr	Lots 4 and 5	July 7, 1880	Do.
								Charles Smith, Louis Gibson, and Adam Schaible.	Lot 6	June 16, 1880	Do.
								Joseph La May, Eugene Forest, and Menzo Swart.	NE. ¼ of NE. ¼	June 11, 1880	Do.
NE. ¼ of NE. ¼	20	42	35	(‖)	John Semer	May 7, 1883	May 23, 1883	John N. Glidden	NE. ¼ of NE. ¼	Apr. 5, 1880	Do.
W. ½ of NW. ¼ and SE. ¼ of NW. ¼ and NE. ¼ of SW. ¼.	19	42	35	D. S.	John Massey	Aug. 6, 1883	Sept. 1, 1883	Luke D. McKenna and Paul Kelly.	W. ½ of NW. ¼, SE. ¼ of NW. ¼.	Apr. 23, 1880	Cash.*
								Frances E. Barras	NE. ¼ of SW. ¼	May 5, 1880	Do.*
NW. ¼ of NW. ¼ and S. ½ NW. ¼.	20	42	35	H'd.	Luke D. McKenna	Nov. 13, 1882	Dec. 1, 1882	Luke D. McKenna and Paul Kelly.	NW. ¼ of NW. ¼, S. ½ of NW. ¼.	Apr. 23, 1880	Cash.*
NW. ¼ of NE. ¼ and SW. ¼ of NE. ¼ and NE. ¼ of NW. ¼.	20	42	35	(†)	Arthur E. Throp	Oct. 26, 1882	Nov. 20, 1882	James Sheridan	W. ½ of NE. ¼	July 19, 1881	Cash.†
								Do	NE. ¼ of NW. ¼	July 19, 1881	Do.†
E. ½ of NE. ¼	20	42	35	(†)	James H. Jackson	Sept. 26, 1882	Oct. 23, 1882	John N. Glidden	E. ½ of NE. ¼	Apr. 5, 1880	Do.†
N. ½ of SW. ¼ and lots 3 and 4.	20	42	35	D. S.	Michael J. Griffin	Oct. 12, 1883		Frances E. Barras	N. ½ of SW. ¼	May 5, 1880	Do.*
								Sarah J. Royce and Philman Le May.	Lots 3 and 4	July 17, 1880	Do.*
SE. ¼ of SE. ¼, sec. 17, and NE. ¼ of NE. ¼.	20	42	35	D. S.	N. D. Massey	June 7, 1883		Peter Mathews	SE. ¼ of SE. ¼, sec. 17.	Apr. 12, 1880	Do.*
								John N. Glidden	NE. ¼ of NE. ¼, sec. 20.	Apr. 5, 1880	Do.*
E. ½ of NE. ¼, sec. 20, and SW. ¼ of NW. ¼.	21	42	35	(†)	Joseph Clayton	Nov. 20, 1882	Dec. 12, 1882	do	E. ½ of NE. ¼ sec. 20, and SW. ¼ of NW. ¼, sec. 21.	do	Do.*
								do			
E. ½ of NE. ¼, NW. ¼ of NE. ¼ and SE. ¼ of NE. ¼.	21	42	35	D. S.	Thomas Webb	Feb. 8, 1883	Feb. 23, 1883	Peter Mathews	N. ½ of NE. ¼	Apr. 12, 1880	Do.
								A. C. Brown	SE. ¼ of NE. ¼	Apr. 24, 1880	Do.
NW. ¼ of SE. ¼ and lots 1 and 2, sec. 20, NW. ¼ of SW. ¼ and lot 3.	21	42	35	D. S.	A. B. Whelan	Oct. 12, 1883	Oct. 25, 1883	John N. Glidden	Lot 1, sec. 20	Apr. 5, 1880	Do.
								Christian Oleson	Lot 2, sec. 90	Aug. 5, 1880	Do.*
								Frances E. Barras	NW. ¼ of SE. ¼, sec. 20.	May 5, 1880	Do.*
								John N. Glidden	NW. ¼ of SW. ¼, sec. 21.	Apr. 5, 1880	
NW. ¼	21	42	35	D. S.	Christian Johnson.	Mar. 6, 1883		State swamp land	Lot 3, sec. 21	(¶)	(**)
								Do	NW. ¼ of NW. ¼	(¶)	(**)
								Do	SE. ¼ of NW. ¼		
								Peter Mathews	NE. ¼ of NW. ¼	Apr. 12, 1880	
								John N. Glidden	SW. ¼ of NW. ¼	Apr. 5, 1880	
N. ½ of N. ½	22	42	35	D. S.	Alfred H. Brown	Dec. 11, 1882	Jan. 2, 1883	A. C. Brown	N. ½ of NE. ¼	Apr. 24, 1880	Do.
								Worden C. Hamilton	N. ½ of NW. ¼	Mar. 23, 1880	Do.
N. ½ of N. ½	23	42	35	D. S.	Charles L. Brown	do	do	George M. Wakefield	N. ½ of NE. ¼	Apr. 23, 1880	W'nt.
								Do	NE. ¼ of NW. ¼		
N. ½ of NE. ¼ and NE. ¼ of NW. ¼	35	42	35	D. S.	Henry Blackwood.	Aug. 7, 1882	Aug. 12, 1882	Alemeda Gallup	NW. ¼ of NW. ¼	do	Cash.
W. ½ of NW. ¼	35	42	35	D. S.	Eugene Sicard	do	do				

Patented. †Additional homestead scrip. ‡Request to withdraw. ‡ Withdrawn December 13, 1883. ‖ Porterfield scrip.
¶ Act September 28, 1850. ** Approved January 11, 1854.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
SW. ¼	1	43	35	D. S.	William Webb	Dec. 11, 1882	Jan. 2, 1883				
W. ½ of SE. ¼, NE. ¼ of SE. ¼ and SE. ¼ of NE. ¼	1	43	35	D. S.	Edward Howard	do	do				
E. ½ of NW. ¼ and W. ½ of NE. ¼	1	43	35	D. S.	John Coninhan	do	do				
E. ½ of NW. ¼ and W. ½ of NE. ¼	2	43	35	D. S.	Martin H. Killgallen.	do	do	W. C. Culbertson	E. ½ of NE. ¼	June 14, 1867	W'nt.
								James B. Goodman	NE. ¼ of NW. ¼	July 12, 1881	Cash.
								Do	Lot 5	Sept. 21, 1881	Do.
NW. ¼ of NE. ¼ and NE. ¼ of NW. ¼	2	43	35	D. S.	Stanislaw F. Piathrewrecz.	Sept. 26, 1883	Oct. 13, 1883	do	NE. ¼ of NW. ¼	July 12, 1881	Do.
								W. C. Culbertson	NW. ¼ of NE. ¼	June 14, 1867	W'nt.
E. ½ of E. ½	3	43	35	D. S.	August Decander.	Dec. 11, 1882	Jan. 2, 1883				
S. ½ of SW. ¼ and W. ½ of SE. ¼	3	43	35	D. S.	August Wig	do	do				
SE. ¼	3	43	35	D. S.	Chas. T. McElroy	Dec. 12, 1882	Dec. 20, 1882	H. Ludington	S. ½ of SE. ¼	July 15, 1871	W'nt.*
								Charles Hebard	NW. ¼ of SE. ¼	July 10, 1872	Cash.*
								P. L. and L. S. S. C. Co	NE. ¼ of SE. ¼		Grant.
NW. ¼	4	43	35	D. S.	William Dicky	do	do	Robert Nelson	NW. ¼ of NW. ¼	Apr. 4, 1881	Cash.
								Frances Palms	NE. ¼ of NW. ¼	Mar. 24, 1879	Scrip.
								W. C. Culbertson	SE. ¼ of NW. ¼	July 11, 1867	W'nt.*
								Trum Wordford	SW. ¼ of NW. ¼	June 7, 1873	Cash.*
NE. ¼	4	43	35	D. S.	John S. Barry	do	do	W. C. Culbertson	N. ½ of NE. ¼	June 11, 1867	
								Do	SW. ¼ of NE. ¼	do	W'nt.*
								P. L. and L. S. S. C. Co	SE. ¼ of NE. ¼		Grant.
S. ½ of NE. ¼, SE. ¼ of NW. ¼, and NE. ¼ of SE. ¼	5	43	35	H'd	K. Campbell	Nov. 25, 1882	Dec. 20, 1882	Turner Woodford	NE. ¼ of SE. ¼	June 7, 1873	Cash.*
NW. ¼	5	43	35	D. S.	Frances Tontloff	May 26, 1882	June 5, 1883				
N. ½ of SW. ¼	5	43	35	D. S.	Aaron Paridise	May 7, 1883	Jan. 22, 1883				
NW. ¼ of SE. ¼	5	43	35								
SW. ¼	5	43	35	D. S.	Andrew Tontloff	May 11, 1883	July 6, 1883	P. L. and L. S. S. C. Co	SW. ¼ of SW. ¼		Grant.
N. ½ of N. ½	5	43	35	D. S.	Andrew Speedy	June 20, 1883	July 14, 1883	T. Woodford	SE. ¼ of SW. ¼	June 7, 1873	Cash.*
NE. ¼	5	43	35	D. S.	John Hulichan	Nov. 12, 1883					
NW. ¼	6	43	35	D. S.	Gordon Murry	Dec. 14, 1882		W. C. Culbertson	NW. ¼	June 14, 1867	W'nt.*
SW. ¼	6	43	35	D. S.	James S. Dickey	Dec. 12, 1882	Dec. 20, 1882	do	SW. ¼	do	Do.*
NW. ½	6	43	35	D. S.	Gordon Murry	Jan. 20, 1883		do	NW. ¼	do	Do.*
NW. ½	7	43	35	D. S.	Wm. Snellflohm	Dec. 22, 1882	Jan. 24, 1883	William S. Patrick	N. ½ of NW. ¼	July 1, 1872	Cash.*
								P. L. and L. S. S. C. Co	S. ½ of NW. ¼		Grant.
NE. ¼	7	43	35	D. S.	William Walker	June 7, 1883	July 6, 1883				
S. ½ of SW. ¼, NW. ¼ of SW. ¼ and SW. ¼ of NW. ¼	7	43	35	D. S.	Patrick Griffen	Oct. 13, 1883	Oct. 25, 1883	do	S. ½ of SW. ¼, NW. ¼ of SW. ¼, SW. ¼ of NW. ¼		Do.
NW. ¼ of NE. ¼, SE. ¼ of NW. ¼, and S. ½ of NE. ¼	8	43	35	D. S.	Henry Paridise	June 7, 1883	June 22, 1883	Frances Palens	S. ½ of NE. ¼, SE. ¼ of NW. ¼	Mar. 24, 1879	Scrip.
								Robert Nelson	NW. ¼ of NE. ¼	Apr. 4, 1881	Cash.
								do	NW. ¼ of NE. ¼	Apr. 4, 1881	Do.
								Frances Palmer	SW. ¼ of NE. ¼; SE. ¼ of NW. ¼	Mar. 24, 1879	Scrip.
W. ½ of NE. ¼, SE. ¼ of NW. ¼ and SW. ¼ of NW. ¼	8	43	35	D. S.	W. J. Brown	June 15, 1883		Richard G. Peters	SW. ¼ of NW. ¼	July 2, 1878	Do.
								Frances Palmer	NE. ¼ of SW. ¼	Mar. 24, 1879	Do.
E. ½ of SW. ¼ and W. ½ of SE. ¼	8	43	35	D. S.	Henry Steller	Sept. 6, 1883	Aug. 11, 1883	P. L. & L. S. S. C. Co	W. ½ of SE. ¼; SE. ¼ of SW. ¼		Grant.
S. ½ of NW. ¼	9	43	35	D. S.	Charles Reher	Dec. 11, 1882	Jan. 2, 1883				
N. ½ of N. ½	9	43	35	D. S.	Arnold Elkan	do	do				
W. ½ of SE. ¼ and S. ½ of NE. ¼	9	43	35	D. S.	David P. Easton	Dec. 11, 1881	Jan. 3, 1883				
SW. ¼	9	43	25	D. S.	Alex. McDonald	June 23, 1883	July 5, 1883				
SW. ¼	9	43	35	Cash.	A. S. Tebbs	Mar. 17, 1883	Apr. 16, 1883				
E. ½ of SE. ¼, sec. 9, and W. ½ of SW. ¼	10	43	35	D. C.	Emil Ammerman	Sept. 15, 1883	Aug. 19, 1883	P. L. & L. S. S. C. Co	E. ½ of SE. ¼, sec. 9; W. ½ of SW. ¼, sec. 10.		Do.
E. ½ of SW. ¼ and S. ½ of SE. ¼	10	43	35	D. S.	Anton Gontkrintz	Sept. 15, 1883	Aug. 18, 1883	James B. Goodman	NE. ¼ of SW. ¼	Sept. 27, 1880	Cash.*
								Philenin La May, Eli P. Royce.	SE. ¼ of SE. ¼	June 29, 1880	Do.*
								P. L. & L. S. S. C. Co	SE. ¼ of SW. ¼; SW. ¼ of SE. ¼.		Grant.
S. ½ SE. ¼ sec. 3 and N. ½ of NE. ¼	10	43	35	D. S.	A. James Gallatzik	Nov. 12, 1883	Nov. 26, 1883	State swamp land	Lot 5, sec. 10	Sept. 28, 1850	(†)
								Philem La May and Eli P. Royce	Lot 4, sec. 10	June 29, 1880	Cash.*
E. ½ of SW. ¼, SW. ¼ of SW. ¼, and lot 3.	11	43	35	D. S.	Thomas Parker	Dec. 14, 1882	Dec. 14, 1882				
W. ½ of E. ½	11	43	35	H'd	Fred. F. Heferon	Jan. 20, 1883	Jan. 2, 1883				
W. ½ of W. ½	11	43	35	D. S.	C. Johnson	June 12, 1883	Jan. 6, 1883				
SW. ¼	11	43	35	D. S.	M. Sullivan	Aug. 6, 1883	Aug. 7, 1883				
E. ½ E. ½	11	43	35	D. S.	John Carleson	Nov. 26, 1882	Dec. 10, 1883	P. L. & L. SS, C. Co	E. ½ of E. ½		Grant.
SW. ¼	13	43	35	D. S.	Jas. Barnette	Apr. 24, 1883	June 5, 1882				
SE. ¼	13	43	35	D. S.	Wm. H. Morrison	Apr. 27, 1882	June 1, 1882				
NW. ¼	13	43	35	D. S.	J. H. McFarland	Apr. 29, 1882	do				
NE. ¼	13	43	35	D. S.	C. Grossbusch	Feb. 7, 1883	Feb. 20, 1883				
SW. ¼	13	43	35	D. S.	Chas. G. Peck	May 7, 1883	May 25, 1883				
SE. ¼ of NE. ¼, E. ½ of SE. ¼, and SW. ¼ of SE. ¼.	14	43	35	D. S.	Geo. N. Pidd	July 5, 1883	Aug. 31, 1883	Jas. B. Goodman	SE. ¼ of NE. ¼, NE. ¼ of SE. ¼	Sept. 27, 1880	Cash.*
								R. and S. M. Stephenson	SE. ¼ of SE. ¼	July 2, 1875	Do.*
								R. R. Cable	SW. ¼ of SE. ¼	Aug. 17, 1875	Do.*
N. ½ of NW. ¼, SE. ¼ of NW. ¼, and SW. ¼ of NE. ¼	14	43	35	D. S.	A. E. Quinn	Dec. 11, 1882	Jan. 2, 1883	Jesse Spalding	SW. ¼ of NE. ¼	Jan. 10, 1877	Scrip.
								Do	E. ½ of NW. ¼	do	Do.
								R. and S. M. Stephenson	NW. ¼ of NW. ¼	July 2, 1875	Cash*
S. ½ of SE. ¼, NE. ¼ of SE. ¼, and SE. ¼ of SE. ¼	14	43	35	D. S.	John Leonard	Nov. 26, 1883	Dec. 17, 1883	Jas. B. Goodman	NE. ¼ of SE. ¼	Sept. 27, 1880	Do.*
								R. and S. M. Stephenson	SE. ¼ of SE. ¼	July 2, 1875	Do.*
								R. R. Cable	SW. ¼ to SE. ¼	Aug. 17, 1875	Do.*
N. ½ of SW. ¼, NW. ¼ of SE. ¼, and SE. ¼ of SW. ¼.	14	43	35	D. S.	Archie McDonald	Feb. 24, 1883	Mar. 14, 1883	do	NW. ¼ of SE. ¼	do	Do.*
								R. and S. M. Stephenson	E. ½ of SW. ¼	July 2, 1875	Do.*
								W. C. Culbertson	NW. ¼ of SW. ¼	June 14, 1867	Wn't.
NE. ¼	15	43	35	D. S.	Swan Tool	Aug. 6, 1883	Aug. 22, 1883	P. L. and L. S. S. C. Co	NE. ¼		Grant.
E. ½ of SW. ¼	15	43	35	D. S.	John Leonard	Dec. 11, 1882	Jan. 2, 1883				
E. ½ of SW. ¼	15	43	35	D. S.	Horace S. Odell	Dec. 22, 1882	Jan. 15, 1883				
SE. ¼	15	43	35	D. S.	W. Henry Webb	Aug. 24, 1883	Aug. 29, 1883	P. L. and L. S. S. C. Co	SE. ¼		Do.
W. ½ of W. ½	15	43	35	D. S.	James Fowler	Jan. 12, 1884	Jan. 24, 1884	do	SW. ¼ of NW. ¼		
								Do	NW. ¼ of SW. ¼		Do.
								T. Woodford	NW. ¼ of NW. ¼	June 7, 1873	Cash.*
								H. Ludington	SW. ¼ of SW. ¼	July 15, 1871	Do.*
SW. ¼	17	43	35	D. S.	Angus F. McGillis.	Nov. 10, 1883		State Swamp Land	NE. ¼ of SW. ¼	(‡)	(‡)
								P. L. & L. S. S. C. Co	SW. ¼ of SW. ¼		Grant.
								H. Ludington	SE. ¼ of SW. ¼		

*Patented. † Approved January 11, 1854. ‡ Approved January 11, 1854.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
W. ½ of W. ½	17	43	35	D. S.	Chas. E. Steller	Sept. 6, 1883	Sept. 11, 1883	P. L. & L. S. S. C. Co	W. ½ of NW. ¼	July 15, 1871	Cash.*
								P. L. & L. S. S. C. Co	SW. ¼ of SW. ¼		Grant.
W. ½ of E. ½	19	43	35	D. S.	Alex. McCulloch	Dec. 11, 1882	Jan. 2, 1883				
E. ½ of W. ½	19	43	35	D. S.	Anda Linguist	Dec. 14, 1882	Jan. 11, 1883				
W. ½ of W. ½	19	43	35	D. S.	Chas. Peterson	Dec. 14, 1882	Dec. 20, 1882				
S. ½ of SE. ¼											
NW. ¼ of SE. ¼ and SW. ¼ of NE. ¼	19	43	35	D. S.	Arthur W. Quint	May 10, 1883	May 26, 1883				
SW. ¼	19	43	35	D. S.	Earland Peterson	May 22, 1883					
NE. ¼ of SE. ¼											
SE. ¼ of NE. ¼ and NE. ¼ of NE. ¼	19	43	35	D. S.	Conlham	June 7, 1883	July 5, 1883				
NE. ¼	20	43	35	H. D.	Daniel W. Laffity	Nov. 9, 1882	Dec. 6, 1882	Francis Palms	NW. ¼ of NE. ¼	Mar. 24, 1879	Scrip.
								Aug. Spies	E. ½ of NE. ¼	Apr. 12, 1880	Do.
								Robert Nelson	SW. ¼ of NE. ¼	Apr. 4, 1881	Cash.
SE. ¼	20	43	35	H. D.	Geo. H. Cannon	Nov. 9, 1882	do	Aug. Spies	SE. ¼	Apr. 12, 1880	W'nt.
NW. ¼	20	43	35	H. D.	William Johnson	Aug. 15, 1883		P. L. & L. S. S. C. Co	NE. ¼ of NW. ¼		Grant.
								Richard G. Peters	NW. ¼ of NW. ¼	July 2, 1878	Scrip.
								Frank H. Van Clen	SW. ¼ of NW. ¼	June 30, 1880	Cash.*
								Robert Nelson	SE. ¼ of NW. ¼	Apr. 4, 1881	Do.
S. ½ of S. ½	21	43	35	D. S.	Jas. Cavanaugh	Aug. 7, 1882	Aug. 22, 1882				
W. ½ of NW. ¼ and N. ½ of SW. ¼	21	43	35	D. S.	James Daragh	do	Aug. 9, 1882				
N. ½ of NE. ¼, SW. ¼ of NE. ¼, NW. ¼ of SE. ¼	21	43	35	D. S.	Chas. G. McIntosh	May 21, 1883					
N. ½ of SE. ¼ and S. ½ of NE. ¼	21	43	35	D. S.	John Shea	June 7, 1883	June 20, 1883	Thomas Woodford	SE. ¼ of NE. ¼ NE. ¼ of S. E¼.	June 7, 1873	Cash.*
N. ½ of NE. ¼ and E. ½ of NW. ¼	21	43	35	D. S.	James McGuire	Nov. 26, 1883	Dec. 10, 1883				
S. ½ of SE. ¼, N. ½ of NE. ¼	22	43	35	(†)	James Canaran	Sept. 26, 1883	Oct. 23, 1882	Frances Palms	S. ½ of SE. ¼	Mar. 24, 1879	Scrip.
SE. ¼ of NE. ¼ and SE. ¼ of NW. ¼	22	43	35	D. S.	Henry Stock	Sept. 27, 1883		W. C. Culbertson	E. ½ of NE. ¼	June 14, 1867	Wn't.*
								T. Woodford	NW. ¼ of NE. ¼	June 7, 1873	Cash.*
								R. and S. M. Stephenson	SE. ¼ of NW. ¼	July 2, 1875	Do.*
S. ½ of SW. ¼	22	43	35	(†)	Hans Hanson	Feb. 27, 1882	Mar. 23, 1882	Jesse Spalding	S. ½ of SW. ¼	Jan. 10, 1877	Scrip.
S½ of S. ½	22	43	35	D. S.	Patrick Griffin	Nov. 27, 1882		do	S. ½ of SE. ¼	do	Do.
								Frances Palms	S. ½ of SE¼	Mar. 24, 1879	Do.
NE. ¼	22	43	35	D. S.	Peter Michaels	Sept. 7, 1883	Aug. 11, 1883	W. C. Culbertson	E. ½ of NE. ¼	June 14, 1867	Wn't.*
								T. Woodford	NW. ¼ of NE. ¼	June 7, 1873	Cash.*
								P. L. and L. S. S. C. Co	SW. ¼ of NE. ¼		Grant.
S½ of SE. ¼ and S. ½ of SW¼.	22	43	35	D. S.	Augustus Pidd	do	Oct. 1, 1883	Jesse Spalding	S. ½ of SW. ¼	Jan. 10, 1877	Scrip.
								Frances Palms	S½ of SE. ¼	Mar. 24, 1879	Do.
NW. ¼	22	43	35	D. S.	C. O. Forsland	Sept. 15, 1883	Aug. 19, 1883	R. and S. M. Stephenson	SE. ¼ of NW. ¼	July 2, 1875	Cash.*
								P. L. and L. S. S. C. Co	N. ½ of NW. ¼, SW. ¼ of NW. ¼		Grant.
								Do			
NE. ¼	22	43	35	D. S.	E. M. Wright	Oct. 3, 1883		W. C. Culbertson	E. ½ of NE. ¼	June 14, 1867	Wn't.*
								T. Woodford	NW. ¼ of NE. ¼	June 7, 1873	Cash.*
								P. L. & L. S. S. C. Co	SW. ¼ of NE. ¼		Grant.
N. ½ of SE. ¼, NE. ¼ of SW. ¼, and NE. ¼ of SE. ¼	23	43	35	H'd.	Michael Ryan	Feb. 20, 1882	Mch. 1, 1882				
E. ½ of NW. ¼ and W. ½ of NE. ¼	23	43	35	D. S.	P. H. Saxton	Mch. 22, 1882					
S. ½ of S. ½	23	43	35	D. S.	Fred S. Olson	Mch. 27, 1882	Apr. 7, 1882				
N. ½ of SE. ¼ and S. ½ of NE. ¼	23	43	35	D. S.	Alba Forsyth	Apr. 24, 1882	Apr. 29, 1882				
E. ½ of NW. ¼ and W. ½ of NE. ¼	23	43	35	D. S.	John Connors	May 8, 1882	Aug. 9, 1882				
SW. ¼ of SW. ¼, sec. 14, W½ of NW. ¼ and NW. ¼ of SW. ¼	23	43	35	D. S.	Mike Donohoe	Apr. 11, 1883	Apr. 23, 1883	W. C. Culbertson	SW. ¼ of SW. ¼, sec. 14.	June 14, 1867	Wn't.*
								P. L. L. S. S. C. Co	W. ½ of NW. ¼, sec. 23. NW. ¼ of SW. ¼, sec. 23.		Grant.
N. ½ of NE. ¼ and E. ½ of NW. ¼	23	43	35	D. S.	J. W. Peck	May 7, 1883	May 25, 1883				
E. ½ of NW. ¼ and SW. ¼ of NE. ¼	23	43	35	D. S.	John C. Hay	Jan. 12, 1884	Jan. 24, 1884				
N. ½ of SW. ¼ and E. ½ of NW. ¼	24	43	35	D. S.	L. H. Nelson	Dec. 11, 1882	Jan. 2, 1883	Aug. Spies	E½ of NW. ¼	Apr. 12, 1880	Wn't.*
								Rich'd G. Peters	NW. ½ of SW. ¼	July 2, 1878	Scrip.*
								Aug. Spies	NE. ¼ of SW. ¼	Apr. 10, 1880	Cash.*
W. ½ of E. ½	24	43	35	D. S.	Rudolf Steller	Aug. 6, 1883	Aug. 7, 1883	do	W. ½ of NE. ¼	do	Do.*
								Do	W. ½ of SE. ¼	Apr. 12, 1880	Do.*
E. ½ of E. ½	24	43	35	D. S.	W. H. Atkins	do	do	do	E. ½ of NE. ¼	Apr. 10, 1880	Do.*
								Do	E. ½ of SE. ¼	Apr. 12, 1880	Do.*
S. ½ of NW. ¼ and N. ½ of SW. ¼	24	43	35	D. S.	Andrew Lingren	Aug. 24, 1883	Aug. 29, 1883	Aug. Spies	SE. ¼ of NW. ¼	Apr. 12, 1880	W'nt.
								Do	NE. ¼ of SW. ¼	Apr. 10, 1880	Cash.*
								John McDonald	SW. ½ of NW. ¼	June 14, 1880	W'nt.*
								Richard G. Peters	NW. ¼ of SW. ¼	July 2, 1878	Scrip.
S. ½ of SW. ¼	24	43	35	D. S.	Gust. Anderson	Nov. 26, 1883	Dec. 10, 1863	John McDonald	S. ½ of SW. ¼	June 14, 1880	W'nt.*
N. ½ of NE. ¼, sec. 23, N. ½ of NW. ¼	24	43	35	D. S.	W. H. James	Jan. 12, 1884	Jan. 24, 1884	Aug. Spies	N. ½ of NW. ¼	Apr. 12, 1880	Do.
W. ½ of SE. ¼	25	43	35	(†)	Wm. Trowbridge	Dec. 21, 1880	Jan. 12, 1881				
SE. ¼ of NE. ¼, E. ½ of SE. ¼	25	43	35	(†)	Ole F. Nash	do	do				
SW. ¼	25	43	35	D. S.	John Turner	Oct. 3, 1883					
W. ½ of NW. ¼ and W. ½ of SW. ¼	25	43	35	D. S.	Fred'k Mueller	May 31, 1881					
E. ½ of NW. ¼ and E. ½ of SW. ¼	25	43	35	D. S.	Frank Hammer	do					
W. ½ of E. ½	25	43	35	D. S.	C. McDermont	Jan. 12, 1882	Feb. 10, 1882				
E. ½ of E. ½	25	43	35	D. S.	Daniel Bundy	Mar. 1, 1882	Mar. 25, 1882				
SE. ¼ of SE. ¼	26	43	35	H'd.	A. Mackinnon	Nov. 10, 1882	Dec. 1, 1882	D. C. Mackinnon	SE. ¼ of SE. ¼	Aug. 1, 1878	Scrip.
N. ½ of SW. ¼ and N. ½ of SE. ¼	26	43	35	H'd.	D. C. Mackinnon	Nov. 8, 1882	do	Alex. Mackinnon	N. ½ of S. ½	June 25, 1878	Do.
W. ½ of NW. ¼	26	43	35	(†)	John D. Walden	Sept. 26, 1882	Oct. 23, 1882	John J. Sipschen	W. ½ of NW. ¼	Nov. 8, 1882	Cash.*
SE. ¼ of SW. ¼ and SW. ¼ of SE. ¼	26	43	35	(†)	Anton Brenner	do	do	John D. Ross	SE. ¼ of SW. ¼, SW. ¼ of SE. ¼	Nov. 20, 1879	Scrip.
N. ½ of NE. ¼	26	43	35	(†)	Quincy Baldwin	Feb. 11, 1882	Mar. 1, 1882	do	N. ½ of NE. ¼	do	Do.
SW. ¼ of SE. ¼ and SE. ¼ of SW. ¼	26	43	35	D. S.	John B. Welmer	Jan. 24, 1882	Feb. 21, 1882	do	SW. ¼ of SE. ¼, SE. ¼ of SW. ¼	do	Do.
NW. ¼ of SW. ¼	26	43	35	(†)	A. Mathews	Feb. 8, 1882	Mar. 1, 1882	Alexander MacKinnon	NW. ¼ of SW. ¼	June 25, 1878	Do.
NE. ¼ of SW. ¼	26	43	33	(†)	do	do	do	do	NE. ¼ of SW. ¼	do	Do.
NW. ¼ of SE. ¼	26	43	35	(†)	do	do	do	do	NW. ¼ of SE. ¼	do	Do.
SW. ¼ of SW. ¼	26	43	35	(†)	Warren Wing	Feb. 8, 1882	Mar. 1, 1882	D. C. Mackinnon	SW. ¼ of SW. ¼	Aug. 1, 1878	Scrip.
N. ½ of NE. ¼	26	43	35	D. S.	Nicholas Kirst	do	Feb. 22, 1882	John D. Ross	N. ½ of NE. ¼	Nov. 20, 1879	Do.
NE. ¼ of SE. ¼	26	43	35	(†)	A. Mathews	Mar. 9, 1882	Mar. 23, 1882	Alexander Mackinnon	NE. ¼ of SE. ¼	June 25, 1878	Do.

* Patented. † Additional homestead scrip. ‡ Act September 28, 1850.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
SE. ¼ of SE. ¼	26	43	35	(†)	do	do	do	D. C. Mackinnon	SE. ¼ of SE. ¼	Aug. 1, 1878	Do.
NW. ¼ of SE. ¼	26	43	35	(†)				Alexander Mackinnon	NW. ¼ of SE. ¼	June 25, 1878	Do.
NE. ¼	27	43	35	D. S.	Lewis Hunter	Mar. 30, 1882	Apr. 25, 1882				
S. ½ of NE. ¼	27	43	35	(†)	Melvin Baker	Dec. 21, 1880	Jan. 12, 1881				
N. ½ of SE. ¼	27	43	35	(†)	Charles Davis	do	do				
N. ½ of NE. ¼	27	43	35	(†)	George R. Arnold	do	do				
S. ½ of SE. ¼	27	43	35	(†)	Hans Hansom	do	do				
SE. ¼	27	43	35	D. S.	M. Buckholtz	May 31, 1881 / Nov. 18, 1882					
SW. ¼	27	43	35	D. S.	Patrick Brown	Dec. 7, 1881	(‡)				
E. ½ of NW. ¼	27	43	35	D. S.	Thomas Costigan	Feb. 9, 1882	Mar. 1, 1882				
W. ½ of NW. ¼	27	43	35	D. S.	John Kern	Dec. 11, 1882	Jan. 2, 1883	H. Ludington	W. ½ of NW. ¼	July 15, 1871	Wn't.*
E. ½ of W. ½	28	43	35	D. S.	G. A. Frederick	Oct. 12, 1883	Oct. 25, 1883	Thomas La Montague	NE. ¼ of NW. ¼	Apr. 7, 1880	Cash.
								James K. Hamilton	SE. ¼ of NW. ¼ E. ½ of SW. ¼	Mar. 9, 1880	Do.*
W. ½ of W. ½	28	43	35	D. S.	Samuel Luke	Oct. 12, 1883	Oct. 25, 1883	Thomas La Montague	W. ½ of NW. ¼	Apr. 7, 1880	Cash.*
								James K. Hamilton	W. ½ of SW. ¼	Mar. 9, 1880	Do.*
E. ½ of NE. ¼, SW. ¼ of NE. ¼, and NE. ¼ of SE. ¼	28	43	35	H'd	Thos. H. Barren	Nov. 9, 1882	Dec. 6, 1882	H. Ludington	E. ½ of NE. ¼	July 15, 1871	Wn't.*
W. ½ of SE. ¼ and E. ½ of SW. ¼	28	43	35	H'd	John Barren	do	do	James K. Hamilton	SW. ¼ of NE. ¼	Mar. 9, 1880	Cash.*
								R. and S. M. Stephenson	NE. ¼ of SE. ¼	July 2, 1875	Do.*
								Robert Stephenson	W. ½ of SE. ¼	Dec. 29, 1879	Scrip.
								James K. Hamilton	E. ½ of SW. ¼	Mar. 9, 1880	Cash.*
E. ½ of E. ½	28	43	35	D. S.	S. P. Swanson	Dec. 11, 1882	Jan. 2, 1883	H. Ludington	E. ½ of NE. ¼	July 15, 1871	Wn't.*
W. ½ of E. ½	28	43	35	D. S.	Chas. Vompner	do	do	R. and S. M. Stephenson	NE. ¼ of SE. ¼	July 2, 1875	Cash.*
E. ½ of SE. ¼, NW. ¼ of SE. ¼, and SW. ¼ of NE. ¼	29	43	35	D. S.	Joseph Collins	May 10, 1883	May 25, 1883	Maggie A. Burns and Fay G. Clark.	SE. ¼ of SE. ¼	Mar. 3, 1880	Do.*
E. ½ of NE. ¼, NW. ¼ of NE. ¼, and NE. ¼ of NW. ¼	29	43	35	D. S.	Daniel T. Coffin	Mar. 27, 1882	Apr. 7, 1882	James K. Hamilton	NW. ¼ of NE. ¼, SW. ¼ of NE. ¼	Mar. 9, 1880	Do.*
NE. ¼	29	43	35	D. S.	John F. Towel	Aug. 7, 1882	Aug. 22, 1882	Robert Stephenson	W. ½ of SE. ¼	Dec. 29, 1879	Scrip.
SE. ¼ of NW. ¼, NE. ¼ of SW. ¼, SE. ¼ of SW. ¼, and SW. ¼ of SE. ¼	29	43	35	D. S.	Albert Schleap	Sept. 16, 1882	Sept. 20, 1882				
SW. ¼ of NE. ¼, N. ½ of SE. ¼ and SE. ¼ of SE. ¼	29	43	35	H'd	A. Sidney Tebbs	Nov. 27, 1882	Dec. 7, 1882				
NE. ¼	31	43	35	D. S.	James Murphy	Sept. 27, 1883	Oct. 13, 1883	Jesse Spalding	NE. ¼	Jan. 20, 1873	W'nt.
SE. ¼	31	43	35	D. S.	Wm. Bender	do	do	do	NW. ¼ of SE. ¼	do	Do.
								J. B. Goodman	E. ½ of SE. ¼, SW. ¼ of SE. ¼	Sept. 27, 1880	Do.
N. ½ of SE. ¼, SE. ¼ of NW. ¼, and NE. ¼ of SW. ¼	31	43	35	D. S.	M. B. Weaite	Aug. 15, 1883	Aug. 29, 1883	do	NE. ¼ of SE. ¼	do	Do.
								Jesse Spalding	SE. ¼ of NW. ¼, NE. ¼ of SW. ¼, SW. ¼ of SE. ¼	Jan. 20, 1873	Do.
NE. ¼	31	43	35	D. S.	T. H. Flanagan	do	do	do	NE. ¼	do	Do.
SW. ¼	31	43	35	D. S.	James Corbett	Sept. 27, 1883	Oct. 13, 1883	do	NE. ¼ of SW. ¼	do	Do.
								J. B. Goodman	W. ½ of SW. ¼	Sept. 15, 1880	Scrip.
W. ½ of E. ½	32	43	35	D. S.	George Orth	Sept. 15, 1883	Sept. 19, 1883	R. and S. M. Stephenson	NW. ¼ of NE. ¼	July 2, 1875	Cash.*
								Aug. Spies	SW. ¼ of NE. ¼	Apr. 23, 1880	Do.*
								Do	NW. ¼ of SE. ¼	do	W'nt.
								Harry L. Brown	SW. ¼ of SE. ¼	May 8, 1880	Cash.*
E. ½ of SW. ¼ and NW. ¼ of SE. ¼	32	43	35	D. S.	Cornelius Ryan	Dec. 11, 1882	Jan. 2, 1883	Aug. Spies	E. ½ of SW. ¼, NW. ¼ of SE. ¼	Apr. 23, 1880	W'nt.
E. ½ of NE. ¼, SW. ¼ of NE. ¼, and NE. ¼ of SE. ¼	32	43	35	D. S.	Moses Meansette	Dec. 1, 1882		Thos. K. Hamilton	E. ½ of NE. ¼	Mar. 9, 1880	Cash.*
								Aug. Spies	SW. ¼ of NE. ¼	Apr. 23, 1880	Do.*
								J. B. Goodman	NE. ¼ of SE. ¼	Sept. 27, 1880	Do.*
E. ½ of E. ½	32	43	35	D. S.	Henry Reynolds	Aug. 24, 1883	Aug. 29, 1883	I. K. Hamilton	E. ½ of NE. ¼	Mar. 9, 1880	Cash.*
								J. B. Goodman	NE. ¼ of SE. ¼	Sept. 27, 1880	Do.*
								Harry L. Brown	SE. ¼ of SE. ¼	May 8, 1880	Do.*
E. ½ of W. ½	32	43	35	D. S.	Joseph Coles	Oct. 12, 1883	Oct. 25, 1883	J. B. Goodman	NE. ¼ of NW. ¼	Sept. 27, 1880	Scrip.*
								Do	SE. ¼ of NW. ¼	do	Cash.*
								August Spies	E. ½ of SW. ¼	Apr. 23, 1880	W'nt.
W. ½ of W. ½	32	43	35	D. S.	B. Commins	do	do	J. B. Goodman	NW. ¼ of NW. ¼	Sept. 27, 1880	Scrip.*
								R. & S. M. Stephenson	SW. ¼ of NW. ¼	July 2, 1875	Cash.*
								G. M. Wakefield	W. ½ of SW. ¼	Apr. 14, 1880	Do.*
E. ½ of NE. ¼ and E. ½ of SE. ¼	33	43	35	H'd	James E. Burns	Dec. 28, 1881	Jan. 31, 1882				
SE. ¼ of SW. ¼, W. ½ of SE. ¼, and SW. ¼ of NE. ¼	33	43	35	D. S.	Frank Jackson	Mar. 13, 1882	Mar. 18, 1882				
NE. ¼ of NW. ¼, W. ½ of NW. ¼ and NW. ¼ of SW. ¼	33	43	35	D. S.	Ira Jackson	Mar. 27, 1882	Apr. 6, 1882				
N. ½ of SW. ¼, SW. ¼ of NW. ¼ and NW. ¼ of SE. ¼	34	43	35	D. S.	P. G. Echland	Nov. 26, 1883	Dec. 10, 1883	I. K. Hamilton	SW. ¼ of NW. ¼, NW. ¼ of SW. ¼	Mar. 9, 1880	Cash.*
S. ½ of S. ½	34	43	35	D. S.	Theo. Shoeffer	do	do	Samuel H. Seldon	NE. ¼ of SW. ¼, NW. ¼ of SE. ¼	Nov. 4, 1879	W'nt.*
								I. K. Hamilton	S. ½ of SW. ¼, SW. ¼ of SE. ¼	Mar. 9, 1880	Cash.*
								Joseph Pecard	SE. ¼ of SE. ¼	Sept. 22, 1879	Scrip.
N. ½ of NE. ¼	34	43	35	D. S.	Fred. Kielgrum	Dec. 11, 1882	Jan. 2, 1883	Michael H. Carn	NE. ¼ of NE. ¼	June 24, 1879	Cash*
SE. ¼ of NW. ¼, S. ½ of NE. ¼, and NE. ¼ of SE. ¼	34	43	35	D. S.	Alex. Quirt	Nov. 26, 1883	Dec. 10, 1883	Jacob Buehholtz	NW. ¼ of NE. ¼	Feb. 23, 1880	Do.*
								John D. Ross	SE. ¼ of NW. ¼, S. ½ of NE. ¼, NE. ¼ of SE. ¼	Dec. 12, 1879	W'nt.
N. ½ of NW. ¼	34	43	35	D. S.	J. J. Fullerton	Dec. 11, 1882	Jan. 2, 1883	do	N. ½ of NW. ¼	Nov. 4, 1879	Do.
S. ½ of SW. ¼, NW. ¼ of SW. ¼, and SW. ¼ of NW. ¼	35	43	35	D. S.	Geo. M. Buckley	Feb. 1, 1882	Feb. 25, 1882				
N. ½ of NE. ¼, E. ½ of NW. ¼	35	43	35	D. S.	Jas. McGuire	Aug. 7, 1882	Aug. 9, 1882	Jay C. Morse	NE. ¼ of NE. ¼	July 3, 1873	W'nt.
								Wm. H. Selden	NW. ¼ of NE. ¼, E. ½ of NW. ¼	Dec. 9, 1878 / July 3, 1873	H'd. / W'nt.*
E. ½ of NE. ¼	35	43	35	(†)	F. S. Gurney	Nov. 9, 1882	Dec. 6, 1882	Jay C. Morse	E. ½ of NE. ¼	do	Do.*
E. ½ of NE. ¼	35	43	35	D. S.	Thos. Donnelly	Dec. 11, 1882	Jan. 2, 1883	Jay C. Morse	E. ½ of NE. ¼		
NW. ¼ of NW. ¼	35	43	35	D. S.	Daniel J. Lay	Dec. 7, 1881	Jan. 26, 1882				
SE. ¼	36	43	35	D. S.	William Young	Jan. 18, 1884		Wm. H. Selden	SE. ¼ of	Dec. 9, 1878	Scrip.
SW. ¼	36	43	35	D. S.	James R. Crooks	Dec. 12, 1883	Dec. 13, 1883	do	E. ½ of SW. ¼	May 22, 1878	Do.
								A. Mathews	NW. ¼ of SW. ¼	May 1, 1873	Cash.*
								Jay C. Morse	SW. ¼ of SW. ¼	July 3, 1873	Do.*
NE. ¼	36	43	35	D. S.	Pat'k. D. Murphy	Feb. 11, 1882	Feb. 22, 1882	John D. Ross	NE. ¼ of	Dec. 12, 1879	W'nt.

*Patented. †Additional homestead scrip. (‡) Within thirty days.

Subdivision.	Section.	Township.	Range.	Kind of application.	By whom made.	Date of rejection.	Date of appeal.	By whom purchased.	Subdivision of same section, township, and range.	Date of entry.	Kind of entry.
SE. ¼ of NW. ¼	36	43	35	(†)	Lewis Parker	Sept. 26, 1882	Oct. 23, 1882	Jay C. Morse	SE. ¼ of NW. ¼	June 3, 1873	Cash.*
W. ½ of SE. ¼	36	43	35	(†)	Chas. H. Depuy	do	do	Wm. H. Selden	W. ½ of SE. ¼	Dec. 9, 1878	Scrip.
NE. ¼ of SW. ¼	36	43	35	(†)	Daniel W. Smith	do	do	do	NE. ¼ of SW. ¼	May 22, 1878	Do.
W. ½ of NW. ¼ and NE. ¼ of NW. ¼	36	43	35	(†)	S. W. Hughart	Nov. 9, 1882	Dec. 6, 1882	Jay C. Morse	N. ½ of NW. ¼	June 3, 1873	Cash.*
								A. Mathews	SW. ¼ of NW. ¼	May 1, 1873	Do.*
W. ½ of SW. ¼ and NE. ¼ of SW. ¼	36	43	35	(†)	Stephen Boyd	do	do	Wm. H. Selden	NE. ¼ of SW. ¼	May 22, 1878	Scrip.
								A. Mathews	NW. ¼ of SW. ¼	May 1, 1873	Cash.*
								Jay C. Morse	SW. ¼ of SW. ¼	June 3, 1873	Do.*
W. ½ of SW. ¼ and SE. ¼ of SW. ¼	36	43	35	(†)		Feb. 16, 1882	Feb. 23, 1882	Wm. H. Selden	SE. ¼ of SW. ¼	May 22, 1878	Scrip.
								A. Mathews	NW. ¼ of SW. ¼	May 1, 1873	Cash.*
								Jay C. Morse	SW. ¼ of SW. ¼	June 3, 1873	Do.*
W. ½ of NW. ¼	36	43	35	(†)		Feb. 15, 1882	do	do	NW. ¼ of NW. ¼	do	W'nt.*
								A. Mathews	SW. ¼ of NW. ¼	May 1, 1873	Cash.*
NW. ¼	36	43	35	D. S.	Jno. H. J. Gibon	May 14, 1883	June 8, 1883	Jay C. Morse	N. ½ of NW. ¼	June 3, 1873	W'nt.*
								A. Mathews	SW. ¼ of NW. ¼	May 1, 1873	Cash.*
								Jay C. Morse	SE. ¼ of NW. ¼	June 3, 1873	Do.*
S. ½ of S. ½	27	44	35	D. S.	John A. Clark	Jan. 6, 1883	Jan. 2, 1883				
N. ½ of S. ½	27	44	35	D. S.	W. H. Forsyth	do	do				
NW. ¼	27	44	35	D. S.	Alba Forsyth	do	do				
SE. ¼	29	44	35	D. S.	George N. Armstrong.	do	do				
NE. ¼	29	44	35	D. S.	Frank Devenie	Mar. 8, 1883	Mar. 25, 1888	T. Woodford	NW. ¼ of NE. ¼	Jan. 7, 1873	Cash.
N. ½ of S. ½	29	44	35	D. S.	Geo. A. Hamilton	do	Apr. 2, 1883				
SW. ¼	29	44	35	D. S.	Alex. Trudell	July 20, 1883	Aug. 13, 1883				
NW. ¼	29	44	35	D. S.	Louis Bastin	Aug. 6, 1883	do	P. L. and L. S. S. C. Co	NW¼		Grant.
SE. ¼	31	44	35	D. S.	John Stiles	Feb. 7, 1883	Feb. 17, 1883				
NE. ¼	31	44	35	D. S.	Hugh Robert Gorman.	May 24, 1883	June 5, 1883	do	NE. ¼		Do.
NW. ¼	31	44	35	D. S.	James Duarand	June 13, 1883	July 6, 1888	do	NW. ¼		Do.
SW. ¼	31	44	35	D. S.	John Lyng	Aug. 24, 1883		do	SW. ¼		Do.
SE. ¼	31	44	35	D. S.	John Ericson	Nov. 17, 1883	Nov. 27, 1883				
SW. ¼	32	44	35	D. S.	Edward Campbell.	Dec. 12, 1882	Dec. 20, 1882	G. M. Wakefield	SW. ¼	Feb. 8, 1881	W'nt.
SE. ¼	32	44	35	D. S.	Hanorah Keatings.	Dec. 28, 1882	Jan. 2, 1883	do	SE. ¼	do	Do.
NE. ¼	32	44	35	D. S.	Jacob Gutoosha	Mar. 6, 1883	Mar. 8, 1883	do	NE. ¼		Do.
SW. ¼	33	44	35	D. S.	Charles H. Sloan	Dec. 28, 1882					
N. ½ of N. ½	33	44	35	D. S.	John Gutoosha	Jan. 6, 1883	Jan. 2, 1883				
S. ½ of N. ½	33	44	35	D. S.	Peter Gutoosha	do	do				
SW. ¼	33	44	35	D. S.	Lerenzo Degrass	do	do				
SW. ¼	33	44	35	D. S.	L. B. Searles	Jan. 18, 1883	Jan. 19, 1883				
N. ½ of SE. ¼	33	44	35	Cash	A. S. Tebbs	Feb. 8, 1883	Mar. 5, 1883				
S. ½ of NW. ¼	34	44	35	Cash	A. Sidney Tebbs	Jan. 19, 1883	Jan. 19, 1883				
N. ½ of N. ½	35	44	35	D. S.	Arthur T. Otto	Jan. 6, 1882	Jan. 2, 1883	State swamp land	NW. ¼ of NE. ¼, NE. ¼ of NW. ¼.	(†)	(‡)
SE. ¼	1	42	36	D. S	D. Ratcliffe	Oct. 12, 1883		James Mix	SE. ¼	Apr. 10, 1880	Cash.
NE. ¼	1	42	36	D. S	John Hutchan	do		do	W. ½ of NE. ¼	do	Do.
								R. and S. M. Stephenson	E. ½ of NE. ¼	July 2, 1875	Do.*
NW. ¼	1	42	36	D. S	James Whelan	do		James Mix	NW. ¼	Apr. 10, 1880	Do.
W. ½ of NW. ¼, sec. 1, and SE. ¼ of NE. ¼, and NE. ¼ of SE. ¼.	2	42	36	D. S	C. E. Thorpe	Nov. 26, 1883	Dec. 10, 1883	do	W. ½ of SW. ¼, sec. 1.	do	Do.
									SE. ¼ of NE. ¼, sec. 2; NE. ¼ of SE. ¼, sec. 2.	Apr. 10, 1880	Do.*
N. ½ of NE. ¼, NE. ¼ of NW. ¼, and lot 4.	2	42	36	D. S	L. S. Danielson	Nov. 26, 1883	Dec. 10, 1883	do	N. ½ of NE. ¼, NE. ¼ of NW ¼, lot 4.	Apr. 10, 1880	Do.*
SE. ¼	13	42	36	D. S	Nicholas Gilman	June 11, 1883	July 10, 1883	Woodman C. Hamilton	SE. ¼	Mar. 23, 1880	Do.
N. ½ of NE. ¼, and N. ½ of NW. ¼.	24	42	36	D. S	Ed. M. Gilman	Aug. 6, 1883		A. C. Brown	NE. ¼ of NW¼, lots 1 and 2.	Apr. 24, 1880	Do.*
								W. C. Hamilton	NW. ¼ of NW. ¼	May 15, 1880	Do.*
SE. ¼	1	43	36	D. S	John W. Styles	Dec. 28, 1882		State swamp land	NE. ¼ of SE. ¼, W. ½ of SE. ¼.	(‡)	(‡)
								P. L. and S. S. C. Co	SE. ½ of SE. ¼		Grant.
E. ½ of SE. ¼ and SW. ¼ of SE. ¼.	1	43	36	D. S	Jacob B. Hemener	do	Jan. 15, 1883	do	SE. ¼ of SE. ¼		Do.
								State swamp land	NE. ¼ of SE. ¼, SW. ¼ of SE. ¼.	(‡)	(‡)
NW. ¼	1	43	36	D. S	Jens J. Larson	Feb. 24, 1883	Mar. 14, 1883	T. Woodford	SE. ¼ of NW. ¼	June 7, 1873	Cash.*
								Wm. S. Patrick	SW. ¼ of NW. ¼	July 1, 1872	W'n't.*
NE. ¼	1	43	36	D. S	Charlotte Burt	Dec. 28, 1883		State swamp land	NE. ½	(†)	(‡)
NE. ¼	12	43	36	D. S	Arthur H. Stevens	Dec. 12, 1882	Dec. 20, 1882	W. C. Culbertson	NE. ¼	June 14, 1867	W'n't.*
W. ½ of E. ½	13	43	36	D. S	J. Hogland	Sept. 15, 1883	Sept. 19, 1883	P. L. and L. S. S. C. Co	W. ½ of E. ½		Grant.
E. ½ of E. ½	13	43	36	D. S	A. Johnson	do	do	do	E. ½ of E. ½		Do.
E. ½ of SW. ¼ and W. ½ of SE. ¼.	21	43	36	D. S	John L. Holblum	Nov. 26, 1883	Dec. 10, 1883	do	E. ½ of SW. ¼		Do.
									W. ½ of SE. ¼	Aug. 24, 1880	Cash.
SE. ¼	25	43	36	D. S	John McVeagh	Sept. 7, 1883	Oct. 1, 1883	Frances Palms	SE. ¼	do	Do.
E. ½ of NW. ¼	25	43	36	D. S	John Ereg	do		do	E. ½ of NW. ¼	June 9, 1873	Do.*
Lots 1, 2, 3, 4, and 5	35	43	36	D. S	Gustaf Abramson	Nov. 26, 1883	Dec. 10, 1883	John Mulvey	Lots 1, 2, 3, 4, and 5		Do.*
E. ½ of SW. ¼, SW. ¼ of SW. ¼ and lot 3.	36	43	36	D. S	P. J. Johnson	do	do		Lot 3	do	Do.*
								James J. Hagerman	E. ½ of SW. ¼ and SW. ¼ of SW. ¼	Sept. 24, 1880	W'n't.*
E. ½ of NE. ¼, SW. ¼ of NE. ¼, and lot 2.	36	43	36	D. S	Jeremiah Cary	do	do	John Mulvey	Lot 2	June 9, 1873	Cash.*
								Frances Palms	E. ½ of NE. ¼ and SW. ¼ of NE. ¼.	Aug. 24, 1880	Do.*
NW. ¼	31	43	35	D. S	Martin Monahon	Sept. 22, 1883	Oct. 13, 1883	Jas. B. Goodman	NE. ¼ of NW. ¼ W. ½ of NW. ¼	Sept. 18, 1880	Scrip.
								Jesse Spalding	SE. ½ of NW. ¼	Jan. 20, 1873	W'nt.
E. ½ of NE. ¼	25	43	36	D. S	Joseph Bennane	Sept. 7, 1883	Oct. 1, 1883	Francis Palens	E. ½ of NE. ¼	Aug. 24, 1880	Cash.

* Patented. † Approved January 11, 1854. ‡ Act September 28, 1850.

I hereby certify that the foregoing schedule (pages 1 to 20, inclusive) embraces the homestead and pre-emption applications and subsequent action has thereon, together with the entries with which they conflict, in the townships and parts of townships found in the 6 miles limits common to both branches of the Chicago, Saint Paul and Fond du Lac Railroad, odd sections in which were granted to above-named road by act of June 3, 1856.

V. B. COCHRAN, *Register.*

UNITED STATES LAND OFFICE, MARQUETTE, MICH., *February* 5, 1884.

(418 in all. All in 1882 and 1883, except 2).

Mr. HOAR. I should like to ask any member of this body if he believes that within a limit of 15,000 acres and within a space of two years there were five hundred entries made of land which was previously entered and recorded in the land office of that district by mere accident by men who were acting in good faith?

Mr. PALMER. Will the Senator permit me to interrupt him?

Mr. HOAR. Certainly.

Mr. PALMER. Do I understand the Senator to say that there were over five hundred applications, or that there were five hundred entries?

Mr. HOAR. Five hundred entries.

Mr. PALMER. The lowest entry is a subdivision of 40 acres. Some of those entries are 80's and some of them 160's. They never take any

less than 80 acres. If there were five hundred entries at 160 acres each it would require 80,000 acres to fill the bill.

Mr. HOAR. But some of these entries are seven deep on the same land. That is another proof of the fraud of the whole business. There are some of them from seven to ten deep.

Mr. PALMER. I am glad that I brought out that explanation, for arithmetically it was very funny. The Senator is under obligations to me for bringing out the explanation.

Mr. HOAR. It may be very funny to my honorable friend from Michigan; but it is very disagreeable to a man who happens to own a little cabin or a little plot of land which he has improved, to have seven or ten fellows separately putting their entries onto his own land.

Here are something like a dozen witnesses to the fact that a large portion of these people never made settlement, or attempted it; that they never made a real entry at all; that it was a land office performance without anything practical belonging to it.

I do not wish to detain the Senate beyond all reason and patience, because while this is a very important matter to these people it is an individual or special matter compared with the great subjects of general legislation which we have to reach. But here is a large number of affidavits stating the value and character of the lands on which these entries are made. Here is one which I will read as a specimen. It is the affidavit of Mr. Thomas Luxmore, of Marquette County, Michigan. I think very likely my honorable friend may know the man. He seems to be a respectable man, in high standing, and I suppose, therefore, he would be likely to be known to the Senators from that State.

STATE OF MICHIGAN, *Marquette County, ss:*

Thomas Luxmore, being duly sworn, on oath deposes and says that he is a resident of the village of Iron River, Marquette County, Michigan; and that since in the year 1881 he has been the superintendent of the Nandimo mine, an iron mine located on the SW. ¼ of SW. ¼ of section 26, in township 43 north, of range 35 west, in the county and State aforesaid, and that in exploring and opening said mine, and in erecting and maintaining a mining plant, buildings, etc., for the purpose of operating the same, there has been expended a sum of between one hundred and fifty and one hundred and sixty thousand dollars, and that on said mine 370 feet of exploring has been done, 329 feet of shafts sunk, and 857½ feet of drifts run; and the mining plant, buildings, etc., belonging to said mine, and on said lands, are substantially as follows, to wit: Four tubular stationary boilers, one 16 by 20 inch engine, one tubular boiler and hoisting engine, three 4-foot Lane drums, one shaft-house, two pockets, two skip roads (one 185 feet and one 220 feet long), seven Knowles pumps, numbers 4 to 9, two derricks, about 1,400 feet of trestle, averaging about 18 feet in height, about a mile of railroad side-track, 2,200 cords of wood, 20,000 feet of mining timber, tram cars, skips, pipes, buckets, wagons, sleds, etc., one boarding-house, two-story, 26 by 40, with kitchen attached, two frame dwellings, each 20 by 30, with kitchens attached, together with a large lot of miscellaneous tools, barns, sheds, etc., too numerous to mention.

Jerome B. Schwartz, being duly sworn, on oath deposes and says that * * * besides being the superintendent of the Alpha Iron Company, he is engaged in keeping a general store in said Crystal Falls, and that he is fully conversant with all the buildings in said village, and that he has carefully examined the list of buildings in said Crystal Falls hereto attached, and as to the number and kind of buildings set forth in it, knows it to be true and correct, and as to the estimated cost of said buildings, believes it to be fair and just.

Said deponent further deposes and says that at various times he has purchased of the Crystal Falls Iron Company and other parties lots on the town site of said Crystal Falls, and has made valuable improvements and erected valuable buildings thereon, and that said lots, with the said improvements and buildings, have cost him in the aggregate several thousand dollars, and that he has always understood his title to said property to be good and indefeasible, etc.

It is not necessary to delay the Senate by reading this whole pamphlet. It is that kind of property upon which this army of fraudulent land sharks was dispatched with the expectation that the Congress of the United States would forfeit the railroad company's grant and not confirm the title arising under the canal grant in consequence of this technicality, and then these people would come here and present themselves as honest and decent and respectable homesteaders or pre-emptioners.

Mr. BERRY. Mr. President, the bill under consideration was reported after long and mature deliberation from the Committee on Public Lands. That bill simply proposes to forfeit to the United States all lands opposite that portion of any railroad throughout the United States which has not now been completed or which is not completed at the time of the passage of the act.

So far as I was individually concerned, as a member of the committee, I was in favor of going further than that and not only forfeiting what is called the unearned lands, those opposite the uncompleted portions of the railroad, but all those lands opposite that part of the railroad which was not completed within the time specified by Congress. I was overruled, however, by the Committee on Public Lands, and the bill simply and solely proposes now to forfeit to the United States those lands where the railroad has not been built at the time of the passage of this act; and the bill should pass, and certainly no one will contend that those lands should not be forfeited.

The question was considered whether in making this forfeiture Congress ought to undertake to take care of the rights of certain settlers or certain other claimants where there were conflicts throughout many States in the Union, but the committee saw that in many cases these causes were pending in court, and if they undertook to give one party an advantage over another probably great wrong and injustice would be done. Therefore, as the bill is reported it leaves the pre-emption men, the homestead claimants, the canal company, and all others claiming a right in these lands to their rights in court and before the Interior Department without interfering with them in any way whatever.

The amendment proposed by the Senator from Massachusetts proposes to go further than the committee and confirm to this canal company 400,000 acres of land in the State of Michigan, and to confirm to those who purchased at cash entry some 40,000 or 50,000 acres of land in the State of Michigan and how many acres in other States outside of Michigan I do not know. The Senate will bear in mind that the homestead claimants, the pre-emption claimants, the canal men, the railroad men, and the cash-entry men are now in the courts of the country and before the Interior Department with lawsuits in regard to these particular lands. The canal company is unwilling to take its chances before the Interior Department and it is unwilling to take its chances before the courts of the country, but comes now with an amendment and seeks through Congress to obtain a confirmation where the case is now pending before the Secretary of the Interior, if it is not already, as I believe, pending in the courts of the country.

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. BERRY. Certainly.

Mr. HOAR. Suppose the selection made by the former Secretary of the Interior and the Government agent to be defective because the forfeiture had not been declared, have these people any remedy except in Congress? Can they get any remedy before the courts of the country?

Mr. BERRY. I will answer the Senator from Massachusetts that the Secretary of the Interior has decided that those lands were reconveyed to the United States under the joint resolution of July 5, 1862. Whether that will be held to be good law by the courts I do not pretend to decide, but under the bill as it comes from the Committee on Public Lands these parties will be left in precisely the same situation that they are in now. The bill, as it comes from the Committee on Public Lands, does not propose to give the pre-emption settler or the homestead settler any advantage over the canal company. The settlers do not ask it, but they do ask Congress not to legislate this land to the canal company and thereby deprive them of their homes.

The men who hold under the homestead law, the men who hold under pre-emption, the men who have their homes upon that land and their farms there, and, as the Senator from Massachusetts has said, no doubt their grave-yards there, do not ask Congress to give them an advantage over this great canal company. All they ask is that in making this forfeiture their rights be not tampered with, and that the Congress of the United States shall not confer this land upon this canal company, said to be worth from $25,000,000 to $40,000,000. That is the question presented here.

I ask the Senate to bear in mind that the amendment proposed by the Senator does not confirm the title of the homestead men. It does not give them any advantage whatever; but the men who entered at cash entry and the canal company are seeking to have Congress pass upon their rights, which they are afraid to risk in the courts of the country.

Mr. President, the Senator from Massachusetts said—and I hope he will do me the honor to give me his attention—that the selections were made in the State of Michigan; that the canal company had nothing to do with making the selections. I understood him to say that the lands were selected in accordance with law. I do not propose to make an assertion here to-day, but I propose to read from a report made in the Forty-ninth Congress by the Committee on Public Lands of the other House, through Mr. Henley, of California; made after weeks and months of patient investigation; made after proofs taken by many witnesses; and I propose to show that that committee came to the conclusion that the company never built the canal according to contract; that they did not comply with scarcely one single regulation provided by Congress in making the grant.

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. BERRY. Certainly.

Mr. HOAR. I ask if the certificate of the governor and of the Secretary of the Interior is not conclusive on that point?

Mr. BERRY. I will answer the Senator. If the certificate of the governor is conclusive, as the Senator asks, in a legal point of view, then I say that this evidence as to whether or not they actually did the work is important, because they are coming to Congress asking for equity; they are coming here and asking equitable relief at the hands of the Congress of the United States, and if we can show that they never complied with any of their part of the contract, then it is important as bearing on the question of whether Congress shall grant the equities which they ask. That committee, as I said, reported as follows:

Congress granted 400,000 acres of the public domain to aid in building a canal less than 2 miles long. It incumbered this munificent donation with few limitations and restrictions, but among the things that it did expressly require were a breakwater, a harbor, and a ship-canal of certain dimensions. By a breakwater was intended a structure of some kind capable of breaking the force of the storms that lash the shores of Superior, and thus affording protection to the entrance of the canal; by a harbor was meant a place of safety for vessels entering or leaving the canal, and by a canal 100 feet in width, with a depth of not less than 13 feet, was meant a canal of that width and depth, so constructed as to be permanently navigable from end to end by vessels drawing that amount of water. All this the company were under obligations to furnish to the citizens of the United States before it was legally or equitably entitled to an acre of the grant. As matter of fact it has never to this day given the public such a breakwater, harbor, or canal.

The only breakwater built consists of two parallel piers running from the shore of Lake Superior a distance of some 900 feet into the lake. The only harbor is that formed by these piers. The only canal is a ditch running from Portage Lake to Lake Superior, about 2 miles in length, so insufficiently protected at its sides that every year since its alleged completion sand has drifted through and filled up the channel to a depth of from 2 to 5 feet. The so-called harbor, instead of being a place of safety, is, in stormy weather, actually a place of danger, navigators preferring in some instances to run north around Keweenaw Point, rather than attempt to enter the canal between the piers. (Testimony of Captain Shannon, page 347.)

* * * * * * *

The resultant disability is such that deep-draught vessels, intending to pass through the canal, habitually load at Eastern ports with express reference to discharging portions of their cargo before reaching Portage Lake.

* * * * * * *

In view of the foregoing your committee are of the opinion that the work as completed was so defective as to be practically a fraud upon the intention of Congress; that the company failed, within the period of limitation, and ever since has failed, to construct, within the meaning of the act of Congress, a breakwater, a harbor, or a ship-canal of the specified dimensions.

This committee report, after patient investigation, that the canal was never completed in accordance with the contract. But that is not all. This committee find and report that the selections made by the canal company were in direct violation of the act of Congress, and therefore for that reason were a fraud. The Senator from Massachusetts said that the lands were selected by the agent of the State of Michigan, that the canal company had nothing whatever to do with it. I assert here—and if I am incorrect I ask the Senator from Michigan to correct me—that it has been charged that the president of the canal company was appointed agent by the governor of Michigan to make the selections, and that the selections were in point of fact made by the president of the canal company. I state that the evidence, in addition to that testified to before the House committee, is that when they were making these selections the Register of the Land Office refused to allow them to select certain lands laid down there, that they endeavored in every way to get him to agree to them, that he continued to refuse, and that the president of the company came here and through a member of Congress secured the register's removal, and the appointment of another man who did make these selections outside of the act of Congress.

Mr. DAWES. The Senator speaks of the president of the canal company and a Representative. I should like to inquire of him to which canal company he refers?

Mr. BERRY. My opinion is that it was the original canal company which afterwards failed.

Mr. DAWES. The mortgage was foreclosed and another corporation was formed of the persons, and the title was condemned in the courts under a foreclosure, and purchased by people in New Jersey and New York and Massachusetts, and they made a president of the new company. You do not allude to him?

Mr. BERRY. My recollection is—I am not certain that it is accurate—but my recollection is that the original company or the persons who advanced to it money had a mortgage and that the lands were sold under that mortgage and were purchased in by the new company, which probably consisted of some of the original company or parties who had furnished the money and had held the bonds. I have that impression from reading the testimony. I will not say it is absolutely correct.

Mr. DAWES. The new company was formed by capitalists who never had anything to do with the original company at all. The new corporation was formed after the property was sold under judgment of a court under the foreclosure, and then men went into the market and induced these people to put their money in in the way stated.

Now, one other thing. My friend has been reading from a report of a House committee. Does he know of how many that committee consisted?

Mr. BERRY. I do not know; I suppose the usual numbers of a House committee.

Mr. DAWES. I see that five of them signed a minority report.

Mr. BERRY. Perhaps the House Committee on Public Lands consisted of eleven. I do not know. The Senator from Massachusetts was in the other House a long time and perhaps he knows.

Mr. DAWES. The explanation of it is this: Three of them set forth that the conclusions of fact of those who constitute the majority are not correct, and then proceed to say:

Without entering into any of the reasons of either the majority or minority reports, much of which we do not indorse, we are content to state our conclusions as members of the committee, and we concur in the resolution that the evidence fails to show that the lands granted are forfeited.

Two members of the committee sign that.

Mr. BERRY. Mr. President, this selection was not only void for that reason, but it was void for another reason, and a reason of which all parties who have since purchased could have notice and are chargeable with notice under the law, and can not claim to be innocent purchasers. The original act granting 200,000 acres provided that they should be selected from lands nearest the canal. This same committee reports what I will read:

Under the act of 1865, therefore, the company was entitled to 200,000 acres of alternate odd sections, of the character described, lying in compact form nearest to the location of the canal. It was charged by the investigators, and has been demonstrated by the testimony, that of the lands actually selected there are nearly, if not quite, 100,000 acres in the extreme western portion of the upper peninsula, between the Montreal River and Lake Agogebic, further from the canal than 100,000 acres of other lands falling within the grants and which should have been selected.

The facts are that while it was expressly provided that they should be taken from lands nearest the canal, there were other lands, which at that time were believed to be copper lands, selected in direct violation of the law. In fraud of the action of Congress they skipped over the inferior lands, leaving 100,000 acres, and selected 80,000 acres of very valuable land in the State of Michigan.

Mr. McPHERSON. Of what selection does the Senator speak?

Mr. BERRY. I speak of the selection under the first act. This committee say they left 100,000 acres between the canal and the selection of 100,000 other acres that they made, and they did it because it was far more valuable and because it was believed at that time to be copper land, notwithstanding the act of Congress prohibited the selection of mineral lands expressly and directly.

It turned out afterwards that they were not copper lands, but contained iron ore, immensely valuable; and these lands were selected, as I said, directly in violation of the first act of Congress, which said the selection should be made from the land nearest the canal.

The second act of Congress, granting 200,000 acres more, did not in express terms say that they should be selected from the lands nearest the canal. It was contended, however, that the two acts should be construed together and that such was the meaning. The Attorney-General of the United States decided differently. He decided under the last act that they could select other lands.

But there is another difficulty in the way. The House committee find and report the law to be that they were bound to select lands subject to private entry, and yet the decision of the Secretary of the Interior has held that these odd sections were not subject to private entry.

That is the history of the canal grant, this canal costing, I believe the Senator from Massachusetts [Mr. HOAR] said, four or five million dollars; I do not remember the exact amount. These parties now come to Congress and ask us to confirm to them lands estimated to be worth from twenty-five to forty million dollars. They come in claiming no legal right; they come and say that they have certain equitable rights which the courts will not allow, and therefore they ask Congress to give them these rights; and yet they do that in the face of the fact that this testimony shows that the president of the company while acting as State agent was president of the company making selections; they ask it in the face of the fact that they were required to take the lands nearest the canal, and yet they went many miles from there to get valuable land.

Mr. HOAR. Will the Senator pardon me for a question?

Mr. BERRY. Certainly.

Mr. HOAR. Will the Senator inform me what he means by saying that "they went" when the thing was done by a public officer appointed by the Secretary of the Interior?

Mr. BERRY. I beg the Senator's pardon. He speaks of the appointee of the governor of Michigan.

Mr. HOAR. Approved by the Secretary of the Interior.

Mr. BERRY. But the governor of Michigan appointed the president of the canal company to make the selections. That was the statement I made.

Mr. HOAR. I never heard of that before.

Mr. BERRY. If I am incorrect, the Senator from Michigan will correct me.

The amendment of the Senator from Massachusetts goes further than this. The Senator's amendment proposes to confirm all the cash entries, and not only to confirm to the canal company, but to confirm to those persons who have bought for cash, while the Secretary of the Interior, in the case of George M. Wakefield *vs.* H. Cutter, Edward Frank, and Charles Laydon, holds in regard to the odd sections:

As to the odd sections, Congress fixed a further condition upon the reacquisition of these lands by requiring them to be reoffered at public sale, and this reoffering at public auction was a condition precedent to the rights of entry of said sections.

The ruling in the case of Pecard *vs.* Camens does not apply to the odd sections, but on the contrary the reason stated in said decision for sending the entries of the even sections to the board of equitable adjudication furnishes a sufficient reason for refusing the present application.

He holds in this decision, which the Senator, can read, and, I presume, has read, that the cash entries to the odd sections were absolutely void, that they were not subject to sale under cash entries, yet persons have gone there and have bought thousands of acres of these immensely valuable lands, paying $1.25 an acre for them, in violation of the law. They are contesting with the parties who settled there under pre-emption and homestead claims, contesting with parties who have their homes there and have lived there for years and years. They are contesting in the courts.

Those who hold under the homestead and pre-emption laws are willing to trust their rights to the courts of the country. The Secretary of the Interior has already decided in their favor. And yet, under this amendment, the Congress of the United States would by this act confirm to those who made these cash entries fifty or sixty thousand acres, confirm to them lands worth twenty-five to forty dollars an acre, and turn out of their homesteads and pre-emptions the families there settled. That is the effect of the amendment proposed by the Senator from Massachusetts.

I insist that when the Senator speaks of those who have homes he is

mistaken as to the effect of his amendment. The effect of his amendment is to turn them out of house and home and give to this canal company lands worth from twenty-five to forty million dollars, to give them to these cash-entry men who entered in violation of law, as decided by the Secretary of the Interior, whose entry was void, and all that they could ask would be to have the money refunded to them by the Government of the United States. It is sought on this bill to turn these people out of their homes when the courts of the country are now adjudicating their claims.

If the bill passes as it came from the Committee on Public Lands, it leaves the parties in precisely the same situation as they stood before. If the law is in favor of the canal company, its rights will not be affected. If the pre-emption and homestead settlers are entitled to the preference, their rights are not affected one way or the other. If the men who entered under sales for cash have rights, if the Secretary of the Interior decided wrongly and the courts shall hold that these men's claims are equitable and valid, this act will not interfere with them in any way. But if the amendment offered by the Senator from Massachusetts is adopted, it will have the effect, as I have before stated, to confirm the claims that these men with all their immense wealth, with all their surroundings, are unwilling to trust to the courts of the country; and if they have no legal title to this land I insist that when they come to us asking equity we have a perfect right to inquire as to whether or not these lands were selected in the manner provided by law or whether they were selected in fraud of the law.

I will read one more section from the House committee's report:

To summarize, we find the following selections illegal, covering land not included in the grant, the figures being general, namely:

	Acres.
Under grant of 1865	100,000
Under grant of 1866, at least	30,000
Under former construction, additional, about	150,000
Total	280,000

That is, the last act is to be construed in connection with the former. Then there would be 150,000 acres additional, but without that there are 130,000 acres of this land which this committee find were selected contrary to law. Now I will read the summing up of the committee in regard to the cash entries:

Your committee is unable to resist the conclusion, under all the facts of the case, that not only were these private entries invalid and illegal, but that certainly, in some cases, they must have been made fraudulently and by collusion with the officers of the local land office. They are, accordingly, of opinion that an act confirming them should not be passed.

These are the lands which were taken under private entry.

Now, Mr. President, I think I have said all I wish to say upon this question.

Mr. McPHERSON. Will the Senator permit me to ask a question?

Mr. BERRY. Certainly.

Mr. McPHERSON. Has the Government at any time offered any of the lands that had been credited to the canal company by reason of the State selections to private purchasers? Have any of them been sold to private purchasers? In other words, has the Government at all times recognized the right of the canal company to these lands after they were selected?

Mr. BERRY. My impression is that there were homestead settlers and pre-emption claimants who made filings. Those have never been confirmed by the Interior Department. I will state to the Senator, however, that the Government probably also recognized cash entries until the decision of the Secretary of the Interior whereby he decided that all the entries on even sections were voidable, but might be confirmed by the board, and that all the entries on odd sections were absolutely void, and that the parties had no title to them whatever.

Mr. McPHERSON. But the status of the lands that were regularly credited to the canal company according to the Senator's own statement will be voided now by reason of the decisions made at this late day by the Interior Department. No decision was made by the Interior Department, as I understand, that in any way affected the credit of the canal company or the ownership of the canal company in this land until such time as they had been selected and bonds had been issued.

Mr. BERRY. I answer the Senator that there had been no decision, but the law was that they were to be selected nearest the canal. It was not complied with. I assert, furthermore, that they could only be selected from lands subject to private entry. This was undeniably so under the first grant of 1865, and the parties who loaned money, or parties who took mortgages on them or became interested by purchase or otherwise, were bound to take notice of what the law was, and can not come in here before Congress and ask them to do equity and confirm their claims, especially so when the lands were selected in fraud of the act of Congress.

If under the decision of the courts they had a right to select these lands, if there had been no fraud whatever, if the lands were selected in the manner indicated by the act of Congress, these parties can recover in the courts of the country; and why is it that they come here and seek legislation to give them an advantage over their opponents in cases now pending before the courts of the United States, and that, too, when those opponents are pre-emption settlers and homesteaders, men of families, poor men who usually are unable to contest with such a company as this canal company, or the parties who purchased the lands at private entry? The homestead settlers have not asked any confirmation. There is nothing in the bill as it comes from the Committee on Public Lands giving them any confirmation; but they do insist that the Congress of the United States shall not deprive them of their homes and give them to this corporation, which never complied with the law, which never expended one-tenth the money that these lands are worth on the market to-day in building the canal. That is what they ask, and I think it is a just claim, and one which ought to be respected.

Mr. McPHERSON obtained the floor.

Mr. DOLPH. Will the Senator from New Jersey give way to me for a moment? I wish to offer a substitute for this amendment, and I presume he desires to discuss the merits of the question.

Mr. McPHERSON. I shall give way to the Senator to offer his proposition.

Mr. DOLPH. I should like five minutes to state it.

Mr. McPHERSON. I will give way to enable the substitute to be offered and read.

Mr. DOLPH. And explained?

Mr. McPHERSON. I intend to occupy the floor not more than five or ten minutes myself.

Mr. DOLPH. I will not interfere with the Senator.

Mr. McPHERSON. The Senator from Massachusetts [Mr. HOAR] has relieved me of the necessity of entering into an extended discussion of the amendment, and therefore I shall be very brief.

It seems to me that the amendment before the Senate is one that is entitled to a great deal of consideration. It was the policy of this Government in its earlier days to make grants of land for the purpose of building wagon-roads all over this country. There are many instances recently on the part of Congress of a disposition to undertake to annul and make void the grants of land given to wagon-roads in some of the States and Territories. There is scarcely a State containing public lands but has had some benefit from the grants either by an appropriation of land or money for the purpose of building wagon-roads.

Now we come down to the year 1856, and that was about the earliest date in which public lands were donated by the Government to aid the construction of canals and railroads. For instance, here was a canal which was needed on the northern peninsula of Michigan. It was intended to cut off a very large loop by cutting a canal across a point of land extending into Lake Superior, and a very dangerous route to navigation. The great interests of the Western country beyond that at the headwaters of Lake Superior depended upon something being done whereby the navigation of the lakes could be rendered easy and safe.

If you look at a map to-day you find at the headwaters of Lake Superior great towns like Ashland, Duluth, and other places where commerce exists and railway lines have reached the headwaters of the lake, and thence radiating and collecting the commerce of that great western world extending through States and Territories clear to the Pacific Ocean. It is brought down through Lake Superior, and much of it comes through this very canal.

The United States granted a certain amount of land at one time for each mile of construction of a railroad which was to run from Ontonagon, on Lake Superior, to some point on the Wisconsin line, and also for a line of road reaching from that same point to Marquette. The grantees began to build the railroad, and, as I think, built the first 10 or 15 miles of the road. It was really built not in a substantial way; and it has been asserted and proved that the road was laid upon snow banks, having snow for a foundation several feet deep. Upon the construction of such a structure they demanded a certain number of acres of land. They came down to the southerly end of the proposed line, where the lands were more valuable, and actually did at that point get control, as I understand from the Interior Department, and ownership of a certain amount of land, provided, however, that the entire road should first be built; the grant being a conditional one, and depending upon the full completion of the road.

Then they abandoned the road and practically notified the Department that they intended to go no further in the work. The lands that had been turned over to them by the Interior Department as a natural consequence went back into the public domain because the road had never been completed; in short, they abandoned it.

What then was done? This projected improvement of a canal was contemplated, and from the year 1860 up to 1865 the Congress of the United States was asked for a grant of land to build it. Under the act of 1865 200,000 acres of land were given for the construction of the canal. There is not an acre of land that to-day is worth or ever has been worth one-half dollar per acre. It is nothing but rocky, sandy, barren, treeless waste. At that time Northern Michigan was nothing but a wilderness. There were no people there; there was nothing there except the land, and yet at the same time there was that great lake reaching around the northern peninsula and the headwaters of that lake reaching to a very fertile region beyond. There were no railroads in the vicinity; but soon beyond the headwaters of Lake Superior population began to go, where since an hundred cities have been built up and immense railroad lines have been laid.

There was a grant of 200,000 acres of land for the canal, and so far as I can learn by any evidence in the Interior Department, all the proceedings were formal and regular and legal so far as the selection of the lands for the canal was concerned.

Mr. BERRY. Will the Senator allow me to correct him? If they were all legal, why do they come and ask Congress to confirm them? Why do they seek to have Congress interfere?

Mr. MCPHERSON. The Senator knows full well why it is. Because the title is disputed upon technical grounds, which, considering the action taken by Congress and the State of Michigan, together with the action of the Federal officers, it would be unbecoming in this Congress to assist.

In 1866 Congress passed another act; and there was no restriction in the act of 1866 confining the canal company to lands contiguous to the canal, but they were permitted by an agent selected by the governor of the State, with the approval of the Secretary of the Interior, whoever he might be, to make selections of land anywhere in the northern peninsula of Michigan.

They selected, as any individual would do, the very best land they could find that was subject to selection under the act of 1866, and in making selections they did come down along the line of this railroad which it had been proposed to build from Ontonagon to the State line, and they took possession of some 15,000 acres of that land. It was land belonging to the General Government. The railroad company had abandoned it and had abandoned the construction of the line; they had no claim to it. That land has since been found to be valuable. At the time of which I speak there was very little value in it. So far as I can learn there was then no idea of the great iron deposit since developed on that peninsula. Copper mines were known, and they were being worked on the peninsula.

This canal company proceeded with their work, expended $3,000,000, became involved, went into bankruptcy, and their works were practically sold out. Everybody supposed the canal company was at an end. The people who held the company's bonds, getting the best legal advice they could obtain, believed there was a good title to the lands, and that the bonds which were based upon them were good and valid bonds. Those bonds were sold in the market. The bondholders to-day stand as innocent purchasers of that property. Whatever else they got, they got the incomplete canal. In addition to the purchase of these bonds and the investment they made in the bonds they have put $1,000,000 in cash in the work of completing the canal, and the canal was completed, and it has been in operation from that time to this, and at the present time the canal company gives all the tolls every year towards keeping the canal in repair.

What have they received? They have received 400,000 acres of the public land in Northern Michigan, which at that time could not have been sold for a dollar and a quarter an acre. No iron had then been discovered. What else did they receive? Nothing in the world from the Government, but they gave the Government the right to use the canal free of toll. What have they received for the money they expended? Nothing in the world, then, except the lands. These lands, after investigation, were found to contain iron. The Government itself did not know they were mineral lands. There was no claim on the part of the Government that they were mineral lands, and it was nothing in the world but the discovery that the canal company and its agents made as people moved on these lands that brought to light the fact that ores were there.

Iron-ore lands have never been classed as mineral lands by the United States, under the decision rendered by the Attorney-General in 1850, in which he says that it has never been the policy of the Government to so regard them. Let me read the opinion; it is as follows:

[Opinions of Attorney-Generals, volume 5, page 247.]

ATTORNEY-GENERAL'S OFFICE, *August* 28, 1850.

SIR: I have received your letter of the 27th instant, propounding to me this question, namely: whether, "in view of the previous legislation of Congress respecting the mineral lands and the action of the General Land Office, the language 'or other valuable ores,' in the second section of the act of March 1, 1847 (Statutes at Large, 1846–'47, page 146), should be so construed as to embrace lands containing iron ore."

I answer, no. Lands containing "iron ore" merely are not to be considered as "mineral lands," but are to be disposed of according to the general law for the disposition of other public lands.

I have the honor to be, very respectfully, sir, your obedient servant,

J. J. CRITTENDEN.

Hon. Mr. MCKENNON,
Secretary of the Interior.

This has been the long unbroken policy of the Land Department from that day until this. Nothing in the world but the simple fortune of finding iron ore upon these lands has ever saved this canal company from an expenditure of $4,000,000 and a return of absolutely nothing. That is the condition of the whole thing.

As I understand, the title has been disputed on several occasions. We have two decisions rendered by the Attorney-General as to the validity of the so-called second location. We have the certificate of the governor of the State of Michigan. We have all the proceedings coming down to us in a regular formal manner, showing that they have all been taken in a legal and proper way. There stands the record. Yet the owners of the canal to-day would be very glad to have the Government take it, and I think without any compensation whatever, and keep it in repair, and relieve them from the necessity of doing it. In short, they expended $4,000,000 and got 400,000 acres of land. Ten or fifteen years afterwards they discovered that the lands contained iron ore and were valuable.

Mr. PALMER. I wish to remark to the Senator that they want $350,000 for the canal. That is the least that it can be obtained for, and at some future time I shall advise that they may be paid for it, so that the United States may get possession of it.

Mr. MCPHERSON. I am very glad indeed to learn that the Senator will assist these poor bondholders in getting $350,000 out of a piece of property which cost them $4,000,000. I think I shall be willing to join the Senator in an enterprise of that kind, because it is one of great public utility. I think the Government should have originally made the improvement, but it preferred to give 400,000 acres of land which it did not consider of any value at that time; and simply because they delved into the bowels of the earth and found that iron ore existed there I do not think it is exactly honest to undertake to take it away from them now.

Mr. President, there is an equity in this case, and it seems to me to be unbecoming on the part of the Senate to undertake to go away back of the period of time to which the general land bill which was reported by the Senator from Kansas was intended to apply, even to a time preceding the period when by the legislation of this country we were conferring great grants of land upon corporations for the purpose of building railroads throughout the country, which was done under very restrictive laws.

When we pass a law conferring on a railroad a certain number of acres of land after they have constructed so many miles of railroad we know very well what that means, but grants of land made for wagon-roads and for these canal improvements at a very early day have not been so well guarded. The people who undertook these great enterprises never doubted the honor and the justice of the Congress of the United States in this matter, and I hope they will not have occasion to doubt its justice or its honor now.

If I understand the question aright there is no way in which the interests of these people can be absolutely protected except by the amendment which has been offered by the Senator from Massachusetts. Therefore I intend by my vote to support the amendment which he has offered.

I did intend, Mr. President, to go over the ground very fully, but as I said before, the Senator from Massachusetts has relieved me from that necessity. If you wish to take into consideration who the opponents of this amendment are they may be found by reading much that you will probably see in the RECORD to-morrow morning, which has been presented by the Senator from Massachusetts, and which I might enlarge upon, but I do not think there is any necessity for doing it.

I find in this record I hold in my hand a great number of affidavits made by people who were out in that mining country and absolutely employed in the mines at a certain daily compensation. If I were to read the names it would be found that there is scarcely an American citizen among them. It seems as though they had really imported people for the purpose of entering claims upon this land. A conspiracy had practically been formed by a law firm in the city of Washington for the purpose of establishing some claim to the land in which they were to be a party and receive a part of the benefit, provided they could secure the necessary legislation by Congress to make this possible.

I hold in my hand a book containing some twenty or thirty affidavits by the very parties who had been in the conspiracy with this law firm in the city of Washington for the purpose of getting possession of this land by pre-emption claims and otherwise, and also forms of the contracts that were entered into between the law firm and these very individuals, in which the law firm was to receive a certain part of the compensation. Under the statutes of the United States, I believe, a man in making a pre-emption claim is obliged to make oath to the fact that he acts for himself and himself alone, but here in this case it seems that there were to be two or three claimants. The agent of the law firm was to have a quarter interest. It was secured to him by contract. The law firm was to have another quarter interest. But I need not go over the ground again—the Senator from Massachusetts has covered it fully and shown conclusively that the only opposition to this claim of the canal company is made in the interest of those who are attempting to steal it. They confess that to be successful implies perjury, but what of that if they only get the land?

Mr. DOLPH. Mr. President, the amendment offered by the Senator from Massachusetts [Mr. HOAR] appears fair enough upon its face, and if there were no objections to the manner in which the lands for the canal company had been selected and no objections to the manner in which homesteads and other entries had been made and the lands had been entered at private entry, I think it would be a proper and fair thing to be done. I still think it would be better to confirm these titles and close the books and leave no occasion for further controversy in regard to these lands. It is not true, as has been said by some Senators upon this floor, that if this grant is forfeited these people will be left with rights which they can enforce against the General Government.

A grant of lands was made in 1856 to the State of Michigan to con-

struct a road from Marquette to the Wisconsin State line and from Ontonagon to the Wisconsin State line. Afterwards a grant of lands was made to a railroad company to construct a railroad southerly from Marquette, and it was provided in the act that the grant was to be in lieu of the grant from Marquette to the State line. The Legislature of Michigan authorized the governor to execute a deed of release for the lands from Marquette to the Wisconsin State line, and that deed was made with authority.

It was claimed on behalf of the Government by the Secretary of the Interior that the grant from Ontonagon to the Wisconsin State line should be included also, and the board of control of the State of Michigan directed the governor in 1870 to execute a deed of release to the General Government for the grant from Ontonagon to the Wisconsin State line, which he did. Thereupon the General Government proceeded to dispose of the lands from Ontonagon to the Wisconsin State line which were embraced in the governor's deed.

Probably the deed of release was made upon the theory that the ten years within which the road should have been completed having elapsed the grant was forfeited any way and was already the property of the United States.

The General Government proceeded to dispose of those lands. They were sold at private entry and at cash entry, referred to by the Senator from Arkansas, at a dollar and a quarter an acre, although they had not been reoffered for sale. They were disposed of to homestead and pre-emption claimants.

The State of Michigan by its agent—and I think it is true also that he was an officer of the canal company, but he acted in the double capacity—the State of Michigan by its agent made a selection for the canal company of 15,000 acres of land embraced in the grant from Ontonagon to the Wisconsin State line.

This bill does not affect 400,000 acres. This bill has nothing in the world to do with the rest of that grant selected for the canal. It only has to do with the 15,000 acres that are embraced in the grant from Ontonagon to the State line.

Now, then, comes the Senator from Arkansas and says that the canal never was completed properly, and was a fraud; that the lands were not authorized by the act to be selected where they were, and that they should have been selected next to the canal.

If the selections were fraudulent, I suppose that the action of the State and the action of the Secretary of the Interior would close that question up; but I do not wish, myself, to cut the Government off upon that question. I do not wish to be put in the attitude of seeking to confirm what was claimed to be a fraudulent entry. Then the Senator from Massachusetts shows that some of these homestead entrymen, who were bound to consummate and perfect the title, made a contract for disposing of the land entered previously with a man who is in the gallery looking down upon this discussion, and agreed that they would give him a portion of the land if they should enter it, and that they went upon these canal lands hoping that the Government would forfeit them and they could take them away from the canal company.

Now, I propose an amendment which, I think, every Senator will say is a fair proposition. I propose to treat the lands which were embraced within the governor's deed from Ontonagon to the Wisconsin State line precisely as if the governor's deed had been made with full authority from the State Legislature, and to say that those lands shall be forfeited, and shall be deemed to have been the property of the General Government from the date of that deed, and leave the entries for the canal, the homestead entrymen, and the purchasers at private sale, all to deal with the Government upon appeals of their case as against the Government upon the supposition that these were public lands at the time they made their entries. It confirms no one's title. It simply avoids forfeiting men's titles over their heads, and restoring the lands to the General Government and cutting off all previous titles, which our forfeiture bill would do if it were not for the amendment.

I therefore move to strike out of the amendment of the Senator from Massachusetts all after the word "that" and to insert what I send to the desk.

The PRESIDENT *pro tempore*. The Chief Clerk will read the proposed amendment.

The CHIEF CLERK. The Senator from Oregon moves to strike out and insert, so as to read:

That that portion of the grant made by the State of Michigan to aid in the construction of a railroad from Ontonagon to the Wisconsin State line by an act of Congress entitled "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," approved June 3, 1856, forfeited by the first section of this act as between all adverse claims to the same under the laws of the United States, and as against the United States and the State of Michigan, shall be deemed and held to have been restored to and to have become a part of the public domain at the date of the execution of the deed of release of said lands to the United States by the governor of said State, to wit, August 14, 1870.

Mr. BERRY. I should like to ask the Senator from Oregon if that would not have the effect to confirm to the canal company the 15,000 acres of land to which the amendment of the Senator from Massachusetts alludes?

Mr. DOLPH. No, sir.

Mr. BERRY. I ask the Senator from Oregon if the bill itself does not forfeit that land without his amendment?

Mr. DOLPH. The bill itself would forfeit all the lands within the grant adjacent to the uncompleted road.

Mr. BERRY. Would not that include the 15,000 acres?

Mr. DOLPH. It would include not only the 15,000 acres, but lands that have been sold as homestead lands and entered at private entry.

Mr. BERRY. Then I ask the Senator from Oregon, if it does not have the effect to confirm those lands to the canal company, why not allow those 15,000 acres to be forfeited as other lands opposite the uncompleted portion of the railroads throughout the country, and let the rights of the parties be determined in the courts, without our attempting to determine them by legislation?

Mr. DOLPH. I have been endeavoring to make the Senator understand that. I think it is pretty well understood. The governor of the State of Michigan, acting under authority of the board of control, executed a deed of release of these lands to the General Government on the 14th of August, 1870. The State of Michigan understood that that restored them to the public domain. The United States understood that they were then a part of the public domain.

The General Government proceeded to deal with them as if they were a part of the public domain. The State of Michigan selected a portion of them as if they were a part of the public domain; and now I say as between the General Government and the State of Michigan and these parties, no harm can be done by making by law what the parties thought they were doing by a deed. I say it does not confirm any title. It makes those lands a part of the public domain and leaves the rights of parties as to those lands the same as if this act had been passed on the 14th of August, 1870, at the date of the deed.

Mr. BLAIR. I do not wish to interrupt the Senator, but I should like to ask him a question.

Mr. DOLPH. There is no confirmation, but, as I said before, it leaves their titles to stand as if these had been public lands.

If these lands have been wrongfully selected and have been patented the Secretary of the Interior can to-morrow direct the Attorney-General to institute a suit to set aside the patents. If they have not been patented he can withhold the patents, on the ground, first, that they were mineral lands, if he chooses to do so, or that the canal company was not entitled to select lands so far away from the canal, or that the canal company has not earned them by the completion of the canal, or for any other reason. If they have been improperly patented a suit can be brought to set aside that patent.

It is just the same way in regard to entries by homestead entrymen. If they have gone there by fraud and have sworn falsely that they had never contracted with Mr. Redington to deed a portion of these lands when they obtained title, their titles can be set aside, or their patents need not be issued to them.

The amendment leaves them to adjust their title with the General Government upon the theory that this was public land, and therefore ought to be treated as such.

Mr. PALMER. Will the Senator from Oregon permit me to ask him a question?

Mr. BLAIR. I desire to ask the Senator from Oregon a question.

Mr. DOLPH. I yield to the Senator from New Hampshire.

Mr. BLAIR. I do not wish to make a speech, but to call the attention of the Senator from Oregon to an aspect of his amendment which occurs to me, whether, if effective at all, it is not necessarily retroactive, and whether it can be of any effect if it be retroactive. As I understand it, the deed referred to is treated as of no consequence because the governor made the deed without authority from the Legislature, and as I understand the fact, the Legislature never has ratified that deed or in any way made it valid by legislation.

Mr. DOLPH. Probably not. On the contrary, in 1881, the State undertook to grant these same lands to another railroad company.

Mr. BLAIR. Precisely; so that if the governor's deed was ever invalid for lack of ratification or prior authority of the Legislature, it still remains so; and that being the case, I wish to ask the Senator if he thinks it is possible, first, for Congress to pass an act of forfeiture, which in any case would take effect earlier than the date of its passage, and, second, whether Congress in this case can possibly have any power to pass an act of forfeiture which is valid if that deed requires the ratification of the Michigan Legislature?

Mr. DOLPH. I have no doubt about that. If the deed of the governor to the General Government was invalid, the lands, so far as they have not been earned, are subject to the disposal of Congress. Congress has power to pass the bill as it came from the committee, and to forfeit these lands without taking any notice of what has been done by the General Government and by the State of Michigan from the execution of that deed to the present time; or it has ample power to say, when the Government comes to adjust titles of all the persons who have gone on these lands since the date of that deed and who dealt with the General Government in regard to them, that their titles shall be dealt with upon the theory that the lands were public lands at the time the transactions were had. That leaves the rights of every person to be determined by the courts the same as if the lands had been

public lands at the time they entered upon them or at the time they were selected.

Mr. BERRY. Will the Senator yield to me now for a question?

Mr. PALMER. Will the Senator from Oregon allow me to ask him a question?

Mr. DOLPH. Yes, sir.

Mr. PALMER. I should like to ask the Senator from Oregon what the effect of his amendment would be on the rights of a homesteader who entered upon lands in that tract and cultivated them for from five to fifteen years, which lands had been purchased by a cash entryman in contravention of law.

Mr. DOLPH. The homesteader would have the advantage, because the question of the right to enter these lands at private entry is a different question from the right to select them by the canal company and from the rights of homestead and pre-emption entry. The private entries were probably invalid for two reasons: first, because the governor's deed was not sufficient to transfer the title to the General Government, and therefore they were the property of the State of Michigan or the railroad company, and could not be entered. But they were invalid for another reason; that is, supposing the present rulings of the Department of the Interior to be correct law. They hold that where lands have been once offered at public sale, and were, before a grant to a railroad company, subject to private entry, and then are granted to a railroad company, and afterwards the grant is forfeited and the lands restored to the public domain, they are not subject to private entry again until they have been again offered at public sale. The trouble is that under some of these private entries up there, by some arrangement, large tracts of land were entered at a dollar and a quarter an acre, the minimum price, under the theory that the moment, on the ground of forfeiture, the lands were restored they could be again entered at private entry.

I do not think my amendment would infuse any validity into those private entries, and they are the least meritorious of all these claims. Therefore I think the homestead entryman and the pre-emption entryman would hold against the cash entryman, because the cash entry was made in violation of the law and the ruling of the Department, which holds that notwithstanding the grant had been surrendered to the General Government the lands were not subject to private entry, not having been reoffered at public sale.

Mr. PALMER. If the cash entryman had entered lands in 1871, a year after the time limited when these should be considered as lands of the United States open to private entry, and a homesteader had made his application and taken possession in 1872, would not the cash entryman under the amendment have the right to the land?

Mr. DOLPH. No; the amendment does not cover the question as to whether the lands were subject to private entry, supposing them to have been public lands. It leaves that for some future legislation. If Congress in some other bill proposes to confirm those titles, it can do it, but this does not do it. It simply says that where lands have been restored to the public domain they shall not be subject to private entry because they had not been again offered at public sale. That, as I said before, is on the supposition that the rulings of the Department upon that subject are correct, and those are the uniform rulings. Therefore I say to the Senator that the subsequent homestead claimant would have the right to the lands, because the first purchase would be void; but I understand that in most of those cases the patents are out, and before a patent can be issued to a homestead entryman the Government will have to take some step to set aside the patents which have been issued to cash entrymen. But upon the general question my amendment would give the homestead and pre-emption entryman an advantage over the cash entryman.

Mr. DAWES obtained the floor.

Mr. BERRY. Will the Senator from Massachusetts yield to me for just one moment? I asked the Senator from Oregon to yield on two occasions, and he declined to do so.

Mr. DOLPH. I did not. I intended to yield, but the Senator from Michigan had made an unsuccessful attempt to get me to yield before I yielded to the Senator from New Hampshire [Mr. BLAIR]. I yielded to the Senator from New Hampshire first, and then did not observe that the Senator from Arkansas had asked me to yield.

Mr. BERRY. I wished to ask the Senator if his amendment would have the effect to give either those who claim under the canal company or the canal company, the cash entryman, an advantage over the homestead and pre-emption settlers? The general bill forfeits the lands anyhow, and I desired to ask what necessity there was for this amendment unless it changes the status and gives some one an advantage that he does not now have? I wished to ask why there is any necessity for the adoption of the amendment, because if the general bill passes and the forfeiture takes place each of the parties is left precisely in a situation to assert his claim, and those who have the right will prevail in court. Then, if you go back and date this forfeiture from the time of the conveyance from the governor of Michigan, if it does not give some one an advantage I desired to know from the Senator from Oregon what the necessity was for placing it on the bill?

Mr. DAWES. I desire to call the attention of the Senator from Arkansas and the Senate to the argument which the Senator has made against the equity and justice of the claim of those who now hold under the canal company. Suppose all the Senator said about the manner in which this corporation had conducted itself in the selection of the land to be true. So far as the proceedings of that corporation are concerned, I did call his attention to one feature of it, and that is that those were the acts of another corporation, and not of the corporation which got its title through a court, and conveyed whatever title it had to these purchasers for a valuable consideration in other States. That seemed to be to me one answer of that argument of the Senator from Arkansas.

Another answer to the Senator's argument is that all that proceeding applied to the first 200,000 acres. The 15,000 acres about which we are discussing now lie in the second 200,000 acres that were selected afterwards and are not exposed to the allegation which the Senator makes, whether true or not. The only objection to the selection of the 15,000 acres on the score of legality that I have heard is that they were not contiguous to the canal.

Mr. BERRY. Will the Senator allow me to interrupt him?

Mr. DAWES. Yes, sir.

Mr. BERRY. One other objection would be that the lands had prior to that time been granted to a railroad and they were included in the Ontonagon grant.

Mr. DAWES. I understand that. I am coming to that.

Mr. BERRY. Therefore the selection was illegal for that reason.

Mr. DAWES. I am speaking of the illegality which grows out of the corporation's conduct, and that does not apply to the 15,000 acres, because the 15,000 acres lay in the last 200,000 acres which were granted, and they were granted without any specific requirement that they should be adjacent to the canal.

Now the Senator says he thinks they ought to have been adjacent, and the report of the majority of the committee of the House from which he read says they are inclined to the opinion that they ought to have been adjacent. Attorney-General Crittenden decided that iron ore lands were not included within the term "mineral lands," and the subsequent opinion of Attorney-General Williams was that the law did not require the lands to be selected adjacent to the canal, so that that objection, if the Attorney-General is correct, is removed.

The Senator says it was an illegal selection, because the lands had been previously granted to a railroad company. That is the defect in the title which has come to bona fide purchasers, which we are seeking to have confirmed. The lands were granted to a railroad company, and the Supreme Court has decided that, though the railroad never earned them, yet the title remained in the railroad company until they were declared forfeited. But that is a decision of the Supreme Court since this transaction, and nobody went upon that idea, but on the contrary idea, that if the railroad company did not earn the lands they were not theirs, and the governor of the State went on that idea and supposed that they had become lands open to selection, and when he was authorized to select for the canal he went on and selected them. So I think that answers the argument of the Senator as to the illegality of the proceeding up to that time touching the 15,000 acres, leaving what he says about the wrong conduct of the president of the old company as to the 200,000 acres, true or false, as the case may be.

As to the effect of the amendment proposed by the Senator from Oregon, I understand it to be this: It declares that these were public lands when the governor of Michigan made the deed which is supposed to have been made without authority. Then it leaves the legality or illegality of all subsequent transactions to be determined by the courts. If the transactions of the canal company from that date having selections made by the governor of Michigan upon lands which all supposed then he had a right to make, and which it turns out he had not a right to make, this amendment declares that they were open so that he could make that selection.

If from that day all things were legal on the part of the canal company, if the land was properly selected, if the canal was properly constructed and there were no frauds, then those who hold under the canal company would have a perfect chain of title. If, on the other hand, they were fraudulent or defective in title, then they would lose. Then would come the question whether the men who claim to be settlers could hold the land, and that would depend upon precisely the same test, whether the several steps taken by them were with clean hands and in conformity to law. If they were, those antecedent steps taken by the canal company on the selection of the governor failing and they establishing that they had honestly conformed to the law, they would hold it. So it leaves between the canal company and those who claim to be settlers the question for the court to determine, which of them was acting in conformity with law. If it is the elder title of the canal company, that would prevail; if it is the subsequent title of the man claiming to be a homesteader and he has conformed to the law, he would prevail. That I understand to be the meaning.

The Senator from Arkansas, among other things, says that the company never completed the canal, they never made any harbor, they never made any breakwater, and the Senator relies for that statement upon a report made twelve or fourteen years after in the House of Representatives, signed by a portion of the committee there. The law required that, in order to entitle them to these lands, they should obtain

the certificate of the governor of Michigan that they had complied with the law, and I want to read that certificate.

Now, therefore, I, John J. Bagley—

This was in 1875. We are undertaking to review thirteen years afterwards the condition of things about which John J. Bagley, governor of Michigan, made this certificate.

Now, therefore, I, John J. Bagley, governor of the State of Michigan, do hereby determine—

As the statute required that he should—

that said canal and harbor have been constructed by said company as required by said act of Congress, and in conformity with the plans and specifications therefor, and do accordingly hereby certify the same to said company.

My colleague is a better lawyer than I am, and I speak with the more confidence when he says that the law makes that conclusive on everybody. I have no doubt of it, and I should like to inquire, when that goes as a part of the title into the hands of honest purchasers for a valuable consideration, who can go back of it? But whether that can be done or not, this is twelve or thirteen years after that statement. We are legislating upon a conclusion come to by a portion of this committee, which at best says "we are only inclined to this opinion."

Mr. BERRY. I wish to ask the Senator from Massachusetts, if he is correct that the certificate of the governor is conclusive in point of law and would be so held in a court of justice, whether he says we can not go behind it to show that there was fraud in the selection of these lands? If that be admitted to be true, I ask the Senator, if these parties from some other cause have failed to get a legal title and come here and ask equity, ask the Congress of the United States to grant them a simple equity, being afraid to rely on their legal title—I ask him if that would not be admitted here or anywhere else as proof to show that there was fraud in the original transaction, and that they had no equity that Congress was bound to respect?

Mr. DAWES. My answer is this: If the title to the land at the time we are discussing it was held by a party to a fraudulent certificate, all that would be true. If by fraud on the part of the party now holding the land he had obtained such a certificate, that would be true; but that certificate is as much a part of the chain of title as a formal deed of a prior grantor in the hands of these purchasers, who are homesteaders, though not technically homesteaders under the law, but residents upon the land, cultivators of the farms purchased of this company on this record title.

Mr. BERRY. I was going to ask one other question. The Senator says that my proposition is correct, but he claims that this is an exception to it. I ask him as a lawyer if Congress granted certain specific lands, a specific number of acres of land nearest the canal, and other lands were notoriously selected, would not the purchasers be held to have notice of that act of Congress, and could they come in and claim to be innocent purchasers?

Mr. DAWES. That is assuming, in the Senator's opinion, that they should have been so selected, although not required by statute.

Mr. BERRY. By the first act they were absolutely required to make the selections contiguous to the canal.

Mr. DAWES. But these 15,000 acres we are discussing about were not part of the first selection.

Mr. BERRY. They were part of the second selection.

Mr. DAWES. I know, but the act providing for the second selection was silent as to the locality of the land.

Mr. BERRY. But these lands were not subject to selection, because they had been, prior to that time, granted to another corporation, and hence they were not subject, under the law, to this selection.

One other question. The Senator, as I understood him, said that if the amendment of the Senator from Oregon should be adopted all these rights would be determined. I assert, and have asserted before, that the bill as it came from the committee simply forfeits this land to the Government of the United States, and does not undertake to affect the rights of any party as they now stand, and if the party of whom he speaks, the canal company, has superior rights, why not leave those rights to the courts of the country?

Why ask the Congress of the United States to intervene in a disputed matter of this kind, where homesteaders and pre-emption men are concerned? I say that if any person is entitled to the protection of Congress over and above others it is the man who settled there as a homesteader, the man who has taken pre-emption and made his home and raised his family on that land, rather than the canal company. Why not let them take their chances in the courts of the country instead of seeking to give them an advantage through an act of Congress?

Mr. DAWES. The difference between the Senator from Arkansas and the Senator from Oregon is this: The Senator from Arkansas proposes to forfeit the lands as of to-day to the United States with these homestead claimants upon the land, and the Senator from Oregon proposes to forfeit them as of the day when they were selected by the governor of Michigan, supposing that the company had a title. The company sold the lands to obtain funds to build the canal, and they are in the hands of innocent bona fide holders who are holding them now. That is the difference between the two.

Mr. PALMER. Mr. President, I move that the Senate adjourn.

Mr. MANDERSON. I ask the Senator to give way for a moment.

Mr. PLUMB. Before the motion is put I wish to have it understood that the bill shall come up to-morrow at the conclusion of the morning business.

Mr. MANDERSON. I hope the motion to adjourn will be withheld for a moment.

Mr. PLUMB. I ask unanimous consent that the bill may come up at the conclusion of the morning business to-morrow.

The PRESIDENT *pro tempore*. The Senator from Kansas asks unanimous consent that the consideration of the pending bill, Senate bill 1430, may be resumed to-morrow at the conclusion of the formal morning business. Is there objection? The Chair hears none, and it is so ordered.

Mr. MANDERSON. Expecting that I may be called away from the Senate to-morrow or perhaps on Friday, and may not be here when certain amendments that I desire to propose to this bill will be in order, I wish to submit them, and before doing so to state the reason why, in my opinion, the bill should be thus amended.

This bill, unfortunately, is encumbered by a good deal of matter that seems to me to be extraneous to it, and the Senate for several days appears to have resolved itself into a sort of subcommittee upon the much-vexed question as to what is right with reference to the Michigan canal grant.

I think it unfortunate that this great diversity of opinion should exist as to the law and the facts, and that the proper measure of relief should not have been considered by the Committee on Public Lands separate and apart from this bill.

This bill in several of its sections, those reported from the committee and those which have been already adopted by the Committee of the Whole, proposes that, where there is a loss of title by a purchaser by reason of the failure of the grant to the railroad company, there shall be recovery against the United States to a certain degree, or rather that the purchaser may buy of the United States the land, the title to which has been forfeited, at the rate of $2.50 per acre.

I greatly fear that in the construction of this act the courts may hold that that would be action operating for the benefit of the grantor as well as the grantee, and that it might be construed that the purchaser whose title had failed would not have his common-law remedy against the railroad grantor for the purchase-price that he had paid and interest from the date of the payment; and, therefore, when it shall be in order, I hope that this amendment may be adopted to the bill:

Nothing in this act contained shall be construed as in any manner affecting any cause of action existing in favor of any purchaser against his grantor for breach of any covenant of title.

I ask that that may be printed and that at the proper time it may be considered.

Mr. HOAR. With my friend's permission, I ask that my amendment may also be printed.

The PRESIDENT *pro tempore*. All the amendments proposed will be printed.

Mr. MANDERSON. On the 3d day of March, 1887, there was approved an act entitled "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads and for the forfeiture of unearned lands, and for other purposes." This act had most valuable provisions designed for the protection of those who had purchased of the land-grant railroad companies where title had failed; and I fear also that if this bill shall become a law, particularly with the amendments proposed by the Senator from Florida [Mr. CALL], it will operate to a certain extent as a repeal of that act of March 3, 1887. I do not think that would be the desire of the Senate, and I therefore propose this further amendment:

Nothing in this act contained shall be construed as limiting the rights granted purchasers or settlers by the act approved March 3, 1887, entitled "An act to provide for the adjustment of land grants made by Congress to aid in the construction of railroads, and for the forfeiture of unearned lands, and for other purposes," or as repealing, altering, or amending said act.

Mr. CALL. The Senator will allow me a word?

Mr. MANDERSON. Certainly.

Mr. CALL. My amendment is only intended to be operative as to the grants in the State of Florida, and is intended altogether for the protection of actual settlers and homesteaders there.

Mr. MANDERSON. It may be that I have misconceived the operation of the proposed amendment of the Senator from Florida. I knew that there was one amendment which was particularly applicable to the State he represents in part, but it seems to me there was also a general amendment proposed by him that might have the effect I have suggested.

I will say, Mr. President, that I have submitted both these amendments to the chairman of the Committee on Public Lands, and he thinks with me that they are desirable amendments to this bill.

The PRESIDENT *pro tempore*. The proposed amendments will be printed.

LIGHT-HOUSE AT GOOSE ROCKS, MAINE.

Mr. FRYE. I have an especial reason for asking that the pending bill may be informally laid aside, and that the Senate consider Order of Business 995, Senate bill 2506.

The PRESIDENT *pro tempore*. The Senator from Maine asks unanimous consent that the pending business be informally laid aside to enable him to move the consideration of Senate bill 2506.

There being no objection, the bill (S. 2506) for the establishment of a light-house, fog-signal, and day-beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, which was, at the end of the bill, to insert:

And said $35,000, or so much thereof as may be necessary for said purposes, is hereby appropriated out of moneys in the Treasury not otherwise appropriated.

So as to read:

Be it enacted, etc., That there be established at or near Goose Rocks, at the entrance to Fox Island Thoroughfare, on the coast of Maine, a light-house and fog-signal, and that there be established at or near Channel Rock, in the vicinity of Goose Rocks, a day-beacon, the cost of which shall not exceed the sum of $35,000, including the cost of the sites, and said $35,000, or so much thereof as may be necessary for said purposes, is hereby appropriated out of moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONFERENCE WITH SOUTH AMERICAN COUNTRIES.

The PRESIDENT *pro tempore* appointed Mr. FRYE, Mr. DOLPH, and Mr. BROWN conferees on the part of the Senate on the disagreeing votes of the two Houses on the amendments to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference between the United States of America and the Republics of Mexico, Central and South America, Hayti, San Domingo, and the Empire of Brazil.

VISITORS TO WEST POINT.

The PRESIDENT *pro tempore* designated Mr. HOAR, and Mr. JONES of Arkansas, to attend the annual examination of cadets at the United States Military Academy.

VISITORS TO NAVAL ACADEMY.

The PRESIDENT *pro tempore* appointed Mr. PADDOCK and Mr. WALTHALL to attend the annual examination at the Naval Academy.

UNDERGROUND TELEGRAPH AND TELEPHONE WIRES.

Mr. VEST. I move that a letter from the Secretary of War be printed, transmitted to the Senate April 16, 1888, and referred to the Committee on Public Buildings and Grounds, being a report of the officer in charge of the public buildings and grounds in the District of Columbia, relative to underground telegraph and telephone wires. By some inadvertence the motion to print was not made. In the motion I desire not to include the maps, but simply the report and accompanying documents.

The PRESIDENT *pro tempore*. The order to print will be made, excluding the maps.

LOSSES BY POSTMASTERS.

Mr. MITCHELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1158) for the relief of Louis Jacobson, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the bill and agree to the same with an amendment as follows, namely: In lieu of the part proposed to be inserted in the amendment of the Senate insert the following: That the act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved March 17, 1882, be, and the same is hereby, amended so as to read as follows:

"That the Postmaster-General be, and he is hereby, authorized to investigate all claims of postmasters for the loss of money-order funds, postal funds, postage stamps, stamped envelopes, newspaper wrappers, and postal-cards belonging to the United States in the hands of such postmasters, resulting from burglary, fire, or other unavoidable casualty, and if he shall determine that such loss resulted from no fault or negligence on the part of such postmasters, to pay to such postmasters, or credit them with the amount so ascertained to have been lost or destroyed, and also to credit postmasters with the amount of any remittance of money-order funds or postal funds made by them in compliance with the instructions of the Postmaster-General, which shall have been lost or stolen while in transit by mail from the office of the remitting postmaster to the office designated as his depository, or after arrival at such depository office and before the postmaster at such depository office has become responsible therefor: *Provided*, That no claim exceeding the sum of $2,000 shall be paid or credited until after the facts shall have been ascertained by the Postmaster-General and reported to Congress, together with his recommendation thereon and an appropriation made therefor; *And provided further*, That this act shall not embrace any claim for losses as aforesaid which accrued more than fifteen years prior to March 17, 1882; and all such claims must be presented to the Postmaster-General within six months from such latter date, except claims for postal funds, which may be received, considered, and allowed, if presented within six months after the passage of this act, in cases where the postmaster had, at or about the time of the loss, made report thereof to the Post-Office Department, or to an inspector or special agent of the Department; and no claim for losses which may hereafter accrue shall be allowed unless presented within six months from the time the loss occurred.

"SEC. 2. That it is hereby made the duty of the Postmaster-General to report his action herein to Congress annually, with his reasons therefor in each particular case."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment to the title of the bill and agree to the same.

JOHN H. MITCHELL,
PHILETUS SAWYER,
JOHN H. REAGAN,
Managers on the part of the Senate.

S. W. T. LANHAM,
JAMES H. BLOUNT,
W. G. LAIDLAW,
Managers on the part of the House of Representatives.

The report was concurred in.

BUREAU OF ANIMAL INDUSTRY.

Mr. PALMER. I renew my motion that the Senate adjourn.

The PRESIDENT *pro tempore*. Before submitting the motion the Senate, as in Committee of the Whole, resumes consideration of the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes. The Senator from Michigan moves that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Thursday, April 26, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *April* 25, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. DOCKERY, the reading of so much of the Journal of the proceedings of yesterday as related to the introduction of bills and resolutions was dispensed with. The remainder of the Journal was read and approved.

UNITED STATES COURT-HOUSE AND POST-OFFICE, UTICA, N. Y.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, with inclosures, recommending that an appropriation be made for the expenses of paving in front of the United States court-house and post-office at Utica, N. Y.; which was referred to the Committee on Appropriations, and ordered to be printed.

BARRACKS, WILLETS POINT, NEW YORK.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting an estimate of an appropriation for the construction of barracks at Willets Point, New York; which was referred to the Committee on Appropriations, and ordered to be printed.

B. G. KIMBROUGH VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of B. G. Kimbrough *vs.* The United States; which was referred to the Committee on War Claims.

PRESERVATION OF WASHINGTON MONUMENT.

The SPEAKER also laid before the House a letter from the chairman of the joint commission for the completion of the Washington Monument, transmitting resolutions of the commission in relation to the protection and preservation of the monument; which was referred to the Committee on the Library, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WILKINS, for two weeks, on account of important business.

To Mr. WHITING, of Michigan, for two days, on account of important business.

To Mr. PAYSON, until further notice, on account of important business.

To Mr. DIBBLE, for ten days, on account of important business.

To Mr. PHELPS, for one week, on account of important business.

FIRST NATIONAL BANK OF PORTLAND, OREGON.

The SPEAKER also laid before the House a bill (H. R. 1761) for the relief of the First National Bank of Portland, Oregon, for money advanced the Oregon Iron Works, the contractor in building the United States revenue-cutter Thomas Corwin, with the Senate amendments thereto; which were referred to the Committee on Claims.

PUBLIC BUILDING, KEY WEST, FLA.

The SPEAKER also laid before the House a bill (S. 218) to change the limit of appropriation for the public building at Key West, Fla.; which was referred to the Committee on Public Buildings and Grounds.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on the Territories was discharged from the further consideration of bills of the following titles, erroneously referred to it, and they were referred to the Committee on the Public Lands:

A bill (H. R. 8066) to divide the Bismarck land district in Dakota and to create an additional land district therein;

A bill (H. R. 6736) to enable the city of Aberdeen to acquire certain real estate within its limits, and for other purposes.

POSTMASTERS' CLAIMS FOR LOSSES BY BURGLARY, ETC.

Mr. LANHAM. I rise to present a privileged report—the report of the committee of conference on the bill (H. R. 1158) for the relief of Louis Jacobson.

The Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1158) for the relief of Louis Jacobson, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate

to the bill and agree to the same with an amendment as follows, namely: In lieu of the part proposed to be inserted in the amendment of the Senate insert the following: That the act entitled "An act authorizingthe Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty," approved March 17, 1882, be, and the same is hereby, amended so as to read as follows:

"That the Postmaster-General be, and he is hereby, authorized to investigate all claims of postmasters for the loss of money-order funds, postal funds, postage-stamps, stamped envelopes, newspaper wrappers, and postal-cards belonging to the United States, in the hands of such postmasters, resulting from burglary, fire, or other unavoidable casualty, and if he shall determine that such loss resulted from no fault or negligence on the part of such postmasters, to pay to such postmasters or credit them with the amount so ascertained to have been lost or destroyed, and also to credit postmasters with the amount of any remittance of money-order funds or postal funds made by them in compliance with the instructions of the Postmaster-General which shall have been lost or stolen while in transit by mail from the office of the remitting postmaster to the office designated as his depository or after arrival at such depository office and before the postmaster at such depository office has become responsible therefor: *Provided*, That no claim exceeding the sum of $2,000 shall be paid or credited until after the facts shall have been ascertained by the Postmaster-General and reported to Congress, together with his recommendation thereon, and an appropriation made therefor: *And provided further*, That this act shall not embrace any claim for losses as aforesaid which accrued more than fifteen years prior to March 17, 1882, and all such claims must be presented to the Postmaster-General within six months from such latter date, except claims for postal funds, which may be received, considered, and allowed if presented within six months after the passage of this act, in cases where the postmaster had, at or about the time of the loss, made report thereof to the Post-Office Department or to an inspector or special agent of the Department; and no claim for losses which may hereafter accrue shall be allowed unless presented within six months from the time the loss occurred.

"SEC. 2. That it is hereby made the duty of the Postmaster-General to report his action herein to Congress annually, with his reasons therefor in each particular case."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment to the title of the bill; and agree to the same.

S. W. T. LANHAM,
JAMES H. BLOUNT,
W. G. LAIDLAW,
Managers on the part of the House.

JOHN H. MITCHELL,
PHILETUS SAWYER,
JOHN H. REAGAN,
Managers on the part of the Senate.

The accompanying statement of the House conferees is as follows:

The managers on the part of the House submit the following statement:

This was a bill for the relief of postmaster for the loss of certain postal funds. The Senate amended the bill so as to change it into an amendment of the act of March 17, 1882, entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualty."

Under this act no provision is made for the loss of "postal funds." The bill as now agreed upon includes postal funds and allows the Postmaster-General to credit postmasters with the amount of money-order or postal funds lost after the arrival thereof at the depository office and before the postmaster at such depository office has become responsible therefor.

Another change made in the existing law by the bill is that claims for postal funds may be received, considered, and allowed, if presented within six months after passage of the bill, in cases where the postmaster had, at or about the time of the loss, made report thereof to the Post-Office Department or to an inspector or special agent of the Department, and that no claim for losses which may hereafter accrue shall be allowed unless presented within six months from the time the loss occurred.

The bill in the shape now submitted meets the approval of the Postmaster-General, to whom the matter was submitted before the conference upon the bill.

Respectfully, etc.,

S. W. T. LANHAM,
JAMES H. BLOUNT,
W. G. LAIDLAW,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the report of the committee of conference.

Mr. HOLMAN. This is a very short bill, and I hope it will be now read as proposed to be amended.

Mr. LANHAM. The conference report, which has been read, includes the text of the bill exactly as agreed upon by the conference committee. It is substantially the draught of a bill submitted by the Postmaster-General, and meets his approval. The measure is designed to cover an omission in the existing statutes with reference to postal funds, and also to increase the length of time within which claims of this character may be presented from three months to six months. The statement of the managers on the part of the House, which fully explains the scope and purpose of the bill as now agreed upon, has just been read.

Mr. HOLMAN. Is it understood that the measure now recommended is substantially the bill as amended by the Senate?

Mr. LANHAM. It is the bill as amended by the Senate, with some modifications suggested by the Postmaster-General.

The report of the conference committee was agreed to.

Mr. LANHAM moved to reconsider the vote by which the conference report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MRS. JULIET G. HOWE.

The SPEAKER announced the appointment of Mr. CHIPMAN, Mr. FRENCH, and Mr. MORRILL as conferees on the part of the House upon the bill (S. 300) granting a pension to Mrs. Juliet G. Howe.

ENROLLED BILLS SIGNED.

Mr. KILGORE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 6894) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1889;

A bill (H. R. 4964) to prevent any person or persons in the cities of Washington and Georgetown from making books and pools on the result of trotting or running races, or beat races;

A bill (H. R. 1406) to provide for the sale of certain New York Indian lands in Kansas;

A bill (H. R. 4365) to authorize the construction of an arsenal for the manufacture of ordnance and ordnance stores for the use of the Government of the United States, at Columbia, Tenn.;

A bill (S. 293) granting a pension to Mrs. Arabella Coddington;

A bill (S. 173) granting a pension to Henry B. Very;

A bill (S. 2172) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge the Red and Little Rivers, in the State of Arkansas;

A bill (S. 679) granting a pension to Henry Stafford;

A bill (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon-lights to said river; and

A bill (S. 1431) for establishinga line of lights and other aids to navigation to guide into Charlotte Harbor, Florida.

PUBLIC BUILDING AT NEWBURGH, N. Y.

Mr. NEAL, from the Committee on Public Buildings and Grounds, reported back with amendment the bill (H. R. 7312) for the erection of a public building at Newburgh, N. Y.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MRS. AURELIA P. HALL.

Mr. THOMPSON, of Ohio, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 9487) granting a pension to Mrs. Aurelia P. Hall; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, MOUNT VERNON, ILL.

Mr. POST, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 8837) for the erection of a public building at Mount Vernon, Ill.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

TARIFF.

Mr. MILLS. I ask unanimous consent that the morning hour for the presentation of reports be dispensed with, and that gentlemen having reports may file them at the Clerk's desk, and have them referred and entered on the Journal as though presented under the regular call.

There being no objection, it was ordered accordingly.

Mr. MILLS. I now move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of continuing the consideration of the tariff bill. Pending that motion, I ask unanimous consent that the House take a recess to-day from 5 o'clock till 8 o'clock p. m., the evening session to be devoted exclusively to debate on the tariff bill.

Mr. DUNHAM. I object.

Mr. SPRINGER. Then I ask unanimous consent that there may be a recess from 5 o'clock till 8 o'clock to-day, the evening session to be devoted to the consideration of bills reported from the Committee on Territories.

Mr. KEAN. I object.

The motion of Mr. MILLS, that the House resolve itself into Committee of the Whole House on the state of the Union to resume the consideration of the tariff bill, was then agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the revenue.

Mr. BYNUM. Mr. Chairman, the bill under discussion demands, and will no doubt receive, that careful and intelligent consideration which the importance of the subject requires. It affects the interests and the welfare of all classes, industries, and sections. The power to levy and collect revenues is primary to the maintenance and preservation of governments, and when laid with an even hand and restricted within the bounds of just and economical expenditure has never been questioned; but when it has been exercised with a discriminating hand and to such an extent that more was exacted than could be properly used, murmurs and discontent have arisen. No people, in the enjoyment of full political power, will long submit to a system of taxation which impoverishes one class or industry for the enrichment of another.

By the Constitution power has been conferred upon the Federal Government to levy and collect revenues to pay the debts and to provide

for the common defense and general welfare. On the 1st day of next July our present system and rate of taxation will have yielded a sum over and above these requisites of nearly $140,000,000. Adhering to that construction of the Constitution which has always been cardinal with the Democratic party and from which no people in the enjoyment of free government can safely depart, I believe that this excessive taxation is not only detrimental to our welfare, but that no warrant for its maintenance anywhere exists, and that it is our duty to bring it within certain limitations of constitutional power. The withdrawal of this large sum of money from the channels of trade for any period of time will excite the apprehensions of the people and result in a contraction of values and of credits that will swallow up in bankruptcy our most active and energetic men. To apologize for this condition of affairs is a mockery, to defend it is a crime. We can not longer escape the responsibility which rests upon us without arousing the indignation of an oppressed people.

The time has passed when a majority of this House can refuse to consider a bill for the reduction of taxes. The time has passed when the enacting clause of a measure for the reduction of revenues can be stricken out. The time has come when this question must be squarely met and an honest effort made to reform the tariff.

I am free to confess that the bill presented does not meet my unqualified approval. I believe that duties upon imports should be levied and collected at all times to meet the current ordinary expenses of the Government, and that extraordinary expenses should be met by the collection of internal revenues so far as can be reasonably done. Holding these views, if left untrammeled, I would retain our present internal system of taxation, or so much thereof as might be necessary, until the last obligation growing out of the late war was paid. Mindful, however, of the diversified interests of this great country, of its varied climate, its discriminating soil, and its multifarious industries, I am willing to meet the representatives of every section in a spirit of compromise and join in the construction and passage of a measure which concedes something to the sentiments of every class and to the productions of every locality.

That the present law fixing duties upon imports is onerous; that it was framed by partial hands, in the spirit of favoritism and selfishness, there is abundant proof. We are, however, met with the statement that it encourages American industries, protects the wages of American labor, and furnishes a home market for the farmer's products; that a modification of it will result in the destruction of our industries, cause a reduction of wages, and impair the farmer's market.

I shall pass the question of favoritism, ignore the fact that one industry, under the present law, is compelled to pay tribute to another, and accept the issue as tendered by the opponents of this or any measure for the reduction of duties upon imports.

I am willing to answer to that great body of intelligent wage-workers that I have the honor to represent, as to whether I have been true to their interests when I stood upon this floor pleading for cheaper materials for them to work up and a larger market in which to sell their products. I am willing to answer to the manufacturers of fifty millions of products and to abide by their judgment as to whether I have been faithful to their interests in advocating the passage of a measure which will open to them the markets of South America and Australasia. I am willing to answer to fifteen thousand farmers as to whether I have been true to their interests in demanding a reduction of taxes upon everything they consume.

Will a reduction of duties necessarily cause a reduction of wages? No greater fallacy was ever asserted. Labor does not receive all or any great portion of the protection given by the present law. The protection upon cotton goods runs from 42.30 per cent. to 73.31 per cent., and yet the labor cost in these manufactures only runs from 12.57 per cent. to 37 per cent. The protection on woolen goods runs from 52.07 per cent. to 89.94 per cent., and yet the labor cost in these manufactures only runs from 16.36 per cent. to 31.25 per cent.

Wages neither rise above nor fall below the standard. The standard is not fixed by the manufacturers in proportion to the rate of duties imposed, but is fixed by the prices paid in all the avocations and by the opportunities in independent pursuits. The only effect of a duty upon imports, so far as wages are involved, is that it enables the manufacturer to pay the standard of wages already existing.

A duty that adds to the cost of an article more than a compensation for the difference in the cost of labor enables the manufacturer to increase the price above that limit, which the laborer in return as a consumer is compelled to pay, and thus he is robbed of the protection he is said to have received while making it. Wages have always been higher in this country than in the thickly-settled and over-populated countries of Europe. Our boundless territory and free institutions afford such opportunities as to develop the greatest energy, the highest skill and intelligence, and wherever these are found labor is more valuable, and therefore commands higher wages. It has been stated, and not contradicted, that in 1882 each laborer in manufacturing industries in the United States produced $1,523 worth of products, while for the same year each laborer in Great Britain produced only $778 worth. These figures prove that American labor is equally as cheap as British labor at double the wages. American manufacturers can pay much higher wages than their European competitors and still have cheaper labor.

The tendency of wages since 1860, it is true, has been upward, but not as a result of protection; because the same increase has taken place in Great Britain under free trade. France has a "protective" tariff, and yet wages are lower in France than in England. Germany has still higher "protection," and yet wages in Germany are lower than in France, and far below what they are in England.

What is labor? Why is it that capitalists construct mills, purchase materials, and employ laborers to work the same up? It is because by combining the materials and the labor he produces something for which there is a market and which he can sell at a profit. When he sells the product he sells the materials and the labor that he has purchased and sells both at a profit. By combining the materials and labor he has a product for which there is a demand. If there is no demand for his product, if the market has been supplied, he at once closes his factory, stops the purchase of materials, and discharges his employés. Labor is as much a commodity, selling in the market, as the materials to be worked up. If there is a great demand for the product, there is a great demand for the materials and for the labor necessary to manufacture it. If the price of materials goes up, wages go up. If labor is but a commodity selling in the market, its price is regulated solely by supply and demand. If the demand is great, wages will go up; if it is small, wages will go down. It requires no argument to convince laboring men that in a community where a large number are out of work and seeking employment that wages will be low and work hard to obtain. Competition will force them down to the lowest standard of living in spite of organization. But when there is work for all, when two employers are after one laborer instead of two laborers being after one employer, wages will be high.

It will not be gainsaid that for some years there has been great competition between our wage-workers. It was this competition that forced them to organize to protect their interests and preserve their independence. Why is it that there is so much unrest amongst the laboring classes? Why have they been compelled to organize unions, brotherhoods, and assemblies?

The advocates of protection tell us that the country has grown rich under this system. True it has grown rich; but where is the wealth? In the hands of the few, while poverty abides in the homes of the many. Why is it that the great masses of the people have no share in the wealth that has been wrought by their hands? Of what benefit is it to us, as a nation, to pour millions into the coffers of the few when it only increases their power for greater extortions from the many? These are questions that demand our consideration.

It is true that we have made great progress during the last quarter of a century. We have invented more labor-saving machinery and know better how to use it than any nation in the world. Mr. Wright, the Commissioner of Labor, in his first annual report, informs us that in the manufacture of agricultural implements machinery has displaced fully 50 per cent. of muscular labor. In the manufacture of small-arms one man now accomplishes as much, in turning and fitting stock, as fifty formerly did. In the manufacture of boots and shoes one man can now perform as much work by the use of machinery as seven formerly did without it. In the manufacture of carriages and wagons, of paper, of saws, of tobacco, and, substantially, of everything, the same proportion of muscular labor has been displaced by the invention and use of machinery. It is claimed that one man now accomplishes as much work in manufactures with the aid of machinery as seven formerly did without it. The invention of machinery was not the result of a high tariff, but of the protection afforded by our patent laws.

While we have been increasing our productive capacity by the invention of machinery we have increased the number of our laborers over 30 per cent. by immigration. What, then, is our condition to-day? Upon one hand we have invented labor-saving machinery and upon the other we have been receiving large acquisitions of laborers from foreign countries until to-day we can produce more than we can consume. My object in calling attention to the inventions of machinery and the large immigration is not to find fault with either. I am in favor of stimulating the genius of our people; I am in favor of receiving the honest, able-bodied immigrant who comes here to find shelter from the tyrannies and oppressions of his native land. My purpose in calling attention to them is to establish a fact upon which to construct, if I am able, a logical argument.

While we have by these methods increased the number and capacity of our laborers until they are able to produce, in many lines, more than we can consume, we have been constructing a wall around our coast which, year by year, month by month, and day by day, restricted more closely their market within our own boundaries.

As our surplus increased our market has decreased. We have had for some years what we have denominated overproduction, a surplus of labor.

We are told, however, that it is not so much from overproduction as from underconsumption from which we are suffering. This is partially true. Our laboring classes do not consume as much as they should, but what is the reason? An overproduction inevitably results in under-

consumption. Our laboring classes are not only our great body of producers, but are also our great body of consumers. Give to a laboring man a dollar a day and he supports his family and lives upon it; how he does it is difficult for us to say, but he has to; it is all he has. Give him $2 a day and he lives just twice as well; he lives in a more comfortable house, his table is supplied with a greater variety of food, his children go to school and his wife to church better clothed, but he saves nothing. Few wage-workers are able to lay up anything; they do well to keep even. With an enlarged production and a restricted market what takes place. Our manufactories run nine, ten, or eleven months, as the case may be, upon an average, when a sufficient supply is produced for a whole year, when the doors are closed and the operatives are discharged to await the revival of the market.

The very moment the operatives are thrown out of employment then comes underconsumption. When out of work they are out of means and out of credit. Their standard of living at once falls to the very lowest point. We have all witnessed just such results time and again in this country in the last few years. With our garners filled to overflowing and our mills packed with goods we have seen laboring men and their families, for the want of work, suffering for food and shivering for clothing, and this the gentleman from Michigan [Mr. BURROWS] calls protecting American labor.

Mr. FUNSTON. Will the gentleman permit a question?

Mr. BYNUM. Yes, sir.

Mr. FUNSTON. But a moment ago you placed labor upon the market as an article to be bought and sold, like pumpkins or corn. What can you expect but that it should take its chances in the market like those articles?

Mr. BYNUM. The remedy is that you must give the laborers a market in which to sell their surplus products. Give them that market and they will maintain the standard of wages the year round; but you take that market away from them, and necessarily there is no means of disposing of this surplus, and their labor becomes valueless to that extent.

Mr. FUNSTON. What is to prevent them selling that surplus now?

Mr. BYNUM. I will show you what before I get through. That is just the line of argument that I intended to pursue.

Mr. COX. They can not sell unless there is some one to buy.

Mr. BYNUM. No, they can not; and that is just what I propose to show. You have deprived them of a market, and there is no means by which they can dispose of their surplus labor after supplying the home markets. You have deprived them of foreign markets by giving their competitors great advantages in the cost of materials to be worked up.

I have witnessed just such protection as this until I have seen the officer walk into the humble home, carry the furniture out upon the street, and then compel the mother and children to abandon their shelter while he closed and fastened the doors, because the rent was unpaid. And what does the gentleman from Pennsylvania [Mr. KELLEY] and the gentleman from Maine [Mr. REED] offer to the laboring men to relieve them from their distresses and the distresses of their families? Cheap tobacco and cheaper whisky. Away with such protection. Give to American labor cheap materials to work and it will, after supplying the demand at home, load American ships with its surplus products, transport them across the seas, and fill the marts of every civilized country in the world. Give to American labor a chance; give to it equal facilities and equal opportunities, and it will take care of itself at home and abroad. [Applause.]

Mr. FARQUHAR. Before the gentleman leaves that branch of the subject I should like to ask him a question.

Mr. BYNUM. I will yield to the gentleman with pleasure.

Mr. FARQUHAR. I would like the gentleman from Indiana, since he has undertaken to deal with this branch of the subject so fully, to harmonize, if he can, his statements about the law of supply and demand with that of overproduction to which he refers, especially in respect to its influence on the rate of wages. I must confess that I am not able to do it, and I see that he has given the subject considerable care, and I know the gentleman from Indiana [Mr. BYNUM] has given thought and attention to the question.

Mr. BYNUM. Mr. Chairman, if I had time to fully present all the facts bearing upon this question, which I can only partially present in my time, I should be very glad to discuss the point with the gentleman from New York. But the gentleman from New York knows that in the cities of this country, where laborers are gathered in large numbers, the price of wages has gone down until the condition of the laboring classes has become such as to produce strike after strike, in the last few years, with a view, if possible, to better their condition.

Mr. FARQUHAR. I may grant so, and that is the reason I have asked the gentleman from Indiana now to bring some harmony between the economic laws, to which he is referring, of demand and supply and this overproduction, which he says brings wages down. I wish him to show some connection between them, as he seems to be pursuing his argument in that line.

Mr. BYNUM. I can not yield for the gentleman to make a speech.

Mr. FARQUHAR. I do not propose to make a speech, but I would like to have the gentleman harmonize his statements on this point.

Mr. BYNUM. Nor can I go into the whole question of political economy as involved in this subject. I could not do it in two, three, or even four hours. I should be very glad, as I have said, to follow out this train of thought and show the gentleman its effect fully upon labor; but I propose to follow out the same line that I have been pursuing, and think I will convince the gentleman before I conclude that there is no want of harmony in my argument, and that he will find it sufficiently connected to occupy most of his time in answering. [Applause on Democratic side.]

American labor to-day is carrying upon its back burdens which the labor of no other country could stand. What elements do manufacturers compute to carry on successful production? First, the plant; second, the materials; third, the labor; and, fourth, the selling price. What does he control? The cost of plant? No! The cost of materials? No! The selling price? No! The cost of labor? Yes. He pays the market price for his plant, he must purchase materials at the market rates, and he must sell at as low a price as his competitor. If he pays more for his materials where can he get even and sell at the market price? He is compelled to take it off of labor. Labor carries the additional cost of materials and stands the reduction of prices in the market.

Mr. FARQUHAR. With the permission of the gentleman from Indiana I wish to say one thing.

Mr. BYNUM. The gentleman from New York can answer my questions in his own time. He will be entitled to have as much time as I have. I can not submit to these interruptions for a speech; I might for a question. I do not feel at liberty to trespass on the time of the gentlemen who come after me.

American labor is burdened with a duty of $6.72 on pig iron, and a duty so high upon steel that none can be imported; and yet it takes these materials, burdened with this tax, works them up into all the finer manufactures of iron, into edge tools, into saws, into fire-arms, into sewing-machines, into clocks, into table-cutlery, and does it so cheaply that they are sold in the open markets of the world and in Great Britain. Hon. Thomas H. Dudley, of Camden, N. J., late United States consul at Liverpool, and a protectionist, in an article addressed to Mr. Mongredieu, of London, said: "If you will go into your hardware stores you will see displayed for sale, imported from the United States, axes, edge-tools, forks, etc., superior in quality and finish and cheaper than you can make them."

Mr. BRUMM. Does not the gentleman from Indiana know that iron is sold in this country by the British iron manufacturers at much less rates than the ruling price in England? And does he not know that that is done for the purpose of getting rid of their surplus, and that they dump it on this country so as not to affect the English market?

Mr. BYNUM. Does the gentleman pretend to say that iron for export is sold cheaper by the English manufacturers than iron for home consumption?

Mr. BRUMM. Yes; the iron of British manufacturers is sold cheaper here than in England. And silks in France are sold on credit for export for less than they can be bought for for cash. I can show that to the gentleman from Indiana.

Mr. BYNUM. I do not know such to be facts. It is impossible. But the gentleman will have his own time to show that, and I should like for him to furnish the proofs.

American labor has paid $7 a ton more for its materials, paid transportation across the ocean, paid an interest upon a plant costing 50 per cent. more, and yet has made a better article and at lower cost than its British competitor. If American labor can do this, and we have the evidence of a protectionist that it has done it, take off this load that you have placed upon its shoulders and give it an equal chance, and it will drive the "pauper" labor of Europe out of the markets of the world.

This false cry of free trade has ceased to frighten the wage-workers. It is not a question of free trade, but it is a question as to whether we shall so adjust our tariff as to take advantage of the changes that have been wrought in production, trade, and commerce and give to our manufacturers and to our labor an equal chance to enter the markets of the great and growing countries south and to the southwest, and there dispose of that surplus of products, which is a constant disturbance and menace to all classes and to all industries at home.

Our present law not only excludes us from these markets, but they cripple our ability to even supply the home market, about which gentlemen are so much concerned. Last year we exported over $215,000,000 worth of cotton, which was worked up by European labor. Over one hundred and fifty millions of this went to the United Kingdom and was converted into manufactures aggregating $280,000,000, an increase in value of $130,000,000. With equal opportunities for trade and exchange we ought to have manufactured and exported a portion of this product, as it is an admitted fact that in the manufacture of the coarser cotton goods, such as new countries consume, we can compete with any nation.

We have not only been supplying Great Britain with cotton to work up and sell to other governments, but have been furnishing her industries the materials with which to manufacture a considerable amount for our own consumption. Last year we imported cotton goods to the value of $28,940,353, while we exported to the value of only $15,-

090,060, leaving our imports in excess of our exports to the extent of $13,850,293, thus showing that while some of our cotton mills were idle or running on short time with many operatives out of work we paid to foreign manufacturers over $13,000,000 for cotton goods. We not only deprived American labor of the opportunity and ability to manufacture this amount of goods, but we taxed the people by way of duties upon their purchases $11,710,719, to add to the surplus in the Treasury.

We also imported during the same period woolen goods to the value of $44,902,278, while we exported only $813,777 worth, clearly showing that while our woolen mills were closed, while their operatives were out of work, we purchased from other countries over $44,000,000 worth of woolen goods. We not only, by our so-called system of protection, deprived American labor of the opportunity to make this amount of goods, but, to add to their misfortunes, we extorted from the people by way of taxation upon what they were compelled to purchase abroad $29,279,717, to go into the surplus in the Treasury. These sums are the actual amounts paid out upon importations and do not embrace, in the slightest degree, the amount we were compelled to pay by way of increased cost upon the home product. We therefore last year deprived American operatives of the labor required to manufacture over $57,000,000 worth of cotton and woolen goods and taxed the people over $40,000,000 for the loss.

To show how American labor has been pillaged and plundered by this masked robber of protection, I have obtained from the Chief of the Bureau of Statistics a table showing our imports and exports of cotton and woolen goods for the last ten years.

Statement showing the imports and exports of cotton goods and woolens into and from the United States during the years ending June 30, 1878 to 1887, inclusive.

Years ending June 30—	Cotton, manufactures of.			
	Imports.	Foreign exports.	Net imports.	Domestic exports.
1878	$20,356,456	$603,409	$19,754,047	$12,008,422
1879	21,099,606	416,704	20,682,902	11,404,069
1880	31,376,693	725,297	30,651,396	10,467,681
1881	33,033,839	743,076	32,290,763	14,105,348
1882	35,719,791	560,480	35,159,311	13,828,377
1883	38,036,044	278,984	37,757,060	13,721,605
1884	29,074,626	167,210	28,907,416	11,885,211
1885	27,197,241	293,381	26,903,860	11,836,591
1886	27,709,266	435,735	29,273,531	13,959,934
1887	28,940,353	160,718	28,779,635	14,929,342
Total	294,943,915	4,384,994	290,558,921	128,143,550

Imports over exports, $162,415,371.

Year ending June 30—	Wool, manufactures of.			
	Imports.	Foreign exports.	Net imports.	Domestic exports.
1878	$25,230,154	$419,044	$24,711,110	$448,984
1879	24,355,821	343,266	24,012,555	346,733
1880	33,911,093	343,767	33,567,326	216,576
1881	31,156,426	648,371	30,508,055	331,083
1882	37,361,520	345,545	37,015,975	408,104
1883	44,274,952	282,192	43,992,760	366,214
1884	41,157,583	348,530	40,809,053	704,108
1885	35,776,559	706,484	35,070,075	775,962
1886	41,421,319	407,089	41,013,230	653,633
1887	44,902,718	274,435	44,628,283	539,342
Total	359,447,145	4,118,723	355,328,422	4,790,739

Imports over exports, $350,527,683.

It will be seen from this table that we have purchased from foreign countries during the last decade over and above what we have sold to them, cotton goods to the value of $162,415,317, and woolen goods to the value of $350,527,683, and upon these sums we have collected revenues to the extent of over $350,000,000. All this has been done under the pretext that we could and would soon produce a sufficient quantity of wool to supply the home demand, while the fact is that we have imported more wool, per capita, under the existing tariff than for any similar period in our history.

There is, however, a still more striking illustration of the effects of present duties upon American industries and American labor. We have not only burthened them in order to increase the production of materials where there is a deficiency in the home product, thereby giving to European manufacturers and European labor cheaper materials to work up, but we have robbed them by placing a high rate of duty upon that class of materials of which we produce a surplus, thereby giving the American producer a monopoly of the home market, which he supplies at the foreign price, with the duty added, and then sells the surplus for exportation at free-trade prices. Take copper ore. We have the finest quality and the largest supply of copper in the world. We produce more than will supply our manufacturers, and yet the copper produced from our mines costs our manufacturers more than it does their foreign competitors. I have here a table, taken from the address of Thomas G. Bennett before the Tariff Commission, showing the production, exportation, and consumption of copper in the United States and prices of same to American manufacturers and to exporters.

Year.	Production.	Exports less imports.	Remaining for United States use.	Actual consumption.	Price to American manufacturers.	Price to exporters.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Per pound.*	*Per pound.*
1877	42,900,000	11,330,725	31,569,275	31,500,000	$0.18½	$0.17½
1878	42,900,000	13,263,905	29,636,095	33,636,000	.17½	.14½
1879	46,500,000	12,367,224	34,132,776	34,132,776	.17½	.15
1880	57,250,000	2,173,093	59,423,093	48,423,080	.19½	.15½
1881	70,300,000	6,603,653	63,696,347	70,696,350	.18½	.15½

In May, 1879, 10,000,000 pounds were sold at 14 and 14½ cents per pound; in October, 1878, 2,000,000 pounds were sold at 15½ cents, and in April, 1881, 7,000,000 pounds were sold at 15½ cents, the purchasers giving bond that the same would be exported, while American consumers were compelled to pay from 17½ cents to 19½ cents a pound. I have here a table showing the exports and imports of copper during the last five years:

Years.	Imports.	Foreign exports.	Net imports.	Domestic exports.
1883	$122,536	$73,824	$48,712	$943,771
1884	226,189	40,587	185,602	2,930,805
1885	341,831	5,645	336,186	4,739,091
1886	417,449	22,116	395,333	3,068,879
1887	214,645	5,640	209,005	1,663,924
Total	1,322,650	147,812	1,174,838	13,381,520

We have, it will be seen, during the last five years exported over $12,000,000 worth of copper over and above our imports, and yet during all this time we have had a duty of from 2½ cents a pound upon copper ores to 4 cents upon plates and bars. What has been the effect of this duty? In the first place, it has almost extinguished our trade with Chili, where we used to sell large quantities of our manufactures. In the second it has, by fostering higher prices in this than in other countries, prohibited great industries from springing up and flourishing. The effect of this duty has been so well stated by Everett P. Wheeler, of New York, that I quote his words. He says:

> One extraordinary illustration of the effect of the discrimination which unjust laws have made in favor of the owners of mines in this country is that, although the copper of Michigan is the best in the world, because the most ductile and therefore best adapted to the manufacture of percussion caps, cartridges, and articles of that sort, in which the thinnest and most ductile copper is necessary, yet we export few of these, whereas we ought to supply the markets of the world with them. The duty on copper has enabled mine owners to keep the price so high that, while they have exported our copper to foreign countries and sold it there for a less price than they would sell it for in America, for this very reason the finished product has been manufactured there and not here.

It has, however, been of incalculable benefit to the owners of the Calumet and Hecla mines, who, upon a capital of $2,500,000, have paid dividends since 1870 to the extent of over $30,000,000. Are workingmen to be longer deceived by this hypocritical cry of protection to American labor?

Under existing duties they have felt their burdens increasing day by day. They have become weary and restless, and when they fully discover the cause of their misfortunes woe be unto its authors.

FARMERS.

There is another class that is growing tired and whose dissatisfaction is assuming more aggressive proportions as they witness and feel the effects of this system. The farmers inquire why they should be taxed upon everything they consume, while they must find a market abroad for their surplus products. They are told that protection furnishes a better market for their products. This pretext has become stale. It has been answered so often that it scarcely merits notice. Governor Whitcomb, of Indiana, nearly a half century ago, refuted this statement so forcibly that his argument can not be improved upon. Said he:

> Let us see if the manufacturers can give us the double price for our produce. Let us see if they can consume it. In the good old times of virtue and simplicity the mother and daughter in a thrifty farmer's family did their own spinning and weaving and were able to clothe their fathers and brothers. By modern improvements most of our clothing is made in the large manufactories. Now, suppose that ten men engaged in manufacturing were to clothe as many who might be engaged in raising provisions, and that they should mutually supply each other. But the thrifty farmer and his sons could easily raise a great deal more provisions than the whole family, men and women, could eat. Ten able-bodied men on our Western farms, therefore, can furnish far more than ten puny manufacturers could consume. But this comparison would be conceding entirely too much. Calculate the number of yards of clothing, the number of hats

and pairs of shoes, that the ten farmers would use in the course of a year, and then how long it would take the ten manufacturers to make those articles.

Now, the real condition of our manufactories makes the difference still greater. The great difference consists in the wonderful improvements made in machinery. It is ascertained that one man, with a spinning-machine, can produce as much yarn as two hundred and sixty-seven men can with each a one-thread wheel. Now, even if it took one manufacturer all his time to make clothing for one farmer, the same manufacturer, with the assistance of a machine, could make enough, from the above calculation, to clothe two hundred and sixty-seven farmers. But this labor-saving machinery has but one mouth to feed (the man who tends it), and one farmer, by planting a few more rows of corn, could stuff that mouth into an apoplexy. What will the other two hundred and sixty-six farmers do with their surplus produce?

The improvements in machinery have been much greater since that time than before. Not only can one hand raise more corn and more wheat than at that time, but one hand can more than thribble the product in manufactures. The cost of manufactured articles has not only been greatly reduced, but the quantity has been largely increased per capita. The value of manufactured articles per head in 1850 was $44; in 1860, $65, and in 1880, $107; the reduction in price was not less than 50 per cent., so that our production in 1880 as compared with 1850 was something near 4 to 1. There was also a great increase of agricultural products per head. The improvements in farming implements and in the knowledge of farming were so great that our surplus of wheat in 1880 exceeded our entire crop of 1860. In 1860 we produced 173,104,924 bushels of wheat, less than 6 bushels per capita, while in 1880 our crop was 498,594,868 bushels, nearly 10 bushels per capita. The value of live-stock in 1860 was $1,107,500,000, less than $40 per head, while in 1880 it reached $5,000,000,000, nearly $100 per head.

We have therefore increased fourfold the quantity of manufactures per inhabitant, while we have nearly doubled the ratio of agricultural products. Upon one side our manufactories have increased in number and capacity until we are unable to consume their goods and wares, and upon the other our farmers have, by the improvements in machinery and in farming, increased the quantity of their products until we are able to export annually from five to seven hundred millions of dollars' worth. In this condition, with a surplus of manufactures and a surplus of agricultural products, the manufacturers say to the farmers, give us higher protection and we will increase the number of our mills and the number of employés till we are able to consume all your products! Now, when they make such a proposition will they please tell us where and to whom they expect to sell their manufactures, because if they have no market they can not employ operatives, and if the operatives have no work they can not consume to any large extent.

The great body of wage-workers are not employed in industries fostered by the tariff; more than four-fifths of them are at work in "unprotected" avocations. It is safe to estimate that not more than a million of persons are employed in manufactures which derive any benefit from protection. Supposing that all are men of families, not more than five millions of beings are supported from wages derived from industries fostered by "protection." Each person consumes about 6 bushels of wheat per annum. The entire population sustained by our manufacturing industries, which claim that they can not survive without high duties, do not consume over 30,000,000 bushels of wheat per annum. The State of Indiana has produced in a single year 55,000,000 bushels. She can supply her own people, bread the entire population dependent upon "protected" industries, and still have a surplus of 10,000,000 bushels for exportation.

In the face of these facts, in the face of the fact that we already have a surplus in many lines of manufacture, it is proposed to increase the number of mills and the number of operatives more than fivefold. Was ever anything more absurd than this home-market theory for our agricultural products?

With a country unparalleled in resources, a soil inexhaustible, mountains and valleys rich in ores and minerals, a climate at once inspiring and ennobling, with the highest standard of intelligence and skill of any people in the world, it is proposed that henceforth our energies shall be exhausted in producing what we shall consume and in consuming what we shall produce.

Shall we, after having developed the highest civilization, gained the greatest freedom, and established immutably a government based upon intelligence, acknowledge our inability to cope with the other nations and surrender to them the future glory of the world's progress.

Great Britain found that she could not produce everything at home as cheaply as she could purchase the same abroad and she opened wide her doors to the commerce of the world and became the wealthiest nation upon earth. France, Germany, and Belgium, unable to produce a sufficient supply of food and materials within their own limits, opened their ports for the importation of these, and are able by this means to give employment to their overcrowded population and thereby enable them to exchange the products of their labor for a subsistence; and yet we, with all our boundless resources, able as we are to supply the inhabitants of all these countries with food, able as we are to supply South America and Australasia with manufactures for the wool we must have, say to the labor upon our rich lands: "Cease; we want no surplus;" say to the wage-workers in our mills and factories: "Stop; we want nothing made to send abroad." The inevitable result of such a policy will not be to develop our great resources, but to strangle our industries, destroy our prosperity, and pauperize our labor.

Mr. Chairman, there is such a thing as a home market, but there is no such thing as an exclusive home market. Whatever prohibitions are placed upon commerce limit the opportunities of labor, limit production, limit exchange, and limit consumption. It should be our policy not to adjust our tariff law so as to restrict the advantages of our industries and the capacity of our labor, but to enlarge them to the utmost boundaries.

We place a high duty upon wool, it is said, to encourage the growth of wool until we shall raise a sufficient quantity to supply ourselves; but in our endeavors to stimulate the growth of wool we have excluded our manufacturers of machines, of furniture, of engines, of boots and shoes, and other products from the markets of South America and Australasia, and are annually losing the sale of more labor than could possibly be employed in tending sheep, even if it was profitable for us to produce the wool we consume, under the present rates of duty. We are practically excluded from the markets of these countries, rapidly increasing in wealth and population. Take our trade with the Argentine Republic with her wool, Brazil with her coffee, and Chili with her copper, and compare it with the trade of Great Britain.

	Argentine Republic.	Brazil.	Chili.	Total.
Population	2,406,000	10,108,201	2,400,396	.....
Exports to Great Britain	$5,793,965	$23,507,165	$12,977,465	$42,278,595
Imports from Great Britain	29,692,295	33,946,215	11,060,880	74,699,390
Exports to United States	4,328,510	45,263,660	604,525	50,396,695
Imports from United States	4,347,293	7,317,293	2,211,007	13,875,693

Great Britain sold to these countries over seventy-four millions of dollars' worth, while we sold only thirteen millions' worth. Great Britain had a balance of thirty-two millions in her favor while the balance was against us to the extent of thirty-six millions of dollars.

Mr. MILLIKEN. Is not that state of facts to be attributed to the better communication of Great Britain with these countries by steamship lines?

Mr. BYNUM. Yes; and for that very reason that when you destroyed our commerce you destroyed our carrying trade, and now you come knocking at the doors of Congress for subsidies. [Applause.]

Mr. MILLIKEN. Is it not true that our commerce has doubled in that time?

Mr. BYNUM. It is larger now than then, but as compared with the growth of commerce and the growth of the trade of these countries our trade is a mere bagatelle now.

Mr. DINGLEY. Do I understand the gentleman from Indiana to say that our commerce with any of these South American countries has fallen off since the war?

Mr. BYNUM. In comparison with the growth of the countries and of trade, immeasurably so. Great Britain has distanced us in supplying these countries with manufactures.

Mr. DINGLEY. Has it not increased faster than our population? Is it not the fact that our exports and imports have not fallen off? They have vastly increased. But the percentage of commerce carried by American vessels has decreased since 1855, and it fell off most between 1855 and 1861.

Mr. BYNUM. The aggregate of our exports and imports have increased. It is true our carrying trade did fall off between 1855 and 1861. The decline during these years was owing to the change in the materials of which vessels were built. Had it not been for high rates of duties upon materials that were used, after these years we would soon have recovered and maintained our supremacy upon the seas.

If I only had time to read from an article written by Mr. Ricardo Beccerra, chief of the bureau of commercial statistics of Chili, and published in our consular reports, I could soon show the destruction of our trade with that government.

Mr. DINGLEY. Does the gentleman refer to the carrying of these imports and exports?

Mr. BYNUM. I think the gentleman from Maine proposes to make a speech instead of asking a question, and I shall have to insist on his doing so in his own time.

Mr. MILLIKEN. Will the gentleman allow me one further question?

Mr. BYNUM. There are other gentlemen to follow me, and I am occupying their time. It is not fair to them that I should yield to these interruptions, and I must proceed.

There is, however, a better illustration of the insignificance of our foreign commerce. Take the trade of Australasia for the last ten years, the largest wool-producing country in the world, a country with an abundance of the very materials we want, and desiring the class of manufactures of which we have a large surplus.

Statement showing imports and exports of British Australasia for each year from 1877 to 1886, inclusive, also showing imports and exports of the United States to and from same for said years.

Year.	Imports, total.	Exports, total.	Imports of United States.	Exports of United States.
1877	$223,858,573	$219,726,857	$5,885,476	$1,476,238
1878	245,642,475	213,912,207	6,771,295	1,185,905
1879	228,312,309	199,779,987	7,171,815	785,773
1880	218,093,618	236,512,277	4,748,590	2,920,812
1881	252,786,211	234,105,583	6,728,505	2,088,302
1882	309,006,697	245,065,341	9,109,889	3,689,424
1883	279,003,306	269,682,660	9,795,656	4,021,395
1884	310,765,396	263,841,739	9,387,326	4,373,465
1885	306,219,496	249,518,872	10,648,192	2,823,393
1886	260,111,079	219,780,702	11,134,301	3,859,360
	2,643,809,151	2,351,926,225	81,381,045	*27,224,067

*Fraction over 1 per cent.

Here we find a country with an annual trade of about five hundred millions of dollars. During the last ten years this country has imported products to the value of $2,643,800,151, and of this sum we only supplied $81,381,045, a fraction over 3 per cent. While we sold to her people only eighty-one millions' worth of products, the United Kingdom sold to them $1,161,683,502 worth, and received in exchange a large supply of their raw materials, which were afterwards sold to us with commissions, freights, storage, and profits added.

Mr. DINGLEY. Will the gentleman from Indiana permit a simple inquiry?

Mr. BYNUM. The gentleman from Maine can answer all these matters in his own time.

Mr. DINGLEY. But the gentleman is proceeding on the assumption that our commerce——

Mr. BYNUM. I can not yield.

Mr. DINGLEY. I supposed the gentleman would like to have the fact stated.

Mr. BYNUM. Does the gentleman dispute that that is the fact? If he does, let him offer his statement in his own time and in the proper way. He can not controvert the facts I have stated, but if he wishes to try to do so, let him do it in his own time.

It is remarkable that the natural channels of trade have been so obstructed by our laws that these new countries, rapidly increasing in population and growing in wealth, with abundance of just such materials as we must have and requiring just such manufactures as we can supply, are now receiving from us yearly over fifty millions of dollars in money.

It is not, therefore, strange that while we have conducted our trade and commerce upon such principles that out of a production of gold and silver to the extent of two thousand five hundred millions of dollars in the last forty years only about one-third of it is in the country to-day.

It is contended that a duty on wool is a necessary protection to our farmers. It is strange that the protectionists have by the mere assertion of the truth of this statement been able to pull the wool over the eyes of many of our farmers, and thus secure their support in sustaining a measure which has plundered them at home and abroad; at home upon what they have consumed and abroad upon what they have exported. How has protection benefited the wool-growers? Has not the price of wool steadily fallen since 1867, when the highest rate of duty was placed upon it? The advocates of protection admit this—not only admit it, but many of them claim it as the result of "protection." Mr. Haskell, a leading member of this House from Kansas, in 1882 said:

I have here the figures. To-day wool is cheaper per pound, and has been for the past five years, than it was from 1855 to 1860 under the free-trade rating of the free-trade party.

Mr. MILLIKEN. Then how are you going to get cheaper clothing by cheaper wool?

Mr. BYNUM. That question I think I will answer, I think to the satisfaction of the gentleman from Maine, as I proceed.

To show exactly what has taken place by way of a fall in prices, I have prepared a table giving the price of wool for four years preceding the act of 1867; for four years succeeding the same; for four years preceding the act of 1883, when there was a reduction of about 10 per cent., and for the last four years.

Year.	Price per pound.	Year.	Price per pound.	Year.	Price per pound.	Year.	Price per pound.
	Cents.		Cents.		Cents.		Cents.
1863	75	1868	46	1879	37	1884	34
1864	100	1869	48	1880	46	1885	31
1865	75	1870	46	1881	42	1886	33
1866	70	1871	62	1882	42	1887	38
Four y'rs' average.	80		50½		41¾		34

The average price of wool for four years preceding the act of 1867 was 80 cents a pound; while for four years succeeding it was only 50 cents a pound. For four years preceding the reduction in 1883 it averaged 41¾ cents a pound, and for the last four years it has averaged only 34 cents a pound. It can not be claimed that the reduction in price during the last four years was the result of the reductions in 1883, as the reductions of duty were only 10 per cent., while the fall in price has been much larger. The fall in the price of wool has gone on uninterruptedly ever since the duty was increased in 1867. Of what benefit, then, has "protection" been to the wool-grower?

Mr. Stebbins, in his work on Protection, following the suggestion of the Tariff Commission, has explained or undertaken to explain wherein the wool-growers have been benefited. He says:

Its results as to wool are given in the Tariff Commission report, and can be stated as follows: Sheep, 1860, 22,471,275; 1880, 43,576,897. Pounds of wool in 1860, 60,264,913; in 1880, 240,000,000, or twice as much per head as in 1860. Prices in Boston in currency averaged in 1867, 51 cents; in 1875, 43 cents; in 1880, 48 cents. The price is a little lower, but the sum from each fleece nearly double, as the results of improved breeds under protective encouragement and with a home market.

Mr. MILLIKEN. Has not that increased under protection?

Mr. BYNUM. What? The number?

Mr. MILLIKEN. Yes.

Mr. BYNUM. Oh, yes. I suppose protection was the cause of the discovery of the arid region and of the large increase of cattle and horses and mules. No doubt of it. I suppose the gentleman will claim before we get through that protection is the cause of the increase of population and of the discovery of natural gas. [Laughter and applause on the Democratic side.]

"What sophistry will not avarice resort to." The price has fallen, but under "protective encouragement" the fleece has grown larger. I submit that such a policy imposes too much labor on the sheep. [Laughter and applause.] The poor sheep, however, have had to abandon the contest; they have been unable to keep up with the rapid decline of prices, the clip remaining about the same per head as in 1880, while the price has fallen over 14 cents a pound. The statement of protectionists that the total clip of 1860 was only 60,264,913 pounds is not correct. It has been stated by the most careful examiners that it was, in reality, over 116,000,000 of pounds.

Mr. Chairman, let us try to ascertain the truth about this subject. I do not claim that the reduction in the price of wool since 1867 is the result, solely, of the high duty placed upon it, but I do think it is one of the causes which have brought about such a radical reduction. The establishment of large ranches in Texas, New Mexico, and Colorado, where lands and pasturage could be had at nominal rates, and sheep kept at a much less cost per head than in the Northern States, had a marked influence upon the price. In 1867 New Mexico, Texas, and Colorado contained but 1,454,717 head, while in 1885 they contained 14,155,343. Wool can be raised much cheaper in Texas and New Mexico than in Ohio, Michigan, and Indiana, and this illustrates the great fallacy of trying to protect the production of materials which can be grown in one section of the country at one-half the cost in another.

The CHAIRMAN (at twenty minutes past 1 o'clock). The time of the gentleman from Indiana [Mr. BYNUM] has expired.

Mr. HOLMAN and Mr. MILLIKEN. I hope the gentleman's time will be extended.

The CHAIRMAN. How much time does the gentleman want?

Mr. BROWNE, of Indiana. I trust that the gentleman will be allowed whatever time he requires to conclude his remarks.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Indiana [Mr. BYNUM] be extended indefinitely. Is there objection?

Mr. TOWNSHEND. Upon that, Mr. Chairman, I desire to say this: I shall not object to the extension of the time of the gentleman from Indiana [Mr. BYNUM], nor of the time of the gentleman who is to follow him; but as propositions to debate this tariff bill at evening sessions or to allow members to print their remarks upon it are opposed on the other side, I give notice now that I shall insist hereafter that no gentleman's time shall be extended until some arrangement is made between the two sides of the House.

The CHAIRMAN. The Chair hears no objection, and the gentleman from Indiana [Mr. BYNUM] will proceed.

Mr. BYNUM. I thank the House for its courtesy, and I shall not trespass upon it unduly.

Why tax the people of Minnesota and Dakota upon their clothing that wool may be grown in Ohio and Pennsylvania? The truth of the matter is that you can not stimulate the production of wool by a high tariff. With us the raising of sheep is not for the wool, but for the meat. Farmers in the Northern States and in all the States will always raise sheep, and the number of head will increase as population increases without any protection. Farmers will raise sheep because a certain number can always be profitably kept upon any farm. They assist in cultivating the land, they eat down the briars and shrubs and clean up the hillsides, thus saving much labor and expense, and whatever the wool brings is clear profit. The profit in raising sheep, except where the climate is mild and pasturage abundant, is not in the wool, but in the mutton. With free wool the United Kingdom upon her 121,751 square miles in 1886 had 28,955,240 head of sheep, while Ohio, Indiana, and Michigan, three great wool-growing States, upon their 139,028 square miles had only 8,111,158 head. France, upon her 204,-

030 square miles, in 1885 had 22,616,542 head, while Maine, New York, Pennsylvania, West Virginia, Virginia, and Maryland, upon their 200,476 square miles, had only 5,020,053 head. Germany, with her 208,624 square miles, in 1883 had 19,189,715 head, while Texas, upon her 274,356 square miles, had only 7,877,500 head, and this number has been diminished over 3,000,000 head in the last four years.

Mr. MILLIKEN. The falling off in number was owing to the reduction of the tariff on wool in 1883.

Mr. BYNUM. Will the gentleman answer why it is that the greatest falling off in the number of sheep has been in Texas, where wool is produced cheaper than anywhere else?

Mr. MILLIKEN. Perhaps they have found something else that they can make more profitably.

Mr. BYNUM. Certainly; and our people in Ohio, Indiana, and Michigan and the other States, when they become as wise, will discover that they can raise wheat and corn and pork and purchase their wool for one-half what they are paying for it now. [Applause on the Democratic side.]

The United States, with twenty years of protection, has about 14 head of sheep to the square mile, while Germany, with free wool, has 92 head; France, with free wool, 100 head, and the United Kingdom, with free wool, 235 head to the square mile. The number of sheep in the United Kingdom is 85 per cent. of the population, in France 58 per cent., and in the United States 75 per cent. Why this equality in the number of sheep as compared to population, and great inequality as to area of territory? It must be that it requires about this proportion to raise the mutton consumed by the inhabitants. In 1884 we had, in round numbers, 50,000,000 sheep; but in 1887 this number was reduced to 44,000,000, not because there was no demand for wool—we imported large quantities of wool and even shoddy during these years—but because we had surpassed the number required to raise the mutton consumed by us. In 1885 we exported over a half million head, not to produce wool, but for slaughter.

The wool-growers of Pennsylvania and Ohio stated to the Tariff Commission that it cost them from $2 to $2.04 a year to keep a sheep. The fleece averaging 6 pounds, the wool would have to bring 33⅓ cents a pound to pay expenses; adding a reasonable sum for shearing, handling, interest, etc., it is fair to estimate that wool can not be raised in these States for less than 40 cents a pound.

We consume annually 600,000,000 pounds; this, at 40 cents, would cost $240,000,000. We can purchase foreign wools, and pay for them in the products of labor, for one-half this sum. Now, why make the people of the United States pay a hundred millions more for their wool in order to have it all produced at home? Protectionists say, to build up home industries and employ home labor! But this is just what we are not doing by this policy. We have seen how we have injured our cotton mills, our woolen mills, and all of our industries manufacturing implements and machinery.

In countries where the profit is in raising mutton the demand for mutton will control and regulate the number of sheep, and by no system of protection can the number of sheep be increased above that point. In countries where wool can be grown at comparative little cost, and the profit to the shepherd is not in slaughtering but in shearing his sheep, there the wool will be grown to clothe the people in the colder climates; and to exclude the same from our shores is not only destruction to our woolen mills, but it is a serious blow to every other industry and to every individual throughout the whole country, and to none is it more detrimental than to that great body of our people who live by their hands.

The condition of our woolen manufacturers is well known. They have been struggling for existence under a protection too burdensome for the people to longer tolerate. Their condition has been well described in a letter, by one of their number, published in the Boston Herald of February 18, 1888. He says:

> In addition to the mills I have mentioned as now shut down, I will state for your information, if you do not already know it, that since 1880 29 woolen mills and 135 sets of machinery have been destroyed by fire in New England, and have not been replaced—a fact which proves more forcibly than can any words of mine the unprofitableness of the woolen manufacture and the folly of a protective policy which closes against it the world's markets at the same time that this country is importing woolen goods to the value of $45,000,000 annually. And in this connection I will ask your attention to the following table:

Comparative number of manufactories and sets of cards in the woolen manufacture proper for the years 1870 and 1880, compiled from census returns.

States.	Mills.			Sets of cards.		
	1870.	1880.	Decrease.	1870.	1880.	Decrease.
			Per ct.			*Per ct.*
In all the States and Territories..	2,890	1,990	31.14	8,352	5,961	28.6
In New England States:						
Connecticut	108	78	28.00	660	435	34.1
Maine	107	93	13.1	331	261	21.1
Massachusetts	185	167	9.7	1,367	1,356	0.8
New Hampshire	77	58	24.7	351	293	16.5
Rhode Island	65	50	23.2	474	432	8.8
Vermont	65	44	32.3	175	145	17.1
Totals	607	490	19.3	3,358	2,922	13.4

This table shows that in the country at large, in the ten years between 1870 and 1880, the number of woolen mills decreased over 31 per cent., and the sets of cards over 28 per cent. Or, if we confine our attention to our own vicinity, in New England the decrease in mills has been nearly 20 per cent., and in sets of cards over 13 per cent. Is not this a significant hint of the extreme prosperity which the tariff has brought to wool manufacturing in this "favored country?" And yet it was during this period that the very highest tariff rates prevailed.

It is useless for us to ignore the fact that we must place wool on the free-list or our woolen manufacturers will have to succumb. They can not live under this high rate of duty upon wool, and they know that the time has passed when they can ask the great masses to shoulder heavier burthens.

Mr. Chairman, it has been heralded far and wide that this bill is a blow at American industries; that it will reduce wages to the level of the countries of Europe, and yet the opponents of the same have been unable to show, in a single instance, where any manufacture is to be harmed by any of its provisions. A majority of the committee which reported it has been denounced because they were unwilling to devote the entire session of Congress to hearing the misrepresentations of those who have oppressed and plundered the people by trusts, pools, and combinations.

Amongst the number that came arrogantly knocking at the doors of the committee demanding to be heard were the pine-lumber dealers of the Pacific slope. In the New York Tribune of March 18 last, on page 3, is contained a copy of a petition which, it was said, was to be presented to the Committee on Ways and Means by some of the representatives of California, protesting against the destruction of the lumber and shipping industries of the Pacific coast, and denouncing the committee for having refused a hearing to the parties. The destruction of these interests which is to follow the passage of this bill is graphically described in this memorial. I quote the following:

> British Columbia would have more saw-mills than are now in California, Oregon, and Washington Territory, supplying lumber to our people. Foreign houses will establish branches at each coast port, and the entire manufacturing and hauling trade will be in alien hands, leaving the American citizens who pay taxes nothing but the privilege of paying cost and profit to the alien who does not. In other words, the Mills tariff bill gives to foreigners, without cost, the markets which our own people have created and our own people are able to supply, to the utter destruction on this coast of American interests in lumber, coal, and especially in shipping.

What a picture of destruction! What an appeal to our patriotism! The hypocricy of this claim and pretext, however, is found in the very same issue of the paper. Turning over to page 11 I find, in a dispatch from San Francisco, dated March 17, the following:

> The pine-lumber pool has succeeded during the past year in advancing the prices of lumber $12 to $15 per thousand, on the ground of high shipping rates and increased wages. The grounds for the advance are trivial, as the wages of the men are only $5 more per month and the running expenses of the vessels are no greater. The pool, which has adopted all the methods of newly invented trusts, has simply made the people of California pay about one and a half millions into its pocket. It controls ships and mills, and regulates the prices of pine lumber to suit itself.

It is remarkable that with this condition of affairs no representative of the people came rapping at the door of the committee. The only demand to be heard was in behalf of the trust which had plundered them of a million and a half of dollars and was anxious to retain its grasp.

Mr. Chairman, the last and certainly the weakest argument that has been urged against the passage of the bill under discussion and in favor of higher duties upon imports is that we should increase duties so as to prohibit importations and thereby raise the price of all products, in order that we may not, in case of a sudden attack or invasion, be dependent upon other countries for supplies. The time, probably, has not arrived when all strife between nations shall cease; "when swords shall be beaten into plowshares and spears into pruning-hooks;" but we have reached that period in the world's history and in the progress of the human race when it is no longer necessary to keep sentinels upon the watch tower to awaken the sleeping inhabitants to defend the city against an armed foe bent upon rapine and plunder.

The time was when the Roman armies plundered and pillaged the citizens of every country from Africa to Britain; when the proudest achievement of man was to lead in triumph back to Rome a victorious army laden with the spoils of conquest; but to-day the glory and the triumph of men and of nations is not in the invasion of a foreign land and the subjection of its citizens to the payment of extortionate tributes and princely ransoms, to be squandered upon grand pageants and in the celebration of magnificent fêtes; but it is, bearing a nation's emblem, to plow the seas and enter the harbors of every country, freighted with the achievements of skill, of industry, of "peace on earth and good will towards men," and place them in the grand temples dedicated to the goddesses of progress and of civilization. To declare that it is necessary for us to compel one class of citizens to pay tribute to another, in order that we may constantly be prepared for a sudden invasion upon every side, is to declare that the great lights which have illumined the world and inspired the hopes of mankind for two thousand years may go out in a twinkling. As for myself, I indulge in no such fears. Rather than dwell in the ages of the past, clad in armor, with spear in hand, I prefer to live in the present, and in the glorious anticipation of a higher and grander future, when all nations shall be banded together in one solemn compact to peaceably arbitrate all differences. [Great applause.]

Mr. BROWNE, of Indiana, took the floor.

The CHAIRMAN. The Chair desires to state that by some proceed-

ings which took place in the committee while the gentleman from Indiana [Mr. BYNUM] was speaking, it was understood that the other gentleman from Indiana [Mr. BROWNE] should be permitted to occupy the floor until the conclusion of his remarks. Is there objection?

There was no objection, and it was so ordered.

Mr. BROWNE, of Indiana. Mr. Chairman, that our annual revenues are in excess of our ordinary expenditures is not necessarily to be deplored. It affords no just occasion for alarm. This condition of the Treasury is by no means a new one. On June 30, 1868, the surplus was over $85,000,000; in December, 1880, it reached $90,000,000, and in the year following it was found to be $60,000,000. Neither Johnson nor Grant, Hayes nor Arthur made these healthful Treasury conditions a pretext for suggesting a disturbance of our industrial system. There was neither financial convulsion nor wide-spread disaster. On the contrary, thecountry continued to have an unparalleled prosperity.

There are national needs to which the surplus may be wisely applied and the danger avoided of making the Treasury a hoarding place of the currency of the people.

Large sums of money, I admit, should not lie idle in the Treasury; but there is no occasion for this when there are legitimate public purposes inviting its expenditure. This accumulating revenue gives the opportunity, and might be made the occasion, for doing much for the people. It should be so expended as to certainly contribute to the nation's prosperity and greatness. It is true that money should not be "needlessly withdrawn from trade and the people's use;" but taxes, not excessive or burdensome, may be collected and so returned to the channels of business as to develop not "cripple" our national energies; promote not retard "our country's development," and stimulate rather than discourage "productive enterprise." National expenditures should always be made without prodigality and for such public purposes as will promote the general wellfare. Neither the presence of a surplus in the Treasury nor our large collections of revenue is a menace to our prosperity. There is no occasion for hoarding this money or withdrawing it from circulation.

Our interest-bearing debt is $1,000,000,000, and why not reduce it now that we are able to do so? This use of the surplus is expressly authorized by law. Why has it not been so employed? In this day of the Treasury's prosperity it would be a wise economy to extinguish a part of the national debt. The uses to which our surplus may be wisely applied are numerous. There, in a most deplorable condition, is our merchant marine. Why not aid it so it may be able to resume not only the carrying of our own foreign trade, but compete also on equal terms with the vessels of other nations for the carrying trade of the world. Not long ago our attention was called, by one who was then the most notable man in the Democratic party, to the necessity for making provision, and immediate provision, for the defense of our seaboard cities. Would it not be well to heed this warning and provide against this danger. It is a fact the world knows that we have an unprotected seacoast, thousands of miles in extent, and populous seaboard cities with their thousands of millions of property at the mercy of the hostile navies of even the smaller powers of Europe. Why not provide harbor and coast defenses, or build a navy commensurate with our greatness and glory as a people? A distinguished Irish-American, formerly a member of this House, in a banquet speech the other day, in discussing this subject, said:

> And as for the surplus, Mr. President and gentlemen, a surplus can not be said to exist when there is room for its expenditure—and legitimate room. We have now, I believe, somewhat over $200,000,000 in the Treasury. We had a fisheries dispute the other day; suppose that England and American disagreed; suppose the whole matter was referred to the arbitrament of the sword, where would our Atlantic seaboard be, where would our Pacific seaboard be, where would our lake seaboard be? Canadian gunboats could come here through the deepened Welland canal, bombard your city, and you have not got a single fort, ship, or gun with which to defend it.
>
> They talk of a surplus in the Treasury, and we have not a fortification that could stop a cannon-ball; we have not a ship of war capable of standing a broadside from a single first-class man-of-war of any power of Europe. They talk of a surplus in the Treasury, and sixty millions of people, in the event of sudden war—which I hope may never come—are absolutely defenseless. They talk of a surplus in the Treasury, with water ways left unconstructed. They talk of that surplus as if it were a curse instead of an attestation of the prosperity of our country. They have thrown out on the seas a few cruisers—provided, I believe, by Republican administrations—but the Navy of the United States remains in such a condition that every patriotic American is ashamed of it; not alone ashamed of it, but afraid of it.

Notwithstanding the prowess of our sailors and seamen, our naval establishment excites more derision than fear.

But, Mr. Chairman, I can not leave this line of suggestion without inviting attention to a subject demanding favorable consideration. The survivors of the Army of the Union are now "venerable in age," and it is time "a grateful people were tendering them a parting benediction." The last Congress did this for the surviving conquerors of Mexico, and the President unhesitatingly approved the expenditure. I can not allow myself to believe a measure of equal justice can be much longer withheld by Congress from the heroic soldiery of the Army of the Republic. Will a hostile Congress defeat it, or will it again be arrested by a Presidential veto? The existence of a surplus, I have already said, affords no excuse for unnecessary or extravagant expenditures, but it fortunately just now enables the nation without embarrassment and without imposing a burden upon the people to do what is just. It affords us an opportunity for rescuing from want and the almshouse the 10,000 worn-out and impoverished veterans who are dependent upon public or private charity. Penury to-day shadows the homes and lives of thousands of brave men who gallantly followed our flag. Are these men to suffer on through the remnant of their lives without substantial recognition by the Government they served so faithfully? Shall either a people's parsimony or forgetfulness remit them to a life of beggary?

I have named but a few of the important national objects upon which our resources might be expended, not only without waste, but with profit. Besides those mentioned there are great rivers and harbors to be improved in the interest of commerce, and a system of education provided for unfortunate illiterates that the nation may have a purer and more intelligent suffrage and a better government. In view of these facts, why should we be in hot haste to overturn or disturb a revenue system to which our industrial pursuits have adjusted themselves? National taxation is not onerous. The people have entered no protest, uttered no complaint. That the tariff on foreign products is burdensome or a Treasury surplus dangerous they do not believe. That under our protective system our industries have been extended and diversified until we have become the foremost among the manufacturing and agricultural peoples they know, and with our present protective system they are content. That a surplus exists is evidence of our prosperity; that it has been gathered into the Treasury without oppression or complaint is evidence that our revenue laws are wise and just.

I believe, sir, if the surplus were under the supervision of a wise statesmanship, one capable of applying it to proper objects, it would be a national blessing; but as it is safer to reduce it than to run the hazard of an ill-advised expenditure, I am ready and anxious to aid in a judicious revision of our methods of taxation so as to reduce our revenues to the lowest limit of our national wants. But how reduce the revenues? Our revenues are principally raised, first, from duties levied upon manufactures, the product of foreign workshops and foreign labor imported into our markets from abroad; and second, from internal-revenue taxes imposed on the production by our own people of tobacco and liquors. To be exact I will give the several sources from which the Government obtains its revenues. For the fiscal year ending June 30, 1887, we collected:

From customs	$217,286,893.13
From internal revenue	118,823,391.22
From sales of public lands	9,254,286.42
From profits on coinage, bullion deposits, and assays	8,929,252.83
From tax on national banks	2,385,851.18
From fees—consular, letters patent, and land	3,301,647.16
From customs fees, fines, penalties, etc	1,053,037.86
From sales of Indian lands	1,479,028.81
From Soldiers' Home permanent fund	1,226,259.47
From sinking fund for Pacific railways	1,364,435.87
From repayment of interest by Pacific railways	914,793.13
From sales of old public buildings	624,882.20
From sales of Government property	262,832.32
From immigrant fund	258,402.50
From tax on seal-skins	317,452.75
From deposits by individuals for surveying public lands	94,289.76
From revenues of the District of Columbia	2,267,869.01
From miscellaneous sources	1,458,672.04
Total ordinary receipts	371,403,277.66

There is, in the President's opinion, no just cause of complaint of internal-revenue taxation. The reduction, in whatever sum it may be made, he insists shall be had by a revision of the tariff laws. These laws are denounced as "the vicious, inequitable, and illogical source of unnecessary taxation." There seems to be some confusion as to the amount of tax reduction necessary to be made. The Secretary of the Treasury suggests $100,000,000, and the message informs the country that the revenues over the needs of the Government for the fiscal year ending June 30 next are expected to be $113,000,000. To bring the income down to the necessities of the Government, "economically administered," the sum, or one of the sums stated, must be taken from the duties on imports.

So far as results are concerned it is of little difference in which sum the reduction is made. As the President is the progenitor of this method of reduction, I will briefly discuss its results should his suggestion be adopted. Last year we collected from tariff duties $217,286,893. Deduct the sum of the surplus given by the President and we reduce tariff taxation by more than one-half. This would bring the sum derived from this source down to a fraction over $104,000,000. Such a policy would stop many a mill wheel and factory spindle, put out many a forge and furnace fire, and drive thousands of wage-workers from the fields of remunerative toil to idleness and want. It is said, however, that "the tariff must be extensively used as the source of the Government's income." It is to be used as a source of income, not to "promote the healthy growth of domestic industries—not to give American labor the ability to successfully compete with foreign labor." How quickly the pledges of a Democratic platform seem to be forgotten! In the discussion of this question in this dignified State paper the relation of the tariff to our home industries and to American labor is dismissed from consideration with an indefinite suggestion that the interest of the one should be "considered" and that of the other "should not be imperiled."

While it does not in the persuasive oratory of the revenue reformer denounce protection the device of the monopolist and a scheme of plunder, its whole logic is in support of free trade—of the cold theory that "in this economic problem there is no question of broader and deeper import than that of buying cheap and selling dear." We are gravely told that "the question of free trade is wholly irrelevant," when, if the argument be accepted, free trade is the inevitable result.

His is the language and the logic of the free-trader. It is the sum and substance of that doctrine as taught by Adam Smith, and by every apostle of free trade from his day to the present. It is approved and the message glorified by every advocate of that policy in Europe and America. I quote a brief extract or two from British free-trade journals to show how the message is interpreted by them. They do not seem to think the "question of free trade wholly irrelevant:"

[The Glasgow Herald.]

"It is a condition which confronts us; not a theory." Precisely so. Words almost identical with these have been used, and with enormous effect, in this country by Adam Smith, by Richard Cobden, by Sir Robert Peel. President Cleveland may say to others, therefore, and think what he chooses, but he has precipitated the inevitable struggle between free trade and protection in the United States, and that is tantamount to saying that he is on the side of free trade.

[The London Iron and Steel Trades Journal.]

The facts set forth in the President's message, though by no means new, are now brought so prominently under the notice of the American Congress and of American citizens that a violent stimulus must be given to the party which advocates entire freedom of trade.

[The London Ironmonger.]

Dealing with the message as it stands, it would certainly seem to indicate a greater leaning towards free-trade principles on the part of the United States Cabinet than has been observable hitherto.

"Mr. Cleveland's policy," said the Times, "may not establish free trade in the strict sense of the term, but it will to a great extent make trade free."

"The President," said the Daily News, "does not seem to perceive the effect of his own arguments, or even the meaning of his own words. His statement that the question of free trade is irrelevant is astounding and preposterous. Mr. Cleveland has persuaded himself to think, or finds it convenient to say, that the principle of fostering native industries by duties on foreign imports can be made compatible with the principle of regulating the burdens upon the people by the needs of the public service. It is pure delusion. Protection, albeit indefensible, is the height of wisdom compared with proposals which combine all the evils of interference with all the risks of liberty.

"His real meaning is that the scheme by which the artificial fabric of domestic enterprise has been built up in America is fundamentally vicious. He demands in effect that there should be a tariff for revenue purposes only."

[From "A member of Parliament" by cable to the free-trade New York Herald.]

To convert the United States is indeed a triumph. The Cobden Club will henceforth set up a special shrine for the worship of President Cleveland, and send him all its publications gratis. Cobden founded free trade; Cleveland saved it. Such is the burden of the song all through England to-day.

The Saturday Review, recognized as one of the leading organs of English thought, in discussing President Cleveland's message, says:

"At home the President's message must, whether his policy is adopted or not, have a profound influence on American politics, if only by bringing forward a great question of administration to be fought over between the two parties which divide the bulk of the nation. With the election of Grover Cleveland the question of civil-service reform came to the front, and now free trade, under certain limitations, mainly of a nominal kind, has followed. It may be taken for granted that the President has not acted without previously consulting the leaders of the Democratic party and securing their approval. He and they have taken up again the old free-trade policy of the South Carolina politicians, unconnected with what, in the jargon of American politics, was called the sectional question. There must now be a struggle of parties on a great question. * * * In America the choice must sooner or later—unless the Federal Government finds some way of spending a great deal more money—be between the remission of custom dues or their maintenance, not for purposes of revenue, but wholly and solely in order to protect native industry. The latter course would be worthy of the imaginary economists who drew up the petition of the lampmakers of Paris. President Cleveland has decided to force on the decision. He declines cautiously to dub himself a free-trader, but he takes up the free-trade position without disguise. * * * It must be taken to prove that the President and the Democratic leaders have finally decided that they have nothing to gain by keeping measure any longer with the protectionists. They have, from whatever motive, resolved to adopt a free-trade policy. Nothing can be more explicit than the President's language: 'The simple and plain duty which we owe the people is to reduce taxation to the amount requisite to meet the necessary expenses of the Government, and to restore to business and to the country the money accumulated in the Treasury.' In America this means free trade."

The Spectator, another leading paper, says of the message:

"His terse and telling message has struck a blow at American protection such as could never have been struck by any fair-trade league—such, indeed, as would have been greatly weakened by the operations of any fair-trade league. * * * He has fired a shot at the protectionists which will be all the more effective for his refusal to discuss the theoretic issue."

It may be said by the President's apologists that his policy is not a free-trade one because he does not propose unrestricted and untaxed importations. If nothing less than this is free trade, Switzerland is perhaps the only free-trade nation in the world. England, free-trade England, with her Cobden Club statesmanship, raises nearly $100,000,000 yearly by a tariff so adjusted as to afford no protection whatever to the industries of her people.

Duties levied by a government on such commodities as its people do not produce affords no protection, and such a revenue system is consistent with the tone and spirit of the message. Such a system, one for revenue only, abandons home manufactures to an unequal contest with the products of the cheap labor of all of the peoples of the world.

In discussing a question so far reaching in its consequences it is our duty to look beyond the mere matters of legislation before us and inquire into the effects of the policy it suggests on the future prosperity and independence of the Republic. To raise all necessary revenue from duties imposed on foreign articles which do not compete with American manufactures at all would not be difficult.

Let us see if this is true. Last year our ordinary expenditures were $315,500,000, and I assume this to be the sum, or about the sum, of our yearly needs. How could we raise this sum on the free-trade or tariff-for-revenue plan? We must, as the President recommends, retain internal-revenue taxes, which will yield hereafter $120,000,000. Our revenues are and will continue to be $36,000,000 at least from the sale of lands and from miscellaneous sources. Put a tariff on tea and raise $30,000,000; on coffee and raise $40,000,000 more. We have but to keep a duty on sugar, a duty for revenue only, to raise $60,000,000. From these sources alone we can secure with ease $286,000,000, or but $30,000,000 less than our last year's expenditures. This sum—indeed, twice this sum—can be raised from duties put on other non-competing articles. This system withdraws all protection, and to this end we may come at last. To this result the President's policy inevitably leads us.

This is the doctrine and the ultimate purpose of the free-trade Democracy. I am not now combatting it, but trying to point out the end to which the policy leads. The message does not directly advise a reduction of duties in a sum equal to that named as a surplus, but that is the suggestion.

I repeat, therefore, that to make a reduction in a sum equal to the surplus named, and to take it equally from each dutiable article, would decrease each duty one-half. It would, in fact, be necessary to take a greater per cent. than that from each duty, for lower duties often increase revenues by inviting increased importations.

But another method of tariff reduction is suggested. It is said the tariff should first be taken off those dutiable articles which are generally used by the people. I think it is conceded that the goods which are most generally consumed are manufactures of woolens, cottons, iron, steel, hemp, leather, silks, earthenware, china, glass and glassware, and paper, and the revenue of all these last year amounted to but $90,000,000. Add to this the sum derived from the duty on all raw material, and the amount is $102,856,913. Put all these manufactures and this raw material on the free-list and the annual tax reduction will not equal the sum of this year's surplus by $10,000,000.

It would but slightly exceed the reduction advised by the Secretary of the Treasury. Are we prepared to adopt either of these methods of reduction? Take off the duties horizontally and the revenues will most likely be increased, and we put in peril, if we do not wholly bankrupt, every industry now under the fostering care of the Government. On the other hand, what will happen if the dozen manufactures I have named are taken from the dutiable and put on the free list? There were employed in these industries eight years ago over 800,000 persons, and it is safe to assume that there are 1,000,000 so employed to-day.

If each employé supports two others—and that is a low estimate—there are 3,000,000 persons now dependent on these industries for support. In 1880 there were, as was recently stated by the Senator from Georgia [Mr. BROWN], 35,529 establishments in the United States of the character mentioned, paying out $268,000,000 annually in wages, and turning out annually over $1,400,000,000 worth of manufactured articles.

There is to-day more than $1,000,000,000 American capital invested in these industries, and the wage-workers receive more than $300,000,000 from them in wages each year. Suppose the removal of the protection the present tariff affords these industries will not wholly destroy them, will it not embarrass them, discourage further investments in them, compel a readjustment of industrial capital, and narrow the field and lessen the demand for labor? Is there any reason why this wound should be given the capital employed in these important enterprises?

There is no such peril as will excuse an injury to either capital or labor. The one can not exist without the other, and the prosperity of the one enhances that of the other. Capital is labor saved, and the greater the amount of labor the larger the sum of wealth and the means of enjoyment.

If you increase capital you instantly increase the means of supporting and employing additional laborers, and if you decrease capital you instantly take away a portion of the comforts and enjoyments, and perhaps, also, the necessaries of the productive classes.

To reduce existing tariff duties one-half, or one-third, on the revenue-reform plan, would, to say the least, unnecessarily put in peril our whole industrial fabric. It would result in increased importations, in the increase of foreign indebtedness, and an increased outflow of our coin to meet our obligations abroad.

It has been my purpose in what I have said to point out what I conceive to be the dangers of this tariff-reform policy as the President would have it, and of which policy the pending bill is a part. That the Democratic majority have not gone the whole length of the President's suggestion is because probably they fear party rather than financial disaster. Why has internal-revenue taxation been reduced $24,000,000 in the presence of the assurance that no just complaint could be made of these taxes? Why was tobacco relieved of taxation in the sum of $18,000,000 after the President had admonished his party that there was nothing so well able as it to bear the burden of taxation without

hardship? Why is it that one entire third of the proposed tax reduction is to be made from internal taxes in defiance of the President's recommendation to the contrary? Evil-minded persons have suggested that this sudden change of policy was made to avert a Democratic strike in Virginia and other Democratic sections of the South.

But what of the bill now in committee? In reporting it the majority have said that the President's plan of reduction by taking its whole sum from duties on imports is, at least in the present political situation, unwise and illogical. In just so far as the bill differs from the President's recommendations it may find favor in this House. I assert the truth to be that if the body of the tobacco industry had been in the Republican Northwest it would not have been taken off the tax-lists. But for the whisky ring and the Democratic anxiety to strike protection a blow, whisky might have taken a place in this bill beside tobacco. To-day there is a large body of Democrats in the country, notwithstanding the President's position, who believe the whole internal-revenue system should be abolished.

If gentlemen believe the Democratic party is united in favor of the retention of the whisky tax, they are mistaken. Distinguished statesmen and journalists of the party are to-day making battle for the removal of this tax and all other direct war taxes.

I would not be misunderstood. The law that continues the tax on tobacco and intoxicating liquors has been acceptable to the people I have the honor to represent. They accept it because they have little respect for these manufactures—because they regard them as luxuries or worse. They believe moreover that the consumption of liquors imposes grievous burdens on the people and the State which the business should be compelled to bear. On these points I am in accord with my constituency.

However, there are distilled spirits used in the arts, and these are made to contribute about $6,000,000 annually to the Treasury. As this use is in no sense criminal, but is an aid of manufactures, there is no reason why the tax on spirits so employed should be continued. There can certainly be no objection to the removal of the whisky tax to this extent. It may happen that I will vote for the repeal of so much of internal taxation as is provided for in this bill.

While, after the amendments suggested, I would continue these taxes, I am not unmindful that, for strong reasons, there is a feeling rapidly developing in all sections of the country favorable to the total extirpation of internal-revenue taxation. There is to-day an active, aggressive, and enlightened moral sentiment demanding it. Looking at the system from a purely revenue standpoint it has much to condemn it and make it obnoxious to a free people. Its methods are tyrannical and inquisitorial. It maintains a swarm of tax-gatherers, spies, and informers, and no domicile is safe from invasion. It is a tax on production, and so maintained that the whisky interest has built up the monster monopoly of the world. But, worse than this, it tempts the commission of frauds and perjuries, and its enforcement incites violence and murder. Within the past eight years ten revenue officers have been killed outright and twenty others seriously wounded, and to-day in more than one State the ministers of the law go forward in its execution armed with revolvers and Springfield rifles. In view of these facts and the additional fact that these manufactures may be handed over to the States where the business is carried on for taxation, it is not surprising that there is a growing sentiment that the Government free itself from the whole business. Let it be understood that the whisky tax is to be maintained that the duties on imports may be abolished, or so reduced as to endanger our system of protection, and the whisky tax will have to go. I do not believe it is necessary to do either, but if I must choose I will not hesitate to save our industries, if needs be by the abolition of every internal tax.

Now, Mr. Chairman, I come to consider more directly the measure before us.

The bill assumes a tax reduction of $78,176,054. Of this sum $31,530,941 is obtained, as the figures show, by a scaling down of the dutiable schedules. This process reduces the rates, but often fails to reduce the revenues; and if our experience in tariff legislation is worth anything, it has taught us that scaling the duties, as proposed here, promotes importations and ultimately increases the collections. It was estimated that the act of March 3, 1883, would make a reduction from the dutiable list of over $19,000,000, but within three years increased importations not only brought our revenues up to the point they were at when the act passed, but some millions above it. If a tax reduction is to be made it should be a certain one, and ought not to be less than $80,000,000. If this bill should become a law it will not, in my opinion, reduce the surplus by more than $46,500,000, or a sum equal to the free-list added to the repealed tobacco and special license taxes.

But, Mr. Chairman, this bill proposes to reduce taxation by most objectionable methods. By a stroke of the pen, wool, one of the most valuable of farm products, is transferred from the dutiable to the free list and the duties on woolen manufactures reduced on the average one-half, or from 68 to 39 per cent. Why make wool free and maintain a protective duty on sugar and rice? Are these not food products, necessary alike for the rich and the poor? Should not the people have cheap food as well as cheap clothing? These are treated by this bill with a tenderness at once commendable and suspicious. Are not coal and iron ores as nearly raw material as wool? What reason can be given for putting wool on the free-list that does not apply with equal force to coal and iron ore?

Why this discrimination against wool? Do sugar, rice, iron ores, or coal have greater claims to the fostering care of protective duties than it? If these articles were wholly relieved from duty would it not, in the language of the President—

directly lessen the cost of living in every family in the land, and release to the people in every humble home a larger measure of the rewards of frugal industry?

I put these questions that the promoters and advocates of this measure may answer.

What does this attack on wool mean? Are our markets to be thrown open to the wools of the world, and must the American farmer hereafter compete with the wool-raisers of India, South Africa, the Argentine Republic, Russia, and Australia? Sir, the annual wool-clip of these countries is over 1,000,000,000 pounds, and of these about 700,000,000 pounds are the product of the River Plate country in South America, the South African colonies, and Australia, where sheep are raised almost without cost of pasturage or labor. No one can doubt the disastrous consequences of such a competition. This industry is of too much importance to our people to be either sacrificed or put in jeopardy. Let us see the extent of the capital and the labor employed in it.

For the year 1884 official statistics show:

Number of sheep in the United States	50,626,620
Pounds of wool-clip	308,000,000
Value	$91,168,000
Pounds of raw wool imported	87,760,132
Value	$13,363,220
Value of manufactures of wool imported	51,484,872

The statistics of 1880, as to domestic woolen manufactures, show:

Number of establishments	2,689
Capital invested	$150,091,859
Hands employed	161,557
Wages paid	$47,389,067
Value of product	267,292,913
Cost of material used	164,371,551
Value of sheep	119,902,709

These statistics do not include the value of lands, barns, sheds, and implements employed in sheep-raising, which is estimated at $408,000,000.

Sir, more than 1,000,000, or nearly one-twelfth of the voters of the United States are flock-owners, and the wool product is more valuable than pig-iron and than the combined output of our gold and silver mines. It exceeds in value our unmanufactured tobacco by $34,000,000, is of one-half the value of our coal mines, while woolen manufactures exceed in value those of cottons by more than $50,000,000.

And wool raising, sir, is an agricultural industry—not a sectional but a national interest—for the sheep flock is found on almost every farm in the great States of Texas, California, Ohio, Michigan, Oregon, Kansas, Colorado, Nebraska, Indiana, and Illinois, and the Territories of New Mexico and Arizona, and sheep culture may be made profitable in all the States of the South. And the manufacture of wool is among the largest of our industries, and particularly in Vermont, New Jersey, Maine, New Hampshire, New York, Rhode Island, Massachusetts, Connecticut, Pennsylvania, and Ohio.

That this industry is not local is shown by apportioning the wool-clip among the several sections of the Union. In 1886 it was distributed as follows:

	Pounds.
Iowa, Missouri, Minnesota, and States east of the Mississippi, except the lower Southern, give a clip of	160,000,000
California	40,000,000
Oregon and other Western States	56,000,000
Colorado and New Mexico	24,000,000
Texas	26,000,000
Georgia and lower Southern	16,000,000

Again, this industry is capable of an almost indefinite growth, and there is no reason why wool and woolens should not be produced here in quantities equal to our home demand. In 1810 there were 10,000,000 sheep in the United States, and these numbers were increased only 100 per cent., or to 22,400,000, in fifty years. But a marvelous development began in 1869 and continued until it was arrested by the depressing effect of the lower tariff duties of the act of 1883. It is interesting to note the growth of this industry under our protective policy. In 1870 we had 28,477,951 sheep, and a wool-clip of 100,102,387 pounds; in 1880, 40,765,900 sheep, and a wool-clip of 240,000,000 pounds, and in 1884, when the lower duties took effect, 50,626,620 sheep, and a clip of 308,000,000 pounds. There was a corresponding increase in the number of establishments for the manufacture of woolens, in the capital invested, wages paid, and the number of persons employed. In 1870 there were 1,263 factories, with a capital of $30,932,000, giving employment to 43,738 people, and paying $10,153,000 in wages, but in 1880 factories had increased to 2,689, capital to $267,653,000, the number of employés to 161,000, and the sum paid out as wages to $47,389,000.

A prosperity like this would have given the country wool in abundance for every manufacture and every home demand. Last year we paid out for raw wools and woolen manufactures to the foreign wool-growers and foreign factory-owners $60,586,614, and this sum and more that ought to go to our own farmers, factory operatives, and capitalists

will continue to leave us annually unless we arrest the outflow by fostering this industry until it is able to supply our markets. We can do this and keep these millions at home. Will we do it?

Hon. George L. Converse, a Democrat, formerly a Representative of Ohio, in a recent address in this city, speaking of this industry, said:

The production at home of wool and woolens, in quantities sufficient to supply the wants of the American people, is necessary for our defense in war, and our independence and comfort in time of peace. Successful military campaigns can not be carried on without woolen clothes for the soldiers. More soldiers die from exposure than are killed in battle. Neither of these great industries, once destroyed, can be again restored within a short time. Their restoration would require many years, and the men who by legislation would knowingly destroy them here and remit them to the keeping of foreign nations can not be classed among the friends of the Union.

This distinguished Democrat proceeds to give a very emphatic opinion of the "noisy sentiment of free trade." It affords me pleasure to quote it, as it will doubtless give the free-trade Democrat pleasure to hear it.

The noisy sentiment of "free trade," which is contrary to the settled policy of the Republic from its formation, or a "tariff for revenue only," excluding therefrom the principle of protection, which means, in effect, free trade, is nothing more nor less than a tradition of a cheap-labor system, which has been extinct for a quarter of a century. The intelligent, free-citizen laborers of America will never consent to be brought into such competition with the cheap, ill-fed, pauper labor of Europe, which is kept in subjection by the bayonet. That free trade, cheap-labor sentiment, like the distant mutterings of a retreating storm, will soon be hushed forever.

This is the pure Jeffersonian and Jacksonian Democracy, somewhat off-color now, but I indorse it.

What will be the effect of withdrawing all protection from wool? To me this is not a difficult problem. The wool interest has grown out of weakness into strength under protection. For fifty years it struggled for a foothold, and in all these years it but doubled its product. In twenty years, under the stimulus of a protective tariff, our national sheep flock increased from 22,000,000 to over 50,000,000, and the raw wools from 100,000,000 to over 300,000,000 pounds. An increase at this ratio for twenty years more and our own clip would have equaled our demand. But, sir, in 1883 we reduced the tariff on imported wools, and the world knows what happened. In three years 5,867,312 sheep disappeared from our flocks and 43,000,000 pounds of wools from our markets. If this marked decrease is not the result of our discouraging tariff legislation, to what is it attributable? It is certain that under free trade this industry languished—that under protection it has had a large and steady increase. It is true, also, indisputably true, that when our tariff duties were reduced there was a notable shrinkage in sheep and in wool and an increase in wool and woolen importations. In this we have but repeated the sad experience of Ireland. I will let the Irish World tell the story:

A brief recital of historical facts is here in order. Previous to the so-called "Union" Ireland possessed among other protected industries manufactures of wool, carpets, blankets, silk, linen, calico, flannels, stockings, etc. Of all those only one, linen, remains vigorous. Started nearly two centuries ago and nurtured by liberal protection, when in 1825 such protection was withdrawn it was sufficiently matured to stand strong and vigorous, and is now not only recognized as one of the leading industries of Europe, but so cosmopolitan in reputation that the prefix of Irish is a sure guaranty of excellence of fabric throughout the world. Not so with wool and its manufactures, an industry which from the birth of the lamb to the finished fabric of the loom gave pleasant and profitable employment to farmers, manufacturers, and operatives, besides, from a mysterious virtue in the excrements of the sheep, restoring worn-out lands and fertilizing hillsides where other agencies could not be applied.

The Union continued the protection on woolens twenty years, when by a sliding scale the import duties were gradually diminished to nothing, and in 1840 the woolen manufacturers of Dublin, who numbered 91 in the year 1800, were dwindled down to 12 in 1840, and the employés in the same time were numerically reduced from 4,918 to 602 persons. The same statistics show the decadence in Dublin thus: Master wool-combers in 1800, 39; in 1834, 5; operative wool-combers in 1800, 230; in 1834, 66; carpet manufacturers in 1800, 13; in 1841, 1; carpet operatives in 1800, 720; in 1841, 10. There were 1,000 flannel looms in the county of Wicklow in 1800. In 1841 not one remained. Similar results in many other industries could be presented did space permit.

But, Mr. Chairman, we are told that we need above all things to capture the foreign markets for our manufactures of wools; that to get these markets we must produce these goods more cheaply than they can be furnished by any other manufacturing nation. This means that the cheapest possible labor and material must be employed in these manufactures, for these are the chief elements of their cost. Can we afford to obtain these markets at such a cost? In the struggle this policy invites with the cheap wools of South Africa, South America, and Australia, and the cheap wages of Austria, Belgium, France, Germany, and Great Britain, we may not only fail to secure this wider market, but lose our own. And what are the markets of the world, and how do they compare in value and extent with our own? The five countries exporting woolen goods with the value of their exports last year are as follows:

Austria-Hungary	$10,935,541
Belgium	15,781,328
France	71,702,919
Germany	51,701,216
England	113,048,557
Total	262,769,561

Of the above the United States bought $45,000,000. Deduct this, and there is left of the world's market $217,000,000, while our own market is worth annually quite $300,000,000. Our home market is worth more, by nearly one-third, than the entire "world's markets, if we could capture them all."

Protection has made our market for wool and woolens one-third larger than that of the markets of all the other countries combined. Wisdom suggests that we strengthen and widen this American market until it becomes in fact the best market of the world.

After wool—an industry that concerns almost every State, and worth $90,000,000 annually—has been put on the free-list, is it not somewhat singular that sugar, the product of a single and limited section and worth less than $18,000,000, is to be protected by a yearly tax of $45,000,000, taken from the resources of all our people? Sugar is principally a production of Louisiana, although Florida and Texas make it in limited quantities. I am speaking now of sugars manufactured for our market. Even in Louisiana sugar raising is not the leading agricultural industry, for last year in an aggregate of $61,102,584, it was put at $14,831,936 only. These figures are furnished by the American, a publication of that State, and from which I quote:

During the past agricultural year, ending with December, 1887, Louisiana produced the following crops, which bear evidence to the inexhaustible fertility of its soil:

Products.	Acreage.	Yield.	Value.
Cotton.....bales...	1,025,300	468,802	$21,115,150
Sugar.....barrels...	177,044	$1,060,424	14,831,936
Molasses.....gallons...		(16,243,490	4,548,977
Rice.....pounds..	72,686	61,930,831	3,046,888
Corn.....bushels...	973,142	19,927,323	10,963,364
Oats.....do.....	36,861	498,000	263,940
Potatoes, sweet.....do.....	19,462	1,895,622	812,297
Potatoes, Irish.....do.....	6,719	257,168	307,402
Hay.....tons...	28,200	71,200	1,078,000
Fruits.....	8,000	.....	360,000
Other agricultural products, forage, etc.....	10,000	.....	3,775,000
Total.....	2,357,414	.....	61,102,584

It will seen that Louisiana's cotton last year was worth $6,500,000 more than its sugar, and its corn only $3,500,000 less. This is the size of the sugar industry in a State better adapted by soil and climate than any other for its culture, after an experiment under the most favorable conditions for more than one hundred years. And this industry is not equal to-day to that of 1854—thirty-four years ago—by nearly 200,000,000 pounds, although twenty-two years have past since the close of the war. In 1861-'62 the sugar product was 528,321,000 pounds; last year it was less than 300,000,000. Our home product is not increasing, while our home consumption is at the rate of 10 per cent. each year. In 1878 we consumed 1,552,875,112 and in 1887 2,782,000,000 pounds, and in the mean time the annual sugar duty has increased from $36,387,464 to $56,507,495. In the year just past these duties have increased $6,341,957.

Mr. WILKINSON. Does the gentleman know that the duty on sugar now is 38½ per cent. less than the war duty, and that if this bill is passed the duty will be reduced more than 50 per cent. below the war duty?

Mr. BROWNE, of Indiana. Not 50 per cent.

Mr. WILKINSON. Yes; 50 per cent. The war duty from 1862 to 1870 was 3 cents per pound for the lowest grade up to 5 cents per pound for the highest grade—on an average, 4 cents per pound. Under the schedules of the Mills bill the average will be a little over 1.9 cents per pound.

Mr. BROWNE, of Indiana. I only know that with the revenue derived from the existing duty, in one year and a half I can buy and pay for the whole sugar interest of the United States—every bit of it—and have several millions left. I know that under the Mills bill we shall still pay tribute in the sum of $45,000,000 a year, to protect an insignificant product whose annual sum is less than $20,000,000.

Mr. WILKINSON. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana [Mr. BROWNE] yield?

Mr. BROWNE, of Indiana. I do not yield further now.

The American people consume about one-fourth the sugar crop of the world and only produce about 10 per cent. of that one-fourth.

I submit that our people can not afford to make these enormous yearly contributions because some enthusiasts hope that by so doing we may at some time and in some way stimulate and enlarge our sugar production. We are told that Texas and Louisiana and Florida have lands adapted to sugar culture capable of supplying sugar in amounts equal to our own demand and equal also to the wants of all the world. Why, then, does this industry stand still?

Mr. WILKINSON. It does not stand still.

Mr. BROWNE, of Indiana. It does not exactly stand still. You produce more sugar in Louisiana to-day than you did when all your sugar-producing people left and went into the army. I admit that; but as I said some time ago, after you have had twenty-two years of peace, you have not reached by 200,000,000 pounds the annual product of a year or two before the beginning of the war.

Mr. WILKINSON. The crop last year was more than the crop in 1860. I have the figures to show it.

Mr. BROWNE, of Indiana. Well, I have the figures of Mr. Henry A. Brown, an ex-Treasury expert, who has made these calculations in

the interest of maintaining a protective duty on sugar. I am not responsible for his figures, nor for the figures the gentleman refers to. I find that figures are a very convenient thing. We make them in tariff discussions to supply the home demand. [Laughter.]

Mr. BLAND. Would it interrupt the gentleman——

Mr. BROWNE, of Indiana. Why, the gentleman never interrupts me. He sometimes votes wrongly, and disturbs me in that way.

Mr. BLAND. Do not the figures show that the tax on sugar is a revenue tax, which goes into the Treasury, not into the pockets of the manufacturer? The tax does not go into private coffers, but into the Treasury of the Government.

Mr. BROWNE, of Indiana. I am coming to that in a few minutes. I have heard that suggestion before.

Mr. BLAND. That is what I am in favor of—a tax that goes into the Federal Treasury—not into the pockets of private individuals.

Mr. BROWNE, of Indiana. I will show presently that it is a favorite theory of the Democracy to relieve from taxation these necessaries that go into the consumption of all the families of the people. Yet you gentlemen continue to tax the sugar of the poor and the rich alike; and it never yet occurred to you that you ought to return to the dutiable list tea and coffee, all the revenue upon which would go into the Treasury and none to any tea or coffee raiser in the United States. The trouble is, my friend, that sugar grows in Louisiana and Texas, while coffee and tea do not. Sugar votes the Democratic ticket; coffee and tea can not. [Laughter and applause.]

Mr. WILKINSON. Do the sugar producers of Kansas vote the Democratic ticket?

Mr. BROWNE, of Indiana. No, sir; in the providence of God they are not influenced by any such consideration.

Mr. FUNSTON. They read the newspapers, and of course they do not vote the Democratic ticket.

Mr. BROWNE, of Indiana. I will talk about Kansas presently.

How much protection must we give to start it on the highway of prosperity? We could buy, sir, the whole sugar crop of these States three times over every year with the money we pay out in duties and have some millions to spare. And the fact that these States are engaged in this business to a limited extent only proves that it is either not profitable or some other industry is more so. We have since the tariff act of 1861 paid out in sugar duties well-nigh, if not quite, $1,000,000,000, and still the industry languishes.

Mr. WILKINSON. I hope that the gentleman will not continue to ignore the facts in regard to the sugar industry.

Mr. BROWNE, of Indiana. If gentlemen continue to interrupt me I shall not finish this speech until Christmas; and I know you will quit when I make that threat.

The CHAIRMAN. The gentleman from Indiana declines to yield for interruptions.

Mr. BROWNE, of Indiana. No, sir; I do not want to put it in that way. I simply hope, in tender mercy to my audience, that my time will not be occupied by interruptions, as my speech is, at any rate, very long.

How much longer must we foster this business by these unparalleled expenditures? Our sugar duties in the last ten years equal one-third of our national debt. Here let me give the official figures of these ten years, covering our imports for consumption and the duties paid:

Year.	Consumed, pounds.	Value.	Duty paid.
1878	1,552,875,112	$78,986,070	$36,387,464
1879	1,598,461,986	65,918,931	37,294,197
1880	1,592,261,958	67,015,831	39,107,256
1881	1,869,173,808	82,721,087	45,933,045
1882	1,913,396,455	84,355,545	46,711,795
1883	1,931,610,911	81,327,942	44,517,851
1884	2,437,570,913	88,044,316	47,500,750
1885	2,578,993,335	69,078,857	50,885,916
1886	2,509,287,699	71,311,090	50,265,538
1887	2,781,159,646	68,882,884	56,507,495

In ten years, as here shown, we have paid $455,111,307 in duties, and during this period the whole sugar product has not been worth one-third that sum.

This is not all. Since the Hawaiian treaty we have imported 1,166,350,000 pounds of reciprocity sugars that have not paid a penny into the Treasury, but when sold in our markets the duty has been added to the price and paid by the consumers. Here again the people have been taxed, without any resulting benefit, in eleven years in an additional sum of over $32,000,000. The sum of the duty is added not only to our home sugars but to these reciprocity sugars and the whole sum is paid by the consumer, for these being only 10 per cent. of our consumption, do not furnish such competition as to reduce, in any measure, the price. For one, I am not willing to longer burden the people with this tax—to longer levy, by this method, a tribute on every table in the land to protect this limited and sectional industry.

As a revenue measure this feature of this bill is most objectionable. Sugar is a necessary food product and goes into the consumption of every family. The poor and the rich alike use it. We ought not to resort to the little incomes of the poor for revenue when there are objects able to bear the burdens of taxation without being oppressive to any.

Mr. Chairman, this is a bill to reduce not to increase revenues. This at least is its avowed object—for this purpose it was ordained and for this reason we are asked to pass it. If it makes a reduction here it will be but a temporary one at best. Sugar importations are increasing so rapidly that in a year or two our revenues from this source will be back to what they are now. As a measure of reduction this is a fraud and a sham. It would not reduce at this point. Why not make a genuine reduction here rather than in the tobacco tax. Tobacco, one of the meanest of luxuries, is made practically free, while sugar, a common and universal necessary of the people, gets but little if any exemption from taxation. A proposition more unjust and absurd has seldom, in my opinion, been submitted in a revenue bill.

Sir, the revenues derived from sugar last year were equal to the capital employed in that industry in Louisiana, and with these revenues for two years the Government can buy and pay for the whole sugar business in the United States, capital, product, and all. Louisiana has, according to the highest estimate, but $60,000,000 invested, and the whole country not to exceed $80,000,000; and our sugar duties for two years, on the basis of last year's collections, would be $113,014,990. This is high-priced protection.

But, Mr. Chairman, we are informed that this duty is to be maintained for revenue only, and the Democratic party, in the ascendency in the sugar section, indorse the President's policy and send representatives to this House to vote wool and every other agricultural product, save their own, to the tender mercies of free trade. That these gentlemen vote their convictions I do not doubt, but that they will cheerfully accept the logical result of their votes and teachings I am disposed to question. If sugar must be protected for revenue—for the unvarnished truth is that this duty is to be continued to protect the sugar interest—why not continue a wool duty for revenue? How much less burdensome is it to pay from $45,000,000 to $50,000,000 annually on sugar than pay one-seventh that sum on wool? That Democratic logic that taxes whisky for revenue, because it is not a necessity but a harmful luxury, and then proceeds to tax sugar for revenue, because it is not a luxury but an innocent and universal necessity of the people, is at least unique.

The sugar output of Louisiana and Texas and Florida is to be supplemented, we are told, by the beet sugars of California and the sorghum sugars of Kansas and other Western States, and that with proper encouragement this industry will soon develop a product more than sufficient to supply our home market. This is an unsolved problem. For a quarter of a century our experiments in sorghum and beet-sugar production have been failures. Just now Kansas gives promise of success in the one and California in the other. How much sorghum sugar Kansas has supplied our markets I have no means for knowing, but the Alvarado Company, in California, has, during the nine years of its existence, produced about 1,000,000 pounds of beet sugar per annum. Successful as this experiment seems to be, I am not aware that a single other similar enterprise exists in the country to-day. Why is this the case if the business is profitable?

No one more sincerely hopes success to our sugar industry than myself. I desire that America may supply every American want, and to that end I am ready and anxious to vote encouragement, by every reasonable and just measure, to every home industry. I would encourage and stimulate the sugar industry in all the States by giving certain and suitable protection. Weak as it is in the United States, I would not, if it could be avoided, abandon it to the destructive competition of Cuba, Java, Brazil, Germany, and the other great sugar countries of the world.

This question is now before us and we can not escape it, how long will the people consent to pay this tax—still to be $50,000,000 a year—to save from annihilation, if you please, an annual product worth less than one-half that sum? There are already signs of revolt. If we would save this industry we must reduce this monstrous taxation and adopt a method of protection less costly, while at the same time it is more certain in its results.

Right here a little history will be both appropriate and valuable. Sugar-cane was first planted in Louisiana in 1727, or one hundred and sixty-one years ago. The first sugar-mill was erected in 1751; excellent sugar was marketed in New Orleans in the last century, and sixty years ago the sugar product had reached an annual output of 30,000 hogsheads. To-day, after all these long years of experiment and protection, the aggregate annual sugar product is less than 300,000,000 pounds. Long since sugar-cane was introduced into the United States, France, Germany, Russia, Austria, Belgium, Holland, and other nations of Europe have commenced the manufacture of sugar from the beet. This manufacture has, in every instance, been developed under a system of bounties paid directly to the producer. The results have been magical. To-day the sugar of the beet exceeds that of the cane by 500,000 tons per annum. The success of these bounty laws in promoting this industry is phenomenal. I quote from Henry A. Brown, an ex-special agent of the Treasury, who, I take it, favors the continuance of the present tariff. He says:

Encouraged by bounties, France produced 4,000 tons of beet sugar in 1830, 23,000 tons in 1840, 62,000 tons in 1850, 126,500 tons in 1860, 282,000 tons in 1870,

33,614 tons in 1880, and 488,300 tons in 1886; Germany produced 346,646 tons of beet sugars in 1875, 594,223 tons in 1880, 986,493 tons in 1883, 1,154,817 tons in 1884, 967,962 tons in 1886. Similar progress has been made in other European countries. The total European beet-sugar crop was, in 1867, 633,000 tons; in 1880, 1,774,545 tons; in 1883, 2,360,314 tons; in 1884, 2,545,889 tons, and 2,625,442 tons in 1886.

Regarding continental rebates on exports of sugar English official reports to Parliament say: "The gist of the matter, as regards the action of the foreign governments referred to, is, that the majority of the people and legislatures think that the benefits which, in their opinion, accrue to the agricultural, industrial, and shipping interests of the country by the development of the sugar industry more than counterbalance any injury from the bounties granted." The same statements were repeated, in substance, in 1886–'87.

When M. Thiers was urged by English emissaries, in 1874–'75, to abolish French sugar bounties, he replied, "Never; never will I grant you that, as it is the French industries you wish to destroy and the English industries you ask me to protect."

* * * * * * *

France pays 2 cents per pound bounty on sugar exports (see elsewhere), and virtually prohibits imports of sugar. Germany (see elsewhere) pays bounty on exports of sugar from 32 cents to about 63 cents per 100 pounds, according to grades, and virtually prohibits the importation of sugar. Germany and France alone produce enough beet sugar to supply the annual consumption of imported sugars in the United States.

Why not pay a bounty? This will give a protection more direct and certain than tariff duties. It will be good economy, for a bounty will cost less than one-fifth of the present tax. It will relieve us from the payment of at least $35,000,000 every year, even though the duty be reduced as contemplated by this bill. If it be objected that Congress may repeal the bounty, I answer that protective legislation is equally subject to this danger. The people will not complain of legislation that gives ample encouragement to a home industry and at the same time relieves them from the payment of millions of annual taxes.

By the bounty method this industry has been built up to large proportions in all the leading nations of Europe, and they are so satisfied with its results that after fifty years of trial there is no demand for its repeal.

But, sir, I would raise the revenues necessary for the payment of these bounties from duties imposed on imported sugars. If the people are satisfied with the present duties, would they not be content to pay less? I would tax sugar just so much as may be necessary to pay the bounty, and no more. In this way we can stimulate and enlarge our home production, if increase be possible; and if some such method be not adopted a long-suffering people will demand that sugar be put with tea and coffee unconditionally on the free-list.

Leaving the people subject to a sugar tax of more than 75 cents per capita, this bill proceeds to demolish the salt duty of only 1½ cents, and the lumber duty of less than 2 cents per capita. How inconsistent and illogical! And this is a measure to reduce the burdens of taxation! In a wisely adjusted measure I would not be averse to putting lumber and salt on the free-list. However, while this will insure a reduction of the surplus by $1,750,000, or about that sum, I doubt, seriously doubt, whether it will bring any relief to the consumer. It may happen, indeed it is likely to happen, that the Canadian lumberman will wholly escape the payment of duty, and command for his commodity in our American markets the prices already established. He alone may be benefited. Should this be the result we will lose something over $1,000,000 by the experiment.

And how about salt? Imported salt pays the insignificant duty of 8 and 12 cents on each 100 pounds. The duty on a ton of salt such as our farmers use is only $1.60. In the Saginaw Valley to-day a barrel of good salt—the barrel included—can be bought for 58 cents. Salt was never cheaper than now. I can buy this day, at my Indiana home, salt for less than it cost to carry it from the wholesale dealer to that place on the day it was first made subject to a protective duty.

How unkind this bill is to our Northwestern farmers, and especially to those on the Canadian border. It puts a long line of fruits, vegetables, and other products of the soil on the free-list, and as to these gives the Canadian farmer unrestricted access to the American markets. But like products of the American farmer crossing the border are subject to a duty imposed by the Dominion Government. This bill abolishes direct protection on nineteen farm products and materially impairs protection on three others. The Canadian people should be profoundly grateful.

I notice in the press reports that a few days ago Sir Charles Tupper, minister of finance, in a speech in the Dominion House of Commons, declared his belief that the Democratic party would continue to possess the confidence of the people of the United States, and that the result of the fishery treaty would be the enlargement of our trade relations with Canada; and in support of this he cited the fact that "the ink had hardly dried on that treaty before a bill was introduced by the chairman of the Ways and Means Committee placing on the free-list five articles of Canadian production upon which last year no less than $1,800,000 had been paid in duties." Our farming people will earnestly protest against the enlargement of our trade relations upon terms so destructive to their industry.

I do not care to discuss further the details of this incongruous and illogical measure. A tariff revision so destructive, so inequitable, so inconsistent and sectional as this will not be acceptable to the people, and it will not, I am sure, become a law.

At no time have I opposed a revision of our revenue system. Human wisdom has never devised statutes of taxation nor methods for industrial encouragement so perfect as not to be subject to just criticism. I believe the tariff ought to be revised, and if it were possible I would now take up this legislation, line by line, and amend it wherever amendment is necessary for the general welfare. Wherever a duty is too high I would reduce it; wherever too low, increase it. In making changes I would keep constantly in view the interest of the whole people, not that of a mere section. In adjusting taxation I would tax the lightest the necessaries of life and put the heaviest burdens upon luxuries. No legitimate industry should be harmed and none put in peril.

Our revenue laws are the creatures of the Republican party, fashioned by that party, when to avert the greatest of national calamities, the destruction of the Union, immense revenues were required. It made them, it has repeatedly amended them, and is ready to do so again. In 1883 it amended the whole revenue system, and within a period of less than twenty years reduced internal-revenue taxation from $309,266,000 to $116,000,000. Changes in trade, in commercial and economic conditions, render frequent modification and amendment necessary. In no important particular has these laws been modified save by the Republican party, and that party stands pledged to-day, when the question is committed to it, to correct their inequalities and to revise them, always having regard to the interest of the tax-payer, the laborer, and the productive interests of the country. It believes in protection, but believes also in fair and equitable taxation, and in tax reduction whenever and wherever it can be made without injury. I quote:

No great system of revenue like our tariff can operate with efficiency and equity unless the changes of trade be closely watched and the law promptly adapted to those changes. But I would make no changes that should impair the protective character of the whole body of the tariff laws.—*James G. Blaine.*

The Republican party pledges itself to correct the inequalities of the tariff, and to reduce the surplus, not by the vicious and indiscriminate process of horizontal reduction, but by such methods as will relieve the taxpayer without injuring the laborer or the great productive interests of the country.—*Republican National platform*, 1884.

The Government should be administered with the strictest economy consistent with the public safety and interest. Revenue should be so laid as to give the greatest possible exemption to articles of primary necessity and fall most heavily upon luxuries.—*Indiana Republican platform*, 1868.

In 1870 the Indiana Republicans said:

A reduction of taxation is demanded, both of tariff and internal taxes, until it reaches the lowest amount consistent with the credit and necessities of the Government; and we are in favor of a tariff for revenue, believing that a proper adjustment of duties must necessarily afford all the incidental protection to which any interest is entitled,

In 1876 they said:

It is the duty of the Government in passing laws for raising revenue so to levy taxes as to give the greatest possible exemption to articles of primary necessity, and to place them most heavily upon luxuries and the wealth of the country.

In 1882 they said:

A revenue greatly reduced in amount being all that is needed to pay the interest on our public debt and the expenses of the Government economically administered, the time has arrived for such a reduction of taxes and regulation of tariff duties as shall raise no more money than shall be necessary to pay such interest and expenses. We therefore approve the efforts now making to adjust this reduction so that no unnecessary burdens upon the consumers of imported articles exist, and no injuries be inflicted upon our domestic industries or upon the industrial classes employed therein.

We favor an early and judicious revision of the tariff, with a simplification and reduction of customs duties.—*Platform of last State Republican convention in Minnesota.*

We believe the tariff should be revised and reduced.—*Platform of last Republican State convention in Iowa.*

As the business of the country now demands a revision of the tariff, the Republican party, alive to the demands of every material interest, will see to it that such revision shall be made at the earliest practicable day.—*Platform of the last Republican State convention in Nebraska.*

And this is the last utterance of the Indiana Republicans on this question:

We favor the reduction and readjustment of the tariff from time to time, as circumstances may require. * * * In our opinion the duties should be reduced as low as will be allowed by a wise observance of the necessity to protect that portion of our manufactures and labor whose prosperity is essential to our national safety and independence.

These platforms voice the Republican policy. They favor readjustment and amendment by reducing duties as low as the necessity for adequate protection will allow. To this doctrine I subscribe without reservation. But, sir, this policy is powerless in a tribunal where it finds no sympathy with the majority. Here a genuine tariff reform is not possible, and here, I regret to say, protection can perhaps do no better than defend itself from the assaults of its foes.

The President is to be congratulated that he has at last compelled his party to tender an issue on the tariff question. His adherents can no longer beguile the industrial classes by such seductive phrases as—

Tax reduction must be so made as not to injure any domestic industry, and the tariff must be revised without depriving American labor of the ability to compete with foreign labor.

The masquerade is over. The party now fights under its true colors.

The question of to-day and the question of the future is, Shall our revenue system be that of free trade or protection? This bill is the vanguard of a free-trade policy. I am more concerned about the fate of this issue than of this bill.

The President and his free-trade supporters attack protection as vicious and illogical, and assume, first, that the sum of the duty on the imported

article is added to its price, that it raises the price by precisely the sum of the duty and is paid by the consumer; second, that the duty on imported articles not only raises their price to the extent of the duty paid, but has the same effect and raises the price to the same extent on all domestic manufactures of the same kind; third, that protective legislation does not increase the wages of labor except as to those who are employed in the factory and the mine, and that whatever of increased pay it secures them is at the expense of the wage-workers in other employments; that in fact the employé of the mine or the factory is not benefited, for while it increases his wages it at the same time robs him of a larger sum by compelling him to pay an increased price for everything he consumes.

The central thought here is that a tariff is a tax, that it is added to the article and paid by the consumer without any returning benefit, that the consumer pays this tax for the benefit of the producer, and that this is inequitable.

Sir, this is too narrow a statement of the proposition. It avoids the main issue in this contention. The question is not whether the duty is added to the price, but whether the article in our market actually costs the consumer more than he would have paid had no protection been given to the American competing industry. In other words, has protection, tested by its results, increased the price of the protected article? This problem is not to be solved by the "dry husks of theory," but by living facts furnished by our experience. It is within our knowledge, it is undisputed history, that every protected article made by our people in quantities approximating our home demand has gone steadily down under the fostering care of our protective policy.

I could demonstrate this by the statistics of a hundred industries, but a few notable examples must answer. Saginaw salt sold in 1866 for $1.80, and sells to-day for 58 cents per barrel. The currency price for a ton of steel rails in 1867 was $166; to-day it commands but $31.50, and has sold as low as $28. In 1875, when our plate-glass industry became a competitive one, plate-glass was worth 98 cents a foot, and now it sells at 33 cents. A large plate, then costing $105, can be bought to-day for $31.50. Pig-iron found its lowest level under a free-trade tariff at $31.18 per ton, while under protection it can be had at $18. Pottery has gone down one-half under protection. I need not particularize further. There has been during the past twenty years a steady cheapening of the factory product of cotton and woolen goods of all kinds of textiles, of shoes, of furniture, household goods, manufactures of steel and iron, of glass ware, of tools, and of machinery.

In the presence of these facts can the consumer say he has lost the sum of whatever duties he may have paid? Are not the articles he consumes, with the duty added, cheaper now than before they were taxed? Why is this so? Has not protection, by giving security to capital, stimulated American enterprise and developed an industrial competition until the American consumer has been given the best and cheapest market he ever had? Has not the building up of our home manufactures not only cheapened their product here, but reduced the prices of similar products abroad? Would free trade have given a cheaper market? Let him who thinks himself robbed by the tariff charge it with the sum of the duty paid and then credit it with his savings in diminished prices under its operation, and see how the account stands. He will find that the balance-sheet will show him largely and directly indebted to protection for its savings without counting the other benefits and compensations of the system.

Mr. O'NEALL, of Indiana. How does the gentleman justify the duty on copper.

Mr. BROWNE, of Indiana. I want the privilege of saying to my friend that if I had the opportunity I would put copper ore on the free-list so quickly that it would make his head swim.

We produce some manufactures here more cheaply than they are made abroad. Do these need protection? Perhaps not, but as the duty can do no possible harm, is there any occasion for repealing it? But Europe could, we are told, but for the duty, supply our markets with many articles more cheaply than we can produce them, and why should not the duty be taken off that the consumer may have the cheaper goods? But is it not true that our home products have been constantly cheapening; and if we continue our favorable conditions for labor and capital, may we not, with our unlimited resources, ultimately undersell the world? Would it be wise to change conditions that have wrought so great a prosperity?

But suppose we abolish tariff duties, and give Europe the unrestricted use of our markets, will we get cheaper goods? The very contrary will happen. Free trade is only safe between nations having equal industrial conditions. The nation possessing industrial advantages always destroys or seriously cripples the trade of its weaker and less fortunate rival. The purpose of a tariff is to equalize these conditions. Labor is the chief factor in the cost of production. A very large per cent. of the cost of every manufacture is the sum paid for labor. In the United States wages are higher—on an average quite 80 per cent. higher—than in Italy, Germany, Belgium, France, and England.

Labor is better rewarded here than in any country of the world. Low wages produce cheap goods. Between countries paying low and those paying high wages there can be no equal competition. If we withdraw our protective duties we surrender our markets to the products of the cheaper labor of Europe, for unless there is a reduction in the wages of labor the American manufacturer will be for the time undersold. When our home industries are paralyzed and domestic competition destroyed prices will go up. All experience teaches this lesson. What supreme folly it would be to try this experiment. That our laborers and our domestic industries needed tariff protection was plainly conceded by the Democratic national platform of 1884, for the reason that our higher wage-rate made the cost of production here greater than in those countries where labor is cheaper. I read from that platform:

> The necessary reduction can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

Let the Government maintain a rate of duties that will be ample to cover the increased cost of production and the wage-worker and the manufacturer will be safe. As a protectionist I have never demanded more than this.

I submit now the truth to be that protection has given the people cheaper goods than they would have had but for the industrial activities that it brought into being, and that the tariff does not, in fact, tax or oppress the consumer, but on the contrary is manifestly to his advantage.

If the propositions I have submitted are correct, the laborer in the mine and the factory is not robbed of his higher wages by the increased cost of consumption. To refute this charge we have but to contrast the condition of the laborer here with that of his fellow in Italy, Germany, Ireland, France, or Great Britain. I do not speak of the difference in his favor in kind of food, clothes, and shelter only, but I call attention to differences in his savings as shown by the sum of his deposits in savings institutions. How much greater the deposits of the wage-workers of Lowell than those of Manchester or Sheffield, of those of the United States than those of the most favored European nations. Look at the official figures of what our industrious and frugal working people are saving from their earnings. The Comptroller of the Currency reported that at the close of 1886 the number of depositors in the savings banks of the country was 2,158,950, the deposits averaging $361.36. These deposits aggregate a sum nearly equal to the national debt. This sum represents labor saved, and shows the immense possibilities opened up to our work people.

In 1887 the number of depositors had increased to 2,944,731, and the following tables show the amount of deposits and where made:

Number of depositors in savings-banks and amount on deposit.

	No. of depositors.	Amounts.
NINE INDUSTRIAL STATES.		
Maine	109,398	$35,111,600
New Hampshire	121,216	47,231,919
Vermont	49,453	11,723,675
Massachusetts	848,787	274,068,413
Rhode Island	110,381	51,816,370
Connecticut	256,097	92,491,425
New York	1,208,072	457,050,259
New Jersey	91,681	29,355,750
Pennsylvania	143,645	37,530,370
Total	2,944,731	1,033,279,827
ALL OTHER STATES.		
Maryland	77,212	30,542,902
District of Columbia	7,605	783,942
Ohio	34,553	12,829,374
Indiana	9,402	2,171,600
Minnesota	14,361	3,654,328
California	80,489	60,435,919
Total	223,622	110,420,755

The deposits in the nine manufacturing States are $1,033,279,827, and in all the States the sum is $1,143,700,000. These afford substantial evidence of the prosperity of these classes of the laboring people.

But is it true that protection only benefits a class of wage-workers? It benefits all classes. It diversifies our industrial pursuits, multiplies divisions and variety of manufacture, enlarges the demand for labor, and increases the wage rate. The factory finds employment for labor that would otherwise crowd into the shop of the mechanic or to the fields of the farmer. Close the factory and our other industries would be overdone. Destroy manufacturing employments and the consumers of the agricultural product would become its producers. Diminish the body of the consumers of the product of the mechanic and the farmer and increase the body of the producers, and both industries must suffer irreparable loss. Sir, it is absurd to say that a large body of laborers in a community can be prosperous without imparting some measure of that prosperity to the others. The wages of labor in one employment go to buy the product of a hundred other industries, and all are benefited.

Again, it is contended that in fact, considering the cost of living in

Europe, the tariff does not increase the American wage rate—that the lower pay there will buy more of the necessaries of life than the higher pay in this country. It is said that if our workers get high wages the articles they consume are correspondingly dear, and therefore they can afford to accept free-trade conditions with low pay and a cheap living.

The fact is there is but a fraction of difference in the cost of livings of the same kind here and in England. But apply a true test to this question and what is the result? Take the cost of the necessary yearly supplies of a family of four persons in the United States and deduct this from the sum of the annual wages of the family, and find the balance. Apply the same rule to a like family in Italy, Germany, Belgium, France, and England? After the livings are deducted from the earnings, which, the American or the European family, has the larger sum of the year's wages left? This will tell whether labor here or abroad is the more profitable.

A careful compilation of the statistics furnished by our consular and other authentic reports recently furnished by Mr. J. H. Walker, of Massachusetts, show that the fair average difference in the cost of the yearly supplies of a family of four persons in Italy, Belgium, France, Germany, or England, and a like family in the United States is about $14, including tariff duties. These supplies include twenty-one different articles which enter into the consumption of the humblest American household. The wage-earning is computed on the basis of two workers—a man and woman, or a man and boy—to each family. The wage rate in each country is the other factor in the problem. What is the result?

This table shows that a laborer's family of four persons, with two workers, can not possibly save in Germany over $11.70; in Belgium, $4; in France, $57.90; in England, $123; in America, $534, in a whole year.

A weaver's family can save in Germany nothing; in Belgium, $70.50; in France, $144; in England, $284; in America, $584.

Take the highest paid workers, it shows that the possible savings of the family of a locomotive engineer, in Germany are $450.33; in Belgium, $438; in France, $516.40; in England, $432.40; in America, $1,334; and the possible savings of carpenters, blacksmiths, tinsmiths, etc., range between these extremes in each of the countries named.

Sir, there is not a people in Europe that does not know that American labor is better remunerated than any in the world. Our economic institutions, our industrial thrift, our steady prosperity, invite laborers to come to us from every civilized nation, and Europe alone sends to our shores from 300,000 to 500,000 of her people every year.

Again, it is a truth admitted by the economists that labor has its largest demand and commands the highest price where there is the greatest diversity of employments, and where all industrial pursuits are stimulated to their greatest activity.

Protection has given these conditions to our people. It has given labor here its best possible opportunity by opening the mine, building the shop, the factory, and putting every possible wheel, plow, hammer, spindle, and loom in motion. I close, sir, on this point by repeating that the supreme aim and effect of protective legislation is to assure industrial and national independence, to invite the investment of capital in productive enterprises, to develop every trade and pursuit, to create a large and certain home market for the product of the farm, the factory, and the mine, to give steady and remunerative employment to labor, and secure a competition that will make our home market the best in the world. It is

> This policy which inspires labor with hope and crowns it with dignity; which gives it safety and protects its increase; which secures political equality to every citizen, comfort and culture to every home.

Mr. Chairman, the farmers of the country are told by the free-trade propagandists that their industry is robbed by the tariff.

WHAT IS THE EFFECT OF PROTECTION ON THE AGRICULTURAL INDUSTRY?

In the past quarter of a century there has been a most rapid and gratifying growth of our agricultural industries, an unparalleled progress in farm improvements, a vast increase in farm acreage and in the value of farm lands.

The increase of farm products during these years is phenomenal, and in the marvelous prosperity of our country the farmer has had his fair share.

His industry in this era of wonderful development has kept well abreast of that of the mine, the workshop, and the manufactory, and he is to-day among the most independent of men. He is not only prosperous himself but takes an American's pride in the prosperity of his countrymen engaged in other employments. Notwithstanding this growth, this content, this prosperity, the free-trade revenue reformer insists that he is being systematically and remorselessly robbed by our protective system. It is recklessly asserted that this system has somehow or other so impoverished the farmers, especially of the great West, that a mortgage is, with its usurious interest, devouring almost every farm in that growing section. This is bald assertion, unsupported by fact.

There are farmers in debt, there are farms under mortgage, it is true, but this condition of debt is not peculiar to this class of our people. The same is true of the merchant, mechanic, and manufacturer. In a new and undeveloped country, as our Western country has been, there are always those without the means to pay for their farms and improve them, and that these have to borrow money and execute mortgages is a necessity which the tariff had nothing whatever to do in creating. The time never was when there were not to be found chronic alarmists, who predicted that protection would bring all sorts of ills and all manner of financial distress to the Western farmer. They will have him, regardless of facts, tax-ridden, the victim of the Shylocks, or of the banks, or tariffs, and just on the eve of a hopeless bankruptcy. Statistics with startling arrays of figures are drummed into the service to prove his pitiable condition, and that he is "languishing under a system of taxation unparalleled in the history of the world." Still the calamity so often foretold never comes, but is kindly postponed to do service in the next political campaign. The statement was made in this House but the other day, and a partisan press has given it a wide circulation, that the farm lands in the ten States of Ohio, Indiana, Illinois, Wisconsin, Michigan, Minnesota, Iowa, Nebraska, Kansas, and Missouri are now under mortgage for the appalling aggregate of $3,422,000,000. The statement in detail is as follows:

Ohio	$700,000,000
Indiana	308,000,000
Illinois	620,000,000
Wisconsin	250,000,000
Michigan	250,000,000
Minnesota	175,000,000
Iowa	351,000,000
Nebraska	140,000,000
Kansas	200,000,000
Missouri	257,000,000
Total farm mortgages in the ten States	3,422,000,00

This sum is more than twice as large as the present national debt. But the above estimate was not sufficiently startling, and it has been supplemented by another, in which the Ohio farmers are said to be mortgaged for $1,270,000,000. Then follows those of Kansas for $235,000,000, of Illinois for $1,000,000,000, of Indiana for $635,000,000, of Iowa for $567,000,000, of Michigan for $500,000,000, and of Wisconsin for $367,000,000. To give these estimates plausibility it is asserted that they are taken from the records. I challenge their truthfulness. They are not only false, but absurd, and that they are so is easily demonstrated. The census of 1880 gives the total value of the real estate of Ohio at $1,093,000,000, and these preposterous statements assume that her farm lands alone are morigaged at from $700,000,000 to $1,270,000,000. Indiana's real estate is estimated by the census at $538,000,000, and it is said that her farms alone are encumbered from $308,000,000 to $635,000,000. But the condition of Illinois is still worse. Her farm mortgages are said to be equal to $620,000,000, while the value of her entire real estate, in farm and town, as given by the last census, is but $575,000,000. This great State has 27,000,000 acres of land, and if they are subject to this immense debt the mortgage charge is but a fraction less than $23 per acre.

The estimates as to the other States named are equally ridiculous; but the census gives the estimated value of all real estate, not that of farm lands only. Who so credulous as to believe that the farms of our most prosperous Western States are encumbered in a sum equal to the value of their entire real estate, including that of town and city, as found eight years ago by the census? The alarmists assume this to be true, and think, I suppose, the people know no better than to believe the falsehood.

But, sir, I have before me a journal, a Democratic journal, containing a statement said to have been carefully compiled from authentic sources, showing the amount of capital invested in farm mortgages in each of the thirty-eight States; and from this I find that the farm lands of Illinois are mortgaged for $200,000,000; Indiana, $175,000,000; Ohio, $350,000,000; Michigan, $125,000,000; Wisconsin, $100,000,000; Minnesota, $70,000,000; Iowa, $100,000,000; Missouri, $100,000,000; Nebraska, $25,000,000; Kansas, $50,000,000.

This reduces this farm-mortgage debt quite two-thirds, or from $3,422,000,000 to $1,295,000,000. It is certain that, whether intentionally or not, the amount of the farm-mortgage indebtedness has been scandalously magnified. That it was done for partisan purposes is undoubted. These statements probably exaggerate the sum of this indebtedness by hundreds of millions, for recently the commissioner of labor for Michigan has, upon official inquiry, scaled down the farm mortgages in that State to some $65,000,000. This is a reduction of one-half. Doubtless the facts would, if known, scale down all these statements in the same proportion.

I might well dismiss this matter without further comment, but I will put against these wild figures the result of the investigations of Edward Atkinson, published in Bradstreet's. Mr. Atkinson's intelligence and fairness no one will seriously question. Speaking of the farmers of the West, he says:

> Among the various objections or criticisms which were made in the columns of the London Times were several very positive assertions that the Western farmers of this country were generally bankrupt, or were losing money, especially on wheat, and were being eaten up by mortgages and taxes. It occurred to me, however, that these statements could doubtless be disproved by giving the experience of some of the corporations or firms which have been in the business of lending Eastern capital upon mortgages secured by Western farms during the last few years.

In reply to my questions, I have received ten communications, covering a term of years ranging from four to thirty-eight. A summary of the replies, disregarding fractions, is as follows:

Number of mortgages, 200,000.
Total amount loaned, $180,000,000.
Average per mortgage, $900.
Already paid, 119,000 mortgages.
Amount outstanding, $75,000,000.

The total number of foreclosures is not given in all cases; in some the amount is given, in others the number. By computation on the average, the total number can not exceed 1,000.

The reduction in the rate of interest has been from 10 per cent. annual interest and 10 per cent. commission on a five years' mortgage to an average of 6½ to 7½ per cent. at the present time without commission.

The business "has, to a great extent, ceased in Ohio, Indiana, and Illinois, and we might also include Iowa; but it is still conducted farther West, in Kansas, Nebraska, Dakota," etc. "Many of those to whom loans were first made are now lenders through the same corporation."

"The present conditions indicate widespread and almost universal prosperity."

I have attempted to see if there was any difference in the conditions of the wheat-growing sections and the corn-growing sections, but I have found none.

So at last we find the truth to be that the business of farm mortgaging "has, to a great extent, ceased in Ohio, Indiana, Illinois," and probably in Iowa; that many of these farmers who were formerly borrowers have become money-lenders, and that the present conditions indicate widespread, if not universal, prosperity.

But, continuing, Mr. Atkinson says:

The foreclosures have been few, not 1 per cent. in point of number of the whole number negotiated. There have been a few losses in particular cases; but, as a whole, the sale of land taken on foreclosure has paid a profit. The net aggregate result is no loss. The number of foreclosures outstanding at the present time is unusually small. The interest is being promptly met. All the comments, statements, and conditions point to prosperity among the farmers rather than to adversity.

* * * * * * *

It may be remarked that the money which the farmer receives to-day is at least 50 per cent. greater in purchasing power with respect to tools, machines, clothing, and food than it was in the first period, to wit, 1870 to 1872. The wages on the great farms are now $25, with board, for the small force which is retained throughout the year, and $2 per day, with board, for the larger additional force required during the harvest season. Had it not been for the invention of the self-binder it would have taken a force during the harvest season of at least 100,000 men, probably more, to bind a single crop. It is difficult to see how the crops made could have been saved under such conditions, since no such number of available men could have been found for the temporary work of the short harvest season.

* * * * * * *

It is interesting to observe in the reports of some of the older land-mortgage companies that many of the farmers to whom their money was lent at high rates of interest in the early period of their history in Ohio, Indiana, Illinois, and Michigan, are now lending their surplus profits derived from farming at much lower rates to the new-comers or the pioneers of the wheat-producing territory of Kansas, Nebraska, Minnesota, and Dakota.

* * * * * * *

If the farmers of these ten States have borrowed money, they have made profitable use of it in building up their industry. In a single decade improved lands in these States have increased from 52,306,584 to 135,692,000 acres, or by more than 160 per cent., and their value has advanced per acre by quite 100 per cent. The value of their annual agricultural product has been increased also by a per cent. quite as marvelous.

Sir, this attempt to prove that the protective policy is impoverishing our American farmer is a foreign invention. Mongredien, the London Times, and the Cobden Club gave it currency, and a few of the British economical writers made a disastrous attempt to prove it. Free trade writers and speakers here joined in the chorus. The facts I have shown, the results of reliable and non-partisan investigations, prove these assertions as to the amount of farm incumbrances to be wholly and ridiculously false. The truth is, the American farmer is more prosperous than any of the world. If the farm industry on the Atlantic seaboard is more prosperous than that of the Ohio, Mississippi, and Missouri Valleys, it is only because it is nearer the better markets furnished by the great manufacturing centers. In the East the farm and the factory are near each other. Protection has stimulated manufactures, and the workshop is planted by the side of the farm.

The cost of transportation is little or nothing. The operatives in the factory are the consumers of the farm product. These create a demand for the fruits of the orchard and the garden, and for the product of the poultry-yard, the dairy, and the field. The large demand and the certain market thus created make farming profitable. Similar conditions will bring like results to the farmers of the West. To maintain these conditions, to make the farmers' market certain and profitable, enterprise must be encouraged and labor assured constant employment at remunerative wages. When the farm and the factory are side by side, the farmer will sell his surplus in the dearer and supply his wants in the cheaper market.

But, sir, I was speaking more particularly of the financial condition of our agricultural people. I have denied that they were bankrupt or in danger of bankruptcy, or that they were oppressed by our tariff legislation. On the contrary there is a steady and gratifying growth in the resources of the farming class. This is especially true of the farmer of the West. If he has contracted debts it is because his credit is good.

Not only have the enemies of protection paraded before the country reckless statements about the sum of farm incumbrances, but they say with equal recklessness that notwithstanding our wonderful development in wealth during the past twenty years, agriculture has gone backward. Wonderful discovery! Leading free-trade journals prove it by asserting that by reason of a high tariff, I suppose, the value of live-stock in the United States actually decreased during the ten years preceding 1880.

By skillfully juggling with figures and facts this statement is made to appear true. The operation was easy. The value of the first year in the term was made on the basis of greenbacks, the value of the last year on the basis of gold. Before me I have what purport to be the official figures of the Government by which it is shown that the gold value of live-stock in the United States between 1870 and 1884 increased by more than 100 per cent.

Words will not add force to this refutation. The charge that the tariff has brought disaster on the cattle or live-stock industry is simply false. The facts disprove it, and it is to be hoped that even in the excitement of political controversy the falsehood will not be repeated.

But, Mr. Speaker, if agriculture is languishing in protective America under the weight of its system of plunder and robbery, certainly in England, under the enlightened policy of revenue reform and free-trade—a policy that admits, it is boastingly said the English and Irish farmer to the world's markets—there will be found such a marvelous agricultural prosperity as will demonstrate the wisdom of free-trade legislation. Let us take a glance at the condition of the farmers in this free-trade paradise. It is a fact, openly and publicly proclaimed quite recently by the British minister of agriculture, that the farming industry in Great Britain is in a deplorable state, that farmers in large numbers are idle, that a vast acreage of tillable land is out of cultivation, that agricultural values have shrunken $200,000,000 during the past year. He said further that this depressed condition had not only disastrously affected the cattle and sheep industry of the country, but had left nearly one million of people out of employment.

The London Colliery Guardian, an industrial paper, speaking on this subject, among other things says:

The case of the farmer who tills the soil is worse even than that of the landlord who owns it; for, while the landlord has got the land, the English farmer, in a very large number of cases, has absolutely lost his all. The natural result has come to pass. Agricultural land-owners have made up their minds to seek for estates in other countries, where they can obtain exemption from the burdens that encumber and harass them at home, while the British farmer has long ago fallen into the slough of despond, whence it appears that emigration and a new start in a new country are the only remedies fit for his extrication. If all this sounds like a dirge, it is only because no other pæan is possible.

Mr. Pettifer, of Macclesfield, England, in a public speech at that place on the 8th of February last, said:

What has been taking place in this country, especially during the past ten years, is this: the artisan and mechanic have been buying their food in the lowest-priced foreign market, not caring even if this meant ruin to the British producer, who should be their best customer, while the agriculturist has been buying in a market made artificially cheap by foreign competition, not caring if by so doing he was bringing down the profits of the manufacturers and throwing out of employment thousands of artisans; and now this game of beggar-my-neighbor all around has come to this, that hundreds of thousands of acres of land have gone out of tillage into pasture, while vast numbers of agricultural laborers have been driven into the towns to swell the ranks of the unemployed, they in their turn being thrown out of work by reason of the reduction in the purchasing power of the agricultural portion of the community; and the only remedy the so-called political economists and philosophers, who alone are responsible for this state of things, have to offer is State-aided emigration, which simply means transporting the very pick of our artisans and laborers to a Protectionist country or colony to look for that living they can obtain in free-trade England.

This is the condition to-day of agriculture in free-trade England, and certainly it has not been ruined by robber tariffs. The English farmer is enjoying the feast to which he has been invited by free trade and the Cobden Club. How would our farmers like to join him?

Holland also was a protective country until a few years ago. Her agricultural people were then prosperous and contented. But they were induced to accept the English policy of free trade. Now there are business stagnation, poverty, and widespread distress in Holland. Mechanics and all manner of wage-earners are out of employment. An American of national reputation, speaking of that country a few weeks ago, said:

I met one of the most eminent business men in Holland, and he said to me that the manufactures of Holland were stagnant, that business in Holland was no longer remunerative, and there was a great deal of poverty and distress among the mechanics and laboring classes. I said to him: "How do you account for this change?" He said: "Because Holland adopted a few years ago free trade, and the law has ruined us."

"Well," I said, "give me some instances."

"Well, for instance, we raise in Holland a very superior breed of cattle. England is free trade nominally, but when she found that the cattle coming from our farms were destroying her cattle industry, when she found that we could send better cattle at cheaper prices than she could raise them, she was free trade, and, of course, could not tax them, but her board of trade issued an ordinance that all Holland cattle had pleuro-pneumonia, and have not permitted a head of our cattle to enter England for four years. That is the free-trade way England has of protecting her industries when they are pinched."

But to return to Great Britain, for we are to accept her economical system as our model. Here is what is said of her languishing agriculture by one of her leading journals:

The aggregate value of agricultural land in Great Britain has already fallen within a few years from £2,000,000,000 to £1,500,000,000, a depreciation of 25 per cent. As it is customary in Great Britain to advance 75 per cent. on the value of freehold property or real estate under mortgage, it will be seen that the fall in values has destroyed at one blow the entire margin of security of the most conservative 4 per cent. investment in the old country, and the end is not yet.

Why are agricultural laborers leaving England and flocking to our shores? It is because of the depressed condition of her industries and the prosperous condition of ours. Immigration from Great Britain is increasing at the rate of 50,000 a year. The prosperity of our agriculture is bringing farmers and farm laborers to us from all parts of Europe.

The American farmer is better equipped with farm implements, better clothed and fed, better housed and educated, and more prosperous and contented than any in the world.

But farmers are told by theorists that free trade will open to the products of the farm the markets of the world; that in this great world market he will reach a larger body of consumers, an increased demand, and an enhanced price for all he has for sale. This is a pleasing illusion. The farm product now goes wherever there is a demand for it. If experience has taught us anything it has taught us that our farmer must rely almost exclusively on his home market for the sale of his surplus. Of the annual farm product, valued at $3,000,000,000, but about 8 per cent. is sold abroad. He sells 92 per cent. of it at home. It is his interest to have home consumption maintained and increased. When he seeks a foreign market he finds it supplied with almost everything he has to sell. In the sale of his wheat and other cereals he finds sharp competition from the granaries of Russia, Austria-Hungary, and British India.

The area of the wheat lands in Russia and India is rapidly increasing. Increasing railroad facilities, with farm labor costing but 8 to 12 cents per day, will soon enable India to put her wheat down in London and other European markets at prices that will successfully compete with the American wheat-raiser. Take off the tariff of 20 cents per bushel and India can put her wheat down in the New York market to-day as cheaply as can the American farmer. The wheat farmer in Russia and India has a vast advantage in the cost of production and transportation over his American competitor, and he will soon have control of the wheat markets of Europe.

The time will come when a higher tariff will be demanded to secure to our wheat product our home market.

Why do I say this? Sir, but the other day Lord Randolph Churchill told the English farmers that they would be compelled in the near future to abandon wheat raising because of the competition of India. That country has already 27,000,000 acres under wheat cultivation, and its wheat product in 1886 was 289,000,000 bushels. Her 250,000,000 people live on rice and millet, and her whole wheat crop is exported. Already Great Britain has built 14,000 miles of railroad in India to aid that country in putting her wheat into the markets of Europe. When the eastern market is filled by her home product, our foreign market is gone and our home one in danger.

Germany has established a corn tax or tariff that absolutely prohibits the importation of American wheat into South Germany. The following is from the report of J. C. Monaghan, United States consul at Mannheim, under date of January 28 last:

The first tax was 1 mark, or 23.8 cents per 220 pounds; this was increased to 3 (68 cents), and very recently to 5 marks ($1.19) per 220 pounds. Now it is a notorious fact the English millers preferred North German grain, and just as notorious that the South German millers not only did not, but preferred the grain of the United States. There is said to be a softness about the German product and a hardness about the American, and upon these properties is based the preference in each case. Since the increase of the tax to 3 marks (68 cents) and then to 5 ($1.19) per 220 pounds, the grain trade of South Germany with America and Russia has ceased to exist. American wheat costs about 15½ marks ($3.70) per 100 kilograms (220 pounds), including cost, freight, and insurance to Rotterdam; add to this cost of Rhine freight, 15 to 17 cents plus a 5-mark ($1.19) duty, and American grain appears upon the exchange schedules at 21½ marks ($5.11) per 100 kilograms (220 pounds), the duty alone being about 30 per cent.

Since South Germany must import, she is compelled to take the North German grain; this she can find in her markets at 18 marks ($4.28) per 100 kilograms (220 pounds). This gives the North German grain a 3½-mark (80 cents) start, or 15 to 20 per cent. advantage. The difference is too great to be overcome by anything like local prejudice or preference; the most that choice permits of is from three-quarters (18 cents) to a mark (23.8 cents) more for American than German grain, but as we have seen, the difference is 3½ (80 cents). So long as the duty remains at 5 marks ($1.19) per 100 kiloliters, a resumption of business is not possible, except when crops fail in the Holstein-Pomeranian or throughout the German provinces. It may be mentioned that the grain from the North German provinces is shipped from ports on the Baltic to Rotterdam and Antwerp, thence up the Rhine in barges.

Since the exclusion of foreign grains became a fact, the provinces of Middle Germany, notably Prussian Saxony, Hanover, and Brunswick, blessed as they are with a good climate, have begun grain-raising for the South German market. Before the tax time grain from these provinces was almost unknown, competition being rendered impossible by the expenses of rail shipment. Five marks ($1.19) duty on the 100 kilograms (220 pounds) of foreign grain has removed the obstacle, hence the new impulse; besides, the grains produced in these provinces (Rivets) were not liked. Now the South German miller and consumer must take them whether he likes or not; for 10 marks ($2.38) a hundred kilograms will come should 5 marks cease to be powerful enough to exclude foreign, and protect home, producers.

The result of this German protection is that Prussia, Saxony, Hanover, and Brunswick have gone into wheat-raising for the South German market.

Europe's supply of orchard fruits and vegetables is equal to its wants. Great Britain is the greatest hay-producing country in the world. In the production of wool, live-stock, hides, tallow, and sugar we have competitors all over Europe, in the countries south of us, and in nearly all the islands of the ocean. A few years ago we supplied 85 per cent. of the cotton of the world, but to-day we supply but 67 per cent. of it. Egypt and India are large producers of cotton. Our hog product is excluded from the markets of Germany and France.

The fruits of the garden and the farm come across the ocean and enter our markets and in competition with us. Cabbages come to us from Holland; potatoes from Scotland, Nova Scotia, and Canada; rye from Canada; pease, beans, hay, and eggs from Denmark and Norway; onions from Spain and Egypt; tobacco from Sumatra; wool from South America, South Africa, Australia, and elsewhere, and cattle from Mexico.

We have imported 700,000 bushels of potatoes in a single month, and over 18,000,000 dozens of eggs in one year. Canada sells 3,000,000 bushels of rye in our markets annually, and last year our imports of food products, exclusive of sugar, tea, coffee, and tobacco, were valued at over $57,000,000. The annual increase of our population consume and will consume more of the farm product than we sell abroad. Our home market is the farmer's only hope, and to destroy it is to destroy his industry. This home market will expand with our increasing population, and immigration alone is adding to this from 500,000 to 700,000 each year.

How shall we insure continued prosperity to agriculture? Build up mills and shops and factories, these great industrial hearts that send their currents along every business artery and give tone and strength to our whole industrial and social fabric. Men in the workshop and the factory are the patrons of the men on the farm. Increase their numbers and you increase the farmer's market.

Whatever—

Says Adam Smith—

tends to diminish in any country the number of artificers and manufacturers tends to diminish the home market, the most important of all markets for the crude products of the land

Draw from the farm as many laborers as possible and put them in the factories and a home market is thereby created for every farm product. This is no new doctrine. It was taught by Washington, Hamilton, and Jackson. Let me read an extract from the oft-quoted letter of Jackson to Dr. Coleman:

Where has the American farmer a market for his surplus products? Except for cotton he has neither a foreign nor a home market. Does this not clearly prove, when there is no market either at home or abroad, that there is too much labor employed in agriculture and that the channels of labor should be multiplied? Common sense points out at once the remedy. Draw from agriculture the superabundant labor, employ it in mechanism and manufactures, thereby creating a home market for your breadstuffs and distributing labor to a most profitable account, and benefits to the country will result.

Take from agriculture in the United States 600,000 men, women, and children, and you at once give a home market for more breadstuffs than all Europe now furnishes us. In short, sir, we have been too long subject to the policy of the British merchants. It is time we should become a little more Americanized, and instead of feeding the paupers and laborers of Europe, feed our own, or else in a short time, by continuing our present policy, we shall all be paupers ourselves.

This is as true to-day as it was in 1824. Every factory that gives employment to labor adds to the value of the farm and its product. This fact is demonstrated by farm values in every manufacturing section of the United States. Steel-rail mills and other manufactures have been recently established in Alabama and the increase in the value of farm lands in the vicinity of Birmingham and Decatur has been phenomenal. I have the authority of the Birmingham Age for saying:

Around about Birmingham farming and such lands as are only suitable for farming have doubled, trebled, yes, even quadrupled, in value. Just a short time ago some farming lands in the neighborhood of Decatur, which is rapidly growing to be a manufacturing city, sold for over $100,000. The same land could have been bought a year or so ago at about $5,000.

The fact is not disputed that the value of agricultural land is the greatest in those sections where the population is most largely working in the factory or the mine or industrial pursuits other than farming. The lowest values are found where the greatest proportion of the people are engaged in farming. To prove this the agricultural sections of the Union, including all the States and the two Territories of Washington and Dakota, have been divided into four groups.

This is the result.

Group.	No. acres in cultivation.	Per cent. of persons in agriculture.	Per cent. engaged in other employments.	Value of farm lands per acre.
1	75,718,247	19	81	$41.97
2	112,321,257	42	58	30.55
3	237,873,000	58	42	13.53
4	108,636,796	77	23	5.18

The accuracy of this grouping is proven by an examination of the States in detail, for the value of farm land in five manufacturing States per acre stands thus:

Massachusetts	$43.52
Connecticut	49.34
Pennsylvania	49.30
New York	44.41
New Jersey	65.16

And in the five farming States thus:

South Carolina	$5.19
North Carolina	6.07
Virginia	10.89
Georgia	4.30
West Virginia	13.06

It will be observed that in West Virginia the land is higher than in Georgia, Virginia, or the Carolinas, and this is for the reason that it borders on the great manufacturing State of Pennsylvania, whose large body of operatives afford it a home market, and because it is beginning also to engage in manufactures and mining.

The intelligent farmer knows that the policy that gives the country an extended and diversified industry, that increases manufacturing enterprises, that gives the laborer in the shops and the mines steady employment and good wages, is a benefit to agriculture. These conditions protection gives the country.

As manufacture grows so does agriculture, for each contributes to the success of the other. Manufacture gives increased employment to labor; agriculture feeds it; manufacture needs material and the farmer supplies it. Of the wages paid the factory hand the farmer gets a part in return for what he sells. The census reports tell a story full of instruction, for they show that on the journey of prosperity or adversity these industries march side by side. I invite attention to these tables, compiled from the census reports:

State.	Acres improved farm lands.		Hands employed in manufactures.	
	1880.	1860.	1880.	1860.
Ohio	18,081,091	12,625,394	183,609	75,602
Indiana	13,933,738	8,242,183	69,508	21,295
Michigan	8,296,862	8,476,296	77,591	23,190
Illinois	26,115,154	13,096,374	1 44,727	22,968
Wisconsin	9,162,528	3,746,167	57,109	15,414
Iowa	19,864,541	4,792,792	28,372	6,307
Minnesota	7,246,693	556,250	21,247	2,123
Nebraska	5,504,702	318,789	4,793	336
Kansas	10,736,566	405,468	12,062	1,735
Missouri	16,745,031	6,246,871	63,995	19,681
Ten States	*135,691,906	52,306,584	†663,013	188,651

* Increase 160 per cent. † Increase 251 per cent.

State.	Wages paid in manufactures.		Value materials used in manufactures.	
	1880.	1860.	1880.	1860.
Ohio	$62,103,800	$22,302,989	$215,334,256	$69,800,270
Indiana	21,960,888	6,318,335	100,262,917	27,142,597
Michigan	23,313,682	6,735,047	92,900,269	17,635,611
Illinois	57,429,085	7,637,921	289,843,907	35,558,782
Wisconsin	18,814,917	4,269,708	85,796,178	17,137,334
Iowa	9,725,962	1,922,417	48,704,311	8,612,259
Minnesota	8,613,694	712,214	55,660,681	1,904,070
Nebraska	1,742,311	105,332	8,208,478	237,215
Kansas	3,995,010	880,346	21,453,141	8,612,259
Missouri	24,309,716	6,669,916	110,798,392	23,849,941
Ten States	*232,008,465	57,553,225	†1,028,962,530	210,490,338

* Increase 303 per cent. † Increase 389 per cent.

It is a truth, a truth that can not be repeated too often or be too forcibly impressed, that whatever benefits one industry benefits all, and whatever strikes down one industry injures every other industry in the whole country. In this connection the Boston Advertiser gives figures which, in its own words, "tell a most significant story:"

In the year 1885, the wages for transient farm labor by the day were: In Massachusetts, $1.50; New York, $1.26; New Jersey, $1.17; Delaware, $1; Maryland, 93 cents; Virginia, 71 cents; South Carolina, 60 cents. Not only is the farmer most prosperous in those parts of the country where manufactories are most flourishing, but the whole industrial history of this country shows that periods of decline in manufactures have also been periods of decline in the profits of farming.

Forty years ago the average monthly wages of farm laborers, when paid all in cash, without board, were $13.25. In 1879, when, after the long industrial stagnation, furnace fires began to be relighted and spindles to move, the average price of farm labor, all in cash, was $16.16 per month. In 1882, after specie payments had been resumed and business had recovered its normal condition, the average price paid to men for working on farms was $18.58 per month. The same statistics show that what is true of farm labor is true, in every case, of farm products and the value of farm lands.

The farmer is directly protected by tariff legislation. He has to compete in our markets with imported farm products. Last year there came to us from abroad rye, wheat, live-stock, hay, wool, tobacco, eggs, vegetables, and dairy products in large quantities.

As our laws now are the following tariff duties are imposed, in the interest of our farmers, on agricultural products:

Wool, from 2½ to 12 cents per pound; potatoes, 15 cents per bushel; butter, 4 cents per pound; cheese, 4 cents per pound; wheat, 20 cents per bushel; rye and barley, 10 cents per bushel; Indian corn, 10 cents per bushel; honey, 20 cents per gallon; milk, preserved, 20 per cent. ad valorem; hams and bacon, 2 cents per pound; beef and pork, 1 cent. per pound; lard, 2 cents per pound; pickles, 35 per cent. ad valorem; vegetables, 30 per cent. ad valorem; vinegar, 7½ cents per gallon; flax, $20 per ton; hemp, $25 per ton.

These duties should be increased, and particularly on rye, wheat, and potatoes, cabbage and other vegetables, but the pending Democratic free-trade bill, instead of strengthening the farmer's protection, weakens it by putting such important farm products as wool, hemp, and flax on the free-list. And to these are added garden-seeds, beans, peas, meats, game, poultry, beeswax, and fresh vegetables. This measure is a blow at the industry of the husbandman that he will resent at the ballot-box.

If it were true that the farmer, because of the duty on imported goods, has to pay an increased price for such manufactured articles as he is compelled to buy, he is more than reimbursed by the certain and profitable market protection gives his produce. But it is not true, taking a series of years into the calculation, that import duties on foreign goods increase their price to the purchaser. That domestic competition, encouraged by proper safeguards, ultimately cheapens every manufactured article our people are capable of supplying in quantities equal, or nearly equal our necessities, is demonstrated by all our experience. Alexander Hamilton gives the reason why protection secures this result. He says:

Though it were true that the immediate and certain effect of regulations controlling the competition of foreign and domestic fabrics was an increase of price, it is universally true that the contrary is the ultimate effect of every successful manufacture. When a domestic manufacture has attained to perfection, and has engaged in the prosecution of it a competent number of persons, it invariably becomes cheaper. Being free from the heavy charges which attend the importation of foreign commodities, it can be afforded cheaper, and accordingly seldom or never fails to be afforded cheaper in process of time than was the foreign article for which it is the substitute. The internal competition which takes place soon does away everything like monopoly, and by degrees reduces the price of the article to the minimum of a reasonable profit on the capital employed.

Mr. Fillmore, in discussing this question in his annual message in 1852, said:

The first is the effect of large importations of foreign goods upon our currency. Most of the gold of California as fast as it is coined finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by a competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer to that extent is deprived of a home market for the sale of his surplus produce. In the third place, the destruction of our manufactures leaves the foreigner without competition in our market, and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from England. The prosperity and wealth of every nation must depend upon its protective industry. The farmer is stimulated to exertion by finding a ready market for his surplus products, and benefited by being able to exchange, without loss of time or expense of transportation, for the manufactures which his comfort or convenience requires. This is always done to the best advantage where a portion of the community in which he lives is engaged in other pursuits.

And, again:

But a duty laid on an article that can be produced here stimulate the skill and industry of our own country to produce the same article, which is brought into the market in competition with the foreign article, and the importer is thus compelled to reduce his price to that at which the domestic article can be sold, thereby throwing a part of the duty on the producer of the foreign article. The continuance of this process creates the skill and invites the capital, which finally enables us to produce the article much cheaper than it could have been procured abroad, thereby benefiting both the producer and the consumer at home. The consequence of this is that the artisan and the agriculturist are brought together, each affords a ready market for the produce of the other, and the whole country becomes prosperous, and the ability to produce every necessary of life renders us independent in war as well as in peace.

It is a fact from which there is no escape that under our tariff legislation there has been a steady cheapening of the product of the factory; of cotton and woolen goods; of all kinds of textiles; of furniture, household goods, iron, steel, pottery, tools, glass and glassware, machinery, and, in fact, every manufacture furnished by our home industries. But, sir, it is said that our tariff legislation robs the farmer; that it impoverishes his industry, although it is admitted that our national growth and progress is the marvel of the age. The prosperity of the nation is but the sum of the individual prosperity of its people. How could the nation secure this wondrous development if it be true that its greatest industry, one in which one-seventh or 9,000,000 of its people are directly concerned; one that is the very bed-rock of its social, political, and industrial system, is plundered of its substance by class or unjust legislation?

Has the nation prospered? During the ten years preceding 1880 our increase in manufactures more than equaled that of France and Germany and Great Britain. In a period of twenty years the valuation of our real and personal property advanced from $16,159,616,000 to $43,642,000,000 and in the same period our money circulation was quadrupled. In the mean time we built railroads sufficient in length to more than five times encircle the globe. All this has been done under protection.

Who can fathom our national future if our industrial system is maintained? We need not go abroad for markets or goods, for our home resources are limitless and we need but develop them to enable us to lead, by an immeasurable distance, any people of the world. Look at the map of the world. Our territorial extent is more than three times greater than all Great Britain, Ireland, France, Germany, Spain, Portugal, Switzerland, Denmark, and Greece.

Our fuel supply exceeds by twenty times that of all Europe, while our mining industries exceed those of England combined with those of Asia, Africa, South America, and Mexico. We give the world one-half its precious metals and produce materials boundless in quantity and infinite in variety for the manufacture of everything needed by a human want. With all these we have arable lands capable of supporting the population of the world. We know what the mine, the factory, and the farm have achieved under protection, and the people will hesitate

long, in my opinion, before they will overthrow it and accept the dangers of a free-trade policy, which nearly all the nations have repudiated. [Applause.]

[Mr. DOCKERY withholds his remarks for revision. See APPENDIX.]

Mr. McMILLIN. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenues, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, informed the House that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Va.;

A bill (S. 1846) for the erection of a public building at New London, Conn.;

A bill (S. 1888) to amend chapter 6, of Title XXXII, of the Revised Statutes, relating to mineral lands and mining resources;

A bill (S. 2003) to grant to the city of The Dalles, in the State of Oregon, certain lands for the purposes of a public park;

A bill (S. 2311) for the relief of Heman D. Walbridge and Reginald Fendall, trustees;

A bill (S. 2398) to provide for a light-house at Holland's Island Bar, near the entrance to Kedge's Straits, in the Chesapeake Bay, Maryland; and

A bill (S. 2457) to provide for the establishment of a light-house at or near St. Joseph's Point, Florida.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1413) to increase the pension of James Coey.

The message also announced the return to the House, in compliance with its request, of the bill (H. R. 8117) granting a pension to Mrs. Juliet C. Howe.

The message further announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 4357) to erect a public building at Allentown, Pa.;

A bill (H. R. 4557) for the relief of George F. Chilton;

A bill (H. R. 6453) granting a pension to George P. Stone;

A bill (H. R. 7546) to amend sections 2595 and 2596 of the Revised Statutes of the United States, and to provide a collector at the port of St. Paul, Minn., and for other purposes;

A bill (H. R. 7715) for the relief of Georgia A. Stricklett; and

A bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio.

The message also announced that the Senate had passed with an amendment, in which it requested the concurrence of the House, the bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased.

The message also announced that the Senate had passed with an amendment the bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for water-works purposes, requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed as the conferees on the part of the Senate Mr. FRYE, Mr. CULLOM, and Mr. VEST.

The message also announced that the Senate had disagreed to the amendment of the House to the bill (S. 393) for the relief of Frances Anne Pyne Ricketts, requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAVIS, Mr. PADDOCK, and Mr. BLODGETT as the conferees on the part of the Senate.

The message also announced that the Senate had passed with an amendment the bill (H. R. 7348) granting the city of Grand Forks, Dak., the right to build two free bridges across Red River, requested a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. VEST, Mr. SAWYER, and Mr. DAVIS as the conferees on the part of the Senate.

ORDER OF BUSINESS.

Mr. McMILLIN. I ask unanimous consent to submit for present consideration the resolution which I send to the desk.

Mr. DUNHAM. Regular order.

Mr. McMILLIN. I trust the gentleman from Illinois will permit me to make a statement concerning this resolution, after which I think he will not object.

On yesterday there was a discussion as to a proposition looking to the amicable limitation of this debate. The committee have arrived at a conclusion on the question, and that conclusion I desire to present to the House and have its action on it.

The SPEAKER. The gentleman from Illinois demands the regular order.

Mr. DUNHAM. Let the resolution be read for information.

The Clerk read as follows:

On Tuesdays, Wednesdays, and Thursdays the Committee of the Whole shall rise at 5.30 p. m. and the House shall take a recess until 8 p. m., the evening sessions to be for debate only. On Mondays and Saturdays the sessions shall end at 5.30 p. m. No change to be made in the present rule as to sessions on Friday night. General debate on the tariff bill shall continue seventeen days after to-day, excluding Sundays, and also any interruptions ordered by the House, a general leave to print to be given.

The SPEAKER. Is there objection?

Mr. DUNHAM. Do I understand this tariff debate is to exclude all other business of the House?

Mr. McMILLIN. The resolution provides such interruptions as the House itself shall make are to be taken out of the time allotted.

Mr. DUNHAM. I understand unanimous consent is asked by that resolution so that the ordinary and usual business of the House is to be set aside and the whole time indicated is to be taken up with this tariff debate.

Mr. McMILLIN. I do not think the resolution justly bears that interpretation.

Mr. DUNHAM. Why not have it agreed to consider this bill for two days and then go on with the other business for two days?

Mr. McMILLIN. That is a question for the House to determine. I will candidly state to the gentleman from Illinois that we have sought to determine what length of debate should be occupied; and that is the proposition to be settled by this resolution.

Mr. McCOMAS. Let me inquire whether a fraction of a day is to be counted as a whole day?

Mr. McMILLIN. The seventeen days are to be counted from to-day, and it provides that where the House interrupts by other business the time occupied is not to be taken out of the seventeen days.

Mr. McCOMAS. Each day the debate is to continue from the reading of the Journal to the adjournment?

Mr. McMILLIN. That is correct.

Mr. McCOMAS. Has a computation been made whether seventeen days will afford time for all gentlemen on this side to address the House who may desire to do so?

Mr. McMILLIN. I will state to the gentleman that is a question of mathematics which could not be determined, in view of the fact there is no one in this House to-day who knows how many members wish to speak. Indeed, many do not know themselves whether they will speak or not on this question.

Mr. McCOMAS. During the time covered by this agreement all those who wish to speak will have the right to do so?

Mr. REED. We have made a calculation as well as we could with the information we had in our possession. There are numbers who have not put their names down on the list who may hereafter be moved by the spirit to wish to express their views. It is provided that there shall be seventeen days of five hours each. I do not see how it would be possible to make it more accurate.

Mr. DUNHAM. I ask the gentleman from Tennessee if it is not a fact that under the terms of that resolution the House can not proceed to the consideration of other business except by unanimous consent?

Mr. McMILLIN. I will state to the gentleman from Illinois that so far as I am concerned I do not believe the resolution bears that interpretation, because we provide that if the House should take up any of the time by other business the time so taken up should not be charged against the agreement.

Mr. DUNHAM. I understand, then, that a majority can take up any other business?

Mr. McMILLIN. Certainly.

Mr. REED. Why it is just as distinct and plain as human language can be. It says that seventeen days, excluding Sundays and any other days which the House may determine to devote to other business, shall be given to this discussion. It is not possible for language to be more explicit.

Mr. DUNHAM. I asked the gentleman from Tennessee for the purpose of getting his understanding as to what it meant.

The SPEAKER. The Chair will state, in order to prevent any possible misapprehension hereafter which may grow out of the response of the gentleman from Tennessee [Mr. McMILLIN] to the gentleman from Maryland [Mr. McCOMAS], that the resolution does not provide that each of the seventeen days shall embrace the whole time after the reading of the Journal. It will be that portion of the day which is devoted to the consideration of this bill in Committee of the Whole; and so the day will commence from whatever time the House may go into Committee of the Whole for the consideration of the bill.

Mr. McMILLIN. I intended to be so understood in my response to the gentleman from Maryland.

Mr. SPRINGER. Will that apply to this evening?

Mr. McMILLIN. It was so understood, for debate only.

The SPEAKER. The Chair will again submit the request of the gentleman from Tennessee. Is there objection to the present consideration of the resolution?

Mr. DUNHAM. Let the resolution be again read.

The resolution was again reported.

Mr. BUCHANAN. After the statement of the gentleman from Tennessee, that the resolution is meant to include this evening, I would ask whether it is the intention of the committee in framing the resolution to require gentlemen who are upon the list to speak, and who

are entitled, according to that list, to an early recognition, to proceed at the night session this evening?

Mr. McMILLIN. I do not know of any power to compel any member to speak at any time; nor would we seek to do so. That was not the design of the committee, and I do not believe that such can be considered as their meaning.

Mr. SPRINGER. If there is no understanding that this night session is to be for debate only on this bill, I wish to submit a request for unanimous consent.

Mr. BUCHANAN. Of course I understand what the gentleman from Tennessee says. But would a gentleman so placed lose his position on the list by not proceeding to-night, for instance?

Mr. McMILLIN. I will state to the gentleman from New Jersey that I would not want to make a statement concerning that, as recognitions are exclusively the province of the Chair.

The SPEAKER. The Chair will state that while the Speaker does not preside in Committee of the Whole, yet the practice of the House under such circumstances is not to deprive any gentleman of his proper place for recognition because he may not be ready to speak when his name was reached on the list. If other gentlemen are ready to proceed they will be permitted to do so, and the gentleman first on the list will be recognized at some other time.

Mr. BUCHANAN. I make the suggestion because I have a personal interest in this matter. My name is on the list, and I understand that I am to be the next person recognized; but I do not desire to go on this evening.

Mr. BRECKINRIDGE, of Kentucky. It was understood in committee that the debate at the day session and the night session should be kept altogether separate; so that if any gentleman was occupying the floor and in the midst of a speech when the hour of half past 5 o'clock arrived, he would go over to the next day——

The SPEAKER. Unless he desired to speak at night.

Mr. BRECKINRIDGE, of Kentucky. Certainly. And a gentleman who was speaking at night and gave way for a motion to adjourn would continue next evening.

Mr. McMILLIN. That was discussed in committee and understood, as I believe.

Mr. McCOMAS. Is there another list than that now kept by the Speaker's page?

The SPEAKER. The Chair does not know of any other list than that which is now at the desk.

Mr. SPRINGER. I doubt whether any person will be ready to go on this evening.

Mr. McMILLIN. I will say to the gentleman that some gentlemen are ready to proceed this evening.

Mr. SPRINGER. I wanted to ask unanimous consent that the House take a recess now, and that we have an evening session, to be devoted exclusively to business from the Committee on the Territories.

The SPEAKER. There is already a request pending for unanimous consent.

Mr. SPRINGER. I know.

Mr. REED. Let us dispose of one thing at a time.

Mr. HENDERSON, of Iowa. Let us dispose of what is before us first.

The SPEAKER. Is there objection to considering the resolutions presented by the gentleman from Tennessee at this time?

Mr. BRECKINRIDGE, of Kentucky. I wish to state that this rule was intended to continue only during the debate on this bill.

Mr. McMILLIN. That is so understood.

The SPEAKER. The question is on the adoption of the resolution.

The resolution was adopted.

Mr. McMILLIN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CENTENNIAL EXPOSITION, CINCINNATI.

Mr. HENDERSON, of Iowa, from the Committee on Appropriations, reported, as a substitute for H. Res. 127, a bill (H. R. 9711) making an appropriation to enable the several Executive Departments of the Government and the Bureau of Agriculture and the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, to participate in the Centennial Exposition of the Ohio Valley and Central States, to be held at Cincinnati, Ohio, from July 4 to October 27, 1888; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. McMILLIN. I reserve all points of order on this bill, as I do not know what the report is.

BRIDGE ACROSS OCONEE RIVER.

Mr. CRISP. I ask unanimous consent for the present consideration of a bridge bill to which there can be no objection. I have some personal interest in the matter.

The SPEAKER. The Chair will state that if these requests for unanimous consent proceed the Chair will alternate from one side of the House to the other.

Mr. CRISP. I ask that the title of the bill be read.

The Clerk read as follows:

A bill (H. R. 8279) to authorize the county of Laurens, in the State of Georgia, to construct a bridge across the Oconee River at or near Dublin, in said county and State.

Mr. CRISP. I desire to state that this bill contains the usual provisions. This is a river in Georgia with which I am personally well acquainted. I know there is no objection to the bill. Upon this statement I ask unanimous consent to dispense with the reading of the bill.

The SPEAKER. Has the bill been printed?

Mr. CRISP. The bill has been printed, has been unanimously reported from the Committee on Commerce, and is now on the Calendar.

There being no objection, the reading of the bill was dispensed with.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time by its title, and passed.

Mr. CRISP moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MATTHEW W. BERRYMAN.

Mr. LEHLBACH. I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill (H. R. 925) for the relief of Matthew W. Berryman, and that the same be now put upon its passage.

The bill was read, as follows:

Be it enacted, etc., That the proper accounting officer of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Matthew W. Berryman, of Newark, N. J., a major in the Army of the United States during the war of the rebellion, the sum of —— dollars and —— cents, for services rendered as major of the Tenth Regiment New Jersey Volunteers from the 13th day of October, 1861, to the 23d day of November of the same year.

The bill was reported with the following amendments:

In line 8 insert the words "the emoluments of a major," and strike out the words "the sum of —— dollars and —— cents."

In lines 12 and 13 strike out the words "and the said sum of —— dollars and —— cents is hereby appropriated for that purpose."

Mr. HOLMAN. Let there be some explanation or statement with reference to this bill.

Mr. LEHLBACH. The report is very short. I ask that it be read.

The report (by Mr. BLISS) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 925) for the relief of Matthew W. Berryman, having had the same under consideration, respectfully submit the following report:

Matthew W. Berryman was commissioned as major of the Tenth Regiment New Jersey Volunteers on the 13th day of October, 1861, and was mustered into the service on the 23d day of November of the same year. This bill provides that he should be paid for services rendered from the date of his commission. It has been the practice for Congress to authorize such payments in cases of this kind.

Your committee respectfully report the bill back to the House, with the recommendation that it do pass, with the following amendments: Strike out all in line 7 after the word "rebellion," and all words in line 8 before the word "for" in said line, and insert in lieu thereof the words "the emoluments of a major." Strike out all words after the word "year" in line 11.

Mr. STEELE. How is it that this payment can not be made under the general law?

Mr. LEHLBACH. These payments have to be made by act of Congress. It has been customary for every Congress to pass these bills. Major Berryman is entitled to payment for one month's service. He is over eighty years of age, is in poor circumstances, and needs the money. He rendered the service, and this is the only way in which he can get his pay.

Mr. McMILLIN. What is the reason he can not get it under the general law?

Mr. LEHLBACH. I do not know.

Mr. McMILLIN. We ought to know that.

Mr. LEHLBACH. He can only get the pay in this way. Such bills have always passed in this House, and have been unanimously recommended by the committee.

Mr. McMILLIN. The report fails to show the equity on which the case rests.

Mr. LEHLBACH. He rendered service to the Government from the date of his commission, but was not mustered till a later date, and he can only receive his pay from the date of muster.

Mr. McMILLIN. Then it is only a question of pay from the time between the date of receiving his commission and the date of muster?

Mr. HOLMAN. I think the general law covers the case.

Mr. STEELE. The general law governed the case, but I suppose this officer allowed the law to lapse without making application.

Mr. KERR. That law expired by limitation last June.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. LEHLBACH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN R. WOOD AND OTHERS.

Mr. O'FERRALL. I ask unanimous consent to take from the Private Calendar for present consideration the bill (H. R. 6862) for the relief of John R. Wood, John T. Ballard, and John T. Belew.

The bill was read, as follows:

Be it enacted, etc., That John R. Wood, as principal, and John T. Ballard and John T. Belew, as sureties, be, and they are hereby, relieved of the payment of the tax on 154 gallons of brandy, amounting to the sum of $138.60, said brandy having been destroyed by fire on August 3, 1887, near the village of White Hall (Moorman's River post-office), in the county of Albemarle, State of Virginia, and that they be further relieved of all penalties incident to the non-payment of said tax.

SEC. 2. That the United States district attorney for the western district of Virginia be, and he is hereby, directed to dismiss any and all proceedings which may have been or may hereafter be instituted against the said John R. Wood and the said John T. Ballard and John T. Belew, or either of them, for the payment of the said tax or penalties.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMAN. Let there be some explanation of it.

Mr. O'FERRALL. If the House will allow me I think I can make a statement which will probably occupy less time than the reading of the report. John R. Wood was a distiller in Albemarle County, Virginia. His distillery was situated near his house. His house caught fire. It was burned down with the distillery, and all his household goods were destroyed, leaving him in poverty. At the time of the fire there were in his distillery or warehouse 154 gallons of brandy, the tax on which amounted to $138.60. He has not been able to pay that tax by reason of this fire and the destruction of his property. A suit has been instituted in the United States court against him and his sureties. He had no insurance. It was a total loss. The bill provides that he and his sureties shall be relieved of the payment of the $138.60, the tax on the brandy which was burned.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. O'FERRALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVENWORTH CITY AND FORT LEAVENWORTH WATER COMPANY.

Mr. MORRILL called up the bill (H R. 6107) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of Kansas.

The bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. HOLMAN. I think there ought to be some explanation of the bill.

Mr. MORRILL. I shall be glad to make whatever explanation is required.

The SPEAKER. The Chair will state that only two minutes remain before the time fixed for taking a recess.

Mr. SPRINGER. The gentleman ought not to insist upon the passage of a bill like that in this hurried manner.

Mr. MORRILL. This is absolutely necessary in order to supply the troops at the fort with water. The fort adjoins the city. This is a tract of 8 or 9 acres which is cut off entirely by the railroad which is now built, and the Secretary of War recommends the passage of this bill providing for the sale of the land, and so does General Sheridan.

Mr. HOLMAN. Let me ask what is the purpose of having the money paid to the Secretary of War?

Mr. MORRILL. That is recommended by the committee.

Mr. HOLMAN. But the money, of course, ought to be accounted for in the Treasury, and there is no provision for the Secretary of War paying it into the Treasury.

Mr. MORRILL. That can easily be arranged, I suppose, by the Secretary of War.

Mr. BRECKINRIDGE, of Kentucky. Mr. Speaker, I do not understand that this bill is under consideration.

The SPEAKER. It is not.

Mr. MORRILL. The sale of this land for this purpose is absolutely necessary.

Mr. BRECKINRIDGE, of Kentucky. I am perfectly willing to let the land be sold, but I am not willing to pass a bill allowing it to be sold to a single purchaser.

Mr. MORRILL. This is not an individual; it is a water company.

Mr. BRECKINRIDGE, of Kentucky. All the more reason for objecting.

The SPEAKER. The Chair will state that the hour fixed by resolution for a recess has arrived, and unless some arrangement can be made by unanimous consent, the House will now take a recess.

Mr. MORRILL. I ask unanimous consent to extend the time for ten minutes.

Mr. SPRINGER. Mr. Speaker, I desire to ask that next Monday night——

The SPEAKER. The hour for the recess having arrived, the House takes a recess until 8 o'clock this evening.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m.

The House was called to order by Mr. MCMILLIN, who directed the Clerk to read the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES, *April* 25, 1888.

The Hon. BENTON MCMILLIN, of Tennessee, is designated to preside as Speaker *pro tempore* at this evening's session of the House of Representatives.

JOHN G. CARLISLE, *Speaker.*

To Hon. JOHN B. CLARK,
Clerk House of Representatives.

Mr. STONE, of Missouri. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the further consideration of House bill 9051, known as the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenue.

Mr. SHAW. Mr. Chairman, no other country has its treasury so encumbered with its riches, and no other people are so appalled at the possible consequences of their patient submission to excessive taxation as the people of the United States. Our boundless resources have enabled us to respond so generously to the unjust exactions of the Government as to cause an annual accumulation of money in the Treasury so large as to embarrass business and imperil the financial system of the country. Such a condition of prosperity needs no liberal or latitudinarian construction of the organic law to foster trade and encourage manufactures, but the best interest of each alike depends on the strictest interpretation of the Constitution.

In the plain import of its language there is safety, but on the uncertain and treacherous sea of liberal construction there may be shipwreck and disaster.

The framers of the Constitution adopted a plain style, without the ambiguity which in later years resorts to phrases unknown to its letter and spirit to discover its meaning and to measure its powers. There have heretofore been parties which disputed whether the Federal Government was the principal or the agent, and whether the people were the master and the Government the servant; but it remained for the "protection" policy to bring in the other common-law relations of parent and child, and guardian and ward. But I can not believe that the framers of the Constitution ever intended that in its interpretation the metaphors of rhetoric should become the premises of logic. For our guidance in construing this wonderful instrument there is transmitted to us the official proceedings of the convention that formulated it, which disclose the purposes intended by its framers; and we have the proceedings of the conventions in the States which ratified and adopted it to teach us what powers were intended to be conferred upon the Federal Government and the legislative branch thereof. In these we shall find a safer guide to correct conclusions than the fanciful similitude of relations drawn from the imagination.

To each of these authorities I will appeal for the fundamental reasons upon which I shall rely in opposing the continuance of a system of taxation that I believe to be unconstitutional in its inception and hurtful throughout all its long continuance. In examining them I find that the proposition to confer on Congress the power

"TO PROMOTE MANUFACTURES"

was brought before the Federal Convention on the 18th of May, 1787, in a series of resolutions proposing to consider the propriety of conferring on the Government additional powers, and, among others, the following were referred to a select committee:

To give to Congress the power to secure to literary authors their copyrights for a limited time.

To encourage by proper premiums and provisions the advancement of useful knowledge and discoveries.

To grant patents for useful inventions.

To establish public institutions, rewards, and immunities for the promotion of agriculture, commerce, trades, and manufactures.

It became the duty of that select committee, in its investigation of the subjects referred to it, to inquire into the expediency of investing Congress with powers "for the promotion" of manufactures, and in the event that the committee should find it expedient, it then became its duty further to ascertain the "proper premiums and provisions" over which Congress should be invested with power; what "public institutions, rewards, and immunities" Congress should be authorized to establish for the promotion of agriculture, commerce, trade, and manufactures. After due deliberation, from the 18th of August to the 5th of September, the committee determined that the only power which should be conferred was that contained in the clause of the Constitution which provides that Congress shall have power—

To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

Thus the committee virtually rejected the proposition to empower

Congress to "promote manufactures" by any other means than those just mentioned. That the phrase "useful arts" embraces and describes the manufacturing art no one will deny, and that the manufacturing art may be promoted after the manner prescribed by that clause of the Constitution heretofore recited all will readily admit, but the limitation which that clause imposes upon the means to be employed for its promotion effectively excludes all other means; hence it follows as a logical sequence that all efforts to promote the manufacturing art by the imposition of prohibitory or restrictive duties are not based upon any power to be found in the Constitution.

The report of the select committee, which was sustained by the convention, clearly indicates the purpose of the framers of the Constitution in relation to manufactures. The rejected propositions must have made manufactures the subject of the thought and deliberation of the convention, which, after discussing it for seventeen days, solemnly determined that the only power over manufactures which it would confer on Congress was that of securing temporarily to inventors the exclusive advantages which might result from their discoveries. This action of the select committee and the convention can not be otherwise construed than as a virtual rejection of the proposition to invest Congress with any other power relating to manufactures. When, therefore, I find the Federal convention refusing to incorporate in the Constitution a specific power I can not believe it to have intended that the power refused should be derived by implication from any clause of the instrument. Therefore I can not assent to that construction of the taxing clause which contends for the power to lay and collect taxes for any other purpose than that of revenue.

Mr. Clay, the ablest of all the advocates of a protective policy, as early as 1824, replying to Mr. Barbour, of Virginia, said:

The gentleman from Virginia has entirely mistaken the clause of the Constitution on which we rely. It is that which gives to Congress the power "to regulate commerce with foreign nations."

It has been shown that in the propositions submitted to the select committee of the Federal convention there was a clause conferring on Congress power "to promote agriculture, commerce, trades, and manufactures," and that the clause was rejected so far as it applied to agriculture, trade, and manufactures. But Congress was authorized to "regulate" one of the subjects, namely, commerce. Evidently the rejection of three of the subjects can not be construed as including any or all of them in the power to regulate the one retained. Manufactures are no nearer related to commerce than agriculture and trade. Manufactures and commerce are dissimilar, and can not be made synonymous by construction. Each is a distinct, determined, and defined subject, and they can not be identified without violence to recognized definitions, as well as to constitutional bearings. Commerce is the interchange of commodities between different localities. Manufactures are local, founded for the production of commodities and not for their interchange. Commerce supplies the American citizen, in return for the products of his labor, with the varied products of distant climes. Manufactures convert his raw materials into fabrics for consumption. Sophistry itself can not identify things thus distinct, nor render synonymous the terms and phrases by which they are represented. Yet the argument which derives the power to promote manufactures from the power to regulate commerce does, indeed, identify the subjects and renders the terms substantially the same.

It would seem that the power to regulate commerce was granted to Congress with a view to the perfection of our commercial relations with foreign nations, as well as to secure domestic tranquillity, by extinguishing a fruitful subject of dispute between the States, but as soon as the protective policy, by its liberal construction, perverted the commerce-regulating power to selfish ends, discord and division arose between agriculture and manufactures, which at one period of our history nearly brought about a separation of the States.

The convention which framed the Constitution, as we have seen, refused to confer on Congress the power to promote manufactures, except as has been stated; it confined the taxing power to a specific and well-defined purpose, and fixed the commerce-regulating clause within well-marked limits. Whilst I maintain that the intention of the Constitution must prevail in its construction, I also hold with Chief-Justice Marshall—

That this intention must be collected from its words; that its words are to be understood in that sense in which they are generally used by those for whom the instrument was intended; that its provisions are neither to be restricted into insignificance nor extended to objects not comprehended in them, nor contemplated by its framers—

I respectfully submit, therefore, that any system of import duties laid for any purpose other than that specified in the taxing clause, or any regulation of commerce which embraces an arrangement of import duties, is unconstitutional, and in the present condition of our country's manufactures, unnecessary and inexcusable.

The protective system has not only violated the letter and spirit of the Constitution, but, appealing to the most selfish instincts, has been advocated for misleading ends, and with delusive and deceptive purposes. Many of its advocates profess to be moved by a desire to make this country commercially independent. But they should not permit their zeal for a home market to render them unmindful of the fact that the commercial independence of any people can only be had and maintained at the cost of their civilization, and that the manifold blessings of creation are only to be enjoyed by the interchange of products among the different nations of the earth.

An All-Wise Creator gave to no country the possibility of commercial independence by endowing it with a soil and climate adapted to the production of every commodity desired, by and necessary to, the wants of man. No single nation covers the earth from north to south, and though Great Britain "has dotted over the surface of the whole globe with her possessions and military posts, whose morning drum-beat, following the sun and keeping company with the hours, circles the earth with one continuous and unbroken strain of the martial airs of England," it is political power and not commercial independence that marks her dominion.

It is not independence but interdependence which the providence of Almighty God designed for the inhabitants of the earth when He collected them into nations upon lands of different soils and climates. It is this interdependence of nations which, compelling the interchange of commodities, created commerce; and the substitution of commercial independence among nations, if it were possible, would rot every ship and close every port. Voltaire formulated the protective policy in the selfish maxim that "Such is the lot of humanity that the patriotic desire for one's country's grandeur is but a wish for the humiliation of one's neighbor," and "that it is impossible for one country to gain except by the loss of another." That was the regnant idea of the mercantile system of political economy, which held that only money constituted wealth, and of the manufacturing system, which supposed that national prosperity depended entirely on manufactures, and both systems were founded upon the fallacious doctrine that selling as much as possible to, and buying as little as possible from, foreign nations was the royal road to national wealth and prosperity. Out of these chimerical ideas sprang the desire for commercial independence, which in turn gave origin to a delusive wish for

A HOME MARKET,

at which agriculture was promised more remunerative prices than could be had in the markets of all the world; and, pregnant with promises, the protective policy pledged itself to build a manufacturing establishment in every community whose operatives would consume all that the soil of the surrounding country could yield under the most improved system of cultivation. In all discussions of the tariff the home market fallacy has been the attractive feature relied on to recommend the protective policy. But after seventy years of waiting we seem to be much farther in 1888 from a home market for all our agricultural products than we were in 1816. Instead of consuming all we grew in 1887 we shipped away from the home market of 60,000,000 of people $525,000,000 worth of agricultural products. Not only is the "home market" impracticable, but if every people could consume all the products of their industry, to do so would turn back the progress of the age and stay the march of civilization. And yet from 1816, when this seductive policy was first broached, its advocates, in every party, have clung to the theory of isolation and to schemes for shutting out foreign productions, or admitting them only under the restraining influence of high taxation. The means by which we have been endeavoring to create a "home market," and which our friends on the other side of this Chamber denominate the "American system," are all comprehended in that restrictive policy which England once practiced, but has long since abandoned, without its protective feature to agriculture. The restrictive policy of England was complete; agriculture was protected by corn laws, commerce by navigation laws, and manufactures by duties and prohibitions. But we have emasculated the English system and left agriculture without protection, thereby enabling manufactures to rob it by placing one hand of the Government in the pockets of the people and with the other bestowing their taxes on a favored few. It is, however,

None the less robbery because it is done under the forms of law and is called taxation.

Along with these fallacies of "commercial independence" and a "home market," the advocates of protection mistake the international account current of the custom-house for a

BALANCE OF TRADE

between nations.

The argument that an excess of exports over imports indicates invariably a prosperous trade, can be easier refuted by examples than by theoretical discussion. As merchants do not give away the goods they export, it can not be denied that every measure of merchandise exported brings back to this country a measure of foreign merchandise, which, whether more or less, is the market's estimation of the two values. The merchant at Baltimore who ships Western corn expects to sell it in the European market at an advance, and if he does not get that advance, either in cash or in goods which will sell in this country for more than he paid for the corn, freight, insurance, interest, and exchange included, he does not repeat the venture. But as the shipments continue it may be assumed that Western corn sells in Europe for more than it is worth in this country.

When $100,000 worth of Western corn is exported it is entered on the custom-house books at that amount, and when it arrives at a for-

eign port either the invoice valuation is entered on the custom-house books or an appraised valuation is substituted, but neither influences or affects the market value of the corn, whether the custom-house entry shows $90,000, or $100,000, or $115,000, according as the appraisement, when made, is below, equal to, or above the invoice valuation. The corn is sold after the entry or appraisement is made and brings the market price without regard to the custom-house return. If the Baltimore merchant's venture sells for $115,000, while the custom-house at Baltimore and at Liverpool shows only $100,000, there is a profit, which he invests in English goods and ships to Baltimore. The export entry at the Liverpool custom-house is $115,000 and the import entry at Baltimore is $115,000. The custom-house returns tell nothing whatever about the trade; that must be learned from the transaction, and can only be obtained from the merchant. The Baltimore merchant realized a profit on the American corn, and the Liverpool merchant realized a profit on the English goods. The Baltimore merchant bought English goods because they would sell in the American market for more than he gave for the corn, and the Liverpool merchant bought the American corn because it was worth in Liverpool more than the English goods. Both merchants made a profit, and each nation grew wealthier by the exchange.

The value of American exports, as shown by custom-house books, is restrained by no duty charge; hence there is nothing to prevent a higher valuation than may be realized, while American imports are more likely to be undervalued to escape the payment of a portion of the duty. Hence the tendency is to overvalue exports and undervalue imports, and thus a nominal and by no means real excess of exports is shown by custom-house returns. The undervaluation of imports is one of the evils of the ad valorem system of appraisement, the change of which has been repeatedly urged upon Congress. The $666,000,000 of exports in 1886, and the $636,000,000 of imports in the same year, show a balance of $30,000,000 in our favor, but how much of that balance is due to the overvaluation of exports and to the undervaluation of imports can not be ascertained. But that the so-called favorable balance of trade was not liquidated in precious metals is shown from the export and import of gold and silver. Here there is no possibility of over or under valuation; and notwithstanding the protective theory of the balance-of-trade idea, that the whole world owed the United States a balance of $30,000,000 on that year's trade, which was paid in precious metals, the same custom-house returns show that our export of precious metals exceeded our import by $34,000,000. It is contended by the protective theorist that the excess of merchandise exports came back through the silent and unobserved channel of bills of exchange. If that be true, it is the heaviest blow the balance-of-trade theory can receive, for it proves that the custom-house returns do not include all or even the most essential information as to the trade of the country with foreign nations. But the custom-house returns do exhibit in part the operation of the tariff, and show that the $666,000,000 worth of American exports, when exchanged for the goods of foreign countries and such goods are brought back to our shores, they are met with an average duty of 40 per cent., which, notwithstanding $212,000,000 of these goods were admitted duty free, the remaining $454,000,000 were increased in cost, but not in value, by $181,600,000 to the consumer. This latter sum is the premium exacted by "protection," to which must be added the untold millions which duties that are prohibitory enable the protected classes to filch from the people.

If the "protective" policy is to be perpetuated, let tariff duties be so laid that those who pay them may know how much they pay the Government for revenue and how much for "protection." Such a method of levying duties would enable the people to set off the cost against the benefits of "protection," and to intelligently decide whether it is worth continuing. The sum we are made to pay for it is an unknown one, and hence we are left without any certain means of ascertaining the wisdom of the outlay. Moreover, it is a right of a free people to know for what purpose they are taxed, yet this right is abridged by the manner in which duties are now levied. But the protectionists will oppose any change in laying tariff duties whereby the masses may learn how much of their substance is sacrificed to selfish greed, for well they know that the protective policy could not long survive the acquisition of such knowledge by the people.

The impossibility of commercial independence is shown by experience, the home market illusion disappears before the fact that after providing for our people more bountifully than any other people on earth are provided for, we send for sale abroad more than $500,000,000 of agricultural products, because we can not consume them at home, and the balance of trade mystification is made plain by the application of the principles of trade. Though these fallacies may still cloud discussion, they are subordinated to

THE CLAIM THAT PROTECTION GUARDS THE AMERICAN LABORER AGAINST COMPETITION WITH THE "PAUPER LABOR" OF OTHER COUNTRIES.

Let us examine the merits of this claim, and if it be established, I will never consent to change a system of taxation which really improves the condition of the American workingman; and I shall have much less regard for the Constitution of my country if it be shown that in its operation it tends to drag down the American mechanic to the level of the ill-fed, ill-clothed, and oppressed laborers of Europe.

I find in a foot-note in McMaster's History of the People of the United States, an account of

WAGES IN THIS COUNTRY IN 1800,

which states that—

In the great cities unskilled workmen were hired by the day, bought their own food, and found their own lodgings. But in the country, on the farms, or wherever a hand was employed on some public work, they were fed and lodged by the employer and given a few dollars a month. On the Pennsylvania canals the diggers ate the coarsest diet, were housed in the rudest sheds, and paid $6 a month from May to November, and $5 a month from November to May. Hodcarriers and mortar-mixers, diggers and choppers, who, from 1793 to 1800, labored on the public buildings and cut the streets and avenues of Washington City, received $70 a year, or, if they wished, $60 for all the work they could perform from March 1 to December 20. The hours of work were invariably from sunrise to sunset. Wages at Albany and New York were 3 shillings, or as money then went, 40 cents a day; at Lancaster, $8 to $10 a month. Elsewhere in Pennsylvania workmen were content with $6 in summer and $5 in winter. At Baltimore men were glad to be hired at 18 pence a day. None by the month asked more than $5. At Fredericksburg the price of labor was from $5 to $7. In Virginia white men employed by the year were given £16, currency; slaves, when hired, were clothed and their masters paid £1 a month. A pound, Virginia money, was, in Federal money, $3.33. The average rate of wages the land over was, therefore, $65 a year, with food and perhaps lodging. Out of this small sum the workingman must, with his wife's help, maintain his family.

Here we have a starting-point, the lowest in the scale of wages during the present century. From that point the rate of wages has risen, not only among manufacturing operatives, but with every class of wage-workers. The Massachusetts Bureau of Statistics, in their sixteenth annual report, shows that from 1830 to 1860 there was a steady, gradual rise in the rate of wages, and that though occasional fluctuations apparently retarded the advance, yet the increase for the whole period was steady and regular. Commercial panics, like those of 1837 and 1857, checked the rise, but with returning confidence and renewed business the advance went forward, and hat from 1860 tto 1873 the rise in the rate of wages continued until the panic in the latter year checked the advance, which yielded to the general stagnation that pervaded the country until 1880; and that from 1880 to 1886 the advance was 28.36 per cent.

In England the advance in the rate of wages has likewise been steady and regular; but there, also, fluctuations were occasional. Mr. George Lord, president of the Manchester Board of Trade, shows that from 1850 to 1883 the advance was 39.18 per cent. If protective tariffs in the United States were the sole cause, or even a material and important cause, for an advance of 28.36 per cent., the policy of free trade in England must be credited with the larger advance of 39.18 per cent. But the fact is that to neither protection nor free trade is the advance in the rate of wages to be credited. The advance came independently of both policies and from other causes.

In this country two important factors contributed to the increase. Our vast unpeopled public domain, with our beneficent homestead laws, drew a great number of ill-paid operatives from the factories to the fields. That immense army of tramps, which but a few years back were marching over the country seeking bread by begging, have found on our public domain a camping ground, and have almost entirely disappeared from the kitchen gardens of country houses, and have become useful members in the ranks of production. Improved machinery had driven them from the factories, and our public domain took them in and ministered to their wants.

The second cause for the advance of the rate of wages is to be found in the fact that manual labor has been supplanted by machinery. It has been roughly estimated that in some industries one man in 1888 can do the work that required scores of men to do in 1800, so that whilst the improvement in machinery has reduced the number of employés it has multiplied the fruits of their labor.

It will not be questioned that the cost of labor is an element in the price of manufactured products. But it is almost susceptible of demonstration that it is not the rate of wages, but the sum of wages which enters into the cost of the manufactured article. This cost is made up of capital, raw material, and labor. Whatever reduces the cost of one of these elements competition will be swift to seize upon. Improved machinery, by reducing the number of employés, lessens the sum of the cost of labor, and therefore the cost of its product also, and at the same time, by its necessities, increases the rate of wages to those employed. What, then, becomes of the protective maxim that "low prices make low wages," when it is a fact that the prices of all kinds of manufactured products were never lower and the average rate of wages was never higher than at present.

The fall in the prices of manufactured goods would have been greater than it has been, and as great as it has been in England, if the "protective tariff" had not taxed raw material, and thus kept up the cost of one of the most important elements of production.

The report of the Massachusetts Bureau of Statistics confirms this view of the reduction of the sum of wages, and the effect of that reduction upon the rate of wages. It says:

In proportion as capital, through machinery, becomes more effective, the relative number of laborers is decreased in proportion to products, the rate of wages is increased and the sum of wages is reduced; that is, lower cost is compassed by way of higher wages.

Protective duties, therefore, brought no increase in the rate of wages, but the advance is the result of the diminished number of operatives. Improved machinery did not alone effect this result. As before stated,

many have been drawn away from manufacturing pursuits with the hope for a better condition of life held out by our homestead laws and the rich soil of our public domain. Hence, it is apparent that the wages of labor in the United States are not gauged by "protective" duties, nor measured by those of the poorly paid of any country. The different States and Territories into which this great country is divided, and between which there is no embargo upon trade, differ among themselves in respect to wages of labor. The difference in wages in the same industries in different sections of the United States is well illustrated in the following returns of wages in the iron industries of different States made under the census of 1880:

Unskilled labor in blast furnaces in Virginia, 82 cents per day; in Alabama, 98 cents; in Pennsylvania, $1.09, and in Mississippi, $1.29. Skilled labor in iron-rolling mills in Alabama, $2.25 per day; in Massachusetts, $2.70; in Pennsylvania, $3.03; in Ohio, $3.87; and in Kentucky $4.62. The yearly average wages in the aggregate iron industries of the different sections of the United States are reported as follows: Eastern States, $417; Western, $396; Pacific, $354; Southern, $304.

"Where two employers run after one workman, wages rise; but when two workmen run after one employer, wages fall." In this country cheap public lands and manufactures are the two employers running after the one workman, and wages are high. In England, where there is no public land there is only the one employer, manufactures, after whom all workmen run, and wages are low.

In the United States those industries which are not protected pay the highest wages. In the building trades, where foreign competition is impossible, the wages paid are nearly double those of many foreign countries. According to the last census the average yearly wages of the unprotected railway employé was $450, whilst those of the protected iron-workers are only $312.

It is true that wages are higher in America than in Europe, but it is also true that they are higher in England than in France or Germany. I have seen it stated that the average weekly wages in fifteen employments in free-trade England were $7.07 as compared with an average of $3.64 in the same employments in protectionist Germany. And though the products of low-priced German labor, with the exception of wines, liquors, and tobacco, are admitted free into England, wages there, as we have heretofore shown, have risen more rapidly than in "protected" America. If the competition of cheap German labor does not operate to reduce wages in England, why should the American laborer, more than 3,000 miles away, need to be protected from it? It seems to me a moment's thought should convince him he has nothing to fear from a reduction of tariff duties to a revenue basis, "for nine-tenths of all the arts and manufactures of the country exist by reason of necessity and not by reason of any system of revenue laws; not by any discrimination in the imposition of duties; not from any cause which it is in the power of legislation to promote, except by assuring personal safety, the enforcement of contracts, and an honest dollar as the unit of money."

Owing to great natural advantages, which the tariff neither gave nor can take away, labor intelligently applied will yield larger returns in this country than in Europe, hence it commands better wages. It has always been so, and to this fact we are mainly indebted for the immigration which for the last two hundred years has been crowding our shores and swelling our population.

Who is the laboring man for whom protection is asked? Is not the settler who pre-empts a home in the far West, toils early and late, withstands all untoward circumstances, and labors longer than from sun to sun to lift the mortgage off his little farm, in every sense a laboring man? Do you protect him by retaining a tariff tax on lumber which he uses to construct his house, the nails that hold it together, the carpet that covers his floors, the stoves in which he burns taxed coal, the barbed wire that incloses his fields, and the iron out of which are made all his farming utensils? And do you treat him fairly when you tax the salt with which he cures his "unprotected" pork, while the salt with which the New Englander cures his "protected" fish is not taxed?

The American workingman, who is compelled to sell his labor here at home in competition with that of every clime, is surely not benefited by a prohibitory tariff which compels him to pay an increased price for nearly every article that enters into his daily use. Free trade in labor, but "protection" for everything which labor must buy, is so manifestly unjust as to merit universal condemnation.

At the other end of this Capitol the President has been charged with wanton disregard for American interests and American labor, because he has asked Congress to reduce the burden of unnecessary taxes and to stop the accumulation of money in the Treasury for which the Government has no present need. But the message in which he directs attention to the "forgotten millions" of our countrymen will withstand all the assaults which the apologists of protection can make upon it. No other message ever carried such welcome news since "Peace on earth, good will to men" was proclaimed. If in this message he made no reference to the Deity, as has been alleged, he adhered strictly to the Constitution, which mentions neither the Almighty nor the "protective" tariff. [Laughter and applause.] In this connection it is useless to discuss "free trade," because whatever that may be in theory it can have no practical application in this country so long as the people prefer indirect to direct taxation. There must be revenue, and very large revenue, to meet the public expenditures, pay the interest, provide for the extinguishment of the public debt and discharge the nation's obligations to its pensioners, and many other items of expenditure which the people tolerate under a system of indirect taxation. While, therefore, this stealthy method of taxation must continue to supply the great bulk of the revenue of the Government, both constitutional obligation and wise public policy demand that import duties be confined to their legally prescribed purpose, "to pay the debts and provide for the common defense and general welfare." This restriction of import duties to their constitutional use can not now be opposed by the arguments which Mr. Clay urged in support of his "American system."

At this time no "general distress pervades the whole country." There is no "alarming diminution of the circulating medium," except such as the protective policy has caused by accumulating an immense surplus in the Treasury. There is no "universal complaint of the want of employment," and "no consequent reduction of the wages of labor." On the contrary every condition of trade and business proclaims national prosperity and individual happiness. There do and always will exist poverty, wretchedness, and want among sixty millions of people —"For ye have the poor always with you." Poverty can neither be repealed, abolished, nor prevented by Congressional legislation. No system of human laws can convert the thriftless into the frugal, the improvident into the saving, the dissipated into the temperate. The present condition of our trade and business, aside from constitutional consideration, offers no excuse or justification for the further continuance of a system of high protective duties; and when that system pours into the Treasury more revenue than the Government requires, and creates a surplus, which, lying idle in its vaults, hampers and hinders the commercial transactions of the whole country, Congress is confronted with a duty, the failure to discharge which would be criminal. Two streams pour their constant currents into the Treasury, both proceeding from the purses and pockets of the people. The one brings its contributions from whisky and tobacco; the other extorts its tribute from the necessities and comforts of life. Their combined supply is no longer needed, and one or the other must be cut off. Which shall it be? Free whisky or free wool; free tobacco or free tin? Shall the internal revenue or the customs duties be reduced, or shall there be a compromise, taking here a little and there a little, regarding no principle upon which the revenue is founded, but adopting the shifting expedients of a paternal government?

While unalterably opposed to a system of customs duties devised and constructed to benefit the few at the expense of the many, I am equally unwilling to deprive our manufacturing interests of the benefits which they would receive from a just distribution of revenue duties. I therefore think it unwise to take the tax off such luxuries as whisky and tobacco in order that raw material and the necessaries of life may continue burdened with a tariff hurtful to the manufacturing interests and injurious to the prosperity of the whole country. Nor do I think it wise to continue customs duties on those articles of prime importance, whose prices are unnaturally kept up by

COMBINATIONS, POOLS, AND TRUSTS.

It is now nearly a century since Mr. Hamilton, in his report as Secretary of the Treasury, stated that when once protection had established manufactures on a firm basis, competition would correct and prevent the growth of monopolies; and in 1824 Mr. Clay iterated the same allurring and deceptive statement. But this proposition is proven to be fallacious by the unexampled rise and flourishing condition of monopoly in nearly every class of manufactured products under the highest "protective" tariff in the history of our country. It is not to be denied that lower prices have been steadily coming, coming to free-trade England as well as to protective America, coming from causes which, although contemporaneous with, are wholly independent of our tariff policy. But monopoly, instead of being crushed out by competition, has seized upon tariff, competition, manufactures, people, and Government, until the Standard Oil Company, the Bessemer-steel combination, the sugar, the cotton-seed oil, the lead, and the salt trusts, the rubber pool, and scores of other combinations now dictate their own terms, by arbitrary rule, regardless of all the elements which, in unrestricted trade, make up and constitute legitimate price. The only consideration which influences these grasping combinations is how much the people will bear and continue to use their commodities.

By these trusts, the outgrowth of our present tariff duties, prices have been advanced and maintained at a rate above what they would have reached had they been left to the operation of the natural laws of trade. Bessemer steel, under the protection of a high duty and the fostering care of a gigantic combination, puts into the coffers of its makers an enormous revenue, which, though first paid by the builders of railroads, is finally extorted from the agricultural and other shipping classes in exorbitant freight charges. This has been so clearly shown by Mr. Watterson, in Harper's Magazine for January, 1888, that I beg leave to repeat his statement here:

In the year 1886 the product of the American steel-rail combination was 1,500,000 tons. There are in the United States about 140,000 miles of railroad, and this

year the new roads will reach to 10,000 miles, possibly to 12,000. Ninety tons of steel rails are used for every mile of road where steel is used. It is safe to say that the steel rails cost the companies $15 more per ton, year in and year out, because of the tariff, or $1,350 for every mile of road built. Multiplying this by 10,000 for the number of miles built in 1887, for the new roads alone the tax is $13,500,000. These rails last only ten years. The entire railroad system of the United States has to be renewed every ten years; or at the rate at present of 14,000 a year, the additional cost of this at $1,350 per mile or for 14,000 miles, is $18,900,000. In other words, the tariff will soon impose upon the builders of new roads, and on those who renew old ones as they wear out, a tax of $32,400,000 in excess of what the cost would be were the American railroads permitted to purchase rails where they could buy them cheapest.

The Bessemer-steel rail combination is permitted and encouraged by "protection" to extort such high prices from railroads that the companies are compelled to recoup on the agricultural productions of the whole country, and thus the protected Bessemer-steel combination levies its contributions on agriculture, trade, and business, until,

> As naturalists observe, a flea
> Has smaller fleas that on him prey;
> And these have smaller still to bite 'em,
> And so proceed *ad infinitum*.

One protected interest bites and sucks another, and all bleed and exhaust the people. Thus protection enables Pennsylvania iron to levy its contribution on Ohio wool, yet both States are loud in their demands for the protective system.

The salt trust, composed of sixty-three companies, fleeces the people with the help of a duty of 39.3 per cent. on imported salt, and every pound of pork, bacon, beef, and other provisions which require salt to preserve them for food purposes, pays its tribute to that trust.

Sugar is protected by an average duty of 82.04 per cent., and a refiners' trust reaps the benefit of a protection originally intended for the Louisiana planter.

Rubber shoes, with an import duty of 25 per cent., have also their trust, with $50,000,000 capital, to keep up the cost of dry feet.

One can not spread a table-cloth without paying tribute to a combination, nor a floor-cloth without contributing an extra profit and 40 per cent. duty to a trust whose circular says:

> Members have paid into the association large sums of money, which are forfeitable on the violation by them of any of the provisions of the association. They have also bound all their salesmen and agents to maintain strictly the terms which they themselves have agreed to.

Violations of the agreement to maintain prices are punishable by a fine of $500. Dealers who can show that they have maintained the prices fixed for the season from December 1, 1887, to May 31, 1888, will receive from the official of the pool a rebate of from 15 to 17½ per cent. But they are not to sell to retailers who sell at prices under the schedule. "The association," says the circular, "will not reduce prices prior to June 1, 1888. They reserve to themselves the right to advance the same at any time without notice." The first effect of the formation of this virtual trust was an advance in the price of oil-cloths of 65 per cent.; that is to say, prices have been advanced that much beyond the figure at which some manufacturers could sell oil-cloths with profit. The 65 per cent. is extra profit to the members of the association and extra loss to buyers.

These combinations, pools, and trusts, the inventions and schemes of cunning men, pervade almost every branch of business. They are made possible by our iniquitous tariff system, and they add hours to the labor of the workingman; they hinder the alleviation of the people and retard the progress of civilization.

I have endeavored to show that every basic principle of the protective theory—commercial independence, the home market, the protection of labor, and the prevention of monopoly—is delusive, and can not stand the test of reason and experience; that commercial independence, if realized, would be calamitous; that the home market of sixty millions of people has failed to prevent $700,000,000 of our products yearly seeking the markets of the world; that labor owes the rise in the rate of wages to our public lands and to the inventive genius of our people, and that monopoly, instead of being prevented by competition, has been promoted by the restrictive policy.

The fallacies which foster protection are not less inimical to the interests of the people than the modes in which its tributes are levied. Articles of prime necessity are taxed until they are made to pay 80 per cent. of the duty collected. Raw materials, which enter into manufactures, starting with a tax in their simplest form, are followed by other duties after every change to which they may be subjected, until double and triple and quadruple duties enhance the cost of the simplest and most needed article. Iron ore is taxed 75 cents per ton. An average of 3,000 pounds of iron ore make 2,240 pounds of pig-iron, and the tax on ore is over $1 on the ton of pig-iron in the first stage of manufacture. The duty on pig-iron is three-tenths of a cent per pound, or $6.72 per ton, which, added to the $1 on iron ore, makes $7.72 of tax at the second stage of manufacture, and through every other form which the iron may take taxation follows and increases and ceases not through all the life of the metal until oxidation has returned it to the earth.

The report on the "mineral resources" for 1886 states the domestic iron ore consumed in that year to have been 10,000,000 long tons, valued at the mines at $28,000,000; that imported iron ores consumed was 1,039,433 long tons; total iron ore consumed, 11,039,433 long tons. That of pig-iron there was made 5,683,329 long tons, valued at the furnace at $95,195,760. A ton of iron ore is worth $2.80, and a ton of pig-iron $16.75, according to the figures of the same report. From the same source we learn that the "total spot value of all iron and steel in the first stage of manufacture, excluding all duplications, was $142,500,000. Notwithstanding the large output of American ore, 1,098,565 long tons of foreign ores were imported. While the United States produced in 1886 28 per cent. of the world's production of pig-iron and 34 per cent. of the world's production of steel, it was found necessary to draw on foreign countries for more than 1,000,000 tons of ore. This importation can not be accounted for on the supposition that more ore was required than was mined in the country, but was due to the fact that American ores are too rich in phosphorus for Bessemer steel making, and in order to work American ores for this purpose they must be mixed with one-third such carbonaceous ores as we import. Here is a reason and argument for putting carbonaceous iron ore on the free-list as a means of increasing the consumption of American ore. Instead of being competitors in the same market the American and certain of the foreign ores are of mutual aid and assistance and together are necessary for the fullest development of the American iron-ore business. Among the raw materials few occupy a more important rank than

WOOL.

Raw wool, as a product, belongs to agriculture, while its fabrics belong to manufactures, and both should receive the most careful consideration by this Congress. The friends of this great interest are not now, and never have been, united as to the legislation which would best promote it. Some of the manufacturers demand high duty as a protection to the American farmer growing wool, but these regard all foreign wools as competitors in the market with the American wool. But the conditions of climate and soil, which affect the weight and fineness and softness of the fleece, are not within the control of legislation, and can not be altered by any duty on imported wool. The softness of the fiber is not dependent on the fineness, and this quality, which affects the price of cloth from 20 to 25 per cent., will influence the price of the fleece, and can not be changed by any import duty. Mr. Bakewell has shown that the degree of softness depends principally on the nature of the soil from which the sheep are fed—the chalk or light calcareous soils producing hard wool, while loamy, argillaceous soils grow a wool distinguished by its softness. The influence of climate and soil on the fiber is as marked in the United States as in England. Mr. Schoenhof has shown that the alluvial soils produce a wool which he says "is ill adapted to compete with the soft, elastic staples of other climes," and Consul Griffith says that the—

> Modification of the present duties on Australasian wools would undoubtedly give a great impetus to the commerce of both countries. The United States would then draw more largely than ever on the colonies for all wools suitable for fine and superfine cloths and ladies' dress goods. * * * In the event of the reduction of the duties on Australasian wools, or of the admission of the class of wools peculiar to that country and not grown in the United States, the American mill-owner would soon be in a position not only to undersell in his own market all woolen fabrics of a foreign make, but to compete successfully with other woolen manufacturing countries in the various markets of the world. At the same time the American flock-master would not experience any loss by the change in the tariff, as the wools imported would be of a different quality from those which he is able to produce.

Our manufacturers need the finer fiber of imported wools to work into and with the domestic wool. Thus a duty on foreign wools operates to some extent to lessen the consumption of domestic wool. Therefore it will be to the interest of those engaged in sheep husbandry to place raw wool on the free-list, and thus open a way to increased manufacture of woolen goods at cheaper prices, thereby encouraging and increasing a larger consumption of American wool. Schoenhoff says—

> Free wool and an average tariff duty of 25 per cent. on imported woolen fabrics would be a far more effective preventive against the danger of foreign woolen inundation than our present 75 per cent. tariff and taxed wool.

TIN-PLATE

is another article upon which tariff duties are levied that are in no sense "protective" to any American industry, and serve no other purpose than to increase the annual surplus in the Treasury and to further impoverish the people. The preservation of fruits, vegetables, fish, oysters, and meats in tin cans is an industry which is annually increasing in volume and value. This industry multiplies the comforts of life by supplying food out of season, and provides a market for agricultural products, some of which would otherwise rot and waste; and also affords employment to hundreds of men, women, and children at profitable wages. Not only so, but it encourages and stimulates the growing of small fruits and vegetables, which greatly aids the farmer in these days of agricultural depression. His interest in this connection should be considered, for in the last two decades immense areas of new land have been opened to cultivation, and the production of the cereals largely increased, so as to make necessary a more extended market for our products, but a prohibitory tariff partially excludes us from foreign markets until our supply so far exceeds the home demand as to render the staple farm products no longer profitable. Once American wheat was heavily exported at prices that were remunerative, but other countries, particularly England, failing to trade with us upon equal or satisfactory terms, have encouraged wheat-growing in India and elsewhere, where they can dispose of their own commodities, and are drawing supplies from these sources which they formerly purchased in the United States.

Therefore in the name of the American farmer I appeal to this House to ratify the action of the Committee on Ways and Means in placing tin-plate on the free-list. No good reason can be assigned why this should not be done. Everybody in America uses tin-plate, and nobody here produces it. Everybody pays the tax upon it, and nobody reaps the benefit of it. The Government does not need it and has no legitimate use for it. Why, then, should this tax be continued?

In a single county of the district I have the honor to represent in this House there were packed in the year 1882, and the business is much larger at present, 38,400,000 cans of hermetically-sealed goods. This was the output of 300 factories, which gave employment to 16,000 persons. The product packed in that one county required 10,000 acres for tomatoes and 5,000 acres for corn, involving an outlay for agricultural labor of $200,000. One hundred and thirty thousand boxes of tin were used in making the cans, and $135,000 expended for labor, while a further expenditure of $900,000 was required for the other processes of preparation. Tin-plate is the only material yet discovered that is fitted for the purpose of hermetically sealing products for transportation over long distances. Its lightness, cleanliness, non-corrosiveness, and strength combine to make it essential to the business. As tin-plate is not manufactured in this country, there is no just reason for retaining a tariff tax upon its importation. The effort to produce tin from the cassiterite of the Black Hills of Dakota will hardly justify a tax on imported tin; that of Ashland County, Alabama, has been shown to contain no trace of tin, but to be merely iron pyrites; the tin deposit in Virginia is no longer worked, so that all the American tin which can be "protected" is "a small piece received by the United States Geological Survey, said to have been obtained from cassiterite in the great American lode located near Rosita, Custer County, Colorado." To "protect" that small piece of American tin costs the people who use canned goods an enormous sum of money. The 130,000 boxes of tin before mentioned cost my people in tariff taxes in a single year $171,600. It is estimated that there is more than $90,000,000 invested capital in this industry.

In addition to the enormous home consumption there were exported last year 43,050,588 pounds of beef in cans, 16,229,163 pounds of canned salmon, canned fruit valued at $506,794, and canned vegetables valued at $228,567. A trade in canned oysters is beginning, which promises to become in time very extensive and of great value. Petroleum is also exported in tin cans. This metal, of such universal use, is burdened with a heavy and unnecessary tax, which aggregated last year $5,706,434 on an import value of $16,883,814, or over 34 per cent.—a tax which is not only hurtful to an interest intimately related to the profitable development of many branches of agriculture and to labor, but which adds to the cost of the builder's tin roof and the utensils of every household in the land. The Government no longer needs the revenue from this tax; there is no tin found in the country to "protect," and the continuance of this needless and hurtful impost is a violation of every principle of political economy.

The platforms of both political parties in the last two Presidential canvasses, the whole press of the country, and the universal sentiment of the people admit the necessity for and demand a prompt reduction of the revenue. The only obstacle that hinders this reasonable demand is the alleged "protection" of established and prosperous manufacturing interests. This form of favoritism should cease, and the revenue reform demanded by the best consideration for the welfare of the whole country should no longer be delayed. The bill now under consideration proposes to bring about this reform by a fair distribution of duties without discriminating against any industry.

The recommendation of the Secretary of the Treasury "to add to the free-list as many articles as possible," and to "reduce duties upon every dutiable article to the lowest point possible," fairly and distinctly states the scope of the popular demand for revenue reform. This wise suggestion is guarded, however, by the caution that "the present situation of labor and business must always be kept in mind." I respectfully submit that neither labor nor business will be injured or embarrassed by the proposed reduction of $50,000,000 or more from customs duties. If from the $228,000,000 of estimated annual customs duties there be taken $50,000,000, there will remain $178,000,000 to be collected from the competitors of our varied manufactured products, and there would be left in all $333,000,000 of receipts to meet an expenditure of $326,000,000, thus leaving a surplus of $7,000,000, which may be further increased by economy in the public service, and which will be ample for all proper purposes.

INTERNAL REVENUE.

In this estimate the internal revenue is retained in its entirety, and why should it be repealed at this time, either in part or in whole? The most plausible reasons assigned for its repeal are, first, that it is a relic of the late war, which ought to be abandoned in time of peace. This is more sentimental than wise. The present tariff is not less a relic of the late war, from which it originated, and to meet the demands of which it was devised. If all that reminds us of that sad event is to be done away with, then free trade must indeed prevail, and even the pension-list must be abolished.

Second, it is urged that the internal revenue necessitates an army of tax collectors, inspectors, and other officers, which is a menace to our politics and the purity of our elections. But this is an objection which may be removed without repealing the system. Of all the modes of taxation yet devised, the existing internal-revenue tax is the least burdensome to production, and it is one of which consumption makes but little complaint. The demand for its repeal originates with those who would retain high import duties and continue the onerous "protective" system. These newly discovered friends of the agriculturist, who tax sugar, iron, clothing, and almost every article of daily consumption, in order to make whisky and tobacco free, represent the grower of the latter as demanding the right to sell his product at any place and to any purchaser without the surveillance of the Government. While that principle of free trade is not disputed, it must not be forgotten that the grower of tobacco has always demanded State inspection laws for his protection—laws which require that tobacco be sold, inspected, and stamped from State warehouses.

The repeal of this tax would not put one penny into the purse of the grower, while it would destroy to a very great extent the value of the "brands," which have been established with great care, labor, and expense by the manufacturers. When the sale of manufactured tobacco in packages is no longer required by law, every grocer and dealer can sell tobaccos of each "brand" from the same barrel under the counter, all the peculiarities, virtues, and preference which years of care have given to certain brands will disappear, and loss and ruin follow to the manufacturer, in order that protection may keep up the price of iron and steel, of blankets and woolen goods, and all the other necessaries of life.

In considering the reduction which the repeal of the internal-revenue tax will make in the receipts of the Government, there is a peculiar pertinency in the question of the Secretary of the Treasury:

> Is it the part of statesmanship to give up a revenue so easily collected, to unaccustom our people to its payment, and to do away with all the machinery for its collection, when, unless we are more favored than other nations of the world, there will come a day when it will all be needed?

This need was felt at the beginning of the war of 1812, and expressed by Mr. Dallas, the then Secretary of the Treasury. In his report on the finances for 1815, he says:

> It certainly furnishes a lesson of practical policy that there existed no system by which the internal resources of the country could be brought at once into action when the resources of its external commerce became incompetent to answer the exigencies of the time. The existence of such a system would probably have invigorated the early movements of the war; might have preserved the public credit unimpaired, and would have rendered the pecuniary contributions of the people more equal as well as more effective. But owing to the want of such a system, a sudden and almost exclusive resort to the public credit was necessarily adopted as the chief instrument of finance.

It was again felt in 1861, when millions were added to the cost of the war by the want of a proper internal-revenue system; and similar losses will occur if war should again find the Treasury dependent solely on customs duties for revenue. That risk it is gravely proposed to take, in order that the consumers of spirits and tobacco may be freed from a self-imposed tax which burdens no industry and hinders no prosperity.

The annual customs revenue of $228,000,000, as estimated by the Secretary of the Treasury, imposes upon each one of our 58,000,000 of population an average customs tax of $3.93, and upon each family of five persons $19.65. These seemingly small amounts come from the homes of the working people; they lessen the sugar that would sweeten their beverages; they compel the patches which disfigure their clothing; their effects are to be seen in the broken and mended implements with which labor delves for daily bread; and they may yet cause to be inscribed on these walls that we have been weighed in the balance and found wanting in proper care and regard for the people's hardships.

The people whom I represent will make any necessary sacrifice to maintain unimpaired the credit and honor of the Federal Government; but having in the last twenty-two years paid their full proportion of the taxes which resulted in a surplus, the total of which is officially stated to have been $1,491,845,953.12, now feel that the time has come to draw the line for home and family, and hence they are in hearty accord with the President in his earnest effort to abolish unnecessary taxes and prevent the increase of a harmful surplus. The issue made by the President is in no sense a party one. His Republican predecessor earnestly recommended a reduction of taxes and surplus; four Secretaries of the Treasury—two Republican and two Democratic—have urged the same wise measures. The platforms of the Republican and Democratic parties have alike declared for and committed those parties to a reduction of taxes and a return to an economical expenditure of the public funds. Unfortunately the country is on the eve of a Presidential election, and there are those who seek to throw about "protection" a glamour to deceive the people into the belief that the rate of wages will be lowered by a reduction of taxes. The danger that confronts wages does not come from reduced taxes, neither does it proceed, as I have heretofore shown, from competition with the pauper labor of foreign countries, but rather in the continuance of a system of taxation that pours into the Treasury immense sums for which there is no legitimate outlet, lurks the danger, threatening alike to labor and to capital. This danger to the prosperity of the country has been brought to the attention of Congress by the President and his Secretary of the Treasury. Public opinion, as voiced by almost every newspaper, recognizes and admits it.

The exigency is not denied; only the remedy is in dispute. On either

side of that dispute the two great political parties of the country are aligned. The Democratic party would reduce the revenue by lessening the tax upon food, clothing, and other necessaries of life. The Republican party would effect such reduction by curtailing the tax on spirits and tobacco. Upon the issues thus joined the Democratic party is ready for trial, before Congress first and the people afterwards. [Applause.]

During the delivery of the foregoing speech, the hour having expired,

On motion of Mr. SPRINGER, by unanimous consent, Mr. SHAW was granted leave to continue until his remarks were concluded.

THE TARIFF AND THE FARMER.

Mr. GLASS. Mr. Chairman, In the remarks that I shall have the honor of submitting in support of the bill under consideration, the question will be considered from the standpoint of the farmer. This class has not at all times received the full measure of justice at the hands of this body—a class engaged in the oldest and largest industry of our country; there being 52 per cent. of our entire population engaged therein or directly dependent upon it for support. Of persons in the United States pursuing gainful occupations there are 17,392,099, divided as follows, to wit:

Agriculture	7,670,493
Professional and personal services	4,074,238
Manufacturing, mechanical, and mining	3,837,112
Trade and transportation	1,810,256

I will endeavor to show how small is the number of our population engaged in the protected industries or can in any way be benefited by the protective policy, and how great are the burdens laid upon a much larger number for the benefit of a favored class. It will not be seriously insisted that high tariff duties can benefit the large serving and laboring classes embraced in the following tables:

Architects	3,375
Artists and teachers of art	9,104
Auctioneers	2,331
Barbers and hair-dressers	44,851
Boarding-house keepers	19,058
Clergymen	64,698
Clerks and copyists	25,407
Clerks in hotels	10,916
Dentists	12,314
Domestic servants	1,075,655
Employés of hotels	77,413
Civil engineers	8,251
Hostlers	31,697
Hotel-keepers	32,453
Journalists	12,308
Laborers	1,859,223
Laundresses	121,942
Lawyers	64,137
Livery-stable keepers	14,213
Messengers	13,985
Musicians	30,477
Nurses	13,483
Physicians and surgeons	85,671
Restaurant keepers	13,674
Sextons	2,449
Teachers and scientific persons	227,710
Veterinary surgeons	2,130
Private watchmen	13,344
Whitewashers	3,316
Boatmen and watermen	20,398
Book-keepers in stores	59,790
Canal men	4,328
Clerks in stores	355,444
Commercial travelers	28,158
Clerks in railroad offices	12,331
Clerks in insurance offices	2,830
Clerks in express companies	1,856
Draymen and teamsters	177,586
Employés in warehouses	5,022
Employés of railroad companies	236,058
Peddlers	53,491
Milkmen and women	9,242
Newspaper carriers	3,374
Street railroad employés	11,925
Telegraph employés	22,809
Telephone employés	1,196
Packers	4,176
Pilots	3,770
Porters and laborers	32,192
Sailors	60,070
Salesmen and saleswomen	32,279
Steamboatmen and women	12,505
Stewards and stewardesses	2,283
Tollgate-keepers	2,203
Traders	114,859
Dealers in books and stationery	4,982
Traders in boots and shoes	9,963
Traders in wood and coal	10,871
Traders in cotton and tobacco	22,000
Undertakers	5,113
Weighers and gaugers	3,362
Druggists	27,700
Dealers in real estate	11,253
Dealers in provisions	35,129
Dealers in dry goods	45,831
Dealers in groceries	101,849
Dealers in iron and tin	15,076
Dealers in hides	2,382
Dealers in lumber and marble	12,668
Dealers in newspapers	2,729
Dealers in paints and oils	1,940
Dealers in paper	1,862
Bakers	41,309
Blacksmiths	172,726
Brick and tile makers	26,052
Bridge builders	2,587
House builders	10,804
Butchers	76,241
Carpenters and joiners	373,143
Car makers	4,788
Charcoal and lime burners	5,851
Coopers	49,158
Engineers and firemen	79,628
Engravers	4,577
Fishermen and oystermen	41,352
Brick and stone masons	102,473
Millers	53,480
Miners	231,258
Oil-well laborers	7,340
Painters	128,556
Paper-hangers	8,013
Photographers	9,900
Plasterers	22,083
Printers and stereotypers	72,726
Quarrymen	15,160
Quartz-slaters	4,026
Stave-makers	4,061
Wood-choppers	12,731

Those engaged in trade and transportation can derive no profit from high duties upon imports, but, on the contrary, their business is often depressed in consequence of the burdens incident to such duties. Their business being of such a character that it can not be affected by foreign competition, being purely domestic and internal, it can not be injured by low duties, but, on the other hand, greatly benefited. Likewise, the tradesman's business is frequently diminished in consequence of the increased cost of the commodities he may deal in, caused by the high rate of duty imposed, and his per cent. of profit will be no greater because of the protective duty on the imported articles, or the domestic of similar kind.

MECHANICAL.

Very few, if any, engaged in the mechanical industries derive any benefit from protection, and the same may be asserted of those who labor in the mines. The petroleum and anthracite mine laborers, aggregating a large number, derive no benefit from high duties, as these products are not protected, being cheaper here than elsewhere, in consequence of their abundance; but on the contrary the laborers are injured and deeply wronged by being compelled to work in competition with the lowest and most degraded classes imported from Italy, Bohemia, and Hungary.

PROFESSIONAL AND PERSONAL SERVICES.

Can high-tariff taxes in any way improve the condition of the more than 1,000,000 domestic servants; the 64,698 clergymen; the 85,671 physicians and surgeons; the 84,000 soldiers, sailors, and marines; the 227,710 teachers and scientific persons; or that defenseless class, the 64,137 lawyers? The poorly paid clergymen, as well as other classes mentioned, are compelled to pay an increased price for every article they buy or consume, and are in no way compensated therefor for the enhanced cost of their living; nor are any of the above named, except the lawyers, who reap an abundant harvest of fees on account of false invoices and smuggling induced by excessive duties on imports.

THE FARMER AND THE LABORER.

Mr. Chairman, I now come to that class whose shoulders are generally considered broad enough to bear the burdens that manufacturers and their protectionist friends impose upon them, to promote and build up the private interests of the former. The 4,225,945 farmers and the nearly 4,000,000 of farm laborers are not only not benefited by this policy, but are made the burden-bearers of the more favored and tenderly cared-for manufacturers. Unprotected agriculture furnishes 74 per cent. of our exports, and is heavily taxed to build up and support the manufacturer, who furnishes only 19 per cent. of exports. The cotton planter gets no benefit from high-tariff taxes because he supplies the home demand and sends abroad the largest surplus exported from the country—last year, $215,974,267. His product is on the free-list and comes in free of duty, notwithstanding there was imported last year $683,596 of raw cotton. These imported cottons rank between our uplands and the sea island, and are used in the manufacture of printed muslins and the making of the higher numbers of spool thread; and it comes from Egypt, Turkey, and South America.

WHEAT

is the second largest product of the soil exported, aggregating last year $140,768,915. Ours is the largest wheat as well as the largest cotton growing country on the globe, though we imported, during 1877, $237,605 worth of the former, chiefly from Manitoba and other provinces of the Dominion of Canada. Protectionists have asserted that this country would, in a few years, need greater protection for its wheat, as India was coming to the front as a wheat-exporting country. But we need have no apprehension from that quarter as India is an effete nation, degraded by paganism and misrule, though a recent spasmodic revival of her agricultural industries through British capital and enterprise has enabled that country to export wheat to England in considerable quantities. This exportation will not continue, as the entire crop, 250,000,000 of bushels (just 1 bushel to the inhabitant) is required at home to feed the hungry laborers, if their pittance of wages would enable them to pay for it. Wheat is sometimes exported from that country when it is threatened with famine, and its half-fed farm

laborers can never successfully compete with our country, so much more favored in climate and laws. Australia, Chili, and the Argentine Republic occasionally, export small quantities of wheat to Europe, and this will probably increase.

PROVISIONS

come third in the order of value of our exports, amounting, in 1867, to $93,760,932; it is true that some qualities of dairy products are yet imported, but to no very great extent. France and Germany have laid an embargo on the importation of hog products for the alleged reason that ours is not a wholesome food product; but a more plausible reason can be found in the fact that it is a retaliatory measure in consideration of our almost prohibitory duty on the woolens and other textile fabrics of those countries. This country produces 47 per cent. of the hog crop of the world, and certainly the hog industry need fear no competition from abroad.

Cereals and live-stock of 1887.

Products.	Exported.	Imported.
Indian corn	$18,279,404	$13,537
Live-stock	10,095,874	8,110,236
Oats	401,140	68,608
Rye	195,120	8,371
Barley	243,605	7,716,710

Now, of all the products of the farm, the garden, and the orchard we export largely more than we import, save that alone of barley, so that import duties upon farm products are a sham and a fallacy.

I have omitted from the above tables sugar, wool, and rice, as the duties upon the first and third articles are strictly revenue duties, and the revenue derived from sugar is the largest derived from any single imported commodity. And the same may be said of rice. Whilst the per cent. of revenue collected on each of the two is proportionally large, each is incidentally protected in accordance with Democratic traditions. The duties on sugar have to some extent been specific, and have been graduated and measured according to the Dutch standard of color. The standard of valuation was taken advantage of and frauds committed on the customs laws, the West India sugar-planters having discoved a harmless process by which they could so discolor their sugar as to make it almost black, thereby securing its passage through the custom-house at a much lower rate of duty than its value justified. This coloring matter is easily washed out, and the refining adds but a small fraction of the original cost. This mode of measuring the value of sugar has been improved upon and the polariscopic test is now applied, by which the amount of sucrose in sugar can be accurately determined.

For want of an accurate rule for determining what amount of drawback to be allowed to refiners on re-exported sugar large frauds were formerly committed, and in 1883 a commission of experts was appointed, under the direction of the Treasury, to determine what per cent. of refined sugar any given quantity of ran sugar would yield. And the discovery was made that the refiners had claimed and had been paid too large a sum as drawbacks, so that the Government had really paid out a much larger sum than it had received as import duties. I look with disfavor upon drawbacks of every kind; they have been a fruitful source of fraud and corruption. And, moreover, I consider all legislation wrong and indefensible that will enable our manufacturers to export and sell their products abroad at a profit at a less price than they will sell the same articles to our own citizens. This is constantly done by our sugar refiners under the operation of the drawback laws. The bill reduces sugar duties 20 per cent., and this will be a reasonable reduction. Hon. Thomas H. Benton declared upon the floor of the Senate that the pork-packers and fish-curers had received from the Government on the salt used in the exported pork and fish during one year more than the entire revenue receipts from imported salt for the same time.

BARLEY,

next to sugar and wool, is more largely imported into our country than any of the other products of the farm, and comes chiefly from the Dominion of Canada.

WOOL,

imported during last year, $15,645,020. It is proposed to put this product on the free-list, in order to relieve the masses of the onerous burdens imposed upon them in the way of the greatly enhanced price of their woolen clothing, blankets, hats, etc., and to place the manufacturers of woolens on an equal footing with the foreign, and to enable domestic manufacturers to export at a profit, at least to the neutral or non-manufacturing countries from which they are now excluded by reason of the tax upon the imported raw material. The ranchmen engaged in wool-growing insist that free wool will ruin their business. A little examination into our tariff legislation regarding wool will dispel this idea. Under the tariffs of 1846 and 1857 the wool industry of this country flourished and the increase in the number of sheep was enormous and the prices of wool were well sustained.

How has it been under the highly protective tariff of 1867? The number of sheep has diminished and the price of wool has gone down. The sheep husbandman was never in a more prosperous condition than under the revenue tariff of 1846. And he claims that his business has not prospered under the high duties imposed by the one of 1867, and since 1883 he has been clamorous for more protection. I am not convinced that taking the duty off wool would depress that industry beyond a short period, in which it would adjust itself to the change. The great bulk of our native wools are of the medium quality, that require admixture with the fine imported wools for making the finer fabrics. The fine combing and clothing wools are imported, chiefly from England, France, and Australia, a small quantity from the Platte Valley. By mixing these with our domestic wools, it brings up the grade, and increases the demand for the native wool, that in the main is not, unmixed, suitable for the manufacture of the best goods, such as diagonals. Most of the carpet wools come from Russia, Turkey, South America, and Mexico.

Our domestic supply of these coarse wools is quite inadequate for our manufacturing purposes, and come very little into competition with that produced in this country, except the Texas and New Mexico wools And the cost of growing these is inconsiderable, as the sheep are rarely sheltered, being day and night upon the prairies, under the care of a shepherd and his dog; thus one person will attend a flock of two thousand, simply keeping the flock together, and the wolves and coyotes from killing them. And the same custom prevails in California, where they drive the sheep to the mountains in the spring and there remain during the summer. It is unreasonable for the wool-growers of the Eastern and Middle States, including some of the older of the Western, to expect to raise sheep and wool as profitably on lands worth from $50 to $100 per acre as they did when it was only worth from $5 to $25, or as cheaply as it can be done in Texas, Australia, and the Argentine Republic, where lands can be had for a nominal price. The high-priced lands once profitably devoted to sheep husbandry will have to be surrendered to crops less bulky in comparison to their value, just as the growing of wheat in large quantities has been given up in the Eastern and Middle States, and has become domiciled upon the cheaper and more fertile soils of the Western prairies.

RAW MATERIALS.

To become a large exporter of manufactured products, we must have free raw materials, as the other great manufacturing nations have them to-day.

It is quite evident, Mr. Chairman, that our manufacturing capacity is far in advance of the home demand, and there must be found an outlet for the excess. It is estimated that if the mills, the furnaces, and forges of the country were run on full time six months in the year that their product would be as much as the home demand would require. What remedy for this condition of things would wise statesmanship point out? Bounties upon exports? Prohibitory duties upon imports? No, indeed; such a policy would unjustly burden our own people with additional taxes. Common sense and sound judgment would dictate that the law permit the domestic manufacturer to have his raw materials of manufacture free of duty. I am in favor of putting all the raw materials of manufacture on the free-list, including salt, coal, iron ore, copper, timber, and lumber, together with every article now on the free-list. Hon. Thomas H. Benton uttered the following on the floor of the Senate in regard to the prohibitive duty imposed on salt:

It is not merely odious and oppressive; it is also a species of impiety and sacrilege, of revolt and rebellion against the good providence of God, who has created salt and spread it throughout the universe for the use of man and beast. The sea is filled with it; the sun manufactures it. It comes pure and cheap from that laboratory established by the Divine wisdom and co-extensive with the bounds of the habitable globe. Laws to prevent any portion of the human race from using the pure and perfect salt made by the rays of the sun out of the waves of the sea, if enacted without a dire necessity, are impious contrivances to frustrate the beneficence of God. The duties on salt are one of the stumbling-blocks in the way of revenue reform. If those interested in the conversion of spring water into salt, in the mining of coal, and in the production of pig iron could be induced to withdraw their absurd claims for protection, it would be an easier matter to revise the tariff without in any way deranging our domestic industries.

With the raw materials free of duty, superadded to the inventive genius of our people, their superior education and enterprise, our mechanics, artisans, and manufacturers would soon outstrip and bid defiance to all competitors. The high-priced labor of our country is to-day more profitable to the manufacturer than the low-priced, enslaved labor of Europe and the East. As a class the laborers of this country are superior in all respects to others. They are better educated, physically and mentally more vigorous, and turn out largely more work in a given time than any foreign laborer, and are more expert with machinery. Their superiority in these respects is due mainly to our republican institutions. In Asia and in Europe laborers, men and women, are born under conditions and surroundings that but few are ever able to shake off. Drudgery and slavery seem to be their inheritance and portion, to the crushing out of their spirit and energy, making of them mere machines, so that all incentive to excellence is destroyed, and there is no wonder that their skill is poor and their labor inefficient. Every American laborer, however poor, knows that by his skill and thrift he may better his condition and rise in the world. The great difference between domestic labor and foreign are the laws under which they are born and live.

Under monarchy, where the few are born to titles and honors and the masses to toil and degradation, the better instincts and impulses of

their nature are crushed, and the ambition to rise is never stimulated by any prospect in view. The manufacturer will at all times be able with our native labor, at higher prices than is paid abroad, to meet competition under a strictly revenue tariff, with proper discriminating duties within the revenue limits.

PROTECTION

presupposes a greater power against which the protection is sought, a superior force that excites fear and apprehension. Let us examine and ascertain if such industrial power anywhere exists, and if our fears are well founded. Our country is the most populous of all Christian countries, except Russia, and we are in no danger of her competition. Our farm products lead in quantity and value those of all other nations; our manufactures now exceed those of Great Britain; our mines are the most extensive in the world, and the annual output the largest; and our commerce, domestic and foreign combined, is larger than that of any other nation. It is true that we fall short in the ocean-carrying trade, but this should be no discouragement when we lead in all other great industries.

MINERALS.

Our country possesses the richest mineral deposits, comprising gold, silver, iron, copper, and coal. Her rocks are inlaid with oil and her caverns filled with heating and illuminating gases. And in it is found nearly four-fifths of all the anthracite coal on the globe. This lies embedded in the bowels of the earth in mountain heaps, averaging in depth from 50 to 3,300 feet. Iron ore is mined in twenty-nine States and coal in twenty-seven. Our copper mines yield nearly one-half the world's supply, and yet the cost of it to the consumer or user is doubled by its prohibitive duties. We make the largest yield of lead, and there also exists large deposits of zinc, quicksilver, nickel, cobalt, chrome, platinum, iridium, arsenic, salt, sulphur, gypsum—in fact, every mineral known to chemistry save alone that of tin. We have in abundance the speigel, so essential in the manufacture of Bessemer steel, and the ferro-manganese, used in the manufacture of mild steel.

Now, Mr. Chairman, with such marvelous resources, developed and undeveloped, and a population unequaled in skill, invention, and enterprise, is it not strange, nay, humiliating to confess inability to compete successfully with the world, or to confess inferiority to any people? But it will be said that we are a young nation and inexperienced in many branches of manufacture, and need aid and protection till we are able to stand alone. Nearly all of the leading manufacturing industries of the country are from one to two centuries old, and many of them came into existence and were prospering before we had a tariff at all. The woolen manufacture is almost as old as the settlement of the country. Cotton was spun and woven into cloth as soon as the fiber was grown on this continent, and the manufacture of leather, hardware, furniture, and paper are but little later in their origin. All the textile fabrics were manufactured at Rowley, Mass., as early as 1638, by some families from Yorkshire, England, and these industries became remunerative. (Palfrey's New England.) In 1676 there were six forges in Massachusetts making as good iron as was made in Spain. Raw cotton was imported into Massachusetts for manufacture in 1639 from Barbadoes.

HAMILTON

recommended to Congress in 1792, in his report on the public credit, that in addition to internal taxes a duty of 8 per cent. be levied on imports. The country then had a population of about 4,000,000 and a per capita debt of $13.50. The duties on imports were increased from time to time, and during the period of war between England and France and our war with the former, in 1812, under the operation of the Berlin and Milan decrees, and the British orders in council, and the embargo of Jefferson, commerce on the ocean was almost destroyed; manufactures sprang up and multiplied rapidly in this country, so that Mr. Clay began the advocacy of the protective policy and the development of his "American system." But his theory was to foster and protect our "infant industries," and the plea of protection to American labor was not heard of at that time nor for nearly half a century after.

The fallacy of protecting labor is the deceptive cry of monopolists who have grown rich and powerful through the protective duties levied upon the masses engaged in every other industry in our land. The manufacturer was content to begin in 1792 with 8 per cent., increasing to high protection in 1816, and having grown to full manhood, after more than seventy years of protection, declares that he will be ruined if duties shall be reduced below 47 per cent. These "infants" grew upon what they were fed and still cry for more bounty.

EXPORTS.

After seventy-two years of high protection the favored industries are only able to export to the extent of 2 per cent. of their products, whilst unprotected agriculture sent abroad last year 16 per cent. of the aggregate products of the soil.

EXPORTS FOR 1887.

Agriculture	$550,000,000
Mining (only a part protected)	56,250,000
Manufactures	20,500,000
Forests	7,050,000
Fisheries	7,250,000
All others	7,250,000

WHO ARE PROTECTED AND THEIR NUMBERS.

Sugar planters	1,400
Laborers employed	14,500
Rice planters, estimated	1,500
Laborers employed (estimated)	5,000
Wool-growers owning flocks of over 100 head (estimated)	50,000
Manufacturers	52,127
Aggregate capitalists	105,027
Laborers employed in protected industries	1,500,000

In round numbers it is safe to say that there are less than 1,500,000 engaged in all protected industries of our country. Expert statisticians have estimated the number as low as 1,000,000. It is claimed that there are more than a million of persons engaged in sheep husbandry, yet it is well known that much the largest proportion own small flocks, averaging from five to twenty-five head, reared chiefly for family use. And this large class pay out on the protected articles purchased (made of wool) for family use a much greater sum than they receive as bounty on their protected wool.

TAXES.

If taxes are levied to protect certain classes, the burden of such taxes must fall upon all others who are not embraced in those classes. How small is the number that belong to the privileged class, when compared with the millions who must bear the burdens of taxation for the benefit of the former.

The lordly manufacturers, numbering less than 55,000, have nearly one-half the income that falls to the lot of the 4,225,945 farmers and the nearly 4,000,000 farm laborers. The farmer's investment in real estate alone being $10,197,000,000, whilst the entire plant of the manufacturer is valued at $2,790,272,606 only. The legislation of Congress for twenty-five years shows the power and influence of capital upon our legislation, when we see that so small a number have, for so long a period, controlled legislation in their own interest to the injury and oppression of the masses.

FREE RAW MATERIALS

have had much influence in contributing to the general prosperity of the cotton, and the leather boot and shoe industries, the raw materials of each of these manufactures being admitted free of duty, and these have prospered beyond others that did not enjoy such a benefit. The manufacturing industries that have used free raw materials have realized good profits, and have contributed most largely of our exports abroad. A duty of 30 per cent. is levied on boots and shoes, and the census of 1880 shows that the manufacturers made a profit of 45 per cent. and furnished 6⅔ per cent. of our exports for that year. The average duty on cotton goods is 40.17 per cent., and the manufacturers realized a profit of 23 per cent. and furnished 6¼ per cent. of our exports. The average on iron and steel is 40.92 per cent., and the manufacturers made a profit of 19 per cent. (the raw material being taxed), and they furnished 4.7 of exports. Wool is taxed more than 10 per cent., and the manufacturers' profit was 38 per cent., and exports less than 1 per cent. Raw silk is free, and the manufacturers realized a profit of 37 per cent., and, although much the youngest of our leading industries, contributed to our exports one-quarter of 1 per cent.

THE FARMER,

as such, does not manufacture, hence he uses no raw material, unless his seeds can be called such. But he delves into the soil, plants his seed, and the judicious tillage, the light and the heat, and the moisture bring forth the germ that fructifies into an abundant harvest, under the influence of favoring seasons and other conditions. The farmer feeds our whole population without the aid of imports, with small exception, and sends abroad from 74 to 82 per cent. of our entire exports. But for his exported products the balance of trade would be greatly against us, and the country would be drained of its gold to pay the interest on the Government and corporate bonded debt held and owned abroad. And what are his profits (the farmer's)? He creates more than half the wealth of the country, and receives as his share 4 per cent. on his invested capital, less than one-fourth the profit realized from any of the important protected industries of the land.

And yet he is the most patient and uncomplaining, and only asks that fair revenue duties be imposed upon such of the imported articles as he is compelled to use, and to be relieved from the payment of excessive duties to build up and support unproductive industries. He would return to the schedule of revenue duties prevailing during the period between 1846 and 1861, the most prosperous period in our country's history, yea! her golden age, when labor was well rewarded, the farmer most prosperous, and industrial enterprises were springing up all over the land, our commerce under our own flag, floated upon every sea and port in the civilized world, and every industry flourished. We were then doing 75 per cent. of our carrying trade, and the farmers owned one-half of all the wealth of our country. How changed is the condition of affairs, after twenty-five years of high protection, with inhibition upon free ships, land grants to railroads, drawbacks to the fishermen, and subsidies to ocean-going steamships!

We find the wealth of the country mainly concentrated in the Eastern States and the corporations that have been the beneficiaries of this system of legislation. The farmers oppressed, and instead of owning one-half the wealth their earnings have been transferred to the favored

classes, and they now own but one-fourth the wealth of the country, and our carrying trade has fallen to 14 per cent.

RECIPROCITY TREATIES.

Have they ever been in the interest of our farmers? Was one ever negotiated or proposed with the view of extending their markets? I assert not one but all have been with purely agricultural countries, with products similar to those of our own. Such treaties have invariably been in the interest of the manufacturer and to open up and widen his markets, regardless of their effects upon the farming interests, leaving the farmer to struggle against the adverse legislation, unaided by his Government.

No Representative has proposed commercial reciprocity with England, although she buys more than one-half of all our farm products and admits them free of duty, except tobacco. Nor has commercial reciprocity been proposed with France or Germany, and yet each purchase largely of our farm products. It is true that these governments have excluded from admission into their ports our hog products and imposed a duty on our wheat. Why has this been done? The answer is because of our prohibitive duties upon their woolens and other exports to this country. Reciprocity with each of these countries would enlarge the markets of the farmer and increase the demand for his products, but it would do the manufacturer no good; hence it has not been proposed.

I do not look with favor upon such legislation, as it creates artificial and unnatural relations in our intercourse with foreign nations, excites distrust and jealousy. In our diplomatic relations I would put all foreign governments upon an equal footing, ask no favors, and form entangling alliances with none. It is claimed that protection has brought down prices in this country; as well might it be claimed that free trade in England has reduced prices in that country, for the decline has been equally as great there as in this country. So it can be demonstrated that protection has had nothing to do with falling prices. What, then, has brought it about? Invention, discovery, and the wonderful improvement in machinery. It is an indisputable fact that the greatest decline has taken place in those articles that are in part or altogether made by machinery. And what can not be made by machinery has declined very little.

Let us take the boot and shoe industry. Forty years ago the workman was contented to turn out five pairs of shoes and three of boots; now with the use of his machine he will turn out two hundred and fifty of the first and a somewhat smaller number of the latter. And so it is in every branch of mechanical industry where the work can be done with machinery. The great inventions of the century have increased the productive powers of man ten, twenty, yea, an hundred fold.

THE HOME MARKET.

This is what the manufacturer promised the farmer as compensation for the burdens imposed upon him by the protective policy. How have these promises been fulfilled? A little investigation will show how inadequate the home market has been; and that if the farmer had relied upon it exclusively a large portion of his crops would have rotted upon his hands. We will take cotton and wheat, the largest articles of export.

What are the facts as to a home market for these? The home demand takes less than one-third of the cotton, leaving the remainder to find a market abroad in competition with the cotton produced by the lowest paid labor on the globe. And as to wheat, the farmer and those of his family would consume an average of 190,000,000 bushels, estimating 5 bushels of consumption per capita and 40,000,000 for seed. All persons engaged in the protected industries, according to the above estimate, would consume only 7,500,000 bushels, leaving the wheat-growers dependent upon the foreign markets for more than a hundred million bushels of their surplus. And the same may be said as to corn, provisions, tobacco, etc. It will be seen from these facts that after seventy-two years of high protection the farmers are compelled to rely mainly upon the foreign demand for a market for their surplus.

But to go back to reciprocity treaties. What has been the result of the one made with the Hawaiian Islands? Has it lowered the cost of sugar to consumers on the Pacific Coast? Very little, if any. Importations last year amounted to $9,255,351, and if this amount had been subject to duty, as sugar from other countries, the revenue therefrom would have been $7,592,989. This sum was lost to the Treasury, without a compensating benefit to our citizens, as the foreign producers and importers pocketed the entire sum.

I quote from Henry A. Brown, ex-special Treasury agent:

> The Hawaiian reciprocity treaty of 1875 and 1876 was a commercial fraud upon the people of this country, and the results have been singularly disastrous to American interests at large. This treaty has cost the American people a loss of at least $70,314,537 in ten years. Our consumers and tax-payers are now annually swindled out of $15,000,000, in loss of duties and extra cost of sugar to enrich monopolists, and pay the penalty of grasping after "foreign-policy" shadows. Our imports from that country under the treaty, free of duty, for 1886, were $9,741,-924; dutiable, $63,183; quite a one-sided reciprocity. In the same year we exported to that country $3,115,899.

In the Forum for October, 1887, Hon. J. G. CARLISLE wrote:

> Commercial treaties, while they may be desirable under peculiar circumstances, are generally more favorable to one party than the other, and are therefore frequently unjust. Besides, they grant exclusive privileges and make improper and offensive discriminations against other friendly nations.

A shrewd protectionist, in a pamphlet falling under my notice, writes thus:

> It is clear that Great Britain could not make a reciprocity treaty with us, because, already being a free-trade nation, it has no customs duties to surrender to the United States in return for ours. France, Belgium, Germany, Russia, Austria, Spain, and Italy are so absolutely dependent upon their customs revenue for the support of their governments that it is impossible for them to make reciprocity treaties with us.

It will be noticed that the above are all manufacturing nations, and that they take almost the entire products of our farms that are exported; but in the opinion of this protectionist such countries would not buy our manufactured products to any considerable extent. Hence reciprocity with them would not be desirable. But the same writer proposes such treaties with Canada, Mexico, Central and South America, Holland, Japan, China, and the Dutch East Indies, all purely agricultural countries, none of which would take the products of our farmers; but, on the contrary, the farm products of the pauper laborers of these countries would be brought in direct competition with ours. Then I assume that such treaties have all been unfriendly to the interests of the farming classes, and entirely in the interest of manufactures and commerce, and should not be entered into.

INTERNAL REVENUE.

The internal-revenue receipts reached their highest point in 1866, aggregating $309,226,813. Since that date the internal-revenue law has been modified and repealed as to many articles heretofore taxed; and for 1887 the receipts were $118,823,391, chiefly derived from alcoholic spirits and tobacco. Now, the protectionist would repeal the internal-revenue laws, thereby cutting off from the Treasury an amount equivalent to the annual surplus, leaving tariff taxes untouched. This policy would give to consumers free whisky, free tobacco and cigars, dear food, dear clothing and materials for shelter. Would it not be better to abandon the protection policy, except as an incident to revenue, at least as to the fraud upon the laborer, and relieve his necessaries from taxation, including tobacco?

THE SURPLUS

in the Treasury should be applied to the reduction of the public debt, and the consequent annual interest, now more than $40,000,000. The accumulation of taxes in the Treasury has retired from circulation more than one-third of our currency, causing a plethora in the Treasury, and depletion of the life-blood of commerce constantly threatens a business crisis. Turn the surplus into the channels of business, lower tariff taxes, and a revival of business will be seen at once. Our statesmen have ever regarded a large surplus revenue as unfriendly to public morals and dangerous to the business of the country. In 1832 Mr. Clay declared:

> I enter my protest against the preservation of existing duties in order to accumulate a surplus in the Treasury, for the purpose of subsequent distribution among the several States. If the revenues are to be distributed for use by the States in their public expenditure, I know of no principle in the Constitution that authorizes the Federal Government to become such a collector for the States, nor of any principle of safety or propriety which admits of the States becoming such recipients of gratuity from the General Government.

The taxing power is the highest reach of sovereignty, and should be exercised alone for the purpose of maintaining the sovereign authority of the State, and never for private ends. Justice Miller declared from the bench "that the power to tax was a power to destroy, and was only limited by the necessities of government." How guardedly, then, should this power be exercised, and never without an eye single to the preservation and well-being of government.

TRUSTS

are an invention of recent origin of capitalists to put up the price of products of the trust and commit extortion upon the masses. They are the outgrowth of monopoly and high-tariff taxation, and their recent successful efforts to raise and control the prices of certain imports subjected to high duties has aroused bitter opposition to such an abuse of power. And the sovereign power of the Government is invoked to expose their enormities and strip them of the power to do such great wrongs to consumers. Nine of the States are manufacturing and twenty-nine are agricultural, the nine manufacturing constitute the money-loaning and the twenty-nine the borrowing States.

The nine have gathered to themselves, through the use of the taxing power of the Government, the great bulk of the circulating capital of the country, and are using it to compel the tax-oppressed farmers of the West and South to pay tribute to them. It is estimated that the Western farmers alone have given mortgages to them to the extent of more than $1,200,000,000. The country needs and must have more currency, and I would replace with greenbacks every dollar of circulation surrendered by national banks until the entire national-bank circulation shall be canceled. France to-day is the most prosperous nation on the globe, and her circulation is the largest, being $45 per capita. Our active circulation is less than $15, and one-third as much is now locked up in the Treasury vaults.

Mr. Calhoun thought that $30 of circulation per capita was the smallest sum required for prosperous trade and commerce. For twenty-five years the masses of the people have had but little control of their Government, its powers having been largely concentrated in the hands of capitalists and the great corporations. The latter classes have very little respect for the Constitution when it interposes obstacles in the way of

their aggrandizement. The millionaire regards the Government as an instrumentality to be used to put money into his pocket, whilst the strict constructionist, who has constantly looked to the interest of the masses, believes it to be the wisest device of man to protect right and restrain wrong. As commerce between the States is absolutely free, sound policy would dictate that all unnecessary restrictions upon trade with foreign countries should be removed.

INCOME TAX

is the easiest paid of all taxes, and I favor a graduated income tax on all incomes over $3,000. The small farmer, mechanic, or professional man owning a homestead or a small farm, when a partial failure of crops occur, finds it inconvenient to pay his taxes and leave him enough to live upon, but the bondholder may collect his hundred thousand of interest coupons and escape taxation entirely. Ours is perhaps the only great nation that has no income taxes.

Taxes of the leading governments.

Governments.	Customs.	Excise.	Income tax.
Great Britain	$95,000,000	$135,000,000	$50,000,000
France	63,000,000	190,000,000	90,000,000
Germany	46,000,000	88,000,000	.....
United States	217,000,000	118,000,000	.....

In addition to the above those governments have various other internal taxes.

It costs less in New England and Pennsylvania to spin and weave a pound of cotton into cloth than it does in old England, though the weekly earnings of our people are higher.

This statement is supported by a reference to the annual consumption of pounds of cotton by each hand employed in the industry in the leading countries.

Countries.	Hands employed.	Pounds cotton used.	Pounds consumed per hand employed.
United States	172,544	750,343,000	4,337
Great Britain	482,903	1,471,357,000	3,253
Germany	250,000	300,000,000	1,200

Amasa Walker thus writes on the boot and shoe industry:

There is a remarkable confirmation of the truth of these remarks in the history of the boot and shoe manufactures of the United States. They never asked for protection; never received any notice in all the conflicts for increased tariffs. The trade grew up naturally, steadily, and profitably from the first, increasing gradually with the growth of the country, until at the present time it is not only the largest, but one of the most profitable branches of manufacturing industry. In Massachusetts alone this manufacture extends to over $50,000,000 annually, and is by far the most advantageous branch of industry in the State.

Thus showing how an industry has flourished that was not dependent upon legislation for development and continual support. In 1810 Gallatin, Secretary of the Treasury, made a report in which he stated that manufactures of wool and leather, amongst other things, were exported beyond the imports; that the following industries were "firmly established:" Ore and manufactures of iron, manufactures of cotton, wool, and flax, paper, printing types, books, several manufactures of hemp, and a few others. An effort to get higher duties that year failed.

Hon. David A. Wells writes:

Again, we formerly imported large quantities of gunny cloth from India to be used for the baling of our cotton. No one a few years ago would have ever dreamed that we could successfully make this cloth in competition with the natives of India, who work for the very lowest wages that are regularly paid for the services of human beings anywhere on the globe's surface. And yet through our invention and use of machinery we have done it, and comparatively little of this cloth is now brought to this country, the Indian pauper being nowhere in competition with the American iron spindle and shuttle.

In a conversation with Hon. David A. Wells, Mr. John Roach said:

But my men work mainly by the piece, and have such an opportunity and incentive in so doing to augment their wages that they have invented and practice all manner of devices for economizing and perfecting their labor; so much so that foreign ship-builders who visit my yards are astonished at the amount and excellence of the work we are able to turn out in a given time; and we have thus been enabled to so far overcome the difference in wages that I really do not believe the Englishmen have at present more than 30 per cent. the advantage over us in the cost of their labor.

Wells replied:

Well, it seems to me, Mr. Roach, that in making this admission you give up your whole case as a protectionist; for the materials which you employ in constructing your own vessels are augmented in price to a greater extent than 30 per cent. by reason of the tariff, and if, through a remission of duties you could buy these materials as cheap in Delaware as upon the Clyde, you could still afford to pay your workmen the same wages and bid defiance to all foreign competition.

I really believe we could, I really believe we could—

Was the instant rejoinder—

for what these protectionists give me with one hand they more than take away with the other.

George William Bond, of Boston, the highest authority on wool in this country, said:

That high duties on wool are now maintained as a bounty to States which raise comparatively a small part of the clip, for the rest do not require it. The oft-repeated claim that the United States should raise all the wool she consumes is folly. You ask at what point does any tariff on wool begin to affect the price of the domestic clip.

I should say at that point, which shuts us out from the competition of the world, so that we are restricted in the range of our manufactures. Our fine wools have always been higher, other things being equal, when we were able freely to import the wools of other countries at a low duty, or at no duty at all. When the tariff of 1857 was passed fine wools became virtually free, so that we went into full or nearly full competition with Europe. What was the effect? Wools advanced immediately in the markets of production abroad 25 to 33½ per cent., so that we got them no cheaper than before, and the prices of domestic wools advanced. Now this was an advantage to our manufactures, so that ours could well afford to pay the advanced prices. Reduced to gold, the average prices of wool have been lower under the tariff of 1867 than they were under that of 1857, and I believe that if wools were to be made free to-day there would be no material decline in the value of fine American wools.

Thus we see that by exacting a duty which shuts us out from competition in the world's markets we give our competitors the raw material enough lower to materially lessen the protection afforded by the duty on the manufactured article.

The Pittsburgh Post gives the following interesting facts and figures bearing upon the wool tariff, which are worthy of the thoughtful study of those who disturb their imaginations with dreams of woeful consequences to follow the repeal of the duties on wool:

1859—LOW TARIFF.

Sheep in Pennsylvania	1,631,340
Sheep in Ohio	3,586,767
Sheep in New York	2,617,855
Prices—fine	56 to 60 cents
Prices—medium	45 to 50 cents
Prices—coarse	40 to 42 cents

1887—HIGH TARIFF.

Sheep in Pennsylvania	1,094,323
Sheep in Ohio	4,562,913
Sheep in New York	1,579,866
Prices—fine	33 to 34 cents
Prices—medium	37 to 38 cents
Prices—coarse	33 to 35 cents

SOME OF THE RESULTS.

Decrease of sheep in three States after twenty years' high protection	552,060
Decrease in prices, fine wool	23 to 26 cents
Decrease in prices, medium wool	8 to 12 cents
Decrease in prices, coarse wool	7 cents

"The above figures as to the number of sheep are the figures of the United States census for 1860 and from the official reports of the Department of Agriculture for 1887.

"The figures as to prices are from a table in the Treasury report on wool (page 109), giving the prices of fine, medium, and coarse washed clothing fleece-wool in New York and Philadelphia from 1824 to 1887.

"In 1860 the tariff act of 1857 was operative. It admitted coarse carpet wools free of duty, that is, wools valued at less than 7 cents a pound. On all other wools the duty was 24 per cent. In 1867 this was superceded by a high tariff, imposing a duty of 10 and 12 cents per pound, and 10 and 11 per cent. ad valorem on fine wools and 3 and 6 cents a pound on coarse. This act was amended in 1883 by a trifling reduction, cutting off the 10 and 11 per cent. ad valorem addition to the specific duty per pound, with a change in the rate on coarse wools to 2½ and 5 cents.

"In 1860, with high prices and increasing flocks, the duty was only 24 per cent., with coarse wools on the free-list.

"In 1887, after twenty years of high protection, and with duties ranging from 43 to 54 per cent. on fine wools, and 24 to 27 on coarse varieties, we have decreasing flocks and dwindling prices.

"Will some one please explain the benefits of high protection to the Pennsylvania wool grower? It can not be done. We all know the wool tariff taxes the poor man on the necessaries and comforts of life. It adds to the cost of his clothing, his wife's and children's; it adds to the costs of the carpet on his floor and the blanket on his bed. There is not a workingman in Pittsburgh but has to bear the burden of this unnecessary, blundering, and cruel tax on everything he wears, from the stockings on his feet to the wool hat on his head.

"And all for what? To help perpetuate the trusts and monopolies that make millionaires at one end of the line and tramps and strikes at the other, with the accompaniment of imported pauper labor, on which precious good care is taken there shall be no tariff.

"Give our manufacturers free raw materials, and it will become to them the philosopher's stone, and in a few years they will be able to defy the competition of the world, and the farmer will be relieved of his greatest burden. Why is labor so discontented if protection is for its benefit? We have lived under it for twenty-five years and yet strikes and riots are on the increase, and all of these are in the protected or the monopolistic industries. The farm laborer and the country mechanic do not strike."

With all this discontent and uneasiness in the mining and manufacturing centers it is strange that the only remedy proposed by protectionists is to take from agriculture large numbers and put them in the manufacturing industries, where they will increase the surplus of manufactured products and thereby aggravate the evils of what is claimed to be over-production, but which is really a lack of proper dis-

tribution. Abandon this hot-house policy, leave capital to seek the best investments without the interference of the Government, and labor to find its most remunerative employment, and steadier occupation and more satisfactory wages will be established. [Applause.]

Mr. BYNUM. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* having resumed the chair, Mr. WHEELER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenues, and had come to no resolution thereon.

And then, on motion of Mr. BYNUM (at 10 o'clock and 20 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BLAND: A bill (H. R. 9696) for the relief of Mary E. Millsapps—to the Committee on War Claims.

By Mr. DINGLEY: A bill (H. R. 9697) granting a pension to Mrs. Helen B. Brown—to the Committee on Invalid Pensions.

By Mr. FUNSTON: A bill (H. R. 9698) for the relief of August Cansdell—to the Committee on Invalid Pensions.

By Mr. GEAR: A (bill H. R. 9699) granting a pension to Susan P. Murdock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9700) granting a pension to James M. Frost—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 9701) for the relief of the officers and enlisted men and the widows, children, and dependent parents of the officers and enlisted men who served in the South Cumberland Battalion of Kentucky State Troops during the late war of the rebellion—to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 9702) for the relief of Maxwell McCallin—to the Committee on Military Affairs.

By Mr. LAFFOON: A bill H. R. (9703) for the relief of George W. Cook—to the Committee on War Claims.

By Mr. LANHAM: A bill (H. R. 9704) granting a pension to Martha F. Lee—to the Committee on Pensions.

By Mr. NEAL: A bill (H. R. 9705) for the relief of George Ramey—to the Committee on War Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 9706) for the relief of John F. Dunning—to the Committee on War Claims.

By Mr. A. C. THOMPSON: A bill (H. R. 9707) for the relief of Nancy Murray, mother of Solomon Murray—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 9708) for the relief of the legal representatives of Henry Oliver, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9709) for the relief of H. J. Ray—to the Committee on War Claims.

Also, a bill (H. R. 9710) for the relief of J. L. Hudgen—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. S. BAKER: Petition of clergymen and members of the Presbytery in session at Rochester, N. Y., in favor of reduced rates of postage on letters—to the Committee on the Post-Office and Post-Roads.

By Mr. W. C. P. BRECKINRIDGE: Papers in the claim of Mrs. Sarah K. T. Baker, formerly Troutman, for relief—to the Committee on War Claims.

By Mr. BREWER: Petition of Frank E. Willett and 23 others, soldiers, officers, and ex-prisoners of war, of the Sixth district of Michigan, for the pensioning of ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. J. R. BROWN: Papers in the claim of Theodore Teed, of Alexandria, Va.—to the Committee on Claims.

By Mr. BRUMM: Petition of Frank Hause and others, citizens of Pennsylvania, for reduction of postage on seeds, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. J. E. CAMPBELL: Petition of L. L. Shuey and others, of Fairfield, Ohio, for repeal of that portion of the internal-revenue law that classes druggists as liquor dealers—to the Committee on Ways and Means.

Also, petition of 184 citizens of the District of Columbia for prohibition in said District—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. COOPER: Petition of D. H. Heaton and 37 others, citizens of DeWitt and Concho Counties, Texas, for increase of tariff on wool—to the Committee on Ways and Means.

By Mr. COX: Petition of Daniel Tallmadge & Sons and others, rice-millers, of New York City, against the new tariff bill in reference to unclean rice, etc.—to the Committee on Ways and Means.

By Mr. DORSEY: Petition of citizens of Kearney, Nebr., for a pension to Z. T. Cranford—to the Committee on Pensions.

By Mr. FLOOD: Petition for the adoption of the schedule of duties upon wool and its products, agreed upon by the representatives of the wool-growers and woolen manufacturers—to the Committee on Ways and Means.

By Mr. FRENCH (by request): Petition of 37 citizens of the Second district of Connecticut, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. GIFFORD: Petition of George W. Marchant and 35 others, and of J. H. Deckron and 55 others, of Hutchinson County; of W. H. Stearns and 121 others, of Yankton County; of William Stoddard and 29 others, of Brown County, and of J. F. Filger and 47 others, of Spink County, Dakota, for the retention of the present duty on flax and flax products—to the Committee on Ways and Means.

By Mr. HAYDEN: Petition of the Grand Army of the Republic, of Massachusetts, for an appropriation for headstones—to the Committee on Military Affairs.

By Mr. S. I. HOPKINS: Petition of B. F. Hart and 17 other citizens, and C. H. Person and 17 others, citizens of Caroline County; of P. M. Jones and 28 others, citizens of Buckingham County; of South Fork Grange No. 376, of Loudoun County; of G. W. Hanby and 32 others, of Mecklenburgh County, and of W. D. Brooks and 19 others of Franklin County, Virginia, in favor of pure food—to the Committee on Agriculture.

By Mr. KEAN: Petition of Stephen D. Wooley, of Asbury Park, N. J., for repeal of the personal tax of $25 on druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. LAFFOON: Petition of George W. Cook, to accompany bill for relief—to the Committee on War Claims.

By Mr. McCLAMMY: Petition of Aulander (N. C.) Grange, in favor of pure lard and against the Palmer bill—to the Committee on Agriculture.

By Mr. O'FERRALL: Petition of J. M. Neff, M. D., and others, of Virginia, for repeal of that portion of the internal-revenue law classing druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. PEEL: Petition of Martha Evans, mother of T. G. Evans, for relief—to the Committee on Invalid Pensions.

By Mr. PETERS: Resolutions of Typographical Union, No. 148, of Wichita, Kans., favoring the Chace bill—to the Committee on Patents.

By Mr. RICE: Resolution of Acker Post, Grand Army of the Republic, of St. Paul, Minn., that the provision in the appropriation bill for headstones for soldiers' graves be continued—to the Committee on Appropriations.

By Mr. ROBERTSON (by request): Petition of privates of the Hospital Corps of the United States Army, requesting the passage of House bill 8381—to the Committee on Military Affairs.

By Mr. SOWDEN: Petition of Dr. Charles Meyer and others, and of E. D. Wilhelm and others, citizens of the Tenth district of Pennsylvania, favoring the repeal of all special internal-revenue licenses for druggists—to the Committee on Ways and Means.

By Mr. STONE, of Kentucky: Petition of James E. Hiatt, of B. J. Spratt, of Mrs. E. E. O'Hara and others, of Mildred A. Durham and others, and of George W. Patterson, for relief—to the Committee on War Claims.

By Mr. STRUBLE: Petition of John Glysteen and 29 others, citizens of Sioux County, Iowa, that no change be made in the duty on flaxseed and linseed-oil—to the Committee on Ways and Means.

By Mr. A. C. THOMPSON: Petition of citizens of Scioto County, Ohio, for an act granting a pension to William McNally—to the Committee on Invalid Pensions.

By Mr. T. L. THOMPSON: Petition of Mariana G. Day, for relief—to the Committee on Private Land Claims.

Also, papers relating to internal-revenue taxes paid by State officers—to the Committee on the Judiciary.

By Mr. WARNER: Petition of the Board of Trade of Kansas City, Mo., for the passage of the bill granting the right of way to the Kansas City and Pacific Railroad through the Indian Territory—to the Committee on Indian Affairs.

By Mr. WASHINGTON: Petition of the Grange and Wheel, of Houston County, Tennessee, in favor of pure food—to the Committee on Agriculture.

By Mr. W. L. WILSON: Petition of Pomona Grange, No. 2, of Berkeley County, West Virginia, for pure food—to the Committee on Agriculture.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. DARLINGTON: Of citizens of Media, Pa.

By Mr. DINGLEY: Of Hon. C. Prince and others, of Thomaston, Me.

By Mr. LANHAM: Of citizens of Granbury, Tex.

By Mr. REED: Of citizens of Passadumkeag, Me.

By Mr. A. C. THOMPSON: Of 20 members of Scioto Game Club of Portsmouth, Ohio.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. C. S. BAKER: Of Sheldon Hill and 21 others, of Churchville, N. Y.

By Mr. BROWER: Of S. W. Hamilton and 28 others, of Flat Rock, and of Joshua A. Bass and 14 others, of South Mills, N. C.

By Mr. BUNNELL: Of Grange No. 208, of Bradford County, Pennsylvania.

By Mr. CROUSE: Of A. N. Ozmur and other citizens of Summit County, Ohio.

By Mr. FLOOD: Of Adna Ayers and 20 others of Reading Centre, and of Alfred Vail and others of Waterloo, N. Y.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BUNNELL: Of soldiers and citizens of Bradford County, Pennsylvania.

Also, of ex-soldiers of Susquehanna County, Pennsylvania.

By Mr. CHEADLE: Of 33 ex-soldiers and 40 citizens of Cicero, Hamilton County, Indiana.

By Mr. HOVEY: Of Elias A. West and 57 others, of John H. Bradley and 41 others, and of W. J. Husk and 17 others, of Indiana.

By Mr. PETERS: Of C. L. Hubble and others, ex-soldiers of Kansas.

By Mr. A. C. THOMPSON: Of ex-Union soldiers of Harrisonville, Scioto County; of Wilkenville, of Alice, of Hawks, of Radcliffe, and of Minerton, Vinton County; of Oak Hill, of Banner, and of Samsonville, Jackson County; and of Blue Creek, Adams County, Ohio.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. DORSEY: Of 150 citizens of Nance and Holt Counties, Nebraska.

By Mr. FLOOD: Of 134 citizens of Schuyler County, New York.

By Mr. GEAR: Of 167 citizens of Lee County, Iowa.

By Mr. GIFFORD: Of 386 citizens of Yankton, McCook, and Grand Forks Counties, Dakota.

By Mr. MILLIKEN: Of 101 citizens of Waldo and Kennebec Counties, Maine.

By Mr. NUTTING: Of 166 citizens of Wayne County, New York.

By Mr. W. L. WILSON: Of 83 citizens of Taylor County, West Virginia.

SENATE.

THURSDAY, *April* 26, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. CAMERON presented petitions of ex-Union soldiers and sailors, citizens of Greene County, Chester County, Wayne County; Clarksville, Huntingdon County; Washington County, and Susquehanna County, all in the State of Pennsylvania, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

He also presented petitions of citizens of Pottsville, Washington, and other places in the State of Pennsylvania, praying for the passage of Senate bill 283, providing better protection for the Yellowstone National Park; which were ordered to lie on the table.

He also presented petitions of citizens of Philadelphia, Freeburgh, Mechanicsburgh, Fryburgh, Livermore, Fairchance, and Pen Argyl, in the State of Pennsylvania, praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers, and for the reduction of the tax on spirits; which were referred to the Committee on Finance.

He also presented a petition of 78 citizens of the Sixteenth Congressional district of Pennsylvania, and a petition of 54 citizens of the Seventeenth Congressional district of Pennsylvania, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union, signed by D. V. Kipp, for Verona Division, No. 64, Sons of Temperance; J. Ross Colledge, for McClellan Council, No. 150, Junior Order United American Mechanics, and others, of Verona, Pa.; and a petition of the Woman's Christian Temperance Union, signed by Rev. R. W. Beers, pastor Presbyterian Church, Rev. M. E. Warren, Rev. A. E. MacGowan, and others, of Corry, Pa., praying for the passage of legislation prohibiting the running of interstate Sunday trains, and against military drills on the Sabbath; which were referred to the Committee on Education and Labor.

Mr. VEST presented the petition of James H. Rollins and other citizens of Columbia, Mo., praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. SHERMAN presented a memorial of the Ohio Sunday School Union, officially signed, of Elmira, Ohio, remonstrating against the running of interstate Sunday trains, mail-trains, and against military drills on the Sabbath; which was referred to the Committee on Education and Labor.

Mr. PLUMB presented a petition of the National Woman's Christian Temperance Union, praying for the passage of legislation prohibiting the running of interstate Sunday trains, mail-trains, and against military drills on the Sabbath; which was referred to the Committee on Education and Labor.

He also presented a petition of railway postal clerks, citizens of Kansas, praying for the passage of a bill to divide into six classes the employés in the railway mail service, and to fix the salary of each class; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the city council of Coffeyville, Kans., praying for the passage of what is known as the Kansas City and Pacific Railroad right-of-way bill; which was referred to the Committee on Indian Affairs.

Mr. MCPHERSON presented the petition of Rev. L. Larew and 30 other citizens of the First Congressional district of New Jersey, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of George Cuveling, of Washington, D. C., praying to be allowed compensation for property taken from him for the use of the Government; which was referred to the Committee on the District of Columbia.

Mr. WILSON, of Iowa, presented a petition of 38 ex-Union soldiers and sailors, residents of Bremer County, Iowa, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of Union Grange, No. 1618, Patrons of Husbandry, of Macedonia, Iowa, praying for the establishment of a Department of Agriculture whose head shall be a member of the Cabinet, the preservation and enforcement of the oleomargarine law, and the passage of other legislation promotive of the interests of agriculture; which was referred to the Committee on Agriculture and Forestry.

Mr. DANIEL presented the petition of S. C. Hudgins and other citizens of York County, Virginia; the petition of Dr. S. W. Tinsley and other citizens of Patrick County, Virginia, and the petition of W. J. Stors and other citizens of York County, Virginia, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized, and that that bureau remain in the Department of Agriculture; which were ordered to lie on the table.

Mr. COKE presented a petition of the International Range Association of Denver, Colorado, praying for the passage of measures to secure a deep-sea channel at some point on the Texas coast; which was referred to the Committee on Commerce.

Mr. SABIN presented a petition of the Woman's Christian Temperance Union, signed by 49 citizens of Minnesota, 28 voters, praying for legislation prohibiting the running of interstate Sunday trains and against military drills on the Sabbath; which was referred to the Committee on Education and Labor.

Mr. HISCOCK presented a petition of the National Woman's Christian Temperance Union, officially signed by the Buffalo District Conference of the Methodist Protestant Church, and other citizens of the State of New York, praying for legislation prohibiting the running of interstate Sunday trains and mail trains, and against military drills on the Sabbath; which was referred to the Committee on Education and Labor.

He also presented a petition of 21 ex-Union soldiers and sailors, citizens of Savannah, Wayne County, New York, and three petitions of citizens of Brooklyn, Kings County, New York, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

Mr. EVARTS presented a petition of 21 ex-Union soldiers and sailors, citizens of Savannah, Wayne County, New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. SAWYER, from the Committee on Commerce, to whom was referred the bill (S. 2614) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River, in Arkansas, reported it without amendment.

Mr. SAWYER. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 5929) to extend the time for the completion of a bridge across Staten Island Sound, to report it favorably, without amendment, and to ask that Order of Business 288, being Senate bill 1433, be indefinitely postponed, and that the House bill which I have just reported be substituted for it on the Calendar.

The PRESIDENT *pro tempore*. If there be no objection, the bill (S.

1433) to extend the time for the construction of a bridge across the Staten Island Sound, known as Arthur Kill, will be indefinitely postponed, and the bill just reported by the Senator from Wisconsin will take its place on the Calendar. The Chair hears no objection.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 1148) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes, reported it with amendments.

Mr. MANDERSON. I am directed by the Committee on Printing to report back adversely the joint resolution (S. R. 25) providing for the printing of 4,500 copies of Finley's Storm Track Charts of the North Atlantic Ocean. The committee find that the printing of this chart would cost over $8,000. It does not seem to be needed for any practical purpose. It is simply for the use of science. I move that the joint resolution be indefinitely postponed.

The motion was agreed to.

Mr. MANDERSON. I am also directed by the Committee on Printing to report adversely the joint resolution (S. R. 53) to print 4,000 copies of the report of Naval Constructor Philip Hichborn, on European dock-yards. The printing of this document would cost over $6,000. We have communicated with the Secretary of the Navy, who says he has some 500 or 600 copies on hand for distribution. The committee think it is not necessary to print it. I therefore move that the joint resolution be indefinitely postponed.

The motion was agreed to.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 2624) to provide for the enlargement of the dimensions of the wharf at Fortress Monroe, reported it without amendment, and submitted a report thereon.

Mr. FRYE. I am instructed by the Committee on Commerce to report adversely the bill (S. 2633) to regulate signal-lights on sailing vessels at sea. The committee recognizes the necessity, and the very great necessity, of regulating signal-lights on sailing vessels at sea; but the Senate has already at this session passed a bill providing for a marine congress, and as it undoubtedly will pass the other House and become a law, matters of this kind should be referred to that congress rather than be acted upon by this. I therefore move that the bill be indefinitely postponed.

The motion was agreed to.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 1187) for the relief of J. J. McAlmont, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1188) for the relief of the estate of W. W. Adams, deceased, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 326) for the relief of Mrs. Frances Marshall, submitted an adverse report thereon.

Mr. BECK. My colleague [Mr. BLACKBURN] and myself desire that the bill just reported be placed upon the Calendar.

The PRESIDENT *pro tempore*. It will be placed on the Calendar, with the adverse report of the committee.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 1191) for the relief of the legal representatives of Mary H. Pike, deceased, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1190) for the relief of the estate of Joseph Fenno, deceased, reported it without amendment, and submitted a report thereon.

Mr. EVARTS, from the Committee on the Library, to whom was referred the bill (S. 1025) for the erection of an equestrian statue of ex-President Zachary Taylor, reported a bill (S. 2787) for the erection of an equestrian statue of ex-President Zachary Taylor, which was read twice by its title.

Mr. MANDERSON, from the Committee on Printing, to whom the subject was referred, submitted a report, accompanied by a bill (S. 2802) to fix the number of unbound and bound journals of the Senate and House of Representatives, and to provide for their distribution, which was read twice by its title.

Mr. MANDERSON, from the Committee on Military Affairs, to whom was referred the bill (H. R. 3727) for the relief of William P. Gorsuch, reported it without amendment, and submitted a report thereon.

Mr. JONES, of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 2644) granting the right of way to the Fort Smith, Paris and Dardanelle Railway Company to construct and operate a railroad, telegraph, and telephone line from Fort Smith, Ark., through the Indian Territory, to or near Baxter Springs, in the State of Kansas, and authorizing said company to build a bridge across the Arkansas River, at or near the city of Fort Smith, Ark., reported it with amendments.

COMPILATION OF REPORTS OF COMMITTEES.

Mr. MANDERSON. I am directed by the Committee on Printing to report adversely the resolution submitted by the Senator from Missouri [Mr. COCKRELL] March 27, 1888, with a recommendation that it be indefinitely postponed.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Joint Committee on Printing be, and they are hereby, directed to provide for a duplicate of the compilation of reports of committees provided for in public resolution No. 24, first session Forty-ninth Congress, approved July 29, 1886; said duplicate of House reports to be for the use of Senate committees.

The PRESIDENT *pro tempore*. The adverse report will be agreed to, if there be no objection, and the resolution indefinitely postponed.

Mr. MANDERSON. I am also instructed by the Committee on Printing to report back, in lieu of the resolution just postponed, a joint resolution, and I ask for its present consideration. It is designed to accomplish the same purpose.

The joint resolution (S. R. 77) providing for a duplicate of the compilation of the reports of the Senate and House of Representatives from 1815 to 1887 was read twice by its title, and by unanimous consent considered as in Committee of the Whole. It authorizes the Joint Committee on Public Printing to provide a duplicate of the compilation of the reports of committees of the Senate and House of Representatives from 1815 to 1887 provided for in public resolution No. 24, first session Forty-ninth Congress, approved July 29, 1886, and further provided for in concurrent resolution of March 3, 1887, and appropriates the sum of $4,000 for the preparation of the work, and the further sum of $1,477 to cover a deficiency in the cost of the original compilation made necessary by concurrent resolution of March 3, 1887, which sum may be paid by the Secretary of the Treasury on the order of the chairman of the Joint Committee on Printing as additional pay or compensation to any officer or employé of the United States; and it directs the Public Printer to bind said duplicate of the compilation of the reports without delay.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. STEWART introduced a bill (S. 2788) for the erection of a public building at Virginia City, State of Nevada; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2789) for the erection of a public building at Reno, State of Nevada; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2790) authorizing the President of the United States to appoint Medical Inspector William E. Taylor a medical director on the retired-list of the Navy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. DAVIS introduced a bill (S. 2791) granting a pension to George W. Francis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MORRILL (by request) introduced a bill (S. 2792) granting an increase of pension to Silas Parker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. STANFORD (by request) introduced a bill (S. 2793) for the relief of August Leschinsky; which was read twice by its title, and referred to the Committee on Claims.

Mr. McPHERSON (by request) introduced a bill (S. 2794) to pay John Pope Hodnett for services rendered as counsel for the Government in the investigation into affairs of the District of Columbia, acting as such counsel by order of a resolution of the House of Representatives; also for acting as counsel for the workingmen of the District of Columbia for fifteen years last past; which was read twice by its title and referred to the Committee on Claims.

Mr. FAULKNER introduced a bill (S. 2795) for the relief of the heirs of Margaret Bulger; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2796) for the relief of the trustees of the Methodist Episcopal Church at Harper's Ferry, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. CHANDLER introduced a bill (S. 2797) in recognition of the merits and services of Chief Engineer George Wallace Melville, United States Navy, and of the other officers and men of the Jeannette Arctic expedition; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. ALLISON introduced a bill (S. 2798) for the relief of Isaac Fowler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL (by request) introduced a bill (S. 2799) for the relief of the legal representative of Philip G. Hopkins, deceased; which was read twice by its title.

Mr. COCKRELL. I present in connection with the bill the petition of Mary A. Hopkins, legal representative of Philip G. Hopkins, deceased, and sundry papers, which I move be referred, with the bill, to the Committee on Claims. I have no knowledge of the merits of the case.

The motion was agreed to.

Mr. GRAY introduced a bill (S. 2800) to increase the pension of Sa-

rah B. Young; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 2801) for the relief of senior medical directors on the retired-list of the Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. VOORHEES introduced a bill (S. 2803) granting an increase of pension to Jacob Logan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2804) for the relief of Wilbur F. Melbourne; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO BILLS.

Mr. CHANDLER submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

INTERIOR DEPARTMENT EMPLOYÉS.

Mr. HALE. I offer the following resolution, and ask for its present consideration:

Resolved, That the Secretary of the Interior be, and he hereby is, directed to send to the Senate as soon as may be a complete list of the laborers, skilled laborers, messengers, model attendants, and other persons below the classified service who have been appointed or employed in the Interior Department in Washington since March 4, 1885. Also a list of all persons who have been appointed in said Department in Washington since March 4, 1885, to any position, class, or grade, who have been since their appointment or are now employed in a position, class, or grade different from the one to which they were appointed, giving in detail the change in position, rank, or grade of employment in regard to each person separately.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. SAULSBURY. I object to its present consideration.

The PRESIDENT *pro tempore*. Objection being made, the resolution will lie over under the rule.

PRESIDENT'S ANNUAL MESSAGE.

Mr. INGALLS (Mr. HAWLEY in the chair). Mr. President, shortly after the Senator from Indiana [Mr. VOORHEES] began his speech yesterday I was called from the Senate to examine and sign a large number of enrolled bills for transmission to the President of the United States. I had supposed from the notice he gave that his speech was to be devoted to the subject of the tariff and finance; and I was, therefore, somewhat surprised this morning to be advised by an item in the newspapers that I had been the object of the Senator's animadversion.

A casual examination of his speech appeared to me to disclose certain omissions on his part in reference to the relation of the Democratic party to the subject of pensions, to the war for the preservation of the Union, to the reconstruction of the Southern States, to the solid South, to the recent election in Louisiana, and to the issues and results of the approaching campaign, which seem to me to justify some observations of mine in reply.

I therefore desire to give notice that on Tuesday next, at 2 o'clock, if the Senate will indulge me, I shall move to proceed to the consideration of the resolution of the Senator from Ohio [Mr. SHERMAN] for the purpose of enabling me to submit some remarks thereon.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 925) for the relief of Matthew W. Berryman;

A bill (H. R. 6862) for the relief of John R. Wood, John T. Ballard, and John T. Belew; and

A bill (H. R. 8279) to authorize the county of Laurens, in the State of Georgia, to construct a bridge across the Oconee River at or near Dublin, in said county and State.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The Chair understands that at the conclusion of the morning business the consideration of private pension bills on the Calendar was to be moved this morning. Is there objection?

Mr. SHERMAN. I have no objection to that course, but I suggest, as a matter of convenience and to avoid delay, that bills for the construction of public buildings which have been reported favorably be also acted upon subject to objection.

Mr. BERRY. By the unanimous consent of the Senate yesterday we were to proceed this morning with the land-forfeiture bill. The Senator from Kansas [Mr. PLUMB], who has the bill in charge, is not in the Chamber.

The PRESIDENT *pro tempore*. The Chair was at first under the impression that such was the agreement, but is informed by the clerks that the RECORD does not disclose that to be the fact; and as the Senator from Minnesota [Mr. DAVIS] had previously given notice that he would move this morning to proceed to the consideration of private pension bills on the Calendar to which there was no objection, the Chair announced that as the order of business.

Mr. BERRY. I have no objection whatever to proceeding with the pension bills. I simply saw that the chairman of the Committee on Public Lands was not in, and called attention to what I understood to be the agreement of yesterday.

The PRESIDENT *pro tempore*. The Chair is fortified in the position he has taken by the fact that the Senator from Kansas, the chairman of the Committee on Public Lands, is not in his seat.

Mr. HOAR. I have no personal choice about the matter, but I understood the chairman of the Committee on Public Lands, just before the adjournment last evening, when the matter then under discussion was about to be laid aside, to ask unanimous consent that it be proceeded with after the routine morning business to-day. It seems I was in error.

The PRESIDENT *pro tempore*. The Chair will have the RECORD examined. [A pause.] The first impression of the Chair was correct about the order of business. On page 3515 of the RECORD appears an announcement from the Chair, which will be read.

The Chief Clerk read as follows:

Mr. PLUMB. I ask unanimous consent that the bill may come up at the conclusion of the morning business to-morrow.

The PRESIDENT *pro tempore*. The Senator from Kansas asks unanimous consent that the consideration of the pending bill, Senate bill 1430, may be resumed to-morrow at the conclusion of the formal morning business. Is there objection? The Chair hears none, and it is so ordered.

The PRESIDENT *pro tempore*. Pending which bill, the Chair understands the Senator from Minnesota to ask that the private pension bills on the Calendar to which there is no objection may be considered. Does the Senator from Kansas desire to proceed with the consideration of Senate bill 1430?

Mr. PLUMB. I certainly do; and I think the convenience of the Senate will be best subserved by going ahead with that bill. The pension bills are sure to get through. I never have known any of them to fail. Of course I do not speak of that as in derogation of the zeal of the Senator from Minnesota, but certainly there will be plenty of time when the consideration of the pension bills will not interfere with the legitimate order of business.

The PRESIDENT *pro tempore*. Senate bill 1430 will be proceeded with.

PARIS INTERNATIONAL EXPOSITION.

Mr. SHERMAN. I wish to present the report of the committee of conference on House joint resolution 83.

The PRESIDENT *pro tempore*. The report will be received.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 10, 11, and 13, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: On page 2, line 9, after "appoint," insert "as assistants to the Commissioner-General;" and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment, as follows: On page 3, line 17, in lieu of the sum named, insert "$250,000;" and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: On page 3, line 24, after "exposition," insert "and accompany the same with a report respecting such production, to be printed in the English, French, and German languages;" and the Senate agree to the same.

JOHN SHERMAN,
WM. M. EVARTS,
JOSEPH E. BROWN,
Managers on the part of the Senate.

PERRY BELMONT,
ROBERT R. HITT,
ISIDOR RAYNER,
Managers on the part of the House.

The report was concurred in.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the amendment proposed by Mr. DOLPH to the amendment of Mr. HOAR.

Mr. HOAR. I wish to make one observation, with the leave of the Senate.

I am told that in the remarks which I made yesterday on the pending bill I stated that a list of entries or attempted entries which I gave to the reporter to be published as part of my remarks was a list of entries which were all made within the land now owned or claimed by the canal company. I have not found in glancing over my remarks that statement as yet, but I am told that I made it. If I did so, I made it under a temporary misapprehension. I should have said that the entries were made upon land either of the canal company or of private claimants.

The PRESIDENT *pro tempore*. The Chief Clerk will report the

pending question, which is the amendment proposed by the Senator from Oregon [Mr. DOLPH] to the amendment of the Senator from Massachusetts [Mr. HOAR].

The CHIEF CLERK. It is proposed to strike out all after the word "that," in line 1 of Mr. HOAR'S amendment, and to insert:

That portion of the grant made to the State of Michigan to aid in the construction of a railroad from Ontonagon to the Wisconsin State line by an act of Congress entitled "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," approved June 3, 1856, forfeited by the first section of this act as between all adverse claimants to the same under the laws of the United States and as against the United States and the State of Michigan, shall be deemed and held to have been restored to and to have become a part of the public domain at the date of the execution of the deed of release of said lands to the United States by the governor of said State, to wit, August 14, 1870.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to the amendment.

Mr. PALMER. As I have said before, I suspect all of these amendments. In taking the ground that I do I feel very much like the shepherd boy of Israel when he went out to fight Goliath, only that my case is a little worse than David's was, for although I have the pebbles from the brook, I have not any sling with which to hurl them.

I was not aware until this came up for discussion that I was going to be placed in the same position as Fitz-James when he met Roderick Dhu in the woods. I did not suppose that every bush contained an armed man, who at the whistle of the chieftain would appear to take his side; and in any remarks that I may offer in opposition to the position taken by the gentlemen on the other side, I want you to take into consideration the disparity of argumentative abilities between us.

Here are men well trained in the forum, gladiators of the arena intellectually, who all seem to be upon one side. I am but a plain, blunt man; can tell what I do know not always very concisely or connectedly, sometimes very disjointedly, but I think that I can make a tolerable case; but if I can not I hope that the Senate will take the material that I offer and imagine if it was used by the opposite side how potent and how conclusive it would be.

These amendments keep coming up. As one becomes obscure and seems to be doomed to defeat, another appears, and this has been the case in all the legislation upon this point since 1880.

In 1873 it became patent to every one that the title of this canal company was defective, but no attempt at relief was made until the railroad grant was conferred upon the Ontonagon and Brulé road. That was in 1880. There had been seven years during which the canal company knew that their title was defective. Why was there no attempt made for relief? The fact was that they knew that every process under the original grant had been irregular, and they hoped that time would cure their title, and that continuance in possession would give them rights that they could not claim under the law.

To show you how insidious all of the efforts of the canal company have been and how they have attempted to accomplish by indirection what they could not accomplish by direct legislation, I will give a history of their efforts for a single year. Here is the bill introduced by Mr. PAYSON in the Forty-ninth Congress, House bill 391, sent to the Senate at the last session:

That all lands granted to the State of Michigan under the act of Congress approved June 3, 1856, to aid in the construction of a railroad from Ontonagon to the Wisconsin State line, and acts amendatory thereof and supplemental thereto, be, and they are hereby, declared forfeited, and the lands covered thereby shall be considered and treated in all respects the same as if said grant had never been made.

That is one of the most harmless and innocent bills on its face that one could conceive of; and yet what would have been its effect? It would have confirmed the canal grant. If there had been nothing else in the way this language would have removed the only obstacle, which was the Ontonagon and Brulé road grant. To be sure, it would not have changed the illegality of their action in regard to the entry of those lands, but it would have removed the Ontonagon and Brulé grant from their path. That bill came over to the Senate. The Senate amended it thus: They struck out, in lines 8 and 9, the words:

And the lands covered thereby shall be considered and treated in all respects the same as if said grant had never been made.

That was stricken out by the committee of the Senate, and this was substituted:

Are restored to the public domain.

That did not pass in the Senate and did not go to a committee of conference, as they undoubtedly hoped, and therefore they got no confirmation as far as the removal of the obstruction of the Ontonagon and Brulé road was concerned in that bill.

This year the Senator from Colorado [Mr. TELLER], after this railroad forfeiture bill came up, introduced, by request, a certain amendment. I do not think that he saw at the time its bearing, but in that we find:

That * * * any of the lands * * * selected by any State and certified by the Commissioner of the General Land Office and approved by the Secretary of the Interior in satisfaction or as part of any grant to such State in aid of any public work or improvement which has been fully completed, the right and title of all persons holding or claiming any such lands under such sales, entries, or selections and certificates shall be, and are hereby, confirmed.

That was not pushed. Then another one was presented by my colleague [Mr. STOCKBRIDGE], and I do not think that he saw the bearing of its phraseology, but it included some points wherein he and I agreed as to protecting the rights of certain private entry cash purchasers to their lands, where there was no conflict, in this tract which is about to be forfeited.

I submitted certain amendments to his amendment, which he accepted; but the reading of the first amendment brought about the whole of this discussion. We left out "locations or State selections." That immediately struck the bull's-eye of the canal company, and at once the quadrille commenced. The whole discussion so far on this bill, it seems to me, has been upon that single phrase. I have an amendment here which I would offer and may offer hereafter, but at the same time I do not think it is worth while to take up the time of the Senate at the present for that purpose.

Mr. President, before going further I should like to submit some papers in vindication of a certain party who has rights which he can not himself defend upon this floor. Yesterday, during the discussion, the Senator from Oregon [Mr. DOLPH], I believe, pointed to a certain gentleman in the gallery and spoke of him. I do not know whether the manner was very offensive, but it was in a way to associate him with a discreditable transaction. I thought at the time that it was a very peculiar state of affairs when a homesteader, living in this tract, could not have a single vidette in the gallery when the turrets, posterns, and embrasures of the Senate were filled by armed men on the other side, and on that account I will send these papers, marked 1, 2, and 3, to be read and to go into the RECORD.

The Secretary read as follows:

No. 1.

[Office of James K. Redington, attorney at law, St. Cloud Building, Ninth and F streets.]

WASHINGTON, D. C., *April* 26, 1888.

DEAR SIR: I have long since learned that it is generally unpleasant and sometimes dangerous to espouse the cause of a settler against corporate influence and power. Still, my conception of professional duty and obligation often places me in that situation.

I have the honor to place in your hands, for such use as you deem proper, the following papers:

1. Copy of an affidavit filed by me with the Secretary of the Interior on the 3d day of December, 1885, refuting, so far as I am concerned, the insinuation of the *ex parte* papers read in the Senate yesterday, in respect to an alleged conspiracy to locate settlers on the Ontonagon and Brulé lands. The allegations of this affidavit have never, to my knowledge, been contradicted or denied since its execution two years and a half ago.

2. My affidavit acknowledged this day relating to the papers read yesterday in the Senate.

In my card to you yesterday, printed in to-day's RECORD, I was mistaken in saying my affidavit therein referred to one filed in the Interior Department. Upon reflection I now know that it was filed with the Public Lands Committee of the House of Representatives.

Yours, very truly,

JAMES K. REDINGTON.

Hon. T. W. PALMER,
United States Senate, Washington, D. C.

No. 2.

DISTRICT OF COLUMBIA, *City of Washington, ss:*

I, James K. Redington, depose and say that I am an attorney at law and practice my profession in said city and District; that on the 30th day of March, 1883, I entered into partnership for practice in land cases with W. C. Hill, of said city and District, under the firm name of Redington & Hill, which partnership was continued until November 5, 1883, a little over seven months, when the same was dissolved by mutual consent. At the commencement of said partnership both myself and Mr. Hill represented, individually, a number of settlers claiming lands, under the pre-emption and homestead laws, within the limits of the so-called Ontonagon and State Line Railroad grant in the State of Michigan; that these several individual cases became part of the general partnership business; and that thereafter the said firm were retained by a very large number of other settlers claiming other lands in the vicinity mentioned.

Upon the dissolution of said firm I became its general successor, but in the cases hereinbefore mentioned the fees due and to become due remained the joint property of myself and said Hill. Mr. Hill has since sold and assigned, for a valuable consideration, all his interest in the said business, and has now no connection whatever with or interest in the same.

I further depose and say that, by mutual agreement, upon the organization of said firm, I became, and thereafter was, so long as it continued, the actual manager of all its legal business, and upon its dissolution legally assumed and have exercised like full and absolute control of all unfinished business; that during the summer and fall of 1883 I attempted to get the mass of papers then in our possession relating to these cases into something like order; that in so arranging the cases I found, among papers that had been sent to Mr. Hill, some sixteen contracts, signed by settlers, agreeing, in event of success, to convey certain prescribed interests in the land in consideration of legal services in respect thereto; that I immediately called Mr. Hill's attention to the matter; told him that, in my judgment, such contracts were illegal and improper, and that in any event I would have nothing to do with them; that he fully agreed with me in the matter, and as a result of such consultation, I, on behalf of the firm, wrote and mailed to John B. Weimer, at Iron River, a letter on the subject, a full and true copy of which is hereto attached marked Exhibit A, and made part hereof, and at the same time sent the contracts to him by express. Some of the persons named substituted written contracts for money fees; some did not, and these cases were abandoned; some were continued without any agreement whatever. The original contracts, as stated by said Weimer in his affidavit, dated October 31, 1885, were destroyed.

I further depose and say that said Weimer, by reason of his ability, faithfulness, and intelligence, is greatly respected by the laboring men and settlers in that vicinity, and is much consulted by them in business matters. Hence it was the habit of the firm, and is now my practice, to correspond with him in most cases, instead of the claimants direct, thus saving a great deal of unnecessary labor. As I now recollect, most of the contracts referred to, if not all, had been forwarded by him, at request of the claimants, and were hence sent back to him for the purpose indicated. Except in some such way as this, said Weimer has never been the agent of the firm or of myself, or, so far as I know, of Mr. Hill, and never, in any form, for any pay or compensation of any kind, express or implied.

I further depose and say that after the return of said contracts it was my invariable and unbroken rule and practice, in managing said firm affairs as aforesaid, to decline all similar contracts, although frequently offered them by claimants or local counsel, and to accept only retainers or contingent fees in money, unequivocally and unmistakably expressed on the face of the contract, without condition of any kind, in any event, affecting or by any possibility embracing any interest in the land, or any part thereof. Such simple money contracts were taken in large numbers, and now remain among the assets of said firm.

I further depose and say that in all the cases above described, forming part of the assets of said firm, there is not a single contract or agreement, express or implied, for anything except a simple money fee; and no contract of any kind or character, remotely or immediately affecting, or by any possibility to affect any interest in the land, or any part thereof, or any interest in any mineral contained therein, or any part thereof, or any timber thereon, or on any part thereof.

I further depose and say that I know one A. Mathews, a land attorney at Marquette; and have read certain papers purporting to be letters written to him by said W. C. Hill, and filed with the Secretary, none of which, however, with one exception, that of July 10, 1883, purport to have been written during the existence of the firm of Redington & Hill. As to any of these alleged letters other than that of July 10, 1883, I have no knowledge whatever, and never heard of them until read in part during the recent argument; but I do know and say that the firm of Redington & Hill never received from said Mathews, either directly or through Mr. Hill, a single contract of any kind or description from any pre-emption or homestead settler; nor did I ever receive a single contract from him, nor did Mr. Hill, so far as I know. He is not and never has been in the most remote degree in any way interested in any of the cases hereinbefore referred to, or any such cases undertaken by us or by me, or, so far as I know, by Mr. Hill.

I further depose and say that the letter from myself to said Mathews, filed with the letters last above referred to, and dated May 26, 1884, was an answer to one from Mathews, dated May 20, 1884, original of which is hereto attached, marked Exhibit B, and refers, as will be seen, to a Porterfield scrip location made by Mathews, at Sault Ste. Marie, Mich., some 200 miles from Iron River, and has no reference whatever to any homestead or pre-emption claim. The fee referred to was never adjusted, and I have long since abandoned all connection with the case.

I further depose and say that I have read an affidavit of one Clarence McDermott, dated July 21, 1884, filed in the Ross-Weimer case, in which affiant swears that he once saw a contract drawn between Joseph Collier and Redington & Hill, in which was a condition that in default of paying a certain sum, in a certain time, "said Collier should convey to them the value of $500 in the fee of said land," and further that said contract was made with Weimer as agent for Redington & Hill; and with reference thereto I say that no such contract was ever made with said firm, through Weimer or any one else; that McDermott, therefore, never saw such a contract, and his statement to that effect, either willful or otherwise, is untrue.

On the contrary, the only contract we ever had with said Collier was entered into through correspondence directly with the claimant, or some one writing for him in his name; the contract itself was drawn by me, and is for a money fee, pure and simple, in proof of which I hereto attach and make part hereof the following papers: Original letter from Collier, or some one for him signing his name, dated July 6, 1883, marked Exhibit C; copy of answer thereto, marked Exhibit D; original contract, marked Exhibit E; letter of Weimer transmitting same, marked Exhibit F.

And further deponent says not.

JAMES K. REDINGTON.

Subscribed and sworn to before me this 2d day of December, 1885.

[SEAL.] HILMAN A. HALL,
Notary Public.

Mr. HOAR. Will the Senator allow me to ask a question at that point?

Mr. PALMER. Certainly.

Mr. HOAR. I suppose the Senator has had an opportunity now to inform himself, so that he can answer the question put yesterday, and that is, whether he is informed that the letters I read yesterday are genuine or not.

Mr. PALMER. I never thought of asking the question.

Mr. HOAR. My honorable friend will pardon me. As I understand this present affidavit the affiant says that there were sixteen contracts which were found a little later in the Department, and that he, when they came to his knowledge, thought they were illegal and repudiated them, and required a substitution of a contract for a money or contingent fee. That does not seem to me to affect at all the force of the fact that the original settlers went on there under a contract which would require them to commit perjury, as any lawyer who understood the law would know.

I read in addition from the same firm letters which contained this statement. One of them stated that they knew it would be necessary for these people to commit perjury, and another, speaking of a doubt whether all persons would go on with it if they had not a moral twist on them. It seems to me that the genuineness of these contracts, though sixteen of them were admitted at once to have been executed, is of even secondary importance to the question of the genuineness of these letters, and I was in hope my honorable friend would have had an opportunity to let us know whether these letters were disputed or not.

Mr. PALMER. I would say to the Senator from Massachusetts that I did not consider the genuineness of these letters of particular importance. Whether rascals are wrestling over the carcass or not is not to our purpose. The question is whether this canal company has a legal or an equitable claim to these lands.

Mr. HOAR. My friend will pardon me. In one of the letters read, signed "James K. Redington," is this:

> I think, under all the circumstances of the case, you should send me, say, $250 retainer, and give me a contingent interest in the claim.

Mr. PALMER. I would ask the Senator what pertinence that has to the debate.

Mr. HOAR. Very great pertinence. The question between him and me, not personally, of course, but the information which I get is that the persons who piled up these claims on these lands are not genuine homesteaders, but they are men who were procured to go there and make claims on the lands by a firm in Washington who were to have a contingent interest in the result, hoping that Congress would treat these persons as genuine homesteaders when they were really men who were sent on for the purpose of making claims.

There are found in the Interior Department forms of contract showing that these men who went on there had made arrangements to convey a quarter part of their interest, which arrangements required them under our homestead law to commit perjury in order to complete their entries, because they must depose that they have not made any such agreement. The Senator shows or the affidavit which he has caused to be read shows that there were sixteen of those contracts found in the office of this firm, and one particular contract produced here this man says is not genuine; but my proposition is, suppose that to be all true or not true, here are these records in which these people swear to the arrangement, and it seems to me that it is a very important matter for us to know whether they are genuine or not.

Mr. PALMER. I should answer the Senator in regard to that in this way, that I am not fighting the rights of the canal company. I am not particularly fighting for the rights of the homesteaders. I am fighting for the exclusion of any such confirmation in this bill as proposed by these different amendments, and I think I have shown that they have sought by indirection, first by allowing time to elapse when they knew their title from other causes was invalid, which I shall show further one, and then when the Ontonagon and Brulé Company had the right conferred on it, have sought by indirect measures in legislation to have their title confirmed and in every insidious way. I have no doubt that every land bill that has been introduced either in the House or in the Senate is known within twenty-four hours by the agents of the canal company in this city. I have no doubt but what each bill is followed through the committees. I have no doubt that when it comes into the Senate they know the way to submit amendments that will go to the committee, or whether they would like to have them appended in open session.

The amendments that have been introduced here should have been referred to the committee, where they should have been considered properly, and we should have had a report from the committee. There was nothing of the kind. They lay on the table. If some watchful eye had not been fixed upon them they might have been slipped through without debate, and there would have been hardly a Senator here, unless it had been those who had been inspired by the canal company, who would have known their effect.

I am contending against the adoption of any amendment of this kind upon this bill. I am perfectly willing to have equal and exact justice conceded to the canal company, but I say that a sweeping amendment of this kind, on a bill of this nature, is not an amendment which should be considered here.

Mr. HOAR. May I ask another question?

Mr. PALMER. Certainly.

Mr. HOAR. Is not the Senator aware that the late Secretary of the Interior, now a Senator in this body, caused to be printed and gave notice of the proposed amendment some weeks ago? How can the Senator say it was sought to be put through without consideration?

Mr. PALMER. I say just as I said before, and I will venture——

Mr. HOAR. It was printed by order of the Senate.

Mr. PALMER. I venture, if a poll of the Senate could be taken, it would appear that the greater number of Senators never knew of that amendment until it came up for discussion. I did not know it myself, and I had considerable interest in it, until it was called to my attention. There are thousands of amendments put on our tables that a great many Senators do not read, particularly we of young service.

Mr. HOAR. What should have been done?

Mr. PALMER. It should have been referred to the committee. It was known that that railroad forfeiture bill was in the committee.

Mr. HOAR. Was it not referred to the committee when introduced by Mr. TELLER?

Mr. PALMER. I understand not. I understand it was never considered by the committee.

The PRESIDING OFFICER (Mr. CULLOM in the chair). Does the Senator from Michigan desire the further reading of the papers sent up?

Mr. PALMER. Yes, sir; I think that is only fair to a gentleman who was attacked on the floor of the Senate.

The PRESIDING OFFICER. The reading will proceed.

The Secretary resumed and concluded the reading, as follows:

MATHEWS TO REDINGTON.

[Original filed in Department December 3, 1885, as Exhibit B.]

MARQUETTE, L. S., MICH., *May 20, 1884.*

DEAR SIR: Your favor of —— instant received.

I called several times to see you before leaving your city last month, for the purpose of having an interview, but was unsuccessful in each instance. I wanted you to aid me in arriving at some conclusion as to what is best to do with our Sault Ste. Marie Porterfield case. What is your advice in the premises? Would like to hear you before that Public Lands Committee.

Respectfully,

A. MATHEWS.

JAMES K. REDINGTON, Esq.,
Washington, D. C.

COLLIER TO HILL.

[Filed in Department December 3, 1885, as Exhibit C.]

IRON RIVER, *July* 6, 1883.

DEAR SIR: Inclosed please find declaratory statement which I would have you appeal for me. I have no money, but will make any arrangement you propose to secure you your pay, if you feel disposed to do so. It is a valuable piece of land. Please let me know by return mail if you can do anything for me.

Yours very truly,

JOSEPH COLLIER,
Iron River, Marquette County, Michigan.

W. C. HILL, Esq.,
Attorney at Law, Washington, D. C.

WASHINGTON, D. C., *July* 10, 1883.

DEAR SIR: Your favor of the 6th instant relative to application to file declaratory statement on E. ½ SE. ¼ section 18, and W. ½ SW. ¼ section 17, township 42, range 35, has been duly received.

We have no clients whose claims conflict with yours, and if you desire it we will undertake your case for a fee of $500, payable upon success in securing you the land, or a proportionate share for securing you any portion of it.

We inclose herewith an appeal signed by us, as your attorneys, which should be immediately filed in the register's office at Marquette. It should be in the Marquette office by July 22 at the very latest.

We also inclose a contract. Sign it, have it witnessed, send to us, and we will give your case prompt and careful attention. If not too much trouble, take the inclosed papers to John B. Weimer, esq., Iron River, who will see that they are all properly attended to.

We return the declaratory statement attached to the appeal.

Promptly advise us of what to do.

Yours, very truly,

REDINGTON & HILL.

JOSEPH COLLIER, Esq.,
Iron River, Michigan.

COPY OF CONTRACT.

[Filed in Department, December 3, 1885, as Exhibit E.]

In consideration of services performed and to be performed by Redington & Hill, land and mine attorneys, of Washington, D. C., as attorneys for the undersigned, Joseph Cullier, in the matter of my application to file declaratory statement on E. ¼ SE ¼ section 18, and W. ¼ SW. ¼ section 17, township 42 north, range 35 west, Marquette, Mich., now pending before the register and receiver at Marquette, Mich., I promise to pay to said Redington & Hill, or order, the sum of $500 ninety days after final decision of the Commissioner of the General Land Office or Secretary of the Interior, allowing me to enter said lands or within like time after my claim shall be finally allowed by due proceedings at law.

Given under my hand at Iron River, in the State of Michigan, this 14th day of July, A. D. 1883.

his
JOSEPH X CULLIER.
mark.

Signed in presence of:
JOHN B. WEIMER,
JOHN HANSEN.

COPY OF LETTER OF WEIMER TO REDINGTON & HILL.

[Filed in Department, December 3, 1885, as Exhibit F.]

IRON RIVER, MICH., *July* 14, 1883.

GENTLEMEN: Mr. Joseph Cullier's agreement is herewith inclosed. I have this day forwarded his D. S. and appeal made by you to the register at Marquette, hoping everything will be all right.

Let me hear from you in regard to this individual case, so I can show or give it to Joseph Cullier.

Respectfully,

JOHN B. WEIMER.

Messrs. REDINGTON & HILL.

DISTRICT OF COLUMBIA, *City of Washington, ss:*

I, James K. Redington, being first duly sworn, depose and say that the correspondence and papers read in debate in the Senate of the United States on the 25th day of April, 1888, while Senate bill 1430 was under consideration, are printed copies of papers filed in the office of the Secretary of the Interior in the month of October, 1885, during the oral argument of a certain case then pending in said Department, entitled John B. Weimer *vs.* John D. Ross; that in said case the plaintiff, Weimer, was represented by Hon. Joseph E. McDonald, late a Senator from the State of Indiana, and myself; and that during the oral argument of said case before the Secretary, on or about the 25th day of October, 1885, the said papers were produced and read by counsel for Ross.

The paper then produced and read purporting to be a contract between one John Rutter and the firm of Redington & Hill I had seen at an earlier date. It had been previously read by counsel for Ross before the Public Lands Committee of the House of Representatives, where I denounced it as fictitious and manufactured for the purpose of injuring the claims of settlers, and at the same time filed with the said committee an affidavit declaring that no such contract had ever existed and that I had never before heard of any such man. I now again declare that no such contract was ever held by, offered to, or tendered the firm of Redington & Hill or myself, or, so far as I know, Mr. Hill; that no such contract was ever accepted by us or was ever for a moment in our possession, and that if any such man as John Rutter exists and he signed the paper in question, it was done without our procurement or consent, and, as I believe and aver, simply for use in discrediting the claims of bona fide settlers on these lands. The paper itself, however, has never been proved or attempted to be proved by the oath of any one in any proceeding, or at any time or place.

As to the correspondence produced and read at such hearing between W. C. Hill and one A. Matthews, and repeated in the debate of the Senate on the 25th of April, 1885, its production at such hearing was a complete surprise to both Mr. McDonald and myself. I had no previous knowledge of its existence, and at first believed the letters to be forgeries. Upon close examination of the originals, however, I became convinced that they were genuine. I so told Mr. McDonald, and we thereupon call upon Mr. Hill (with whom I had then long since severed all business relations) for an explanation. He did not deny the genuineness of the letters, and Mr. McDonald and myself thereupon announced our intention of entirely withdrawing from the whole line of cases unless every remaining interest of the said Hill in the matter was absolutely and entirely released and surrendered.

The result was his absolute withdrawal from the cases and the assignment for value, of all his interest in the contracts, which said contracts covered nothing but money fees for services performed or to be performed. So far as my name in any way appears in such correspondence, and so far as any letters written by me are concerned, there is not a word or syllable connecting me with any such contracts except as declining to have anything to do with and returning sundry of them to claimants. The letter of May 26, 1884, from me to Matthews, related to a controversy affecting land at least 200 miles from the lands here in question, and had nothing whatever to do with any claim or claims arising under either the pre-emption or homestead laws, and as the retainer called for was never paid, I never appeared for him in that case, nor indeed in any other case, so far as I now recollect, in my life.

I further depose and say that in answer to the *ex parte* papers, so read by counsel, I filed in the Interior Department, December 3, 1885, an affidavit, copy of which accompanies this deposition, which affidavit is now on file therein, and which has never, to my knowledge, been since in any way denied.

I further depose and say that the partnership between myself and W. C. Hill only continued about seven months; that since the dissolution of said firm on the 5th day of November, 1883, the said Hill has had no connection with the cases in question whatever as an attorney, I having exclusive charge thereof so far as he was concerned, and that since about the 25th day of October, 1883, he has had no interest whatever in or about the matter.

I further depose and say that the settlers in question are now and since the dissolution of the said firm of Redington & Hill have been represented solely and entirely, in the Department, the courts, and Congress, by the firm of McDonald, Bright & Fay, composed of Hon. Joseph E. McDonald, Richard J. Bright, and John C. Fay, and by this deponent. We jointly appear for such claimants in the Department, the courts of the United States, and, so far as necessary to protect the interests of our clients, in Congress. We so appear for ninety-two actual settlers, only ten of whom conflict with selections made by the canal company, the balance being opposed by the railroad and private entry claimants. All these cases, except the ten against the canal company, so far as applying to odd sections, have been practically decided in favor of the settlers by the Secretary of the Interior, in his decision of January 6, 1888, in the case of Wakefield *vs.* Cutter *et al.* The cases we represent are a small portion of the actual settlers understood to be located on these railroad lands, the balance being unrepresented by counsel.

I further depose and say that in my entire experience at the bar, covering a practice of some thirteen years in land matters, I have never had a contract or an interest in a contract affecting in any way the land claimed by any pre-emption or homestead settler, although repeatedly offered them from various parts of the country; that I have persistently refused to accept cases on such terms, and have advised scores and perhaps hundreds of settlers that such contracts were prohibited by law; that I never had and have not now, either individually or as a member of the late firm of Redington & Hill, or otherwise, any contract with any settler in the State of Michigan or elsewhere of this character or of any character except for the payment of a fair money fee for services to be fairly rendered; and that to the best of my information and belief no settler on the Ontonagon and Brulé lands so called, in the State of Michigan, has any such contract with any person or persons whomsoever.

I further depose and say that neither as an individual nor as a member of the late firm did I ever procure or induce a single settler to settle upon these lands; that I never had an agent or agents to represent me among these settlers for any purpose whatever, nor did said firm; that I have discouraged rather than encouraged settlements on these lands, but that whenever consulted by such settlers I have honestly expressed my opinion as to the legal status of these lands and have not hesitated and shall not hesitate to accept employment from settlers in this vicinity; and, thus employed, I shall defend their rights to the best of my ability, in a legitimate manner, wherever assailed.

In respect to the correspondence between said Hill and said Matthews, all of which was prior to the organization of the late firm of Redington & Hill, I depose and say that although discreditable, to say the least, to the parties themselves, it ought not, in my judgment, to prejudice the rights of bona fide settlers residing on these lands, nor be used to the injury of those, myself included, who had no connection therewith and repudiated the same as soon as it was discovered.

JAMES K. REDINGTON.

Subscribed and sworn to before me this 26th day of April, 1888.

[SEAL.] JOHN T. ARMS,
Notary Public.

Mr. PALMER (exhibiting a map of the upper peninsula of Michigan, showing selections by the canal company colored in red). Mr. President, the history of this canal grant and selection was pretty well recited yesterday by the Senator from Massachusetts [Mr. HOAR], but I should like—because ocular demonstration is sometimes very healthful—Senators to observe how these selections were made. The first grant of 1865 of 200,000 acres was to be taken nearest the canal in a compact form. There are at least in that first grant 100,000 acres or more between part of the selections and the canal itself, showing that they had gone away from the canal and selected lands more remote, because they were more valuable.

Why did they do it? It is a well-known fact—I know it myself, for I have been over the ground—that this was regarded forty years ago, and is so displayed upon Foster and Whitney's map, as mineral land. Here was the great Minnesota mine, which was the paragon of all copper mines until the Calumet and Hecla were discovered. There was the Toltec, and there were a great many others that I have now forgotten the names of. Lake Agogebic was surrounded by mines, but the copper mining there was not successful with the exception of the Minnesota mine, and that "petered out," to use a technical phrase in mining.

But on Foster and Whitney's map all of this land, flecked over by the selections of the canal company, is put down as mineral land. In the act granting the lands to the canal company all lands that were designated as mineral, whether they were mineral or not, were excluded. Notwithstanding that they went on, and in direct violation of the law located the lands as you see on the map.

Mr. COCKRELL. Are those lands designated on the United States maps and surveys as mineral lands?

Mr. PALMER. They are. Foster and Whitney's map is the great map of the Lake Superior region, also Pumpelly's, who was the geologist of the State of Michigan. The map before me shows the trap-rock belt containing copper, extending beyond the extreme end of Keewenaw Point down to the Montreal River, the western boundary of Michigan. That was undoubtedly the reason why they took the land there instead of in a compact form near the canal, just as remotely from it as they possibly could, because it covered these copper mines.

Mr. HARRIS. That you say was not authorized by the act?

Mr. PALMER. It was expressly prohibited. In other words, no mineral lands were to be taken. These were known as mineral lands.

Mr. HARRIS. That was in the act?

Mr. PALMER. That was in the act.

Mr. HARRIS. As I understand the Senator, they made these locations on mineral lands.

Mr. PALMER. Contrary to law. I will read the act. This is section 2 of the act of March 3, 1865:

And be it further enacted, That there be, and hereby is, granted to the said State of Michigan, for the purpose of aiding said State in constructing and completing a harbor and ship-canal to connect the waters of Lake Superior with the waters of Portage Lake, 200,000 acres of public lands, to be selected in subdivisions agreeably to the United States survey, by an agent or agents appointed by the governor of said State, subject to the approval of the Secretary of the Interior, from any lands in the upper peninsula of said State, subject to private entry: *Provided*, That said selections shall be made from alternate and odd-numbered sections of land nearest the location of said canal.

Mr. DAWES. That was the first 200,000 acres that were located. Will you indicate where?

Mr. PALMER. There were about 100,000 acres located nearest the canal. Then they went further west and located 100,000 acres, leaving a hiatus of over 100,000 acres between the last 100,000 acres and the canal.

I will continue reading from the act:

Provided, That said selections shall be made from alternate and odd-numbered sections of land nearest the location of said canal in said upper peninsula, not otherwise appropriated, and not from lands designated by the United States as "mineral"—

It does not say "not from mineral lands," but "lands designated as mineral."

Mr. COCKRELL. The question is, were any lands in that region designated by the United States as mineral?

Mr. PALMER. I understand they were. We shall come to that a little later.

Mr. STOCKBRIDGE. Allow me to suggest that I think my colleague is mistaken in that regard. No lands in Michigan have ever been held by the Government as mineral lands. The geological survey shows that the State has made that distinction, but the United States has never held any lands in Michigan from sale on account of their being mineral.

Mr. PALMER. As I grow older I have learned not to be positive, and I shall take further time to post myself on that, so that I can speak authoritatively.

Mr. DAWES. Now, have you the second act?

Mr. PALMER. Yes, sir. I will get down to that in a moment. I go on with the proviso of the act of 1865:

in said upper peninsula, not otherwise appropriated, and not from lands designated by the United States as "mineral" before the passage of this act, nor from lands to which the rights of pre-emption or homestead have attached.

July 3, 1866, Congress passed another act, granting to the State an additional amount of 200,000 acres, to be selected, 150,000 from alternate odd and 50,000 from even numbered sections in the upper peninsula of Michigan, "not mineral," and to which pre-emption and homestead rights had not attached, said additional grant to inure to the said Portage Lake and Lake Superior Canal Company.

Now, we shall see how the General Government——

Mr. DAWES. In this connection will the Senator add that the lands in question are in the second appropriation and not in the first? Is not that so?

Mr. PALMER. Really I can not say; I shall not be positive. I do not want to say anything that I shall be corrected on hereafter. That is another question, however, I will say to the Senator from Massachusetts, that I shall be prepared to answer the next time we meet.

Mr. DAWES. Does the Senator understand that these 15,000 acres are in the second grant or in the first?

Mr. PALMER. The Senator does not speak loud enough for me to hear him.

Mr. DAWES. Does the Senator himself understand that the 15,000 acres here alluded to are in the second grant and not in the first?

Mr. PALMER. I do not know, sir, but I understand that it is claimed that these acts should be construed together; being *in pari materia*. Is that the correct phrase? I would ask the Senator from Massachusetts.

Mr. DAWES. The phrase may be correct. The application may be different.

Mr. PALMER. I merely stated what I understood.

Mr. DAWES. Yes.

Mr. PALMER. I will read from the Land Office report of 1886 while we are on that question:

The ship-canal company selected 68,647.47 acres which were embraced in said offering, and it not appearing from an examination of the tract-books that the same had been offered as mineral they were approved to the State for its benefit.

Recapitulating the result of the adjustment of the grant of 1865, it appears:

First. That the company did not select any lands but such as were subject to private entry.

Second. That, taking all the lands selected and approved, it selected 93,712.77 acres which were not at date of selection the vacant lands nearest the location of the canal.

If the Senator from Missouri will listen to the paragraph I am about to read it will give him the information he desires:

Third. That it selected 68,647.47 acres which had been proclaimed and offered as mineral prior to the passage of the granting act.

Fourth. That it selected 56,916.57 acres of non-mineral lands which were not at date of selection the vacant lands nearest the location of the canal.

In giving my views upon the bill under consideration I will first refer to the lands embraced in the offering of 1851.

The act of 1865 excluded from the grant made thereby all lands designated by the United States as "mineral" before the passage of said act.

Whether or not the lands selected under the grant actually contained mineral was not material. If they had been designated by the United States as mineral prior to the passage of the granting act they were not subject to selection.

After the passage of the act of 1847, this office, with the concurrence of the Secretary of the Treasury, decided to treat as mineral the lands covered by leases, permits, or titles of occupancy—those which the legal officers should be satisfied from any source were of that character, and those which might be reported by the mineral agent or geologist.

The act of September 28, 1850, made the mineral lands subject to sale and entry in the same manner and at the same minimum price as other public lands, but the distinction between the mineral and non-mineral lands was maintained by this office. The lands supposed to contain mineral were offered as such in 1851. The unoffered non-mineral lands were offered in 1853. The letter transmitting to the local officers a list of the lands embraced in the offering of 1853 distinctly states that such lands were not offered in 1851 because they were not mineral lands according to the reports. The offering of 1851, according to the proclamation, embraced lands formerly covered by mineral leases and permits, and lands which had been reported as mineral by the geologist.

The proclaiming and offering of these lands at public sale as mineral lands, taken in connection with the instructions in the premises, was clearly a designation by the United States as mineral. Having been so designated, they were not subject to selection under the canal grant.

According to the sworn testimony of its president, the Lake Superior Ship-Canal Railway and Iron Company, successor to the Portage Lake and Lake Superior Ship-Canal Company, does, or did in 1881, still own the lands in question, and, in my opinion, a suit should be instituted against said company to vacate and set aside the certification made to the State in 1868, so far as the same includes lands embraced in the offering of 1851, amounting to 68,647.47 acres.

The question is different, however, as to the lands which were not at date of selection the lands nearest the location of the canal.

I think that that is an answer to the question of the Senator from Missouri whether they were designated as mineral lands. Further, this is in the report of the Commissioner of the General Land Office for 1886, on page 35:

Lands which had been designated by the United States as "mineral" prior to March 3, 1865, were excluded from the grant of lands made by act of Congress of that date for the Portage Lake and Lake Superior Ship-Canal. Notwithstanding this express exception in the granting act upward of 68,000 acres which had been designated by the United States as mineral before March 3, 1865, including some of the most valuable lands in the copper range of the upper peninsula of Michigan, were certified and approved by this Department for the benefit of the ship-canal company. Suit was recommended by this office June 9, 1886, to recover said mineral lands to the United States.

Mr. President, it was a matter of public notoriety that all that land in the west part of the selection was mineral land. I knew it in 1845. I helped to hoe potatoes in 1845, I have no doubt, upon one of those sections, where my father had a mine located under the old permit system. It was notorious and a great many mines that promised fairly were opened there, many millions of money expended, and, as I said before, the Minnesota mine, which was the paragon of all copper mines until the Calumet and Hecla came up, was in that locality.

So there was undoubtedly a deliberate design on their part to get hold of mineral lands and they violated the law. How were they to accomplish that? This is all a matter of evidence, and testimony was given before a House committee on this subject:

The reason why the law was thus violated is apparent from a—

I now read from the report in the matter of the investigation of the Portage Lake and Lake Superior Ship-Canal before the Committee on Public Lands of the House of Representatives:

The reason why the law was thus violated is apparent from a bare inspection of the Foster and Whitney map, and the map made by Professor Pumpelly accompanying his official report to the State of Michigan, which was exhibited to the committee. Both of these maps show the copper belt, or the trap rock within which the copper was supposed to lie, extending from the extreme end of Keweenaw Point southwest to the Montreal River.

I know that has always been regarded as the mineral belt.

The selections made under the act of 1865 were intended to cover this entire belt, and were made to fit it as closely as a glove to the hand. The map of the canal selections is almost a reproduction of the copper belt, as shown by these other maps. The obvious intent was to appropriate this entire copper belt, and to do this it was found necessary to leave out of the selections 108,000 acres included in the granting act, and to take in a like quantity not included within the descriptive terms of the grant.

Now, how was it accomplished?

This was accomplished by securing the removal of Edwards, the then register, who refused to corruptly act as a tool of the company—

I am now reading from a brief filed with the Committee on Public Lands of the House of Representatives, Forty-eighth Congress—

and the appointment of Ambrose Campbell, who administered the office after his appointment entirely in their interest and in the interest of other corrupt combinations. John F. Driggs, then member of Congress from that district, was attempting to carry some 11,000 acres of land for his own benefit, without paying the Government for it. The lands had been marked to his name upon the plat-books. He was unable to raise the money, and made arrangements with the company by which the lands were to be marked off to them, and they were to carry them for the benefit of Driggs until such time as he could raise the requisite amount to complete the purchase.

Edwards refused to be a party to this arrangement. Driggs and Avery, president of the canal company, then conspired to secure his removal and the appointment of Campbell. This was accomplished. The canal company thereupon secured the approval of their illegal list. The 11,000 acres of land were marked up to the canal company, and were by them carried for Driggs for some three years—until 1871—when the money to complete their purchase was advanced by one Sage, to whom the certificates issued. Driggs realized some $40,000 out of the transaction, and the canal company secured a list of its illegal selections. The whole transaction, as above stated, is shown in the testimony.

And here the names and pages are given wherein this appears in evidence. That is the way they got the land in violation of the law.

Now let us see what they gave. It is claimed that they have an

equitable right to this land. Let us see how they carried out their part of the contract, the consideration. This is from the report by Mr. Henley, from the Committee on Public Lands of the House of Representatives, March 5, 1884, entitled "Forfeited lands in Michigan:"

It will also be observed that the company was required by the granting act to construct a breakwater, harbor, and ship-canal at least 13 feet in depth, and that by section 5 of the act of 1865, if the work was not "completed" within two years (afterwards extended to December 1, 1873), the lands thereby granted should "revert to the United States."

It is satisfactorily shown to your committee that no sufficient harbor or breakwater has ever been constructed, and that all that has ever been done by the company or its successors to earn this grant was to build a canal about 2 miles in length, connecting Portage Lake with Lake Superior, and at one end thereof build two piers some 600 feet in length, extending into the lake. Even this work was not reported as having been done until June 25, 1875, over eighteen months after the right of forfeiture had accrued under the extending acts. (Governor's certificate, appendix to Canal History, pages 73, 74.)

It still further appears, from the official records of the office of the Chief of Engineers, in the War Department, that the said canal had not up to 1879 been completed in the manner required by the act, particularly as to the depth of water required, actual soundings in that year by the Government engineers showing an average of much less than 13 feet. Your committee has no information that any work has been done upon the canal since that date.

December 16, 1879, Maj. Henry M. Robert, of the Engineer Corps, United States Army, reported as follows upon this subject:

"I do not think the entrance to the canal can be said to be completed until the piers are extended to a depth of water equal to that which is considered necessary at the harbors constructed directly by the United States. If this were done a great deal of the difficulty experienced in entering the canal would disappear. It is not to be expected that a vessel can be easily steered in rough water when its keel almost touches bottom. This lack of depth of water at the head of the canal is, in my judgment, the greatest difficulty at this point, and the remedy is for the canal company to complete the work, to aid which the United States donated 400,000 acres of land."

From all the foregoing, your committee find that these selections were mainly, if not wholly, made contrary to the provisions of law; that the company, during the period allowed before forfeiture, had not performed the work required; that it has never constructed any sufficient harbor or breakwater; that the canal itself, as finally finished, was not "completed" and never has been completed as prescribed by the granting act; and that the company has no equities entitling it to favorable consideration. Your committee are accordingly of opinion that no act confirming these selections should be passed.

I do not know that I can dilate much further for the delectation of the Senate on this subject. I will only say that the company either have a legal or an equitable claim. Far be it from me to try to take away a single right from them. But I contend that if they want a confirmation of this title, if it can not be adjudicated, if they require relief from the United States, they should come in here and ask for it by a direct bill and not seek to get it by indirection.

There were some remarks made by the Senator from Massachusetts [Mr. HOAR] yesterday, to which I desire to refer. He said:

As I understand it, purchasers in good faith have gone in and settled upon these lands.

I do not think there is a settler there who has purchased from the canal company.

He said:

There are villages, churches, schools, and stores on them.

I do not think there is a single village, church, school, or store on the tract; but, as I said before, I am not going to be too positive. That is my information at the present time. The Senator also said:

But, Mr. President, there is a formidable opposition here, and I understand that that opposition comes from a single source. A company of speculators dwelling in the city of Washington.

I was not aware that I was included in that category. It seems the opposition chiefly comes from me. I think that I represent the people of the State of Michigan on this question who do not wish anything unfair done to the canal company, but who do wish that this thing should be divested of all contingent questions and settled upon its merits. The great difficulty with this question is that Senators seem to try to confuse it with a thousand collateral questions. Now, here is the grave-yard episode. That grave-yard is on none of these lands. That grave-yard I have specific information in regard to.

On page 3509 of the RECORD there is the affidavit of Thomas Luxmore in regard to the village of Iron River, and it would be made to appear that that was on one of the selections of the canal company. It is an even section, Mr. President, on land never claimed by the canal company, entered by D. C. and Alexander Mackinnon in 1878 or 1879, located with supreme court warrants as private cash entry. Another is Jerome B. Schwartz, who makes an affidavit in regard to Crystal Falls. The town site of Crystal Falls was located as a private cash entry, never belonged to the canal company, and was never questioned as to title. The grave-yard was on section 24, an even section, a half mile from the village of Iron River, and was entered by John McDonald. It was patented to him in 1883, and 10 acres were sold to Iron River village for cemetery purposes. It was always open to cash entry, as determined by Secretary Lamar in the case of Picard *vs.* Cammin.

What I contend is that this subject should be considered independent of any collateral question. I am sure that I am willing to treat the canal company fairly, but I do object most decidedly to this nebulous legislation; I object to voting upon a question of fact regarding which we are ignorant, and which from the very nature of the case we must remain in ignorance of until it is reported by some special or general committee who have examined the case.

The people of our country are watching this kind of legislation, and we are now passing what they consider a beneficent bill for the forfeiture of railroad land grants, but if we encumber it by absurd conditions and confirm grants that never had a hundredth part of the merit of the railroad grants, they will claim that Ephraim is given to his idols, and they must let him alone.

They will claim that wealth has privileges that poor men have not, and I ask the Senate to stamp out this and all similar amendments in the interest of the people, not only of Michigan but of the United States, and give the canal company all the rights they can claim under the law, and if there are any equities concede them also, but not to encumber this bill with amendments of this character.

Mr. DOLPH obtained the floor.

The PRESIDING OFFICER (Mr. CULLOM in the chair, at 1 o'clock and 56 minutes p. m.). Before the Senator proceeds with his remarks, the Chair will take occasion to announce that the regular order of business at 2 o'clock will be the Bureau of Animal Industry bill.

Mr. DOLPH. I should like to inquire before proceeding whether the Senator from Michigan intends to ask the Senate to proceed with that bill this afternoon.

Mr. PALMER. I ask that it be informally laid aside, reserving all rights.

The PRESIDING OFFICER. If there be no objection, the animal-industry bill will be laid aside informally so as to continue with the consideration of the pending bill after 2 o'clock.

Mr. DOLPH. Mr. President, I do not propose to discuss the pending amendment further. I have said all that I deem necessary in regard to it.

Referring to the remarks which have just fallen from the lips of the Senator from Michigan, I wish to say that from my standpoint I can not see how anybody who is disposed to deal fairly and honestly with people who have gone into possession of this land can object to the amendment which I have proposed to the amendment of the Senator from Massachusetts. It simply leaves these lands as public lands from the date when the State of Michigan released them to the General Government. But I have desired at some stage of this discussion to submit some general remarks upon the question of the public lands and land-grant forfeitures, and as I may not be able to be present to-morrow I will take this opportunity to submit them.

Mr. HOAR. Will the Senator from Oregon yield to me for a moment to make a suggestion? The Senator has expressed a doubt of his ability to be present to-morrow. It would seem to me that it might be quite well to determine, for the information of all Senators, whether the Senate will be in session to-morrow; and I should like, with his permission, to move that when the Senate adjourn to-day it adjourn to meet on Monday next.

Mr. DOLPH. I give way for that motion.

ADJOURNMENT TO MONDAY.

Mr. HOAR. I move that when the Senate adjourn to-day it be to meet on Monday next.

The PRESIDING OFFICER. The Senator from Massachusetts moves that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. DOLPH. Mr. President, it has been freely charged upon this floor and elsewhere that the Republican party is responsible for the land-grant policy, and that under its administration the public lands were squandered. The Senator from West Virginia [Mr. KENNA], in his speech recently upon the President's message, went out of his way, as it appeared to me, to repeat the charge, and the distinguished statesman who presides over the deliberations of the legislative body which meets at the other end of this Capitol, in an article published in the Forum for October last, thus formulated the charges:

The foundations of the existing system, under which immense landed estates have been acquired by foreign and domestic corporations and syndicates, were laid by the Republican party, and the fraudulent practices which have despoiled the public domain of its most fertile and valuable sections were begun and continued while Republican officials alone were charged with the duty of enforcing the laws and protecting the interests of the Government and people. Even now, when the magnitude of the evil is almost universally recognized, and the demand for immediate reform is urgently pressed by the homeless labor of the country, the Republican Senate either refuses to act at all or proceeds slowly and reluctantly to the consideration of the subject. On the other hand, the Democratic House has been earnest and active in its efforts to secure such changes in the laws as will dedicate the public lands to actual settlers under the homestead law, and has even gone so far as to amend its rules in order to give such measures preference over other business.

It has passed bills forfeiting and restoring to the Government, for the benefit of actual settlers, more than 100,000,000 acres of land, only a part of which has been concurred in by the Senate; and it has passed and sent to the Senate a bill to repeal the timber-culture, pre-emption, and desert-land laws, under which most of the great frauds were committed. The course of the Interior Department under the direction of the Democratic Secretary and Commissioner of the Land Office is familiar to the country, and need not be commented upon here. It has been uniformly in the interest of a faithful and honest administration of the law in a spirit of friendship for the bona fide settler and claimant and hostility to the fraudulent adventurer and speculator.

Mr. DOLPH. These are amazing statements to come from such a source. There is not a charge here made, directly or indirectly, against the Republican party or against the Senate that is not contradicted by facts so recent that the merest tyro in our history should be familiar

with them; and the settlers upon the public domain in the public-land States will never be made to believe that the administration of the public-land laws under the late Commissioner of the General Land Office was in their interest.

The existing system here referred to, under which it is alleged that the foundations have been laid for large landed estates in foreign and domestic corporations, if it means anything, means the land-grant policy, and the charge is in substance that the Republican party is responsible for that policy. The writer then proceeds to charge that while the House of Representatives have been earnest and active for the reform of the land laws the Republican Senate has either acted reluctantly or refused to act at all.

I propose to examine these charges and to contrast the history of the administration of the public-land laws under Republican rule with the history of their administration by the Democratic party, both prior to March 4, 1861, and since March 4, 1885; and I am willing that the parties should be judged by the record they have made.

In a speech in the Senate on the 3d of July, 1884, upon the bill to forfeit the unearned land grant to the Atlantic and Pacific Railroad Company, I reviewed the legislation concerning the public lands and the origin and history of the land-grant policy. My then colleague in the Senate had previously made a speech in which he had substantially made the charges repeated by Mr. CARLISLE, and had said that for a period of sixty years prior to 1861 the public lands were regarded as a sacred trust and administered in the interest of the people. Answering this statement I then said:

I have been curious enough to trace to some extent the origin and history of the land-grant policy and the history of legislation concerning the public lands to see what grounds exist for the claim that up to 1861 the public lands were "regarded as a sacred trust and were administered in the interest of the people," and I assert without fear of successful contradiction that an examination of the history of Congressional legislation concerning the public lands will show that the administration of the public domain by the Republican party, as compared with any previous administration, has been wise and judicious, in the interest of the settlers and of the public, and has been free from most of the mistakes and abuses which are to be found in the administration of the public lands during almost every previous administration.

The first act of Congress providing for the disposition of the public lands was an act of the Continental Congress, passed August 14, 1776, offering to receive and make citizens of deserters from the British army, and tendering each deserter fifty acres of unappropriated land in some one of the States. And from that date for a period of three-quarters of a century, running through the statutes of the United States is a series of laws, probably a thousand in number, authorizing the disposition of the public domain other than for cash, or by preemption or homestead methods, including donations to States and to associations and persons for a great variety of objects.

I find in what is known as the report of the public-land commission the following table, showing the disposition of the public domain prior to June 30, 1880:

"The disposition of the public domain from its origin to June 30, 1880, is estimated at 547,754,483 acres, partially accounted for under the following items:

	Acres.	Acres.
Cash sales, which include pre-emptions, etc., and probably 30,000,000 or more acres accounted for under other acts, and commutation of homesteads, from establishment of land system to June 30, 1880		169,832,564.61
Donation acts, Florida, Oregon, Washington, and New Mexico		3,084,797.36
Land bounties, military and naval service		61,028,430.00
State selections (act of 1841) for internal improvements		7,806,554.67
Salines (salt springs and lands adjacent) granted to State		559,965.00
Town sites and county seats		148,916.91
Railroad land grants patented		45,650,026.33
Canal grants		4,424,073.06
Military wagon-road grants		1,301,040.47
Mineral lands sold since 1866		148,621.14
Homesteads, 3,000,000 (estimated) acres of which have been commuted and carried into cash sales above		55,667,044.95
Scrips enumerated		2,893,634.44
Coal lands		10,750.24
Stone and timber acts of 1878		20,782.77
Swamp and overflowed lands to States, selected or patented		69,206,522.06
Graduation act of 1854		25,696,419.73
Schools, seminaries, and agricultural colleges:	Acres.	
Sixteenth and thirty-sixth sections, for schools	67,893,919	
Seminaries and universities	1,165,520	
Agricultural colleges, land in place	7,830,000	
Withdrawn or patented		78,659,439.00
Area held under timber-culture act		9,346,660.93
Desert-land act		897,160.57

"And various amounts disposed of under special acts, to be found in the Statutes at Large."

It was many years before the experience of the Government in attempting to dispose of the public lands led to the adoption of an efficient system. Instead of the laws being administered in the interest of the settler the policy of the Government for many years was to prevent entries upon the public lands until after their sale by the Government.

I quote the following from an article upon the public lands of the United States in a work recently published:

"Meanwhile a new difficulty was to be met, and force was necessary. Gallatin recalls in his correspondence with Jefferson that from 1783 to 1786 immigration into the territory north of the Ohio was encouraged by the peacefulness of the Indians, and that a company was kept going up and down the Ohio from the Pennsylvania line to Cincinnati burning every cabin and in some instances laying down or burning the fences. This operation had to be repeated, and he knew of persons whose cabins were burned and settlements destroyed three times."

In 1785 an unsuccessful attempt was made to dispose of public lands through the States. In 1787 power was given to the board of treasury to move about the United States and sell surveyed lands at pleasure. By the act of May, 1800, an attempt was made to systematize the method of disposing of public lands. Land districts were created and the appointment of registers and receivers was provided for. Provision was made for the sale of surveyed lands at public vendue at not less than $2 per acre, one-fourth of the purchase-money to be paid down and one-fourth annually thereafter for three years. Under this system excessive purchases were made. The purchasers, or at least a large proportion of them, failed to meet the deferred payments. The lands reverted to the Government incumbered by tenants. Then Congress was flooded with applications for relief, and from 1800 to 1824 hardly a year passed without a relief act, suspending or mitigating the general provisions of the law affecting such lands.

In 1828, under the relief laws, 4,168,941 acres had been relinquished, discharging $13,778,347.37 of debt, and in 1850 the debt was wholly discharged. In 1835 the public lands became an object of wild speculation. In 1834 the sales amounted to $4,800,000; in 1835 to $14,700,000, and in 1836 to $24,800,000. The receipts for the lands consisted largely of notes of irresponsible banks. Land speculators organized a "bank," got it appointed a deposit bank if they could, issued notes, borrowed them, and bought land; the notes were deposited, they borrowed them again, and so on.

In due time the crash came, and nearly all the best lands in the market were controlled by companies or single proprietors who had purchased them for purposes of speculation. Under this state of things it became impossible to restrain settlers within the limits of surveyed lands. The population pressed beyond the surveyed limits to find lands suitable for homes not monopolized by speculators, and some measure became necessary to recognize these settlements and to give them priority of right. This was the origin of the pre-emption law. Up to the year 1840 the privilege of pre-emption was generally conferred by special laws of a temporary nature—relief bills, in fact—applying to a certain class of settlers. The pre-emption act of 1841 and supplementary act of 1843 conferred the right of pre-emption upon all qualified settlers under the act, but the right of pre-emption was confined to surveyed lands, and it was not until 1853 that the right of pre-emption was extended to unsurveyed lands.

From a very early period the public lands after they were surveyed were sold at public sale at dates fixed by law or by the proclamation of the President. By the act of March 3, 1803, providing for the disposition of lands belonging to the United States south of the State of Tennessee, the President was authorized to make public proclamation of the sales, fixing therein a day or days for the same to take place, and such sales were to be made under the direction of the governor of Mississippi Territory, the surveyor of the lands and the register of the land office, the sales to take place where the land offices are "kept." By the act of April 24, 1820, it was provided that the public sales authorized thereby should be kept open for two weeks and no longer. No lands could be entered at private sale unless they had first been offered at public sale. This method of disposing of the public lands was kept up until the Republican party came into power.

It will be seen at once that under this system the choice lands were sure to be purchased by speculators. At the first session of the Thirty-fifth Congress Mr. Grow, of Pennsylvania, then a member of the House, introduced into that body a bill for the protection of settlers on the public domain, intended to give the settler ten years' preference over the speculator. The bill was as follows:

"*Be it enacted, etc.*, That from and after the 1st day of September, A. D. 1858, no public lands shall be exposed to sale by proclamation of the President until the same have been surveyed and the return thereof in the land office for at least ten years."

The bill was defeated by 78 votes against it to 73 in favor of it, only nine Democrats voting for the bill. Again, on the 20th of January, 1859, to the House bill reported from the Committee on Public Lands, relating to pre-emptions, Mr. Grow, of Pennsylvania, moved to add the following section:

"*Be it further enacted*, That from and after the passage of this act no public lands shall be exposed to sale by proclamation of the President unless the same shall have been surveyed and the return of such survey duly filed in the land office for ten years or more before the sale."

The amendment was opposed by the Democratic party, and especially by Democrats residing in the Southern States, and a motion was made to refer the bill to the Committee of the Whole, a reference that would have been its certain defeat. The motion was defeated by a vote of 92 to 90, and the amendment carried by yeas 97, nays 81, all the members except one voting against it being Democrats. But the bill as amended was defeated by a vote of 96 nays to 91 yeas, the Republicans voting unanimously for the amendment as they did for the bill as amended. Every Southern member except two, Mr. Blair, of Missouri, and Mr. Henry Winter Davis, of Maryland, voted against the bill as amended. Only eight Democrats, all of whom were of the Douglas school, voted for the bill.

On the 1st of February, 1859, House bill 72, to secure homesteads to actual settlers, which had been referred by the House to the Committee on Agriculture and reported from that committee January 26, 1859, came up for action. A motion to lay on the table was lost by a vote of 113 nays to 71 yeas, and the House was forced to a direct vote. The bill was then passed—yeas 120, nays 76; the Republicans, without exception, voted solidly for the bill; of the Democrats, 60 out of 98 voted against it. The bill was defeated in the Senate by Democratic opposition without a vote upon its merits.

The next session, on the 5th of March, 1860, Mr. Lovejoy, from the House Committee on Public Lands, reported the Grow bill, to secure homesteads to actual settlers on the public domain, and on the 12th of March, the same year, it was passed—yeas 119, nays 66, the Republicans voting unanimously for the bill, while all voting against it were Democrats.

On the 17th of April, 1860, in the Senate, Andrew Johnson, of Tennessee, reported from the Committee on Public Lands, as a substitute for the Grow homestead bill, which had passed the House, a bill granting homesteads to actual settlers at 25 cents an acre. When the bill came up for consideration Mr. Wade moved to substitute the Grow bill for it, which motion was lost—yeas 26, nays 31; yeas all Republicans but 3.

The Johnson bill passed the Senate on the 10th of May. The House refused to concur, and on the 19th of June the conference committees came to an agreement by which the House accepted the Senate bill with some amendments, the provision of the bill requiring payment for homesteads at the price of 25 cents per acre being retained. This bill was vetoed by President Buchanan June 23, 1860, as unconstitutional and unjust and unequal in its operations and pretended benefits, and as a measure which "will go far to demoralize the people." In the Senate the veto was sustained, 19 to 9, all the Republicans present not paired with Democrats on the question voting for the bill.

On the 4th of March, 1861, Abraham Lincoln was inaugurated President of the United States, and the Republicans, now in control of both Houses of Congress, hastened to redeem the pledge contained in their platform adopted at Chicago in 1860 by enacting the homestead law.

The homestead act is now the approved and preferred method of acquiring title to public lands. It has stood the test of over twenty-two years, and was the outgrowth of a system extending through nearly eighty years, and stands as the concentrated wisdom of legislation for the settlement of the public lands. It protects the Government, it fills the States with improvements, it builds up communities and lessens the chances of social and civil disorder by giving ownership to the soil in small tracts to the occupants thereof. It was copied from no other nation's system. It was originally and distinctly American, and remains a monument to its originators.

In the same speech I endeavored to show that the land-grant policy grew out of the practice of the General Government consenting to the States levying tonnage duties for the purpose of improving harbors, and afterwards making appropriations from the national Treasury for the same purpose; that when the Constitution was adopted all the States

had seacoast, and all were more or less interested in foreign commerce, and, therefore, appropriations made for harbor improvements were considered to be for the common benefit, but that when new States came to be admitted having no seacoast they complained of the inequality of such appropriations, the original conception of the power of the General Government to aid in internal improvements changed, and appropriations were made by Congress for wagon-roads, canals, and railroads. Tracing the history of the land-grant policy, I then said:

The first act of Congress granting aid to a work of this kind was passed in 1806, and was an act providing for the construction of a turnpike road, known as the Cumberland Road, at national expense, and from that time forward numerous bills for the construction of roads in the States and Territories were passed. The constitutionality of these acts was variously defended upon the ground of the powers of Congress "to provide for the common defense," "to establish post-roads," and "to pass laws for carrying into execution the foregoing powers," and on the other hand the constitutionality of such appropriations was warmly denied by leading statesmen, among others by Jefferson, Madison, and Monroe. But appropriations for internal improvements in great numbers were every year, included in the general appropriation bills, and in this manner received the approval of the Executive.

The following table shows the amount of appropriations for internal improvements under the different administrations mentioned:

Jefferson	$48,400
Madison	250,800
Monroe	707,621
Adams	2,310,478
Jackson	10,582,088
Van Buren	2,222,544
Taylor	1,076,500

I submit a statement showing land grants to the several States for railroad and canal purposes from 1827 to 1857; also a statement showing land grants to the several States for railroad purposes from 1853 to 1857, with additional grants for the same roads from 1864 to 1866.

Statement showing land grants to the several States for railroad and canal purposes from 1827 to 1857.

RAILROADS.

State.	Date of act.	Name.	Estimated number of acres granted.
Illinois	Sept. 20, 1850	Illinois Central	*2,595,053.00
Mississippi	Sept. 20, 1850	Mobile Central and Ohio River	1,004,640.00
Do	Aug. 11, 1856	Vicksburg and Meridian	404,800.00
Do	Aug. 11, 1856	Gulf and Ship Island	652,800.00
Alabama	Sept. 20, 1850	Mobile and Ohio River	230,400.00
Do	May 17, 1856	Alabama and Florida	419,520.00
Do	June 3, 1856	Selma, Rome and Dalton	481,920.00
Do	June 3, 1856	Coosa and Tennessee	132,480.00
Do	June 3, 1856	Mobile and Girard	840,880.00
Do	June 3, 1856	Alabama and Chattanooga	897,920.00
Do	June 3, 1856	Coosa and Chattanooga	144,000.00
Do	June 3, 1856	South and North Alabama	576,000.00
Florida	May 17, 1856	Florida and Alabama	165,688.00
Do	May 17, 1856	Florida, Atlantic and Gulf Central	183,153.99
Do	May 17, 1856	Pensacola and Georgia	1,568,729.87
Do	May 17, 1856	Atlantic, Gulf and West India Transit.	1,171,200.00
Louisiana	June 3, 1856	Vicksburg, Shreveport and Pacific.	610,880.00
Do	June 3, 1856	New Orleans, Opelousas and Great Western.	*†967,840.00

*State received full amount.
†By act of July 14, 1870, the lands not lawfully disposed of by the State were declared forfeited to the United States.

Statement showing land grants to the several States for railroad and canal purposes from 1827 to 1857—Continued.

RAILROADS—continued.

State.	Date of act.	Name.	Estimated number of acres granted.
Arkansas	Feb. 9, 1853	Cairo and Fulton	1,160,667.00
Do	Feb. 9, 1853	Memphis and Little Rock	438,646.80
Do	Feb. 9, 1853	Little Rock and Fort Smith	550,584.09
Missouri	June 10, 1852	Hannibal and St. Joseph	781,944.83
Do	June 10, 1852	Pacific and Southwest Branch	1,161,235.07
Do	Feb. 9, 1853	Cairo and Fulton	219,262.31
Iowa	May 17, 1856	Burlington and Missouri River	948,643.66
Do	May 17, 1856	Chicago, Rock Island and Pacific	1,261,181.60
Do	May 17, 1856	Cedar Rapids and Missouri River	1,298,739.00
Do	May 17, 1856	Dubuque and Pacific	1,226,163.05
Michigan	June 3, 1856	Detroit and Milwaukee	355,420.00
Do	June 3, 1856	Port Huron and Milwaukee	312,484.00
Do	June 3, 1856	Jackson, Lansing and Saginaw	1,052,469.00
Do	June 3, 1856	Flint and Pere Marquette	586,428.00
Do	June 3, 1856	Grand Rapids and Indiana	629,182.00
Do	June 3, 1856	Marquette, Houghton and Ontonagon.	331,500.00
Do	June 3, 1856	Bay de Noquet and Marquette	76,800.00
Do	June 3, 1856	Chicago and Northwestern	339,000.00
Do	June 3, 1856	Ontonagon and Brulé River	288,000.00
Wisconsin	June 3, 1856	Chicago and Northwestern	600,000.00
Do	June 3, 1856	La Crosse and Milwaukee	600,000.00
Do	June 3, 1856	St. Croix and Lake Superior	843,552.00
Minnesota	Mar. 3, 1857	St. Paul and Pacific	748,800.00
Do	Mar. 3, 1857	St. Paul and Pacific, branch line	885,000.00
Do	Mar. 3, 1857	St. Paul and Pacific, St. Vincent extension.	1,200,000.00
Do	Mar. 3, 1857	St. Paul and Sioux City	765,000.00
Do	Mar. 3, 1857	Winona and St. Peter	1,200,000.00
Do	Mar. 3, 1857	Minnesota Central	386,040.00
Do	Mar. 3, 1857	Southern Minnesota	53,619.45
Total			33,348,266.72

CANALS.

Indiana	Mar. 2, 1827	Wabash and Erie	1,432,279.00
Do	Feb. 27, 1841		
Do	Mar. 3, 1845		
Ohio	Mar. 2, 1827	Wabash and Erie	266,535.00
Do	June 30, 1834		
Do	May 24, 1828	Miami and Dayton	333,826.00
Do	May 24, 1828	General canal purposes	500,000.00
Illinois	Mar. 2, 1827	Illinois and Michigan	290,915.00
Wisconsin	June 18, 1838	Milwaukee and Rock River	125,431.00
Michigan	Aug. 26, 1852	St. Mary's Ship-canal	750,000.00
Total			3,705,986.00

RECAPITULATION.

	Acres.
Granted for railroads	33,348,266.72
Granted for canals	3,705,986.00
Granted to State of Iowa by act of August 8, 1846, for the improvement of the Des Moines River (not in table)	569,001.58
Total	37,623,254.30

Statement showing land grants to the several States for railroad purposes, from 1853 to 1857, with the additional grants for the same roads, from 1864 to 1866.

State.	Name of road.	Date of act making original grant.	Estimated number of acres embraced in original grant.	Date of act making additional grant.	Estimated number of acres embraced in additional grant.
Arkansas	Cairo and Fulton	Feb. 9, 1853	1,160,667.00	July 28, 1866	778,240
Do	Memphis and Little Rock	Feb. 9, 1853	438,646.80	July 28, 1866	340,480
Do	Little Rock and Fort Smith	Feb. 9, 1853	550,584.09	July 28, 1866	458,771
Missouri	Cairo and Fulton	Feb. 9, 1853	219,262.31	July 28, 1866	182,718
Iowa	Burlington and Missouri River	May 15, 1856	948,643.66	June 2, 1864	(*)
Do	Chicago, Rock Island and Pacific	May 15, 1856	1,261,181.60	June 2, 1864	(*)
Do	Cedar Rapids and Missouri River	May 15, 1856	1,298,739.00	June 2, 1864	(*)
Michigan	Grand Rapids and Indiana	June 3, 1856	629,182.00	June 7, 1864	531,200
Do	Bay de Noquet and Marquette	June 3, 1856	76,800.00	Mar. 3, 1865	51,200
Do	Chicago and Northwestern	June 3, 1856	339,000.00	Mar. 3, 1865	225,480
Wisconsin	West Wisconsin, formerly La Crosse and Milwaukee	June 3, 1856	600,000.00	May 5, 1864	400,000
Do	St. Croix and Lake Superior	June 3, 1856	843,552.00	May 5, 1864	565,000
Minnesota	St. Paul and Pacific, branch line	Mar. 3, 1857	885,000.00	Mar. 3, 1865	590,000
Do	St. Paul and Pacific, St. Vincent extension	Mar. 3, 1857	1,200,000.00	Mar. 3, 1865	800,000
Total			10,451,258.46		4,923,089

*The act of June 2, 1864, enlarged the area within which the company might complete the quantity granted by the act of May 15, 1856.

These figures conclusively show when the land-grant policy was inaugurated and who was responsible for it. I have examined the debates upon some of the earlier bills making grants of lands to aid in the construction of railroads, and quote briefly from the remarks of some of the leading statesmen in both Houses of Congress upon the same to show what they thought of the land-grant policy and the reasons which then induced Congress to aid the construction of canals and railroads by grants of public lands.

On the 3d of May, 1848, the Senate having under consideration the bill granting to the State of Illinois the right of way and a donation of public lands to aid in the construction of a railroad connecting the Upper and Lower Mississippi with the chain of northern lakes at Chicago, Senator Crittenden said:

"Sir, I rejoice to see a portion of the public domain applied to such a purpose as this; for I do not know a more natural or more wise purpose to which it could be applied than to improve and settle the lands themselves. * * * And

in regard to the constitutional question, it is a certain and undeniable fact that there has not been a President of the United States, there has not been an administration since the formation of the Government by whom an appropriation similar to this has not been sanctioned; not one administration from Washington down to this day that has not given its sanction to such a grant. Old Colonel Zane had a grant made to him for marking out the first foot-path in Ohio, and preparing the way for settlement. If anything can be settled by precedent this has been. * * * If anything can be settled by precedent, if anything can be fixed as fundamental law by the unanimous approval of the wisest men, such men as Washington himself and such Congresses as have existed since the formation of the Constitution, this is such a question. I have no doubt myself either as to the constitutional right of Congress to make the grant or the wisdom and sound policy of such a measure."

In the same debate Mr. Benton said:

"I have been long enough here to have voted for the original grant to the State of Illinois for the purpose of connecting Lake Michigan with the Illinois River by means of a canal. When I gave that vote I did not expect to remain in these councils until the object intended to be accomplished should be attained; I did not expect the good fortune of seeing the United States made into an island by a canal connecting the waters of Lake Michigan with those of the Mississippi in my lifetime. But it has been done by the aid of a grant of land to the State of Illinois, and I presume without that aid the work would hardly have been undertaken, much less been accomplished; now, however, the work has been completed, and the United States is to-day—an island.

"Leaving the Gulf of Mexico at New Orleans, or the Atlantic at New York, you may go as you choose around the United States without touching land. The result then of a grant of land to the State of Illinois by Congress has been prodigious; and even if there were no other advantageous result than the vast facilities afforded to our internal navigation, it well compensates us for parting with some acres of land over which this Government then wielded a barren scepter. I have no reason to regret that vote. I rejoice in it. * * * I do not, therefore, consider any of those grants as unprofitable; but, on the contrary, I fully concur in the opinion that a great public object is gained in the transfer of these lands from those by whom they are not cultivated to those by whom they are made productive. I shall with great pleasure vote for the bill before the Senate; and hope that the construction of the contemplated railroad will produce similar beneficial results to those effected by the canal."

Mr. Calhoun said:

"The question in this case is a very simple one. We are authorized by the Constitution to dispose of the public lands. Here is a public improvement, projected either by the State or individuals in the State through which it will pass, and by which the value of the public lands will be enhanced. If, then, it will add to the value of our lands, ought we not to contribute to it? Would we not, as individuals, thus act? This is not a novel principle. It has been acted upon for more than twenty years. The case of the canal connecting the Illinois River with Lake Michigan is a striking one. There alternate sections were given to make a canal, and I suppose I can with confidence ask the Senators from that State whether the lands reserved to the United States were not disposed of readily.

"Mr. Breese (in his seat). Thousands of acres were disposed of which would otherwise have never been sold.

"Mr. Calhoun. I have seldom given a vote the result of which gratified me more than the vote which I gave on that occasion. I then presided in that chair which you now occupy and gave the casting vote. I take to myself, therefore, some share in the credit of that magnificent improvement. Indeed I do not think there is a principle more perfectly clear from doubt than this one is. It does not belong to the category of internal improvements at all. It is not a power claimed by the Government as a government. It belongs to the Government as a landed proprietor. And I will add that it is not only a right but a duty, an important duty.

"Now, what has been considered an equitable arrangement between the Government and the State which may undertake an improvement passing through the public lands? Long since it was agreed that the grant of alternate sections was a fair contribution on the part of the United States, considered as a proprietor, and from which the United States would be a very great gainer. It appears to me to be an equitable arrangement; and I doubt whether in any case, either of a canal or a railroad passing through the public lands, the United States will not be a gainer. To that extent I am prepared to go, be the road long or short; if it be long, you gain the more; if it be short, you gain the less; and you contribute in proportion to your gain."

Mr. Cass said:

"The Federal Government is a great land-holder. It possesses an extensive public domain; and we have the power under the Constitution to dispose of that domain, and a very unlimited power it is. The simple question is what disposition we may make of the public lands. No one will contend for the doctrine that we can not give them away to a State. As the Senator from Kentucky has said, every President has signed bills asserting the principle that these lands may be disposed of by the General Government without restriction as to the purpose of such disposition. We may bestow them for school purposes, or we may bestow a portion for the purpose of improving the value of the rest. What right have you to sit still and see your lands growing in value through the instrumentality of individuals without rendering any aid in furtherance of that object? It is the settlement of the lands that makes them valuable. It is the settler who converts the howling wilderness into fruitful fields. It is the labor and enterprise of the settler that has given you in the West a magnificent empire, and one which has arisen within so brief a period that it is almost incomprehensible.

"When I told the story in Europe that I had crossed the Ohio when there were scarcely 20,000 people in that country and that it now contained 5,000,000, they did not laugh in my face, to be sure, but they did not believe what I said. There is no parallel in the history of man, no such splendid tribute to human industry and enterprise, since the first man went out of the garden of Eden. It is not twenty-five years ago that I sat all night in a canoe at the head of the pond at Chicago, there being no human habitation in which we could obtain shelter from the mouth of the Illinois to the mouth of the Chicago River; and now it is one of the great highways of travel between the northern lakes and the ocean. Sir, I hope the gentlemen will put this upon its true ground, leaving out the constitutional question and taking alone into consideration what is your duty as land-holders in a new country—a country, too, which must derive its improvement from the industry and enterprise of your own population where every stroke of the woodman's ax redounds to your advantage.

"The man who sits down with his family in the wilderness to make for himself a home evinces more moral courage than the man who goes into battle. No man who has not experienced the difficulties and dangers he has to encounter can estimate them."

On the 29th of April, 1850, the Senate having under consideration Senate bill No. 22, granting the right of way and making donation of land in the State of Illinois in aid of the construction of a railroad, Mr. Douglas said:

"The bill proposes to grant the land in alternate sections, increasing the price of the other sections to double the minimum price. It is following the same system that was adopted in reference to improvements of a similar character in Ohio, Indiana, Alabama, Iowa, Wisconsin, and Illinois in reference to her canal. It is simply carrying out a principle which has been acted upon for thirty years, by which we cede each alternate section of land and double the price of the alternate sections not ceded, so that the same price is received for the whole. These lands have been in the market from fifteen to thirty years; the average time is about twenty-three years; but they will not sell at the usual price of $1.25 per acre, because they are distant from any navigable stream or a market for produce. A railroad will make the lands salable at double the usual price, because the improvement made by the State will make them valuable. It is an old practice long sanctioned by the Government."

Mr. Clay, in the same debate, said:

"I have no doubt, I can entertain no doubt, of the right of the General Government as one of the greatest—the very greatest—of land-holding proprietors, to appropriate a portion of that land for the purpose of making the remainder more valuable and available.

"A great deal has been said about the trusteeship of the Government. It is true that all government is a matter of trust. Individual men are trustees created by Providence, bound to administer their faculties to the best advantage, not merely for themselves, but for their fellow-men. But if by the use of the term trustees it is proposed to qualify, limit, or restrain the trust so as to resemble the ordinary trusts that are created in the course of human transactions, I do not concur at all in that idea.

"The Government is a trustee for the purpose of administering the affairs of the nation according to its best judgment for the good of the whole and all the parts of the whole. With respect to the State of Illinois—and I believe the same is true to a considerable extent with reference to Mississippi and Alabama, but I happen to know something personally of the interior of the State of Illinois—that portion of the State through which the road will run is a succession of prairies, the principal of which is denominated the Grand Prairie. I do not recollect its extent exactly, but it is, I believe, about 300 miles in length and about 100 in breadth. Now, this road will pass directly through that Grand Prairie, lengthwise, and there is nobody who knows anything of that Grand Prairie who does not know that the land in it is utterly worthless for any present purposes; not because it is not fertile, but for the want of wood and water, and from the fact that it is inaccessible, wanting all facilities for reaching a market or for transporting timber, so that nobody will go there and settle while it is so destitute of all the advantages of society and the conveniences which arise from a social state. And now, by constructing this road through the prairie, through the center of the State of Illinois, you will bring millions of acres of land immediately into market which will otherwise remain for years and years entirely unsalable.

Mr. Seward said:

"What, then, is the best and highest interests of the people of the United States in regard to this domain? It is not to derive from it the highest amount of current revenue; it is not to accumulate in our coffers the highest and greatest amount of avails in the sales of the public lands which is attainable. But it is to bring them into cultivation and settlement in the shortest space of time and under the most favorable auspices. And why is this the best interest of the Government? It is because the power of the Government is increased just in proportion as population is extended over what now constitutes the public domain, and that the wealth of the Government increases in the same ratio as the increase of population, and that the taxable ability of the people for purposes of peace and war is increased by the extension of the population, and by the increase of wealth.

"I can conceive it possible that it is more profitable, more conducive to the interests of the people of the United States, even in a fiscal or purely financial point of view, to make large appropriations from this domain for the purpose of enhancing their more speedy settlement than it would be to retain them in a miserly grasp for the mere purpose of revenue. It is therefore upon the ground that the most expedient and beneficial disposition of this portion of the public lands is to devote it to the construction of public roads beneficial to all the people of the United States, as well as to the States which are immediately traversed by it, that I am in favor of the principle of this bill and of all similar bills which are properly guarded in their provisions, and shall give them my most cordial and effective support. I hope that the bill will be passed."

On the 27th of June, 1864, discussing the Northern Pacific Railroad bill, Mr. Hendricks said:

"The bill before the Senate proposes to encourage the construction of a very important railroad to connect the waters of Lake Superior with the waters of the Pacific Ocean. Everybody can see at a glance that it is a work of national importance. It proposes to grant lands in a northern latitude where, without the construction of a work like that, the lands are comparatively without value to the Government. No person acquainted with the condition of that section of the country supposes that there can be very extensive settlements until the Government shall encourage those settlements by the construction of some work like this. I do not think that a work of such national importance ought to be embarrassed in its passage through this body and through the House of Representatives by amendments proposing works that are comparatively local."

The bill granting lands to the Oregon Central Railroad Company was passed May 4, 1870. At that time Hon. J. S. Smith was Representative in Congress from Oregon. He was then and is now one of the ablest and most influential men in his party in the State of Oregon. While that bill was under consideration in the House, Mr. Smith said:

"I want to pass this bill to-day and I do not care to make a speech. But I trust I shall have the attention of the House while I make a very brief statement. I wish, however, to say just this in reference to the matter: That this bill is in the interest of settlers or prospective settlers on the public lands through which this road is designed to pass. The road will be about one hundred and thirty miles long. Fifty miles of that distance the country is settled; for the remainder of the distance it is not settled, and is not susceptible of settlement unless means of communication through it such as are proposed by this bill shall be provided. The road ought to extend farther up the Willamette Valley.

"The bill introduced by me provided for one the whole length of the valley, and I had hoped to have it passed in that form. The committee failed to report in favor of an extension of the branch southerly, and I accept of what they have reported. A short road is better than none. The Willamette Valley, which contains two-thirds of the population of the State of Oregon, has no outlet to the sea but by the Columbia River. That river flows across the north end of this Willamette Valley. On the west, between that valley and the sea, a mountain range extends along its whole length. Through this range of mountains to the mouth of the river we have no road of any kind.

* * * * * * *

"We want this road to give us an outlet to the sea at all seasons; and we want to open up the pass we have found through these mountains to the settlement. It is not a question whether by the passage of this bill this land shall be withdrawn from settlement, but the question is whether by the passage of this bill you will open up to settlement a region of country which otherwise never would be settled. It is a question whether it shall be occupied by settlers under the provisions of this bill or whether it shall remain a wilderness in the future as in the past, whether it shall be the home of a busy, thriving population, or continue to be the home of the elk and the bear.

"For twenty-five years, Mr. Speaker, this land has been open to settlement, first, under a donation law, and now under the homestead law; and yet no man has gone there to settle. No white men ever went there until they went to find this pass for a railroad to the sea. The red man never lived there. It is a forest, an Oregon forest, such as is found nowhere else, perhaps, in the world. And no settler will ever go there unless there is a railroad through the pass connecting this Willamette Valley with the sea. In that event some of the smaller valleys will be opened to settlement. The lands are rich; the timber is

abundant; it is valuable. But the land and the timber would remain in the condition they now are for a hundred years to come if this road is not built.

"I have a letter in my hand from one of my constituents who settled in one of the valleys in the same mountain range further south, who has lived on this land for eleven years and has had a family grow up around him on it. His land is still unsurveyed; he can not have schools; he can not perfect his title; he is living there under the homestead law; is unwilling to remain and does not dare to go away for fear of losing his land. No man with a knowledge of the condition of the country and its future prospects would ever settle there in the absence of this railroad. Now, this grant is a limited one. It is barely sufficient to secure the objects in view; and I will state this, that every man in Oregon of both parties, whether along the line of this road or elsewhere, is in favor of this particular bill, and the man who votes against it here will do that people an injustice and a wrong."

Again:

"Mr. SMITH, of Oregon. * * * Mr. Speaker, the gentleman from Indiana has remarked in his very remarkable speech that there was no Democrat on the floor of this House who would dare to support land grants. I claim to be as good a Democrat as the gentleman from Indiana, and I am happy to be able to say that distinguished Democrats from that State who are as well acquainted with the public sentiments of the people of Indiana as that gentleman himself will vote in favor of this bill and they will receive the approbation of their constituents for so doing. This is not a party question, and it can not be made such. This policy really originated with the Democratic party. The first land grant of any magnitude ever made in aid of internal improvements was made for the benefit of the State of Indiana, represented in part by the gentleman who moves to refer this bill. The Wabash and Erie Canal was constructed under just such a grant as is asked for this railroad in the State of Oregon. The first railway grant was to the State of Illinois, and the bill was introduced by Stephen A. Douglas, and supported by a majority of both parties in the House and in the Senate.

"Mr. VOORHEES. Will the gentleman allow me to make a statement?

"Mr. SMITH, of Oregon. Yes, sir.

"Mr. VOORHEES. Two or three years ago, when the Northern Pacific Railroad Company had forfeited its charter by the lapse of time, and consequently the entire grant of lands that the Government had made to it, the charter was revived and the land grant insured to them by an act that passed the House with but six Democrats voting against it.

"Mr. BECK. On the 1st day of July, 1868.

"Mr. SMITH, of Oregon. I am very glad to hear that. I wish to say one other thing in this regard. At least one, and I think more than one Democratic national convention incorporated in its platform a plank in favor of such grants. And yet the gentleman says that no Democrat can vote for a land grant."

Mr. President, I have referred to these earlier grants of land to aid in the construction of canals and railroads, not for the purpose of condemning the Democratic party for inaugurating, or of excusing the Republican party for continuing the land-grant policy, but for the purpose only of showing that if, as some contend, that policy was wrong, the Republican party is not responsible for its origin. I do not condemn the policy. Looking at the great results which have flowed from it, I am ready to defend it. I believe that the most sanguine hopes of the authors of the policy and of its eminent supporters in Congress, among whom were Douglas, Benton, Calhoun, and Cass, have been more than justified. Sir, even now, with the light of experience, if I could claim for the Republican party the inauguration of the policy by which our vast territory has been made accessible and opened up to the landless for homes, and has been transformed from a wilderness to prosperous States and Territories, I should not hesitate to make the claim.

I need not add to the foregoing. Instead of the Republican party being responsible for the land-grant policy, or having laid the foundation, under which large landed estates have been acquired by foreign and domestic corporations, it appears that from the beginning of the Government until the Democratic party was hurled from power in 1861 the policy of that party was to obtain a revenue from the public lands; that it offered them to speculators first at public sale as soon as they were surveyed, and if they were not sold, then at private entry in any required quantity; that it steadfastly resisted every effort to change the law and the practice of the Government so that settlers should have an opportunity to purchase the public lands before they were offered to speculators; and that the very first general law which was passed by which settlers in possession of the public lands at the time they were offered at public sale were preferred as purchasers, the pre-emption law, was passed under a Whig administration in 1841.

It further appears that the Democratic party steadfastly resisted the passage of the homestead law, which has now become the subject of so much praise from Democratic orators and statesmen; that it made numerous canal grants, and during a period of eleven years immediately preceding the accession of the Republican party to power it made forty-seven land grants to aid in the construction of railroads, while under the entire administration of the Republican party but forty-four railroad land grants were made, and of these twenty-nine were of small amounts to aid in the extension or completion of roads which had already received grants under a Democratic administration.

To meet the force of this showing our Democratic friends say, "But the grants which were made under Democratic administration were made to the States, while the grants which were made under Republican administration were made to corporations." Assuming that there is a difference in principle or in practical effect between a grant made to a State, to be turned over to a corporation to aid in the construction of a particular road or other internal improvement, and a grant made directly to a corporation, this is a mere subterfuge. A fair illustration of the practical working of the system of grants to States is afforded by the grants made to the State of Oregon to aid in internal improvements. Several grants were made to that State to aid in the construction of wagon-roads which were named in the granting acts. They were at once transferred by the State to wagon-road companies. The certificates of the governor to the completion of the roads were made the evidence of such completion upon which the Interior Department was to act in the certification of the lands. Notwithstanding the whole matter was within the control of the State it is now claimed by the State that the roads were not constructed, and that the certification of the lands has been obtained by fraudulent means. So important was the matter deemed that it was recently made the subject of a message to Congress from the Chief Executive of the nation.

A grant was made to a company to be thereafter designated by the State, a company not in being, to aid in the construction of a railroad from Portland to the southern boundary of the State. A company was formed and the State designated it to receive the grant. Another grant was made directly to the Oregon Central Railroad Company to aid in the construction of a railroad from Portland to McMinnville, with a branch to Astoria. Every citizen of Oregon knows that there has been no practical difference in the administration and disposal of these lands, or if there has been it has been in favor of the grants made directly to the companies.

When grants came to be made to aid in the construction of railroads in Territories, as was said by the Senator from Ohio [Mr. SHERMAN] the other day, the Territorial governments being mere creatures of Congress it was natural that the grants should be made directly to the corporations.

But, sir, the land-grant legislation is not the only questionable legislation concerning the public lands. In 1854, under the law and the practice of the Government all the surveyed lands had been offered at public sale and were subject to private entry at a dollar and a quarter an acre, the minimum price. This was not satisfactory to speculators, and a Democratic Congress, under a Democratic administration, passed what was known as the graduation act, by which the price of all the public lands which had been in the market for ten years and upwards was reduced to from 12½ cents to a dollar an acre. Although the act was repealed as soon as the Republican party came into power, during the eight years that it remained in force, from 1854 to 1862, there were disposed of to speculators, at an inadequate price, 25,696,519 acres of land—land which should have been reserved for settlers.

But of all the questionable legislation in regard to the public lands, of all the unguarded legislation, the swamp-land grants are the worst. The first swamp-land act was passed on the 2d of March, 1849, by which, to aid the State of Louisiana in constructing the necessary levees and drains to reclaim the swamp lands, there was granted to her all such lands within her borders. This grant was made two days before President Taylor was inaugurated. The next grant was made September 28, 1850, under President Fillmore's administration, it is true, but by a Democratic Senate and a Democratic House. At least the organization of the House was Democratic, the Free-Soil Democrats, I believe, six in number, holding the balance of power.

The next swamp-land act, the act of 1854, which provided for the payment to the States money in lieu of lands which had been entered for cash and scrip in lieu of lands which had been entered by land-warrants, was passed under President Pierce's administration. The next act was that of March 2, 1857, by which there were confirmed to the States which had undertaken to make their own selections of swamp lands all the lands which had been selected by them where the lists of selections had been filed with the Commissioner of the General Land Office, whether they were swamp lands or not, and that and the act of 1860, by which the swamp-land acts were extended to Oregon and Wisconsin, were passed under the administration of James Buchanan.

By the act of March 2, 1849, as I have said, to aid the State of Louisiana in reclaiming the swamp and overflowed lands which were unfit for cultivation, there were granted to her all the swamp lands within her borders, to be selected by deputy surveyors in the field, the proceeds to be exclusively applied to the reclamation of the lands; and it was provided that when the deputy surveyors had made selections of these lands and they were approved by the surveyor-general, the lands should be segregated and set over to the State by the Secretary of the Treasury. By the first section of the act of September 28, 1850, this grant was extended to the State of Arkansas, and by a subsequent section of the act to all the swamp-land States, with the same provision that the proceeds should be exclusively applied to the reclamation of the lands. But it was provided in the act that the Secretary of the Interior should approve the lands to the States. The Secretary of the Interior thereupon notified the governors of the several States and the surveyors-general of the several States that the States might either select the lands themselves in the field or they might select them from the field-notes and maps of the surveys. Most of the States elected to make their own selections, and proceeded to select not only the swamp lands but lands which were not swamp lands in fact.

In the mean time the General Government had gone on selling these lands which were not swamp, and possibly some which were; and in 1854 an act was passed by Congress by which it was provided that patents should issue to persons who had bought swamp lands from the General Government, but that in lieu of those lands the States should receive the cash which had been received for them by the General Government where lands had been sold for cash and scrip where they had been entered by warrants.

In 1857, large amounts of land having been listed by the States, claimed as swamp lands, the lists having been filed with the Commissioner of the General Land Office, and a controversy having arisen as to whether they were swamp in fact, Congress by an act confirmed to the

States all the lands which had been selected, whether they were swamp or not.

I present a table showing the amount of lands claimed by the several swamp-land States as swamp lands, the amounts which have been approved to them by the Secretary of the Interior, the amounts which have been patented to them, the amounts of indemnity they have received in money and land, and, for the purpose of comparison, a table showing the area of those States.

Statement of the number of acres of land in the several States covered by claims under the acts of Congress relating to swamp and overflowed lands; the amount approved under said acts; the amount patented under the acts of September 28, 1850, and March 12, 1860; the amount of indemnity in money allowed in lieu of swamp lands sold by the United States; the amount of indemnity in other lands allowed in lieu of swamp lands located with warrants or scrip, and the amount patented as such indemnity, to December 1, 1887.

States.	Land claimed under the acts relating to swamp and overflowed lands.	Land approved under the swamp-land grants.	Land patented under the acts of September 28, 1850, and March 12, 1860.	Indemnity in money allowed for swamp lands sold by the United States.	Indemnity in land allowed in lieu of swamp lands located with warrants or scrip.	Patented as indemnity for swamp lands located with warrants or scrip.
	Acres.	*Acres.*	*Acres.*		*Acres.*	*Acres.*
Alabama	514,642.47	414,310.31	409,190.62	.....	20,009.36	.....
Arkansas	8,655,210.10	7,659,619.13	7,503,196.13	.....	.....	.....
California	1,887,187.88	1,749,161.76	1,465,520.97	.....	.....	.....
Florida	20,239,550.45	16,269,750.09	15,994,890.08	$67,045.68	93,346.07	56,306.50
Illinois	3,986,784.10	1,493,638.25	1,453,252.38	443,286.89	101,984.90	2,309.07
Indiana	1,377,727.70	1,264,988.33	1,252,863.41	23,679.10	8,595.64	4,880.20
Iowa	4,571,169.98	931,553.85	860,433.00	515,291.92	341,632.97	321,565.23
Louisiana:						
Act of March 2, 1849	11,206,314.04	8,707,111.04	.....	46,186.26	27,947.31	.....
Act of September 28, 1850	554,459.51	251,374.74	225,172.32	.....	.....	.....
Michigan	7,293,159.28	5,728,922.91	5,648,320.71	15,922.05	24,599.43	18,983.93
Minnesota	4,378,757.74	3,651,194.56	2,780,894.30	.....	.....	.....
Mississippi	3,602,963.30	3,325,031.23	3,258,746.66	.....	47,888.73	.....
Missouri	4,801,183.34	4,495,794.91	3,335,116.19	185,809.25	80,125.67	64,812.38
Ohio	116,766.28	25,660.71	25,640.71	29,027.76	.....	.....
Oregon	357,877.40	129,325.67	31,311.09	.....	.....	.....
Wisconsin	4,567,123.87	3,329,108.21	3,222,955.39	185,278.91	106,042.08	105,047.99
Total	78,110,877.44	58,826,545.70	47,467,503.96	1,511,518.82	852,172.16	573,905.30

States.	In square miles.	In acres.	States.	In square miles.	In acres.
Ohio	41,060	26,278,400	Michigan	58,915	37,705,600
Louisiana	48,720	31,180,800	Florida	58,680	37,555,200
Indiana	36,350	23,264,000	Iowa	56,025	35,856,000
Mississippi	46,810	29,958,400	Wisconsin	56,040	35,865,600
Illinois	56,650	36,256,000	California	158,360	101,350,400
Alabama	52,250	33,440,000	Minnesota	83,365	53,353,600
Missouri	69,415	44,425,600	Oregon	96,030	61,459,200
Arkansas	53,850	34,464,000			

From these tables it appears that a very large proportion of the area of the swamp-land States has been claimed as swamp lands. For instance, Florida, with an area of 37,555,200 acres, claimed as swamp land under the act of September 28, 1850, 20,239,550.45 acres. There has been approved to the State 16,269,750.09.

Mr. BLAIR. Will the Senator allow me to ask him a question, for he knows these facts better than I do?

Mr. DOLPH. I do not understand the Senator.

Mr. BLAIR. I wish to inquire of the Senator in what way it is that the Government came to approve to the State so large a proportion of the lands selected as swamp lands, unless they were found to be so as a matter of fact? I understand that the entire selections by the State amount to about 20,000,000 acres, more than half the surface of Florida, and that the Government has approved 16,000,000 acres as swamp land.

Mr. DOLPH. Florida claimed nearly four-sevenths of the entire area of the State as swamp land.

Mr. BLAIR. How does it happen that the Government approved to the State this large amount, 16,000,000 acres, four-fifths of the entire amount claimed, when but a small amount of it was as a matter of fact swamp land? How is that accounted for?

Mr. DOLPH. I will explain that in one moment, as soon as I can conclude the statement and give the figures in regard to two or three of these swamp-land States.

As I said, out of a total area of 37,555,200 acres, Florida claimed 20,239,550.45 acres. There have been approved 16,269,750.09 acres. There have been patented to her 15,994,890.08 acres. She has received as indemnity in money $67,045.68; as indemnity in land, 93,346.07 acres; and she has had patented to her as indemnity lands 56,306.50 acres.

The State of Louisiana, under the two acts of March 2, 1849, and September 28, 1850, with an area of only 31,180,800 acres, claimed under the act of March 2, 1849, 11,206,314.04 acres, and under the act of September 28, 1855, 554,459.51 acres. There have been approved to her 8,707,111.04 acres under the first act, and 251,374.74 under the second act, and she has received as indemnity in money $46,186.26 and in land 27,947.31 acres.

It will thus be seen that the State of Florida claimed nearly four-sevenths of her entire area as swamp lands; that there has been approved to her nearly one-half of her entire area; and I have been informed that all these lands have been turned over by the State to railroad corporations to aid in the construction of railroads, and that the proceeds of none of them have been applied to the reclamation of the lands.

Scarcely less striking are the figures in regard to the State of Arkansas. With an area of 34,464,000 acres she has claimed as swamp lands 8,655,210.10. There have been approved to her 7,659,619.13 acres.

All the States, up to the 1st of December last, had claimed as swamp lands 78,110,877.44 acres, there had been approved to them 58,826,545.70 acres, and they had received as indemnity $1,511,518.82 in money, and in land 852,172.16 acres.

Greater frauds have been perpetrated under these swamp-land grants than under all the other laws which have been passed for the disposition of the public lands. The lands granted were, many of them, the very best lands in the States.

I will now answer the question of the Senator from New Hampshire. All the swamp-land States have received large amounts of lands under these grants, which were not swamp in fact. As I have said, under the act of 1857 there was confirmed to the States the lands which had been selected and claimed as swamp lands, whether swamp or not. And since that time, if we are to believe the present and past officers of the General Land Office, larger amounts of land have been fraudulently claimed and on false *ex parte* testimony certified to the States which elected to make their own selections of swamp lands than were confirmed to the State by the act of 1857. More than that, few of the States have applied the proceeds of these lands to the purposes for which the grants were made.

Mr. BLAIR. Upon that point, in regard to the selection, do I understand that it has been at the choice of the State to select and to designate the swamp lands, if she so chose, or was the investigation as to the character of land primarily one by the Government? In what way is it that the false testimony which is the foundation of the fraud comes to be taken as true by the General Government and this approval of the selection of the swamp lands actually made? Who is guilty?

Mr. DOLPH. I stated a moment ago that under the act of March 2, 1849, granting swamp lands to the State of Louisiana, it was provided that the deputy surveyors should make selections of these lands in the field, and when they were certified to by the surveyor-general of the State and approved by the Secretary of the Treasury—I believe then the General Land Office had not been organized—that should be evidence of the title. Under the act of September 28, 1850, they were to be selected by the Secretary of the Interior; the Secretary of the Interior notified, by a circular from his office, the governors of the respective States, as well as the surveyors-general of the States, that the States might have their election to take the lands as they were surveyed according to the field-notes of the surveys and the plats, that is to say, to take the lands which

were stated in the field-notes to be swamp and to come within the character of swamp lands as designated by the act, or they might select them themselves in the field. Most of the States elected to make their own selections. By regulations if they were selected in the field the States were required to present to the Secretary of the Interior a list of the lands which were claimed and *ex parte* affidavits showing the character of the lands. I understand that for many years the Secretary of the Interior took the *ex parte* statements as true.

A large amount of lands was secured by the States by making claims for lands which were not swamp in fact and presenting false *ex parte* affidavits as to the character of the lands.

Mr. BLAIR. Now I understand the plan by which this was accomplished; but what authority had the Secretary of the Interior, when a statute required him to select these lands, to deputize that power of selection to the adverse claimant, that is to the State, and to act upon the evidence presented by the other party? Was there anything in the statute which authorized the issuance of such a circular, or was it a dereliction of duty on the part of the officer of the United States?

Mr. DOLPH. I suppose that the statute which empowered the Secretary of the Interior to select these lands contemplated that he must do it through agents, and I have no doubt that the statute conferred authority upon him to select the lands in either of the ways mentioned; but the fault was that the regulations which were made, the plan which was adopted for the selection of these lands, was not sufficient to prevent fraud. It was of the same character of all legislation concerning the public lands at that time.

Mr. BLAIR. But I understand the Senator that it is still a matter of doubt whether the actual fault was on the part of the officer of the Government of the United States or was in the party who was to be benefited by the selections.

Mr. DOLPH. The only fault that can be attributed to the General Government, I think, is that the legislation was loose; the regulations were not efficient. The fraud undoubtedly was on the part of the States in selecting the lands.

In striking contrast with this legislation is the history of the administration of the public lands by the Republican party. Scarcely had it come into power when it repealed the graduation act, under which nearly 26,000,000 acres had passed into the hands of speculators at a grossly inadequate price. One of the first laws passed by the Republican party after it came into power was the homestead law, by which millions of free homes have been furnished to citizens, by which our public domain has been settled and made valuable, and which by its beneficent provisions has so commended itself to popular favor that the late Secretary of the Interior was loud in its praise; a measure which, as suggested by the Senator from Nebraska [Mr. MANDERSON], was passed in spite of Democratic opposition during the administration of President Buchanan and vetoed by him.

Although the law which authorized the offering of land at public auction and afterwards at private sale continued upon the statute-book, the Republican party discontinued the practice in the interest of settlers. It is true that it continued the Democratic policy of grants to aid in the construction of railroads, but instead of confining its grants to the States where the lands were required for settlers, and which were thickly settled and already had the means of transportation, it turned its attention to the wilderness beyond the Mississippi, to the then inaccessible portion of our public domain, and inaugurated a policy by which that wilderness has been settled and transformed into a productive country and the public lands have been made valuable. It bound the Atlantic and Pacific coasts together with bonds of steel, and their people with stronger bonds, the ties of commercial and social intercourse.

I now turn my attention to another matter referred to by Mr. CARLISLE in the article from which I quoted, a comparison of the attitude and record of the House of Representatives and of the Senate upon the bills to repeal the pre-emption, timber-culture, and desert-land laws, and upon the forfeiture bills.

At the first session of the Forty-eighth Congress the House sent to the Senate a bill (H. R. 7004) to repeal the pre-emption, the timber-culture, and the desert-land laws. It passed the House June 25, 1884. It was referred to the Senate Committee on Public Lands some days later. As will be remembered, Congress adjourned on the 7th of July of that year, rendering it impossible to consider and act upon the bill in the Senate during the first session. The bill as it came to the Senate had been very carelessly drawn. There was not a section of it that would have answered the purpose for which it was intended. The Senate committee remodeled the bill, made it effective for the purposes intended, and provided for the saving of the rights of persons who had already instituted claims under these laws, reported it back to the Senate, and on my motion it was taken up and pressed to final consideration, and passed the Senate on the 13th day of February, 1885.

The best evidence of the fact that the bill as reported from the Senate committee and as it passed the Senate was an improvement upon the House bill is the fact that when the House came to act upon the measure during the Forty-ninth Congress they adopted the bill as it passed the Senate. That bill, as I have said, passed the Senate on the 13th day of February, 1885. Congress adjourned on the 4th of March, but no attempt was made, if my recollection serves me, to secure a committee of conference in the House, or to consider the amendments made by the Senate, and the bill failed for want of action on the part of the House.

At the next Congress, the Forty-ninth Congress, on the first day when the introduction of bills was in order in the Senate, I introduced the bill as it had passed the Senate at the previous Congress, and it was referred to the Committee on Public Lands. In the mean time information had been received by the committee which led its members, or a majority of them, to believe that the desert-land act should be amended and should not be repealed *in toto*, and in that opinion the Secretary of the Interior concurred.

There had also been a change in the General Land Office. There was a new Commissioner. He signalized his accession to office with the assertion that the settlers who were claiming lands under the pre-emption law were robbers of the public domain, and one of the first official acts of his administration was the suspension in certain districts of the issue of patents for pre-emption claims. Jurisdiction and power was assumed to determine conclusively and without an appeal to the courts (either upon the report of special agents sent out for the purpose of establishing the fact that pre-emption entries were fraudulent or upon hearings instituted before the registers and receivers of the local land offices), that the final entries of settlers under the land laws were fraudulent, and to cancel them and dispose of the land to others.

The Senate committee were in receipt of complaints from every section of the country concerning the manner in which the land laws were being administered, and they believed it necessary that there should be some legislation to correct the evils complained of. To show what authority was claimed by the Commissioner of the General Land Office, and in order that I may not be accused of misrepresenting him, I will ask the Secretary to read the portions which I have marked from the Commissioner's report for the year 1885, the first report of Commissioner Sparks.

The Chief Clerk read as follows:

INVESTIGATION OF FRAUDULENT AND ILLEGAL ENTRIES.

Twenty-eight special agents have been employed during the year in the investigation of fraudulent entries and in attendance at hearings before registers and receivers in cases previously investigated and reported to this office. The time of the agents has been largely occupied in the latter way, and much of the appropriation for the protection of public lands has been expended on such proceedings. The system of ordering hearings on special agents' reports of illegal and fraudulent entries was adopted a year or two since, after having been strenuously urged by attorneys for transferees. The purpose in demanding this proceeding was apparently to embarrass the Department, to secure delays, and to make the attempt to suppress frauds difficult and expensive. At least such has been the result. No good purpose is served by it.

* * * * * * *

It is my opinion that assignees or mortgagees of homestead, pre-emption, and other entries, conditional upon acts of settlement or improvement and not transferable under the law, have no right to be heard either in place of the alleged entryman or in their own behalf, and that to permit their intervention or to recognize in any manner their assumed interest is to promote violations of law. But the rulings of the Department, I regret to say, have been to allow them.

* * * * * * *

The Government has land to donate and also to sell. The question is whether the party seeking the donation or offering to purchase has brought himself within the law and is entitled to the donation or to make the purchase. The Commissioner is to judge. He may obtain his facts by the most direct methods available. No method can be more direct, and none more conclusive, than a personal examination. The Commissioner can not in person make that examination; he must have agencies to do it. Sworn officers of the Government are provided him for that purpose. I think nothing else is required except that a sufficient number of agents should be authorized to inspect all claims and investigate all entries before patent is issued on any of them.

An act of Congress in 1843 (5 Stat., 619) authorized the Commissioner to appoint an agent to investigate alleged frauds under the pre-emption laws in the State of Mississippi, the agent to take testimony under oath, including testimony of claimants and their witnesses, and to report the testimony to the Commissioner, whose decision thereon was made final, subject alone to appeal to the Secretary.

I recommend that a similar act be passed, general in character, and that an adequate appropriation be made to carry it into effect. I have no doubt of the power of the Government to protect its own property, and none whatever of the right and expediency of its doing so. The emergency suggests that suitable authority be vested in the administrative department to secure the proper execution and enforcement of the laws.

Mr. DOLPH. It appears from this report that if the Commissioner of the General Land Office did not claim the power to set aside and cancel pre-emption entries upon the *ex-parte* reports of the special agents alone, he recommended legislation which would authorize him to do so, and also that he held that assignees of pre-emption claims, after the final certificate had been issued, had no right to be heard in a proceeding for the cancellation of the certificates, and that such assignments were a violation of the law and void.

I have before me an opinion of the Supreme Court of the United States delivered by Mr. Justice Davis, in the case of Myers *vs.* Croft, which is found in 13 Wallace's Reports, and I will ask the Secretary to read the portion of the opinion which I have marked to show how the Supreme Court agrees with the opinion of the Commissioner.

The Chief Clerk read as follows:

This section, after prescribing the manner in which the proof of settlement and improvement shall be made before the land is entered, has this proviso: "And all assignments and transfers of the right hereby secured prior to the issuing of the patent shall be null and void."

The inquiry is, what did the Legislature intend by this prohibition? Did it mean to disqualify the pre-emptor who had entered the land from selling it at

all until he had obtained his patent, or did the disability extend only to the assignment of the pre-emption right? Looking at the language employed, as well as the policy of Congress on the subject, it would seem that the interdiction was intended to apply to the right secured by the act, and did not go further. This was the right to pre-empt a quarter section of land by settling upon and improving it, at the minimum price, no matter what its value might be when the time limited for perfecting the pre-emption expired.

This right was valuable, and independently of the legislation of Congress assignable. The object of Congress was attained when the pre-emptor went with clean hands to the land office and proved up his right and paid the Government for his land. Restriction upon the power or alienation after this would injure the pre-emptor, and could serve no important purpose of public policy. It is well known that patents do not issue in the usual course of business in the General Land Office until several years after the certificate of entry is given; and equally well known that nearly all the valuable lands in the new States admitted since 1841 have been taken up under the pre-emption laws, and the right to sell them freely exercised after the claim was proved up, the land paid for, and the certificate of entry received. In view of these facts we can not suppose, in the absense of an express declaration to that effect, that Congress intended to tie up these lands in the hands of the original owners until the Government should choose to issue the patent.

If it had been the purpose of Congress to attain the object contended for, it would have declared the lands themselves inalienable until the patent was granted. Instead of this, the legislation was directed against the assignment or transfer of the right secured by the act, which was the right of pre-emption, leaving the pre-emptor free to sell his land after the entry, if at that time he was in good faith the owner of the land, and had done nothing inconsistent with the provisions of the law on the subject.

Mr. DOLPH. On the question of the power of the Secretary of the Interior to institute proceedings in the local land offices to set aside a final certificate, I ask the Secretary to read an extract from the opinion of the court in the case of Smith *vs.* Ewing, reported in 11 United States Court Reports, ninth circuit (Sawyer).

The Chief Clerk read as follows:

And in United States *vs.* Minor, lately decided by the Supreme Court (5 S. C. Reporter, 836*), it is said that when a person obtains a patent for land under the pre-emption law by "fraud and perjury," it is enough to hold that it conveys the legal title, and it would be going quite too far to say that it can not be assailed by a proceeding in equity and set aside as void if the fraud is proved and there are no innocent purchasers for value.

But whether this rule is applicable to a purchase made from a pre-emptor after entry and before patent issues may be a question. Regarding the sale of the land, however, as completed when the proof of compliance with the law is made to the satisfaction of the agents of the vendor, the register, and the receiver, and the purchase-price paid to them, my impression is that an innocent purchaser for a valuable consideration from the party having the certificate of purchase takes the land and the right to the patent, purged of any fraud that may have been committed by his grantor in obtaining such certificate.

Of course, where the invalidity of the certificate is apparent on its face or is a matter of law, of which all persons are presumed to have knowledge, the purchaser would take with notice of such invalidity and be bound by it accordingly.

But be this as it may, my conclusion is that a certificate of purchase issued in due form, in favor of a pre-emptor, for land subject to entry under the pre-emption law can not be canceled or set aside by the Land Department for alleged fraud in obtaining it; and that in such case the Government must seek redress in the courts, where the matter may be heard and determined according to the law applicable to the rights of individuals under like circumstances.

Mr. DOLPH. Before the bill for the repeal of the pre-emption, timber-culture, and desert-land laws came from the House at the Forty-ninth Congress the Senate committee had perfected and reported to the Senate a bill for the repeal of the pre-emption and timber-cultture laws and for the amendment of the desert-land act; but owing to the radical changes which had been made in the administration of the public-land laws by the then Commissioner, they deemed some additional legislation necessary, and inserted in the first section of the bill the following provision:

That all entries heretofore made under the pre-emption laws, on which final proof and payment have been made, and to which there are no adverse claims, and which have been sold to innocent purchasers, shall be confirmed and patented upon presentation of satisfactory proof to the proper department officer of such sale.

They also inserted in the bill an additional section, section 8, which I will ask the Secretary to read.

The Chief Clerk read as follows:

SEC. 8. That in all cases under the pre-emption and homestead acts, all contests or protests on the part of the Government or any individual concerning the land to be entered shall be instituted within ninety days after the duplicate receiver's receipt is issued, and not afterwards: *Provided*, That whenever it shall appear upon the face of the papers returned to the Commissioner's office that a clerical error has been committed, said Commissioner shall have power to suspend such entry, upon proper notification to the claimant, through such local land office, until such error has been corrected: *Provided further*, That after final proof of the claimant and the issuing of the duplicate receiver's receipt, if it shall come to the knowledge of the Commissioner, before the patent has issued for the same, that fraud has entered into the title so acquired by the claimant, unless it shall appear that the land has been sold and conveyed to a bona fide purchaser for a valuable consideration, the Commissioner shall suspend the issuing of the patent for the same, and file with the United States Attorney-General notice of such suspension of the patent, with his reasons therefor; and it shall be the duty of the Attorney-General to commence proceedings at once in the proper court, by a *scire facias*, bill, or information, to set aside such title. This section shall apply to all cases of suspended entries under the United States pre-emption and homestead acts: *Provided*, That when two years have elapsed, or shall hereafter elapse, from the date of the issuance of the receiver's receipt upon the entry of any tract of land under the homestead or pre-emption laws, and when during such period no contests shall have been instituted or protest or objection filed against the validity of such entry, the entryman shall be entitled to a patent conveying the land by him entered, and the same shall be issued to him; but this provision shall not be construed to require the delay of two years from the date of said entry before the issuing of a patent therefor.

Mr. DOLPH. It will be seen that the committee undertook to provide a remedy for settlers who were being deprived of their homes under the then administration of the land laws. The provision of the first section of the act which I have read was understood by the committee to be but a declaration of the law as it then stood and as it had been declared by the courts, and the eighth section of the bill, as reported by the committee and which has been read, was understood by the committee to be a granting of additional powers to the Commissioner and to the Secretary of the Interior to set aside the final duplicate receiver's receipt, on the ground of fraud in the first instance, and to be conclusive unless the party claiming the lands should demand a judicial investigation after his certificate had been held for cancellation by the Secretary of the Interior, in which case it was made the duty of the Government to institute suit to cancel the entry.

When the House bill came to the Senate the Senate bill was substituted for it and passed the Senate, and a conference committee was appointed upon the disagreeing votes of the two Houses.

The provisions I have referred to were the principal ones which were objected to in conference by the conferees on the part of the House. The House conferees were not willing to interfere with the Commissioner in the exercise of the power which was claimed by him to proceed by an independent investigation instituted in the local land offices to cancel final entries for fraud. Such pre emption, homestead, timber culture, and desert-land claimants had no remedy, no matter how unjustly they might be dealt with by the Commissioner of the General Land Office. There was no provision of law for compelling the attendance of witnesses or taking depositions.

No matter how false the report of the spies of the Department who were sent out to investigate their claims might be, they could not go into court to try their titles. There was no remedy until the Government had canceled their entries and the land had been settled upon by another claimant under the land laws and patent had issued from the Government.

After several conferences the Senate conferees, in order that they might not be misunderstood as to what they were willing to do, made a proposition to the House conferees in writing, which I ask the Secretary to read.

The Chief Clerk read as follows:

The conferees on the part of the Senate on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7887) "to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber culture and for other purposes," submit to the conferees on the part of the House as follows: We propose to strike out of section 1 of the Senate amendments the following words in lines 20 to 27, inclusive, and to the end of the word "sale" in line 28, to wit, "that all entries made under the pre-emption or homestead laws, on which final proof and payment may have been made and certificates issued, and to which there are no adverse claims originating prior to final entry, and which may have been sold prior to the 9th day of June, 1886, and after final entry, to bona fide purchasers, for a valuable consideration, shall be confirmed and patented upon presentation of satisfactory proof to the Land Department of such sale."

We propose to strike out section 8 of the Senate amendments and to substitute the following:

"SEC. 8. That whenever it shall appear upon the face of the papers returned to the Commissioner's office that a clerical error has been committed, such entry may be suspended, upon proper notification to the claimant, through the local land office, until the error has been corrected; and after final proof of the claimant and the issuing of the duplicate receiver's receipt, upon any final entry under the pre-emption timber-culture, desert-land, and homestead acts, or if it shall appear to the satisfaction of the Commissioner that such duplicate receiver's receipt has been obtained by fraud, the Commissioner shall hold the entry for cancellation and at once notify the claimant, which action shall become absolutely final unless, within sixty days from notice thereof, the claimant or other party in interest shall appeal from the action of the Commissioner to the Secretary of the Interior. The decision of the Secretary upon such appeal shall in like manner be final unless such claimant or other party in interest shall within sixty days after notice thereof file with the Secretary of the Interior a written request for a judicial investigation, in which case the Secretary shall suspend further action, and file without delay with the Attorney-General of the United States notice of such suspension with his reasons therefor; and it shall be the duty of the Attorney-General to commence proceedings at once in the proper court to cancel such entry if in his judgment such proceedings can be maintained, and if in his judgment such proceeding can not be maintained, or no proceeding shall be instituted within two years after the filing in his office of the notice of the suspension, then a patent shall be issued upon such entry: *Provided*, That nothing herein shall be held or construed to impair the rights of any bona fide purchaser or mortgagee of any such lands under existing laws; and all purchasers, mortgagees, and parties in interest of record shall be made parties to such proceedings, and may defend in their own right. This section shall apply to all cases of suspended entries heretofore made under the United States pre-emption timber-culture, desert-land, and homestead acts: *Provided*, That after the lapse of three years from the date of the issuance of the receiver's receipt upon the final entry of any tract of land under the homestead, timber-culture, desert-land, or pre-emption laws or under this act, and when there shall be no pending contest or protest against the validity of such entry, the entryman shall be entitled to a patent conveying the land by him entered, and the same shall be issued to him; but this proviso shall not be construed to require the delay of three years from the date of said entry before the issuing of a patent therefor.

We further propose to agree to the other minor amendments and changes which have been discussed in conference and practically agreed to.

J. N. DOLPH.
H. M. TELLER.
F. M. COCKRELL.

Mr. DOLPH. It will be seen that by the proposition which has just been read, the Senate conferees offered to surrender to the House almost everything in controversy except the single proposition that a pre-emption entryman should have a right to a trial in a court before his entry is canceled. This proposition was refused by the House conferees. Upon one of the reports of the disagreement made to the Senate, at the request of the Senator from Kansas [Mr. INGALLS], now in the chair, I made some explanation of the disagreement, as did also the

colleague of the Senator [Mr. PLUMB], which I will insert in the RECORD as part of my remarks.

PUBLIC LAND LAWS.

Mr. DOLPH. I present the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7887) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber culture, and for other purposes. We report a disagreement, and in presenting the report, I shall ask for a further conference.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read as follows:

"The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7887) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber culture, and for other purposes, having met, after full and free conference have been unable to agree.

"J. N. DOLPH,
"P. B. PLUMB,
"F. M. COCKRELL,
"*Managers on the part of the Senate.*

"THOS. R. COBB,
"W. J. STONE,
"H. B. STRAIT,
"*Managers on the part of the House.*"

Mr. INGALLS. Before the request of the Senator from Oregon is disposed of, I wish he would be good enough to state the condition of the subject in the conference, and whether the differences are so radical as to probably present an issue that can not be adjusted at this session of Congress.

My reason for asking is because I receive a great many letters from people interested in the public domain as homestead settlers and pre-emption settlers, and it would concern the public, I am sure, to know whether we are likely to have any such legislation as is proposed by the bill at this session or not.

Mr. DOLPH. The differences between the managers on the part of the Senate and on the part of the House upon this bill have been quite radical, but they are differences that I think may be overcome and upon which an agreement ought to be reached.

There was contained in the first section of the bill as it passed the Senate a provision, in substance—not having the bill before me I can not give it literally—that in all cases where final proof had been made and final receiver's receipts had been issued for pre-emption claims, and such claims had been sold to innocent purchasers for valuable consideration, the patent should be issued, notwithstanding any alleged informality in the proofs of the original entryman.

There was also in the eighth section of the bill a provision upon the same subject. These provisions were strenuously objected to by some members of the Senate and by the conferees on the part of the House, and it was alleged that the effect would be to confirm fraudulent claims. The managers on the part of the Senate believe, as a majority of the Senate did, that where such lands after final proof and payment and the issuing of final certificates had passed into the hands of bona fide purchasers the title should be confirmed to them.

If I am at liberty to state what the managers on the part of the Senate have been disposed to yield in this controversy, I will state that they have been disposed to yield this provision and permit it to be stricken out, so as to leave the law in that respect precisely as it now stands, and insert in lieu a provision in section 8, as follows: "That nothing in this act shall be construed to impair any existing rights of any bona fide purchaser of any such claim under existing law."

The most important point of disagreement, after that one is disposed of, is the provision of the bill as passed by the Senate, that in cases where the Commissioner of the General Land Office shall be convinced that fraud has entered into the final proofs made by an entryman under the homestead or pre-emption law, he shall suspend the issuing of patent and refer the matter to the Attorney-General, who shall cause suit to be instituted in the courts of the United States to set aside and cancel the certificate which has been issued to the entryman under the pre-emption law or homestead law, as the case may be.

The conferees on the part of the other House insist that in all cases the Commissioner of the General Land Office or the Secretary of the Interior shall be the sole, absolute judge, and their judgment shall be based upon proceedings instituted by them in the local land offices as to whether an entry is fraudulent, and that they shall have the sole and absolute power of canceling and setting aside the entry and throwing open the land which had been settled upon, improved, and made valuable by the pre-emption and homestead claimant, to further settlement under the laws of the United States.

The conferees on the part of the Senate believe that a man who has resided for years upon a piece of public land, who has made such proofs as are required by the laws of the United States, who has paid the amount required to be paid into the Treasury for his land and received his final certificate, who has put his all into his home, should have a right to go to a court and to have there determined the question as to whether the certificate for his entry has been properly issued to him, and as to whether his land shall be taken away from him.

That is, as I understand, at present the radical point of difference between the managers on the part of the two Houses, the Senate conferees insisting that some provision shall be retained in the bill by which a man whose title is attacked in the Land Office shall have a right virtually to appeal from the action of the Interior Department or from the Commissioner of the General Land Office to the courts, and to there try the question of his right to the land, the House conferees insisting that the power shall either be left where they claim it now is, or shall be vested in the Commissioner of the General Land Office and the Secretary of the Interior Department to decide finally and conclusively whether such a claimant to the public lands under the laws of the United States is entitled to his land.

Mr. INGALLS. Both Houses of Congress have agreed by very large majorities that the pre-emption, timber-culture, and desert-land acts shall be repealed, to the effect that what remains of the public domain may be left to the operation of the homestead laws for individual settlement. That, I believe, is the judgment of the country at large, and I am convinced that the Senate conferees will fail in the discharge of a great public duty if they permit adhesion to minor and unimportant details to prevent the accomplishment of this great public work. I therefore hope that the conferees will consider themselves at liberty at least, in case the issue is tendered, to allow the question of remedy for individual rights either to remain as it now is or else to provide hereafter for some method by an amendment of existing laws, so that we may have the main object accomplished before the adjournment of this session of Congress.

Mr. DOLPH. The Senate Committee on Public Lands and the Senate have had the question of the amendment of the public land laws under consideration quite as long as the other branch of Congress. Numerous bills were referred to the Senate Committee on Public Lands. They were carefully considered, and a report was made at an early day at the last session of Congress of a bill which it was supposed would answer the purposes and cover the various questions which it was thought necessary to have legislation upon. That action was afterwards reconsidered by the Senate committee, and after a careful and elaborate consideration, extending through several sessions of the committee, a measure was reported to the Senate embodying the legislation that was thought necessary on the part of the Senate Committee on Public Lands. When the House bill came over the provisions in regard to the repeal of the pre-emption law and the timber-culture act were substantially the provisions of the bill which had passed the Senate a year before, or during the last Congress, but it did not include the various matters on which it was thought by the Senate committee necessary to have legislation. Therefore, the Senate Committee on Public Lands determined to take up the Senate bill and substitute it for the House bill. The Senate bill had been pending on our Calendar for a long time.

These are not unimportant matters. I am in constant receipt of letters from almost every Western State and Territory, and so is every other member of the Committee on Public Lands; and delegations come up to the Capitol and interview the members of the Committee on Public Lands almost daily upon the question of some remedy for the existing evils growing out of the present condition of the public-land laws or the manner of their execution. Patents for pre-emption claims have been suspended in nearly all the Western States and Territories. No patents are being issued. Settlers are unable to get their titles. They can get no credit upon their claims. There is actually great suffering for want of action upon their application for title to these lands.

One provision that is objected to in section 8 is the one which provides that if at the end of two years after final proof and the issue of the final certificate of the register and receiver, there is no suggestion of fraud and no contest, a patent shall be issued. Even that is objected to by the managers on the part of the other House. Under the provisions of the bill as it passed the Senate a homestead entryman will be required to reside five years upon his claim. He then must make his final proof. He then gets his final certificate. Then his papers will be hung up for two years in the General Land Office, if they choose to hold them, waiting for somebody to make a suggestion of fraud in the procurement of his title. That will be seven years from the time he goes upon his land, still the managers on the part of the other House are not satisfied with that provision, a provision which, if there is no suggestion of fraud and no contest, would compel the issuing of a patent after seven years' time.

I think any one who has given this matter attention will see that some general legislation is necessary. As far as I am concerned, I do not care to serve upon the committee of conference, but I do not wish it to be understood that the matters of difference are trivial features at all. I call attention to the fact that the bill as it passed the Senate does not involve a repeal of the desert-land act, but a modification of it only.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the Senate insist upon its disagreement and ask for a further conference.

Mr. PLUMB. Before that motion is put I wish to say a word. I have myself been for many years in favor of the repeal of the pre-emption law, not because that repeal was demanded by any powerful and overwhelming sentiment of the State which I in part represent, but because of the larger view of the situation I believed there ought to be further limitation put upon the acquisition of public land in view of its rapid absorption.

Probably there would be no trouble in agreeing upon a bill for this single purpose. In fact there is little substantial difference between the two Houses on this question.

But since this subject has been under discussion a practice has come into vogue in the administration of the General Land Office of a character which is not only threatening to existing rights under the law, but which is subversive of all rules of procedure by which the rights of property are affected, the rectification of which is of a great deal more consequence than the repeal of the pre-emption law or of the timber-culture law or both together. The proceeding by special agents, by detectives, by private inquiry, by secret inquisition, whereby titles are assumed to be set aside upon *ex parte* hearing, is going on to an extent which is paralyzing to the business of certain sections of the West, and which is practically destroying the right of honest pre-emptors and of honest purchasers—of a kind which, except that it is covered by the cry of fraud which has filled the public press, would be regarded as a shame and a disgrace not to be permitted to continue for one single instant longer. Every agency which cupidity, which hate, which malice and self-seeking and private revenge can suggest in man has been exerted against the honest settlers on the frontier—not, mind you, against the cattle-man, but against the individual entryman and his honest successor in interest claiming a single quarter-section of land.

I will state what recently occurred in a public hearing in a Western Territory to illustrate the character of the proceedings that are being carried on under the sanction of the Land Department's present construction of the law, when I say that the witness on the stand, who was the contestant in the pending case for a piece of land which had been valuably improved and was then in the honest bona fide occupation of the claimant, admitted that he kept a bawdy house near there, and that the special agent at whose instance he had made the contest had solicited him to make such contest and had promised him that if he would make it he should have the land under consideration, and which had been made valuable by the labor of another, as the reward for instituting the contest. That is not one case alone; it is one of hundreds of cases that are taking place all over the frontier.

So far as I am concerned there is no question of public policy involved concerning the public lands that equals in importance the one of providing that titles acquired under the land laws shall not be set aside except by that due process of law which can only be applied by the courts, in which *ex parte* testimony is not heard and in which rich and poor are on an equal footing.

It thus appears that at the Forty-eighth Congress the bill for the repeal of the pre-emption, timber-culture, and desert-land acts failed to become a law by the inaction of the House; that at the Forty-ninth Congress it failed to become a law because the conferees on the part of the House would not consent to any legislation which would restrain the exercise by the Commissioner of the General Land Office of the power unlawfully asserted by him to cancel the receiver's duplicate final receipts for pre-emption entries without trial before a court or a jury.

I come now to the question of land-grant forfeitures.

The first act forfeiting a railroad land grant was the act for the forfeiture of the grant of the Iron Mountain Railroad Company, Senate bill 353 of the Forty-eighth Congress. As I understand the facts in that case, the company had not constructed its road on the line prescribed in the grant. It did not claim to have earned the land. It was desirous itself for a forfeiture of the grant in order that it might be relieved beyond question of its obligations under the granting act to the General Government.

The second forfeiture act, and the first forfeiture to which there was any opposition, was an act to forfeit a land grant made to the Oregon Central Railroad Company, an Oregon corporation. I made a speech in the Senate favoring the forfeiture, as did my then colleague.

During the Forty-eighth Congress the following land-grant-forfeiture bills were passed: The one which I have mentioned of the Iron Mount-

ain Railroad Company, Senate bill 353, and the following House bills: House bill 3933, forfeiting the grant of the Texas Pacific Railroad Company; House bill 181, forfeiting the grant of the Oregon Central Railroad Company; House bill 7162, forfeiting the grant of the Atlantic and Pacific Railroad Company. I believe, although that act was passed by the Senate with amendments, the amendments were not concurred in by the House, and the bill failed to become a law.

The following House bills were sent to the Senate and were not acted upon by the Senate: House bill 589 to forfeit the land grant of the Oregon and California Railroad Company, and House bill 7299, to forfeit certain land grants to the State of Iowa.

During the Forty-ninth Congress the following bills were passed: House bill 392, to forfeit land grants to certain Southern States; House bill 453, to forfeit the grant of the Atlantic and Pacific Railroad Company. I see I was correct in supposing that the amendments of the Senate had not been concurred in by the House at the previous session, and the bill did not then become a law. House bill 3186, to forfeit the grant to the New Orleans and Baton Rouge and Vicksburg Railroad Company; House bill 391, to forfeit certain lands granted to the State of Michigan to aid in the construction of railroads.

At the first session of the Forty-ninth Congress, on the first day on which the introduction of bills was in order, I introduced a bill to forfeit that portion of the Northern Pacific land grant between Wallula and Portland. It was duly considered by the Senate Committee on Public Lands, reported favorably to the Senate, and passed the Senate with an amendment forfeiting all the lands adjacent to the uncompleted road of that company. It was amended in the Senate to include the land adjacent to the uncompleted portion of the Cascade branch. In the House it was amended so as to include in the proposed forfeiture all the lands west of Bismarck—all the lands which had been earned by the construction of the road after the time limited in the grant. The Senate also passed a bill forfeiting certain land grants to the State of Iowa, and a bill to forfeit certain lands granted to the State of Oregon to aid in the construction of wagon-roads in that State. These last bills were not acted upon in the House, and failed by the inaction of that body.

In the bill to forfeit the unearned lands of the Northern Pacific Railroad Company, as it was reported to the Senate, there was no attempt to confirm to the company the lands which had been earned by the construction of road either before or after the time limited in the grant; but in order that there might be no possible ground for a claim that the bill in effect did confirm any lands that were not declared forfeited by it, when the Senator from Kentucky [Mr. BECK] offered an amendment expressly providing that nothing in the act should prevent Congress at any future time from forfeiting any of the balance of the grant on account of any past or future breach of the conditions on which the grant was made, I accepted the amendment and it was adopted by the Senate without a dissenting voice.

The Senate offered the House then a bill to forfeit all the Northern Pacific Railroad lands which a majority of the Senate believed were forfeitable which a majority of the Senate believed it had power to forfeit or that it would be just or honest to forfeit, leaving the House free, if it believed other lands should be forfeited immediately after the passage of that bill, to send to the Senate a bill to forfeit the remainder of the grant and thus to put the Senate in the wrong if their position was the correct one.

The Northern Pacific Railroad Company desired time to complete the Cascade branch, and the action of the House and of the House conferees gave them time and secured to them the lands appurtenant to that branch. In fact, there seemed from the first to be a settled determination on the part of the House conferees to come to no agreement upon the question. The bill went to the House late in the first session of the Forty-ninth Congress, and it was with difficulty that a conference at that session was secured at all. When Congress met at the second session of that Congress no trace could be found of the bill, which was in the possession of the House, or of the House copy of the conference report, which had been signed ready to be presented, and it was not until the Senate conferees had repeatedly called the attention of the conferees on the part of the House to the matter that any action could be obtained in the House to substitute a copy for the original of the lost bill. To substantiate what I say I now ask to make part of my remarks certain proceedings in the Senate, February 2, 1887, containing certain correspondence between the Senate and House conferees on this subject.

NORTHERN PACIFIC RAILROAD LANDS.

Mr. DOLPH. I wish the Senator from Iowa would give way to me for a moment, to allow me to call up a communication just received from the House of Representatives in regard to the bill forfeiting the Northern Pacific land grant.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a message from the House of Representatives, which will be read.

The Chief Clerk read as follows:

"IN THE HOUSE OF REPRESENTATIVES, *February* 1, 1887.

"*Resolved*, That the Senate be requested to furnish the House with a duplicate engrossed copy of the bill (S. 2172) restoring to the United States certain of the lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound, and to restore the same to settlement, and for other purposes, the original copy having been lost or mislaid."

The PRESIDENT *pro tempore*. The question is on agreeing to the request of the House of Representatives.

Mr. COCKRELL. I desire to have some information as to what has been done by the conference committee, and when it was discovered that this bill had been lost. The bill has been in conference for some time. Indeed, the conference committees were appointed at the last session. I should like to know something about it, having been a member of the committee myself.

Mr. INGALLS. Is it alleged that an engrossed copy of a bill that has passed both Houses has disappeared absolutely and no trace of it can be found?

Mr. DOLPH. For the Senator's information I ask for the reading of the message.

Mr. INGALLS. Let it be read again.

The PRESIDENT *pro tempore*. The message will be again read.

The message from the House of Representatives was again read.

Mr. INGALLS. That presents a very singular and novel question. I think that had better lie over.

Mr. DOLPH. The Senator from Missouri has called for some statement in regard to the matter, and I recognize the propriety of such a statement. I, however, am not quite certain how far I am at liberty to state what has transpired between the managers on the part of the Senate and the managers on the part of the House. I should like to submit a question as to whether correspondence in regard to the loss of a bill or the possession of a bill is considered a matter proper to be laid before the Senate.

The PRESIDENT *pro tempore*. The Chair is not advised of any special rule on the subject. The Senator can exercise his discretion.

Mr. DOLPH. That being the case, I will ask the Secretary to read——

The PRESIDENT *pro tempore*. If objection is made to the consideration of the resolution at this time, the Chair is of opinion that it must go over under the rules.

Mr. DOLPH. I would ask the Senator to yield to me to make the statement I desire to make at this time.

The PRESIDENT *pro tempore*. Does the Senator from Kansas object?

Mr. INGALLS. I do not object to any statement being made; but I said the situation was novel and unprecedented and we ought not to act in haste in the matter. I therefore asked that the resolution might go over under the rules in order that we might deliberate about it.

Mr. DOLPH. I ask the Senator to withdraw his objection until he hears a statement.

Mr. INGALLS. I withdraw it for that purpose.

Mr. DOLPH. That being the case, I ask the Secretary to read a copy of a communication transmitted yesterday by the managers on the part of the Senate to the managers on the part of the House on the conference on the disagreeing votes of the two Houses on the House amendment to Senate bill 2172, a communication dated 29th January, 1887, and which has undoubtedly produced the action of the House now under consideration. I ask for the reading of the communication.

The Secretary read as follows:

"WASHINGTON, D. C., *January* 29, 1887.

"Messrs. COBB, VAN EATON, and PAYSON, managers on the part of the House at the conference on the disagreeing vote of the two Houses on the House amendment to Senate bill 2172:

"GENTLEMEN: We again call your attention to the matter of the conference on the disagreeing vote of the two Houses on the House amendment to Senate bill 2172, a bill restoring to the United States certain lands granted to the Northern Pacific Railroad Company to aid in the construction of a railroad from Lake Superior to Puget Sound, and for other purposes.

"The record shows that the House passed the bill with an amendment July 27, 1886, and, on motion of Mr. PAYSON, it was ordered that the House insist on said amendment and ask a conference with the Senate thereon (House Journal, page 2364); that on July 28 the Speaker appointed Messrs. Cobb, Van Eaton, and PAYSON as managers on the part of the House (see House Journal, page 2378); that the Senate was notified on the same day that the House of Representatives had passed said bill with an amendment, and requested a conference with the Senate on the bill and the amendment, and had appointed Messrs. Cobb, Van Eaton, and FISHER as managers of the same on its part (see Senate Journal, page 1191); that on the next day, July 29, 1886, the Senate proceeded to consider the bill, and on motion of Mr. DOLPH, it was

"*Resolved*, That the Senate disagree to the amendment of the House of Representatives to the said bill and agree to the conference asked by the House on the said bill and amendment (see Senate Journal, page 1199).

"And that on July 30, 1886, Messrs. DOLPH, TELLER, and COCKRELL were appointed managers on the part of the Senate; and it was ordered that the Secretary notify the House of Representatives thereof (see Senate Journal, page 1204). Thereupon the papers were transmitted to the House (see message from the Senate, by Mr. Sympson, one of their clerks, page 2450, House Journal).

"There appears (if its printed journals are correct) to have been a mistake in the message from the House in naming Mr. FISHER instead of Mr. PAYSON as one of the managers on the part of the House, and in the message from the Senate, which, so far as it relates to bill 2172, is to the effect that the Senate had disagreed to amendment of the House, asked a conference, and had appointed conferees. No further action appears to have been taken in the House, however, and the errors probably were not noticed, and it is quite possible that both are typographical errors.

"Just before the close of the session, and as soon as it could be arranged for, a meeting of the conference committee upon the bill and amendment in question was held, when, it being supposed that an agreement was impossible during the brief remaining hours of the session, it was determined without much discussion to report to the two Houses that the committee were unable to agree and to ask for a further conference. Duplicate reports were accordingly prepared by the clerk of the Senate Committee on Public Lands, and signed by the managers on the part of both Houses on the same or the succeeding day, and one copy of the report was retained by the managers upon the part of the House, and the other by the managers upon the part of the Senate. The chairman of the Senate conferees upon the same day the report was signed undertook to submit it to the Senate, but it was not received for the reason that the papers were not in the possession of the Senate. The managers upon the part of the Senate being under the impression that the House was entitled to retain the bill, and that the report should and would be first made in that body, awaited its action.

"No message having been received from the House announcing action upon the report, the Senate managers, through Mr. DOLPH, early in the present session, called the attention of the managers on the part of the House to the matter, and requested that the report should be submitted and the Senate notified. Later, being advised that if the papers could be transmitted to the managers on the part of the Senate, the report should be first submitted in that body, shortly after the holiday recess Mr. DOLPH applied to Mr. Cobb for the possession of the papers, and was informed by Mr. Cobb that he did not have the bill in his possession at the time of the conference; and also that he had mislaid the copy of the conference report delivered to the House conferees. Mr. Cobb requested to be furnished with a duplicate of the one in the possession of the managers upon the part of the Senate. The duplicate copy of the report was accordingly prepared by the clerk of the Senate Committee on Public Lands, signed by the managers on the part of the Senate and furnished to Mr. Cobb on the 11th instant, accompanied by a letter from the clerk of the Senate Commit-

tee on Public Lands, requesting on behalf of the Senate conferees possession of the bill. On the 12th instant a letter was received from Mr. Cobb, acknowledging the receipt of the duplicate report, and containing the following statement:

"'In regard to the bill S. 2172 (the Northern Pacific Railroad land-grant forfeiture bill), I have not got it in my possession, and have not had it since I reported it to the House from my committee at the last session.' Upon inquiry at the Clerk's desk in the House it was ascertained that the bill could not be found. Thereupon Mr. DOLPH requested Mr. Cobb to take the necessary steps to substitute a copy of the bill in the usual manner, and on the 13th instant addressed to him a letter renewing the request in writing, and inclosing the form of an order prepared by one of the Senate clerks, which it was supposed would answer the purpose.

"It was understood then that the matter would receive due attention without delay. Since then the managers upon the part of the Senate, through Mr. DOLPH, have repeatedly called attention to the subject and requested immediate steps to be taken to find the bill or to substitute a copy for it. But so far as we have learned no action has yet been had. Mr. Cobb's recollection that he did not have the bill at the time of the conference is no doubt correct, as the bill was not produced at the time, and the committee erred in proceeding until that was done.

"The session is drawing to a close. In our judgment it is important that an agreement should be reached by the conference committee; at all events an effort in good faith on both sides to reach an agreement should at once be made. We therefore request that as the House was last in possession of the bill, and therefore action for the purpose of substituting a copy, if it can not be found, must originate there, that you cause whatever may be necessary in the premises to be done at once in order that a report of the committee can be submitted and a further conference be had.

"Respectfully, yours,

"J. N. DOLPH,
"H. M. TELLER,
"F. M. COCKRELL,
"*Managers on the part of the Senate.*"

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, being the bill (S. 2578) to prohibit members of Congress from acting as attorneys or employés for railroad companies holding charters or having received grant of lands or pecuniary aid from the United States.

Mr. ALLISON. I ask that that be informally laid aside.

The PRESIDENT *pro tempore*. If there be no objection the unfinished business will be laid aside informally to proceed with the consideration of the sundry civil bill. The Chair hears no objection.

Mr. DOLPH. I now submit a copy of a letter addressed by the clerk of the Senate Committee on Public Lands, by the direction of the Senate conferees, to Mr. Cobb, on the 11th of January.

The Secretary read as follows:

"SENATE CHAMBER, *Washington, January* 11, 1887.

"MY DEAR SIR: Senator DOLPH informs me that you have lost your copy of the conference report agreed upon at the last session by the conference committee on the disagreeing vote of the two Houses upon the House amendments to Senate bill No. 2172 (the Northern Pacific land-grant forfeiture bill), and desire a copy of the one delivered to the Senate conferees. I inclose you a copy signed by the conferees on the part of the Senate.

"The Senate conferees have also instructed me to ask for the possession of the bill and papers, to enable them to submit their report.

"Very respectfully,

"B. F. FLENNIKEN,
"*Clerk Senate Committee Public Lands.*

"Hon. T. R. COBB,
"*Chairman Conferees, House of Representatives.*"

Mr. DOLPH. I now submit an original letter, which I ask to have read.

The Secretary read as follows:

"HOUSE OF REPRESENTATIVES, *Washington, D. C., January* 12, 1887.

"MY DEAR SIR: The conference report received with thanks.

"In regard to the bill (Senate) 2172, the Northern Pacific land-grant forfeiture bill, I have not got it in my possession, and have not had it since I reported it to the House from my committee, at last session.

"I am yours, truly,

"T. R. COBB."

Mr. DOLPH. I now submit a copy of a letter addressed by the clerk of the Senate Public Lands Committee to Mr. Cobb, on the 13th of January.

The Secretary read as follows:

"SENATE CHAMBER, *Washington, January* 13, 1887.

"MY DEAR SIR: Referring to your letter of the 12th instant, in which you state 'in regard to the bill Senate 2172 (the Northern Pacific land-grant forfeiture bill), I have not got it in my possession, and have not had it since I reported it to the House from my committee at last session,' the Senate conferees direct me to request that, as the bill should be on the House files, having been transmitted to that body on the 30th day of July last, in order that the report of the conference committee shall not be further delayed, and that an opportunity for a further conference may be secured at an early day, you take steps to substitute a copy of the bill, in the usual method, by having the House ask for an engrossed copy of the Senate bill. The chairman of the Senate conferees undertook to submit the conference report to the Senate immediately after the conference, but was not permitted to do so, as the bill was not in possession of the Senate.

"This is the occasion of the verbal and written requests which have been made to your committee for the possession of the bill.

"Very respectfully,

"B. F. FLENNIKEN,
"*Clerk Senate Committee on Public Lands.*

"Hon. T. R. COBB,
"*Chairman Conferees, House of Representatives.*"

Mr. DOLPH. I also present an original letter from the clerk of the Senate Committee on Public Lands, addressed to myself.

The Secretary read as follows:

"WASHINGTON, *January* 21, 1887.

"MY DEAR SIR: In response to your inquiry I have the honor to inform you that on January 11, 1887, by your request, I prepared, procured the signatures of the Senate conferees, and delivered to Hon. T. R. Cobb, chairman of the House conferees, a duplicate or copy of the conference report on the disagreeing votes of the two Houses on Senate bill 2172 (the Northern Pacific forfeiture bill), and that in my letter with the above inclosure I requested possession of the bill and papers. Under date of January 12 Mr. Cobb acknowledged receipt of the report, and said 'that he had not the bill in his possession, and had not had it since he reported the same to the House from his committee at the last session of Congress.'

"The bill was not produced at the meeting of the conferees held at the room of the Senate Committee on Public Lands.

"Mr. Cobb subsequently stated to me that he did not have the bill at the conference, but that he thought Mr. PAYSON, one of the House conferees, might possibly have it in his possession.

"Very respectfully,

"B. F. FLENNIKEN, *Clerk.*

"Hon. J. N. DOLPH,
"*Chairman Senate Conferees.*"

Mr. DOLPH. In addition to the facts stated in these several communications, as soon as we ascertained from Mr. Cobb and from the clerk of the House committee that the bill could not be found, I requested our Reading Clerk, Mr. Gilfry, to make a thorough search not only of the files of the Senate, but also of the RECORD, to see where the bill ought to be, and endeavor to find the bill. He informed me that he inquired at the Clerk's desk in the House, and found that they had not the bill or that the bill had been mislaid, and also that he inquired of Mr. Cobb, and Mr. Cobb informed him that he did not have the bill at the time of the conference.

I have had this correspondence read not because I desire to criticise the act of anybody, or the omission to act on the part of the managers of either branch of Congress, but simply that the facts might be known, in justice to the managers on the part of the Senate.

I understand that there is no difficulty in substituting a copy for the original bill at this stage of the proceedings. I, myself, suppose from all the indications that the bill has been mislaid, and am inclined to think probably with the report of the conference committee that was delivered to the House conferees shortly after the meeting of the conference.

This seems to be the usual method of substituting a bill, to get a certified copy from the Senate of the Senate bill and to have the House amendment by order of that body substituted for the bill as it passed the House with the amendment. I therefore renew the motion that the request of the House of Representatives be granted.

The PRESIDENT *pro tempore*. It is moved that the Senate agree to the request of the House of Representatives.

Mr. INGALLS. I withdrew my objection for the purpose of enabling the Senator from Oregon to make a statement. If it is necessary for me to make the objection again, of course I will do that. I only withdrew it for the purpose of allowing him to make the statement which has gone on the records.

The PRESIDENT *pro tempore*. The matter goes over under objection.

Mr. President, I am much mistaken if this showing, instead of establishing the correctness of Mr. CARLISLE's charge against the Senate of acting with reluctance in regard to the land-grant forfeitures, does not show that the House deliberately threw away the opportunity for the forfeiture of this Northern Pacific Railroad grant until the company could earn the lands on the Cascade branch.

Now I come to the consideration of the concluding portion of Mr. CARLISLE'S statement, that the administration of the public lands under the late Commissioner of the General Land Office has been in the interest of settlers, and I assert that there never has been in the history of this country such a failure to administer the laws in accordance with their spirit and intent as there was under the administration of the late Commissioner to administer beneficent provisions of the land laws in the interest of the settler. As I have said, the Commissioner came into office with the impression publicly declared that the men who were seeking to make homes under the pre-emption laws on the public domain were robbers and thieves.

One of the very first acts of his administration was to suspend the issuing of their patents. The business of the General Land Office was retarded and obstructed; new and unusual methods were instituted for the examination of the titles of settlers on the public lands; confusion of titles prevailed; consternation among the settlers was created; their credit was destroyed, and in thousands of instances they were robbed of their homes.

Under our theory of government the powers of government are divided between the executive, the legislative, and the judicial departments. The legislative department makes the laws; the judicial department alone has power to construe them, and it is the duty of the executive department to execute them. But I find that on June 2, 1886, the following order was made and published and was made a part of the next report of the Commissioner of the General Land Office:

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., June 2, 1886.

To the Registers and Receivers United States Land Offices:

GENTLEMEN: The repeal of the pre-emption, timber-culture, and desert-land laws being now the subject of consideration by Congress, all applications to enter lands under said laws are hereby suspended from and after this date until the 1st day of August, 1886, and you are hereby directed to receive no filings or new applications for entry under said laws during said time.

WM. A. J. SPARKS, *Commissioner.*

Approved:

L. Q. C. LAMAR, *Secretary.*'"

Here we find the Commissioner of the General Land Office assuming the power of legislation, suspending for a definite period laws passed years before by Congress, cutting off the rights of the people to secure titles to the public lands under existing laws; and it was two days after this order had passed the ordeal of the army of law clerks in the Interior Department and the Assistant Attorney-General, and received the signature of the Secretary of the Interior, and had been promulgated—it was two days afterwards, and probably after some newspaper correspondent had intimated that the Secretary of the Interior had no power to suspend the operation of the laws—no legislative power—or after some meddlesome attorney had called attention to it, that this order was revoked.

There have been a great deal of bluster and ostentation in regard to the operations of the General Land Office under the late Commissioner.

I have taken the pains to examine to see what was accomplished by the predecessor of Mr. Sparks, and what was accomplished under him. I

submit, first, a statement showing the amount of sales, of land receipts, patents issued, etc., for the year ending June 30, 1884:

Sales of lands, including Indian lands, acres	27,531,041.03
Receipts of General Land Office, including fees, etc	$12,789,405.09
Patents for agricultural lands	51,337
Patents for cash entries	33,651
Patents for homestead entries	17,337
Number of agents for prevention of timber trespass	26
Number of timber-depredation cases investigated	627
Estimated value of timber involved	$7,289,854.20
Number cases commenced or recommended	353
Number cases settled	63
Amount received on account of timber depredations	$34,148.85
Number of agents for the prevention of fraudulent entries of public lands	25
Number of cases of fraudulent entries investigated	3,531
Number of acres involved	500,000
Number of cases canceled on final proceedings	689
Number of cases held for cancellation	782
Number of cases in which hearings were ordered	781
Number of entries suspended awaiting investigation	5,000
Pre-emption entries	21,286
Pre-emption entries approved	11,012
Pre-emption contested cases decided	352
Pre-emption filings	51,641
Pre-emption cases remaining unacted upon at the close of the fiscal year	17,911

The report for 1885 was made under the administration of the late Commissioner. It included the operations for a portion of the year from June 30, 1884, to March 4, 1885, under Republican administration. The report of the Commissioner is not as full upon the points which I have examined as the report of his predecessor, but so far as I could obtain the figures I have embodied them in another statement, which I will submit:

Sales of lands, including Indian lands, acres	20,995,513.58
Receipts of General Land Office, including fees, etc	$8,629,420.18
Patents for agricultural lands	73,172
Patents for cash entries	41,657
Patents for homestead entries	27,273
Number of agents for prevention of timber trespass	23
Number of timber-depredation cases investigated	396
Estimated value of timber involved	$3,000,000
Number of cases commenced or recommended	Not given.
Number of cases settled	Not given.
Amount received on account of timber depredations	$32,849.81
Number of agents for prevention of fraudulent entries of public lands	28
Number of cases of fraudulent entries investigated	Not given.
Number of acres involved	Not given.
Number of acres canceled on final proceedings	Not given.
Number of acres held for cancellation	Not given.
Number of cases in which hearings were ordered	Not given.
Number of entries suspended awaiting investigation	Not given.
Pre-emption entries	15,800
Pre-emption entries approved	15,041
Pre-emption contested cases decided	727
Pre-emption filings	47,946
Pre-emption cases remaining unacted upon at the close of the fiscal year	32,374

I also submit similar statements for the years ending June 30, 1886, and June 30, 1887:

1886.

Sales of land, including Indian lands, acres	22,124,563.92
Receipts of General Land Office, including fees, etc	$9,031,084.34
Patents for agricultural lands	19,885
Patents for cash entries	7,782
Patents for homestead entries	11,096
Number of agents for prevention of timber trespass	Equiv. to 21 for 12 mos.
Number of timber-depredation cases investigated	1,219
Estimated value of timber involved	$9,339,679
Number of cases commenced or recommended	Not given.
Number of cases settled	Not given.
Amount received on account of timber depredations	$101,085.44
(This consists of: Amounts accepted in propositions of settlement, $19,260.50; for sales of timber and lumber, $3,802.30; reports of amounts recovered through judicial proceedings, $77,933.54.)	
Number of agents for prevention of fraudulent entries of public lands	42
Number of cases of fraudulent entries investigated	3,073
Number of acres involved	Not given.
Number of entries canceled on final proceedings	1,168
Number of cases held for cancellation	1,485
Number of cases in which hearings were ordered	183
Number of entries suspended awaiting investigation	Not given.
Pre-emption entries	15,712
Pre-emption entries approved	Not given.
Pre-emption contested cases decided	750
Pre-emption filings	Not given.
Pre-emption cases remaining unacted upon at the close of the fiscal year	36,460

1887.

Sales of lands, including Indian lands, acres	25,858,038.13
Receipts of General Land Office, including fees, etc	$12,268,224.02
Patents for agricultural lands	24,558
Patents for cash entries	Not given.
Patents for homestead entries	Not given.
Number of agents for prevention of timber trespass	Equiv. to 26 for 12 mos. and 1 for 8 mos.
Number of timber-depredation cases investigated	1,011
Estimated value of timber involved	$6,146,935.86
Number of cases commenced or recommended	Not given.
Number of cases settled	Not given.
Amount received on account of timber depredations	$128,642.09
Number of agents for prevention of fraudulent entries of public lands	Not given.
Number of cases of fraudulent entries investigated	Not given.
Number of acres involved	Not given.
Number of cases canceled on final proceedings	1,153
Number of cases held for cancellation	2,312
Number of cases in which hearings were ordered	Not given.
Number of entries suspended awaiting investigation	Not given.
Pre-emption entries	21,403
Pre-emption entries approved	Not given.
Pre-emption contested cases decided	Not given.
Pre-emption filings	Not given.
Pre-emption cases remaining unacted upon at the close of the fiscal year	30,949

From these statements it appears that for the year ending June 30, 1884, the sales of public lands amounted to 27,531,041.03 acres; for 1885, to 20,995,513.58 acres; for 1886, to 22,124,563.92 acres; and for 1887, to 25,858,038.13 acres. The receipts for the same years were as follows: 1884, $12,789,405.09; 1885, $8,629,420.18; 1886, $9,031,084.34; 1887, $12,268,224.02.

Now I come to the important part of this showing. It appears that for the year ending June 30, 1884, there were issued 51,337 patents; for the year ending June 30, 1885, the principal portion of which was under Republican administration, there were 73,172 patents issued; but for the year 1886 there were but 19,885 patents issued, and for the year 1887 there were but 24,558 patents issued.

These figures show a falling off in the number of patents issued from 73,172 issued during the year ending June 30, 1885, to 19,885 in 1886, and in the number issued for cash entries, which includes pre-emption entries as well as private entries, from 41,657 during the year ending June 30, 1885, to 7,782 for the year ending June 30, 1886. But these figures do not tell the whole story. The number of homestead patents issued during the year ending June 30, 1884, was 17,337; for the year ending June 30, 1885, 27,273; for the year ending June 30, 1886, 11,096, showing that there were issued for cash entries under the timber-culture act, the desert-land law, and for pre-emption claims altogether only about 12,000 patents during the year ending June 30, 1886, and these were undoubtedly in the main for lands entered at private entry. For the year ending June 30, 1884, there were 51,641 pre-emption filings, and for 1885 47,946. I am not able to glean from the reports what the numbers of filings were in 1886 and 1887.

So it is plain that after the present Administration came into power and up to the time the last report of the Commissioner was made, there was almost an entire suspension of the issuing of patents for pre-emption claims.

Now I come to the consideration of what I believe is claimed to be the crowning act in the administration of the public-land laws under the late Commissioner. I ask the Secretary to read the portion which I have indicated of an order revoking the withdrawal of indemnity lands granted to the Northern Pacific Railroad Company.

The Secretary read as follows:

I therefore direct that all lands withdrawn and now held for indemnity purposes under the grant to the Northern Pacific Railroad Company, along the main or branch lines, be restored to the public domain and opened to settlement under the general land laws, except such lands as may be covered by approved selections: *Provided*, The restoration shall not affect rights acquired by grantees within the primary limits of any other Congressional grant.

As to all lands covered by unapproved selections, applications to make filings and entries thereon may be received, noted, and held subject to the claim of the company, of which claim the applicant must be distinctly informed and memoranda thereof entered on his papers.

Whenever such application to file or enter is presented, alleging upon *prima facie* showing that the land is, from any cause, not subject to the company's right of selection, notice thereof will be given to the proper representative of the company, which will be allowed thirty days after service within which to present objections to the allowance of such filing or entry. Should the company fail to respond or show cause before the local officers why the application should not be allowed, said application for filing or entry will be admitted, and the selection held for cancellation. But should the company appear and show cause, an investigation will be ordered, under the rules of practice, to determine whether said land is subject to the claim of the company to make selection of the same, which shall be determined by the register and receiver, subject to the right of appeal in either party.

When appeals are taken from the decision of the register and receiver to your office in any of these cases, you will dispose of them without delay, and if the decision of your office shall be in favor of the company and no appeal be taken, the land shall be approved or certified for patent, without requiring futher action on the part of the company, except the usual payments required by the granting act.

If the decision of your office should be adverse to the company, and no appeal be taken, the selection will be canceled and the filing or entry allowed, subject to compliance with law.

The order of revocation herein directed shall not take effect as soon as issued, but filings and entries of the lands embraced therein shall not be received until after giving notice of the same by public advertisement for a period of thirty days—it being the intention of this order that, as against actual settlement hereafter made, the orders of the Department withdrawing said lands shall no longer be an obstacle. Rights heretofore attaching, both of the company and of settlers, will be decided according to the facts in each case.

If any lists of selections have been presented by the company with tender of fees which have been rejected and not placed on file and noted on the records of the local office, you will, if said lists are in your office or in the local office, cause said selections to be noted on the records immediately; and if such lists are not in your office or the local office, you will advise the attorney of the company that they will be allowed to file in the local office said lists of selections, and the same will be noted on the records as of the date when first presented, provided the same be presented before the lands are open to filings and entries.

Mr. DOLPH. This order is in substance that after the expiration of thirty days from notice the order of withdrawal of indemnity lands for the company shall be revoked; that in the mean time the selections made by the company shall be noted upon the plats in the general and local land offices; that if any lists of selections have been rejected they shall be received and noted, and the company is at liberty to proceed

to select further indemnity lands during that period. After the expiration of thirty days the company is left (if it has not selected all the lands it was entitled to or that it desires to select) to a race of diligence with the homestead and pre-emption entrymen.

The claim that these lands were restored to the public domain is without foundation. As a matter of fact the odd sections within the indemnity limits of the railroad grants were always a part of the public domain until they were selected by the railroad companies and approved to them. They were withdrawn, it is true, from the operation of the land laws, and, as has been frequently decided by the Supreme Court, lawfully withdrawn in order that the railroad companies might secure the full amount of their grants. But when the companies had selected all the lands they were entitled to, or had had opportunity to do so, no doubt the same authority that authorized the withdrawal of the lands in the first instance was sufficient to authorize the revocation of the order; and it was the duty of the Secretary of the Interior when that time arrived to revoke them. As a matter of fact I am informed that all the railroad companies had selected, if not all the lands they were entitled to, all that were of any value; that the orders of withdrawal had served the purpose for which they were made, and that the time had arrived when they should be revoked.

What credit can be claimed by the Administration for these orders is more than I can tell. If it is claimed that they should have been made under Republican administration, what excuse can be given that two years and a half were allowed to elapse before they were made after the new Administration came into power?

I do not criticise these orders of revocation. They might have been made earlier. They were perhaps timely. But what I do criticise is the fact that under the guise of benefiting the settler he is invited to go upon the lands which have been selected by the companies as indemnity lands, and to institute a contest with the railroad company for them—a contest which must run a course of litigation in the land offices and the Department of the Interior, and afterwards in the courts, in much of which it is apparent that the settler must lose, and all to try piecemeal a question which the Secretary of the Interior had ample power to determine, and which it was his duty to have determined as between the companies and the General Government before the settler was invited to come into the controversy.

The magnitude of the litigation and of the number of contests probable, will appear from a statement of the condition of the indemnity selections. In all these land-grant acts a grant was made of a certain number of odd sections to the mile on each side of the road. There were excepted out of the grant all mineral lands except coal and iron, and also all the lands which had been sold, disposed of, or reserved by the General Government, or to which homestead and pre-emption rights had attached at the time of the location of the road. It therefore became necessary to segregate the lands of the railroad companies from the lands excepted from the grant in order to ascertain the amount of lands the companies were entitled to receive within the limits of the grant in place, and their right to select indemnity lands depended upon the amount of the loss of lands in place on account of previous sales and reservations, or the fact that the lands were mineral lands.

There were granted to nearly all these companies indemnity lands, that is, the right to select from the odd sections within certain limits outside of the grant in place lands in lieu of those which they lost in place. It was evidently the intention of Congress that as fast as these selections were made the Secretary of the Interior should approve or disapprove them, and thus segregate the lands which belonged to the railroad company from the public lands, those in place, in order that it might be known what indemnity lands the company were entitled to, and indemnity selections in order that they might be segregated from the balance of the public lands.

I do not know what the facts are in regard to other grants; but during the Forty-ninth Congress, when the bill was pending providing for the taxation of railroad lands after they were surveyed, when it was charged that the railroad companies were in default in not selecting their lands, not paying the cost of selection, the cost of surveying, and the cost of patenting, I introduced a resolution, which passed the Senate, calling upon the Secretary of the Interior for information as to the amount of land which had been surveyed within the limits of the grant of the Northern Pacific Railroad, the amount of selections of lands in place and of indemnity lands, and the amount of approvals. I send to the desk the letter of the Secretary of the Interior in response to that resolution, and I ask the Secretary to read the portion I have marked.

The PRESIDENT *pro tempore*. The Secretary will read as indicated.

The Secretary read as follows:

3. The amount of land surveyed within the 20 and 40 mile limits of the withdrawal for said road is established at about 21,732,542 acres, distributed as follows:

	Acres.
Wisconsin	785,482
Minnesota	2,837,060
Dakota	5,561,200
Montana	3,569,650
Idaho	70,007
Washington	7,370,818
Oregon	1,538,325
Total	21,732,542

4. I transmit herewith (marked B) a tabular statement showing the number of acres in place and of indemnity lands selected by said company; the date of the approval of each list by the local land officers; the date of the receipt of each list at this office; the number of acres contained in each list; the number of acres selected each year in each of the several States and Territories in which the grant is situated, and the total number of acres selected each year.

An examination of said statement shows that said company has selected 7,903,026.25 acres within its granted limits, and 3,343,395.07 acres of indemnity lands, or 11,246,421.32 acres in all, distributed as follows:

State or Territory.	Granted limits.	Indemnity limits.	Total.
	Acres.	*Acres.*	*Acres.*
Wisconsin	2,195.30	6,436.75	8,632.05
Minnesota	1,334,189.30	694,163.30	2,028,352.60
Dakota	5,442,840.70	1,104,438.13	6,547,278.83
Montana	981,440.58	648,019.62	1,629,460.20
Idaho		9,450.13	9,450.13
Washington	142,360.37	635,500.75	777,861.12
Oregon		245,386.39	245,386.39
Total	7,903,026.25	3,343,395.07	11,246,421.32

5 and 6. Six lists, embracing 746,589.52 acres, of which 743,573.44 acres are in the State of Minnesota, and 3,016.08 acres in the Territory of Washington, have been approved by the Secretary of the Interior. Following the approval of said lists the lands embraced therein were patented to the railroad company.

I transmit herewith (marked C) a statement showing the date of approval and the number of acres included in each list, and the date of and the number of acres included in each patent.

7. The cost of surveying, amounting to $42,686.50, has been paid to said company on 1,131,224.19 acres, of which 746,589.52 acres have been patented to the company, and 384,634.67 acres have not been patented.

8. The regulations of this office make the payment of the cost of selecting a condition precedent to the approval of the lists of selections by the local officers; hence the number of acres selected (11,246,421.32 acres) is the number of acres for which the cost of selecting and listing has been paid.

9. The cost of patenting is assessed at the rate of 30 cents per 100 words (15 for writing and 15 for recording), and $1 for the seal of the office, and is payable when patent is ready for delivery. The cost of patenting, amounting to $168.85, has been paid on all the patented lands, namely, 746,589.52 acres.

10. No patents are ready for delivery, as the issue of patents to said company is and has been for several years suspended on account of the failure of the company to locate and construct its road within the time required by the granting act.

11. Said company has not at any time, after being advised of the readiness of this office to issue patents, directly refused to pay the cost of survey and patent.

Mr. DOLPH. I also submit the table referred to, of the selections:

Number of acres in place and of indemnity land selected each year.

Year.	Granted limits.	Indemnity limits.	Total.
	Acres.	*Acres.*	*Acres.*
1872	280,175.63		280,175.63
1873	710,446.69		710,446.69
1874	3,773.77		3,773.77
1675	5,234.37		5,234.37
1876	98,539.92	23,698.33	122,238.25
1877	45,556.13	1,790.46	47,346.59
1880	190,777.74		190,777.74
1881		2,288.50	2,288.50
1882		3,160.00	3,160.00
1883	4,583,140.52	1,371,083.84	5,954,224.36
1884	1,223,449.69	442,405.16	1,665,854.75
1885	627,809.05	1,498,968.78	2,126,777.83
1886	134,122.74		134,122.74
Total	7,903,026.25	3,343,395.07	11,246,421.32

C.

Statement showing the number of acres of land approved by the Secretary of the Interior and subsequently patented to the Northern Pacific Railroad Company, the date of approval of each list, and the date of each patent.

GRANTED LIMITS.

No. of list.	State or Territory.	Acres.	Date of Approval.	Date of patent.	No. of patent.
1	Minnesota	190,290.70	Jan. 13, 1873	Jan. 18, 1873	1
2	do	184,595.06	Apr. 7, 1873	Apr. 24, 1873	2
2	do	255,832.09	June 12, 1873	July 7, 1873	3
4	do	17,919.32	July 12, 1873	Aug. 7, 1873	4
5	do	94,936.27	Oct. 13, 1873	Nov. 4, 1873	5
	Total	743,573.44			
1	Washington	3,016.08	Mar. 24, 1880	Apr. 8, 1880	6

RECAPITULATION.

	Acres.
Minnesota	743,573.44
Washington	3,016.08
Total	746,589.52

From this table it appears that these selections were made during the period from 1872 to 1886 inclusive; that there have been only 3,016.8 acres of selections approved since November 4, 1873; that for fifteen

years there had been no approval of selections of lands or place or indemnity lands; that there were at the time this letter was written 11,246,421.32 acres of unapproved selections by this one company, and that 3,343,995.7 acres of these were indemnity lands. The provision in the order of revocation of the order of withdrawal of lands within the indemnity limits which allows settlers to go upon any of the lands which have been selected by the company and institute a contest makes it possible for a contest to be instituted with the railroad company for every 40-acre tract of the 3,343,000 acres of indemnity selections, and all to determine a question which it appears to me should have been determined long ago by the Secretary of the Interior, the question as to whether the lands were properly selected and the company was entitled to make the selections.

Mr. President, Congress has been (notably by the act passed during the last Congress providing for the adjustment of railroad grants) endeavoring to settle the controversies which have arisen concerning the public lands growing out of the contradictory rulings of the Interior Department, the blunders and mistakes of the local land officers, and to preserve the rights of parties who have gone upon lands supposing them to be public lands, with the consent of the land officers of the Government, which proved to be railroad lands, and also of those who have purchased lands upon the strength of the railroad title, which have afterwards proved to be public lands.

The orders for the revocation of withdrawals for indemnity purposes and other similar orders which were made under the administration of the late Commissioner will cause a multitude of suits, great confusion in land titles, and will bring down upon Congress an army of applicants for relief whose bills and petitions will crowd out the more important business of Congress, and many of whose claims will finally be paid.

A vigorous statement of this condition of things is contained in an article which I have clipped from the Portland Oregonian, which I ask to have read:

The PRESIDENT *pro tempore*. The Secretary will read the article.

The Secretary read as follows:

SPARKS AND THE LAND OFFICE.

Commissioner Sparks, of the General Land Office, in 1885 began his administration for "reform" by sending his special agents to New Mexico to investigate land transactions and titles there. Acting on information supplied by them, Sparks in his report for that year declared the Maxwell grant notoriously fraudulent, and said that its claimants were not entitled to one-sixteenth of the lands patented to them. He therefore instituted suit to set aside the patent. The case was decided against Sparks by the United States district court for Colorado, and the decision was unanimously affirmed by the Supreme Court of the United States. Then Sparks asked for a rehearing, but the Supreme Court declined to grant it, on the ground that no new facts were presented or alleged.

In the mean time much of this land had been "jumped" by a large number of persons who had been encouraged to do so by Sparks and his agents. The jumpers now are in a strait: but hoping perhaps that Sparks and his specials would come to their relief, they have issued hand bills threatening resistance to enforcement of the decree of the court. This has moved the President to write a letter, in the nature of a proclamation, telling them that they must obey the laws as interpreted by the Supreme Court, and warning them that resistance to the court's decree "will be visited by the penalty appropriate to the crime."

The truth is, the demagogic acts of Sparks have got the titles of a vast number of tracts of land into an entanglement that will take years to straighten out. We believe it was Solicitor-General Jenks who said it would take the courts ten years to settle the titles to lands that Sparks had unsettled. Secretary Lamar is reported to have said that he was overruling only three-fourths of Sparks's decisions, and was leaving the remaining one-fourth to be reversed by the courts.

Some two years ago Sparks decided that the Northern Pacific Railroad had no land grant between the Columbia River and Puget Sound. This decision encouraged a good many "squatters" to go upon lands in that locality claimed by the Northern Pacific Company or held under title derived from the company. Here also, however, Sparks has recently been "reversed" by the Secretary of the Interior, who decides that the Northern Pacific's grant does attach to lands between the Columbia River and Puget Sound; and the "squatters" now are in the same condition as those on the Maxwell grant.

Sparks is a cheap demagogue, and his administration of the Land Office, under pretense and cover of reform, has plunged into one absurdity and folly after another, till the country is heartily tired of him.—*Oregonian.*

Mr. DOLPH. It is true that the order which has been read revoking the indemnity withdrawals for the Northern Pacific Railroad Company, and I presume such is the case with all others, contains a provision that the settler shall be notified of the claim of the railroad company, and that upon his application the fact that he was notified shall be indorsed; and that under such a provision the settler would institute a contest at his own risk. But notwithstanding this precaution I am informed that for the lands selected by this railroad company alone there were between the date of that order in August last and the first of this year 2,100 contests instituted, and as time rolls on under all the grants, unless the questions of the right to the lands are speedily settled between the railroad companies and the Government, they will multiply into thousands.

I have allnded to a few only of the most important things signalizing the administration of the late Commissioner. Some one said, when he was at the zenith of his power and dictating the policy of the Department in regard to the public lands, that he illustrated the carrying capacity of the Administration. It remains to be seen whether he was not carried too long.

Now, I desire to say a few words in regard to the bill under consideration. As reported from the committee, if it becomes a law, it will forfeit all of the railroad land grants, which a majority of the committee believe Congress has power to forfeit, that is to say, the lands adjacent to uncompleted roads.

All these railroad grants have been repeatedly held to be grants *in præsenti*. Where the grant was of a given number of sections on each side of a road to be located, the grant was in the nature of a float until the line of the road was located, and then it became fixed. The title to the lands in place then became vested in the company, and nothing remained to be done in regard to them after the conditions were performed except the segregation of them from the portions of the odd sections within the limits of the grant in place which were excepted from the operation of the grant.

All these grants were probably grants upon condition-subsequent. It has been claimed, however, that in the grant to the Northern Pacific Railroad Company, the grant to the Texas Pacific Railroad Company, and the grant to the Atlantic and Pacific Railroad Company the condition was not an ordinary condition-subsequent, but that Congress undertook in those grants to provide what the consequences should be of a failure to perform the conditions, and provided that in case of such failure Congress might make such a disposition of the unearned lands as was necessary to secure the construction of the road; and that the lands were irrevocably pledged for that purpose.

I think that as to these roads the grant was of such a character that it may be forfeited as to the unearned lands and the lands restored to the public domain. The usual condition of these grants was that the road should be commenced within a given time, that a certain number of sections should be constructed each year, and the road completed within the time named in the act.

As has been said, it is common learning that no one but the grantor can take advantage of a failure to perform a condition subsequent, and that he can only do so by entry for a breach of the condition; that the entry by the Government can only be by legislative authority, by an act of Congress forfeiting the grant or authorizing a court to declare a forfeiture in a proceeding instituted for the purpose, or at least by authorizing some action on the part of the executive branch of the Government; and that if no entry is made for the breach of the condition subsequent until the condition is performed the condition is gone, the title becomes absolute, the right of entry on the part of the grantor can no longer be exercised, and in the case of a grant by the Government the power of forfeiture no longer exists.

It has been contended that the condition that the road should be completed within a given time was a condition which applied to the entire grant. I have heretofore, in discussing this subject, said that, in my opinion, each section of the grant, in a case where it is provided that upon the completion of a section of 10 miles, or 20 miles, or 25 miles, patents should issue to the grantee, was in legal effect a separate grant, and that when the condition was performed as to any section the right of forfeiture was gone as to that section. I have not believed that it was within the power of Congress to forfeit lands which had been earned by the construction of sections of a road, and therefore I have not been willing to vote for such a law. I have not believed, and I do not now believe, that if it were within the power of Congress to make the forfeiture it would be honest for Congress to do it.

But if I had ever had doubts upon this subject they would be now dispelled from the fact that recently one of the associate justices of the Supreme Court, and the peer of his associates in learning and ability, has upon the circuit reviewed the decisions, and in language which leaves no room for discussion or doubt has held that such was the effect of the decisions of the Supreme Court. I refer to the case of Denny *vs.* Dodson, decided by Mr. Justice Field in the circuit court of the United States for the district of Oregon, in which the grant to the Northern Pacific Railroad Company was construed. I submit the following extracts from his decision in that case:

The terms in which the land is granted do not support the contention of the defendant. They import the transfer of a present title and not one to arise in the future. They are "that there be, and hereby is, granted" to the company every alternate section of the lands designated. There is nothing in them to indicate that only a partial or limited interest is intended. The lands themselves, described by the sections named, are granted, and of course whatever interest the United States possessed in such lands passed, unless the import of the terms be qualified by subsequent provisions of the act, and whether such is the case we will presently consider.

Similar terms are employed in a large number of Congressional grants of land, and notably so in those made to aid in the construction of railroads. They have been considered by the Supreme Court in many instances, and in all of them have received the same interpretation, which is, that unless restricted by other clauses of the act they import a grant *in præsenti*, conveying at once the interest of the United States to the lands described, whatever that may be.

As the sections granted are to be along the line of the railroad, they can not be located until the line of the road is fixed. The grant is, therefore, in the nature of a float, and the title does not become definitely attached to specific sections until they are capable of identification. But when they are once identified, the title attaches as of the date of the grant, except as to such parcels as in the mean time by the terms of the act have been otherwise appropriated.

It is in this sense that the grant is termed a grant *in præsenti*. The cases of Schulenberg *vs.* Harriman, 21 Wallace, 44, 65; Railroad Company *vs.* United States, 92 U. S., 733; Railway Company *vs.* Railway Company, 97 U. S., 491, and Railroad Company *vs.* Baldwin, 103 U. S., 426, may be examined for further illustration of this subject, and the construction by the Supreme Court of similar terms of grant. In the Leavenworth case, that court said:

"There be and is hereby granted" are words of absolute donation, and import a grant *in præsenti*. This court has held that they can have no other meaning, and the Land Department, on this interpretation of them, has uniformly administered every previous similar grant. They vest a present title in the State of

Kansas [the grantee named], though a survey of the lands and a location of the road are necessary to give precision to it and attach it to any particular tract. The grant then becomes certain, and by relation has the same effect upon the selected parcels as if it had specifically described them." (92 U. S., 741.)

The present title here mentioned is a legal title, as distinguished from an equitable or inchoate interest arising upon a contract or promise of the Government. The words "there be and is hereby granted" are not words of contract or promise, but, as said in the citation, are words of absolute donation; that is, they transfer a present legal right to the sections designated, which becomes attached to them specifically whenever they are identified.

The defendant contends that the natural import of the granting terms is qualified and restricted by the fourth section of the act, which provides that whenever 25 miles of the road are completed in a good, substantial, and workmanlike manner, and commissioners appointed to examine the same have made a report to that effect to the President, patents shall be issued "confirming to the company the right and title to said lands situate opposite to and coterminous with the said completed section of the road."

Why, it is asked, is there a necessity of such patents if the title passed by the act itself? There are many reasons why patents should be issued upon the completion of portions of the road. They would identify the lands which are coterminous with the road completed; they would be evidence that the grantee, in the construction of that portion of the road, had fully complied with the conditions of the grant, and to that extent the grant was relieved of possibility of forfeiture for breach of its conditions, and they would obviate the necessity of any other evidence of the grantees' title to the lands embraced in them. They would thus be deeds of further assurance confirmatory of the grantees' title, and so be invaluable to them as a source of quiet and peace in their possession.

The word "confirming" is applied to such patents in section 4. Words of sale and transfer, if used, would not change the character and operation of the patents. There are many instances in the reports where such effect, that is, as deeds of further assurance or as evidence of the grantees' previous title, has been given to patents authorized or directed to be issued to parties, notwithstanding a previous legislative grant of the premises to them, or a confirmation to them of a previously existing title. The case of Langdeau *vs.* Hanes, reported in 21 Wallace, 521, is an instance of the latter kind. The Supreme Court there said:

"In the legislation of Congress a patent has a double operation. It is a conveyance by the Government, when the Government has any interest to convey; but where it is issued upon the confirmation of a claim of a previously existing title, it is documentary evidence, having the dignity of a record, of the existence of that title, or of such equities respecting the claim as justify its recognition and confirmation. The instrument is not the less efficacious as evidence of previously existing rights because it also embodies words of release or transfer from the Government."

See also Wright *vs.* Roseberry, 121 United States, 488, 497; 7 Supreme Court Reports, 985.

* * * * * * *

While a legal title to the sections described, as distinguished from a merely equitable or an inchoate interest, passed to the railroad company by the act of July 2, 1864, it was not a title which could be disposed of by the company without the consent of Congress, except as each 25-mile section of the road was completed and accepted by the President, so as to cut off the right of the United States to compel the application of the lands to the purposes for which they were granted, or to prevent their forfeiture in case of the company's failure to perform the conditions of the grant. The lands were granted to aid in the construction of the road and telegraph line, and, as is evident from different provisions of the act, Congress designed to secure this application of them. But such application would not of itself operate to transfer the title; there is nothing translative of title in work performed. It would merely remove the restriction upon the use and sale of the title already granted. In that way it would not only give the grantee the right to a patent, but would render him free to sell and transfer that right to purchasers.

But, in advance of the construction of the road and telegraph line, or of particular portions, the lands could not be used without the permission of Congress, so as to cut off the rights of the United States mentioned above. Such permission was given when, on the 31st of May, 1870, by the joint resolution of the two Houses, Congress authorized the company to issue its bonds to aid in the construction and equipment of its road, and to secure the same by mortgage on its property and rights of property of all kinds and description, real, personal, and mixed, including its franchise as a corporation. In the property mentioned the lands granted to the company are included.

It can hardly be supposed that Congress would have allowed this mortgage if the company had no legal title to the lands which could be held as security for the moneys advanced on the bonds and transferred by sale upon foreclosure, in case default should be made in their payment. To suppose that Congress would sanction such a proceeding would be to impute to it complicity in a fraud, which can not be entertained for a moment. The conclusion follows that it allowed the execution of the mortgage because it had transferred to the company a title to the lands covered by its grant, which could in this way be made available to raise funds for the work.

* * * * * * *

It is not necessary to a recovery by the plaintiff that he should show that a perfect and indefeasible title to the lands granted immediately passed to the company, or anything more than a defeasible title, which would become perfect and indefeasible to coterminous lands as the road was completed. The road opposite to the premises in controversy having been completed and accepted, the title, however imperfect whilst encumbered, if it may be so termed, by the uses to which the lands were to be applied, has become perfect and indefeasible; and the costs of surveying, selecting, and conveying the lands having been paid into the Treasury of the United States, the only remaining obstacle to their sale or other disposition by the company has been removed. During the construction of the road no one could do anything to defeat the ultimate acquisition of a complete title by the company, however imperfect it may originally have been, except in one of the ways designated in the act; that is, by purchase, entry, or pre-emption before the route of the road became definitely fixed.

The contention of the defendent against this view is that, upon the failure of the company to complete the entire road within the period fixed by the act, or the supplementary act, the title to the land not then earned failed, and could be restored to the company only by affirmative action on the part of Congress; in other words, that the completion of the entire road within the time designated was a condition precedent to the vesting of title to all lands not previously earned by the construction of a road coterminous with them. For this position we find no warrant in any provision of the act. The conditions attached to the grant are the conditions subsequent, and not precedent. The object of the grant was to aid in the construction of the road. The title granted is therefore made to attach to the sections designated as soon as the location of the route of the road is definitely fixed, and a map thereof filed in the office of the Secretary of the Interior, and is not in a state of suspense until the road, or a part of it, is constructed, although not subject to be disposed of by the company, without the consent of Congress, except as each 25-mile section is completed and accepted. The conditions as to the construction and equipment of the road and telegraph line being subsequent, and not precedent, no one but the Government, the grantor, can claim a forfeiture for breach of them. This is but common learning. As was said by the Supreme Court in Schulenberg *vs.* Harriman, 21 Wall., 62:

"It is settled law that no one can take advantage of the non-performance of a condition-subsequent annexed to an estate in fee, but the grantor, or his heirs, or the successors of the grantor, if the grant proceed from an artificial person, and if they do not see fit to assert its right to enforce a forfeiture on that ground, the title remains unimpaired in the grantee. The authorities on this point, with hardly an exception, are all one way from the year books down. And the same doctrine obtains where the grant upon condition proceeds from the Government; no individual can assail the title it conveyed on the ground that the grantee has failed to perform the conditions annexed."

The senior Senator from Florida [Mr. CALL] has proposed an amendment which is in conflict with this decision and with the law as I understand it.

He has also submitted for the purpose of having printed the following amendment which he proposes to offer:

SEC. 9. That the lands embraced in the act entitled "An act granting lands to the States of Florida and Alabama to aid in the construction of certain lines of railway," approved May 17, 1856, be, and the same are hereby, excepted from the operations of this act.

I find that the grant which it is proposed to except from the operation of this bill embraces all the lands that were ever granted to the State of Florida for railroad purposes. In the act mentioned there was embraced a grant to aid in the construction of the Florida and Alabama Railroad, 165,688 acres; to aid in the construction of the Florida, Atlantic and Gulf Central Railroad, 183,153.99 acres; to aid in the construction of the Pensacola and Georgia Railroad, 1,568,729.87 acres; and to aid in the construction of the Atlantic and Gulf and West India Transit Company, 1,171,200 acres.

It appears the Senator proposes to provide in this bill for a forfeiture *pro tanto* of railroad grants made to other States, which have been earned as is claimed by persons who have jumped the land, and then to except from the provisions of the act the grants which have been made to his own State. I can not understand the theory upon which it is done, except it is the same upon which Artemus Ward proposed to sacrifice all his first wife's relations upon the altar of his country.

Mr. CALL. Will the Senator from Oregon allow me to interrupt him?

Mr. DOLPH. Certainly.

Mr. CALL. I submitted that amendment for the purpose of offering it in the event that it should appear that the bill would pass with some provisions which are now in it permitting all the fraudulent and void grants of that State to be made good in the hands of assumed purchasers for a consideration from the grantees who have no title. If the bill is to pass so as to prevent the land from being occupied by homestead settlers and actual settlers and to confirm it in the hands of speculators and grantees without right or title, then I want, if I can, to have the bill so amended as to have these grants excepted from its provisions.

Mr. DOLPH. The bill does not confirm any land to any one. As reported from the Senate committee it contains a provision which was incorporated in the bill which passed the Senate during the last Congress to forfeit the lands of the Northern Pacific Railroad Company, to wit: That nothing in this act shall prevent the forfeiture of any other portions of the grant. It leaves the titles of homestead entrymen and others, so far as earned lands are concerned, in precisely the condition they are now in, and if it becomes a law will forfeit only unearned lands.

I can not understand why there should be any distinction made between railroad companies in regard to the forfeiture of their grants. Congress has never yet undertaken to forfeit lands which have been earned—lands adjacent to a constructed road—whether the road was constructed before or after the time limited in the act, and I hope, in the interest of fair dealing and common honesty, it never will.

The acts which have been passed for the forfeiture of land grants are, first:

An act to repeal section 1 of the act entitled "An act making a grant of lands in alternate sections to aid in the construction and extension of the Iron Mountain Railroad, from Pilot Knob, in the State of Missouri, to Helena, in Arkansas," approved July 4, 1866, and for other purposes.

That act was approved June 28, 1884. As I have said before, it was a grant which the railroad company was anxious to get rid of, so as to be absolved, without question, from their obligations under it to the Government, not having built their road upon the line designated in the grant.

The second act which was passed for the forfeiture of a land grant was "An act to declare forfeiture of certain lands granted to aid in the construction of a railroad in Oregon." That was the Oregon Central land grant. It was approved January 31, 1885, and this is a description of the lands which were forfeited:

Those adjacent to and coterminous with the uncompleted portions of said road and not embraced within the limits of said grant for the completed portions of said road.

The next forfeiture act which was passed was "An act to declare a forfeiture of lands granted to the Texas Pacific Railroad Company, and for other purposes," which was approved February 28, 1885, and it provides—

That all lands granted to the Texas Pacific Railroad Company under the act of Congress entitled "An act to incorporate the Texas Pacific Railroad Company and to aid in the construction of its road, and for other purposes," approved March 3, 1871, and acts amendatory thereof or supplemental thereto, be, and they are hereby, declared forfeited, and the whole of said lands restored to the public domain and made subject to disposal under the general laws of the United States, as though said grant had never been made.

In this case there was no claim that the railroad had been constructed by the company which obtained the grant. The claim set up was that a company which had taken an assignment of the grant after it had built its road was entitled to the land on account of the construction of such road. Congress did not adopt this view of the case, and undertook to forfeit the entire grant as an unearned grant.

The next act forfeiting a land grant was "An act declaring forfeited certain grants of land made to certain States in aid of the construction of railroads;" that is, certain Southern railroads. It provided for the forfeiture of certain grants where the roads had not been constructed, but it contained this exception:

Except so much of said act as relates to a grant of land in aid of "a railroad from Jackson to the line between the State of Mississippi and the State of Alabama," which road was completed within the time prescribed by said act; also, except so much of said act as relates to a grant of land in aid of a railroad from Brandon to the Gulf of Mexico, commonly known as the Gulf and Ship Island Railroad.

Here is an express exception of a grant which was made in 1856 in order to give the company time to earn its lands by the construction of its road.

The next act which was passed for the forfeiture of a railroad grant was "An act to forfeit the lands granted to the Atlantic and Pacific Railroad Company to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast, and to restore the same to settlement, and for other purposes." The lands forfeited are thus described:

Which are adjacent to and coterminous with the uncompleted portions of the main line of said road, embraced within both the granted and indemnity limits, as contemplated to be constructed under and by the provisions of the said act of July 27, 1866.

The next act was "An act to declare a forfeiture of lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company, to confirm"—and I call the attention of the Senator from Florida—"to confirm title to certain lands, and for other purposes." This act forfeited the lands—

in all that part of said grant which is situate on the east side of the Mississippi River, and also in all that part of said grant on the west of the Mississippi River which is opposite to and coterminous with the part of the New Orleans Pacific Railroad Company which was completed on the 5th day of January, 1881.

But it is provided—

That the title of the United States and of the original grantee to the lands granted by said act of Congress of March 3, 1871, to said grantee, the New Orleans, Baton Rouge and Vicksburg Railroad Company, not herein declared forfeited, is relinquished, granted, conveyed, and confirmed to the New Orleans Pacific Railroad Company, as the assignee of the New Orleans, Baton Rouge and Vicksburg Railroad Company.

These are all the acts forfeiting railroad land grants which have been passed up to date.

I call attention to the fact that in one of these acts there is excepted out of the provisions of it the grant to the Gulf and Ship Island Railroad Company for the express purpose of allowing the company to earn those lands, and that in another that thing was done which has been the subject of so much discussion in the Senate and of which some Senators stand in such mortal fear. There were confirmed to a railroad company, not to the original grantee but to the assignee of the original grantee, the earned lands, and their title was placed by the act beyond the power of Congress to reach them.

Can it be that the location of these grants had anything to do with the action of Congress and accounted for the silence of my friend from Florida and my friend from Louisiana? If so, how can we account for the fact that the clarion voice of the then senior Senator from Nebraska, was not heard protesting against such action? There was no protest. There was silence on that side of the Chamber and silence on this side of the Chamber; and in the year 1886, without a dissenting voice, the time was extended to enable this Southern railroad company to earn its grant by the construction of its road, and even the Democratic House of Representatives consented to it, and a year later consented to the great iniquity of confirming to another Southern railroad company lands which had been earned by the construction of road after the time limited in the grant.

The PRESIDENT *pro tempore*. The question recurs upon the amendment proposed by the Senator from Oregon [Mr. DOLPH] to the amendment of the Senator from Massachusetts [Mr. HOAR].

Mr. CALL rose.

Mr. PALMER. I ask the Senator from Florida if it is his purpose to make some remarks?

Mr. CALL. I desire to address the Senate before the conclusion of the debate.

Mr. PALMER. I was going to move that the Senate adjourn, but if the Senator desires to be heard now I will withhold my motion.

Mr. CALL. I should prefer an adjournment, because I sent away my books and papers, as I did not expect to speak this afternoon.

Mr. JONES, of Arkansas. I was going to ask——

Mr. PLUMB. I will relieve the Senator from Arkansas. I have no objection to an adjournment, or whatever disposition may be convenient to the Senate now. It is evident, of course, in the present depleted condition of the Chamber, that we can not get a vote which would be satisfactory probably to either side.

Mr. STEWART. Then I ask unanimous consent for the passage of a bill.

Mr. PLUMB. The Senator can not do that until I yield the floor.

Mr. STEWART. I mean when the Senator gets through.

Mr. PLUMB. You will have time when I get through. I rose to ask unanimous consent that the bill may come up as the regular order at the conclusion of the formal morning business on the next legislative day.

The PRESIDENT *pro tempore*. The Senator from Kansas asks unanimous consent that the consideration of the pending bill, Senate bill 1430, may be resumed on Monday at the close of the formal morning business. Is there objection? The Chair hears none, and it is so ordered.

Mr. JONES, of Arkansas, and Mr. HOAR addressed the Chair.

The PRESIDENT *pro tempore*. The Chair had recognized the Senator from Arkansas.

Mr. HOAR. The Senator from Arkansas will yield to me simply to make one correction. The amendment which I moved yesterday to the pending bill is printed as an "amendment intended to be proposed," I see. In fact, it was an amendment actually proposed and was so stated by the Chair.

Mr. DOLPH. I ask permission to make a statement. The Senator from Ohio [Mr. SHERMAN] informed me that he desired an executive session, and I have sent a page down to the room of the Committee on Foreign Relations to see if he is there.

HOUSE BILLS REFERRED.

The bill (H. R. 925) for the relief of Matthew W. Berryman was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 6862) for the relief of John R. Wood, John T. Ballard, and John T. Belew was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 8279) to authorize the county of Laurens, in the State of Georgia, to construct a bridge across the Oconee River at or near Dublin, in said county and State, was read twice by its title, and referred to the Committee on Commerce.

BILLS RECOMMITTED.

Mr. ALDRICH. On the 20th of April the Senator from Pennsylvania [Mr. CAMERON] reported from the Committee on Military Affairs Senate bill 955, and on his motion it was indefinitely postponed. The parties interested desire to be heard further on the bill, and, with the acquiescence of the Committee on Military Affairs, I ask to have the vote indefinitely postponing the bill reconsidered and the bill recommitted to the Committee on Military Affairs.

Mr. HOAR. I have a similar motion.

The PRESIDENT *pro tempore*. Senators will pause until the Clerks have the number and title of the bill, so that the Journal entry can be made correctly.

Mr. ALDRICH. It is the bill (S. 955) to amend the record of the Eleventh Regiment Rhode Island Volunteers in regard to the services of Capt. Amos C. Weeden.

The PRESIDENT *pro tempore*. If there be no objection, the order of indefinite postponement will be reconsidered, and the bill, with the adverse report, will be recommitted to the Committee on Military Affairs.

Mr. HOAR. I desire to make the same motion in regard to Order of Business 997, being the bill (H. R. 2465) for the relief of the heirs of John F. Shorter. I make the motion at the suggestion of the chairman of the Committee on Military Affairs.

The PRESIDENT *pro tempore*. It appears that the vote by which the bill was indefinitely postponed was reconsidered. The motion now is that the bill be committed.

Mr. HOAR. I move to recommit the bill to the Committee on Military Affairs.

The motion was agreed to.

RAILROAD BRIDGE ACROSS BLACK RIVER, ARKANSAS.

Mr. JONES, of Arkansas. I rise to ask unanimous consent to take up the bill reported by the Committee on Commerce this morning, to authorize the building of a railroad bridge across the Black River, in Arkansas. The road is built to the bank of that river, and some delay is occasioned by the fact that permission to build the bridge has not been granted. I ask unanimous consent that the bill be taken up.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks unanimous consent for the consideration of Senate bill 2614.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2614) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River, in Arkansas.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RAILROAD IN INDIAN TERRITORY.

Mr. VEST. I ask unanimous consent to take up Senate bill 1148 for right of way.

The PRESIDENT *pro tempore*. The Senator from Missouri asks unanimous consent that the pending business be laid aside informally and that the Senate proceed to the consideration of Senate bill 1148.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1148) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes.

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was, in section 1, line 10, after the words "in the" to strike out "counties" and insert "county;" in line 11, after the name "Montgomery," to insert "at or near Coffeyville;" in line 13, after the word "and," to strike out "in the vicinity of Preston, Texas," and insert "within 3 miles of where the line of the Denison and Wichita Valley Railroad crosses Red River;" after the words "commencing at," at the end of line 14, to strike out "a point thereon to be selected by said railroad company and," and insert "Ockmulgee and;" in line 16, before the word "line," to strike out "west" and insert "south;" in line 17, after the word "Territory," to insert "at or near the mouth of the North Fork of Red River;" and after the word "grounds," at the end of line 20, to strike out "hereby granted" and insert "herein provided for;" so as to make the section read:

That the Kansas City and Pacific Railroad Company, a corporation created under and by virtue of the laws of the State of Kansas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway, telegraph, and telephone line through the Indian Territory, beginning at any point to be selected by said railroad company on the south line of the State of Kansas, in the county of Labette or Montgomery, at or near Coffeyville, and running thence by the most practicable route through the Indian Territory to a point on the southern boundary of the said Indian Territory, and within 3 miles of where the line of the Denison and Wichita Valley Railroad crosses Red River, with a branch commencing at Ockmulgee and running thence westerly or southwesterly, to the south line of said Indian Territory, at or near the mouth of the North Fork of Red River, with the right to construct, use, and maintain such tracks, turnouts, branches, sidings, and extensions as said company may deem it to their interest to construct along and upon the right of way and depot grounds herein provided for.

The amendment was agreed to.

The next amendment was to strike out all of the bill after section 1, and insert:

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway, and for no other purpose, a right of way 100 feet in width through said Indian Territory, and to take and use a strip of land 200 feet in width, with a length of 3,000 feet, in addition to right of way, for stations for every 10 miles of road, with the right to use such additional ground where there are heavy cuts or fills as may be necessary for the construction and maintenance of the road-bed, not exceeding 100 feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no more than said addition of land shall be taken for any one station: *Provided, further*, That no part of the lands herein authorized to be taken shall be leased or sold by the company, and they shall not be used except in such manner and for such purposes only as shall be necessary for the construction and convenient operation of said railroad, telegraph, and telephone lines; and when any portion thereof shall cease to be so used, such portion shall revert to the nation or tribe of Indians from which the same shall have been taken.

SEC. 3. That before said railway shall be constructed through any lands held by individual occupants according to the laws, customs, and usages of any of the Indian nations or tribes through which it may be constructed, full compensation shall be made to such occupants for all property to be taken or damage done by reason of the construction of such railway. In case of failure to make amicable settlement with any occupant, such compensation shall be determined by the appraisement of three disinterested referees, to be appointed, one (who shall act as chairman) by the President of the United States; one by the chief of the nation to which said occupant belongs, and one by said railroad company, who, before entering upon the duties of their appointment, shall take and subscribe, before a district judge, clerk of a district court, or United States commissioner, an oath that they will faithfully and impartially discharge the duties of their appointment, which oath, duly certified, shall be returned with their award to and filed with the Secretary of the Interior within sixty days from the completion thereof; and a majority of said referees shall be competent to act in case of the absence of a member, after due notice. And upon the failure of either party to make such appointment within thirty days after the appointment made by the President, the vacancy shall be filled by the district judge of the court for the western district of Arkansas, or at the district court for the northern district of Texas, or at the district court of Kansas, upon the application of the other party. The chairman of said board shall appoint the time and place for all hearings within the nation to which such occupant belongs. Each of said referees shall receive for his services the sum of $4 per day for each day they are engaged in the trial of any case submitted to them under this act, with mileage at 5 cents per mile. Witnesses shall receive the usual fees allowed by the courts of said nations. Costs, including compensation of the referees, shall be made a part of the award, and be paid by such railroad company. In case the referees can not agree, then any two of them are authorized to make the award. Either party being dissatisfied with the findings of the referees shall have the right, within ninety days after the making of the award and notice of the same, to appeal by original petition to the district court of Western Arkansas, or the district court for the northern district of Texas, or the district court of Kansas, which court shall have jurisdiction to hear and determine the subject-matter of said petition, according to the laws of the State in which the same shall be heard provided for determining the damage when property is taken for railroad purposes. If upon the hearing of said appeal the judgment of the court shall be for a larger sum than the award of the referees, the costs of said appeal shall be adjudged against the railroad company. If the judgment of the court shall be for the same sum as the award of the referees, then the costs shall be adjudged against the appellant. If the judgment of the court shall be for a smaller sum than the award of the referees, then the costs shall be adjudged against the party claiming damages. When proceedings have been commenced in court the railway company shall pay double the amount of the award into court to abide the judgment thereof, and then have the right to enter upon the property sought to be condemned and proceed with the construction of the railroad.

SEC. 4. That said railroad company shall not charge the inhabitants of said Territory a greater rate of freight than the rate authorized by the laws of the State of Texas for services or transportation of the same kind: *Provided*, That passenger rates on said railway shall not exceed 3 cents per mile. Congress hereby reserves the right to regulate the charges for freight and passengers on said railway and messages on said telegraph and telephone lines until a State government or governments shall exist in said Territory, within the limits of which said railway, or a part thereof, shall be located; and then such State government or governments shall be authorized to fix and regulate the cost of transportation of persons and freights within their respective limits by said railway; but Congress expressly reserves the right to fix and regulate at all times the cost of such transportation by said railway or said company whenever such transportation shall extend from one State into another, or shall extend into more than one State: *Provided, however*, That the rate of such transportation of passengers, local or interstate, shall not exceed the rate above expressed: *And provided, further*, That said railway company shall carry the mail at such prices as Congress may by law provide; and until such rate is fixed by law the Postmaster-General may fix the rate of compensation.

SEC. 5. That said railway company shall pay to the Secretary of the Interior, for the benefit of the particular nations or tribes through whose lands said line may be located, the sum of $50, in addition to compensation provided for in this act for property taken and damages done to individual occupants by the construction of the railway, for each mile of railway that it may construct in said Territory, said payments to be made in installments of $1,250 as each working section of 25 miles of road is graded: *Provided*, That if the general council of either of the nations or tribes through whose land said railway may be located shall, within four months after the filing of maps of definite location as set forth in section 6 of this act, dissent from the allowances provided for in this section, and shall certify the same to the Secretary of the Interior, then all compensation to be paid to such dissenting nation or tribe under the provisions of this act shall be determined as provided in section 3 for the determination of the compensation to be paid to the individual occupant of lands, with the right of appeal to the courts upon the same terms, conditions, and requirements as therein provided: *Provided further*, That the amount awarded or adjudged to be paid by said railway company for said dissenting nation or tribe shall be in lieu of the compensation that said nation or tribe would be entitled to receive under the foregoing provision. Said company shall also pay, so long as said Territory is owned and occupied by the Indians, to the Secretary of the Interior, the sum of $15 per annum for each mile of railway it shall construct in the said Territory. The money paid to the Secretary of the Interior under the provisions of this act shall be apportioned by him, in accordance with the laws and treaties now in force among the different nations and tribes, according to the number of miles of railway that may be constructed by said railway company through their lands: *Provided*, That Congress shall have the right, so long as said lands are occupied and possessed by said nations and tribes, to impose such additional taxes upon said railroad as it may deem just and proper for their benefit; and any Territory or State hereafter formed through which said railway shall have been established may exercise the like power as to such part of said railway as may lie within its limits. Said railway company shall have the right to survey and locate its railway immediately after the passage of this act.

SEC. 6. That said company shall cause maps showing the route of its located line through said Territory to be filed in the office of the Secretary of the Interior, and also to be filed in the office of the principal chief of each of the nations or tribes through whose lands said railway may be located; and after the filing of said maps no claim for a subsequent settlement and improvement upon the right of way shown by said maps shall be valid as against said company: *Provided*, That when a map showing any portion of said railway company's located line is filed as herein provided for, said company shall commence grading said located line within six months thereafter, or such location shall be void; and said location shall be approved by the Secretary of the Interior in sections of 25 miles before construction of any such section shall be begun.

SEC. 7. That the officers, servants, and employés of said company necessary to the construction and management of said road shall be allowed to reside, while so engaged, upon such right of way, but subject to the provisions of the Indian intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior in accordance with said intercourse laws.

SEC. 8. That the United States circuit and district courts for the northern district of Texas, the western district of Arkansas, and the district of Kansas, and such other courts as may be authorized by Congress, shall have, without reference to the amount in controversy, concurrent jurisdiction over all controversies arising between said Kansas City and Pacific Railroad Company and the nations and tribes through whose territory said railway shall be constructed. Said courts shall have like jurisdiction, without reference to the amount in controversy, over all controversies arising between the inhabitants of said nations or tribes and said railway company; and the civil jurisdiction of said courts is hereby extended within the limits of said Indian Territory, without distinction as to citizenship of the parties, so far as may be necessary to carry out the provisions of this act.

SEC. 9. That said railway company shall build at least 100 miles of its railway in said Territory within two years and the remainder thereof and branches within four years after the passage of this act, or the rights herein granted shall be forfeited as to that portion not built; that said railroad company shall construct and maintain continually all fences, road, and highway crossings and necessary bridges over said railway wherever said roads and highways do now or may hereafter cross said railway's right of way, or may be by the proper authorities laid out across the same.

SEC. 10. That the said Kansas City and Pacific Railroad Company shall accept this right of way upon the express condition, binding upon itself, its successors and assigns, that they will neither aid, advise, nor assist in any effort looking towards the changing or extinguishing the present tenure of the Indians in their land, and will not attempt to secure from the Indian nations any further grant of land, or its occupancy, than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

SEC. 11. That all mortgages executed by said railway company conveying any portion of its railroad, with its franchises, that may be constructed in said Indian Territory, shall be recorded in the Department of the Interior and the record thereof shall be evidence and notice of their execution, and shall convey all rights and property of said company as therein expressed.

SEC. 12. That Congress may at any time amend, add to, alter, or repeal this act; and the right of way herein and hereby granted shall not be assigned or transferred in any form whatever, prior to the construction and completion of the road, except as to mortgages or other liens that may be given or secured thereon to aid in the construction thereof.

Mr. HOAR. I wish to call attention to one provision of section 3 of the proposed amendment, which, it seems to me, is unconstitutional, or if not, it is unjust. In regard to the assessment of damages the section provides for an award of referees. That is the first step in regard to the matter of getting damages. Then either party may appeal, and if on the appeal the award be for a smaller sum than the original amount allowed, then the costs are to be assessed against the land-owner, the claimant. The land-owner is entitled to have his full compensation, of course, by the Constitution and by justice, and he is entitled to have a remedy for it. He can not help the amount of the original award, and he can not help the other party's appealing. Suppose the original referees give him a thousand dollars and the other side appeals and the amount is reduced to $900, why should all the costs

of that appeal be assessed upon him? He might have been willing to take the thousand dollars without the appeal. He can not help himself. It is not just that where the person to pay the damages appeals the costs should be assessed upon the person claiming damages in any case. So I move to strike out. The clause now reads:

If the judgment of the court shall be for the same sum as the award of the referees, then the costs shall be adjudged against the appellant.

That is all right; but it proceeds:

If the judgment of the court be for a smaller sum than the award of the referees, then the costs shall be adjudged against the party claiming damages.

In my own State our courts construed some very doubtful language that it could not mean that, because they said it would be in violation of the Constitution if it did. I move to strike out from line 52 to 55 of section 3 the language I have just read.

The PRESIDENT *pro tempore*. The words proposed to be stricken out will be read.

The CHIEF CLERK. In section 3, line 52, on page 12, after the word "appellant," it is proposed to strike out all down to and including the word "damages" in line 55, as follows:

If the judgment of the court shall be for a smaller sum than the award of the referees, then the costs shall be adjudged against the party claiming damages.

Mr. PLUMB. This bill is in the precise form that all the bills have been that have passed on this subject for the last five years. The Senator from Massachusetts will perhaps remember—but possibly it was before he came into this body—that the subject came up on application of the Atchison, Topeka and Santa Fé Railroad Company for the right of way through the Indian Territory. The matter was thoroughly discussed; but the bill did not pass. It came up again on the application of the St. Louis and San Francisco Railroad Company for a right of way, and was thoroughly discussed and amended and put into shape and finally passed. Then the Indian Committee, accepting the views of the Senate on the various propositions which had been submitted, framed the *projet* of a general bill which has been adopted in regard to all rights of way through the Indian Territory from that time until this. I need not inform the Senator that the chairman of that committee, his colleague [Mr. DAWES] is as sensitively alive to the interests of the Indians as anybody can be. I have before me the bill passed at the last session, and which was signed by the President and became a law, an act granting the right of way through the Indian Territory to the Fort Worth and Denver City Railroad Company, containing this identical provision, as all such bills have had it; and that, whatever may be the rule in Massachusetts, is the rule in Kansas and I think in most of the Western States.

Mr. VEST. It is in Missouri.

Mr. PLUMB. As the Senator from Missouri states, it is the rule in that State; and I wish to say further that three railroad companies have built their roads under this provision and practically no controversy has arisen. It can only arise where the railroad is built through occupied lands, because it is only in those cases that an individual has the right of appeal. I think that whatever the law may actually be no harm can come from allowing this bill to go through according to the rule of the Senate and of Congress, and in fact of the Executive also, heretofore established; and in addition to that, with all due respect to the better judgment of the Senator from Massachusetts [Mr. HOAR], my belief is that it is not amenable to objection on constitutional grounds, and that it is in accordance with the statutes of most if not all the Western States at all events.

Mr. HOAR. Mr. President, I am not prepared to say whether the Senator from Kansas be right or not in declaring that this is in accordance with legislative precedent; but if it be, the sooner it is stopped the better, for it is clearly and demonstrably to my mind unjust. The statute first provides for a reference. There is nothing which compels the railroad company to pay anybody any damages. But the reference is established, and if the parties do not agree on their referees they are appointed by the courts. Very well; then the railroad company appears, refuses to pay any damages, and the referees award a certain sum. There is nothing which gives the party a right to accept that sum and compels the railroad to pay it. The railroad pays it or not at its election, and proceeds to appeal.

Now, we will suppose the case of a little farmer with a farm worth $300 or $400, the man having been entirely willing to settle for a reasonable sum all the time, less, perhaps, than is finally awarded him; if on the appeal the sum finally awarded to him is less than the referees awarded, he has got to pay the whole costs, it may be of summoning one hundred witnesses, and the costs may be considerably more than the whole amount awarded him. I should like to have the Senator from Kansas answer me how it is possible that can be a just or a constitutional rule. Here is a man whose land is taken without his consent; he is willing to accept a reasonable compensation all the time, or half a reasonable compensation; and yet you establish a process of law under which the other party can compel him to pay the whole costs of the proceeding, and under which in a great many cases of small claimants the costs may eat up nearly the whole or more than the whole amount awarded him.

Mr. VEST. Will the Senator from Massachusetts repeat his amendment?

Mr. HOAR. My amendment is simply to strike out the provision that when there is any less allowed than the referees awarded the costs shall fall on the party claiming damages. The costs ought never to fall on the party claiming damages under any circumstances whatever unless he has unreasonably appealed; and I do not think they ought to be then. I say they never ought to be because he is entitled under all our constitutional provisions to a jury trial—that is the fair and reasonable way—and these referees are a mere set of men who try and see if they can not bring the parties together. That is pretty much all there is of it. They are not a constitutional tribunal. I think that where a railroad company takes my land I ought to be entitled to the costs of the proceeding which is necessary to ascertain its value until I have had my jury trial and verdict, and then if I take exceptions at that it should be at the risk of my paying costs if I do not prevail; but that an appeal to a jury should be saddled with these costs is not only unjust but unconstitutional, and it can not certainly hurt the bill to strike out that provision.

Mr. VEST. Let the amendment be adopted. I will not make a question about it.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Massachusetts to the amendment reported by the Committee on Indian Affairs.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNDERGROUND TELEGRAPH AND TELEPHONE WIRES.

Mr. HALE. I desire to make a motion to print. I move that a letter from the District commissioners be printed which was transmitted to the Senate April 16, 1888, and referred to the Committee on Public Buildings and Grounds, being a report in relation to underground telegraph and telephone wires.

The PRESIDENT *pro tempore*. The order to print will be made, if there be no objection.

L. J. WORDEN.

Mr. SAWYER. I ask unanimous consent to take up Order of Business 713, Senate bill 1064.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent to proceed to the consideration of the bill indicated by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1064) for the relief of L. J. Worden. It provides for the allowance to L. J. Worden, late postmaster at Lawrence, Kans., for expenditures made for clerk-hire necessary for the proper transaction of the business of that post-office from July 1, 1882, to June 30, 1883, $625.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL AND MECHANICAL COLLEGE OF ALABAMA.

Mr. PUGH. I ask the Senate to take up Order of Business 992, being the bill (H. R. 4082) for the relief of the Agricultural and Mechanical College of Alabama.

By unanimous consent, the bill was considered as in Committee of the Whole. It proposes to direct the Secretary of War to relieve the Agricultural and Mechanical College at Auburn, Ala., from all money responsibility for so much of the ordnance and ordnance stores issued to that college under its bond dated February 9, 1886, as was destroyed by fire on June 24, 1887.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT WICHITA, KANS

Mr. SPOONER. I ask unanimous consent that the Senate proceed to the immediate consideration of Senate bill 1924, Calendar No. 1011.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1924) for the completion of a public building at Wichita, Kans.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FORT RILEY MILITARY RESERVATION.

Mr. PLUMB. I ask that the Senate proceed to the consideration of Calendar No. 703, House bill 1438.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1438) to authorize the Kansas Valley Railroad Company to construct and operate a railway through the Fort Riley military reservation, in Kansas, and for other purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COUNTY OF LATAH, IDAHO TERRITORY.

Mr. STEWART. I ask unanimous consent to take up Order of Business 1005, being Senate bill 2671.

There being no objection, the Senate, as in Committee of the Whole,

resumed the consideration of the bill (S. 2671) to create and organize the county of Latah.

Mr. STEWART. I believe the bill has been read and amended heretofore. I would say in regard to it that it is a special bill to organize a county in Idaho Territory, and it is for the reason that we have a limitation in the general law. We are trying to pass a general law to allow counties to be created by the Territorial Legislature; but all parties are agreed that it is very proper to do this, and the Committee on Territories finally concluded that they would pass this one special act, and not make it a precedent.

The PRESIDENT *pro tempore*. The amendments presented have been heretofore agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES H. SMITH.

Mr. HARRIS. I ask the Senate to proceed at this time to consider the Order of Business 1080, being Senate bill 68.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 68) for the relief of James H. Smith, late postmaster at Memphis, Tenn. It provides for the payment to James H. Smith, late postmaster at Memphis, Tenn., of $407.82, in full satisfaction for money expended by him for lights necessary to, and used in, the post-office.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OPIUM SMUGGLING.

Mr. COCKRELL. I move to reconsider the vote by which the Senate agreed to the resolution submitted yesterday by the Senator from Oregon [Mr. MITCHELL] in regard to opium smuggling, and which has passed and gone to the Secretary of the Treasury. I also enter a motion that the Secretary be requested to return the resolution.

Mr. MITCHELL. I suggest that the motion to reconsider simply be entered and lie over.

Mr. HARRIS. A motion to return must be interposed, and must be sent at once.

The PRESIDENT *pro tempore*. The motion to reconsider will be entered. The clerks are not able to identify the resolution.

Mr. COCKRELL. It was a resolution offered by the Senator from Oregon [Mr. MITCHELL] yesterday.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate full copies of the following reports and all affidavits and other evidence attached thereto or transmitted therewith, made to his Department in reference to the alleged smuggling of opium into the United States from British Columbia, to wit: A report made by Special Agent Herbert F. Beecher on or about January 6, last; a report of Special Agent George R. Tingle, made on or about April 5, instant, including the report attached thereto, if any, of William H. White, United States attorney for Washington Territory.

The PRESIDENT *pro tempore*. Does the Senator from Missouri desire merely to enter the motion to reconsider?

Mr. HARRIS. He desires to enter the motion to reconsider and request the return of the resolution.

The PRESIDENT *pro tempore*. The Secretary of the Treasury will be requested to return the resolution to the Senate, and the motion to reconsider will be entered.

PUBLIC BUILDING AT BOULDER, COLO.

Mr. BOWEN. I ask unanimous consent to take up Order of Business 937, Senate bill 956.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 956) for the erection of a public building at Boulder, Colo.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, in line 4, after the word "procure," to insert "by purchase, condemnation proceedings, or otherwise;" in line 9, before the word "thousand," to strike out "seventy-five" and insert "fifty," and after the word "mentioned," at the end of line 14, to insert:

The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum above mentioned.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to procure, by purchase, condemnation proceedings, or otherwise, a proper site, and cause to be erected thereon a suitable building with fire-proof vaults, in the city of Boulder, Colo., for the accommodation of the post-office and other Government offices in said city, at a cost of not exceeding $50,000, including cost of site, which site shall be such as will afford an open space between the building hereby authorized and any other building of not less than 40 feet; and the sum of $50,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose herein mentioned. The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum above mentioned: *Provided*, That no money shall be used or applied for the purpose mentioned until a valid title to the land for the site of such building shall be vested in the United States; and no expenditure of money shall be made on the building proposed to be erected on said site until the State of Colorado shall duly release and relinquish to the United States the right to tax or in any way assess said site or the property of the United States that may be thereon, and shall cede jurisdiction over the same during the time that the United States shall remain the owner thereof.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

J. A. WILSON.

Mr. BATE. I ask the Senate to take up House bill 1070, Order of Business 999.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1070) for the relief of J. A. Wilson. It directs the Secretary of the Treasury to pay to J. A. Wilson $42.65 on account of the robbing of the mail and the loss of registered letters for that sum, the robber being subsequently arrested, tried, and convicted.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN C. FRÉMONT.

Mr. HALE. I propose to move to take up Order of Business 1066, being the bill (S. 2395) authorizing the President to appoint and retire John C. Frémont as a major-general in the United States Army. I do not think the Senate can close its week's business in any more fitting way than by passing this bill. It has been intimated to me that the Senator from Texas [Mr. REAGAN] desires to submit some remarks on this question. If that is so, I do not propose to urge——

Mr. REAGAN. I do not hear the Senator.

Mr. HALE. I move to take up the bill.

Mr. REAGAN. I hope the Senator will not call up that bill this evening.

Mr. HALE. Does the Senator desire to debate it?

Mr. REAGAN. My throat is not well enough to enable me to speak, and I shall be glad to have the bill go over to come up at another time.

Mr. HALE. I think the Senate, whenever it reaches the bill, will pass it very quickly; but if the Senator from Texas desires to speak upon it and is not able to go on to-night, of course I shall not press it.

COUNTERPOISE BATTERY ON POTOMAC RIVER.

Mr. HAMPTON. I ask the unanimous consent of the Senate to call up Order of Business 709, Senate bill 2394.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2394) to authorize the construction of a counterpoise battery on the bank of the Potomac River below Washington.

It proposes to appropriate $35,000, or so much thereof as may be necessary for the construction of one counterpoise battery to mount one six-inch breech-loading rifled cannon of the new pattern. This battery is to be erected on the bank of the Potomac River below the city of Washington, and within a distance of 12 miles. Beverly Kennon, the inventor and patentee, is to superintend and direct the work, and to complete the same for actual service within three months after the passage of the act.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANCHORAGE OF VESSELS IN PORT OF NEW YORK.

Mr. FRYE. I ask the Senate to take up Order of Business 994, a bill relating to the anchorage of vessels in the port of New York.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2605) relating to the anchorage of vessels in the port of New York. It proposes to authorize and empower the Secretary of the Treasury to define and establish an anchorage ground for vessels in the bay and harbor of New York and in the Hudson and East Rivers, to adopt suitable rules and regulations in relation thereto, and to take all necessary measures for the proper enforcement of such rules and regulations.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT NORFOLK, VA.

Mr. DANIEL. I ask unanimous consent to call up Order of Business 857, Senate bill 2164.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2164) to provide for the erection of a public building in the city of Norfolk, in the State of Virginia.

The bill was reported from the Committee on Public Buildings and Grounds with amendments. The first amendment was, in section 1, line 11, before the word "hundred," to strike out "two" and insert "one," so as to read:

The site, and the building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $150,000.

The amendment was agreed to.

The next amendment was, in section 2, line 1, before the word "hundred," to strike out "two" and insert "one;" so as to read:

SEC. 2. That the sum of $150,000 be, and the same is hereby, appropriated, out

of any money in the Treasury not otherwise appropriated, to be used and expended for the purpose provided in this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE SCHNEIDER.

Mr. CULLOM. I ask leave to call up House bill 112, Calendar No. 1087, a pension bill where, I am informed, the party is likely to die before the bill passes.

By unanimous consent, the bill (H. R. 112) granting a pension to George Schneider was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George Schneider, late a private in Company G of the Third Regiment of United States Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUREAU OF ANIMAL INDUSTRY.

Mr. HAWLEY. I move that the Senate adjourn.

The PRESIDENT *pro tempore*. Before submitting the motion the Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes. It is moved that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 21 minutes p. m.) the Senate adjourned until Monday, April 30, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April* 26, 1888.

The House met at 12 o'clock m. Prayer by Rabbi BLUM, of Galveston, Tex.

The Journal of yesterday was read and approved.

ELECTRIC LIGHTING IN THE CAPITOL.

The SPEAKER laid before the House a letter from the Architect of the Capitol, in response to a resolution of the House relative to electric lighting in the Capitol; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ELIZA C. LA RUE.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Eliza C. La Rue against the United States; which was referred to the Committee on War Claims, and ordered to be printed.

ROBERT E. RUSSELL.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Robert E. Russell against the United States; which was referred to the Committee on War Claims, and ordered to be printed.

BRIDGES ACROSS RED RIVER.

The SPEAKER also laid before the House a bill (H. R. 7348) granting the city of Grand Forks, Dak., the right to build two free bridges across Red River, returned from the Senate with an amendment and a request for conference on the disagreeing votes.

Mr. CRISP. I ask that the request of the Senate for a conference on this bill be granted.

There being no objection, it was ordered accordingly.

The SPEAKER subsequently announced the appointment of Mr. CRISP, Mr. PHELAN, and Mr. DUNHAM as the conferees on the part of the House.

MRS. JULIET G. HOWE.

The SPEAKER. The bill (H. R. 8117) granting a pension to Mrs. Juliet G. Howe was by mistake sent to the Senate as having been passed, when in fact it was laid on the table. The bill has now been recalled from the Senate, and if there be no objection will be laid on the table.

There being no objection, it was ordered accordingly.

JOHN C. ADAMS, ADMINISTRATOR.

The SPEAKER laid before the House the bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased; which was referred, with the amendment of the Senate, to the Committee on War Claims.

WATER SUPPLY OF CHICAGO.

The SPEAKER also laid before the House a bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for waterworks purposes, returned from the Senate with an amendment.

Mr. SPRINGER. I ask that this bill may lie on the table for the present. My colleague who represents the district interested is not now in his seat.

The SPEAKER. If there be no objection, the Chair will retain the bill for the present.

FRANCES ANNE PYNE RICKETTS.

The SPEAKER also laid before the House a bill (S. 393) for the relief of Frances Anne Pyne Ricketts, returned with the message that the Senate had disagreed to the amendment of the House and requested a conference.

Mr. RANDALL. I hope that the request of the Senate for a conference will be granted.

The SPEAKER. If there be no objection, the House will insist upon its amendment and agree to the conference. The Chair hears no objection. The Chair will announce the conferees during the day.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read twice, and referred as indicated:

The bill (S. 1846) for the erection of a public building at New London, Conn.—to the Committee on Public Buildings and Grounds.

The bill (S. 1888) to amend chapter 6 of Title XXXII of the Revised Statutes, relating to mineral lands and mining resources—to the Committee on Mines and Mining.

The bill (S. 2003) to grant to the city of The Dalles, in the State of Oregon, certain lands for the purposes of a public park—to the Committee on Military Affairs.

The bill (S. 2311) for the relief of Heman D. Walbridge and Reginald Fendall, trustees—to the Committee on Claims.

The bill (S. 2398) to provide for a light-house at Holland's Island Bar, near the entrance to Kedge's Straits in the Chesapeake Bay, Maryland—to the Committee on Commerce.

The bill (S. 2457) to provide for the establishment of a light-house at or near St. Joseph's Point, Florida—to the Committee on Commerce.

OMAHA INDIANS, NEBRASKA.

The SPEAKER also laid before the House the bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend the time of payment to purchasers of lands of said Indians, and for other purposes.

Mr. DORSEY. I ask unanimous consent for the present consideration of this bill.

The SPEAKER. The Chair will state that this bill was read a few mornings since, and objection was then made to the request of the gentleman from Nebraska for unanimous consent to consider it.

Mr. MCMILLIN. What is this bill?

The SPEAKER. The Clerk will report the bill, after which the Chair will ask for objection.

The bill was read at length.

Mr. MCMILLIN. This, I understand, is recommended by the Commissioner of Indian Affairs?

Mr. DORSEY. Yes, sir.

The SPEAKER. This bill was read on a former occasion, and the gentleman from Georgia [Mr. BLOUNT] objected. The Chair understands the gentleman does not now insist upon his objection.

There being no further objection, the bill was ordered to a third reading, and being read the third time, was passed.

Mr. DORSEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN C. ADAMS.

Mr. LAFFOON. Mr. Speaker, I was absent when the Senate amendment to the House bill for the relief of John C. Adams, administrator, was laid before the House. I ask unanimous consent that the Senate amendment be concurred in.

The SPEAKER. This is a House bill, with a Senate amendment. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased.

The SPEAKER. The amendment of the Senate will be read.

The Clerk read as follows:

Strike out in line 3 of page 1 "$8,747" and insert "$4,435."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Senate amendment was concurred in.

Mr. LAFFOON moved to reconsider the vote by which the Senate amendment was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WILBER, for two weeks, on account of important business.

To Mr. DAVENPORT, for one week, on account of important business.

CHANGE OF REFERENCE.

The SPEAKER. The bill (H. R. 9443) to regulate the manner of adjusting the pay of employés attached to navy-yards, etc., was erroneously referred to the Committee on Claims. The gentleman from Texas [Mr. LANHAM] asks that the committee be discharged, and that the bill be referred to the Committee on Naval Affairs. Without objection, this order will be made.

There was no objection, and it was so ordered.

COMMITTEE ON MILITARY AFFAIRS.

By unanimous consent, leave was granted to the Committee on Military Affairs and the subcommittees to sit during the sessions of the House for the present session.

BUSINESS FROM THE COMMITTEE ON THE TERRITORIES.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution I send to the desk. It is simply asking that Monday night be set aside for the consideration of business from the Committee on the Territories.

The SPEAKER. The resolution will be read, after which objection will be asked for.

The Clerk read as follows:

Resolved, That the House will, at 5.30 p. m. on Monday next, take a recess until 8 o'clock p. m., the evening session to be devoted exclusively to the consideration of bills reported from the Committee on the Territories, in such order as said committee may designate.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. OATES. I think it had better go to the Committee on Rules.

Mr. SPRINGER. I hope the gentleman will not insist upon that objection.

Mr. OATES. I would prefer to know what bills are to be considered.

Mr. SPRINGER. We can not consider anything except by unanimous consent, for it will be impossible to keep a quorum at night.

Mr. OATES. I shall not insist upon the objection.

Mr. LANHAM. Unless there can be some arrangement made whereby other committees can have consideration at evening sessions, I think these matters had better all be left to the Committee on Rules.

The SPEAKER. Is there objection?

Mr. COX, Mr. LANHAM, and others objected. [Cries of "Regular order!"]

Mr. COX. I object to the consideration of the resolution, but have no objection to its reference to the Committee on Rules. There are Committees of the House which have not had the advantages which the Committee on the Territories has had in assignments.

Mr. SPRINGER. We have not had any advantages.

Mr. COX. The gentleman has had time assigned to his committee.

Mr. SPRINGER. It has had just two hours during the entire session.

Mr. COX. That is more than some committees have had.

The SPEAKER. The regular order is demanded by several gentlemen.

PERMANENT AND INDEFINITE APPROPRIATIONS.

Mr. RANDALL. Mr. Speaker, I ask to present from the Committee on Appropriations, for printing, a letter from the Secretary of the Treasury concerning the bill (H. R. 1985) to repeal certain laws relating to permanent and indefinite appropriations. I ask to have this printed and recommitted to the committee.

There was no objection, and it was so ordered.

Mr. BLAND. I would like to ask the gentleman from Pennsylvania whether this embraces the appropriation for the monthly purchases of bullion for the coinage of standard silver dollars? [Cries of "Regular order!"]

Mr. RANDALL. I do not think it makes any reference to the subject.

INDUSTRIAL STATISTICS.

Mr. BRECKINRIDGE, of Kentucky. I am instructed by the Committee on Ways and Means to report back for adoption the resolution I send to the desk.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and is hereby, requested to report to this House a computation, based upon the returns of the census of 1880, showing—

1. What number of persons in each of the gainful occupations (professional and personal service, trade and transportation, manufactures, mechanics, mining, and agriculture) were engaged in branches of which a product of like kind could be imported from a foreign country other than Canada in any measure or quantity sufficient to call for the attention of legislators, and what additional number could be in part or wholly submitted to competition from Canada.

2. What number in each category might be considered wholly free from foreign competition.

3. What number of persons might be considered in some small measure subject to foreign competition.

4. The number of persons represented by the export of the profits of agriculture, manufactures, and mining, to be estimated upon the relation of the value or quantity of such exports to the value or quantity of the total product; in other words, the number occupied in production for export.

Mr. BRECKINRIDGE, of Kentucky. I demand the previous question on the adoption of the resolution.

The previous question was ordered.

The SPEAKER. Under the rules thirty minutes are allowed for debate.

Mr. MILLS. We do not want any debate. It is the unanimous report of the committee.

The SPEAKER. But it is the duty of the Chair to state the rule of the House governing such matters.

Mr. MILLS. Of course; but I only suggest to the Chair that no debate is demanded.

The resolution was adopted.

Mr. BRECKINRIDGE, of Kentucky, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The regular order is demanded.

FIRST NATIONAL BANK OF PORTLAND, OREGON.

Mr. TAULBEE. I hope the regular order will not be insisted on at this moment. I desire to make a request.

The SPEAKER. The gentleman may state his request, but unless the demand for the regular order is withdrawn the Chair is obliged to proceed under the rules.

Several MEMBERS (to Mr. TAULBEE). State your request.

Mr. TAULBEE. On yesterday morning the Chair laid before the House the bill (H. R. 1761), with Senate amendments, and a request for a conference, with the announcement that the Senate had appointed conferees.

No one at the time asked that the House should agree to the conference. The bill, with the amendments, was referred to the Committee on Claims. I ask that the committee be discharged from its further consideration, and that the House non-concur in the Senate amendments, and agree to the conference.

Mr. GROSVENOR. What is the subject-matter?

Mr. TAULBEE. It is a bill for the relief of the First National Bank of Portland, Oregon, for money advanced the Oregon Iron Works, the contractor in building the United States revenue-cutter Thomas Corwin.

Mr. MILLS. Let the conference be agreed to.

Mr. HERMANN. It is a private bill.

The SPEAKER. The gentleman from Kentucky [Mr. TAULBEE] asks unanimous consent to discharge the Committee on Claims from the further consideration of the bill H. R. 1761, to non-concur in the Senate amendments, and to agree to the conference requested by the Senate. Is there objection?

Mr. HOLMAN. What are the amendments?

The SPEAKER. The bill is now with the committee. In order to have the amendments read the Chair would have to send for the bill.

Mr. HOLMAN. Well, I do not insist.

There was no objection, and the conference was ordered.

The SPEAKER. The Chair will appoint the managers of the conference during the day.

ORDER OF BUSINESS.

Mr. MILLS. I move to dispense with the morning hour for reports of committees.

The SPEAKER. That requires a two-thirds vote.

The motion was agreed to, two-thirds voting in favor thereof.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the revenue.

Mr. BUCHANAN. Mr. Chairman, on the 6th day of December last the President of the United States transmitted to Congress his annual message. Unlike all preceding ones, it dealt with but a single phase of public affairs, as if thereby to emphasize the importance of that phase. The opening words of that message were:

To the Congress of the United States:

You are confronted at the threshold of your legislative duties with a condition of the national finances which imperatively demands immediate and careful consideration.

The amount of money annually exacted, through the operation of present laws, from the industries and necessities of the people, largely exceeds the sum necessary to meet the expenses of the Government.

And then, after some general observations as to the wrongs done by such a situation, he earnestly warns Congress of the necessity for immediate action. He says:

This condition of our Treasury is not altogether new; and it has more than once of late been submitted to the people's representatives in the Congress, who alone can apply a remedy. And yet the situation still continues, with aggravated incidents, more than ever presaging financial convulsion and widespread disaster.

It will not do to neglect this situation because its dangers are not now palpably imminent and apparent. They exist none the less certainly, and await the unforeseen and unexpected occasion when suddenly they will be precipitated upon us.

These words came with especial force to this House. By the Constitution all revenue bills must originate in the House of Representatives. The Senate can only amend or alter bills of this character after they have reached it from the House. It can not originate. Here and here alone must initial action be taken, and here and here alone is lodged the responsibility for such action. Has that action been either immediate or wise?

DELAY IN LEGISLATION.

More than four months have passed and no measure looking to any avoidance of the dangers described by the President has yet been brought to a vote. His friends are in a majority here. They control all the committees and have charge of and are responsible for legislation or the lack of it. What has been done? The Speaker was elected to that office on the 5th of December last.

He had presided over the two preceding Congresses, and was familiar with all the rules and methods of procedure. Nearly two-thirds in number of the members of this Congress had also been members of the preceding Congress, and he must have known their qualifications and capabilities; yet week after week went by and no committees were announced save on Rules and Elections. Day by day the House met, read the Journal, and adjourned. December 6, the day the message was read, it was in session just one hour and fifty minutes. December 7 it did not sit at all. December 8 it sat fifteen minutes. To throw it into tabular form, the duration of the sittings during the month of December appears, on the authority of the RECORD, as follows:

Tuesday, December 6, one hour and fifty minutes.
Wednesday, December 7, no session.
Thursday, December 8, fifteen minutes.
Friday, December 9, no session.
Saturday, December 10, no session.
Monday, December 12, one hour and twenty minutes.
Tuesday, December 13, one hour and five minutes.
Wednesday, December 14, no session.
Thursday, December 15, no session.
Friday, December 16, forty-five minutes.
Saturday, December 17, no session.
Monday, December 19, two hours and four minutes.
Tuesday, December 20, twelve minutes.
Wednesday, December 21, one hour and thirty-seven minutes.
Thursday, December 22, one hour and twelve minutes.

And on the last-named day an adjournment was had until January 4, 1888. It will be seen that for the whole of the first month of the session the House sat just ten hours and two minutes in all. The RECORD also shows that almost invariably the motions to adjourn were made by the gentleman from Texas [Mr. MILLS], who is now chairman of the Committee on Ways and Means—the committee to whose charge is referred all proposed revenue legislation.

Upon reassembling, January 4, 1888, the Speaker was not yet ready with his committees, and the day was spent in the introduction of bills, the House remaining in session four hours and forty-eight minutes for that purpose, and transacting no other business of any moment. January 5, just one month from the time of first meeting, the committees were announced, and after a session of one hour and ten minutes the House celebrated this advance toward legislation by adjourning over until the 9th. On the 9th it surprised itself and the country by sitting five hours and five minutes; but again on the 10th it sat less than two hours. After that the committees soon began to report measures for action, and after nearly one month and a half of the session had been wasted, it settled down to the consideration of business, and its sessions have been long and busy.

And yet, after all this delay, no measure was brought before us intended to relieve the situation portrayed by the President in the words I have quoted.

COMPOSITION OF COMMITTEE ON WAYS AND MEANS.

All matters affecting the revenue go, under the rules, to the Committee on Ways and Means, and if reported at all must be reported by that committee. In short, to it is referred, and from it must come, all proposed legislation having reference to duties on imports or affecting the internal revenue. It will be seen at a glance that it has a great power over the business interests of the country. The majority of that committee can by their votes report or withhold measures of the last importance to these interests, and it may be instructive to notice, in passing, to what extent, if any, the business and industrial interests of the country have received recognition in the selection of the members composing that majority.

They are ROGER Q. MILLS, of Corsicana, Tex.; BENTON MCMILLIN, of Carthage, Tenn.; CLIFTON R. BRECKINRIDGE, of Pine Bluff, Ark.; W. C. P. BRECKINRIDGE, of Lexington, Ky.; HENRY G. TURNER, of Quitman, Ga.; WILLIAM L. WILSON, of Charlestown, W. Va.; WILLIAM L. SCOTT, of Erie, Pa.; and WILLIAM D. BYNUM, of Indianapolis, Ind. Yes, Corsicana, and Carthage, Quitman and Pine Bluff are there, but where are Lowell and Manchester, and New York and Troy, and Newark and Birmingham, and Philadelphia and Pittsburgh? Either represented by the minority, or not at all. Take it in a larger sense, and where do we find the interests of the great States of New York, Ohio, Illinois, of the great Northwest, and of all New England, cared for? Not one member of the majority do they have.

Is this a mere coincidence? Were there no political friends of the majority in those sections? Where are COLLINS, of Massachusetts, COCKRAN, of New York, MCADOO, of New Jersey, RANDALL, of Pennsylvania, FORAN and SENEY, of Ohio, CHIPMAN, of Michigan, MANSUR, of Missouri, and WILSON, of Minnesota—all among the ablest men in this House, and all members of the majority? True these interests have representation on the minority in the persons of KELLEY, of Pennsylvania, BROWNE, of Indiana, REED, of Maine, MCKINLEY, of Ohio, and BURROWS, of Michigan; but these men, able and true as they are, are but five out of thirteen, and are outvoted on every motion. No, no; it was not a mere coincidence. The sentiments of the members of the majority upon the subject of free trade were well known prior to their selection. In a speech made in this House one of them had declared that "protection was the very debauchery of government;" and the others were all known to be opposed to protection as a policy, the chairman [Mr. MILLS] having, April 14, 1884, in a speech in the House, declared unreservedly for "free trade." (See CONGRESSIONAL RECORD, vol. 66, page 2991.)

INTERESTS REPRESENTED BY THE COMMITTEE.

That at least six of the members of the majority should have no deep and active special interest in the welfare of those who toil at the bench, the forge, or the loom, in the mine, or in the workshop, may be inferred from a consideration of a few facts afforded us by the census reports of 1880. I have taken the counties composing the present respective districts of these gentlemen, and have tabulated the number of industrial establishments of all kinds, including saw-mills, grist-mills, distilleries, and the like, the capital invested, the number of employés, and the annual sum paid for wages, and arranged the totals by districts, as follows:

District.	Establishments.	Capital.	Output.	Employés.	Wages.
Mills	241	$552,837	$1,152,810	867	$151,530
McMillin	415	734,464	1,595,837	1,013	155,414
Breckinridge (Arkansas)	198	466,765	827,372	670	109,945
Breckinridge (Kentucky)	626	3,755,107	5,780,292	2,252	754,794
Turner	228	519,024	1,222,675	1,148	189,032
Wilson	842	3,043,295	.....	2,613	575,178
Total	.....	9,071,392	.....	8,563	1,935,893

It should be stated that more than one-half of the output in Mr. MILLS's district is from grist-mills. In Mr. MCMILLIN'S district grist and saw mills form the bulk of the establishments, there being one cotton-mill, employing 100 hands and paying $18,000 in wages. The output in the district of Mr. BRECKINRIDGE, of Kentucky, is shown by these same census reports to be nearly two-fifths whisky, while that of the district of Mr. TURNER is about one-half the products of saw and grist mills. It will be noticed that the aggregate of persons employed is 8,563, and of annual wages paid $1,935,893.

If we add to these figures the 8,001 persons employed in industrial establishments in Mr. SCOTT'S district, whose annual wages were $2,650,000, and the 11,194 persons so employed in Mr. BYNUM'S district, with their annual aggregate wages of $4,205,242, we have for the eight districts represented by these majority members an aggregate of 27,758 persons and of $8,791,135 in annual wages—an average of about 3,470 persons and $1,100,000 annual wages to a district.

COMPARISON WITH THE SECOND DISTRICT OF NEW JERSEY.

Of course there has been, naturally, some increase since 1880; but allowing for this, the comparison I am about to make remains highly suggestive. Last month I addressed letters to the cashiers of the four banks in my own city—Trenton, N. J.—asking for information as to the amounts checked out each week from them for pay-roll purposes by manufacturing establishments keeping their accounts with them. The city has but about 60,000 inhabitants, and only the larger establishments check out sums especially for this purpose. I have the replies from these four banks, and I find that the sum so paid by them amounts to the yearly sum of $6,901,659, or nearly 79 per cent. of the whole amount paid out in 1880 in all of those eight districts, and more than three and one-half times the amount paid out in the whole of the six districts. One bank alone, in that one city, paid out to one industry—iron—$1,270,059; a sum about two-thirds as large as the whole sum paid out in the whole of the six districts. Take all the other industrial establishments in my district and I have good reason to believe that the annual sum for wages paid therein exceeds the total annual amount paid in the combined eight districts represented by the majority members of that committee.

This committee had before it almost from the day of its appointment

bills affecting the revenue, but for months it considered none in the full committee.

A BILL FINALLY REPORTED.

Finally the chairman produced to the committee in full session a bill which, with slight amendment, was, on the 2d day of April, nearly four months after the utterance of the Presidential warning, reported to the House.

The parentage of that bill is unknown. The authors of its being have not yet felt proud enough of their offspring to claim their own. Even its birth-place is uncertain. Whether it came into existence in some dark cellar of the Capitol, attended by free-trade theorists and interested importers, or in some out-of-the-way place in the Treasury building, by clerks hired and paid by the nation to do other work, or in some back room at some hotel, while members of this House pored over Adam Smith, Frank Hurd's speeches, and Cobden Club tracts, and Kentucky inspiration flowed free, it has not yet been vouchsafed for us to know.

As to the manner of its introduction to and consideration in the committee, the minority inform us in no hesitating or uncertain terms. They say, in the terse, clear words of Mr. MCKINLEY:

The extraordinary manner in which this bill came to the committee and the total lack of consideration given to so grave a measure by those charged with its investigation demand notice and comment. It was fashioned outside of the committee and reached it not by the reference of the House, which is the usual channel through which committees obtain jurisdiction of a subject. It was presented ready-made by the chairman of the committee, was framed, completed, and printed without the knowledge of the minority and without consideration or discussion in the full committee.

If any consultations were held the minority were excluded. Thus originating, after three months of the session had gone, it was submitted to the committee. Since there has been no consideration of it. Every effort upon the part of the minority to obtain from the majority the facts and information upon which they constructed the bill proved unavailing; a resolution to refer the bill to the Secretary of the Treasury for a statement of its probable effects upon the revenue, together with a statistical abstract, which would facilitate its consideration by the committee and the House, was voted down by a strict party vote.

The industries of the country, located in every section of the Union, representing vast interests closely related to the prosperity of the country, touching practically every home and fireside in the land, and which were to be affected by the bill, were denied a hearing, and the majority shut the doors of the committee against all examinations of producers, consumers, and experts, whose testimony might have enlightened the committee. The farmers, whose investments and products were to be disastrously dealt with, were denied an opportunity to address the committee.

The workingmen of the country, whose wages were at stake, were denied audience. The Representatives on the floor of the House were not permitted to voice the wants of their constituents. Proposing a grave measure which would affect all of the people in their employments, their labor, and their incomes, the majority persistently refused the people the right of hearing and discussion; denied them the simple privilege of presenting reasons and arguments against their proposed action.

These words are none too severe, and, to my personal knowledge, are literally true. Some of my constituents, deeply affected by the bill, desired a hearing. I applied for it in their behalf and a hearing was denied. Many others did likewise only to meet with a flat refusal. Then petitions began to come to us from manufacturers, farmers, operatives, and others affected by the bill, and the only means we had of securing any attention to these petitions was by having them printed, by unanimous consent, in the RECORD. As these petitions exposed the injustice and inconsistencies of the bill, some of the members of the majority, with what certainly had the semblance of a vindictive exercise of a little brief power, objected, and the last parliamentary way of bringing these petitions to the attention of the country and the House was gone, and the boasted "right of petition" became a hollow mockery.

But by whatever devious ways it came, the bill is here at last. The action has not been immediate, and we take up the second branch of our inquiry—has it been wise?

POLICY IN THE PAST.

In the consideration of this question we will refer to our policy in the past and its effect upon our growth and prosperity, then consider the present situation, and then examine the general and special features of the bill, and see whether they comport with the policy of the past and meet the exigencies of the present.

That by some means the expenses of maintaining the General Government must be raised needs no demonstration. Money must be had for that purpose. One method of raising this money is by a direct tax, whether levied upon each person, his property, or the product of his business or of his labor, and whether denominated stamp, income, excise, or internal-revenue tax. The other is by imposing duties on imports.

The opponents of customs duties are fond of calling them "tariff taxes," but if we did not have these we would be compelled to have the other. If you repeal the customs duties at once you necessitate the levying of a tax upon each person for the support of the General Government.

Our fathers early favored the laying of customs duties. Not only were the funds needed for the support of the Government readily procured thereby, but also our home industries were to that extent protected against the competition of foreign manufactures. The second act passed at the first session of the First Congress, and approved July 4, 1789, was "An act for laying a duty on goods, wares, and merchandise imported into the United States," and levied such duties.

Washington, in his first annual message, January 8, 1790, said:

A free people ought not only to be armed, but disciplined, to which end a uniform and well-digested plan is requisite, and their safety and interest require that they should promote such manufactories as tend to render them independent on others for essential, particularly military, supplies.

The advancement of agriculture, commerce, and manufactures, by all proper means, will not, I trust, need recommendation, but I can not forbear intimating to you the expediency of giving effectual encouragement, as well as to the introduction of new and useful inventions from abroad, as to the exertions of skill and genius in producing them at home.

Jefferson, in his first annual message, December 8, 1801, said:

Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption in a ratio far beyond that of population alone, and though the changes of foreign relations now taking place so desirably for the world may for a season affect this branch of revenue, yet weighing all probabilities of expense as well as of income, there is reasonable ground of confidence that we may now safely dispense with all the internal taxes, comprehending excises, stamps, auctions, licenses, carriages, and refined sugars, to which the postage on newspapers may be added to facilitate the progress of information, and that the remaining sources of revenue will be sufficient to provide for the support of Government, to pay the interest of the public debts, and to discharge the principals in shorter periods than the laws or the general expectation had contemplated.

And in his second annual message, December 15, 1802, he says:

To cultivate peace and maintain commerce and navigation in all their lawful enterprises, to foster our fisheries and nurseries of navigation and for the nurture of man, and protect the manufactures adapted to our circumstances; to preserve the faith of the nation by an exact discharge of its debts and contracts, expend the public money with the same care and economy we would practice with our own, and impose on our citizens no unnecessary burden; to keep in all things within the pale of our constitutional powers, and cherish the Federal Union as the only rock of safety—these, fellow-citizens, are the landmarks by which we are to guide ourselves in all our proceedings.

In his second inaugural, March 4, 1805, he says:

The remaining revenue on the consumption of foreign articles is paid cheerfully by those who can afford to add foreign luxuries to domestic comforts, being collected on our seaboard and frontiers only, and incorporated with the transactions of our mercantile citizens. It may be the pleasure and pride of an American to ask, what farmer, what mechanic, what laborer, ever sees a tax-gatherer of the United States?

And in a letter to Benjamin Austin, of Boston, Mass., 1816, he uses these words:

The general inquiry now is, shall we make our own comforts or go without them at the will of a foreign nation? He therefore, who is now against domestic manufactures must be for reducing us either to a dependence upon that nation or to be clothed in skins and live like beasts in dens and caverns. I am proud to say I am not one of these. Experience has taught me that manufactures are now as necessary to our independence as to our comfort.

Mr. Speaker, Thomas Jefferson, urging the abolition of the internal-revenue taxes, and the retention of the customs duties instead, and recommending the encouragement of American manufactures, would have been denied a hearing before the Ways and Means Committee of this House.

Madison, in his special message, May 23, 1809, uses this language:

The revision of our public commercial laws, proper to adapt them to the arrangement which has taken place with Great Britain, will doubtless engage the early attention of Congress. It will be worthy, at the same time, of their just and provident care to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have been recently instituted or extended by the laudable exertions of our citizens.

And in his first annual message, November 29, 1809, in speaking of the condition of the country, he says:

In a cultivation of the materials, and the extension of useful manufactures, more especially in the general application to household fabrics, we behold a rapid diminution of our dependence on foreign supplies.

Madison again refers to this in his second annual message, December 5, 1810:

I feel particular satisfaction in remarking that an interior view of our country presents us with grateful proofs of its substantial and increasing prosperity. To a thriving agriculture and the improvements relating to it is added a highly interesting extension of useful manufactures, the combined product of professional occupations and of household industry.

Such, indeed, is the experience of economy, as well as of policy, in these substitutes for supplies heretofore obtained by foreign commerce, that in a national view the change is justly regarded as of itself more than a recompense for those privations and losses resulting from foreign injustice which furnished the general impulse required for its accomplishment.

How far it may be expedient to guard the infancy of this improvement in the distribution of labor by regulations of the commercial tariff, is a subject which can not fail to suggest itself to your patriotic reflections.

Passing over the utterances as decided in his third and fifth annual messages, I read from his special message of February 20, 1815, as follows:

But there is no subject that can enter with greater force and merit into the deliberations of Congress than a consideration of the means to preserve and promote the manufactures which have sprung into existence and attained an unparalleled maturity throughout the United States during the period of the European wars. This source of national independence and wealth I anxiously recommend, therefore, to the prompt and constant guardianship of Congress.

Monroe was just as decided in his utterances. In his inaugural, March 5, 1817, he says:

Our manufactures will likewise require the systematic and fostering care of the Government. Possessing, as we do, all the raw materials, the fruit of our own soil and industry, we ought not to depend in the degree we have done on supplies from other countries. While we are thus dependent, the sudden event of war, unsought and unexpected, can not fail to plunge us into the most serious difficulties. It is most important, too, that the capital which nourishes our manufactures should be domestic, as its influence in that case, instead of exhausting, as it may do in foreign hands, would be felt advantageously on agriculture and every other branch of industry. Equally important is it to provide at home a market for our raw materials, as by extending the competition it

will enhance the price and protect the cultivator against the casualties incident to foreign markets. * * *

And in his first annual message, December 2, 1817, he reiterates these views:

Our manufactories will require the continued attention of Congress. The capital employed in them is considerable, and the knowledge required in the machinery and fabric of all the most useful manufactures is of great value. Their preservation, which depends on due encouragement, is connected with the high interests of the nation. * * *

Subsequent messages speak in the same tone, and in his seventh, December 2, 1823, he speaks as follows:

Having communicated my views to Congress, at the commencement of the last session, respecting the encouragement which ought to be given to our manufactures, and the principle on which it should be founded, I have only to add that those views remain unchanged, and that the present state of those countries with which we have the most immediate political relations and greatest commercial intercourse tends to confirm them. Under this impression I recommend a review of the tariff for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defense and independence of the country.

From the fourth annual message of John Q. Adams, December 2, 1828, I quote:

The great interests of an agricultural, commercial, and manufacturing nation are so linked in union together that no permanent cause of prosperity to one of them can operate without extending its influence to the others.

And again:

As yet no symptoms of diminution are perceptible in the receipts of the Treasury. As yet little addition of cost has even been experienced upon the article burdened with heavier duties by the last tariff. The domestic manufacturer supplies the same or a kindred article at a diminished price, and the consumer pays the same tribute to the labor of his own countryman which he must otherwise have paid to foreign industry and toil.

In the second annual message of Andrew Jackson, December 7, 1830, occur the following words:

The power to impose duties on imports originally belonged to the several States. The right to adjust those duties with a view to the encouragement of domestic branches of industry is so completely identical with that power that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the General Government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them; and consequently, if it be not possessed by the General Government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely can not be the case; this indispensable power, thus surrendered by the States, must be within the scope of the authority on the subject expressly delegated to Congress. In this conclusion I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States, and the general understanding of the people.

Andrew Jackson seems to have been convinced of the existence in Congress of the power to levy duties and adjust them "with a view to the encouragement of domestic branches of industry." In fact, he had before this given quite plain expression to his views. In a letter to Col. Robert Patterson, of Philadelphia, dated May 17, 1823, in acknowledging the present of a hat for Mrs. Jackson, made of American materials by American hands, he says:

Its workmanship, reflecting the highest credit upon the authors, will be regarded as an evidence of the perfection which our domestic manufactures may hereafter acquire if properly fostered and protected. Upon the success of our manufactures, as the handmaid of agriculture and commerce, depends in a great measure the independence of our country, and I assure you that none can feel more sensibly than I do the necessity of encouraging them.

In a letter to Dr. L. H. Coleman, of North Carolina, August 26, 1824, he says:

Heaven smiled upon and gave us liberty and independence. The same Providence has blessed us with the means of national independence and national defense. If we omit or refuse to use the gifts which He has extended to us we deserve not the continuance of His blessing. He has filled our mountains and our plains with minerals, with lead, iron, and copper, and given us a climate and soil for the growing of hemp and wool. These being the great materials of our national defense, they ought to have extended to them adequate and fair protection, that our manufacturers and laborers may be placed in a fair competition with those of Europe, and that we may have within our country a supply of these leading and important articles so essential to war. * * *

In short, sir, we have been too long subject to the policy of British merchants. It is time we should become a little more Americanized, and, instead of feeding paupers and laborers of England, feed our own; or else, in a short time, by continuing our present policy, we shall be paupers ourselves.

Sir, in these latter days a newer light seems to have arisen from the plains of Texas, and we are told that "protection is the very debauchery of government." Between these two statesmen, Andrew Jackson and ROGER Q. MILLS, I prefer to follow Jackson, and especially when Jackson is re-enforced, as he himself says, by Washington, Jefferson, Madison, and Monroe.

Then came the cry that the tariff then in force bore unequally on different sections, and readjustments from time to time were made, resulting sometimes in higher, sometimes in lower rates. But through all these variations the revenue needed for governmental purposes was raised by the customs duties without the levying of internal or direct taxes, except in times of great public emergency. With the war of the rebellion came the demand for enormous sums of money and the reimposition of the internal taxes. This reimposition was distinctively a war measure, and with the close of the war and the gradual reduction of the public debt came a gradual return to the old policy, and one by one the internal taxes have been repealed, until now but two (save the small one imposed on oleomargarine) remain.

RESULTS OF THIS POLICY.

This has been the policy in the past. Of the results of that policy, as shown in the growth and prosperity of the country under its operation, I now speak. I select the period from 1860 to the present for the reason that during that interval the customs duties were much higher, and more uninterruptedly so, than at any other period, and may therefore properly be said to have been more active in their operation upon the nation's affairs than at any other time. If it be found that during that period the nation has suffered in prosperity and been retarded in her growth it would be fair to assume that this active agency is responsible.

If, on the other hand, it be found that during that period our country's growth and prosperity has been unparalleled in her history, ought not this policy of protection to have the credit? And in dealing with this period we must remember that the United States Government began the year 1861 with no money in its Treasury, with its bonds begging for purchasers at a price below par, and with a gigantic civil war upon its hands. We must remember that, aside from the vast expenditure of means and destruction of property on the Southern side of that strife, it cost the Government over $3,000,000,000 to subdue the rebellion, and entailed a large mortgage upon the resources of the country in the payment of the annual interest upon the national debt. We must remember, too, that it was during this period that for four years millions of able-bodied men were withdrawn from industrial pursuits and, clad in the habiliaments of war, became consumers and not producers of national resources and products.

Spofford's American Almanac for the year 1888, compiled by the accomplished Librarian of Congress, gives the estimated true valuation of the property, real and personal, in the United States for the year 1860 at $16,159,616,068, and for the year 1880 (the latest given) at $43,642,000,000. The amount to each person in 1860 was $514. In 1880 it was $870. During the same period the population increased from 31,443,321 to 50,155,783; thus showing, not only a large increase in numbers, but a still greater proportionate increase in average wealth. The total number of farms in 1860 was 2,044,077, with an acreage of 163,110,720 improved. In 1880 it was 4,008,907, with an acreage of 284,771,042 improved.

The value of the production for 1860 I have not at hand, and therefore can make no comparison, but the quantity produced of the three staple crops compares as follows:

	Corn.	Wheat.	Oats.
	Bushels.	*Bushels.*	*Bushels.*
1860	838,792,742	173,104,924	172,643,185
1880	1,754,861,535	459,479,565	407,858,990

The total aggregate value of our manufactures for 1860 was $1,885,861,676. For 1880 it was $5,369,667,706. In 1860 we had 30,635 miles of railway, in 1880 93,349 miles, and in 1887 148,987 miles, of which 11,000 miles were built the past year. I can not give the number of miles of telegraph lines for 1860 accurately, but it was somewhere near 30,000 miles. In 1887 Mr. Spofford estimates it to exceed 180,000 miles, not of wire but of line, beside railway, Government, private, and telephone lines, length not ascertainable. The length of wire will exceed three-quarters of a million of miles.

We are now producing (I state it approximately) one-fourth of the lead, one-fourth of the copper, one-third of the zinc, one-third of the silver, one-third of the gold, one-fourth of the coal, one-third of the pig-iron, two-fifths of the steel ingots, and nearly one-half of the steel rails of the world's production.

In our trade with other nations we now sell them more than we buy. From 1848 to 1860, under low tariff, the balance against us aggregated nearly $400,000,000, and had to be paid in gold and silver. Under the high tariff of 1861, as soon as we had measurably repaired the waste of the war, the tide turned, and from 1873 to 1887 the balance in our favor of commodities bought and sold has been about $1,582,088,000. The deposits in savings-banks afford a significant indication of the smaller savings of the people. In 1887 3,418,013 persons deposited $1,235,247,371 of savings, averaging $361.39 to each person.

But these statistics, though they speak of a progress as wonderful as the magic of Aladdin's lamp, can not be continued. Time presses, and I sum them all up in the opening words of Carnegie's "Triumphant Democracy:"

The old nations of the earth creep on at a snail's pace; the Republic thunders past with the rush of the express. The United States, the growth of a single century, has already reached the foremost rank among nations, and is destined soon to out-distance all others in the race.

I know that the opponents of a protective system claim that all this growth has not been the result of such a policy, but in spite of it, and that we should have done much better as a nation under another policy. But it can not be denied that we have had this policy, and with it the nation has had this growth. The era of greatest growth has been cotemporaneous with the period of greatest protection. Is it not the

part of wise and enlightened statesmanship to seek to preserve the conditions under which such growth has been achieved rather than to destroy them for we know not what?

PLAN OF THE PRESIDENT—HOW RECEIVED BY OUR RIVALS.

And now, as to the present situation. The President has given us his views as to the proper course to be pursued in securing a reduction in the amount of revenue flowing into the Treasury.

Unlike Jefferson, he does not advocate the repeal of the internal revenue laws. Unlike Jackson, he manifests no deep concern that we should feed our laborers rather than those of another country; but characterizing our tariff laws as "the vicious, inequitable, and illogical source of unnecessary taxation," he advises that the duties thereunder should be lowered, and in some instances abolished altogether.

The Scotchman's advice, "See what your opponent wants you to do and then don't do it," is often a good rule to follow. It is well known that England aspires to be the workshop of the world. Her limited area forbids her supporting all her population by agriculture alone. She must make goods and sell them to other nations. It is necessary to her existence as a first-class power. She is not to be censured for this; and yet it makes her our commercial and manufacturing rival, and each indication here of an increased market for her goods is watched for with eagerness and hailed with delight. How did she receive this recommendation of the President of the United States? Let her newspapers answer. I read a few of many extracts:

[From the London Saturday Review.]

President Cleveland declines cautiously to dub himself a free-trader; but he caters up a free-trade position without disguise.

[From the London Pall Mall Gazette.]

English free-traders would be well advised if they moderated the ecstacy of their jubilation over President Cleveland's message. Every word which they say in its favor will be used as a powerful argument against the adoption of its recommendations.

[From the Chronicle, London.]

It is many years since such an important and suggestive message has been sent to Congress. If the policy of President Cleveland is adopted its effect on the trade of the world can not fail to be immense.

Another paper says:

The consensus of opinion is that should Congress adopt the suggestions so unequivocally made by Mr. Cleveland the first effect would be beneficial to a large number of English industries.

The London Saturday Review again says:

Nothing can be more explicit than the President's language. "The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury." In America this means free trade.

The London Times says:

It is calculated that to give effect to Mr. Cleveland's policy duties to the amount of some £16,000,000 a year, about two-fifths of the entire customs revenue, must be surrendered. This operation may not establish free trade in the strict sense of the term, but it will to a great extent make trade free.

The London Post says:

We shall be much mistaken if the effect of this state communication will not be to strengthen considerably the case of free-traders in all parts of the world. It will be regarded as a step in the right direction by all who believe in the soundness of free-trade principles.

In two leading articles the London Colliery Guardian for December 16 says:

No event of greater magnitude has occurred in the iron, steel, and mining industries for a long time past than the proposal which is now made to effect a radical change in the fiscal policy of the United States. America has been of immense value as a market to the trade of this country. The effect which, on iron and steel making, the bare possibility even of the admittance of raw material free of duty, together with reductions in the duties of some descriptions of iron and steel, has produced upon our exchanges is a portent in itself. The Scotch warrant-holders took greater advantage of the occurrence than even the probabilities authorized. If President Cleveland should be able to carry out his plan for admission into America free of duty, one of the first effects which would be produced on the English iron trade would be the transference of much of the enormous stocks of pig in the Scotch and Cleveland markets to United States ports. Shipments of hematites from Scotland and from the west coast of England would also increase. The iron-ore mines of Lancashire and West Cumberland would be certain to do a greatly enlarged trade with the United States.

The future course of events will be watched with considerable interest by the British iron trade. It is, after all, circumstances which guide the destinies of nations, and it appears to us that the present circumstances favor the adoption by Congress of Mr. Cleveland's proposals for reducing import duties. If the duties now levied upon British rails entering American ports should be reduced to any appreciable extent, the reduction may exert a happy influence upon the British rail trade. Even as matters now stand, English rails have found some favor with American railroad companies during the last few months, and there can be little doubt that they will come into extended use in the United States if the adoption in whole or in part of Mr. Cleveland's views makes them more readily available for American consumption.

In an article on "The Coal Trade in 1887 and its Prospects for 1888," the London Times says:

If President Cleveland's tariff reforms are carried, English goods and iron and steel largely will go to the States in greatly increased proportions.

These extracts might be multiplied, but sufficient have been given to show the spirit in which our most eager competitor for our own markets receives the suggestions of the President.

THE EXISTING SURPLUS—ITS AMOUNT, AED OF WHAT COMPOSED.

There is a surplus in the Treasury and that surplus is accumulating month by month. If that surplus is of actual available cash, the President is correct in saying that such a surplus is dangerous. Money is the life-blood of business. If it congests in any one spot, derangement and danger follow. The money of the country should be in active circulation, and not lying idle in the Treasury. If cash has there accumulated beyond the probable needs of the Government, measures should be taken to put it into active circulation and to guard against future accumulation. What are the facts? So many statements have been made as to the amount of this surplus, varying so largely in amount, and so much stress has been laid upon the important part it plays in necessitating revenue legislation, that I have been at some pains to ascertain the exact facts in detail. I have here the "statement of the assets and liabilities of the Treasury of the United States" as they existed March 31, 1888, made by "James W. Hyatt, Treasurer United States."

I have reduced this statement to a plain, every-day balance-sheet, and it shows the following

ASSETS.

Gold coin	$189,604,374.24	
Gold bullion	121,167,828.39	
Silver dollars	232,037,274.00	
Silver bullion	3,375,953.09	
United States notes	33,085,622.59	
Trade-dollar bullion	6,649,022.82	
National-bank notes	253,821.00	
Interest and coupons prepaid	61,497.10	
National-bank notes for redemption	5,069,965.64	
Interest paid on District of Columbia bonds	4,120.10	
Minor coin	186,548.55	
Fractional silver coin	25,752,828.20	
Total in Treasury		$617,062,307.17
Add, deposited in national banks		61,231,647.36
Total Treasury assets		678,293,954.53

LIABILITIES.

Gold certificates outstanding	$91,953,949.00	
Silver certificates outstanding	191,526,445.00	
United States notes	8,915,000.00	
Interest due and unpaid	1,898,401.21	
Accrued interest	8,295,501.65	
Matured debt	2,688,795.26	
Interest on matured debt	171,556.72	
Debt bearing no interest	983.64	
Interest on Pacific Railroad bonds unpaid	35,369.96	
Accrued interest on same	969,352.68	
		306,455,355.12
Balance actually in Treasury		371,838,599.41

But we must deduct from this:

Reserve for redemption of United States notes, acts of 1875 and 1882	$100,000,000.00	
Fund held for redemption of notes of national banks "failed," "in liquidation," and "reducing circulation"	96,780,915.30	
Five per cent. fund for redemption of national-bank notes	7,481,669.49	
National-bank notes in process of redemption:		
Post-Office Department account	4,496,378.45	
Disbursing officers' balances	27,014,402.38	
Undistributed assets of failed national banks	2,268,542.20	
Currency and minor coin redemption account	620.00	
Fractional silver coin redemption account	1,900.00	
Redemption and exchange account	516,175.23	
Treasurer's transfer checks and drafts outstanding	2,792,820.71	
Treasurer United States, agent for paying interest on District of Columbia bonds	158,414.11	
		241,511,840.87
Balance after all deductions		130,326,758.54

This is the exact balance as shown by the official statement, and a casual glance at this balance might lead one to suppose that this amount of actual cash was on that day, in fact, locked up in the Treasury vaults. But it will be observed that among the assets is included the sum of $61,231,647.36 deposited by the Treasury in national-bank depositories. This money is in actual circulation, and, at all events, is not lying idle in the vaults of the Government. Deduct this from the $130,326,758.54 and it leaves the sum of $69,095,111.18 in value actually in the vaults in excess of the requirements of the redemption funds and current obligations. (Here let it be noted that this statement of the Treasurer does not include in the liability column, nor does he make any mention of, the $346,600,000 outstanding legal-tenders, nor of the $7,000,000 fractional currency also outstanding, and all redeemable on demand, nor of the $1,050,000,000 of bonded indebtedness, but I have confined myself to the consideration of the statement exactly as he puts it forth, as one of current receipts and liabilities.)

THIS BALANCE IS BULLION, NOT CURRENT FUNDS.

Heretofore we have assumed that this balance of $130,326,758.54 is in actual current funds, whether locked up in the Treasury or whether loaned to the banks. But is this in fact so? Look again at the table, and you will notice that included in the assets is $121,167,828.39 of gold bullion, and $3,375,953.09 of silver bullion, aggregating $124,543,781.48. That bullion is not actual coin and never was. It never circulated from hand to hand as money. Deduct this from the Treasurer's balance, $130,326,751.54, and we have remaining $5,782,977.06. But further, we find among the assets $6,649,022.82 of "trade-dollar bullion." This is not current money, and for several years before its redemption did not circulate as money. Add this to the $124,543,781.48 of gold and silver bullion and the aggregate is $131,192,804.40—

a sum $866,045.76 in excess of the Treasurer's balance. In other words, the items of "bullion" in the assets, alone, exceed the balance found. Where did the Treasurer, in the light of these facts, we may well ask, get that $61,231,647.36 he loaned the banks without trenching upon his reserve funds or substituting bullion for cash, at least in part, therein?

The balance in the Treasury—the surplus we hear so much about—is not in current funds. But we are told there is money there. Of course there is. April 1st $189,604,374.04 of gold coin was there; but against this the Government had issued and put into circulation, and is liable at any time to be called upon to redeem, gold certificates to the amount of $91,953,949. The silver dollars there amounted to $232,037,274; but against this had been issued $191,526,445 of silver certificates. These gold and silver certificates circulate as money in the stead of the coin in the vaults which they represent. The balance of coin over all these certificates is $138,161,254.24, which, as the statement shows, is required with the United States notes, deposits in the banks, minor coin, and a part of the bullion, to meet matured liabilities and maintain the required reserve funds.

To sum it all up, the gold, silver, and trade-dollar bullion, comprising a portion of the assets and aggregating $131,192,804.30, and in no sense "circulating medium," exceed by $866,045.76 the balance of $130,326,758.54 reported by the Treasurer. And of this balance so reported $61,231,647.36 has been loaned to the banks—is not in the vaults, but is in active circulation.

In the light of these facts, gathered exclusively from the official statement, what becomes of the Presidential warning of the dangers attendant upon "a withdrawal from use of the people's circulating medium?"

THE BULLION SHOULE BE COINED.

But, if there has been in fact no such withdrawal of "the people's circulating medium," the fact remains that there is in the Treasury bullion uncoined and not in use. Although it has never been a circulating medium, and its accumulation there has not disturbed the nation's supply of money, and could not, therefore, be the cause of impending commercial disaster, let us be entirely fair and admit that it is capable of being coined, and, if disbursed by the Treasury, of adding to the world's stock of money. I say unhesitatingly it ought to be so coined, and it should be put in circulation. As long as it lies in the Treasury vaults it is as useless as if still buried in California's hills and Nevada's mountains. Though not coin, it is wealth, and should be used either as coin or by its representatives, gold and silver certificates.

AMOUNT OF ANNUAL SURPLUS.

But this is not all of the situation as regards the Treasury. For some time past the revenues of the Government have exceeded its expenditures. As payment was made upon the principal of the public debt the interest charge was diminished, and with the refunding of the remainder at a lower rate of interest this charge was further reduced. In his message the President tells us, and I read his exact words:

> On the 30th day of June, 1885, the excess of revenues over public expenditures, after complying with the annual requirement of the sinking-fund act, was $17,859,735.84; during the year ended June 30, 1886, such excess amounted to $49,405,545.20; and during the year ended June 30, 1887, it reached the sum of $55,567,849.54.

So much loose talk about this excess of Treasury receipts over the needs of the Government has been indulged in that I have felt it necessary to give the figures as formulated by the President. I am content to accept them as accurate and to believe with him that as matters now stand there is such excess, and that such excess, under present conditions, is likely to continue and perhaps increase in volume.

THE REMEDY—MATTERS TO BE PREVIOUSLY CONSIDERED.

So much for the situation. Now as to the remedy. The President's plan is, as I have stated, to reduce this excess by reducing the customs duties alone. Judge KELLEY the other day reiterated his well-known belief that it should be reduced in accordance with the policy of the past, by reducing internal-revenue taxes. The bill before us proposes to reduce the excess by additions to the free-list, reduction of duties on some articles, and a partial repeal of the internal-revenue taxes on tobacco.

While these plans have their respective adherents, still others advocate taking advantage of this state of affairs to erect public works, increase the Navy, extend the postal facilities, encourage our commerce, and by a liberal and yet, as they claim, a wise expenditure put the nation alongside the progress of the age. Some of these objects certainly deserve serious consideration. With the improvement in ordnance as regards length of range and power of penetration our whole seaboard is practically defenseless, and hardly any one can be found to deny that at least a commencement toward adequate defenses should be attempted at the more important points. The condition of our Navy is well known to be deplorable. A few vessels are now in course of construction, but they will not be finished before the time when they will be needed to replace others which have been kept afloat only by the repeated expenditure from time to time of immense sums for repairs.

In my judgment we should have at least some additional swift cruisers of moderate size and ample speed, ever ready to visit any point where American interests or American honor may require. Additional vessels armored and adapted to harbor defense might be built, though it seems to be a question whether in the race between armor and ordnance it will not be eventually found that guns can be made which will fire projectiles capable of penetrating any armor that will float. Pending the solution of this problem it may be well to proceed slowly as to armored vessels, depending more upon torpedo boats and land defenses. Certainly, at any rate, it would seem to be the part of good statesmanship to carefully consider these subjects preliminary to any change in revenue legislation.

Now, as to the legislation proposed. It is intended, its friends tell us, to remedy the situation by correcting the inequalities of the present law, reducing the revenue, encouraging manufactures by giving cheaper materials, lessening the cost of goods to the customer, benefiting labor, and relieving the agricultural classes. After a careful examination of this bill, I am satisfied it will utterly fail in accomplishing any one of these objects.

THE BILL INCREASES INEQUALITIES.

Instead of correcting inequalities, I assert it increases them in number and amount. It is no careful, consistent, logical, business-like attempt to simplify, correct, and revise, made by men having a practical knowledge of the subjects dealt with, but selects articles here and there, increasing or cutting down on no discoverable logical basis.

The duty now upon pig-iron is $6.72 per long ton; steel rails now pay $17. This bill reduces the duty on pig-iron 72 cents and on rails $6. Tin plates and sheets are put upon the free-list. Tin-plates are not plates of tin, but are iron or steel plates coated with a thin covering of tin. The sheets used for this purpose are left by this bill at 30 per cent. duty. The proportion of tin to iron is not over 5 per cent. If the design were to have the tin only admitted free, it is sufficient to say that tin in ore, bar, block, or pig has been free ever since 1872. To charge an uncoated plate 30 per cent. and let it in free when coated with a free substance is certainly, to quote the words of the President already referred to, "vicious, inequitable, and illogical."

We have tin in abundance in Wyoming, Dakota, and California, the iron we have in a thousand hills, the oil needed in the manufacture we have in our cotton-seed, and yet the bill proposes to give this whole industry irrevocably to our foreign competitors. Hoop-iron, "not thinner than No. 20, wire-gauge," is put at 1.1 cents per pound, while "iron and steel cotton-ties or hoops for baling purposes, not thinner than No. 20, wire-gauge," being simply hoop-iron cut in lengths and looped at the ends, in fact advanced one stage further in manufacture, are put on the free-list.

In connection with this cotton-tie business I have learned a curious fact. Cotton has been selling in the bale by the producer at about 8 cents, and I state on authority of gentlemen engaged in the raising and selling of cotton that they sell it by gross weight, cotton, bagging, hoops, and all, so that for ties which cost 2 to 3 cents per pound they realize at least 8 cents per pound. I admit that at the other end of the line the English mills insist upon a tare, but the American mills do not. But going to the principle of the thing, why should a piece of iron around an oil barrel pay a duty when a similar piece around a cotton bale is free? It is "vicious, inequitable, and illogical."

Slabs and billets of steel at the present ad valorem rate pay about $8 per ton. This bill raises them to $11, while "round iron in coils or rods, less than seven-sixteenths of 1 inch in diameter, and bars or shapes of rolled iron, not specifically enumerated or provided for elsewhere," made from those billets, suffer a reduction of $4.48 per ton.

Steel in slabs is put at $11 per ton, as stated, while iron in slabs is put at seven-tenths of 1 cent per pound, equaling (all in long tons) $15.68 per ton. Again, while iron in slabs or blooms is rated at seven-tenths of 1 cent per pound, iron or steel beams, girders, joists, angles, etc., all in a much more advanced stage of manufacture, are put at six-tenths of 1 cent per pound, or $2.20 per ton less.

While iron and steel still pay duty, their most advanced form, sewing-needles, are placed on the free-list, and then, as if to crown all other inconsistencies in this line, sewing-machine needles are placed at 25 per cent. ad valorem.

Anchors, anvils, and heavy forgings pay 1½ cents per pound, while chains less than three-fourths of an inch in diameter, the product of hand labor, pay 1¼ cents per pound, or $5.60 per ton less. Oil-cloth foundations are put at precisely the same figure as the finished product. Verily, the words of the President, "vicious, inequitable, and illogical," are needed to describe this bill.

THE FREE LIST.

The additions to the free-list are made on no more logical bases. The so-called "raw materials," iron ore and bituminous coal, are not there. Those "necessaries of life," sugar and clothing, are not there; but hackled flax, burlaps over 60 inches in width, glue, gelatine, glycerine, potter's clays, paper-pulp, soap, wool, and other articles we produce here, and into the production of which labor largely enters, are placed on this free-list. Here, too, we find enjoying the favor of this Committee on Ways and Means chiccory, acorns, and dandelion root, "and all other articles used or intended to be used as coffee or substitutes therefor." These substances are frauds. They are used to adulterate our coffee, and are sold to us in our coffee and at coffee prices, and the committee might as well have provided for the admission free of spurious money.

Of the other additions to this list the principal are lumber, salt, and agricultural products, none raw materials, but all requiring labor to produce. Of the latter I will speak later on.

This free-list has been enlarged from time to time until now it reaches an amount not generally understood. In 1868 the goods admitted free amounted to $15,147,618. In 1887 the total was, for eleven months, $239,780,496, or about $260,000,000 for the year. For those eleven months the goods which paid duty amounted to $469,034,230, so that it appears that one-third of our imports already come in free.

WILL NOT REDUCE THE SURPLUS.

Reducing the rates on imports does not necessarily reduce the revenue. The Secretary of the Treasury has furnished tables showing the reduction this bill is expected to make, but all experience has shown that unless the reduction in rate be very great the increased importation resulting from the reduction will yield a yet larger revenue. A notable instance of this can be seen in the case of pottery ware in 1883, when, owing to an oversight in the law of 1883, there was for some three months a reduction in the rate, and the importations for that year, $8,000,000, exceeded by $2,000,000 any year before or since. The small reduction on wool by the same act was followed by an increase in duties on wool itself and four articles of its manufacture in three years of $11,465,503.

WILL NOT AID MANUFACTURES.

This bill will not aid manufacturers by giving them cheaper material. As I have shown, it positively advances the rates on some, and as to others the reduction in the rate on the product is greater than the reduction in the rate on material. The manufacturers do not want this bill. From all over the country they are sending in memorials and protests against it. The cotton spinners say:

The great reduction of rates in fine yarns will, if put in practice, rapidly increase importations, swell the revenue, and destroy existing industries at home.

The clay miners say:

We beg in the name of the capital invested in this industry, in the name of those owning clay farms, the clay miners, and the millers who prepare it for market, for the retention of the present tariff duty ($3 per ton) on this important American industry.

The salt-men say:

At present prices the entire cost to the American people for the salt they annually consume is but 8 cents per capita.

The rubber-men say:

If Mills's bill concerning these articles is adopted it will virtually destroy these industries.

The Roofers' Association say:

The majority report of Committee on Ways and Means, now before your honorable body, places tin-plate on the free-list, thus further increasing the inequalities and incongruities of the existing metal schedule, as shown above.

We therefore petition your honorable body to resist the placing of tin-plate on the free-list, and to correct the inconsistency and injustice, as described above, by raising the duties on tin-plate to be in harmony with other articles of the metal schedule.

The jute-bagging manufacturers say:

The bill reported from the committee proposes to abolish the duty on jute, and to reduce the tariff on manufactured bagging to 15 per cent. ad valorem from July 1, 1888. Based on Calcutta prices, this would make a duty of about seven-tenths of one cent per yard. The inevitable result of this provision would be to legislate out of existence every American manufacturer of bagging, to destroy five millions of capital invested in machinery on the faith of governmental policy, to throw out of employment the thousands engaged in this industry, not only depriving them of this means of livelihood, but sending their wages abroad to support labor foreign to our country, and at the same time to increase the Treasury surplus to the extent of the duties collected.

The potters say:

Previous to 1860 the United States had, practically, no white-ware potteries. The civil conflict and the incident high rate of exchange gave it an opportunity, and as a result it has grown into a great industry, producing yearly $8,000,000, distributed throughout the following States: Massachusetts, New York, New Jersey, Pennsylvania, Maryland, Ohio, West Virginia, Indiana, Illinois, drawing materials from Maine, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Ohio, Illinois, Indiana, Missouri, South Carolina, Georgia, Alabama, whose mines of coal, clay, flint, and feldspar have been developed and enriched thereby.

The importations for the fiscal year ending June 30, 1887, were nearly $6,000,000, dutiable value, and this has been in many instances very low. We estimate that the quantity of ware made in the United States is about equal to the amount imported, taking the year ending December 31, 1887. The number of hands employed in this industry direct will number 10,000 with nearly the same number working at the mines or in transporting the material to the potteries and thence to the markets of the country, a total of 20,000 people, two-thirds of whom have families dependent upon them, averaging five to the family, making a total of 67,000 people interested directly in the industry and affected by any legislation that tends to reduce the duties now levied, and indirectly the entire communities where potteries and mines are located.

Perhaps no business in the country requires so much capital to do a like amount of business. There is invested in this white-ware industry $8,000,000, and it annually produces about the same amount.

We can not believe that the Ways and Means Committee intend to injure this industry; but the classification and rates of duty, as proposed, would seriously cripple the business.

The proposed law makes most serious reductions here, and by a faulty reclassification will make still more serious ones in practice and allow wide scope for frauds in importations. Similar protests come from the flax and hemp spinners, the woolen-goods men, the carpet weavers, the iron mills, and every branch of industry.

DOES THE CONSUMER PAY THE DUTY!

It will not lessen the cost of goods to the consumer. The President in his message, speaking of our tariff laws, says:

These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles.

Do they? Well, let us see. Salt in barrels now pays 12 cents per 100 pounds. Salt sells at Saginaw for 60 cents per barrel of 280 pounds, including barrel at 20 cents. This would leave 40 cents for the salt. The duty on 280 pounds of salt would be within a fraction of 34 cents, leaving, if the President is correct, the salt if there were no duty at 6 cents for 280 pounds.

Cotton prints now pay 4½ cents per square yard. They can be bought of our mills here any day for a less sum. Who pays the duty there? Steel rails are selling in England for $24. The duty is $17. Added, these make $41. But the price here is $31 to $32. Who pays the $9 to $10 difference on each ton imported? It is the inevitable result of competition by home manufactories that the foreign producer consents to a smaller profit to retain, if possible, his market abroad.

As an instance of this cheapening of goods by competition under protective duties look at this advertisement clipped from a Philadelphia paper of April 8 instant:

This dinner-set, of the best American manufacture, 105 pieces, handsomely hand decorated, in several designs, only $15. The same set in plain porcelain, same number of pieces, only $10.

So many inquiries have come to us requesting an itemized account of the number of pieces constituting the above dinner-set, that we give them here: 12 plates (tea), 12 plates (breakfast), 12 plates (dinner), 12 cups (hand), 12 saucers, 1 bowl, 4 pieces (2 dishes and 2 covers), 1 sauce-boat, 3 pieces (covered butter and drainer), 12 fruit or dessert dishes, 12 butters, 2 pieces (tea-pot and cover), 2 pieces (sugar-bowl and cover), 1 cream-jug, 2 cake-plates, 2 platter dishes (Nos. 10 and 12), 1 pickle-dish, 2 vegetable-dishes (uncovered).

I can not reproduce in the RECORD the beautiful design of this set.

Here is another, cut from the same paper, in which a dinner-set of most beautiful and chaste design, and containing 142 pieces, is offered for $16.

Theories to the contrary, experience has demonstrated that as our own supply of home products increased under the operation of protection laws the prices of the home and foreign article have declined. The American producer with his genius for invention, and new and less expensive methods, learned the art of cheaper production, and the foreign competitor found, if he would retain any hold on the market here, he must himself pay the duty by deducting it in whole or in part from the selling price of his goods.

THE BILL'S TENDERNESS TOWARD TRUSTS.

We hear much of "trusts." The gentleman from Missouri [Mr. DOCKERY] yesterday said the tariff was the parent of the trusts. Why, sir, the biggest of our trusts, aside from the sugar trust, are in petroleum, cotton-seed oil, railroads, and gas works, with which the tariff has nothing to do. But this bill does nothing to destroy trusts. It favors the copper and tin trust of Europe by letting its copper bars and tin-plate in free. The only earthenware trust in the world is one recently formed in England, and at once the majority of the Committee on Ways and Means propose to assist it by reducing the duty on its wares.

The sugar trust, one of the most powerful of them all, was touched by the bill as it originally stood, but one of its members came here and the rate was changed to a figure agreeable to him.

PROTESTS OF WORKINGMEN.

It can not benefit labor. The workmen of this country have been slow to believe it will. They resist, by appeal and protest, its passage. Wages should afford a decent living for the operative and his family, and a saving over to provide a home for their shelter and against want and suffering in sickness or old age. In many of our industries, so sharp has become the foreign competition, that wages now afford but the necessaries of life. Further reduction means deprivation and suffering. These men, who have only their labor to sell, and must sell it or starve, have a right to be heard. Though denied a hearing before the committee, it can not be denied here.

Here is a petition signed by nearly all the workingmen and workingwomen in my own city in the pottery industry, protesting against the reduction on earthenware. I have already read it to the House, but will read it again, as it is the only way they can obtain a hearing.

TRENTON, N. J., *March* 6, 1888.

To the honorable Ways and Means Committee,
House of Representatives, Washington, D. C.:

Whereas we notice with alarm that a bill has been presented for consideration of your honorable committee, which will greatly reduce the present duty on pottery-ware, which bill, if passed, will necessitate either a ruinous reduction of our wages or lead to the closing of the potteries, therefore, we, the undersigned working people of the Trenton potteries, would respectfully urge your honorable body to so amend said bill as to remove the necessity of a reduction of our present rate of wages, and because so large a proportion of the cost of making pottery-ware is in the cost of labor.

Here is another from the woolen workers; and here are others from other industries. They all, without exception, protest against the policy embodied in this bill. Not one such petition have I received in favor of the bill. Sir, the working people of the country can not be

hoodwinked. They read for themselves, and do their own thinking; and they reject with unanimity the plea of the gentleman from Texas, that this bill is for their benefit.

FARMERS INJURED.

The bill will not assist the agricultural classes. In fact, in examining it I was astonished to find that a large part of its additions to the free-list were products of the soil. Our agriculturists have not shared proportionately in the general prosperity of the country. The rapid development of the fertile West has added so enormously to the productions of the soil and the competition with India and Russia in foreign markets has grown so that corn and wheat have declined materially in price. Our farmers of the East, brought by low transportation rates into direct competition with this wheat and corn raised on lower-priced lands, have begun to turn their attention to other products.

The proposed bill puts nearly all these products on the free-list or largely reduces their rate. Thus, I find on this free-list (I take them in the order given) flax straw; flax, not hackled or dressed; flax, hackled, known as dressed lint; tow of flax or hemp; hemp, manilla, and other like substitutes for hemp; jute butts, jute; sunn, sisal-grass, and other vegetable fibers; beeswax; glue; gelatine; soap stocks; soap, hard and soft; hemp-seed and rape-seed oil; cotton-seed oil; wood tar; vegetables, in their natural state or in salt or brine, not specially enumerated or provided for; dates, plums, and prunes; currants; figs; meats, game, and poultry; milk, fresh; egg-yolks; beans, peas, and split peas; bristles, bulbs and bulbous roots; feathers of all kinds; grease; hemp and rape seed; garden seeds; flaxseed; broom-corn; tallow, and wool.

The present rates on farm products are as follows:

Wool at 30 cents a pound or less, 10 cents; at over 30 cents a pound, 12 cents. Beef and pork, 1 cent a pound. Hams and bacon, 2 cents a pound. Butter, 4 cents a pound. Lard, 2 cents a pound. Cheese, 4 cents a pound. Grapes, 20 per cent. ad valorem. Wheat, 20 cents a bushel. Oats, 10 cents a bushel. Corn, 10 cents a bushel. Rye, 15 cents a bushel. Barley, 15 cents a bushel. Potatoes, 15 cents a bushel. Hay, $2 a ton. Live animals, 20 per cent. ad valorem. Beeswax, 20 per cent. ad valorem. Vinegar, 10 cents a gallon. Honey, 20 cents a gallon. Fruit, shade, and ornamental trees, shrubs, etc., 20 per cent. ad valorem. All vegetables, not otherwise provided for, 10 per cent. ad valorem. Rice, cleaned, 2½ cents per pound. Wheat flour, 20 per cent. ad valorem. Tobacco (unmanufactured) 35 cents per pound. Sugar 1½ to 3½ cents per pound. Rice-flour and rice-meal, 20 per cent. ad valorem. Extract of meat, 20 per cent. ad valorem. Barley, pearled or hulled, ¼ cent per pound. Barley malt, 20 cents per bushel. Corn-meal, 10 cents per bushel. Oat-meal, ½ cent per pound. Rye-flour, ½ cent per pound. Potato and corn starch, 2 cents per pound. Pickles and sauces not otherwise provided for, 35 per cent. ad valorem. Garden seeds, 20 per cent. ad valorem. Hemp seed, ½ cent per pound. Currants, 1 cent per pound. Apples, 10 per cent. ad valorem. Hops, 8 cents per pound. Milk, preserved or condensed, 20 per cent. ad valorem. Flax-straw, $5 a ton. Flax, not dressed, $20 a ton. Flax, dressed, $40 a ton. Tow of flax or hemp, $10 a ton. Bristles, 15 cents a pound. Tallow, 1 cent a pound. Flaxseed or linseed, 20 cents per bushel.

If there be only a purpose in this bill to serve all alike it may be well to inquire why but one-fourth of a cent per pound is taken off of rice and only a half cent to three-quarters of a cent per pound on the ordinarily used grades of sugar, while meats and wool are put on the free-list.

That the farmer has need of continued or increased protection the following table of amounts of farm products imported into this country the past year will show:

Animals	$4,631,846	Rice	$1,674,334
Breadstuffs	6,640,228	Sugar and molasses	74,219,607
Flax, hemp, etc., raw	12,312,833	Tobacco, raw	8,704,950
Fruits	15,840,827	Vegetables	2,350,351
Hay	790,394	Wool, raw	16,424,479
Hops	3,404,669		
Barley, malt	153,363	Total	149,254,784
Provisions	1,806,239		

THE VOICE OF THE AGRICULTURAL INTERESTS.

From an address made February 3, 1888, by Hon. Edward W. Burrough, president of the New Jersey State board of agriculture, before that board at its fifteenth annual session, and which address was received with such satisfaction by the agricultural interests there assembled (and the delegates there assembled were in the highest sense representative farmers) that 10,000 extra copies were ordered for general distribution, I quote:

There is a duty of 20 per cent. imposed on live animals, except those for breeding purposes; of 1 cent per pound on beef and pork; of 20 per cent. on mutton; of 2 cents per pound on hams, bacon, and lard; of 4 cents per pound on butter and cheese; of 20 cents per bushel on wheat; of 10 cents per bushel on corn, rye, oats, and barley; of 15 cents per bushel on potatoes; of $2 per ton on hay; of 8 cents per pound on hops; of 7½ cents per gallon on vinegar; of 20 cents per gallon on honey; of 1 cent per pound on tallow; of from 15 cents per pound for tobacco stems up to $1 per pound for leaf, stemmed; and a duty on all wool, rice, orchard fruits, etc.

These figures sound like protection, but they are delusive. They are not high enough to keep out foreign competition, and hence are not a protection, for a protective tariff to be of direct advantage to the farmers of this country must be high enough to be practically prohibitory.

The statistics of imports of farm products for the fiscal year ending June 30, 1886, show that we imported agricultural products and live animals amounting to over $54,000,000, and again, during the year ending June 30, 1887, agricultural products and live animals amounting to over $54,000,000, showing an increase during the year of at least $3,000,000. Of this amount, in the year 1886, $2,552,179 was sent abroad for vegetables; 92,118 tons of hay were bought, valued at $1,035,533; 2,672,762 pounds of hops, valued at $444,989, and 16,092,583 dozens of eggs, valued at $2,173,454.

Why should it be necessary to import into this country more than $2,500,000 worth of vegetables, including cabbage from Holland; 317,156 bushels of potatoes from Scotland; 1,442,466 bushels of potatoes and 608,283 bushels of beans and peas from Nova Scotia, etc.? Why was it necessary in 1886, when every section of the country reported over an average crop, to import over $1,000,000 worth of hay and nearly $8,000,000 worth of breadstuffs, and over 16,000,000 dozen of eggs, some of which came from Denmark, Norway, and Sweden?

Giving credit for these figures to Hon. Mr. Dudley; and then, after giving these statistics in detail, he continues:

The consideration of these statistics should be sufficient to convince the most sceptical that something must be done to direct these large sums into the hands of our own producers. As the matter now stands, our importations are yearly augmented, while our home productions are but slowly increasing, and in some staples actually diminishing. A few years ago the State of Michigan was a large producer and exporter of potatoes; to-day there are hardly enough raised in that State for the immediate consumption of its people. There is scarcely a farm in the New England and Middle States the occupant of which would not gladly double his production if sufficient inducement were guarantied that he should receive remunerative prices for his products and his labor.

* * * * * * * *

The tariff on beans, peas, and other leguminous seeds should be raised from 10 per cent. to 25 per cent.; on split beans, from 20 per cent. to 25 per cent.; garden seeds, from 20 per cent. to 25 per cent.; on hay, from $2 per ton to $3; hops, from 8 cents per pound to ten cents per pound; pickles and sauces, from 35 per cent. to 40 per cent.; potatoes, from 15 cents per bushel to 25 cents; on cabbage the duty should be $1 per hundred; on onions, 25 cents per bushel; and on all other vegetables it should be not less than 25 per cent. These duties are imperative, and should be demanded by every farmer and farmers' organization in the land. We are abundantly able and willing to feed all our people, at prices but little, if anything, higher than are now paid for vast quantities of imported products.

In speaking of the importation of market-garden vegetables, he says:

I am informed that vessel-owners that fail in getting return freights from Europe and the Islands of the Gulf of St. Lawrence often load their vessels with potatoes, which they can purchase almost as cheaply as ballast, bring them into our ports, pay the duty of 15 cents per bushel on them, and place them in the hands of the wholesale dealers at about 45 cents per bushel. At these ruinously low prices we can not bring the crops of any of our Western States into the markets of the seaboard.

That I speak advisedly on this topic is confirmed by the importations received in New York January 3, 4, 5, and 6, 1888. The following are the figures showing the importations for these four days, namely:

From Liverpool, 39,189 bushels, in three shipments; from Glasgow, 36,993 bushels, in one shipment; from Dundee, 31,302 bushels, in one shipment; from Hamburg, 7,116 bushels, in one shipment; from Antwerp, 2,583 bushels, in one shipment; from Rotterdam, 2,187 bushels, in one shipment; from Copenhagen, 1,581 bushels, in one shipment; from Nova Scotia, 28,398 bushels, in one shipment; aggregating 149,349 bushels in four days.

The duties on these amounted to $22,402.35, which helps to swell that great "bugaboo" of a surplus now accumulating in the Treasury. Can this benefit the farmers of America, while it is profitable and possible for these producers to pour their products into the markets of this country, despite the present import tax, and kill off the American farmer as a competitor?

The imports of potatoes at our ports are out of all proportion to the receipts of the domestic crop.

As a further confirmation of this statement, I clip the following from the Daily State Gazette, a paper printed in this city, on January 18, 1888, namely:

"HALIFAX, N. S., January 17.—Large quantities of potatoes are still being shipped from Halifax to the United States. Five cargoes of 250,000 bushels are now ice-bound in the basin of Minas Bay, but it is expected they will get clear in a few days. Over $50,000 worth of potatoes were shipped from Halifax to the United States during the last quarter of 1887."

Since the above date these importations have largely increased.

Again, he says:

It may be argued that by increasing the duties on these products it will add to the surplus revenue. But it does not of necessity follow that the revenue will be increased by a higher tariff on these articles; the contrary is more likely to be the case. Importations will decrease to such an extent that, instead of adding to the surplus, there will be an actual diminution of the amount of duty collected. But suppose this surplus should be slightly augmented, will there be any harm done to the people? Have we not all been benefited, indirectly, by this accumulation, and is not a full treasury preferable to an empty one? Why is this $150,000,000 called a surplus, when the Government is over $1,000,000,000 in debt? Can no way be devised to use this $150,000,000 towards paying off the debt? It is hard for the farmer to understand, while he may chance to have $150 in bank, and a mortgage for $1,000 on his farm, that he has a surplus of $150.

But if it be true that the bonded indebtedness of the Government can not be reduced any more rapidly than is being done, and that the sinking fund is in such a healthy condition as not to need this so-called surplus, and that it is not needed for internal improvements, or coast defenses, that our Navy is being rebuilt rapidly enough without using this fund, there is still a use for this surplus, and a noble use, too. Let it be set aside as a national school fund, and appropriated to each of the States for the purpose of fostering the free public-school system, and thus relieve the tax-paying citizens of a portion of their heavy burdens, and bring the opportunity for free education to all sections.

And in closing he uses these manly, straightforward words:

Give us a prosperous agriculture and all other industries are bound to flourish. In it lies the stability of our Government.

I believe it right for the American people to be clothed with American goods, and to be supplied with furniture and implements of American manufacture, and I insist that the people of America shall be fed by American farmers with the products of American soil. I do not ask for exorbitant prices (and there is but little danger of such being obtained by our farmers, as the competition will be too strong), but I do ask for a steady and active home and export trade, and that foreign agriculturists be restrained from competing with American farmers in the American home market.

I have chosen thus to have the farmers of my State speak directly through their official representative rather than through words of my own, that their voice, so seldom heard in these halls, might sound in the ears of the American Congress to-day as it speaks of their needs and desires and utters their emphatic condemnation of this portion of the bill. This utterance, emphatic as it is, has since been re-enforced by official action as emphatic. March 19 ultimo I had the honor of presenting the following:

NEW JERSEY STATE BOARD OF AGRICULTURE, SECRETARY'S OFFICE,
Trenton, N. J., March 12, 1888.

In the name of the New Jersey State board of agriculture we emphatically protest against any reduction of the duties imposed on farm produce, and we hereby memorialize our Senators and Members of Congress that in making any

changes in our revenue laws they should increase rather than decrease the duties on all raw materials produced in this country.

A. BURROUGH, *President.*

Attest:

FRANKLIN DYE, *Secretary.*

INJURIOUS TO NEARLY EVERY INDUSTRY.

This bill strikes a serious blow at nearly every industry in the district I have the honor to represent. I will give some examples. Iron, pottery, woolen, and rubber goods are the chief products of Trenton. Steel rails are reduced nearly one-third; iron beams, girders, etc., over one-half; pottery, by changes in classification and rate, nearly one-half; rubber, one-half; the heavy forgings of Bordentown, one-fourth; the cast-iron pipe of Florence, Burlington, and Hainesport, two-fifths; the bagging of Manchester, one-third; the wood-pulp of Weymouth, on the free-list; and cotton manufactures of other places, one-third to one-half; and woolen, an average of at least one-half. And all market-garden truck, meats, and other farm products, to the production of which our farmers have, with the increase of the population near them, of late years devoted their capital and labor, are ruthlessly put on the free-list.

THE BILL IS WRONG IN POLICY AND IN DETAIL.

Mr. Chairman, this bill is in opposition to the teachings of Washington and the fathers of the Republic. It is in opposition to that policy in the past under which we have become a great and powerful people. It is openly advocated not only by "tariff reformers," but by avowed free-traders, as a step toward a greater departure from the policy of protection to our own interests. It is in its details "vicious, inequitable, and illogical." It will, by its many changes from specific to ad valorem rates, breed confusion in our customs service, and open a still wider door to frauds by undervaluations.

So far as it simply reduces rates it will increase the surplus by stimulating importation, and will correspondingly deprive our own labor of employment. It will, in its general effect, injure industries, lower the wages of our workmen, and will work much harm to our farmers. It will carry gain to other nations and will bring loss to our own. This is avowedly the beginning of the great battle between protection and free trade. The President, in his message, disavows advocating free trade, but our foreign rivals hailed that message with delight. We are told this measure is not free trade, but, so far as it adds to the free-list it undeniably is such, and, so far as it reduces rates it approaches free trade.

In such a contest who should hesitate on which side to array himself? Born an American; early taught to love American institutions, and to glory in America's growth, selected by the partiality of my people to participate in the direction of her affairs and to represent their interests, I would be false to my convictions and false to my trust did I not denounce this measure, and by my vote against it do what I could to preserve and promote the prosperity of my native land. [Applause.]

THE RIVAL PROCESSIONS.

Sir, the gentleman from Tennessee spoke the other day of a procession, and warned us to clear the way or be crushed, and as he spoke I saw his procession go by. At its front I saw the majority members of the Committee on Ways and Means bearing aloft the flag of free trade, inscribed "European workshops for American consumers." After them came another crowd, members of Parliament, foreign manufacturers, and carriers of British goods. They scattered pamphlets as they went by, and their banners read: "The Cobden Club. We want the markets of all the world." Then filed by the unprogressives of this land, the men who cling to one idea and one interest, who see not the wealth in their hills, the power in their streams, the vast capabilities of their surroundings, who welcome not the capital and enterprise eager to bring employment to their midst to develop the wealth the Creator has so freely given and to make the desert blossom as the rose. Their banner said, "The Bourbon; he forgets nothing and learns nothing."

Then came another contingent, more powerful than all. With them, led by their chains, were the banker with his funds dependent upon the security their products offered, and the Congressmen elected by their votes and influence. They came from many sections, but mainly from one, and their banner was inscribed: "The Whisky Trust. Dividend just declared. Down with protection, and long live the internal-revenue laws."

Then, at the rear, whipping in the stragglers, encouraging the laggards, and expostulating with the wavering, came the statesman from Texas, and over all waved a foreign flag.

In the wake of this procession the light of the forge went out, the hum of industry ceased, and haggard men sought in vain for work. The products of the farm perished unbought and all the channels of trade were clogged with unsold merchandise. Distress was everywhere and bankruptcy was written over the nation's Capitol.

But, sir, I saw another procession. The shades of Washington, of Jefferson, and Jackson, and the fathers of the Republic led the van. Sturdy men, their hands hardened with toil, their faces illumined with hope, and their manhood uncrushed, came on with the united cry, "American workshops for American consumers," and with them came the wisdom of the past, the statesmanship of the present, and all the hopes of the future.

And joining their host came streaming from the coal and iron fields of Alabama, Georgia, Tennessee, and West Virginia, from a thousand forges and factories in the South, from the sheep-covered plains of Texas and from the market gardens of the Southern seaboard, the enterprising and progressive sons of the new and industrial South. Steadily and firmly together they came on, resistless as Niagara and relentless as fate, and in all its beauty, with not a stripe erased and every star undimmed, over these, united in heart and purpose, and rejoicing in a common prosperity, floated the flag of a common country. [Applause.]

CORRECTION.

Mr. MILLIKEN. I rise to a question of privilege.

The CHAIRMAN. The gentleman will state it.

Mr. MILLIKEN. I see in the RECORD of this morning, page 3522, the following, stated to have occurred in the course of the speech of the gentleman from Indiana [Mr. BYNUM]. He said:

How has protection benefited the wool-growers? Has not the price of wool steadily fallen since 1867, when the highest rate of duty was placed upon it? The advocates of protection admit this—not only admit it, but many of them claim it as the result of "protection." Mr. Haskell, a leading member of this House from Kansas, in 1882 said:

"I have here the figures. To-day wool is cheaper per pound, and has been for the past five years, than it was from 1855 to 1860 under the free-trade rating of the free-trade party."

Then this follows:

Mr. MILLIKEN. Then how are you going to get cheaper clothing by cheaper wool?

Now, Mr. Chairman, I simply rise to say I asked no such idiotic question as that. But I did ask, "If that be the case, if wool was made cheaper by protection, then how are you to get cheaper clothing by free wool?" for that is the claim set up by the President and the chairman of the Committee of Ways and Means for urging Congress to legislate wool upon the free-list. I simply desire to correct the RECORD according to the fact.

TARIFF.

Mr. HEMPHILL. The power of taxation is the most exalted and important that the people have bestowed upon their Government.

It is the right to take the property of the citizen by force of the law, and because of the manifest danger to the public welfare that inheres in so great a power and the temptation to its abuse, it should be most carefully and prudently exercised.

Every dollar taken from the citizen unnecessarily is taken from him unjustly, and the true measure of the necessities of taxation are the necessities of the Government.

Whenever, therefore, the Representatives levy and collect from the tax-payers more than is necessary for the proper support of the Government economically administered they thereby exceed the legitimate bounds of their privilege and duty, and by so much as they pass beyond these just limits they commit a great wrong which invariably bears most iniquitous results.

And as we have no right to lay taxes for excessive amounts, it must be equally clear that we have no legitimate power to collect for any other than the objects stated in the Constitution.

The right to tax the people of this country is, under the Constitution, devolved upon Congress for public purposes only, and every time we divert this power from the original purpose with which the people entrusted it to us we violate in a flagrant manner the exalted privilege with which we have been commissioned.

The revenues of this Government from which its daily recurring expenses must be met are derived principally from two sources. One is denominated the internal-revenue tax, levied upon whisky and tobacco chiefly, and which produces from one hundred to one hundred and twenty millions of dollars annually, and all of which, except a small percentage for collection, goes into the public Treasury. The other is called the tariff tax or customs dues, by means of which many millions, probably ranging from six hundred to eight hundred millions of dollars, are annually exacted from the people, and of which sum so taken about $180,000,000 to $200,000,000 reach the vaults of the Treasury.

There is no doubt of the constitutional power of Congress to collect the internal revenue, or to levy duties upon imports of foreign goods so far as this may be necessary for the carrying on of the Government.

I do not propose to enter into any discussion of the merits or demerits of the first-named system, nor shall I complain of the second so far as it is used for the legitimate purpose of revenue only.

But against the perversion of this power of taxation to the unholy and unhallowed scheme erroneously called "protection" I do complain, and shall endeavor to show its illegality and injustice, and, if I can, some of the hollow pretenses on which it is founded and has been so long maintained.

Let us inquire—

First. What is the tariff for protection?

Second. Is it legal?

Third. Is it just?

Fourth. Is it wise?

The tariff for protection may be defined as a tax or duty laid upon all the four thousand articles specified in the statute of such an amount as will prevent the domestic consumer from purchasing in the open markets of the world, and will compel him to buy of the domestic manu-

facturer at a price equal to the real value of the article with the tax, or a large portion of it, added on.

Or it may be said that it is a system by which the taxing power of the Government is delivered over into the hands of a few men for the purpose of enabling them to lay tribute upon the rest of their fellow citizens, and, under the transparent pretense of saving us from an alleged foreign monopoly, subjects the entire population of this country to a galling home monopoly, not only permitted but knowingly and willfully created by statute. The only difference between the home and foreign monopoly, even admitting the absurdity that there could be a foreign monopoly with all the markets of the world open to us, is that we have to pay a heavy additional percentage on the price of all protected goods for the poor privilege of having our masters on this side of the water.

The Government does not require this revenue for itself, and does not expect or intend to receive it, but as it has been very aptly put, says to these favored classes, "I do not need to tax the consumer for myself, but I will hold him for you while you tax him."

The theory upon which this system is founded, as has been stated, is, that if portions of the earnings of every citizen in this broad land are taken from him by process of law and turned over to the manufacturer who spends them on himself, it will somehow or other work a great benefit to the country, which, by some means or other, will be lost if the citizen is permitted to retain his own money and spend it on himself.

It may possibly be some consolation to the tax-ridden people of the country to know that in statutory language the tariff is denominated a "duty." How this noblest word in the English language should have been so misappropriated and misapplied, it is difficult to conceive unless it was first spoken in indignant derision by some honest man in the effort to give expression to his outraged feelings; for whatever else may be said of the tariff it can hardly be honestly claimed that there is any "duty" resting upon the good people of this country to support in affluence and idleness a class of their fellow-citizens whose chief claim to distinction is the equanimity, ability, and constancy with which they devour the fruits of other men's toil.

Second. Is it legal?

It is a fundamental principle of the Constitution of the United States and of the several States of the Union that private property shall not be taken for public purposes without just compensation. This is universally admitted to be elementary justice.

Under the scheme of tariff taxation, however, private property is daily and hourly taken, not for public but for private uses, without any compensation and without any excuse or pretext, except such as excites the derision and contempt of every disinterested, unprejudiced man.

This plan as it is now and has been for years administered in this country is a monstrous perversion of every just principle of taxation. Under it the necessities of the Government cease to be the limit of the sum gathered from the people, and the amount that is required to be levied on imported goods so as to prevent the citizen from buying where he can get most for his money and that will compel him to buy in American markets becomes the limit of taxation. Last year this "limit" was $47 on every $100 that the people spent for the four thousand dutiable articles, while the true tax limit, governed by the just needs of the Government, would have been probably less than one-fourth of that sum.

That the power of taxation can only be lawfully used in aid of a public object—that is, an object which is within the purposes for which governments are established—has been decided by the Supreme Court of the United States in the case of the Loan Association *vs.* Topeka, 20 Wall., 655. In this case the question was whether an act of the Legislature was constitutional which authorized certain towns to issue bonds or loan their credit to encourage manufactures and then tax the public to redeem its obligations. It was held that the Legislature could grant no such power, and the court says:

> To lay with one hand the power of the Government on the property of the citizens, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation; it is a decree under legislative forms. * * * We have established—

Say the court—

> we think, beyond cavil, that there can be no lawful tax which is not laid for a public purpose.

This is the decision of the highest tribunal in the land, and it is so clear and forcible in its statement of the right principle of taxation that nothing can be added to it.

IS IT JUST?

It is well to remember in this connection that every dollar that is taken from the citizen by tariff or other form of taxation is simply a requisition by the Government for so much of his time and labor as is necessary to earn the sum required of him. And those whose necessities require the expenditure of the largest portions of their annual incomes pay by far the heaviest percentage of this tax in proportion to their ability.

The working classes, who spend their entire income in the support of themselves and families, are the most oppressed of all our citizens by the present system of taxation. The man who earns enough to live on and to spare saves any taxation by the tariff on so much of his income as he lays away and does not spend, and if he invests it in the class of enterprises that are protected by the law he not only saves that sum from taxation, but he thereby converts the tariff to his own benefit.

And if the laborer who last year spent all his income desires this year to buy from the man who has laid aside and invested his money, or from any of the same class, he must not only pay the full market price for his goods, but in addition so much as the law says is necessary to protect the richer of the two men against the right of the poorer to buy in a cheaper market. Every dollar that the former invests in the protected industries becomes abnormally increased, while every one the latter earns by labor becomes abnormally decreased in its power of purchasing. So that under this law, which should bear equally on all men, the rich become richer and the poor poorer, and what is the protection of one man is the ruination of another.

Under this system the citizen does not pay on what he owns, but only on what he buys; so that if a man possessed of a million dollars' worth of property chooses to spend only $1,000 a year on his living he would pay under these tariff laws the same amount of tax paid by another having no property, but who was compelled to spend $1,000 a year for the support of himself and family. And yet the immense possessions of the former would be protected by the laws, and he would be made secure in all his rights to this property, which, however much it may be taxed under State laws, contributes nothing whatever to the revenues of the General Government.

IS IT WISE?

Let us answer this question by considering the general results of the law and then its effects on particular classes of citizens. It is claimed by the advocates of protection that it diversifies industries and increases the general prosperity of the country, and it is not too much to say that no improvement in the condition of the people has ever taken place that these men were not prepared to claim credit for it. They might, with as much justice, take credit for the dews of heaven or for the early and latter rain. Nothing seems to me to be clearer than that values can not be created by statute. If so, the labor which we daily perform, and which was placed upon the human race as a curse, is absolutely useless. Statutes can and do, however, greatly affect the distribution of values. This latter is the one aim and sole outcome of protective laws.

If we could get these two ideas once imbedded in the minds of the American people, first, that the law can not make values; second, that it can and does alter their distribution, a tremendous stride would be made toward the final and correct solution of the question we are now discussing.

The leading theory of the protective system is, that by adding to the selling price of certain specified articles people are induced to invest their capital in enterprises for the production of these articles in which otherwise they would not, because it would not pay, and that in this way new industries are multiplied and the country enriched. That is, they claim that by taxation they make that profitable which would otherwise be a losing business. But is the general welfare improved by this transfer of one man's money to another? One thing is certain, and that is that if the law gives one man a dollar it must first take it from another or make it from nothing, and this latter piece of folly even the protectionists have not yet contended for. But as to how soon they will depends largely, if we are to judge by their past history, upon how closely they are pressed for arguments.

Another thing is certain, that to do anything against nature costs more than to follow her wise and beneficent laws. And this diversion of capital and labor from their ordinary and natural channels furnishes no exception to this general rule.

From these two axiomatic propositions it is manifest that not only is there no improvement from protection, but there is an actual loss; for just to the extent that the investors in these enterprises would lose money in them in the natural course of business just to that extent does the tariff cause a waste of capital.

From the natural level up to the non-losing level the tariff must first lift the industry, and it lifts it by means of the money taken from other occupations, and hence there is that much waste of capital in overcoming the natural disadvantages that attach to the maintenance of such an enterprise in this country.

If the people of any town or city have $1,000,000 to invest in any one year, and they put $900,000 in unprotected industries which will pay 10 per cent. they make a profit of $90,000. And if, instead of investing the other $100,000 in a similar enterprise, they are induced by protection to risk it in some business which without the tariff would be a losing one of 10 per cent., then this loss of 10 per cent. on the $100,000 so invested must be made good by taxing the other industries to that extent. This, however, only saves the parties interested in this enterprise from actual loss, and if it is deemed proper that a fair profit should be made, then a second tax of $10,000 must be levied on the paying industries for that purpose. So that the outcome is that the chance of making a legitimate profit of $10,000 on the hundred thousand dollars is thrown away; the first $10,000 raised by taxation is wasted in order to make good a loss occasioned by putting the money in the protected industry, and the second $10,000 paid out as profits is

simply transferred from those who earned it to those who did not. In such a case the tax would be collected by adding by law to the price of the goods manufactured by the protected industry.

Or, to put it in another way, a citizen who is induced by the protection which the tariff affords to enter upon a business which without the protection would be a losing one, say, of 20 per cent. on his capital, must by means of the tariff first overcome that natural disadvantage of 20 per cent. before he can save himself from loss or be prepared to reap any profit, and hence the capital consumed in overcoming that 20 per cent. of natural loss is simply wasted and must be made good by taxation upon other industries, while but for this law this money so taken as well as that in the protected industry would be employed in some other business at a profit.

The gain to the country from protected industries is not to be measured by the profits they make, for against these must be offset the interest or dividend that would have arisen from this money when employed in some channel in which it would naturally flow, as also the loss and waste that arises from diverting things from their usual and proper course.

And as it is with the country at large so is it with each individual. If two men starting in the world be equally equipped for the race of life and are under just and equal laws they must keep well together until the end. But if the law has a favorite between them on account of the occupation he follows, or for any other reason, and takes the burden from his shoulders and places it upon those of his less fortunate competitor, it soon becomes an unequal contest, for the burden of the two men is borne on the shoulders of one.

The general good is not increased, for just by so much as one is helped the other is hindered, and the only outcome of the application of such a doctrine is to accelerate the progress of one at the equal if not the greater cost of the other.

As has been suggested by a writer on this subject, it may seem a little paradoxical to say so, but the greatest misfortune that can befall the tax-payers of this country is the establishment of a new industry by means of protection. For every time some crank of a citizen takes it into his head to make his living by some business that either does not pay at all or not as much as he thinks it ought to the people of the country must be taxed to make good the deficiency. And every time a new metal or other marketable substance is dsicovered in the bowels of the earth immediately a tax is levied upon the public for the benefit of the owner of this new wealth, and from that day it costs more labor and money to procure what we need of this substance than it did before the misfortune of this discovery befell the country.

So that under this law what ought to be a national blessing becomes a national calamity.

Instead, therefore, of protection being, as is claimed, the source of all our improvement, I think we may say that the progress this country has made is represented by the propelling force of our natural resources and advantages worked and controlled by human energy and skill, less the hinderance put upon us by taxation, and of course the heavier the tax is the greater the loss it has caused us.

It may not be improper here to say that if it is the determination of the advocates of protection that the people shall still continue to be taxed to pay a premium to some men for making their own living, they certainly ought to see that it goes to their pets in the form of profits; for if the sum taken is to be wasted in overcoming the natural disadvantages of the business these men in their folly may select the tribute we pay confers no benefit on any one, and is absolutely consumed to no good purpose.

It is very hard for us to pay this money, and especially when we have not even the pleasure of a personal acquaintance with the objects of our enforced charity, these people to whose support we are compelled to contribute daily; but it adds an additional pang to know that much of this tribute is completely wasted in the foolish effort to establish and maintain enterprises in defiance of common sense, and in the very teeth of all the natural laws of trade and commerce.

This plan of taxation is denominated a system of "protection," and we are naturally led to inquire, who does it protect, and against whom, or what?

We protect our country against a foe that threatens to invade it; we protect our homes against the thief or burglar, our persons against the assassin, and our character against the slanderer. These are all wrongs and wrong-doers. Against whom do these favorites of the Government ask protection?

The only protection that this Government has any right to exercise is to protect itself against any enemy that threatens it and each of its citizens, within its proper sphere, from any injustice at the hands of any other person.

It is a total perversion of this power intrusted to the Government by the people when it is used for any other purpose, and especially when it is made the means of helping one set of our countrymen at the expense of another.

In order, however, to give this a popular character, and to excite for it a public sympathy, it is claimed by the friends of this system that it is necessary to maintain it in order to "protect" our laborers against the alleged "pauper labor" of Europe.

But is this what they really mean?

Except in a humanitarian sense it can be a matter of no concern to the people of America as to how numerous the pauper laborers of Europe may be, nor how cheaply they work, nor what their condition is. As to these things we are and must be, in a financial and political sense, indifferent. It is only when the products of the labor of these workmen reach American workers and we are about to exchange the products of our labor for theirs that any real interest is awakened in these people, for it is then that the manufacturer begins to call upon the Government to protect him; it is then that he demands that he shall be surrounded by the law and safely guarded. But against what? Not against the "pauper labor," for they are not here, and not against the products of their toil so long as these are not sold here; but the protection asked for is against allowing Americans to buy or exchange, *i. e.*, against the natural right of any free man to make his purchases where his taste inclines him or his judgment or interest dictates. So that it is not against the pauper labor of Europe or of any other country, but it is against the right of the American people to buy where and what they please that this protection is demanded. That is, they ask protection, not against any wrong, but against a right of their own countrymen, and demand that one citizen's privileges shall be increased by having those of another curtailed.

It is clear, therefore, that it is not against the "pauper labor of Europe," except in a very indirect and remote way, that our protection laws are aimed, for so long as he keeps his handiwork at home or sells it on the other side of the Atlantic he excites no interest whatever on this side of the water.

It is only when an American citizen, following his inclination or interest, starts to exchange the fruits of his honest and laborious toil, whether it be cotton, corn, wheat, or tobacco, that the Government lays its hand upon him and says, "No; for it has been solemnly decreed that certain of the citizens of this country shall be guarded and protected against the natural right of the others to dispose of the products of their own labor according to their own judgment."

This one thing illustrates the sham character of this whole business. For under the miserable canting cry of protection against the pauper labor of Europe, sung into the ear of the voters of this country, the great body of the American people have been willfully and notoriously robbed of one of their dearest rights; and from the laborers of this country has been wrung enough money to make every one of them independently rich.

These four words, "pauper labor of Europe," have cost the tax-payers of the United States hundreds of millions of dollars.

Mr. SPOONER. Will the gentleman permit a question?

Mr. HEMPHILL. Yes, sir.

Mr. SPOONER. Why should not the same principle apply to the protective tariff on rice?

Mr. HEMPHILL. My friend from Rhode Island seems to think that everything in South Carolina revolves around rice.

Mr. SPOONER. It appears to, in this bill.

Mr. HEMPHILL. Now, so far as I am concerned, I will vote to put rice on the free-list if my friend [Mr. SPOONER] will vote to put wool on the free-list. That is a fair offer. I will state further that I have refused to vote for an amendment to keep bagging at the tariff rate it now bears, although it is quite a large interest in South Carolina, because I believe it to be the duty of every Representative to do his best to see that this bill gets through by some means or other.

Mr. SPOONER. I think I am a little broader in my views than my friend from South Carolina, because I will vote to protect wool, although it is not a considerable product in my own section of the country, because I believe that it ought to be protected for the national welfare.

Mr. HEMPHILL. Exactly, because you belong to that great phalanx of manufacturers, or their representatives, who have gotten the taxing power of this country into their hands, and you will not vote for any tariff reduction lest your ranks should be broken.

Mr. SPOONER. We do not object to any proper reduction that does not impair the protective principle.

Mr. HEMPHILL. Well, your idea of a proper reduction has never been put into shape. The Republicans have been talking about that "proper reduction" for the last twenty years, but they have never done anything.

Mr. SPOONER. The last reduction that was made in the tariff was made by a Republican Congress and approved by a Republican President.

Mr. HEMPHILL. Was that the one made by the Tariff Commission that was appointed to reduce it and actually increased it?

Mr. SPOONER. No; by Congress, the law-making power.

Mr. HEMPHILL. You mean the 10 per cent. horizontal reduction, which was laid again as soon as Congress could meet thereafter?

Mr. SPOONER. It was not horizontal.

Mr. DAVIS. Will the gentleman permit me a question?

Mr. HEMPHILL. Yes, sir.

Mr. DAVIS. Do you approve of those features of the bill which put wool on the free-list and yet protect rice?

Mr. HEMPHILL. I approve of this bill from beginning to end. Of course there can not be any bill to which some objection can not be made, and I do not say that this one is perfect; but we all know very well that if we are ever to get any reduction of taxation we must make some sacrifices.

Mr. DAVIS. The trouble is that you do not appear to make any sacrifices.

Mr. HEMPHILL. On the contrary, I have just stated that there is a large industry in my State, the bagging manufacture, which it is stated will be greatly injured, if not utterly ruined, by this bill, and yet I have refused to vote to change the bill in that particular.

Mr. ALLEN, of Michigan. If the gentleman will permit a suggestion, I would say to him, do not let our side get you down to particulars. [Laughter on the Republican side.]

Mr. HEMPHILL. You are thinking of your own side. They never like to get down to particulars; but I am on a different side.

Mr. KERR. We like to get down to the particulars of rice any way.

Mr. HEMPHILL. Yes. Well, I think our friend from Iowa is going crazy on rice. There are some other industries in this country besides rice.

Mr. PERKINS. Our friend from South Carolina [Mr. HEMPHILL] seems to be good natured about submitting to interrogatories.

Mr. HEMPHILL. Yes, sir.

Mr. PERKINS. Then, I will ask the gentleman a question. Do you believe in the doctrine that we should be permitted to buy where we can buy cheapest?

Mr. HEMPHILL. Yes, sir.

Mr. PERKINS. Then you believe in the doctrine that we should be permitted to hire where we can hire cheapest?

Mr. HEMPHILL. Who said so?

Mr. PERKINS. Does it not necessarily follow?

Mr. HEMPHILL. Well, I think so.

Mr. PERKINS. If we should be permitted to buy where we can buy cheapest, why should we not be permitted to hire where we can hire cheapest?

Mr. HEMPHILL. Exactly. I think that is right.

Mr. BLAND. It is just the other way. You will not let the people buy where they can buy cheapest; but you hire where you can hire cheapest. You bring in the pauper labor of Europe to compete in our labor market.

Mr PERKINS. That is what you are contending for, and it is against that that we are fighting here.

Mr. HEMPHILL. If the gentleman from Kansas [Mr. PERKINS] will come over here and listen to my speech I think I can make my position on that subject very clear to him.

Mr. PERKINS. It will give me pleasure to listen to the gentleman.

Mr. HEMPHILL. It should be remembered, further, that of the laborers of this country about whom these vociferous protectionists talk so much, and for whom they do so little, only about one in seven or eight is engaged in the protected industries. The other seven-eighths of the whole are not only left to fight their battles unaided, and that, too, without their full resources, but are compelled to contribute of their substance to the support of their more fortunate fellows.

But if the law is really intended to protect the one-eighth of our labor, those who are employed in the favored industries, it is very curious that some direct and practical step has not been taken to effect the alleged purpose.

If these gentlemen mean what they say, why have they not passed a law to prohibit the importation of foreign labor into this country? Instead of this being the policy of these protectionists, their policy is to throw wide open the gates of entry for the laborers from all countries, save now the Celestial Empire, and it has been for years proclaimed by windy patriots from every stump and platform that America is the home of the poor and oppressed of every land and country.

Mr. MILLIKEN. Is that confined to protectionists?

Mr. HEMPHILL. No, sir.

Mr. MILLIKEN. Is it not true that we have voted to restrict the introduction of contract laborers, convicts, etc.?

Mr. HEMPHILL. I do not know whether the gentleman voted for it or not——

Mr. MILLIKEN. I did.

Mr. HEMPHILL. But that is the law. That is one of the conditions to which we are brought. If a man wants to come here and go to work and make an honest living, and if he makes an agreement to work for a living when he comes here, he can not get in; but if he comes here as a "tramp," to float around over the country without any purpose of making a living, he is welcomed.

Mr. MILLIKEN. How can the gentleman say that in the face of the law which has been passed to keep "tramps" out. I will go as far as the gentleman will toward keeping them out, and I have no doubt every protectionist in the country will do the same.

Mr. HEMPHILL. Is it not the fact that the man who undertakes to come here under a contract to go to work and make a living can not get in; but the man who comes here without having made any such contract, and without any purpose to go to work and make a living, can get in.

Mr. MILLIKEN. I do not know that it is the fact——

Mr. HEMPHILL. That is the law.

Mr. MILLIKEN. And I think the gentleman from South Carolina does not know it.

Mr. HEMPHILL. That is the law.

Mr. PERKINS. Do I understand that the gentleman from South Carolina is in favor of prohibiting the immigration of contract labor?

Mr. HEMPHILL. No, sir; I believe in freedom all around.

Mr. MILLIKEN. Then my friend is in favor of permitting the "tramps" to come in.

Mr. HEMPHILL. If I am I do not see that I am any worse than you are; and if I can be as good as a man from Maine, I am sure I ought to be satisfied. [Laughter.]

Mr. MILLIKEN. I do not want to bandy compliments; but I know no better man than the gentleman from South Carolina.

Mr. HEMPHILL. I am obliged to my friend, and will say the same of him.

Mr. TURNER, of Georgia. Now, that settles it. [Laughter.]

Mr. HEMPHILL. When these so-called "pauper laborers" reach our shores, through our open ports, upon our invitation, do the manufacturers protect the American laborer by refusing to employ his foreign competitor, and by this means aid in keeping up the wages in this country? On the contrary, they not only employ the foreigner if he will work cheaper, but the instances are not a few in which these very protectionists who are so painfully solicitous about the rights of workingmen actually send agents abroad to make contracts with these same "pauper laborers" of Europe at the lowest possible figure and bring them here for the purpose of breaking down the very men they are pretending to protect.

So long as they are voting themselves profits out of other people's money these protected classes deal with a lavish hand, but when it comes to paying for the labor in their establishments they are as careful as if they were really not reaping where others have sown.

The laboring man is the seller of labor and the purchaser of commodities, and if the tariff was really intended for his benefit it is clear that the natural and logical thing to do would be to protect, not what he is compelled to buy, but what he has the privilege of selling.

As the law now stands, however, it leaves the only thing that the laborer has to sell unguarded in a free and open market, but from an alleged tender consideration for the same man it is very careful to see that what he has to purchase shall cost him from 5 per cent. to 100, 200, and 300 per cent. more than the articles are really worth.

Mr. ALLEN, of Michigan. Will the gentleman from South Carolina allow a question right here?

Mr. HEMPHILL. Yes, sir.

Mr. ALLEN, of Michigan. Does the Mills bill protect the laborer against foreign competition?

Mr. HEMPHILL. Oh, no.

Mr. ALLEN, of Michigan. Why did you not in that bill put a duty on imported labor?

Mr. HEMPHILL. I was not on the committee, and, besides, I do not believe in a "duty" of that kind; that is a misnomer, I think.

So that this law, nominally framed for the workingman's benefit, when properly understood, is seen, not only to furnish him no relief, but lays an additional burden upon him. For it is clear beyond controversy that every dollar added to the value of the commodities for which labor is exchanged is equivalent to a dollar taken from the value of labor.

These self-constituted champions of the laboring man lead him all the way round through the abstruse theory of protection to commodities, the multiplication and diversification of industries, higher prices to the manufacturer, general prosperity of the country, etc., feeding him all the time on glittering promises, and then bring him out in the end with nothing in his pocket.

By this law the protectionist says to the laborers of this country, This law is for you and it is intended that you shall receive the benefit of it in increased wages; but for some reason (which the protectionist has never yet had time to explain) we deem it best to pay the money arising under it to another set of men whose interests in this particular are directly hostile to yours, and who, as matter of fact, have never been known to give you one cent they could withhold from you.

So the law really does go to the extent of levying the tax, collecting the money, and paying it over to the manufacturer, but beyond that it does not go. Then, turning to the expectant laborer, with that exquisite and poetic sense of justice that really saturates the whole scheme, it says: "I can go no further; this money which has been pretensively gathered for you has been paid over to others, and now you may help yourself if you can."

Mr. LANHAM. Has the gentleman found any recorded instance where an employer went out to find a high-priced employé?

Mr. HEMPHILL. No, sir; I have looked for such a case in vain.

The difficulties and trials that some of the laboring people of this country have had in getting a portion of the money that, according to

the theory of protection, was theirs by right is well illustrated by the following official figures as to the "strikes" and "lockouts" that have occurred in this country from 1881 to 1886, both inclusive:

Strikes.

Years.	Number.		Average establishments to a strike.	Employés striking and involved.
	Strikes.	Establishments.		
1881	471	2,928	6.2	129,521
1882	454	2,105	4.6	154,609
1883	478	2,759	5.8	149,763
1884	443	2,367	5.3	147,043
1885	645	2,284	3.5	242,705
1886	1,412	9,893	7.0	500,514
Total	3,903	22,336	5.7	1,324,152

Mr. JACKSON. Does the gentleman think that lowering the wages of the operatives would tend to prevent strikes?

Mr. HEMPHILL. Not at all; but I think that lowering the prices of articles which they are compelled to buy would do them just about as much good as any service we could render them.

Mr. JACKSON. Even if they had nothing with which to buy the articles?

Mr. HEMPHILL. Now, there is where we differ. A person's view on this question depends altogether on whether he approaches it from the side of the man who pays the taxes or from the side of the man who gets them. That is just thedifference between my friend and myself. [Applause on the Democratic side.]

Mr. JACKSON. You pay all the taxes down in your country, do you?

Mr. HEMPHILL. We pay all that are levied upon us; we pay our full share, I assure you.

Mr. ALLEN, of Michigan. Will my friend from South Carolina allow me one question?

Mr. HEMPHILL. Yes, sir.

Mr. ALLEN, of Michigan. Would taking the duty off rice make it cheaper?

Mr. HEMPHILL. I do not know; but I think it would.

Mr. ALLEN, of Michigan. Then why does not the Mills bill take the duty off rice, so that the laboring man can obtain it more cheaply? Why does it not, for the same reason, take the duty off sugar as well?

Mr. HEMPHILL. I have already stated twice that I am not a member of the Committee on Ways and Means, and therefore am not in their secrets.

Mr. ALLEN, of Michigan. But you are going to vote for their bill.

Mr. HEMPHILL. I hope the time will come when South Carolina will have something else to talk about besides rice. If we could only get something else.

Mr. DAVIS. We hope that the industries of South Carolina will be diversified in time by the principle of protection.

Mr. HEMPHILL. I will come directly to the subject of diversification of industries.

Lockouts.

Years.	Number.		Average establishments to a lockout.	Employés locked out.
	Lockouts.	Establishments.		
1881	6	9	1.5	655
1882	21	42	2.0	4,131
1883	28	117	4.2	20,512
1884	38	354	9.3	18,121
1885	52	183	3.5	15,424
1886	127	1,477	11.6	100,705
Total	272	2,182	8.0	159,548

So that in these six years nearly one million five hundred thousand laborers in this country have, at different seasons, been spending their time, labor, and means in the vain effort to secure what the protectionists have taught them to believe was theirs, and which in theory is theirs, but which in fact they have never seen, nor was it intended that they should.

Surely the bald absurdity and injustice of this thing must some day strike the intelligent laborer of this country and awaken him to some appreciation of the hollowness of this sham on which he has been so long fed.

Honesty and truth require that if this money is collected for the manufacturers to whom it is paid, then we should say so; if it is collected for the wage-workers, as is alleged, then it should be paid to them. To collect nominally for one and actually pay another is neither honest nor truthful. If, however, the friends of this system are genuinely sincere in its advocacy, then we can only say that—

Protectionists move in a mysterious way,
Their wonders to perform.

In discussing this point I have not thought it necessary to go at any length into figures to show the amount of wages paid in other lands than ours.

Nothing can be more unfair and misleading than to state simply the wages paid by the day to the employés in a certain business in different countries, and from that undertake to argue that those receiving the most money were really obtaining the highest compensation and were the best cared for.

To arrive at a fair and just conclusion upon this question many elements must be considered in the calculation. The number of hours constituting a day's labor, the swiftness and perfection of the machinery used, the output of a day's work, price to be paid for the rent of houses, and for food and clothing in their respective homes must all be factors in settling the question as to which laborers are the best paid.

Without wearying you with figures, I may say that some of the highest authorities hold that American operatives do not receive any moneyed increase in wages over their English competitors. Upon this point it will be of interest to quote from the report of the representatives of forty thousand textile workers of Philadelphia made during last year. They say:

The popular notion is that the wages of labor plays an important part in these peculiar transactions, and that the difference between American and European wages is the main thing that prevents our manufacturers from competing in the home market with the foreign manufacturers, and in this connection it is fashionable to overstate American wages by citing isolated and exceptional cases instead of the average. We have in our possession a wage-list (official) of a mill near Huddersfield, England, which compared with that of one of the largest mills in Philadelphia shows the same average, but the extras paid in the English mill make its rates a little higher than the Philadelphia mill. We have also a list of another Philadelphia mill, which shows an average of $3.76 to $8.30 per week for steady work.

In the last United States Consular Reports the general average wages of weavers outside the mills in England is given at $6.31 per week; in seven selected mills in New Jersey the average is $6.72 per week; but it must be borne in mind that the American weaver turns out at least one-third more work than the English weaver in the woolen industry and nearly one-half more in the cotton industry, and this is another evidence that our tariff laws have failed to keep American wages up to the measure of the productiveness of the workmen, and therefore fail to protect them, because the tax on raw materials neutralizes the wage account and deprives American labor of the chance to compete with foreign labor even in our own market.

This testimony comes from those who ought to understand this business, for they follow it every day and who are bound to know what they received because that is their only means of livelihood. And if these figures are true, then it is clear that the compensation received by Americans is no greater than that paid in other countries under like circumstances.

But if the tariff controls wages why does it not maintain them and keep them steady during the great panics and depressions in business that unhappily come upon this country so often? And why is it that wages are higher in free-trade England than in protected France, and still higher than in still more protected Germany?

Is it not a fact undeniable that when business is brisk wages are high, and when dull wages are low, although the tariff remains unchanged? When the laborer is receiving good pay for his work he does not need the tariff, and when he has to come down to poor pay the tariff does him no good.

The truth is that wages are not governed by the tariff, but by the general surroundings and opportunities afforded by the country—such as the productiveness of the soil, the extent of territory as compared with population, the number of laborers, the wants of the people, and their ability to purchase. In other words, wages are determined by the supply of and the demand for labor, and under the same great general law that governs the price of all other things. There is high authority for the statement that in those countries where the working classes have no political power it is not even pretended that the tariff increases wages. That pretense is left for the countries in which votes can be caught by it.

The real difference between the laborers of Europe and America is the same in character as that which exists between like classes of people in our large, thickly-populated cities in the East and the newer cities in the West. It is simply the advantage that comes to the latter from more opportunities in a wider field, with less competition and less of a struggle for human existence.

Again, if the theory of the protectionist is correct, and if the payment of increased prices to the owners of great corporate franchises and properties really increases the wages of their employés, then this Government and that of the various States of this Union have been guilty of a great wrong to the laborers of the country in trying to lessen and control by legislation the rates for freight and travel on our great railroads, and instead of diminishing the charges of these mighty institutions we ought to encourage them in every legitimate mode in extravagance and extortion; for I take it to be clear that if paying increased prices to the manufacturer increases the wages of his employés, so will the payment of like prices to a railroad increase the earnings of its laborers.

Hence under this theory it is manifest that the proper way to settle the great strikes on these roads is not to send a committee from Congress to smooth them over, but to pay the owners of these mighty corporations large sums of money from the public Treasury, or authorize them to levy and collect three or four times their present rates from the people who are compelled to patronize them. For, according to the friends of protection, there is nothing in the heavens above, the earth beneath, or the waters under the earth that so satisfies the cravings of the soul and body of a half-fed and half-clothed laboring man as to see his employer luxuriating in the money that has been unjustly wrung from a long-suffering and patient people under the miserable pretense that it was for the benefit of the laborer.

To the great manufacturers of steel rails we are now paying $17 per ton more than they are worth, and this under the claim that it is for the use and benefit of the men they employ. Why not likewise and for the same purpose give to the mighty corporations that control the railroads and that buy these steel rails, a like increase of pay for their services? If the employés of one of these corporations is benefited by this process, why would not those of the other be likewise? Why pay the increased price to those who roll the rails and refuse it those who roll over the rails?

Mr. DUNHAM. Does the gentleman think that if the tariff were taken off steel rails we would get them $17 a ton cheaper than now

Mr. HEMPHILL. I think so.

Mr. GROSVENOR. How long?

Mr. HEMPHILL. Just as long as it is profitable for the people of England or any other country to make them.

Mr. DUNHAM. Do you suppose anybody else in this country agrees with you on this point?

Mr. HEMPHILL. Well, I do not suppose you do, because you, or the people you represent, are reaping the benefits of this duty. I never can appreciate the danger of our being flooded with cheap goods. There is one thing certain, we are not going to get more than we can pay for. You may rely on that.

During the session of the last Congress there was a most extensive strike among the employés of the Southwestern Railway, and the members of this body became so much interested in and concerned about it that they sent a special committee to examine into the whole matter and report to the House.

Again during the session of this Congress there was a similar strike of the employés of the Reading Railroad, and when the resolutions for an investigation came to be considered, the burning desire of some of our worthy protectionist friends to speak some harsh words against the railroad corporation and to champion the laboring man's rights was wonderful to behold. The like of it we have not seen this session. Now, if protection is right, this proceeding was not only useless and foolish, but it was wrong.

What they ought to do to be consistent is to levy more taxes and pay the Reading road more money. For the panacea of the protectionists for all our ills is by means of a politico-economic fiction (with the emphasis on the politico) to increase the wages of the laborer by paying more money to opulent and arrogant corporations, with which he is compelled to carry on a perpetual and unequal contest for the pittance that keeps him from the poor-house. Can there be found in this Congress or out of it a single individual who would dare to advocate the payment of higher rates to Mr. Jay Gould, to the Vanderbilts, or other owners of great railroads, under the plea of increasing the compensation of their employés? I risk little in saying that such a thing, so absurd, has never been dreamed of, and yet that is what we are doing every day and hour to the manufacturers under the system of protection under which we are now groaning.

Another claim for the maintenance of protection is that if a reduction of the tariff be effected we will strike down the manufacturers and artisans who constitute the best customers of the farmers. This of course is a mere assumption, which the history of the country proves to be absolutely without foundation.

But if it be true and the farmers have to be taxed at the rate of 47 per cent. on all their purchases, for the purpose of keeping up a set of customers to buy their products at their real market value, the sooner we can get rid of these barnacles, holding themselves out to the public in the guise of the "farmers' customers," the better it will be for the country and for the farmers particularly.

The farmers of my country are not asking for any such customers; in fact, they are exceedingly anxious to be freed from them, fully realizing that this luxury is too expensive, and that a man who digs his dollars out of the ground can not afford to pay such an extravagant price for persons to buy the products of his labor.

The manufacturers seem to forget that the farmers are as good and regular customers of theirs as they are of the farmers. This, it seems, would about equalize things if they each sold their goods at their true market price. But why the farmer should be compelled to sell the product of his labor at its real value and the manufacturer be privileged to sell his at 47 per cent. above its value has not been, in my judgment can not be, satisfactorily explained to any fair-minded man.

According to the figures of the last census there were 17,392,099 persons in the United States engaged in useful industries. Of these 7,670,493 were employed in agricultural pursuits and 2,623,089 in such industries as are generally admitted to be benefited by protection. This makes three farmers to every protected manufacturer; and can anything be more ridiculous than to suppose that three men should find it necessary or wise to tax themselves over 40 per cent. of the value of nearly all their purchases in order to keep up one man to buy some of the products of their labor?

This taxing of the farmers to provide themselves with a few customers, euphoniously called the home market theory by the protectionists, seems still more transparent when we remember what a very large percentage of all crops and especially of provisions are consumed on the farm and never go to market, and the further fact that in the last census year we sold and shipped to foreign markets over 40 per cent. of the wheat, over 20 per cent. of the rye, over 45 per cent. of the leaf-tobacco, over 16 per cent. of the sugar, 29 per cent. of the molasses, and nearly 77 per cent. of the cotton made in the United States, showing that the prices of these, the chief products of our agricultural lands, are fixed by foreign competition, and that we must look to other markets than our own for the sale of a very large part of our crops.

Mr. HOPKINS, of Illinois. Why is it that wool, which is a farm product, is to be put upon the free-list, and yet the tariff is kept up on the manufactured articles of wool?

Mr. HEMPHILL. I think so far as that is concerned the object of this proceeding is to benefit the most people we can under this bill; and the people who are engaged in wool-growing are very few in comparison with those who will be benefited by taking the duty off of wool.

Mr. HOPKINS, of Illinois. Why, then, does the gentleman not take the duty off of manufactured woolen products at the same time that he proposes to take the duty off of wool?

Mr. HEMPHILL. Will you vote for that?

Mr. HOPKINS, of Illinois. The gentleman has not answered my question.

Mr. HEMPHILL. I will say this: that by taking off the tax on wool and putting it on the free-list, I believe the country will be eventually benefited, yet at the same time we know you can not pass a bill now taking the tax off of everything without ruining a great deal of business which has been built up under the protective system. [Applause.] Therefore it is the duty of Congressmen here to do practical work and bring in a measure with some chance of success.

Mr. HOPKINS, of Illinois. But is it just to the farmer to say that wool, which is one of the products of his industry, shall be put upon the free-list while the manufactures of wool shall be taxed?

Mr. HEMPHILL. It is a benefit to him in this way: There is not one farmer out of fifty who has an interest in growing wool, while all the other farmers have an interest in buying cheap woolen goods.

Mr. DUNHAM. Will the gentleman permit me to ask him a question?

Mr. HEMPHILL. Certainly.

The CHAIRMAN. The gentleman's time has expired.

Mr. MILLIKEN. The gentleman from South Carolina has been interrupted, and I hope his time will be extended.

Mr. LAFFOON. I move that the gentleman's time be extended for twenty minutes, which I believe is all he requires to extend his remarks.

The CHAIRMAN. Is there any objection to the extension of the gentleman's time?

Mr. HOPKINS, of Illinois. The gentleman has been repeatedly interrupted, and I suggest that his time be extended until his remarks are concluded.

Mr. LAFFOON. Twenty minutes are enough.

The CHAIRMAN. Is there objection to an unlimited extension?

There was no objection, and it was ordered accordingly.

Mr. DUNHAM. Will the gentleman allow me to ask him a question?

Mr. HEMPHILL. Yes.

Mr. DUNHAM. I understood the gentleman to say, in reply to a question of my colleague, that the reason he proposes to put wool on the free-list and leave the tariff on the manufactured article is because the greatest number will be benefited thereby.

Mr. HEMPHILL. Yes, sir.

Mr. DUNHAM. Then why not make sugar free.

Mr. HEMPHILL. For this simple reason. Because the money paid in the way of duty on sugar goes, every dollar of it, into the Treasury as revenue, to the extent of some $50,000,000.

Mr. DUNHAM. One hundred thousand are only interested in the raising of sugar, while sixty million people are interested as consumers in getting it at the cheapest rate possible.

Mr. HEMPHILL. It is a difference only between the men who want to tax the people of the country for the benefit of manufactures as well as the Government and the men who think it is our duty to tax no more than is necessary for the support of the Government. That is the only difference.

Mr. BELDEN. Will the gentleman permit me to ask him a simple question?

Mr. HEMPHILL. Yes, sir.

Mr. BELDEN. Do I understand you to say in regard to steel rails

that if the duty is taken off you think steel rails will then be sold for that much less?

Mr. HEMPHILL. I believe that the price will go down nearly to the amount of the tariff which is taken off.

Mr. BELDEN. Do you believe if the duty be taken off that steel rails can then be purchased in this country for $14 a ton?

Mr. HEMPHILL. I think they can be purchased at that—near that price.

Mr. BELDEN. That is enough. I am converted.

Mr. HEMPHILL. The gentleman is easily converted.

Mr. BELDEN. I am satisfied when the gentleman states here upon this floor that after the duty on steel rails has been removed steel rails can be purchased for $14 a ton.

Mr. BRUMM. I should like to ask the gentleman from South Carolina a question, if he will permit me.

The CHAIRMAN. Under the rules gentlemen must address the Chair, and in that way everybody will be protected in his rights.

Mr. HEMPHILL. I yield to the gentleman from Pennsylvania for a question.

Mr. BRUMM. The question I want to ask the gentleman from South Carolina is this: Why do you favor in this bill a tariff on iron that is used for binding barrels—hoop-iron—whereas the iron that is to be used in baling cotton is permitted to come in free, and the same kind of iron?

Mr. HEMPHILL. According to your theory, then, I presume, if you can not help everybody you would not help anybody.

Mr. BRUMM. No, that is not my theory. I have asked the gentleman a question; is that his answer?

Mr. HEMPHILL. That is my answer.

Mr. BRUMM. That is all I wanted to know.

Mr. HEMPHILL. "Do the best you can under the circumstances" is a maxim which is necessary in practical legislation.

An examination of the figures to be found in the census taken in the last three decades, beginning with 1850, tells a tale as to the effect of a high tariff on agriculture as nothing else can, and sets at rest forever all the beautiful theories of protectionists about furnishing a home market for the farmers. I quote:

By the census of 1850 the estimated value of farms in the United States was $3,271,575,426. In 1860 the value was estimated at $6,645,045,007, showing an increase value during the decade of $3,373,469,581, or more than 100 per cent. In 1870 the value of the farms was estimated at $9,262,803,891, showing an increase during the decade of $2,617,758,861, or less than 40 per cent. In 1880 the value of farms was estimated at $10,197,696,776, being an increase during the decade of $939,292,915, or only a fraction over 9 per cent. (See Compendium of the Census of 1880, page 658.)

The value of the live-stock in the United States in 1850 was estimated at $544,180,566. In 1860 it was valued at $1,089,329,915. The increase during the decade was $545,149,349, or over 100 per cent. In 1870 it was estimated at $1,525,276,547, being an increase during the decade of $435,946,542, or less than 40 per cent. In 1880 the live-stock was valued at $1,500,464,609, being a decrease during the decade of nearly $25,000,000, or more than 1½ per cent.

There seems every reason to believe that between 1850 and 1860 there was a very rapid increase in wealth. In the general prosperity of the country the great farming community appears to have fully participated. Then, as now, it comprised about half of all our people. Starting in 1850 with less than $4,000,000,000 they increased their wealth by more than an equal amount in ten years. But since 1860, with far more than twice as much capital, and added millions of persons employed, they have scarcely been able, even by the highest estimates the census officers could possibly make, to add as much to their wealth in twenty years as they did in the preceding ten. In 1860 farmers owned half of the wealth of the country. In 1880 they owned but a quarter. By the census estimates the other half of the community between 1860 and 1880 increased their wealth by more than $23,000,000,000. But farmers starting with an equal capital increased their wealth during the same time only a little more than $4,000,000,000.

Does not the gentleman consider it extraordinary that the country should have done so well as that after all the waste of a disastrous war and at a time when money was dropping in value?

Mr. DAVIS. Will the gentleman permit me to interrupt him? I suppose that estimate to which he is now referring includes also the States of the South?

Mr. HEMPHILL. Yes, sir.

Mr. DAVIS. Of course, in 1870 the destruction of the resources of the South ought to be taken into account.

Mr. HEMPHILL. I think that ought to be taken into account.

Mr. DAVIS. And then from 1870 to 1880 the gentleman should also take into consideration the drop of an inflated currency down to a hard-money basis.

Mr. HEMPHILL. I do not think it is entirely fair to claim all of the benefits for protection and to put all of the defects upon something else.

Mr. DAVIS. That is very true; but are not these facts to which I have called the gentleman's attention?

Mr. HEMPHILL. Is it not also a fact that from 1870 to 1880 there was a tariff more than twice as high as that which was in existence from 1850 to 1860? Besides that we did not resume specie payments until 1879.

Mr. DAVIS. Still the value of money was dropping all the time until we reached the gold basis.

Mr. HEMPHILL. My answer is this: That a great war and the dropping of currency to a hard-money basis ought to affect everybody else as well as the farmers, whereas in the twenty years to which I have called attention the farmers did not make but one-sixth the progress of other people. Now, it is true the coming down of the currency affected all, but if it bore six times as hard upon the farmers as upon other people, and that seems to be the gentleman's theory, it seems they were the people who needed some protection. [Applause on the Democratic side.]

To complete this portion of the argument it is only necessary to say that during the ten years from 1850 to 1860, when the farmers increased their wealth 100 per cent., we were under the low-tariff laws of 1846 and 1857, the average duty under the former being about 26 per cent., and under the latter about 20 per cent.; while from 1860 to 1880, a period of twenty years, during which the farmers, being one-half of the population and starting with one-half the wealth, gained only about one-sixth as much as the other half of the population, we were under the Morrill tariff of 1860 and its amendments, the average duty being over 42 per cent.

Under a low tariff, 1850 to 1860, the farmers increased their wealth 100 per cent.; in the next ten years, 1860 to 1870, with a tariff nearly twice as high, they increase only 39 per cent., and in the succeeding ten years, 1870 to 1880, under the same high tariff, they increase only 9 per cent.

Seeing what a wreck he has made of agriculture, how he has robbed the toiling millions who through winter and summer must labor in the open fields, we might conceive how a protectionist could brace himself up to continue quietly and away from the public view to enjoy the fruits of his unjust and unfair exactions; but it would seem that nothing but inordinate vanity, born of undue self-esteem and long shielded by protection from the depressing effects of foreign competition, and especially from the "pauper modesty of Europe," could ever induce any such man to parade himself before an intelligent public in the sham character of the farmer's best customer. The thing would be absolutely ridiculous if it were not unfortunately so exceedingly expensive.

Mr. HOPKINS, of Illinois. In that you take in all the Confederate States, those that were claiming to be out of the Union?

Mr. HEMPHILL. Yes; from 1860 to 1870, as I have said, the comparison is not altogether satisfactory, because, of course, the labor was lost in the South, and other disturbing conditions prevailed, as I have said. Between 1850 and 1860 and between 1870 and 1880 there is a fair comparison.

Mr. MILLIKEN. Will the gentleman permit me to ask him a question?

Mr. HEMPHILL. Certainly.

Mr. MILLIKEN. Is it not true that many people have gone out of farming avocations because under a protective system they have found more profitable avocations in which to enter? And is it not also true that if by free trade or any other process you increase the number of farmers and decrease the number of manufacturers do you not necessarily reduce the paying consumers and give the farmers less prices for their commodities instead of better?

Mr. HEMPHILL. If you will give the farmers a chance to deal with the whole world—give them open markets—the farmers will take care of themselves. You need not be afraid of that.

Mr. MILLIKEN. They may sell to the whole world now if they please. We have no export duties.

Mr. HEMPHILL. But we can not sell unless people want to buy. It does not take much of political economy to enable a man to understand that much.

Mr. MILLIKEN. Trade is not barter, and has not been since the invention of money. And the fact of the matter is that we sell the most now where we buy the least. We buy largely from South America and from China and the West Indies, in which countries the balance of trade is over $100,000,000 against us.

Mr. HEMPHILL. I will endeavor to show the gentleman in a few moments as I proceed to what this line of thought leads.

Mr. BOUTELLE. Let me interrupt the gentleman for a moment. I understand him to hold that the Mills tariff bill is favorable to the farming interests in the United States?

Mr. HEMPHILL. Yes, sir.

Mr. BOUTELLE. How?

Mr. HEMPHILL. I think anything that reduces tariff taxes is favorable to the farmers.

Mr. BOUTELLE. Even if it reduces the protection the farming interests now have? I think the gentleman would have some difficulty in convincing the farmers of my district of that fact.

Mr. HEMPHILL. Oh, well, yours are not on the same line as mine. All we want is an open market.

Mr. BOUTELLE. You have an open market now. The farmers in my part of the country would be hard to convince of the propriety of the position the gentleman takes.

Mr. HEMPHILL. Well, you may have a few farmers in your district, scattered here and there; but I speak for the great mass of the farming community of the country.

Having seen the destructive effect of high protection upon the agricultural interests of this country, let us examine briefly the changes in our foreign commerce for the past thirty years in so far as we are interested in the transportation of it. In 1856 the value of the total imports and exports of the United States amounted to $641,604,830,

of which American vessels carried $482,268,274, or a little over 75 per cent. of the whole. In 1887 our total imports and exports reached the sum of $1,408,502,979, of which there was transported in American vessels $194,356,746, or only a fraction over 13 per cent.

In a few more years we will reach the descending climax, in which we will present to the world the humiliating spectacle of a great and proud nation, with a population of 60,000,000 of people and a foreign commerce of $1,500,000,000 annually, of which we will carry the value of not one cent. It is estimated that we pay in freight money to foreign vessels $140,000,000 to $160,000,000 annually, which ought to be, and would no doubt be, largely paid to owners of American vessels were, it not that everything and everybody in this country must surrender their rights and their property to the manufacturers.

I am not prepared to maintain that this almost total loss of our carrying trade is wholly due to the protective tariff, but that the very high duty placed upon all materials from which vessels are constructed has produced this result in the main I have no doubt. And when we come to balance up the business in this country and set over against the increase in manufactures, if any, the loss in our agriculture, carrying trade, and other occupations, there is no doubt in my mind that the country is less prosperous to-day than it would have been without protection.

It would be impossible, of course, within the proper limits of a speech to discuss the numerous untenable grounds upon which this unjust law is maintained. To enumerate them simply "would weary your indignation," and to take the time to refute them would exhaust your strength and patience. It may, however, be stated that while the protective laws are said to be for the benefit of the laborer, are claimed to diversify industries, to protect us from foreign competition, and to have many other virtues, no one has yet been found bold enough to assert that it has the one essential element of all honest laws—that of equal justice to all men. In fact, protection is founded on injustice, and unless it produces inequality it fails of its purpose, deceives its friends, and belies its very existence.

The population of South Carolina is about one-fiftieth of that of the entire Union, and if we contribute by the purchase of protected goods in proportion to our numbers we must pay annually under the tariff laws about $16,000,000. But as the amount directly contributed under this system depends upon the purchases made by the citizens of the four thousand protected articles, and as our people are in impoverished circumstances and their ability to purchase thereby diminished, it is not likely that they contribute the full $16,000,000. It may be safe to say, however, that they do contribute two-thirds of this sum, or say $10,000,000, of which $2,500,000 goes to the support of the Government and $7,500,000 to the enrichment of the manufacturers and other protected citizens. If the people of my State pay their proportion, according to population, of the internal-revenue tax, which is derived from whisky and tobacco, their payments on this account amount to about $2,000,000, which, added to the $10,000,000 paid under the tariff, makes the total of $12,000,000 which the impoverished and tax-ridden people of South Carolina annually pay for the support of the Government and for the enrichment of the favored few who by some inscrutable Providence have been able to possess themselves of the taxing power of this Government with which they wring from the toiling millions of this country the fruit of their honest labor.

Comparing these figures with the statistics furnished by the census of 1880 we learn that the people pay annually under Federal taxation sixteen times as much as they pay into the State treasury, and ten times as much as the total State and county tax, and within the last eleven years the people of South Carolina have paid in Federal taxes an amount equal to the entire assessed value of the real and personal property of the State.

The annual cotton crop of South Carolina sells for about $20,000,000. So that our annual payments under the tax system of the General Government largely exceed the half of the value of the entire cotton crop of the State.

It is for these people especially that I plead; these who have so long borne this grievous burden of taxation, but who still courageously contend in the great battle of life, against the mighty odds that unfavorable seasons, adverse circumstances, and an unjust Government have placed upon them, and I challenge every man upon this floor who hates iniquity and loves justice to rally to the support of this meaure which tends to give some relief to that great class of our citizens who have for so many years labored under this burden that is almost too heavy to be borne. I do not and they do not complain against the just and proper taxation necessary to support their Government, but they have complained and will complain against that monstrous wrong by means of which the taxing power of the Government is delivered over to a few men to enable them to gather where they have not strewn and reap where they have not sown.

Many of the farmers of South Carolina were last year assembled in convention at the capital of the State for the purpose of devising ways and means to improve their condition, and to suggest, if practicable, some mode of lessening the State and county taxes.

But it seems to me that the first essential element of permanent improvement amongst agriculturists, mechanics, merchants, and professional men alike is the reduction of Federal taxes. It is right here, and upon this floor, that the great contest for the relief of the people is to be conducted. If it is wisely, persistently, and courageously fought we must eventually win, because "the people are mightier than the king."

I would not be considered as desiring to criticise harshly the manufacturers, nor as saying that they are worse than other citizens of the country, but I do say that they and others in like position have for years enjoyed, and do now enjoy, under the laws of this country, immense advantages over their fellows, which, as a matter of justice and right, they are not entitled to, and which it is the duty of the independent Representatives of the people upon this floor to see that they do not enjoy in the future.

If we take a calm view of our affairs as they stand related to this question of the reduction of taxes it certainly presents a unique and anomalous condition. We have two great parties, one contending for a reduction of taxes and the other resisting it with all the power and influence it can command, and even clamoring for more, although there is already in the Treasury a surplus over needs of many millions of dollars. Is it not passing strange when the people can not have their taxes reduced although the requirements of the public service have been more than met?

Why can not we reduce the taxes?

The reason assigned by the protectionist is, that it will ruin the business of the country. Is it possible that the lifting of a burden and an expense from the people and the denial to them of the privilege of paying millions of unused dollars into the public Treasury will prove their destruction? There must be some other explanation of this thing. That the tax-payers, who really pay the taxes, should cry out for more is absolutely incredible. But what is it that makes this burden so sweet to those who are standing out against the reduction? The explanation is very simple when once understood, and it lies in the fact that these taxes that are levied by public enactment do not go into the public Treasury, but they go into the pockets of private citizens, and the very men who are to reap the reward of this scheme are here either in person or by their Representatives to vote upon the measure. So that the difference between these Representatives and myself is, that every dollar I can save to my constituents is a dollar lost to theirs, and every dollar they can wrench from mine, either justly or unjustly, under this law, goes to enrich theirs.

These gentlemen, then, are not here under the grave responsibility of voting to place a burden upon the shoulders of their constituents, but rather are voting to put money into their pockets for which they have not struck one lick of honest work. Does any one express surprise, then, that the manufacturers of this country manifest the liveliest interest in any efforts to alter the tariff laws?

Of all the working people in the United States every single one of them is an enforced contributor to the support of the manufacturers. In fact, there is not a man, woman, or child of the 60,000,000 inhabiting this broad land who has on this day or on any day for the past twenty-five years performed one moment's labor toward providing the necessities or comforts of life who has not contributed to the support of this petted class of our citizens. Not a dollar, not a cent has been spent in this country for the past quarter of a century in the purchase of any of the enumerated articles which has not gone in part to the enrichment of these people. And these immense contributions, coming from every quarter of these United States, from every State, city, town, village, and hamlet, from every home in this broad land, from every man, woman, and child in it, has been flowing with an unceasing current for years into the coffers of the manufacturers, and all under the transparent sham of protecting American labor.

No wonder that the manufacturers have heretofore stood an unbroken phalanx against every effort to alter or amend this law, and have persistently misrepresented, maligned, and abused those who have endeavored to secure some relief from the exactions placed upon us.

Surely nothing could illustrate more forcibly the total and absolute perversion of the very principles of our institutions than to see the laws of the land, which should be a shield and protection for all, given over into the power of a few men and converted into an engine of oppression by which the stroke of one man's arm is coined into dollars for another.

It seems to me that human ingenuity can not devise a system of taxation more unjust, unreasonable, unfair, and unrighteous.

In view of these enormities I do appeal most earnestly to every gentleman upon this floor who has the faintest conception of justice to lend his aid to this bill, that seeks in some measure at least to lift from the bowed-down necks of the people the burdens that have been laid upon them.

What we demand is the inalienable right of purchasing in that market where our money will bring the greatest quantity of the necessaries of life; and that must be a very late, lingering, and wizened up specimen of poor humanity whose soul does not go out to a people who are making one more strenuous effort to secure this one right of every freeman. It would seem that even the protected pets of the Government, if they have any bowels of compassion, would be moved to vote for the comparatively small relief proposed by the pending bill when they have once heard the piteous cry of the people for a fair and even chance

in the great race of life and for the restoration in part at least of their long-lost rights.

I hesitated to address the House upon this important theme, knowing that many others far more experienced than myself desired to participate in the great debate; but I feel that it is the duty of every man on proper occasions to say something or do something or suffer something for liberty's sake. And remembering how long the people of my State have suffered under this grievous burden I have felt bound to say something by way of exposing the very flimsy and miserable pretexts under which this system of taxation is maintained, and contribute something, possibly, towards its amelioration. For the maintenance of justice, the vindication of right, and the establishment of this Government once again on the everlasting principle of equal rights to all men is well worthy of the ambition and the life work of the best, the wisest, and the truest of American citizens; and it ought to be a sufficient eulogy for any man, it will certainly be sufficient for me, if when the trials and tribulations of this life are over, when its triumphs and failures are ended, when earth's work is done, if it can be truly said of me that as long as God gave me strength I had contended for the liberties of the people against the tyranny of their unjust oppressors. [Applause].

Mr. OSBORNE. Mr. Chairman, the shrewd and skillful tactics of our free-trade opponents so mix and obscure facts and arguments in treating the tariff question that it is difficult to keep before Congress and the people the simple rules and principles which should guide in solving this problem in political economy. Like the cuttle-fish, which hides in waters discolored from its own ink-bag, they spread obscurity over the subject from their Cobden Club inkstands and presses with the same purposes as their great leader, to "divide and conquer."

The contest is as old as the times of the early colonies, when England declared that they should not be permitted to make even a "hobnail;" and the methods of conducting it are not of recent importation. We find in an Edinburgh magazine of many years ago some verses entitled "The Quaker's Lament," a verse or two from which will be found suggestive of the sources of some more recent enthusiasm in favor of free trade:

All the mills were closed at Rochdale,
  Shut the heavy factory door;
Young and old had leave to wonder,
  There was work for them no more.

And at length we gained the battle,
  Oh, how proudly did I feel
When the praise was all accorded
  To my brother chief, by Peel!

But I did not feel so proudly
  At the settling of the fee;
Cobden got some sixty thousand,
  Not a stiver came to me.

* * * *

Well, they might have halved the money,
  Yet I know not—and who cares?
After all, the free disposal
  Of the gathered fund was theirs.

* * * *

Yet they gave him sixty thousand,
  Not a penny-piece to me.

The Cobden Club is well named, and the source of the "gathered fund" seems inexhaustible so long as laboring men, the bone, sinew, and glory of our free land, can be misled to adopt free-trade theories under its false teachings.

I have heard that coal-miners out on a strike, after weeks of idleness and resulting loss in wages, have discovered that some of the leaders have been bribed to keep them idle for the benefit of rival coal-dealers who supplied the markets of their employers. So among leaders of modern Democracy, may not some be influenced, unconsciously of course, by self-interest, to yield our markets to foreign rivalry under the specious plea that Europe can supply us with cheaper goods?

It is not the manufacturer who is most interested in this subject of protection. The mill-owner suspects that the competition of his neighbors will interfere more with his markets and profits at home than does the mill of any foreign rival, and is not sure but that less competition here might give him cheaper labor and higher prices. Not all of them look so far as to comprehend the effect of driving off the best customers for domestic goods by the discharge of thousands of laboring men and families from steady and profitable employment.

Mathew Carey, the ardent and early Irish advocate of the interest of labor, wrote nearly sixty years ago:

Except about twenty or thirty persons, there is not, I am satisfied, a manufacturer in the United States who has expended in this cause one-half so much as I have paid for the mere paper on which I have written.

Is it not so now? Each one applies economic principles to his own business first, and cares little about the general application which must increase competition at home. The one who has grown rich in business will not mourn over a crusade against the tariff, though it results in the destruction of the iron mills in Pennsylvania and turns thousands of laborers out from comfortable homes and good wages to compete with the labor of foreign mills or to starve.

This bill is not a reform measure in the interest of our people, but it is a blow at the dignity of American labor. It is an attack upon a system of protection which has brought comfort and even luxuries to thousands of homes in this land of the free of which our fathers never dreamed.

The false teachings that men who employ labor will ruin their own business to reduce wages and oppress the poor can only result now, as in former times, in the loss of confidence, loss of employment, the hunger of idleness, all traceable to the action of the "ill-informed and reckless revolutionists" in attempting, as in this bill, to destroy under cover of reform.

After centuries of most exclusive legislation to build up the industries of England and supply the markets of the world, after wars of startling magnitude waged in command of trade, the independence of her American colonies threatened her monopoly of our markets.

That we could govern ourselves might be a relief to her exchequer, but the loss of trade through our growing independence of her looms and forges was not to be tolerated.

As she can hardly again send her armies and her navy to compel our trade, as in Egypt, the Indies, China, and Japan, she compromises by sending her Cobden Club to preach reform, with unlimited means from fresh "gathered funds" to attract attention.

The contest that produced the "Quaker's Lament" and yielded to Mr. Cobden a fee of £60,000, is fully recorded, with its evil results, by a writer in Blackwood's Edinburgh Magazine of July, 1849, quoting from a speech in Parliament made on the Liberal side by one of the ablest of the Liberal party:

That the repeal of the navigation laws was the crowning of the column of free trade.

It adds:

There is no doubt it was so, but it was something more. It was not only a carrying out of a principle, but the overthrow of a system. It was not only the crowning of the column, but the crushing of the pedestal.

So American workingmen will find that tariff reform as proposed by the bill under consideration will not only carry out the principle of free trade, but must ultimately crush the pedestal upon which is supported our glorious American system.

As England abandoned her protection policy she established her empire in India. The victory on the Indus was contemporary with the repeal of the navigation laws on the Thames. The completing of the conquest of India occurred exactly at the moment when the system which had created that empire was repudiated.

To the markets of Europe, Asia, Africa, and South America England would secure control of and add ours. Not content with fleecing four-fifths of the world she sighs for the fleece of our little pet lamb, and with true John-Bull shrewdness calculates that the cost of liberal subsidies to politicians and presses will be much less than the increased budget for a military campaign and much more certain of favorable results.

The Tariff Commission, selected from the able men of all parties, labored faithfully to correct the evils complained of in the tariff which has given so many prosperous years, and the tariff of 1883 was adopted as the law of the land. But it does not satisfy the reformers, because the dominant faction in the Democratic party is determined to secure ad valorem duties which comes as near free trade as they can hope, and they press upon Congress and the nation the bill now before the House.

When John C. Calhoun led South Carolina into rebellion, by nullifying the revenue laws enacted in 1828, which were based upon the protective principles of specific duties, the whole country was in commotion. General Andrew Jackson, then President, said:

If John C. Calhoun and his friends do not submit to the laws, by the Eternal! I'll hang him as high as Haman! It is tariff now, some time it will be slavery, but it is a conspiracy to break up this Union.

A prophetic utterance of the old hero. The excitement culminated in a compromise. The Whig party, yielding to a Southern clamor, consented to revise the tariff of 1828; and in 1833 a bill was rapidly passed through Congress, the compromise consisting in a change from the specific duties to the revenue standard of ad valorem, at first as high as those of 1828, but to be annually reduced until, in 1842, they should reach a settled point of 20 per cent. horizontal.

Here was a fair trial of the principles opposed to protection, and the result was fairly recorded. In 1836 it was in full tide of unsuccessful experiment. The duties on imported goods, gradually reduced, had reached a point where the foreign maker could afford to pay them and risk the sale of his inferior stock and remnants, and they soon flooded our markets, to be sold to the highest bidder on the usual credits. It seemed the heyday of prosperity and speculation to rejoice the hearts of all reformers.

The year 1837 opened brightly; money apparently abundant; stores were filled with cheap goods, and innumerable State banks of issue supplied currency to buy with.

Before the summer of that year which opened so auspiciously had fairly dawned all was terror, confusion, and ruin.

The notes given for the foreign goods bought at auction must be paid in something better than the rags of State banks, which had nearly all suspended specie payment, and many failed and were worthless, leaving only the memory of equally worthless promises to remind men of their former existence. No currency, no credit, no work, nothing but widespread ruin.

Where was the promise of the free-trade theorist that it meant only free exchange, and that no more goods could be brought here than could be paid for in goods made here? England sent us in 1836 $86,000,000 worth of goods, while she took of us only $1,684 worth of breadstuffs.

Mills were closed, looms and spindles silent, and in many cases were sold by sheriff or constable to collect notes given by manufacturers for raw material and wages for their workmen. Why?

Not because our factories could not make goods cheap enough, but because the shelves of old customers were filled from the auction sales.

"We can sell as low as you paid at auction." "But we have no room for more if you could give them to us," was the reply. Workmen were discharged unpaid, to suffer because labor had been employed abroad to furnish goods which should have been made here.

This is all matter of history, and was the result of Democratic legislation half a century ago, crowning the column of free trade with fraud and crushing the pedestal of protection under false appraisements at the custom-house.

When, in 1844, the Democratic party entered the Presidential campaign flaunting banners bearing the legend, "Polk, Dallas, and the tariff of '42," and claimed that James K. Polk was a better tariff man than Henry Clay, it intended to deceive. They defeated Mr. Clay and then broke their pledge to the people in 1846, changing the tariff by substituting ad-valorem duties and custom-house oaths for the plain, honest, specific duties which rendered such frauds almost impossible under the tariff of 1842.

In every case and every age of the long struggle we find the issue to be Democracy, ad-valorem duties, and fraud *versus* specific duties and protection to honest labor and trade. And in every success of the Democracy they have led us to financial ruin, failures in business, and loss of employment to labor. And yet this bill is urged upon the country to reform alleged abuses and assure workmen that they can command better wages if the country is flooded with foreign goods and our gold taken abroad to pay for them.

It is alleged that "a tariff oppresses the poor." That "any tariff increases the cost of living, because the duty must be added to the price of every article consumed here."

Again, the reformer asks exultantly, what is the use of a tariff for protection if it does not increase profits by giving the manufacturer a higher price? History shows that nails, window-glass, and products of the loom protected by the tariff of 1816 sold for less than the duty imposed. This result is founded in reason. Well-paid labor makes good customers and increases demand, which in return requires increased production, which reduces cost and affords better profits at lower prices.

The more complete protection afforded by the Morrill tariff of 1861 has worked greater miracles in the past twenty years. Give to American workmen a market for their products and they will take care of the wages. The object of protective duties is not to raise the price of goods, but to secure to labor the market.

The moment we establish a duty, the price is reduced by the foreign maker in the struggle to keep our markets. Take steel rails, a striking example of the effects of protection. The agitation for protection lowered the foreign price from $150, gold, long before our mills began to roll them. Soon the price delivered here was below $100. So the duty of $27.50 was not added to the price. Reduced by the tariff of 1883 to $17, it is yet called infamous because the free-trader declares rails at $26.50 a ton, less than the original duty, the consumer must pay the duty. Surely nobody believes that. Does any one conceive the possibility of such reduction in price if we had not established the manufacture by protective duty? Yet the free-trader denounces it as infamous because customs revenues decrease! More customs duties with lower duties must mean more foreign goods to fill our markets.

That is just what the friends of this bill are working for. Protection, at any point under prohibition, must always reduce prices, first under foreign competition and later under home competition. If one man is making money too fast other capital will take a hand, and then in the competition for more workmen wages must improve.

A learned professor trained his free-trade batteries upon the manufacturers of spool-cotton thread in defense of poor sewing women, who, the professor says, are compelled to pay the oppressors a tax of 1¼ cents per spool more than it is worth at retail. He said:

> No doubt it could be sold for 3 cents a spool, now it costs 5 cents.

With great prudence the professor sets down just what the expenses should be, and then calculates the profits to suit his case, even to a quarter of a cent. With a wonderful display of originality he exclaims, in an address February 7, 1883:

> The first garment a baby puts on, and the last a dead man is clothed in, must be made of thread.

The Willimantic Linen Company of Connecticut was the target at which the sympathetic professor aimed, and it seemed reasonable to learn their side of the story. They responded courteously and promptly to the inquiries as to the cause and amount of protection and its effects on prices.

In beginning the industry, the company learned that wages of labor at Paisley, Scotland, was 15 cents per dozen spools of thread, less than they were paying, and they asked of Congress a duty of 15 cents a dozen to cover that difference. The list price of a dozen spools of cotton thread, 200 yards each, was then 85 cents. According to free-trade calculations the duty must be added to the price of all sold, whether domestic or imported, making a dozen spools cost $1. But sixteen hundred operatives having good wages, comfortable homes, schools, play-grounds, concerts of music, and churches of their own, were able to afford thread when this tariff reform began at a reduction in price of 30 cents; double the amount of the (added) duty. In 1876 the price had been reduced to 65 cents per dozen, and at the time they gave the information to 55 cents.

Why the professor should go out of his way to misrepresent such an industry as a tariff fraud is a problem not easily solved.

Mr. Thomas H. Dudley, of Camden, N. J., consul at Liverpool under Mr. Lincoln's administration, in an address before the New York Association for the Protection of American Industry, said:

> The great power she (England) is now using is the Cobden Club. No political organization that I know of has so much wealth, power, and influence. It has a professor of political economy at Yale, and one at Williams College, who are members of the club.

So it was this great political power which misrepresented the Willimantic spinners.

It will not be amiss to look over figures made in the past. During the years 1829 to 1832, inclusive, our imports from Great Britain amounted to $142,000,000. Our exports of breadstuffs to Great Britain were $9,500,000.

From 1835 to 1838, inclusive, imports, $253,000,000, while the exports of breadstuffs were but $94,629.

In 1836 we purchased from Great Britain $86,000,000 worth of goods, and sold to her the value of $1,684 in breadstuffs.

Another curious fact in this connection is that in 1845 the State of Massachusetts took products of the other States to the value of $40,000,000, three times the amount of exports to all parts of the world, cotton included.

Compare these figures, and decide which can best be depended upon by our farmers—protection to American industry or the bill under consideration which promises free trade to the country under cover of Democratic revenue reform.

It is the employed labor here that consumes provisions raised here, and the maker of spool-cotton thread is not the only laborer here that is paid at the rate of 15 cents a dozen more than his less fortunate brother in Paisley, and eats his white bread and roast beef instead of oat-meal porridge. England can buy grain in Europe and the East at lower prices than our farmers can afford to sell for and pay the cost of sending it abroad.

The wealthy traders of England understood human nature well, and broke down protection there, as the Cobden Club is doing here, by creating jealousies of class against class. The laborers in towns wanted cheap bread, and joined the traders in repealing corn laws. Then it was easy to excite the farmers against the manufacturers.

Here the grangers are excited against the railroads, without which their farms are worthless, and against the factory workmen who shut them from the foreign markets by protection laws.

I would suggest for thoughtful consideration, that the great prosperity of the country under our protection laws enables well-paid labor in all industries to own their own homes, to clothe and educate their children to an extent never before known, and creates a market here tenfold more valuable than any that could be offered under free trade.

"History is philosophy teaching by example," said an ancient Greek historian. We have many examples to learn from in deciding questions of political economy.

Almost a century before the colonies in North America declared themselves independent, an Irishman carried over to Portugal workmen from England, and set up manufactories. An English publication said:

> The Portuguese went on successfully; their manufactures of woolen clothes increased to that degree that both Portugal and Brazil were wholly supplied from their own fabrics, and the materials of this manufacture were of their own and Spanish wool, and no other.

The Portuguese prohibited all manufactures coming in competition with their own, but in 1703 the British minister, Mr. Methman, induced her to enter into a treaty, called by his name, which stipulated that she should never prohibit British woolen manufactures, provided port wines were admitted into Great Britain at two-thirds of the duty paid on those of France. They were made to believe not only that a market was secured for their wines, but that they would buy their cloths at reduced prices.

Adam Smith had not then written, but they learned without him to "buy where goods could be had cheapest." The English publication quoted adds:

> During the twenty years of prohibition the Portuguese succeeded so well in their woolen manufactures that we brought hence no gold or silver, but after taking off that prohibition we brought away so much of their silver as to leave them very little, and then we began to bring away their gold.

England learned the lesson taught by her success in Portugal better than we; at least she better profits by the example. She fills our commercial centers with Methmans and our colleges with professors, who teach shrewdness under the name of his most successful scholar.

Thousands of honest, patriotic men here are beguiled into the belief that we buy where we can buy cheapest at foreign mills, even if we lose all the benefits through the loss of employment to the laboring population and have nothing left wherewith to purchase at any price. But where can we buy cheaper than in the market which gives us all employment at fair wages?

It is interesting and instructive to read the debates in Congress during the protracted struggle for complete independence, from the days of colonial rule to this year of 1888. The same objections, the same misstatements, the same arguments, playing off the supposed interests of one section against the other, the prejudices of one people against the other, the jealousies of workmen against employers, the same interference with the finances year after year, and all springing from the same stubborn determination of our English cousins to recover control of our American markets and enjoy the profits under English vines and fig-trees.

Pennsylvania, with her vast area of coal and inexhaustible beds of iron ore, early became a manufacturing State. The only available mines of anthracite coal, the purest known in the world, lie within her borders. With an intelligent, moral, and industrious population as a manufacturing community, we have always been foremost amongst the advocates of protection to American industries.

In the name of that great Commonwealth I protest against the passage of this bill. It will destroy our industries, impoverish our farmers, and degrade our labor.

It is not American.

Representatives of a mighty people, I appeal to you by every sacred memory in the past, by every hope for a glorious future of our beloved country, show yourselves great enough to appreciate the blessings of our American institutions, wise enough to legislate for the happiness, prosperity, and glory of the American people, patriotic enough to stand by the independence, the dignity, the honor, and the homes of American workmen.

This is not a question in which one State is interested above another State. It is the United States against all the world.

Come what will, I am for the Union and protection to American trade and labor. [Applause.]

Statement of the quantity, value, rate of and amount of duty received from steel railway bars imported and entered for consumption in the United States for the fiscal years ending June 30, 1880, 1881, 1882, *and* 1883.

Fiscal year ending June 30—	Railway bars or rails, wholly of steel.			
	Pounds.	Values.	Rate of duty.	Duty.
1880	118,292,681	$1,643,700.90	1¼ cents per pound	$1,478,658.53
1881	372,375,307	6,101,250.52	....do	4,654,691.31
1882	433,562,750	6,588,183.42	....do	5,419,534.44
1883	154,982,303	2,335,614.80	....do	1,937,278.79

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *December* 19, 1887.

WM. F. SWITZLER,
Chief of Bureau.

Hon. E. S. OSBORNE,
House of Representatives, Washington, D. C.

Statement showing the imports entered for consumption in the United States of railway bars of steel, or in part of steel, during the ten months ending October 31, 1887.

Months.	Tons.	Values.	Estimated duty ($17 per ton).
January	2,442	$51,254	$41,514
February	5,202	104,685	88,434
March	2,220	45,079	37,740
April	642	$12,831	$10,914
May	2,755	65,429	46,835
June	5,294	107,786	89,998
July	12,757	272,670	216,869
August	36,308	736,650	617,236
September	10,255	226,015	174,335
October	23,423	515,963	398,191

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *December* 20, 1887.

WM. F. SWITZLER,
Chief of Bureau.

Mr. HUDD. Mr. Chairman, it is said that both great political parties are pledged to revenue reform; that in the face of an annual surplus of $60,000,000—over $1,000,000 a week, about $140,000 a day, over $5,800 an hour, withdrawn and unnecessarily held from use and circulation among the people—neither of the contestants for political favors could well appear indifferent, so both were compelled to declare in some form on this seeming to become the paramount question of any political campaign. We will reduce the burden of unnecessary taxes on the people by striking out as far as possible the custom-house duties that press heaviest on the labor class—by its duties on the necessaries of daily life, on food, clothing, home and business comforts—so that we may cheapen the cost of living and not hamper the industries in mere aid of capital where the fair and just discriminations may be made; says, in effect, as in the Democratic declaration of a political independence that was adopted at Chicago when Mr. Cleveland was well and successfully named for the Presidency.

Said the Republicans in a convention that was not as successful in the naming of a President, but that did declare for some reduction of Federal revenue taxation, but as read in the declaration itself—their platform, and as construed by all their leaders and *doctrinaires*—it is for such reduction, not commencing at the door of or on the line of the customs on importations, but with the internal-revenue tax-gatherer. Free whisky and liberated tobacco is in the air as the panacea for the threatened further conjestion of the financial health of the Union.

I speak by the card when I say that the leaders of that whilom great party, that borrowed its name of Republican from the original Democratic idea that organized parties and political associations for national ends and patriotic purposes, are committed to the abolition of the internal-revenue taxation in lieu of any general attack on the customs, for that would interfere with their pets,

THE OVERGROWN INFANTS.

That are continually astonishing their political teachers—apt pupils of crafty masters, with their more than Oliver Twist simplicity "of asking for more"—protection.

Here is the significant and no uncertain sound that comes from these same leaders. Let us look at only two illustrious samples and they will well and fully average up and answer for the party in which they are trusted leaders and possible Presidents (for candidacy only), to the point that the Republican party are in fact hostile to any substantial tariff reform; consider the subtle utterances of Senator SHERMAN at the Home Market Club gathering in well-protected Boston, State of Massachusetts:

The tariff ought to be carefully revised with a view to correct any irregularities or incongruities that have grown out of the changes of value since the passage of the act of 1883.

So far we observe, as the fact is, that the Senator is still wedded to the principles of that same tariff revision of 1883, that, it is claimed, is one of the many pernicious acts of tariff legislation that has caused the popular rising of the masses to demand its substantial repeal. So far as SHERMAN can speak for the Republican party, and who doubts his commission to that high place of heir-apparent, the anxious I am to be your candidate, since that bleak day in January when from across the sea came not our American poet Poe's,

A wind came out of the sea by night
Killing and chilling my Annibel Lee,

but a most chil-blain kind of an air that rang

Our Jamie on the stormy sea

of doubt and uncertainty, and therefore wisely declines. "Your candidate I can not be," alas! has been said before by as illustrious a politician, gone, but never forgotten; no, never, while a Democratic memory remains of that good man and elevated statesman, Horatio Seymour. Blaine's declination may also be writ in water; as it comes to them across a waste of that same unstable material. Circumstances may change declinations. But to return to the "Barkis that is willin." Speak again, JOHN SHERMAN:

Every imported article that does not compete with our domestic industry, and is essential to the comfort and wants of our people should be placed on the free-list.

Ah, there, the wise and super-subtle Ohioan knows, as he has declared by his legislative acts, that the great list of over four thousand articles listed and taxed at the seat of the customs is held by him and his political brethren to compete with our domestic industries, so there is small help for the tax-payer here. Let us follow their leader to his tariff climax.

Every raw material of industry which does not compete with our own industry should be specially selected for the free-list.

Ah, there, again, most grave and reverend Senator, you should also have given, as I do now, the *sotto voce* of the distinguished speaker, namely:

And I know that will make a mighty small free-list.

So much for the main premise, that the Republican leaders do not intend any substantial

RELIEF OF THE CUSTOMS BURDEN.

Now for the minor key that they would strike to appear to keep the word of promise in the hope of a reduced surplus, while breaking it constantly to the ear and eye of the reader and searcher for a remedial statute. They will favor a repeal of all the internal-revenue laws, take the tax off whisky and tobacco, because by so doing they expect to prevent such a revision of the tariff as is now demanded by the great mass of tax-payers in these United States.

Our internal-revenue receipts are approaching $120,000,000 per annum. If that amount is struck from the revenues of the Government it will be as much, if not more, than will be asked for. The ordinary and necessary expenses of the Government must be met, and these now and for many years to come will include the interest on the public debt

and the pension-list. These two items now aggregate $123,000,000, a little more, it will be seen, than our internal-revenue tax collection for last year; but it must not be forgotten in this connection that we have what are called "miscellaneous receipts," not derived from customs or internal revenue, that annually amount to $35,000,000, that go to swell our national income, and so render the now proposed custom-house reduction possible and safe.

In 1856–'57 our expenses, exclusive of pensions and interest, were $64,700,000 and our customs receipts $63,800,000. In 1886–'87 the same expenses were $193,000,000 and customs receipts $217,000,000. In 1857 our population was about 30,000,000 and in 1887 about 60,000,000. In 1857 the value of our imports upon which duties were levied was $283,000,000; in 1887 it was $458,000,000. During the last thirty years our population has doubled and our net ordinary expenses and customs receipts have more than trebled, while our imports have increased not 62 per cent. That our customs revenues have kept pace with our ordinary expenses is due to the high-tariff rate, which was 47.07 per cent. in 1887, as against 22.45 per cent. in 1857.

Let us now call to the witness stand another illustrious leader of the protection idea. We find in a speech delivered in the United States Senate, April 5, 1888, by Senator WILSON, of Iowa, "the true inwardness" of some of the friends of the people, and who are willing that they, the people, shall drink and smoke in peace, provided that they are content to eat less and be clothed according as they eat, sparingly.

Let the witness be heard:

Mr. President, we are still confronted with an annual surplus revenue of about $60,000,000. Is there no way by which we may get rid of it, without disturbing our true industrial conditions? It seems to me there is a way which is both short and clear. We have one public tax the gross yield per annum of which more than equals the reduction of revenue we are called on to make. The tax on intoxicating liquors is the one to which I refer. There is where I would make the reduction.

Mr. KERR. I would ask the gentleman whether Senator BROWN, of Georgia, does not occupy the same position?

Mr. HUDD. There are no great general rules without some exceptions. There may be some in the Senate.

Now listen to the moral of this

TALE OF A PROHIBITIONIST

From the sometime, but not always, it is to be hoped, to be legally cursed with sumptuary and class legislation, State of Iowa—but showing as clearly as can be shown by the course of events that the Republican party are drifting, if not already on the shoals, where breaks the waves of fanaticism and prohibition, the revamped blue laws that of old times it is said that——

They fined the good man of a Monday
For kissing of his wife on Sunday.

Says this advocate for the coming idea, That will yet dominate the Republican party, and this, the sooner the people understand the better, for a healthful result. Continues the protection witness.

Those who manufacture and deal in intoxicating liquors all seem to favor the preservation of this tax. Why is this so? Persons do not often insist on the imposition of taxes on their business or property. The rule is quite to the contrary, and the removal of a tax is hailed with great satisfaction. Why should this case be so different from all others? Is it not because of the hope these persons have that the reduction of revenue in other directions would result in so firmly imbedding the business of making and selling intoxicating liquors in our revenue system that it could never be disturbed? This is the position it occupies in the revenue system of Great Britain, and who ever hears of a proposition on the part of that government to reduce the taxes on intoxicating liquors? Every other business and interest in the kingdom has been, unconsciously it may be, made into an obstructive force to any reduction of the taxes on intoxicating liquors.

The proportion of revenue which Great Britain derives from intoxicating liquors amounts to something more than one-fourth of the gross revenue of the kingdom, and it has come to be regarded as a fixed and permanent part of the system. A chancellor of the exchequer would as soon think of intefering with the Crown itself as with the liquor taxes. Nor has this economic condition been without its effect on the purposes and habits of that people. The purposes all tend to maintain the traffic and the tax, and steadily but surely the habit of use has grown and the volume of consumption increased. A knowledge of these facts, doubtless, has induced the manufacturers of, and dealers in, intoxicating liquors in this country to take the stand they have of opposition to any interference with the internal-revenue taxes imposed on them. This fact of itself ought to arrest our attention and enforce most patient and thorough consideration of the subject. We are brought face to face with the most malign foe of organized human society. It is the one and only thing with which local communities, States, and the nation have to contend, that subordinates every other interest to the promotion of its own ends. It has no religion, no morals, no politics, except such as it can debase to its own purposes. It has nothing in common with any of those elements and conditions that are essential to the prosperity and happiness of a people. Shall we give to it the enduring support by making it a necessary presence in our revenue system? This question is upon us now. We can not avoid it if we would.

In our consideration of this question we can afford for a time to omit the sentimentalities which crowd upon the mind at every mention of it. As a question affecting our economies and politics it is bad enough. It costs our people nearly $900,000,000 per year. This fact alone is a great economic disturber, for this vast expenditure is never accompanied by any counteracting good. It involves those habits of wastefulness which prevent the acquisition of homes and comforts by tens of thousands of our people who need both and who could have them but for this enemy of correct habits and proper economies. It is the uncompromising enemy of the best type of manhood and citizenship. Whatever of good can be said of it, if such thing there be, can be offset by a multitude of evils. It has no conscience to stay its movements, no matter what calamity they portend.

Can there be any mistake in the portents of these utterances from a leader of the Republican party? Let every man in our broad land that loves personal liberty, as distinguished from the issues that have led such Republican States as Maine, Iowa, Kansas, etc., to pass, in the opinion of many, the domain of fair, honest personal-liberty rights of the citizen, in the unwise and tyrannical invasion of those sacred rights that read in our Magna Charta, born of the best blood and precious lives of the patriots and heroes of 1776, the decree that was written on more than constitutional tablets of stone in the glorious results of the acts of the men who truly lived in the days that tried men's souls, and for all time to admire and be blessed thereby, and that declares:

We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

How puerile, how simple, when we reflect that for the purposes they claim that the

ABOLITION OF THE LIQUOR TAX

Will aid in the suppression of the sale, manufacture, and use of ardent spirits, wines, and beer, when the imposition of the Federal tax gives no license for such manufacture, sale, or use, but that the whole question now legally and constitutionally belongs to the States, that they may prohibit or permit, that all that the Federal tax does is to add to the price of the manufactured or imported beveraged article, and that their repeal, so far as its practical effect, is to make the liquors they decry as the source of so much evil, more easy of use, in that they will cheapen the beverages and make it the drink of the poor man rather than the luxury of the rich one. Let no man be deceived by these false prophets that masquerade in the too scant skin of the moral shepherds, a sentimental wardrobe that can not fail to show the real purpose: to graft a thorn of sumptuaryism on the Federal tree.

I would do justice to a few gentlemen, who, while claiming to be members of the Republican party, yet are now willing to join hands with the almost unanimous body of Democrats, who have placed their shoulders against the car of tariff reform with a purpose to propel it to a final end on the road of a material and perceptible reduction of all burdensome imposts. Notable in this connection are the utterances of Hon. KNUTE NELSON, of Minnesota, in his able speech of March 29, 1888, delivered in the House of Representatives, and who, it is believed, but voices the growing sentiment of the great Northwest—a voice that it may be well for the Eastern and Middle States of this Union to respect as well as listen to; for that part of this land that grows its bread has no uncertain crop of men either that would fain come to the markets of the world with their products for lawful exchanges without profit-destroying tariff tribute, and which West will applaud to the echo the fine peroration of Representative NELSON, namely:

Worthier, better, and juster it seems to my mind would it be to give our people, the toiling masses, cheaper food, cheaper fuel, cheaper clothing, and cheaper shelter, cheaper because released from the heavy and unnecessary burden of high-tariff taxes. I will put free sugar, free coal, free salt, and free lumber against free whisky and free tobacco under all circumstances, and so will the great mass of the American people.

We have looked upon the Republican picture, now let us look for a moment at the other side; and where can we better look to find the truth, the whole truth, and nothing but the truth of this political controversy than in the

MESSAGE OF THE PRESIDENT

Of the United States communicated to the two Houses of Congress at the beginning of the first session of the Fiftieth Congress, a message that shall stand for clearness of its ideas, terseness of its language, and appropriateness as to time, place, and extent of its utterances as the model declaration of the First Democrat in the land? For we recognize in Grover Cleveland, for the time being, at least, that he stands not only as the executive head of a great nation, but also the trusted exponent after that long interregnum of the Democratic idea of Government—"the greatest good to the greatest number." Says that message:

The difficulty attending a wise and fair revision of our tariff laws is not underestimated. It will require on the part of the Congress great labor and care, and especially a broad and national contemplation of the subject, and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country.

Under our present laws more than four thousand articles are subject to duty. Many of these do not in any way compete with our own manufactures, and many are hardly worth attention as subjects of revenue. A considerable reduction can be made in the aggregate by adding them to the free-list. The taxation of luxuries presents no features of hardship; but the necessaries of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened.

The radical reduction of the duties imposed upon raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessaries; it would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened, that part of the tariff now laid upon such product as a compensation to our manufactures for the present price of raw material could be accordingly modified. Such reduction, or free importation, would serve beside to largely reduce the revenue.

It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption, saving them from the depression, interruption in business, and loss caused by a glutted domestic market, and affording their employés more certain and steady labor, with its resulting quiet and contentment.

* * * * * * *

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury

through the perversion of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people, by cheapening their means of subsistence and increasing the measure of their comforts.

Sir, to

THE WESTERN FARMER,

Whose land is burdened to Eastern capitalists by mortgages, in favor of men who have grown rich by taxing that farmer's plow, his shovel, his rake, all of his agricultural implements, as well as his clothes, the covering of his bed at night, the lumber in his house, his barn, his fences, the nails that hold them together, the shoes upon his horses' feet, the tin pail in which he milks his cows, in fact, every necessary used upon his farm, in his house, and of comfort to himself, his wife and children, the allies of protection, whether hailing from New England or the iron or coal fields of Pennsylvania, offer at this juncture of public affairs to reduce the tax on whisky and make free trade of tobacco. This is the cup of consolation that is now proffered to the American farmer. The distich that was sung some years ago was not all poetry, but contains considerable facts that read:

Taxed on the coffin, taxed on the crib,
On the old man's shroud, and the young babe's bib;
To fatten the bigot and pamper the knave
We are taxed from the cradle plump into the grave.

Thus has it been and is now that the real labor element of our land, the farmers, have been and are taxed on every hand. Look at this list of necessaries: Blankets taxed 70 per cent.; salt in bulk, 83 per cent.; common window-glass, 80 per cent.; wire rods for fences, 41 per cent.; saltpeter, 111 per cent.; woolen shawls, 88½ per cent. Contrast these few items only with the mockery of the tax on the luxury of the few: Diamonds and other precious stones, 10 per cent.; furs, 20 per cent.; jewelry of all kinds, 25 per cent.; still wine in bottles, 20 per cent. Do not these two lists carry their own comments?

And so, it comes to pass, my friend Farmer Goodman, your very good wife is desirous of purchasing for every-day use, as well as for a winter's day comfort, a woolen shawl. Mr. Republican, protection salesman, says, "Yes, marm; but it is 86 cents tax on the dollar, $4.50 for the shawl untaxed, $8.37 with the tax on." Now enters Mrs. Purseproud, the banker's wife, to purchase a seal-skin saque and she is politely told that she will be only tolled 20 cents on a dollar or 68 cents less than the farmer's wife on her woolen shawl. If the banker's wife may also desire silk stockings she may have them, under the law, 25 cents less tax than the farmer's wife who may desire to purchase worsted or woolen stockings.

Why, the very medicine for the family when sick is put under contribution for the good of the party that is now seeking to return to power by the

DELUSIVE CRY OF PROTECTION

To American manufacturers and much good to American laborers; so the drugs and compounds that are to minister to the ills that flesh is heir to are most outrageously taxed. Castor-oil only carries 110 per cent. and Epsom salts 30 per cent., and the rest of the needful drugs and restorative simples in the same unjust proportion; and as I have already intimated, the capitalists or money kings, the favorites of fortune that can check on the banks, on the credulity as well as on the indulgence of the law-makers, may have their pearls, their diamonds, in fact all the precious stones to wear and the foreign champagne to drink, the adornments, as well as the gratification of the gilded clique, at an average of 10 per cent., together with other kinds and degrees of the ornamental that are classed as jewelry articles at 27 per cent., and other apparel luxuries on a still smaller scale; while of the so-called coarser goods, or still more necessary articles of use and necessity for the laboring man and his family, all bear an average of 40 per cent. above the purchases of the luxurious few; still by the edict of the law, and at the behest of the Republican party, this burden of taxation is put on the laborious many for the benefit of the wealthy few.

Here is an apt illustration that came to my notice the other day, and is the idea of a farmer, communicated to one of the public journals, so *apropos* to the subject we are discussing that I shall make no apology in borrowing it for and as part of my remarks at this point of the argument:

Let us start a 10-pound piece of flannel on its journey. It costs abroad $3. The duty, 10 cents per pound and 35 per cent. ad valorem, is $2.05. Importer adds his 20 per cent. Cost, $3.60, plus tariff, $2.46. The wholesaler adds his cost, $4.32, plus tariff, $2.95.2. The retailer adds his cost, $5.18.4, plus tariff, $3.54.2, and $8.72.6 is the price the consumer finally pays. The duty cost $1.49.2 more than the Government receives, or on these flannels every $4 of duty drags after it $3 of profit. Without a tariff, at the same profit, the goods that in England would cost, at most, $3.60, as there the retailer can buy direct from the manufacturer, would cost here the two profits, and would be sold at $4.32. With but one profit and the tariff they would cost $6.06. At this price the working people of the great cities can sometimes buy with cash to spare and "job lots," but usually, as they buy at the nearest store and often on credit, they pay the same prices the farmers do, and get for $8.75 the same flannel that is retailed abroad at $3.60. As far as that flannel is concerned the workingman's wages must be $10 here when they are $4.13 abroad to have the same purchasing power.

At a recent session of the National Grange of the Patrons of Husbandry, held at Lansing, State of Michigan, the master of that national organization, in his annual address, uses the following language, and he, it would seem from his position as a representative farmer, is competent to speak for the class he represents, namely, the American farmer:

CONDITION OF AMERICAN FARMERS.

An anomalous condition confronts the American farmers. Producing as they do immense crops which constitute the greater part of the wealth of the country, they ought to be prosperous, and they would be if the wealth they produced were properly distributed. The fact that they are not is evidence of great wrong and injustice. What is the matter? By what means are farmers deprived of the rewards of their labors? Disguise the fact as you may, cover it up with sophistry and ingenious technicalities, apologize for it by pleading for other industries and the necessity for internal improvements, etc., still the fact will remain that through class legislation other interests in the distribution of the wealth of the land are enabled to absorb an undue and unjust amount of the products of the farmers. Every other important interest in the land is protected by helpful legislation, while farmers are discriminated against in trade, travel, and taxes. The products of their farms are priced for them by others, as also the articles consumed by them.

So studiously prepared and well arranged is this legislation that it is quite difficult to trace it up and show just how it operates to sap the prosperity of farmers. One says the farmers are not prosperous because railroads are allowed to charge "all the article will bear." Another says it is because farmers are required to pay more than their just share of the State and county taxes. One thinks it is due to the financial policy of the Government. Another thinks it is due to the protection given to our manufactures. Some think it is due to overproduction, while others attribute it to a want of diversity in agricultural productions, etc. Now, if there is any truth in any or all of these reasons, it certainly is the fault of the farmers, as they have the power in their own hands to correct any of the alleged grievances, whether they be in the management of the Government or in the management of their farms. If the Government has failed to give equal protection to our industry we should not complain, nor should we attempt reform by making demands through resolutions on paper; but we should use the power now in our hands and practice what we have been preaching for the last twenty-one years, and elect with our ballots Representatives who will legislate in the interest of agriculture and not against it.

Mr. ALLEN, of Michigan. Will the gentleman from Wisconsin allow me a question?

Mr. HUDD. I do not want you to take up too much of my time. I have some good things of my own that I still want to get in.

Mr. ALLEN, of Michigan. This is an excellent sandwich to place between your remarks. Does the gentleman claim that the meeting of the National Grange at Lansing, Mich., by resolution or otherwise, in any way, shape, or manner condemned the protective idea in vogue in this country for the last twenty years and more, or that it recommended free trade or anything that was like squinting towards free trade? I was present myself.

Mr. HUDD. My understanding is that there was a full declaration on the question of the hardship growing out of high tariff. If the gentleman asks me whether they proclaimed free trade I do not understand that they did, or that we do, or anything like it.

Mr. ALLEN, of Michigan. When you admit wool free, is not that free trade in wool? How many things are required to make you a free-trader? Are you not a free-trader to that extent?

Mr. HUDD. Sir, what do the farms of the United States produce? What wealth should be in the hands of the American farmers?

The census of 1880 is one source for us to consult to find the valuable information that exhibits this sum of facts. Our farms then yielded 1,754,861,535 bushels of Indian and other corn; 459,479,505 bushels of wheat; 407,858,999 bushels of oats; 44,113,495 bushels of barley; 19,113,495 bushels of rye; 11,817,327 bushels of buckwheat; 35,205,712 tons of hay; 26,546,378 pounds of hops; 110,131,373 pounds of rice; 169,458,539 bushels of potatoes; 5,737,257 bales of cotton.

We also find, from the same source and for the same period, that we had of working oxen, 993,841; of milch cows, 12,443,120; other cattle, 22,488,550; that we had made 777,250,287 pounds of butter, 27,272,489 pounds of cheese, and of whose values unprotected labor was nearly the entire percentage of such production.

The devout Mohamedan looking towards his East, the Mecca of his faith, cries "God is great and Mohamet is his prophet." The devoted if not as devout Republican leader looks towards his East, the so largely protected seaboard States and prays—some people are so critical as to spell it with an "e" and make it look like prey—in that same connection, "We are the G. O. P.—the grand old party, and protection is our prophet"—and that, too, may be spelt short, like profit on the capitalist's side of the nation's bookkeeping, and practically is. The stale pretense is, and no high-tariff speech is complete without it therein, that we favor this system of taxation of importations in the interests of the laboring men. Protecting the home industry that our laborers may thrive—they have rung this *ad nauseam* in the ear of a long-suffering people until some have actually come to believe it; for however well the real facts are known to the leaders, the masses of their party are honest and mean to do right. The Ananias and Sapphira Club is of leaders, not followers, among our Republican friends.

You would continue the high-tariff rates in the interest of labor? When the laws you dared enact and that you now cunningly attempt to defend, straining every nerve to maintain, is the dastard's blow at that labor you profane in every pulse of your high-tariff hands that have for a quarter of a century clutched at the throat of real labor—political highwaymen that demanded their money and did take the industrial life of millions of those same workmen you seek to win to your rescue in this impending political revolution.

IS LABOR PROTECTED?

Just look at the list of laborers in the United States of North America who are to be protected by Sherman & Co., an old firm, and not a new invoice since the first goods were put on the shelves, slight reduction in prices of some of the dress-goods and a few necessaries, just

to keep trade at the old stand. I borrow some of these figures and language that follow from a reliable source:

The census of 1880 gives the following official and interesting returns of the number of people occupied in pursuing a gainful occupation. The total number was 17,392,099. The division was as follows:

Engaged in agriculture	7,670,493
Professional and personal service	4,074,238
Trade and transportation	1,810,256
Manufacturing, mechanical, and mining	3,837,112
Total	17,392,099

But the actual number employed in manufacturing was:

Males above sixteen years old	2,025,335
Females above fifteen years old	531,639
Children	181,921
Total	2,738,895

Now, these 2,738,895 are the actual army, officered and marshaled by protection, to whom the whole population has to pay tribute in the shape of tariff taxes? When we look at this thing calmly we may well subscribe to the sagacity of Mr. Bright, who in one sentence defines the whole situation by describing the protectionists as an organized army, and the bulk of the population as a "mob" of consumers.

What do these figures show; what lessons may be read and not sustain the gospel for protection, either?

First. There are six times more persons not engaged in the labor that it is claimed high tariff will protect, viz, the manufacturing class, than there is in the to-be-cared-for. Then these few are to be protected at the expense of the many.

Second. There are three times more engaged in farming than in manufacturing. It is safe to say that now, nearly eight years since that count of 1880 was made, the farmers of the United States of North America number not less than 8,000,000 of men, and it is capable of demonstration to any one not a candidate for some favor, or in the pay of the high-tariff crowd, that the American farmer has no perceptible protection from the present tariff laws.

Third. That the protected ones in a grand total of 60,000,000 are not to exceed 2,738,895; all are worthy and deserving laborers, but not to be specially favored at the expense of more than 70 per cent. of their overtaxed fellow citizens.

Fourth. It is not true that even this fraction of the laborers are protected or that the boasted system does in fact protect American labor. There have been strikes, lockouts, boycotts, and losses without possible accurate numeration within the past ten years among the so-called labor-protected class. It has been roughly estimated that the money losses alone to these wage-earners in the past twenty-four months alone amount to over $20,000,000, in the face of this tariff that is to protect labor, and yet this enormous waste goes on.

Per contra, the Republican tariff on steel rails and steel, according to an undoubted authority, has made the income of one man in Pennsylvania $5,000 a day and the sweet plum of $20,000,000 for the year's profit likely to drop into the side pockets of that labor benefactor, the owner of the plant; that which the protected workmen were compelled to drop, the liberal boss found.

Protection to American industries? What a painful farce is here attempted to be acted. In one issue of a weekly sheet purporting to be in the interests of the American Iron and Steel Association, a journal edited with consummate ability for its side of the question, the Bulletin, published at Philadelphia, and in a late issue of the 11th of April, 1888, we shall find these significant items, that every to be protected laborer in these United States should clip out and paste in his hat for ready reference when the Republican high tariff for the protection of labor is under discussion:

ITEM ONE.

The managers of the Reading Iron Works, at Reading, Pa., have effected a settlement with their employés by which the latter agree to accept 7½ per cent. reduction in wages. Work will thus be given to 1,000 men who have been idle several months owing to the dullness of trade.

ITEM TWO.

Vesta Furnace, 3 miles west of Columbia, Lancaster County, Pennsylvania, shut down last week, and a large number of men are thus thrown out of employment. The cause of the shut-down is due to a strike at the Columbia Rolling Mill, which consumes the iron made by the furnace.

ITEM THREE.

The Elba Iron and Bolt Company, limited, and the Continental Tube Company, both of Pittsburgh, suspended payment on April 7. Their liabilities are reported at $527,000, their assets at $1,000,000. An extension will be asked for. The mills, when in full operation, employ 900 men. Depression in the pipe trade and labor troubles, which compelled the closing of the mills for nearly four months, are said to have caused the embarrassment.

ITEM FOUR.

As the result of a conference between the Knights of Labor and the officials of the North Chicago Rolling Mill Company, the men at the Milwaukee mills on the 6th instant agreed to a reduction of 10 per cent. in wages.

ITEM FIVE.

The two rolling mills at Hollidaysburgh, Pa., and the rolling mill of the Portage Iron Company, at Duncansville, closed down on the 5th instant. The employés, about 600 in all, demanded the Pittsburgh scale of prices, and the owners refused to grant the demand.

ITEM SIX.

The Glendon Iron Company, at Easton, Pa., on April 7 discharged all its men except those employed at one furnace, and put board roofs on all its idle furnaces.

ITEM SEVEN,

and a sop for those who declare for duties on lumber and manufactured woods.

The Boston Commercial Bulletin says that at a secret meeting in that city on March 28, a combination was formed which includes nearly all the large sash and blind manufacturers in New England, New York, New Jersey, and Pennsylvania. It will cover about 75 per cent. of the goods annually turned out in those districts. Prices will be advanced about 10 per cent., but the scheme will not go into effect until after the spring trade begins. Production will also be regulated. Each establishment pays a certain sum of money into the pool and pays a forfeit if the rules of the combination are broken.

Here it will be well to say a word as to

THE TAX ON LUMBER.

Why should not lumber be placed on the free-list? Or rather it should be preceded by the question, why was it at a late date of our tariff history put into the customs list at $2 per thousand?

It can not be claimed that lumbering, the cutting of logs and their manufacture into the various grades of commercial lumber, was in any sense an infant industry. The fathers of the Republic are sometimes evoked as inaugurating the system in behalf of the then struggling enterprises; did not recognize a weakling in logs or lumber; that was reserved for the wisdom of a later generation, and at the instigation of the owners of plants that had grown to giant enterprises without the mills of tribute that lay in each cent of imposts on that necessary production, the lumber of commerce. The idea was in the avarice of the men already rich, but, like all other men of wealth, still anxious to increase their hoards. The tariff-makers that first imposed $2 per thousand on lumber were not petitioned by any body of farmers, or any number of other laborers; not a man that was an employé merely, asked for that protection; but it was at the instance of the mill and forest owners who saw that in the scramble for some governmental gratuities absolutely attendant on any plan of revenue through custom duties, they might as well be in the pool as the iron, steel, coal, or other needful products, and in this case they knew it was "all grist for their mills."

Wisconsin, that I have the honor to represent in part on this floor, is, or has been, one among the three great lumber-producing States of this Union, namely, Wisconsin, Michigan, and Minnesota; and I say boldly and knowingly, now here in my place, that Wisconsin as a State, nor the people thereof, has received the slightest benefit from the tax on foreign lumber, but has always and from the first been subject to a direct loss to the amount of that tax at least, and more, from the consequences flowing therefrom; and aside from the men who are owners of the mills and the forests in that State, not a corporal's guard would have favored the imposition of that tax in the commencement, or will regret its passing to the free-list now.

Afraid of Canada lumber coming in and destroying the industry in Wisconsin? and I use my own State only as an illustration, applicable in the main to all the other States that produce lumber.

How stands the record for Wisconsin? Thirty-five years ago pine lands were sold, or rather given away, by the Government to a few men or corporations at a dollar and twenty-five cents per acre, and stumpage could be purchased at 50 cents and a dollar per thousand; so that now almost the entire valuable pine lands are owned or controlled by less than forty men or corporations; stumpage and its equivalent acreage now held at $5 to $8 per thousand, or $75 an acre; the men who have labored, the workman in the woods and mills, and being not far from thirty thousand in number annually, their wages not materially varied from an average of $1 per day during all that time, while lumber was free under the reciprocity treaty with Canada, while it bore, if it bore any thing, the 20 per cent. ad valorem, after the abrogation of the said treaty, and then in all the remaining years $2 impost per thousand.

But the forty men have all grown rich. While a quarter of that number are millionaires to-day the thirty thousand laborers are still workingmen, just as poor as when they slung the first ax to fell the first tree for commerce, while every consumer has paid his $2 per thousand tribute, and it has gone to make the rich richer and the poor poorer. Now, if this is the present condition of affairs—and who can successfully deny it?—then as long as all competition is successfully excluded the millmen, as it is familiar to call the great lumber firms that now control the prices of manufactured lumber in the West, will continue to keep the price at high-water mark. Open the door to that competition and make a free market, that same kind of a market in which the farmer and the limited-in-means householder has to sell his products, then a reduction of prices to the consumer will follow; more houses will be built and they will cost less; less millionaires on the list, but more homes for men of moderate means.

Sir, there are two paths opened for the march of political ideas, a right and a wrong road for national growth and individual prosperity, as we may view the means to attain the desired ends of a political victory that shall crown the results for the best good of a whole people. Confronted with a large and growing surplus in our national Treasury, the vexed question is, or should be, what shall be done with the overplus, and what wise act shall intervene to prevent its further growth? All admit that a revenue is needed; no government can be maintained without its aid. Taxation in some form for a revenue is the blood that fills the veins of a governmental polity. Without revenue we may well believe that governmental chaos has come and come to stay in national ruin as well as individual decay. From whom and out of what sources shall that needed revenue come? Every dollar levied upon persons or property not needed for the actual, wise, and economical administration of the government is an unlawful impost and an unjust taking of and from the citizens of any nation.

We have no longer the power to meet this question upon the threshold. It has now for a quarter of a century, or ever since the Repub-

lican party came into control of the legislative and administrative offices of the land, been head, shoulders, arms, and whole body of that idea that is now called the protection policy within the sanctuary of the nation, its very chambers of law and executive action. Not content with revenue enough to carry on the affairs of the nation in manner befitting so great and materially progressive a nation as the United States of North America now are, the Republican leaders, their great men of party affairs, declare that it must be the policy of their administration, and they are about to ask the aid of the people to restore their leaders and their political ideas in governmental management, that is to say, in the matter of levying upon the industries of the land, and all taxes or the major percentage of the

TAXES COME UPON THE LABOR OF THE LAND,

for our land's wealth is in fact in those arteries that run full of the enterprises, born of labor, and whose truest pulse is found in the sturdy wrists that scatter the seed, guide the plow, and harvest the breadstuffs of the earth, that levying upon these the current expenses of the nation, not forgetting its pledges to pensioners or creditors who shall have all that is nominated in the bond, they will go beyond the needs of each fiscal period and declare, we would raise prices upon the manufactured articles so that the manufacturer may have a motive to continue to manufacture at home. So they declare that they will subsidize a few enterprises. This is the story in brief, the Republican platform in fact.

Thus they will collect a surplus, over and above the needs of the hour, and say it is good, for it is protection to American labor, which word "protection" is to be like the shibboleth of charity and is to be used to cover a multitude of sins, both of omission and of commission.

Sir, we are about to appear before a tribunal of the most extensive jurisdiction, namely, the constitutional electoral court of the United States of North America, a tribunal that has no parallel in all the past centuries of dead or living nations, as to extent of power that may be exercised by the ballot, that little piece of folded paper that declares the free man's will, to cast out or build up the policy that shall rule the land and guide and guard its citizens for weal or woe.

Progress, in all the essentials of national wealth, or poverty, in mental or material decay of its inhabitants. It was not a political economist that said in substance, Let me write the songs of a nation and I care not who writes its laws. I would rewrite the aphorism, and it should declare, Let me write the laws of a nation that shall enact the greatest good to the greatest number, and I know who will be the benefactor of that people, and so build wise, strong, and beautiful enduring homes for the man of moderate means, and allow even of great fortunes rising on lawful foundations, and where capitalists are safe always, for that capital was not wrung from labor, but won by just acquisitions, in a land where it is to be, as it should be, ever the aspiration of the lowest citizen in name, place, or fortune to aspire to the highest post. So chaste ambition is ever a Democratic virtue. [Applause.]

During the delivery of the foregoing speech, the hour having expired,

On motion of Mr. MILLS, by unanimous consent the time was extended until Mr. HUDD had concluded.

Mr. MILLS. I ask if any gentleman on the other side of the House proposes to continue the debate this afternoon?

Mr. REED. The gentleman we expected to proceed is not present.

Mr. MILLS. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenues, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. ENLOE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio;

A bill (H. R. 4357) to erect a public building at Allentown, Pa.;

A bill (H. R. 4557) for the relief of George F. Chilton;

A bill (H. R. 6453) granting a pension to George P. Stone;

A bill (H. R. 7546) to amend sections 2595 and 2596 of the Revised Statutes of the United States, and to provide a collector at the port of St. Paul, Minn., and for other purposes; and

A bill (H. R. 7715) for the relief of Georgia A. Stricklett.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed a joint resolution and bill of the following titles; in which the concurrence of the House was requested:

Joint resolution (S. R. 77) providing for a duplication of the compilation of the reports of the Senate and House of Representatives from 1815 to 1877; and

A bill (S. 2506) for the establishment of a light-house, fog signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine.

The message also announced that the Senate had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil; insisted upon its amendments to the bill disagreed to by the House of Representatives; asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. FRYE, Mr. DOLPH, and Mr. BROWN as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1158) for the relief of Louis Jacobson.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 83) accepting the invitation of the Republic of France to take part in an international exposition to be held in Paris in 1889.

CONFERENCE COMMITTEES APPOINTED.

The SPEAKER appointed as managers on the part of the House of the conference on the disagreeing votes of the two Houses on the bill (S. 393) for the relief of Frances Anne Pyne Ricketts Mr. CHIPMAN, Mr. LYNCH, and Mr. SAWYER.

The SPEAKER also appointed as managers on the part of the House of the conference on the disagreeing votes of the two Houses on the bill (H. R. 1761) for the relief of the First National Bank of Portland, Oregon, for money advanced the Oregon Iron Works, the contractor in building the United States cutter Thomas Corwin, Mr. TAULBEE, Mr. BIGGS, and Mr. HERMANN.

ORDER OF BUSINESS.

Mr. MILLS. I move that the House take a recess until 8 o'clock this evening.

The SPEAKER. The gentleman from Texas moves that the House take a recess until 8 o'clock, the evening session to be devoted to the transaction of business under the special order.

The motion was agreed to, and accordingly (at 4 o'clock and 55 minutes p. m.) the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m.

The House was called to order by Mr. MCMILLIN, who directed the Clerk to read the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES, *April* 26, 1888.

The Hon. BENTON MCMILLIN, of Tennessee, is designated to preside as Speaker *pro tempore* at this evening's session of the House of Representatives.

JOHN G. CARLISLE, *Speaker.*

To Hon. JOHN B. CLARK,
Clerk House of Representatives.

TARIFF.

Mr. O'NEALL, of Indiana. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the further consideration of House bill 9051, known as the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the further consideration of the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenue.

Mr. SAYERS. Mr. Chairman, it is to be regretted that this question, so important and so varied in its operation, and so exclusively economic in its character, can not be considered separately and apart from other policies affecting the administration of the Government. It is to be the more regretted that local and special interests, often of trivial moment and limited extent, have combined to secure for themselves a too favorable consideration, thereby somewhat marring the symmetry of the bill and so far depriving it of that appearance of fairness and justice, as well to the consumer as to the producer, which is so necessary in order to secure the entire commendation of every one who sincerely desires that taxation should be reformed and reduced.

But the bill points in the right direction, and, if enacted into law, will be so much gained in the effort which has been so long pending to give relief to the people from as an oppressive and unequal burden as has ever been imposed by a representative government in modern times.

The course taken may not be altogether straightforward; but in time, I trust, every departure from correct principle and sound policy will be eliminated until a strictly revenue system shall be attained, resting securely upon the broad and just proposition that the necessaries of life—embracing articles of general use—shall be relieved, so far as may be possible, from every public charge, and that all revenue demanded by an economical administration shall be so collected as to be oppres-

ive to none and shall proceed from a duty upon such foreign products as are considered luxuries, whose use is limited to the wealthier classes.

I submit, Mr. Chairman, this as the correct theory of taxation, and when the taxing power is exerted in such a manner as to build up special industries, whether pertaining to commerce, or to manufactures, or to agriculture, to the detriment of those who may not be directly interested in such favored industries; or to promote the prosperity of particular classes at the expense of the great body of the people; or to accumulate in the Treasury a sum larger than may be necessary to defray the expenses of a service honestly, efficiently, and economically performed; then such exercise of power, though under the sanction of law, becomes oppressive, begets extravagance by those intrusted with the disbursement of the public funds, induces corrupt practices in and about the halls of Congress, deadens the popular conscience, and in the end, if persevered in, will convert our free institutions into a gilded despotism.

To the people of the Old World the danger comes in the maintenance of large standing armies, eating up the substance which industry and economy accumulates and menacing liberal institutions; but to ourselves it comes in the guise of an unequal, an unjust, and a too heavy taxation, supplemented by the extravagant and corrupt distribution of the treasure so obtained. Now, Mr. Chairman, let us see if the present financial condition of the Government be the result of a policy in strict accord with an impartial and a wise exercise of the power conferred upon Congress by the Constitution in the matter of taxation. And here there is no need of speculative inquiry or of abstract reasoning. The facts and the figures are before us, and that, too, in the plainest and in the simplest form—so plain and so simple as to be entirely within the easy comprehension of the commonest understanding. With these data well understood, it will not be a difficult task to form a correct opinion as to the true condition of our monetary affairs.

I have been furnished, Mr. Chairman, by the Treasury Department with a statement which I beg leave to read to the committee:

Statement showing the net revenue accruing to the Government from customs, internal revenue, and miscellaneous sources, together with the repayment of unexpended balances from July 1, 1887, *to March* 31, 1888; *and also an estimate of the amount to be derived from the same sources during the months of April, May, and June,* 1888.

	Customs.	Internal revenue.	Miscellaneous.	Total.
From July 1, 1887, to March 31, 1888...	$168,159,447.18	$91,513,967.36	$23,387,264.46	$283,060,699.00
Estimated receipts for April, 1888.....	18,830,601.51	11,248,885.57	2,518,174.05	32,597,661.13
Estimated receipts for May, 1888	18,050,766.47	13,861,639.16	2,866,220.93	34,788,626.56
Estimated receipts for June, 1888	19,519,770.32	10,644,887.88	3,544,966.42	33,709,624.62
Total for twelve months ending June 30, 1888....	224,570,585.48	127,269,390.97	32,316,625.86	384,156,611.31

It will be seen from this statement that between the 1st day of July, 1887, and the 31st day of March, 1888, the total net receipts of the Government amounted to the sum of $283,060,699, and that for the remainder of the fiscal year such receipts are estimated to increase this amount by $101,095,912.31. If the estimated receipts should prove to be correct when the fiscal year ends—that is, on the 30th day of June next—there will have been paid into the Treasury during the preceding twelve months, from all sources, the sum of $384,156,611.31. Against this latter amount are to be charged the expenditures during the same period, as shown by another statement from the Treasury Department, which I also submit to the committee:

Statement showing the expenditures of the Government from July 1, 1887, *to March* 31, 1888; *the estimated expenditures for April, May, and June,* 1888; *the available balance in the Treasury March* 31, 1888, *and the estimated available balance for June* 30, 1888.

Expenditures from July 1, 1887, to March 31, 1888..	$244,068,137.00	
Estimated expenditure for April, May, and June, 1888	64,931,863.00	
Total for twelve months ending June 30, 1888.....	309,000,000.00	
Available balance in the Treasury March 31, 1888		$104,573,930.34
Add estimated receipts for—		
April	32,597,661.13	
May	34,788,626.56	
June.....	33,709,624.62	
	101,095,912.31	
Less estimated expenditure for April, May, and June	64,931,863.00	
		36,164,049.31
Estimated available balance June 30, 1888		140,737,979.65

Deducting the expenditures from the receipts, we find that there will have been collected from the people, for public purposes, during the fiscal year ending the 30th day of June, 1888, $75,156,611.31 more than was necessary to meet the demands of the Government. But there was on the 31st day of last month an available balance, a portion of which came over from preceding years, of $104,573,930.34, and, if the estimated receipts for April, May, and June, less the estimated expenditures for the same months be added, we should have in the Treasury on the 30th day of next June an available balance of $140,737,979.65.

Such, Mr. Chairman, is the condition of the Treasury. Can any one possessing ordinary capacity fail to understand it?

But it has been asked, and it will continue to be asked, upon whom does the accountability for this vast accumulation of public money properly rest? Which one of the two great political parties that are now striving for the mastery is justly chargeable with the imposition and continuance of a rate of taxation resulting in the withdrawal from the people and from circulation already too much contracted, and without any necessity therefor, so enormous a quantity of the currency of the country?

There is not the slightest difficulty in fixing the responsibility. The proceedings of this House, as they appear of record, supply us with whatever evidence may be necessary, and this record can not be contradicted. It is absolutely true. Four times has the Democratic side of this House, with a small defection from its ranks, attempted to reform and to reduce the present tariff, and as often has the effort failed of successful issue. On two occasions the measures carefully framed and ably presented were contemptuously rejected by the Republican side, aided by a very small minority of the Democrats; and on the other occasions the bills were even denied a consideration.

It was within the power of the opponents of those measures to have amended them to their own liking, but this they would not do. The present tariff law, with all of its gross and palpable inequalities, with all of its criminal partiality for particular interests, and with its utter disregard for the general welfare of the country, and with the recognized certainty of its creating a large and highly-dangerous surplus in the Treasury, thereby engendering corruption, extravagance, and bad legislation of every kind, suited them best.

They did not want nor would they have any change whatever in the existing law. Its operation, however oppressive upon the agricultural and laboring classes, was accomplishing the result which they most desired, a surplus to be uselessly and extravagantly expended.

The appeal is now made to them for the fifth time. Will it be disregarded as heretofore? Let them beware.

Every demand of the tariff reformers has been, indeed, moderate. The language used is rather that of entreaty than of exaction. If this Congress should altogether refuse to give the people relief from the taxation which is now pressing upon them so heavily and so unequally, the sixth presentation of a reform bill may be in a manner quite different from the present, and the bill then presented may involve a total and a radical change in the system now in force, and may be supported by a majority so overwhelming as to render a compromise wholly unnecessary.

Again, I say, let the opponents of reform beware. The whirlwind and the storm are not easily stayed. Destruction and devastation too often follow in their path. The popular mind is in a state of unrest. The pernicious effects of an unjust, a partial, and a burdensome tariff are being seen and felt everywhere. It will be, indeed, well for those who have been so long and so enormously profiting from such legislation not to further provoke the suffering classes by resisting the moderate demands of this hour. The ballot is yet powerful to enforce the right and to redress the wrong, and through the ballot a change will come in the political complexion of the Congress, and with it measures which will remove from the statute-book every trace of class legislation and of individual advantage heretofore obtained through Congressional favoritism.

But the surplus is with us, and what are we to do with it? In answer to this question I unhesitatingly say that the policy should be to apply the present and all future balances, as fast as they may accrue and without one moment's waste of time, to the payment of the bonded debt; and to this policy I would have the legislative and executive departments of the Government inflexibly adhere until the last bond be discharged and the last mortgage raised from the industries of the country. This was the policy of the fathers. It has been the great objective point of every administration prior to the civil war, whenever there existed a national debt, however small. The policy has worked well in the past. It will work equally well now.

Freedom from debt means a vast deal more than the relief of the people from the burden of its payment, great as that burden is. It will involve a policy as to the currency quite different from that which now obtains, relieving the country from the domination of Wall street and giving to individual energy, industry, and enterprise its free and natural play, without the meddlesome hindrance of governmental interference.

The policy of the protectionists, however, if we may judge from what is transpiring in Congress, is quite different. These gentlemen as a rule, to which there are here and there a few exceptions, favor large appropriations. They delight to inaugurate grand schemes; they be-

lieve in a philanthropic government; there is nothing little about them; they love to declaim upon the greatness of the Government, its strength and its power. Rigid economy is not one of their faults.

Very many of them are anxious to see the General Government more centralized than now, and in the construction of the Constitution they are extremely liberal. They would have the greatness of the Union manifested in stone and in marble upon every hill and mountain top and along every valley and stream throughout the country, forgetting that the greatest strength of any government is in the love and confidence of the people, and that its greatest wealth is in the prosperity and happiness of the individual citizen, without regard to his station in social life.

Mr. Chairman, it will be interesting to inquire as to how this vast surplus has gotten into the Treasury and from what sources it has been drawn.

We are told that of the $384,156,611.31 which is to be collected during this fiscal year, $224,570,585.48 comes as customs, $127,269,399.97 as internal revenue, and $32,316,625.86 as miscellaneous. In a word, it is derived almost entirely from taxation in various forms and imposed in different modes, and it is this taxation which is to be, in a great measure, affected by the pending bill.

There can be, to my mind, no question as to which is the wiser policy; whether the present rate of taxation shall be maintained and the surplus, over and above ordinary and current expenditures, be applied to enterprises requiring heavy and long-continued appropriations, or whether the rate of taxation shall be so reduced as to prevent, if possible, any further accumulation of money in the Treasury beyond what may be required to meet the wants of the Government, honestly and economically administered.

The latter proposition needs but to be stated. Its entire correctness will be unhesitatingly accepted by every one not irrevocably committed to the protective policy, its folly and its wickedness. But let us examine for a short time, Mr. Chairman, some of the most striking features of the present law regulating the duties on imports.

An extensive acquaintance with the science of economics is not necessary to a clear comprehension of the vices which are not only inherent, but which are also apparent throughout the entire law, from the beginning to the end. Scarcely a single provision is exempt from just criticism. It is wholly unclean. Everywhere in it can be readily seen clear and palpable violations of those great and fundamental principles which should underlie and support measures of this kind.

The rank injustice of very many of its requirements is its chief characteristic.

Its gross partiality toward certain classes is so marked as to be readily detected by the most superficial observer.

But, sir, let us first read the law in the light of a debate which occurred in this House on the 10th day of June, 1868. The subject of taxation was under discussion, during which the great principle which should be always observed by the Government in the imposition of taxes was clearly stated and distinctly announced.

This debate is also important because of the distinguished characters who were engaged in it.

We find on page 3049, volume 67, of the Congressional Globe, the following:

Mr. BLAINE. I move to amend the amendment by striking out the last word. I desire to discuss, briefly, the amendment which the Chairman of the Committee on Ways and Means so vigorously opposes. And in the first place let me say that during the entire war, when we were seeking everything on earth, and in the skies, and in the waters under the earth, out of which taxation could be wrung, it never entered into the conception of Congress to tax breadstuffs—never.

During the most pressing exigencies of the terrible contest in which we were engaged, neither breadstuffs nor lumber ever became the subject of one penny of taxation. What was the reason of this? Let me tell my friend from Ohio that it was not because of the influence of the rich grain-dealers at Chicago, or Toledo, or Milwaukee. It was because if anything be universal breadstuffs are universal, for they constitute literally "the staff of life."

If you impose on them a tax ever so small in amount it will be made a pretext by the very speculators of whom gentlemen talk for adding an appreciable amount to the cost of a barrel of flour. I do beseech this House not to sanction the principle of subjecting such an article to taxation for the sake of the paltry amount that is to be gained from this source.

Mr. WELKER. Does the gentleman expect to secure an exemption from lumber by advocating an exemption from breadstuffs?

Mr. BLAINE. I am refering to breadstuffs because it illustrates a principle. I beseech this House not to sanction a tax on breadstuffs which simply build up a mountain of prejudice for the sake of a mole-hill of revenue.

But, sir, I have said enough on that point. Now, as to the article of lumber, I again remind the House that there never has been a tax on this article. The gentleman from Ohio may talk of this question as he pleases; but I say that whenever the western frontiersman undertakes to make for himself a home, to till the soil, to carry on the business of life, he needs lumber for his cabin; he needs lumber for his fence; he needs lumber for his wagon or cart; he needs lumber for his plow; he needs lumber for almost every purpose in his daily life.

Mr. PAINE. Does he not need clothing also?

Mr. Chairman, the distinguished gentleman from Maine did not answer the last question put to him. He passed it by, because to be consistent with what he had just previously said in reference to breadstuffs and to lumber, he must have answered it in the affirmative; and to have so answered it would have been a most severe rebuke to the action of his party in imposing heavy duties upon other articles of equally as universal use and of as great necessity to the people.

Leader as he was and now is, ambitious as he was for political advancement, committed as he had long been to the protective policy of the party of which he had been a so very prominent and influential member, he could not permit the just and reasonable application of the principle—universal use—to clothing and to other articles equally as necessary and as generally used as lumber.

Sir, this debate, short as it is, and arising upon the proposition to impose a tax upon manufacturers, is pregnant with meaning. In it the great Republican leader, though a sincere and an earnest protectionist, has enunciated the very principle upon which the advocates of tariff reform and reduction rest their case, which is, in brief, that no burden should be imposed by the Government, even for revenue purposes only, upon such articles as are of prime necessity and in general use.

It is scarcely necessary, I trust, to ask the question if salt, cooking utensils, table and household furniture, implements of husbandry, clothing, and many other articles now subjected to an enormous tax, be not in as general use and of as great necessity as lumber, of which the gentleman from Maine spoke so feelingly and so eloquently?

And would not a tax, however small, and though in the form of a duty on imports upon such articles as I have mentioned, as surely lead to speculation, with all of its dangerous and attendant evils, as would a tax upon the manufacturer of flour?

And if such articles were delivered from taxation, direct and indirect, would not the consumer be able to realize a greater net revenue from his employment, whatever that may be, than if the tax were continued on them?

These questions must be answered in the affirmative. They can not be truthfully answered in any other way.

But, Mr. Chairman, let us see how this law, of which all true and genuine revenue reformers so bitterly complain, is framed in reference to those articles which are in general use and which are considered necessary to the comfort and well-being of the vast majority of the people; and when it is considered that the revenue arising from the duty on these articles constitutes by far the largest portion of the receipts from customs, we can not but be amazed that any such tax could have proceeded from the representatives of a people, freely chosen by them.

I ask to be permitted to read to the committee the following statement, which I have obtained from the Bureau of Statistics:

Statement showing the average ad valorem rate of duty on the following articles for the fiscal year ending June 30, 1887, under tariff act of March 3, 1883.

Articles.	Ad valorem rate of duty.	Articles.	Ad valorem rate of duty.
Chemicals:	*Per cent.*		*Per cent.*
Copperas	56.67	Pig-iron	56.60
Sal soda	39.01	Oil, olive	25.00
Sulphur	35.06	Oil, castor	194.77
Morphine	58.52	Rice	106.35
Cotton thread	*46.08	Salt (in bulk)	79.68
Cotton cloths	*45.49	Starch	96.22
Earthenware, brown	25.00	Sugar	*82.04
Bagging for cotton	54.13	Wood, furniture	35.00
Iron and steel:		Wool, raw	*36.08
Cotton-ties	35.00	Woolen manufactures:	
Sewing-needles	25.00	Balmorals	*66.79
Tin-plate	33.80	Blanket	*71.67
Iron-wire	*34.58	Flannels	*70.02
Horseshoes	54.95	Hats	*54.01
Horseshoe-nails	76.26	Shawls	*63.50
Total iron and steel manufactures	*40.56		

*Average.

Mr. WHEELER. Is it not true that when that bill was in the Forty-seventh Congress it was with great difficulty that the Democratic party got the duty on cotton-ties down to 35 per cent.?

Mr. SAYERS. I think so, sir.

Mr. WHEELER. And is it not true that ten votes were taken in this House in efforts made by the advocates of the bill, the opponents of the Democratic party, to make that tax 100 per cent.?

Mr. SAYERS. I think so. That is my recollection.

Mr. WHEELER. That is a fact.

Mr. SAYERS. Applying the principle of universal use and of unquestioned necessity, as enunciated by Mr. Blaine in the debate which I have already quoted, is it possible to excuse or to defend the imposition of such a tax as is imposed upon the articles specified in this list? We see that these articles are not only taxed, but they are heavily taxed, the producers of these articles being favored to that extent. For them the market of the United States is almost exclusively reserved.

Is it a wonder, then, that the manufacturers of this country with this extraordinary advantage have grown wealthy and strong? For almost an hundred years they have been thus aided by the Government at the expense of every other industry known to the people. The farmer, however, must go abroad with his products handicapped not only with such cost of production as he would naturally incur, but also with the weight

of an exorbitant and an unnecessary taxation upon everything that he must have for his maintenance, and thus loaded to the very guards he enters the markets of the world and encounters the severest competition. Purchasers are generally there, it is true, but they are there only to buy at their own figures. And so it is with the laborer in the workshop, in the field, in the household, on the railway, in the mine, everywhere and in every vocation. He, too, must brace himself up against all comers and must prepare himself to do them successful battle. He must take the wages tendered him by the employer or remain idle, subjecting himself to the fearful penalty which enforced non-employment almost always imposes upon the unfortunate one. [Applause.]

The Government says to the foreign manufacturer, "You may bring your merchandise here and the American people may buy of you, but only upon the condition that you pay a tax so devised that for every dollar accruing from it to the Government $4 shall go into the pockets of the manufacturer."

But where do the farmer and the agricultural laborer come in? What provision is made by the Government for them? Can any one tell me? Mr. Chairman, in order to see how irrationally and unjustly thissystem works, let us look at the condition of the unprotected classes and see what they are doing for the country. Consider our exports, through which foreign wealth is brought and distributed among us. In the absence of specific information one would naturally suppose that inasmuch as our manufacturers have been so long and so munificently provided for by the Government, they would contribute most liberally to swell the volume of our foreign trade, and that to them we would be most indebted for the acquisition of the foreign wealth which comes annually through commerce to our shores. This would be the reasonable supposition. But is it so? The answer is furnished in a statement by the Bureau of Statistics, which I beg leave to submit to the committee:

Value of the following products of domestic agriculture exported from the United States to foreign countries during the year ending June 30, 1887.

Cotton and manufactures of:			
Unmanufactured	$206,222,057		
Manufactures of	14,929,342		
		$221,151,399	
Corn	19,317,361		
Corn-meal	705,343		
		20,052,704	
Wheat	90,716,481		
Wheat flour	51,950,082		
Other breadstuffs	1,332,362		
		143,998,925	
Rye	216,190		
Rye flour	11,781		
		227,971	
Oats	179,634		
Oat-meal	456,023		
		635,657	
Barley		853,405	
Cattle		9,172,136	
Beef products		15,517,882	
Pork products		61,659,918	
Vegetables		1,308,653	
Total value of articles above mentioned			$474,578,650
Total exports		716,183,211	
Less foreign exports		13,160,288	
Total value of exports of domestic merchandise			703,022,923

These and other products not enumerated in this statement come from more than 4,000,000 of farms, large and small, and these farms cover an area of more than 3,000,000 of acres whose estimated annual yield reaches the enormous sum of $2,500,000,000.

This vast accumulation of wealth, which goes to feed and to clothe the people not only of this but of other countries, derives no benefit whatever from a protective tariff. On the contrary, those from whose toil, energy, frugality, and self-denial this vast proportion of the world's yearly supply comes are made to endure without compensation the burdens which our present system of taxation imposes, and if we take into account the taxes paid by them for the maintenance of the State and county governments, we can not but reach the conclusion that the farmers and agricultural laborers of these United States have always been and now are the hewers of wood and the drawers of water for those industries whose wealth and whose power are in the main due to the unjust partiality of a government which should be administered for the benefit of all and not for the enhancement of any individual.

But, Mr. Chairman, I call the especial attention of the committee to the proportion which the value of the few articles in this list bears to the value of all our exports.

Here you find that cotton and wheat alone, out of a sum-total of $703,022,923, supply $296,938,538. I will say nothing of the amount used in home consumption, but confine myself to that portion which must seek and does seek a foreign market, at whose hands no kindness can be expected. They enjoy no favors from their own government, and they therefore do not expect better treatment from the alien and the stranger.

If I am not misinformed, there is a rebate allowed exporters of fish and canned meats to the extent of the duty on the salt used in such exportations. Why this gratuity upon the part of the Government to these individuals? It can not be properly called anything else than a gratuity—a mere gift without any consideration except, perhaps, that of love and affection.

The reason is, I am told, in order that such exports may leave our shores burdened with as little cost as possible, thereby being the better able to successfully compete with like productions in the markets of the world.

But why not treat the exportation of cotton, corn, wheat, rye, oats, and barley in the same liberal manner? Why not allow to the producers of these great and staple articles, which contribute so much to enlarge our foreign commerce, rebates to the extent of the duties upon what they must necessarily use in growing them and in preparing them for market? The Government should not be allowed the privilege of a parent or the partiality of a friend. The Constitution, upon which it must depend for its vitality, does not clothe it with such attributes.

To assume them is an unjustifiable usurpation of power, the grossest violation of the plainest rules of justice, an act of tyranny which merits the severest condemnation.

Truly may it be said that the protected industries have been the petted and the spoiled favorites of the Government for near one hundred years, and as such they have become insolent, unscrupulous, and imperious.

Every other avocation, in war and in peace, in prosperity and in adversity, has been compelled to contribute to their support. From them, during all this time, the men and women of this country have been compelled to buy at enhanced prices and an enormous disadvantage. More than twelve billions of dutiable merchandise have been imported since 1789, all of which has been burdened with taxation for the home producer of such articles, so imposed that four-fifths of the result of such taxation has accrued to his benefit while only one-fifth has gone into the Federal Treasury.

So long has this favoritism been enjoyed by him—having been handed down from sire to son and from generation to generation—that he now looks upon it as a vested right, and he regards any withdrawal of any portion, however small, of governmental support as the deprivation of a most righteous inheritance.

What was first asked as a mere bounty in order to sustain his infancy is now regarded as a matter of strict ownership; and though he has grown to manhood's estate and possesses more than manhood's strength, he is as clamorous to-day for assistance as when he could number the years of his existence upon the fingers of his hands. Ay, more so. For the ten years succeeding the first day of October, 1790, he was content to enjoy the advantage of an average duty of 15.46 per cent.; to-day he insists that a tax on imported merchandise amounting to 45.57 per cent. is not enough to maintain himself against European capital, labor, skill, and enterprise. He declares himself weaker in 1888 than he was in 1790. He would be better protected.

Let us briefly contrast, Mr. Chairman, the condition of this country during the first decade of its constitutional existence with the appearance which it now presents. Then we comprised but thirteen States, thinly populated and just emerging from a long-continued and devastating war, carried on within their borders; now we number thirty-eight States and eight Territories, not including Alaska and some of the lands occupied by the Indian tribes; then we could count but little more than 4,000,000 of people, now our population reaches 60,000,000; then our manufactories were few, rude, and poor; now they are almost without number, of every variety, splendidly equipped, and rich with the acquisition of a century of labor and of special care and protection; then our political existence was but precarious, and we enjoyed the friendship—and that not altogether steadfast and unselfish—of but one people in the whole world; now we are the mightiest of the nations, and the proudest and the strongest and the oldest of them all would hesitate long and much to give serious provocation. For the ten years ending in 1800 our imports, including bullion, amounted to but $589,846,454 in value, and our exports during the same length of time to but $188,344,293; while for the one year ending June 30, 1887, the value of our imports was $692,319,768, and the value of exported domestic productions was $703,022,923. What a marvelous development!

The contrast, Mr. Chairman, which I have attempted to briefly draw is as true as it is striking; but no less true and no less striking is the contrast between the duties levied on imports of 1790–1800 and that of 1888.

During the former years the average rate of this character of taxation was but 15.46 per cent.; to-day it exceeds 45 per cent. and falls heaviest upon the necessaries of life.

Is this increase justifiable? Can it be excused? Are the circumstances which surround the protected industries of such a character as to demand the imposition of such an enormous burden upon the consumers of the country?

Who but him that is numbered among the favored classes will rise to palliate or to defend such legislative and executive iniquity as has conceived and consummated such a system of import duties? But, sir, I desire to invite the attention of the committee to another utterance of Mr. Blaine in the debate which I have quoted. It is indeed suggested, and in view of what is transpiring in the commercial and man-

ufacturing departments of American life and activity, possesses the truth and wisdom of an axiom.

Says the distinguished gentleman, if you impose on them a tax ever so small in amount, it will be made a pretext by the very speculators of whom gentlemen talk for adding an appreciable amount to the cost of a barrel of flour.

Mark you, the proposition was to tax the manfacturer, not the article itself, which was then under discussion.

If this be true as to flour, if it be true as to lumber, is it not equally true as to any other commodity necessary to the comfort, to the well-being, and to the happiness of life? And does it matter whether such tax be direct or indirect, on net incomes or on gross receipts? And is not this tax added to the selling price of the article as it passes along the channels of trade and commerce, until it reaches the last purchaser or consumer, upon whom it finally falls?

But the protectionist says that his policy will increase the quantity of the favored article, and that competition will, as with the produce of the farmer and the wages of the laborer, cause a decline in the price, resulting in a benefit to the consumer.

Is this so? Does our own experience sustain and justify the assertion? It will not be necessary to search the economic literature of the past and the present in which to find a satisfactory answer. The press of to-day is full to the overflowing with facts drawn from every quarter, which establish, beyond dispute, the falsity of the proposition.

Competition, I most cheerfully acknowledge, is under certain circumstances a most powerful agency, through which exorbitancy in charges may be successfully combatted and completely overthrown. But an instrumentality more potent than competition—stronger than the law of supply and demand—has made its appearance in the commercial and the manufacturing world, and now has the consumers of this country by the very throat.

The instrumentality of which I speak is combination, whose presence in any field of enterprise or industry is proof conclusive that the humane, the health-giving, the exhilarating law of competition is a dead letter upon the statute-book of human action. It may, therefore, be said—with all the certainty of truth—that when combination is possible, competition is impossible.

Within the past few years this mighty agency for evil has developed into such potency as to obtain the almost entire control of the commerce of these United States.

Combinations have been consummated, gathering—so to speak—into one fold and under a common management every individual, company, and corporation which may be engaged in any particular industry and crushing out whomsoever should refuse to enter the trust.

When the trust is completed everything relating to the industry around which it has coiled its deadly strength—whether it be as to the employment and management of labor, or whether it be as to the price and the amount of the product and the time when it shall be put upon the market—is subject to one control, in whom every power necessary to the full execution of the trust is fully vested.

These organizations are forming all over the country and are laying their unholy hands upon those products whose cheapness and abundance are absolutely essential to the popular welfare.

The law as it is, or rather as it is announced and enforced, is powerless before them. Legislatures and the Congress have no terrors for them.

As matters of curiosity, Mr. Chairman, I have been for some time past gathering up the names and purposes of these trusts and names of those who compose them, as I have found them in the public prints, and to illustrate their character I beg leave to submit four of them to the committee:

THE SUGAR TRUST.

H. O. Havemeyer, president.
John E. Searles, secretary and treasurer.
Havemeyer & Elders, New York.
Donner & De Castro, New York.
F. O. Mathieson, New York.
Dick & Meyer, New York.
North River Sugar Refining Company, New York.
Oxnard Brothers, New York.
Moller, Sierck & Co., New York.
Brooklyn Sugar Refining Company, New York.
Standard Sugar Refining Company, New York.
Bay State Sugar Refining Company, New York.
Continental Sugar Refining Company, New York.
Planters' Sugar Refining Company, New Orleans.
Louisiana Sugar Refining Company, New Orleans.
St. Louis Sugar Refining Company, St. Louis.
Forest City Sugar Refining Company, Portland.

RUBBER TRUST.

George A. Alden & Co., Boston.
Earle Brothers, New York.
Boston Rubber Shoe Company, Malden, Mass.
Woonsocket Rubber Shoe Company, Woonsocket, R. I.
Para Rubber Shoe Company, South Framingham, Mass.
American Rubber Shoe Company, Cambridge, Mass.
Goodyear India Rubber Glove Company, Naugatuck, Conn.
Meyer Rubber Company, New Brunswick, N. J.
New Jersey Rubber Company, New Brunswick, N. J.
L. Candie Rubber Company, New Haven, Conn.
Union Rubber Company, Harlem, N. Y.

STANDARD ENVELOPE TRUST.

White, Corbin & Co.
The Whitcomb Envelope Company.
The Morgan Envelope Company.
The Holyoke Envelope Company.
The Powers Paper Company.
The Logan, Swift and Brigham Company.
J. S. Preble & Co.
The Berlin and Jones Envelope Company.
Samuel Raynor & Co.
The Springfield Envelope Company.
Wolf Brothers.

TABLE AND STAIR OIL-CLOTH TRUST.

Altha & Hughes, New York.
A. F. Buchanan & Sons, New York.
George W. Blaton & Co., New York.
The Central Company, New York.
Thomas Potter, Sons & Co., New York.
Joseph Wild & Co., New York.

These are but so many, Mr. Chairman, of the almost numberless organizations of the kind which have been formed and are continuing to be formed all over the United States. It will be noticed that they have taken hold of the protected industries, and they are the means invented and used by speculators to make successful their nefarious operations.

Is there and can there be any hope for the freedom of commerce so long as these combinations are permissible?

They are the legitimate and the natural outgrowth of class legislation. They are the fruitage of governmental protection to special interests. Any one with sense sufficient to keep himself out of the fire ought to be able to see that, in the presence of the probabilities—I will not say the possibilities—to result from this kind of organized capital and power, free institutions will be in the greatest danger. But what is the remedy, Mr. Chairman? Reduce taxation to a strictly revenue basis, and let there be no partiality shown in the manner of its imposition. Supplement such a revenue law with the courageous use and application of the power conferred upon Congress to regulate commerce. Apply every dollar of the surplus money in the Treasury and whenever it accrues to the payment of the bonded debt. Supply the vacuum created by the withdrawal of national-bank notes from circulation with gold and silver coin and with paper money issued directly by the Government and not through individual or corporate agencies.

By so doing, you will make it the more difficult for speculators to combine, and you will give to commerce that freedom of action in which the principle of competition will display a living, energetic force, and the law of supply and demand will again assert itself in the economic conditions of the country.

But, Mr. Chairman, the struggle which is now going on is but the repetition of other bitter and prolonged contests which have transpired in this House whenever it has been sought to reform and to reduce the tariff.

On the one side are arrayed the protected interests, each one supporting the others and summoning to their aid every influence of whatever kind that can be made available. From every quarter of the Union—North and South, East and West—corporate power is exerting itself most strenuously for the maintenance of a high rate of taxation. The wildest and most extravagant schemes are being proposed and advocated for the purpose of depleting the Treasury.

On the other side stand the representatives of the unprotected classes, the consumers of the country, men, women, and children who are most vitally interested in having cheap bread, cheap clothing, cheap lumber, cheap household utensils and furniture, and cheap implements of husbandry.

In these latter classes are included the millions of wage-workers, with their dependent families; the farmers, who till the soil and make it bring forth the abundant harvest which not only supplies sixty millions of people with sustenance, but also furnishes the greater part by far of our exports, by which wealth is withdrawn from foreign lands in order to bring comfort and independence and happiness to our own; and all others, except the few upon whom the Government has been so long and so generously lavishing its favors.

Again and again and again have our ablest and most trusted leaders in language strong and emphatic denounced all legislation the effect of which would be to enrich the few at the expense of the many; but perhaps no one has spoken so earnestly and so forcibly as did General Jackson when retiring from the Presidency.

Standing as he did before the people, full of years and of honors, civic and military, about to forever retire from the duties of public life, grateful for the confidence and affection which he had so long enjoyed and which he deserved so well, the retiring President declared that the tax imposed on goods enhanced by so much the price of the commodity to the consumer, and as many of these duties are imposed on articles of necessity which are daily used by the great body of the people, the money raised by these imposts is drawn from their pockets; that Congress has no right under the Constitution to take money from the people unless it is required to execute some one of the specific powers intrusted to the Government; that if more than is necessary for such purposes be raised, it is an abuse of the power of taxation and unjust and oppressive; that many powerful interests are continually at work

to procure heavy duties on commerce and to swell the revenue beyond the real necessities of the public service; that a tariff of duties which bore most oppressively on the agricultural and laboring classes had been procured, producing more revenue than could be constitutionally used; and that to fasten upon the people this unjust and unequal system of taxation extravagant schemes were gotten up to squander the money; that corporations and wealthy individuals, who are engaged in large manufacturing establishments, desire a high tariff to increase their gains; that such a system is unjust, and if persisted in will inevitably lead to corruption and to ruin. [Applause.]

Mr. Chairman, so it was in 1837; it is equally so to-day. The present condition of the Treasury; the character of the present tariff law; the many and powerful influences brought to bear against its repeal; the extravagant schemes now pending in Congress, as indicated by the bills introduced and pushed forward, make the situation of to-day an exact repetition of the condition of the country more than fifty years ago, as given to us by General Jackson, save only that the sum accumulating is much larger, the duties imposed much more burdensome upon the agricultural and laboring classes, the corporate and individual influences against their reform and reduction more numerous and far more powerful, and the plans for the plunder of the Treasury much bolder and more comprehensive. If the evils of an unjust, unequal, and unnecessary system of taxation were so great and so threatening as to call for the solemn and urgent warning of this warrior statesman in his last utterance to the people how much greater and more serious are the same evils as they now exist?

It is true that in certain quarters and among certain classes prosperity does abide.

It is true that wealth is being accumulated more speedily and in larger quantities than ever before; but these enormous accumulations are confined to a few, a very few, as compared with our entire population. But wealth so acquired indicates most clearly an unnatural and a diseased condition of things. Those great natural laws, which give to thrift, energy, industry, and economy a sure reward, will not, if properly and fully enforced, permit the acquisition of so much wealth and in so short a time in a country like the one in which we live and under a government which, theoretically at least, rests upon the equality of all citizens before the law.

The times are ominous. Troubles, affecting the peace and quiet of this great commonwealth of States, are continually arising, and they will continue to arise so long as class legislation disgraces our statute-books and corporate power brooks no restraint. These troubles are warnings to us. We will be wise if we heed them, and heeding them act as the gravity of the situation demands, promptly and effectively, beginning with the tariff and following up the work closely, industriously, and courageously, until good, honest, and impartial government is restored to the people of this country. The pending measure is, I confess, not all that is to be desired. When the proper time comes, under the rules of this House, it can be, and will doubtless be, amended so as to make it more consistent with the principles of justice and of equality. As for myself I know of but one course to pursue, and that course I have already indicated. [Applause.]

Mr. Chairman, I trust that the committee will pardon me for referring to an incident which occurred within my observation about four years ago. I have spoken of it elsewhere and before different audiences, but it will not be amiss on this occasion. While engaged in canvassing the district which I have the honor to represent, late in the afternoon of a long and sultry summer day, when going from one county site to another, I passed by a field of a few acres. In that field I saw a very aged female supporting herself with a crutch, and by her side was a little child small enough to be in its mother's arms. These two people—so widely apart in years, yet so near to each other in helplessness—were engaged in gathering cotton, the product of months of toil, self-denial, and anxiety. It was then upon the stalk, the fruit of a year's labor. As I saw them thus employed and thought of the adverse circumstances by which they were surrounded, I could not refrain thinking of the burdens which were upon them and how much it would require of the cotton they were picking to purchase the merest and most ordinary necessaries of life. I thought of the taxation which this great and rich and powerful Government was mercilessly and cruelly imposing upon them and upon all others similarly situated in life.

I thought of the increased cost to them, by reason of the cruelty and mercilessness of the Government, of the clothing which they wore, of the household utensils and farming implements which they were compelled to buy and to use, of the very salt that was required for their food in order to make it palatable and to give health and strength to their bodies, of the bagging which was to cover and to protect the cotton which they were gathering with so much difficulty, and of the ties which were to bind it together.

I then and there pledged myself to myself, as I have often times since done to the people in the most public manner, that, whether in Congress or out of Congress, I would never cease to labor for the entire removal of the burdens which are now resting upon the agricultural classes of this country, and I am here to-day, Mr. Chairman, to redeem that pledge so far as within my power. [Applause.]

During the delivery of the foregoing speech, the hour having expired,

On motion of Mr. McMILLIN, by unanimous consent, the time was extended until the conclusion of Mr. SAYERS's remarks.

Mr. BRECKINRIDGE, of Kentucky. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose and the Speaker *pro tempore* (Mr. McMILLIN) having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenues, and had come to no resolution thereon.

On motion of Mr. BRECKINRIDGE, of Kentucky (at 9 o'clock and 7 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. HAUGEN: A bill (H. R. 9712) for the relief of John W. Atwood—to the Committee on Claims.

By Mr. GEAR: A bill (H. R. 9713) granting a pension to Margaret H. Fillebrown—to the Committee on Invalid Pensions.

By Mr. STRUBLE: A bill (H. R. 9714) granting an increase of pension to Henry Rigby—to the Committee on Invalid Pensions.

By Mr. WARNER (by request): A bill (H. R. 9715) for the relief of DeWitt C. Bowen—to the Committee on Claims.

By Mr. W. L. WILSON: A bill (H. R. 9716) for the relief of the trustees of the Methodist Episcopal Church at Harper's Ferry, W. Va.—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BRUMM: Petition of P. W. Shafer and others, citizens of Pottsville, Pa., for reduction of postage on seeds, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. BURNES: Memorial of the railroad commissioners of Missouri in respect to fatal disasters by reason of dangerous car-couplers—to the Committee on Commerce.

By Mr. BUTTERWORTH: Petition of Thomas E. Burke, late sutler of the Tenth Ohio Volunteer Infantry, for relief—to the Committee on War Claims.

By Mr. CANDLER: Petition of Valina S. Hutcheson, for a pension—to the Committee on Pensions.

By Mr. CROUSE: Petition of Solomon Yerrick and 154 others, citizens of Summit County, Ohio.

By Mr. GIFFORD: Petition of the Woman's Christian Temperance Union against running of interstate Sunday trains, etc.—to the Committee on Commerce.

By Mr. GLASS (by request): Petition of E. E. Bell and 72 others, citizens of Dresden, and of D. A. Stuart and 20 citizens of Haywood Grange, Patrons of Husbandry, of Tennessee, for pure food—to the Committee on Agriculture.

By Mr. GROUT: Petition of Joseph H. Evans and others, citizens of Evansville, Vt., for reduced postage on seeds, plants, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petition of Boston Thread and Twine Company, for retaining present duties on flax and hemp manufactures—to the Committee on Ways and Means.

By Mr. HEARD: Petition of William Parker, of Boone County, Missouri, for relief—to the Committee on Invalid Pensions.

Also, resolutions of the Board of Trade of St. Louis, Mo., in favor of the Nicaragua canal—to the Committee on Railways and Canals.

By Mr. KEAN: Petition of Jos. Cooper, jr., of Red Bank, and of H. P. Reynolds, of Plainfield, N. J., for the repeal of the personal tax of $25 on druggists—to the Committee on Ways and Means.

By Mr. LONG: Petition of 40 citizens of the Second district of Massachusetts, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. NEAL: Petition of H. F. Fox and 95 others, citizens of Rhea and Hamilton Counties, Tennessee, for the relief of Jonathan White—to the Committee on Military Affairs.

By Mr. VANCE: Petition of A. S. Francis and others, of Connecticut, relating to tax on imported tobacco—to the Committee on Ways and Means.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BRUMM: Of Hon. J. M. Wetherill and others, citizens of Pottsville, Pa.

By Mr. BUTTERWORTH: Of Hon. Thomas A. Logan and others, citizens of Cincinnati, Ohio.

By Mr. CONGER: Of citizens of Madison County, Iowa.

By Mr. HEARD: Of citizens of the Sixth District of Missouri.

By Mr. LONG: Of J. B. Sewall and 75 others, of Braintree, Mass.
By Mr. SAWYER: Of 25 citizens of Caledonia, Livingston County, New York.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. BELDEN: Of E. P. Corbin and 160 other farmers, of Hartford, N. Y.
By Mr. BREWER: Of D. H. English and 38 others, of Lowell, Mich.
By Mr. BROWER: Of Lorenzo Leach and 14 others, citizens of Trinity College, N. C.
By Mr. DORSEY: Of J. H. Ratliff and others, citizens of Brulé, Nebr.
By Mr. MOFFITT: Of A. D. Felton and 32 others, of Ellenburgh Depot, N. Y.
By Mr. NUTTING: Of Joseph M. House and 38 others, of Colosse, N. Y.
By Mr. J. D. TAYLOR: Of Frank M. Melton and 51 others, of Olivette, Ohio.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. JEHU BAKER: Of 50 citizens and of 35 ex-soldiers and sailors of Richview, Washington County, Illinois.
By Mr. BELDEN: Of Edward P. Lockwood and 34 others, veteran soldiers and sailors of Baldwinsville, N. Y.
By Mr. DOCKERY: Of ex-soldiers, sailors, and citizens of Daviess County, Missouri.
By Mr. FISHER: Of L. C. Davis and 165 others, of Alexander Casebeen and 56 others, of C. Ray Beach and 118 others, of George W. Seyte and 46 others, of H. C. La Flamberg, jr., and 113 others, of E. W. Johnson and 141 others, of William Marks and 133 others, of John Dietz and 77 others, of Charles Odell and 6 others, of J. M. McPherson and 63 others, of William Pinks and 21 others, of S. P. Stacy and 97 others, of A. B. Payne and 36 others, of Samuel Bell and 120 others, of P. H. Hansinger and 66 others, of James Sherk and 64 others, and of Benjamin Wardworth and 192 others, citizens of Tuscola County, and of O. Palmer and 33 others, citizens of Grayling, Mich.
By Mr. GEST: Of citizens of Mercer County, Illinois.
By Mr. KEAN: Of veteran soldiers of Plainfield, N. J.
By Mr. E. B. TAYLOR: Of Ezra Fowler and 329 others, citizens of Kent, Ohio.
By Mr. TOWNSHEND: Of Z. T. Walker and others, of Norris City, Ill.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. E. P. ALLEN: Of 204 citizens of Washtenaw and Lawrence Counties, Michigan.
By Mr. BRUMM: Of 187 citizens of Schuylkill County, Pennsylvania.
By Mr. NELSON: Of 68 citizens of Wadena and Morrison Counties, Minnesota.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. J. D. TAYLOR: Of J. C. Beresford and 26 others, of Mitchell's Salt Works, Ohio.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April* 27, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

INTERNATIONAL BUREAU OF WEIGHTS AND MEASURES.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of State of an appropriation to supply deficit for the International Bureau of Weights and Measures; which was referred to the Committee on Appropriations, and ordered to be printed.

INTRODUCTION OF NEGRO IN AMERICA.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting an exhibit of documents in the office of the Adjutant-General touching the history of the introduction of the negro into the American colonies and of his military service, and recommending their publication by the Government; which was referred to the Committee on Printing.

CALIFORNIA REDWOOD COMPANY.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, in response to a resolution of the House calling for information relative to alleged frauds upon the Government by the California Redwood Company; also transmitting, with accompanying papers, letters from the Attorney-General and the Commissioner of the General Land Office; which was referred to the Committee on the Public Lands, and ordered to be printed.

F. S. HUDGINS VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact in the case of Floyd S. Hudgins *vs.* The United States; which was referred to the Committee on War Claims.

CHICAGO CRIB IN LAKE MICHIGAN.

The SPEAKER also laid before the House the bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for waterworks purposes, with an amendment by the Senate.

Mr. DUNHAM. The amendment of the Senate is an immaterial one, and as there is no objection to it I move it be concurred in.

Mr. MCMILLIN. Let the amendment be read.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *April* 24, 1888.

Amend page 1 by striking out all after "tunnel," in line 6, down to the end of the bill, and insert, "the plan and location thereof to be subject to the approval of the Secretary of War; provided that said city shall furnish and maintain at its own expense such beacon-lights and other signals on such piers or crib as the Light-House Board shall prescribe."

The amendment was concurred in.

Mr. DUNHAM moved to reconsider the vote by which the Senate amendment was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RELATIONS WITH SOUTH AMERICAN GOVERNMENTS.

The SPEAKER also laid before the House the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil, returned with the message that the Senate insisted upon its amendment disagreed to by the House, and requested a further conference.

Mr. TOWNSHEND. I hope that bill will be permitted to lie on the Speaker's table until the gentleman from Kentucky [Mr. MCCREARY] can be present.

The SPEAKER. The Chair has communicated with the gentleman from Kentucky. If there be no objection, the request of the Senate for a further conference will be agreed to.

There was no objection.

The SPEAKER appointed as managers of said conference on the part of the House Mr. MCCREARY, Mr. RUSSELL of Massachusetts, and Mr. MORROW.

COMPILATION OF CONGRESSIONAL REPORTS.

The SPEAKER also laid before the House the joint resolution (S. R. 77) providing for a duplicate of the compilation of the reports of the Senate and House of Representatives from 1815 to 1887; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

MRS. ELVIRA L. JOHNSON.

The SPEAKER announced the appointment of Mr. HENDERSON of North Carolina, Mr. RUSSELL of Massachusetts, and Mr. DE LANO as conferees on the part of the House upon the bill (H. R. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DARLINGTON, for two days, on account of important business.
To Mr. RICE, for to-morrow, on account of an engagement.
To Mr. MORRILL, for two weeks, on account of important business.
To Mr. THOMPSON, of California, for to-morrow.

WITHDRAWAL OF PAPERS.

Mr. GIFFORD, by unanimous consent, obtained leave to withdraw permanently from the files of the House all papers concerning the application of Sterne H. Fowler for a pension.

OHIO CENTENNIAL EXPOSITION.

Mr. BUTTERWORTH, by unanimous consent, submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That Saturday, May 26, immediately after the reading of the Journal, be set apart for considering House bill 9711, authorizing the Executive Departments of the Government to participate in the centennial exposition of the Ohio Valley and adjacent States, reported from the Committee on Appropriations.

BRIDGES ACROSS NORTH CAROLINA RIVERS.

Mr. McCLAMMY. I ask unanimous consent for the present consideration of the bill (S. 2345) authorizing the construction of bridges across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina.

The SPEAKER. This bill has been reported from the Committee on Commerce of the House with an amendment in the nature of a substitute.

The substitute was read.

There being no objection, the House proceeded to the consideration of the bill.

The substitute was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. McCLAMMY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

FUR-BEARING ANIMALS IN ALASKA.

Mr. DUNN. I rise to make a privileged report from the Committee on Merchant Marine and Fisheries.

The Clerk read as follows:

"IN THE HOUSE OF REPRESENTATIVES, *April* 23, 1888.

"Mr. DUNN introduced the following resolution; which was referred to the Committee on Merchant Marine and Fisheries:

"*Resolved*, That the Secretary of the Treasury be, and he is hereby, requested to inform the House of Representatives what contracts or leases of the right to take fur seals or other fur-bearing animals in Alaska have been made by the Treasury Department, to whom made, for what length of time, for what considerations, and upon what conditions, and when the same will expire.

"And also to inform the House what sums of money have been expended by the Government to prevent the unlawful killing and extermination of fur seals and fur-bearing animals in Alaska, and for the enforcement of the laws in relation thereto; and what sums have been received by the Government on account of any leases of the right to take fur seals and fur-bearing animals in Alaska, and on account of any and all other Government charges for the taking and shipping of such furs from Alaska.

"And also to inform the House as to whether or not the terms and conditions of any such contracts or leases for the taking of fur seals and other fur-bearing animals in Alaska have been violated, and to what extent; and whether or not other persons and vessels than those authorized by the laws of the United States to do so have been engaged in taking fur seals and other fur-bearing animals in Alaska, and transporting such fur from there, and to what extent."

The Committee on Merchant Marine and Fisheries, to whom was referred the accompanying resolution of inquiry in relation to the fur-seal fisheries of Alaska, have had the same under consideration, and unanimously concur in recommending its passage.

Mr. DUNN. I move the adoption of the resolution.

The resolution was adopted.

Mr. DUNN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PRINTING EULOGIES ON HON. SETH C. MOFFATT.

Mr. RICHARDSON. I desire to make a privileged report from the Committee on Printing. That committee has directed me to report back with a favorable recommendation the joint resolution (H. Res. 148) to print 12,500 copies on the eulogies of Seth C. Moffatt, late a Representative in Congress.

The House proceeded to the consideration of the joint resolution; which was read, as follows:

Resolved by the Senate and House of Representatives, etc., That there be printed of the eulogies delivered in Congress upon the late Seth C. Moffatt, a Representative in the Fiftieth Congress from the State of Michigan, 12,500 copies, of which 3,000 copies shall be for the use of the Senate and 9,500 for the use of the House of Representatives; and the Secretary of the Treasury be, and he is hereby, directed to have printed a portrait of the said Seth C. Moffatt, to accompany said eulogies; and for the purpose of engraving and printing said portrait the sum of $500, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The joint resolution was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. RICHARDSON moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF FISH AND FISHERIES.

Mr. RICHARDSON. I submit another privileged report from the Committee on Printing.

The SPEAKER. The report will be read.

The Clerk read as follows:

The Committee on Printing, to whom was referred the concurrent resolution of the House, that the Public Printer be directed to withhold from sale and turn over to the Doorkeeper of the House of Representatives 437 copies of the document known as "Fish and Fisheries," the same to be used in making good to the respective members of Congress entitled thereto under the joint resolution passed July 21, 1882, the deficiency occurring to them by reason of the mistake made in the prorating and distribution of such documents under said resolution, have considered the same and recommend that the resolution be agreed to.

The SPEAKER. The Chair desires to state that this is not privileged under the rule.

Mr. RICHARDSON. Mr. Speaker, I rather think it is privileged; it relates to the distribution of certain public documents.

The SPEAKER. But the rule making reports from the Committee on Printing privileged does not provide that such matters as relate to the distribution of books or documents shall be also privileged. The reference is to printing for the two Houses of Congress.

Mr. RICHARDSON. If there be any question about it, I hope at all events that the present consideration of the report will not be objected to, as it will take but a moment.

The SPEAKER. The Chair simply made the statement lest it might become a question hereafter.

Without objection, the report will be considered at this time.

There was no objection.

The report was adopted and the concurrent resolution agreed to.

Mr. RICHARDSON moved to reconsider the vote by which the resolution was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

VISITORS TO MILITARY ACADEMY.

The SPEAKER designated the following members of the House to attend the next examination of cadets at the United States Military Academy, to wit: Mr. R. W. TOWNSHEND, of Illinois; Mr. HENRY BACON, of New York; Mr. GEORGE W. STEELE, of Indiana.

ORDER OF BUSINESS.

Mr. McMILLIN. I now demand the regular order, and pending that I ask unanimous consent to dispense with the call of committees for reports, and that members having reports to make may be privileged to hand them to the Clerk.

The SPEAKER. Does the gentleman refer to reports of a public or a private nature?

Mr. McMILLIN. I have no desire to limit them to private bills to-day, and will include both in the request.

The SPEAKER. The motion of the gentleman to dispense with the call of committees will require a two-thirds vote; but the gentleman asks unanimous consent that members having reports to make may hand them to the Clerk. Is there objection?

There was no objection.

The motion to dispense with the call of committees for reports was agreed to.

Mr. LANHAM. Mr. Speaker, I desire to submit a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LANHAM. Was it contemplated by the resolution adopted on Wednesday last, setting apart certain days for general discussion of the tariff bill, that it should include Fridays during the time stated in the resolution?

The SPEAKER. The Chair does not know what the gentleman who framed the resolution contemplated in respect to that matter. The resolution itself does not specify. It simply provides that there shall be seventeen days allowed for general debate, after the day on which the resolution was presented; but it does not provide that these shall be the seventeen days in consecutive order thereafter, and therefore all the other rules of the House are in force. According to the resolution adopted it may be that only one day in a week would be occupied in the discussion until the seventeen days were consumed.

Mr. SPRINGER. I ask that the resolution be reported again.

Mr. LANHAM. There is one clause in the resolution which provides—

No change to be made in the present rule as to sessions on Friday night.

It does not make any provision for the day sessions.

Mr. REED. That provision to which the gentleman alludes was simply incorporated to make an exception of pension nights.

The SPEAKER. And in order that there should be no doubt on that point.

Mr. McMILLIN. I have no doubt that it is the desire of the House to go on with the tariff discussion to-day. If, therefore, the gentleman from Texas shall move to go into Committee of the Whole on the Private Calendar, and the House shall vote that motion down, I give notice that I will immediately move to go into Committee of the Whole for the further consideration of the tariff bill.

The SPEAKER. The gentleman from Illinois has asked that the resolution adopted be again reported. The Clerk will read it.

The Clerk read as follows:

Resolved, That on Tuesdays, Wednesdays, and Thursdays the Committee of the Whole shall rise at 5.30 p. m. and the House shall take a recess until 8 p. m., the evening sessions to be for debate only. On Mondays and Saturdays the sessions shall end at 5.30 p. m. No change to be made in the present rule as to sessions on Friday night. General debate on the tariff bill shall continue seventeen days after to-day, excluding Sundays, and also any interruptions ordered by the House; a general leave to print to be given.

Mr. LANHAM. As I understand the purport of that resolution, it seems to have been the design that Friday, in the day sessions, should also be devoted to the general debate upon the tariff bill; and believing as I do, that the consideration of that bill is a subject of supreme importance, and that private business ought to yield to its consideration, I will not make any motion to-day that the House resolve itself

into Committee of the Whole for the purpose of considering bills on the Private Calendar.

The SPEAKER. The gentleman of course can determine for himself what motion he will make. The Chair still thinks, however, that the order does not interfere with the consideration of private bills to-day, or other special orders, if the House shall see proper to proceed with them.

Mr. STONE, of Kentucky. I demand the regular order.

Mr. REED. The regular order, then, is private bills, is it not?

The SPEAKER. This question is one which the Chair has examined with some care, because certain Mondays are set apart for the consideration of bills reported by the Committee on the District of Columbia, and there may be other days, the Chair thinks, heretofore set apart by order of the House for the consideration of other business, and the question has more significance, therefore, than would attach to it merely on account of this being the day set apart for the consideration of private business, and the Chair was anxious to come to a correct conclusion in reference to it.

The Chair thinks that under the rules of the House this day is set apart for the consideration of private business, and if the motion is made to go into Committee of the Whole House for the consideration of bills on the Private Calendar, and it is not agreed to by the House, then public business will proceed as on other days. But the Chair thinks that under the rule of the House, when the regular order is demanded, it is the duty of the Chair to announce that, this being Friday, the consideration of bills of a private nature is first in order.

Mr. LANHAM. As I understand it to be the interpretation of the Committee on Ways and Means that it was intended to-day should be devoted to general debate on the tariff bill, and, as I have stated, I believe that subject is of importance far greater than private business, so far as I am concerned I decline to make the motion that the House go into the Committee of the Whole.

The SPEAKER. Then, if there is private business upon the House Calendar, that, under the demand for the regular order, would be the business the consideration of which the House would now proceed with.

Mr. MCMILLIN. In the absence of any motion respecting private business I will move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the tariff bill. But if the gentleman from Kentucky [Mr. STONE] desires to move that the House resolve itself into Committee of the Whole for the consideration of the Private Calendar, I will withhold my motion, giving notice that if the other motion is defeated I will then renew it.

Mr. STONE, of Kentucky. I am informed by gentlemen around me that there was an understanding by the Committee on Ways and Means on both sides that the tariff debate was to continue without interruption. While I think the work done by committees of this House in the consideration and reporting of claims has been of a character that demands recognition at the hands of the House on the few days given for the consideration of that class of business, yet I am not disposed to violate any agreement made by the Committee on Ways and Means, and I shall not therefore insist on a motion that the House go into Committee of the Whole for the consideration of the Private Calendar.

Mr. REED. I want it to be distinctly understood that there has been no agreement except what is expressed in the written statement which has been read to the House. I think there should be no misunderstanding in regard to that at all. It is understood that the House has the power over its own action, subject only to the understanding which is expressed in the written document which was read to and adopted by the House. That is understood on both sides.

Mr. STONE, of Kentucky. Perhaps I was wrong in saying it was an understanding by the Committee on Ways and Means. But I am reliably informed by various gentlemen that they know there was an understanding that the debate on the tariff should proceed.

The SPEAKER. In what the Chair stated he simply desired to put the correct interpretation upon the order, because, as has been already said, the question may arise again as to the days which have been set apart by the House for the consideration of other business. If there is no private business unfinished on the Calendar the Chair will entertain the motion that the House resolve itself into Committee of the Whole House on the state of the Union. [After a pause.] The Chair is informed there is an unfinished report from the Committee of the Whole House on the Private Calendar.

Mr. LANHAM. I am not aware that any recommendation had been made by the Committee of the Whole House in regard to the consideration of that bill.

The SPEAKER. The Committee of the Whole reported the bill back. That, of course, takes it out of the committee.

Mr. MCMILLIN. I ask unanimous consent that the consideration of that bill shall go over until it is reached again in the regular order.

The SPEAKER. The title of the bill will be read.

The Clerk read as follows:

A bill (H. R. 4257) for the relief of Hannah J. Jones, executrix.

Mr. DUNHAM. I wish to know why it is sought to pass that bill over.

Mr. MCMILLIN. In reply to the gentleman from Illinois I will say that there seems to have been some conflict over this bill in the Committee of the Whole, and it does not appear to be desired to have it considered at this time. But I will state to the gentleman from Illinois that for myself I have no desire either to defeat or delay that bill.

Mr. DUNHAM. I wish to ask the chairman of the Committee on Rivers and Harbors whether, if the House should not decide to take up the tariff bill, he proposes that the House shall go into the Committee of the Whole for the consideration of the river and harbor bill?

Mr. ROGERS. I rise to a question of order. In the prevailing confusion it is utterly impossible to hear what is going on.

The SPEAKER. Gentlemen will resume their seats and the House will come to order.

Mr. DUNHAM. I think the House desires to know what is the intention of the chairman of the Committee on Rivers and Harbors.

Mr. BLANCHARD. It is the intention of the chairman of the Committee on Rivers and Harbors to have the river and harbor bill considered by the House whenever he can get it up; but there is no conflict between the Committee on Rivers and Harbors and the Committee on Ways and Means at this time.

Mr. DUNHAM. If the House should vote down the motion to go into Committee of the Whole House on the state of the Union for the purpose of considering the tariff bill, then will the motion to go into Committee of the Whole for the purpose of considering the river and harbor bill be made?

Mr. STEELE. I call for the regular order.

Mr. WARNER. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WARNER. Is it in order for any member to move that we now go into Committee of the Whole House for the purpose of considering bills on the Private Calendar?

The SPEAKER. Undoubtedly.

Mr. WARNER. Is that the first motion in order?

The SPEAKER. Undoubtedly, this being Friday.

Mr. WARNER. Without wishing to antagonize any other business, but feeling these private measures should have consideration, I move that the House now resolve itself into Committee of the Whole House for the purpose of considering bills on the Private Calendar.

Mr. MCMILLIN. If that motion is voted down, I will then move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the tariff bill.

The question being taken on Mr. WARNER'S motion, there were—ayes 58, noes 69.

Mr. BRUMM. Before the Speaker announces the result of the vote I wish to ask whether this does not require a two-thirds vote?

The SPEAKER. It requires a majority to carry the motion of the gentleman from Missouri.

So (further count not being called for) the motion of Mr. WARNER was not agreed to.

Mr. MCMILLIN. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the tariff bill.

Mr. DUNHAM. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DUNHAM. If the House should vote down that motion would it then be in order for any member to move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering the river and harbor bill?

The SPEAKER. The motion would not be order in that form; but it would be in order for any member to move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of considering appropriation bills, and if that motion should prevail then the river and harbor bill would come up in its order.

The motion of Mr. MCMILLIN was agreed to.

TARIFF.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the revenue.

Mr. BREWER. Mr. Chairman, the issue which this measure presents to the country and to this House is one which I gladly welcome. From 1865 to 1875 the question of reconstruction and other questions of great importance naturally arising from the war occupied the attention of the public mind. Then followed questions of finance, and for the last ten years the tariff question has forced itself upon the public mind. Since the organization of the Republican party the great mass of its members have favored the policy of protection to American industry and American labor, while the Democratic party has at all times until recently sought to evade the direct question in all its public utterances and platforms by the use of language susceptible of various constructions, in order to meet the views of the members of its party in the different parts of the country. In 1868 that party declared in its platform for "incidental protection;" in 1872 it nominated a high pro-

tective tariff Republican and left the question of protection to each Congressional district to decide as it saw fit; in 1876 it declared for a tariff "only for revenue," while in 1880 it reversed the language and declared for a "tariff for revenue only," and in 1884 it declared for protection, for free trade, for "incidental protection," for a "tariff only for revenue," and a tariff for "revenue only," so that each voter could read and construe the platform to suit his own convictions. In Kentucky, Indiana, and Michigan it meant free trade, while in Pennsylvania, New York, Connecticut, and New Jersey the honorable gentleman from Pennsylvania [Mr. RANDALL] was able to make them believe it meant protection. By reason of fraud upon the ballot-box, and intimidation of voters in one portion of the country and base deception practiced by the leaders of the Democratic party in another portion, that party succeeded in electing its candidate for President and took control of the Government. For three years the executive department of the Government as well as this House has played "fast and loose" upon this great question until the necessities of the Government have compelled the Administration to take some position upon the tariff question, and I honor the President for having compelled his party to stop its double dealing and to define its position by its work here in the House. The President in his recent message to Congress has given the country his views touching the manner of reducing the revenues of the Government. If he had been as much interested in paying off the public debt with the surplus revenues of the Government as he has been in furthering the interest of his party, the large amount of money now in the Treasury unappropriated would be in the hands of the people and be used in furthering their industrial pursuits. Congress had long since authorized him to purchase unmatured bonds with the surplus revenue, and he did purchase over $27,000,000 worth of such bonds, when he at once stopped, and has continued to hoard up the excessive revenues in the Treasury Department of the Government, leaving the bonded debt, which should have been paid, to draw interest, and deprived the people of sufficient money to carry on their legitimate business.

It has often been charged, and we think the circumstances are such as to sustain the charge, that this course has been taken by the Administration in order to further the free-trade views which have been so boldly announced by the President. There is no division or sentiment upon the question of reducing the revenues of the Government, but the great question which divides the two political parties is as to the manner of making such reduction. The Democratic policy as declared by the President is to wipe out the duty on wool, iron ore, coal, salt, hemp, and other articles described by him as "raw material," and to largely reduce the duty upon manufactured goods which are imported. In other words, he favors free trade in what are known as "raw materials," and a tariff solely for the purpose of raising revenue upon manufactured goods and other merchandise imported.

There has been no Congressional term since 1866, when the Republican party has been in power in this House, that taxation has not been reduced, and that party to-day is in favor of reducing taxation to such sum as shall only be necessary to meet the principal and interest upon the public debt, pay the pensions provided for our soldiers, and the necessary and proper expenditures of the Government as provided by law; but in making such reductions that party insists upon retaining our American system of protection to American labor and American industry, fully believing that such policy is for the best interest of our people. This policy has met with the approval of the Fathers of the Republic—of Washington, Jefferson, Madison, Monroe, of Adams and Jackson, and of Webster and Clay—of the men who framed our Constitution, as well as of men who have since stood by and defended it. Whatever language the Democratic party may use in its public utterances, whether it be tariff reform or tariff for revenue only, the spirit and tendency of that party upon that question is one which shall simply raise revenue for the support of the Government without taking into consideration the effect the same may have upon our industries or our labor, and looking towards free trade in as many articles as possible. A tariff simply for raising revenue is one which offers a premium to the foreign producer to the detriment of our own industry and our own labor. It tends to build up and encourage foreign industries and to discourage and depress our own. Whatever may be the effect of a protective tariff in the small and thickly-settled countries of Europe, where their manufacturing industries, as well as their natural resources are fully developed, is immaterial to us. That protective tariff laws in our own country, which is comparatively new, tends to increase the wages of labor and the income of the laborer I think there can be no question. It tends to the building up of new and varied industries, to the employment of labor at higher wages, to the cheapening of the products of our mills and factories, to the opening of a larger and better home market for our farmers, and to the general development of our natural resources.

It is a maxim that can not be overthrown, that the price of our productions is regulated by the demand and supply. Every farmer knows that if our crop of wheat, corn, and potatoes is generally large throughout the country that the price will be low, but if such crops are generally light that the price will be higher. We all understand that if there is but little demand for labor throughout the country that wages must be low, but when we are building many miles of railroad, and making other large public improvements, when all our shops, furnaces, and factories are busy, then labor finds employment at fair and remunerative wages. This being so, we insist that any legislation which tends to build up or increase the demand for labor must necessarily increase the wages of the laborer. The more of the production of foreign labor we import to supply the wants of our people, so much the less shall we manufacture or produce in our own country, and our labor has to that extent been deprived of employment. Every farmer knows that the more wool we import from South America or Australia, and the more potatoes we import from Canada, so much less wool and potatoes shall we need to produce in our own country to supply the wants of our people, and he fully understands that by reason of such importations he has been deprived of his just and proper income. These are simple propositions, and readily understood by all. The farmer can not live at his chosen occupation unless there is a demand for that which he grows, and the laborer can not find employment unless there is a demand for that which he produces.

If the wants of our people are to be supplied by the production of foreign labor then our shops, our furnaces, and our factories must remain idle, and our own labor be unemployed. During the fiscal year which ended June 30, 1887, we imported $683,418,980.70 worth of foreign productions, and of this amount $450,325,321.55 were dutiable goods, and $233,093,659.15 worth of goods were admitted free of duty. Here, then, was more than $450,000,000 worth of the products of foreign labor imported into our country and consumed by our people in one year, upon which the importer paid for the purpose of placing such goods upon our market $212,225,163, or an average rate of duty of 47.10 per cent. Is there a sane man in America who does not believe the amount of our imports would have been largely increased if the rate of duty had been less? Our whole experience in the past has demonstrated that fact. We have seen this forcibly illustrated in the increased amount of imported wool since the duty on that article was reduced in 1883. We have again seen it illustrated in the increased importation of tin-plate and other articles upon which the duty has been decreased. By reason of the Secretary of the Treasury putting a different construction upon the worsted schedule in the act of 1883 from what was intended by the framers of that law, a construction which has largely reduced the duty from what was intended, the importation of worsted goods has been largely increased, and the result has been, as we are informed by the Secretary of the Treasury in his last annual report, that our worsted industry has become nearly ruined. If this be the effect of a reduction of the duty on worsted goods what must be the inevitable effect if we take the duty entirely off from wool and other articles, as proposed by this bill? Must not the industries which are engaged in producing the articles mentioned be destroyed also?

During the fiscal year which ended June 30 last we imported $16,351,370 worth of raw wool and $44,235,244 worth of woolen goods, notwithstanding our high rates of duty, but if we take the duty entirely from wool and reduce that on woolen goods, as proposed in this bill, I think we can safely presume that more than $100,000,000 worth of wool and woolen goods will be imported during the fiscal year ending June 30, 1890. It is proposed by this bill to reduce the duty on steel rails from $17 per ton to $11. What must be the result? Either a reduction of wages for the labor engaged in producing steel rails or else a large increase in the amount of steel rails imported. The duty will by this bill be reduced on such rails about one-third, but should the amount imported be increased by the lower duty one-third, then what have we gained? We have collected the same amount of revenue for the support of the Government, it is true, but we have deprived our own furnaces of the business or work necessary to make the extra amount of rails we have imported, and to that extent deprived our own laboring people of employment. During the fiscal year 1887 we imported of iron and steel 1,783,251 gross tons, not including iron ore, which amounted to 1,194,301 tons more. If the duty had been what is proposed in this bill, can any one doubt but that the amount imported would have been largely increased? To the extent which the wants of our people are supplied by imported goods made in Europe to the same extent must our factories, shops, and furnaces remain idle and our workmen remain unemployed.

It is said that notwithstanding our protective tariff wages are low and many of our people are unemployed. Whether wages are low or not depends somewhat how we make comparison. If we compare the rate of wages to-day with the average rate of wages before the war, under our low tariff, we will find they are much higher now than then. There never was a time when the amount received by the wage earner for his work would buy so many of the necessaries of life as at the present time. The per cent. of our population who are out of employment to-day is not greater than it has been, on the average, for the last forty years, with the exception of the time during the war and for a few years following the same. During the war a million and more of our laboring men were engaged in saving the country and hence the demand for labor gave all employment, and it took some eight years after the close of the war for the nation to recuperate and to supply the necessities of the people. But if wages are too low what remedy do the friends of this bill present for relief? They propose to largely reduce the duties upon foreign imports, and to throw open our ports to the free importation

of many articles which are produced abroad and can be produced here. In other words, they propose to increase the supply of our own people from the production of foreign labor, which, of necessity, must decrease the consumption of similar things which should be supplied by our own shops and produced by our own people. That the average rate of wages in France and Germany is from 75 to 100 per cent. less than in the United States we think there can be no question, while the average rate in England is from 60 to 75 per cent. less than here.

This fact is clearly established by the reports of our consuls and by the reports of the bureau of statistics in the several countries named, as well as by the personal observation of those who have traveled in the European countries mentioned. In 1883 the average rate of wages in the branches of trade mentioned, in the city of Berlin, Germany, was as follows: Locksmiths, without board, $4.28 per week; journeymen masons, $5.35; journeymen carpenters, $4.99; painters, the same; house painters, $3.37; pavers of streets, foremen, $7.37, journeymen, $6; common laborers on streets, $3.21; apprentices at such work, $2.85; journeymen tailors, $4.28; harness-makers, $3.09. These figures were taken by myself from the original report of the bureau of statistics of the city of Berlin. The city of Berlin has a population of over 1,300,000 people. Compare these figures with the rate of wages in New York, in Washington, or any other of our larger cities. Mr. Carroll D. Wright, our able Commissioner of Labor, and formerly holding a similar position in the State of Massachusetts, in his sixteenth annual report for said State, makes a general comparison of the average rate of wages for the year 1883 in England and Massachusetts, as well as the average cost of living in each country, assuming that similar articles are used and in like quantities. He gives as the result of his investigation the average rate of wages in Massachusetts as $1.77 to $1 in England, while the average cost of living is as 100 in Massachusetts to 87½ in England, or while the cost of living in England is about 17 per cent. less than in Massachusetts, yet the average rate of wages is 77 per cent. more in Massachusetts than in England. He shows further that the difference in the cost of living in Massachusetts and England arises almost wholly in the item of rent.

The people in France, England, and Germany are able to subsist upon the pittance which they receive for their labor simply because they do not live one-half as well as do the wage-earners in our own country. They are compelled to exercise the greatest economy, and every member of the family becomes a wage-earner as soon as they are of sufficient age, the women often performing the hardest and most burdensome kind of outdoor toil. I trust the day will never come when our women in America shall be compelled to perform such labor and bear such burdens as they do in the countries named. I do not mention these things for the purpose of showing what effect protection or free trade may have in the countries named; whether free trade in England or protection in Germany is advisable and best I shall not undertake to say, for I contend that what may be good policy in this respect in one country might be ruinous in another. England maintained her protective policy until but a few years ago. She built up her manufacturing industries under a protective policy until the products of her factories exceeded those produced in any other country. Her statesmen saw that she was unable to produce food for her people, and that she must rely largely upon the productions of her factories and her foreign commerce to sustain her government and people. She was unable by force of circumstances beyond her control to build up diversified industries. But how different is it with our country!

We are told by our free-trade friends that we have been enabled to pay higher wages in this country than could be paid in Europe because of our cheap lands and immense natural resources, and that our protective tariff has had no tendency to increase wages; but this statement we insist can not be sustained. It is true we have an immense country—a land bounded by oceans and stretching from the lakes to the gulf—a country possessed of all kinds of climate and soil, and with more natural resources and wealth than any other country in the world; but we neglected to develop this wealth and utilize these natural resources until after the enactment of our tariff laws in 1861. It was our protective tariff which induced our capitalists to develop the wealth of the nation, which erected our furnaces and built our factories, which has thrown open our iron and coal fields, constructed our railroads, and opened our forests, and thereby given employment to our labor; and so far as I am concerned I desire to see that policy continued which has made our blessed land grow and prosper beyond any other. I have mentioned the low rate of wages in England, France, and Germany simply for the purpose of showing what we must compete with in our own land. How, I ask my free-trade friends, are we to pay for labor in this country nearly twice as much as is being paid for similar labor in the countries named, and yet market our products in competition with that produced abroad, unless we in some way give advantage to our labor and industries by our tariff laws?

Protection enables us to maintain the balance of trade in favor of our own country. A nation, like an individual, which spends more than its income for that which it can dispense with is, like an individual, on the road to adversity. It is said that England imports more each year than she exports, and that she is still a wealthy nation. This is true; but England is a creditor nation. She holds the obligations of many other governments as well as of thousands of foreign corporations, and has to a large extent the carrying trade of the world. Her income from these sources far more than exceeds the balance of trade against her. We, on the contrary, are a debtor nation, and to meet the interest and principal of our obligations, national and corporate, held abroad, we must export more than we import and sell more than we buy. The financial history of our country shows the effect of having the balance of trade run against us for a number of years in succession. In 1837 we had a great financial panic, reaching all over the land and well remembered by our older people. At this time the balance of trade had been against us for several years. From 1848 to 1857 the balance of trade against this country amounted to $336,000,000; and many more of our people remember the great financial crash of 1857. From 1859 to 1873 the balance of trade against our country amounted to the immense sum of $1,086,000,000, and during the same time we exported of our gold to meet this balance, as far as possible, to the amount of $690,000,000, so that in 1873 we had but little or no gold left in the country.

Who does not remember the financial disaster of 1873? These illustrations show the effect of buying, as a nation, more than we sell, or importing more than we export. Actual experience like this is the most convincing evidence that can be adduced for establishing any proposition of this kind. It is true we had our protective tariff from 1861 to 1873, but during a portion of this time a million and more of our producers had become consumers and were fighting to save the nation's life, and we were unable to supply the demands of the people, and our wants were supplied largely by excessive importations. It seems to me that common prudence should prompt us not to increase our importations by reducing our rates of duty upon foreign imports. We are told that our tariff upon foreign goods is a grievous burden upon the consumers in the land. There is no evidence adduced to establish the assertion. There is no class of our people to-day that are complaining that what they buy is too dear so much as they are complaining that what they have to sell is too cheap. The laborer is not complaining so much that what he buys is too costly as he is that what he has to sell, his labor, is too cheap. The farmer complains because his products sell so low, and not because his groceries and his clothing cost too much. His wife does not complain because she is compelled to pay too much for her calico, her dress trimmings, and her tea, but she does complain because her butter, her eggs, and her cheese bring so small a price. Our free-trade or low-tariff friends who are seeking to supply the wants of the consumer with cheaper goods might well turn their attention to the producer and laborer who are seeking a better price for that which they have to sell. While our protective policy tends to preserve our home market for our producers, so it tends to cheapen manufactured goods to the consumer.

This was the opinion of that great champion of human rights and human liberty, Horace Greeley, who fell a martyr in his efforts to reform the Democratic party. Said he:

> No man can truthfully suggest one article which, having been formerly wholly imported, has since, through protection, been so naturalized to our own soil that it is now produced here to the extent of nearly supplying our own wants, which now costs our people more than it did when we imported it from abroad.

I concede that prices of home-made articles are higher for some time after a tariff law goes into effect, but upon most articles this increased price is but temporary. The correctness of this statement is fully confirmed by actual experience in our own country. We see it in the case of Bessemer steel, of woolen and cotton goods, of nails, saws, axes, of table cutlery and crockery-ware, and all other articles that can be named which are produced here in such quantities as will nearly supply our own wants. Our protective tariff has stimulated invention and improvement, and built up these great industries which now compel foreign countries to compete with us for our home market subject to the duty upon their goods which we make them pay for such competition. The more factories there are the more competition we have and the cheaper goods we get. It is said that if protection tends to cheapen manufactured goods, what advantage is a protective tariff to the producer or manufacturer? I will answer that a protective tariff tends to give him a more stable market for his wares, and insures him a fair price for his product, and aids him in getting started in building up his business, while at all times it saves him from an unjust and unequal competition with the foreign producer. It is said that a protective tariff is detrimental to the interest of the farmer; but this I deny.

Supposing that our Democratic free-trade, tariff-for-revenue-only friends shall succeed in passing this bill, every industry it strikes must either reduce the wages of the people employed therein or else close the shops, furnaces, and factories which give them employment. In either event we will witness increased "strikes," "lock-outs," and a million of wage-earners that are now finding work will be thrown out of employment and of necessity be driven to tilling the soil. These men, who have been consumers of the products of the farm, will become producers. The farmer needs no more competition in his chosen pursuit. That which he produces to-day scarcely compensates him for his labor. If these people who are now engaged in other pursuits are to become tillers of the soil and producers of wheat, corn, and potatoes,

where are the agriculturists to find a market for that which they produce? We shall not find it in our own country, because by our overproduction we have ruined our home market. We have increased producers and decreased consumers, and increased our productions beyond any foreign demand. We shall in fact become a nation of agriculturists, and no nation ever has been or ever will be prosperous where its people are wholly or chiefly engaged in agriculture.

It is our protective tariff which has largely built up our varied industries, and which has tended to make us the most prosperous nation in the world. A protective tariff tends to aid and build up all our industries, to bring the producer and consumer nearer together, and thereby largely save the cost of transportation. This has made more valuable the farm and given a better market for its products. This is what has made lands near our large cities more valuable than those more distant. This is why the lands in rough and rocky New England and in sterile New Jersey are more valuable than our fertile lands in Michigan and Minnesota. Every farmer knows well that he can not send to foreign lands his potatoes, vegetables, and many other things which he grows upon the farm, and that he must rely upon the home market for the same. Hence it is all important that he should feel a deep interest in the building up of manufacturing towns and cities near his home, where he can market his surplus productions. It is for this reason that we see them often voting a tax upon themselves, or aiding by voluntary contribution to assist in building railroads and in the erection of factories. They understand perfectly well that it is to their advantage to build up these towns and bring the consumer of their products near to them, and to make distant markets more accessible. Every farmer who produces wool understands full well that he can not raise wool in competition with that which is produced in Australia or South America. The President of the United States and free-trade Congressmen may try to convince them that free imported wool will be to their advantage, but their own practical experience tells them otherwise.

At every farmers' convention, as well as at every wool-growers' gathering, we see these men pronouncing and protesting against putting wool on the free-list. More than three thousand farmers in my own district, representing all parties, have sent me their protest. Here is an industry more diversified over the country than any other. In Oregon, in California, in Colorado, in Ohio, in Texas, in Michigan, and Vermont, we find the wool-growers and farmers protesting against this measure, which they believe is to destroy this great industry. Where are the Representatives here who are to voice the will of this large portion of our population? Where is the chairman of the Committee on Agriculture and his Democratic associates, who generally so readily respond to the appeal of the farmers? We find them upon this question turning a deaf ear to these appeals of the people whose interest they are to guard. The representatives of the wool-growers and the wool manufacturers met in this city, and they gave to this House the result of their deliberation. These men represented no political party, but they did represent great interests. They demanded not free wool and reduced duty on woolen goods, but they demanded that the tariff laws should be revised so that these industries should be preserved and protected. The representatives of these industries and all others have been denied a hearing by the committee which reported this bill. Their petitions have been unheeded and their prayers unheard. Strike the blow at these industries which you threaten, and its echoes will be heard on the 6th day of November next.

In 1860 we imported $38,000,000 worth of woolen goods, while our domestic supply was but $61,000,000, and $99,000,000 worth in all was consumed by our people, or on an average $3.17 worth per capita of our population. In 1880 we imported $33,000,000 worth of woolen goods, and our domestic supply was $238,000,000, and we consumed $5.35 worth per capita. This shows that our people used $2.18 worth more per capita of woolen goods in 1880 than they did in 1860, although woolen goods were cheaper in 1880 than in 1860. Our people dressed better and lived better and earned more wages per capita in 1880 under our protective tariff than in 1860 under our revenue tariff. In 1860 we had 22,471,275 sheep, and the wool-clip amounted to 60,511,343 pounds. In 1870 our sheep had increased to 28,477,951 and our wool-clip to 100,102,387 pounds, while in 1880 our sheep numbered 40,765,900, and our wool-clip was 240,000,000 pounds. In 1884 our sheep had increased to 50,626,620, and our wool-clip was 308,000,000 pounds. In 1883 the duty on woolen goods and wool was reduced, as it was on other things, and then the number of our sheep commenced to be reduced, and the wool-clip was lessened, so that in 1886 it only amounted to 285,000,000 pounds, and in 1887 to 265,000,000 pounds, as estimated by Mr. Dodge, of the Bureau of Statistics of the Agricultural Department.

The increase in the number of sheep from 1810 to 1860, fifty years, was 100 per cent., and in pounds of wool 350 per cent., while from 1860 to 1885, twenty-five years, the increase in sheep was 140 per cent., and in pounds of wool 375 per cent. Here is illustrated the practical effect of our protective tariff upon the wool industry. Under our protective policy we see that the number of sheep, as well as the amount of our wool-clip, has been largely increased, while after the reduction of duty in the tariff revision of 1883 we see the number of our sheep decreasing from year to year, and our wool-clip diminishing. Gentlemen may theorize all they please, but the practical experience of our farmers is here illustrated beyond question, and this illustration is more convincing to them than any theory that can be advanced by all the free-traders in this House and the President of the United States combined. In 1860 the average weight of the fleece was less than 3 pounds, while at the present time it is 6 pounds. Here again we see that not only has the number of sheep largely increased under our protective-tariff laws, but there has been great improvement in our flocks and in the amount and quality of the wool produced. In 1860 we produced on an average but little over 2 pounds to each inhabitant, while in 1885 it reached 5 pounds to each inhabitant.

Our sheep are not only valuable on account of the wool they produce, but valuable also for the meat they furnish, and for enriching the lands of the farmer. Pass this bill, and this industry which is national in its importance will be ruined, for within this bill exists a disease more fatal to sheep husbandry than any "rot" that ever entered the farmer's flock. What substitute has the farmer for the industry you are about to deprive him of? When his crop of grain fails him, as it does at times, he is often able to meet his obligations, pay his help, and clothe his family for that which he may receive from a bountiful crop of potatoes and other vegetables, or from hemp which is grown in some of the States; but his home market for these you propose in this bill to take from him. You passed but a short time ago a bill to tax substitutes for butter that you might protect the dairy interest of the country, although these substitutes were produced by our own people; but now, when the productions of foreign lands are seeking to obtain the home markets of our farmers, the Chief Executive of the nation sounds the keynote, set to free-trade music, which makes glad the hearts of foreign producers and saddens the heart of the American farmer; and here to-day we see the whole power of the Administration, with its public patronage and public plunder, wielded in favor of the passage of this bill, which, if it shall become a law, must inevitably destroy our American industries and depress our American labor. Is the power of the Executive with its public patronage greater than the power of the people with their ballots? Pass this bill and make the issue, and the ides of November will answer the question.

In 1860 we had 1,263 woolen establishments with a capital of $30,922,654, consuming 83,608,468 pounds of wool, and producing $65,596,364 worth of goods, while in 1880 we had 2,689 woolen establishments, employing 161,557 persons, and having invested $159,091,869 capital, and the value of the product amounted to $267,252,913. Here we see that the manufacturing industry has kept pace with that of wool-growing. In 1860 the entire production of our worsted mills amounted to only $3,230,000 worth of goods, while in 1880 it had increased to $33,549,942 worth. In the revision of our tariff laws in 1883 language touching the duty on worsted goods seemed to the Treasury Department indefinite and obscure, and a construction has been given to the act by which it is conceded by the Secretary of the Treasury the worsted industry is fast becoming ruined. Other language used in the revised tariff laws of 1883, like that in the classification of "wool-tops," "waste," etc., has under the construction of the Treasury Department worked great injury to the woolen industries, and these imperfections should be remedied without delay. We imported during the last fiscal year (articles of a similar nature being produced by our farmers) and upon which a duty was paid, of flax about $2,000,000 worth, which paid a duty of 8.09 per cent.; hemp, jute, and other vegetable substances, about $10,000,000 worth, with rate of duty 17.81 per cent.; breadstuffs $6,386,560 worth, average rate of duty 16.84 per cent.; animals $4,665,066 worth, average rate of duty 20 per cent.; hops $3,117,662 worth, average rate of duty 42.64 per cent.; vegetables $2,276,304 worth, average rate of duty 24.05; hay $791,686 worth, average rate of duty 18.80 per cent.

Now, these articles, as well as that of wool, which I have mentioned, and many others, lessened to the extent they were imported the demand of similar articles produced by our own farmers. It is proposed by this bill to put many of the articles named upon the free-list. If this shall be done can any one doubt that the imports of such articles will be largely increased to the great injury of our farmers? The friends of this bill seem to think that our farmers should confine their labors to the raising of wheat in the North and cotton in the South, and that the surplus of these productions can be exchanged in England, France, and Germany for the manufactured productions of Europe. If England wishes to buy bread to feed its operatives it seeks it in that country where it can acquire it the cheapest, and it does not wait to exchange other commodities therefor, as our free-trade friends would suppose. We see this in the increased amount of bread kind which it is receiving from India. In 1871 only one-half of 1 per cent. of the wheat imported into England was supplied by India, while in 1887 it amounted to over 11½ per cent.; and it is evident that the time will soon come when India will be able to supply the wheat necessary to feed the English people at a less price than the same can be produced here. It is folly, in my judgment, to talk about increasing the export of the productions of our farmers by increasing the imports of the foreign laborer. Your effort in that direction must simply result in decreasing the home market of the American farmer. It is conceded by the chairman of the committee that if the bill is passed it will largely increase the imports from Europe, which

in itself must decrease the amount produced by our own labor. The sole reason why goods can not be produced as cheaply here as in Europe is that the rates of wages are so much higher here than there.

But it is contended by our free-trade friends that high wages mean decreased cost of production, and hence cheaper goods. This idea was first advanced by Mr. George; but a little investigation will show that such is not the rule. It is true that by reason of improved machinery wages in nearly all branches of business are higher than they were thirty or forty years ago, but this arises from the fact that by reason of improved machinery the productive power of labor is much greater now than then. This is clearly shown by the chairman of the committee [Mr. MILLS]. He says, in speaking of print cloth, that—

Each operative in 1849 made 44½ yards per day, in 1884 98.2 yards per day, an increase of productive power of 120 per cent. The average daily earnings of the laborer in 1849 were 66 cents, and in 1884 $1. His wages increased 50 per cent. and the labor cost of the product decreased 32 per cent.

Here, then, was an increase in wages of 50 per cent. and decrease cost of labor product of 32 per cent., making 82 per cent. Deduct this from 120 per cent., the increased power of production, would leave 38 per cent., which it will be claimed is increased profits on the labor; but we must take into consideration that the improved machinery cost more and it took more capital to conduct the business and more money to keep it in repair, and to make good the wear and tear thereof, to keep it insured, etc. I have no doubt the profits of the manufacturer were somewhat increased, but certainly not to as great a per cent. as was the wages of the laborer. This same principle holds good in every illustration that the honorable gentleman from Texas has given. It was not the higher wages of the laborer that materially increased his productive power or cheapened the product of his labor, but it was the improved machinery that increased his productive power, cheapened the production of the laborer, and enabled the manufacturer to increase his wages. But it is claimed that our machinery is superior in productive power to that of England, but the facts will not warrant the statement. Much of the machinery in our woolen, cotton, and other industries came from Europe.

England, like our own country, generally adopts the best and most modern machinery in its factories, and it can not be successfully claimed that England is behind our own country in skilled workmen. Every person familiar with manufacturing in our country knows that in many of our factories, especially if they are comparatively new, much of our most skilled labor comes from abroad. This is no disparagement to our workmen, because England for a much longer time has been educating her people in her factories. There is no people in the world with such an inventive genius as our own, and none so quick to comprehend and understand complicated machinery and operate the same. A large proportion, I think some 38 per cent., of our operatives in the cotton and woolen factories are foreign born or have foreign parentage. Now, if they have equally as good machinery in these industries in England as here, what reason is there for supposing that the English operative can produce more in our country than when he is in his native land? Boots and shoes ready made by machinery are as cheap here as in London, France, or Berlin; but you go to a shop and have the same articles made to order by hand, and they will cost you 50 per cent. more here than there on account of the less rate of wages there. A good suit of clothes or a dress can be made in Europe at much less cost than here for the same reason. A large manufacturer in Berlin some three years ago told me that where we could produce an article almost or entirely by machinery that they in Germany could not pay our duty and compete with us, but where there was much hand labor used in its production they could pay our duty and undersell us in our own markets on account of their lower rate of wages. The less hand labor used and the more machinery in the production of an article the nearer we can come to competing with the English manufacturer, and the less machinery and more hand labor used in the production of an article the less nearer we can come to competing with the foreign producer; and if one will study our importations and compare the same with our rates of duty this statement will be confirmed.

These facts apply in the pursuit of agriculture and other industries as well as to manufacturing. Free raw material is the shibboleth of this Administration, provided such "raw material" is something produced by the farmer. Wool, hemp, potatoes, and other vegetables are to be placed upon the free-list, but iron ore and other things dug from the earth are to remain protected by this bill. Is wool any more a "raw material" than iron ore, or hemp any more of a "raw material" than slack coal? If the principle of free "raw material" is good in one case, then why not in the other? The whole theory of putting so-called "raw material" upon the free-list, as claimed by our free-trade friends, is that this will give to the manufacturer cheaper material and enable him to produce goods at so low a cost that he can sell them in the markets of the world in competition with similar goods produced in Europe. This theory is not sustained by our past experience. It has not been the case, to any great extent, in the case of cotton goods or leather goods where there is no duty levied upon the raw material. But, if the theory was true, are we not making too great a sacrifice when we destroy many of our industries in order to build up or increase our foreign trade? But we are told by the President—

That our present tariff laws are vicious and inequitable, and that the primary and plain effect is to raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties.

Mr. Chairman, this statement has been refuted so many times that it seems almost useless to further discuss the question. There is scarcely an article that can be named that the foreign producer does not himself have to stand more or less of the duty levied by our Government by a reduction of the price of his commodity. The duty on a square yard of calico is 4½ cents, which is more than the wholesale price for prints in our country to-day.

According to the President's theory were it not for our duty on prints, calico would cost us nothing. The same suggestions might be made touching many other kinds of cloth, both cotton and woolen, as well as many articles in metal, wood, etc. There is a duty on wheat of 20 cents per bushel, and on potatoes of 10 cents. Only think what a bonanza the farmers would have if every bushel of wheat they produced was enhanced in price 20 cents, and potatoes 10 cents, by reason of the tariff. I am quite willing to concede that there are many articles upon which there is a duty levied, if such duty was removed these things would, for the time being, be furnished to the consumer cheaper than now; in other words, that the duty does on some articles enhance the price; but if by taking off such duty we are thereby compelled to reduce the rate of wages of our people, and lessen the necessaries of life which they now enjoy; if we are thereby to ruin and destroy our industries, to lessen the productive power of our factories and furnaces, and to retard the general prosperity of our country, as we must, then, sir, this bill should not pass. It was said to me by a free-trade friend but a few months ago, that he was opposed to protection upon general principles, and insisted that America was able to compete with the world, and the laboring people here ought to have pride enough to do so without raising their wages by artificial means; but the American laborer can not feed and clothe his family or himself as he desires upon the simple pride that he is able to work for the same wages that the wage-earner works for in England, France, or Germany. If the farmer is producing his crop at an actual loss when his labor and the cost of his investment in the farm are considered, it is no great comfort to himself to be able to say that he has sold his productions as cheap as the same could have been supplied by the foreign producer.

Again, we are told that while we have a tariff which tends to keep out the production of foreign labor, yet we levy no duty upon the foreign laborer himself when he enters our ports. That is true.

More than thirty years ago, when my own State was under Democratic rule, she had for four years a paid agent in Germany soliciting immigration to our State, and this policy of soliciting immigration has been continued by our State until within a few years ago. This policy existed in many other States until recently. Public sentiment is not now, I am glad to say, in favor of encouraging foreign immigration, but no policy has yet been devised, and, in my judgment, will not be devised, which shall prevent honest, intelligent, and able-bodied citizens of other countries whose principles and habits of life are not inimical to our form of government from seeking a home in our country, where they seek such home for the purpose of becoming part and parcel of our citizenship. Our free-trade friends do not object to the productions of these people when in Europe coming here to supplant the productions of our own people, but, sir, if their productions are to be consumed by our people I prefer that they should produce them here rather than in Europe; then their wants are supplied, and they are fed and clothed by the productions of our own people, instead of being fed and clothed by the productions of Europe. When here they help to enlarge our home market, but when abroad they simply help to supply our home markets.

Mr. Chairman, it has been often said that words are sometimes uttered to reveal thought and sometimes to conceal the same, but language never ought to be used to deceive those to whom it is addressed. I can not think for a moment that the honorable gentleman from Texas [Mr. MILLS] intended to deceive this House when he used the following language, but that his language is misleading in substance and in fact there can be no question. He says:

Here is a coarse wool suit of clothes such as our working people wear in their daily toil in the shop and field. The whole cost is $12. The labor cost is $2. The tariff duty is 40 cents per pound and 35 per cent. ad valorem. As the weight is not given, we can not get the exact tariff, but the duty on woolen clothes imported last year averaged 54 per cent., and at that rate the tariff stands $6.48 to cover $2 of labor cost.

Any one not familiar with the gentleman's statements would suppose from this language that the expense of all the labor in producing such suit of clothes, including taking the wool from the sheep's back, washing and scouring the wool, spinning the yarn, weaving the cloth, and cutting and making the suit, was but $2, when as a matter of fact I suppose he means that the cost of labor in simply the making the suit was only $2. I am not familiar with the actual cost price to the wholesale clothier for the making of such suit; but I am inclined to think that if he had inquired of the honorable gentleman from Massachusetts [Mr. MORSE], who is familiar, I dare say, with the matter, he would find that $2 for the making was less than the average price. But the gentleman from Texas says that the duty upon the suit of clothes would amount to $6.48. Let us examine the matter and see if any such statement is warranted. The gentleman has been too long a

member of the Committee on Ways and Means to be unfamiliar with the manner of levying duties on foreign imports. He certainly must know that the duty is levied upon the actual market value of the article in the place and country where purchased or produced, and not upon the actual market value of the article here, yet he figures the rate of duty upon the market value of the article here and the retail price at that, and he impliedly says to this House and to the country that such is the law and the practice in levying duties upon foreign imports.

If this suit of clothes retailed at $12, the wholesale price was probably about $10, and not over that. Now, if the duty on the imported suit is added to the cost price, as claimed by our Democratic friends, let us see what the suit would have cost in Europe. The suit of clothes would have cost in Europe $10 at wholesale price, less the rate of duty. In other words, the suit of clothes in Europe at wholesale market price would have cost $6.52, and if the suit weighed 3 pounds, the average weight, the duty would be $3.48, making $10. We see from this that the duty would have been $3.48 instead of $6.48, as stated by the honorable gentleman from Texas. The real facts are but little or no clothing of this price and description is imported, because the same can be bought in New York, Philadelphia, Boston, and Washington nearly or quite as cheaply as in Paris, Berlin, or London. The language used by him in the other illustrations which he gave touching the duty and cost of labor is, so far as I have examined, equally as misleading as this which I have given. I have the highest regard for the chairman of the Committee on Ways and Means, but I must say that in my judgment he owes it to the House and to the country to so correct his language that the same shall not be misleading, but harmonize with the facts. It is true that the surplus revenues of the Government are excessive, but not to that extent which the President or his Democratic friends represent. That party has become so used to falsifying the financial record of the country touching this surplus, that the President himself has been deceived, or else he, too, is trying to deceive the country.

The Democratic party said in its platform in 1884 that the country had been collecting $100,000,000 surplus revenue annually, when there was collected during the very year in which this declaration was made less than $18,000,000 surplus; but it is conceded now by the leading administration paper of this city that the Democratic platform of 1884 was a fraud. In the Post of the 20th instant I find this item, and it is a choice item, too, because so true:

"Mr. Cleveland presents the peculiar spectacle of a man asking for re-election to office because he repudiates the platform which he approved and was elected upon three years ago"—*Omaha Republican.*

This is not true; but if it were it would be entirely to the President's credit. The Chicago platform of 1884 was a good deal of a fraud.

The Republican party disposed of its surplus by paying off the Government bonds, while the Democratic party is hoarding up such revenues. The Republican party while in power was constantly reducing taxation, and thereby decreasing the revenues. It did this by reducing internal taxation, and by the placing of such things upon the free-list the importation of which did not come in competition with our own productions, until we have increased the value of our imports on non-dutiable goods to from a few million dollars' worth to over $233,000,000 worth. Speaking for myself alone, and I believe the sentiments of those who sent me here, I am ready to co-operate with any party in still further reducing our revenues, but it must be in continuance of the policy of the Republican party, as stated above. I am willing that such reduction shall be made partially upon internal taxation by removing the tax on tobacco, raw and manufactured, not including cigars and cigarettes; and partially by placing on the free-list that article which would least harm the industries of the country.

Tobacco may be considered a luxury, but it is now, and ever will be, I fear, used by a great portion of our people, especially among our laboring classes; and there is scarcely anything they consume that they would not prefer to dispense with rather than their tobacco. Its use is not so degrading or immoral as to warrant the Government in prohibiting its use either by taxation or otherwise. The time has not yet arrived, in my opinion, when we should remove the tax upon alcoholic and intoxicating liquors. Public sentiment would not warrant such a step at the present time. Its excessive use is degrading and immoral, and public sentiment is now demanding that its entire use shall be prohibited where possible, and curtailed to its lowest limit in all places. This tax, in my judgment, is a tax upon that the use of which results in evil, and it tends somewhat to limit and restrain such evil. For this reason I am not willing at present to relieve it from taxation. So long as the use as well as abuse of liquor can not be prohibited, I am desirous of retaining such laws as will tend to curtail and restrain its use to the lowest possible limit. I would further reduce our revenue by placing sugar upon the free-list; not that I am willing to give up the idea that we are not to in time produce in this country our own sugar, but because we can render aid to that industry in a more economical and better way. I think it has been quite safely demonstrated that we can not or shall not produce sugar to an amount sufficient for our own use from the cane, but if produced at all it must come from the beet or sorghum, and I think from the latter. I am quite willing to foster the industry still further, but we can far better afford to do so by bounty rather than by a duty. We consumed of sugar in 1887, 2,781,159,646 pounds, valued at $68,882,884, and the duties paid thereon amounted to $56,507,495. We produced in our own country only, I think, about one-twelfth of what we consumed. We can well afford to pay a bounty to still further encourage our sugar industry, to an amount which would be more beneficial to the producer than the duty now levied, and the people would still save in the process of encouragement more than $40,000,000 annually in the cost of their sugar. I am willing to give the bounty, because I wish if possible to build up another great branch of agricultural industry, which if successful will soon bring to that class of our people more than $100,000,000 annually.

Gentlemen tell us that we have prospered notwithstanding our protective tariff, and that our prosperity would have been greater had our protective policy not existed. The experience of our country has been different. We had for some years previous to 1857 a low revenue tariff, and let me call a Democratic witness to show what the condition of our country was at that time. On December 8, 1857, President James Buchanan, in his message to Congress, used this language:

The earth hath yielded her fruits abundantly, and has bountifully rewarded the husbandman. Our great staples have commanded high prices, and up to within a brief period our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in abundance, yet notwithstanding these advantages our country, in its monetary interests, is at the present time in a deplorable condition. In the midst of unsurpassed plenty in all the productions and elements of national wealth, we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of our useful laborers thrown out of employment and reduced to want.

This condition of our country continued to exist, and in 1860 our national Treasury was bankrupt, and the credit of the Government was so poor that it could not borrow without paying higher rates of interest than that paid by individuals. Compare the credit of your Government after twenty-seven years of our protective tariff with its credit in 1860, after twenty-seven years of low tariff.

Look at the general prosperity of our country during these last twenty-seven years of its existence. In 1860 we had less than 30,000 miles of railroad, while to day we have more than 145,000 miles of such road, or enough to encircle the globe six times, with miles of telegraph enough to more than twelve times girdle the earth. Look at the wonderful increase in the products of our forests and our mines, of our furnaces and factories. Look at the wonderful increase in the production of our silks, our glassware, our china and pottery, and in all those things which tend to bring happiness and prosperity to the people. Shall we go back to that system of legislation which bankrupted our Treasury and ruined our public credit; that system which depressed our industries, which pauperized our people, and utterly failed to develop our natural resources; that system which made us dependent upon the labor of foreign lands for that which we wore and consumed, or shall we stand by that system which has made us the most wealthy, the most prosperous, and the greatest manufacturing nation in the world? It is between these two systems that we, the representatives of the people, are to choose, and I welcome the issue. [Applause.]

During the delivery of the foregoing speech, the hour having expired,

On motion of Mr. MCMILLIN, by unanimous consent Mr. BREWER'S time was extended ten minutes.

Mr. FORD. Mr. Chairman, the question presented now is one, generally speaking, of tariff reduction, not abolition. It is true that the bill reported by the majority of the Committee on Ways and Means proposes to enlarge the free-list, but the main object of the measure is to reduce, not abolish the tariff. And in considering this question we should do so from a standpoint having regard for the interests of the whole nation. We should not seek to build up the industries of any one State at the expense of other parts of the country. In all our legislation we should consider the general welfare of the entire nation; not what might benefit a few, but what policy will most add to the happiness and prosperity of all the people of the United States.

That the present tariff law does not, in its application, add to the prosperity of the great mass of the people must, it seems to me, be evident to every fair-minded, unprejudiced man. A tariff which gives a comparatively small number of men the right and opportunity to tax the millions of our citizens 47 per cent. more than their goods will sell for in the open market, can not fail to have the result of building up and maintaining vast monopolies and trusts, whose enormous profits are swelled and increased by the tribute which the tariff authorizes them to levy from the pockets of the people.

As a noted French writer has well said, the system of a high protective tariff is founded upon the theory of creating a scarcity of commodities. Suppose a man is engaged in the manufacture of bar-iron. He is anxious that his competition should be limited, in order that he may obtain a higher price for his iron. Therefore he comes to Washington and gets Congress to put a high tariff on imported iron so as to lessen his competition and produce a scarcity of iron in this country, which allows him to compel those who buy iron to pay him a higher price. That man has not the general welfare of the whole people at heart. His selfish desires do not harmonize with the prosperity of the masses.

Our present war tariff considers the interest of a few, not all.

Sir, Congress has no right to take the part of a few manufacturers against the great body of consumers. But that is just what has been done. Our war tariff declares for high prices for the producer of iron, low prices for the producer of corn; high prices for the pro-

ducer of glass; low prices for the producer of wheat. Our present tariff tax aims to secure to a few manufacturers a disposal of their goods at a large profit. To do that their prices must be raised. To raise their prices the supply of their foreign competitors must be diminished. To diminish the supply is to create scarcity.

I would like to ask if the farmers of the West are more prosperous because they have fewer clothes? Are they better off because they must pay an enhanced price for the necessaries of life; because the products of iron, copper, and glass are scarce and high?

But we are told that the present war tariff makes prices cheaper. In the first place our friends, the high protectionists, ask for its continuance because they want to artificially increase the price of imported commodities. What for? Why, of course, so that a few of our manufacturers can obtain a higher price for their wares. But the moment you speak of that to the high-tariff beneficiary, he will say, "Oh, no; the tariff cheapens prices."

W. G. Sumner well illustrates the inconsistency of this claim, and I will state substantially what he says. The laboring man's interest and the employer's interest are, in a certain sense, antagonistic. The laborer is desirous of receiving as high wages as possible, while the employer would like to have wages low; and the consumer wants to purchase the product as cheap as possible. Here we have this state of things when along comes an all-wise Congressman, and he proposes to make everything lovely. To the laboring man he says, "I will make your wages high." "What are you going to do with me?" says the manufacturer. "Do not fear," he replies, "I will make wages low for you." "What!" exclaims the laboring man, "make wages low! Why, you just said you would make my wages high." "Oh, no," says the Congressman, "I am not going to actually make wages low for the manufacturer, but I will make the price of his product high, and that will have the same effect." The consumer upon hearing this exclaims, "Hold on, there! What's that? Do you propose to pass a law to make prices high?" "Oh, no," says the Congressman, "I do not really mean to make prices high, it only looks so."

If a high protective tariff does not increase prices, then it absolutely fails of its object. It is not imposed in order that the Government may raise a revenue. If the Government does collect any revenue under it, it is incidentally accomplished. The Government says, "We do not want this tax; we have got more revenue now than we know what to do with; but we will let the favored manufacturer tax the consumer; we do not want to tax the consumer, but we will hold him while you tax him."

The fact of the matter is, as every observing man knows, that the tendency of prices is to cheapen constantly, not on account of the taxes imposed by our war tariff, but owing to improved means of transportation and production. Prices have declined everywhere. And the prices of agricultural productions, which our war tariff does not benefit to any appreciable extent, have declined out of all proportion to those of manufactured commodities; and, as usual, the farmer has got the worst of it. Prices have declined the world over; they have declined in free-trade England and in China as well as in the United States. But the proposition I make is this, that the price in this country of nearly every article on which our war tariff is imposed would be a good deal cheaper to-day if the tariff were reduced.

According to the natural laws of trade the price of a commodity is fixed by the cost of producing it. But when, by means of a 47-per-cent. tariff, you interfere with trade so that the price of a commodity is not fixed by the cost of producing it, you impose a burden upon the people who are forced to buy it.

That very thing does the present war tariff accomplish. It allows the favored manufacturer in this country to fix a price upon his goods, not with reference to what it costs him to produce it, but with reference to foreign competition. "How much will it cost the people of the United States to obtain this commodity from abroad?" is the question which the American protected manufacturer asks himself. Not "How much can I afford to sell this article for?" but "How much can I compel the people to pay me for it?" This war tariff puts it in the power of the favored manufacturer to force the American people to pay him an unjust price for his wares, if he chooses to ask it.

And all this is done, what for? Not in order to enrich the tariff monopolist. Oh, no. This war tariff is not maintained to put money in the manufacturer's pocket. What, then, is it kept up for? Why, to protect American labor against the pauper labor of Europe. The manufacturer tells us that labor is so cheap in Europe that he must have protection against it; that by reason of the high tariff he is able to pay his workingmen higher wages.

Such a claim, under the circumstances, is preposterous. By placing a tax on imported goods you can not increase the wages of labor. If you can, why is it, after nearly thirty years of the highest tariff taxation ever known in the history of the world, that wages in many of the protected industries have declined from 10 to 60 per cent.? If the tariff of $2 per thousand feet on lumber makes wages higher, why is it that the wages of men in the lumber woods have declined 50 per cent. in the last ten years, while the price of stumpage has advanced from 100 to 800 per cent.?

If you are going to legislate to make wages higher by imposing a tax, you should put the tax on the men, not on the goods. If you want to protect our workingmen against the pauper labor of Europe, why do not you take measures to keep that pauper labor from coming here? Free trade in labor and protection on everything the laboring man buys, and that is called protection to American labor.

No industries show more poverty, more destitution, and more strikes among their workingmen than those so-called protected ones. There is not a hod-carrier in the United States but who earns more wages than the average person employed in the industries benefited by the war tariff.

A tariff tax on imported goods may raise the price of the same kind of domestic goods in this country, but it will not raise the wages of the man here who makes those goods. It takes the capitalist and the workingman combined to turn out the finished product. The capitalist invests his money, manages the business, and attends to the sale of the manufactured product. It is the laboring man's work that creates that product. If the capitalist has the right to ask Congress to levy a tax on imported goods so as to make those goods scarce in this country, and allow him to obtain a higher price for his product, then why has not the man who works for that capitalist the right to ask Congress to levy a tax on immigrants, so as to make labor scarce and increase the price of his wages?

Protection to American labor! Is that the reason why this war tariff is maintained? This is about the way it protects the laborer: Here comes a ship-load of goods. The custom-house officer says to the importer, "Pay to the Government of the United States 47 per cent. of their value." "What for?" says the importer. "To protect American labor against the pauper labor of Europe," replies the custom-house officer. The importer pays the tax and adds it to the cost of the goods, and that tax is ultimately paid by the consumer. By and bye there comes another ship to our shores. "What have you got there?" is asked of the captain. "Two thousand Italian immigrants," he replies "Bring them ashore," says the custom-house officer; "right over here in Pennsylvania we have ten thousand men now on a strike because they can not make wages enough to keep soul and body together; take your men over there and help us protect American labor." [Loud applause.]

Your tariff keeps out foreign goods in order to help the manufacturer meet foreign competition. If the capital engaged in an industry can not meet foreign competition, much less can the American workingmen meet it. As Robert Walker truly said:

A protective tariff is a question regarding the enhancement of the profits of capital, and not the augmentation of the wages of labor.

But it is to the farmer of the United States that the advocates of this trust-creating tariff make their strongest appeal. He is told by them that he should stand by American industries. That the agitation for the reduction of the war-tariff taxes is being stimulated and encouraged by British manufacturers and British gold. They frantically call upon the farmer to continue on voting to keep up a tariff which is taxing him out of house and home; they paint in glowing colors the advantages the farmer derives from a tariff on certain agricultural productions, and they beg, bully, entreat, and threaten that the farmer's influence and the farmer's vote may be given to prevent any relaxation of the tight grip which the war tariff now has upon him. If the farmer will use his reasoning powers and the common sense with which the Creator has endowed every human being he will not be caught by this chaff. What is it fixes the price of the majority of our agricultural products? It is the price of those products in the markets of the world. And it is amazing that the intelligent farmer will allow himself to be bamboozled and humbugged on this very simple and plain proposition.

Mr. WADE. Will the gentleman allow a question?

Mr. FORD. Yes, sir.

Mr. WADE. If the gentleman's view is correct, why should not the farmers form a "trust" and manufacture the articles which they consume, and thus protect themselves?

Mr. FORD. If the gentleman will listen until I get through, I think I will convince him——

Mr. WADE. You do not show me how to get a better market for my wheat. You say I have got to come in competition with this foreign labor. You do not offer me anything except cheaper articles. Now, why would it not be better to form a farmer's trust and let the manufacturers manufacture their own articles?

Mr. FORD. If the gentleman will only possess his soul in patience, I expect to satisfy him before I get through. I have only just got started. [Laughter.]

Mr. WADE. And then tell me how those laborers in South Carolina, who work for $10 a month——

Mr. FORD. I decline to yield for any more interruptions. Make your speech in your own time, or else "hire a hall." [Laughter.]

What is it that fixes the price of the farmer's wheat? It is the Liverpool market. Let the price of wheat go up in Liverpool, then watch how quick it will advance in Chicago. Let the price of wheat in Liverpool decline and the market in Chicago will respond instantly, and go down. We can not begin to consume our agricultural productions. We produce a good deal more than enough to supply the United States, and are obliged to depend upon a foreign market for the disposal of our surplus. No tariff can help the farmer on his surplus production, because the price at which it is sold is fixed by competition with all the producers of the world. We now consume at home about 70 per cent. of our agricultural productions and export about 30 per cent. of them.

Now, mark this: Whenever any country produces more than it consumes and has a surplus, the price of that surplus will fix the price of the whole product. Therefore, so long as our farmers produce a surplus (and this they will always do) the price of the agricultural productions in the United States will be the same as the world's price. There is no escaping this conclusion. You may pile tariffs on wheat, corn, beef, pork, and cotton mountains high and it will not increase the price of those products in this country a penny—not a farthing.

The farmer's wheat is sent 3,000 miles away to England, and it there comes into direct competition with wheat from the East Indies, raised by the worst pauper labor on the face of the globe; a labor so low and so half-civilized that the American farmer can scarcely conceive how degraded it is. The price of one of the most important of the farmer's crops is thus fixed by competition with wheat raised by laborers whose dress consists of half a yard of cotton cloth, and who work for 6 cents a day.

But how is it with regard to the articles which the farmer can not produce and which he must buy? The price of nearly everything which the farmer buys is fixed by so-called protective legislation. The English farmer stands a little better in that respect than the American. The price of what the English farmer buys is fixed in the same market and and by the same laws which fix the price of what he sells; while, as for the American farmer, the price of what he sells is fixed by competition in the open markets of the world, and the price of what he buys to produce his crops is arbitrarily determined and unnaturally increased by the laws of of the Congress of his own country for the benefit of a few manufacturers.

But the duty on wool is one of the strong points of the tariff monopolists. They and all their subsidized newspapers are talking continually not about coal, not about glass, not about iron, but about wool. They have constituted themselves the special guardians of the wool tariff, and are overwhelmed with anxiety to save the farmer from utter destruction from a decrease of the tariff on wool. I very much doubt the sincerity of some of these new converts to the farmer's interest. It might be well supposed that they were more anxious for their own particular industries than for the farmer's. To an unprejudiced observer it would look very much as if some of them were using the farmer as a cat's-paw to further their own interests.

If the tariff on wool benefits the farmer, what does it amount to? Taking the entire value of our agricultural productions, the wool crop does not comprise over 2 or 3 per cent. of it. What a short-sighted policy it is for a farmer to calmly submit to paying war-tariff prices for nearly everything he buys to produce his crop, all for some supposed trivial benefit derived from the wool tariff on 2 per cent. of his product. These tariff-tax manufacturers ask the farmer to pay $15 for a $9 suit of clothes for himself, $17 for a $12 shawl for his wife, to pay increased prices on his plows, tools, and agricultural implements; they ask him to sell his produce for a niggardly sum, and they tell him to meekly endure all this, and to be comforted by the thought that there is a tariff on wool.

You can not have a good price for wool unless you have somebody to buy it. We do not produce enough wool for our own consumption. Our manufacturers must import foreign wool; and when you artificially increase the price of foreign wool you cripple the manufacturing industry, which injures the farmer's customer. Take the result in my State for instance, the State of Michigan. In 1867 the wool tariff was enormously increased; in that year the tariff on wool was raised, so that it averaged between 50 and 60 per cent., and it so continued, practically without interruption, for sixteen years. In 1867, when the tariff went into effect, there were 4,000,000 sheep in the State; and under the effect of this high tariff on wool on the 1st of January, 1880, the number of those sheep had dwindled down to less than 2,000,000. This wool tariff has induced many farmers to vote for the maintenance of these war taxes. When some farmers have viewed the tariff, the wool has been pulled over their eyes to that extent that they could not see anybody else [Laughter.] But I believe the farmers are beginning to appreciate that in this cry of "Wool! wool!" there is more noise than benefit.

Another statement which has had considerable effect is, that our high tariff gives the farmer a home market. This claim, it seems to me, can be absolutely demonstrated to be false beyond the possibility of a doubt. Let us examine this question and see how much of a home market these tariff taxes have given the farmer. We consume at home about 70 per cent. of our entire agricultural productions, and export about 30 per cent. Our farmers comprise about one-half of the population of this Republic, and it is fair to suppose that they would consume one-half of the products of agriculture which are consumed in this country. As we consume 70 per cent. here, our farmers would consume one-half of that amount, or 35 per cent. of the whole crop. The people engaged in manufacturing, mining, and mechanical pursuits, according to the census of 1880, comprise about one-fifth of our population; therefore they would consume one-fifth of the 70 per cent., or 14 per cent. of our entire production. But it is well known that only a small proportion of those engaged in mining, manufacturing, and mechanical pursuits receive any benefit from the present high tariff. To a great number of our industries the war tariff acts as a bane and a curse. Making a liberal estimate, let us assume that of those engaged in manufacturing, mining, and mechanical industries one-third of them are benefited by the high-tariff taxes. Then the amount of the farmer's productions that they would consume would be one-third of the 14 per cent., or 4⅔ per cent. of the whole product—call it 5 per cent. Therefore the consumers which the tariff-trust advocates say they have created for the farmer, and who will give him a home market, only take 5 per cent. of his product, while the farmer's foreign customer takes 30 per cent. of it.

What an insignificant thing this home-market scheme is when the facts are laid bare.

The proposition is that the farmer is to be taxed to support an industry which would not otherwise exist, and he is to get his money back by selling his produce to men who work in the industry. The farmer is to be compelled to pay taxes to help the manufacturer, and he is to get it back in money for his produce! That would be a remarkable investment. As Henry George well says, this is like the man who owned stock in a railroad and kept riding on the cars and paying his fare in order to increase the dividend he would get out of the stock. [Applause.]

The home-market delusion amounts to about this. The protected manufacturer says to the farmer, "I want you to vote for a Congressman who will aid in maintaining this war tariff, and I will agree to take 5 per cent. of your crop. But if I do that I want the privilege of charging you 47 per cent. more than my goods are worth in the markets of the world." In other words, he says: "Out of every $2,000 worth of your agricultural productions I will take $100 worth, and when I pay you that $100 I want you to buy $100 worth of my goods, but I want you to pay me $147 for them," while the farmer's foreign customer says: "Out of every $2,000 worth of your productions I will take $600 worth, and I will let you have $600 worth of my goods without paying any bonus whatever."

Our agricultural productions are always more than we can consume, and our farmers must rely, of necessity, upon the markets of the world. No act of Congress can prevent this. Ever since the war tariff has been in force the farmer's home market has been growing smaller and smaller.

I have a table here, prepared by the Bureau of Statistics, which absolutely refutes the pretension that the war tariff has enlarged the home market of the farmer:

Year.	Value of agricultural products (in gold).	Value of agricultural products exported.	Per cent. exported.	Per cent. consumed at home.
1860	No record	$256,560,972		
1870	$1,958,030,926	361,188,483	18	82
1880	2,213,402,564	685,961,035	31	69

We have no record of our agricultural productions in 1860, but we have data of the agricultural exports for that year. We find that the exports of the products of the farm are constantly growing and growing. We find that in 1870 this country bought 82 per cent. of our agricultural productions, and in 1880 it bought but 69 per cent. of them. Observe what this wonderful American system has done for the farmer. After wearily waiting year after year for that home market which the high-tariff advocates told him would surely come, what is the result? In 1870 the farmer was obliged to look to foreign countries for the disposal of only 18 per cent. of his crop, and after ten years of war-tariff taxation, under which monopolies have grown rich, and trusts have become defiant, he finds his home market ebbing away, and that he must go abroad to sell 31 per cent. of his productions.

The result of this home market swindle is, that the farmer is most beautifully deluded. The high-tariff party gets his vote; the trusts and monopolists get his money, and the farmer gets the hot end of the poker.

They also attempt to frighten the farmer by saying that if the war tariff is reduced it will damage these monopolies so much that they will be compelled to cease manufacturing, and thousands of workingmen will be thrown out of employment; and that these men will seek agriculture as an occupation, and compete directly with the farmer. I do not believe a single man would be thrown out of employment by the passage of the tariff bill recommended by the majority of the committee. But let me suppose for a moment that it would result in throwing men out of employment, would these idle men turn their attention to farming? Not at all, because a reduction of the tariff would so stimulate those industries which our natural resources have fitted us for that an increased demand for labor would at once spring up in those pursuits. By reason of a cheapening of the cost of raw materials those manufacturers would be able to compete in foreign markets. And a reduction of the tariff would result in an enormous increase of production, in order to supply the foreign demand, which would increase the demand for labor to such an extent as to furnish employment for all idle men, if there were any.

Another scarecrow erected to alarm farmers is the statement that periods of low tariff have brought forth financial panics. But those who make this assertion are very careful to say nothing about the panics that have occurred during periods of high tariff. In that respect it is a very accommodating tariff. For, according to their reasoning, every panic that has occurred during a low-tariff period is directly attributable to the tariff, while panics occurring in periods of high tariff have been due to other causes entirely. The slight reductions which have been made in our tariff taxes, in the history of this nation, have had no bad influence upon our financial condition, but the effect has been the

very reverse. When these men make this statement they fall into the error of mistaking a coincidence for a cause.

How does the present tariff take care of the farmer's interest? According to the census of 1880 the assessed valuation of the capital engaged in agriculture was twelve billions, and in manufactures two billions. The profits of the manufacturers on invested capital was 37 per cent., and the profits of the farmers was 11 per cent. Our farmers comprise half our population, and it would seem that if any industry should be aided by the Government it is that of agriculture. Why have the high-tariff party advocated a tariff on wool, and wheat, and rice, under the guise of protecting the farmer? Why did they not place a tariff on some of the farmer's productions which might have given him some benefit? While these gentlemen have been, as they allege, endeavoring to protect American labor against the pauper labor of Europe, why have they not paid some attention to the egg and poultry industry? The value of the products of the egg and poultry crop of the United States exceeds the entire value of our pig-iron. But what war-tariff advocate has ever raised his voice for this portion of the farmer's productions? None. Is there any tariff on eggs? There is a tariff on the yelks of eggs dried and powdered; and there is a tariff on baked ants' eggs for birds' food. But there is no duty on the hen's egg. Are there any imported? Oh, yes; about 14,000,000 dozens last year, free; no tariff on them at all. Why have not these representatives of the pig-iron manufacturers, and of the alleged wool growers, who are tumbling over each other in their eagerness to benefit the farmer, said something about saving our egg and poultry industry from foreign competition? Why should not the great American hen be protected against the pauper hen of Europe? [Laughter.]

If the present war-tariff tax is necessary to sustain the American workingman, why is it that wages are higher in industries not affected by the tariff, than in those which are benefited by it—which is a fact easily susceptible of proof?

If this high tariff is kept up to maintain our infant industries, why is it that it is given to the manufactures of cotton, wool, and iron? The manufacture of cotton cloth had a fixed establishment here sixty years ago. The manufacture of woolens was firmly settled in this country over seventy years ago. And ninety-seven years ago Alexander Hamilton said that the manufacture of pig iron was well established here, and that we had the ability to manufacture steel sufficient to meet all internal demand and have left a considerable surplus for exportation. Are not these infant industries becoming rather aged? Ought they not to get along without the nursing-bottle?

If the present 47 per cent. tariff tax is a benefit to the farmer, why is it that the price of the majority of the farmers' products is the lowest ever known? And why is it that the farmers' financial condition is constantly becoming worse?

It is proposed now to reduce the tariff on manufactured commodities. The tariff-tax beneficiaries say that a reduction would ruin them. Let me examine this claim a moment.

What profit do these men make? That is a very difficult matter to arrive at. There is no law which requires them to make a statement of their gains and losses; and so any knowledge on that subject is not easy to obtain. But occasionally something occurs which compels a disclosure. An instance of this kind is found in a suit between the stockholders of the Jackson Iron Mining Company in the Lake Superior country. The Jackson mine, in all respects, is an average of the iron mines in Michigan. In that suit, in 1883, it became necessary to know the exact dividends declared by that company for the past twenty years. The secretary of the company took the witness-stand, and testified that since the organization of the company in 1863 (twenty years) they had declared a total dividend of 1,785 per cent., an average of 89¼ per cent. a year. Their original capital stock was $300,000, the dividends declared had been $5,355,000, and the value of the plant in 1883 was $1,500,000. So, out of an original investment of $300,000 the stockholders had taken out over $5,000,000 in profits, and they still had a plant left valued at $1,500,000, which alone was 500 per cent. more than they had originally invested, making a total of 2,300 per cent. profit in twenty years, or an average of 215 per cent. a year. But still these men now say they can not compete against the pauper labor of Europe, and demand that the duty of 75 cents a ton on iron ore be left unmolested.

Take the copper mines. The Quincy Copper Mining Company of Michigan, in the ten years ending with 1881, paid an average dividend of 50 per cent. per year. The Calumet and Hecla copper mine, with about a million dollars invested, pays over 200 per cent. every year. In 1861, when every expedient known to taxation was resorted to, to raise a revenue to carry on the war of the rebellion, among other taxes there was a duty of 2 cents a pound placed on copper pigs.

Finally the war ended, and the necessity for a large revenue did not exist. But in the mean time the copper-mine owners of Michigan had had a taste of this "protection against the pauper labor of Europe," and they sent a lobby down here and got the tariff on copper increased to 4 cents a pound. Think of it! A war tariff of 2 cents, a peace tariff of 4 cents. This duty is practically prohibitory. Last year the Calumet and Hecla Mining Company paid a dividend of $2,250,000—over 200 per cent.—and the Government received in revenue from imported copper pigs the princely sum of $40. [Laughter.] And this same company has shipped copper to England, and, after paying the transportation charges, they have sold it at a less price than it is sold in New York. And yet they have the effrontery to say that they can not compete against the pauper labor of Europe.

According to the report of the commissioner of labor of Michigan for 1887, we find that 47 per cent. of the farms in that State are mortgaged. Here we have the spectacle of the farmers of Michigan eking out an arduous existence, with half their farms covered by mortgages, while the copper and iron trusts of that State, to whom the war tariff forces the farmer to pay tribute, are making annual profits all the way from 50 to 225 per cent. It passes my comprehension how any man can vote to uphold a system of taxation under which this state of affairs is maintained.

The pretense that we can not compete with the cheap labor of Europe, in my judgment, is entirely unwarranted. Why, sir, pauper labor is unprofitable labor to employ. And the comparisons between the rate of wages in this country and Europe, which are brought forth by interested corporations and trusts to show a necessity for a high tariff, are, in most instances, extremely misleading and unfair. Because one man demands $2 a day for his labor and another man $1 a day, it does not follow that it is more profitable to employ the one who works for the cheaper wages.

Granting that our workingmen receive higher daily wages for their services in this Republic, than those of Europe, what does that signify? It means that our workers are worth more to their employers. If the two-dollar-a-day man can produce three times as much annually as the dollar-a-day man, his employer can well afford to pay him the higher wages. In no country upon the earth are the laboring classes more intelligent, acute, and active than in the United States. And the proper way to compare the reward they receive for their services, with those of other countries, is with reference to the quantity of finished product produced.

I will illustrate this by taking the statistics in regard to the cotton manufacture. From a report recenty submitted to the State Department by Mr. J. Schoenhof, our consul at Tunstall, England, I glean some very significant facts. From a knowledge of the daily wages paid in England, Switzerland, and the United States, it would appear to be a hopeless task for the American manufacturer to attempt to compete with the manufacturer of Europe; but when we look at the production per hand employed it is at once made plain that the American manufacturer has by far the advantage. The labor cost of weaving per day in Switzerland is 49 cents, in England 65 cents, and in America from 80 cents to $1.12. But let us look at the quantity produced. The cost per 100 yards in Switzerland is 60 cents; in England 55 cents; in the United States 40 cents. It is apparent from this that while our cotton manufacturers pay the highest daily wages, they pay the lowest per 100 yards manufactured; consequently, their labor cost is not as great as that of the foreign manufacturers. This same state of affairs exists in reference to the cost of labor in most of the so-called protected industries.

It is no argument to say that we can not compete with foreign manufacturers because our daily rate of wages is higher. If everything were equal; if each country had the same machinery and processes, the same intelligent labor, and if the result of a day's work per hand employed were the same, then a comparison of labor cost upon the daily wages paid would be upon a proper basis. But in most instances we can afford to pay more daily or weekly wages for our labor, because it produces enough more than the foreign labor to make up for the increased daily cost of it.

The minority of the Committee on Ways and Means have submitted 16 printed pages of what they denominate their views; and it is a remarkable document. In view of the all-absorbing question of reduction of revenue one would imagine that they might have brought forth something more than a criticism.

I have here an article from the Minneapolis Journal, a prominent Republican newspaper of the Northwest, which indicates how the views of the minority were received by the Western Republicans:

> If the Republican leaders of the House were conscious of the real intensity of the feeling among Western Republicans in favor of the Republicans in Congress formulating a liberal tariff-reform measure, and placing the party on record in favor of an honest and intelligent reduction on the necessaries of life, they would not fail to submit some such proposition in Congress. They certainly can not realize the true state of feeling among Western Republicans, or they would see the serious danger in pursuing the present policy.
>
> There is no excuse for it. There is no reason why the Republican Representatives should not have drawn up and presented to the House long ago a measure which should stand as a clear and definite statement of the Republican position with respect to tariff reform. The failure to do so is the most serious aspect of the political situation. It is producing a feeling of restlessness everywhere among Western Republicans that threatens party disintegration. This is not stating the case too strongly.

When the situation demands a statement of the position of the Republicans in Congress upon this question; when a failure to make such statement "threatens party disintegration" among the Western Republicans, the Republican members of the committee do what? Nothing. They propose nothing, they advocate nothing; they simply demur.

Just consider this: Over and over again have prominent Republicans in official life declared that this war tariff ought to be reduced. Pres-

ident Arthur recommended it. The Republican tariff commission said:

Early in its deliberations the commission became convinced that a substantial reduction of tariff duties is demanded.

What does the bill propose to do? The average duties for 1887, on the articles outside the free-list which the bill affects, were 65 per cent. If the bill becomes a law, it is estimated by the Secretary of the Treasury that the duties on those articles will average 48 per cent. In other words, instead of making the people pay a tax of $65 on every $100 worth of these goods when imported, this bill reduces it to $48 on every $100—a reduction of only $17. A Republican President and the tariff commission advised it. But the gentlemen of the minority of the committee call it "a radical reversal of the tariff policy of the country." President Arthur recommended an enlargement of the free-list and a reduction of the tariff on cotton, iron, and steel. That is what this bill seeks to accomplish. The minority view it as "an overthrow" of the tariff.

Again, the minority of the committee say that a reduction of the duty on steel rails from $17 to $11 a ton will "seriously cripple if not destroy the manufacture of steel rails in this country," when the facts are that if the duty on steel rails to-day were $11 a ton, as this bill proposes to make it, it would not increase the importation of steel rails one single ton—no, not one pound. This is very easily demonstrated. The price of steel rails now in England is $18.75; add $2 for freight to this country, and the cost of the imported rail in New York before paying duty would be $20.75. If the duty were $11 a ton, that would make the English steel rails cost $31.75 a ton here. What is the price of the American steel rails? They are selling for $31.50 a ton to-day, or 25 cents a ton less than the English rails could be delivered for in this country if the Mills bill were a law.

The minority of the committee also state that a scaling down of the duties would have the effect to increase the revenues instead of diminishing them; because, as they claim, the importations would increase, and, for the purpose of substantiating that proposition, they have selected out a few commodities, and proceed to show that after the tariff reduction of 1883 the importations of those commodities increased, and that the revenue received from duties on those articles was greater than before reduction. Their selection of commodities is manifestly an unfair one. In that selection they have ignored some of the most important and necessary articles of commerce. In the following table I have taken a few ofthe leading articles the duty on which was reduced by the tariff law of 1883, and compared the amount received in revenue before the tariff reduction, with the amount received in revenue for the fiscal year of 1887, after the tariff reduction; and in every instance there was less revenue received after the reduction than before:

Articles.	Tariff before reduction of 1883.	Tariff after reduction by act of March 3, 1883.	Duties collected during year ending June 30, 1883, under old law, before reduction.	Duties collected during year 1887, under new law, after reduction.	Decrease in revenue.
Bagging for cotton, valued at 7 cents or less per square yard.	Pound, 2 cents.	Pound, 1½ cents.	$46,931	$14,467	$32,464
Balmorals	Pound, 50 cents and 40 per cent.	Pound, 40 cents and 35 per cent.	2,298	2,230	268
Steel rails	$27 per ton	$17 per ton	1,938,037	841,941	1,096,096
Copper bars, ingots, and pigs, fit only for remanufacture, and regulus of copper.	4 and 5 cents per pound.	3 and 4 cents per pound.	13,219	2,168	11,051
Hats, bonnets, and hoods of grass, straw, willow, etc.	40 per cent.	30 per cent.	320,959	189,344	131,615
Buttons and button molds.	30 per cent.	25 per cent.	1,131,399	867,254	264,145
Clocks and watches.	.....	Reduced 8 per cent.	784,443	489,326	295,117
Dress goods, women's and children's, coat linings, and Italian cloths of every description.	.....	A reduction of about 20 per cent.	15,549,213	12,398,975	3,150,238
Pig-iron	$7 per ton	$6.72 per ton.	3,026,475	2,811,026	215,449
Screws (wood)	.....	Reduced about 25 per cent.	18,600	1,880	16,720
Sewing silk, silk in the gum and twist.	.....	Reduced about 25 per cent.	9,830	285	9,545

In 1883 the steel-rail manufacturers made the same complaint that the minority of the committee do now, that a reduction of the tariff would ruin them; that it would result in increased importations and increased revenue for the Government. Notwithstanding their protests the tariff on steel rails was reduced from $27 to $17 a ton. What was the result? Did it ruin them? Oh, no! Did the importations increase? No. The year before the tariff was reduced the importations of steel rails were 118,062 tons, and the year after the tariff was reduced the importations were 7,971 tons—a falling off in the importations of over 110,000 tons. Did the revenue increase? Not at all. The revenue derived last year from the tariff on steel rails was over a million dollars less than it was the year before the tariff was reduced.

The dress-goods manufacturers made the same argument. They said in 1883 that a reduction of the tariff on dress goods would result in such enormous importations of foreign cheap-made goods that the American manufacturer would be driven into bankruptcy. The result was the very opposite. Importations have not increased; and under a reduction of the tariff on dress goods of about 20 per cent. the revenue from that source has decreased over $3,000,000 annually.

The tariff on buttons and button molds was cut down 18 per cent., and the revenue in 1887 was $264,000 less than it was in 1883.

The tariff on hats, bonnets, and hoods was reduced 25 per cent.; and the revenue from those articles last year was $131,000 less than it was under the old tariff.

Therefore it will be seen that it is not a good proposition to say that a reduction of the tariff means increased importations. The tendency as regards the great majority of articles on the tariff schedule, in case of a reduction, will be the other way, a decrease of revenue; because it will force the so-called protected manufacturers who are now making from 25 to 250 per cent. profit annually, to accept a more moderate reward. And the moment the tariff is reduced they will meet their foreign competitors with a corresponding reduction in the price of their goods.

Mr. Chairman, I believe there exists no necessity for the further continuance of these war-tariff taxes. On the contrary, I believe every interest of the American people cries out for their reduction. Their maintenance has resulted in the establishment of some of the most vast and arrogant monopolies this country has ever known. And of late there have appeared numerous soulless entities which menace the prosperity of the people, known as trusts. These irresponsible organizations are multiplying so fast that they will soon enchain and fetter the commerce of the nation, and absolutely control the price of the necessaries of life unless their onward course is speedily checked. These associations seriously threaten the well-being of the country. And shall we sit here and allow this spoliation to go on, without an attempt to grapple with and arrest the invasion of this recently organized enemy of the people? If this country were open to the competition of the manufacturers of the world, the great majority of these trusts could not exist. If the war tariff had been reduced years ago, as it ought to have been, most of the trusts in operation to-day would have been unheard of.

The following is a list of a few of the trusts, together with the amount of bounty the present tariff seeks to allow them to collect from the people, also their expense for labor, and the excess of tariff bounty over the amount they pay in wages. Not one of these trusts could live were it not for the war tariff:

Name of trust.	Protected by duties averaging, per cent.—	Adjusted to guaranty a bonus in each $100 of product amounting to—	Their whole expense for labor in $100 worth of product being—
Salt trust	50	$33	$25
Earthenware trust	56	36	40
Bessemer-steel trust	84	46	9
Plow-steel trust	45	33	29
General steel trust	45	33	29
Nail trust	45	33	22
General iron trust	45	33	25
Copper trust	24	22	22
Zinc trust	52	28	25
Tin trust	32	24	21
Lead trust	74	43	65
Glass trust	55	36	45
Soap trust	26	19	8
Linseed-oil trust	54	35	5
Rubber shoe trust	25	20	24
Envelope trust	25	20	11
Paper-bag trust	35	25	15
Cordage trust	25	20	12
Average	.....	30	24

The above table, which is taken from a pamphlet entitled "Tariff Chats," by Henry J. Philpot, of Des Moines, Iowa, well illustrates the glaring hypocrisy of the claim that the war tariff must be kept up so

that these trusts and combines may receive protection against the labor of Europe. The average bonus which the tariff allows these eighteen trusts to exact from the people is $30 upon every $100 of their product, while their whole expense for labor amounts to only $24 upon every $100 produced, leaving $6 tariff bonus over and above the entire labor cost. I would like to inquire how long the war tariff must be kept above the entire cost of labor in order, as they say, to offset the difference between the cost of labor in this country and the cost of labor in Europe.

Alexander Hamilton said, in the Federalist:

> There are persons who imagine that import duties can never be extended to an injurious excess. Exorbitant duties on imported articles tend to render other classes of the community tributary in an improper degree to the manufacturing class, to which they give a premature monopoly of the markets.

That is exactly the situation we are in to-day. The trusts and combines have got a monopoly of the market.

They have got such a grip on the pockets of the people, under the guise of protection to American labor, that it is a difficult task to force them to relax it. Heretofore all attempts to shake them off by a substantial reduction of the war tariff have failed, because they have been powerful enough to defeat every effort in that direction.

They have vilified and abused the advocates of a reduction of tariff taxation, they have accused them of being enemies of the country's welfare, of being in league with the British; in fact, they have appealed to every instinct of the American people, selfish and patriotic, to vote to sustain this system of war-tariff taxation. But I believe the time has now come when the people, and particularly the farmers of the West, are awake to the true meaning of this issue, and that they will soon speak in tones not to be misunderstood, and demand that Congress pay some heed to the great body of consumers of this nation, and pass a measure relieving them of a portion of the taxes which the war tariff now compels them to pay for the benefit of a few manufacturers. [Prolonged applause on the Democratic side.]

Mr. GOFF. Mr. Chairman, I will not vote for this bill. I trust it not will become a law. It is entitled "A bill to reduce taxation and simplify the laws in relation to the collection of the revenue." In my opinion, should it become a law it will not reduce taxation, it will not decrease the revenue, nor will it simplify the manner of collecting it. It will change the articles on which revenue is collected, but it will increase in the aggregate the revenue therefrom so far as customs duties are concerned. In other words, the reduction occasioned by the transfer of articles now on the dutiable to the free list will be overcome by the increased importation of those art icles on which the rates have been reduced. Our experience of the past few years demonstrates this to be true. That we have a surplus revenue and that it should be reduced all will concede. How is the reduction to be made? That is the controversy. I would make it in a spirit of fairness to all our interests and with a desire to protect our agricultural, mining, and manufacturing industries and the labor and capital employed therein, and not with a declaration of war against them all, as I find in the Mills bill, now under consideration. This reduction should be made by the friends of the protective system, not by its avowed enemies.

The President in substance tells us, in his message of December 6 last, that if we have an industry in our midst that after years of trial, with the aid of our tariff system, has succeeded in standing erect, and contending with the incoming waves of the world's competition, at the same time furnishing our people with cheaper and better fabrics than they ever had before, that, to use his language—

> It is entirely evident that one thing has been discovered which should be carefully scrutinized in an effort to reduce taxation.

In other words, when, after long years of bitter struggle, the victory is ours, the general in command of our conquering forces, because of our success, surrenders us to the defeated foe. Just as we have completed the beautiful structure at which we have been engaged for years, and the people are about to fully enjoy the labor of their lives, one who by the strange mutations of political forces temporarily holds the position of architect-in-chief of the edifice, astounds us with an order to proceed with the work of tearing it down.

The moment one of our industries is self-sustaining, is in a healthy condition, the hum of its machinery making constant and attractive music to the ear of its labor, then it invites thereby and receives the President's enmity, and he at once suggests the pruning-knife of the tariff reformer's law. This portion of President Cleveland's message, for cold-blooded indifference to the interests of the people and for active and bitter opposition to the great system by which they have prospered and their country grown great, is entitled to precedence over all emanations from the Executive Mansion in all our history. In this is he isolated, alone in his suggestion, entitled to and deserving of the fame it will bring. From such a spirit as this, dominating as it does almost with a single impulse the Democratic side of this House, I would save our industries and our homes. The Mills bill was conceived by minds impregnated with this economic viciousness, and its friends, in the wild zeal of their impetuous advocacy, in fulfillment of the old adage, "Whom the gods wish to destroy they first make mad," cite it as its chief merit.

The passage of this bill will be the death knell of protection. While it is not all that its friends hoped for, it is in the line of legislation they long have sought, and mourned because they found it not. If they succeed now they propose next year to take another step, and gradually but surely we are to be marched into the camp of those who contend for "a tariff for revenue only;" and that system, so far as our labor is involved, so far as our industries are concerned, is as bad as free trade. We learn from the report of the Committee on Ways and Means, in respect to this measure, that by it we are "starting" on the policy which transfers "many articles from the dutiable to the free list," the system that favors "free raw material," the method of revenue reform suggested by President Cleveland in his last annual message, and favored by the Democratic members of the Ways and Means Committee.

We find this bill places on the free-list timber, unmanufactured wood, sawed boards, staves of wood, shingles, logs, salt, flax, hemp, tin plates and sheet iron, glue, china clay, vegetables, lime, wool, and many other articles not necessary now to mention, but of importance, all enumerated in the bill. The import duties on cotton goods, woolens, glassware, china and earthen ware, iron, steel and the manufactures thereof, are largely reduced. Various other reductions are made, seriously affecting many of our valuable industries.

We are advised by the committee that their bill "is not offered as a perfect measure;" that "many articles are left subject to duty which might well be transferred to the free-list;" and that "many articles are left subject to rates of duty which might well be lessened." From the argument of the committee we find that coal and iron ore are among the articles which might well be transferred to the free-list, and that woolen and cotton goods, earthen and glass ware, iron, steel and the manufactures thereof, are of those articles "the rates of duty on which might well be lessened." It is therefore evident that it is the intention of the Democratic majority to destroy the "system of protection;" to repeal the laws under which our manufacturing establishments have been built up; by which our labor has found employment and become expert; through which our agriculturists have found a market for the products of their farms, and by virtue of which we are strong as a nation and prosperous as a people. I do not believe with President Cleveland, with Mr. Speaker CARLISLE, with the Ways and Means Committee, that our protective tariff laws are "vicious, inequitable, and illogical." I am a protectionist, a believer in the system of a high protective tariff. I am for legislating in favor of my country, her industries, and her institutions, first, last, all the time. I believe in the old Bible doctrine that "he who provideth not for his own household is worse than an infidel." [Applause.]

While my sympathies go out to the oppressed, to the distressed of all lands, my duty is with the toiling millions of my native land who labor that they may live, who in factories, mills, and by furnace doors, who in mines, shops, fields, and forests, who in many and varied honest and honorable ways earn sustenance for themselves and their loved ones by the sweat of their faces, as by the Divine command it was ordained.

I believe in the system of our fathers, in the theory as enunciated by the founders of the Republic, by the framers of our Constitution. I believe that our first Congress was right when it enacted our first protective tariff law, and I think that this, the Fiftieth Congress, is wrong when it endeavors to repeal it. I believe that George Washington, our first President, was grandly right when he advised the enactment of and approved our first tariff law, and I think that Grover Cleveland, our present—and I hope our last—free-trade President, is shamefully wrong when he not only suggests, but uses the power of his great office to secure the destruction of our present tariff system. The history of my country teaches me that Hamilton, our first Secretary of the Treasury, was true to the best interests of our people when he drafted our first protective law, and forces me to conclude that Fairchild, our present Secretary, is false to the trust confided to him when he formulates the present measure.

I believe that Madison, the expounder of our Constitution, was right. When speaking of our protective system he said: "Upon this question we are all Federalists, we are all Republicans." I wish we could say to-day on this question of protection to our industries, our labor, our homes, our flag. We are all Republicans, we are all Democrats. Unfortunately, we can not say so. Our Democratic opponents have raised this issue, and it is best that it should now be squarely met. They elected Mr. CARLISLE the Speaker of this House on this issue, and he organized the Ways and Means Committee in furtherance of it. The Secretary of the Treasury in his last annual report devotes himself to an exposition of the beauties of "revenue reform," and the President in his message, ignoring the pledges of his party as we are told they are set forth in the platform announced when he was nominated, makes war on the system he had promised to defend, which promise to a confiding people made his election possible, and, false to his plighted faith, declares the laws he had pretended to believe in "vicious, inequitable, and illogical."

Democratic orators in my State, in yours, Mr. Chairman, all over the land, declared that the Democratic platform meant protection to our labor and our manufacturers, and that Mr. Cleveland was as good a protectionist as Mr. Blaine. Some of them likely believed it. Many of them more than likely did not. I believe my friend from Pennsylvania [Mr. RANDALL] did believe it. How terribly was he deceived?

How rudely was he awakened from his dream we know by what he has said and done. By this false claim did they win. By this did the candidate without a record defeat the brilliant champion of the people's cause, as did another comparatively unknown candidate, with the cry of "Polk, Dallas, and the tariff of '42," defeat the matchless "Harry of the West," the great commoner whose name and fame we all respect.

Mr. Chairman, "the hand of Esau" will be offered again. Democracy will "put on the very good garments" of Republicanism once more, which she "keeps at home" with her, and "the little skins of the kids" she will put about her hands "and cover the bare of her neck" with them, and she will be able to truly say, "That what I sought came quickly in my way." [Laughter.] And when she is asked, "Art thou in favor of protection?" she will answer, "I am." The voice will be the voice of Jacob, but the device will not deceive this time. The people will not bless, nor serve, nor worship thy party this time. Mr. Chairman, when it comes near to them, the smell of its record will not be "as the smell of a plentiful field which the Lord hath blessed." It can not come again deceitfully and get the votes of the people. They have found it out at last. It has taken them some time to do so, but the revelation is now complete. President Lincoln once said:

A political party may fool part of the people all the time, and all the people part of the time; but no political party can fool all the people all the time.

Mr. Chairman, what is "the tariff?" It is a duty upon articles of merchandise shipped from one country to another, imposed and collected by the government of that country to which the articles are sent. A protective tariff is one where the duty so imposed is sufficiently high to prevent the foreign manufacturer from selling his wares, after paying the duty, at a price low enough to destroy the manufacturer and deprive labor of employment where the duty is imposed. It should be high enough to cover the difference between the cost of labor and material in the country where manufactured and that to which shipped. In our case I would have it a little higher, so as to give our country the advantage. There is nothing wrong in that, is there? If so, I will bear it, for I am for my country all the time.

Now what is a revenue tariff, or, as our Democratic friends say, "a tariff for revenue only?" It is a duty levied upon foreign imports for the purpose only of raising revenue. It entirely ignores protection; it seeks revenue. It begs the foreign manufacturer to fill our ports and flood our land with his wares in order that we may collect revenue from him on their account. By such means we secure a surplus of revenue, not of prosperity. As I understand it, a tariff for revenue is so adjusted as to encourage importations; while a protective tariff is so arranged as to discourage and retard the importation of foreign manufactures.

Mr. Chairman, I trust we will never again have a "tariff for revenue only" in force in this country. We have tried it several times, to our sorrow. We tried it from 1846 to 1861 to our detriment. Mr. Chairman, can you remember those days? They were days of trouble, anxiety, ruin, panic, and bankruptcy. I know, sir, you truly hope that those hard times "will come not again around our cabin doors."

Mr. Chairman, I can remember the incidents, the condition of affairs during a portion of that gloomy period of our history. My first impressions of public affairs, of political matters, were formed then. My lines had fallen unto me in a land, a State, rich in soil, lovely in climate, abounding in minerals, as fair a heritage as had ever been given to the children of men. I wondered why Virginia, "in the race of life," had been surpassed by other sections of my country not so highly favored by nature. Before I had traveled far on the pathway of my manhood I found the cause. It left its imprints everywhere, it poisoned everything. It was slavery, and a tariff for revenue in order that slavery might live. Mr. Chairman, we never had a "tariff-for-revenue," free-trade party in this country until the discovery of the cotton-gin led the owners of slaves to believe that in raising cotton slavery could be made profitable. The idea was to make large profits by importing such articles as the condition of slavery required free of duty, and selling cotton raised with cheap slave labor at high prices. Down to that time the statesmen of the South had been protectionists, John C. Calhoun at their head. But the alluring grandeur of the political Utopia I have mentioned was irresistible. The structure they had helped to raise was destroyed by their own hands.

The protective-tariff system existing previous to and during 1828 was attacked and overthrown. It was the declaration of war between slavery and free labor. The result we know and see and feel. Thank God, the foot of a slave will never again desecrate the soil of the Union. [Applause.] Now let us see to it that the labor of cheap foreign slavery does not render useless the liberty and freedom so won.

Mr. Chairman, can a nation be truly great and really independent unless it have within itself the means of support in war and in peace; unless it can clothe, feed, and manufacture for its people? I think not. In our case the best way to secure that is by a protective tariff, is by fostering and protecting our grand home market. The friends of this bill, in order to reach what they call the "markets of the world," would surrender our home market. Our own market is worth more than all the markets of all the world.

The chairman of the Ways and Means Committee, in his speech in support of his bill, tells us that our capacity to produce manufactures "is far in excess of the requirements of our home consumption," and that we should seek the markets of the world. Mr. Chairman, where is this foreign market, this "will-o'-the-wisp" of which the revenue reformer talks so much, but always fails to locate? Why did not Mr. Chairman MILLS locate it? He could not; he can not. He contents himself with such expressions as "in foreign countries," "the markets of the world." Where will we sell our woolen goods, our cottons, silks, iron, boots, and shoes? Are we to destroy our "protection" and then contend with the "protection" the nations of the world have surrounded themselves with? Most all the countries "of the world," the markets of which we are told we should seek, have protective laws, England not excepted. Canada, France, Spain, Germany, Russia, Brazil, the Argentine Republic, Austria, Victoria, and Chili have tariff laws, some as high as from 30 to 40 per cent. ad valorem, while Newfoundland, Belgium, Greece, Holland, New Zealand, Turkey, and many of the islands of the sea have rates from 10 to 20 per cent. Our markets are to be made comparatively free, Mr. Chairman, while the markets of the world are to remain protected. Are we to invade England and undersell her manufacturers? England has more than she wants now. Her warehouses are full to overflowing, her markets glutted, her factories idle, her working people hungry. You will not go to France, Germany, and Belgium, will you? It may seem strange, but it is true that those countries have now driven England to the wall with the products of their cheap toil.

Will you go to Ireland for a market? Better go there for a warning. The industries of Ireland were once comparatively as prosperous as ours are now. Now she has neither home industries, home markets, nor home rule. She was forced to cease manufacturing and to purchase from England, to accept British free trade, to become the victim of the English system. The silk trade of her city of Dublin was once her glory; it has ceased to be. The lace trade of Limerick and the woolen trade of Waterford and Cork sent the fame of the Irish manufacturers to all lands; and now all lands, save British lands, mourn for the desolation of Limerick, of Waterford, and of Cork. The blanket factories of far-famed Kilkenny once commanded the markets of the world, and now no market, not one, knows them. England has them all.

Will you go to Spain, Italy, Russia, and India? Not there, I pray you. God save the free people of my native land from such competition, from such degradation! [Applause.]

We can only reach those markets by reducing our labor, not to the level of, but below the labor of those countries. And so it is with the markets of the world that we find out on the sea. We are different from all other countries in habits, institutions, inclinations, education, resources, and capabilities. Will our friends on the other side of this Chamber never realize this? The nation does not exist, the people do not live to whom, with whom, we can be compared and found upon the same plane. By the protective system we have become the grandest nation on earth, a nation of freemen, whose army of expert, educated, liberty-loving toilers, is the hope of its future and the pride of its civilization, and whose 60,000,000 citizens, monarchs all, supreme in their happy homes, governed by impartial laws, dread no master, fear no king, and kneel to none but their God. [Applause.]

Mr. Chairman, I do not want to tear down the walls of protection; I do want to build them up. I do not want to open our ports to the miserably paid and poorly fed labor of the world, but I do want to open our manufacturing establishments to all of our own labor. I am opposed to importing, under contract, the pauper and demoralized labor of the Old World; and I am also opposed to importing, under like contract, the manufactured product of that labor. The one is as bad as the other. I call the attention of the chairman of the Committee on Labor to the fact that it is proposed by this bill to flood this land from mountain to gulf, and ocean to ocean, with the products of the cheap, pauper, convict, contract labor of the world. I trust that he and his able lieutenants, who so zealously and jealously guard the interest of labor on this floor, will ring the alarm and prevent it. He will find this side of the House supporting him unanimously.

Mr. Chairman, I do not believe in importing "raw material," as it is called, free, but I do believe in employing our own unemployed in utilizing our own "raw material." I do not want this nation to be like other nations; I would rather have it distinctively and especially American. I do not want to increase the "surplus" by reducing import duties. I would rather reduce it by repealing internal-revenue taxes and increasing import duties.

Mr. Chairman, is the Ways and Means Committee correct when it reports that "our capacity to produce is far in excess of the requirements of our home consumption?" Does the fact cited that "many of our mills are closed and many of those still in operation are running on short time" prove that allegation? Surely not.

That simply proves that the people have not confidence in, that they fear and dread to trust the present Administration. That proves, not overproduction, but overimportation. During the last fiscal year we imported of "iron and the manufactures of," of "wool and the manufactures of," of "cotton and the manufactures of," of "tin-plate and the manufactures of," of "glass, earthenware, and china," to the value of over $200,000,000. Most all of it could have been and should have been manufactured here; thereby we would have used our own material, employed our own labor, kept "many of our mills from closing,

and prevented many of those still in operation from running on short time." I quote now from the report made by Mr. MILLS, and apply it to the situation I have mentioned:

This condition is hurtful to the manufacturer, to the laborer, and producer of the materials consumed in manufacture. The manufacturer loses the profit on his capital, the laborer loses his wages, and the producer of the materials consumed in manufacture loses the market for his products.

Mr. Chairman, every period of protection in the history of our country has given it prosperity; every era of tariff for revenue has brought to it disaster. President Cleveland's message is cited in this debate as worthy of our serious consideration, as a text from the political gospel from which to exhort. Let me cite you from the messages of other Presidents. Likely they were not as profound students of the science of political economy as is the present Executive, but they certainly were as ardent in their love of country and as devoted to its interests.

President Jackson, in his message of December 4, 1832, said:

Our country presents on every side marks of prosperity and happiness, unequaled, perhaps, in any other portion of the world. If we fully appreciate our comparative condition, existing causes of discontent will appear unworthy of attention, and with hearts of thankfulness to that Divine Being who has filled our cup of prosperity, we shall feel our resolution strengthened to preserve and hand down to posterity that liberty and that union which we have received from our fathers, and which constitute the source and shield of all our blessings. * * * The report which the Secretary of the Treasury will in due time lay before you will exhibit the national finances in a highly prosperous state.

Remember, if you please, Mr. Chairman, that this epitome was written by a Democratic President "of Jeffersonian simplicity," and during the highest protection period of our history, to that date. After that came the "revenue only tariff," the compromise tariff, from 1833 to 1842. By virtue of it our industries were paralyzed, our capital unemployed, our labor idle. Our importers were busy, and foreign manufacturers supplied our markets. Our own establishments for manufacturing were closed and our consumers paid higher for necessaries than ever before. Our people tasted of the very dregs of the bitter cup of "revenue reform." The burden was greater than they could bear, and they reenacted the protective policy in 1842. This is what President Polk said of the situation under that enactment. I read from his message of December 8, 1846:

Since your last session no afflicting dispensation has visited our country; general good health has prevailed; abundance has crowned the toil of the husbandman; and labor in all its branches is receiving an ample reward, while education, science, and the arts are rapidly enlarging the means of social happiness The progress of our country in her career of greatness, not only in the vast extension of our territorial limits and the rapid increase of our population, but in resources and wealth, and in the happy condition of our people, is without an example in the history of nations.

Then came the repeal of the act of 1842. Although "Polk and Dallas had been elected as friends of that measure, Dallasvote thatat thec s destroyed it, and we had the revenue tariff of 1846, known as the "Walker act." From another like it, "Good Lord, deliver us." A few years after its enactment, and while it was still in force, President Fillmore said—I quote from his message of December 2, 1851. To this I particularly request the attention of the gentleman from Texas [Mr. MILLS], who stated in his speech a few days since that the passage of the pending bill would benefit the farmers of this country by stimulating the exportation of grain. President Fillmore said:

The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have greatly augmented, has fallen from $68,701,921 in 1847, to $26,051,373 in 1850, and to $21,848,653 in 1851, with a strong probability, amounting almost to a certainty, of a still further reduction in the current year. * * * The policy which dictated a low rate of duties on foreign merchandise, it was thought by those who promoted and established it, would tend to benefit the farming population of this country by increasing the demand and raising the price of agricultural products in foreign markets. The foregoing facts, however, seem to show incontestably that no such result has followed the adoption of this policy.

Again do I quote from President Fillmore, from his message of December 6, 1852:

Without repeating the arguments contained in my former message in favor of discriminating protective duties I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is the effect of large importations of foreign goods upon our currency. Most of the gold of California, as fast as it is coined, finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer to that extent is deprived of a home market for the sale of his surplus produce. In the third place, the destruction of our manufactures leaves the foreigner without competition in our market, and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from England.

Mr. Chairman, the inevitable result of a tariff for revenue followed. The condition of our country was most deplorable; sad, beyond description. If my friends on the other side take exceptions to my citations from President Fillmore, because he did not agree with them politically, nor believe in the doctrine that they now advocate, I beg them to remember that I have also quoted Presidents Jackson and Polk to the like effect, and surely their testimony should be "gilt-edged" to my Bourbon friends of the Cleveland persuasion. But if they still demur, if they are not yet convinced of the error of their ways, I offer them the following, from one who moved for many years as a chieftain among the captains in the camps of Democracy. They are also the words of a President, one who had achieved the great ambition of his life, and one who from his high position seemed to realize that after all that life was a failure, and that the great party whose battles he had fought, whose victories he had won, and whose honors he had worn, stood for principles utterly destructive of the interests of the confiding people whose destinies were in its keeping, and who in sorrow and much tribulation turned to him for relief. I read from the message of President Buchanan to the Congress, dated December 8, 1857.

The earth has yielded her fruits abundantly and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and until within a brief period our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country in its monetary interests is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions, and in all the elements of natural wealth, we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want.

Mr. Chairman, we will change the scene now. After Buchanan came the grandest statesman of our civilization, he who did so much for his country, for liberty, and the Union—Abraham Lincoln—and with him came the Republican party, and with it protection to our industries, our homes, our flag; and since then we have prospered as never before has nation prospered. We will prove it from the pages of our census reports. Let them tell the magical story. I shall use here the statistics cited in my address before the Home Market Club, at Boston, a few weeks since, from which I have already quoted.

In 1860 the value of our real estate was $6,973,006,049; in 1880 it was $13,036,512,952, an increase of nearly 100 per cent. In 1860 we had in the United States 163,110,720 acres of improved land, while in 1880 we had 287,211,845 acres, an increase of 76 per cent. In 1860 our farms were valued at $3,200,000,000; in 1880 at $10,197,000,000, an increase of over 300 per cent. In 1860 our farmers raised 173,104,924 bushels of wheat—in tariff-for-revenue times—and found comparatively a poor market for it; while in 1880 they raised 498,549,868 bushels of wheat—in protective-tariff times—and every peck of it was in demand at a good price. In 1860 they produced 838,794,742 bushels of corn, while in 1880 they raised of corn 1,717,434,543 bushels. These figures relative to our grain are actually bewildering—an increase exceeding the entire production of 1860. A magnificent showing for our agriculturists. And they had a splendid home market for it. Destroy that market and where will they sell? Foreign countries bought all they wanted, all they needed of us, not exceeding 8 per cent. of our crops.

They did not buy because we had to sell, but because they were hungry. We sold the greater part of that small per cent. to England. She is peculiarly situated, a manufacturing hive. Her agriculturists can not feed her artisans. England must go abroad for food. Providing for the future, she has lately expended millions of dollars in constructing railroads to the interior wheat fields of India, where the soil is rich beyond description, and where labor is satisfied with 8 cents a day. This is the competition the American farmer would meet with abroad; this is the competition that regulates the price of wheat in Liverpool. Our farmers are well aware of this, and they realize that the market for their surplus productions is not on the sea, competing with India, with Russia, with Australia, but is at home supplying our protected industries.

In 1860 we produced 5,056,383 bales of cotton, and in 1880, 7,110,717, an increase of, say, 41 per cent.; and still those who live where cotton was king want to go back to the old régime. They remind us of those eminently respectable people mentioned in English history who "would rather die on precedent than live on innovation."

In 1860 we manufactured of cotton goods to the value of $115,681,774 while in 1880 we manufactured of the same articles to the value of $210,950,383, an increase of, say, 82 per cent.

In 1860 we manufactured of woolen goods to the value of $61,894,989 while in 1880 like manufactures had grown to the value of $267,699,507 an increase of $205,804,518—of, say, 333 per cent.

In 1860 we produced 60,264,913 pounds of wool, while in 1880 we clipped 240,213,817 pounds, an increase of 179,948,904 pounds—of, say, 298 per cent.—and all woolen goods cheaper and better than ever before. And still wool, by the bill under consideration, goes on the free list.

In 1860 we mined and consumed 15,173,409 tons of coal; in 1880 we used 79,505,000 tons, an increase of 427 per cent. Mr. Chairman, it is pleasant to contemplate the labor employed in mining and using that coal. In opening the mines, in building railroads to them, in digging iron ore, making it into rails for the roads and the mines, in making chains, picks, cars, engines, and other things too numerous to mention. And, Mr. Chairman, remember that all those so laboring were utilizing the cotton and woolen goods, hats, boots, and other articles manufactured at our protected establishments, and they in turn were consuming the coal so mined, and all were making a market for the products of our farms.

In 1860 we made only 987,559 tons of pig iron, while in 1880 we made 3,835,191 tons. In 1860 we made 235,107 tons of railroad rails, and in 1880 we made 1,208,392 tons. Yet still we import large quantities from abroad. In this land of rich ores, coal, and limestone, with willing, expert labor, we ought to make it all. Mr. Chairman, I would like to see the American market given to American labor.

In 1860 our grand aggregate of national wealth was $16,159,616,068, while in 1880 it was $43,642,000,000, the increase alone nearly twice as much as had been accumulated from the time the continent was discovered down to 1860, as much twice over in twenty years of Republic-

an protection as in the preceding three hundred and sixty-eight years. And, Mr. Chairman, all this has been accomplished under "vicious, inequitable, and illogical" laws, if President Cleveland is right—all this magical change produced without Mr. Chairman MILLS's "free raw material." Mr. Chairman, this cry for "free raw material" is a delusion, a miserable sham; there is no such thing in the sense it has been used in this discussion. Out in West Virginia, in the interior of that State, away from railroads, inaccessible to-day, in our primeval forests, we have mountains of timber, iron ore, limestone, and coal. It is "raw material" now, as it was a thousand years ago.

Our people, and your people, Mr. Chairman, are constructing railroads into those forests, into that land of wondrous mineral wealth, are opening up mines, building furnaces, conquering the wilderness. This can only be done by virtue of a protective tariff. The coal in our mountains, before the mine is opened, is "raw material;" at the mine's opening, on the cars, or in the barge, it is the miner's finished product. The ore dug from the "hole in the ground" is the ore-miner's finished product, the result of his labor, of brawn and sweat, and as much entitled to protection as is the rice and sugar from our plantations or the finished articles from our mills. The tree in the forest is the "raw material" of the lumberman, and when his capital and labor cuts it into logs it is then his finished product, and becomes the sawyer's "raw material." The sawyer runs it into lumber to suit the requirements of our various consumers, and it is still "raw material," until from the hands of our skilled laborers and expert toilers, it becomes, in desk, in chair, in house, in car, in many useful utensils and numerous objects of beauty and of art, the finished product of our wonderful industries.

The wool as clipped from our flocks is not raw material—it is the farmer's finished product; and unless I misread the signs of the times the farmers intend that it shall be protected. The bill under consideration places it on the free-list; President Cleveland so advises; the Democratic majority in this House agrees with him. To do so will destroy the wool industry of this nation, which is the sixth in order of value of our agricultural products—those excelling being corn, hay, wheat, cotton, and oats. Australia is the only country in the world excelling us in the quantity of wool produced—and with that country must our farmers compete if wool goes on the free-list—and in that country labor receives and is satisfied with 8 cents per day. Never by my vote shall the American farmer, shall the flock-masters of the Union be placed on that level, be brought to that degradation. [Applause.]

Already, since the agitation of this question, since the effort made to pass the "Morrison horizontal reduction bill" in the Forty-eighth Congress, has this great industry been seriously injured. In 1883 our flocks, encouraged by the tariff of 1867, numbered over 50,000,000 sheep and produced of wool 308,000,000 pounds. In 1887 the number of sheep had been reduced to about 45,000,000, and the product in pounds in the same proportion. We should restore the duty of 1867, increasing it where necessary, and stimulate this industry so essential to our prosperity as a people, our independence as a nation, and not entirely eradicate it, as we will do by the passage of this bill.

Another great industry, the pottery, will be seriously injured if this bill becomes a law. Under a protective tariff its growth has been extraordinary, presenting one of the remarkable examples of the industrial development inaugurated by the Republican party. Previous to 1861, while we had common or brown earthenware, we virtually had no whiteware potteries. We now have them in many of the States, those in Massachusetts, New York, Indiana, Illinois, New Jersey, Pennsylvania, Maryland, Ohio, and West Virginia being of especial excellence, producing wares of the finest quality, equaled by but few, excelled by none. They consume the coal, clay, flint, and feldspar found in many sections of the country, furnishing employment to about 20,000 laborers and support to fully 60,000 of our population, and largely benefiting the entire communities where the potteries and mines are located, and, besides, the consumer of those wares secures better articles and pays less for them than ever before. But the bill under consideration, regardless of these facts, disregarding this great and necessary industry, materially reduces the tariff rates and encourages the importation of foreign wares produced by labor paid on the average at least 50 per cent. less than our labor so employed receives. Why this should be proposed is incomprehensible to me. It will seriously injure our own industry, largely increase foreign importations, and, instead of decreasing, materially increase the revenue from these articles and add to the "surplus" now in the Treasury.

And still, Mr. Chairman, this measure is offered by gentlemen who in political agony cry out, "What shall we do with the surplus?" The question is not hard to answer. Pay our debts with it. Build ourselves a navy with it. Improve our rivers and harbors. Construct coast defenses. Educate our children. Pension the veteran, maimed, and suffering heroes who by their patriotism and their devotion to duty made it possible for us to have a country and a surplus. [Applause.] Provide for the widows, orphans, and dependent parents of those who in their strong manhood shouted in reply to the nation's cry for help, "We are coming, Father Abraham, six hundred thousand more," and who battled for the grandest cause for which men have contended since time was. [Applause.]

Mr. Chairman, we must not destroy our protective system. It has accomplished wonders. It has pleasant surprises still in store for us. It has enabled us to perfect our grand system of finance, the marvel of the world, and has caused our credit to shine with the sun of civilization. It has fostered our industries, built up our manufactories, and opened our wilderness. It has elevated our manhood, dignified our labor, and educated our people. It has made our valleys to laugh in their gladness, and, touching our barren mountain sides, has caused "the waters of commercial prosperity to flow o'er all the land." It has made the flag of our nation typify all that is great of human action, all that is grand of human thought. God only knows what it would not do for us, Mr. Chairman, if President Cleveland and his party would only let it alone. [Great applause.]

During the delivery of the foregoing speech, the hour having expired,

On motion of Mr. HOPKINS, Mr. GOFF's time was extended until the conclusion of his remarks.

Mr. LANDES. Mr. Chairman, every man on this floor pretends to be anxious to vote for a law reducing taxation. Every one admits the overshadowing question to be tax reduction. We pretend to agree as to the object, but divide upon the method of reaching it. To understand the enormous drain upon the people I have endeavored to ascertain what proportion of the entire volume of the currency of the nation is drained into the national Treasury each year. I have a statement from the Treasury officials, showing the estimated volume of currency in the United States to be:

Gold coin and bullion		$587,350,358
Standard dollars		291,455,789
Subsidiary or fractional silver		76,323,888
Legal-tender notes, estimated loss off		337,981,016
National-bank notes outstanding		260,171,017
Total		1,553,292,068
I declare this statement to be too large by the amount of the lawful money on deposit to redeem of the above national-bank notes the sum of		97,211,845
The true amount of money in the United States April 1 was		1,456,080,223
Of which the Treasury held a surplus of	$130,326,758	
And to redeem legal-tender notes	100,000,000	
		230,326,758
Which leaves outside the Treasury vaults		1,225,753,465

If, therefore, a single individual had all the money in this nation he would have $1,456,080,223, and no more; and if he had all except the amount now buried in the Treasury he would have $1,225,753,465. The estimated receipts from all sources for the fiscal year to end June 30, 1888, is $390,000,000. We thus find that more than one-fourth of the money of the country will have passed into the Treasury in the fiscal year to end on the last day of next June. At this rate in a little over three years a sum equal to every dollar in the country will have passed into the Treasury vaults. The all-absorbing power of the taxing system of this nation is shown by this statement. When to the national taxes we add the State and other direct taxes we find we are about the heaviest taxed people, according to our money volume, on the earth.

The surplus now in the Treasury will be raised to $150,000,000, it is estimated, by the end of the fiscal year. At this rate, unless relief is given, over one-half of all the money in the country will be absorbed into the surplus fund before the maturity of the first outstanding bonds. The money can only be paid out by the purchase of unmatured bonds at an enormous premium. Many of the holders of these bonds paid little if anything over 50 cents in gold value on the dollar for them, and to be compelled to pay these holders now much more than 100 cents in gold for what cost but 50 is bad financiering and in my humble judgment little less than an unbearable outrage on the tax-payers only to be justified in averting a much worse state of affairs which now threatens us.

That disaster and ruin must come if taxation is not reduced is therefore more than probable. This is the condition to which the President called our attention. It is a condition, he says, and not a theory, which "imperatively demands immediate and careful consideration."

I do not think the President is an alarmist, and rather understates the gravity of the situation when he says:

> The amount of money annually exacted, through the operation of present laws, from the industries and necessities of the people largely exceeds the sum necessary to meet the expenses of the Government.
>
> When we consider that the theory of our institutions guaranties to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deductions as may be his share towards the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public Treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

For the year ending June 30, 1887, the revenue amounted to $371,403,277, of which we find public-land sales and other miscellaneous sources furnished $35,292,993; internal revenue, $118,823,391; tariff taxes or customs duties, $217,286,893. Thus we see that distilled spirits, malt liquors, and tobacco produced nearly one-third of the amount. And I am sorry that the bill under consideration touches the

internal taxes. I would rather see the taxes raised on the articles of whisky and tobacco 50 per cent. than cut down as proposed, because it will be for the greatest good to the greatest number to increase taxes on luxuries and decrease them on necessaries. It transfers compulsory burdens from the shivering shoulders of the poor and needy to those who bear them from choice. The internal revenue is collected now at a less rate of expense than are the tariff taxes, and the greatest feature in their favor is that every dollar, less the trifling cost of collection, goes into the Treasury, and I believe them the least burdensome of all tax exactions. Senator COLQUITT quotes Thomas Jefferson, the father of Democracy, as favoring this system. Here is Mr. Jefferson's language:

I shall be glad, too, if an additional tax of one-fourth of a dollar a gallon on whisky shall enable us to meet all our engagements with punctuality. Viewing that tax as an article in a system of excise, I was once glad to see it fall with the rest of the system, which I considered as prematurely and unnecessarily introduced. But the prostration of body and mind which the cheapness of this liquor is spreading through the mass of our citizens now calls the attention of the legislator on a very different principle.

One of his important duties is as a guardian of those who, from causes susceptible of precise definition, can not take care of themselves. Such are infants, maniacs, gamblers, drunkards. The last, as much as the maniac, requires restrictive measures to save him from the fatal infatuation under which he is destroying his health, his morals, his family, and his usefulness to society. One powerful obstacle to his ruinous self-indulgence would be a price beyond his competence. As a sanitary measure, therefore, it becomes one of duty in the public guardians.

The comment on these observations of Mr. Jefferson by Senator COLQUITT, in his speech on the subject of tariff reduction, is so suggestive that I here repeat it:

These are Mr. Jefferson's views. He did not think they were undemocratic. He would not advocate a policy that would abolish the tax on whisky, dot the country all over with distilleries, reduce the price to a mere trifle, and fill the land with drunkenness, crime, and vagabondage.

The Senator refers to Mr. Madison's position on the same subject as follows:

MR. MADISON'S POSITION.

Mr. Madison, who may be considered not only the father of the Constitution, but of the fundamental principles upon which the Democratic party is founded, was in the First Congress, and voted for the whisky tax. Though he and Hamilton differed widely in regard to the principles of government, they concurred in using the taxing power to check the excessive consumption of ardent spirits. When Mr. Madison voted for the whisky tax the average rate per cent. of tariff duties did not exceed 12 per cent. Rather than increase this rate on articles of necessity coming from abroad, he preferred to lay an excise tax on whisky and raise the required revenue from that source. What would he say now with a tariff rate of 47 per cent.?

Mr. Cleveland, in his justly celebrated message, approves of this system of taxation. So that it is indorsed by the very founders of the Government and of the Democratic party and by the greatest Democratic statesman and leader of the present time. I will add the testimony of the most conspicuous Republican leader of to-day since Mr. Blaine's retirement, if he has retired. I refer to the utterances of Senator SHERMAN. In 1867 he said:

The luxuries are mostly contained in the items spirits, wines, and tobacco. These are undoubtedly the first objects that ought to be taxed.

In 1882 he declared—

These taxes ought to be left as a part of our permanent system of taxation as long as any other taxes, internal or external, more oppressive, remain on the statute-books.

And speaking of the tobacco tax he further remarked:

This tobacco tax of all others is the easiest collected, the most certain, increasing constantly from year to year, dependent upon an appetite that will be indulged no matter what may be the tax. In other countries where taxation prevails this is a favorite subject of taxation.

True the able Senator has changed about, and as I understand him now he leads the Republican Senators in the fight for free tobacco and double-priced clothing in the other end of the Capitol, while Judge KELLEY leads his party on this floor in the fight for free whisky and double-priced iron. The internal-revenue system has been denominated on the floor of this House by Mr. KELLEY as the "infernal system." I suppose it arose from the fact that there is no protection to pig-iron in this mode of taxation. The civilized nations of the world tax tobacco and spirits, and we know that in France, Spain, Italy, and Austria-Hungary the governments take the manufacture and sale of tobacco into their own hands and prohibit the importation by private persons. In 1887 France, with a population of 38,000,000, derived from tobacco a revenue of $74,991,180, and Italy, with a population of 30,000,000, $51,100,000. Great Britain, with a population of 35,000,000, collected during the year ending March 31, 1887, from taxes on spirits, beer and tobacco, $181,750,000, more than one-third of her entire revenue; from the tax on tobacco there was received $46,835,000. The other nations of Europe obtain a large amount for the support of their respective governments from tobacco taxation.

So that our observation as well as our experience commend the internal system to our favorable consideration when the subjects embraced are tobacco, distilled spirits, and malt liquors. The people understand it; they know when and how they pay the taxes under this system and are uncomplaining because not oppressed by it. It is a voluntary burden, and no one can complain of bearing a voluntary burden, since he may lay it down at his pleasure. The Mills bill proposes to leave a burden of about $95,000,000 on the luxuries taxed by the internal-revenue system, as I understand it.

I now come to the consideration of the tariff system, which has been justly defined to be "an ingenious device of government by which the citizen is chloroformed into unconsciousness of the source and cause of the felt burden which he bears." By this system we see that $217,286,893 were wrung from the people into the Treasury, and I dare say a very large per cent. of those who paid taxes for revenue, or for a tribute to protection, under this system, knew when or how they paid them. Notwithstanding the impalpable manner in obtaining money from the people by tariff taxation, we learn from the last platform of the Democratic national convention the historical fact that "from the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue. Such they must continue to be." We also learn from the same platform that "unnecessary taxation is unjust taxation," and that the tariff should bear "heaviest on articles of luxury" and "lightest on articles of necessity," and that "Federal taxation shall be exclusively for public purposes."

It will be admitted by all, I suppose, that our tariff system as now framed and as it has existed for more than a quarter of a century is not "exclusively for public purposes;" but in the main it proves to be framed to raise revenue for private purposes, namely, for the mill-owners and factory lords of the nine manufacturing States, as I shall show. I do not know how I can better state the different purposes of the two parties in imposing the tariff taxes.

Mr. Chairman, I shall not attempt to further discuss or explain the subtlety of the contrivance of our Republican opponents in hiding in the tariff the element of protection as it now exists. It is a crafty device that is equal to the darkest methods of Macchiavelli. I can express my definition of a "protective" tariff in the words of Milton—

This is the artificialest piece of finesse to persuade men into slavery.

I will, however, say that whether a tariff is for revenue for a public purpose or for revenue for the mill-owners and factory lords of the nine manufacturing States, the consumers of the commodities taxed ultimately pay the tax. There are a few artful political orators who falsely pretend and assert that the consumers do not ultimately pay the custom duties or other taxes which are concealed in the price of goods, but that they are paid by the foreigner for his privilege of selling his goods in this market.

In answer to such claims I will quote the following from an editorial in the high-protective newspaper known as the New York Tribune. In speaking of pensions it says:

The pensions are not paid by direct taxation. They are paid out of custom-house duties (tariff taxes) and internal-revenue taxes. These are eventually paid by the consumer of the article taxed.

The taxes are concealed in the price the consumer pays to the merchant for the commodity he buys.

Whoever buys a nail, a hoe, an axe, a yard of cloth, a spool of thread in all the tens of thousands of stores and shops where merchants sell their wares, meets there the tax-gatherer taking taxes for the Government or bounty for the manufacturer.

Our protective tariff practically clothes the mill-owners and factory lords of the nine manufacturing States with the power to levy taxes equal in amount to over 47 per cent. of the value of their goods, for their own gain, on all the people who consume their commodities. Not a dollar collected for protection goes into the public Treasury. Measuring the cupidity of the factory lords by the limit of the taxing power, which is over 47 per cent. on the aggregate value of all goods covered by the tariff, and the sum of a single year's profit can be surmised, when we remember that they manufacture and sell six or seven billions of dollars' worth annually to the 60,000,000 people who constitute for them the home market.

The aggregate of the profits to the manufacturers is problematical, and estimates differ. Professor Arthur L. Perry, of Williams College, a careful, painstaking, and conscientious, economic student, states that—

After long-continued study of the proportions, it is my firm belief and conviction that the Treasury only gets about $1 out of $5 paid by the people under the protective-tariff taxes since 1883.

Under this proportion the people paid, concealed of course in the price of what they bought, $217,286,893 into the Treasury and $869,159,572 into the profit-account of their masters, the mill-owners. This is their tribute to the home-market policy.

Protection means wealth to the protected and corresponding poverty to the people at whose expense it is obtained. A hundred years ago protection was granted as an incident to foster our infant industries. To-day these industries are greater in capacity and more perfect in organization than those of any other country on the earth. The tariff of Washington and Hamilton averaged 8½ per cent. and was raised in 1792 to 13½ per cent. Mr. Hamilton, in one of his letters in the Federalist, remarked, "Exorbitant duties tend to render other classes of the community tributary in an improper degree to manufacturing classes, to whom are given a premature monopoly of the markets." The protective rate of over 47 per cent. now prevails, and its reduction is resisted under the false pretense that protective rates are necessary to enable employers to pay the wages prevailing in this country, and this in the face of the well-established and historical fact that laws beyond the power of Congressional enactment control the price of labor. Mr. Walker, Secretary of the Treasury under President Polk, laid down the proposition that—

A protective tariff is a question regarding the enhancement of the profits of capital and not the augmentation of the wages of labor.

I do not hesitate to say that statistics show that more money is paid to the wage-worker in England for every pair of shoes he makes and for every yard of cotton goods he weaves than is paid for the same work in this country; and this fact no conscientious, well-informed man will dispute. And this statement will apply to the greater part of the other industries of this country. On pages 98 and 99 of the report of consuls in Europe on the cotton-goods trade of the world, November 12, 1881, Mr. Blaine, the Secretary of State, in his letter transmitting the same, says:

Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor.

Further on he says:

It costs us no more to handle and manufacture the same than it costs in England.

The proposition that a high tariff makes high wages is an oft-exploded fallacy, but continually resorted to for the reason, as I believe, that it is the most specious sham in which hypocrisy, "the necessary burden of villainy," can hide its treacherous head.

The people have been cajoled with the promise that protective duties, or a high tariff would bring goods, merchandise, and implements down to the level of the price in other countries. In 1870 on this floor Mr. KELLEY said: "Keep your duties high enough to induce other men to build furnaces and rolling-mills and before five years you will find American iron cheapened to the level of the markets of the world, and that without a commensurate reduction of wages." Seventeen years of these high duties have been given instead of five, and iron is about twice as high here as in Europe, and the pig-iron lords, in the face of their false prophecies, now demand that these duties shall be made perpetual. Let me give another notable instance of the unreliability of the professions of a high tariff junto. In 1882 we were promised a reduction by the revision of the tariff of "not less on the average than 20 per cent." That revision has been the law since 1883, and the rate was then 42 and it is now over 47 per cent. Deception has been uncovered and falsehood exposed by the flight of time, but the robbery of the people goes on, and the rapacity of the mill owners is unsatisfied.

HOW IT WORKS FOR IRON-ORE COMPANIES.

The men and boys employed by the iron-ore producing companies in this country in 1880, by their labor alone, enhanced the net value of the output for that year on an average of $554 to the hand. Each was paid $300 as his wages, and the $254, the balance of his earnings, went into the profit account of the proprietors. The protective tariff was 40 per cent.

IRON AND STEEL MAKERS.

The hands employed by the iron and steel makers in the same year, by their labor alone, enhanced the net value of the output $746 per hand. Each hand received $393 as his part of the $746 he had earned, while the mill-owners took $353 for their part. Labor earns $746 and gets $393. Capital takes the rest. The tariff for the protection of this industry is at the rate of 48 per cent. Under the pretense of protecting labor the farmers are taxed 48 per cent., or must pay 148 cents for 100 cents' worth of steel, while the mill-owners take the earnings from the laborer at the muzzles of Winchester rifles in the hands of Pinkerton detectives and other armed retainers, vassals, and henchmen, who are constantly on guard under the false pretense of preserving order and protecting the property of the factory lords.

BOOT AND SHOE INDUSTRY.

In the boot and shoe industry in the same year the hands employed enhanced the value of the product by their labor alone on an average of $572 each, and each hand received of his earnings $387, while the manufacturer took $185 as profit from each. Protection, 30 per cent.

CARPET INDUSTRY.

Here we have a protective tariff of 75 per cent. The hands employed earned for their employers, by the additional value their labor gave to the commodity produced, an average of $640 per hand, but they were paid only $342 each, and a profit of $298 carried to the account of capital.

COTTON INDUSTRY.

Protected by a tariff of 45 per cent., their hands enhanced the value of their goods, by labor alone, an average of $520 per hand, but each received $245; the factory lord takes $275 for his part of the earnings.

FELT-GOODS INDUSTRY.

Here we have a duty of 40 per cent. for protection. Each hand employed enhances the value of the product $700, and receives for his earnings but $290, while capital takes $410.

WORSTED GOODS INDUSTRY.

The worsted-goods industry is protected by a tariff of 60 per cent. Each hand employed enhanced the value of the product on an average of $640, of which he received in wages $312, the mill-owner taking $318.

WOOL INDUSTRIES.

Protected by a duty of about 50 per cent., the hands by their labor alone enhance the value of the product an average per hand of $680; each receives $350, while capital gets of his earnings $330.

In these estimates I have taken the general average for 1880, and feel confident the computations are substantially correct. If errors exist they are unintentional.

And so through the whole list we find the pretense that the tariff is for the benefit of the wage-worker, a sham and cruel mockery. Under the unselfish pretense of benefiting labor the producers and consumers are alike robbed to enrich the selfish capitalist.

A careful study of a table that I find on page 251 of the first annual report of the Commissioner of Labor, and which I now adopt as a part of my remarks, will disclose the inequalities of the burdens, in every instance being a discrimination against the poor who use the cheaper goods. It discloses also the enormity of the burden of the tariff tax.

This table states the description of the goods, their width in inches, and the weight per yard of each kind; the price of the goods at the factory; the rate and the amount of duty per pound and ad valorem, and the total amount of duty levied under the compound rate; and also the per cent. which the total duty is of the price per yard at the factory in England.

[For table see opposite page.]

Some time ago the Chicago Tribune, in answer to an inquiry made by a farmer as to how much tribute was demanded under the tariff law by the factory owners, made the following reply:

The cold facts may give our granger reader a chill colder than does the frosty weather, unless, perchance, his indignation should warm him up. We will classify a few of the items of the expenditure of an Illinois farmer's family, with the amount per cent. of tax it pays either to the Government on the articles imported or to the manufacturer, if produced in the Eastern States:

TAXES ON THE KITCHEN.	Per cent.
The iron the stove is made of	45
Hollow ware, pots, and kettles	53
Copper and brass utensils, if any	45
Crockery, of the commonest kind	55
Glassware, of the cheapest kind	45
Table cutlery and spoons	45
Pickled or salted fish	25
Salt	36
Sugar	48
Vinegar	36
Pickles	35
Rice	123
Oranges, and other foreign fruit, about	20

TAXES ON THE PARLOR.	Per cent.
Carpet, if made of druggets	74
Carpet, if made of tapestry	68
Furniture	35
Wall-paper	25
Window curtains	45
Looking-glass	60
Ornaments or knickknacks	35

TAXES ON THE WARDROBE.	Per cent.
Men's clothing, of wool	48
Woolen hosiery and undershirts	75
Cotton hosiery and undershirts	45
Woolen hats and caps	75
Gloves	60
Blankets	60
Alpaca dresses	63
Any other woolen dresses	70
A pair of scissors	45
Brass pins	30
Hair pins	45
Penknives	50
Needles	25
Steel pins	45
Ink	20
Paper	25
Razors	45

TAXES ON SUNDRIES.	Per cent.
Castor oil	102
Castile soap	56
A dose of Epsom salts	30
Insect powder	20
Salad oil	34
Commonest window-glass for houses	80
Paint (white lead) for the farm-house	54
Brick	35
Roofing slates	30
Horseshoe nails	31
Trace-chains	53
A hand-saw	40
Files	40
Spool thread	60
Bag and bagging for grain	40
A burr-stone	20
Combs and brushes	30
A wooden pipe	80
An alpaca umbrella	50
Any iron or steel a farmer may need, average of	45
Tin cups, skimmers, dippers, and all tinware	42
Tin-plate for canning meats and fruits	34
Fencing boards, $2 per thousand	
Pine boards for building, about	20
If planed	33
Fencing posts, about	30
Shingles for roof	25
Lath for house building	20
Barbed wire for fencing	55

These rates simply mean that by law the people are compelled to pay our home manufacturers, if they choose to exact so much, an average of 147 cents for each article worth 100 cents in the markets of the world—$147 for each $100 worth of goods—and the law forbids the people to buy elsewhere, unless they do so at a greater loss. By this means our

Price per yard of Leeds (England) woolen and mixed goods, duties, etc.

Name.	Description.		Price at factory.	Duty.						Cost in New York, not including packing, carriage to port, ocean freight, and insurance.
				Rate.		Amount.			Per cent. of price at factory.	
	Width (inches).	Weight (ounces).		Per pound.	Ad valorem (per cent.).	Per pound.	Ad valorem.	Total.		
West of England broadcloth	60	17	$3.60	$0.35	40	$0.372	$1.440	$1.812	50.3	$5.412
Fine worsted trousering	28	11	1.62	.35	40	.241	.648	.889	54.9	2.509
Imitation sealskin (mohair and cotton)	50	31	4.50	.35	40	.678	1.800	2.478	55.0	6.978
West of England beaver	58	25	3.36	.35	40	.547	1.344	1.891	56.3	5.251
West of England all-wool Moscow	58	29	3.60	.35	40	.634	1.440	2.074	57.6	5.674
Fine worsted coating	56	24	2.88	.35	40	.525	1.152	1.677	58.2	4.557
Fine worsted trousering	28	12	1.42	.35	40	.263	.568	.831	58.5	2.251
Indigo-blue Cheviot coating	58	28	2.40	.35	40	.612	.960	1.572	65.5	3.972
Low worsted coating (worsted face, woolen back cotton warp)	50	24	.82	.18	35	.270	.287	.557	68.0	1.377
Low worsted trousering (woolen back)	28	11	.48	.24	35	.165	.168	.333	69.4	.813
Ottoman (worsted face, woolen back, cotton warp)	50	27	.82	.18	35	.304	.287	.591	72.0	1.411
Matelasse (worsted face, woolen back, cotton warp)	50	28	.84	.18	35	.315	.294	.609	72.5	1.449
Mantle cloth (worsted face, woolen back, cotton warp)	50	24	.68	.18	35	.270	.238	.508	74.7	1.188
Wool, fancy suiting	54	25	.94	.35	35	.547	.329	.876	93.2	1.816
Cotton-warp cloth	50	15	.54	.35	35	.328	.189	.517	95.7	1.067
Fancy coating	54	23	.78	.35	35	.503	.273	.776	99.5	1.556
Fancy cheviot	54	25	.82	.35	35	.547	.287	.834	101.7	1.654
Wool, fancy suiting	54	22	.70	.35	35	.481	.245	.726	103.7	1.426
Diagonal cheviot	54	25	.76	.35	35	.547	.266	.813	107.0	1.573
Common blue cheviot coating	52	25	.72	.35	35	.547	.252	.799	111.0	1.519
Cotton-warp Moscow	52	35	.96	.35	35	.766	.336	1.102	114.8	2.062
Cotton-warp cloth	52	25	.64	.35	35	.547	.224	.771	120.5	1.411
Cotton-warp twilled Melton	50	16½	.42	.35	35	.361	.147	.508	121.0	.928
Cotton-warp Moscow	52	30	.74	.35	35	.656	.259	.915	123.6	1.655
Cotton-warp cloth	50	13	.32	.35	35	.284	.112	.396	123.7	.716
Fancy overcoating (cotton warp)	50	34	.82	.35	35	.744	.287	1.031	125.7	1.851
Cotton-warp reversible	50	31	.74	.35	35	.678	.259	.937	126.6	1.677
Fancy overcoating (cotton warp)	50	32	.76	.35	35	.700	.266	.966	127.0	1.726
Cotton-warp coating	50	17	.40	.35	35	.372	.140	.512	128.0	.912
Imitation sealskin (calf hair mixed with wool, cotton warp)	50	28	.56	.35	35	.612	.196	.808	144.3	1.398
Cotton-warp coating	50	23	.46	.35	35	.503	.161	.664	144.3	1.124
Cotton-warp Melton	50	13	.24	.35	35	.284	.084	.368	153.3	.668
Cotton-warp serge Melton	50	15½	.26	.35	35	.339	.091	.430	165.4	.690
Reversible diagonal (cotton warp)	50	29	.48	.35	35	.634	.168	.802	167.1	1.282
Reversible nap (cotton warp)	50	29	.44	.35	35	.634	.154	.788	179.1	1.228
Cotton-warp reversible	50	30	.45	.35	35	.656	.157	.813	180.7	1.263

This table is well worthy of careful study. In examining the figures given in the column headed "Price at factory" and the column headed "Per cent. of price at factory," which the total duty amounts to, the startling inequalities in the rate of duty to be paid in this country becomes apparent. The highest-priced goods named in the table is West of England broadcloth, worth $3.60 per yard in Leeds, the specific duty being 35 cents per pound and the ad valorem duty 40 per cent., making a total of duty of 50.3 per cent. on the value at the factory. This is on a high grade of goods. In looking at the bottom of the table the last entry is for cotton-warp reversible cloth, made in imitation of a better kind. It is worth but 45 cents per yard at the factory. The specific duty is the same as on the West of England broadcloth, 35 cents per pound, the ad valorem duty is 35 per cent., but the specific duty and the ad valorem duty together make the rate on the price at the factory 180.7 per cent. That is to say, the cheaper the goods at the factory the greater is the proportional increment of duty. The column headed "Per cent. of price at factory," which shows the percentage that the duty is of the factory price, brings this out clearly.

manufacturers have by law a home market, in which they yearly sell from six to seven billions of dollars' worth of goods. The distinguished gentleman from Michigan, Mr. BURROWS, estimates the annual production of the factories at $7,000,000,000, and of the farms at $3,727,218,994. The tariff law compels the people of the United States to buy their goods of these home manufacturers at any price less than 47 per cent. more than they are worth, at the pleasure of the manufacturer, and thus the home market is furnished for the $7,000,000,000 worth of goods.

But does the law compel the manufacturers to buy all the farmer's produce at any price over its value in England? No; but it compels him to sell to them his products at what they are worth in free-trade England, less the freight off. The price of what the farmer sells to the manufacturer is fixed in Liverpool, deducting freights, while the price of what the manufacturer sells to the farmer is fixed in Liverpool with 47 per cent. tariff added. The robbery is practiced both ways. We have had protection for twenty-six years, but the farmers have had no home market. During the last ten years they have sold in foreign markets $5,800,000,000 worth of produce. What would they have done without this foreign market? The statement that protection affords a home market to the farmer is a monstrous and unmitigated assumption.

That the farmers and day-laborers in the agricultural States have suffered the ravages of an unjust taxation by which they have been impoverished can be demonstrated by comparing their condition with that of the manufacturers. Since the protective element entered into tariff legislation in 1861 the American farmers have sold in the European market breadstuffs, provisions, and cotton to the amount of over $10,500,000,000. Since 1861 this enormous sum in gold has been brought from the Old World to the New as the sum of the foreign marketings of our agriculturists, and for which there were no home markets for them.

Where is the money now? Where is this British gold? Let us see. Massachusetts has now in her savings-banks $317,097,499. What has Illinois to show for her part? Mortgages on her farms to the amount of $410,000,000, mostly held in the manufacturing States. Massachusetts does not raise enough on her farms to feed her people. Behold the contrast! Maine has in her savings-banks $38,319,643, while Kansas has on her farms mortgages to the amount of $125,000,000, mostly held by people in the nine manufacturing States. Connecticut has over $102,000,000 in her savings-banks, while Indiana farms are mortgaged for $286,500,000, mostly to people in New England. The manufacturing State of New York has in her savings-banks $482,500,000, while the farms of the agricultural State of Iowa are mortgaged for $225,500,000. The manufacturing State of Rhode Island has in her savings-banks $53,285,000; the farms of Missouri are mortgaged for $168,500,000. The manufacturing State of Pennsylvania has in her savings-banks $42,220,000, while Minnesota is mortgaged for $122,500,000. The manufacturing State of New Hampshire has in her savings-banks $50,822,000, and the agricultural State of Michigan has farm mortgages to the amount of $129,229,553. The manufacturing State of New Jersey has savings-banks deposits in the sum of $27,500,000, while the agricultural State of Wisconsin has farm mortgages to the amount of $175,000,000. Vermont, a manufacturing State, has in her savings-banks $15,587,000, while Ohio has farm mortgages to the amount of $350,000,000.

These nine great agricultural States sent a very large portion of the produce to Europe which brought to agriculturists of America since 1861 $10,500,000,000 of British gold. The nine manufacturing States sent no part of it; but see now the situation. It is not a theory, but a condition, indeed, which affords the absolute proof of the rapacity with which the farmers are plundered. In estimating the amount of farm mortgages I adopt the mean between the lowest estimate, made for a leading Chicago bank, and the estimate first published some months ago. Where do the people of the manufacturing States get all this money? They do not dig it out of the ground as the farmers do. It

comes from the home market, which they demand shall be protected for them alone, and the farmers and their families constitute that home market, from which they reap the golden harvest. The people of the nine manufacturing States have in savings accumulated a surplus above their wants of $1,129,331,142. The people of the nine great agricultural States named, instead of a surplus, have a deficiency to the extent of $1,992,200,000, for which they have mortgaged their farms.

Again, I say, behold the results of protection! In proportion as you increase the tariff, manufacturers grow rich; in proportion also to this rate do the farmers grow poor. In proportion to the increase of the tariff, the millions increase in the savings banks of the manufacturing States, and the mortgages increase on the farms of the great West. The interest charge is annually added as an additional weight to the already overburdened farmer, but the heavier it bears on him the greater it swells the account in the savings bank in New England. How much longer will the farmers and day laborers stand such exaction? In view of this condition of things, we are not surprised to hear the Chicago Tribune, one of the great Republican papers of the Northwest, saying: "The man who should rob the farmer on the high-road of his pocket-book is not a whit more guilty than these monopolists and steel barons who are levying toll upon him for every plow he uses to satisfy their extortionate greed and rapacity."

I am indebted to the St. Louis Republican for the following forcible statement, showing the effect of our protective tariff upon an agricultural as against a manufacturing State:

ILLINOIS AND MASSACHUSETTS.

Illinois is a farming State, the richest and most productive one in the Union. Massachusetts is a manufacturing State, one of the most wealthy and prosperous in the industrial group of nine States that are the seat of the protected vocations and the chief beneficiaries of the high-tariff policy.

The fertile soil of Illinois, its enormous crops of grain and other farm produce, its admirable railroad systems—the largest possessed by any Sate in the Union—and the intelligence and thrifty habits of its people make it the true representative agricultural State of the West; and in like manner, the intelligence and superior ingenuity of the Massachusetts people, their judiciously diversified industries, their thriving manufacturing towns, and their great wealth make it the proper representative of the industrial group. Illinois has an area of 56,650 square miles; Massachusetts, 8,310. At the last census Illinois had a population of 3,077,000; Massachusetts, 1,783,000. Illinois is more than six times as large in area as Massachusetts, and has nearly twice as great a population.

In 1880 Illinois had 255,741 farms, 436,371 persons engaged in farming pursuits, and $1,175,000,000 capital invested in agriculture, this being the estimated value of the farms, with the buildings, live-stock, and implements on them. Massachusetts had 14,352 manufacturing establishments with $303,808,000 invested in them, and employing 352,200 persons. It will be observed that Illinois has nearly four times as much capital invested in farming as Massachusetts has invested in manufacturing, and also that it has 84,000 more persons employed on farms than Massachusetts has employed in factories.

The value of all farm products in Illinois, both sold and consumed on the farms, in 1880 was $294,000,000, while the value of all the products of manufacture in Massachusetts was $631,000,000, from which must be deducted the value of the raw materials used, $387,000,000, leaving $244,000,000 as the net product. It appears, then, that Massachusetts, with one-fourth as much capital as Illinois, and 84,000 fewer persons employed, made $40,000,000 more in manufacturing than Illinois made in farming.

Again, it takes $1,175,000,000 capital invested in farming in Illinois to produce $204,000,000 worth of produce, but in Massachusetts $303,000,000 invested in manufacturing produces $244,000,000.

It appears, also, that it takes 436,371 persons engaged in farming in Illinois to produce $204,000,000 worth of crops, but in Massachusetts 352,200 persons engaged in manufacturing produce $244,000,000 worth of goods. In Illinois the average product per capita in farming is $442; in Massachusetts the average product per capita in manufacturing is nearly $700.

The assessed valuation of taxable property in Illinois for 1887 was $798,000,000, which, for a population of 3,077,000, is about $266 per capita. The assessed valuation in Massachusetts for 1887 was $2,100,000,000, which, for a population of 1,783,000, is about $1,120. So that not only is there more than twice as much assessed valuation in the small manufacturing State of Massachusetts as in the large farming State of Illinois, but an average person in Massachusetts is worth more than four times as much as an average person in Illinois.

These estimates are based on the assumption that all the wealth in Illinois is owned by its people. But it is notorious that this is not the case. All the railroads and telegraph lines are owned outside the State—in the industrial States of the East—and are assessed at $70,000,000, but actually worth $300,000,000.

And now, Mr. Chairman, let me pursue this comparison a little further. Official figures, as I find them in the Almanac for 1888, by the Librarian of Congress, show the actual assessed value of the real and personal property of all the States to be $22,954,630,201, divided between the manufacturing and the other States as follows:

Nine manufacturing States	$10,137,612,665
Twenty-nine other States	12,817,017,586

That is to say, the 15,000,000 people in the nine manufacturing States own nearly as much of the assessed value of all the States together as is owned by the 45,000,000 of people who live in the twenty-nine agricultural States.

The report of the Comptroller of the Currency for 1887 shows that the individual deposits for 1887 in the national banks were greater in the nine manufacturing States than in all the other States and Territories. Again, the published statistics of the savings-banks deposits for last year show that the nine manufacturing States had over $1,220,000,000 more money in these banks than all the other States and Territories had in similar institutions. It is a well-known fact that very nearly all the outstanding United States bonds are owned in the manufacturing States. It is also true that while the railroads in the agricultural States are assessed as a part of the wealth of those States, they are in fact owned and controlled by people in the nine manufacturing States. I therefore make bold to say that the 15,000,000 of people in the nine manufacturing States own to-day much more than one-half of all the wealth in this entire country.

This was not the condition of affairs here before the enactment of the protective tariff. Why should 45,000,000 people, all white, serve 15,000,000?

It has been stated to me as an admitted fact that a distinguished citizen of the manufacturing State of Pennsylvania holds ten thousand mortgages of an average amount of $500 each on ten thousand Kansas farms.

Ten thousand Kansas farmers and their families, constituting about 50,000 people, are working twelve hours a day to earn above their necessities the sum of $500,000 annually as the measure of their tribute to their good master. I can not blame the money-lender, but I do denounce and execrate the law that placed the galling yoke of slavery on the necks of these 50,000 white men, women, and children of Kansas. [Applause.]

I have remarked the inexpressible indignation of the distinguished gentlemen from that State on this floor when they even think of the negro slavery of the Southern States of long ago, and I now invite them to join this side of the House to repeal the law that has practically made their constituents, men, women, and children, slaves to a Pennsylvania master. A tariff for protection is indeed a piece of *finesse* to persuade men into slavery. I have been taught that the interests of the few should be subservient to the interests of the many. But a tariff for protection has brought about a condition in which the millions own nothing and the few own millions. Millionaires are in "purple and fine linen," while the millions are in fluttering rags. This is the result of protection.

Restlessness among the masses is manifest as another result of this wicked system. In six years we have had 3,903 strikes among that great and intelligent mass known as the wage-workers. These strikes are nothing more nor less than oppressed laborers revolting against the exaction of merciless capital. It is revolution against the order of tyranny, and it reveals to my mind the terrible truth that the industrial system of the United States, as organized under the protective policy, controlling steam, electricity, machinery, and labor in its heartless selfishness, is daily making a sacrifice of human beings to capital.

The bill under consideration is a mild assault on this system of taxation. It proposes to so modify the law as to reduce the revenue to be raised under it about $54,000,000. If it had no other effect than to relieve the people annually of the burden of paying $54,000,000 unnecessarily into the Treasury, it would be a boon of great value, and every Republican on this floor would join us and pass the bill in an hour.

But there is a much greater boon for the people in this bill than a relief to the extent of $54,000,000, and this other boon to the people is the $4 that the mill-owners and factory lords will lose for every dollar that will be lost to the Treasury. "Ay, there's the rub" to our Republican friends and their allies on this side of the House. The bill means a relief to the weary tax-payers of $270,000,000 annually, of which amount the Treasury would lose $54,000,000. Factory lords would lose $216,000,000. It is to save this last item to the mill-owners and iron-masters of the nine manufacturing States that this struggle is made. This is the true reason of the opposition. Mr. Chairman, I have always been opposed to the protection system. I believe with Judge Thomas Cooley, who, in his "Principles of Constitutional Law," says:

Constitutionally, a tax can have no other basis than the raising of revenue for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore (a tariff tax), the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacturer, may well be questioned as being merely colorable, and therefore not warranted by constitutional principles.

As a matter of common justice, I am opposed to protecting one class of our people at the expense of all the others. I am opposed to protecting by tariff taxation our manufacturing interests, which are now the most perfect and most powerful in the whole world, representing a machinery force of a thousand million men. This force can take care of itself. It ought to do so independent of artificial help.

Our soil is free, our thought is free, our speech is free, our farmers and wage-workers ought to be freed from the further disastrous exactions of unnecessary and unjust tariff taxation.

Mr. Chairman, I hope this bill will pass, and I further hope that every member of Congress who votes against it for the purpose of continuing the enormous bounties to manufacturing monopolies at the risk of a great financial panic will meet, as he deserves, a political death and be buried under the ballots of November below the resurrection line. [Great applause.]

Mr. McMILLIN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. CRISP having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenue, and had come to no resolution thereon.

PATENTS.

Mr. WEAVER, from the Committee on Patents, reported back with amendments the bill (H. R. 8558) to amend certain sections of the Revised Statutes of the United States relating to patents; which was referred to the House Calendar, and the accompanying report ordered to be printed.

ADVERSE REPORT.

Mr. ROGERS, from the Committee on the Judiciary, reported back adversely the bill (H. R. 6653) to amend the first section of an act entitled "An act to regulate the fees and costs to be allowed clerks, marshals, and attorneys of the circuit and district courts, and for other purposes," approved February 26, 1853; which was laid on the table, and the accompanying report ordered to be printed.

SURETIES UPON BONDS.

Mr. ROGERS also, from the Committee on the Judiciary, reported back favorably the bill (S. 183) requiring notice of deficiency in accounts of principals to be given to sureties upon bonds of United States officials, and fixing a limitation of time within which suits shall be brought against said sureties upon said bonds; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

DISTRICT COURT, SOUTHERN DISTRICT OF MISSISSIPPI.

Mr. STEWART, of Georgia, from the Committee on the Judiciary, reported back favorably the bill (S. 2650) to change the time of the meeting of the district court of the southern district of Mississippi, and for other purposes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PUNISHMENT OF DUMPING, NEW YORK HARBOR.

Mr. BRYCE, from the Committee on Commerce, reported back favorably the bill (S. 1241) to prevent obstruction and injurious deposits within the harbor and adjacent waters of New York City by dumping or otherwise, and to punish and prevent such offenses; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MARGARET TONKIN.

Mr. FRENCH, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1885) granting a pension to Margaret Tonkin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ALEXANDER J. COLLINGE.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2176) granting a pension to Alexander J. Collinge; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. MARY L. RISTINE.

Mr. SPOONER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1867) granting a pension to Mrs. Mary L. Ristine; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ABRAHAM J. BUCKLES.

Mr. THOMPSON, of California, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9263) granting a pension to Abraham J. Buckles; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. WALKER, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 3815) to place the name of Christina Essler on the pension-roll; which was laid on the table, and the accompanying report ordered to be printed.

COBURN D. OUTTEN.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 7624) for the relief of Coburn D. Outten; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WOODFORD M. HOUCHIN.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9174) granting a pension to Woodford M. Houchin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARCUS D. RAYMOND.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2012) granting an increase of pension to Marcus D. Raymond; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY FITZMORRIS.

Mr. SAWYER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9520) for the relief of Mary Fitzmorris; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM M. WHALEY.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 621) granting an increase of pension to William M. Whaley; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY L. WILLIAMS.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1716) granting a pension to Mary L. Williams; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. AVIS J. HOCKEY.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2253) granting a pension to Mrs. Avis J. Hockey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

FRANK OURADNIK.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 898) for the relief of Frank Ouradnik; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. LOUISE SILVERS.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 896) for the relief of Mrs. Louise Silvers; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. FREDERICKA HAUSER.

Mr. SAWYER also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1110) granting a pension to Mrs. Fredericka Hauser; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NATHANIEL LANG.

Mr. STEELE, from the Committee on Military Affairs, reported back favorably the bill (H. R. 7189) for the relief of Nathaniel Lang; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES KANE.

Mr. STEELE also, from the Committee on Military Affairs, reported back favorably the bill (H. R. 851) for the relief of James Kane; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

A. J. M'CREARY.

Mr. PERKINS, from the Committee on Indian Affairs, reported back favorably the bill (H. R. 7924) for the relief of A. J. McCreary, administrator of the estate of J. M. Hiatt, and for other purposes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THEODORE DEHON.

Mr. PENINGTON, from the Committee on War Claims, reported back favorably the bill (H. R. 4086) for the relief of Theodore Dehon; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY H. EPPING AND ALEXANDER M. BRANNAN.

Mr. PENINGTON also, from the Committee on War Claims, reported back favorably the bill (H. R. 5094) for the relief of Henry H. Epping and Alexander M. Brannan, administrators of S. H. Hill; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, EMPORIA, KANS.

Mr. WADE, from the Committee on Public Buildings and Grounds, reported back the bill (H. R. 7735) for the erection of a public building at Emporia, Kans.; which was laid on the table.

He also, from the same committee, reported, in the nature of a substitute for the foregoing bill, a bill (H. R. 9717) for the erection of a public building at Emporia, Kans.; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

SURETIES OF DENNIS MURPHY.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back favorably the bill (H. R. 6498) for the relief of sureties of Dennis Murphy; which was referred to the Committee of the Whole

House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NATIONAL CEMETERY, FREDERICKSBURGH, VA.

Mr. LAIRD, from the Committee on Military Affairs, reported back favorably the bill (H. R. 1907) to provide for macadamizing the road from the railroad to the national cemetery in the city of Fredericksburgh, Va.; which was referred to the Committee of the Whole House on the state of the Union, and the accompanying report ordered to be printed.

EDWARD H. LEIB.

Mr. LAIRD also, from the Committee on Military Affairs, reported back favorably the bill (S. 119) for the relief of Edward H. Leib; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

DULUTH AND MANITOBA RAILROAD COMPANY.

Mr. LAIRD also, from the Committee on Military Affairs, reported back favorably the bill (S. 1003) granting the right of way to the Duluth and Manitoba Railroad Company across Fort Pembina military reservation in Dakota; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SAMUEL M'CLURE.

Mr. HUNTER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 354) granting a pension to Samuel McClure; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. MARGARET LONGSHAW.

Mr. HUNTER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9557) for the relief of Mrs. Margaret Longshaw, dependent mother of William Longshaw, late assistant surgeon United States Navy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JANE SMALLRIDGE.

Mr. SPOONER, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 2190) granting a pension to Jane Smallridge; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. W. PARISH & CO.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported a bill (H. R. 9718) for the relief of J. W. Parish & Co.; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that that body had passed without amendment bills of the following titles:

A bill (H. R. 112) granting a pension to George Schneider;

A bill (H. R. 1070) for the relief of J. A. Wilson;

A bill (H. R. 1438) to authorize the Kansas Valley Railroad to construct and operate a railway through the Fort Riley military reservation in Kansas, and for other purposes; and

A bill (H. R. 4082) for the relief of the agricultural and mechanical college of Alabama.

It also announced the passage of bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 68) for the relief of James H. Smith, late postmaster at Memphis, Tenn.;

A bill (S. 956) for the erection of a public building at Boulder, Colo.;

A bill (S. 1064) for the relief of L. J. Worden;

A bill (S. 1924) for the completion of a public building at Wichita, Kans.;

A bill (S. 2164) to provide for the erection of a public building in the city of Norfolk, in the State of Virginia;

A bill (S. 2394) to authorize the construction of a counterpoise battery on the bank of the Potomac River below Washington;

A bill (S. 2605) relating to the anchorage of vessels in the port of New York;

A bill (S. 2614) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River, in Arkansas;

A bill (S. 1148) to grant the right of way to the Kansas City and Pacific Railroad Company through the Indian Territory; and

A bill (S. 2671) to create and organize the county of Latah.

S. B. WEST.

Mr. JOHNSTON, of North Carolina. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole from the further consideration of the bill (H. R. 8596) for the relief of S. B. West, administrator of Thomas Beeton, deceased, and put it upon its passage.

The bill was read.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. RANDALL. There is objection to considering it without having the report read.

Mr. JOHNSTON, of North Carolina. The Court of Claims found the man to have been loyal all through the war.

Mr. KERR. Mr. Speaker, I would like to hear the report read.

The report was read.

Mr. KERR. Is the finding of the Court of Claims here?

Mr. JOHNSTON, of North Carolina. Yes, sir.

Mr. KERR. Let it be read.

The Clerk proceeded to read the finding of the court, but before he had completed the reading, the hour of 5 o'clock having arrived, the House, under the order, took a recess until 8 p. m.

EVENING SESSION.

The recess having expired, the House at 8 o'clock p. m. was called to order by Mr. CARUTH, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., April 27, 1888.

I hereby designate Hon. ARTHUR G. CARUTH, of Kentucky, to preside as Speaker *pro tempore* at the session of the House this evening.

JNO. G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk House of Representatives.

Mr. PIDCOCK. I move that the House resolve itself into Committee of the Whole House for the consideration of bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

Mr. WEBER. Mr. Chairman, I ask unanimous consent that the Calendar be called in its order, and that, unless requested by some gentleman present interested in the bill, each bill as it is reached be passed over, to retain its place on the Calendar.

The CHAIRMAN. Is there objection?

Mr. MCRAE. I do not want to object, but it seems to me that the request ought to be modified a little. I think it would be better that each member present should be recognized to call up a bill.

Mr. SPOONER. Mr. Chairman, the Committee on Invalid Pensions unanimously decided to ask that the Calendar be taken up in the order suggested by the gentleman from New York, and we believe that the business of the committee will be expedited by that method and proceed much more satisfactorily than under the plan suggested by the gentleman from Arkansas.

Mr. MCRAE. Of course that would be entirely satisfactory to gentlemen who have five or six bills in the early part of the Calendar, and which will enable them to get them up, but very unsatisfactory to those who will not be reached at all.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. JOHNSTON, of Indiana. I want to understand the proposition. Is it whenever a bill is reached on the Calendar and no person asks its consideration, that it is to be passed over?

The CHAIRMAN. It will be passed over simply by the reading of the title of the bill.

Mr. JOHNSTON, of Indiana. Unless its consideration is asked by some one?

Mr. HUNTER. Yes; and if not considered, it will retain its place on the Calendar.

The CHAIRMAN. The Chair will state that this practice obtained during the close of the last Congress, and it was found after a trial for some evenings to give reasonable satisfaction.

Is there objection to the request of the gentleman from New York?

There was no objection, and it was so ordered.

The CHAIRMAN. The Chair would suggest to gentlemen that of course it will be necessary to pay close attention to the Calendar, as the bills will only be read by their number and title.

ABBIE R. BROWN.

The first business considered (called up by Mr. HERMANN) was the bill (H. R. 7642) granting a pension to Abbie R. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Abbie R. Brown, widow of John A. Brown, late a sergeant in the Fifth Battery, Maine Light Artillery.

The report (by Mr. GALLINGER) was read, as follows:

The House committee of the Forty-ninth Congress favorably reported this bill, which report is as follows:

"Abbie R. Brown is the widow of John A. Brown, late a sergeant of the Fifth Battery, Maine Light Artillery. He died July 19, 1880, leaving a pending claim for pension based on rheumatism, which was completed by his widow. The immediate cause of his death was pneumonia, followed by acute phthisis. Widow's claim was rejected on the ground that disease of which he died was not incident to the service. Numerous affidavits have been filed with this committee, in addition to the evidence filed in the Pension Office.

"Abner O. Shaw, M. D., of Portland, Me., a physician of twenty-four years' standing, states under oath—

"'That the said John A. Brown, deceased, husband of this applicant, was treated by me professionally at various times from on or about the 15th day of July, A. D. 1865, up to the time of his death in July, A. D. 1880, except a time subsequent to about the 28th day of January, A. D. 1880, at which time the said John A. Brown went to Florida for his health, returning from there to Portland a short time before his death.

"'That during the period from about July 15, 1865, to about January 25, 1880, my treatment of said John A. Brown was for rheumatism and intercostal neuralgia, which rendered him for weeks together, and sometimes for months together, unfit to attend to any business whatever. That the visit of said Brown to Florida was for the purpose and in the hope that the climate might be beneficial to his health, as he was declining in health all the time. But no good result was attained by this, and Brown returned to Portland, his condition in no way improved from what it was when he went away.

"'I saw Mr. Brown very soon after his return to Portland, and at once perceived that he had not improved in his general health, and that he was suffering from a slight cold, said to have been, and I have no doubt was, contracted on his journey home from Florida. So slight was this cold that to a man in ordinary health it would have been a matter of but little moment, but in the case of Sergeant Brown, weakened by long sickness, and with but slight powers of resistance in consequence, it resulted in pneumonia, followed by acute phthisis, which latter was the immediate cause of his death.

"'My judgment of the case of said John A. Brown, founded upon my long treatment of him as his professional attendant, is that when he left the service of the United States he was suffering from malarial poisoning, the most prominent feature of which was rheumatism and intercostal neuralgia; that he was failing all the time, and after his return from Florida, as aforesaid, if he had not have taken cold, as I have stated, must soon have died by reason of the said malarial poisoning, contracted in the service of the United States, and for which he was pensioned; that the accident of taking cold only hastened the event of his death by a short time, which, in my judgment, was certain from his said malarial poisoning.'"

As the committee of the Forty-ninth Congress suggested, this case involves a plain principle under which Congress almost invariably grants relief. It is certainly evident that the soldier was on the verge of death from diseases contracted in the Army, and it is almost equally certain that the enfeebled condition of the system rendered him liable to the fatal attack.

Your committee report the bill back favorably, and recommend its passage.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES F. WARD.

The next business on the Calendar (called up by Mr. HERMANN) was the bill (H. R. 6520) granting an increase of pension to Charles F. Ward.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to pay to Charles F. Ward, formerly of the ship Vermont, United States Navy, a pension of $50 a month from and after the passage of this act, in lieu of the pension now received by him.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R 6520) granting an increase of pension to Charles F. Ward, report as follows:

The claimant under this bill was pensioned by the Department at $12 per month for injury to back. Subsequently he made a claim for increase on the ground of increased disability, and filed strong medical testimony on this point, including a certificate from the board of surgeons of Portland, Me., who say unqualifiedly that in their opinion the increased disabilities are directly traceable to the original injury. The medical officers of the Government did not accept this view and rejected the claim.

Soldier applied to the Forty-ninth Congress for an increase to $50 per month, but the bill was amended making it $24, and as amended the bill became a law. The present bill again asks for $50, and additional medical evidence is filed showing that claimant is now utterly unable to perform manual labor.

As this soldier is clearly disabled to the extent that the general law allows $30 per month for, your committee recommend that the bill be amended by striking out the word "fifty," in the fifth line, and inserting instead thereof the word "thirty," and as so amended recommend its passage.

The amendment recommended by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

MRS. MERCY KNIGHT.

The next business on the Calendar considered (called up by Mr. DINGLEY) was the bill (H. R. 2413) granting a pension to Mrs. Mercy Knight.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the pension laws, the name of Mrs. Mercy Knight, dependent step-mother of Lendall Wright, deceased, late a private in Company D, Fifteenth Regiment of Maine Infantry Volunteers.

The report (by Mr. GALLINGER) was read, as follows:

This case simply involves the principle, so often recognized by Congress, of pensioning a dependent step-mother when it is clearly shown that she took charge of the child at a tender age and cared for him as a good mother should.

It appears that Lendall Knight was a private in Company D, Fifteenth Maine Volunteers, and that he contracted diseases in the Army from which he died almost immediately upon his return from service. It was conclusively shown that his parents were largely dependent upon him for support, and that he sent them considerable sums of money during the period of his Army service. Upon his death his father, Moody Knight, was pensioned as dependent parent, and when he died his step-mother, Mercy Knight, made application to have the pension continued to her, but this was refused on the ground that she was not the natural mother of soldier. It is certain that soldier knew no mother but claimant, and that she was a devoted parent to the boy.

It is equally clear that she is now utterly destitute and broken in health, and while this committee can not recommend the payment of the pension from the date of the husband's death, which claimant petitions for, they do feel that her name should be placed on the pension-roll, and accordingly report the bill back with a favorable recommendation.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

COL. JESSE H. STRICKLAND.

The next business on the Calendar considered (called up by Mr. GALLINGER and also by Mr. JOHNSTON, of Indiana) was the bill (S. 381) for the relief of Col. Jesse H. Strickland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jesse H. Strickland, formerly colonel of the Eighth Regiment of Tennessee Cavalry, United States Volunteers, and that he be allowed a pension at the rate of $30 per month.

The Committee on Invalid Pensions recommend the following amendment:

Strike out all after the word "volunteers," in line 5, and insert thereafter the words "and for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the 30th day of January, 1863."

The CHAIRMAN. The report accompanying this bill is quite lengthy and was read at the last meeting of the committee. The Chair is informed that the report has been read twice before.

Mr. JOHNSTON, of Indiana. I want to move that this bill be reported to the House with the recommendation that it be indefinitely postponed.

Mr. TAULBEE. If I caught the reading of that bill aright I desire to raise the question of order upon it. I will examine the bill.

Mr. JOHNSTON, of Indiana. While I am not here to interfere with the rights of any man who is entitled to a pension or entitled to be mustered, I wish to say that this man has been before the War Claims Committee for relief once, which was denied him. He was before the committee in the last Congress on a similar bill to this. I want to say that I helped to organize the regiment to which he refers, and that he never was in the service a day in that regiment in his life.

Mr. BUTLER. Why?

Mr. JOHNSTON, of Indiana. Because he was not there.

Mr. BUTLER. Because he was sick in bed, sir.

Mr. TAULBEE. Mr. Chairman——

Mr. JOHNSTON, of Indiana. I believe I have the floor.

Mr. TAULBEE. I desire to interrupt the gentleman long enough to say that I insist upon the point of order upon the bill, and do not want to lose that right by entering upon the consideration of the bill.

The CHAIRMAN. The Chair is ready to rule upon the point of order now.

Mr. GALLINGER. It seems to me that the point of order, if one is made, should be first stated.

The CHAIRMAN. The Chair is of the opinion that the observation of the gentleman from New Hampshire is eminently correct.

Mr. TAULBEE. What is that?

The CHAIRMAN. That the point of order should be stated and passed on by the Chair, and it may be by the committee, before the discussion of the merits of the bill.

Mr. JOHNSTON, of Indiana. What is the point of order?

Mr. TAULBEE. That this bill is not in order under the special order of the House.

Mr. BUTLER. That was settled before.

Mr. TAULBEE. It was settled that the bill was not in order.

I desire in connection with the suggestion of the point of order I shall offer to have read the order under which these Friday evening sessions are held.

The CHAIRMAN. The order will be reported.

The Clerk read as follows:

Resolved, That until further ordered, on each Friday, at 5 o'clock p. m., the House shall take a recess until 7.30 p. m., and after the 15th day of April next until 8 p. m., at which evening sessions bills on the Private Calendar granting pensions, reported from the Committee on Invalid Pensions and the Committee on Pensions, and bills on the Private Calendar reported from the Committee on the Judiciary removing political disabilities, shall be considered, and no other business shall be transacted at such evening sessions, and the House shall adjourn on each of such evenings not later than 10.30 p. m.

Mr. TAULBEE. Mr. Chairman, this is a Senate bill. The original bill reads as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jesse H. Strickland, formerly colonel of the Eighth Regiment of Tennessee Cavalry, United States Volunteers, and pay him a pension at the rate of $30 per month.

In the Senate the bill was amended so as to strike out the last clause which I have read, "and pay him a pension at the rate of $30 per month," and insert the following:

And for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the 30th day of January, 1863.

Mr. GALLINGER. Will the gentleman from Kentucky permit me an interruption?

Mr. TAULBEE. Certainly.

Mr. GALLINGER. The gentleman is mistaken in saying that the bill was so amended in the Senate. That amendment is one reported by the House committee. The Senate passed the bill pensioning the claimant at $30 a month.

Mr. TAULBEE. I stand corrected. But it is immaterial for the

purpose of this point of order as to where this amendment originated, whether in the Senate or in the House, or whether incorporated in the original bill. In any event the bill now before the House is amended as I have indicated. The special order read by the Clerk provides that bills granting pensions reported by the Committee on Invalid Pensions and the Committee on Pensions, and bills removing political disabilities reported by the Committee on the Judiciary, shall alone be considered. The order is very explicit in its terms, and says no other business shall be considered.

Mr. DINGLEY. Will the gentleman pardon me a moment?

Mr. TAULBEE. Yes, sir.

Mr. DINGLEY. The gentleman's point of order is directed not against the bill but the amendment. It can be raised against the amendment when proposed.

Mr. RYAN. The bill is not amended as yet.

Mr. TAULBEE. My point of order pertains to the bill as amended.

Mr. RYAN. But it is not amended.

Mr. TAULBEE. Now, Mr. Chairman, certainly my point of order relates to that part of the bill which proposes to correct the military record of the beneficiary of this bill. No point of order is correct as made against the original bill, because that is a bill granting a pension.

There seems to have been an effort on the part of the framers of this amendment to bring it within the special order; and that effort goes no further than to place this amendment before us under the avowal that it is for the purpose of enabling the beneficiary to prosecute a claim for pension and that only.

I have maintained that it is immaterial as to what the purpose of this amendment is so far as regards the point of order. The thing sought to be accomplished by this amendment is the correction of a military record. That is the unmistakable purpose of the bill.

Mr. JOSEPH D. TAYLOR. May I ask the gentleman from Kentucky a question?

Mr. TAULBEE. Certainly.

Mr. JOSEPH D. TAYLOR. I simply inquire whether the gentleman heard the Chairman of the Committee of the Whole say he was ready to rule on the point of order?

Mr. TAULBEE. I think I caught some such suggestion from the Chair. But I do not see that that has anything to do with my speech.

Now, I maintain, Mr. Chairman, that the Committee on Invalid Pensions had no jurisdiction of the matter pertaining to the military record of this claimant. And even if it did have such jurisdiction, the fact that the House has recognized the report and placed it on the Calendar as coming from that committee can not affect the special order of the House which provides that only such business shall be considered on Friday evening as is indicated in the special order.

Mr. GALLINGER. Will the gentleman permit another interruption?

Mr. TAULBEE. Yes, sir.

Mr. GALLINGER. Was not the gentleman a member of the Committee on Invalid Pensions in the Forty-ninth Congress?

Mr. TAULBEE. Yes, sir.

Mr. GALLINGER. While a member of that committee did he file a minority report against this identical amendment—this bill having been then before our committee?

Mr. TAULBEE. I have no recollection as to that.

Mr. GALLINGER. It was reported to the House by the Committee on Invalid Pensions of the Forty-ninth Congress and placed on the Calendar with this identical amendment.

Mr. TAULBEE. I do not remember about this bill; but I know it was not customary with regard to bills involving only a rate of pension of $30 a month that members of the committee should make minority reports. But I think I am perfectly safe in saying that if this bill as now amended was before that committee I was opposed to the bill, whether my opposition resulted in filing a minority report or otherwise; because I do not think I have ever gone so far as to advocate the passage of a bill like this.

But I do not desire to enter on the discussion of the merits of this bill on the point of order. I have stated the point and am ready to submit it to the decision of the Chair.

The CHAIRMAN. The Chair is ready to rule on the point of order.

Several MEMBERS. Decision.

Mr. LEHLBACH. Mr. Chairman, I ask unanimous consent that this bill be laid aside; not to lose its place on the Calendar.

The CHAIRMAN. The point of order has been made and it is the duty of the Chair to rule upon it before entertaining any request. This bill was presented at the last pension session of the Committee of the Whole, and the first impression of the Chair was that the point of order then made, which was of the nature of the point indicated by the gentleman from Kentucky [Mr. TAULBEE] to-night, was well taken, but, upon consultation with some very excellent parliamentarians, the Chair reversed its ruling and entertained the bill for consideration at that time. Still entertaining doubt as to whether or not this bill with the amendment was in order, the Chair has consulted the Speaker upon that question during the week, and the Chair supposes it is not out of order to say that the Speaker is of the opinion that this bill is in order under the special order providing for these Friday evening sessions. The Chair therefore, in harmony with the views of the Speaker, is compelled to overrule the point of order.

Mr. TAULBEE. The Speaker did not hear my speech. [Laughter.]

The CHAIRMAN. But the Chair has heard it.

Mr. JOHNSTON, of Indiana. Mr. Chairman, I do not wish to detain this committee, and I shall not occupy five minutes. This bill has been once before the Committee on War Claims and rejected. It was rejected in the Forty-ninth Congress. Now, while I have no disposition to keep any man out of a pension who is entitled to it, I feel it to be my duty in behalf of the men who are entitled to pensions to make a statement of this case as it stands, so that the House may know just what it is.

The report of the committee proposes to muster this man now as a colonel, simply for the purpose of giving him a chance to be on the pension-rolls. In the first place, that regiment never was entitled to a colonel. Mr. Strickland and Colonel Capps, of Knoxville, started out to raise the regiment. Mr. Capps did most of the work and enlisted most of the men. At Camp Nelson, Kentucky, where the regiment was mustered, Mr. Capps was present with eight companies, which entitled the regiment to a lieutenant-colonel, and he was mustered as lieutenant-colonel. As I have said, the regiment never was entitled to a colonel. I joined that regiment and was mustered with the regiment as lieutenant of Company A.

Mr. GALLINGER. Will the gentleman permit a question?

Mr. JOHNSTON, of Indiana. Yes, sir.

Mr. GALLINGER. Am I to understand the gentleman as saying that Mr. Strickland was mustered as lieutenant-colonel?

Mr. JOHNSTON, of Indiana. No, sir. Colonel Capps was mustered as lieutenant-colonel.

I repeat, the regiment never was entitled to a colonel; it never had men enough; and if this bill is to pass its effect will be to have a man mustered as colonel of a regiment that never was entitled to have a colonel. Now Mr. Strickland claims that he was sick. I joined that regiment on the 1st of September and he was not with the regiment then. The regiment went from Kentucky to Knoxville and staid in East Tennessee until after the siege of Knoxville, and was then consolidated with another regiment. That entitled them to a colonel, and a man was mustered as colonel of the consolidated regiment.

Mr. GALLINGER. One further question. I would like to ask the gentleman from Indiana [Mr. JOHNSTON] if Mr. Strickland was not commissioned to raise this regiment, and if he did not perform a large amount of work in finding men, refugees and others, and if he was not taken sick before the entire complement was completed. I ask the gentleman if that is not a matter of historical fact.

Mr. JOHNSTON, of Indiana. That may be very true.

Mr. GALLINGER. And has Mr. Strickland ever received one single cent of compensation for all the time and money and effort he expended in that way?

Mr. JOHNSTON, of Indiana. I suppose not; but there are thousands of other men in the North in the same condition, who started out to recruit regiments and never completed them.

Mr. GALLINGER. Not men who were taken sick in the service of the Government, so as to be rendered unable to follow up the work.

Mr. JOHNSTON, of Indiana. Mr. Chairman, let me go a little further. That regiment staid in East Tennessee from the last of August or 1st of September until after the siege of Knoxville, and this gentleman never came near the regiment. He certainly was not sick from August until January.

Now, I want to call the attention of this committee to another fact. There is a man named Frank Strickland, who files an affidavit in this case, and who says that he was quartermaster of the regiment. He is a brother of this claimant and he is in the same condition; he never was with that regiment in his life.

Mr. GALLINGER. We are not discussing him now.

Mr. JOHNSTON, of Indiana. He never was quartermaster of the regiment. The lieutenant of my company was the quartermaster and commissary from the time the regiment was mustered, and though this man claims to have been quartermaster he never was with the regiment. Neither of these Stricklands was ever with the regiment; yet here is one of them claiming the rank of colonel and the other swearing him through, though neither of them ever smelled gunpowder or was ever with that regiment at all.

Mr. GALLINGER. Was not this regiment largely made up of refugees, and was it not necessary for these men to scour practically a large portion of the State in order to get those troops?

Mr. JOHNSTON, of Indiana. Yes, sir. There were 150 refugees recruited at Camp Morton, in Indiana. Thomas Capps came over there and recruited them, and out of those 150 men they formed Company A and half of another company.

When those men got back Strickland was not there. If he had been there and claimed his muster I suppose he would have got it. He said to me that he could have been mustered as lieutenant-colonel, but he would not take that. If he had been there and had been mustered as lieutenant-colonel, Mr. Capps would have been mustered as major;

but Strickland was not there and Capps was mustered as lieutenant-colonel and served and received his pay as lieutenant-colonel, and the regiment had all the officers it was entitled to.

Mr. GALLINGER. But was not Mr. Strickland promised the colonelcy?

Mr. JOHNSTON, of Indiana. I do not know.

Mr. GALLINGER. Do you not think he was?

Mr. JOHNSTON, of Indiana. I suppose he was, provided there were enough men to make the regiment; but there are plenty of other men in the country that were promised colonelcies if they raised men enough, but they did not succeed in raising the men. Now, are you going back to muster them all in as colonels?

Mr. GALLINGER. Can the gentleman tell us how large a deficit there was in the regiment?

Mr. JOHNSTON, of Indiana. Four companies. There were two-thirds of a regiment, which entitled it to a lieutenant-colonel; and, as I have said, the regiment had all the officers it was entitled to.

Now, Mr. Chairman, while I have no disposition to make a captious fight against this man, yet in justice to others who are entitled to pensions, I say that this man ought to go to the Military Committee and have his rights determined there, and not to a committee that has no such jurisdiction, and therefore I insist on my motion.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I desire to ask the gentleman from Indiana [Mr. JOHNSTON] a question. I happen to know these brothers Strickland. They happen to have been born in Philadelphia, the sons of a most distinguished man, sons of as high-toned a gentleman as ever lived anywhere, and I do not like to hear the gentleman from Indiana say that the companion of my youth, Francis Strickland, made an affidavit that was not true. Did I understand the gentleman from Indiana to say that?

Mr. JOHNSTON, of Indiana. No, sir.

Several MEMBERS. You did.

Mr. O'NEILL, of Pennsylvania. You did say that. You quoted him, and said that he had made an affidavit stating that he was quartermaster of the regiment, and then you said that he never was quartermaster.

Mr. JOHNSTON, of Indiana. I say he may have been quartermaster, but he never was with the regiment.

Mr. O'NEILL, of Pennsylvania. Very well; that may have been so. I do not know. I did not have the good fortune to be connected with the Army during the rebellion, but I suppose a man could be named as quartermaster of a regiment by the State authorities and could perform the duties of quartermaster, and yet it might be his misfortune never to be mustered in. But I say that if Francis Strickland stated in an affidavit that he was quartermaster of that regiment, he certainly was practically quartermaster, because I know he is a man who would not state a falsehood.

Mr. JOHNSTON, of Indiana. Well, what is your question?

Mr. O'NEILL, of Pennsylvania. My question was: Do you state that Francis Strickland made an affidavit stating that he was quartermaster of that regiment when in fact he was not quartermaster?

Mr. JOHNSTON, of Indiana. I state just what I stated before.

Mr. GROSVENOR. If the gentleman from Pennsylvania [Mr. O'NEILL] will accept a suggestion. If Mr. Strickland was regimental quartermaster he no doubt could have been mustered in and yet not have been with the regiment; but the fact can be very easily ascertained by examining his military record at the War Department.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, it happens that Mr. Francis Strickland is not on trial here. It is not his case that we have before us; but it rather grates upon me that a man who was brought up as a gentleman, and who is a gentleman to-day by birth, by instinct, and by conduct, should be charged with making a false statement, and stating that he was a quartermaster of a regiment, when in fact he was not.

Mr. WILLIAMS. A good many men who were born gentlemen did not stay with their regiments during the war. [Laughter.]

Mr. GALLINGER. Does the Chair——

Mr. JOHNSTON, of Indiana. I have not yielded the floor, Mr. Chairman.

The CHAIRMAN. The Chair understood the gentleman from Indiana to yield.

Mr. JOHNSTON, of Indiana. No, sir; the gentleman from Pennsylvania [Mr. O'NEILL] asked me a question, and I was going to answer it.

The CHAIRMAN. The Chair understood the gentleman from Indiana [Mr. JOHNSTON] to yield the floor. Does the gentleman insist on his right to the floor?

Mr. JOHNSTON, of Indiana. I was going to answer the question of the gentleman from Pennsylvania [Mr. O'NEILL]. He asked me if I said that this man never was quartermaster of the regiment. What I say is that he never performed the duties of quartermaster of that regiment, and never was with the regiment in his life. I will say, however, that my views are somewhat changed when I learn that these two gentlemen were born in Philadelphia, because I suppose that a gentleman who is born there can not do anything wrong. [Laughter.]

Mr. GALLINGER. Mr. Chairman, this case comes before the House surrounded by prejudices, and I think by many prepossessions. I have no disposition to advocate any case before this committee or this House that, in my judgment, is not just and right. I have endeavored to investigate this matter, as I have endeavored to investigate every other coming before that committee, carefully and conscientiously, and my judgment is, Mr. Chairman, that this bill ought to pass.

Now, Mr. Chairman, the Committee on Invalid Pensions have reported eight or ten cases during the present Congress—I do not know how many—of soldiers who were never mustered into the service; of men who enlisted and contracted disease between that time and the time of their muster. They reported the cases to the House, and the House generously passed bills for some of those men, and they are pensioners to-day on the generosity of the Government, which recognized the fact of their service to the country, although technically they were not regularly mustered in, but having contracted disease in the service, it was believed the Government owed to them a debt of gratitude if not of cash.

As to this man, I have examined some papers not before the House touching on this case. I find he was going down to raise a regiment in Tennessee at the time the Government needed troops there, and that regiment would necessarily have to be composed of refugees. He went out and spent days and months on duty under the promise that he was to be commissioned colonel of the regiment, when he was taken ill. He did not get any commission and he did not receive a dollar of compensation for the service he had rendered. He applied to have this title granted to him, but the War Department decided against him. It is not a breach of privacy of public affairs or of propriety for me to say that the man who made the decision against him is now a member of the United States Senate and voted the other day to pension this man at the rate of $30 per month, recognizing that while technically he could not receive the title, he had in all fairness done service for which the Government owed him compensation, and he proposed to pay it by giving him a pension at $30 per month.

I am not a military man; I know nothing about the technicality or etiquette of military life; I am not here to bandy words nor to split hairs in any technical discussion of this question, but I am here to say, looking at this as I look at all pension cases, dealing justly between man and man, and between citizens and the Government, it seems to me the relief which is proposed should be granted to this claimant. There is not the least doubt that the man rendered service and that he is entitled to some relief. It has been said, although I do not know the fact, that if this man had accepted the commission of lieutenant-colonel which was offered to him he would have been entitled to the same pension, but he declined to do so, insisting upon his right to the title of colonel of the regiment. [Cries of "Vote!"]

Mr. PERKINS. Was the Committee on Invalid Pensions satisfied this claimant is suffering from the disease which he contracted while recruiting this regiment for the Government?

Mr. GALLINGER. I am modest when speaking about professional matters, but I say as an individual I am fully satisfied the bill would not have been reported by the committee unless that were the fact.

Mr. PERKINS. That is the judgment of the committee?

Mr. GALLINGER. The committee were fully satisfied on that point, and that this action is necessary before the man can apply to the Pension Office. It is a unanimous report, and it seems to me we ought to pass the bill.

Mr. TAULBEE. I dislike to disagree with the gentleman who reported the bill as to what the bill undertakes to do. If I understood the gentleman before taking his seat he did not think this man ought to have a pension before he made an application to the Pension Office. Now, I undertake to say this bill gives him a pension before he has made any such application.

Mr. GALLINGER rose.

Mr. TAULBEE. I will simply reread the bill, which provides as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jesse H. Strickland, formerly colonel of the Eighth Regiment of Tennessee Cavalry, United States Volunteers, and pay him a pension at the rate of $30 per month.

If this does not give this man a pension I do not know what it does. The amendment then provides:

And for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the 30th day of January, 1863.

That is intended to cover the arrears.

Mr. GALLINGER. How can he get arrears before he files his pension in the Pension Office? The gentleman has had experience in the Pension Office——

Mr. TAULBEE. The report of the committee contains the following:

In the judgment of your committee the conclusions reached by the committee of the last Congress are eminently proper, and no good reasons are known to exist why claimant should not be required to establish his disability in the proper bureau of the Government after, by the aid of Congress, he has obtained a pensionable status under the general pension laws; and therefore return the bill, and likewise amend the same by striking out all after the word "volunteers," in line 5, and inserting thereafter the words "and for the purpose of prosecuting a claim for pension, and for no other purpose, said Jesse H. Strick-

lan i shall be considered as having been duly commissioned and mustered as colonel of said regiment, to date from the 30th day of January, 1863," and thus amended ask its passage.

Now, Mr. Chairman, if that amendment can mean anything, in the light which this report throws upon it, it certainly means this: that in the event of the limitation of the arrears of pension ever being removed by Congress, this man can have his pension granted from the date of the incurrence of the disability, which is September, 1863.

Mr. GALLINGER. Permit me to say that I entirely agree with the gentleman from Kentucky on that point.

Mr. TAULBEE. Certainly; I know you do.

Mr. GALLINGER. And I know of no earthly reason why an exception should be made in the case of this man, if the Pension Office sees fit to grant him a pension.

Mr. TAULBEE. I think the report of the committee itself shows very conclusively the reason why he ought not to be brought within the operation of the general pension laws. In this report we find, upon *ex parte* testimony, upon the statement of the applicant himself, as shown by a former report, which is incorporated in this report now before us, that he does not show himself to be entitled to a pension at all. Now, if we are to go on raising recruits to put down rebellion, muster regiments, give rank to officers and grant pensions to them in the same bill, I think this is just about as good a bill as ever was brought before the House for the accomplishment of such a purpose.

Mr. GALLINGER. Whatever may be the opinion of the gentleman, presumably, at least, the Committee on Invalid Pensions is as honest and as honorable as the gentleman from Kentucky.

Mr. TAULBEE. And that is not saying very much for the Committee on Invalid Pensions.

Mr. GALLINGER. I think that is so; and probably the gentleman himself is the best judge of that point.

Mr. TAULBEE. I think the gentleman ought to adjust himself a little before he undertakes to cast reflections upon the personal motives of gentlemen on this floor.

Mr. GALLINGER. That is just what the gentleman has been in the habit of doing for some time.

Mr. TAULBEE. Mr. Chairman, I want to promptly enter my dissent to that remark. I want to be entirely parliamentary in my statement when I say that there is not one word of truth in that statement. I make no reflections.

Mr. GALLINGER. The gentleman has been pursuing that line to-night.

Mr. TAULBEE. I submit that I have not by word, deed, or intimation attempted to cast a single reflection upon a member of the Committee on Invalid Pensions.

Mr. GALLINGER. If that be so the gentleman from Kentucky is certainly very unfortunate in the choice of his language; and I think if he will examine his remarks in the RECORD to-morrow morning he will see that the suggestion is warranted.

Mr. TAULBEE. I shall not change a word of my remarks in the RECORD, and I think I know what I have said. Certainly I have not reflected upon the character of a single member of the House or been unparliamentary in anything I have said. I have made no reflection. My remarks shall stand just as they were delivered, and I shall not shrink from any responsibility in regard to anything that I have said.

But the fact of the matter is that the weakness of this bill brings gentlemen to the front as though they had a whole nest of yellow-jackets humming around their ears.

Mr. GALLINGER. Perhaps that is not a reflection. But I care nothing for it. I stand before the committee and before this House as a member of the Committee on Invalid Pensions, and not ashamed of any act of mine in the committee-room or on the floor of the House.

Mr. TAULBEE. I have not called upon the gentleman to feel ashamed about anything he has done. [Laughter.]

Mr. GALLINGER. That may be smart——

Mr. TAULBEE. I am not trying the gentleman before the bar of his own conscience. I leave him to his own reflections. I shall not attempt to bandy words with him. It has nothing to do with the matter before the House.

Mr. SAWYER. Mr. Chairman, I rise to a question of order.

The CHAIRMAN. The gentleman will state it.

Mr. SAWYER. I wish to inquire whether it would not be as well for these personal matters to be discussed in a private room, and thus take them out of the House?

Mr. TAULBEE. Certainly. I think the gentleman from New York is entirely right. I do not think it is legitimate to bring in personal matters in the consideration of a bill like this. I am sure I have no reason to reflect upon the gentleman who has taken exception to some of my remarks. I wish to state that I do not intend and have not intended to reflect upon him or the committee.

Mr. GALLINGER. I am glad to know that fact; for I think, as I said before, the gentleman's language is rather unfortunate as expressing his real sentiments.

Mr. TAULBEE. Well, I think my language is always fortunate. The only thing is, the gentleman does not hear it in the right spirit.

But, Mr. Chairman, I said before and I repeat that I think this is one of the most remarkable bills that I have ever seen reported to this House. I know it has been customary, and especially during the Forty-ninth Congress, to grant relief to persons who have never been mustered, but not such relief as this. I have in mind a bill that I introduced myself in that Congress where a man was regularly enlisted, but before the muster of his company he was shot in an engagement with Confederate soldiers and badly wounded; to such a degree, in fact, that he was not mustered at all because of the disability.

But though he never was mustered, he was given a pension finally on the disability incurred as a private soldier in the grade in which he was enlisted.

But this bill undertakes to do more than that. There is no evidence, so far as I have ascertained, where the report shows that this man was ever enlisted, or that he had any military status whatever; and from the statement of the gentleman from Indiana [Mr. JOHNSTON], for whose integrity let me say by way of digression that I have the highest personal regard, and hope he will take no offense at what I say, I am led to the conclusion that the beneficiary under the bill never performed any military service of any kind. The gentleman from Indiana seems to have been one of the charter members of this regiment.

Mr. GALLINGER. Will the gentleman permit me again to interrupt him?

Mr. TAULBEE. Certainly.

Mr. GALLINGER. The gentleman from Indiana admitted that he knew Mr. Strickland performed service. When I asked him the question he said he had no doubt he had done so. Why, then, does the gentleman from Kentucky say he performed no services?

Mr. TAULBEE. I spoke of service in connection with the regiment, and I do not think I have misunderstood the gentleman from Indiana. That gentleman says when he first joined that regiment the beneficiary of this bill was not then with the regiment.

The facts as I glean them from the report seem to be about these: That Mr. Strickland was authorized to raise a regiment; that he went into Tennessee, and among the loyal men of Tennessee he succeeded with others in getting together about eight companies of men. But when the time came to organize the regiment and go into the active service of the United States, for reasons which are set forth in the declaration of the applicant and in the brief of his claim, on his own statement he was not mustered. Whether he attempted to be mustered as a private or lieutenant-colonel or colonel of that regiment I am unable to say.

Now, Mr. Chairman, I submit in all candor that this claim comes too late. The war has been over for too long a time for us to undertake to muster and equip regiments and officer them. There will be no end to the granting of pensions if at this late period in the history of the country we undertake to raise, equip, and officer regiments in the late war.

I do not believe I am chargeable with any prejudice against any man who is entitled to a pension; and I think the reflections of that nature offered by the gentleman who made this report do not apply to me. I do not take them as personal to myself. However much prejudice others may have against this bill or any other bill, I do not consider I am chargeable with it.

I say, whenever a disability was incurred by an enlisted man incidental to his service in the Army of the United States, no man will vote more quickly than I will to give him a pension. But when it comes to raising regiments and commissioning officers for the purpose of prosecuting a claim for a pension before the Bureau of Pensions, and especially when such broad latitude is given that in the event that the limitation of the arrears act is removed this man, who never performed a day's service in his life in the Army of the United States, so far as I know, who never subjected himself to the dangers of war, is to be made the beneficiary, not only as a private but as the colonel of his regiment, and in that event will be entitled to a pension from September, 1863—when such a claim is made I must certainly oppose it.

If any gentleman wants to say anything further about this bill I am ready now to yield to him. I do not want to cut off debate, but at the proper time I want to submit a motion.

Mr. BUTLER. This is no bill for the purpose of raising a regiment or equipping a regiment. That sort of clap-trap has nothing to do with the consideration of this case.

Mr. Strickland lived in Tennessee, and, as has been already said, his father's bones rest in the capitol of that State. He was so honored by the people of our State and was held in such high esteem that when the old man died the Legislature by an act provided that his bones should be interred in the capitol.

Mr. O'NEILL, of Pennsylvania. He was architect of the capitol.

Mr. BUTLER. Yes. His son lived at Nashville in the midst of treason and rebellion where it required some courage at that time to be a loyal man. He lived in a very hot-bed of treason. That man was loyal to his country. President Lincoln gave him permission to raise a regiment. He undertook the task, and in going around for that purpose spent the last dollar he had. While so engaged he was stricken down with disease, and after the regiment was raised he was not able

to leave his room. Another person was mustered as colonel of the regiment that Mr. Strickland had raised for the most part, spending, as I have said, in doing so every dollar he could command in the world.

Mr. CONGER. While he was sick the other man was mustered.

Mr. BUTLER. While he was sick and on his back the other man was mustered colonel after Mr. Strickland had spent months of time and every dollar he had in recruiting and getting the refugees into that regiment.

But because, on account of his sickness, he could not go to the front, the gentleman from Indiana [Mr. JOHNSTON] says he never saw him. It is remarkable, is it not, that the gentleman did not see him after he had raised that regiment, when he was away 250 miles off, on his back, racked with misery and rheumatism and pain. Can it be that he shall not have the status to get a pension because the gentleman from Indiana did not see him?

It is said that this claim comes too late. I say it is never too late to do justice to a loyal man, as Mr. Strickland was, in the midst of treason and rebellion. All he asks and all that this bill provides is that he may have such a status that he can go to the Commissioner of Pensions, and if he can prove his disabilities incurred while raising that regiment, and the continuation of the disabilities, he may be pensioned like any other man under such circumstances. This great hullabaloo that Mr. Strickland was not in the regiment and that the gentleman from Indiana never saw him with the regiment should not be allowed to interfere with justice being done to him.

If I may be permitted to do so, I may say that I myself knew him well. I know that he was a loyal man, and before the Federal Army approached our State I had to whisper to him in undertones for fear it might be found out what we were talking about. The gentleman from Indiana [Mr. JOHNSTON] says that Mr. Strickland's case has been rejected. Suppose it has. If it was rejected, then it was wrongfully rejected; there was a great wrong done to this man, and this House ought to correct it and do him justice. He was loyal to his country; he did all he could for it; he spent his last dollar; and because he was overtaken with disease and stricken down so that he could not be mustered into the service and another man was mustered in his place are we to deprive him of his rightful status which would enable him to go to the Pension Bureau and obtain the pension that he is entitled to?

Mr. TAULBEE. Will the gentleman permit a question before he takes his seat?

Mr. BUTLER. Certainly.

Mr. TAULBEE. I would like to know if it is not a fact that the colonel of this regiment, the man who was really mustered in as colonel, is now on the pension-roll?

Mr. BUTLER. I do not know where Colonel Capps is or what became of him, though I knew him well. But that does not affect the case at all. This man was entitled to the muster if he had been able to be there.

Mr. BRECKINRIDGE, of Kentucky. Mr. Chairman, I desire to offer an amendment, which, as I do not write a very legible hand, I will read. I move to strike out all after the enacting clause of this bill and to insert the following:

For the purpose of prosecuting a claim for pension, to date from the passage of this act, and for no other purpose, Jesse H. Strickland shall be considered as having been duly commissioned and mustered as colonel of the Eighth Regiment of Tennessee Cavalry, United States Volunteers, from the 30th of January, 1863.

The bill as presented seems to me to put him on the pension-roll. My amendment takes the latter clause of the bill, which simply proposes to give him a status which will enable him to prosecute his claim for a pension. I move this as a substitute for the bill and the pending amendment.

Mr. GALLINGER. Mr. Chairman, I ask for the reading of the amendment.

The amendment was again read.

Mr. GROSVENOR addressed the Chair.

Mr. GALLINGER. Mr. Chairman, I will ask the gentleman from Kentucky [Mr. BRECKINRIDGE] if the 30th of January, 1863, is the date named in the bill?

Mr. BRECKINRIDGE, of Kentucky. It is. I have copied it from the bill. [Cries of "Vote!" Vote!"]

Mr. GALLINGER. Then, Mr. Chairman, I think I can say for the committee that they will accept that amendment.

Mr. RANDALL. Mr. Chairman, I think it is a proper amendment, but as a representative of Philadelphia I want to say a word in relation to these two young men—for they were young men when I knew them—the Messrs. Strickland. I knew them both well many years ago——

Mr. GROSVENOR. Mr. Chairman, I claim the right to be heard, having been recognized by the Chair, and I protest against the gentleman from Pennsylvania [Mr. RANDALL] taking me off the floor in this way.

Mr. RANDALL. I never do that. I was not aware that the gentleman had been recognized; I have not my glasses with me this evening. [Laughter.]

The CHAIRMAN. Does the gentleman from Ohio [Mr. GROSVENOR] yield to the gentleman from Pennsylvania [Mr. RANDALL.]

Mr. GROSVENOR. I will do so if I can be recognized after him.

Mr. BRECKINRIDGE, of Kentucky. I thought I had the floor, Mr. Chairman.

The CHAIRMAN. The Chair understood the gentleman to have yielded the floor.

Mr. BRECKINRIDGE, of Kentucky. I did not yield except to the gentleman from Pennsylvania [Mr. RANDALL].

Mr. RANDALL. I only want to say that I knew both these gentlemen as young men forty years ago, and I never yet heard anybody who knew them say anything against their high character. [Cries of "Vote!" "Vote!"]

Mr. GROSVENOR. If you insist on voting now you will not pass this bill. If you are so anxious to vote as to be unwilling to hear a word in explanation of the position that some of us occupy on this bill, you can persist in that demand, and we will settle the fate of this bill very quickly.

A MEMBER. Of course you can defeat the bill.

Mr. GROSVENOR. Mr. Chairman, I am not opposed to the object this bill aims at. I may say here that I did not know Mr. Strickland at all, nor his father, nor his grandfather, nor any of his sisters or his aunts, but I knew Colonel Strickland himself very well, and I know of his heroic struggles to raise this regiment and to serve his country loyally, and there is not any reasonable measure that might be proposed here for his benefit that I would not support and vote for; but in my judgment this bill contains legislation of a very doubtful character, and although I think the amendment proposed by the gentleman from Kentucky [Mr. BRECKINRIDGE] would make it very much better, I still doubt whether it would be effective for the purpose in view. I put it upon this ground: I doubt whether you can by this sort of legislation put a man into the Army of the United States, or give him any status, or accomplish anything for him that you do not accomplish by the bill itself.

I think the gentleman from Kentucky [Mr. TAULBEE], who opposes the whole of this bill, made a pretty good point when he said that it was an attempt to muster in, upon a pension bill, a colonel of a regiment. Now I do not think that can be done, nor do I believe that the War Department would recognize any man as having gotten into the Army in that sort of way. What is it that we are trying to do? We are trying to give this officer a pension. Why not do it, then? Why not say so in so many words?

Mr. BOUTELLE. Will the gentleman permit a question?

Mr. GROSVENOR. Certainly.

Mr. BOUTELLE. Is it not a very common thing for Congress to rectify errors in mustering in?

Mr. GROSVENOR. Oh, yes; but here is a case where there was no muster at all.

Mr. BOUTELLE. But I understand that Congress proposes by this bill to declare that this officer has the status that he would have had if he had been mustered in.

Mr. GROSVENOR. Not at all. This bill simply proposes that, for the purpose of prosecuting a pension claim, and for no other purpose, he shall have the status of a colonel.

Mr. BOUTELLE. Exactly; and that is the kind of thing that Congress is doing almost every day.

Mr. GROSVENOR. Well, we may differ about that. My friend from Maine [Mr. BOUTELLE] may have his opinion, and I may have mine. Now, why not pass this bill as it came from the Senate, or add this to it if you please, "or upon a higher rate of pension, if the disability of this officer indicates it." We have the right to fix this pension.

Mr. GALLINGER. For the reason that the Committee on Invalid Pensions are not fully satisfied that this man ought to be pensioned. That is the reason they do not propose to pass the Senate bill. They want him to go to the Pension Office and establish the fact of a pensionable disability.

Mr. GROSVENOR. And to connect it back with his service in the Army?

Mr. GALLINGER. Precisely.

Mr. GROSVENOR. Then we are doing nothing for the officer at all.

Mr. TAULBEE. Mr. Chairman, if I understand the amendment of my colleague from Kentucky [Mr. BRECKINRIDGE], it simply provides that Mr. Strickland shall prosecute his pension claim in the regular way, from the date of the passage of the bill, but puts upon him the burden of establishing by proof the fact of the incurrence of the disability in the line of duty.

Mr. GROSVENOR. Well, I was willing to do a great deal better than that for him. I was willing to vote for a pension direct.

The CHAIRMAN. The Chair will call attention to the fact that the amendment seems to be in effect contradictory of the original bill. The more the Chair examines it the more peculiar the phraseology appears. The bill places this man upon the pension-roll, and then the amendment provides that "for the purpose of prosecuting a claim for a pension" he shall have a certain status. They are contradictory. The substitute, however, is decidedly more consistent, because it goes di-

rectly to the proposition and expresses the idea which the committee desired to express, whereas the bill provides that the man shall be pensioned, and then in the amendment provides that he shall not be pensioned, but shall simply have a right to prosecute his claim for a pension.

Mr. PERKINS. Mr. Chairman, I do not desire to consume time, but I had prepared an amendment substantially the same as the gentleman from Kentucky [Mr. BRECKINRIDGE], except that my amendment contains the usual provision that this claimant shall establish his claim subject to the provisions and limitations of the pension laws. I do not think that the amendment of the gentleman from Kentucky [Mr. BRECKINRIDGE] contains that provision, and if that amendment be adopted there may be a little ambiguity as to how this claimant is to establish his claim.

The CHAIRMAN. The Clerk will again read the amendment of the gentleman from Kentucky.

The amendment of Mr. BRECKINRIDGE, of Kentucky, was again read.

Mr. PERKINS. It does not say he shall do that in conformity to the provisions and limitations of the pension laws.

Mr. BRECKINRIDGE, of Kentucky. That would necessarily follow. [Cries of "Vote!"]

The CHAIRMAN. The Chair understands the vote shall be first taken on the amendment of the committee, and then on reporting the bill to the House.

Mr. BRECKINRIDGE, of Kentucky. The gentleman has accepted that amendment.

Mr. TAULBEE. I desire to submit a motion.

Mr. BRECKINRIDGE, of Kentucky. The gentleman accepts my amendment.

Mr. TAULBEE. He can not do that.

The CHAIRMAN. What is the gentleman's motion?

Mr. TAULBEE. I will move at the proper time to report to the House with the recommendation that it be laid on the table.

The CHAIRMAN. That motion is not now in order.

Mr. JOHNSTON, of Indiana. I move that the bill be reported to the House with the recommendation that it be indefinitely postponed.

The CHAIRMAN. The question is first on the amendment reported by the committee.

The amendment was disagreed to.

The CHAIRMAN. The question next recurs on the proposition of the gentleman from Kentucky in the nature of a substitute for the bill.

Mr. ALLEN, of Michigan. If that amendment be voted down, will the question then recur on reporting the bill to the House?

The CHAIRMAN. The question will recur on reporting the bill to the House if no other amendment is moved.

The substitute moved by Mr. BRECKINRIDGE, of Kentucky, was agreed to.

The CHAIRMAN. The question next recurs on the motion to report the bill to the House with the recommendation that it be indefinitely postponed.

Mr. JOHNSTON, of Indiana. That is my motion; that the bill be indefinitely postponed.

Mr. TAULBEE. I wish to ask a question in reference to this bill. Is it not a fact ——

The CHAIRMAN. Is there unanimous consent to the gentleman proceeding?

Mr. TAULBEE. Is it not a fact that this claimant has another bill pending before the House, in which he claims payment for expenses incurred in recruiting this regiment?

The CHAIRMAN. The Chair will be compelled to say, if the question is propounded to him, that he has no information on the subject.

Mr. COCKRAN. That is no parliamentary question.

The question recurred on the motion of Mr. JOHNSTON, of Indiana, to report the bill with the recommendation that it be indefinitely postponed.

Mr. TAULBEE demanded a division.

The committee divided; and there were—ayes 12, noes 39.

Mr. JOHNSTON, of Indiana. No quorum. I am willing to withdraw the point of no quorum if we can have an understanding that a vote shall be taken on this bill in a full House.

The CHAIRMAN. Is there objection to the bill being reported back to the House, with the understanding that the previous question shall be considered as ordered and the bill go over to be voted on in a full House?

Mr. JOHNSTON, of Indiana. Say next Monday.

Mr. TAULBEE. I have to object to that on account of its interference with the revenue bill. [Laughter.]

Mr. JOHNSTON, of Indiana. It will not interfere with it very long. I propose by unanimous consent that immediately after the reading of the Journal on next Monday this bill when reported to the House shall be taken up and voted on in a full House.

Mr. TAULBEE. Is no time to be allowed for debate?

Mr. JOHNSTON, of Indiana. Fifteen minutes on each side.

Mr. BRECKINRIDGE, of Kentucky. I object.

The CHAIRMAN. As the point of no quorum has been made the Chair will appoint tellers.

Mr. BRECKINRIDGE, of Kentucky. If to-morrow be fixed as the time when the vote is to be taken on this bill, I will not object.

Mr. PERKINS. Why not make it Friday next, which is private-bill day?

Mr. TAULBEE. I feel bound to object to that. I will not object to its being voted on to-morrow.

Mr. CANNON. Why not let the bill be reported back to the House with the understanding that it shall be voted on in a full House. It will be voted on some time during the session. It is bound to be reached.

Mr. BRECKINRIDGE, of Kentucky. I do not object to that.

The CHAIRMAN. Is there objection?

Mr. GALLINGER. I object to that.

Mr. JOHNSTON, of Indiana. I insist on the point of no quorum, and shall do so unless I can get some compromise on this matter.

Mr. HOLMAN. I suggest to my colleague to fix some time further off—say the fourth Monday of May.

Mr. JOHNSTON, of Indiana. I withdraw the point of no quorum.

The CHAIRMAN. The point of no quorum having been withdrawn, the House having voted on a division, 12 in the affirmative and 39 in the negative, the motion to report the bill with the recommendation that it be indefinitely postponed is disagreed to.

The question is on reporting the bill to the House with a favorable recommendation.

Mr. CARLTON. Mr. Chairman, I made the point of order that no quorum had voted, and I am not aware that it has yet been withdrawn.

The CHAIRMAN. The Chair did not know the gentleman had made the point.

Mr. GALLINGER. Let me make this suggestion. I do not wish to appear factious in regard to this matter, and if the committee will fix any time within the next six weeks, or say four weeks from next Monday, when a vote may be taken in the House on the bill, the previous question ordered, and fifteen minutes' debate on each side, I shall make no objection.

Mr. CARLTON. I have no objection to this going to the House and taking its legitimate place upon the Private Calendar.

The CHAIRMAN. What does the Chair understand to be the suggestion of the gentleman from New Hampshire?

Mr. GALLINGER. I make this suggestion: That on four weeks from next Monday, immediately after the reading of the Journal, the vote shall be taken on this bill after fifteen minutes' debate on each side, it being understood that it goes over with the previous question ordered upon its passage.

Mr. O'NEILL, of Missouri. I think that is a fair suggestion.

The CHAIRMAN. Is there objection to the request of the gentleman from New Hampshire?

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. O'FERRALL. I ask unanimous consent to make a brief statement in connection with a bill.

Mr. BOUTELLE. What bill?

Mr. O'FERRALL. One of the pending pension bills.

Mr. SPOONER. I think we had better proceed in the regular order.

Mr. O'FERRALL. I hope the gentleman will yield to me to make a statement that will not occupy more than a minute. [Cries of "Go on!"]

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

Mr. SPOONER. I object.

JAMES L. ALSIP.

The next business on the Private Calendar considered (called up by Mr. HUNTER) was the bill (H. R. 6575) for the relief of James L. Alsip.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to all limitations and provisions of the pension laws of the United States, the name of James L. Alsip, late of Company A, Third Regiment Kentucky Cavalry.

The report (by Mr. HUNTER) was read, as follows:

James L. Alsip enlisted in Company A, Thirteenth Regiment of Kentucky Cavalry, and was honorably mustered out on the 10th day of January, 1865. The papers on file in the Pension Office show that the injury for which he made application for pension resulted as follows, as stated under oath by the soldier:

"The regiment being on a march from Burksville to Columbia, Ky., I was suffering with a bowel trouble known to the soldiers as camp dysentery, and the weather being very cold and inclement, late in the day, by order of the captain, in company with Edmund Edwards, I started to the house of a private citizen to stay over night. While on the way to the house my horse slipped and fell on the ice on the turnpike road, throwing me with great force upon the back of my head on the frozen macadamized road, rendering me insensible for a short time and indenting the skull on the back part and near the top.

"After I recovered sufficiently from the shock from the fall we went on to the private house and remained until next morning, when I returned to the regiment until I was mustered out with the rest of the regiment. But during the time I remained in the service after I was injured I continued to grow worse, and at the time I was discharged I was in such bad condition that I was barely

able to travel to my home, and continued to gradually grow worse until in July, 1871, when I became entirely helpless in my lower limbs."

Edmund Edwards, who was with the soldier at the time of the alleged injuries, makes affidavit as follows:

"James L. Alslip and I belonged to the same company and regiment. I never knew him to be diseased until about the latter part of the winter of 1864. While we were encamped at Columbia, Ky., James L. Alslip was taken with disease and was permitted by his captain to be taken to a private house for a few days. I was detailed to go with him. The ground had ice on it, and Alslip's horse fell with him, striking Alslip's head against the rock on the pike, cutting his head on the back part very bad. I tied up the wound with my handkerchief and took him on to the private house. After he returned to the command I heard him complaining frequently as long as we were in the service."

Peter H. Sadmons, who enlisted in the same company at the same time and served with him until mustered out, says he knew him to be a sound, hearty boy and man prior to his enlistment, and was free from any paralysis of lower limbs in any degree. He says:

"In January, 1864, the said Alslip was away from the company on some duty and when he returned to the regiment and company he complained of a hurt that he received while away by reason of his horse falling and pitching him on the ground or pike, and falling on the back of his head, and that he seemed to suffer with the same for some time."

The examining surgeon in his report says he found on the side of soldier's head, about 2 inches back of the left ear, a depression about 1 inch in diameter and one-half inch in depth. He says:

"From the character of this depression I have no doubt but that it had been produced by violence from a fall or blow of some kind, and it undoubtedly produced compression upon the brain."

He further says:

"His arms are partially paralyzed and the muscles of the arms are slowly atrophying or perishing away; his spine has slight curvature in the dorsal region. His thighs and legs are completely paralyzed and the muscles on them have entirely perished away, leaving nothing but skin and bone. The muscles of the bottoms of his feet are contracted, drawing the toes down into the bottoms of his feet. He can not walk or stand on his feet."

All the evidence in this case goes to show quite conclusively, in the opinion of the committee, that the injury received as detailed herein was the cause of the paralyzation of the soldier's limbs. The evidence shows that at the time the accident occurred he was absent from his regiment and company by permission of his superior officer, and therefore was in line of duty.

The case, it seems to the committee, is one that appeals to the generosity of Congress, and so believing we submit a favorable report and recommend the passage of the bill.

During the reading of the report,

Mr. BAKER, of New York. I ask unanimous consent to dispense with the further reading of the report, and ask that it be printed in the RECORD.

There was no objection, and it was so ordered.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. O'FERRALL. Mr. Chairman, I now renew my request that I may be permitted to make a brief statement in connection with a pension bill.

Mr. SPOONER. I must object. This is not the proper way to expedite the business of pension bills on the Private Calendar; and I do not think we ought to depart from the rule we have been pursuing.

Mr. O'FERRALL. I have reference to the bill granting a pension to Mrs. Mary Minor Hoxey, daughter of John Minor Botts, of Virginia, who was known North and South as a Union man, and this lady is the widow of a New Jersey soldier, Maj. Benjamin W. Hoxey.

The CHAIRMAN. The gentleman from Rhode Island objects.

JOHN WITHAM.

The next business considered (called up by Mr. HUNTER) was the bill (H. R. 6845) granting a pension to John Witham.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-rolls, subject to all the limitations, restrictions, and provisions of the pension laws of the United States, the name of John Witham, late a member of Company C, Thirteenth Kentucky Volunteer Cavalry.

The report (by Mr. HUNTER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6845) granting a pension to John Witham, have had the same under consideration, and find that John Witham entered the service of the United States October 15, 1861, and served in Company G, Twelfth Regiment Volunteers, up to January 15, 1863, when he was discharged for disability. That he again entered the service in Company C, Thirteenth Regiment Kentucky Volunteer Cavalry on the 10th September, 1863, and served until discharged, July 10, 1865. That on the 3d or 4th of July, 1864, at Bakertown, in the State of Kentucky, and while engaged in cooking his meal, a drunken soldier, without cause or provocation on the part of Witham, shot and dangerously wounded said Witham near the groin, from which wound he has never recovered.

That he applied for a pension, which was rejected upon the ground that the wound was not received in line of duty. He is now almost helpless, has no means to live on, is old, unable to work, and is being supported by the charity of friends.

Your committee is of opinion that this is a meritorious case, and recommend that the bill pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MILTON JUDD.

The next business considered (called up by Mr. HUNTER) was the bill (H. R. 3712) increasing the pension of Milton Judd.

The bill is as follows:

Be it enacted, etc., That Milton Judd, a pensioner of the United States, a soldier in the late civil war in Company B, Thirteenth Regiment Kentucky Volunteer Infantry, be, and he is hereby, allowed a pension at the rate of $45 per month, in lieu of $36 per month as now allowed, and that the Secretary of the Interior be requested and directed to place the name of said Judd on the roll of pensions and paid at above rate.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3712) increasing the pension of Milton Judd, have had the same under consideration, and now submit the following report:

Milton Judd was a private soldier in Company B, Thirteenth Kentucky Volunteer Infantry, and is now receiving a pension of $36 per month, and this bill asks that the same be increased to $45 per month.

During the war of 1861 he was, as appears from the papers on file, while engaged in action in the battle of Resaca, in the State of Georgia, on or about the 14th day of May, 1864, wounded by a gunshot in the right arm between the elbow and shoulder-joint, necessitating the removal of about 6 inches of the bone between the elbow and shoulder.

The arm is shortened to the extent of 5½ inches; there has been no formation of bone in place of that removed; the muscles of the shoulder and arm are very much perished and reduced; in fact, the arm and hand are entirely helpless. The stump of bone remaining at shoulder-joint is only 1½ inches long—too short to adjust an artificial arm if arm were amputated. The carrying of the limb has produced drooping of shoulders and slight curvature of spine. He would, if his arm had been amputated, be entitled under the law to $45 per month; and as his arm is entirely useless he is in really a worse condition than if he had no arm at all.

Dr. U. L. Taylor makes affidavit as follows:

"I have known him (Milton Judd) for about sixteen years, and have during a great part of this time been his family physician. I have frequently examined his injured arm, and have to-day given it a very full and free examination, and find the condition as follows: A large part of the bone of the right arm is taken away, leaving the whole remaining part a hanging, dangling, perishing mass. It is perfectly useless and terribly in the way. The arm is shortened by loss of bone between shoulder and elbow 6½ inches; the circumference of the whole arm is very much less; from wounding of the nerves of the arm it is at times very painful.

"If the arm had been amputated a stump would have been useful, at least in developing the muscles of the breast, shoulder, and back, and preventing the shrinking that is so well marked. The disability of this man is very much more than it would be if his arm were off 'at or about the elbow,' because the arm is continually in the way. In everything that he undertakes he has to watch that arm and protect it."

J. G. Taylor, M. D., a practitioner since 1846, says: "I have known Mr. Milton Judd about three years; have examined him carefully several times, and I fully indorse the statements made by Dr. U. L. Taylor."

The soldier is a very poor man, and has a family of eight children. The testimony of his comrades and neighbors is to the effect that he was a splendid soldier and is a most excellent citizen.

The committee are fully convinced that this is a most meritorious case, and that the relief asked for in the bill ought to be granted.

We therefore submit a favorable report and recommend the passage of the bill.

During the reading of the report,

Mr. HUNTER. I ask unanimous consent to dispense with the further reading of the report, and that it be printed in the RECORD.

There was no objection, and it was so ordered.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY O'NEILL.

The next business considered (called up by Mr. RUSSELL, of Massachusetts) was the bill (H. R. 3745) granting a pension to Mary O'Neill.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary O'Neill, sister of Thomas C. O'Neill, late captain of Company E, Twenty-fifth Massachusetts Volunteers.

The report (by Mr. FRENCH) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3745) granting a pension to Mary O'Neill, have had the same under consideration, and beg leave to submit the following report:

Mary O'Neil, or O'Neill, is the sister of Capt. Thomas O'Neil, who was killed at the battle of Cold Harbor, June 4, 1864. His mother was pensioned March 17, 1865, and drew pension until her death on March 27, 1875, when all payments of pensions on account of the death of said soldier ceased.

The claimant is not entitled to pension under the general law as a dependent sister, because she is over sixteen years of age, but she has been for many years, in fact from childhood, and is now, hopelessly insane and under the care of a guardian. Captain O'Neil was one of five brothers who served in the Union Army during the late war, and it was upon him that the mother as well as this unfortunate sister were dependent. The fact is not only shown by the evidence on file in the mother's case, but also by the affidavits of competent and reliable persons accompanying the guardian's petition for the relief sought at the hands of Congress.

In like cases Congress has granted relief to the unfortunate relatives of deceased soldiers who by reason of age or otherwise have no longer title to the bounty of the Government, and believing this case to be equally meritorious your committee report favorably on the accompanying bill and ask that it do pass, amended, however, as follows: Strike out the word "O'Neill" wherever the same appears in the title and the body of the bill, and insert therein instead the word "O'Neil;" also after the word "Volunteers," in line 7, the following words, "and pay to her legally constituted guardian the sum of $ 8 per month."

Amend the bill so as to read: "A bill granting a pension to Mary O'Neil."

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ELIZABETH BURR.

The next business considered (called up by Mr. JOSEPH D. TAYLOR) was the bill (H. R. 488) granting a pension to Elizabeth Burr.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Burr, widow of William Burr, late of Company F, One Hundred and seventy-second Regiment of Ohio National Guards.

The report (by Mr. THOMPSON, of California) was read, as follows:

Two things may have had something to do with the rejection of this claim—the fact that he only served from May to September, and the fact that his claim would carry arrears. The claim was rejected, however, on the ground that the disease of dropsy, with which he died, existed prior to enlistment, and the only evidence of this is said to be an admission of the claimant. She simply admits, as does her father, that her husband had swelled feet three or four years before his enlistment, but denies that he ever had swelled feet any other time until after his discharge from the service. Lydia Burnsworth testifies that claimant once told her that he had swelled feet at some other time, but claimant denies this, and avers that she had not spoken to her for five years on account of some existing enmity.

In all this bundle of papers this is the only competent evidence that any such disability existed prior to enlistment, and against this is the sworn testimony of fourteen of his neighbors and comrades, whose characters are shown to be beyond question, that prior to his enlistment he was a strong, healthy, and able-bodied man, and a good worker. And the evidence all shows that from the time he became sick in the service, and from the time of his discharge to his death, he was never able to do any heavy work or any considerable amount of labor. There is no question that he died of dropsy, and there is no satisfactory evidence of its existence prior to his enlistment, the only symptom relied upon by the special examiner being a doubtful one, and this having been shown to exist only once, and then so long prior to enlistment that we do not feel that the claim ought to be rejected on this ground, and hence recommend the passage of this bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

DOLLY BLAZER.

The next business considered (called up by Mr. THOMPSON, of Ohio) was the bill (H. R. 3959) granting a pension to Dolly Blazer.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Dolly Blazer, widow of Richard Blazer, deceased, late captain of Company B of the Ninety-first Regiment of Ohio Volunteers.

The report (by Mr. THOMPSON, of California) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3959) granting a pension to Dolly Blazer, having considered the same, report as follows:

The beneficiary of this bill is the widow of Richard Blazer, who was captain of Company A of the Ninety-first Regiment of Ohio Volunteers in the military service of the United States, and who was well known to the country as the intrepid commander of the famous Blazer Scouts, who waged such deadly warfare with Mosby's men in the valley of the Shenandoah and in the mountains of Virginia. She is now fifty-three years of age. Six of the children born to her and said soldier were under sixteen years of age at the time of the soldier's death, and two of them are still under that age.

The soldier died at Gallipolis, Ohio, on the 29th day of October, 1878. His widow applied for a pension under the general law and fully established her claim in every respect, except as to the cause of the soldier's death. She alleged that the cause of his death was rheumatism and disease of the kidneys, and proved conclusively that he contracted these diseases in the line of his duty in the military service of the United States, and suffered with them constantly to the day of his death, but the Pension Office found the immediate cause of his death to be yellow fever, and rejected her claim upon the ground that the disease was contracted after his discharge from the service.

The evidence as to the cause of death is conflicting, but your committee, after careful and painstaking consideration thereof, are of the opinion that the weight of the evidence is with the claimant, and shows that the death was caused by disease of the kidneys contracted as alleged, and not by yellow fever, and your committee therefore recommend the passage of the bill, with an amendment striking out the words "Company B" where they occur in the bill, and inserting in lieu thereof the words "Company A."

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

LIZZIE WRIGHT OWEN.

The next business considered (called up by Mr. THOMPSON, of Ohio) was the bill (S. 42) granting a pension to Lizzie Wright Owen.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lizzie Wright Owen, only surviving daughter of George Wright, late a brigadier-general of United States Volunteers, and pay her a pension at the rate of $50 per month.

The Clerk proceeded to read the report.

Mr. CHEADLE. Mr. Chairman, I would ask for information, if that bill proposes to grant a pension of $50 a month or any sum in excess of $30 a month.

The CHAIRMAN. The bill proposes to grant a pension at the rate of $50 a month.

Mr. CHEADLE. Is it to a widow?

The CHAIRMAN. It is.

Mr. CHEADLE. Then I shall object to its consideration.

The CHAIRMAN. The Chair will state that if there is to be objection to the consideration of the bill it should be made now, as the report is quite a lengthy one and would occupy a considerable time in reading.

Mr. CHEADLE. I make the objection now.

Mr. HERMANN. I desire to ask my friend from Indiana whether he objects to the further consideration of the bill because he is of the opinion that it is not a meritorious bill?

Mr. CHEADLE. No, sir; I do not.

Mr. HERMANN. Because I can assure the gentleman that it is.

Mr. TAULBEE. If necessary, I will object on that ground.

Mr. CHEADLE. I object to the consideration of the bill without the presence of a quorum.

Mr. HERMANN. With the understanding that the bill shall retain its place on the Calendar, I ask that it be allowed to go over.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that this bill be passed over, retaining its place on the Calendar. There was no objection.

CHARLES F. ALLGOWER.

The next bill (called up by Mr. COOPER) was the bill (S. 334) granting an increase of pension to Charles F. Allgower.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Charles F. Allgower, late captain of Company I, Seventy-seventh United States Colored Troops, at the rate of $72 a month, in lieu of the pension he is now receiving.

The report (by Mr. THOMPSON, of Ohio) was read in part.

Mr. BOOTHMAN. I ask unanimous consent that the further reading of the report be dispensed with, and that the report in full be printed in the RECORD.

There was no objection.

The report is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 334) granting an increase of pension to Charles F. Allgower, having considered the same, report it back and recommend its passage, and in support of this action adopt and make part hereof the report of the Senate Committee on Pensions, which is as follows:

"[Senate Report No. 137, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 334) granting an increase of pension to Charles F. Allgower, have examined the same, and report:

"It appears by the records in the case of Charles F. Allgower that he entered the service of the United States as a private of Company C of the Sixth Regiment New York Volunteers; that during such service he lost his left arm by a cannon shot, necessitating its amputation near the shoulder-joint; that by reason of such injury he was mustered out of service, and so remained until his arm had time to heal; that thereupon he re-entered the service and became captain of Company I, Seventy-seventh Regiment United States Colored Troops; that while on such duty he was transferred to the staff of General T. W. Sherman, then commanding the eastern district of Louisiana, as inspector of artillery and ordnance officer; that while in the discharge of that duty he suffered a collision with other horsemen, in which he was thrown from and underneath his horse, rendering him senseless, and from which resulted partial paralysis of both legs and of the remaining arm, deafness in the right ear, and mental disorders consequent upon concussion of the brain. Added to these infirmities is the loss of an eye, which occurred as a special dispensation, and is not chargeable to his military service.

"It is in evidence from successive boards of medical examiners, as well as from private and unofficial physicians, that his injuries have rendered him practically helpless, requiring the services of an attendant in nearly every process and function of life—in dressing and in walking, in lying down and rising up, and in eating as well as in the final disposition of his food. This evidence is continuous, and is strengthened in its cumulative effect by the attempted technical impeachment by a pension agent, who, finding that the captain had walked the length of a block in a city, and, under inspiring conditions of strength and weather, had covered a larger space in the country, reported him—with an eye and an arm gone, with tottering legs, and a reeling brain—as partially disabled.

"Your committee think proper to embody in this report the following letter from Captain Allgower's commander, who was equally noted for his bravery, his discipline, and his justice:

"'HEADQUARTERS THIRD ARTILLERY, FORT ADAMS, R. I.,
"'*October* 17, 1866.

"'DEAR SIR: Yours of the 15th instant is received. I am very glad to hear from you again, and that you are being well cared for.

"'It gives me pleasure to state that you served faithfully on my staff, as inspector of artillery and ordnance officer, from March, 1864, until you became totally disabled from a fall with your horse in the year 1865. I will always bear witness to your zeal and devotion to duty, and your sincere desire (and success) to always promptly meet the views and wishes of your commander in the line of your duty. Your knowledge, too, of ordnance and artillery, and all subjects connected therewith, was far above the general run of that of volunteer artillery officers.

"'You deserve much credit, besides, in striving to the performance of arduous service after you had lost an arm in battle in the cause of your country.

"'Your misfortune, in accidentally being thrown with your horse when in the performance of your duty, and thus totally disabling you, was seriously felt by me, as I had no officer in my command who could properly replace you.

"'Hoping that you will continue to improve in your health, and that you will receive the reward of your country for your important services, I am, very respectfully,

"'Your obedient servant,

"'T. W. SHERMAN, B. M. G., U. S. A.,
"'*Colonel Third Artillery, late Commander*
"'*Eastern District, Louisiana.*

"'CHARLES F. ALLGOWER, Esq.,
"'*Late Captain Seventy-seventh Colored Infantry,*
"'*St. Luke's Hospital, New York City.*'

"In this case there is a mass of papers which should suffice to define the status of a regiment covering a score of years; comprising statements from nearly a score of doctors, and many scores of acquaintances and attendants, and all establishing by testimony the facts hereinbefore detailed.

"Your committee believe that Captain Allgower has earned in service and suffering the increase of pension for which he asks; and the bill for such increase is therefore reported favorably, and with a recommendation that it do pass."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

REUBEN BROWNMILLER.

The next bill called up for consideration (by Mr. COOPER) was the bill (S. 333) granting a pension to Reuben Brownmiller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limita-

tions of the pension laws, the name of Reuben Brownmiller, father of Jeremiah Brownmiller, late a private in Company H, Forty-eighth Ohio Volunteer Infantry.

The report (by Mr. THOMPSON, of Ohio) was read in part.

Mr. WEBER. I ask unanimous consent that the further reading of the report be dispensed with.

Mr. TAULBEE. There are one or two things which can be ascertained more briefly perhaps from a statement than from the reading of the report.

Mr. WEBER. This is the case of the dependent father.

Mr. TAULBEE. Was the son killed in the service?

Mr. COOPER. He was stationed at the custom-house in Galveston, Tex. Some parties had a quarrel, and while on duty the soldier was killed. The only question is whether he was strictly in the line of duty.

The report in full is as follows:

The Committee on Invalid Pensions, to whom was referred the bill S. 333, having considered the same, report it back and recommend its passage, and in support of this action adopt and make part hereof the report of the Senate Committee on Pensions, which is as follows:

"[Senate Report No. 139, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 333) granting a pension to Reuben Brownmiller, have examined the same, and report:

"The claimant is the father of Jerry Brownmiller, who was a private in Company H, Forty-eighth Ohio Volunteer Infantry. He is indigent, is now seventy-six years of age, and is unable to work.

"He had five sons, all of whom served in the Union Army. Two of these sons certainly died in the service, and probably three so died, for one of them was reported as missing and has never since been heard from. As to the two survivors, one was discharged for disability which has ever since partially continued. The other was sick a great deal while in the service, and was wounded in the leg in battle.

"This indigent old man, in his claim for a pension, states all the above facts, and was required by the Pension Bureau to elect upon which son he would base his just demand upon his country for a pension. He chose Jerry.

"Jerry was murdered February 1, 1866, at Galveston, Tex. Postley, the murderer, was tried by a court-martial and was found guilty. The records of this case in the Pension Office contain a transcript of the testimony before this court-martial. Postley had assaulted one Hays, and was "jerking him about pretty rough," when Brownmiller stepped up and told him not to handle Hays so roughly. Postley told Brownmiller to stand back, and drew his revolver. Brownmiller said he would not stand back. Some scuffling ensued, when one Carr told Brownmiller to stop or else Postley might shoot him. Brownmiller then stopped. Postley then threw Hays on the ground and then raised up and shot Brownmiller, who was about ten feet distant, in the head above the left eye. He died in fifteen minutes thereafter. Brownmiller was on duty guarding the custom-house at Galveston, and the murder was committed in front of the tent which was appurtenant to the custom-house.

"The Pension Bureau disallowed the claim, holding that 'the soldier's death was not due to disability incurred while in the line of duty, but resulted from an affray with another soldier.'

"It is the opinion of this committee that the above conclusion is erroneous, for the following reasons:

"1. Brownmiller was not when shot engaged in any affray, but had desisted from his attempt to keep the peace, had stepped back, and was a mere looker-on during all the time from when he stepped back until the murderer had thrown down the person whom he was assaulting, and then shot the deceased.

"2. Even if Brownmiller was engaged in this affray, he was a guard at the custom-house, and it was plainly his duty to quell this disturbance.

"In view of these facts, it would seem that this case is strictly within the scope of even the general law; and considering the fact that the claimant lost certainly one, and probably two, other sons absolutely by reason of their service for their country, and that the health of two more was impaired, one being wounded, your committee are of the opinion that a father who sent five sons to the war and sacrificed so much should be recognized by the country, and they therefore recommend the passage of the bill."

The bill was laid aside to be reported to the House with a favorable recommendation.

GUARDIAN OF ENOS J. SEARLES.

The next bill (called up by Mr. THOMPSON, of Ohio) was the bill (S. 738) granting a pension to the guardian of Enos J. Searles, of Clermont County, Ohio.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Enos J. Searles, of Clermont County, Ohio, late private Company L, Fifth Ohio Cavalry.

The bill was reported with the following amendment:

Add, after the words "Fifth Ohio Cavalry," "and pay to his legally-constituted guardian for him a pension of $18 per month."

The report (by Mr. THOMPSON, of Ohio) was read in part.

Mr. ROMEIS. I ask unanimous consent to dispense with the further reading of the report.

Mr. TAULBEE. Let us have that report read.

The reading of the report was concluded. In full it is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 738) granting a pension to guardian of Enos J. Searles, having considered the same, report it back, and recommend its passage with the following amendment, to wit: Add, after the words "Fifth Ohio Cavalry," the words "and pay to his legally-constituted guardian for him a pension of $18 per month."

Your committee adopt and make part hereof the report of the Senate Committee on Pensions, which is as follows:

"[Senate Report No. 148, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 738) granting a pension to guardian of Enos J. Searles, have examined the same, and report:

"That the claimant was a private in Company L, Fifth Ohio Cavalry, and served from November 14, 1861, to November 14, 1864, being discharged at last-named date by reason of expiry of term of service. His wife testifies that he became insane July, 1864, while in the service, and that after his return home he continued to act strangely, and she and her children lived in fear of him until 1872, when he was pronounced insane and taken to the asylum. He remained in the asylum several months, returned home as improved, but in 1874 was again returned to the asylum, where he has ever since been, and now is reported by the officers at that institution as suffering from mania, probably incurable; as quarrelsome and dangerous, especially in the night.

"The evidence of Wyatt, Rader, and Donham shows that before his army service and up to about August, 1864, he was a healthy, jovial, cheerful man—a useful and brave soldier.

"Maj. G. H. Rader testifies that in July, 1863, the claimant, near Cartersville, Ga., was sent out on a foraging expedition, which was suddenly surrounded and attacked by the enemy. He escaped by swimming the Etowah River, from which he took cold and fever, and these, with the fright and excitement, affected his mind, so that he never appeared to have a sound mind afterwards, even while in the service. This is substantiated by the oaths of his comrades, Donham and Cundiff, in same company. We do not think this evidence overcome by the fact shown that some of his maternal relatives were occasionally insane or subject to insanity.

"He may have been laboring under a hereditary taint, and might have become insane without military service, but this 'may' and 'might' are conjectural. The fact is that he became insane while in the service; that the attack is shown to have been superinduced by a very hazardous flight and exposure in a special expedition upon which he was ordered. That the disease did not assume a dangerous type for several years after is nothing against the circumstances detailed of how it originated. It began in the service in one form; it is sometimes a long time incubating.

"The bill is recommended to be passed."

Mr. TAULBEE. I would like to know if the soldier is dead?

The CHAIRMAN. This bill is for the benefit of the soldier himself.

The amendment recommended by the committee was agreed to, and the bill as amended was laid aside to be reported to the House with a favorable recommendation.

MRS. CLARISSA G. GREEN.

The next bill called up for consideration (by Mr. WEBER) was the bill (H. R. 8266) for the relief of Mrs. Clarissa G. Green.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Clarissa G. Green, dependent mother of James F. Green, late of Company D, One hundred and twenty-ninth New York Volunteer Infantry, afterward the Eighth New York Heavy Artillery.

The report (by Mr. SAWYER) was read in part. In full it is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 8266) for the relief of Clarissa G. Green, submit the following report:

The beneficiary named in this bill is now a woman seventy-three years of age, of the very highest personal character, and belongs to one of the most respectable families in Niagara County, New York.

She has buried her entire family, except one daughter, a worthy woman, but in ordinary pecuniary circumstances.

The widow and mother has unfortunately lost all her property and has no personal means of support, and is dependent upon her daughter and the kindness of friends.

Her only sons entered the service, and both are now dead, one dying from the effects of his service, for which his widow is pensioned, the other dying as herein stated. The circumstances under which her son, James F. Green, on whose account she now asks a pension, lost his life, are fully set forth in the accompanying letter, affidavit and certificate. The high character of these parties is certified to by Mr. WEBER, the member of this House who introduced the bill, and in whose district the parties live.

"MIDDLEPORT, N. Y., *February* 25, 1888.

"DEAR SIR: Allow us the pleasure of introducing to you, as the bearer of this, Mrs. Emma C. Root, a sister of our old friend and comrade, William G. Green, now deceased, who was a member of Company F, Twenty-ninth Regiment New York Volunteers, afterwards the Eighth New York Heavy Artillery Volunteers, the same company and regiment of which we were members.

"During the month of February, 1863, while we were garrisoned at Fort Federal Hill, Baltimore, Md., it had become almost a universal custom amongst the enlisted men of the regiment, when a sufficient number of regular passes could not be obtained, to take or substitute for a regular an irregular pass, skip over the parapet when the sentinel's back was turned—which perhaps in many instances was purposely turned, the sentinel remembering past favors and desiring the continuance of the same when relieved from duty—go down street, attend the theater or other places of amusement, and come back to the fort to answer to their names at roll-call.

"Well, you know how it was yourself, colonel, before you were promoted and when you had no shoulder-straps to enable you to pass the guards. On one of these occasions, when James F. had 'been down town,' as the boys called it, and had returned, and was inside the fort and on his way to his quarters, a guard, having the technical right, and possessing more zeal, or something else, than sense, shot him dead, for no greater offense upon the part of young Green than his failure to respond to the usual challenge of the guard, which 'the boys' resorted to or not according to the proximity of 'an officer.'

"We have been thus explicit, colonel, that you may be enabled to see the exact situation of this case, and thus perhaps be enabled to assist in righting a wrong of long standing; for although, through the unfortunate circumstances related, appearances in official reports may appear differently, James F. Green was as true and loyal a soldier as ever wore the blue; was young, scarcely more than twenty years of age, full of life and enthusiasm, was generous to a fault, and beloved and respected by all his comrades.

"James F. Green's mother, an old and feeble lady, in very reduced circumstances, is still living, who, after giving two sons—all she had—a sacrifice upon her country's altar, receives no pension or other consideration at the hands of the Government. We ask you to take an interest in the case, etc.

"Very respectfully,

"JAMES COMPTON.
"FERNANDO HINCHEY.
"GEO. E. SMITH.

"Col. JOHN B. WEBER, M. C."

"MIDDLEPORT, N. Y., *February* 25, 1888.

"This may certify that I was first lieutenant of Company D, Eighth New York Heavy Artillery, in February of 1863. That I was officer of the guard at Fort Federal Hill the day that James F. Green was shot. I further certify that I have heard the inclosed letter, dated February 25, 1888, to Col. John B. Weber, and signed by James Compton, Fernando Hinchey, and Geo. E. Smith, read, and

that the statements therein contained relative to the death of said Green are true of my own knowledge.

"W. B. GARDNER.

"Subscribed and sworn to before me this 25th day of February, 1888.

"L. S. FREEMAN, *Notary Public.*"

Upon the above was the following certificate:

"WASHINGTON, D. C., *March* 8, 1888.

"The facts set forth in the inclosed letter were well known to me, and I most heartily indorse the application.

"D. L. PITCHER,

"*Late Captain Company M, Eighth New York Heavy Artillery.*"

Subsequently Col. P. A. Porter, commander of said regiment, the son of a distinguished general of the war of 1812, and himself losing his life while gallantly leading his regiment at the battle of Cold Harbor, wrote the following letter to the father of the soldier relative to his death:

"HEADQUARTERS EIGHTH REGIMENT NEW YORK ARTILLERY,
Baltimore, March 1, 1863.

"MY DEAR SIR: I inclose the furlough for your son William, which I was unable to procure last night, although I waited some time at General Schenck's headquarters.

"I beg that you and your family will be assured of the heartfelt sympathy of myself and the whole regiment in the grievous affliction which has fallen upon you.

"I have thought often and often of the poor mother during the last few days. I pray that God may give her strength to bear so great a sorrow. I wish to say, too, that nothing could have been more considerate or have shown greater fortitude than your conduct in such trying circumstances.

"I remain, truly, yours,

"P. A. PORTER,

"*Colonel, Commanding Eighth Regiment New York Volunteers.*

"HIRAM GREEN, Esq."

The records show the soldier to have been a member of Company C, Eighth New York Heavy Artillery.

The mother's application was rejected at the Pension Office solely on the ground that the soldier's death "was not chargeable to the service in the line of duty."

Your committee believe, from the evidence furnished them, that this is a very meritorious case, and therefore recommend that the bill do pass, especially as precedents for this action may be found in the past action of this committee and Congress.

Mr. BAKER, of New York (interrupting the reading). I ask unanimous consent that the further reading be dispensed with, and that the report in full be inserted in the RECORD.

Mr. TAULBEE. I must object to dispensing with the reading.

Mr. BAKER, of New York. I understand the gentleman from Kentucky will not insist on his objection if a brief statement is made in explanation.

Mr. WEBER. This is a very simple case, free from complications. The precise point in question is well defined. It is the case of a dependent mother.

It is not denied that the son died in the service. Dependence has been established. It is not claimed that the boy died while strictly in the line of duty.

The widowed mother is seventy-three years old, feeble, tottering on the verge of the grave. Her two sons enlisted in the service as privates. This boy was shot by a camp-guard at Baltimore while within our lines, in a garrison far from the enemy's lines.

The boy had been down town; had run the guard, as had been done in numerous cases. I presume many of us would be compelled to plead guilty of such petty infractions of the rules if we had to testify. On his return when he was on his way to his quarters and inside the fort a guard shot him dead.

His mother, as I have said, had two sons. Both enlisted in the service. The other son died three or four months ago. The Government is the beneficiary to the extent of the difference between the pension claimed by the soldier for the loss of his arm and the pension now paid to his widow. Those are substantially the facts.

Mr. TAULBEE. If the gentleman will pardon me, the point was as to the killing of the son, on whose account the pension is proposed to be granted. I did not catch the gentleman's statement with reference to that point.

Mr. WEBER. He was killed by a camp guard, far from the enemy. The killing was simply the act of a fanatic, although strictly within the technical rules of the service, and the regiment universally regretted the melancholy occurrence, as is stated in the report in a very pleasant letter from the colonel of the regiment, who testifies to the high character of the boy.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LYDIA A. HICKS.

The next pension bill on the Private Calendar was the bill (H. R. 8260) granting a pension to Lydia A. Hicks.

Mr. SAWYER. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be authorized and directed to place upon the pension-rolls of the United States, subject to the provisions and limitations of the pension laws, the name of Lydia A. Hicks, the widow of John Hicks, late a private in Company I, Sixty-fifth Regiment New York Volunteers.

The Clerk proceeded to read the report.

Mr. SAWYER. Mr. Chairman, as this report is somewhat long, perhaps it would be just as well if I were to make a statement with regard to this case. I had a personal acquaintance with all the parties, and I have personal knowledge of the facts. The husband entered the service, and it appears by the evidence of his comrades that he was taken sick and returned home. He made application for a pension and the application was rejected because he did not furnish sufficient evidence, or rather it was not rejected, but simply dropped. The man was the very essence of poverty, and his widow is a woman who is entirely blind. The man had not sufficient health or strength or money to prosecute his claim in the usual way, and he died without its ever having been passed upon. The widow made application for a pension later, but it failed for the same reason.

Mr. BRECKINRIDGE, of Kentucky. What was the reason?

Mr. SAWYER. The reason was that the man did not have strength to make the necessary effort; he did not have either the strength or the money.

Mr. BRECKINRIDGE, of Kentucky. That is, he was so weak that he had not strength enough to make the necessary affidavits?

Mr. SAWYER. No, sir; he made the affidavit and it was sustained by the testimony of two comrades who were in the same company with him.

By unanimous consent the reading of the report was dispensed with, and it was ordered to be printed in the RECORD.

The report (by Mr. SAWYER) is as follows:

The Committee on Invalid Pensions, to whom was referred House bill 8260, submit the following report:

That it appears from the report of the Adjutant-General, on file in the Pension Office, that John Hicks, the husband of the beneficiary named in the above bill, was mustered as a private in Company I, Sixty-fifth Regiment New York Volunteers, February 27, 1865, and remained with his company until he was mustered out and honorably discharged with his company, July 17, 1865.

It further appears that there are no hospital records of this regiment on file in the office of the Surgeon-General.

John Hicks made an application for a pension. In his application he made his claim on the ground of chronic diarrhea and kidney disease, and states as follows as to the incurrence of disease:

"In July, 1865, on a march from Bakersville to Danville, Va., lasting over four days, I was exposed to a drenching rain every night and became soaked, which exposure brought on an illness and fever which left me in the diseased condition named, with chronic diarrhea and kidney disease."

He further stated that he had attacks of the chronic diarrhea every year since then; that during those attacks he was wholly unable to labor; that his back was always weak from his kidney difficulty, and that whenever he caught cold his urine would be bloody, and that he was troubled with the chronic diarrhea and kidney difficulties at intervals all the time after he left the army.

On his examination before board of examining surgeons they failed to find any disability, and the claimant, being a very poor man, dropped his claim, and the same was rejected.

Mrs. Hicks was married to John Hicks in 1857, and they lived together, except while he was in the Army, until his death, August 30, 1884.

The evidence shows that John Hicks was a very poor man, and that his widow is now and for years has been blind; that she is entirely without means of support, being supported by the charity of her friends and partly in the county poor-house of the county where she resides; that she has no children except one son, Frederick B. Hicks, born April 2, 1872.

She made an application for a pension, but the same was rejected because she was unable to furnish the evidence required by the bureau showing her husband's death to be the result of his service.

Quite a number of affidavits have been filed with the committee which in their opinion show the claim of this poor, blind widow to be meritorious.

Joseph Bordwell, in his affidavit of February 13, 1888, states:

"I was acquainted with John Hicks; we were both recruits—joined the regiment together, and bunked together for a time. I remember well that he was a hearty, strong man and apparently in good health until some time in the spring of 1865, when on the march from City Point to Danville, Va., he was taken sick with army dysentery and fell out of the ranks. It was reported he was sent to hospital; at any rate I do not recollect of seeing him again."

William G. Hunt, in his affidavit, of date of November 9, 1887, states that he belonged to the same company with the soldier and became acquainted with him when he joined that company.

"He was uncommonly healthy, robust, and rugged. He was a recruit when he joined us. I was sick of diarrhea. He used to carry my baggage and his own, too, upon the march, he was so strong. To my best recollection, in June or July, although it may have been earlier, he was sent to hospital, I think regimental, and never returned to us. Previous to this for some time he had suffered from a disease of his throat and a chronic diarrhea. He complained of being sick, and looked pale and weak. I think he complained of the trouble in his throat and pain in his back."

The affiant further states that he saw Hicks about six months after his discharge, and saw him frequently up to the time of his death; that he was never able to do regular manual labor; was laid up fully half the time; that his principal trouble was the diarrhea, pain in his spine, neck, and head; that his constitution seemed to be broken down and unable to endure exertion.

The evidence clearly shows that the soldier was a man of excellent habits, and a good, industrious citizen when able to work. He used to express his regrets at his inability properly to support his family.

Mrs. Evelina A. Hibbard, in her affidavit, states that she had known the soldier for about twenty-four years prior to his death; that when he entered the military service he was a frequent visitor at affiant's home, and was a strong, rugged, healthy man, able to and did do regular daily farm work. She states that she saw him very soon after he came back from the Army; he was pale, thin, and sick; that he said he had had chronic diarrhea; that he was a very poor man, and had to work when he was not able; that he was sick a good deal; that he worked for her family before he went to the war and again after he came home, but he was not able to work steady nor at hard work. She heard him every little while complain of the chronic diarrhea, from his discharge to his death.

Mrs. Rheuhamel A. Corbin, in her affidavit, states she had known soldier since 1850:

"Prior to his entering said service he was a healthy, able-bodied man; he worked for me some, and I knew him to be tough and rugged. He was brought to my house on his way home after his discharge in a hack, and was not able to sit up much of the time during the few days he was at my house. I nursed him; he had a diarrhea; was very poor and pale; his complexion was very sallow; complained of much pain in his neck and back; he was dizzy, had spells of blindness before his eyes; his breath was very short; his chest was very sore; had some trouble in spine, so that his back was weak and sensitive. I made liniments, poultices, and medicines for him, and took the best care I could for the time he was there."

She describes the continuance of the diarrhea and spells of dizziness and pain in his head and back, and his continued inability to work.

Dr. Dolley, a physician of high standing, in his affidavit states that he had known soldier since 1860, and "knew him as a healthy, able-bodied man;" that—

"From about the time of his discharge and return home from the Army I furnished medicines for him and to his wife for him at intervals. I distinctly remember that part of such medicines were for a diarrhea, and I think some for kidney disease. I might have given some for other troubles of his, but the diarrhea is firmly fixed in my memory. His wife was blind, they were poor, and I never made any data or charges for these treatments, and I am unable to specify except from general recollection."

It appears from the affidavit of George Addison, who was working with the soldier the day he died, that that day he was working drawing oats, he working on the load; that he was not feeling well that day, and only came to help out; that he was favored in his work, he doing none of the pitching. At noon he complained of pain in his neck and back, between his shoulders and head, and of feeling sick at his stomach. He looked pale and ate but little. During the afternoon he rested several times. In the evening, just as they were finishing up the work, while he was standing on the wagon, he turned partly around and fell sideways to the ground; he breathed a number of times; did not speak, and very soon died. Dr. Tompkins came, examined the body, and said the neck was not broken. No inquest was held.

Other affidavits of a similar nature to that quoted were filed with the committee, and they feel entirely justified, in view of all the evidence, to say that it is reasonable to suppose that the death of soldier was the result of disabilities incurred in the service, and that if there is any doubt the poor, blind widow is entitled to the benefit of them, and therefore they recommend that the bill do pass. The bill was laid aside to be reported to the House with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN GEIBEL.

The next pension bill on the Private Calendar was the bill (S. 824) granting a pension to John Geibel, reported adversely by the Committee on Invalid Pensions.

The CHAIRMAN. If there be no objection, this bill, which is reported adversely to the House, will be indefinitely postponed.

Mr. KERR. I object.

The CHAIRMAN. Does the gentleman from Iowa demand the reading of the bill and report?

Mr. KERR. I would like to hear the name of the soldier again.

The Clerk again read the title of the bill.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it be indefinitely postponed.

CASPAR SEIBEL.

The next pension bill on the Private Calendar was the bill (H. R. 3922) to place the name of Caspar Seibel on the pension-roll.

Mr. WILLIAMS. I ask the consideration of that bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Casper Seibel, late of Company G, Fourth Regiment of Kentucky Cavalry, on the pension-rolls, subject to the provisions and limitations of the pension laws.

The Clerk proceeded to read the report.

On motion of Mr. TAULBEE, the further reading of the report was dispensed with, and it was ordered to be printed in the RECORD.

The report (by Mr. YODER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3922) to place the name of Caspar Seibel on the pension-roll, have had the same under consideration, and now submit the following report:

Caspar Seibel was enrolled on the 23d day of September, 1861, in Company G, Fourth Regiment of Kentucky Volunteers, and was honorably discharged at Louisville, Ky., on the 27th day of January, 1865. In his application for pension, filed December 2, 1879, he alleges that while a member of said company and regiment, in the service and in the line of his duty, at or near Edgefield, Tenn., in December, 1864, he was engaged on a scout from Edgefield, Tenn., in the direction of Hopkinsville, Ky., and contracted disease from the exposures on said scout, which resulted in paralysis of his left side, which has affected his left arm, left leg, left side, and left side of his head, and the hearing of left ear.

His whole left side has been disabled to a great extent from date of origination of said paralysis to the present time. The claim for pension was rejected on the ground of no record of alleged disabilities and inability to establish origin of same in service, or of continuance, by sufficient satisfactory testimony.

The soldier says he was in hospital at Murfreesborough, Tenn., for about two months and was never in any other hospital during his service.

Dr. C. H. Butler, of Clifford, Ind., late surgeon of the Fourth Kentucky Cavalry, deposes that in December, 1864, while on a scout from Edgefield, Tenn., towards Hopkinsville, Ky., the soldier contracted disease from exposure, which finally resulted in paralysis of left side, thereby disabling him from making a living by manual labor. This statement is also verified by the report of the Adjutant-General. This was in December, 1879. In May, 1884, the same doctor states substantially as above, excepting that soldier's disease, contracted December 18 or 20, 1864, on raid near Hopkinsville, Ky., was rheumatism of the left side, arm, and leg, of a subacute character, for which disease the said Dr. Butler treated him.

George K. Speed, late captain Company K, Fourth Kentucky Cavalry, deposes that on or about December 18 or 20, at Hopkinsville, Ky., soldier was taken with rheumatism of left side, leg, and arm, and placed under care of Surg. Charles H. Butler for treatment. This he knows from personal knowledge.

The soldier has not been treated by a physician since his discharge from the Army, as he was informed and believed that his disease was of such a nature as to be beyond the reach of medical aid.

After a careful examination of the papers in this case the committee are of the opinion that the relief asked for in the bill ought to be granted.

We therefore submit a favorable report and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. O'FERRALL. Now, Mr. Chairman, I renew my request for unanimous consent to take up the bill which I indicated awhile ago.

Mr. WILLIAMS. Mr. Chairman, I have three or four bills that I have been waiting night after night to get through here.

The CHAIRMAN. The gentleman from Virginia [Mr. O'FERRALL] asks unanimous consent for the present consideration of the bill indicated by him. Is there objection?

Mr. SPOONER. I must object.

Mr. O'FERRALL. I move that the committee do now rise.

The question was taken on the motion of Mr. O'FERRALL, and the Chairman declared that the noes seemed to have it.

Mr. O'FERRALL. I ask for a division, and I give notice now, Mr. Chairman, that there will be no more bills passed here to-night.

Mr. WILLIAMS. I want to say to the gentleman from Virginia that I have several bills that are just as meritorious as his can be. I have no objection to his bill; I think that perhaps it ought to pass; but I have been here night after night to ask unanimous consent for these bills of mine, and they will be reached now in a short time if we go on with the Calendar.

Mr. O'FERRALL. Mr. Chairman, nearly every gentleman on the other side of the House has had a bill considered to-night.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I wish to ask a question for information.

The CHAIRMAN. The Chair can not entertain the gentleman's question while the committee is dividing.

The committee divided on the motion of Mr. O'FERRALL; and there were—ayes 4, noes 30.

So the committee refused to rise.

Mr. O'NEILL, of Pennsylvania. Now, Mr. Chairman, I rise to a question which may perhaps be a question of order. I want to know why it is that bills are laid aside keeping their places upon the Calendar——

The CHAIRMAN (interposing). For the reason that the committee adopted an order by unanimous consent providing that where a member was not present to ask the consideration of a bill when it was reached the bill should be passed over informally, retaining its place on the Calendar.

Mr. O'NEILL, of Pennsylvania. I ask that question because I do not see how bills that are far down on this Calendar can ever be reached if we are to proceed in this way, passing over bills but letting them retain their places on the Calendar.

The CHAIRMAN. The order was made by unanimous consent of the committee, and at the request of the Committee on Invalid Pensions. The Clerk will report the next bill.

JACOB BEHR.

The next pension business on the Private Calendar was the bill (H. R. 4864) to place the name of Jacob Behr on the pension-roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jacob Behr, late of Company B, Second United States Reserve Corps, Missouri.

The Clerk proceeded to read the report.

Mr. BOUTELLE. I move that the further reading of this report be dispensed with.

Mr. O'FERRALL. I object.

The Clerk resumed and concluded the reading of the report (by Mr. YODER), which is as follows:

Jacob Behr, a private in Company B, Second United States Reserve Corps, Missouri Volunteers. He claims pension for hernia caused by a fall while on a march, crossing a slough where there was no bridge, and had to cross said slough by jumping from log to log. Evidence shows that he was a sound man prior to said fall; that he was never treated in hospital. He was discharged on surgeon's certificate of disability.

The regimental surgeon, Dr. John, of said regiment is dead, who treated Jacob Behr at the date of injury. There is testimony of comrades that he was not able to go on duty and that the report was that he had been ruptured by the fall, but no one living who had personal knowledge from personal examination. The board of examining surgeons found total disability.

For the reason that claimant was unable to produce the evidence of commissioned officer or two comrades who had personal knowledge of the incurrence of disability in service the claim was rejected. But the evidence shows that Jacob Behr was sound at enlistment, able for duty prior to injury from fall, unable for duty after receiving injury, was discharged on surgeon's certificate, and found permanently disabled by examining board.

Your committee are of the opinion that claimant ought to receive a pension, and recommend that the accompanying bill do pass.

The CHAIRMAN. If there be no objection, this bill will be laid aside to be reported to the House with the recommendation that it do pass.

Mr. O'FERRALL. I call for a vote on that.

The question was taken on laying the bill aside to be reported to the House with the recommendation that it do pass, and the Chairman declared that the "ayes" seemed to have it.

Mr. O'FERRALL. I ask for a division.

The committee divided; and there were—ayes 33, noes 4.

Mr. O'FERRALL. No quorum.

The CHAIRMAN. The gentleman from Virginia [Mr. O'FERRALL] makes the point that no quorum has voted. The Chair will therefore appoint tellers——

Mr. COCKRAN. Mr. Chairman, I move that the committee do now rise.

Mr. WILLIAMS. Mr. Chairman, I have not troubled the House very much in this way, and I ask the gentleman to withdraw that motion.

Mr. COCKRAN. I will withdraw it if that will do you any good. [Laughter.]

Mr. WILLIAMS. The next case is a very meritorious one. I know that the gentleman from Virginia [Mr. O'FERRALL], like myself, has been here night after night, and I believe that he will let us go on and that we shall have time to pass his bill and mine too.

Mr. COCKRAN. How can you go on when the gentleman from Virginia makes the point of no quorum?

Mr. BAKER, of New York. Mr. Chairman, let me make a suggestion. I suggest that the gentleman from Virginia [Mr. O'FERRALL] withdraw his point of no quorum, that the committee rise and pass these bills, and then, after disposing of them, there will be some time left for unanimous consents.

Mr. O'FERRALL. Mr. Chairman, I desire to say that this is the first request that I have ever made in regard to a pension bill. I have attended these Friday sessions night after night trying to get this bill through. It is the only pension bill that I have; it is the only one that I expect to have in this Congress. I want to show my regard for a most worthy and excellent lady who is now dependent, the widow of as gallant a soldier as ever drew a blade. This lady lives in my own town, and I know her circumstances, and I want to get this bill passed.

Mr. COOPER. Mr. Chairman, inasmuch as the gentleman tells us that this is the only pension bill he has, the only one he ever had, and the only one he expects to have, and as he agrees never to come back to trouble us in this way again, I think we ought to agree unanimously to let him have this one. [Laughter.]

Mr. O'FERRALL. I will take it on those terms, so anxious am I to get it through.

Mr. BOUTELLE. I hope the gentleman does not propose to pass his bill whilst he insists on the point of no quorum on everybody else's bill.

Mr. O'FERRALL. I am perfectly square.

Mr. BOUTELLE. I wanted to find out.

Mr. O'FERRALL. You will find me square.

The CHAIRMAN. The committee will come to order.

Mr. O'FERRALL. I withdraw my point of no quorum.

Mr. SPOONER. I want to say this: On this Calendar there are a large number of meritorious bills. Among the members here there are many who have an interest because there are bills for the benefit of parties in their own districts. I have not the slightest objection to the gentleman from Virginia having all the rights any other member has here. It has seemed to the Committee on Invalid Pensions the proper manner to go on with this Calendar was under the order made at the opening of the session to-night. We have found in former Congresses in this manner we can most expeditiously, and I think most fairly, dispose of this Calendar. But gentlemen come here and ask for privileges in calling up of bills on this Calendar which they do not ask for or expect in the consideration of other Calendars of this House. I have no objection to the gentleman from Virginia or any other gentleman presenting to the House bills they consider to be meritorious and having equal rights with other members in that respect, but it does seem to me the gentleman is taking an unfair position in insisting his bill shall be considered, and unless his bill is considered he will raise the point of no quorum, thereby preventing the consideration of every other bill.

Mr. O'FERRALL. Let me ask the gentleman a question.

Mr. SPOONER. I have not a bill on the Calendar in which I feel a personal interest that there is the slightest probability of reaching on the Calendar to-night, or even at the next evening session, but I make it a part of my duty to attend these meetings regularly.

Mr. O'FERRALL. Allow me to ask the gentleman a question.

Mr. SPOONER. Certainly.

Mr. O'FERRALL. How many bills that have been passed by the House were introduced by the gentleman from Rhode Island?

Mr. SPOONER. Possibly one or two; I can not say definitely.

Mr. O'FERRALL. The gentleman has that advantage of me so far as he is concerned.

Mr. SPOONER. One or two.

The CHAIRMAN. Unless gentlemen preserve order and resume their seats the business can not proceed.

Mr. O'FERRALL. I am willing to agree to any fair proposition.

Mr. BOUTELLE. Let us have the regular order.

The CHAIRMAN. The Chair will state unless the committee now rises there will not be time in which to dispose of the bills already ordered to be reported to the House.

Mr. CHIPMAN. As acting chairman of the Committee on Invalid Pensions, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. CARUTH having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House had, according to order, had under consideration the Private Calendar, and had directed him to report to the House sundry bills with various recommendations.

BILLS PASSED WITHOUT AMENDMENTS.

Bills of the following titles, reported without amendment, were severally ordered to be engrossed, and read a third time; and being engrossed, were accordingly read the third time, and passed, namely:

A bill (H. R. 7642) granting a pension to Abbie R. Brown;

A bill (H. L. 6575) for the relief of James L. Alslip;

A bill (H. R. 6845) granting a pension to John Witham;

A bill (H. R. 3712) increasing the pension of Milton Judd;

A bill (H. R. 488) granting a pension to Elizabeth Burr;

A bill (H. R. 8266) for the relief of Mrs. Clarissa G. Green;

A bill (H. R. 8260) granting a pension to Lydia A. Hicks;

A bill (H. R. 3922) to place the name of Caspar Seibel on the pension-roll; and

A bill (H. R. 4864) to place the name of Jacob Behr on the pension-roll.

MRS. MERCY KNIGHT.

A bill (H. R. 2413) granting a pension to Mrs. Mercy Knight was reported without amendment.

Mr. GALLINGER. I move to amend that bill by adding the words "and pay her a pension at the rate of $12 per month." This is a step-mother case, and that amendment ought to be made.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

BILLS PASSED WITH AMENDMENTS.

House bills of the following titles, reported from the Committee of the Whole with amendments, were severally considered, the amendments concurred in, and the bills as amended ordered to be engrossed for a third reading; and being engrossed, were accordingly read the third time, and passed, namely:

A bill (H. R. 6520) granting an increase of pension to Charles F. Ward;

A bill (H. R. 3959) granting a pension to Dolly Blazer; and

A bill (H. R. 3745) granting a pension to Mary O'Neil (the title of the latter bill being amended to conform).

SENATE BILLS PASSED.

Senate bills of the following titles, reported from the Committee of the Whole, were severally considered, ordered to be read a third time, and passed, namely:

A bill (S. 334) granting a pension to Charles F. Allgower; and

A bill (S. 333) granting a pension to Reuben Brownmiller.

The bill (S. 738) granting a pension to Enos J. Searles, of Clermont County, Ohio, was considered, the amendment adopted, and the bill as amended read the third time, and passed.

JESSE H. STRICKLAND.

The bill (S. 381) for the relief of Jesse H. Strickland, reported from the Committee of the Whole with an amendment, was considered.

The SPEAKER *pro tempore*. The Clerk will read the recommendation of the Committee of the Whole on this bill, which, without objection, will be concurred in.

The Clerk read as follows:

That the bill be reported favorably to the House with an amendment, the previous question to be ordered thereon, and the further consideration postponed until May 28, immediately after the reading of the Journal, with fifteen minutes' debate on either side, the vote to be then taken on the passage of the bill.

There was no objection, and it was so ordered.

JOHN GEIBEL.

The bill (S. 824) granting a pension to John Geibel was considered, and the recommendation of the Committee of the Whole House that it be indefinitely postponed was concurred in.

MARY MINOR HOXEY.

Mr. O'FERRALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 600) increasing the pension of Mary Minor Hoxey. I ask unanimous consent that the Committee of the Whole House be discharged from its further consideration, and that the same be now put upon its passage.

The SPEAKER *pro tempore*. The bill will be read subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior of the United States be, and he is hereby, directed to place on the pension-roll of the United States the name of Mary Minor Hoxey, widow of Bvt. Maj. Benjamin W. Hoxey, late of the United States volunteers, at the rate of $50 per month, according to the rules and regulations governing pensions, which shall be in lieu of the pension which the said Mary Minor Hoxey is now drawing as such widow.

The committee recommend the following amendments: Strike out "50," in the seventh line, and insert "25."

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. BOUTELLE. I wish to say simply that I shall not object; but I want the gentleman from Virginia to understand that my refraining from doing so is based upon a very different disposition from that manifested by him when he got up here and said that unless he could get

this bill considered to-night he would object to the consideration of any other bill in committee in the absence of a quorum.

Mr. O'FERRALL. Allow me to say that that comes with very poor grace from the gentleman from Maine in view of certain occurrences which took place recently between us on the floor of the House. [Cries of "Regular order!"]

There being no objection, the bill was considered.

The SPEAKER *pro tempore*. The question is on agreeing to the amendment to strike out, in line 7, the word "fifty" and insert "twenty-five," recommended by the Committee on Invalid Pensions.

Mr. O'FERRALL. I move to amend the amendment by making it $30.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

Mr. O'FERRALL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MARY H. NICHOLSON.

Mr. COCKRAN. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 6317) for the relief of Mary H. Nicholson; and put it upon its passage.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act there be paid out of the naval pension fund to Mary H. Nicholson, widow of the late Rear-Admiral James Wilson Augustus Nicholson, United States Navy, the sum of $50 per month during her widowhood.

The committee recommend the following amendment:

Strike out "Wilson," in the fifth line, and insert "William."

Mr. RANDALL. I ask unanimous consent to dispense with the reading of the report.

There was no objection.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. CHEADLE. I object unless the same rule applies to it which was applied to the other bill a short time ago, that it go over to a full House.

Mr. COCKRAN. I accept that, with the understanding that the previous question be ordered and the vote be taken on the fourth Monday of May, or the day fixed for the consideration of the Strickland bill.

Mr. CHEADLE. I understood that it was to go over, by agreement, with precisely the same conditions as applied to the other bill.

Mr. COCKRAN. There is no objection to that.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from New York as stated?

There was no objection, and it was so ordered.

MARTHA LINTEN.

Mr. RUSSELL, of Connecticut. I ask unanimous consent to call up for consideration at this time the bill (H. R. 7721) granting a pension to Martha Linten.

The bill was read.

Mr. DOCKERY. I ask unanimous consent to dispense with the reading of the report, and that it be printed in the RECORD.

The SPEAKER *pro tempore*. The hour of 10.30 p. m. having arrived, the House, pursuant to order, stands adjourned until to-morrow at 12 o'clock.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BACON: A bill (H. R. 9719) for the relief of Thomas Shackelford—to the Committee on Pensions.

By Mr. BLISS: A bill (H. R. 9720) for the relief of Charles Gallagher—to the Committee on War Claims.

By Mr. BOWDEN: A bill (H. R. 9721) for the relief of Theodore Teed—to the Committee on Claims.

By Mr. CANDLER: A bill (H. R. 9722) for the relief of Valina S. Hutchins—to the Committee on Military Affairs.

By Mr. CATCHINGS: A bill (H. R. 9723) for the relief of Ellen D. Batchelor—to the Committee on War Claims.

By Mr. DORSEY: A bill (H. R. 9724) granting a pension to Ellen A. Presho—to the Committee on Invalid Pensions.

By Mr. S. T. HOPKINS: A bill (H. R. 9725) granting a pension to Robert K. Bennett—to the Committee on Invalid Pensions.

By Mr. SPRINGER: A bill (H. R. 9726) granting a pension to Samuel Hays—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: A bill (H. R. 9727) for the relief of Edwin R. Lewis—to the Committee on Claims.

By Mr. WADE: A bill (H. R. 9728) for the relief of Thaddeus Snider—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BELDEN: Petition of Philip Pelton and 11 others, soldiers and sailors, of Baldwinsville, and of Charles C. Covell and 38 others, soldiers and sailors, of Vienna, N. Y.—to the Committee on Invalid Pensions.

By Mr. BLISS: Memorial of Charles Gallagher, for relief—to the Committee on War Claims.

By Mr. C. R. BRECKINRIDGE: Petition of W. J. Wright, guardian of heirs of Susan McCurley, of Arkansas County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BUNNELL: Petition of druggists of Tunkhannock, Pa., for repeal of that portion of the internal-revenue laws classing druggists as liquor dealers, and also for repeal of tax on alcohol—to the Committee on Ways and Means.

By Mr. BURNETT: Petition of John Lowell, jr., co-trustee for Minnie L. Tunis, heir of Rebecca B. Tunis, late of Norfolk County, Virginia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. BURROWS: Petition of citizens of Benton, Berrien County, Michigan, for pure food—to the Committee on Agriculture.

By Mr. CATCHINGS: Petition of Joseph Dasher, of Effingham County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CLEMENTS: Affidavits and papers relating to House bill 3471 for the relief of the First Baptist Church of Cartersville, Ga.—to the Committee on War Claims.

By Mr. DORSEY: Petition of druggists of Cedar Rapids, Nebr., for repeal of internal-revenue laws in relation to tax on druggists—to the Committee on Ways and Means.

By Mr. ERMENTROUT: Memorial of Cable Flax Mills, of Troy, N. Y., against putting flax, hemp, and jute on the free-list—to the Committee on Ways and Means.

By Mr. FULLER: Petition of 73 railroad postal clerks, favoring the passage of the bill introduced by Mr. S. S. Cox for reclassification of railway postal clerks and increasing their pay—to the Committee on the Post-Office and Post-Roads.

By Mr. GALLINGER: Resolution of the Grand Army of the Republic, of New Hampshire, in reference to appropriations for head-stones for soldiers' graves—to the Committee on Military Affairs.

By Mr. GLASS: Petition of F. H. Duning, editor of Dispatch, and 66 citizens of Morgan County, and of B. J. Wheatley, president of Wheel No. 419, and 23 citizens of Henderson County, Tennessee, for pure food—to the Committee on Agriculture.

By Mr. GROUT: Protest of the Cable Flax Mills, against reduction of duties on flax, hemp, and jute—to the Committee on Ways and Means.

By Mr. GUENTHER: Resolutions of the Grand Army of the Republic, of Wisconsin, relative to an appropriation for head-stones for soldiers—to the Committee on Military Affairs.

By Mr. HALL: Petition of citizens of the Twenty-sixth district of Pennsylvania, against reduction of tariff on window-glass—to the Committee on Ways and Means.

By Mr. J. T. JOHNSTON: Petition of Edwin R. Lewis, first lieutenant, and aid-de-camp to Brig. Gen. Lew. Wallace, for pay for services rendered—to the Committee on War Claims.

By Mr. LODGE: Petition of S. A. Freeman, M. D., of Everett, Mass., in favor of the repeal of the personal tax of $25 on druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. LYMAN: Petition of C. S. Robbins and others, for the repeal of the retail liquor dealers' special tax on druggists—to the Committee on Ways and Means.

By Mr. McCULLOGH: Petition of James B. Groomes, for a pension—to the Committee on Invalid Pensions.

By Mr. McRAE: Petition of James T. Blakely, late postmaster at Rockport, Ark., for relief—to the Committee on the Post-Office and Post-Roads.

Also (by request), petition of Lou Chamberlain, heir of Sophia Rippetoe, of Hot Spring County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. MORGAN: Petition of Lizzie Wood, heir of Margaret Butler, of La Fayette County, Mississippi, and of F. J. Wilson, heir of Judith Wilson, of La Fayette County, Mississippi, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. O'DONNELL: Petition of druggists of Quincy, Mich., for the removal of the tax on druggists as liquor dealers—to the Committee on Ways and Means.

Also, petition of 42 citizens of Eaton County, Michigan, for reduction of postage on seeds, bulbs, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. PARKER: Petition of Knights of Labor of Watertown, N. Y., in favor of the tonnage bill—to the Committee on Merchant Marine and Fisheries.

By Mr. PEEL: Petition of citizens of Fayetteville, Ark., to place salt on free-list—to the Committee on Ways and Means.

Also, petition of Valentine S. English, of Washington County, Arkansas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PHELAN: Petition of the Noncounah Valley Grange, No. 18, in favor of anti-adulteration law—to the Committee on Agriculture.

Also, petition of the same, in favor of the pleuro-pneumonia bill—to the Committee on Agriculture.

Also, petition of Edward Stack, of Shelby County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. RANDALL: Petition of Van Buskirk & Apple and others, to repeal that portion of the internal-revenue law that classes druggists as liquor-dealers—to the Committee on Ways and Means.

By Mr. RUSK: Resolution of the Shoe and Leather Board of Trade of Baltimore, Md., for reduction of letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. J. E. RUSSELL: Petition of citizens of Auburn, Mass., in favor of the repeal of the internal-revenue taxes—to the Committee on Ways and Means.

By Mr. SENEY: Petition of C. S. Crim and 48 others, citizens of Galion, Ohio, against a change of existing duty on flaxseed and linseed oil—to the Committee on Ways and Means.

Also, petition of Cable Flax Mills, against changing the tariff on flax, hemp, and jute—to the Committee on Ways and Means.

By Mr. STEPHENSON: Resolution of the Grand Army of the Republic, of Wisconsin, for an appropriation of $200,000 for head-stones the coming year—to the Committee on Military Affairs.

By Mr. J. D. STEWART: Petition of administrator of John B. Keys, of De Kalb County, and of Big John Brook, of Henry County, Georgia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. TAULBEE: Petition of John L. Hatcher, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. A. C. THOMPSON: Petition of James M. Defoor, late postmaster at Miller's, Ohio, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. S. V. WHITE: Papers in the case of John Meetan—to the Committee on War Claims.

By Mr. WISE: Petition of Massena Beazley, of Chesterfield County; of Catharine O'Dea, and of Mildred Ann Yarrington, of Henrico County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. GEAR: Of George A. Denison and 60 others, citizens of Burlington, Iowa.

By Mr. J. W. STEWART: Of R. E. Robinson and 13 others, citizens of Addison County, Vermont.

By Mr. VANDEVER: Of Rev. F. J. Mynard and others, of California.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. BUNNELL: Of A. P. Borden and 28 others, of Burnwood, Pa.

By Mr. GROUT: Of B. A. Flint and 43 others, citizens of West Randolph, Vt.

By Mr. REED: Of A. M. Crane and 38 others, of Whiting, Me.

By Mr. J. W. STEWART: Of George M. Horton and 6 others, of West Milton, Vt.

By Mr. E. B. TAYLOR: Of D. D. Carson and 55 others, of Palmyra, Ohio.

By Mr. S. V. WHITE: Of Joseph Latham and 35 others, of Orient, and of John Quinn and 53 others, of Atlanticville, N. Y.

By Mr. WILLIAM WHITING: Of Jason Orcutt and 13 others, of Swift River, Mass.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. D. B. HENDERSON: Of Isaac High and 37 others, veterans of the third district of Iowa.

By Mr. S. T. HOPKINS: Of C. E. Lake and 277 soldiers and citizens of Hunter, N. Y., and vicinity.

By Mr. McCULLOGH: Of J. P. Teagarden and others, of Charles Denney and others, of John J. Hook and others, of W. H. Mavis and others, of George Elms and others, ex-soldiers and sailors of Greene County, and of J. H. Chambers and others, and of S. M. Jackson and others, ex-soldiers and sailors of Armstrong County, Pennsylvania.

By Mr. O'DONNELL: Of 123 citizens of Springport, Jackson County, Michigan.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. HALL: Of 124 citizens of Mercer County, Pennsylvania.

By Mr. SHERMAN: Of 66 citizens of Lewis County, New York.

By Mr. STEPHENSON: Of 53 citizens of Marathon County, Wisconsin.

The following petitions for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. NEAL: Of O. T. Green and 63 others, citizens of White County; of James Johnson and 39 others, citizens of Rhea County; of William M. McGrew and 69 others, citizens of McMinn County; of McKinnis Rose and 18 others, citizens of Cumberland County; and of J. T. Cowden and 67 others, citizens of Bradley County, Tennessee.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April* 28, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

PUBLIC BUILDING AT SANTA FÉ, N. MEX.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Supervising Architect of an appropriation to complete purchase for a public building at Santa Fé, N. Mex.; which was referred to the Committee on Appropriations, and ordered to be printed.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House bills of the Senate of the following titles; which were severally read twice, and referred to committees ss indicated:

The bill (S. 956) for the erection of a public building at Boulder, Colo.—to the Committee on Public Buildings and Grounds.

The bill (S. 1924) for the completion of a public building at Wichita, Kans.—to the Committee on Public Buildings and Grounds.

The bill (S. 2164) to provide for the erection of a public building in the city of Norfolk, in the State of Virginia—to the Committee on Public Buildings and Grounds.

The bill (S. 2394) to authorize the construction of a counterpoise battery on the bank of the Potomac River below Washington—to the Committee on Military Affairs.

The bill (S. 1148) to grant the right of way to the Kansas City and Pacific Railroad Company through the Indian Territory—to the Committee on Indian Affairs.

L. J. WORDEN.

The SPEAKER also laid before the House the bill (S. 1064) for the relief of L. J. Worden.

Mr. FUNSTON. I introduced a bill similar to this in the House. A favorable report was made on that bill by the House committee. I desire that the Senate bill shall now be put upon its passage.

Mr. McMILLIN. I call for the regular order.

Mr. O'NEILL, of Pennsylvania. Will not the gentleman from Tennessee yield until we have an opportunity of making requests for unanimous consent?

Mr. McMILLIN. I will have to insist on the regular order.

The SPEAKER. If the gentleman from Kansas [Mr. FUNSTON] desires it the Chair will retain the bill on the table, and it may be called up hereafter.

Mr. FUNSTON. Very well; let that be done.

Mr. HUNTER. I desire the same disposition to be made of a bill which I desire to call up when the opportunity presents itself.

The bill (S. 1064) was retained on the Speaker's table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. THOMAS, of Kentucky, for ten days, on account of important business.

To Mr. HUNTER, for ten days, on account of important business.

To Mr. GRANGER, for two days, on account of important business.

To Mr. SAWYER, for one day, on account of important business.

To Mr. FRENCH, for three days, on account of important business.

To Mr. BURNETT, for ten days, on account of important business.

To Mr. LANDES, during April 28, on account of important business.

ORDER OF BUSINESS.

The SPEAKER. The regular order is demanded, which is the call of committees for reports.

Mr. McMILLIN. I move to dispense with the call of committees for reports.

The SPEAKER. That requires a vote of two-thirds.

The motion was agreed to, two-thirds voting in favor thereof.

TARIFF.

Mr. MCMILLIN. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the tariff bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the revenue.

Mr. KERR. Mr. Chairman, I have no confidence in any crude or hasty methods of changing the tariff policy. Every step taken to change existing conditions should only be made after a careful consideration of the industry involved. The Republican party in its last national platform declared in favor of a reduction of the surplus and of modifying the inequalities of the tariff, and in doing that expressed the wishes of the people in all parts of this country. The only reductions of any consequence that have been made since the war of those tariff duties and internal taxes that were imposed during its progress as a means of raising a revenue for carrying on the Government were made under its administration, but only after a careful study of all the industrial interests of the country, and even then, with all of the care bestowed upon the question, the change of policy was not accomplished without considerable injury to the material prosperity of the nation. The changes proposed in the bill of the committee have been made without consideration and mainly with a view to save and benefit the local interests of the majority, who were alone consulted in the construction of the bill.

Mr. Chairman, I grew up under the instruction of men devoted to the doctrine of free trade. My first connection with political affairs was in that stormy period between 1856 and 1860. In those days the issues between the parties on this great question were clearly drawn, but the young men of the time had an object-lesson in the panic of 1857. The Democratic party in its national platform in 1856, following the leadership of the disciples of Mr. Calhoun, declared "that the time had come in the history of this Government for the nation to declare in favor of free seas and progress, free trade throughout the world." And Mr. Buchanan, who had been a protectionist, declared that he would square himself to the platform. The Republican organization, taking issue with them on that great question, declared in their platform in 1860:

That while providing revenue for the support of the General Government by duties upon imports, sound policy requires such adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we recommend that policy of national exchanges which secures to the workingmen liberal wages, to agriculture remunerating prices, to mechanics adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence.

Much of the discussion on the other side of the Chamber seems carefully stated with a view to create the impression that it is the policy of the Republican party to raise taxes simply with a view to encourage prodigality and extravagance; but the history of Republican administrations and Republican States proves that no portion of the people have been more careful to limit taxation to the needs of economic administration where it can be done without neglect of material interests and without disregard of imperative patriotic duties. The resolution I have quoted contains the doctrine that has ever been a cardinal principle of the party, that while raising necessary revenues they should keep steadily in view both the needs of the Treasury and the prosperity of the country and the development of its resources, while our Democratic friends tell us that the latter proposition must be excluded entirely, the object being revenue only.

I am warranted in making the statement that the Republicans have been the friends of economic administrations from the fact that there has not been a single reduction of expense of any considerable importance, or a proposal of reduction of salaries, from the enormous salary of the President down to the lowest official, since the new Administration came into power. After all their professions of superior economy, both on the rostrum and in the platform, and after all the charges in reference to the surplus, there has been more inexcusable hoarding of the public money and less manifestation of desire to reduce the public debt than by any administration in the whole past history of the Government. Whether the purpose of this was to produce the condition with which we were confronted history will determine.

It is all a sham and a pretense to say that the tariff must be reduced because we have too much revenue when there are taxes being paid now in the Treasury never before collected in time of peace when their continuation involves vast additional expense. Those who care to go into a thorough examination of the question will find that the great men who, during the early administrations of the Government, occupied the high position of the President of the United States, were all, without exception, the advocates of the policy of protection to American industry, and so recommended in their messages to the American Congress.

General Washington, in his first annual message, of January 8, 1790, made this declaration:

A free people ought not only to be armed, but disciplined, to which end a uniform and well-digested plan is requisite; and their safety and interest require that they should promote such manufactories as tend to render them independent on others for essential, particularly military, supplies.

The advancement of agriculture, commerce, and manufactures by all proper means will not, I trust, need recommendation; but I can not forbear intimating to you the expediency of giving effectual encouragement as well to the introduction of new and useful inventions from abroad as to the exertions of skill and genius in producing them at home.

I will not occupy the time of the committee by further quotations from the annual messages of the Father of his Country, though all of them show his continued devotion to the policy of protection to American industry. I need not add that in this he was followed by Mr. Adams, the second President of the United States. Mr. Jefferson, who has always been pointed to by the Democratic party as the ideal of an American statesman, and whose example ought to have great weight with the administration of public affairs at this time, in his message of December 8, 1801, made the following declaration, which I now commend to the careful consideration of the chairman of the Ways and Means Committee and the Democratic side of the House, especially as it bears on the question of internal taxes. He says:

Other circumstances, combined with the increase of numbers, have produced an augmentation of revenue arising from consumption in a ratio far beyond that of population alone, and though the changes of foreign relations now taking place so desirably for the world may for a season affect this branch of revenue, yet weighing all probabilities of expense as well as of income, there is reasonable ground of confidence that we may now safely dispense with all the internal taxes, comprehending excises, stamps, auctions, licenses, carriages, and refined sugars, to which the postage on newspapers may be added to facilitate the progress of information, and that the remaining sources of revenue will be sufficient to provide for the support of the Government, to pay the interest of the public debts, and to discharge the principals in shorter periods than the laws or the general expectation had contemplated.

The present occupant, mindful no doubt of the vast patronage that would be lost, neglected to follow Jefferson's advice as carefully as he has avoided Jeffersonian simplicity.

I will not read extensively from the various messages of Mr. Jefferson, although they point in the same direction and ought to have weight with every lover of his country; but I call attention especially to a quotation from his message of December 2, 1806. He says:

Shall we suppress the impost and thus give advantage to the foreign over the domestic manufactures? On a few articles of more general and necessary use the suppression in due season will doubtless be right.

But he shows that he would not do that until the entire discharge of the public debt, and on all articles of luxury he would continue the tariff and apply the proceeds to public education, to roads, rivers, canals; and if he were living now he would add railroads.

And yet the gentleman from Missouri the other day urged us to follow the example of Jefferson, but we are gravely informed that the internal system must be continued until the last dollar of the debt is paid.

Mr. Madison, who also deservedly holds a high place in the estimation of all lovers of the country, in his message of May 23, 1809, speaking of this subject, said:

It will be worthy at the same time of their just and provident care to make such further alterations in the laws as will more especially protect and foster the several branches of manufacture which have been recently instituted or extended by the laudable exertions of our citizens.

And yet many of these branches of manufacture, and especially in new States, will be destroyed if this bill is passed.

The next President, Mr. Monroe, in his message of March 26, 1822, made the following declaration, which I commend to the careful consideration of the majority of the committee and the House:

It is known that no burdens whatever have been imposed; on the contrary, that all the direct or internal taxes have been long repealed and none paid but those which are indirect and voluntary, such as are imposed on articles imported from foreign countries, most of which are luxuries, and on the vessels employed in the transportation—taxes which some of our most enlightened citizens think ought to be imposed on many of the articles, for the encouragement of our manufactures, even if the revenue derived from them could be dispensed with.

And in his message of December 3, 1822, the same distinguished patriot and statesman made the following remarks:

Satisfied I am, whatever may be the abstract doctrine in favor of unrestricted commerce, provided all nations would concur in it, and it was not liable to be interrupted by war, which has never occurred and can not be expected, that there are other strong reasons applicable to our situation and relations with other countries which impose on us the obligation to cherish and sustain our manufactures.

And in his message of December 2, 1823, he said:

Having communicated my views to Congress at the commencement of the last session respecting the encouragement which ought to be given to our manufactures and the principle on which it should be founded, I have only to add that those views remain unchanged, and that the present state of those countries with which we have the most immediate political relations and greatest commercial intercourse tends to confirm them. Under this impression I recommend a review of the tariff for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defense and independence of the country.

I need not say that these views were fully shared in by Mr. John Quincy Adams.

There had already been agitations in the same spirit with which the people are to-day being moved, and denouncing the policy of protection to American labor, and in regard to that Mr. Adams said, and I com-

mend the remarks to the gentleman from South Carolina, who renews those agitations:

Is the self-protecting energy of this nation so helpless that there exists in the political institutions of our country no power to counteract the bias of this foreign legislation; that the growers of grain must submit to this exclusion from the foreign markets of their produce; that the shippers must dismantle their ships, the trade of the North stagnate at the wharves, and the manufacturers starve at their looms, while the whole people shall pay tribute to foreign industry, to be clad in a foreign garb? Is the Congress of the Union impotent to restore the balance in favor of native industry, destroyed by the statutes of another realm? * * * To the voice of just complaint from any portion of their constituents the representatives of the State and people will never turn away their ears. But so long as the duty of the foreign shall operate only as a bounty upon the domestic article, while the planter, and the merchant, and the shepherd, and the husbandman shall be found thriving in their occupations under the duties imposed for the protection of domestic manufactures, they will not repine at the prosperity shared with themselves by their fellow-citizens of other professions, nor denounce as violations of the Constitution the deliberate acts of Congress to shield from the wrongs of foreign laws the native industry of the Union.

The recommendations of President Monroe led to the adoption of the tariff of 1824 and to maintenance of the same policy in 1828; and in support of that policy there was no man more ardent than the distinguished statesman and patriot whose name casts a halo of glory around the State of the gentleman from Tennessee. In a letter to Dr. Colman on September 24, 1824, that patriot—and I wish to say to the gentleman from Tennessee that in the hour of danger he was a patriot not by substitute, and that the gentleman's extraordinary laudation of the present Executive as a patriot gives rise at least to the suspicion that considering the patronage and spoils of the administration, in view of the hoped-for second term, there are too many men in public life who are ready "to bend the pregnant hinges of the knee that thrift may follow fawning;" and I do not think the interests of the present common place Executive will be subserved by the efforts of Mugwumps or Democratic camp-followers to place him on the high pedestal of patriotism.

I have not time to quote General Jackson's letter in full, but the following extract will give the modern apostles of free trade some idea of its import. He says, so far as the tariff has the design of protecting American industry, he is heartly in favor of it, and concludes the letter as follows:

Where has the American farmer a market for his surplus products? Except for cotton he has neither a foreign nor a home market. Does not this clearly prove when there is no market either at home or abroad that there is too much labor employed in agriculture and that the channels of labor should be multiplied? Common sense points out at once the remedy.

And I commend the remark to the gentleman from Tennessee.

Draw from agriculture the superabundant labor, employ it in mechanism and manufactures, thereby creating a home market for your breadstuffs and distributing labor to a more profitable account, and benefits to the country will result. Take from agriculture in the United States six hundred thousand men, women, and children, and you at once give a home market for more breadstuffs than all Europe now furnishes us. In short, sir, we have too long been subject to the policy of the British merchants. It is time we shall become a little more Americanized, and instead of feeding the paupers and laborers of Europe, feed our own, or else in a short time, by continuing the present policy, we shall all be paupers ourselves.

Has it come to this, that a voice from the grave of Jackson has less influence on a Democratic House than a voice from the grave of Calhoun? These sentiments, held by Mr. Monroe and General Jackson, led to the strengthening of the protective policies that led to the prosperity of the period from then to 1833, mentioned by Mr. Clay and referred to by the distinguished gentleman from Michigan.

This policy of protection has been the unvarying policy of the early Federal and Republican Presidents alike. Patriots all, and alike devoted to the principles of human liberty and equality and the elevation of man. I need not refer to the motives that led to a change of these policies that invented limitations and restrictions of Federal power that had been exercised without question by the framers of the Federal Constitution and that gave rise to incipient attempts at secession so promptly and wisely suppressed by the hero of New Orleans that called forth his patriotic declaration "The Federal Union must be preserved," and which I afterwards saw mutilated and erased from the granite shaft erected to his memory in the great city of his State. I need not tell of the ruin wrought in the country from 1837 to 1842 by that change of policy. I need not speak of the suicidal lines of policy, which, notwithstanding the hundreds of millions of wealth poured in the lap of the nation by the teeming mines of California, after the adoption of the tariffs of 1846 and 1857 wrought the paralysis of trade and financial ruin of the country, and left to the grand young Republican organization as the only inheritance of Democratic policy a nation bankrupt and a civil war.

Mr. Chairman, it was fortunate for the country that that stormy period found that illustrious character whose bones repose near your own home in Illinois, as an occupant of the Presidential chair, and that while he sacredly cherished the views of the fathers as his principles of action, dearer to him even than life, and never wavered in devotion to them, that his heart was wide open to receive and encourage every evidence of a return of attachment to the principles that had been laid down in the Declaration of Independence, ingrafted in the Constitution, and controlled all the early statesmen of the country. Which gave him an abiding faith even in the midst of war—

That the mystic chords of memory stretching from every battle-field of the Revolution, and from every patriot grave to every living heart and hearthstone all over the land would yet swell the grand chorus of the Union when those hearts were again touched by the better angels of our nature.

And it was not less fortunate, Mr. Chairman, that it found the Government of the country in the hands of a party capable of understanding and adopting the policies necessary to develop the great industrial resources of the nation. For vain would have been the heroic and patriotic aspirations of the people had not the party intrusted with the Government been competent to ingraft those emotions into living policies that would develop the national resources and permanently furnish the sinews of war. It is unnecessary to speak of the war period. I pay a compliment to the vanquished when I say that the history of the world furnishes no parallel to the industrial energy that lay behind and sustained and made successful the heroic efforts of the patriotic armies of the Union; and that industrial energy had its strong prop in the policy of protection to American industry.

The theory of the free-traders in this country and of those who sympathize with them in their views is that competition will regulate all the industrial interests of the world, and that the laws of trade should be so modified that every man should be permitted to buy where he could buy cheapest and sell where he can sell dearest. If this would be the permanent result of the new policy it would be worthy of thought; but it only requires a superficial examination to see that the adoption of this theory in practice will lead to the equalization of wages and the rewards of industry throughout the world, and it will level them down rather than level them up. The American laborer may well inquire whether such a change of policy will be likely to improve his condition. The gentlemen on the other side of the Chamber, all of them concede that American labor and laborers are of higher character and are better rewarded under the present system than those of any other nation in the world, and that the industrial progress of this country in the quarter of a century of Republican power has been the most marvelous of that of any nation in the history of the world. While admitting these facts, they strenuously contend that the high character of our laboring population and the marvelous progress of our industries have been made, not by virtue of the tariff, but in spite of its existence. Are the gentlemen entirely sure, have they no question in their own minds as to the truth of these propositions? If this be true, why did they declare in their platform of 1884—

That from the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue, and that such they must continue to be?

Why did they further declare—

That many industries had come to rely on legislation for successful continuance so that any change of the law must at every step be regardful of the labor and capital thus involved?

And yet they propose to change the duties without investigation. Why do they say—

That the necessary reduction in the revenues can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country?

If these declarations were made in good faith why has there been no attempt to investigate and see whether they have complied with the pledge they made to the people? Why do they also declare that sufficient revenue to pay all the expenses of the Federal Government, economically administered, including pensions, interest and principal of public debt, can be got under our present system of taxation from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity? By this declaration they asserted that if they were intrusted with power they would so administer the Government that all other taxes, except the tariff, would be altogether unnecessary. Why, in view of this pledge, did the President propose to retain the revenue taxes? I ask the gentleman from Missouri if this was not a pledge on their part that they would return to the policies in reference to the collection of the revenue that had never been deviated from in all of the early history of the Government? Mr. Chairman, I hold that it will be the darkest day in the history of our Government when it shall have become an established rule that the great political parties that control the policies and shape the destinies of the nation can with safety and impunity deliberately violate the pledges that they have made to the American people when they were asking to be intrusted with power.

If the great American parties shall be permitted without rebuke to violate the faith pledged to the American people, our free institutions will be in danger; for nothing so greatly tends to their safety as the responsibility of parties. Notwithstanding these declarations from the Democratic platform, the Democratic President of the United States, in his political address to the American Congress, with the approval of a large part of his party, has deliberately ignored the pledges of the platform on which he was elected to power.

A comparison of the rate of wages in this country and in my own State of Iowa, as compared with those prevailing in a number of the leading countries of Europe, illustrates the advantages produced by the American system upon the interest of the laboring men. I do not read the table at length, but will print it as a part of my remarks.

REPORT OF THE COMMISSIONER OF LABOR STATISTICS. PAGE 347.

[Comparative wages—Europe and United States—(Iowa). I—General trades.]

Comparison of the average weekly wages paid in the general trades in Europe with those paid in similar trades in New York, Chicago, and Iowa.

Occupations.	England and Wales.	Germany.	France.	New York.	Iowa.
BUILDING TRADES.					
Bricklayers	$7.56	$4.21	$3.74	$20.18	$21.04
Masons	7.68	4.67	5.33	18.00	Same.
Plasterers	7.80	4.43	6.34	18.00	17.35
Carpenters	7.66	4.11	6.20	14.00	14.19
OTHER TRADES.					
Blacksmiths	7.37	4.00	5.81	13.00	15.37
Cabinet-makers	7.68	4.25	6.14	12.00	12.00
Cigar-makers	6.07	3.63	4.69	11.15	11.70
Coopers	7.59	3.97	5.58	12.00	10.20
Jewelers	8.76	5.21	6.24	11.00	19.68
Laborers	4.70	3.11	3.93	9.00	8.77
Millwrights	6.97	4.18	6.74	14.00	16.00
Potters	5.20	3.60	4.78	10.00	10.59
Printers	7.17		6.64	13.00	12.59
Teachers public schools	12.00 / 7.70		7.00	13.00	9.00
Saddle and harness makers	6.63	3.69	5.70	11.00	10.68
Shoemakers		2.95	2.90	11.00	10.53
Telegraph operators	7.65	5.11	6.92	12.00	11.10
Tinsmiths	6.56	3.55	5.46	11.00	10.40
Machinists		4.60			16.94
Painters		4.82			14.33

By this it will appear that the advantages to the laborer are largely in favor of the American system of protection. The conditions that in those countries bind men to the classes in which they were born, with no hope of promotion, are familiar to all. Our history, under the operations of our policies, has on many occasions shown that our noblest men and our most heroic characters have come up from the lower walks of life. This shows that the margin obtained by the laboring man for his labor, above the actual cost of living, affords him an opportunity for the culture and development of his mind, awakening an inspiring hope in the mind of every American youth.

The present Secretary of State, in a speech made in Chicago in 1886, made the declaration that it was not so much consequence to the laboring man the amount of wages that he should receive, but that he should be furnished with steady employment. This declaration is only one remove from the old position of the pro-slavery leaders, that the normal condition of the laboring man was that of a slave, and it was more conducive to his interests, for it assured him of care through life and a home in his old age. This view robbed the great mass of men of their grandest inspirations.

The American people of to-day are not prepared to accept as desirable this paternal and narrow theory of the offices of the Government; they prefer rather the theory enunciated in 1856 by Mr. Lincoln, that the policy at the base of our Government was the doctrine that every man should eat the bread that he earned, and earn the bread that he eat. That every man should have the full benefit of all his labor, developing the ability to care for himself, rather than trusting to the care of employers. I remember listening to that inspiring speech at Belleville in 1856. In allusion to a motto on a banner borne by the late General Ousterhous bearing that inscription.

We eat the bread we earn, and we earn the bread we eat.

And devotion to that doctrine was the inspiring motive of his administration.

The gentleman from Kansas a few weeks since pointed out how radically different from these policies were those ingrafted into the constitution of the Confederate States, both with reference to the elevation of American labor and to the policy of free trade. He pointed out that the Confederate constitution provided for the perpetuation of the system of human slavery as the policy of the proposed new government, thereby perpetually degrading labor, and at the same time prohibited the proposed government from levying any duties for the protection of the industries and labor of the South. The gentleman further pointed out the fact that the Democratic majority of the Ways and Means Committee was composed mainly of men who, through all those years, had been devotedly attached to the government proposed to be instituted, periling their lives for four years in its defense; and that the earnestness with which they espoused those theories during that period should give reasonable cause for the apprehension that they were now earnestly endeavoring to ingraft those policies upon the laws of this country. The gentleman from South Carolina boldly sustains that position on the question of free trade in his speech the other day.

I do not in the remarks that I make upon this subject intend to cast any reflection upon those gentlemen, but only wish to apprise those who may hear me that there is danger that the bill of the committee will have that effect, and that it is so intended. I am glad that our country is united and that we have here representatives from every portion of the land lately in arms against us. I am only sorry that they are not here as the representatives of that grander policy by which they were overwhelmed. I regret that they do not yet comprehend that industrial independence is necessary to the growth of this experiment of self-government. Those of us who were in the South at the close of the war realized that the need of that country was industrial development, and in a letter to the Montgomery Mail, in May 30, 1865, I counseled that course. I extract from that letter the following:

Now when the ravages and desolations of war have taxed so heavily the industrial resources of the nation, where so much necessity exists that the sad scars that mar the beauty of the fair face of the country should be obliterated, it behooves the country to economize well all its physical resources. The national credit must be maintained by the gradual payment of the public debts, and to do this the more speedily it is necessary that the public industries should be developed in every possible way.

The progress that has been made is marvelous; but gentlemen should understand that the national policy is a system, and has had much to do with the progress that has been made, and that they can not afford to destroy that system. The strong may be improvident; the weak dare not be.

The gentleman from Indiana [Mr. BYNUM] gravely informs us that the rate of wages in factories is determined by the rate of wages in independent pursuits, but this is not more true than the converse of the proposition, that the rate of wages in independent pursuits is determined by the rate of wages in factories, and that it therefore follows that any system that tends to hold up or raise wages in any one branch of business or industry operates as a benefit to the labor employed in all. The result has been that farm hands in all of the country have had their wages raised more than 50 per cent. and in my own State from $10 to $12 per month before the war to $18 and $20 since the war, as the result of the policy of protection.

The gentleman from Missouri [Mr. DOCKERY] spoke of the number of mortgages in his State and Iowa and Kansas as the result of Republican policy. That proposition when stated by Mr. BLAND was admirably answered in a short speech a few days since by my colleague, Governor GEAR, and by the distinguished gentleman from Maine, showing that these mortgages were the results of the desire of the enterprising men of the West for improvements. But there is another answer to this. The old Democratic party used the public lands to reward party favorites. They were sold in vast quantities to speculators, and there is scarcely a farm mortgage in Iowa that is not the direct result of the purchase price paid to speculators who bought the lands from the Government and held them until the settlers improved their value, and then they reaped a rich harvest of wealth as the direct result of the policy established by the Democracy and maintained until it was changed by the Republican party in 1861, and yet the gentleman from Missouri lays all this at the door of the protective tariff.

The gentleman from Michigan [Mr. FORD] quoted some extracts from the free-trade papers of the West urging the Republican minority to present a scheme of tariff reduction, and said it was demanded by the people. We heard such talk two years ago, when it was claimed there was danger of Republican loss; but election time came, and what was the result? The people stood by the friends of the system of protection, and the earnest champions of tariff reduction, most prominent on this floor, were retired to the shades of private life, whence they have been taken by the sympathizing Executive, one to occupy a position on the Railroad Commission, and the other has been sent to revel in the hall of the Montezumas, while their places on this floor are occupied by the able gentleman from Illinois [Mr. BAKER] and the pleasant gentleman from Wisconsin [Mr. GUENTHER].

The example of Ireland should serve as a warning to America of the pernicious effect of free trade on a country with insufficient capital struggling against a rival with boundless capital and hedged in and protected by selfish laws. That beautiful island washed by the blue waves of the Atlantic was once the abode of peace and plenty. The blood of her heroes has moistened the sod wherever British glory has planted the flag of Albion, as well as wherever the voice of American liberty has called her patriot sons. The spirit of liberty has been more lofty wherever the Irishman has made his home. Her poets have sung the sweetest melodies that ever touched the heart or melted on the ear. Her orators have made the eloquence of Great Britain equal to the classic eloquence of Greece and Rome, and yet under the pernicious influence of free trade the hum of industry has ceased, the lights have gone out in her once happy homes, the exile of Erin wails his sad lament on every foreign shore, and—

The harp that once through Tara's halls
The soul of music shed,
Now hangs as mute on Tara's walls
As if that soul were fled.

Thus freedom now so seldom wakes;
The only throb she gives
Is when some heart indignant breaks
To show that still she lives.

The apostle of confiscation of lands, Mr. Henry George, accepts the Mills bill as a long stride in the direction of the abolition of the cus-

tom-house and in favor of direct taxation as the means of destroying ownership of land. He says:

As was long ago shown by Abraham L. Earle, one of the few real free-traders among the half-hearted tariff reformers who for some years have been masquerading as free-traders, all the revenue needed by the General Government can be raised, at a tithe of the cost to the people of the present system, through the constitutional provision empowering Congress to levy direct taxes through the States. When the protective superstition is dispelled, when it ceases to be believed that a people can become rich by taxing themselves, the way will be open to abolish all indirect taxes, and to make the taxation needed for the Federal Government fall, through the medium of the States, upon land alone. The discussions of the coming campaign must inevitably tend in this direction. No one can expose the injustice and waste of a protective tariff without at the same time condemning a revenue tariff and, in fact, all indirect taxation.

And that same apostle of free trade, in his issue of April 14, says:

The enemies Mr. Cleveland has made by his message and by his subsequent course ought to make us his friends in this struggle. He may not be a candidate who represents our ideas, but he is a candidate who will do our work—a candidate who will clear our way better than we could possibly do it.

A candidate who will clear the way for the taxation and the virtual confiscation of lands as the sole source of revenue of both the State and National Government is not the candidate wanted in Iowa.

Gentlemen have spoken of grievous wrongs caused by trusts in this country and by combinations of capital here. How quickly gentlemen grasp at wrongs in society to support their views; but those trusts, if they shall attempt to throttle or destroy competition in this country, and to enhance the prices to an unreasonable degree, can be managed by State and by national authority, but what condition of helplessness will be reached if, by cheaper capital and cheaper labor under the operation of free trade, our home industries shall be broken down and destroyed and those trusts shall be organized on foreign soil to cheapen our production and to enhance the value of their own! It is much easier to combine in a small compact territory, under the spur of common interest, sustained by selfish laws, such as England may make, than in the broader territory of the nation where our law may be made to operate as a restraint. The only guaranty against such a condition is the protective tariff which gentlemen seek to destroy. Mr. Lincoln said with much force:

It is easier for people to make laws than for governments to make treaties.

Competition to be beneficial must be close at hand. Where it is distant it is not available, for then the variable element of profit to exchange is uncertain and leads to burdens greater than actual cost of production even under a protective tariff. The whole history of our Government proves this, and it has had ample illustrations by many able gentlemen in this debate.

It has been shown by those who have so ably discussed the question that there is not a single article of production in common use that has not been very materially cheapened by the protection to American labor. This has been finely illustrated in the case of the common article of salt, the protective tariff on which at this time amounts to 1½ cents to every American consumer. The development of the salt industry has furnished employment in several States for many thousands of American laborers, while the result of the growth of the salt industry has been to reduce the price of salt to the consumer to less than one-half of the rate which was formerly paid. I remember in the year 1857 of purchasing salt in the St. Louis market, where it had never been transported over a single mile of railroad transportation, at $2.60 a sack. A better quality of salt can now be obtained in central Iowa, after passing many hundred miles of railroad transportation, at one-half of the price then paid for it at St. Louis.

A great deal has been said in this debate about the influence of the protective tariff in enhancing the price of steel rails. In 1868, before the operation of the protective tariff, we produced in this country only 7,225 tons, and imported 250,000 tons of steel rails, and the price was then $158 per ton. By the development of the industry of home production under the operations of the protective tariff, the home production amounted in 1885 to $1,079,400, and the amount imported was reduced to only $14,850, and the price per ton had been reduced in the process to only $28.50.

The exports of the country, exclusive of specie, for the twelve years ending June 30, 1885, were over and above the imports $1,544,014,480, being a yearly average of $129,500,956 of exports over imports.

The imports of the country, exclusive of specie, for the twelve years of revenue tariff ending 1860, over and above the exports, were $385,768,032, being a yearly average of $32,147,336 of imports over exports. Of these twelve years of revenue tariff our imports exceeded our exports every year but one, while of the twelve years of protective tariff our exports exceeded our imports every year but one.

An illustration of the effect of free trade and foreign competition on prices may be found in the case of the auctioneer with a bankrupt stock. He is hailed with delight with the thoughtless and he sells to get rid of the surplus at any price. If he comes frequently and sells low, local legitimate trade is paralyzed and bankruptcy to honest men ensues. When that happens and the auctioneer gets the whole market there is no limit to his cupidity, for he has no competition.

The balance of trade in our favor in all these years has tended to the cheapening of the rate of interest and to the accumulation of capital here. When it shall have become as plentiful here and the rates of interest as low as in Great Britain, one of the obstacles to fair competition will be removed, but it certainly will not be aided by a policy which shall put the balance of trade against us, and tend to the accumulation of capital in Europe when we shall export the raw material and import the manufactured, leaving all the profits of the production on the other side of the water.

When the facts are so strongly in favor of the policy of protection, both as a means of securing labor to American producers and of securing a reduction of cost to American consumers. It is useless to try to combat substantial, beneficial facts with fanciful theories. The gentlemen on the other side of the House are very anxious that this side should present some scheme of reduction of taxation as a substitute for the scheme on which it seems they are not agreed. Considering the methods of the organization of the committees of the House and the fact that they are a majority party and thus responsible for the policies of the Government on this question of taxation, this request seems unreasonable, but we have a right to demand that the policies which they laid down in their national platform and to which they pledged themselves before the American people should be incorporated in the propositions which they submit to the consideration of the House.

The gentleman from Missouri [Mr. DOCKERY] and the gentleman from Wisconsin. [Mr. HUDD] have called the attention of the country to the fact that the distinguished Senator from Iowa [Mr. WILSON] had intimated a desire on his part, as soon as it could be practicably done, to abolish the system of internal revenue. The gentlemen neglected to state that the distinguished Senator from Georgia [Mr. BROWN] and many others in the South are also pledged to the adoption of the same doctrine. They also fail to state that all of the early Presidents, to whose principles they professed devotion, were devotedly attached to the same doctrine. For my own part, representing in part a State which in 1851, being then Democratic in its politics, declared in their code that the people of that State would henceforth take no share in the profits of the sale of alcoholic liquors, and which, during its entire history, has been true to that doctrine, I had no hesitation to declare my adhesion to that doctrine, and, early in the session of the present Congress, I unhesitatingly declared that I believed the time had come in the history of the American Government for the nation to declare that henceforth it would take no share in the profits of the sale of alcoholic liquors. And I believe it should use its power within its jurisdiction to suppress the traffic.

Why did not the gentlemen in opposing that system of reduction which had been favored by all the early administrations of the Government, which had received the sanction of every Democratic President, and which was indorsed in the last Democratic platform, tell us candidly and frankly that the reasons that they opposed the change are because they prefer the European system of taxation to those which have prevailed in America? Why do they not candidly tell the country that the reasons that they oppose the change is because they are devoted adherents and defenders of that most infamous of all American monopolies—the monopoly of the whisky ring? Why do they not tell us that their reasons for opposing the change and those of this reformed Administration is because it would deprive them of the patronage of five thousand offices and the annual distribution of $5,000,000 as the spoils of the Administration? Why do they not emphasize the statement that this, being a tax, is paid by the consumer, and that the annual levy of $118,000,000 for internal-revenue purposes, while it brings that sum of money, less the vast expense of collection, into the Treasury of the nation, falls as a burden of $800,000,000 upon the poorer classes of the community, and that the six hundred millions of profit arising from this infamous traffic in which they seek to interest the whole American people as a permanent source of revenue falls heaviest, and with most crushing weight, upon the poorer classes of the community, without any compensating advantages, and merely because this immense sum of money—the gains of that traffic—has been liberally used and is always a reliable source of income to the Democratic organization as a means of public corruption?

They know very well that the tax has not decreased the consumption; that it falls upon the poor and their unhappy families as a capitation tax, and in many cases deprives the poor victims of the common comforts of life; that they have given this most gigantic and infamous monopoly, hedged in by tariff laws, and exempted from tax till the moment it is paid by the consumer, the exclusive privilege of debauching the public morals and cultivating pauperism, vice, and crime, because the saloon in American politics is the faithful ally of the Democratic party and is ready to contribute a liberal share of the hundreds of millions of ill-gotten profit wrung from the humble poor and their unhappy families toward the corruption of the ballot-box and to general demoralization, and because their masters, the saloon power, wants to retain its unhallowed monopoly. And this they do in defiance of all Democratic precedents and against the declarations of their platform.

The gentleman from Indiana [Mr. BYNUM] spoke in glowing terms of the condition of the world to-day as compared to the time of the Roman Empire. His picture was overdrawn. I doubt if the condition of the laboring many, in many of the countries of Europe so far as the comforts of life is concerned, is much improved over the time of the

Roman Empire, when the "heart of the Goth was with his young barbarians all at play far away on the blue imperial Danube." I know so far as political influence is concerned, most of those people are under the deep stagnation of military depotism. I, too, have a dream of a grand future for the world and for Europe—"when the war drums will throb no longer, when the battle-flags will be furled," and when all disputes of an international character will be settled "by the parliament of man in the confederation of the world."

But that day will come, if ever, not by free trade, drawing American down to the level of European labor, but by protecting American industry, by educating and elevating American labor, and thus by our influence bringing Europe up to the level of America. This was the aspiration of the great men whose opinions I have quoted, and who laid broad and deep on this continent the foundation of our system of government. When the time shall come in Europe when the aggregated capital shall have ceased to monopolize all the blessings of life; when those governments shall cease to be great trusts, sustained by bayonets and military despotism, consuming the earnings of labor; when labor shall eat the bread it earns, then, and not till then, free trade may be adopted without degradation to American labor. Then the hope of the poet will be realized—

> And man to man the world o'er
> Will brothers be for all that.

For my own part I have no hesitation, representing as I do mainly a great agricultural community, but containing within its borders many enterprising cities just beginning the development of the manufacturing resources of the State; believing as I do that the adoption of this bill would be destructive to these enterprises and to every material interest of the State; looking back upon the grand progress of the nation during the years of Republican power; having seen its marvelous growth from a nation of 30,000,000 inhabitants to one of 60,000,000, which have been doubled in the period of its power; having seen the manufacturing production of the country increased from two billions in 1860 to nearly seven billions in 1880; having seen the material wealth increase from sixteen billions to forty-two billions in the same period, I have no hesitation in declaring that we are not willing to try again an experiment that has hitherto been fatal to every American interest, and that has brought ruin to every door, if we may except the importers in our large cities, of whom the policy made so many millionaires in the period before the war.

Mr. Chairman, we have recently passed a bill to celebrate with appropriate ceremonies the revolution 1789 in France. The revolution which, notwithstanding its excesses, did so much for human liberty was mainly brought about by the influence of our American example upon European affairs. France seemed to have settled down into the stagnation of military despotism.

It was an era of hope to the world when our nation escaped from the throes of civil war, and our ancient ally re-established the rule of the republic, and then adopted our policies of administration. The titled aristocrats have no approving word.

A few years since a distinguished Frenchman, Bartholdi, conceived the thought of the grand statue of Liberty to be placed at the entrance of New York Harbor, as it looks upon the sea as a type of the grandeur and power of the Republic. That conception of the Frenchman was only made possible by the history of the Republic in the quarter of a century of Republican power. The influence of genuine American principles has not only affected the destiny of our old ally, but its inspiring example is entering into every part of the American territory.

The hum of industry, formerly an unknown sound, now pervades every portion of the South; railroads are entering its territory, enterprises are arising from the ashes of war, and blazing forges, as so eloquently stated by the gentleman from Alabama some time since, are now seen where formerly congregated camps of invading armies.

It is under the influence of American policies that a new South is arising, and we hope that new and liberal political forces will be developed all over that territory and new and startling types of national sentiment will arise that will imprint forever on the brow of the Republic the imperishable sentiment, "Union and Liberty, now and forever, one and inseparable." [Applause.]

During the delivery of the foregoing speech, the hour having expired,

On motion of Mr. FORD, by unanimous consent Mr. KERR'S time was extended until the conclusion of his remarks.

Mr. TARSNEY. Mr. Chairman, I approach the consideration of the bill now before this committee with marked hesitancy and trepidation, knowing as I do that it affects the welfare of more than 60,000,000 of our people, and reaches in its ramifications to every part of the civilized world.

The question of taxation, Mr. Chairman, has been mooted ever since the formation of the Constitution by the ablest minds and the greatest statesmen that the world ever produced; and it may be deemed presumptuous in me to stand here and attempt to discuss this important question. But when I come to reflect that the 250,000 people who sent me here, together with the great Commonwealth which I have the honor in part to represent, are deeply interested in this matter which is under consideration, I hope that I may be pardoned when I venture to state some views in relation to this great question.

To my mind this whole question, Mr. Chairman, resolves itself into one of taxation. I have read the Constitution of my country and I find in it the powers which were delegated to the Congress of the United States are fixed, and that those powers are clearly written upon the pages of that fundamental law. Section 8, Article I, of that instrument provides that Congress shall have power to do what?

> Power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

They may impose taxes, they may collect taxes upon the people for the purposes specified in that article of the Constitution, but for no other purpose. And such, as I understand it, has been the teaching, the practice, and the training of that grand political organization of which I have the honor to be an humble member.

But my Republican friends will say to me, "You may go beyond the mere power, the mere purpose expressed in the Constitution of the United States and you may levy and assess taxes not alone for the support and maintenance of the Government, economically administered as we understand it, but you may go further and assess taxes for the purpose of protection."

Now, Mr. Chairman, I desire to call the attention of the House for awhile to this view of the Constitution. I am frank to say to the gentlemen here who belong to the high-protection school of politics that I for one am prepared on the floor of this House to-day to say I do not believe in the doctrine of protection for protection's sake.

Mr. EZRA B. TAYLOR. May I ask the gentleman a question?

Mr. TARSNEY. Yes, sir.

Mr. EZRA B. TAYLOR. I have the New York Tribune of this morning in my hand, in which I find what purports to be a statement of a conversation or interview with the gentleman now speaking, and said to be revised by him, in which he opposes putting lumber and salt upon the free-list.

Mr. TARSNEY. I am not the editor of the New York Tribune.

Mr. EZRA B. TAYLOR. I am aware of that, but wish to ask the gentleman if that is a correct representation of his position?

Mr. TARSNEY. You will understand my position before I get through. My position will be placed before this House and before the country so plainly "that he who runs may read."

Mr. EZRA B. TAYLOR. Further than that, the gentleman proposes, it is alleged, to make an amendment to the bill touching the question of protection to the salt and lumber interests.

Mr. TARSNEY. When the time comes, Mr. Chairman, and this bill is under consideration for amendments, I will take such course as my duty to my country and my constituents induces me to believe I ought to take. [Applause on the Democratic side.]

Mr. EZRA B. TAYLOR. Then I ask the gentleman, is he in favor of continuing the protection upon salt and lumber?

Mr. TARSNEY. Will the gentleman keep still until he hears me, and then he will understand.

I heard a distinguished gentleman on your side of the House—one of the leaders of your party—say the other day that it is impertinent to interrupt a gentleman without invitation. Now——

Mr. EZRA B. TAYLOR. A single word in explanation. I asked the gentleman if I might interrupt to ask a question, and he said I might. Now he says it is impertinent to interrupt to ask a question. He gave me the permission; I sought to ask him a question, which he declines to answer.

Mr. TARSNEY. The gentleman will see that I answer the question.

Now, I say to you gentlemen who believe in the doctrine of protection, for protection's sake, that I do not belong to that school of politics. Is that plain enough? But I do belong to that school of politics which believes in the collection from the pockets of the American people of just so much money as is necessary and proper to economically conduct the affairs of this Government, and not one dollar beyond. [Applause on the Democratic side.]

As to the method or manner of collecting that money, that is another thing. Two systems have been resorted to for the purpose—one through the medium of the custom-house, and the other through the medium of the internal-revenue laws; and while it has been said here, even by way of a personal reference to myself, that we are free-traders, I stand here to deny it and say that we are not. We are fair traders. We are not trying to pull down the custom-houses of the country, but we are here to say that we propose to continue the customs systems of taxation, but with the intention of revising the existing laws so as to bring the taxes down to the lowest amount of necessary revenue to provide for the wants of the Government, and not one cent beyond; and in so adjusting these laws as to place the duties highest upon the luxuries of life and lowest upon life's necessities. [Applause.] Now, then, do you understand me?

Mr. Chairman, on the 19th day of this month I stood upon the floor of this House when another bill was under discussion, and simply by way of illustration, with no purpose of raising any tariff discussion then, referred only incidentally to the existing tariff laws and their inequalities as one of the causes of the labor troubles which were the sub-

ject of discussion in the bill then under discussion. For that the distinguished gentleman from Ohio [Mr. EZRA B. TAYLOR] sought to take me to task; but I want to say to him that he then misunderstood my language on that occasion.

I did not attempt to inflict any tariff discussion on the House; but I intended to use, and did use, that reference simply by way of illustration of numbers of others of the wrongs which, in years past by, my Republican friends, were ingrafted upon the statute-books by you during the twenty-five years you had control of the administration, as one of the causes of the existing troubles. This is the language I used:

Equalize your laws. Press the fight that was opened in this House on yesterday, if you please, and so frame your tariff laws that we shall not have a few millionaires in this country kept up at the expense of pauperized millions of people.

Mr. Chairman, I repeat that language to-day. Whether this bill in its present form, whether the phraseology of it as presented by the committee suits me or does not suit me, is not a question that is before this Chamber to-day. When that time comes, when my vote is to be cast upon this bill, I shall not be found wanting to act my part on the floor of this House as a Representative of the people.

But you, my Republican friends, say we must protect. Protect whom? First, you say the laborer; second, the farmer; and third, the American manufacturer. Pardon me, if for a little while I call your attention to the claims which you make about protecting the different classes of our people. I find by an examination of the tariff list, embracing more than forty-four hundred articles upon which there is a range of duty that must be paid through the custom-house, of from 30 to 100 per cent., that many of these duties are upon the necessaries of life. I find also that while you are pretending to protect the American laborer you are placing him in this dilemma: The coat that he wears upon his back, the shirt with which he is covered, everything that he uses and are necessities for his wife and his children are taxed through the medium of the custom-house. I was perfectly astonished the other day when I listened to my distinguished and eloquent friend and colleague from Michigan [Mr. BURROWS] to hear him announce the startling doctrine that it was not the consumers who pay the tax to the custom-house, but the importer.

Now, Mr. Chairman, let me illustrate that position for a moment. I know not where the cloth that is in the coat on my back was manufactured, but suppose it to have been made in England or in France. When it came through the custom-house in New York or in Boston the importer paid upon it a duty of something over 50 per cent.

Mr. MCMILLIN. Sixty-eight per cent.

Mr. TARSNEY. I thank the gentleman—68 per cent. Now, when that duty was paid and the goods were sold to the wholesale dealer in New York, do you suppose that the import rate of duty was not added to the price? The wholesaler added that to the price of the cloth in his store in New York when he sold it to my clothiers in East Saginaw, and they in turn sold it to me; they, as a matter of course, charged the duty up to me. In that case do I not pay a tax upon the coat that I wear, even though it may be made of cloth of foreign manufacture?

Why, sir, I have here something which upon its face looks like a refutation of the position taken by my distinguished colleague [Mr. BURROWS] the other day. I hold in my hand the original invoice of some goods that were purchased in Frankfort-on-the-Main. They cost $46. The rate of duty upon them was 40 per cent. They passed through the house of L. W. Morrison in New York, and were consigned to Heavenrich Brothers & Co., of East Saginaw, Mich. Forty per cent. on $46 is $18.40, the amount of the duty upon those goods.

Mr. GEAR. What were the goods?

Mr. TARSNEY. Come over here and see the original invoice if you wish.

Mr. GEAR. I do not care to do that. I will take your word for it. What were the goods?

Mr. TARSNEY. They were clothing goods. The original invoice is in German, and if you can read it you may come over and do so; I can not, but I have the intermediate invoice.

Now, take that case by way of illustration. In that event, if I bought those goods I say I paid to the Government of the United States $18.40 as a tax upon the purchase, and that money went in as a part of the revenues required to maintain and run this Government.

But, sir, suppose the goods were manufactured in Massachusetts or in Connecticut and were sold to the wholesaler in New York, and then again by him to my clothiers in Michigan and they in turn sold them to me? The New England manufacturer, possessing all that innate selfishness that is common to humanity, desires to make all that he can out of his surroundings, and he knows that his foreign competitor can not reach his market without passing that tax-barrier of from 40 to 100 per cent. in the custom-house; and therefore that manufacturer, irrespective of fair and legitimate profits, and simply for the purpose of taking advantage of his position, raises his price 45, 50, or 55 per cent., and in turn the goods are sold to me and I pay his profit. In both cases I pay the tax. In the first case I pay my tax to the Government of the United States; in the other I pay it to the New England manufacturer. That is the only difference.

Now, then, whom do you protect? My Republican friends will answer: "Labor." How do you protect labor? The product of labor is protected, but is labor protected? The product can not pass through the custom-house without the payment of duty; but who ever heard of a duty being levied in any custom-house in America upon a workingman? How many times in the last fifteen years when labor, restless under the exactions of unjust taxation and unjust laws, has presumed, as some people might put it, to assert what it believed to be its rights—how many times, I say, have the workingmen been thrown out of employment, and you, caring not where they came from or where they might go, have looked elsewhere for people to take their places? You have gone to Ireland, you have gone to England, you have gone to Wales, you have gone to Hungary, and to Italy, ay, to far-off China, and imported labor, and when that labor came to the port of New York or Boston on the East, or San Francisco on the West, did it pay duty? No; but it came upon the custom-house dock, bade good morning to the customs officers, and walked in, free and untrammeled, in open competition with the American labor that you pretended to protect but never did protect. [Applause on the Democratic side.] Wherein, then, lies your protection to American labor? Oh, but you say, "We protect the American farmer." How? Some of my Republican friends will answer, "Wool."

Yes, you have been pulling wool over the eyes of the American farmer for a good many years, attempting to make him believe that you were protecting him under your so-called protective policy. But let me call your attention to this fact, my Republican friends, that whatever protection the American farmer had upon his wool you struck down by one fell blow by the act of the 3d day of March, 1883. You reduced the duty upon the farmer's wool which you are now pretending to protect, and when he rises and says: "I am not protected under this system; I want to inquire into this thing and see who did it," I can answer and say to him, "Shake not thy gory locks at me; thou canst not say I did it." Neither did the Democratic side of this House at that time do it, for by the yea-and-nay vote which is indelibly recorded upon the Journal of this House I find the names of some gentlemen who are now clamoring loudly about protecting the American farmer's wool, but who then voted to reduce the duty upon it. [Applause on the Democratic side.]

I contend, then, that you do not protect the farmer; but that, on the other hand, upon everything the farmer purchases, the plow, the hoe, the griddle, and the skillet, upon everything that he uses, you require him to pay tribute, and tribute to whom? If I remember the figures rightly now as I pass hastily along there were, according to the last census, only 44,019 institutions and corporations in the United States that were protected—not individuals, but institutions; that is the whole number that were protected under the tariff laws; yet to-day over 60,000,000 of people are paying tribute to this small manufacturing class.

Let us see, then. You do not protect labor; you do not protect the farmer; but you do protect the people that I have indicated, the people who own the mills and the factories, and you require the balance of us to pay tribute to them. Now, what do we want? We want simply to equalize the laws of taxation. Our policy is not destruction; our policy is reduction. I believe, sir, I have the honor to be the only gentleman upon the floor of this House who assisted, even in an humble degree, in making the platform upon which the first Democratic President in twenty-four years was elected. I had the honor of representing the commonwealth of Michigan in that memorable convention which nominated Grover Cleveland. Many comments have been made about that platform and about its meaning, and "we" have been spoken of as free-traders. I answer, we are not free-traders. In that platform we said what we meant, and we meant what we said. Does this look like free trade? I read from that platform:

That platform says:

But in making reduction in taxes it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue. Such they must continue to be. Moreover many industries have come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and capital which is involved. The progress of reform must be subject in the execution to this plain dictation of justice—all taxation should be limited to the requirements of economical government. The necessary reduction can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

Then the platform adds this significant language, which leaves no room for the internal-revenue system:

Sufficient revenue to pay all the expenses of the Federal Government economically administered, including pensions, interest and principal of the public debt, can be got under our present system of taxation from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity.

Now, sir, what does that mean? Does it mean free trade? Not at all. But we recognized at that time, and foretold to the country by that platform and in that declaration of principles, that the system of taxation made, not by us but by you, which had been ingrafted upon our statute-books, and which was then and is to-day absorbing from the pockets of the American people in the form of taxes nearly or quite a

million of dollars a day, half a million in excess of the actual needs of Government—by that platform we said to the American people, "We propose to revise this system of taxation, but not to destroy; we propose to reduce the taxes levied upon you, and to collect them in the same manner, if you please, but to collect no more than is required to properly conduct the Government."

Mr. BAYNE. Does that mean that the internal taxes are to be reduced at all?

Mr. TARSNEY. I have not the paragraph of the platform with me which refers to internal taxes, but I will tell you what it meant. It meant this and only this: When you present to the Democratic party the question whether we shall have cheaper whisky or cheaper shirts we say to you we prefer cheaper shirts and dearer whisky. [Applause on the Democratic side.]

Mr. BAYNE. How about tobacco?

Mr. TARSNEY. I will come to that.

Now, Mr. Chairman, there is no room for misconstruction. The statement is fairly made to the country.

There is one question I want to call your attention to again. We are speaking here of that great class of our citizens designated the agricultural class. If this beneficent thing you call protection is a good thing for the farmer, will somebody at some time answer me on this floor and tell me why the value of farms in this country in 1850—I have them here—the per cent. of gain in the value from 1850 to 1860 was 100 per cent.; the increase in value from 1860 to 1870 was 41 per cent.; from 1870 to 1880, under your beneficent policy of protecting the American farmer, while you are hugging him all to pieces because you love his vote, was only 9 per cent. [Laughter and applause.]

Mr. O'DONNELL. Will my colleague permit me?

Mr. TARSNEY. Certainly.

Mr. O'DONNELL. Do you maintain this tariff injures the agricultural interests? Now, you are aware in the State of Michigan, a State which you and I in part represent here, the value of farms increased from 1880 to 1884 $81,000,000. This must be so because I find it in the Detroit Free Press, a good Democratic paper you will admit, and the personal property on those farms increased in the same four years in value $19,000,000, making a total of $98,000,000 of increase in the value of farms and personal property in the four years. Did that come from the depression of the tariff.

Mr. TARSNEY. It came in spite of the tariff. [Laughter and applause on the Democratic side.]

Mr. O'DONNELL. I know it came in some way, and I am glad to know the gentleman appreciates it. [Applause on the Republican side.]

Mr. TARSNEY. No man will go farther than I will in paying tribute to that great commonwealth of Michigan, from which you come and in which I was born. Its natural resources, its productive soil, the industrious aptitude and intelligence of its people have developed a wealth which has increased and is constantly increasing largely.

When, however, I speak of percentages, I take the tables from the census during three decades. I have given to you the average throughout the entire country, and yet under your system of protection, as I have already stated, the last decade, from 1870 to 1880, showed only an increase of 9 per cent.

Mr. O'DONNELL. Will my colleague permit me to call his attention to another fact during the same period?

Mr. TARSNEY. Certainly.

Mr. O'DONNELL. In the same period the aggregate wealth of the State was $1,800,000,000, and now it is a little over two billions. That is a million a week of increase during that period of time.

Mr. TARSNEY. I am glad of it, and I hope it will continue to increase a million a week for the next decade. I want, however, to have a week set apart for myself. [Laughter.]

Mr. O'DONNELL. I noticed that by the tenor of your remarks.

Mr. TARSNEY. Will my colleague permit me to say——

Mr. O'DONNELL. Certainly.

Mr. TARSNEY. That I never yet knew of a community that got rich by being taxed to death. [Laughter.] It may be there is some hidden wisdom, some method by which this result can be brought about, but I declare I can not understand how the common good of the whole country can be enhanced by levying taxes on it in excess of legitimate needs.

Mr. O'DONNELL. Permit me to call your attention to another matter. The increase of wages in the State of Michigan in manufacturing industries in the same time I have spoken of—four years—was 80 per cent.

Mr. TARSNEY. What is that?

Mr. O'DONNELL. I have stated that the increase in wages in the manufacturing industries in Michigan for the same period was 80 per cent.

Mr. TARSNEY. Ah!

Mr. O'DONNELL. Allow me.

Mr. TARSNEY. Wages paid increased in volume, but the per diem compensation was not increased, but was lowered within that time.

Mr. O'DONNELL. If you will allow me for one moment. I have lived in Michigan for a little while. I reside in the county which has the honor of giving birth to my colleague.

Mr. TARSNEY. I will yield to a question, but not to a speech.

Mr. O'DONNELL. It is not often I make a speech, and I wish to set the matter right in reference to Michigan.

Mr. TARSNEY. I have been always right on that subject.

Mr. O'DONNELL. I doubt that. Will you permit me to finish my brief remarks?

Mr. TARSNEY. I can not yield further; you will have all you want when I get through.

Now, then, let us see how this affects the farmers from our standpoint. We all know in this great and growing country the aggregate wealth is increasing and increasing rapidly.

Mr. O'DONNELL. And yet all this time the "robber tariff" was in force.

Mr. TARSNEY. We want to so fix and shape the tariff laws of this country that its wealth will increase with still greater rapidity. How? We all know that we raise more wheat than we can eat, more corn than we can consume, more oats and other products of the farm than we need, and when we have satisfied the American appetite we must find a market for our surplus products somewhere else or else allow them to rot. It is but a few years ago that the United States supplied Great Britain with nearly all their breadstuffs.

It is not so to-day. Why? Remember now that the price we get for our surplus products abroad regulates in every instance the price we receive at home. Liverpool and London regulate the price of wheat in New York, Chicago, and Minneapolis. Now, then, how are we going to better this condition of things? I answer: Find a market. Again I ask: Why do we not sell our surplus products there as we did formerly?

Remember that nations are very much like individuals, and in fact they are but combinations of individuals, after all. "If you won't trade with me I won't trade with you."

Mr. O'DONNELL. Now let me ask you a question.

Mr. TARSNEY. No, not now. And the result is because of our restrictive and in many instances prohibitory rates of duties on commodities coming from France, Germany, England, and elsewhere. These nations have turned their attention in other directions. They have gone to Russia and Egypt, ay, with their long lines of railroad they have penetrated the very jungles of India and builded up in that region one of the greatest wheat-producing countries in the world.

Mr. O'DONNELL. Now, I want to show the gentleman that Michigan is doing just the same thing.

Mr. TARSNEY. I can not yield.

Mr. O'DONNELL. I will give you a part of my time.

Mr. TARSNEY. When did you get any time? [Laughter.]

Mr. O'DONNELL. I will get time, if I have to move to strike out the last word. I want to say to my colleague that we are trying in Michigan to make that demand for our products every time right there. Now we have succeeded to a considerable extent, as I shall demonstrate. In 1880 there were employed 77,535 persons in various branches of manufacturing industry. In 1884, just four years after, there were employed 128,907——

Mr. TARSNEY. What has that got to do with the selling of wheat?

Mr. O'DONNELL. Simply that we are establishing a market for it right at home.

Mr. TARSNEY. Well, now I decline to yield for the gentleman's argument any further.

Mr. O'DONNELL. But I want to show the gentleman that these are consumers of wheat, these additions to our population.

Mr. TARSNEY. Well, suppose they are. You do not want to eat over a bushel of wheat a day, do you?

Mr. O'DONNELL. No; but some of these people may want to buy some of the clothes that you were speaking of a little while ago. [Laughter and applause on the Republican side.]

Mr. TARSNEY. I hope my colleague will permit me to proceed. I yielded for a question and not for such an interruption as this.

Mr. O'DONNELL. But this is a Michigan question. The increase in four years of persons employed in manufacturing industries was 57,372.

Mr. TARSNEY. I hope the gentleman will not interrupt me further. [Laughter and applause on the Republican side.] I ask the Chair to request the gentleman from Michigan to take his seat. I have the floor, and I shall attempt to hold it.

Mr. O'DONNELL. Well, I have got this part of the floor, and I am trying to hold it, but you will not let me. [Laughter.]

Mr. TARSNEY. I have got on to your "pitching," as the base-ball men say.

Mr. REED. But you have not got the ball.

Mr. TARSNEY. Now you say we are going to have a home market in Michigan.

Mr. O'DONNELL. Yes, that is just what we are doing.

Mr. TARSNEY. Well, my answer is, as I said before, that we produce more of the products of the American farms than it is possible for the American markets to consume. That being the case, we must have

a market elsewhere for the surplus products of the farmer or else the farms will go to ruin. Tell me [turning to Mr. O'DONNELL] how if you please, when you do get the floor, will the farmers in Michigan, where 47 per cent. of the farms have a blanket upon them in the shape of a mortgage, how they can pay off those mortgages, which, to the farmer, is a cloud by day and by night, unless he can sell somewhere the products of the farm?

Mr. O'DONNELL. Well, I wanted to show my colleague. Will he now allow me?

Mr. TARSNEY. No, I can not yield for an interruption.

Mr. O'DONNELL. Let me state, then, that while the farms of Michigan have 20 per cent. upon them, English farms are mortgaged to the extent of 58 per cent. of their value. [Applause on the Republican side.]

Mr. TARSNEY. Now, Mr. Chairman, I repeat——

Mr. O'DONNELL. I will yield my time to my colleague. [Laughter on the Republican side.]

Mr. TARSNEY. The gentleman from Michigan treats this great and momentous problem that is before the House to-day, which I am discussing in a most serious manner, as something simply to be jeered and sneered at; but let me say to him to go back to the State of Michigan among the agricultural districts from which he comes, and conduct himself there as he has conducted himself upon the floor of the House to-day, and I venture to assert to him that he will never get back.

Mr. O'DONNELL. I did that and my constituents increased my majority in the last election from 1,200 to 5,000, whereas yours decreased from about 2,000 to about 500. [Laughter and applause on the Republican side.]

Mr. TARSNEY. Now, Mr. Chairman, I repeat that our farmers can not pay their mortgages, they can not thrive and prosper unless they can find a market for their products. And where are they now? Why to-day, under your restrictive, and in many instances prohibitory rates, you could not even get an American hog into the German Empire, even with a passport from the Secretary of State. Why? We would not deal with them, and they turned around with their laws of retaliation.

Now, then, what shall we do? Let us deal with the world not upon free but upon fair terms. The time was in our history under what these gentlemen are pleased to term a free-trade era when 77 per cent. of the exports of this country was the product of the farm, and when 78 per cent. was shipped in American bottoms, in ships built in America, of American materials by American workmen, and manned by American masters and American seamen. To-day the order is reversed and we carry less than 12 per cent. of the exports of this country.

Go with me to-day, if you please, to the city of New York and stand on the heights of Brooklyn bridge and look down the bay, and amidst the thousands of masts that you will see not one in a hundred will you see floating the Stars and Stripes.

Your system has driven our commerce from the seas. I want to see the day when our shipping interest will be revived, and when we can go to the ports of any civilized nation and see our flag floating from the mast-heads of American vessels, built by American workmen. I want to see those vessels go out from our ports to the ports of the world and bring back from them in exchange for our products the products of those foreign countries which we need and can not produce.

I want to sell them our corn; I want to sell them our wheat; I want to sell them the products of our farms; and I want to bring back in exchange, upon fair reciprocal terms, the products of those countries. Give us that and then there will be an incentive to American shipbuilding that does not exist to-day. Give us that and then there will be some reason for rejuvenating the American navy. There has just been started over in Philadelphia to-day an effort to form an American navy to protect our merchant marine, which now exists only in the imagination of individuals. When that time comes then prosperity will come to the farmer, and not until then.

Labor has never been protected and the agriculturist has been robbed. The only class, so far as I can see, that has been benefited by reason of the system is the few that own the mills. No employé in the mills is protected.

I hold in my hand a table showing the prices of the products of the American farmer from 1852 to 1861. Then the abnormal period during the civil war is omitted. The table begins again in 1867 and runs down to 1880. There are the prices of the products of the American farm. During the first period the prices averaged higher than the prices ever did under your high protective policy during the second period. These tables I shall print.

In addition to that, I remember that from after the close of the war until the 1st of January, 1879, the money that the farmer received for the product of his farm was not a 100-cent dollar, but that he was paid by a Treasury note and the circulation of national-bank notes, which at that time was much lower than the rating price of gold.

I hold in my hand a table showing the highest and lowest prices of gold in the period stated here, and which indicates the real prices which the farmer received for his product.

Mr. BAYNE. Will the gentleman yield to me for a question?

Mr. TARSNEY. Yes, sir.

Mr. BAYNE. You have a statement there of the different prices for American farm products before and since the war. Have you coupled with that a statement of the prices of manufactured products also?

Mr. TARSNEY. Not in that table.

Mr. BAYNE. Is it not a fact that manufactured products are selling for 33 per cent. of what they were before the war?

Mr. TARSNEY. They might sell a good deal cheaper if the tariff rates were reduced.

Mr. BAYNE. But your statement will show that agricultural products have fallen probably from 40 to 50 per cent., while a statement of the prices of manufactured products would show that they have fallen from 60 to 75 per cent.

Mr. TARSNEY. I will deal with that when I reach it. I listened to my distinguished and eloquent colleague from Michigan [Mr. BURROWS] when he was comparing the prices of Bessemer-steel rails. The gentleman happened to forget there was a time once, and I remember it well, when steel rails were purchased for $128 a ton. I know of one such transaction, at least, and perhaps had something to do with it. But at that time there was a royalty on steel rails. A man named Bessemer had a patent. That patent has expired, and that has much to do with the reduction of the price of steel rails.

Now, how shall the reduction of the tariff be brought about? I say go about this reduction coolly, go about it calmly, go about it unselfishly, go about it as business men sitting down to figure out a business proposition, and follow out the tenets of our platform of 1884. Let us deal with these industries in this country that have been built up even upon a false basis with a sparing hand. Give them a sliding scale. Let them adjust their business to the changed order of things. And always keep in view the fact that the laws of taxation must be revised and that the rates must be reduced until we can say we are collecting taxes only for the support of an economically administered Government, and whatever protection you get let the thing you call protection come as the incident but not the object of your legislation. [Applause.]

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I simply want to say a word or two to the gentleman from Michigan [Mr. TARSNEY], now that he has closed, because I did not want to interrupt him while he was on the floor. He stated that a large number of the members of this House, with Senators and distinguished officials, had gone to-day from Washington to Philadelphia to see the inauguration, as I hope it will prove to be, of the new Navy—to be present at the launch of the cruiser and the dynamite vessel from the ship-yard of the Messrs. Cramp & Sons, of Philadelphia, on the Delaware River. I am extremely sorry that the gentleman from Michigan [Mr. TARSNEY] himself is not present there to-day; but I presume he could not leave on account of his desire to make his tariff speech. If the gentleman had gone on that trip he would have seen employed in that ship-yard over two thousand men, skilled mechanics, skilled laborers, and laborers unskilled, all at work and all drawing large wages, wages sufficient to support them and their families, men who are efficient and happy in the occupation which they follow.

Now, sir, if this bill, which I call a free-trade bill, passes in the form in which it comes from the Ways and Means Committee it will break up that industry. I call it a free-trade bill. It may not have been in the mind of the gentleman from Michigan, when he framed a part of the plank in the national Democratic platform, that he was framing or helping to frame a free-trade platform, but certainly his President in the annual message has framed a free-trade platform and has spoken out in the clearest language of the Democracy for free trade and against protection.

I say, sir, that if the gentleman could have been present in Philadelphia to-day he would have seen those thousands of men working who, if this bill passes, which strikes down the tariff upon many articles which enter into the building of ships, would be brought down to idleness in many of the departments of that industry. And if perchance that excursion which has gone over to-day to see the launch of those vessels shall be taken by the committee in charge, as I hope it will be, farther down the Delaware River, they will see the ship-yards of Roach & Co. at Chester; they will see on the other side of the river, within the limits of the district of the gentleman from New Jersey [Mr. HIRES], another ship-yard where ship-building is going on and where hundreds of men are employed.

But even, sir, if the gentleman from Michigan [Mr. TARSNEY] were a member of that excursion he probably would not be convinced, for I do not suppose he can be convinced that the passage of the Mills tariff bill, so called, would stop the work in those great hives of industry, and that the thousands of men and women who are now profitably employed in the various manufacturing establishments within the limits of the city of Philadelphia and other cities, where they are obtaining remunerative wages, would be deprived of their employment and of the means of living.

Mr. Chairman, let me state a fact for the information of the members present, for many of them may not know it, as men naturally look principally to their own localities; I want to state to this committee that within the city of Philadelphia, with its population of a million of people, 200,000 and over are engaged in manufacturing establishments, making a good living for themselves and their families.

Mr. MCKINLEY. And buying the products of the farmers at good prices.

Mr. O'NEILL, of Pennsylvania. And, as my friend from Ohio suggests, buying the products of the farmers at good prices. In that city there are turned out every day—and you may count every day of the three hundred and sixty-five in the year—more than a million dollars' worth of products from manufacturing establishments. The product of those establishments is indeed amazing, the aggregate being nearly $400,000,000 a year. Let me add, sir, that within my recollection the population of that city has grown from less than 200,000 to be, as I am sure will be shown by the census that we are going to take in a year or two, over 1,000,000.

And what does this progress arise from? It arises from the enterprise of the men who have capital and who have invested it in the 12,000 manufacturing establishments that exist to-day in the city of Philadelphia. And, sir, let me add another fact: Although the city has increased so rapidly in population, yet the working people of that city, by their industry, their economy, their thrift, and the good wages which they receive in those manufacturing establishments, are enabled to live comfortably, and every one of them in a house of his own.

There are one hundred and seventy thousand dwelling-houses in the city of Philadelphia! Think of it! One hundred and seventy thousand dwelling-houses! More than the entire number of dwellings in the city of New York and the city of Brooklyn together, and they have been built mainly from the earnings of the men who are employed in those manufacturing establishments. And yet, sir, my friend from Michigan [Mr. TARSNEY], and others who favor the free-trade ideas of the Mills bill, do say that protection to American industry has not operated for the benefit of the individual man. I say that the farmer, the laborer, the merchant, every one, has been benefited by the protective system, which is the system proposed and advocated by the Republican party of this great country, and it is that question which is going to decide in November next that the masses of the people of this country will indorse protection to American industry and elect for us a Republican President, who will carry out that idea, not only in his messages, but by his influence and his power, wherever he may go. [Applause on the Republican side.]

Mr. Chairman, I did not intend to extend my remarks even thus far, but it seemed to me that I might very properly rise here and say that I regretted that my friend from Michigan [Mr. TARSNEY] was not present with other members of this House on the Delaware River to-day—that he had not availed himself of this opportunity to go and see for himself that great city which has been built up by the capital invested in her manufacturing establishments. If that gentleman and others like him could only be taken through the length and breadth of that city, they would come back here with their minds changed on this great question, and would be convinced that while free trade destroys, protection builds up not only the cities but the country, and advances the interests of all our citizens. [Applause on the Republican side.]

Mr. RUSSELL, of Massachusetts. Will the gentleman permit a question?

Mr. O'NEILL, of Pennsylvania. Yes, sir.

Mr. RUSSELL, of Massachusetts. At the commencement of the gentleman's remarks I understood him to say that if the Mills bill was passed it would result in closing the great ship-yard to which he referred in such eloquent words—the great iron-ship building yard of the Messrs. Cramp & Sons, now engaged in the construction of cruisers for the Navy. I understood the gentleman clearly to say that the passage of the Mills bill would result in the closing of that ship-yard and throwing two or three thousand men out of employment. Did he not say that?

Mr. O'NEILL, of Pennsylvania. I said that. I will explain.

Mr. RUSSELL, of Massachusetts. Mr. Chairman, I ask that the gentleman may have a little more time to explain how the passage of the Mills bill would result in closing those ship-yards which are now engaged solely upon the construction of the vessels for the United States Government, and which, as I understand, would be closed to-day if they did not have those orders from the Government, there being no ship-building for merchants to occupy them.

Mr. O'NEILL, of Pennsylvania. The gentleman misunderstood me, or I, perhaps, did not make myself very clear upon that point. Of course it is temporary employment that is given to those ship-yards by these Government contracts, and those gentlemen obtained those contracts because their bid was the lowest and the best, and because it is acknowledged all over the country that the work of Philadelphia shipbuilders is the best work that is done in the line of building iron ships in this country. That employment, I say, is temporary, but those shipbuilders have the building of merchant ships also, and now I say that if you adopt the policy of the free-trade bill which is under discussion here, and if you adopt the policy announced by the chairman of the Committee on American Marine and Shipping to let ships in free, you will destroy one branch of that great American industry.

I do not know how the Secretary of the Navy feels upon this subject, whether he comes right up to the point which the President has reached or not, but I do know that if you followed out the policy announced by the President even these very contracts could have been given to English ship-builders and those vessels might have been constructed upon the Clyde, and the American mechanics who are now engaged upon them would thus have been deprived of the wages which they now receive for that work.

Mr. RUSSELL, of Massachusetts. I wish to ask the gentleman if there is any provision in the Mills bill which proposes to admit ships free.

Mr. O'NEILL, of Pennsylvania. No, sir; I do not say that, but I said that there was a bill reported and pending for that purpose.

Mr. RUSSELL, of Massachusetts. Oh, a bill pending! We are talking of the bill now before the House.

Mr. MCMILLIN. My friend from Pennsylvania speaks of what would be the result of the passage of what he denominates the Mills free-trade bill. Does the gentleman regard the tariff schedule fixed at the beginning of the war in the Morrill tariff bill as a free-trade schedule?

Mr. O'NEILL, of Pennsylvania. No, sir.

Mr. MCMILLIN. Will not the rate of duty be as high, on the average, under the bill that is proposed by the gentleman from Texas [Mr. MILLS] as under that Morrill schedule?

Mr. O'NEILL, of Pennsylvania. As a general thing, no. The gentleman well knows that the bill made by Mr. MORRILL—I was in this House and helped to make it—was made under entirely different circumstances from those now existing.

Mr. MCMILLIN. My friend says that he helped to make that bill and that it was not a free-trade bill.

Mr. O'NEILL, of Pennsylvania. Yes, sir.

Mr. MCMILLIN. Then, in view of the fact that that bill carried a rate of duty no higher than that which is proposed in the Mills bill, how comes it that the gentleman pronounces the Mills bill a free-trade bill and at the same time asserts that the other was not a free-trade bill?

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, the Morrill tariff bill was made at a time when, as the gentleman from Tennessee knows, we were in entirely different circumstances from those that exist to-day.

Mr. MCMILLIN. Yes; the difference is this: Then we had an immense war on our hands, which was an excuse for high taxation, while now we have no war and no excuse for such taxation.

Mr. O'NEILL, of Pennsylvania. But now we have no one but Democratic free-traders demanding any change of the existing tariff rates. No one has come here demanding any such change, while those who have come here in the interest of protection have not been heard by the Committee on Ways and Means or otherwise.

Mr. MCMILLIN. I wish to ask my friend another question. I wish to ask him whether he agrees that we have an excess of revenue to-day.

Mr. O'NEILL, of Pennsylvania. We have.

Mr. MCMILLIN. Does the gentleman oppose tax reduction?

Mr. O'NEILL, of Pennsylvania. I propose the repeal of the excise laws to a great extent.

Mr. MCMILLIN. My friend will bear witness that the total repeal of the internal-revenue system will leave us with a deficiency of $60,000,000. Now, upon what does he propose to impose that tax?

Mr. O'NEILL, of Pennsylvania. Now, I propose we should collect by a tariff for protection sufficient money to carry on the Government and to protect American industries. That is what I propose. I propose nothing else.

I say here again, I am speaking to the point of ship-building. I have a pile of correspondence from men who furnish supplies for such establishments as the Cramps, begging us not to pass the Mills tariff bill because it strikes down the tariff and the duty on certain articles which enter into the building of ships. They say to pass that bill would be destructive to their interests. That is the opinion of men who are engaged in this business and understand what are their needs.

Mr. BAYNE. As I understood the proposition of my colleague, it was this, that the Mills tariff bill, as it is called, conjoined with the bill reported from the Committee on Ship-Building, intended to allow the introduction of free ships into this country.

Mr. MCMILLIN. I did not hear the gentleman say "conjointly."

Mr. BAYNE. That to carry out the policy of free ships and also to carry out the provisions embraced in the Mills tariff bill would result in the discharge of the workmen in the ship-building yards of Philadelphia and thus put a stop to that great industry.

Mr. O'NEILL, of Pennsylvania. I wish to state most explicitly that if the policy proposed to be enacted by the Mills bill in conjunction with the other bill in reference to ship-building were to be carried out, while it would result in benefiting those interested in manufactures in Great Britain, it would be most disastrous to the interests of the American mechanic.

Mr. BYNUM. I did not understand the gentleman from Pennsylvania to make any allusions in his preceding remarks to the bill for admitting free ships.

Mr. O'NEILL, of Pennsylvania. Oh, yes, I did, specifically.

Mr. BYNUM. Will the gentleman state how the Mills tariff bill would destroy the industry engaged in the construction of ships by the cheapening of materials which enter into their construction? Why would that be the case if the duties were reduced on the materials of ship-building?

Mr. O'NEILL, of Pennsylvania. It would upon all the materials which enter into the construction of ships.

Mr. BYNUM. Then the gentleman holds to the doctrine that the result of allowing the materials which enter into ship-building to come in at a cheaper rate would be of no benefit to the ship-building interest in this country; that it would not benefit that interest to have cheaper materials?

Mr. O'NEILL, of Pennsylvania. Oh yes; the ship-building interest would be benefited if they were to build ships upon the gentleman's theory of giving cheaper wages. In my judgment, and I say it with great respect to the gentleman, the Mills tariff bill, together with the provisions of the bill reported from the Committee on the Ship-Building Interest, would destroy to a great extent the building of American ships and send them—the ships now being built at the Cramps' yard in Philadelphia under contract for the Government, as well as all other ships being built in America—to the Clyde, to be constructed by British workmen.

Mr. BYNUM. One other question.

Mr. O'NEILL, of Pennsylvania. Certainly.

Mr. BYNUM. There is another question on another branch which I would like to ask the gentleman from Pennsylvania. He spoke of the home market furnished to the agricultural interests by those engaged in manufactures. Now, is it not a fact that in Pennsylvania, which is a great farming as well as a great manufacturing State, that that State of Pennsylvania produces a surplus of agricultural products?

Mr. O'NEILL, of Pennsylvania. It produces a great deal, but I doubt if it produces a surplus of agricultural products.

Mr. BYNUM. Does not the agricultural interest of the State of Pennsylvania to-day produce a surplus of agricultural products?

Mr. BAYNE. I do not believe Pennsylvania does produce a surplus of agricultural products.

Mr. BYNUM. The gentleman will find that it does.

Mr. BAYNE. According to what authority?

Mr. BYNUM. The census of 1880.

Mr. BAYNE. I have not the figures before me, but I undertake to say that the State of Pennsylvania does not produce a surplus of agricultural products.

Mr. BYNUM. If the gentleman will consult the authority he will find that it does.

Mr. BAYNE. The gentleman can not point me to any such authority.

Mr. O'NEILL, of Pennsylvania. The rich counties, like Lancaster and Chester, adjoining the city of Philadelphia, sell at good prices the products that they raise to those engaged in the manufacturing interest in the city of Philadelphia, but I doubt very much whether the State of Pennsylvania, with all its great agricultural products, does supply more than is needed for the manufacturing industries in that State.

Mr. MILLIKEN. Is it not true that the State of Pennsylvania consumes more agricultural products in the manufacturing districts than are consumed in the non-manufacturing districts?

Mr. O'NEILL, of Pennsylvania. Yes, sir; beyond all doubt.

Mr. McMILLIN. Is wheat higher in the State of Pennsylvania than in Kentucky?

Mr. O'NEILL, of Pennsylvania. As I have said wages are higher——

Mr. McMILLIN. Supply is regulated by the price in Europe, and when that price falls one-half of one cent a bushel in Europe it falls from Maine to California at the same rate, one-half of one cent per bushel. That proposition can not be gainsaid.

Mr. O'NEILL, of Pennsylvania. Of course the agricultural products of the great West, or the surplus of those products, are shipped to Europe, and the price of those products depends upon the price which is fixed in Europe, and they will have to depend upon that price when they are in the ports of the eastern seaboard for transportation abroad.

I will only add this much, though not bearing directly upon this question: that because of some of the provisions of the interstate commerce bill, to-day the shipments abroad are not as great as they were formerly. That is one of the results of the passage of that bill.

Mr. MILLIKEN. May I ask the gentleman another question?

Mr. O'NEILL, of Pennsylvania. Certainly.

Mr. MILLIKEN. Is it not true that not only are the agricultural products of Pennsylvania worth more than they are worth in agricultural States, but is it not also true that farms are worth more per acre, and farm labor commands better wages?

Mr. O'NEILL, of Pennsylvania. Certainly. The price of farms is great in Pennsylvania, far greater than in many of the agricultural States of the Union farther from the seaboard. Lands in agricultural portions of the State of Pennsylvania, where farming land is cultivated to a very high degree, and to a considerable extent by machinery, bring very large prices per acre. In fact, to those who live in the far distant agricultural States of the country the price is amazing; and all that prosperity in the price of land is brought about in that great State with its five and a half millions of people because they have had protection to American industries, and the American laborer has been protected in his workshop or on his farm, and in all branches of industry where he chooses to employ his labor in productive energies of any kind.

Mr. BYNUM. May I ask the gentleman another question? Do I understand the gentleman to hold that protection increases wages, increases the number of manufactories, and increases prosperity?

Mr. O'NEILL, of Pennsylvania. Yes, sir.

Mr. BYNUM. Then why do not you raise it higher if it accomplishes that? Would not the same logic hold good that it would extend prosperity further?

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I do not favor what is called the review of the tariff to-day. I want to review the tariff and revise it when we have a Republican President and a Republican House of Representatives. [Applause on the Republican side.]

Mr. CATCHINGS. We would have to wait too long for that.

Mr. O'NEILL, of Pennsylvania. I want to have it done in a House of its friends, not in a House of its enemies. [Applause on the Republican side.]

Mr. FORD. May I ask the gentleman a question?

Mr. O'NEILL, of Pennsylvania. Yes, sir.

Mr. FORD. The gentleman says he wishes the tariff to be revised in the House of its friends?

Mr. O'NEILL, of Pennsylvania. Yes.

Mr. FORD. Do you not think it would be just about as well to call upon Bob Ingersoll to revise the New Testament as to expect the Republican party to revise the tariff? [Laughter and applause on the Democratic side.]

Mr. FUNSTON. Your party never revised it.

Mr. O'NEILL, of Pennsylvania. This is not tariff revision brought in here by a majority of the Committee on Ways and Means, but a tariff reduction and tariff destruction.

Mr. O'NEALL, of Indiana. May I ask the gentleman a question?

Mr. O'NEILL, of Pennsylvania. Certainly. I can not refuse to yield to my namesake.

Mr. O'NEALL, of Indiana. If a high tariff makes high wages, how is it that in New York the laboring people receive from 10 to 50 or 100 per cent. higher wages than in Pennsylvania?

Mr. O'NEILL, of Pennsylvania. That is easily answered. It is because we have a difference in the cost of living in New York as compared with Philadelphia. Living in New York is much higher than in Pennsylvania. I will give you that as a satisfactory answer.

Mr. O'NEALL, of Indiana. Then, that being the case, and New York being compelled to pay a higher price for the labor engaged in manufacturing industries there, why is it that the cheap labor of Philadelphia does not break down the higher-priced labor of New York?

Mr. O'NEILL, of Pennsylvania. The cheap labor, as the gentleman calls it, in contradistinction to the price of labor in New York and Philadelphia, is satisfied with the wages it gets there, and there are certain conditions which make it satisfactory. The laborer in Philadelphia gets that for his toil which satisfies him; he gets a good living and his family get a good living. In New York City the expense of living is much greater, rents are higher, and the people do not live in houses as they live in Philadelphia. The laboring man in Philadelphia owns his own house, while in New York you will find family after family occupying the same house, or living together in these large tenement houses. The Philadelphia laborer owns his own house, and because he owns it he is satisfied with a lower rate of wages.

Mr. McMILLIN. Will the gentlemen allow a question just here?

Mr. O'NEILL, of Pennsylvania. Certainly.

Mr. COOPER. I move that gentlemen be permitted to extend their remarks in the RECORD.

Mr. McMILLIN. We will extend them right here.

I want to ask the gentleman a question, growing out of the line of argument he has been pursuing, for he seems now to have shifted his ground and holds that it is not the tariff but the cost of living which makes high wages. Is that his position?

Mr. O'NEILL, of Pennsylvania. No, sir. The tariff which protects all American industries protects the laboring man as well. It brings an equivalent in wages. But the laboring man is willing to spend his toil there by the week or the day or the year, because he has his own home and a comfortable living.

But this Mills tariff bill, if you pass it, if such an event should or could ever occur—it could not occur in this present House of Representatives in its present shape, for it can never pass this House—but should it by any misfortune become the law of this country, and we had to live under the Mills tariff bill, many of you would come back, even at the next session of Congress, distressed because you had oppressed the laboring man and reduced his wages and consigned him to a state of poverty far beyond that which he has been heretofore compelled to bear. The laboring people of this country are bettering their condition every day.

Mr. MILLIKEN. Let me ask the gentleman another question.

The gentleman from Michigan spoke of the revision of the tariff by the Republican party as being somewhat like a revision of the Scriptures by Bob Ingersoll. Is it not true that there has been no revision of the tariff since the Republican party came into existence in this country except by the Republican party itself; and is it not absolutely true also that the Democratic Houses that have been here year after year have never succeeded in revising it, and have never even succeeded in carrying their own party in revising it?

Mr. RUSSELL, of Massachusetts. You never succeeded in lowering it. You have always raised it.

Mr. MILLIKEN. With the help of the Democratic party we could lower anything in the world.

Mr. RUSSELL, of Massachusetts. You will never raise it again.

Mr. O'NEILL, of Pennsylvania. The gentleman from Maine [Mr. MILLIKEN] gives the correct history of tariff legislation.

Mr. BYNUM. Will the gentleman yield to me again?

Mr. O'NEILL, of Pennsylvania. Yes, sir.

Mr. BYNUM. Did not your own commission recommend a reduction of from 20 to 25 per cent. in 1883?

Mr. O'NEILL, of Pennsylvania. But the men who had the interests of real protection at heart did not carry out that recommendation.

Mr. BYNUM. My question was, did not your commission recommend a reduction of 20 to 25 per cent.? Will the gentleman answer that question?

Mr. O'NEILL, of Pennsylvania. I wish I had time—I suppose time would be given me——

Several MEMBERS. We will give you time.

Mr. O'NEILL, of Pennsylvania. I wish I had time to go over a little of the history of the attempts of the Democratic party in the way of tariff legislation.

Mr. BYNUM. Did not your commission recommend a reduction of tariff, and did you not, under the pretense of reducing it, increase it? Is not the tariff higher now than it was before?

Mr. BAYNE. We did not carry out the recommendation of the commission because we found on investigation it was not a proper thing to do.

Mr. O'NEILL, of Pennsylvania. It did not meet the views of many who were in this House and who were protectionists—myself for one.

I do not propose to go over the history of tariff legislation. I was a member of the House when the Wood tariff bill was introduced; when the people of this country were tortured by the speeches of the free-traders and the followers of Fernando Wood, who is now dead and gone. That was a bill which never should have been permitted to come before the House, and which could have been prevented from coming up if men had stood firmly at their post of duty. Circumstances only brought that bill before the House; and it was soon defeated.

So with the Morrison bill. The business of the country is always in danger when there is an attempt made by the Democratic party to revive the tariff. So to-day. I am one of those who would hasten the general debate upon this bill and would hasten action upon it, so that the country might see that there were men upon the floor of the House of Representatives who were willing to stand by our great interests as patriotic men, so as to destroy at once any hope of the Mills tariff bill ever becoming a law, or even being passed as it is now before us by the House of Representatives of the Fiftieth Congress.

Mr. Chairman, I had not expected to have been on the floor so long. But this all-around, off-hand discussion has been very pleasing to me, and the interruptions have not annoyed me. [Laughter.] I had some idea of making extemporaneous remarks upon the general principles of the tariff some time during the discussion of the bill, not entering into details. To discuss the details extemporaneously would be dangerous. To do that a carefully-written speech, and we have had a number of such speeches, much to the enlightenment of the committee, is the most judicious way to present the subject, for there is danger of errors in the statement of details in tariff legislation unless you have them before you in well considered and prepared written form.

But I might as well say what perhaps gave me the notion of saying something to-day; I rose simply to say a word for Philadelphia industries in reply to the gentleman from Michigan [Mr. TARSNEY]. What I am about to state shows the interest felt there in this great topic. Yesterday morning I received a letter from a young lady [laughter] who is about to graduate at the Normal school in Philadelphia [continued laughter], in which she said she had been designated as one of those who at the commencement were to speak on the question of protection to American industries. So you can see that this question finds entrance into the schools and households of Philadelphia. Thereupon I sat down and wrote something for her; gave her a few points, and that put me in the notion of making, not a speech, but what I have said to-day.

Hence I have said what I have said. I have been glad to answer the questions of gentlemen as they have been propounded, and I have been glad to answer them fairly and squarely and properly when I could. But before I take my seat I want to again emphasize the fact that I am a protectionist of protectionists. I am a protectionist all over.

Mr. RICHARDSON. Did the young lady ask for your protection?

Mr. O'NEILL, of Pennsylvania. Well, as is my habit, I politely answered her letter, because one of the things I have been brought up to do is to acknowledge the receipt of any letter which comes to me from any one.

Mr. BYNUM. I wish to ask the gentleman from Pennsylvania whether he indorses the extract which I am about to read from General Grant's message:

> Those articles of manufacture which we produce a constituent of, but do not produce the whole, that part which we do not produce should be entered free also. I will instance fine wools, dyes, etc. These articles must be imported to form a part of the manufacture of the higher grades of woolen goods.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I have my own views of what a tariff should be. [Laughter.] General Grant, dear man, had his, and he always spoke his sentiments in a manly way. He was a man who, when you approached him, either in person or by letter, always had an answer for you; you always knew where he stood. [Laughter.] Now, that brings me back to this point. Some of these gentlemen in their interrogatories have spoken about the free-list. I recollect the day when upon this floor I protested against the extension of the free-list, which in my opinion was already too far extended. I looked at the figures a short time ago, and I found that the aggregate exemptions from duty fell very little short of the aggregate of the duties collected upon imports. For my part, I would be very careful about extending the free-list. I would extend it only where it was absolutely necessary. I was called to account on my side of the House by gentlemen for the expression of my views on that subject. I must say that I thought at times that the extension of the free-list was made to serve personal interests; I thought that many a line was put into that list which bore directly upon certain interests, perhaps here present. The question of the free-list is very important to the doctrine of protection, and, as I have said, I would extend that list only where it was absolutely necessary to aid the manufacturing interests of the country.

Now, Mr. Chairman, I believe I have got through. I have been ready to answer questions as well as I could. The committee has listened to me with patience, and I thank the gentlemen who are present for their courtesy. I did not expect to protract my remarks so far as I have done, but I do not wish to make any apology, because speech is free in this Hall, and whenever a man can get the floor he has the right to take advantage of it until he becomes a bore to those sitting around him. [Laughter.] If he only knows when to stop, I think he does well.

Mr. BYNUM. Will the gentleman permit another question?

Mr. O'NEILL, of Pennsylvania. Yes, sir.

Mr. BYNUM. Do you indorse this extract which I now read from President Arthur's message?

> Without entering into minute detail, which, under present circumstances, is quite unnecessary, I recommend an enlargement of the free-list so as to include within it the numerous articles which yield inconsiderable revenue, a simplification of the complex and inconsistent schedule of duties upon certain manufactures, particularly those of cotton, iron, and steel, and a substantial reduction of the duties upon those articles, and upon sugar, molasses, silk, wool, and woolen goods.

Mr. O'NEILL, of Pennsylvania. I do not suppose there is any one present to-day who had a greater admiration for President Arthur than I had. His administration of this Government was the administration of a patriot, and it was conducted under very trying circumstances; but, sir, President Arthur, from his surroundings, never was on the same platform, as a protectionist, with the Pennsylvania Republican protectionists. His surroundings were different and his recommendations on these subjects did not meet the approval of the Republican protectionists—at least the Republican protectionists of the State of Pennsylvania.

Mr. BAYNE. Or of other States, either.

Mr. O'NEILL, of Pennsylvania. Or of other States. The views of President Arthur on this subject were not adhered to by the Republican Representatives generally. That is the answer that I make to the gentleman's question, and I have made that answer at other times and in other places heretofore. With all the goodness of President Arthur, with all the advantages which the country derived from his administration of the Presidency, it must be said that upon the question of protection he did not stand upon the same platform with protectionists brought up and educated as I have been, and as those who come here to represent the State of Pennsylvania generally have been. Has the gentleman any other quotations from distinguished individuals about which he would like to ask me? I should be glad to hear them if he has. [Laughter.]

Mr. BYNUM. The gentleman voted for President Grant and for President Arthur, did he not?

Mr. O'NEILL, of Pennsylvania. Yes, sir; I did, and I do not know, but I think I would have been one of the 306 who voted to renominate President Grant, such was my admiration of him.

Mr. BYNUM. You voted for him and you would have renominated him after he had delivered this message which you say if carried out would destroy American industry?

Mr. O'NEILL, of Pennsylvania. I would have taken him under any circumstances as President of the United States. [Laughter.] He was not afraid and the country knew it. He filled the Presidential

chair as a man and as a patriot, and when he spoke he spoke what he believed; he never concealed his thoughts. A man who conceals his thoughts too much, Mr. Chairman, does not come up to my measure of a man. I do not mean that a man should say this and that to everybody at all times and in all places, but this absolute secretiveness, which is sometimes seen, never suited my idea of manhood. I like the man who is frank, who does not conceal, who speaks his mind upon proper occasions.

Mr. BAYNE. Will the gentleman permit an interruption?

Mr. O'NEILL, of Pennsylvania. Yes, sir.

Mr. BAYNE. From your last remark I infer that you would admire the gentleman from South Carolina [Mr. HEMPHILL], who said frankly here the other day that he wanted to buy the products of labor in the cheapest markets of the world, and also to buy labor itself at the cheapest price.

Mr. O'NEILL, of Pennsylvania. Well, Mr. Chairman, I did not hear Mr. HEMPHILL's speech, but I can easily see how it impressed itself upon my colleague [Mr. BAYNE]. [Laughter.] And, Mr. Chairman, this brings to my mind some statistics which I saw a few days ago showing the relative cost of living in England and in Massachusetts. The statement must have been written by a Massachusetts man—an intelligent Massachusetts man. [Laughter.] Massachusetts men generally are intelligent; they generally know what they are talking about. I read this statement with pleasure. I think I have it in my room now; I wish I had it here. It was a comparison of the cost of living in the two countries with reference to the labor question. In the English towns which it mentioned the wages of labor amounted to $7 or $7.50 per week. In the Massachusetts towns the wages amounted to about $10 per week. Now, the cost of living to the laborer in the English towns mentioned was within 25 or 26 or 30 cents of his week's earnings. That was all that he had left from his wages to give to his family for any little provision in the way of luxuries; whereas in Massachusetts the cost of the laborer's living was about $8 a week; so that every week he had an excess of $2 above the cost of his living to give to his family for other little matters that they might require. The American workingman had $2 a week to spare, while the Englishman had not more than 30 cents a week. Mr. Chairman, that illustrates the difference of living for the workingman under the system of protection to American industry and the system of free trade as carried out in England.

Mr. RUSSELL, of Massachusetts. If I do not interrupt the gentleman, I wish to say to him that the high wages paid to labor in the State of Massachusetts are paid in industries which are not protected, but which are largely taxed by the tariff.

Mr. MILLIKEN. But do not they get the benefits of the protective system all the same?

Mr. RUSSELL, of Massachusetts. The highly protected industries do not pay high wages. The most highly protected industries there pay as low wages as are paid in Lancashire—I mean the great cotton industries of Massachusetts and of Rhode Island.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, that can not be. [Laughter.] I do not say the gentleman makes a misstatement, but it can not be. I take the figures to which I have referred, made by a Massachusetts man, to be true. They are gathered from statistics, and I believe them to be correct. I know in my own heart and soul that the American workingman anywhere, in any line of manufacture, in any line of industry, in any kind of work in this country, is better off at the end of the week than the foreign workingman. I know that and the gentleman from Massachusetts [Mr. RUSSELL] knows it, and gentlemen on the other side of the House know it. They can not shut their eyes to the fact. They want to build up an argument for free trade by appealing to the laboring man of this country as to how he is "oppressed" and telling him that the Mills bill will relieve him.

Mr. RUSSELL, of Massachusetts. The gentleman must know from his own knowledge of manufactures that not one industry in ten in a great hive of diversified industries like Massachusetts can be reached by the hand of protection. They are paralyzed by tax, not protected.

Mr. O'NEILL, of Pennsylvania. This is the first time I have ever heard it announced that the workingman in Massachusetts is an unhappy man, or that his family is an unhappy family. [Laughter.] The workingmen of Massachusetts have advantages which the workingmen in many other parts of the country do not have. They have an established school system; they are well educated; they toil for certain hours of the day, and then they go home and are happy in their households, and they are happy in their occupations also because the State is a Republican State and favors protection. [Applause on the Republican side and laughter.]

Mr. MILLIKEN. Are the laboring men of Massachusetts paralyzed by the amount of money which they deposit in the savings-banks in that Commonwealth?

Mr. RUSSELL, of Massachusetts. I was not speaking of the laboring men, but of the general industries of the State.

Mr. MILLIKIN. It is then the manufacturers who are paralyzed. I understood from speeches of gentleman on the other side the other day while the manufacturers were swimming in wealth the laboring men were gaining nothing by protection. I am told now by the gentleman from Massachusetts that it is the manufactures, or protected industries, as he calls them, that are paralyzed.

Mr. RUSSELL, of Massachusetts. The list of the bankruptcy courts for the last ten years in reference to the woolen manufacturers of Massachusetts will show how many of them are being paralyzed.

Mr. MILLIKEN. My friend does not look paralyzed.

Mr. RUSSELL, of Massachusetts. I am not in that business.

Mr. O'NEILL, of Pennsylvania. We will take the paralysis off wherever it exists when we get to the tariff bill and have the opportunity to amend it.

I wish to say this in behalf of the workingmen of Massachusetts. I have only had the opportunity of seeing them for a few days when passing through that State. But, sir, there is a system of frugality, of economy practiced in the State of Massachusetts which produces in respect to the laboring men in that State a most favorable condition of affairs. They have thereby been enabled with their good wages to accumulate in the savings-banks large sums of money. They have become accustomed to it, and it has reacted upon all other interests in that State. It is a good system, and just so soon as it is learned and practiced in other States its beneficent results no doubt will be precisely similar.

Mr. FARQUHAR. Surely it is not possible the gentleman from Pennsylvania is attempting to argue the theory on the other side, that the people in free-trade countries are more happy than in protected countries. [Laughter.]

Mr. O'NEILL, of Pennsylvania. No, I can not look on it in any other light than the travelers who go to Europe and pass through England, Ireland, and Scotland and see the misery of the people there. I can not think that such men are superior to the American laboring men and the American mechanic, who receive high wages and are enabled to put away in the savings-banks such large sums of money as we know they now have there on deposit.

Mr. TARSNEY. Will the gentleman permit me to ask him a question?

Mr. O'NEILL, of Pennsylvania. Why, I got up to reply to something you stated in your speech, and it would be most ungracious on my part not to give you a chance to get in now. [Laughter.]

Mr. TARSNEY. Is it not true that the territory to which you refer, of Ireland, was stolen from the people?

Mr. O'NEILL, of Pennsylvania. Oh, yes, I know something about that, something about the history of that part of Great Britain, for, sir, my own ancestor came from a part of that country. I am not speaking in reference to the point to which the gentleman has referred. I am speaking now of the difference of the laboring men in England and the laboring men in this country. I took for my illustration what I have given you from this little pamphlet, showing the condition of the laboring men in the State of Massachusetts, and the fact of the savings which they are accumulating in the banks there. I am through.

Mr. WHITING, of Massachusetts. I wish to say to my colleague from Massachusetts [Mr. RUSSELL] and to the gentleman from Pennsylvania that I live in a city where there is a great number of manufactures—woolen, cotton, paper, steel, and iron—and its statistics show the wages there are from 65 to 75 per cent. higher than they are in Great Britain; the cost of living is no higher, and that the only thing which is higher is rent. I wish to say further that the working people of that city are more than one-half of them depositors in the savings banks as the effect of the protected industries in which they are engaged. And what is true of that city is true, I believe, of every other city in Massachusetts. I believe, too, if the Mills tariff bill be passed the effect will be to reduce the wages of those laboring men, and that our people could not save and would not be in the condition of prosperity they are to-day.

Mr. O'NEILL, of Pennsylvania. In looking over my papers I find I have the little pamphlet to which I have referred. I want to have it printed with my remarks. It fully sustains the remarks which I have made on the subject to which it refers. I commend it especially to my friend from Massachusetts [Mr. RUSSELL]. It certainly comes from Massachusetts. I never knew a Massachusetts man who did not get up and defend another Massachusetts man, and I present this little pamphlet as the product of Massachusetts.

It is as follows:

WAGES, PRICES, AND COST OF LIVING UNDER PROTECTION.

Wages and living in Lancashire and Massachusetts.

To the Editor of Bradstreet's:

SIR: I send you the following by way of helping to solve the much-discussed question as to the comparative wages and cost of living of the wage-earning classes in the United States and Europe, but particularly in Great Britain. In the following comparison as to wages and cost of living in England and Massachusetts a family of two adults and three children in each country is supposed to consume the same quantities of the same articles; that is, to be placed on equality as to scale of living, clothing, and sundries not being included in either case. Each family is supposed to consist of a four-loom cotton-weaver, with wife and three children, two of the latter working in the mill. In neither case is the wife supposed to work. The English weaver is a Lancashire operative, working fifty-six hours per week, and his two working children are half-timers. The Massachusetts weaver works sixty hours per week, and his two working

children are employed thirty-two weeks in the year. The wages of the Lancashire operatives are based upon the rates given in the report of Albert D. Shaw, United States consul at Manchester, England, transmitted December 1, 1881, to the Department of State. The wages of the Massachusetts operatives are based upon the average rates paid in that State January 1, 1882, the weekly wages of the children being their average weekly wages for the entire year—that is, one fifty-second of their total yearly wages.

The Massachusetts weaver earns per week	$5.64	
Two children in weave-room, each average per week $2.33	4.66	
Total income per week of the family		$10.30
The Lancashire weaver earns per week	5.28	
Two children in weave-room, half-timers, each per week, 84 cents	1.68	
Total income per week of the family		6.96
Excess of weekly income in Massachusetts		3.34

Each family is supposed to consume the following, the same being the weekly subsistence of an English operative's family of the size under consideration, presented in the Progress of Manchester, by D. Chadwick, of the British Association, revised by Dr. Watts, and quoted by Leone Levi, in Work and Play (London, 1887), page 129. The English prices are based upon rates current in Lancashire from the report of Consul Shaw, before alluded to, December, 1881, and from other official sources. The Massachusetts prices are average rates current in said State, January 1, 1882:

Prices and quantities consumed per week.	Retail cost at Lancashire, England.	Retail cost in Massachusetts.
Bread, 8 four-pound loaves	$1.20	$1.28
Corn-meal, ½ peck	.22	.22
Flour, 6 pounds	.26	.27
Fresh meat, 5 pounds	.95	.80
Bacon, 2 pounds	.36	.40
Potatoes, 40 pounds	.40	.84
Milk, 7 quarts	.42	.42
Vegetables	.12	.12
Coffee, Java, ¼ pound	.16	.16
Tea, ¼ pound	.12½	.15
Sugar, 3 pounds	.24	.30
Rice, 2 pounds	.08	.20
Butter, 1 pound	.30	.35
Molasses, 1 quart	.12	.16
Soap, 1½ pounds	.10	.10
Coal	.36	.62½
Oil	.12	.10
Rent, 5 rooms	1.20	1.50
Total per week	6.73½	7.99½

That is to say, it would cost the family in Lancashire to live, not including sundries and clothing, $6.73½; while the family in Massachusetts, consuming the same things and the same quantities, would expend $7.99½; extra expense in Massachusetts per week, $1.26. I have previously shown the excess of weekly income in Massachusetts to be $3.34, and, therefore, deducting therefrom the extra expense of living, there remains a net excess of income per week in favor of Massachusetts of $2.08.

Out of the total weekly income the Lancashire family would have for sundries and clothing (after providing for the items of expenditure contained in the foregoing table) the sum of 22½ cents, while the Massachusetts family would have for the same purpose $2.30½.

It should be remembered that the items of subsistence quoted are those actually consumed by a Lancashire family of the size named; and in the comparison the Massachusetts family is supposed to consume precisely the same articles and quantities, no allowance being made for any change in the style of living.

It will be seen that the wages of the children vary more than those of the adults, and that this variation, being in favor of Massachusetts, is an important element in producing the excess of weekly income shown in that State. The wages of the children should, however, be included in the earnings of each family, as these wages are the saving factors of the income product both here and in Lancashire, it being nearly impossible to support a family containing more than three members in either locality from the earnings in this industry of the father only. Should the wife work in the mill, and her earnings enter into the comparison, the relative position of the families as to excess of income would not be materially changed, as the wages of adult females in the two countries do not vary more than those of adult males.

I also present a comparison between the condition of a Blackburn cotton spinner and that of a Massachusetts cotton spinner, prepared in the same manner and on the same basis as that taken for the weavers.

The Massachusetts mule-spinner earns per week	$10.09	
Two children, frame-tenders, each average per week, $1.85	3.70	
Total income per week of the family		13.79
The Blackburn mule-spinner averages per week	7.80	
Two children (little tenders, half-time) each per week, 96 cents	1.92	
Total income per week of the family		9.72

Excess of weekly income in Massachusetts, $4.07; net excess after deducting $1.26, the extra weekly expenditure of the family in Massachusetts, $2.81. The family of the Blackburn spinner would have for sundries and clothing, after providing for the items specified in previous table, $2.98½, while the Massachusetts family would have for the same purpose $5.79½. I believe this statement to be as fair and as just as it is possible to make it.

Respectfully,

CARROLL D. WRIGHT,
Chief of the Massachusetts Bureau of Labor Statistics.

BOSTON, *March* 15, 1882.

There is not one American in twenty who is not clad from head to foot, out and out, with American products—his coat, hat, boots, linen, and flannels. His watch, his knife, his pencil, his gloves, and his jewelry are also American products.

HOW FARMERS HAVE BEEN HELPED BY PROTECTION.

In an interesting letter published in the New York Herald in 1882, respecting the stock-raising of the country, the author introduced for comparison the following prices of farm produce and stock as found in a paper published in the interior of the State of New York in 1816 and the prices of the same at the present time:

Products.	1816.	1882.
Wheat was then from	$0.25 to $0.44	$1.42
Corn	.12½ to .20	.60
Oats	.15	.60
Eggs, per dozen	.05	.15
Barley, per bushel	.25	.80
Butter, per pound	.05 to .12	.40
Cheese, per pound	.03 to .06	.13
Cows, per head	16.00 to 20.00	$20.00 to 100.00
Cattle, per yoke	25.00 to 45.00	100.00 to 250.00
Hay, per ton	3.00 to 5.00	10.00 to 20.00
Straw, per ton	2.00 to 4.00	7.00 to 16.00
Carriage horses, per span	150.00 to 200.00	500.00 to 1,200.00
Sheep, per head	.50 to .75	1.50 to 2.50
Farm labor, per month	3.00 to 8.00	12.00 to 25.00

Formerly, and, indeed, nearly to the date that American manufactures assumed an importance, the farmer was obliged to exchange his produce for store goods at very high prices, cash being almost out of the question. The following prices in 1816 and 1882 for a few manufactured goods and other merchandise purchased by the farmer indicate the great change in favor of the agricultural classes and other consumers during the interval:

Articles.	1816.	1882.
Cost of steel, per pound	$0.17	$0.10
Sawplate, per pound	.40	.26
Nails, per pound	.12½	.04
Broadcloth, per yard	16.00	4.00
Wool blankets, per pair	$10.00 to 20.00	$3.00 to 10.00
Cotton cloth, per yard	.30 to .50	.04 to .12
Calico, per yard	.25 to .75	.04 to .16
Salt, per bushel	1.00 to 4.00	.15 to .25

That is to say, the average increase in the price of farm produce during the last sixty-six years has been from 300 to 400 per cent., while the average decrease of the price of manufactured goods during the same period has been from 20 to 90 per cent. All of which is due to the introduction of diversified industries engaged in manufactures and fostered by a protective tariff.—*Boston Journal.*

Now, I want to say, in reference to some ideas which seem to prevail in the House, that it can be proven in Pennsylvania, and the city especially which I in part have the honor to represent, the protection city of Philadelphia, and the State is, as you all well know, a protection State, so much so, indeed, that there is scarcely a bit of difference of opinion or sentiment between Democrats and Republicans representing Pennsylvania upon tariff questions, that no man in any one of our districts could live in political life if he was not a protectionist. You may take any one of our Democratic districts in Pennsylvania, and no man occupying a seat here to-day, if the direct issue of free trade and protection was presented there prior to the election, could be elected to the House of Representatives from that State.

Mr. BYNUM. Was not Mr. SCOTT elected upon the revenue-reform ticket? He advocated revenue reform.

Mr. O'NEILL, of Pennsylvania. No, sir; he was elected on account of Republican differences in his district, and my colleague from the adjoining district can tell you more about that than I can.

Mr. BAYNE. I want to say this, in reference to Mr. SCOTT and this tariff issue, that the Democratic party, in my opinion, never squarely raised this issue until it was raised by President Cleveland himself.

Mr. BYNUM. Now, let me say——

Mr. BAYNE. One moment—just wait a moment. We have time enough here. President Cleveland had the manliness and the courage to raise that issue squarely and fairly for the first time in the history of the Democratic party since 1861; and I think it is due to the people of this country that they should pass upon that issue before we revise the tariff. I say this, Mr. Chairman, because the Democratic party never before was understood to be, as a party, favorable to any such revision of the tariff as is proposed in this Mills bill. That is to say, while the large number of the party have been so understood, it has been questioned before and well known that there were many Democrats all through the States of the country who were opposed to any such revision; and it was by the free use of the party lash, as I understand it, that the great bulk of the Democratic party was whipped in, and only a very small minority now left who will not support the bill.

Mr. BYNUM. Does not the gentleman from Pennsylvania know that in all the Republican party platforms which have been disseminated throughout the country in former campaigns revenue reform was a party cry?

Mr. O'NEILL, of Pennsylvania. Yes; but revision not by a Democratic majority in the House of Representatives. [Laughter and applause on the Republican side.]

I want to say a word in reference to the election of my colleague, Mr. SCOTT. There were differences in that district inside of the Republican party, not upon this issue, but personal differences in some of the counties; and Mr. SCOTT was elected and re-elected, and I say it in no disparagement of him, for he is a most intelligent gentleman, a man of large experience in business matters, and fit intellectually and otherwise to be a member of Congress; but he could not be elected in that

district upon this issue. He could be nominated by the Democratic party; but mark my words he will not accept that nomination. If he did he could not be elected in the new district in which he would have to run upon the issue of free trade.

Mr. BYNUM. We confess that we can not keep up with your gerrymandering.

Mr. O'NEILL, of Pennsylvania. We do not gerrymander. Pennsylvania is free from that charge.

Mr. KERR. I am surprised to hear such a suggestion as that from a gentleman from Indiana.

Mr. BYNUM. Let me say to the gentleman that Indiana, under a Democratic administration, has a fairer apportionment than it ever had before.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I want to proceed now for a little while longer. I have just got in the humor for it. I know it will give me a great deal of trouble to-night to revise all of these notes. A man had much better sit down and write out his speech upon the tariff question, and most other questions, than to have to wade through hundreds of pages of the excellent phonographic reports given to us by our reporters. But still as I have gone this far I want to add a few remarks to what I have already made.

[Here the hammer fell.]

Mr. GEAR. I hope the gentleman's time will be extended.

The CHAIRMAN. If there be no objection, the gentleman's time will be extended.

There was no objection.

Mr. O'NEILL, of Pennsylvania. I will remark here that it is a pretty warm day to be engaged in this sort of conflict in the House of Representatives. [Laughter.] But I want to give attention to the subject of protection in Pennsylvania, as it is looked upon there by both parties, Democratic and Republican. The protectionists of Pennsylvania represent the people of the whole State. I said a few moments ago, making the broad assertion that can not be contradicted, that no sitting member of this House could be elected upon the platform of free trade in that State. There were times when the Democratic party in our State thought they could change the current of popular sentiment, a good many years ago, perhaps before many of us were in mature life.

One Mr. Glancey Jones, one of the leaders of the Democratic party of Pennsylvania, nominated for Congress by the Democratic party in Berks County, which usually gave a majority there of about 8,000 for the Democratic party when they did not stop their counting, but anyhow about 8,000—Glancey Jones ran upon the free-trade platform. The Whigs did not make a nomination, but a Democratic protectionist by the name of Schwartz, a dear old German, ran on the protection ticket and was triumphantly elected.

Mr. FARQUHAR. Mr. Jones had been chairman of the Ways and Means Committee, too.

Mr. O'NEILL, of Pennsylvania. Yes, sir; Glancey Jones had been the chairman of the Ways and Means Committee of a former Congress, and yet, notwithstanding that he ran in Berk's County, a thorough Democratic district, with the standing which his chairmanship of the Ways and Means Committee gave him, as a Democrat he was beaten, absolutely beaten by a protectionist. He was defeated by quite a large majority, and Schwartz, the German protectionist, was elected. And I say it will be so in every instance with any man in Pennsylvania, running in any district, who runs upon the doctrines enunciated by President Cleveland in his message to Congress at the beginning of this session. That is the condition there to-day in all parts of the State.

The sentiment prevails all over the State, and will prevail. You know of the immense majority of 80,000 that we can give upon our Presidential ticket at a Presidential election. Our majority is an immense one, and it is a majority really of the people of Pennsylvania who feel that Republican administrations are for the benefit of the country and that Democratic administrations are not so.

I have said it privately, and I will say it here where we are talking face to face; I have said it on the stump and have said it otherwise—what a pity it is when the Government comes under the control of Democratic organizations anywhere, in Congress, in our Legislatures, in the Presidential office. When that comes about we never have progress; we go back. The Democratic party lives in its old ruts of bygone days. The Republican party is the only party of progress, and has been the only party of progress.

Mr. McMILLIN. Did we not build 12,000 miles of railroad in the past year?

Mr. O'NEILL, of Pennsylvania. The railroads which have been built in this country were stimulated by the existence of the Republican party in power.

Mr. McMILLIN. I will state to my friend from Pennsylvania that but for the lands squandered upon the Pacific roads we would not have lost the 190,000,000 of acres of land with which they were subsidized.

Mr. O'NEILL, of Pennsylvania. I am not speaking of that. I have studied that matter and thought over it satisfactorily enough. You can not help a man making money. If money is his god he will make it wherever he goes and at every opportunity he has.

I do not know how the millionaire feels. I should think he feels very good and pleasant; free from care, or perhaps he is no freer of care than those of us who are not classed among that set of men. Yet I do not despise that man. He deserves some sympathy. He puts his capital into enterprises and takes his chances of loss or gain. Your railroads are built, your steam-ships are built, all manner of business enterprises are entered into, and the people at large are gainers by it and will continue to be gainers by it.

If we resume again, as I believe we can, a Republican administration of the Government, and have a Republican House of Representatives, as well as a Republican Senate, we will have an era of progress. I say this in all kindness as between man and man. The Democratic man to me is just as kindly and fair as the Republican man. But I say to them, "You do not seem to get out of the old ruts; you live in the past and not in the future; you attempt by legislation to throttle everything that is progressive; and worse than all you try to make the people believe in your speeches when you tell them that Republicanism is destructive to the progress of the country and the interests of the masses of the people."

But I believe those masses are intelligent, and they know just what we are doing here. They look to us, they watch us more than we may think they do. They see what is going on; and I feel sure when the contest comes a few months hence the intelligence and patriotism of the country will change the existing order of things here and in the White House.

I do not say this from an individual point of view. You gentlemen are pleasant, agreeable companions; I have found you to be so. But I want a Republican majority in the House of Representatives and a Republican President of the United States, with a Republican Senate, and we will then reform and revise the tariff and will make it so that it will be progressive; and I know the country will be glad and be prosperous under its benign influences. [Loud applause.]

Mr. RUSSELL, of Massachusetts, obtained the floor.

Mr. WEBER. May I ask the gentleman from Tennessee [Mr. McMILLIN] a question?

Mr. McMILLIN. Certainly.

Mr. WEBER. I ask the gentleman from Tennessee whether he disapproves of the building of the Pacific Railroads?

Mr. McMILLIN. I will state to the gentleman that in due time all of the progress which has been accomplished would have been accomplished without the sacrifice of the land given to those railroads. I disapprove of that squandering of the public land. It was a crime when it was done and a disgrace when it was ended.

Mr. WEBER. Does the gentleman repudiate the doctrines of his party in 1864? And does he repudiate the doctrines of the leader of his party, the chairman of the Committee on Ways and Means in the last Congress, who was himself repudiated by the people of his district for attempting to force down the throats of our people the same policy the foundation of which is in this Mills bill?

Mr. McMILLIN. I deny the wisdom of a policy that put our vast public domain out of the reach of laborers and individual settlers and put it into the hands of monopolies. So far as the distinguished gentleman to whom I suppose the gentleman from New York refers is concerned, he is so bold and honest that no one who knows him would question his high standing.

Mr. BRECKINRIDGE, of Kentucky. I rise to a question of order. The gentleman from Pennsylvania [Mr. O'NEILL] yielded the floor and the gentleman from Massachusetts [Mr. RUSSELL] was recognized, and all this is out of order.

Mr. GEAR. Will the gentleman from Tennessee [Mr. McMILLIN] yield to me for a moment?

Mr. McMILLIN. I can not. I had not observed that the gentleman from Massachusetts [Mr. RUSSELL] had been recognized when I made my statement.

Mr. RUSSELL, of Massachusetts. Mr. Chairman, I yield a few moments to the gentleman from Michigan [Mr. FORD].

Mr. FORD. Mr. Chairman, I was somewhat struck by the claim made by my friend from Pennsylvania [Mr. O'NEILL], for whom I have the highest respect, in calling forth and bringing to view the alleged prosperity of Philadelphia as showing the favorable results of the high-tariff policy under which this country has labored for the last twenty-five years. To me, sir, the city of Philadelphia is an illustration on the other side. To me the condition of that city to-day is the best argument that can be made to show the baleful and pernicious effects of the very high tariff which now exists. Some ninety days ago I was in Philadelphia, passed through its streets, and remained there for some time.

From Philadelphia I went on to the city of New York, and the contrast was most striking. Here are two cities within 90 miles of each other, the one, New York, rapidly becoming the greatest commercial center in the world, the other, Philadelphia, which the gentleman spoke of as a city of a million inhabitants, but, if he will pardon me for saying it, what he calls the city of Philadelphia is not a city at all; it is nothing but a big, overgrown country village. [Laughter.] Philadelphia, from its natural situation and resources, might have grappled with the immense trade which has now gone to New York and the two cities might have been seen traveling along with each other hand in hand, equal competitors for that great commerce.

What is the reason that Philadelphia has failed in the race? Sir, it is because Philadelphia and the business men of that place have been fed upon the public pap and have been brought up to believe that the rest of the country should be taxed to support them. It is because they have not depended, as the citizens and business men of New York have depended, upon their own enterprise, their own thrift, their own frugality for the bettering of their condition. The people of the city of Philadelphia have not obeyed that injunction of the Bible which says, "In the sweat of thy face shalt thou eat thy bread." If the people of Philadelphia had earned their own living in the old-fashioned way, it is my judgment that they would now be in a very different and very much better position.

Mr. NUTTING. I think the gentleman is entitled to the credit of being the first to discover the fact that the people of Philadelphia have not been industrious from the foundation of the city until now.

Mr. FORD. I did not say that, sir, but I will submit the question to any fair-minded and unprejudiced man. Let him go to that city of Philadelphia and look it all over, and then go from there to the city of New York, and let him say if he does not find that the contrast is something tremendous. Why, sir, it reminds me of a story I read the other day of two old friends who met after a long separation, and one said to the other, "Why, Tom, where have you been?" His friend replied, "I have been very sick, and the doctor has advised me to go to some quiet place, where I can lead a quiet and secluded life." "What have you done about it?" asked his friend. "Well," said the sick man, "I have gone into business in Philadelphia." [Laughter and applause.]

Mr. O'NEILL, of Pennsylvania. The gentleman must have made a very short visit in Philadelphia, and he must have had his eyes closed or he must have been under some remarkable influence which caused him not to want to see, because the contrast between the two cities is indeed very great, but it is entirely in favor of Philadelphia. [Laughter.] The city of New York is largely made up of foreign population. The importers, the capital of Great Britain is there, and hence there is a free-trade feeling in New York City which has been manifested heretofore by its representatives upon this floor, but, I am glad to say, not now.

I want to say to the gentleman from Michigan [Mr. FORD] that the investments and the manufactures of Philadelphia amount to many more millions of dollars than like investments in New York, and New York concedes that. New York is a great seaport. It invites the foreign element and that element is there. New York is for free ships. It is the foreign element and the foreign influence in New York that makes against protection. The gentleman compares New York and Philadelphia. Why, sir, I spoke of Philadelphia as a city of homes; I spoke of its comforts for the people who live there. Did the gentleman travel over the 800 miles of its paved streets or the 400 miles of its street railways, and did he look into thousands and thousands of houses in which the poorer people of Philadelphia dwell?

You do not see many large houses in Philadelphia occupied by millionaires; you do not see much lavish or extravagant expenditure there, compared with New York, which I admit.

Mr. FORD. I spoke of the entire commerce of the city.

Mr. RUSSELL, of Massachusetts. Mr. Chairman, if the gentlemen will say how much time they want for this discussion I will try to accommodate them. [Laughter.]

Mr. O'NEILL, of Pennsylvania. I want only two minutes more. You know I gave you a good deal of time. [Laughter.] Mr. Chairman, I only want to say this in defense of the city of Philadelphia: If the gentleman from Michigan [Mr. FORD] had remained there long enough, or if I had come across him there (as I hope I may at some future day), I would have shown him what the greatness of Philadelphia is. [Laughter.]

The city of Philadelphia is great in everything that enters into the comfort of man; great in everything that enters into moderate living without luxury; great in everything that is domestic; great in everything that pertains to the comfort, and the intelligence, and the progress, and the welfare of her native and her Americanized population. I use these words "native" and "foreign" as descriptive, but it is well known that New York is in large measure a foreign city. It is influenced largely by foreign capital. It is the influence of foreign capital that makes the only street that gentlemen who visit that city, as my friend from Michigan probably did, generally the only one they go into—Broadway. My friend does see a great crowd in New York struggling to make their way, but he will find upon close inspection that one out of every two men that he sees is a foreigner or surrounded by foreign influences.

Yet, Mr. Chairman, I say with great pleasure that there are now Representatives in this Hall from the city of New York who are in favor of the protective system. Formerly it used to be the rule that the delegation from New York City was almost entirely in the interest of free trade. But now, let me say to the gentleman from Michigan again, that if he wants a comfortable life combined with the pursuits of legitimate business let him come to Philadelphia. [Laughter.] No man can be idle in Philadelphia. There are no idlers there. Everybody is occupied in making a living for himself and his family. The people of Philadelphia lead a life of domestic happiness and also a life of great business industry, and they heap up in the aggregate more capital than the American-born people of the city of New York do.

Mr. LAIRD. Tell them about John Wanamaker. [Laughter.]

Mr. O'NEILL, of Pennsylvania. Yes, John Wanamaker. I am glad you have mentioned his honored name. I will speak of Mr. Wanamaker, who is a distinguished constituent of mine, one of the gentlemen I am proud to have the honor of representing upon this floor, a man of great enterprise. And, Mr. Chairman, our city is full of men of enterprise, and let me say to my friend from Michigan [Mr. FORD], who undertakes to draw a comparision here between the city of New York and the city of Philadelphia, that I hope before he undertakes to make any other such comparison he will visit Philadelphia and come along with me and I will show him what that city is. [Laughter and applause.]

Mr. RUSSELL, of Massachusetts. Mr. Chairman, I do not think the gentleman from Pennsylvania has had sufficient time to give the statistics of Philadelphia and do justice to its attractions [laughter], and I should like to extend his time, only that that would not leave me any for myself. There is a story current in Boston that a Philadelphian visiting there was very much annoyed by the crookedness of the streets, and remarked rather petulantly to his Boston friend that he wished Boston was "laid out in the same manner as Philadelphia," to which the Bostonian replied: "When Boston is as dead as Philadelphia we will have her 'laid out' in the same way." [Laughter.]

Mr. O'NEILL, of Pennsylvania. That is very good, very good.

Mr. RUSSELL, of Massachusetts. The gentleman has also declared here that in the next Presidential election they will have a majority of nearly all, I think he said, of the voters of the State of Pennsylvania against the free-trade doctrine of the Democratic party. I would caution the gentleman from Pennsylvania not to have that majority larger than the number of legal voters.

Mr. MILLIKEN. That is not usual in the Republican party. We can show you a great many cases in your own party, however, where that condition of facts is true.

Mr. RUSSELL, of Massachusetts. But you can not show us that in the State of Pennsylvania.

Mr. MILLIKEN. No; the State of Pennsylvania is a Republican State.

Mr. O'NEILL, of Pennsylvania. No, sir; it can not be said of the State of Pennsylvania, for it is the great boast in the city of Philadelphia, on both sides of politics, that they have honest elections there. We have laws which will prevent, in my opinion, any dishonest elections. We have laws there for the protection of elections, which are carried out and which will go to the extent even of preventing frauds at delegate elections. Those laws in the city of Philadelphia are rigidly enforced, and the result is honest elections. Besides that, we have not in the city of Philadelphia what you have in Boston—and that is such men as John L. Sullivan, as my friend from Boston has in that city; and it is also true that while John L. Sullivan may be needed in the city of Boston, such men are not needed in the city of Philadelphia. [Laughter and applause.]

Mr. RUSSELL, of Massachusetts. The gentleman from Pennsylvania has referred to the State of Massachusetts as a Commonwealth where wages of the laboring men are higher than, perhaps, they are in any other place in the world. In the interrpution which I made in the current of his remarks I said that that was so, because not one in ten of the industries of the Commonwealth of Massachusetts were among the protected industries; and since I spoke I have been kindly handed by a friend a list of the wages paid in the State of Massachusetts and the wages paid in Great Britain in the cotton-spinning districts—and the cotton industry, Mr. Chairman, is the largest industry in the Commonwealth of Massachusetts, and it is protected by a tariff to the extent of 50 per cent.

Mr. MILLIKEN. Will my friend allow me to ask him a question?

Mr. RUSSELL, of Massachusetts. The gentleman from Maine should at least permit me to get a start.

Mr. MILLIKEN. The gentleman was very exuberant in asking questions when the gentleman from Pennsylvania was upon the floor, but he does not seem to be willing now to allow me to ask him a question.

Mr. RUSSELL, of Massachusetts. The gentleman from Pennsylvania [Mr. O'NEILL] is the very first man on your side to get out of the strict line of written speeches. He is the first one who, instead of reading off a written speech seemingly prepared or revised by the central bureau here, has gone into a discussion of the real questions involved in the bill now before the House. And the questions which were propounded to him were invited by himself.

Mr. MILLIKEN. The gentleman from Pennsylvania certainly was not prepared with a written speech, and he seemed to be well able to take care of himself.

Mr. O'NEILL, of Pennsylvania. I regret I was not able, like the gentlemen who have preceded me, to have written out what I would like to say on the pending question of the tariff. If I had been able to do so, I would perhaps have taken much more trouble than I have done; but what I have had to say on this question I have said, and I have freely expressed the conviction of my mind.

Mr. RUSSELL, of Massachusetts. I acknowledge, as the gentleman from Pennsylvania has stated, it is a great deal safer to write out your remarks and to consider them beforehand; and I am quite sure if he had followed that rule on the present occasion there are some things that he has said about the Mills bill which he would have omitted, because they seem to show he has not read that bill.

Mr. O'NEILL, of Pennsylvania. Yes, I have read it, and I have reread it, and I understand the disastrous results it will work to the laboring men and industrial interests in this country; and it is because I do understand it in detail and in the aggregate that I have expressed myself so strongly against it.

Mr. RUSSELL, of Massachusetts. But to proceed with my remarks at the point where I was interrupted, as to the cotton-spinning industry in the State of Massachusetts, which is protected, as I have already stated, by a duty of 50 per cent., I wish to state what are the wages paid in the State of Massachusetts, where this industry is protected, and the wages paid in Great Britain.

In England in the cotton-spinning district laborers are paid 75 cents a day. In Massachusetts they are paid 92 cents a day. Spinners are paid $1.48 in England, and in Massachusetts they are paid $1.65. Weavers in Great Britain are paid 90 cents, and in Massachusetts they are paid 95 cents. This is all the difference there is between the laborers in the cotton-spinning industry in Massachusetts and England, and as the gentleman from Pennsylvania has stated, the Commonwealth of Massachusetts is the most favored portion of the United States so far as laboring men are concerned, engaged in these protected industries.

Mr. WHEELER. Is it not true they work more hours in Massachusetts than in England?

Mr. RUSSELL, of Massachusetts. They work more hours during the week up there in Massachusetts than in England.

Mr. FORAN. Will the gentleman yield for a question?

Mr. RUSSELL, of Massachusetts. I yield.

Mr. FORAN. If England pays such wages as compared with us, why is it that thousands and thousands are flocking to our shores every year from that country?

Mr. RUSSELL, of Massachusetts. I am not aware that they are flocking to Massachusetts and crowding our cotton mills.

Mr. FORAN. Thousands upon thousands come every year.

Mr. RUSSELL, of Massachusetts. They may do so; but they are not crowding your "paradise of cotton-spinners," which the gentleman from Pennsylvania said Massachusetts was.

Mr. NUTTING. Will the gentleman yield for a question?

Mr. RUSSELL, of Massachusetts. No, sir; I want to get in something else myself, and I must decline to yield further.

Mr. NUTTING. But it is something that you ought to answer.

Mr. RUSSELL, of Massachusetts. Very well; go on.

Mr. NUTTING. Last year—the very last year—the immigration from England to this country was 45,696——

Mr. RUSSELL, of Massachusetts. I must say to the gentleman from New York that I am talking of the wages in Massachusetts as compared with the wages in England; not the wages in New York or in Michigan.

Mr. NUTTING. I know; but allow me to complete my question. The immigration from England to this country last year was 45,696, and from Ireland to this country last year it was 56,860.

Now, will the gentleman be kind enough to tell the House why it is, if free trade in Great Britain has been conducive to the benefit of the laboring people, that these great numbers have come to this protected country?

Mr. RUSSELL, of Massachusetts. I hope the gentleman from New York understands that we have advantages in this country other than those which are secured by a 47.10 per cent. on some kinds of raw material and manufactured goods.

Mr. NUTTING. That is no answer.

Mr. RUSSELL, of Massachusetts. Have we not republican institutions, free schools, free lands, good soil, a genial climate, and all conditions conducive to the wealth of the agricultural classes? The better part of the continent is ours, to which we may welcome the landless men of all the world; these are advantages that, to my mind, lure immigrants to our shores, not our system of taxation; that rather repels them.

But the point to which I return is a comparison of the wages of labor between Massachusetts and England, and I have here stated that the high tariff——

Mr. O'NEILL, of Pennsylvania. Will not the gentleman from Massachusetts read Carroll D. Wright's statement?

Mr. RUSSELL, of Massachusetts. I have his latest report here.

Mr. O'NEILL, of Pennsylvania. Well, read it.

Mr. RUSSELL, of Massachusetts. And I appeal from Carroll D. Wright to Carroll D. Wright.

Mr. O'NEILL, of Pennsylvania. The statement of the chief statistician of Massachusetts ought to be entitled to some weight with Massachusetts people.

Mr. RUSSELL, of Massachusetts. I have matter here from Mr. Wright so recent that it has not even been put in type, there not being sufficient time.

Mr. O'NEILL, of Pennsylvania. I do not know if the gentleman representing the statistical bureau of Massachusetts is not good authority to quote upon this point. I should be very sorry to think that he had sent something here which was not reliable, and if so it is a most remarkable thing coming from a Massachusetts man.

Mr. RUSSELL, of Massachusetts. Well, you must settle that with Mr. Wright. His statistics, I wish to say, are of the very highest character and reliability, and I have just read from them.

Mr. O'NEILL, of Pennsylvania. But the gentleman seems disinclined to allude to them, although I understand that they are sent here to furnish reliable intelligence for the use of the members of the House.

Mr. RUSSELL, of Massachusetts. Now, Mr. Chairman, to show the effect of taxation on Massachusetts industries, I wish to refer to another industry, a comparatively unprotected industry, which is the second in importance and volume in the great Commonwealth of Massachusetts, and I refer to the boot and shoe industry. That is an industry which pays the highest wages which are paid in any part of New England to manufacturing operatives.

This is well known to every man in this House who has studied the questions that we should discuss in this debate. These operatives are moreover men of a high grade of intelligence; they are the frugal, high-taxed, unprotected mechanics that add to the immense deposits of our savings banks. The nominal duty on boots and shoes is about 30 per cent., and I believe that if that duty were taken off, and I say this with a full knowledge of my responsibility to a district containing more boot and shoe manufactories than any other in this country outside of Massachusetts—that if that duty of 30 per cent. was taken off and similar duties were taken off of the articles entering into the manufacture of boots and shoes my people would be better off to-day and would be able to still further increase the wages of their employés.

Mr. O'NEILL, of Pennsylvania. Why has the gentleman read the memorials presented here in reference to the morocco manufacturing industries?

Mr. RUSSELL, of Massachusetts. I am not talking of morocco now, but of boots and shoes.

Mr. O'NEILL, of Pennsylvania. I think the gentleman can not have read the facts in connection with morocco and leather——

Mr. RUSSELL, of Massachusetts. I can not yield to the gentleman further. He has had his time. The gentleman can show up the Pennsylvania industries, but I am now talking of Massachusetts. Morocco and leather are the raw materials of boot and shoe makers.

Mr. O'NEILL, of Pennsylvania. I know; but I want the gentleman to read the matter which has been presented here through the petition-box, especially calling attention to the morocco manufacturers and those dealing in leather, and he will see how they would suffer under this Mills bill.

Mr. RUSSELL, of Massachusetts. I know that if we go to the petition-box for information I am sure we shall find it very unsatisfactory, for I have put many petitions in there myself that I should be sorry to agree with.

Mr. O'NEILL, of Pennsylvania. I hope the gentleman has read everything that he has put in. I think it is the duty of a representative of the people to do that. I regret very much that we were shut out from getting at the Committee on Ways and Means, for I should like to have read many petitions that came to me from men in all branches of trade who are opposed to the Mills bill. I think they would have illuminated my friends from Indiana and Kentucky.

Mr. RUSSELL, of Massachusetts. I now wish to give——

Mr. BAYNE. Mr. Chairman——

Mr. RUSSELL, of Massachusetts. If I can get the floor for a few minutes——

Mr. BAYNE. I desire to ask the gentleman one question relating to the shoe industry.

Mr. RUSSELL, of Massachusetts. I will answer a question as to the shoe industry, but not as to the leather industry, at this time.

Mr. BAYNE. I want the gentleman to stick to the logic of his position. I did not hear the speech of the gentleman from Texas [Mr. MILLS], but I am told that he said the wages paid to the workers in the shoe factory in Massachusetts were almost double the wages paid to the same class of workmen in England——

Mr. RUSSELL, of Massachusetts. Yes, sir.

Mr. BAYNE. And that the price of a pair of shoes in Massachusetts was less than in England.

Mr. RUSSELL, of Massachusetts. It may be that the cost of a pair of shoes of some kinds would be cheaper in England than in Massachusetts.

Mr. BAYNE. The statement was general with reference to the shoe industry, as I understood it.

Mr. RUSSELL, of Massachusetts. Why then did not the gentleman ask the gentleman from Texas himself some questions at the time?

Mr. BAYNE. I did not hear it, but I learned that was the statement.

Mr. RUSSELL, of Massachusetts. I am not answering questions as to the speech of the leader of the Democratic party on this side. He spoke for us in tones that will be heard all over the country, and he vindicated himself as the choice of the Speaker and of the Democratic

party at the same time. [Applause.] I rejoice in his speech, and will stand by it as far as I heard it and understood it.

I will say to the gentleman from Pennsylvania [Mr. BAYNE] that there is plant enough in the State of Massachusetts to supply every part of the United States with boots and shoes. We own 53 per cent. of the boot and shoe machinery in the United States. Statistics show that that machinery is run from two-thirds to three-fourths of the year because the market is too limited; but if it were run through the year to its full capacity we could supply all the people of the United States with all the boots and shoes they can use.

Mr. O'NEILL, of Pennsylvania. I do not want any gentleman to be left under the wrong idea that this shoe industry is only in Massachusetts; it is very extensive, also, in Philadelphia.

Mr. RUSSELL, of Massachusetts. I did not say it was confined to Massachusetts. I admit that Philadelphia has almost everything there is.

Mr. O'NEILL, of Pennsylvania. Almost everything that is made by man is made there and will be so long as we have protection to American industry.

Mr. RUSSELL, of Massachusetts. And all is sold at John Wanamaker's. [Laughter.] I heard the gentleman say so awhile ago.

But I do not want to be driven away from this boot and shoe business. It is the largest business in my district.

Mr. O'NEILL, of Pennsylvania. We have the same class of manufactures in my district.

Mr. RUSSELL, of Massachusetts. The reason why that industry has so prospered is because it has experienced some of the salutary neglect of the Government. It has never appeared here asking for higher duties. You can not find a time in the history of Congress when the Massachusetts boot and shoe makers have been here asking for high tariffs. They have flourished in spite of the tariffs.

Mr. MILLIKEN. May I ask the gentleman a question?

Mr. RUSSELL, of Massachusetts. Yes, sir.

Mr. MILLIKEN. Do you think that industry would flourish better if there were no duty at all?

Mr. RUSSELL, of Massachusetts. In reply to the gentleman I will say, if you will allow me to take the duty off the articles used in the production of the better class of boots and shoes made there I would be willing to put boots and shoes on the free-list.

Mr. MILLIKEN. Do you think it would be wise to do so?

Mr. RUSSELL, of Massachusetts. I say, upon the condition I have stated, I would be glad to see that done; and I say it without any reservation whatsoever.

I think so because we have experience in that trade to prove the good effect of raw material. In 1871, there being then a Republican Congress who talked of their care for the interests of the farmers and laborers of the country just as we hear so much of that talk here to-day, the importers and manufacturers and the tanners of the country came to Congress and had the hides, which were largely imported from South America, put on the free-list.

There was nobody to protest against it. If protection ever helps anybody, that made a difference to every farmer in this country; it made a difference upon every ox, upon every steer of full growth, of possibly $1. Hides were brought into this country in enormous quantities, and the result was that whereas in 1870 or 1871 we had exported less than 2,000,000 pounds of sole-leather, within two or three years from that time—I will not be exact in my statement of time—the exports of sole-leather rose to 11,000,000 pounds, and in 1883 the tanners of this country were shipping abroad 34,000,000 pounds of sole-leather in one year. That is a raw material of the boot and shoe industry, and it is upon that raw material that that great industry, the second of the great industries of Massachusetts, stands to-day, and we want wool put in the same category. [Applause on the Democratic side.]

Mr. MILLIKEN. Will the gentleman permit another question?

Mr. RUSSELL, of Massachusetts. Oh, the gentleman probably rises to ask me if I am willing that the farmers should suffer this great loss upon their hides.

Mr. MILLIKEN. No; I was not going to ask that question.

Mr. RUSSELL, of Massachusetts. Ah, you were; I know you were; but, Mr. Chairman, they did not lose it. They lost the tax which might have been exacted from the American people in that way, but they made it up ten times over in the increased prosperity of the country.

Mr. MILLIKEN. My question is: Did the consumers get their boots and shoes any cheaper for hides being put on the free-list?

Mr. RUSSELL, of Massachusetts. No doubt they did.

Mr. MILLIKEN. The gentleman and I do not agree about that.

Mr. RUSSELL, of Massachusetts. There is no article of common consumption to-day in this country that is so good, so handsomely made, and so cheap to the consumer as boots and shoes, and that is because the boot and shoe industry is the least taxed, the least burdened, the least hampered of all our great manufacturing industries.

Mr. MILLIKEN. Does my friend think that would be true of the other manufactures in this country?

Mr. RUSSELL, of Massachusetts. I am willing to try it. [Applause on the Democratic side.] I am not so fearful as to the results of good doctrine as some gentlemen on the other side are. I am perfectly willing to try the experiment; especially in the matter of wool. I do not know why the farmer should have a tax in his favor upon wool if he can not have it on hides. If it is due to him upon wool it is due to him upon hides, and let us see you put hides back on the tariff list! [Applause on the Democratic side.]

Mr. MILLIKEN. How about the manufactures of wool?

Mr. RUSSELL, of Massachusetts. I am not talking about that, but I may talk about it presently if my time holds out, in spite of all these interruptions. Mr. Chairman, a great deal has been said on this floor about "pauper labor" and about the workingmen of New England—of Massachusetts, for instance—being unable to compete with it.

Sir, I scorn that argument. My people can compete with the labor of any part of the world if they have a free field. Let me give you an instance in our boot and shoe industry which will prove that. A few years ago one of the great inventors of the State of Massachusetts, one of the makers of those magnificent automatic machines that play so great a part in the manufactures of our day, invented and took out letters patent all over the world for sewing and heeling machines which turned out the handsomest boots and shoes that can be made. The proprietors of those machines did not choose to sell them directly to the manufacturers; they preferred to lease them, their use being paid for by a royalty upon each boot or shoe sewed on them, the number being indicated by a device which registered it upon the machine itself.

After that machine was started in this country they went over to Europe with it and introduced it into the great boot and shoe manufacturing establishments not only of Great Britain, but also of Germany, and at the end of the year they were very much surprised to find that their royalties from the machines in use in England reached only 47 per cent. of what they collected in the State of Massachusetts. They were alarmed and suspicious. They knew that from the accurate construction of the machine and the certainty of its registering power it could not tell any lie about its own work; so they sent over one of the ablest men in Massachusetts in the examination of patent matters to investigate.

He came back and told them that they were getting an honest return from the foreign boot and shoe manufacturers, and that the explanation was that the best labor of England could not produce with those machines more than 47 per cent. of the amount of work that was produced by the Massachusetts operatives upon the same machine. That meant that the American mechanic, with his enterprise and his ambition, standing at those machines worked more hours a day at a greater rate of speed than did the "pauper labor," as it is called, of Great Britain; it meant that the Englishman quit work on Saturday afternoon and did not come back to work until Tuesday morning; it meant that he would not work as many hours or stand to his work as well as the Massachusetts workman, and there is the whole difference between "pauper labor" and free labor.

Mr. MILLIKEN. One more question; I know a Massachusetts man will not refuse me that privilege.

Mr. RUSSELL, of Massachusetts. Certainly.

Mr. MILLIKEN. My friend states that the boot and shoe industry of Massachusetts is flourishing, and that the boot and shoe men of Massachusetts are able to sell shoes cheap because their industry has been poorly protected.

Mr. RUSSELL, of Massachusetts. No, I did not put it in that way; not because they have been "poorly protected," but because the business has not been highly taxed.

Mr. MILLIKEN. My friend says, also, that the cotton industry of this country is taxed to the extent of 50 per cent. Now, is it not true that the cotton mills of Massachusetts are selling their product of all the grades of coarser cotton to-day as cheap as the English manufacturers are selling, or cheaper?

Mr. RUSSELL, of Massachusetts. Probably they are.

Mr. MILLIKEN. Yet that cotton industry has been protected.

Mr. RUSSELL, of Massachusetts. Well, that result does not come from protection, because it was before they were protected that they did it.

Mr. MILLIKEN. Oh, no.

Mr. RUSSELL, of Massachusetts. Do you say no?

Mr. MILLIKEN. When were they not protected, and how long have they been doing that?

Mr. RUSSELL, of Massachusetts. I say before they were protected.

Mr. Chairman, I have learned from the gentlemen on the other side of the House that the whole prosperity of the country in which we live is due to the fact that in 1861 we had a war which wasted untold millions of property and hundreds of thousands of lives, because from that confusion and destruction there arose safety for the nation in our tariff of 47.10 per cent. That was the great result of the war. It came to us very much as the Chinaman's discovery of roast pig. His house was burned up, but in the ashes he discovered a pig that had been accidentally roasted, and that discovery made up to him for all the rest of the destruction. [Laughter.] Mr. Chairman, this tariff of ours bears about the same relation to the prosperity of this country as that roast pig bore to the conflagration in which he was produced. [Renewed laughter.]

Mr. MILLIKEN. I have heard that old story a great many times; but I want to say to my friend that no one on this side claims that the prosperity of this country grew out of that great war.

Mr. RUSSELL, of Massachusetts. I have heard it repeatedly stated on the floor of this House that the prosperity of this country was due to a tariff of 47.10 per cent. Every man here has heard it. I have heard it a dozen times in one speech to-day. There has not been a speech written on that side of the House that has not contained that proposition in one form or other. It is the one string upon which everything on that side is strung, and the fact that it is proposed to reduce that tariff raises a shout of "free trade" from you gentlemen all over the country. Now, Mr. Chairman, if I have satisfied the gentleman from Maine [Mr. MILLIKEN] in regard to his question, I will take up another point.

Mr. MILLIKEN. I am always satisfied with the gentleman, even though he fails to convince me, because I like him.

Mr. RUSSELL, of Massachusetts. I thank the gentleman from Maine. I am very glad we have such reciprocal kindness here. This is the politest House I ever knew. [Laughter.]

Mr. Chairman, the gentlemen on the other side of the House declare that the whole prosperity of this country is founded upon the tariff of 47.10 per cent., and, so far as I understand their position, they will not agree that one jot or tittle of what they call "protection" in that regard shall be touched or taken away. That was not the feeling of our people in old times, when the cotton manufacturing industries of Massachusetts were established. It was not the feeling of the House of Representatives when it came to deal with the question of a great surplus in 1856.

We were then living under a tariff averaging 28 per cent., the tariff of 1846, which was made by the greatest financier that this country had seen since Alexander Hamilton. I mean Robert J. Walker. He was not from Arkansas; he was not from Texas; he was not from Kentucky; but he happened to be from Mississippi, and yet the tariff which the Mississippian made brought prosperity to the country. So we may be permitted to hope that a tariff made in part by a Texan [Mr. MILLS] may produce the same result. But, Mr. Chairman, in 1857, when the country had a large surplus and we were living under a tariff of 28 per cent., the manufacturers of New England, and especially of Massachusetts, came to this House and asked for a reduction of the tariff. That reduction was 21 per cent., and if the gentleman from Maine will look back at the record of that time he will see nine members of Congress, the whole delegation in this House, and the two Senators voted with the solid South to reduce that to 21 per cent. I regret they were not followed by all of New England.

Mr. MILLIKEN. And it produced the panic of 1857.

Mr. RUSSELL, of Massachusetts. I beg the gentleman's pardon. A panic does not follow on the heels of a tariff. If it were, the panic of 1857 would have been postponed to 1858, while the panic of 1873 was brought about by the 50 per cent.——

Mr. MILLIKEN. They discovered that in the North.

Mr. FARQUHAR. What was the condition of the United States Treasury when they got through with the Walker tariff?

Mr. RUSSELL, of Massachusetts. What has that to do with the question of the reduction of the tariff? I am not dealing with the Treasury in the last hours of Mr. Buchanan's administration, but I am dealing with the Treasury of the United States now and to-day; and it is a pretty severe problem. In 1871 the Treasury showed pretty much the same condition we have to-day. There was a surplus of $100,000,000. Under the administration of General Grant the President repeatedly advised the reduction of the tariff, and no man howled free trade when he made such recommendations to Congress.

What did the House do at that time? What did the Republican party in charge of the affairs of Congress at that time do? Did they pass a bill in favor of cheap whisky and cheap tobacco? Did they pass a tariff taking off revenue taxes and leaving all the taxes on the common articles of consumption? No, Mr. Chairman, not a bit of it; but they passed a bill to reduce the tariff, and they did reduce the tariff under the lead of another Massachusetts man, Mr. DAWES, the chairman of the Committee on Ways and Means, who brought in a bill similar to that which you laughed away from the doors of the House when proposed by the Committee on Ways and Means by its chairman, Mr. Morrison, a horizontal reduction of 10 per cent.

Mr. BAYNE. I wish to ask the gentleman a pertinent question.

Mr. RUSSELL, of Massachusetts. Very well.

Mr. BAYNE. I suppose it was the tariff of 1846 which the gentleman approved.

Mr. RUSSELL, of Massachusetts. Yes, I do approve of it.

Mr. BAYNE. Now, the tariff of 1846 provided for a reduction of duty. If you will examine the report made by the Ways and Means Committee you will see that the reduction of duty in that tariff was made for the purpose of increasing the revenue, because there was a deficit in the Treasury year after year, and it was increasing year by year until a large indebtedness on the part of the Government was imminent. Now, the tariff is proposed to be reduced in order to do away with the surplus in the Treasury. In the one instance the tariff was reduced for the purpose of increasing the revenue, while in the other the tariff is to be reduced for the purpose of reducing the surplus in the Treasury.

Mr. RUSSELL, of Massachusetts. Why does the gentleman quote the tariff of 1846? Why does he not speak of the tariff of 1871, of which I was talking?

Mr. BAYNE. You spoke of the tariff of 1846, and I am referring to your remarks.

Mr. RUSSELL, of Massachusetts. Yes, I spoke of the tariff of 1846 as one under which many of the great manufacturing industries of Massachusetts rose.

Mr. BAYNE. Will the gentleman allow me to state the matter as I understand it?

Mr. RUSSELL, of Massachusetts. Certainly.

Mr. BAYNE. Are not the positions which I have stated utterly antagonistic to one another? In the tariff of 1846, according to the gentleman, there was a reduction to increase the revenue, and here it is proposed to reduce the tariff to reduce the surplus.

Mr. RUSSELL, of Massachusetts. That is a question of opinion.

Mr. BAYNE. The reduction in 1846 was to increase importations and to increase the revenue in the Treasury.

Mr. RUSSELL, of Massachusetts. That was not the case in 1857; it was to reduce taxes.

Mr. BAYNE. I say in 1846. Now you propose to reduce the duties for the purpose of diminishing the surplus, when the tariff was reduced in 1846 on your statement for the purpose of increasing the receipts of the Treasury.

Mr. RUSSELL, of Massachusetts. We propose now to reduce the ratio of duties, first, by an extension of the free-list, and second, by such means as we may find convenient. We are going in the same track as our predecessors followed in 1857 and 1871; and the gentleman may take his own time to explain why it was that in 1871 the whole Republican party reduced the tariff without saying a word about the substitution of free whisky and free tobacco, that enormous burden that the gentleman from Iowa spoke of as crushing the laboring people this morning.

Mr. BREWER. Will the gentleman yield for a moment? Does he not know that President Buchanan in his message on the 8th of December, 1857, stated that Congress would have to make a loan in order to conduct the affairs of the Government?

Mr. RUSSELL, of Massachusetts. When the tariff bill was under discussion, you mean, in 1857?

Mr. BREWER. I am talking of Mr. Buchanan's administration—his message to Congress in December, 1857.

Mr. RUSSELL, of Massachusetts. I am not discussing the messages of Presidents or the proclamations of Mr. Buchanan, but I am discussing how a sensible Congress under the lead of the Republican party fully arose to the occasion and passed a tariff bill, whereas the Republicans of the present Congress, preceding a quadrennial election, respond to the party lash and raise a cry against any revision. But I do not know that good judgment can be expected when the party stands committed to one idea, on which they are to elect a President, or go on in the paralyzed condition they have been in since 1884.

Mr. BAYNE. But since 1846 the Democratic party has changed its position on the tariff.

Mr. RUSSELL, of Massachusetts. The Democratic party of 1846 was neither the gentleman's party nor mine. I am one of those men whose face turns towards the morning; and I believe the Democratic party will have plenty of opportunity to revise the tariff by Democratic administrations. The gentleman from Pennsylvania, to whom a thousand years seems as but yesterday [laughter and applause], said a few moments ago he proposed to put this off, this legislation, until the Republican party had charge of the House and had its own President in the White House.

Mr. Chairman, such a suggestion as that appalls me in view of our present taxes. [Laughter.] No man living, no one here present, will join in the acclaim which will welcome a Republican administration nto the White House. [Laughter and applause on the Democratic side.]

Mr. O'NEILL, of Pennsylvania. I want to put in an item of history just here, since the gentleman has been quoting history. In the State of Pennsylvania, in the campaign of 1846, the cry of the Democratic party, and it was incorporated in all Democratic literature and inscribed on their banners in every State, was "Polk, Dallas, and the tariff of 1842."

It was that pretense by which we lost ground in Pennsylvania then, for it was only a pretense—Polk, Dallas, and the tariff of 1842—and we were betrayed.

Mr. RUSSELL, of Massachusetts. I am sorry the gentleman was betrayed, but perhaps it was better for the country.

Mr. O'NEILL, of Pennsylvania. I refer to this because I happened to be a law student in the office of one of these gentlemen at the time, and esteemed him personally as a most excellent gentleman—George M. Dallas—and regretted, I remember very well, that I could not separate the vote, and vote for him for Vice-President on personal grounds and for the opposing candidate for President. But in the State of Pennsyl-

vania the Democratic party, shrinking from the courage they had generally shown, advocated all over the State the tariff of 1842—Polk and Dallas and the tariff of 1842—and by that false pretense won.

Mr. FARQUHAR. That was the old Democratic party.

Mr. O'NEILL, of Pennsylvania. That was the old Democracy, the real Democracy, made up altogether of Democrats.

Mr. RUSSELL, of Massachusetts. I did not expect to start these painful reminiscenses, and to hear the wails of Pennsylvania over the tariff of 1842.

Mr. O'NEILL, of Pennsylvania. But I only wanted to give a little history, as the gentleman was quoting from history, and I wanted him to understand that they got in on a false pretense throughout the country in that election.

Mr. RUSSELL, of Massachusetts. I would like to have the gentleman from Pennsylvania tell the House, if he can, how his State would have got along if it had not been for the war that raised the tariff to 47.10 per cent.

Mr. O'NEILL, of Pennsylvania. Mr. Chairman, I will make a general answer that perhaps——

Mr. RUSSELL, of Massachusetts. Well, if the gentleman is going to make a general answer, perhaps I had better sit down.

Mr. O'NEILL, of Pennsylvania. In one minute I can make it. I want to say this, Mr. Chairman, that I recollect very well when Robert J. Walker was made Secretary of the Treasury, and well remember also his report on the tariff. I think it took the country by surprise; and I think it was soon determined that it was the most impracticable tariff programme that was ever enunciated by any statesman in this country. It was an utter failure to produce the results expected to be produced by it.

Mr. RUSSELL, of Massachusetts. Now, Mr. Chairman——

Mr. BAYNE. Will the gentleman from Massachusetts permit an interruption?

Mr. RUSSELL, of Massachusetts. I can not yield to so many Pennsylvanians. One Pennsylvanian at a time is quite enough.

Mr. BAYNE. I would like to give you a fact bearing on the tariff of 1857.

Mr. RUSSELL, of Massachusetts. I do not want any, for I was there. I was not a tariff reformer in 1844, but I was in 1857. When gentlemen go back into the cloudy region of 1840 and 1842 I confess I am compelled to listen without being able to contribute anything to it from personal knowledge.

Mr. O'NEILL, of Pennsylvania. But the gentleman's party got there by putting the country in a sort of a cloud.

Mr. RUSSELL, of Massachusetts. But when you come to 1857, I will say I saw it all; I was part of it, and remember it well. Let me say a word about that tariff of 1846, and refer again to what the gentleman from Maine said as to the rise of the manufacturing industries in the State of Massachusetts. I will say to him, it was under those more honest and lower tariffs that the great manufacturing interests of Massachusetts arose.

Mr. MILLIKEN rose.

Mr. RUSSELL, of Massachusetts. The gentleman will pardon me a moment. The great manufacturing cities of Massachusetts are well known by name. The first of them perhaps in order was Waltham. Then came on Lowell, Lawrence, and Holyoke, where my colleague [Mr. WHITING] lives and flourishes under this tariff. He has been here looking out for his interests. And not only Holyoke, but go up into the northern New England States to Manchester and to Lewiston, in the State of Maine; all those cities grew up under low tariffs. They became famous all over the world under those low tariffs. And if to-day under this tariff of 47 or 48 per cent. a syndicate of capitalists were to be called together to build up a new manufacturing city they would be laughed at, and the probate court would be applied to to put them under guardianship in order to save their money. There is not a point in New England to-day for building up a great manufacturing city.

I acknowledge that the city of Holyoke since that time has made a large success in some of the minor articles of manufacture, especially in the paper industry.

Mr. WHITING, of Massachusetts. Will my colleague yield to me for a moment?

Mr. RUSSELL, of Massachusetts. Yes, sir.

Mr. WHITING, of Massachusetts. Has not Holyoke grown up entirely almost since the tariff of 1861?

Mr. RUSSELL, of Massachusetts. Holyoke was one of the last established manufacturing cities of Massachusetts. It was built by the great dam that held the Connecticut River. Under the tariff of 1846 the plant was laid there, the canal was blasted out in the solid rock on the side of the Connecticut, and the great industries of that place were made possible under the Robert J. Walker tariff.

Mr. WHITING, of Massachusetts. Does my colleague not know that the dam was built in 1850?

Mr. RUSSELL, of Massachusetts. Which dam? The first dam I know was built before 1850. It was under the Robert J. Walker tariff.

Mr. WHITING, of Massachusetts. But the dam was made and the mills built. But the people who put their money in it never got a dollar out of it. The stock sold for almost nothing. And there never was a spark of prosperity in Holyoke until the tariff of 1861. For five or six years Holyoke did not grow at all.

Mr. RUSSELL, of Massachusetts. I wish the gentleman had told the whole story. As he has told so much of it I will tell the other part. I fully acknowledge that the city of Holyoke, which I knew before there was a factory there, was started about 1848 with such defective engineering that the whole concern went down the river from the fact that the engineers did not know how to found their works. New capital had to be put in, and some years elapsed before the town got a fair start. My knowledge of the manufacturing interests of the State of Massachusetts is fairly complete, and I believe my colleague will acknowledge that I am correct in what I have stated about the city of Holyoke.

But how was it with those other great cities? Were they not built under those low tariffs? I say they were, and I do so in the light of the past history of Massachusetts. That State is not here to-day asking for these high tariffs.

Mr. MILLIKEN. As the gentleman has spoken of Maine, will he allow me a question?

Mr. RUSSELL, of Massachusetts. Yes, sir.

Mr. MILLIKEN. I will say nothing as to when Holyoke was dammed or how it was blessed afterwards. But my question is, does the gentleman not know that the manufactures of Maine have increased a great deal—more since the tariff of 1861 than ever before? And is that not also true of the gentleman's own State, and of the whole country?

Mr. RUSSELL, of Massachusetts. There are many parts of Massachusetts, as is notably the case in my own district, where there were towns largely engaged in manufacturing, having an abundant capital, where there is not a mill that has been built since the war. Where there have been fires the mills have not been rebuilt, and every woolen mill destroyed in that way means so many sets of woolen machinery out of the way, and no man to-day would rebuild them.

Mr. MILLIKEN. That is not true of Maine.

Mr. RUSSELL, of Massachusetts. Well, Maine may have got the "pull" over Massachusetts under this tariff. I do not know but she has. She certainly has developed the great apostle of high protection who soon will be your candidate for President.

Mr. MILLIKEN. And he will be elected, too.

Mr. RUSSELL, of Massachusetts. We will see.

Mr. BYNUM. You will have to do better than you did before.

Mr. MILLIKEN. We will not have to do much better.

Mr. RUSSELL, of Massachusetts. Mr. Chairman, I do not care to occupy the time of the committee much longer, because I would rather give general information than special instruction.

Mr. BAYNE. Will the gentleman permit one question or suggestion? I did not mean to confine my observation to the tariff of 1846. The gentleman says he knew how it was in 1857 in Massachusetts, and asks how it was in Pennsylvania. The industries of Pennsylvania were utterly paralyzed in 1857.

Mr. FARQUHAR. So were they all over the country.

Mr. BAYNE. In Pennsylvania the operators were not only not earning wages, but in many of the large manufacturing centers they had to be supplied by public charity.

Mr. RUSSELL, of Massachusetts. So they ought to be now in the coal regions. You have got regions in Pennsylvania to-day that are a disgrace to humanity because of their miserable, wretched, starving working people. Why, it is only within a year or two that your Legislature had to forbid that miserable, half-naked Hungarian women should longer stand drawing the furnace fires. It was a public scandal. Pennsylvania has been the mother of monopoly and the step-mother of labor. [Applause on the Democratic side.]

Mr. BAYNE. Now, I ask my friend to pause one moment there. Let me tell him that the wages paid in Pennsylvania are larger than the wages paid in any other State in the Union. In my own county of Allegheny, which is only one county in Pennsylvania, the wages paid are greater in the aggregate than the wages paid by the whole number of States represented by the Southern members of the Ways and Means Committee of this House who framed this tariff bill.

Mr. RUSSELL, of Massachusetts. That may be so, sir.

Mr. BRECKINRIDGE, of Kentucky. Let me ask the gentleman whether the Edgar Thomson Iron Works are in Allegheny County?

Mr. BAYNE. Yes, sir.

Mr. BRECKINRIDGE, of Kentucky. Is that the place where I read the other day that a lot of Pinkerton's detectives were guarding a detachment of Hungarians who were going in to work in those mills while the native workmen were out on a strike?

Mr. BAYNE. Yes, sir; and I suppose the State of Kentucky and some other State are two States of the Union where the Hatfield gang crossed the line and committed several murders, but I do not hold the gentleman from Kentucky nor the people of Kentucky responsible for that any more than the gentleman should hold the State of Pennsylvania or me responsible for the difference between the employers and employés at the Edgar Thomson Steel Works.

I repeat that the aggregate wages paid in that one county of Allegheny is more than the entire amount of wages paid in the States of

Kentucky, Arkansas, Texas, and all the States represented by the Southern contingent on the Ways and Means Committee of this House.

Mr. BRECKINRIDGE, of Kentucky. The fact which I desired to bring out was that the concrete representation of the protective system in Allegheny County at present was a guard of Pinkerton detectives at the Edgar Thomson Iron Works protecting a lot of Hungarian immigrants who were going in there to work, while the native American workmen on a strike were, at the point of the gun and the revolver, kept out. That is the concrete picture of the condition of wages and of labor in the county of Allegheny, Pennsylvania, to-day.

Mr. McMILLIN. That is the blessing which the gentleman boasts of possessing over and above all other States and countries.

Mr. BAYNE. That is a mistaken statement of the facts and the gentleman from Kentucky does not understand the situation.

Mr. McMILLIN. Are they not there?

Mr. BRECKINRIDGE, of Kentucky. That was the question I asked the gentleman, and he said that the Edgar Thomson Iron Works were in the county of Allegheny. I put the question to the gentleman and he so responded.

Mr. BAYNE. Oh, no. The gentleman will find that I am one of those witnesses who understand their rights and who will protect themselves.

Mr. McMILLIN. How about the Carnegie works?

A MEMBER. That is the same place.

Mr. BAYNE. There is a difference between the Edgar Thomson Steel Works and their workmen, and some Pinkerton detectives are there, I believe; but the men they are there to protect are not the Hungarian laborers, but skilled operatives brought from abroad to take the place of the union men who are on a strike. The effort of the Edgar Thomson Works now is to employ skilled labor which does not belong to the Amalgamated Association of Iron and Steel Workers, and the Amalgamated Association of Iron and Steel Workers, who are the only persons that could interfere in any employment that might be given to those people, have no concern whatever with the Hungarians. In fact, there are very few Hungarians there; and when the gentleman from Kentucky says that this is a controversy between the Hungarian and the American laborer, he misapprehends altogether the facts of the case.

Mr. BRECKINRIDGE, of Kentucky. I did not say that the controversy was between the Hungarian and the American laborer. I originally asked the gentleman whether the Edgar Thomson Steel Works were in his county at Allegheny, and he said they were. I then asked him if that was the place in regard to which I had seen a statement in the papers recently that a gang of Pinkerton detectives were in charge of the works and protecting a lot of Hungarian laborers who were going to work there while the native American workpeople were kept out on a strike, and the gentleman said yes.

Mr. BAYNE. I did not say that.

Mr. BRECKINRIDGE, of Kentucky. I so understood the gentleman, but the RECORD will show what he did say.

Mr. REED (to Mr. BRECKINRIDGE, of Kentucky). Hold him down to it! You will convince the jury that you are now addressing. [Laughter.]

Mr. BRECKINRIDGE, of Kentucky. The gentleman from Maine, of course, seeks to make a diversion from the point between myself and the gentleman from Pennsylvania [Mr. BAYNE], but I think the gentleman from Pennsylvania [Mr. BAYNE] will agree with me that he is able to take care of himself without re-enforcement from the State of Maine.

I know nothing about the matter, except from the public press. I think the report was that there was a dispute there, not between the Hungarians and the native workmen, but between the owners of the Edgar Thomson Steel Works and their workmen, which dispute had resulted in the works being guarded, as the gentleman from Pennsylvania [Mr. BAYNE] now says, by "some" of the Pinkerton detectives, for the purpose of protecting a lot of Hungarian laborers who were to be employed, while the workmen who had been employed there were out on a strike, and were kept out by force. Whatever the facts are, they will undoubtedly come out. What I asked was whether that was—whether this had taken place in the county of Allegheny, which the gentleman had thrown into the controversy and put forward here as paying more wages than certain other States which he indicated, and I further said that if that was the concrete form which the beneficent results of the protective system took, I, for one, thought that concrete form ought to be known to the American people.

Mr. BAYNE. I want to say that I did not assent in any sense to the proposition that there was a controversy between the Hungarian laborers and the workmen who had been in the employ of the Edgar Thomson Steel Works. There has been and is a controversy between the Edgar Thomson Steel Works and their skilled employés, who belong to the Amalgamated Association of Iron and Steel Workers. They differed as to the rate of wages that should be paid for the ensuing year. The Edgar Thomson Works made several propositions to the members of the Amalgamated Association of Iron and Steel Workers, none of which were accepted by the Association, and the Edgar Thomson Works then concluded to start up their mill with non-union men, but those non-union men are not Hungarians. The Hungarians are not skilled mechanics.

Mr. BRECKINRIDGE, of Kentucky. And there are none of them there?

Mr. BAYNE. There may be some of them there doing drudgery about the mills, but they do not belong to the force that operate in the mills. They are not skilled mechanics, and are not capable of doing at all the work which the Edgar Thomson mills require to be done.

Mr. BRECKINRIDGE, of Kentucky. Does the gentleman know what was the average per diem wages of the men who are out on strike?

Mr. BAYNE. I do not know exactly what it was but I have no doubt that the average wages would run as high as $3 per day.

Mr. BRECKINRIDGE, of Kentucky. I see it stated, but I do not know whether it is true or not, that the average of Pinkerton's detectives is $8 a day.

Mr. REED. Mr. Chairman, I think this is a fair example of the method of argument which is sometimes adopted on this subject. First, the gentleman from Kentucky [Mr. BRECKINRIDGE], in his best manner, draws a picture which leaves the American workman under the protection of Pinkerton's detectives, and then he wishes to know if this is the final result of the protective system. What is this final result he talks about? Why, an incident in the great dispute which goes on whether under protection or under free trade——

Mr. SMITH, of Wisconsin. I deny that.

Mr. REED. Between employer and workingman as to what shall be the division of the results of the union of labor and capital. And he talks about that question as being the result, and then wants to contrast the wages of men temporarily employed with the general wages.

Now, I do think it ought to be pointed out such methods of arguing this question of free trade or protection are somewhat petty in their nature. The great question is, which system on the whole secures greater wealth for the country and higher wages for the workingmen? When the workingmen organized and presented themselves before the Committee on Ways and Means of a preceding Congress, the Committee on Ways and Means were more respectful to them than the present one, because the workingmen were allowed to appear and present their case. The question was asked, "Do you get the benefit of the tariff? Do they not try to prevent you getting the benefit of it?" And they responded with perfect frankness, "This is a quarrel between ourselves; you furnish us with the market, furnish us with the chance to work, and we will take care we will get our share." And I believe they will. [Applause on the Republican side.]

Mr. BRECKINRIDGE, of Kentucky. The county of Allegheny, in the State of Pennsylvania, was held up in contrast with the condition of a number of States. Its condition was depicted as being the very acme of protective development. The statement I made, the gentleman says, is an incident of the last industrial development in that county. I deny that it is an incident, and say that it is the necessary consequence of an unnatural system, one of the elements of which is that an organized body of armed detectives must be ready for use in guarding and protecting American labor; that it is a necessary symptom of the system which it defends.

What the gentleman says of the Ways and Means Committee, either in the present Congress or the last one, I treat with the contempt which it deserves. [Applause on the Democratic side.]

Mr. REED. It is always the custom when there has been a fair discussion of the actual situation and a fair description of the action of a set of men—it is always the nature of those who are not sufficiently skilled in parliamentary language to express their feelings, to use language which is not so. [Applause on the Republican side of the House.]

Mr. BRECKINRIDGE, of Kentucky. So far as the language I uttered is unparliamentary I retract it, but that it is true and deserved there is no doubt. [Applause on the Democratic side.]

Mr. BAYNE. Mr. Chairman, the statement repeated in the last remark made by the gentleman from Kentucky, that detectives were employed to protect labor, was substantially a statement that detectives were employed to protect Hungarian labor, when the fact is that no detectives are employed to protect Hungarian labor, but the protection sought is for the skilled laborers who are American workingmen. Although some of them are foreigners by birth, yet all are citizens of the United States, while the Hungarian laborers are not citizens of the United States.

Mr. FARQUHAR. Mr. Chairman——

Mr. BAYNE. The allegation of the gentleman, that the strike at the Edgar Thomson Steel Works, now in progress, is the consequence of the protection of American industries, is like many other erroneous conclusions arrived at by the majority of this House. Strikes prevail all over the world. They prevail in England, they prevail in Germany, they prevail in France, and they prevail to the greatest extent where the workingman is the most intelligent and where he is best paid. It requires a man of brains, a man of intellect and of force of character, as well as a man of courage, to assert his rights against capital. When you had slave labor in the South you had no strikes.

You have got, substantially, slave labor there yet, and you have no

strikes, because the labor of that section of the country is lacking in that intelligence, that information, and that spirit of courage and of manhood that will make it strike for its rights. One of the best evidences of the prosperity and well-being of the American workingman to-day, to the man who gives attention to these matters, is the fact that he has the ability and the pluck to strike for his rights, and endeavors to maintain them in the face of organized capital.

Mr. McMILLIN. Why, then, do you propose to dominate that class with the police power?

Mr. BAYNE. There is no dominating them by police power. It is simply to keep them from interfering with each other, and prevent the factions into which they are divided from interfering with each other.

Mr. FARQUHAR. To keep the peace.

Mr. BAYNE. And for no other purpose.

Mr. WEAVER. Will the gentleman allow a question?

Mr. BAYNE. Yes, sir.

Mr. WEAVER. Does not the law of Pennsylvania clothe the governor with the power, and make it his duty, to appoint a special police force at the instance of these corporations or manufacturing establishments; and are they not required, as the settled system of that State, to wear the badge of the corporation while in its employ? And further may they not be kept there as long as the corporation desires their presence?

Mr. BAYNE. I do not know of such a statute.

Mr. WEAVER. There is such a law in force, and the gentleman will find it by reference to Purden's-Brightly's Digest. It is the law of the State, and has been for years.

Mr. BAYNE. I do not know that such is the case.

Mr. BRECKINRIDGE, of Kentucky. I do not understand the gentleman to assert that a strike is an evidence of industrial prosperity?

Mr. BAYNE. I certainly do say so; because the gentleman will find all the time that when wages are high and the industries of the country prosperous the laboring men think they ought to be paid better wages, because the manufacturer or employer is making more money. That is the time when strikes are most frequent.

Mr. BRECKINRIDGE, of Kentucky. Unless somebody desires to continue the discussion, I move that the committee now rise.

Mr. FARQUHAR. Just one moment.

Mr. BRECKINRIDGE, of Kentucky. Of course if anybody desires to continue the discussion I shall not insist upon the motion, and withdraw it.

Mr. FARQUHAR. Mr. Chairman, of course I should be derelict in my duty if I allowed the discussion which has been entered into as to this strike in Pennsylvania to go by without a word. I think the conclusions drawn by my friend from Kentucky [Mr. BRECKINRIDGE] are drawn at a very long distance.

The first quarrel in regard to this Pennsylvania strike—its origin—had reference to a matter of 10 per cent. on the wages of the employés. The papers have fully discussed the subject of the differences between the proprietors of the Edgar Thomson Steel Works and their employés. The strike itself, as it stands now, is simply a strike between the union and the non-union men. It has nothing to do with the tariff, and nothing to do particularly with the police powers of the State.

I deprecate as much as the gentleman from Kentucky possibly can, or any other man, the presence of Pinkerton's detectives; but I also recognize the fact that gentlemen holding seats here have employed the same agencies in keeping in non-union men and keeping out all union men. I would have liked very much if certain parties were present to-day when the gentleman from Kentucky made the speech he did. I would like to know their concrete reasons.

I want here, Mr. Chairman, as a workingman myself, to say a word on this question. If the impairment of wages, if the slackening of work shall come by the importation of manufactured goods into this country, and the wages shall thereby godown, as they must, and work be scarce, possibly Pinkerton will have to enlarge his force, because I want to say also in connection with that that the men who are outside the gates of Edgar Thomson's works to-day will win if it takes them twelve months, notwithstanding all the Pinkerton men and men who pay scab wages, whatever their politics may be. And my only dread is this, as it was shown to-day in this discussion in the case of our friend from Massachusetts [Mr. RUSSELL], that, instead of strikes being an outcome of good times, if we pass this bill, or a free-trade bill, which will only result in making the mechanics of America clothe the farmers for nothing, you will have more strikes on your hands than the Democratic party, or the Republican party either, can take care of in some time to come.

I warn gentlemen on this floor that they are walking on mighty thin ice when they strike one cent out of the American workman's wages or take one hour of the labor that goes to the support of his family, that feeds and clothes his children. For more than twenty years the mechanics of this country have been organizing, and within the last seven years there has risen up a line of organizations that even the oldest organizations stand almost in dread of, because they have the power by an extensive ballot to vindicate their rights, and that power has been felt here on this floor more than once; and when they do they will regulate tariffs for themselves and brothers and not for any class.

Mr. SMITH, of Wisconsin. Will you tell me why they organize?

Mr. FARQUHAR. Why they organize? Of course, to take care of themselves.

You may talk from now to doomsday for and against the tariff, but I beg to say that the American organizations of skilled labor and the Knights of Labor of America have kept the wages up to what they are to-day; and against any one that tries to beat them down they will hold these wages. [Applause.]

Mr. SMITH, of Wisconsin. I want, in a word or two, to answer the gentleman from New York. I speak as a laboring man. If the gentleman will lend his aid to remove from the labor of this country the curse of monopoly, and if we succeed in that effort, the mechanics and laboring men of America will more than hold their own with the balance of the world.

Mr. FARQUHAR. I am very glad to hear the gentleman say so. I know the monopoly he means. It is the monopoly of transportation; the monopoly that would control the shoemaking industries in Massachusetts and shut out the shoemakers of Chicago and Kansas City and St. Louis.

But the light of protection spreads itself a little wider than Massachusetts. I know very well why Massachusetts has slumped toward free trade after having had the benefits of protection. There are others that are going to get the same benefits, North and South.

As regards the monopoly the gentleman from the Milwaukee district speaks of, I know we did try to provide a remedy as far as we could by passing the interstate-commerce bill. And I am willing to go with the gentleman or with any mechanic to amend that act so as to make it a benefit for East and West alike.

Mr. SMITH, of Wisconsin. Who put these monopolies in the field? [Applause.]

Mr. FARQUHAR. If the gentleman is able to prove it he can go to the States of the West and find where the most of it went. It is there also he has to go for a remedy. Congress has done all it could in the matter of interstate-commerce legislation until the proper workings of the act can be found out and any amendment that is necessary can be made. If the farmers will provide a Western market for the men who make your shoes in Massachusetts and elsewhere they can sell their crops at a better price than at Liverpool. They want a home market for themselves.

The whole transportation problem is contained in the long and short haul clause of that bill. The whole battle we had in these two Congresses was with these transportation companies in the West. I do not make an exception for a single one. They put down the lowest rates for a long haul simply to dump the great East, and they will not make the short haul comport with the long haul when they can sell the product nearer home.

Mr. RUSSELL, of Massachusetts. Was it not a Democratic Congress that did away with the difference between the long and the short haul?

Mr. FARQUHAR. I thought it was Senator CULLOM'S bill that did it.

Mr. RUSSELL, of Massachusetts. Congress corrected that. I think it originated, as some part of this bill did, in the brain of a gentleman from Texas, and Massachusetts agrees with Texas.

Mr. BYNUM. It was the Reagan clause which effected that and which the House insisted should go in.

Mr. FARQUHAR. I will not discuss who got it up, because any man in the House or the Senate could have written the bill.

Mr. TARSNEY. The gentleman from Indiana [Mr. BYNUM] and myself were members of the Commerce Committee in the Forty-ninth Congress. The long and short haul clause contained in the fourth section of the interstate-commerce bill was intended simply to prevent these corporations, these transportation companies to which reference has been made, from charging my freight for the short haul more than yours for a long haul.

Mr. FARQUHAR. That is my proposition.

Mr. TARSNEY. But I supposed they would equalize their rates by decreasing the rate for the short haul and increasing that for the long haul. Instead of that the transportation companies maintained the short-haul rate and increased the long haul. In other words, they made money out of what we intended for the benefit of the entire people.

Mr. FARQUHAR. Then, if I took the corollary of the proposition, I would say that the Democrats had made a great mistake in subsidizing the railroads.

Mr. TARSNEY. We made a mistake, if we made a mistake at all, in trusting to the honor of the men engaged in the transportation business in the United States.

Mr. FARQUHAR. That is where you rested your faith on a wrong foundation.

Mr. TARSNEY. Very well, sir; press that law until the time comes when the people who are controlling the rates of transportation will come up to the line.

Mr. MILLIKEN. Why does not your party press it?

Mr. FARQUHAR. Why do not the majority bring in an amendment to the law?

Mr. SMITH, of Wisconsin. It could not pass.

Mr. TARSNEY. Give the majority of the Commerce Committee the time in this House and you will find that they will do something.

Mr. MILLIKEN. Who controls the time of this House? Do not the majority control it?

Mr. BRECKINRIDGE, of Kentucky. Mr. Chairman, I renew my motion that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenue, and had come to no resolution thereon.

Mr. BURROWS moved that the House adjourn, but immediately withdrew the motion.

ANCHORAGE IN THE PORT OF NEW YORK.

Mr. BRYCE, by unanimous consent, called up a bill (S. 2605) relating to the anchorage of vessels in the port of New York.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized, empowered, and directed to define and establish an anchorage ground for vessels in the bay and harbor of New York, and in the Hudson and East Rivers, to adopt suitable rules and regulations in relation thereto, and to take all necessary measures for the proper enforcement of such rules and regulations.

SEC. 2. That in the event of the violation of any such rules or regulations by the owner, master, or person in charge of any vessel, such owner, master, or person in charge of such vessel shall be liable to a penalty of $100, and the said vessel may be holden for the payment of such penalty, and may be seized and proceeded against summarily by libel for the recovery of the same in any United States district court for the district within which such vessel may be, and in the name of the officer designated by the Secretary of the Treasury.

SEC. 3. That this act shall take effect immediately.

Mr. BRYCE. Mr. Speaker, with the permission of the House, I will make a very brief statement in regard to this bill.

The object of this bill is, briefly, to bring order out of chaos. The crowded nature of the harbor of New York, becoming continually more crowded every day, renders Federal legislation absolutely imperative. In the interest of navigation it is demanded, in the interest of commerce it is demanded, and also in behalf of the thousands of people who are daily obliged to use the waters of the harbor in going backwards and forwards between their places of business and their homes.

As the matter stands now a vessel can anchor just where she pleases—in the track of summer excursion-boats freighted with the lives of poor people out for a brief holiday, across the path of ferry-boats loaded down to the water's edge with the toiling masses, to the general insecurity of every one, including that of the crews and occupants of these very anchored crafts themselves.

This bill, therefore, is in the interest of the whole floating population of New York, so to speak; and when you consider the value of New York as a port of entry, that three-quarters at least of all the revenues are collected here, it assumes the importance of a great national necessity. Mr. Speaker, I hope the bill will pass. It is unanimously reported by the committee, it asks for no money, and has the warm approval of the Secretary of the Treasury.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. BRYCE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

NANCY G. ALEXANDER.

Mr. HUNTER, by unanimous consent, called up the bill (H. R. 6232) for the relief of Nancy G. Alexander.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to Nancy G. Alexander, of Cumberland County, Kentucky, the sum of $250, out of any money in the Treasury not otherwise appropriated, for coal taken from her by officers of the United States Navy and used by the same on gun-boats on the Cumberland River, during the late war of the rebellion.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HUNTER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS TRAIL CREEK, INDIANA.

Mr. SHIVELY, by unanimous consent, called up the bill (H. R. 2097) to authorize the construction of a bridge across Trail Creek, in Michigan City, Ind.

The bill was read.

Mr. SHIVELY. Mr. Speaker, I will not take the time of the House in discussing this bill, but will only say that it has been recommended by the War Department, as is indicated by the report.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SHIVELY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

COUNTY OF LATAH, IDAHO.

Mr. DUBOIS, by unanimous consent, called up the bill (S. 2671) to create and organize the county of Latah, Idaho.

The bill is as follows:

Be it enacted, etc., That all that portion of Nez Perces County, in the Territory of Idaho, lying north of the following line, to wit: Commencing at a point where the middle line of township 38 north intersects the line between Nez Perces and Shoshone Counties in said Territory; thence west to Big Potlatch Creek, where it first intersects the said middle line of township 38; thence down said creek southwesterly to a point where it intersects the middle line of township 27; thence due west to the line between the Territories of Idaho and Washington be, and the same is hereby, formed and organized into a county, to be known and designated as the county of Latah, with all the rights, power, and privileges of counties under the existing laws of the Territory of Idaho.

SEC. 2. That W. W. Langdon, J. L. Nailer, and William Frazier are hereby appointed commissioners of said county of Latah, and their annual compensation shall be the same as now provided by law for the commissioners of Nez Perces County.

SEC. 3. That the county commissioners above named are hereby authorized, within twenty days after the passage of this act, to qualify before a justice of the peace and enter upon the discharge of their duties as such commissioners, and are hereby empowered to appoint all necessary county officers to perfect the organization of said county of Latah under the laws of the Territory of Idaho, and the said county commissioners and other county officers appointed as aforesaid shall hold their offices until the next general election provided by the laws of said Territory, and until their successors are elected and qualified according to law.

SEC. 4. That the justices of the peace, constables, road supervisors, and other precinct and school officers heretofore elected and qualified and now acting as such, residing in said county of Latah, are hereby continued as such officers in said county of Latah until the next general election aforesaid and until their successors are duly elected and qualified.

SEC. 5. That the county of Latah shall pay to the county of Nez Perces a just proportion of the net indebtedness of said Nez Perces County, the same to be determined as follows, to wit: The county treasurer, recorder, and present county assessor of Nez Perces County are hereby constituted a board of adjusters, who shall proceed to ascertain the net indebtedness of said county of Nez Perces, which shall be done as follows, namely: Ascertain all the county justly owes in warrants, scrip, or other just debts, which amount shall constitute the gross indebtedness of said county, from which deduct the amount of the unpaid portion of the assessment-roll of 1887 and the amount of all the delinquent assessment-rolls which are considered collectible up to that date, and the amount of all moneys and other credits due the county then; and the balance so found shall constitute the net indebtedness of said county of Nez Perces; and the net indebtedness of said county of Nez Perces, ascertained as aforesaid, shall be divided equally between the counties of Nez Perces and Latah in proportion to the taxable property of said counties as it legally appears on the assessment-roll for the year 1887, and the said county of Latah shall cause a warrant or warrants to be drawn upon its treasurer payable to the county of Nez Perces, which said warrant or warrants shall take priority in payment over all other warrants, scrip, or other indebtedness of the said county of Latah.

SEC. 6. That the county commissioners of Nez Perces County are hereby authorized and required to furnish to the county of Latah transcripts of all records, indexes, and documents and other papers on file and of record in the offices of Nez Perces County, which may be necessary to perfect the records of Latah County. They may contract with the auditor of Nez Perces County to make the above-named transcripts, the compensation for which shall be in addition to his regular salary. The necessary books for the aforementioned transcripts shall be furnished by Latah County, and the expense of making the said transcripts shall be paid by the counties of Nez Perces and Latah equally. Certificates of the correctness of said records, made as aforesaid, shall have the same legal effect as if made by the auditor of Nez Perces County.

SEC. 7. That the county of Latah is hereby attached to Nez Perces County for judicial purposes until the next meeting of the judges of the supreme court of Idaho Territory, when it shall be the duty of said judges to fix a time for holding court in said county of Latah as provided by the laws of said Territory for the other counties thereof. Thirty days after the time of holding said court is fixed as aforesaid, the said county of Latah shall assume and be vested with all the judicial rights, privileges, and powers of a county under the laws of the said Territory of Idaho.

SEC. 8. That the county of Latah shall remain with Nez Perces County for legislative purposes until otherwise provided by law.

SEC. 9. That the county seat of Latah County is hereby located at the town of Moscow, in said county.

SEC. 10. That the commissioners of Latah County be, and they are hereby, authorized to issue bonds to an amount not exceeding $20,000, of denominations not less than $100 nor more than $1,000, running for a term of not less than ten nor more than twenty years, bearing interest at a rate not exceeding 8 per cent. per annum, with interest coupons attached, which bonds shall be signed by the chairman of the board of county commissioners and the auditor of said county and be authenticated by the seal of said county.

SEC. 11. That the said board of commissioners are hereby authorized to make sale of said bonds and apply the proceeds thereof to the erection of a court-house and jail, and such other public buildings as may be necessary: *Provided*, That no bond shall be sold by said commissioners for less than its par value.

SEC. 12. That the said board of commissioners and their successors in office are hereby empowered and required to levy such tax as may be necessary to promptly pay the interest on said bonds, and also to levy such tax as may be necessary to pay the principal of said bonds as the same shall become due.

SEC. 13. That in the event said board of commissioners shall issue bonds as hereinbefore authorized, the interest coupons thereof shall be receivable in payment of the county taxes of said county of Latah.

SEC. 14. That the commissioners of Nez Perces County be, and they are hereby, authorized to issue bonds to an amount not exceeding $30,000, of denominations not less than one hundred nor more than one thousand dollars, running for terms of not less than ten nor more than twenty years, bearing interest at a rate not exceeding 8 per cent. per annum with interest coupons attached, which bonds shall be signed by the chairman of the said board of commissioners and county auditor, and be authenticated by the seal of said county.

SEC. 15. That the said board of commissioners are hereby authorized to make sale of said bonds and apply the proceeds thereof to the erection of a court-house, jail, and such other public buildings as may be necessary, and for the building of necessary bridges: *Provided*, That no bond shall be sold by said board of commissioners for less than its par value.

SEC. 16. That the said board of commissioners and their successors in office are hereby empowered and required to levy such tax as may be necessary to promptly pay the interest on said bonds, and also to levy such tax as may be necessary to pay the principal of said bonds as the same shall become due.

SEC. 17. That in the event said board of commissioners shall issue bonds as hereinbefore authorized, the interest coupons attached to said bonds shall be receivable in payment of the county taxes of said county of Nez Perces.

SEC. 18. That the county of Latah shall not be entitled to any portion of the property, real or personal, of the said county of Nez Perces.

SEC. 19. That all acts in conflict with any of the provisions of this act be, and the same are hereby, repealed

SEC. 20. That this act shall be in force from and after its ratification.

Mr. SPRINGER. A bill for this purpose has been reported from the House Committee on Territories exactly in the terms of the Senate bill. It is simply a local measure to provide for the division of a county in Idaho, which the Legislature assumed they could not provide for owing to the United States law against special legislation in the Territories.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. SPRINGER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS NOXUBEE RIVER, ALABAMA.

Mr. BANKHEAD, by unanimous consent, called up the bill (H. R. 8343) to authorize the construction of a wagon and foot-passenger bridge across the Noxubee River, at or near Gainesville, Ala.

The bill was read.

Mr. BANKHEAD. Mr. Speaker, this is simply a bill to authorize the construction of a bridge across a little river in Alabama. The bill contains all the usual provisions. It is recommended by the Secretary of War, and has been reported from the Committee on Commerce with amendments.

The amendments recommended by the Committee on Commerce were agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BANKHEAD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CHARLES V. MESLER.

Mr. WEBER, by unanimous consent, called up the bill (H. R. 2695) for the relief of Charles V. Mesler.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized and directed, in adjusting the accounts of Charles V. Mesler, postmaster at Gosport, in the State of New York, as such postmaster, to allow him a credit of $39.88 for postal-cards, stamps, and envelopes stolen from said Charles V. Mesler, at said post-office, on the night of the 25th or 26th of April, 1880, without any negligence or default on the part of the said postmaster.

The report (by Mr. LAIDLAW) is as follows:

The Committee on Claims, to which was referred House bill 2695, having considered the same, submit the following report:

A bill for the relief of Charles V. Mesler was before the Forty-ninth Congress. The Committee on Claims of the House submitted the following report:

"The claimant, Charles V. Mesler, in the year 1880, was postmaster at Gosport, N. Y. On the night of April 25, in said year, his post-office was broken into and $39.88 in stamps, cards, and stamped envelopes stolen. The postmaster was guilty of no negligence, and was in no way to blame for said loss.

"In February, 1884, he made application to the Post-Office Department to be allowed a credit for said sum of $39.88. The credit was refused on the ground alone that the claim had not been presented to the Department within six months from the time the act of March 17, 1882 (22 Stat., page 29), went into effect.

"Your committee is clearly of the opinion that the credit should be given, and therefore recommends that the bill do pass."

This committee adopts said report as its report and recommends the passage of the bill.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WEBER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS THE MISSISSIPPI AT HICKMAN, KY.

Mr. STONE, of Kentucky, by unanimous consent, called up a bill (H. R. 7340) to authorize the construction of a bridge across the Mississippi River at Hickman, Ky.

Mr. HOLMAN. Mr. Speaker, I think that bill ought to be read.

Mr. STONE, of Kentucky. The bill is in accordance with the recommendations of the Secretary of War and of the Committee on Commerce.

Mr. HOLMAN. This is a very important measure, which I believe has not been before the House until now, and it had better be read.

The Clerk proceeded to read the bill. Before the completion of the reading,

Mr. HOLMAN said: Mr. Speaker, I do not insist on the further reading of the bill. I asked to have it read mainly for the purpose of ascertaining the height that was prescribed.

The amendments reported from the Committee on Commerc ewere agreed to.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. STONE, of Kentucky, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

THOMAS H. NORTON AND JAMES M'LEAN.

Mr. THOMPSON, of Ohio. I move, by unanimous consent, that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (S. 109) for the relief of Thomas H. Norton and James McLean, and it be put upon its passage at the present time.

The bill was read, as follows:

Be it enacted, etc., That the sum of $3,200 be, and the same is hereby, appropriated, out of the funds in the Treasury not otherwise appropriated, to pay Thomas H. Norton and James McLean, being amount of excess paid by them on coal entry numbered 1 at Del Norte land office, Colorado, July 10, 1882.

Mr. HOLMAN. From what committee did this bill come?

Mr. THOMPSON, of Ohio. It was reported by the Committee on Claims. It has passed the Senate. A House bill similar to this has been passed through the Committee on Claims, and this Senate bill also has been reported from the Committee on Claims.

Mr. HOLMAN. Let the report, which I expect is short, be read to the House.

Mr. THOMPSON, of Ohio. I can make a statement in reference to the matter which will be much briefer than the reading of the report.

Mr. HOLMAN. Let the report be read, which will take but a moment.

The report (by Mr. MCCULLOGH) was read, as follows:

The Committee on Claims, to which was referred the bill (S. 109) for the relief of Thomas H. Norton and James McLean, having duly considered the same, report as follows:

A similar bill was introduced in the first session of the Forty-ninth Congress (H. R. 4760), and was duly considered and reported favorably from the Committee on Claims of that body (House Report No. 2381, Forty-ninth Congress, first session).

The report correctly states the facts, and this committee therefore adopts the same, and recommends the passage of the bill.

[House Report No. 2381, Forty-ninth Congress, first session.]

A similar bill was introduced in the Senate, and was reported favorably from the Committee on Claims of that body. The report correctly states the facts, and this committee therefore adopts the same, and recommends the passage of the bill.

[Senate Report No. 534, Forty-ninth Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1256) for the relief of Thomas H. Norton and James McLean, having duly considered the same make the following report:

The facts are fully stated in the affidavit of T. H. Norton, a letter from Hon. N. C. McFarland, Commissioner of the General Land Office, to the register and receiver of the land office at Del Norte, Colo., dated March 29, 1882, and a letter from the honorable Secretary of the Interior to the Commissioner of the General Land Office, dated May 10, 1882, copies of which are made a part of this report.

Claimants recently applied to the Secretary of the Interior for equitable relief. The Acting Secretary, in denying the application, said:

"The subject of said application has been carefully considered, and while the facts stated seem to show a strong calling for relief, it is not in the power of this Department to grant the relief sought, but if it is granted recourse must be had to Congress."

In the opinion of your committee the receipt by the receiver of the local land office of the draft on the First National Bank of Ironton, Ohio, mentioned in the correspondence, for the amount at the time required to pay for the lands sought to be entered, ought to be treated as a payment, and the claimants are equitably entitled to the relief asked.

The committee therefore recommend that the bill do pass.

AFFIDAVIT OF THOMAS H. NORTON.

STATE OF WEST VIRGINIA, *County of Ohio, ss:*

Personally appeared before me, the undersigned, a clerk of the county court in and for the county aforesaid, on the ——— day of ———, A. D. 1885, Thomas H. Norton, who, being duly sworn, deposes and says as follows:

On the 12th day of September, 1881, being then at Villa Grove, Saguache County, Colorado, 75 miles from Del Norte, the nearest United States land office, and being fully aware of the law regulating the sale of United States coal lands, which provides that if a completed railroad approaches to within 15 miles thereof the price to the purchaser shall be $20 per acre, and desiring and intending to avail myself of the law authorizing the sale of such land at $10 per acre, I proceeded on that day by private conveyance to Del Norte expressly and solely to make the legal entry of the south one-half of southwest one-quarter and southwest one-quarter of section 26, and north one-half of northeast one-quarter of section 35, township 46 north, range 8 east, and make payment therefor. I arrived at Del Norte the following day, September 13, 1881, and in company with James McLean, my associate in the entry and purchase of this land, I called at the United States land office at that place, and there found Mr. John Clegborn, the register of said office. Explaining to him the nature of my business, I was permitted at once to make the entry of the land in question.

I paid the requisite fee therefor, and then proposed to pay the sum of $3,200 to complete the entry, having at that time the funds for the purpose on deposit to my individual credit in the Custer County Bank, and fully available to me in currency on that day in Del Norte. To this proposition the register stated that the receiver being absent the payment could be deferred until the end of the month. Subsequent investigation shows that the receiver, Mr. Bristoe, was absent from his office without proper authority, and on that day, September 13, 1881, was in the city of Denver, Colo., over 300 miles from Del Norte. I expressed anxiety to the register about this payment, informing him that the Denver and Rio Grande Railroad was being rapidly constructed to a point within 15 miles of said lands, and would probably reach there before the end of the month, and offered if necessary to leave the funds with the register. In reply that officer explained that the receiver made no report until the end of the month, and that if payment was then made the sale would be duly approved at $10 per acre.

I now distinctly state that had the receiver been at his post of duty on that day the sum of $3,200 would have been paid to him by me in United States currency in payment of the entry of this land; but in the absence of that officer, and upon the assurance of the register that the short delay in payment would not affect the price, the payment was deferred, as stated. Thus the matter rested until September 30. Being on that day at Buena Vista, Colo., 150 miles distant from Del Norte, I telegraphed the register, asking if he would grant an extension of thirty days in which to make the payment, and receiving a negative reply, I immediately mailed to him a sight draft for $3,200 on the First Na-

tional Bank of Ironton, Ohio, which draft was duly received by the receiver, forwarded for collection, and the proceeds duly paid over to the United States.

I received no notice or intimation of any kind, by telegraph, mail, or otherwise, from said receiver that he could not or would not receive said draft in payment for said lands; therefore I supposed the transaction was closed and the entry complete, and received no information to the contrary until long after October 15, 1881, when I was informed that the Commissioner of the General Land Office had decided otherwise, and directed the local land officers to require Mr. McLean and myself to pay an additional sum of $10 per acre before said entries would be recognized by him as complete. I further state that had the receiver of said land office, on the receipt of said draft by him, notified me that he could not accept the same payment for said land, I could and would have paid to him in lawful money of the United States therefor before the 15th day of October following the date said railroad was completed to within 15 miles of said lands.

I further state that by reason of the neglect of said receiver to inform me as soon as he received said draft that he could not or would not accept the same in payment for said lands, and by the order of said Commissioner aforesaid, a consequence resulting from said neglect, in improvements made upon said lands before and after applying to enter the same as aforesaid, we were compelled to pay the sum of $10 per acre for said lands in addition to a like sum previously paid by us therefor, as aforesaid, amounting to the sum of $3,200, which we would not have been compelled to pay had the said receiver been at his post of duty when we first applied to enter said lands, or had he returned said draft to me on his receipt thereof and informed me that he could receive nothing but lawful money of the United States in payment for said lands, as (it is the belief of affiant) was his duty to do.

T. H. NORTON.

Sworn to and subscribed before me this 23d of November, 1885.

GEORGE HOOK,
Clerk of the County Court of Ohio County, State of West Virginia.

Ex parte Thomas H. Norton and James McLean to have refunded $3,200, wrongfully exacted from them on coal-land entry No. 1, Del Norte, Colo.

MARCH 20.

GENTLEMEN: The evidence submitted in the matter of coal entry No. 1 in the series of your office made November 11, 1881, for the claim of James McLean and Thomas H. Norton, embracing 320 acres of land described as the south one-half of southwest one-quarter and southeast one-quarter of section 26, and the north one-half of the northeast one-quarter of section 35, in township 46 north, of range 8 east, N. M. M., has been carefully considered.

The entry was allowed upon the payment of $10 per acre, notwithstanding the fact that at the date thereof the Denver and Rio Grande Railroad had been completed to a point within 15 miles of the land embraced therein, thus raising the question whether the entry allowed upon payment at the rate of $10 per acre should be approved or whether the claimant should be required to make an additional payment of $10 per acre, which would aggregate $3,200. Section 2347, U. S. Revised Statutes, provides:

"That any person above the age of twenty-one years, who is a citizen of the United States, or who has declared his intention to become such, or any association of persons severally qualified as above, shall, upon application to the register of the proper land office, have the right to enter by legal subdivisions any quantity of vacant coal lands of the United States not otherwise appropriated or reserved by competent authority, not exceeding 160 acres to such individual person, or 320 acres to such association, upon payment to the receiver of not less than $10 per acre for such lands where the same shall be situated more than 15 miles from any completed railroad, and not less than $20 per acre for such lands as shall be within 15 miles of such road."

The price of the land is determined by the law and the facts as they exist at the date when the money is paid and the entry made.

In this case the money was paid as per the record on the 11th of November, 1881, and not on the 4th of October, 1881, the date when the draft on the First National Bank of Ironton, Ohio, was received by the receiver.

In view of the foregoing, the claimants will be required to make an additional payment of $10 per acre, which would aggregate $3,200.

You will notify the claimants of this decision, and allow them sixty days for appeal, and after the expiration of the time allowed for appeal you will report any action taken to this office.

Very respectfully,

N. C. McFARLAND, *Commissioner.*

REGISTER and RECEIVER,
Del Norte, Colo.

DEPARTMENT OF THE INTERIOR, *Washington, May 10, 1882.*

SIR: I have considered the appeal of James McLean and Thomas H. Norton, from your decision of March 29 last, requiring an additional payment of $10 per acre on their purchase of the south half of southwest quarter and southeast quarter of section 26, and the north half of northeast quarter of section 35, in township 46 north, range southeast, Del Norte, Colo.

The tracts are coal lands, and the only question is whether their price should be $10 or $20 per acre; and this depends, under section 2347 of the Revised Statutes, upon their proximity to a completed railroad. If at the date of proof and payment, which constitutes the entry, the land is more than 15 miles from such road, the price is not less than $10 per acre; if within 15 miles, it is not less than $20 per acre (see my predecessor's decisions of October 17, 1881, Copp, November, 1881, in which I concur). The price of coal lands varies, therefore, according to its relations to a completed railroad, and each case depends upon the facts peculiar to itself.

The present case shows that on September 13, 1881, the appellants filed a declaratory statement for the land in question and paid the official fees, and soon thereafter mailed to the local officers the personal draft of one of them for $3,200, the price of 320 acres, at $10 per acre, upon a bank in Ohio. This draft was received at the local office between October 1 and 3, and was sent to another bank for collection on October 4, the receiver declining to accept it as payment for the land until it was honored. It was not paid until November 11, when the entry was allowed at $10 per acre. On September 13 no railroad was completed to within 15 miles of the land, but the Denver and Rio Grande had progressed and was completed to within that distance on or about October 15.

If, instead of a draft, the appellants had paid $3,200 in money on September 13, or had the avails of the draft been received at the local office before October 15, they would have been entitled to the land at $10 per acre; but as money only can be received in payment of Government land, and this payment was not made until November 11, the price of the land, by reason of the progress of the road to within 15 miles of the land, was enhanced to $20 per acre.

The appellants appear to have acted in entire good faith, but under the mistaken supposition that their draft was a payment for the lands and sufficient to cause an entry thereof.

I can not, however, regard the equities in their favor as against a strict requirement of the law, and affirm your decision.

The papers transmitted with your letter of April 22, 1882, are herewith returned

Very respectfully,

H. M. TELLER, *Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

Mr. HOLMAN. There seems to be an equity in this case which will justify the refunding of this money; but I suggest that the further consideration of the bill be postponed until some day in the future when private business is under consideration.

Mr. THOMPSON, of Ohio. Say next Friday.

Mr. HOLMAN. No; next Friday, perhaps, will be taken up by the debate on the tariff bill.

Mr. THOMPSON, of Ohio. Then fix some other day—say when the Private Calendar is next under consideration.

Mr. BYNUM. In justice to claims which I have on the Private Calendar I must object.

Mr. HOLMAN. I hope my colleague will not object to the proposition which I have suggested.

Mr. BYNUM. I object to it simply because I have bills on the Private Calendar which have been there for three Congresses, and I do not believe it would be fair to them or other like business on the Private Calendar to take a case out of its order and give it precedence.

Mr. HOLMAN. I do not wish to object to this bill, because there seems to be an equity in it. The fact is, when the final entry was made there was a railroad within 15 miles of the land, which would make the price $20 instead of $10.

Mr. THOMPSON, of Ohio. Let me make a statement. When the entry was made there was no railroad within 15 miles of the land. The office fees were offered and the entry was made, but the land officer was absent and the clerk refused to receive the money.

The SPEAKER *pro tempore*. By order of the House the session closes at 5 o'clock and 30 minutes, p. m.; and that hour having arrived, in the opinion of the Chair it is incompetent for the House to do any further business. Therefore the Chair now declares the House adjourned until Monday next at 12 o'clock m.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. HUNTER: A bill (H. R. 9729) granting a pension to Malinda Hardin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9730) granting a pension to Sophia Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9731) granting a pension to William A. Humes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9732) granting a pension to Sarah Riddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9733) granting a pension to Ralph P. Wilborn—to the Committee on Invalid Pensions.

By Mr. TAULBEE: A bill (H. R. 9734) for the relief of Nancy Power—to the Committee on Invalid Pensions.

By Mr. J. R. WHITING: A bill (H. R. 9735) for the removal of the charge of desertion from the record of George Tebo—to the Committee on Military Affairs.

By Mr. BOWDEN: A bill (H. R. 9736) for the relief of John M. Johnson—to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BOWDEN: Petition of A. C. Jones and others, of Newport News, Va., for repeal of law classing druggists as retail liquor dealers—to the Committee on Ways and Means.

By Mr. BYNUM: Petition of Col. Joseph B. Black and 16 others, ex-soldiers, of Robert Anderson Post, Grand Army of the Republic, and of members of the Grand Army of the Republic, of Indianapolis, Ind., for the erection of a soldiers' home at Indianapolis, Ind.—to the Committee on Military Affairs.

By Mr. CRAIN: Protest of citizens of Galveston, Tex., against the employment of the contract system on public works—to the Committee on Public Buildings and Grounds.

Also, protest of citizens of Galveston, Tex., against the letting out of Government works to private contractors, and requesting Congress to abolish the contract system on river and harbor improvements—to the Committee on Rivers and Harbors.

By Mr. CROUSE: Petition of Benjamin Hart and 36 others, citizens of Summit County, Ohio, for speedy action looking to better protection of wool and woolen goods—to the Committee on Ways and Means.

By Mr. GOFF: Petition of 18 citizens of the First district of West Virginia, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. LONG: Petition of B. Hubbard, J. F. Keith, and J. C. Fuller, of Plymouth, Mass., for modification or repeal of tax of $25 on retail druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. PHELAN: Petition of Isaac W. Drake and of John G. Thurmon, of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. REED: Petition of Cousens & Tomlinson, for reduction of duty on rice—to the Committee on Ways and Means.

By Mr. HENRY SMITH: Memorial of the Grand Army of the Republic, for an appropriation for headstones for departed comrades—to the Committee on Military Affairs.

By Mr. STONE, of Kentucky: Petition of Samuel L. Laprad, for relief—to the Committee on War Claims.

By Mr. TILLMAN: Petition of Redden S. Horton, administrator of James Horton, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WHEELER: Petition of Parker S. Townsend, and of Octavia A. Otey, of Madison County; of W. W. Campbell, administrator of James Campbell, and of Rufus Green, administrator of Asa R. Green, of Jackson County; and of Martha Womack, of Limestone County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BREWER: Of William A. Johnson and 40 others, citizens of Argentine, Genesee County, Michigan.

By Mr. FORD: Of the Pottowatomie Club of Grand Rapids, Mich., and of the Kent Scientific Institute.

The following petition for the more effectual protection of agriculture, by the means of certain import duties, was received and referred to the Committee on Ways and Means:

By Mr. GOFF: Of Abraham Sample and 38 others, of Ohio County, West Virginia.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BELDEN: Of Robert L. Gibson and 11 others, and of A. H. Hubbs and 30 others, soldiers and sailors, of Syracuse, N. Y.

By Mr. McCULLOGH: Of A. B. Axtell and others, of B. F. Dean and others, of W. J. Charlton and others, of R. E. L. Carpenter and others, and of J. K. Bishop and others, ex-soldiers and sailors of Greene and Washington Counties, Pennsylvania.

By Mr. MILLIKEN: Of Albert Hunter and others, of Clinton, Me.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. G. A. ANDERSON: Of 171 citizens of Greene and Scott Counties, Illinois.

By Mr. MOFFITT: Of 69 citizens of Clinton County, New York.

By Mr. SPRINGER: Of 256 citizens of Sangamon County, Illinois.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. CLEMENTS: Of citizens of Paulding County, Georgia.

By Mr. GOFF: Of F. M. Gibson and others, of Braxton County, West Virginia.

SENATE.

MONDAY, *April* 30, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

THE JOURNAL.

The Journal of the proceedings of Thursday last was read.

Mr. JONES, of Arkansas. Having had occasion to be out of the Senate on the last day of the session for a few minutes, I asked my colleague [Mr. BERRY] to hand in a report for me from the Committee on Indian Affairs on the bill (S. 2644) granting the right of way to the Fort Smith, Paris and Dardanelle Railway Company to construct and operate a railroad, telegraph, and telephone line from Fort Smith, Ark., through the Indian Territory, to or near Baxter Springs, in the State of Kansas, and authorizing said company to build a bridge across the Arkansas River, at or near the city of Fort Smith, Ark. I omitted to amend the title of the bill, striking out the feature for the building of a bridge across the Arkansas River, and as read just now in the Journal I find it was reported as containing that feature. In point of fact all the sections of the bill providing for the building of the railroad bridge were stricken out, so that the title of the bill should have stopped at the word "Kansas," and that part of the title "authorizing said company to build a bridge across the Arkansas River, at or near the city of Fort Smith, Ark.," should have been stricken out.

The PRESIDENT *pro tempore*. That amendment of the title can be made when the bill is passed.

Mr. JONES, of Arkansas. But I thought, perhaps, it was best to give notice to the Senate of the change.

The PRESIDENT *pro tempore*. The Journal shows the report as made, and is correct.

Mr. JONES, of Arkansas. I suppose that is true.

The Journal was approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Acting Secretary of the Treasury, returning, in response to the order of the Senate of the 26th instant, the resolution relating to the smuggling of opium into the United States from British Columbia; which, with the accompanying resolution, was ordered to lie on the table and be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting, in answer to a resolution of February 24, 1888, certain information in regard to what circumstances and by what authority the tribe of Indians known as the Tillamooks have relinquished their claim to land in Tillamook County, in the State of Oregon; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

He also laid before the Senate a communication from the Postmaster-General, transmitting, in compliance with a resolution of April 24, 1888, a list of Presidential post-offices in the United States and in the Territories whose annual receipts for the three last preceding years have exceeded $3,000; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of the General Assembly of Maryland, urging a repeal of the license tax on non-resident traders in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of 181 members of the Sons of Temperance and other citizens of the District of Columbia, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of certain members of the bar of Washington, D. C., praying for the passage of Senate bill No. 2794, providing for the payment of John Pope Hodnett for acting as counsel to the workingmen of the District of Columbia; which was referred to the Committee on Claims.

He also presented a petition of officers of the Grand Army of the Republic, Department of the Potomac, praying that an appropriation be made for the payment of funeral expenses of deceased indigent ex-Union soldiers; which was referred to the Committee on Appropriations.

Mr. CULLOM presented a petition of members of Dunham Relief Corps, No. 4, and of Dunham Post, No. 141, Grand Army of the Republic, and other citizens of Decatur, Ill., praying that a pension be granted to Miss Emily Luttrell, of that place; which was referred to the Committee on Pensions.

He also presented a petition of ex-Union soldiers and sailors, members of Loren Kent Post, No. 523, Grand Army of the Republic, of Omaha, Ill.; a petition of 24 ex-Union soldiers and sailors, citizens of Bardolph, McDonough County, Illinois, and a petition of 36 ex-Union soldiers and sailors, members of Grand Army Post, No. 594, of Norris City, Ill., praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

He also presented a petition of 31 business firms of Eufaula, Ala.; a petition of the Board of Trade of Eufaula, Ala.; a petition of 24 business firms of Spartanburgh, S. C.; a petition of 24 business firms of Fort Gaines, Ga., and a petition of the City Council of Fort Gaines, Ga., praying for the amendment of the interstate-commerce act so as to prevent the practice of underbilling; which were referred to the Committee on Interstate Commerce.

Mr. REAGAN presented a petition of citizens of Parker County, Texas, and a petition of citizens of Medina County, Texas, praying that Congress make some provision at the present session to pay the Indian depredation claims which have been filed in the Indian Bureau of the Department of the Interior by the pioneers and early settlers on the frontier; which were referred to the Committee on Claims.

Mr. HARRIS presented the petition of A. C. Treadwell and other citizens, of Memphis, Tenn., praying for the passage of the bill for the protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. TURPIE presented a petition of 36 ex-Union soldiers and sailors, citizens of Hobart, Ind., praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. COKE presented a petition of citizens of Palo Pinto County, Texas, paying for the passage of a law providing for the payment of Indian depredation claims; which was referred to the Committee on Claims.

Mr. SHERMAN presented a petition of 172 ex-Union soldiers and sailors, citizens of Ohio, and a petition of 60 ex-Union soldiers and sailors, citizens of Ashtabula County, Ohio, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

Mr. WILSON, of Iowa, presented the petition of David Leasure, late a private in Company G, Fifth West Virginia Infantry Volunteers, in

the war of the rebellion, praying for the removal of the charge of desertion from his military record; which was referred to the Committee on Military Affairs.

Mr. BROWN. I present the petition of J. W. Hightower, William A. Wright, and other druggists and physicians, of Georgia, praying for the repeal of that portion of the internal-revenue laws which classes druggists as liquor dealers, and requires them to take out a license and pay annually the sum of $25 therefor. They also pray for the repeal of the tax on alcohol used in the arts and for medicinal purposes. I move the reference of the petition to the Committee on Finance.

The motion was agreed to.

Mr. MORGAN presented the petition of James M. McCullough, postmaster, and other citizens of Felix, Ala., praying that increased compensation be allowed to fourth-class postmasters; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. CAMERON presented a petition of the Chamber of Commerce, of Pittsburgh, Pa., praying that an appropriation be made for the erection of a public building at Allegheny City, Pa.; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of ex-Union soldiers and sailors, citizens of Greensborough, Greene County, Pennsylvania, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of citizens of Elk Lick, Somerset County, Pennsylvania; a petition of citizens of Kratzerville, Snyder County, Pennsylvania, and a petition of citizens of Middletown, Pa., praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers and for a reduction of the tax on spirits; which were referred to the Committee on Finance.

Mr. MORRILL presented a petition of citizens of Knowlton, Vt., praying for an extension of the time allowed to file pension claims; which was referred to the Committee on Pensions.

Mr. ALLISON presented a petition of citizens of Vinton, Iowa, praying for proper legislation for the protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented a petition of 96 ex-Union soldiers and sailors, citizens of Mount Ayr; a petition of 16 ex-Union soldiers and sailors, citizens of Stone City and Anamosa, and a petition of Janesville Post, No. 172, Grand Army of the Republic, at Janesville, all in the State of Iowa, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

He also presented a petition of Sanctuary Assembly, No. 4192, Knights of Labor, of Dubuque, Iowa, praying for the passage of the bill to abolish convict labor under contracts; which was referred to the Committee on Education and Labor.

Mr. KENNA presented a petition of ex-soldiers and sailors, citizens of Marshall County, West Virginia, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. PALMER presented a petition of certain mining companies in Michigan, praying for the purchase by the United States of the Portage Lake canals and harbors of refuge; which was referred to the Committee on Commerce.

Mr. SPOONER presented a petition of the representatives of the Department of the Grand Army of the Republic for Wisconsin, praying that an appropriation of $200,000 be made to furnish head-stones for marking the last resting-places of deceased soldiers, for which requisitions have been made under acts of Congress; which was referred to the Committee on Military Affairs.

He also presented a petition of 79 citizens of La Crosse, Wis., praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. DANIEL presented a petition of J. W. Thomas and other citizens, of Norfolk; a petition of E. S. Pendleton & Son, of Louisa Court-House; a petition of Spoffar & Church and others, of Falls Church, and a petition of E. S. Johnson and others, all of the State of Virginia, praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor-dealers; which were referred to the Committee on Finance.

Mr. PAYNE presented three petitions of the National Woman's Christian Temperance Union, signed by 139 citizens of Ohio, praying for legislation prohibiting the running of interstate Sunday trains and mail-trains and against military drills on the Sabbath; which were referred to the Committee on Education and Labor.

Mr. DAVIS presented a petition of the Department of Wisconsin, Grand Army of the Republic, of Milwaukee, and a petition of the Department of Minnesota, Grand Army of the Republic, of Minneapolis, praying that an appropriation be made to provide head-stones for the graves of Union soldiers; which were referred to the Committee on Appropriations.

He also presented a memorial of manufacturers and dealers, of St. Paul, Minn., remonstrating against any reduction of the tariff on flaxseed and linseed-oil; which was referred to the Committee on Finance.

He also presented a petition of the mayor and city council of Minneapolis, Minn., praying that all property rights now held by the United States in certain works built for the preservation of the Falls of St. Anthony be vested in that city; which was referred to the Committee on Commerce.

Mr. PLUMB. I present a petition of certain citizens of Salina, Saline County, Kansas, praying that provision be made at this session of Congress for the payment of Indian depredation claims, which I ask may be referred to the Committee on Indian Affairs.

I wish to state in connection with this petition that three or four years ago the matter was brought to the attention of the Committee on Appropriations in a way which led them to insert a provision in an appropriation bill whereby the Interior Department was authorized and provided with funds to enable it to thoroughly investigate all pending Indian depredation claims, and required to report the result of the finding made to Congress.

That investigation is going on, and I think we shall be able to learn before the final adjournment, and perhaps very soon, the result of the investigation. I am satisfied, without knowing anything about the plan of the investigation or especially about its results, that we shall be able to get a great deal of very valuable information upon which to predicate legislation.

I have no doubt that a large majority of these claims ought to be paid; that the Government is in equity, if not otherwise, bound to pay them; and I am in hopes that many of the difficulties which have heretofore surrounded this class of claims on account of imperfect proof, lack of knowledge, and misunderstanding in regard to the relations of the Government to them and of the Indians to them, will be removed by this investigation.

Mr. MITCHELL. I should like to say a word in reply to the Senator from Kansas.

I think we already know the result of the investigations which have been made. As stated by the Senator from Kansas, $50,000 have been appropriated in the last three years; first, $20,000, I believe; then $10,000, and then $20,000; at any rate $50,000 or $60,000 have been appropriated for that purpose. Under that authority the Department have been going ahead and investigating these claims and reporting to Congress each year the result of their investigations. They have passed on a great number of claims, and they are now standing here upon our record.

Various bills have been introduced, bills of a general nature and bills of a special nature, some of which have been referred to the Committee on Indian Affairs, some to the Committee on Claims, and others to the Committee on Military Affairs. There is a divided jurisdiction on the subject, and the result is that no action whatever has been taken or is proposed to be taken, so far as I know, by any committee of this body.

In view of these facts and in view of the further fact that upon the suggestion made by the Chief Executive of the nation, a special committee has been raised in the House of Representatives for the purpose of considering this very subject, I have thought, after full consultation with the chairman of the Committee on Claims, the chairman of the Committee on Indian Affairs, and sundry other members of the Senate, that the proper thing to do would be to raise a special committee, who would not be burdened with any other business, and who could take up this subject and consider what policy Congress ought to adopt in reference to the whole matter. Such a committee should be raised, not for the purpose of taking up simply individual claims and passing upon them—because I do not think that is the proper thing to do—but to adopt some general policy by which parties could say to the various claimants, those whose claims have been passed upon, as well as those whose claims have not been passed upon, whether Congress intends to pay them.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Indian Affairs, if there be no objection.

REPORTS OF COMMITTEES.

Mr. VEST, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C., reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. 1599) to provide for the erection of a public building in the city of Sedalia, in the State of Missouri, reported it without amendment.

Mr. HOAR, from the Committee on Claims, to whom was referred the bill (S. 518) for the relief of the legal personal representatives of Henry W. Sibley, deceased, reported it without amendment, and submitted a report thereon.

He also, from the Committee on the Judiciary, to whom was referred the bill (S. 407) fixing the salaries of the several judges of the United States district courts at $5,000 per annum, and for other purposes, reported it without amendment.

Mr. COKE. I desire to note of record my dissent from the favorable report on the bill increasing the salaries of Federal judges.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 1483) for the erection of a public building at Monroe, La., reported it with amendments and submitted a report thereon.

Mr. MORGAN, from the Committee on Public Lands, to whom was referred the bill (S. 194) to increase the endowment of the Louisiana State University and Agricultural College, reported it with amendments.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment:

A bill (S. 1062) to increase the appropriation for the erection of the public building at Wilmington, Del.;

A bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $125,000 therefor; and

A bill (H. R. 7218) for the erection of a public building in the city of Duluth, State of Minnesota.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally with amendments:

A bill (S. 1726) to provide for the erection of a public building for the use of the post-office and Government offices at the city of Atchison, Kans.;

A bill (S. 1913) for the erection of a public building at Emporia, Kans.;

A bill (S. 2319) for the erection of a public building at Waterbury, Conn.;

A bill (S. 1978) for the erection of a public building in Peterson, N. J.;

A bill (S. 289) for the erection of a public building at Fort Dodge, Iowa; and

A bill (S. 384) to provide for the erection of a public building in the city of Dover, in the State of New Hampshire.

Mr. SPOONER, from the Committee on Claims, to whom was referred the bill (H. R. 615) for the relief of James B. Mitchell, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2276) for the relief of G. H. Coryell, asked to be discharged from its further consideration, and that it be referred to the Committee on the District of Columbia; which was agreed to.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 8279) to authorize the county of Laurens, in the State of Georgia, to construct a bridge across the Oconee River, at or near Dublin, in said county and State, reported it without amendment.

BILLS INTRODUCED.

Mr. WILSON, of Iowa, introduced a bill (S. 2805) to remove the charge of desertion from the record of David Lasure; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DAWES introduced a bill (S. 2806) to authorize the Secretary of the Interior to fix the amount of compensation to be paid for right of way for railroads through Indian reservations in certain contingencies; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 2807) to grant to the Puyallup Valley Railway Company a right of way through the Puyallup Indian reservation in Washington Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. KENNA introduced a bill (S. 2808) granting an increase of pension to Margaret E. Pierce; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2809) granting a pension to Jackson Myers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 2810) to require the purchase and coinage of not less than $4,000,000 worth of silver bullion per month; which was read twice by its title.

Mr. STEWART. I ask that the bill lie on the table. It involves no new principle.

The PRESIDENT *pro tempore*. The bill will lie on the table.

Mr. MORGAN introduced a bill (S. 2811) for the relief of Rebecca B. Scott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. PALMER introduced a bill (S. 2812) for the relief of Eliza Douglass; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CAMERON introduced a bill (S. 2813) for the relief of Joseph G. Swank; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 2814) granting a pension to John O'Donnell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 2815) granting an increase of pension to Edwin Marsh; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2816) to authorize the construction of a bridge for railway purposes across the Mississippi River, between the States of Wisconsin and Minnesota, to be located north of, and in the vicinity of, the city of Alma, Wis.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SHERMAN introduced a bill (S. 2817) for the relief of J. W. Mackey; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 2818) granting an increase of pension to Francis M. Higgason; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2819) granting an increase of pension to William W. Bliss; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAVIS introduced a bill (S. 2820) to authorize the city of Minneapolis, Minn., to alter, repair, and reconstruct certain public works; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2821) relieving municipalities in the Territories in certain cases; which was read twice by its title, and referred to the Committee on Territories.

Mr. PASCO introduced a bill (S. 2822) for the relief of Thomas Gordon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. JONES, of Arkansas, introduced a bill (S. 2823) to authorize the building of a railroad bridge at Fort Smith, Ark.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BECK (by request) introduced a bill (S. 2824) for the relief of Hermans Burk; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLAIR introduced a bill (S. 2825) granting increase of pension to Benjamin T. Baker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 2826) relating to superintendence of construction of public buildings; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2827) to define the jurisdiction of the circuit and district courts of the United States in certain cases; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2828) granting right of way and other privileges to the Hampton and Old Point Railway Company; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO BILLS.

Mr. FRYE submitted an amendment intended to be proposed by him to the Post-Office appropriation bill, to provide more efficient mail service between the United States and Central and South America and the West Indies; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. HOAR submitted an amendment intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

SILVER BULLION.

Mr. STEWART. I submit the following resolution, and ask for its present consideration:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate with a statement of the amount of silver bullion offered to the Government each month since the passage of the act of February 28, 1878, under the provisions of said act, and by whom, and at what prices; and also the amount of silver bullion purchased each month during such period, and from whom, and the prices paid therefor; and, further, to inform the Senate if the quotations of India Council bills in London enter into the determination to any extent of what is the market price of silver bullion in the United States.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HARRIS. Let it be printed and go over until to-morrow.

The PRESIDENT *pro tempore*. The resolution will lie over, under the rule.

CIRCULAR VALUES OF FOREIGN SILVER COINS.

Mr. STEWART submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Director of the Mint be, and he is hereby, directed to furnish the Senate with the circular values of foreign silver coins prepared by him under the provisions of section 3564 of the Revised Statutes, and to inform the Senate of the exact amount of pure silver in each of the silver coins named in said circular; and also to inform the Senate whether the values of such silver coins as designated in said circular are estimated by him according to the pure silver contained in them respectively.

NEW YORK CUSTOM-HOUSE EMPLOYÉS.

Mr. SPOONER. I submit the following resolution, and ask for its present consideration:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to send to the Senate, at as early date as is practicable, full information as to employés in the customs service at the port of New York, in the offices of the collector, the naval officer, surveyor, and appraisers at said port, all of said information, as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888.

First. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885.

Second. Number, names, and official designations of employés appointed since March 4, 1885.

Third. Number and designation of offices and official positions coming within the classified service created since March 4, 1885.
Fourth. Number and designation of offices and official positions coming below or outside the classified service created since March 4, 1885.
Fifth. Number and designation of offices and official positions coming within the classified service abolished or left vacant since March 4, 1885.
Sixth. Number and designation of offices and official positions coming below or outside the classified service abolished or left vacant since March 4, 1885.
Seventh. Total number of employés, with name and official designation of each, in the customs service March 4, 1885.
Eighth. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.
Ninth. Number, names, and official designations of heads of divisions in the customs service March 4, 1885.
Tenth. Number, names and official designations of heads of divisions in the customs service removed or resigned upon request since March 4, 1885.
Eleventh. Number, names, and official designations of heads of divisions in the customs service appointed since March 4, 1885.
Twelfth. Number, names, and official designations of temporary employés (excepting day laborers) appointed since March 4, 1885, with the date of appointment and term of service of each.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. BECK. Is that resolution just offered?

The PRESIDENT *pro tempore*. It is offered by the Senator from Wisconsin [Mr. SPOONER].

Mr. BECK. I should like to see it in the morning. Let it lie over. There seems to be about six months' work in it for somebody.

The PRESIDENT *pro tempore*. The resolution will lie over, under the rule.

MRS. JENNIE STONE.

On motion of Mr. SAWYER, it was

Ordered, That the House of Representatives be requested to return to the Senate the bill (S. 1161) granting a pension to Mrs. Jennie Stone, widow of General Charles P. Stone.

SARAH E. M'CALEB.

Mr. SAWYER. I move that the bill (S. 2239) for the relief of Sarah E. McCaleb be indefinitely postponed. There is a bill on the Calendar from the other House covering the same subject.

The motion was agreed to.

INTERIOR DEPARTMENT EMPLOYÉS.

The PRESIDENT *pro tempore*. If there are no further resolutions, concurrent or other, the Chair lays before the Senate a resolution coming over from a previous day.

The resolution submitted by Mr. HALE, April 26, 1888, was read, as follows:

Resolved, That the Secretary of the Interior be, and he hereby is, directed to send to the Senate as soon as may be a complete list of the laborers, skilled laborers, messengers, model attendants, and other persons below the classified service who have been appointed or employed in the Interior Department in Washington since March 4, 1885. Also a list of all persons who have been appointed in said Department in Washington since March 4, 1885, to any position, class, or grade, who have been since their appointment or are now employed in a position, class, or grade different from the one to which they were appointed, giving in detail the change in position, rank, or grade of employment in regard to each person separately.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

The resolution was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 488) granting a pension to Elizabeth Burr;
A bill (H. R. 600) increasing the pension of Mary Minor Hoxey;
A bill (H. R. 2413) granting a pension to Mrs. Mercy Knight;
A bill (H. R. 3712) increasing the pension of Milton Judd;
A bill (H. R. 3745) granting a pension to Mary O'Neil;
A bill (H. R. 3922) to place the name of Casper Seibel on the pension-roll;
A bill (H. R. 3959) granting a pension to Dolly Blazer;
A bill (H. R. 4864) to place the name of Jacob Behr on the pension-roll;
A bill (H. R. 6520) granting an increase of pension to Charles F. Ward;
A bill (H. R. 6575) for the relief of James L. Alsip;
A bill (H. R. 6845) granting a pension to John Witham;
A bill (H. R. 7642) granting a pension to Abbie R. Brown;
A bill (H. R. 8260) granting a pension to Lydia A. Hicks;
A bill (H. R. 8266) for the relief of Mrs. Clarissa G. Green; and
A joint resolution (H. Res. 148) to print 12,500 copies of the eulogies on Seth C. Moffatt, late a Representative in Congress.

The message further announced that the House insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil, agreed to the further conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. MCCREARY, Mr. RUSSELL of Massachusetts, and Mr. MORROW managers at the further conference on its part.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges across Red River, agreed to the conference asked by the Senate on the said bill and the amendment thereto, and had appointed Mr. CRISP, Mr. PHELAN, and Mr. DUNHAM, managers at the conference on its part.

The message further announced that the House insisted upon its amendment to the bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HENDERSON of North Carolina, Mr. RUSSELL of Massachusetts, and Mr. DE LANO managers at the conference on its part.

The message also announced that the House insisted upon its amendment to the bill (S. 393) for the relief of Frances Anne Pyne Ricketts, disagreed to by the Senate, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHIPMAN, Mr. LYNCH, and Mr. SAWYER managers at the conference on its part.

The message further announced that the House had passed the following bills:

A bill (S. 333) granting a pension to Reuben Brownmiller;
A bill (S. 334) granting an increase of pension to Charles F. Allgower; and
A bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend time of payment to purchasers of land of said Indians, and for other purposes.

The message further announced that the House had passed the following bills each with an amendment; in which it requested the concurrence of the Senate:

A bill (S. 2345) authorizing the construction of a bridge across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina; and
A bill (S. 738) granting a pension to the guardian of Enos J. Searles, of Clermont County, Ohio.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for water-works purposes; and
A bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased.

The message further announced that the House had passed a concurrent resolution concerning the distribution of 437 copies of the document known as "Fish and Fisheries;" in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 1712) for the erection of a public building at Portsmouth, Ohio;
A bill (H. R. 4357) to erect a public building at Allentown, Pa.;
A bill (H. R. 4557) for the relief of George F. Chilton;
A bill (H. R. 6453) granting a pension to George P. Stone;
A bill (H. R. 7546) to amend sections 2595 and 2596 of the Revised Statutes of the United States, and to provide a collector at the port of St. Paul, Minn., and for other purposes; and
A bill (H. R. 7715) for the relief of Georgia A. Stricklett.

PUBLIC BUILDING IN YOUNGSTOWN.

The PRESIDENT *pro tempore*. Is there further morning business?

Mr. SHERMAN. I desire, with the consent of the Senator from Kansas [Mr. PLUMB], who has charge of the pending business, to move to proceed to the consideration of Senate bill 347.

The PRESIDENT *pro tempore*. The Chair, under the order of the Senate adopted on Thursday last, will first lay before the Senate the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, which is before the Senate as in Committee of the Whole. The Senator from Ohio asks unanimous consent that the pending order may be informally laid aside.

Mr. PLUMB. If it does not lead to any debate, I will consent.

Mr. SHERMAN. If it leads to debate, I shall not press it.

Mr. PLUMB. I have had many requests of the same kind. I am in hopes that the pending bill may be disposed of during the present morning hour.

Mr. SHERMAN. I shall not certainly occupy the time until 1 o'clock.

Mr. CAMERON. I hope the Senator from Kansas will also yield to me.

The PRESIDENT *pro tempore*. The Senator from Ohio asks unanimous consent that the pending business may be informally laid aside to enable him to move the consideration of the bill (S. 347) to provide for the erection of a public building in the city of Youngstown, Ohio.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on

Public Buildings and Grounds with amendments, in line 13, before the word "thousand," to strike out "and fifty;" and in line 17, before the word "thousand," to strike out the words "and fifty;" so as to read:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase or otherwise provide a suitable site, and cause to be erected thereon, at the city of Youngstown, in the State of Ohio, a substantial and commodious public building, with fire-proof vaults, for the use and accommodation of the post-office, internal-revenue office, pension office, and for other Government uses. The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $100,000; and the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least 50 feet, including streets and alleys; and for the purposes herein mentioned the sum of $100,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT AKRON.

Mr. SHERMAN. I make the same motion in respect to a bill which is precisely the same, the bill (S. 349) for the erection of a public building at Akron, Ohio.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in line 4, after the word "purchase," to insert "or acquire by condemnation;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or acquire by condemnation a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the post-office and other Government offices, at the city of Akron, State of Ohio.

The amendment was agreed to.

The next amendment was, in line 11, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" and in line 12, after "dollars," to insert "and said sum is hereby appropriated;" so as to read:

The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of $75,000, and said sum is hereby appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENNSYLVANIA WAR CLAIMS.

Mr. CAMERON. I ask the Senate to proceed to the consideration of Order of Business 611, Senate bill 2329.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania asks unanimous consent that the Senate now proceed to the consideration of the bill indicated by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2329) to authorize the Secretary of the Treasury to re-examine and re-audit the claim of the State of Pennsylvania for advances made and money borrowed by said State to pay the militia called into the military service by the governor, under the proclamation of the President of June 15, 1863.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT LANCASTER, PA.

Mr. CAMERON. Now, if the Senator from Kansas will give way for a minute more, I wish to pass a public-building bill for Lancaster, Pa. It is House bill 1788, Order of Business 1040.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania asks unanimous consent that the Senate proceed to the consideration of the bill indicated by him.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1788) for the erection of a public building in Lancaster, Pa.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. PLUMB. I now ask for the regular order.

The PRESIDENT *pro tempore*. The regular order will be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the amendment proposed by Mr. DOLPH to the amendment of Mr. HOAR.

Mr. PLUMB. I am authorized by the Senator from Oregon [Mr. DOLPH] to withdraw the amendment which he offered to the amendment of the Senator from Massachusetts [Mr. HOAR] in order that there may be a direct vote on the amendment of the Senator from Massachusetts, and I shall move to lay the amendment of the Senator from Massachusetts on the table in order that a vote may be had at once.

The PRESIDENT *pro tempore*. The pending amendment now is that of the Senator from Massachusetts [Mr. HOAR], which will be read.

The CHIEF CLERK. It is proposed to add as a new section:

That in all cases where any of the lands forfeited by the first section of this act have heretofore been sold by the proper officers of the United States for cash, or with the allowance and approval of the proper officers of the United States entered in good faith under the homestead or pre-emption laws, or have been selected by any State and certified by the Commissioner of the General Land Office and approved by the Secretary of the Interior in satisfaction or as part of any grant to such State in aid of any public work or improvement which has been fully completed, the right and title of all persons holding or claiming any such lands under such sales, entries, or selections, and certificates shall be, and are hereby, confirmed, where, at the date of the passage of this act, there are no adverse claims to the same on file or of record arising under the general land laws of the United States; and any controversies or conflicting claims between adverse claimants, or between such adverse claimants and those whose title would otherwise be confirmed by the provisions of this act, shall be determined according to the priority of entry, certification, or application, and the provisions of existing laws, and in the same manner in all respects as though the said grants herein forfeited had never been made by the United States.

Mr. HOAR. Mr. President——

The PRESIDENT *pro tempore*. The Chair will state the motion of the Senator from Kansas [Mr. PLUMB]. The Senator from Kansas moves that the amendment lie on the table.

Mr. HOAR. The Senator did not make that motion, but merely gave notice of it.

Mr. PLUMB. I made the motion, but withdraw it for the purpose of hearing the Senator from Massachusetts.

The PRESIDENT *pro tempore*. The Chair understood the Senator from Kansas to submit the motion.

Mr. HOAR. Mr. President, last week there was some evidence read to the Senate which affected somewhat a firm of attorneys in this city, the evidence tending to show that there had been certain fraudulent contracts made in violation of the law, and certain letters were read indicating a knowledge of the fraud and a desire to have a hold on the settlers who had testified falsely that those contracts did not exist. One of the persons implicated addressed a communication to the Senate, which was read by the Senator from Michigan [Mr. PALMER], saying that he was satisfied those letters were written, but they were written by his partner, and the contracts were not written. The partner has now addressed to me a brief letter which he desires to have submitted to the Senate. It will take but a minute to read it. I send it to the desk.

The PRESIDENT *pro tempore*. The paper will be read.

The Secretary read as follows:

WASHINGTON, D. C., *April* 28, 1888.

SIR: In the matter of controversy as to the Iron River lands in Michigan, I wish to say, through your courtesy, that I received a number of contracts made by settlers to convey interests to me from Mr. Weimer and local attorneys at Marquette, as did Redington and Hill afterwards; and they were accepted, because I was sure that was the only way I could be certain to be paid for what promised to be to me, and proved to be, a very expensive lot of cases, none of the settlers having any money to pay for printing, clerical labor, etc.

No settlers were hired to go on the land by me, and no organization for that purpose was necessary. It would have required an army to keep them off, Secretary Teller having decided in a case in which I was attorney for a settler that the cash entries of these lands was void because the land was unoffered.

I abandoned the matter, not because of the purchase and publication of my letters to one of the local attorneys, as the submission of his letters to me would have put a different light on that matter, but because it was deemed necessary by Messrs. Redington and Weimer to destroy the contracts and join them in an affidavit that they never existed, which I would not do.

Very respectfully,

W. C. HILL.

Hon. GEORGE F. HOAR,
United States Senate.

Mr. BECK. Before the vote is taken I desire to inquire if there is anything in the bill—I am not able to discover it if there is—that deprives any one of any existing rights in this controversy now going on.

Mr. PLUMB. I think not. I think it leaves everything of that kind standing exactly where it would be if the bill were not passed.

Mr. BECK. My desire, as far as I am concerned, is to vote for any affirmative proposition in the bill which shall declare that nothing in the act shall deprive any person of any right he has in any controversy growing out of any rights which now exist and leave them the same as if the bill had not passed. Further than that I will not say that I am prepared to go in any affirmative action settling any dispute. Would the affirmation be any stronger if such a clause were put in the bill to guard existing rights?

Mr. PLUMB. I have no objection to accepting, as far as I may, an amendment of that character.

Mr. DAWES. I should like to call attention to the force of the first section of this bill.

Mr. PLUMB. I now renew the motion I made to lay the amendment on the table.

Mr. DAWES. The Senator will allow me a moment. The Senator from Kansas is of opinion that if this bill passes without such an amendment it will leave everybody's rights touching this land just as they would be if the bill did not pass. I can not see it in that light.

and I want the attention of the Senator from Kentucky to the operation of the first section of the bill:

Be it enacted, etc., That there is hereby forfeited to the United States, and the United States hereby resumes the title thereto, all lands heretofore granted to any State or to any corporation to aid in the construction of a railroad opposite to and coterminous with the portion of any such railroad not now completed and in operation, for the construction or benefit of which lands have heretofore been granted; and all such lands are declared to be a part of the public domain.

That is of to-day. The claim of the canal company is that the State of Michigan granted these lands to that canal company, or its representatives, when the State had not the right to do it, because they were lands theretofore granted to a railroad which is uncompleted. Therefore this bill would forfeit as of to-day those lands opposite the uncompleted portions of the road; then the lands belong to the United States as of to-day.

All the claim which these parties can set up to it being through the State of Michigan by a title which the State of Michigan had no right to grant because the Supreme Court have decided that the title was in the railroad company until the United States forfeited it, it being forfeited as of to-day, what becomes of them?

Mr. BECK. What I desire is not to have any affirmative action affirming anything as to parties having rights there, they having controversies between each other, but to have it affirmatively expressed on the face of the bill that nothing in this bill contained shall operate to divest any persons of any rights they may have had heretofore in any of the lands otherwise affected by it, so that they can settle their respective claims before the courts of the country as though this bill had not passed.

Mr. DAWES. It seems to me that to carry out the Senator's idea there must be a saving clause from this forfeiture as of to-day of lands the title to which technically is in the railroad company, although the State of Michigan and the United States before the decision supposed that the lands were not the railroad's until the railroad was finished. The decision is that it was a grant *in præsenti*, and it is still standing on the record as a grant to that railroad company, and the canal's grant is a part of lands opposite unfinished portions of the railroad.

Mr. BECK. Because the Senator from Kansas in charge of the bill and other Senators with whom I have conversed have said that that is the purpose of the bill, I desire to have it in such shape that there shall be no misunderstanding about it. That being done I am prepared to vote against all affirmative amendments.

Mr. PLUMB. The Senator from Massachusetts [Mr. DAWES] asks me whereabouts in the bill is what I have stated. It is in it, because it does not refer to the rights of any person under the peculiar conditions of things existing within the limits of this land grant in Michigan. Now, the Senator from Massachusetts, for the purpose of his argument, assumes that the change of the title from the railroad company under the original granting act to the United States Government will in some way deprive somebody of a right. It seems to me that it is only necessary to state that to show that it has no existence. If the railroad company had the title somebody else can not have it—the canal company, private entryman, homesteader, pre-emptor, or anybody else; and the only thing that this bill does would be to transfer, according to the statement of the gentleman from Massachusetts, the title which is now vested in the railroad company to the United States. Nobody could have had any right there which would be in anywise interfered with by such a change of proprietorship. But for the purpose of settling the point specially I have no objection to anything which is merely negative in its character and does not confer any rights, but which simply preserves the *statu quo* going into the bill, speaking for myself as an individual member of the Senate.

But, Mr. President, this discussion is entirely apart from the amendment of the Senator from Massachusetts [Mr. HOAR], and I renew the motion I made to lay the amendment on the table.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The Senator from Kansas moves to lay the pending amendment on the table.

Mr. HOAR. The Senator from Wisconsin [Mr. SPOONER] specially desires to offer a modification of that amendment, which I suppose is unobjectionable, and I should like to have the modification offered before the vote.

Mr. PLUMB. If that will be offered at once I have no objection.

The PRESIDING OFFICER. Does the Senator from Kansas withdraw his motion?

Mr. PLUMB. Yes, sir, I withdraw the motion for the purpose of allowing the Senator from Wisconsin to offer the modification.

Mr. SPOONER. I will offer my amendment after this is disposed of.

Mr. PLUMB. Then I renew my motion.

Mr. PALMER. Will not the Senator allow me to say a word?

The PRESIDING OFFICER. The motion is not debatable.

Mr. PALMER. I merely desire to have this bill divested of all collateral questions. This is a collateral question, and has nothing to do with the bill, and has no business in it.

Mr. PLUMB. Very well; so I think.

The PRESIDING OFFICER. It is moved that the amendment lie on the table.

The motion was agreed to.

Mr. MITCHELL. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, section 3, line 24, after the word "quantity" it is proposed to insert:

Provided, That the rights of way and riparian rights heretofore conveyed to the city of Portland, in the State of Oregon, by the Northern Pacific Railroad Company and the Central Trust Company of New York, by deed of conveyance dated August 8, 1886, and which are described as follows: A strip of land 50 feet in width, being 25 feet on each side of the center line of a water-pipe line, as the same is staked out and located, or as it shall be hereafter finally located according to the provisions of an act of the Legislative Assembly of the State of Oregon approved November 25, 1885, providing for the means to supply the city of Portland with an abundance of good, pure, and wholesome water over and across the following-described tracts of land: Sections 19 and 31, in township 1 south, of range 6 east; sections 25, 31, 33, and 35, in township 1 south, of range 5 east; sections 3 and 5, in township 2 south, of range 5 east; section 1, in township 2 south, of range 4 east; sections 23, 25, and 35, in township 1 south, of range 4 east, of the Willamette meridian, in the State of Oregon, are hereby granted and confirmed unto the said city of Portland, in the State of Oregon, its successors and assigns forever, with the right to enter on the hereinbefore-described strip of land, over and across the above-described sections for the purpose of constructing, maintaining, and repairing a water-pipe line as aforesaid. And there is also hereby granted to the said city of Portland, its successors and assigns forever, all riparian rights whatever which rightfully and properly attach to such of the above-described lands as lie contiguous and adjacent to the stream in the above-named sections known as Bull Run.

Mr. MITCHELL. I will make a word of explanation to the Senate, when I think there will be, perhaps, no objection to the amendment. This relates to lands adjacent to uncompleted road of the Northern Pacific Company. They have built no road between Wallula, Wash., and Portland, Oregon, 114 miles. Some time ago the Legislature of the State of Oregon authorized the city of Portland to provide for bringing good, wholesome, fresh water into that city to supply the city, and it became necessary to get that water some 15 or 20 miles from the city. They succeeded in obtaining a contract from the Northern Pacific Railroad Company and the Central Trust Company of New York, with whom the Northern Pacific was dealing in regard to bonds, for the right of way over the odd sections from Bull Run to the city of Portland. The object of this amendment is simply to protect the city in that right of way. I hope there will be no objection to it.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Oregon [Mr. MITCHELL].

Mr. PLUMB. This matter was not brought to the attention of the committee prior to the reporting of the bill, and I never knew anything of it myself personally until this amendment was proposed. According to its terms it seems to convey a strip of land 50 feet wide across certain odd-numbered sections for the distance stated by the Senator from Oregon, about 15 miles, for the purpose of enabling the city of Portland to construct water-works. I do not know that I see in that anything which is objectionable, and it may be very important to the city to have this right; but I call the attention of the Senator from Oregon to this point: If he anticipates that this right is valuable to the city of Portland, he must remember that after having this title confirmed the city will be obliged to resort to individual entrymen to get the right of way on the even sections. The entrymen on the even-numbered sections occupy the same space, and therefore the city would be in as much trouble practically with the amendment as without it.

Mr. MITCHELL. We are advised that the city of Portland has already obtained the right of way through all the lands on the even-numbered sections.

Mr. PLUMB. It must, then, be land which has been entered and of which the title has passed through the Government to entrymen.

Mr. MITCHELL. Yes, sir; and this is the only thing in the way of having the right to go on with this work. I hope the chairman of the Committee on Public Lands will not make any objection to the amendment. It is important to the city of Portland.

Mr. PLUMB. Let me ask one other question. The last sentence of the amendment says:

And there is also hereby granted to the said city of Portland, its successors and assigns forever, all riparian rights whatever which rightfully and properly attach to such of the above-described lands as lie contiguous and adjacent to the stream in the above-named sections known as Bull Run.

Does the Senator understand that that is simply a riparian right on this right of way, or is there a large surface on this stream upon public lands?

Mr. MITCHELL. I can not state just how this right of way runs. I am not fully advised as to that. I do know, however, that the stream runs from north to south and it is tapped by this right of way which runs over the other sections. The object is simply to protect the city in what it would have obtained under these deeds of the Northern Pacific Company and the Trust Company had they the title to the lands.

Mr. PLUMB. What will be the riparian rights?

Mr. MITCHELL. The right to take the water from the stream and convey it over the right of way of 50 feet. That would be all.

Mr. PLUMB. I suggest that that be amended in such a way as to apply merely to the right of way.

Mr. MITCHELL. I do not see any particular objection to such a restriction.

Mr. WILSON, of Iowa. I desire to ask the Senator from Oregon whether the phraseology of the first part of the amendment will not be

held as a recognition by Congress of the right of the railroad company to make title to that portion of its grant embraced within the terms of his amendment, and whether it would not be better to provide for the conveyance of that interest by the United States rather than to give recognition to the conveyance made by the railroad company?

Mr. PLUMB. In line 22 of the amendment it is provided that the sections described "are hereby granted and confirmed unto the said city of Portland." That might be held to refer to the grant of the Northern Pacific Railroad Company, but those words being stricken out it would be a grant from the United States, and the reference to the Northern Pacific Railroad Company would only be effective as descriptive of the transaction.

Mr. WILSON, of Iowa. I fear that the language used might be held to mean more than a mere part of the description of the tract.

Mr. MITCHELL. What change would the Senator suggest?

Mr. WILSON, of Iowa. I merely call attention to it.

Mr. MITCHELL. The second section of the bill, as reported by the committee, undertakes to protect those who have contracts from the State or the railroad company who are occupying odd sections. This simply provides that the right of way which the city of Portland has obtained from this company shall be protected.

Mr. WILSON, of Iowa. I have not a copy of the amendment before me; but it occurred to my mind as I heard it read that the first part of the amendment was susceptible of the construction I have suggested, that it is a recognition by Congress of the right of the Northern Pacific Company to make conveyance of a part of the land which it had not yet covered by constructed line.

Mr. MITCHELL. In order to meet that objection I will suggest this amendment: Insert, after the word "heretofore," in line 2, the words "attempted to be."

Mr. WILSON, of Iowa. I think that would be an improvement.

The PRESIDING OFFICER. The Senator from Oregon modifies his amendment.

The SECRETARY. In line 2, after the word "heretofore," insert the words "attempted to be;" so as to read:

Provided, That the rights of way and riparian rights heretofore attempted to be conveyed to the city of Portland, in the State of Oregon, by the Northern Pacific Railroad Company and the Central Trust Company of New York, etc.

Mr. MITCHELL. Now, in order to meet the objection suggested by the chairman of the committee, I move to strike out all after the word "aforesaid" in line 27.

The PRESIDING OFFICER. The words proposed to be stricken out will be read.

The CHIEF CLERK. In line 27 of the amendment, after the word "aforesaid," it is proposed to strike out:

And there is also hereby granted to the said city of Portland, its successors and assigns forever, all riparian rights whatever which rightfully and properly attach to such of the above-described lands as lie contiguous and adjacent to the stream in the above-named sections known as Bull Run.

The PRESIDING OFFICER. The Senator from Oregon has the right to modify his amendment.

Mr. MITCHELL. I so modify it.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. MITCHELL. I also modify the amendment at the suggestion of the Senator from Kansas [Mr. PLUMB], by inserting after the word "Oregon," in line 22, the words "forfeited by this act."

The PRESIDING OFFICER. The proposed modification will be read.

The SECRETARY. After the word "Oregon," in line 22 of the amendment, insert "forfeited by this act;" so as to read:

In the State of Oregon, forfeited by this act, are hereby granted and confirmed unto the said city of Portland, in the State of Oregon, etc.

The amendment was agreed to.

Mr. PADDOCK. By direction of the Committee on Public Lands I propose the following amendment as an additional section to the bill, section 8.

Mr. PLUMB. Let me suggest to the Senator from Nebraska that he add that as a second proviso to section 1.

Mr. PADDOCK. That will be agreeable to me. I had thought of doing that.

The PRESIDING OFFICER. The proposed amendment will be read.

The SECRETARY. It is proposed to add as an additional proviso to section 1:

And provided further, That nothing in this act contained shall be construed as limiting the rights granted to purchasers or settlers by "An act to provide for the adjustments of land grants made by Congress to aid in the construction of railroads and for the forfeiture of unearned lands, and for other purposes," approved March 3, 1887, or as repealing, altering, or amending said act, nor as in any manner affecting any cause of action existing in favor of any purchaser against his grantor for breach of any covenant of title.

Mr. CALL. That amendment of the Senator from Nebraska seems to be a very wide and sweeping amendment, and seems to give title to anybody who wants it to any of these lands. I do not think such an amendment as that ought to be adopted hastily.

Mr. PADDOCK. I do not hear the Senator.

Mr. CALL. I say the amendment offered by the Senator from Nebraska seems to confirm any claim that anybody chooses to make to this land. The adjustment act passed at the last session has been construed by the Secretary of the Interior to cover almost any possible claim, whether there was a particle of authority in any act granted by Congress or not. If there has been a claim made by a railroad company under any grant to a piece of land it is held under the wide terms of that act to embrace it, and that decision is on file in the office of the Secretary of the Interior. So, practically, that adjustment act is made a confirmatory act of every false and fraudulent claim that any railroad company may seek to make to any portion of the public domain within the limits or the assumed limits of the grant. This amendment seems to give color to that construction of that act, and it is very difficult to understand what it does mean or to what it will apply.

Mr. PADDOCK. The object of the amendment is simply to affirm the doctrine of the act of 1887 in respect of the saving clauses to innocent purchasers and settlers upon these lands which shall be forfeited. A prosecution has been instituted, or ordered to be instituted, in the case of certain lands taken by the Burlington and Missouri River Railroad Company in Nebraska under its grant, to recover those lands. A large proportion, perhaps all of them, or nearly all, have been disposed of to settlers, to innocent purchasers, and are now occupied as farms under settlement; and the aim of this amendment is simply to protect that class of people, that class of claims.

Mr. CALL. I submit to the Senate that it is very dangerous legislation. This term "innocent purchaser" may comprehend every one who without authority of law and in violation of the express terms of the granting act has made purchase from a railroad company. I think it would be entirely right in the spirit of the homestead law to confirm the title of every man in actual possession, and there might be a color of equity in the fact that he had been led to make a bona fide purchase of a limited quantity of a supposed grant; but this idea of an innocent purchaser is absurd when there was notice in the law that the grantor had no title whatever, which covers the whole domain of the land grants made by the Interior Department, or these adjustments made by the Interior Department of land which is covered by no grant whatever and the title to which originates in the claim that an innocent purchaser has bought the public domain from some person whom Congress never authorized to have any interest in it. All that class of legislation is simply a confirmation of all these fraudulent acts, and vests the title, unless strictly guarded, in speculators and purchasers of large areas of the public domain.

These amendments, unless clearly so expressed and provided for in an act specifically directed to the protection of the actual settlers, are in the interest of large purchasers and speculators in the public domain; and in the State of Florida a very large proportion of the public lands, under the language of this amendment, if it is made applicable generally, would be covered and the title pass out of the persons in actual possession and rightfully entitled under the law and into the hands of those who have had notice time and again, by the terms of the granting act and by an exposition of the concurrent facts attending the case, that there was no title in the party from whom they bought. The language of this amendment may give some color of sanction, unless explained and qualified by an amendment, to the unauthorized action of a judge of the United States court, which is now or soon will be the subject of an investigation by Congress.

Mr. PADDOCK. I should like to inquire of the Senator from Florida if these are cases of forfeiture now?

Mr. CALL. I do not hear the Senator.

Mr. PADDOCK. Are these cases in Florida to which the Senator refers cases of actual forfeiture?

Mr. CALL. No, they are not.

Mr. PADDOCK. Then this bill does not apply to them at all. This simply confirms the doctrine set forth in the act of 1887, and I do not see in what interest particularly the Senator interposes. If on behalf of the Government, the answer is that the Government is protected, the railroad company has to account by cash payment to the Government for these lands, if they have passed into the hands of innocent purchasers and settlers. If they are lands held by private settlers, the title is to be preserved to them, and the companies are to account to the Government for them. So I can not see in what interest the Senator can properly interpose objection. The rights of the Government and the equities of the settlers are alike protected. The amendments provide for no enlargement of the equities to innocent purchasers provided in the act of 1887; they simply provide against any limitations thereof through the passage of this bill.

Mr. CALL. I have not read the Senator's amendment, but I understand it to be this: That under the terms of this act these lands are forfeited, and his amendment provides a confirmation or a vesting of the title in innocent purchasers, as I understand.

Mr. PADDOCK. Simply that nothing shall be construed under this proposed act to operate as a virtual repeal in respect to those rights which are provided for by the act of 1887.

Mr. PLUMB. This amendment of the Senator from Nebraska only says in substance that this shall not be construed as qualifying, amending, or repealing the act of March 3, 1887.

It is not necessary for the purpose of what I shall have to say or for the purpose of the amendment to defend the act of 1887. I will say that the construction of it has been different from what I expected it would be. It has been given a wider scope than I anticipated. The question as to what amendment, if any, should be made to the act is now under consideration in the Public Lands Committee in connection with the Land Department; and the only purpose of this amendment is that we may not do indirectly or unadvisedly what if we are to do we ought to do directly. We simply say that this shall not refer to that act at all. That is all of it. It does not put any construction on that act; it does not enlarge it; it does not extend it. It simply says this bill shall not in any way affect that act. That is all.

Mr. PADDOCK. It is no enlargement whatever.

Mr. PLUMB. Of course the question as to what classes of persons ought to be confirmed is a very important question. It is designed to settle a certain class of cases by that act. Subsequently, after its passage—I do not say not in accordance with its terms, but certainly not according to the understanding of those who prepared it—the Attorney-General made a decision giving it a wider scope than I thought it would properly bear. I say that with all due respect to him and to his superior legal knowledge; but he went further than I think he should have gone. This, however, does not enlarge that act, does not subtract from it, does not affect it in any way. It simply says that this bill shall not interfere with that act. An amendment of that act, if it is to be amended, should be disposed of by itself, and not in an indirect way.

Mr. CALL. I was very much in hopes that this act, providing for a manifestly just and proper object of public policy, the forfeiture of the grants beyond the point of completion at least, should be a fixed fact, as to which I presume there is a universal acquiescence on the part of everybody, both in and out of Congress; but if the affirmation of that principle is right, it would repeal to that extent the act which has had official construction and is having official execution to-day in the issuing of patents, and that construction being, in my opinion (if the act warrants it), a most monstrous wrong to the people of this country and an evil precedent to be established in our legislation; that all that has to be done in order to make a good title to the people's land is to have a false claim made and a deed made by a corporation to any part of the public domain, dispossessing the settler, depriving the man who wishes to go on the land for cultivation of his right and opportunity to do so, and affirming in naked and bald terms, according to the construction of the Department, that a false claim, however originated, whether in perjury or in fraud, shall be sufficient to constitute a valid title, that claim being effectuated by a conveyance of any kind from a corporation. I say, Mr. President, that in my judgment that is a monstrous provision of law, and I agree with the Senator from Kansas that it was not so understood by those who passed the bill of last session, and this construction is, in my judgment, unwarranted, but still it is having execution. To-day decisions are being made under this construction of the law which can never be undone except by some suit instituted by the authority of Government. I am therefore myself very much opposed to any action which will limit the effect of the affirmation of the just principle of this bill; that beyond the point of completion at least, without affecting our right to do more hereafter, it shall be declared that these lands are absolutely forfeited and open to the honest labor and occupation of the people of this country. I am opposed to the amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Nebraska [Mr. PADDOCK].

Mr. CALL. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY], but I understand that the pair is transferred, and I vote "yea."

The roll-call was concluded.

Mr. BLACKBURN. I inquire whether the Senator from Nebraska [Mr. MANDERSON] has voted.

Mr. PADDOCK. I will say to the Senator from Kentucky that this is the amendment of my colleague [Mr. MANDERSON], with whom the Senator is paired. The Senator from Nebraska, my colleague, is absent.

Mr. BLACKBURN. Then I will withhold my vote.

Mr. KENNA. I am paired with the Senator from Minnesota [Mr. SABIN] on all questions.

Mr. CULLOM. I announce the pair of the Senator from Colorado [Mr. TELLER] with the Senator from Louisiana [Mr. EUSTIS].

Mr. BUTLER (after having voted in the negative). I ask leave to withdraw my vote. I announce my pair with the Senator from Illinois [Mr. FARWELL]. I do not know how he would vote, if present.

Mr. BECK (after having voted in the negative). I voted, but I find that the Senator from Maine [Mr. HALE] is necessarily absent, and I am paired with him on all questions. I withdraw my vote.

Mr. KENNA. I am assured by the colleague of the Senator from Minnesota [Mr. SABIN], with whom I am paired, that he would vote "yea" on this amendment if present, and therefore I vote "yea."

Mr. CALL (after having voted in the negative). I believe I am paired with the Senator from Connecticut [Mr. PLATT]. I ask the Senator from Illinois if he is advised of that pair.

Mr. CULLOM. Yes, sir.

Mr. CALL. Then, as I do not know how the Senator from Connecticut would vote on this amendment if he were present, I withdraw my vote.

The result was announced—yeas 38, nays 7; as follows:

YEAS—38.

Berry,	Dawes,	Hoar,	Saulsbury,
Blair,	Evarts,	Ingalls,	Sawyer,
Brown,	Faulkner,	Kenna,	Spooner,
Cameron,	Frye,	Mitchell,	Stewart,
Chace,	George,	Morgan,	Stockbridge,
Chandler,	Gibson,	Morrill,	Vest,
Cockrell,	Gray,	Paddock,	Walthall,
Coke,	Hampton,	Palmer,	Wilson of Iowa.
Cullom,	Harris,	Plumb,	
Davis,	Hawley,	Ransom,	

NAYS—7.

Bate,	Daniel,	Pasco,	Turpie.
Colquitt,	Jones of Arkansas,	Reagan,	

ABSENT—31.

Aldrich,	Dolph,	Jones of Nevada,	Sabin,
Allison,	Edmunds,	McPherson,	Sherman,
Beck,	Eustis,	Manderson,	Stanford,
Blackburn,	Farwell,	Payne,	Teller,
Blodgett,	Gorman,	Platt,	Vance,
Bowen,	Hale,	Pugh,	Voorhees,
Butler,	Hearst,	Quay,	Wilson of Md.
Call,	Hiscock,	Riddleberger,	

So the amendment was agreed to.

Mr. CALL. I have an amendment in the hands of the Secretary.

The PRESIDING OFFICER. The amendment of the Senator from Florida will be reported. The Secretary desires to be informed which amendment it is of those proposed by the Senator that he now offers.

Mr. CALL. To add as a new section, section 8.

The CHIEF CLERK. It is proposed to insert as a new section the following:

SEC. 8. That all actual settlers on any of the public lands in the State of Florida affected by the grants, who made actual settlement on any of said lands, or who made application for homestead or pre-emption under the authority of the Legislature of the State for the same after the time limited in the granting act for the construction of the said road, or who made actual settlement before the location of any line of railroad after the expiration of the time of completion, shall have their title confirmed and a patent shall be issued to them on compliance with the homestead or pre-emption law; all lands affected by any grant where the granting act required a disposal by the Legislature of the State, and there has been no disposal by the State Legislature in the time required by the granting act, are hereby declared subject to homestead entry and settlement; and in all cases persons in possession of lots in town sites and of tracts of land shall have the preferred right of entering the same to the extent of 360 acres.

Mr. PLUMB. That has been considerably amended since it was printed. I should like to have the Senator explain where it differs from the amendment offered by him on the 17th instant and printed.

Mr. CALL. I have transposed some words and put in a provision for confirming town lots to persons in possession.

Mr. PLUMB. But it speaks of 360 acres.

Mr. CALL. That was intended to refer to sections of land outside. In all cases persons in possession of lots in town sites and of tracts of land shall have the preferred right of entering the same to the extent of 320 acres. It should be 320 instead of 360.

Mr. PLUMB. Let me suggest to the Senator that he strike out, in lines 3 and 4, the words "or who made application for the same."

Mr. CALL. I hope we shall have better order. I can not hear a word.

The PRESIDING OFFICER. The Senator from Kansas will suspend until there is order in the Senate Chamber.

Mr. PLUMB. I suggest to the Senator, in order to make his amendment accomplish what I think he designs, to strike out the words "or who made application for the same." If he authorizes persons to go upon land for which they made application, he will see that he will take in persons probably who have made other entries on the public land. What he wants, as I take it, is to preserve as far as he can the rights of persons who made actual settlement. In that I agree with him.

Mr. CALL. I accept that amendment.

Mr. PLUMB. Then modify it by striking out the words I have suggested.

Mr. CALL. I will modify the amendment by striking out the words "or who made application for the same."

The PRESIDING OFFICER. The Secretary informs the Chair that the amendment of the Senator from Florida has been changed since it has been printed, and therefore it will be necessary for the Senator to send the amendment to the desk before the Secretary can note the modification. The modification proposed by the Senator from Florida will be read.

The CHIEF CLERK. In line 3 of the amendment, after the word "lands," it is proposed to strike out "or who made application for the same;" so as to read:

That all actual settlers on any public lands in the State of Florida affected by

the grant, who made actual settlement of any of said lands after the time limited in the granting act for the construction of said road, etc.

Mr. PLUMB. Now, I want to call the Senator's attention to another thing. All that follows that down to the word "State," in line 8, is mere repetition, because of course the roads could not have been constructed before they were located. There is, therefore, but one class of persons who settled on the land before the road was constructed. The Senator will find that he is simply repeating what is before said in effect. All after the word "road," down to the word "State," in line 8, should be stricken out.

Mr. CALL. I will state to the Senator from Kansas that this amendment relates entirely to the state of things in Florida. We have a line of road known as the Pensacola and Georgia road in one State and in the other as the road from Tampa. It has various names. The Pensacola and Georgia road was not located by the authority of the State in any legal or proper sense of the word, but the sections under the granting act of 1856 were reserved along the proposed line of location.

Mr. PLUMB. Let me ask the Senator one question there. Was the road completed within the time named in the granting act?

Mr. CALL. No; it never has been completed down to to-day.

Mr. PLUMB. Then the Senator will readily see that the language of the amendment down to the word "road," in line 5, covers all that class of claims. I simply do not want in the amendment this large number of words, which I think are without meaning. The purport of this is embraced in what precedes it in the amendment. The first part of the Senator's amendment provides for the right of persons to settle within the lines of a railroad grant after the time named in the granting act for the completion of the road. That is more comprehensive than the language which follows, and governs the same class of cases.

Mr. CALL. Perhaps the Senator is correct, and I will accept his modification.

Mr. PLUMB. That leaves out all of the amendment after the word "road," in line 5, down to the word "State," in line 8.

Mr. CALL. I think on reflection the Senator is right, and I will modify the amendment in that manner.

The PRESIDING OFFICER. The modification will be stated. Will the Senator from Kansas restate the proposed modification?

Mr. PLUMB. In line 5 of the printed amendment, after the word "road," strike all thence on down, including the word "State," in line 8.

The CHIEF CLERK. In line 5, after the word "road," it is proposed to strike out—

Or who made actual settlement before the location of any line of railroad after the expiration of the time of completion, with the authority of the Legislature of the State.

So as to read:

That all actual settlers on any of the public lands in the State of Florida affected by the grants hereinbefore referred to, who made actual settlement on any of said lands, after the time limited in the granting act for the construction of the said road, shall have their title confirmed, and a patent shall be issued to them on compliance with the homestead or pre-emption law, etc.

Mr. PLUMB. Now, let me make another suggestion. In line 8, after the word "have," strike out what follows and insert "shall have the right to perfect their entries respectively under the homestead or pre-emption law."

Mr. CALL. I accept that amendment.

Mr. PLUMB. And then provide for the continuance of their settlement to the ripening of the right when they will get patents under existing law.

Mr. CALL. I will modify the amendment in that way.

The CHIEF CLERK. It is proposed to modify the amendment so as to read:

That all actual settlers on any of the public lands in the State of Florida affected by the grants, who made actual settlement on any of said lands after the time limited in the granting act for the construction of said road, shall have the right to perfect their entries respectively under the homestead or pre-emption laws; all lands affected by any grant where the granting act required a disposal by the Legislature of the State and there has been no legislative disposal by the State Legislature in the time required by the granting act are hereby declared subject to homestead entry and settlement; and in all cases persons in possession of lots in town-sites and of tracts of land shall have the preferred right of entering the same to the extent of 360 acres.

Mr. MITCHELL. Does that apply to Florida alone?

Mr. CALL. It only applies to Florida.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Florida [Mr. CALL] as modified.

Mr. PLUMB. I think there ought to be some further modifications or some further explanation of the last part of the amendment before it is finally adopted.

Mr. HOAR. As it is now within two minutes of 2 o'clock, I hope that the amendment will be printed and go over. It affects important interests and it ought to be carefully considered and understood. I hope that the vote will not be taken within these two minutes.

The PRESIDING OFFICER. If the Senator from Florida will suspend, the Chair will lay before the Senate some House bills and resolutions for reference.

HOUSE BILLS REFERRED.

The following bills, received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 488) granting a pension to Elizabeth Burr;
A bill (H. R. 600) increasing the pension of Mary Minor Hoxey;
A bill (H. R. 2413) granting a pension to Mrs. Mercy Knight;
A bill (H. R. 3712) increasing the pension of Milton Judd;
A bill (H. R. 3745) granting a pension to Mary O'Neil;
A bill (H. R. 3922) to place the name of Caspar Seibel on the pension-roll;
A bill (H. R. 3959) granting a pension to Dolly Blazer;
A bill (H. R. 4864) to place the name of Jacob Behr on the pension-roll;
A bill (H. R. 6520) granting an increase of pension to Charles F. Ward;
A bill (H. R. 6575) for the relief of James L. Alsip;
A bill (H. R. 6845) granting a pension to John Witham;
A bill (H. R. 7642) granting a pension to Abbie R. Brown;
A bill (H. R. 8260) granting a pension to Lydia A. Hicks; and
A bill (H. R. 8266) for the relief of Mrs. Clarissa G. Green.

The joint resolution (H. Res. 148) to print 12,500 copies of the eulogies on Seth C. Moffatt, late a Representative in Congress, was read twice by its title, and referred to the Committee on Printing.

FISH AND FISHERIES REPORT.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

IN THE HOUSE OF REPRESENTATIVES, *April* 27, 1888.

Whereas it appears by the report made to the House of Representatives from the Committee on Printing, February 16, 1888, that there are in the hands of the Public Printer 507 sets of the document known as Fish and Fisheries, held by him for sale; and

Whereas it also appears by said report that in prorating these books about the 1st of February, 1886, a mistake was made by prorating 6,000 copies instead of 5,000 copies, the actual number printed for the House. This mistake credited each member with 3 more sets of this book than they were entitled to receive, making the folding-room about 1,000 sets short of the number credited. As the mistake was not discovered for nearly eighteen months after, and very many members had in the mean time drawn the number thus placed to their credit, it was too late to fully correct the error. After it was discovered, however, 3 sets were deducted from the accounts of members who had that number still remaining to their credit, and where only 1 or 2 sets were to the credit of members the account was canceled. On account of this error there are 437 sets of this book still to the credit of members and ex-members which can not be furnished until some provision is made to supply the folding-room with that quantity of them:

Resolved by the House of Representatives (the Senate concurring), That the Public Printer be directed to withhold from sale and turn over to the Doorkeeper of the House of Representatives 437 copies of the document known as "Fish and Fisheries," the same to be used in making good to the respective members of Congress entitled thereto under the joint resolution passed July 21, 1882, the deficiency occurring to them by reason of the mistake made in the prorating and distribution of such documents under said resolution.

FORFEITURE OF UNEARNED RAILROAD GRANTS.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. PLUMB. I ask unanimous consent that to-morrow morning, immediately after the conclusion of the morning business, Senate bill 1430 be taken up. It would be my purpose to go on and dispose of the bill now, but the Senator from Massachusetts suggested that he wanted to see the amendment of the Senator from Florida in print, considering that it might perhaps affect some matters in which he feels an interest, and of course that can not be done until to-morrow or not until a late hour to-day. I am therefore willing that the special order shall go on, and will not ask the Senator from Michigan to further yield.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that Senate bill No. 1430 be taken up immediately after the conclusion of the morning business to-morrow. Is there objection?

Mr. CHACE. The Senator from Michigan yields to me——

Mr. HOAR. I wish to make a suggestion to the Senator from Kansas. I understand his colleague has the floor for to-morrow.

Mr. PLUMB. That is at two o'clock.

Mr. HOAR. Then it is all right.

The PRESIDING OFFICER. Is there objection to the suggestion of the Senator from Kansas? The Chair hears none. It will be so ordered.

Mr. STEWART. I should like about fifteen minutes of the time to-morrow myself. I offered a resolution this morning calling for information.

Mr. HARRIS. The resolution comes up to-morrow as part of the morning business.

Mr. STEWART. I want to have that resolution considered and to say a few words about it.

The PRESIDING OFFICER. The Chair will again ask if there is

objection to the request of the Senator from Kansas that to-morrow morning, after the disposition of the morning business, the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, which has been under consideration to-day, shall come up?

Mr. CHACE. The Senator from Michigan, I understand, gives way with the special order.

Mr. PLUMB. We have got through with the other matter.

Mr. CHACE. I understood that was done. There was no objection.

Mr. PLUMB. I thought the Chair was waiting for objection.

Mr. CHACE. I make no objection.

The PRESIDING OFFICER. There being no objection, the suggestion of the Senator from Kansas is agreed to.

Mr. PLUMB. Now I move that the bill, with the amendments made, be printed.

The motion was agreed to.

Mr. PLUMB. I also move that the proposed amendment of the Senator from Florida as modified be specially printed.

The motion was agreed to.

Mr. DAWES. I ask to have printed a proposed amendment which I send to the desk, to be offered after the amendment of the Senator from Florida is disposed of.

The PRESIDING OFFICER. The proposed amendment will be received and printed.

Mr. SPOONER. I ask that the amendment which I propose to offer to Senate bill No. 1430 be also printed. The Senator from Michigan will offer an amendment to my amendment, which I accept, and he desires that his be printed also in connection with it.

The PRESIDING OFFICER. If there be no objection, this amendment will be received and printed.

Mr. PALMER. I offer several amendments to the amendment of the Senator from Wisconsin.

The PRESIDING OFFICER. They will be included in the order to print if there be no objection.

Mr. HOAR. I also offer an amendment which I shall propose.

The PRESIDING OFFICER. This amendment will be also received and printed.

Mr. HOAR. I desire to move a further amendment to the amendment of the Senator from Wisconsin. I propose to insert, in the sixth line thereof, after the word "scrip" and before the words "under color of the public land laws," the words "or State selections."

The PRESIDING OFFICER. This proposed amendment will also be printed if there be no objection.

Mr. PALMER. I desire to offer another amendment and have it printed.

The PRESIDING OFFICER. The Chair will receive the proposed amendment offered by the Senator from Michigan, and it will be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 24th instant approved and signed the following acts:

An act (S. 174) granting a pension to Mary Martin;

An act (S. 472) granting a pension to Eliza Summers;

An act (S. 753) granting a pension to James D. Whaley;

An act (S. 819) granting a pension to Christopher Wisemiller; and

An act (S. 2565) to appropriate a sum of money sufficient to carry out the provisions of the act approved March 5, 1888, entitled "An act for the purchase of a site, including the building thereon, also for the erection of the necessary store-houses, for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C."

The message also announced that the President had, on the 25th instant, approved and signed the following acts:

An act (S. 1354) granting a pension to Helen M. Randolph;

An act (2067) granting a pension to William O. Doyel;

An act (S. 895) for the relief of Mrs. Betsey Winterbottom; and

An act (S. 930) to grant a pension to Oscar F. Carpenter, Eleventh Independent Battery of Ohio Light Artillery.

The message further announced that the President had, on the 27th instant, approved and signed the act (S. 525) for the relief of Samuel A. B. Woodford.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. DAWES submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs and ordered to be printed.

INTERNATIONAL COPYRIGHT.

Mr. CHACE. I now move that the Senate proceed to the consideration of Senate bill 554.

Mr. PADDOCK. I had expected to take the floor to make some observations on the pleuro-pneumonia bill, but if the Senator from Rhode Island is specially anxious to proceed with the consideration of his bill I shall not interpose.

Mr. CHACE. I am much obliged to the Senator from Nebraska.

The PRESIDING OFFICER. The Senator from Rhode Island moves that the Senate resume the consideration of Senate bill 554.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 554) to amend Title LX, chapter 3, of the Revised Statutes, the pending question being on the amendment proposed by Mr. MORRILL in section 2, after line 43, to insert the following proviso:

Provided, That publishers of newspapers or other periodicals in the United States shall be allowed to copy in those publications any articles which may appear in the newspapers or other periodicals of any foreign country, and for that purpose, but not for sale, shall be allowed to import such newspapers and other periodicals.

Mr. SPOONER. I desire to give notice that after the Senate shall have disposed of the international copyright bill, which I believe is now pending, and the pleuro-pneumonia bill, I shall ask the Senate to consider Calendar No. 123, being Senate bill 155 reported some time since from the Committee on the District of Columbia, relating to the manufacture and sale of gas in the city of Washington in the District of Columbia, and amendatory of an act entitled "An act regulating gas-works," approved June 23, 1874.

Mr. CHACE. I am authorized by the Senator from Vermont [Mr. MORRILL] on his behalf to withdraw his amendment. He withdraws it and proposes the amendment which I send to the desk, and which I accept. I do not like the amendment, but still as a matter of compromise, as this bill must of necessity be somewhat of a compromise, I accept the amendment.

The PRESIDING OFFICER. The amendment of the Senator from Vermont is withdrawn. The proposed amendment will be stated.

The CHIEF CLERK. In section 2, line 31, after the words "each importation," it is proposed to insert:

And provided, That any publisher of a newspaper or magazine may without such consent import for his own use, but not for sale, not more than two copies of any newspaper or magazine published in a foreign country.

The PRESIDING OFFICER. The question is on the amendment just read.

The amendment was agreed to.

Mr. PLUMB. I ask the Senator from Rhode Island to yield to me to call up a bill on the Calendar, the passage of which at this time is of considerable importance; it is a Senate bill, but it has been reported favorably in the other branch, and it will lead to no debate.

Mr. CHACE. If the bill takes any time, I certainly can not spare time.

Mr. PLUMB. I shall not press it if it does.

The PRESIDING OFFICER. The Senator from Kansas asks u nanimous consent that the pending business be informally laid aside, and that the Senate proceed to the consideration of——

Mr. PLUMB. Order of Business 1099, Senate bill 1747.

LEAVENWORTH WATER WORKS.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1747) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of Kansas.

It proposes to grant to the Leavenworth City and Fort Leavenworth Water Company, of Leavenworth, Kans., a body corporate organized and existing under the laws of Kansas, the right to purchase from the United States that parcel and tract of land in the military reservation at Fort Leavenworth, beginning at a point on the north line of Metropolitan avenue in the extension of the west line of the land owned by the Leavenworth Coal Company; thence north in the extension of said west line 500 feet; thence east parallel to the north line of Metropolitan avenue 820 feet, more or less, to railroad right of way; thence on the west line of that right of way 503 feet, more or less, to the north line of Metropolitan avenue; thence west on the north line of Metropolitan avenue 850 feet, more or less, to the place of beginning; containing 9¼ acres, more or less, reserving to the United States or assigns, the coal or royalty for coal underlying the same.

The bill was reported from the Committee on Military Affairs with amendments.

The first amendment was to add to section 2 the following proviso:

Provided, That the report of the board of Army officers on the subject of the value of the land in question shall not be operative until the same is approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 3, line 3, after the word "shall," to strike out "place and deposit to the credit of the United States" and insert "pay to the Secretary of War;" in line 6, after the word "such," to strike out "deposit" and insert "payment;" and in line 12, after the word "lands," to strike out—

Provided, That such deposit of the value of said lands as fixed by such appraisal shall be made within one year after receiving a copy of such appraisal from the Secretary of War.

So as to make the section read:

SEC. 3. That whenever the Leavenworth City and Fort Leavenworth Water Company aforesaid, being thus notified of the valuation of the said lands, shall pay to the Secretary of War, in lawful money, the amount of said appraisal, and shall notify the Secretary of the Interior of such payment, it shall be the duty

of the Secretary of the Interior to cause to be issued to the Leavenworth City and Fort Leavenworth Water Company a patent to the said lands, and on such deposit being made and notice to the Secretary of the Interior being given, the said company may enter upon, possess, use, and occupy the said lands.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INTERNATIONAL COPYRIGHT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 554) to amend Title LX., chapter 3, of the Revised Statutes of the United States.

Mr. BECK. Mr. President——

Mr. VEST. I ask the Senator from Kentucky to allow me to give notice that at the proper time I shall move to amend, in section 2, line 19, by striking out the words "from type set;" so as to read, "printed within the limits of the United States."

The PRESIDING OFFICER. There is no pending amendment to the bill. The Senator from Kentucky has the floor.

Mr. VEST. Then I move the amendment now. Let that be the pending amendment.

The PRESIDING OFFICER. The Chair is informed that there is some question about the status of an amendment suggested by the Senator from North Carolina [Mr. VANCE].

Mr. CHACE. I think the amendment of the Senator from North Carolina is the next pending amendment. That is my recollection.

Mr. BECK. Mr. President, I said the other day when this question was up that I objected to the bill in its present form. I desire now as briefly as I can to give my reasons for being opposed to it. I confess that I am not fully advised in regard to all its provisions, but there are several amendments I would be glad to vote for. The amendment proposed by the Senator from Missouri [Mr. VEST] I think ought to be adopted, and the amendment offered by the Senator from North Carolina [Mr. VANCE] in regard to magazines strikes me as being one which would remove a very objectionable feature from the bill, but as I am paired on all questions connected with the measure with the Senator from Maine [Mr. HALE], who is necessarily absent from the Senate and, therefore, can not vote on the measnre, he being in favor and I opposed to it, I shall content myself with stating the reasons why I object to it. Going back to what occurred heretofore, the other day I asked a question of the Senator from Arkansas, whether this measure was not based solely on the constitutional provision which I will read:

Congress—

Among its other powers—

shall have the power to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries.

I did that because it does not seem to me so much a bill for that purpose as a measure to give an absolute monopoly to a few favored publishers in the United States in combination with foreign authors and typographical unions to have the printing and publishing all done here, so as to increase the price of all works that are the product of foreign thought to the great mass of the American people; not to promote science and the useful arts, but for the purpose of curtailing the means of knowledge, or at any rate for the purpose of enhancing the price of all things that tend to develop science or the useful arts in printed form.

I agree also with the Senator from Arkansas in his criticisms in regard to the portions of the bill which seemed to him to be fatal to it as a Senate bill. The Senator from Arkansas objected very decidedly to the provision introduced by the Senate Committee on Patents, which I may as well read again and comment upon, believing as I do that it controvenes the constitutional provision which requires all measures affecting taxation on imports or modification of existing laws on that subject to originate in the House of Representatives.

During the existence of such copyright the importation into the United States of any book or other article so copyrighted shall be, and it hereby is, prohibited, except in the cases specified in section 2505 of the Revised Statutes of the United States, and except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation. All officers of customs and postmasters are hereby required to seize and destroy all copies of such prohibited articles as shall be entered at the custom-house or otherwise brought into the United States, or transmitted to the mails of the United States.

It seems to me to be a bill of pains and penalties, upsetting and destroying the present revenue system to the extent that it proposes to deal with the question of taxation in regard to books, periodicals, pamphlets, maps, lithographs, and everything else covered by copyright laws. The Senator from Missouri seemed surprised at my criticism of the measure in that regard; he thought I made a discovery which was wholly untenable, but I think he will find when he comes to look at the matter carefully that we are dealing with a very grave subject. We have to-day on the free-list:

Books and other printed matter, not elsewhere specified: Books, engravings, bound or unbound, etchings, maps, and charts, which have been printed and manufactured more than twenty years at the time of importation.

This proposed copyright law is to extend a prohibition against all copyrighted books for forty-two years, and repeals the provision in regard to books for twenty-two years during the life of the copyright, to begin with. Then follows, on the free-list:

Books, maps, and charts, imported by authority or for the use of the Library of Congress.

Books, maps, and charts, imported by authority or for the use of the United States other than the Library of Congress.

Books, maps, and charts, specially imported, not more than two copies in any one invoice, in good faith, for the use of any society incorporated or established for philosopical, literary, or religious purposes, or for the encouragement of the fine arts, or for the use or by the order of any college, academy, school, or seminary of learning in the United States.

Mr. CHACE. Would it interrupt the Senator for me to ask him a question?

Mr. BECK. Not at all.

Mr. CHACE. Does the Senator believe that this bill interferes with what he now reads?

Mr. BECK. I think it does.

Mr. CHACE. If he will look at the bill he will see that section 2505 of the Revised Statutes is specially excepted in it.

Mr. BECK. Section 2505 makes books free that are over twenty years of age at the time of their importation.

Mr. CHACE. That is the section he is reading now.

Mr. BECK. This measure extends the exclusion of all copyrighted works now free under the copyright for how long? For forty-two years?

Mr. CHACE. Yes, twenty-eight and fourteen years. This is simply an extension of the principles of the domestic law to foreign authors in that respect, but does not in any way affect the operation of section 2505 of the Revised Statutes.

Mr. BECK. Does not this bill give to a foreign author the same right the domestic author has?

Mr. CHACE. So far as the period of time is concerned.

Mr. BECK. Therefore it gives the right to the foreign author for forty-two years, does it not?

Mr. CHACE. Exactly. In other words, if it will not interrupt the Senator from Kentucky, with his permission I will say right here that we have at present what is sometimes called a domestic copyright law, that is, a law granting copyright to American authors who are citizens of the United States.

Mr. BECK. Or residents therein?

Mr. CHACE. Yes. Now, this bill, as I understand it, simply extends those privileges to foreign authors and puts upon foreign authors the same conditions precisely. I believe without a single exception the same conditions are put upon the foreign author that are now put upon the domestic author by our present laws.

Mr. BECK. And yet no foreign book when copyrighted under this bill unless it is forty-two years old can hereafter be brought to this country, can it?

Mr. CHACE. Oh, it can to-day. The Senator does not mean at present. Under our present law you can bring in foreign books.

Mr. BECK. Free if they are over twenty years old?

Mr. CHACE. No foreigner can get a copyright here now.

Mr. BECK. But any book can now be brought from abroad if it is not copyrighted here after it is over twenty years old.

Mr. CHACE. No copyrighted book can be brought into this country. There is an absolute prohibition under our present statute.

Mr. BECK. Unless it is forty-two years old?

Mr. CHACE. Under the present statute there is an absolute prohibition of the importation of any copyrighted book. That is a provision of the present law.

Mr. BECK. What I was trying to say is, that this bill in that respect interferes with our present tariff regulations in regard to both the free-list and the dutiable list, and is a change in our tax laws so far as the twenty years are concerned; but that was merely incidental. If the books of foreigners are copyrighted here and the same right is given to foreign authors and publishers that is given to an American author, publisher, or owner, it repeals necessarily the provision in regard to books twenty years old, because the copyright law extends their copyright for forty-two years, does it not? I think it does, beyond question. Another clause of the existing tariff law is:

Books or libraries, or parts of libraries, in use of persons or families from foreign countries, if used abroad by them not less than one year, and not intended for any other person or persons, nor for sale—

are now free. That right would certainly be cut off so far as imported books copyrighted here by foreign authors are concerned. Professional books of persons living in the United States are free, and newspapers and periodicals are now free.

The value of books thus brought in for the fiscal year ending June 30, 1887, amounted to $384,752; and under the dutiable list the books subject to a 25 per cent. tax, which embraced books, maps, engravings, etchings, pamphlets (bound or unbound), drawings, illustrated books, maps, and charts, the value of these goods now brought in amounted,

for the fiscal year which closed on the 30th of June last, to $2,736,137.70, and the duty collected thereon was $684,004.10. That source of revenue is of course all taken away by this copyright bill.

Therefore, I repeat that it is as much a tax bill or a money bill, which the Senate can not originate, where you strike things off the free-list and prohibit their importation, or where you prohibit the importation of books or other things on which duty is now collected, as it is to impose a tax for revenue upon them, and it has been always so held by both Houses of Congress. We might as well say that it would not be interfering with the existing tariff laws in regard to woolens to prohibit the introduction of woolen goods into this country. By this bill we are interfering with the existing revenue system as to books and periodicals by abolishing the free-list and to the extent of $684,000 of duty collected in the last fiscal year on those subject to 25 per cent. duty now. Therefore I claimed the other day and say now that in my opinion that feature of it is in the nature of a money bill, which must originate in the House of Representatives.

But waiving all that, the claim is asserted that foreign authors, publishers, and purchasers of printed matter have a right to a monopoly of the American market by copyright. All the men who appeared before the committee to obtain this legislation to enrich themselves at the public expense have denounced the Congress of the United States as guilty of robbery, piracy, and dishonesty in all its forms for withholding from them the monopoly they have combined to demand. I think they had better be a little more modest in their demands. "Pirates," "robbers," and "thieves" seem to be the mildest words that can be applied by them to any of those who do not agree to tax the people so as to give them all they demand.

They would think very hard if I was to apply epithets to them because they are not willing—and they are not willing even for the promotion of the arts and sciences—to give foreign authors the right to bring their productions into this country free and unhampered under copyright laws, so the people of the United States can get books on the same terms as the people of other countries. They have entered into combinations with the great publishing houses of the leading cities in this country and with typographic unions of these cities, so that the monopoly of publishing and printing at any price shall be had by a few houses in New York, Boston, and Philadelphia, who have formed a pool as absolute as the steel rail, the copper, or any other trust, which pool is to control the price of every book that comes from abroad. Even the type has to be set in these cities, so as to enhance the cost of literature to every man who uses a book, and they call that benignant and enlightened legislation under the constitutional provision authorizing Congress to promote the progress of science and useful arts among the people.

Whenever a bill has been brought in which looked to that end, and that end alone, without the protective monopoly features of this measure, and simply gave the foreign authors the same chance as our own, all the men in this country who wanted a monopoly of the work, the printers and the publishers, rose up in arms against it. They defeated it in the last Congress, even after the Senator from Rhode Island ventured to approve the bill of the Senator from Connecticut [Mr. HAWLEY], as I will show in a few minutes. Mr. President, the truth is, unless the foreign copyright can be had in the form of a monopoly; unless it can be so adjusted as to double the cost to the American reader; unless the organized bands can put money into their own pockets by a combination of the foreign authors and owners of books, the home publishers and the home type-setters, so as to make every book that is allowed to reach the hands of the American reader cost twice as much as it does to-day, they do not want the bill.

For one, I deny that there is either dishonesty, wrong, or piracy in withholding the privilege now sought from foreign authors and magazine owners, even if the bill were stripped of all the obnoxious features to which I have just referred. Whatever may have been the contest in England, and it was long maintained and well sustained on both sides, as to the common-law right of an author to the exclusive profits in and right to his works, the American doctrine has always been, and the framers of the Constitution adopted it, that there was the same right in the inventor to an invention as there was to a book written by an author; that they stood upon a plane exactly alike, and that there was no common-law right of absolute property in either. The men who framed the Constitution of the United States assumed that the man who wrote a book or the man who invented a machine of any sort was not the absolute owner of it for all time; that when he sold it, and got the money for it, the purchasers became the owners, and but for the protection the Constitution authorized Congress to throw around him, his title was gone the moment he made his sale.

Therefore they inserted this provision not to secure the title in the writer or inventor, not for the purpose of putting money in his pocket by a monopoly, but "to promote the progress of science and useful arts" Congress was authorized to secure "for limited times to authors and inventors the exclusive right to their respective writings and discoveries." Each was put upon an equal footing.

Congress did in 1790 secure to home authors for fourteen years the exclusive right to their publications, with the right to renew for fourteen years more. That was the foundation of the right of an author to his works in America.

But for that law anybody who bought any book or periodical could have published it. The constitutional provision and the acts passed under it assumed that the author and the inventor could have no legal property in either except by statute law, and that could only be given for a limited time, because the Constitution did not even give the power to Congress to give to the author the absolute right to the works he wrote, nor to the inventor the right for more than a limited period to the invention that he had made; and the very fact that Congress could give it only for a limited time was a confession that there was no absolute legal property in it at common law.

If the book was the absolute property of the man from the moment he wrote it, or if the invention was the absolute property of the man who invented it, would the framers of the Constitution of the United States have said that Congress could give the exclusive right to them for only a limited time? Would it not have been as much a wrong to have deprived either of property if it was his absolutely after the expiration of fourteen or twenty-eight years as it was before the expiration of the fourteen or the twenty-eight years? Of course it would. Did anybody ever suppose that a provision could be placed in the Constitution of the United States authorizing Congress to give a man a right for a limited time to the land that he had purchased or to any other property that he absolutely owned? No; it was because authors and inventors were placed together in the same category, and in order to promote arts and science Congress was authorized to give them for a limited time rights such as the constitutional provision authorized.

The Supreme Court at a very early day, then, as now, a very able body of lawyers, in a somewhat celebrated case where the whole question was argued on both sides elaborately, in Wheaton and Donaldson *vs.* Peters and Grigg, settled the question. The court was composed at that time of Hon. John Marshall, Chief-Justice; Hon. William Johnson, Hon. Gabriel Duvall, Hon. Joseph Story, Hon. Smith Thompson, Hon. John McLean, and Hon. Henry Baldwin, and in the opinion delivered in 8 Peters five of the judges agreed. The opinion was written by Justice McLean and sanctioned by Chief-Justice Marshall, Johnson, Duvall, and Story. It is a long opinion. I only propose to call attention to it and read a few extracts. After discussing the question as presented in England in the case of Miller *vs.* Taylor, which had gone to the House of Lords, and various other decisions under the statute of Anne, the court say:

> That an author, at common law, has a property in his manuscript and may obtain redress against any one who deprives him of it, or by improperly obtaining a copy, endeavors to realize a profit by its publication, can not be doubted; but this is a very different right from that which asserts a perpetual and exclusive property in the future publication of the work after the author shall have published it to the world.
>
> The argument that a literary man is as much entitled to the product of his labor as any other member of society can not be controverted. And the answer is that he realizes this product by the transfer of his manuscripts or in the sale of his works when first published.

That covers the whole question.

Mr. President, there are very many other people who are not protected in the product of their skill. After the thing they invent or think out is sold they have to take the chances with the persons they sell to when they make the sale. I have no doubt, and the ladies of the country I suppose would agree, that the French dress-maker who spends years and years in devising how to make up a magnificent dress which excites the envy of all women everywhere, or a fine, stylish bonnet, is a public benefactor; yet after she has spent years of time and talent in producing them, the moment she sells either it goes into the shops of New York and elsewhere and everybody makes others like it *ad libitum*, and nobody assumes or admits that she has any right to a monopoly in the manufacture and sale of that dress or that bonnet, no matter how many years of labor it may have cost her to originate it.

Mr. KENNA. No lady wants a dress just like another.

Mr. BECK. Perhaps they do not all desire it to be exactly the same, but a good many do. They use the idea of the original inventor. It is certainly as much piracy to take away the labor of that person who has spent years to invent either the dress or the bonnet or anything else as it is to publish in this country a magazine article that is written by some man in Europe who was paid there for his work; especially as we are under no sort of obligation to protect him or the man who hires him to write.

Let me say to my friend from West Virginia that the magazine article or the book written in Germany, England, France, or anywhere else, is written very often by men who are employed to write those articles, and who are always employed without any reference to the American market. They get their pay from the publisher. The publisher owns the manuscript they furnish. He publishes it. It was their brains, not his, that furnished it; but it becomes his absolute property. The proposed copyright is to protect him who bought, not him who thought, and when he sells it to me in Europe, but for the statute law, the moment it becomes mine it is as much mine as the bonnet or the dress purchased from those who got them up, and I can make as many more like it as I please, because I have bought it and paid my money for it.

The publisher pays somebody else to do the work. The man who was the real author of the article that is of value has no interest in this copyright that we are talking about now; but the man who hired him and paid him, and who invested none of his own brains in it, has sold it to me, and, though he is an alien to the United States, he is now trying, by combinations with others here who want to make money by the scheme, to induce Congress for forty-two years to compel the people of America to give him the right to have the exclusive monopoly of it. In consideration of that he agrees to enter into a combination with the publishing houses of New York, and with the type-setters there, to see to it that the American people do not get the work as cheaply by at least one-half as they otherwise would. But returning to the decision I was reading from, the court goes on to say——

Mr. VEST. May I interrupt my friend just a moment?

Mr. BECK. Certainly.

Mr. VEST. Do I understand him to assert that the right to take out this copyright does not enhance the value of the literary productions of the author? In other words, without that copyright would not the author get infinitely less for his literary production than he does with the copyright; and is not the Senator now attacking the whole doctrine of copyright?

Mr. BECK. No; let me state my position. I say that there is no absolute property in the work.

Mr. VEST. That is not the question.

Mr. BECK. I say that the Constitution confers upon Congress the power to grant for a limited time for the promotion of art and science to authors and inventors the exclusive right to their respective works. We have done that so far as the citizens of the United States or the residents thereof are concerned, first, for fourteen years with a right of renewal for fourteen more; then in 1831 we extended it to twenty-eight years with the right to the widow and children of the original author for fourteen more; but the absolute property remained in the people. We have never been under any obligation, nor is there right anywhere recognized which requires Congress to give foreign authors the same right that we give to our own people. That is a matter *ex gratia*.

Mr. VEST. But that does not settle this question at all. With all due deference to the Senator, that is not the proposition before the Senate. Nobody contends that there is an absolute right to literary production. Mr. Jefferson argued that question better than any other man ever could have done in this country, in the fifth volume of his works. The Constitution of the United States simply announced the doctrine that there was a right for a limited number of years in the production of a man's brains; that is all. An American citizen goes to England—I can go there to-morrow and write a book, print it in England, and receive exactly the same copyright that an English citizen does. The United States, on the contrary, adopts a rule which no other civilized country in the world has, and it says to a foreigner as soon as he puts his foot on this soil, "We protect our people in their intellectual productions, but we will not protect you." That is the whole question before the Senate to-day.

Mr. BECK. Our copyright law gives not only to citizens of the United States but residents of the United States the right to take out a copyright. The law of England requires the same condition as to residence to-day. The law of Russia requires the same thing. The law of Germany requires it; and with all the talk about piracy here and robbery by us, no American citizen can copyright a book in England unless he is a resident and on English soil at the time the publication is made. He can not do it in Russia; he can not do it in Germany. To-day every American book by every American author in all time past which has been republished there has been "pirated," if you please, to the same extent that we are charged with being guilty of piracy in publishing their works.

It has been assumed all through this argument that we were standing alone in refusing this right. I have before me the statement made before the committee by Mr. Curtis. I may as well call attention to that now, for I have no order of proceeding in making these observations. George Ticknor Curtis was examined before the committee.

Mr. CHACE. On what page is that?

Mr. BECK. That is on page 17 of the last year's report. George Ticknor Curtis said:

> The condition of affairs between this country and England as regards an American author is simply this: That if you go there and reside and publish your book, or a part of it, before it is published in the United States, you can secure what is supposed to be a copyright, which does not rest on any provision of a statute, but has resulted as a sort of judicial understanding based upon several judicial decisions which have been made. But it perils your American copyright. I have given many and many professional opinions upon those very points, and have endeavored to discover in what way you can practically secure a copyright in England without periling or putting in jeopardy your American copyright.
>
> Now, sir, I want to say in regard to this Hawley bill that it seems to me it is very desirable that you should affirm the principle of what may be called reciprocity.

The Hawley bill, I may as well say here, was a bill simply giving equal rights to authors in each country. That was protested against by all the publishers of the Eastern States and by all the typographic unions here, because they were not to get their share of the monopoly. As I shall show presently, the Hawley bill contained a provision which required the President of the United States to proclaim, before the law of copyright went into effect to give foreigners the rights that this bill now seeks to give them, that England had given our authors the same rights. That guaranty of equal rights this bill leaves out; it proposes to give the right to all foreign authors, although our American authors may be excluded, as they are to-day excluded, unless they are residents of the country in which they seek the right to have a copyright. Mr. Curtis goes on to say:

> But I am perfectly satisfied that although you may put that law on your statute-book as it stands, pure and simple (and it is a very important declaration and I advocate it), yet unless you follow it up immediately, or very soon, with practical measures to reconcile all these various conflicting interests of the manufacturers of the book in different countries, and to reconcile the state of things not only as between us and England, but as between England and the continent, and ourselves and the continent, it will simply remain a declaration of a broad principle on the statute-book and no benefit to American authors will grow out of it.
>
> I have had the unfortunate experience in the course of my life to be the author of several books which have had sales in England. I never derived anything from those sales; neither did my American publisher derive anything from them. The books were not books of a popular character; they were law books, or histories, or biographies, or something of that kind. I have a book in press at this moment in New York which I should copyright in England, France, Germany, and Belgium if I had the power to secure a valid legal copyright and make it the basis of an arrangement with publishers.

He was then asked again: "Is there not a mistake about that; is there not an order in council they can issue?" Mr. Sedgwick said:

> If you will turn to page 6 of our pamphlet you will see that this bill was based on the statute of 7 and 8 Victoria, of the 10th of May, 1844, which provides that the queen may declare by an order in council that authors shall have the privilege of copyright during such period as shall be defined in such order, etc. The theory of the bill is, that by the passage of the Hawley bill, international copyright will come at once into existence.
>
> Mr. CURTIS. You have first to get them to make that order in council.
>
> Mr. SEDGWICK. That has been done so many times that I believe there would be no difficulty about it.
>
> Mr. CURTIS. That depends on circumstances and the relations between the different countries.

So I had supposed, until this argument began and the Senator from Rhode Island was talking about our standing alone and behind every other country in the world, that all the other countries protected our authors and were giving us rights that we were not giving to them, and that we were simply playing the pirate or the robber (I think that is what he called us several times) in withholding from them rights that they were giving us. When you come to analyze it and examine it in this pamphlet the laws of Russia and Germany as well as England are set forth, and those gentlemen agree that none of those countries have to-day given to our authors any of the rights that they are now demanding for English and other foreign authors. But I am not done with what the court said. Beginning where I left off in the decision of the Supreme Court in the case of Wheaton and Donaldson *vs.* Peters and Grigg, the court continued:

> A book is valuable on account of the matter it contains, the ideas it communicates, the instruction or entertainment it affords. Does the author hold a perpetual property in these? Is there an implied contract by every purchaser of his book that he may realize whatever instruction or entertainment which the reading of it shall give, but shall not write out or print its contents?
>
> In what respect does the right of an author differ from that of an individual who has invented a most useful and valuable machine? In the production of this his mind has been as intensely engaged as long and perhaps as usefully to the public as any distinguished author in the composition of his book.

Yet the court go on to say that the inventor never claimed he had any right at all except what Congress saw fit to give him. With all the apparent reciprocity that exists between our patentees and the patentees of other countries, an American patentee can not get a patent in England to-day if he takes his patent out in America first and the fact is published in the American Gazette before he takes out the English patent. The very moment it is published in the Gazette of our Patent Office that deprives him of the right to take out any patent in England at all. England only grants a patent for fourteen years; we grant a patent for seventeen; France, I believe, grants patents for eight years; other countries grant for as low as two or three years; so that there is no reciprocity even under the patent laws, though they have been made as liberal as they could be made by all sorts of efforts. After the court had argued the whole question elaborately, they say:

> That Congress, in passing the act of 1790, did not legislate in reference to existing rights, appears clear, from the provision that the author, etc., "shall have the sole right and liberty of printing," etc.
>
> Now, if this exclusive right existed at common law, and Congress were about to adopt legislative provisions for its protection would they have used this language? Could they have deemed it necessary to vest a right already vested? Such a presumption is refuted by the words above quoted, and their force is not lessened by any other part of the act.
>
> Congress, then, by this act of 1790, instead of sanctioning an existing right, as contended for, created it. This seems to be the clear import of the law, connected with the circumstances under which it was enacted.

Then they argued elaborately in order to show that to be the true construction of our Constitution. That being the case, a power being given to Congress under the Constitution to promote the progress of science and the useful arts, every bill until this bill, so far as I know, has proceeded upon that theory. I have looked over the bills introduced. One was introduced by Mr. Clay. I introduced a bill myself at the request of some gentlemen February 21, 1872, which I hold in my hand, and which reads thus:

Be it enacted, etc., That the author of a manuscript for a book, map, chart, or

design in English, or any other language, who is not a citizen of the United States of America, may obtain a copyright on his work or book on the following terms and conditions: Before his work is first published, or for sale in this country, the title-page thereof must be recorded in the office of the Librarian of Congress; the work to be free to be printed and published by all responsible publishers; the copyright not to exceed 10 per cent. on the selling price. The author shall have an agent prepared to make contracts, notice of which shall be given through the public press.

SEC. 2. That if the author should fail to comply with the above requirements, the book, map, chart, or design may be republished the same as might have been done before the passage of this act.

SEC. 3. That nothing in this act is to prevent the importation or sale of the foreign edition of said work.

Perhaps even that was going too far. I do not know. Bills introduced during former Congresses contained the same provisions. None of them had the features of monopoly and combination contained in this. The bill introduced by the Senator from Connecticut [Mr. HAWLEY] was made a part of the report of the committee reporting this bill. It provided simply—

That the citizens of foreign States and countries of which the laws, treaties, or conventions confer, or shall hereafter confer, upon citizens of the United States rights of copyright equal to those accorded to their own citizens, shall have in the United States rights of copyright equal to those enjoyed by citizens of the United States.

Predicated upon the idea that that right was to accrue to them when they gave it to us.

SEC. 2. That this act shall not apply to any book or other subject of copyright published before the date hereof.

SEC. 3. That the laws now in force in regard to copyright shall be applicable to the copyright hereby created, except so far as the said laws are hereinafter amended or repealed.

SEC. 4. That section 4971 of the Revised Statutes of the United States is hereby repealed; section 4954 is amended by striking out the words "and a citizen of the United States or resident therein;" section 4967 is amended by striking out the words "if such author or proprietor is a citizen of the United States or resident therein."

SEC. 5. That the proclamation of the President of the United States that such equality of rights exists in any country shall be conclusive proof of such equality.

That is as far as any one ever ventured to go, so far as I am aware, in asking this privilege for foreigners until this bill now introduced by the Senator from Rhode Island came before us. He is not content with General HAWLEY's bill, but he has to organize a great combination of monopolists, strike down the tariff laws of the land, strike down the free-list, require the type to be set in this country, and require the American publishers to have control of the work so that they can form their pools and combinations and put up the price of every book that the reading public of America will wish to read.

This proposition is protection gone mad. Yet we are told that there is no protection in it. Trusts, pools, combinations, exclusive rights to certain men, and the type of every book to be set in the United States and done at the same time before a single foreign book can come, and he may claim a copyright; not content with that, it makes the postmasters and custom-house officers judges of rights to property, with power to seize and destroy without trial, without hearing, without even giving men a chance to show that they are bringing their property into the country under the laws, or that the men who claim the copyright have not complied with the obligation that gave them a right to claim copyright, they are to seize and destroy all copies of the works pretended to be copyrighted.

Think of such a power granted to postmasters and custom-house officers, even the little pretense of right that the bill gives of allowing persons purchasing for use and not for sale two copies at a time, or under section 2505 of the Revised Statutes, to which the Senator called my attention a little while ago, which means books over twenty years of age when imported. What provision does he make? Under the provision of the Revised Statutes old books are allowed to come in, and the law also allows two copies to be brought in by persons purchasing them for their own use. What does the Senator provide in his bill?

In each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation.

The proprietor of that copyright might be in St. Petersburgh and the goods might come from Liverpool. He might be in Australia and the goods might be coming from another part of the world. Yet this committee, whose spokesman the Senator from Rhode Island is, will not even allow a single copy to come in for a college, for a school, for any purpose whatever, nor even an old book over twenty years of age, unless in each case the written consent of the proprietor of the copyright in the presence of two witnesses shall be furnished with each importation.

I should like to know if there ever was a provision as prohibitory as that in any law that did not absolutely prohibit the thing from coming? That is done, too, under the constitutional provision which authorizes Congress to pass laws "to promote the progress of science and useful arts." We have by act of Congress now given authority to libraries and colleges and to professional men to bring the books that they need for their schools and their libraries; but this bill cuts them off unless they can hunt all over the world and obtain the written consent in the presence of two witnesses of the man who claims to be the proprietor of the copyright, and if that written consent of the proprietor can not be obtained, any customs officer or any postmaster shall *in transitu* stop the importation of the book, no matter whether it may be going to churches, colleges, or schools, or for scientific purposes, and destroy it, without giving the man who owned it even a hearing. If that is not robbery and piracy, if I may use terms so freely used by the advocates of this measure, I know not what to call it. If there is anything in the conduct of those of us who object to a bill like that that comes as near being entitled to be called by those opprobrious names as that provision, I am mistaken.

Congress had this question up in a much milder form than it is now before the Joint Committee on the Library in 1873. I said the other day I would refer to that report. I have it in my hand; it is a report made on the 7th day of February, 1873, being report 409, third session of the Forty-second Congress. It was made by Mr. Morrill, of Maine, from the Joint Committee on the Library, which consisted of Lot M. Morrill, of Maine; JOHN SHERMAN, of Ohio; Timothy O. Howe, of Wisconsin, on the part of the Senate; John A. Peters, of Maine; William A. Wheeler, of New York; and Lewis D. Campbell, of Ohio, on the part of the House. The report, so far as I have observed, was unanimous. I ask that the report, which is only three pages long, with some tables of prices, be published as part of my remarks in the RECORD. It will save taking the time of the Senate to read it all.

The PRESIDING OFFICER. There being no objection, it is so ordered.

The report referred to is as follows:

The Joint Committee on the Library, to whom was referred the resolution directing them to inquire into the practicability of securing to authors the benefit of international copyright, report:

That, after attentive consideration of the subject-matter, they have found the question of international copyright attended with grave practical difficulties and of doubtful expediency, not to say of questionable authority.

At the outset of the examination much embarrassing contrariety of opinion between those who demand the measure as a just recognition of the rights of authors to their works and those representing the manifold interests, occupations, and domestic industries involved in the contemplated legislation became conspicuous; in the prominency and fervor of which the primary motive of any and all contemplated constitutional action, namely, the promotion of the progress of science and the useful arts, seemed—unconsciously, of course—likely to be overcast.

On behalf of authors and artists it is insisted that Congress owes it to universal authorship to grant protection to literary and scientific productions, irrespective of nationality, as a matter of justice and right; that the Constitution in this respect, as in the case of domestic authors, is mandatory in its character; that the mode and manner of such protection are prescribed in terms in its provisions; and that none other than the mode prescribed is at all allowable, leaving Congress no discretion in the premises; and that not to legislate in this behalf is to refuse the performance of an obvious duty; and that, having by the law of copyright secured to domestic authors exclusive rights to their works, thereby recognizing the obligation of protection to authorship, Congress stands derelict in the performance of its whole duty in that it has not provided equal protection to universal authorship.

Upon the soundness and cogency of this proposition both American and foreign authors are understood generally to be agreed.

A portion of the American publishers (and they are among the most important) are willing to accede to the demand of the authors upon the condition of satisfactory stipulations as to the medium of communication with the American public through their publishing houses; while the authors divide on the question of publication, a portion, not illogically, insisting upon the supposed duty of absolute protection without stint, limit, or condition, and a part are disposed to yield to the terms of the publishers; and this adjustment of the matter, it is supposed, would redound to the progress of science and the arts.

A portion, and much the larger number of domestic publishers, are understood to be either hostile to the whole subject of international copyright, or consider all action in regard to it at least of questionable utility to the world of letters, and especially to the progress of science and the arts in this country and among our own people.

The printers, type-founders, binders, paper-makers, and others engaged in the manufacture of books, in large numbers remonstrate against the measure as calculated to diminish the popular sale and circulation of books, by raising the price thereof, and thus prejudicial to this branch of industry.

These classes, interests, and industries have been ably represented before the committee, and it may be observed that from these the measure is invested with its special interest, as we are not aware of any popular representation or demand, by memorial or remonstrance, or otherwise, on behalf of either book buyers or readers or the mass of the people.

The protection in his works that the author demands, it will be noticed, is an absolute and exclusive right of property therein. To all such appeals to Congress (without entering into the consideration of such a pretension as an abstract proposition), it is deemed sufficient to reply that the framers of the Constitution did not seem to have apprehended the justice of a claim so extensive on the part of authors, nor to have contemplated the promotion of the progress of science by legislation so partial and engrossing as that proposed; but, on the contrary, in the interests of science, and altogether subservient to its ends, and as an incentive to authorship to enter into its service, did provide for the enjoyment in their works of an especial privilege for a limited period.

The nature of the prerogative conferred, its use and limitations, are, each and all, alike inconsistent with the assumed rights; and whatever abstract rights of property the author may be supposed to have in his production, it is clear that his appeal to Congress for protection can be recognized only within the express limitations of the Constitution.

It became important, in the outset, to bring to the examination of the subject a just appreciation of the provision of the Constitution in relation to it. That provision is as follows: Congress shall have power "to promote the progress of science and the useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries."

All opinions, interests, policies, and economies must be brought to the test of this clause of the Constitution, in which the objects and manner of legislation are clearly expressed, and must constitute the rule of action upon the sub ect.

It may be proper to remark that the policy of national copyright does not necessarily enter into the discussion. It may be assumed that the Constitution not only contemplated such legislation, but that such action is supposed to be consistent with and in the interest of science, and tends to its progress. Nor is it supposed that a question properly arises as to the abstract rights of the author

in his writings; neither is it important to consider whether any such rights had been recognized in England or in the American States anterior to the Constitution, as these rights do not constitute the object nor form the basis of that legislative action contemplated in the Constitution.

The constitutional provision is primarily in the interest of science, to which the rights and interests of authors are subordinated, and with which they are not necessarily in all respects identical. The very terms of the instrument are a limitation on the power of Congress against the recognition of such absolute right, thus "by securing for limited times to authors exclusive right to their writings."

The precise question is, are the terms of the Constitution equally applicable to international copyright, and would their application "promote the progress of science?"

The language is sufficiently comprehensive, doubtless, to include all authorship. But in construing the Constitution reference should be had to the condition of affairs at the period of its adoption, the obvious intent of the framers, as gathered from contemporaneous history, and must receive such construction as will carry out the object in view.

It was, it should be observed, to constitute, in a qualified sense, a government in the interests of the people of the United States. Its framers would not, therefore, be expected to be solicitous for the protection of individual rights of those alien to its jurisdiction, nor were the circumstances of their national position such as were calculated to invite to the consideration of topics so eminently international in their operations and relations.

Besides, it must be borne in mind that the Constitution of the United States antedates all legislation upon international copyright in any country; that no thought of such a law was suggested to the convention that framed that instrument. Nor are there to be found in the history of the times such sentiments and opinions upon the subject as to justify a reasonable supposition that such a proposition could have been present in the minds of those who proposed the particular provision. It may be safe, therefore, to assume that international copyright was not within the contemplation of the Constitution, whatever interpretation the language may be thought to be susceptible of.

To the argument as to the mandatory character of the provision in the interests of universal authorship, it may be replied that none but citizens could properly lay claim to protection of individual rights, and that, under the Constitution, these were all subordinated to the interests of science, and that whoever invokes the protection of the one must show that his demand is, at least, compatible with the other.

Whether the Constitution, in what it provides, is to be regarded as mandatory or permissive, confined to American or domestic authors, or extended to foreign or alien, in spirit and intent, it demands, as a primary, essential, and paramount consideration, that whatever is done in its name shall be in the interest of and for the promotion of the progress of science. In the presence of this paramount object all rights of authors, publishers, booksellers, and book-makers must needs take a secondary place in legislative consideration. Nor is it less certain that herein lies the true interest of all genuine authorship.

A demand for copyright, national or international, as a measure of protection to a property right simply, necessarily tends to sink the question of science to the level of a commercial transaction, and subjects it to the odium of an indefensible monopoly. It is only when considered as a tribute to genius, the quality and beneficence of whose productions are of universal recognition in the world of letters, that science and authorship become identical. It can not be doubted that if, under undue stimulus of national copyright, the quality of literary productions should become inferior, commonplace, and baneful, Congress, in the interest of science, could apply the remedy by limiting the privilege or denying it altogether.

It has even been said that a tendency in this direction already exists; that authors who write for fame are growing fewer, and that writers who write merely for money are multiplying; that, in short, the relations between writers on one side, and publishers and the public on the other, are growing more mercenary; but this may be said to arise from the fact that the men of true genius who are really entitled to the honorable name of American authors are confounded with men who have no just claim to such a distinction.

A question fairly arises and presents itself at the threshold of any proposition of copyright, whether this commercial spirit is identical with and friendly to the progress of science. Considering the undeniable fact that a larger portion of authors are now writing for gain than formerly, and that publishers have come to estimate their writings by the profits likely to accrue from their publications, can it be inferred that from such a union of literature and commerce the highest interests of science are likely to be promoted?

Under the influence of this union can it be denied that a class of books are put upon the market which in literary quality bear slight resemblance to the productions of genius, and others where the attribute of authorship could not well be discovered? and yet these all seek shelter under the law of copyright, and enjoy that exclusive privilege designed alone for genius and the votaries of science.

While doubtless the constitutional provision had its origin in the belief in the identity of the interests of authorship and science, it is true that the law of copyright, as it lies in the Constitution, is not the protection of authors as an object—not as the reward of genius independent of science, but as an incentive to the former in the interests of the latter.

Is the question of authorship in its relations to science so simple and of such universal application as to be productive of equally beneficial results when subjected to the method of the Constitution as a rule for the different nations and differing conditions of letters therein?

Authorship, standing by itself, although the essential element, still, it is not all the world of letters, and can not in any measure, having at heart the interests of literature, be considered as standing independent and by itself. If it be conceded to be the soul of science, it is essential that its productions should be embodied in books, and these involve the varied skill, industries, and cunning workmanship of many hands, and at last, and not the least important agency, the enterprise, capital, and address of the publisher through whom these books are to be introduced to the reading public.

These interests press upon the legislator at the very threshold of any measure of international copyright, demanding consideration and protection. The right conferred upon the foreign author, a variety of questions of labor, art, skill, and the like, enter into the practical question, and force upon consideration the chances of ruinous monopolies at the world's great book centers, when competition and a provident share in opportunities would seem to be our necessity.

The question before us is not national copyright, but whether the monopoly of the foreigner in his work, enjoyed in his land, can, in the interest of science, fairly be claimed for him in every land where his work may be printed. The English author has the exclusive privilege secured to him as an incentive to his genius. Does it need the further stimulus of privilege in other lands? And if so, can such privilege be considered as demanded in the interests of literature, or would the fruits of such encouragement compensate for the natural repression of the diffusion of knowledge?

Assuming now that the measure can not be commended or rightfully demanded in the interest of authors alone, nor in that of authors and publishers combined, it remains to be seen whether the facts justify the conclusion that the measure can be granted in the interests of science.

It will doubtless be conceded that international copyright would have the effect to enhance the price of books of foreign authorship in the American market, and a tendency and the probable effect to increase the price of the American copyrighted book in our own market.

While it may be conceded that the tendency of the law of copyright is to stimulate the production of literary and scientific works, it is believed to be equally true that one of its effects is to repress the popular circulation of such works. Such, it is apparent, must be its natural tendency, and such is understood to be the fact in this country and in England, especially the latter. As a general proposition, during the existence of copyright, the interests of both publisher and author are best consulted by a small edition and consequent limited circulation, as a larger profit may be realized from a small edition at high rates than the reverse. Notable instances may be given in proof of this general proposition in England and our own country. The average price of seventy-five English books, as given below, is $5.60, and the average price of the American reprints of the same books is only $2.40.

The lowest prices of some English books reprinted in America.

[The American prices are generally taken from Bibliotheca Americana, 1820 to 1866, or American Catalogue, Kelly, 1866 to 1871.]

Name of author and title of work.	English price—		Price of American reprint.
	In sterling.	In gold.	
	s. d.		
Alison, Life of Marlboro	30 0	$7.50	$1.75
Aytoun, Scottish Cavaliers	7 6	1.87	1.50
Ballads and Fermilian	13 6	3.37	1.50
Browning, Mrs., Poems	30 0	7.50	1.50
Belcher's Mutineers of the Bounty	12 0	3.00	1.50
Burton's Lake Regions of Africa	31 6	8.00	3.50
Bulwer, Athens—its Rise and Fall	31 6	8.00	1.50
Caxtoniana	21 0	5.25	1.75
Novels	2 6	.62	.50
Lady Budget, etc.	31 6	8.00	2.50
Braddon, Miss, Girls' Book	4 6	1.25	.50
Lovers of Arden	31 6	8.00	.75
Conybeare and Howson, Life of St. Paul (complete)	48 0	12.00	3.00
Collins, Poor Miss Finch	31 6	8.00	50c. 1.00
Darwin, Variation of Plants	28 0	7.00	6.00
Dixon, Free Russia	32 0	8.00	2.00
Fair France	16 0	4.00	1.50
Dickens's Works	132 0	33.00	10.50
Dilke's Greater Britain	28 0	7.00	1.00
Desert of the Exodus	28 0	7.00	3.00
Foster's Life of Landon	28 0	7.00	3.50
Life of Dickens	12 0	3.00	2.00
Guizot's Meditations	10 0	2.50	1.75
Grote's Greece, per volume	8 0	2.00	2.00
Gould's Origin of Religious Belief	15 0	3.75	2.00
Goulbonn's Sermons	6 6	1.62	1.00
Huxley's Lay Sermons	7 6	1.88	1.75
Holland's Recollections	10 6	2.62	2.00
Hemans's Poems	12 6	3.12	.75
Hughes, Tom Brown at Oxford		1.75	.50
Tom Brown's School-Days at Rugby		1.75	.75
Harveis, Music and Morals	12 0	3.00	1.75
Jowett's Plato	120 0	30.00	12.00
Kinglake's Crimea	32 0	8.00	2.00
Kingsley's At Last	20 0	5.00	1.50
Ravenshoe	31 6	* 8.00	1.75
G. Hamlyn	6 0	1.50	1.25
Layard's Nineveh	36 0	9.00	1.75
Lever, Lord Kilgobbin	31 6	9.00	.75
Lockhart, Fair to See	31 6	8.00	.75
Mulock, Hannah	21 0	5.25	.50
Girls' Book	4 6	1.25	.90
Morley's Voltaire	14 0	3.50	
Macgregor, Rob Roy on the Jordan	12 0	3.00	2.50
Oliphant's China	21 0	5.25	3.50
Pressence, Early Years of Christianity	12 0	3.00	1.75
Russell's American Diary	21 0	5.25	1.00
Robinson's Diary	36 0	9.00	4.00
Reclus, The Earth	24 0	6.50	5.00
Schelleris, Spectrum Analysis	28 0	7.00	6.00
Speke's Africa	21 0	5.25	4.00
Sacristan's Household	6 0	1.50	.75
Stanley's Jewish Church	24 0	6.00	5.00
Eastern Church	12 0	3.00	2.50
Sinai and Palestine	14 0	3.50	2.50
Trollope, Harry Hotspur	9 0	2.25	.50
Can You Forgive Her?	12 0	3.00	1.50
Orley Farm	12 0	3.00	1.50
Thackeray's novels	7 0	1.75	.50 to .75
Tyndall, Heat	10 6	2.62	2.00
Sound	9 0	2.25	2.00
Tennyson's Works, incomplete	9 0	2.25	*.75
The Speaker's Commentary	30 0	7.50	5.00
Vambery's Asia	21 0	5.25	4.50
White's St. Bartholomew	16 0	4.00	2.50
Wilfred Cumbermede (George Macdonald)	31 6	8.00	1.75
Wood's Homes without Hands	21 0	5.25	4.50
Bible Animals	21 0	5.25	4.50
Whymper's Alaska	16 0	4.00	
Wallace's Malay Archipelago	24 0	6.00	3.00
Warren's Ten Thousand a Year	9 0	2.25	1.50
Spencer's Psychology	18 0	4.50	1.50
Essays	16 0	4.00	2.50
Biology	34 0	8.50	5.50
Total		421.22	184.80

*Complete.

The same general fact may be further illustrated by comparing the prices of English books reprinted here with the prices here of American copyrighted books of a similar character.

ENGLISH REPRINTED.	
Dixon's Free Russia	$2.00
Kingsley's At Last	1.50
Kinglake's Crimea	2.00
Macaulay's Histories	1.50
Hallam	2.00
Dilke's Greater Britain	1.00
Dickens's novels	.50–.75
George Eliot's novels	.75
Charles Reade's novels	.25–.75
Robertson's Sermons	1.50
Tennyson's Poems	.75
Grote's Greece	1.50
Hume's England	1.50
Muller's Science of Religion	2.00
Palmeir's Desert of the Exodus	3.00
Wallace's Malay Archipelago	3.50
Froude's Short Studies	1.50
Barrow's Arctic Voyage	1.00
Layard's Nineveh	1.75
Burton's Regions of Central Africa	3.50
English Common Law Reports	4.00
Exchequer Reports	4.00
Bulwer's Queen's Bench	6.00
Bulwer's Common Pleas	6.00
Equity Cases, M. Rolls	6.00
Daniel's Chancery Practice, 3 vols	15.00
De Witt's Surgery	4.00
Total	78.70

AMERICAN COPYRIGHTED.	
Bush Reindeer Dogs, etc	$3.50
Cox's Winter Sunbeams	3.00
Motley's Histories	3.50
Bancroft	3.00
Kirke's Charles the Bold	3.00
Prime's Around the World	3.00
Hawthorne	2.00
Mrs. Stowe	2.00
Bayard Taylor	1.50
Beecher's Sermons	2.50
Longfellow	1.50
Draper's Civil War	3.50
Hildreth's United States	3.00
Hodge's Anthropology	4.50
Thomson's Land and the Book	5.00
Agassiz's Brazil	5.00
Bancroft's Miscellanies	3.00
Hayes's Arctic Boat Journey	2.50
Stephens's Egypt	3.00
Stephens's Central America	6.00
Wallace's Reports	6.00
Blatchford's Reports	7.50
Abbott's Reports	7.50
Lansing's United States	8.00
Chancery, eighth circuit of New York	7.50
Fisher's Patent Cases, 3 vols	75.00
Ashurst's Surgery	6.50
Total	181.00

And a similar effect will be observed by comparing the home prices of American copyrighted books with their prices when reprinted in England.

The English prices are generally taken from the English catalogue by Sampson Low, 1835–1862.

Name of author and title of work.	American price.	English price— In sterling.	English price— In gold.
		s. d.	
Abbott, Franconia Stories	$0.90	1 0	$0.25
Learning to Read	.90	1 6	.37
Young Christian	1.75	1 0	.25
Child at Home	1.00	1 0	.25
Barnes, Four Gospels	3.00	5 0	1.25
Acts	1.50	2 6	.62
Beecher, H. W., Eyes and Ears	1.75	3 6	.87
Lectures to Young Men	1.50	1 6	.37
Royal Truths	1.75	3 6	.87
Cooper novels, per copy	.75	1 0	.25
Curtis, G. W., Lotus-Eating	1.50	3 6	.87
Nile Notes	1.50	1 0	.25
Du Chaillu, Country of Dwarf	1.75	1 6	.37
Greenwood, Grace, Forest Tragedy	1.25	1 0	.25
History of my Pets	1.00	1 0	.25
Hawthorne, House of Seven Gables	2.00	1 0	.25
Twice-Told Tales	4.00	2 0	.50
Scarlet Letter	2.00	1 0	.25
Holmes, O. W., Autocrat of Breakfast Table	1.50	2 6	.62
Professor at Breakfast Table	1.75	3 6	.87
Elsie Venner	3.00	2 0	.50
Irving, W., Life of Goldsmith	1.50	1 0	.25
Life of Columbus	1.75	2 6	.62
Knickerbocker	1.75	1 0	.25
Jarves, J. J., Parisian Sights	1.50	1 0	.25
Longfellow, Miles Standish	1.25	1 0	.25
Outre Mer	1.50	2 0	.50
Hiawatha	1.50	1 0	.25
Poems, complete	1.50	2 0	.50
Lowell, Biglow Papers	1.50	2 6	.62
Vision of Sir Launfel	.75	2 0	.50
Melville, Omoo	1.50	1 0	.25
Typee	1.50	1 0	.25
Parton, Life of Greeley	2.50	7 6	1.87
Phelps, Rev. A., Still Hours	1.00	1 0	.25
Prescott, Philip H.	4.50	5 0	1.25
Mexico	6.00	5 0	1.25
Ferdinand and Isabella	5.00	5 0	1.25
Robinson, Greek Lexicon	6.00	8 6	2.12
Stowe, Mrs., Pearl of Orr's Island	2.00	5 0	1.25
Uncle Tom	2.00	2 6	.62
Minister's Wooing	2.00	2 6	.62
Sedgwick, Miss, Hope Leslie	3.00	1 0	.25
Linwoods	3.00	2 8	.66
Married or Single	3.00	2 0	.50
Sigourney, Mrs., Letters to Mothers	1.50	2 0	.50
Letters to Young Ladies	1.50	1 6	.37
Squiers, Wackna	1.50	1 0	.25
Thomson, Land and the Book	5.00	7 6	1.87
Taylor, B., El Dorado	2.25	2 0	.50
At Home and Abroad	2.25	3 6	.87
Thoreau, Walden	2.00	6 0	1.50
Upham, Professor, Madame Guyon	3.00	7 6	1.87
Interior Life	1.50	3 6	.87
Emerson, R. W., Conduct of Life	2.00	1 0	.25
Representative Men	2.00	1 0	.25
English Traits	2.00	1 0	.25
	121.05		36.06

From the above exhibits it would seem clear that the law of copyright, as existing in England and this country, in its practical operations in the two countries, tends unmistakably to check the popular diffusion of literary production by largely increasing the price. This fact could be further illustrated by recurrence to the vast disproportion in the sale of the cheaper reprints and the copyrighted editions in both countries.

England is the great book-making and producing nation with which this country has to do, and, consequently, our interests would be most affected by the proposed measure; and that such measure would not promote the progress of science and the useful arts among the American people is believed to be obvious and to admit of little doubt.

The policy of the different states of Europe as to the protection of literary property varies as to the period of time for which it is granted. In England and in this country the protection is ample. The prevailing policy among the nations seems to be to grant such protection to literary property as is deemed a proper incentive to production.

It is questionable whether any system of international copyright could be proposed which would be equally beneficial or just, owing to the different languages prevailing among them.

In view of the whole case, your committee are satisfied that no form of international copyright can fairly be urged upon Congress upon reasons of general equity or of constitutional law; that the adoption of any plan for the purpose which has been laid before us would be of very doubtful advantage to American authors as a class, and would be not only an unquestionable and permanent injury to the manufacturing interests concerned in producing books, but a hinderance to the diffusion of knowledge among the people and to the cause of universal education; that no plan for the protection of foreign authors has yet been devised which can unite the support of all or nearly all who profess to be favorable to the general object in view; and that, in the opinion of your committee, any project for an international copyright will be found upon mature deliberation to be inexpedient.

Mr. BECK. That report goes so far as to show that instead of being a benefit to the people of this country to grant those rights to foreign authors when we have not received them from foreign countries, that instead of being an act to promote the progress of science and the arts, it was an act to promote a monopoly, to increase the prices of books, and to deprive the great mass of the people from getting the benefits they are now deriving from the law as it now exists.

The tables, which are part of the report, show the American prices, the prices in England, and the prices of the books now furnished to the American people under the right to publish them free, and they show that we are getting a majority of the best books of the country to-day that are published in other countries at about one-half what the men who own the copyright charge.

I said awhile ago, among other things, that there was a combination working up this measure, and that is the most objectionable feature of this bill to my mind. The first thing that impressed me in reading over the testimony, after Mr. Eggleston had made his statement, was a very intelligent statement made by Mr. Welsh, of Philadelphia. He appeared for the type-setters during the last Congress in opposition to the Hawley bill. Now, when they had things arranged in this bill offered by the Senator from Rhode Island, so that they could charge what they pleased, both he and Mr. SHERMAN came before the committee and said they were content with this scheme. They had been very bitterly opposed to the other bill, because it did not provide to have the printing done in this country and the type set here, so that they could make their share of the money.

Mr. Welsh went on to show that with the 25 per cent. duty publishers in England would bring over their own stereotype plates; they could make them so light, and they could produce those books so cheaply that printers here could not compete with them; and he gives a short explanation of the difference, which would be from $60 to $361 in cost of type and material that they would have to use. His statement is as follows:

STATEMENT OF JAMES WELSH.

Mr. WELSH. Mr. Chairman and gentlemen of the committee, I represent Philadelphia Typographical Union No. 2. When I appeared before this body two years ago I had a very large correspondence with the whole typographical profession of our country, and all of them indorsed the Chace bill; and the opportunity of meditation which the lapse of time has given since has but served to render this indorsement more emphatic, especially in view of the amendment requiring that the type-setting shall be done in this country. This, with the other provisions of the bill, will render it satisfactory to all the labor interests concerned in the production of books.

The principle of protection is recognized and enforced in many foreign countries. Some two years ago, when I was president of the Philadelphia Typographical Union, a gentleman went to France to put up a press. He was required in the first place to pay $15,000 before setting up a press in that country, and everything pertaining to it had to be manufactured there.

I have been authorized by our union to come before you gentlemen and submit the following statement:

"*To the Senate and House of Representatives of the United States in Congress assembled:*

"In the two years that have gone by since a delegation from the printers' unions were before the Senate Committee on Patents, we are glad to see that all parties interested in the preparation and manufacture of books have come into accord on this matter of international copyright.

"To effect harmony in so widespread an industry concessions have been made by all for a common good. The three amendments to the bill as originally introduced by Senator CHACE, necessary to harmonize all interests, being—

"First. Requiring simultaneous publication.

"Second. Admitting not more than two copies in any one invoice of a copyrighted book, for use but not for sale.

"Third. Requiring type-setting to be done in this country.

"The bill thus amended has been approved at a meeting of Typographical Union No. 2, and the following resolutions passed:

"'*Resolved*, That Typographical Union No. 2 hereby expresses its satisfaction with the Chace bill as above amended, and asks for it the favorable consideration of the Senators and Representatives from Pennsylvania and Philadelphia.

"'*Resolved*, That the typographical unions throughout the country are respectfully requested to take appropriate action in a matter so important to the welfare of our fraternity and the many business interests incident to it, and to correspond with their Senators and Representatives urging them to facilitate its passage.

"'*Resolved*, That a committee of three be appointed, whose duty it shall be to take such action as may be advisable to carry into effect the above resolutions.'

"In conclusion, we would wish to say that when the bill was before the Committee on Patents, Union No. 2 obtained the indorsement for it of united labor throughout the United States.

"In its present shape it is more than ever acceptable to this great labor interest, and we promise that this bill shall have the support not only of every printers' union but also of every labor union in the land.

"By order of Philadelphia Typographical Union No. 2.

"JAMES WELSH.

"*Chairman Committee on International Copyright.*"

The object of the bill is one that interests a vast multitude of persons connected with our business. As it pertains especially to the typographical fraternity, everything incident to it is alive with interest for us. We desire most earnestly that this bill shall receive your approval and that it shall have its final passage through both Houses.

I thank you, gentleman, for your attention.

Mr. GREEN. Mr. Welsh is a gentleman who felt bound in the interests of his colleagues a few years ago to fight the bill as introduced by Senator HAWLEY. He is earnestly for international copyright with the protective features of the Chace bill.

Mr. Putnam, of the house of Putnam's Sons, of New York, makes this statement:

Mr. PUTNAM. Mr. Chairman and gentlemen of the committee, I am a publisher and am secretary of the American Publishers' Copyright League. This association now includes, with hardly an exception, all the publishers in the country, representing all classes of publishing interests; publishers who have extensive book-manufacturing interests, and who are the printers of their own books, and publishers who have no manufacturing interests, but who make their profits purely out of the sale of books. It includes also representatives of the great music houses, and it also includes, I am glad to add, three firms which during the past ten years have devoted their business almost exclusively to what are known as reprints—Messrs. George Munro, John W. Lovell, and J. B. Alden.

The publishers of the country came together in this copyright league at the suggestion and instance of the authors, and during the past two months the executive committee of the Authors and Publishers' League have been working together in conference for the purpose of putting into shape a copyright measure which could secure the support of both associations. The bill that Senator CHACE has now before your committee is the bill which is supported by these national associations of authors and publishers, as well as by the typographical unions, from whose representatives you have heard.

Mr. Cummin went on to show that of all the books which were published in this country 85 per cent. (outside of the Government Printing Office) were published in four cities, New York, Boston, Cambridge, and Philadelphia; that there was not 5 per cent. of the book printing done outside of these places. When the matter was up the year before Mr. Welsh, as I said, opposed the Hawley bill, but he now says that—

We are content; if this bill passes we will have type-setting; we will have the printing of every book which is published before it can enter this country, everything else being excluded; and we can get our prices; we could not get it otherwise, and 95 per cent. of the books that come from abroad are published in those four cities; they have formed their union whereby they can charge what they please.

The result, therefore, is that the American people are no longer to have the benefit of getting cheap books, because this union of purchasers of foreign copyrights, publishers and printers, will force every foreign book that is published to be published by them and at their prices until magazines and books of value will be sold at just such a price as they see fit to ask. That is the object of this combination; it is confessed all through the testimony given before the committee by the promoters of this scheme.

When the Hawley bill was up the type-setters raised a cry against it and killed it. I believe it was never brought before the Senate for discussion.

Beginning on page 44 of report No. 1188, first session of the Forty-ninth Congress, is the statement of Mr. Welsh, of Philadelphia, representing the Typographical Union, in which he denounced the Hawley bill and every measure that was calculated to allow cheap books to come in, or to do anything to promote either art or science among the American people unless the type-setters could get their share of it. There are four or five pages of telegrams. The following give an idea of the whole:

FALL RIVER TYPOGRAPHICAL UNION NO. 161.

FALL RIVER, MASS., *January* 11, 1886.

The newspapers and job printers of this city do sternly protest against the passage of Senator HAWLEY's international copyright bill, and will do all in their power to kill it.

WILLIAM B. WALSH,
Secretary Typographical Union No. 161.

PORTLAND TYPOGRAPHICAL UNION NO. 66.

PORTLAND, ME., *January* 19, 1886.

Resolved, That it is the sense of this union that unjust discrimination towards our craft is shown in Senator HAWLEY's proposed amendments to the copyright laws, and that this union is opposed to the same.

Resolved, That the bill as prepared by Typographical Union No. 2 is hereby indorsed by this union.

W. H. GREENE,
Corresponding Secretary.

NORWICH TYPOGRAPHICAL UNION NO. 100.

NORWICH, CONN., *January* 16, 1886.

Resolved, That Norwich Typographical Union No. 100, hereby protests against the passage of any bill by Congress giving to foreign books and publications the benefits of our copyright laws which does not provide, in terms or effect, that all such books and publications intended for circulation in this country shall be printed and manufactured in the United States.

WILLIAM N. ANDREW, *President.*

HARTFORD TYPOGRAPHICAL UNION NO. 127.

HARTFORD, CONN., *January* 11, 1886.

DEAR SIR: In response to a letter addressed to him, Senator HAWLEY sent me a copy of his proposed bill and a letter of which the following is a copy:

"UNITED STATES SENATE CHAMBER, *Washington, January* 1, 1886.

"DEAR SIR: I inclose you a copy of the international copyright bill which I introduced here, at the request of the Association of Authors. Last week I attended a gathering of sixteen gentlemen in New York City—authors and publishers—at which they endeavored, and I think succeeded, in harmonizing their desires; the publishers, naturally and properly enough, wishing to protect the manufacture of books in this country. I think there will be a clause added to the bill providing that whatever copyrights foreign authors acquire here shall take with them the necessity of having the composition, paper, presswork, binding, etc., in fact all the work of publication, done in the United States.

"They will probably reserve the right to purchase a copy of the foreign edition of the work, just as we may do now, under qualifications. Some people always desire a copy of an original edition, even if it costs them ten times as much.

"Yours, truly,

"JOSEPH R. HAWLEY."

Fraternally, yours,

F. M. GRAHAM, *Secretary No.* 127.

Mr. JAMES WELSH,
President Typographical Union No. 2.

TROY TYPOGRAPHICAL UNION NO. 52.

TROY, N. Y., *January* 19, 1886.

Whereas an international copyright bill (known as Senate bill 191) has been introduced in the Federal Senate by the Hon. JOSEPH R. HAWLEY; and

Whereas if said bill, in its present form, becomes law, it will prove detrimental to a large body of American citizens employed at the several branches of the printing trade, allowing foreigners the right of copyright here, but not compelling them to have their works printed in the United States;

Resolved, That we, printers of the city of Troy, N. Y., do hereby emphatically protest against the passage of Senator HAWLEY's bill, and we earnestly appeal to the United States Senators from this commonwealth, and to the Representatives in Congress from this district, to use their influence and votes to defeat the objectionable measure.

Resolved, That we favor the enactment of an international copyright law that, while it shall give to foreign authors the privileges that are enjoyed by writers in this Republic, said foreigners, in order to derive the benefits from copyright in the United States, shall be required to have the mechanical portions of their productions performed in this country.

Copies of the resolutions were ordered sent to Warner Miller and William M. Evarts, Senators, and Congressman Burleigh.

This afternoon, in the State Workingmen's Assembly, in session at Albany, a resolution was offered by Mr. Philip Scannell, of No. 6, of New York City, protesting against the Hawley bill. The resolution was referred to the committee on resolutions. It will be adopted to-morrow, and copies sent to the two Senators and every Congressman from this State.

Fraternally,

GEORGE A. STEVENS, *President.*

As Mr. Welsh explained, the present measure is the bill of the Senator from Rhode Island. It is indorsed by the combination because it is certain to double and quadruple the cost of printing foreign books by transferring, as they claim, the difference between $60 and $361.50, in the cost of type used, all of which they claim they will get by this combination of the book publishers in the four great cities of the Union to the exclusion of everybody else.

Mr. CHACE. As the Senator seems to be addressing me——

Mr. BECK. No; I said the present measure was the bill prepared by you or for you.

Mr. CHACE. Would the Senator prefer that this type-setting should be done abroad rather than in this country?

Mr. BECK. I am opposed under the guise of promoting science and the useful arts to establishing a monopoly under false pretenses when protection is the object aimed at. The Senator from Rhode Island announced to me the other day, when he opened this debate, that for once he and I could agree; that there was no protection in this bill; that it was free from all that jobbery. On the contrary, it is the worst job that I ever saw. No tariff protectionist has ever dared to say that under the limited right to promote science and the useful arts you would, under the guise of giving to a foreign author rights to bring his books here, deprive the American people of the right to reasonably cheap books, and call them pirates and thieves if they did not submit to have the book printed here at four and five times the cost that they could have it done elsewhere when the avowed object was to promote science and art.

The real object of this scheme is to build up a monopoly. The object is to get a few men in New York, Boston, and Philadelphia to publish all the foreign books to the absolute exclusion of everybody else, at whatever cost they may see fit, and then to sell them to 60,000,000 American people, whose interest they pretend that they are working for. That is what I meant to say.

Mr. JONES, of Arkansas. I should like to ask the Senator from Kentucky a question, if he will allow me to do so?

Mr. BECK. Certainly.

Mr. JONES, of Arkansas. I sympathize with all that the Senator has said upon this question of the absolute prohibition of the importation of books to this country. I suggested the same difficulty when this bill was under consideration before. I wish to ask the Senator from Kentucky if his objections to the bill would not be met by striking out all of section 2 as printed on page 4 of the bill?

Mr. BECK. That section covers the very serious objection I have to the bill.

Mr. JONES, of Arkansas. I very strongly favor the passage of the bill.

Mr. BECK. I am very much in favor of the amendment suggested by the Senator from Missouri [Mr. VEST]. Is that embraced in the part the Senator proposes to strike out?

Mr. JONES, of Arkansas. I do not know to what the Senator alludes.

Mr. BECK. The Senator from Missouri offered an amendment just now, but I do not think it comes in on that page.

Mr. VEST. It is on page 3.

Mr. JONES, of Arkansas. I was out of the Chamber at the time it was offered.

Mr. BECK. In line 19, on page 3, the Senator from Missouri moved to strike out the words "from type set within the limits of the United States." That I am very much in favor of.

Mr. CHACE. Does the Senator from Arkansas propose to strike out all of section 2 on page 3?

Mr. JONES, of Arkansas. No; all that part of section 2 that is on page 4. I would suggest to the Senator from Missouri and the Senator from Kentucky, if they will permit me just here to make a suggestion, that perhaps the phrase "from type set within the limits of the United States" is not so objectionable after all as it might appear at first. The words "from type set within the limits of the United States" only apply to the right of copyrighting. That is to say, a foreign author can not get a copyright for a book that he proposes to file with the Librarian here unless it comes from type printed within the United States. As far as I am concerned, I have no objection to that feature remaining in the bill, so that when a foreign author comes here to ask for a copyright that he files, if he gets a copyright at all it is provided that the book must be printed from type set within the United States. I have no objection to that provision.

Mr. KENNA. Let me ask a question. Suppose instead of having the type set in the United States the proprietor should bring a copy of a book printed from type set in a foreign country and have that copy produced by some other method, say by photolithographing, would that section exclude him from a copyright if he should resort to that process here?

Mr. JONES, of Arkansas. It would exclude him absolutely unless the book was printed from type set in the United States, and as far as I am concerned I have no objection to those words remaining in the bill. The features of the bill to which I object, and the features which I think are liable to the criticism of the Senator from Kentucky, are all embraced in that part of section 2 which is found printed on page 4 of the bill. I propose at the proper time to move to strike out that part of the bill, and if that is stricken out I should very earnestly support the measure.

Mr. VEST. What does the Senator from Arkansas propose to strike out?

Mr. JONES, of Arkansas. All of section 2 as printed in the bill, beginning at the top of page 4, as follows:

During the existence of such copyright the importation into the United States of any book or other article so copyrighted shall be, and it hereby is, prohibited, except in the cases specified in section 2505 of the Revised Statutes of the United States, and except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation. All officers of customs and postmasters are hereby required to seize and destroy all copies of such prohibited articles as shall be entered at the custom-house or otherwise brought into the United States, or transmitted to the mails of the United States. In case of books in foreign languages, of which only translations in English are copyrighted, the prohibition of importation shall apply only to the translation of the same, and the importation of the books in the original language shall be permitted.

That is the language I propose to strike out of the bill; and it seems to me that it removes every objection which has been made by the Senator from Kentucky. I heartily agree with him that those features of the bill are exceedingly objectionable; and with those features out of the bill it seems to me it is a proper thing that the bill should be passed, and that we are only doing what is right and fair towards foreign authors in enacting it into a law.

Mr. BECK. The Senator from Arkansas is a member of the committee, and knows a great deal more about the measure than I do. I only make the remarks I am now making, in a very disjointed way, because I do not like many things in the bill. Let me ask the Senator from Arkansas what sort of use would the right to bring in two copies for private use be to men in this country if they had to obtain the written consent of the proprietor of the copyright? What induced the committee to insert that provision in the bill?

Mr. JONES, of Arkansas. That feature would be stricken out if my amendment were adopted. That feature goes out with the others.

Mr. BECK. Then let me ask another question. I am seeking information. It is now known that England does not allow us anything like the right we propose to give to English authors. We can not have a copyright in England unless a man is a resident there during at least a part of the time of publication. Take General Grant's Notes, for instance, a book written by him when he was ill and could not be removed to English soil even temporarily. Why should we give those people rights that they do not propose to give to us? Germany does not do it; Russia does not do it. Why is there not some such provision as this, which was contained in the Hawley bill which was before the committee last year?

That the citizens of foreign states and countries of which the law, treaties, or conventions confer, or shall hereafter confer, upon citizens of the United States rights of copyright equal to those accorded to their own citizens, etc.

Mr. JONES, of Arkansas. I am willing to vote for such a provision, as far as I am concerned.

Mr. BECK. That is one of the reasons why I objected to this bill. It is because all bills looking to legitimate copyright seem to have been lost sight of in the determination to make monopolies and to make every book dear to the people of the United States; not to aid in getting their books cheaper, not to aid foreign authors, not to do anything except to bring everything into the hands of a combination or a pool of publishers in two or three big cities of the Union backed by the men who opposed the fair bill introduced last year by the Senator from Connecticut [Mr. HAWLEY] because they would not make any money out of it.

But they combined and determined that they would publish only what they pleased and how they pleased and at such prices as they pleased, and load the American people down with extravagant prices for those works and it was only in that way they could get up anything that they thought they could pass at all, as the telegrams which I read show.

When the Senator from Rhode Island rose to ask me a question I was speaking of it as though it was his bill. Mr. Welsh, in this same statement told why they oppose the Hawley bill and the bill introduced by Mr. Tucker, of Virginia, as destructive of the interests of those who earned their bread in these trades. He said:

To the Senate and House of Representatives of the United States in Congress assembled:

The printers of the United States, the type-founders, the stereotypers, the electrotypers, the paper-makers, the book-binders, and many other branches of American industry connected with or dependent on printing, earnestly and respectfully protest against Senate bill 191, introduced by Hon. JOSEPH R. HAWLEY, and its counterpart introduced in the House of Representatives by Hon. J. Randolph Tucker, regarding them as destructive of the interests of all who earn their bread in these various trades.

As the copyright on a book absolutely prevents any one from printing it except the proprietor, we consider it a matter of vital importance that your honorable bodies shall so frame any legislation creating international copyright as to secure that such proprietor shall not be a foreign manufacturer with an agent in New York.

To effect this it is not sufficient to insert a clause that the manufacturing shall be done in this country, as this could easily be evaded.

Nothing short of total exclusion of all copyrighted books (which we understand is law in other countries) will secure the interests of the crafts which we represent. Any permission to import copies because some people want foreign editions, and think American copies not good enough for them, will open a door which can not be closed, and will enable the agent of the foreign publisher to bring in, by successive shipments, all that he wants. If there are enough people fond of fine editions to make it worth while, we will print special editions for them, which American printers can do as handsomely as any in the world.

If the authors of America and England want a change we are quite willing that they should have it, and that they should be able to obtain the highest rewards for their labor so long as they do not interfere with and jeopardize the rewards for our labor, and deprive us of the means of maintaining our homes and securing the happiness of those dependent on us. With this object we have drawn up a bill which we believe will give them all they want, while it will not hurt our industries. It has been introduced by Senator CHACE, and we respectfully ask of you its favorable consideration.

We append a brief report of the action of such typographical unions as have thus far been heard from. The time has been too short for more than incomplete advices to reach us, and we are receiving additional ones every day, but these will serve to show that the feeling of hostility to Senator HAWLEY's bill is not restricted to a few places, but spreads over the whole country.

On the other hand, the bill just introduced by Senator CHACE meets with the unanimous approval of all those unions which have had time to act upon it.

In conclusion, we have received assurances from the great labor organizations of the United States that they will make our cause their own, by using their influence to secure the defeat of Senator HAWLEY's bill and the passsage of that introduced by Senator CHACE.

We hope that in your wisdom you will recognize the justice of our petition.

By order of Typographical Union No. 2.

JAMES WELSH,
President.

They thereby append a number of telegrams protesting against the Hawley bill and all propositions simply giving to foreign authors the right to have a decent compensation, and protesting against everything unless all the typesetting is put in their hands, and the foreign copyright books go into the hands of a combination of publishers so that they could publish the books at as high a price as they please. I confessed the other day——

Mr. JONES, of Arkansas, rose.

Mr. BECK. I am done.

Mr. JONES, of Arkansas. I was going to respond to the point just made by the Senator from Kentucky. I have no speech to make. I am assured that the very same rights would be accorded to our people abroad which are to be accorded to foreign authors here in case this bill is passed. It seems that they have been ahead of us in liberal treatment of our authors; that they have done more for our people than we have done for theirs, and they stand ready to meet us in a fair reciprocal arrangement to be made for the authors of different nations. I have no doubt, as far as I am concerned, that that would be the case. At least we are assured that that is the fact.

Mr. BECK. They have not done it, so far as I am able to observe.

Mr. JONES, of Arkansas. They have already done more for our authors than we have done for theirs. They have exceeded us always in privileges in regard to the rights of foreign authors.

Mr. BECK. The list of books and prices furnished by the Senate committee in 1873, of American works, would indicate that they were about the same. There is no legislation that has given us any right to pass such a measure; and what I objected to was the arrogant way in

which people have formed their combinations, the printers, the publishers, and authors who come before us, and speak about the Congress of the United States as though we were all a set of thieves. Take the most distinguished man, perhaps, among them, Hon. James Russell Lowell. Let me read just one sentence from what he said, and then I am done:

I, myself—

Said Mr. Lowell—

I, myself, take the moral view of the question. I believe that this is a simple question of morality and justice; that many of the arguments which Mr. Hubbard used are arguments which might be used for picking a man's pocket. One could live a great deal cheaper, undoubtedly, if he could supply himself from other people without any labor or cost. But at the same time—well, it was not called honest when I was young, and that is all I can say.

I can not help thinking that a book which was, I believe, more read when I was young than it is now, is quite right when it says that "Righteousness exalteth a nation." I believe this is a question of righteousness. I do not wish to urge that too far, because that is considered a little too ideal, I believe. But that is my view of it, and if I were asked what book is better than a cheap book, I should answer that there is one book better than a cheap book, and that is a book honestly come by. That would be my feeling.

It will not do for anybody to come before the Congress of the United States, distinguished as he may be, in order to put money in his own pocket, and to call the framers of the Constitution thieves, the men robbers who passed the laws limiting copyright to fourteen years and then extending it to twenty-eight, because, in Mr. Lowell's opinion, it is as much robbery to take away his property if he has a right to it one day after fourteen years as it is one day after publication. I say I resent in my own name, and in the name of the people I represent, all such aspersions as he and other interested claimants have the impudence to make.

Mr. JONES, of Arkansas. A criticism, to be effective, ought always to be fair. I do not think that anybody is liable to the criticism that the Senator from Kentucky has just now made. It seems to me that these epithets of piracy, etc., which have been disclaimed until recently and have been laid aside and tabooed, were not indulged in. As far as I know they have not been applied, and should not be, except to men who have taken the products of mental labor and have undertaken to make money out of them by publishing them in the United States.

There is no attempt on the part of these authors to charge members of Congress and men opposed to the passage of a copyright law or anybody on this side who bought his books with the epithet of pirate or piracy. It has been applied to men who have undertaken to take advantage of that sort of thing and to utilize the labor of other people for the purpose of making money for themselves, and I do not think Mr. Lowell ought to be charged with having used such epithets towards members of the Senate of the United States or members of the House of Representatives when such is not the fact. It was never so understood, I believe, by anybody.

Mr. BECK. I am glad to hear it, because the language used would indicate differently.

Mr. JONES, of Arkansas. I think the Senator from Kentucky misconstrued those quotations. They were applied simply and solely to publishers who have undertaken to publish the products of the brains of other people without any compensation to them whatever. I submit that it is not fair, because the labor of a man's brains is as much his property if in the form of a book as if it takes the shape of an invention, or it is as much his property as is the result of the labor of his hands.

I have no more right to appropriate the labor of a man's brains than I have to appropriate anything that may result from his handiwork. I do not believe it is fair; and if I were called on to state clearly and distinctly whether I believe it honest or not, I should be compelled to say that I believe it is absolutely dishonest for a man simply to take advantage of the law of the land, or the fact that there was no law, by utilizing those products of the brain to his own use, and making money out of them.

Mr. BECK. One word more. This bill, it appears from their statements, was written by that body of very potent men known as the typographical union. They changed the whole phase of the original proposition, and a bill has been brought in here because they threatened to defeat all others, the provisions of which were never before contemplated, and as to which even members of the committee do not agree. But independent of all this, I think there are very many reasons why foreign authors should not be placed by law upon the same footing with our own. For example, under the copyright law as it now exists twenty-eight years is the limit. Then section 4954 of the Revised Statutes provides thus:

SEC. 4954. The author, inventor, or designer, if he be still living and a citizen of the United States or resident therein, or his widow or children if he be dead, shall have the same exclusive right continued for the further term of fourteen years, upon recording the title of the work or description of the article so secured a second time, and complying with all other regulations in regard to original copyrights, within six months before the expiration of the first term.

As I read from the Constitution a little while ago, Congress was given the power "to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." Congress saw fit first in 1790 to give a right for fourteen years, then in 1831 to give twenty-eight years, with the exclusive right to the author or inventor, or his widow or children, if he be dead, for fourteen years longer.

That was designed to protect an American author and to protect his wife and his children beyond the term of twenty-eight years. Are we under any obligation to protect the wives and children of Englishmen, Frenchmen, Germans, or Russians? If the author died in America, leaving no wife and no children, his assignees would not get the extension of fourteen years beyond the twenty-eight years; the right is limited, if he is dead, to his widow or his children. The English author might be a bachelor; the Frenchman or the Russian author might have neither wife nor children, and if he had, why should we be protecting them beyond the original grant of twenty-eight years?

I mention this to show that, in carrying out the provision of the Constitution, the American Congress had regard for the widow and the children of the American inventor and author, and it does not at all apply to a foreign author, because if the American had neither wife nor children the time expired in twenty-eight years. As I read this provision, the executors of an author who leaves no family can not get the extension; his assignees can not extend it; the extension of fourteen years is allowed for the benefit of his widow and children, and the public have a right to it at the end of the original term if he dies without a widow or children, unless I am wrong in my construction, and I should like some of the lawyers who have looked at the law more carefully than I have been able to look at it, to tell me if I am not right in that construction; and if I am, then twenty-eight years ought to be the absolute limit of copyright to any foreigner, no matter whether he is a married man or a single man, and the fourteen years' extension given to our own authors, if they die leaving a widow and children, being simply a legislative provision for the benefit of the widow and children, and not for the benefit of anybody else, it ought not to be extended to foreign authors; the pending bill is not right in that regard. The reading public should have the monopoly removed at the end of the original term. While a great deal can be said and a great deal has been said in favor of giving authors the benefit of the product of their brains, and much eloquence has been expended to show that it is wrong to deprive them of it, there have been very distinguished men in England, as I see by the statements in this report, who have opposed it even in England. I saw something copied the other day from a very celebrated English author who opposed it. Mr. Gardiner G. Hubbard, while before the Senate committee in opposition to this bill, among other things, said:

I said that England in its law of copyright did not recognize any natural right of the author, or any right of property in the author, but only passed such laws in regard to copyright as were for the interest of the people. Similar arguments and almost the same language that have been used in this hearing were used by Mr. Carlyle and Thomas Hood in the discussion before Parliament in 1841 and 1842 of the measure introduced by Sergeant Talfourd.

They were opposed by Hume, Grote, and the philosophical radicals on the ground that any extension of copyright must enhance the price of books, and by Lord Macaulay, who argued that there was no natural right of property and that copyright was a monopoly, making books dear, and as such only to be justified within certain limits by expediency. Copyright he defined as "a tax on readers for the purpose of giving a bounty to writers."

And we may add in this bill to publishers and type-setters three times, perhaps, the monopoly which will be given to the author.

The question of international copyright was subsequently tried before the House of Lords, which decided that—

"Copyright is altogether an artificial right, not naturally and necessarily arising out of the social rules that ought to prevail among mankind, but is a creature of municipal laws of each country."

Now, Mr. President, I have said a good deal more than I expected to say about this bill. Even if I was willing to do something in the general direction, I should like to see the measure divested of many of the features of monopoly which I think have been brought into it in violation of the principles that ought to be regarded in an international copyright law.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. VEST. Mr. President, it is not my purpose to argue this question at all, but I do not like the category in which my friend from Kentucky [Mr. BECK] has placed all of us who have indicated a disposition to support the principle of this bill. In what I said the other day I only stated the principle on which the bill is based. As to its details I recognize the objections of the Senator from Kentucky and I have made a motion to strike out the second section. What I said then, however, I repeat to-day as to the general principle of an international copyright law.

I never will admit that the Congress of the United States should refuse to a foreign author the privilege or the right of property in his own intellectual production; and whenever the Senator from Kentucky carries his argument to its legitimate extent he attacks the copyright law in the United States and in every other civilized country in the world.

Mr. President, as a Democrat, Jefferson is considered good authority for granting a copyright law. In the fifth volume of his works he says, in writing to Oliver Evans in regard to this question:

Certainly an inventor ought to be allowed a right to the benefit of his invention for some certain time. It is equally certain it ought not to be perpetual;

for to embarrass society with monopolies for every utensil existing, and in all the details of life, would be more injurious to them than had the supposed inventors never existed; because the natural understanding of its members would have suggested the same things or others as good. How long the term should be is the difficult question. Our legislators have copied the English estimate of the term, perhaps without sufficiently considering how much longer, in a country so much more sparsely settled, it takes for an invention to become known, and used to an extent profitable to the inventor. Nobody wishes more than I do that ingenuity should receive a liberal encouragement; nobody estimates higher the utility which society has derived from that displayed by yourself.—*Jefferson's Works*, volume 5, page 75.

The principle of copyright is too well established in the civilized world to be overthrown to-day. The framers of the Constitution intended in the provision which the Senator from Kentucky has read to simply assert that in the interest of science and literature and intellectual invention the copyright law should be established by Congress, as has been done.

Mr. President, I have never asked and never advocated any other principle than the International Copyright Union, and I call the attention of the Senator from Kentucky, when he makes the statement that the United States does not stand alone in regard to this question, to that International Copyright Union itself. One of its provisions is this:

Authors within the jurisdiction of one of the countries of the union, or their heirs, shall enjoy in the other countries, for their works, whether they are or are not published in one of these countries, the rights which the respective laws of those countries now accord or shall subsequently accord to their own countrymen.

The countries that entered into this union are Germany, Belgium, Spain, France, Great Britain, Hayti, Italy, Liberia, Switzerland, and Tunis.

President Cleveland in referring to the International Copyright Union in his annual message, December 6, 1886, said:

Inasmuch as the Constitution gives to Congress the power "to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries," this Government did not feel warranted in becoming a signatory pending the action of Congress upon measures of international copyright now before it, but the right of adhesion to the Berne convention hereafter, has been reserved. I trust the subject will receive at your hands the attention it deserves, and that the just claims of authors, so urgently pressed, will be duly heeded.

That is all that any friend of literature demands, that the people of this country shall simply give to the authors of another country the protection that they give to our authors, that there shall be in the commonwealth of letters no geographical distinction. That is all.

All that the Senator has said with regard to trusts and monopolies, I thoroughly agree with. I do not know a single publisher in the United States that I have been approached by but one, and that was in opposition to this bill. The pamphlet which I hold in my hand has been distributed, I take it, from most patriotic and disinterested motives, and every Senator present has a copy of it. I would ask the Senator from Kentucky if he ever heard anything anywhere that excels this argument in favor of protection.

That in point of numbers, also, the advantage would be against the American author. The foreign authors, whose works could be copyrighted in this country, and who would then be able to transfer the exclusive right to American publishers, would outnumber the American authors ten to one, and the American author would be brought right face to face with ten foreign authors that he now does not have to compete with.

If that is not monopoly and protection run mad, I do not understand the English language. This is a pamphlet handed me by an agent of American publishers entitled "Some reasons why Senate bill No. 554 (providing for international copyright) should not become part of the Revised Statutes of the United States"—this bill we are now considering—

It is only the American author who can now go to our publishers and say "I can give you the sole right in the United States."

They have got the monopoly, says this pamphlet—

If, however, this bill becomes a law, all the foreign authors of England, Germany, France, and other countries would be enabled to give the same exclusive rights as the American author now does. The American author would be confronted by so great an array of foreign authors as to almost, if not quite, appall and discourage him from further effort in the line of authorship. Publishers could buy the fruits of literary work cheaper in foreign markets than at home, and the tendency would be to lower the price for American authorship, consequently to deteriorate the quality of such work.

That is protection run mad. Here are the Senator from Kentucky and myself agreed that the argument that protection which excludes foreign articles from the market of this country is logically wrong and defective; and yet on this bill he is about to adopt that identical argument, and this pamphlet that is here now in the interest of protection and monopoly for the American authors who take books which they have no right under heaven to appropriate and sell them and put the money in their own pockets so proclaims. There can be no worse thing than this and nothing more dishonest. If you strike down this bill, or the principle of it—I say nothing of the details—you strike down the principle which underlies all right of property, that of creation, whether it be intellectual or manual. That is all I propose to say about it.

Mr. BECK. I will say to the Senator from Missouri that I have read no pamphlet since the report of the committee. I received a letter this morning containing a newspaper slip, and a friend handed me a newspaper awhile ago and I looked at it without reading it over. All I know is what I have seen in the report. As to the laws to which I have referred as to Great Britain, France, and Germany, I take them from the report of the committee and from the statement of R. R. Bowker, of New York, who seems to be an intelligent man, and who says:

The English copyright laws are quite similar to our own. The copyright for a book endures for forty-two years from the date of publication, or for the author's life, and for seven years after death, whichever of the two terms may be the longer.

Aliens may claim a copyright if they are within the British dominions at the time of publication; and, by a late act of Parliament, the Queen is empowered to direct by an order in council that foreign authors shall be entitled to English copyrights, where the country of which the foreign author is a citizen has granted reciprocal rights. The present state of the British law is such that it is difficult to ascertain the rights of foreign authors in that country. The British courts have never been favorable to the claims of foreign authors, so that there is a general unwillingness among Americans to apply for English copyrights.

France, with characteristic liberality, gives foreigners and natives the same copyright privileges. The term of copyright is for the life of the author and for fifty years afterwards. Copyright property is protected by stringent provisions of the statutory law of France.

Literary and dramatic copyright in the German Empire rests on an elaborate statute, which went into effect June 11, 1870. The term is for the life of the author and for thirty years after his death. Works by foreign authors are protected in Germany when published by a firm having its place of business within the German Empire.

Italy grants copyrights for eighty years, or for the life of the author, and for forty years after his death, whichever may be the longer term. She also places foreigners upon precisely the same footing as natives.

In Russia a copyright lasts for the author's life and for fifty years afterward, and it would seem that foreigners resident in Russia are entitled to the same protection as natives.

And so on, giving the laws of each one. The International Copyright Union, I suppose, is that done by the parliament of each country; I do not know.

Mr. CHACE. If the Senator will allow me, I will try to enlighten him in regard to that matter.

Mr. BECK. I based what I said on the report of the committee.

Mr. CHACE. That is an old hearing.

Mr. BECK. One year old.

Mr. CHACE. No.

Mr. BECK. I beg pardon.

Mr. CHACE. Two years old. The governments of Great Britain, France——

Mr. BECK. The reprint is by you now as part of your report.

Mr. CHACE. It is a reprint of an old hearing.

Mr. BECK. It is a hearing at the last Congress.

Mr. CHACE. I want to inform the Senator from Kentucky that under the provisions of the International Copyright Union those governments which are members of that union accord each to the citizens of the other states the same privileges within their own domain that their own citizens acquire by law in the other.

Mr. VEST. I read it.

Mr. CHACE. That fact simply disposes of the statement of the Senator from Kentucky.

Mr. VEST. But the section that I read includes Germany, Great Britain, and France, and they give under the terms of that International Copyright Union the same rights to the authors of those countries that they accord to their own principle. That is all I ask now. I say it is a right one and a just one.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Missouri [Mr. VEST].

Mr. CALL. Mr. President, this is a very important question, and deserves careful consideration. The question of the expediency of giving a man an exclusive right for a limited time in his writings is one in regard to which I presume there would be very little difference of opinion. Certainly it is the creature of municipal law entirely, and the only question that can properly be considered in regard to it is how far it promotes the general welfare and progress of the people. A right of property in external things has been from the foundation of the law regarded as a proper institution of society and government; but the right of property in a man's thoughts is an altogether metaphysical right, an intangible right.

There can be no monopoly upon thought, and the Constitution happily expresses it by saying that Congress shall have power for a limited time to give to authors the exclusive right to their writings, the thought embodied in writing books, a subject of property according to the law that Congress in its discretion may pass—not because of the author, but for the promotion of science and the arts. In this discussion it has been asserted time and again that the man himself had a right superior to all others, but that is not the philosophy of life. A man lives not for himself alone; he could not live for himself; and what he derives as his own in all the higher views of life must be to enable him to make his contribution to the work of his kind and of his age, to the work of the improvement of mankind, of the progress of mankind.

No system of law has ever been predicated upon the idea that a man lives for himself alone, and that his rights are to be regulated from an entirely selfish point of view. Thus Blackstone in his commentaries upon the law has said what perhaps can not be so well said by any one else:

In the beginning of the world, we are informed by Holy Writ, the all-bountiful Creator gave to man "dominion over all the earth, and over the fish of the sea, and over the fowls of the air, and over every living thing that moveth upon the earth." This is the only true and solid foundation of man's dominion over ex-

ternal things, whatever airy metaphysical notions may have been started by fanciful writers upon this subject. The earth, therefore, and all things therein, are the general property of all mankind.

It was therefore external things that a man had a right of property in. As civilization advanced the embodied or written thought became in the interest of mankind a right of property for a limited time in order that the progress of science might be promoted, not for the benefit of the man, but for the higher benefit of the promotion of science and the useful arts for all mankind.

Mr. President, that is one idea. Is that the idea of this bill, the promotion of science and the useful arts? This bill contains several features: one is the copyright for a limited time to the author of a writing; the other is a condition upon which that right shall be conferred. It is not a recognition, as has been said here in the argument, of the right of the author to the creation of his brain, but it is a recognition of the right to the exclusive property in it for a limited time upon condition; and what condition? Upon the condition that he shall reprint, republish this product of his brain, in the limits of another country in order that right of property may be recognized there, that he shall give employment to the artisans, the capital, the material of another country. These two ideas are entirely distinct, and if beneficial they must stand upon separate and distinct grounds.

It will not do to confuse these two propositions together. One is of one character, for the promotion of science and the useful arts, the other for the promotion of the material welfare and prosperity of the people. The one by this bill is made conditioned upon the other. There is and can be no connection between these two things. This bill declares that a foreign author shall not have a right or property in his writings in the United States unless he shall give a part of his property to the support and maintenance of the industries of the United States. It makes by law a levy of a forced contribution upon him.

Now, Mr. President, how far is it expedient that we shall limit the diffusion of thought? How far is it expedient that we shall say to the intellect of England or of Europe or of Asia or of any part of the world, "You shall not have access to the general mind of the people of the United States; it shall only be communicated if you obtain any great discoveries in science or in art to those who possess the means of purchasing whatever may be found for their own use at whatever cost?"

How far is it wise to say that we shall limit the progress of thought and discovery by excluding from the mind of our people the intellectual progress in science and in art of the people of another country, unless we can combine it with profit to our own people? That is not a wise position in which to place this question. It is thought, and cultivated thought alone, that bursts the bands of ignorance and that trains men and teaches men to pursue those higher paths of political economy, of individual attainment, of industrial success that are necessary to make a people progressive and attain the highest possible point of human excellence.

The thought of all human kind is not more than sufficient to develop continuously the highest capabilities of the race and reach the goal of the possible future of our kind. Educated thought, applied science, is the only real imperishable wealth which can be transmitted from one generation to another. Why limit it within bounds? Why say it shall not flow freely and with as little cost as may be into the minds of our people? Why say, as does this bill, that the people shall not be educated by foreign thought and foreign discoveries unless the American publisher, manufacturer, and artisan can make profit out of the education of our own people?

Therefore I consider that unless it can be demonstrated that to publish and print a book in the United States of America will make it cheaper, will render it generally accessible to the reading public, such a condition ought not to be attached to it. The best attainable thought for the least amount of labor—or of money, the representative of labor—should be, in regard to intellectual thought, the great object to be attained.

Now, what does this bill provide in that direction? A man obtains a copyright of his written thought in any foreign country. He places it in the hands of a publisher. The expense of the setting of the type, of the plates, all the great cost of the work, is incurred there. Will it cheapen it to have that book reproduced here from the beginning, the cost duplicated?

Or if the whole world were open to its sale printed from the original plates would it not diminish the cost? The international copyright law is that a copyright in one country upon the observance of certain forms becomes a copyright all over the world, including this country; would not this larger audience, this larger number of customers or purchasers make it the interest and good economy in the publisher who has once incurred the cost to put the book down to its lowest possible value? You have given a monopoly now; why not let the laws of trade apply to it and give him the largest number of customers that the reading public of the world can furnish? That is what an international copyright should mean.

But this bill is predicated upon the idea that you attach a condition to this right of ownership in this country; that the work shall be republished here, the types reset, the plates remade, the whole material of American production and American use, and the artisan to be of American character. Unless that condition is attached to it the law is made inoperative by the bill, and the right of authorship here is denied.

I take it that is the great question for consideration, and whatever may be the theory that is represented by schools of political thought in regard to the importation of foreign productions or the increased price here, whatever may be those theories in order to give better employment and better wages, there must be a limit put upon them. This should not be applied to embodied human thought, to the discoveries of abstract or practical truth.

If you wish to accomplish anything, it must be by the best ideas that the human mind can produce, and we had as well enact as this bill does in words, that however great may be the discovery in any economy of life, in any subject of thought, however elevated it may be in the production of art, however much to the advancement of mankind may be the intellectual effort elsewhere in the world, unless it can be brought here and materialized into new employment for labor and for capital, it shall be excluded from the great mass of the people of this country. That is the declaration of this bill.

My friend from Rhode Island, whose ability and disinterested advocacy of this bill I admit and appreciate, I think makes a mistake in that point of view. He believes, and there is some force in the suggestion in some directions, but not in this, that the association of effort of labor, of capital in the great publishing houses of this country, whatever it may be called, possessing gigantic resources in money and credit, is enabled to pursue cheaper economies, to buy larger quantities, to employ labor more permanently and advantageously, and in many respects to accomplish economies and reduce prices which could not be done by the individual laborer.

That is certainly true, and it may be that in this country hereafter we may see some legislation necessary to restrict these great powers of association or direct them, not in the interest of preventing their cheapening of production, but in the interest of stopping their preventing that competition in pursuits which although it may bring greater cheapness, which the subsistence of the people may demand, yet represses individual effort. Perhaps one of the best thinkers of this age is Rev. Heber Newton, of New York, a clergyman and a man of profound thought, of ceaseless activity of mental effort. He has alluded to this as the age of associated powers and associated effort, and the civilization of the country no doubt is turning in that direction. The trusts are the outcome of this thought or principle of economy.

I saw the other day in the newspapers of New York that a trust had been created and common organization of their resources and that they had agreed upon cheapening the price of papers to 3 cents. Certainly that is not an evil, but at the same time further on great evils may grow out of it.

So in reference to the great Standard Oil Company, which has cheapened the cost of oil to a great extent and has accomplished a large interest for the country in the balance of trade in the amount that we export to foreign countries. Some of the men who are connected with it are men of broad views and of great capacity and benevolence. Mr. H. M. Flagler, of New York, I think, is one of the most enlightened, sagacious, capable, and charitable men that I have ever known, but that does not prove that there may not be great incidental evils which the hand of legislation must touch even in the interest of these newly-developed powers and agencies of our new industrial life.

Legitimate as may have been in the past these great associations, reducing prices and accomplishing in some respects great public objects, still there are other points which are destructive to the public welfare, and which require the action of an enlightened legislation, not looking to their destruction but to the restraint of whatever there may be that affects injuriously the general welfare of the community and of the people.

So it is in regard to this trust for books which this bill creates. My friend from Rhode Island perhaps is right in saying that great associations of capital in the literary world in large publishing houses certainly can, if they will, produce these publications at a cheaper cost than any smaller aggregation of means, than any individual means can do. Certainly the risk of having others take a book which is not copyrighted, and when they have published an edition at great cost have another one placed before the public of less value, substituting the inferior publication for the superior one, deters associated capital from engaging in publication.

But it will not do to seek to vindicate it by the assertion that a cheaper book can be produced. It is manifest that if a man copyrights in America, and any of these great publishing houses shall purchase his work, become the assignee under the law, set the type, make the plates, employ the labor, purchase the material, they could furnish that book to the public at a smaller cost than it could be done by duplicating the labor and all the cost of setting the types again and making new plates.

My friend referred to the fact that in this debate it has been alleged that the American book was cheaper than the English book. Notwithstanding labor was dearer, notwithstanding there are many elements of cost here greater than in England, still the published copyright book in America is vastly cheaper in the proportion of from one-

third to one-half, and sometimes more, than the English book. Why? Because it has a larger circulation, because it is open to the sixty-odd million of American people who are readers, and therefore the cost of the book is distributed amongst so many more copies than in England.

But suppose the international copyright, pure and simple, prevailed and it was open to all the world, then the same reasons would of necessity reduce the cost just in proportion as the larger audience of the world was brought in.

Therefore, Mr. President, I appreciate the effort of the Senator from Rhode Island in seeking to give to authors the exclusive right for a limited time to their writings, and think that a consideration paramount to all others, because unless a man has the prospect of compensation for a great public work, however disinterested may be his purpose, however full of generous philanthropy he may be, it is essential that he shall have the stimulus of reward in those things which are necessary for himself and family. The comforts of life, the elegancies of life, the luxuries of life, for him and those who are dependent upon him are certainly, except in a few instances, necessary to the author. Therefore, I say, a paramount consideration for the progress of science is that the inventor shall have for a limited time the exclusive use of his writings.

Mr. President, while that is so, how careful must we be lest we mingle this question of the progress of science, of the progress of mankind, of the progress of thought, and the just compensation of the writer, the author, for his work—if we mingle it with the question of political economy of any kind within our great country. I appreciate the difficulties of formulating a law, but I do not think the features of this bill should subordinate the right of the author to that of the publisher, to that of the artist, to that of the artisan who sets the type.

I will not occupy a great deal of the time of the Senate; but what is the state of the law? It has been alluded to.

According to the English law authors enjoy a copyright for a term of forty-two years from the date of publication of the work, or during the life of the author and seven years from the date of his death, whichever may be the longer.

* * * * * * *

The Swiss grant copyright during the life of the author or to his heirs during thirty years from the date of publication of his work.

* * * * * * *

In the United States copyright is accorded to authors during twenty-eight years from the time when the title is recorded and for fourteen years more if the author or certain representatives of the author be living.

* * * * * * *

In Japan the ordinary copyright is accorded for 30 years, but the judicious Japanese consent to add fifteen years to that period in favor of works of great utility.

* * * * * * *

In Brazil the author enjoys a copyright for life, and it is extended for ten years after his death.

In Venezuela the copyright endures for the life of the author and fourteen years after his death.

In Holland and Belgium the copyright lasts during the life of the author and during twenty years after his death.

In Germany, Austria-Hungary, and Portugal copyright endures during the life of the author and during thirty years after his death. These countries, therefore, exceed the liberality of England in this matter by twenty-three years.

The law in England as here proposed does not meet the approval of the English people, and the strictures made here have been made there in regard to it. Neither does it meet the approval of Mr. Gladstone. He says:

I am not satisfied of the necessity of tying down authors to a uniform percentage, irrespective of their standing and credit in the literary world, of the form and price of the intended edition, and especially of the character of the work, as on the one hand, intended for the general public, or as, on the other hand, a professional or literary specialty.

He is in favor of an unrestricted copyright, with no conditions attached, but limited in point of time, not perpetual, not a perpetual right of property, but directly limited by law. The principle of the International Copyright Union is this:

It contains the so-called "manufacturing" clause. This clause gives a mortgage on the property of European authors to book manufacturers in America, and, to tempt book manufacturers in England to sanction the nefarious scheme, offers them the bribe of a light mortgage on the copyrights of American authors in England. The conspirators, intent on effecting the transformation of this bill into an act of Congress, allege that only by means of it, if any copyright in the United States be allowed to foreigners, can the American people continue to have cheap books. We have shown that this allegation is untrue, and that, on the contrary, a just international copyright law will conduce to make books cheaper than they have ever been, or, in the absence of such a law, can ever be on either side of the Atlantic.

I think there is no doubt about it. I think there is no question that if you extend the reading public to the whole world, whoever obtains the copyright of a book can publish it cheaper than if it is extended to only one country; that the American author, if he has the world, can sell his book to greater advantage than if he has only an American audience.

Then the only other question in the bill is, how far it is wise to promote by legislation the power of great associations, whether publishing houses or whether engaged in any other kind of business, for that question, separate and distinct, altogether is in this bill. If it be expedient that by legislation we shall promote the building up of great combinations, whether to control publication, or railroads, or commerce, or anything else, that is one question and a distinct one.

I think the tendency has been to encourage that policy as a matter of economy; but to-day we are rather seeking to restrain within proper limits, without injury, these great associations of capital; we are seeking to give them justice and protection by law without giving them perpetuity and increase of power, but to limit and restrain them within reasonable bounds.

But this bill assumes this question and makes progress in that direction; and while I am prepared to vote for any bill that will secure international copyright with the most simple conditions and limitations that can be attached in the interest of our people, an international copyright bill, and while I might perhaps be willing to vote for it alone, as a matter of policy for this country without reference to any other, I am not prepared to vote for that feature of this bill which makes a monopoly of thought and attaches a condition to it that it shall be published in our own country and of our own material and from our own labor. However that may or may not be agitated by others, it is not right as a restriction upon thought—upon the commerce of mind with mind.

Mr. CHACE. Mr. President, I am very anxious to get a vote on this bill, and I think the Senate has heard very nearly enough about it. I did intend to reply to some of the positions taken by the Senator from Kentucky [Mr. BECK], but I will not occupy the time now to do it further than, on the general principle involved, to read from Woolsey's International Law, section 17, pages 31 and 32:

Among the jural principles of international law we name the obligation lying on the state to protect the individuals who compose it, not only from domestic but also from foreign aggression. This obligation emanates immediately from the prime function and end of a state, and is limited by the rightfulness of the subject's conduct in his intercourse with the stranger. * * * Inasmuch as rights and obligations are correlative, there is an obligation lying on every state to respect the rights of every other, to abstain from all injury and wrong towards it, as well as towards its subjects.

In section 15, he says, page 30:

But what are the rational and moral grounds of international law? The same in general with those on which the rights and obligations of individuals in the state, and of the single state towards the individuals of which it consists, repose. If we define *jus* to be the science which from the nature and destination of man determines his external relations in society, both the question, What ought to be the rights and obligations of the individual in the state? and the question, what those of a state among states ought to be? fall within this branch of science. That there are such rights and obligations of states will hardly be doubted by those who admit that these relations of natural justice exist in any case. There is the same reason why they should be applied in regulating the intercourse of states as in regulating that of individuals. There is a natural destination of, states, and a divine purpose in their existence, which make it necessary that they should have certain functions and powers of acting within a certain sphere which external force may not invade. It would be strange if the state, that power which defines rights and makes them real, which creates moral persons or associations with rights and obligations, should have no such relations of its own—should be a physical and not a moral entity. In fact, to take the opposite ground would be to maintain that there is no right and wrong in the intercourse of states, and to leave their conduct to the sway of mere convenience.

Woolsey's International Law, section 16, page 31:

But there are moral relations also which are not relations of justice, and which give rise to international morality. It may be, to say the least, that nations have duties and moral claims as well as rights and obligations. In matter of fact, some of these are generally acknowledged by nations, and have entered into the law of their intercourse, as for example the duty of comity and that of humanity. These relations were called by the older writers imperfect rights and obligations, not because the moral ground for them is incomplete, but because the right in particular cases can not be ascertained, and therefore ought not to be enforced nor the violation of right regarded as an injury.

In section 24, page 39, he says:

Comity is another duty of nations. To this source may be referred in part the privileges conceded to ambassadors, and the preference given in certain cases to foreign over domestic law by the courts of Christendom. Comity, as generally understood, is national politeness and kindness. But the term seems to embrace not only that kindness which emanates from friendly feeling, but also those tokens of respect which are due between nations on the ground of right.

A much wider sense is given to the term comity by those who embrace in it all those praiseworthy acts of one nation towards another which are not *stricti iuris*, that is, all that, the refusal or withholding of which, although dictated by malevolence, is not an injury, and so not a ground for war. But usages originating in comity may become rights by lapse of time.

Grotius, in his Rights of War and Peace, volume 1, section 4, on page 10, says:

* * * Right is a moral quality annexed to the person, justly entitling him to possess some particular privilege, or to perform some particular act. This right is annexed to the person, although it sometimes follows the things, as the services of lands, which are called real rights, in opposition to those merely personal. Not because these rights are not annexed to persons, but the distinction is made because they belong to the persons only who possess some particular things. * * *

In section 5, page 11, he says:

Civilians call a faculty that right which every man has to his own; * * * It likewise comprehends property which is either complete or imperfect;

* * * * * * *

Note by Barbeyrac:

By the word creditum, we are here to understand, not only the right a man hath to demand what is due to him by virtue of some contract, bargain, promise or law; but also the right we have to require satisfaction for any damage or in-

jury received; all which is included in the idea affixed to that word by the Roman lawyers.

Demosthenes says:

That we are justly more exasperated against those who, abounding in riches, commit evil actions than against those who are impelled by want to do the same. Humane judges are always right to make allowance for necessity; but where wealth is united with injustice no pretext can be pleaded in excuse.

Blackstone, book 3, page 1, says:

Wrongs are divisible into two sorts or species—private wrongs and public wrongs. The former are an infringement or prevention of the private or civil rights belonging to individuals considered as individuals, and are therefore frequently termed civil wrongs. The latter are a breach and violation of public rights and duties which affect the whole community considered as a community, and are distinguished by the harsher appellation of crimes and misdemeanors.

Pufendorf also says in his chapter on the Rule of Moral Actions, or of Law in General. (Abridgment, volume 1, page 79, note *n*.):

That the law should be just; that is, agreeable to the order and nature of things; for * * * whatever is just is advantageous.

And on page 81 he says:

The natural law is that which is so exactly and invariably fitted to suit with the rational and social nature of man that human kind can not maintain an honest, peaceable fellowship without observing its maxims.

NOTE p.—The law of nature is perpetual and irrevocable. * * *

The bill simply is intended to extend the provisions of our present domestic copyright law to foreign citizens. There is no provision in this bill as applied to foreign citizens that is not already in the present domestic copyright law.

I do not see the Senator from Missouri in his seat, but I was informed by him a few moments ago that he was disposed to withdraw his amendment, that he was satisfied from the discussion, and I now ask for a vote on that amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri [Mr. VEST]. It will be read.

The SECRETARY. After the word "printed," at the end of line 19, in section 2, it is proposed to strike out "from type set;" so as to read:

Two copies of such copyright book or other article printed within the limits of the United States, etc.

The amendment was rejected.

Mr. JONES, of Arkansas. I move to strike out all of that part of section 2 on page 4.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out from the beginning of line 22 of section 2, on page 4, to the end of the section, as follows:

During the existence of such copyright the importation into the United States of any book or other article so copyrighted shall be, and it hereby is, prohibited, except in the cases specified in section 2505 of the Revised Statutes of the United States, and except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation; *And provided*, That any publisher of a newspaper or magazine may, without such consent, import for his own use, but not for sale, not more than two copies of any newspaper or magazine published in a foreign country. All officers of customs and postmasters are hereby required to seize and destroy all copies of such prohibited articles as shall be entered at the custom-house or otherwise brought into the United States, or transmitted to the mails of the United States. In the case of books in foreign languages, of which only translations in English are copyrighted, the prohibition of importation shall apply only to the translation of the same, and the importation of the books in the original language shall be permitted.

Mr. JONES, of Arkansas. I wish to say that this bill is certainly liable to the objections of the Senator from Kentucky unless this amendment is adopted. There is no doubt this clause changes the tariff laws of the country if it remains in the bill. Under the present law books may be imported on paying the prescribed duty. If this section is adopted those books can not be imported at all. We propose to prohibit the importation of books which may now under the laws be imported. It seems to me we are exercising authority that we have no right to exercise, under the Constitution of the United States if we retain this section in the bill.

I hope there will be no opposition to the proposition to strike it out, because I am anxious to vote for the bill. I believe it is just and proper that the rights of foreign authors should be protected by the laws of this country, and I am unwilling to vote against giving them some sort of protection in the United States; but if it has to be done at the expense of a violation of the Constitution, if it has to be done at the expense of violating the tariff laws of the country, there is nothing for me to do except to vote against the bill, which I confess I shall do with very great reluctance but will consider myself compelled to do if this amendment shall not be adopted.

Mr. CHACE. I hope the Senator from Arkansas will excuse me, but I imagine that he, perhaps, has not considered the breadth of this proposed amendment and its effect. It should be remembered that this bill is simply an amendment and an addition to our present copyright law, and if the amendment proposed by the Senator from Arkansas should prevail the effect would be to strike down the value of our domestic copyright law.

Mr. CALL. Will the Senator allow me to ask him a question?

Mr. CHACE. With great pleasure.

Mr. CALL. How can he say that by this amendment our domestic copyright law will be affected at all? That law does not apply to foreign authors; it relates to our own authors and such foreign authors as may be resident here.

Mr. CHACE. That is very true; but if the Senator will consider for one moment he will see that in a previous section of this bill we have struck out the provisions debarring foreigners, and that has spread the operation of our copyright law over the world. Now, it is proposed by the amendment of the Senator from Arkansas to allow the importation from abroad of books copyrighted here, and that operates upon every provision in the copyright law as it stands on the statute-book; and the result will be that the Government of the United States will be deprived and debarred of the power under the statute to protect our own citizens. I will read to the Senator the provisions of the law as it at present stands:

SEC. 4964. Every person who, after the recording of the title of any book as provided by this chapter, shall within the term limited, and without the consent of the proprietor of the copyright first obtained in writing, signed in presence of two or more witnesses, print, publish, or import—

I ask Senators to notice that word "import"—

or import, or knowing the same to be so printed, published, or imported, shall sell or expose to sale any copy of such book, shall forfeit every copy thereof to such proprietor, and shall also forfeit and pay such damages as may be recovered in a civil action by such proprietor in any court of competent jurisdiction.

There is the statute on our book to-day, and yet the Senator from Kentucky rises in his place here and says this bill proposes to make an inroad on our existing legislation.

Mr. CALL. That relates only to domestic production, the book copyrighted here, the American author or the foreign author who comes here or is resident here, and therefore it has no relation to the subject-matter of this bill, which applies to the foreign author who is not resident here.

Mr. CHACE. But we have amended this section and amended the present law, and now you propose to emasculate it by striking out this section.

Mr. CALL. Then I understand the Senator—I had not observed the amendment—to say that the law is amended so that the foreign author may copyright his book in the United States without being a resident here; but the condition remains that he must publish it here with American material and with American type.

Mr. CHACE. In other words, I repeat, we have upon our statute-book now a copyright law which provides that a citizen or a foreigner residing in the United States may acquire copyright under certain conditions. One of the conditions is that the book must be printed and published in this country. It can not be imported. Now, what does this bill propose to do? It simply proposes to extend the privileges of copyright to the citizen of a foreign country upon precisely the same conditions that we have put upon American copyright, and I ask any Senator if he can name now any reason which should move a member of the Congress of the United States to grant to a foreigner the privileges of copyright with any less restrictions than we put upon our own citizens.

Mr. JONES, of Arkansas. I wish to suggest to the Senator from Rhode Island that under the law as it stands at present a foreign book may be imported into the United States by paying a certain tariff duty. It seems to me that the American people have some interest in that fact, that they have some right to import foreign books if they choose to do so and read them, by paying the tariff duty. Now, when we pass this bill, I do not propose to cut off that right to any extent; but to allow them to stand precisely as they are now with regard to foreign works, and if they wish to import foreign books by paying the same tariff duty that they are required to pay now, that they should have the poor privilege of doing so, and that they shall not by the enactment of this law which is proposed to protect foreign authors be deprived of the right to get books from abroad by paying the tariff which they have now the right to pay upon their introduction.

We certainly do no wrong by this; and it seems to me there can be no sort of question that if we accord to foreigners the right to come here and get our copyright, the American readers ought to have the right, if they choose to do so, to import foreign books by paying the rates of tariff duty imposed on those books. That is the gist of my amendment. It will do no harm, and it seems to me we ought to do no less for American readers.

Mr. GRAY. Mr. President, I should like to ask the Senator from Rhode Island a question, in view of the law which he has just read and which I understand to be the law that has existed for years on our statute-book——

Mr. CHACE. It is the existing copyright law.

Mr. GRAY. It prohibits the importation into this country of any imported books that are copyrighted here. That is the substance of it.

Mr. CHACE. That is the law, and I will say to the Senator that there are one or two exceptions which are provided for by special statutes.

Mr. GRAY. But that is the general scope of the law.

Mr. CHACE. That is the general scope of the law fairly stated.

Mr. GRAY. I want to ask the Senator whether, in case this amendment of the Senator from Arkansas were adopted, that law which he has just read would still apply to prohibit the importation of a copy of a book copyrighted under this international law?

Mr. JONES, of Arkansas. By an American author.

Mr. CHACE. I understand the American author is protected—entirely so.

Mr. JONES, of Arkansas. I do not think that is a legitimate construction of that law. The American author would still have exactly the same rights he has now under the law, and the European author would simply be required when he came here to take out his copyright, and the right of the American reader to acquire these books if he chooses to do so by paying the ordinary duties would be preserved.

Mr. CHACE. I appreciate the motive of the Senator from Arkansas; I understand perfectly well what he wishes to get at; and I desire to say that I know he is honestly in favor of according to foreigners their full privileges of copyright here, and I do not wish to be technical with him. However, I am entirely satisfied that his amendment would be fatal to the bill. This is no new subject to me. This bill has been elaborated after the most careful consultation and consideration by men eminent in the law who have made copyright law a specialty. The bill has been elaborated and brought out by men some of whom are the most pronounced free-traders in this country. It is honestly advocated by pronounced free-traders in this country, and I say to Senators here, if the Chair will pardon me, that if you adopt this amendment you will emasculate the bill.

I ask the Senator from Arkansas, suppose he strikes out this provision in the bill, and suppose a copyright is taken out in this country and some printer sets up a press in Denmark, a country which is not in the International Copyright Union, and you have no provision to prevent the ingress of books so printed into this country, being editions of works which are copyrighted here, you have stricken out all power of exclusion. That foreign publishing house within the territory of Denmark may put any imprint it pleases upon those books and bring them to your custom-house and enter them and spread them broadcast all over this land and you have no means of preventing it. You have destroyed the power under the statute to protect not only the foreign but the American author. You have stricken down the whole force and value of your law.

Mr. KENNA. May I be allowed to ask a question in that connection for information, because I am not unfriendly to this bill? I understand the object of the Senator from Arkansas and the manner in which he proposes to accomplish that object. He seems to think that the duty imposed by the existing statutes on the importation of a book would be in itself a sufficient margin of difference between the foreign production and the production here. If that is so I am entirely satisfied with the amendment.

Mr. CHACE. I will reply to the Senator that it is very possible that within one year or two, or five, or ten years the duties may be taken off books. It is the earnest hope and expectation of many of our friends on the other side of the Chamber and of many of the earnest friends of this bill that that day may soon come. On this side it is the ardent hope and expectation that that day may never come, "one of whom I am." Nevertheless the question of the tariff, as I have said over and over again, can have no possible influence on the effect of this law. If you pass this bill and strike down the duty on books it will have no effect whatever. You have no means under the tariff act of ascertaining, unless you make some provision in this statute for ascertaining, whether a book is copyrighted when brought into this country or not. What right has a collector of customs to investigate that question unless you make some such provision?

Mr. KENNA. I have not been engaged in the discussion and do not desire to follow it up; but what led me to make inquiry was what appeared to be an anomaly to me, that you should in the first place allow a foreign writer of a book to come into this country and secure a copyright, and at the same time have in force on your statute-book a tariff on the importation of foreign books which your copyright will exclude from being imported.

Mr. CHACE. The Senator from West Virginia well knows that the present domestic copyright law only applies to citizens of the United States.

Mr. KENNA. I am talking about your bill that you propose to adopt, by which you provide that the foreign author of a book may come into this country and have his book printed in American type; I do not know where that type is to be set.

Mr. CHACE. In this country.

Mr. KENNA. Well, set in this country. He is protected against competition because of the exclusion which his copyright gives him, but at the same time your revenue law imposes a duty on the importation of that very book.

Mr. CHACE. Very well. The revenue laws apply to all books. There are a great many books which have long since passed out of copyright. This bill is not retroactive in any sense. It is a matter of great complaint on the part of authors of Great Britain to-day that this bill is not made retroactive. They say, "We have copyrights running, and it will not apply to such books." There is a vast sea of literature in existence on the other side in all languages that we are drawing upon constantly, and these duties apply to all such books. The importations of such books no doubt will continue. There is no doubt that a great many books will be published hereafter, if this bill becomes a law, which will never be copyrighted in this country.

Mr. CALL. I should like to ask the Senator if it is not true that an American author can now copyright his book in England and in most foreign countries if he does so before publication here and by producing the book over there?

Mr. CHACE. I would say to the Senator from Florida that the people of Great Britain have set us a very fine example of liberality and comity and good neighborship between nations. The English Government are very liberal. They have enacted a statute which is rather onerous in its provisions, which requires previous publication in Great Britain, but out of their extreme liberality they have construed the law that, if a book is published the same day over there that it is here, it is published previously, so they give us copyright by our authors going to live on that soil.

Mr. EDMUNDS. Let me ask the Senator how is it about the English law regarding books brought there by travelers, French or German books that you or I may have coming from Paris to London. We may have one little book that we have bought on the continent, a novel, or whatever to read; but it is taken from us at the English custom-house.

Mr. CHACE. I will say in regard to that, that you must have an English copyright edition and then you are all right. But I want to say further that the provisions in this bill that seem to be regarded as so onerous by Senators are simple and harmless and inoffensive compared with any amount of British free-trade legislation on the same subject. They seize the tobacco pipe as they seize tons upon tons of literature that has been imported into Great Britain, and American citizens have had books taken away from them at the custom-house and burned up.

Mr. CALL. I will ask the Senator another question. Is it not true that a British author can come to the United States and obtain a copyright?

Mr. CHACE. He may come here to live. The author must come here and live, but we do not construe that matter of residence as liberally as the English courts do. The foreign author is debarred from the privileges of copyright in this country.

Mr. CALL. I understand temporary residence is required; and so the law now is that an American author must publish his book and copyright it in England by a temporary residence, and the British author or any other foreign author can copyright his book in the United States as the law now is by simply sending here and publishing it.

Mr. CHACE. That is a most extraordinary statement. I ask the Senator from Florida to cite me to a single English copyright ever taken out in this country.

Mr. CALL. I can not cite the Senator to one.

Mr. CHACE. The Senator is mistaken; that is all.

Mr. CALL. Is not that the law of the United States, that by residing here he can publish a book and copyright it?

Mr. CHACE. But the residence is construed to be a real residence and not a technical one, as it is in Great Britain.

Mr. CALL. That depends on who construes it.

Mr. CHACE. The courts.

Mr. GRAY. As I read the law quoted by the Senator from Rhode Island, section 4964 of the Revised Statutes for the protection of American copyright, it provides that:

> Every person who after the recording of the title of any book as provided by this chapter, shall, within the term limited, and without the consent of the proprietor of the copyright first obtained in writing, signed in presence of two or more witnesses, print, publish, or import, or, knowing the same to be so printed, published, or imported, shall sell or expose to sale any copy of such book, shall forfeit every copy thereof to such proprietor, and shall also forfeit and pay such damages as may be recovered in a civil action by such proprietor in any court of competent jurisdiction.

That law has been deemed sufficient for the protection of the domestic copyright, that is for the copyright of an American book, and has been, I take it, the law of the land for some time.

Mr. CHACE. Oh, no.

Mr. GRAY. One moment.

Mr. CHACE. I thought I would save the Senator a little, but I will wait.

Mr. GRAY. That is the law to-day for the protection of the American owner of a copyright. Now, we propose by this bill to amend the Revised Statutes so that the copyright privileges secured by our copyright law shall not be confined to Americans, but may be extended to foreigners who under certain conditions prescribed shall enjoy all the privileges of the protection of our copyright laws. So, then, after this bill presented by the Committee on Patents has become a law, it seems to me that the foreigner who expects to enjoy the privileges therein extended will come within the provision of section 4964, because it reads that—

> Every person who, after the recording of the title in any book as provided by this chapter—

And the chapter will have been so amended on the passage of this bill as to include foreigners—

> shall within the term limited import a book so copyrighted—

Shall be subject to such penalties as are named in the section. So the passage of this bill with the amendment of the Senator from Arkansas, which strikes out all these harsh provisions contained on page 2, requiring the burning of the books, the consent of the author, and a great many

additional restrictions beyond what are deemed necessary to protect the American copyright, will leave the law in such a condition that the foreign owner of a copyright will be precisely on a par with what has been the status of the American owner of a copyright heretofore; and it seems to me with that he should be content.

Mr. CHACE. The Senator thinks he would still be prohibited from importing the book?

Mr. GRAY. Yes.

Mr. CHACE. Then why object to the provisions of this statute?

Mr. GRAY. Because they are a great deal more harsh and a great deal more stringent than seems to be necessary. They require the books to be burnt, etc. Whatever we may think of section 4964, it is the law to-day; whether it be a wise law or not, it is the law; and it seems to me it should apply for the protection of the foreign copyrighter when this bill passes, if it does pass, and so those words ought to be stricken out.

Mr. CHACE. Then the Senator from Delaware concedes the whole point except that he does not like the provision that the book shall be destroyed. If it be in the way of harmony to expedite the passage of this bill I do not know that I would object to substituting a provision to have the books forfeited.

Mr. GRAY. I am not making any point about it. I like the amendment of the Senator from Arkansas; but I do not understand why the Senator from Rhode Island, who is advocating the bill, should so insist upon these particular and peculiar provisions in regard to the importation of a book that is copyrighted, when the existing law, which has been considered sufficient for the American copyrighter, would apply to the foreigner when the bill passes.

Mr. CHACE. The Senator from Delaware will perceive, if he will examine with care, that the provision is drawn with special reference to what is necessary to protect the foreign copyrighter here. It is not likely, and it has not been found to be the case, that foreign publishers have attempted to print American books and introduce them into this country, infringing our copyright laws. The temptation has not existed. But if you grant a foreign author a copyright for books which he publishes abroad, the temptation then may exist. You do not want to grant him a privilege and at the same time throw open the door which will infringe on the rights of your American copyright.

Mr. GRAY. But are not copies of American copyrighted books printed abroad, and can they not be imported?

Mr. CHACE. They can be imported.

Mr. GRAY. And is not the American copyrighter exposed to that danger from which this section designs to protect him?

Mr. CHACE. He is exposed to it. The law prohibits it, as you see, in section 4964.

Now, I want to say one word further in regard to the amendment. I take it the Senator from Arkansas does not mean his amendment in all the breadth and scope he proposes. He would strike out the provisions in regard to translations. I take it he does not mean to do that. He would strike out the provision in regard to section 2505. I take it he does not mean to do that. In other words, this amendment will throw the bill out of harmony with itself, destroy its unity, and it will almost emasculate it. I hope the amendment will not be adopted.

Mr. HARRIS. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The Senator from Tennessee moves that the Senate proceed to the consideration of executive business.

Mr. CHACE. We are about to vote on the bill. I ask for a vote now on this amendment.

The PRESIDING OFFICER. Does the Senator from Tennessee insist on his motion?

Mr. HARRIS. If I was sure we could come to a vote without further debate, I would withdraw the motion for that purpose.

Mr. HAWLEY. Let us have a vote.

Mr. CHACE. I hope the Senator from Tennessee will let us have a vote.

Mr. HARRIS. If the Senate will come to a vote at once, I withdraw the motion.

Mr. CHACE. Give us a vote on the amendment.

Mr. HARRIS. I withdraw the motion.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Arkansas [Mr. JONES].

Mr. KENNA. I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CALL (when his name was called). I am paired with the Senator from Connecticut [Mr. PLATT]. I do not know how he would vote if he were present, but I should vote for the amendment.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. FRYE (when Mr. HALE'S name was called). My colleague [Mr. HALE] is necessarily absent from the Senate, and is paired with the Senator from Kentucky [Mr. BECK].

Mr. FAULKNER (when Mr. HAMPTON'S name was called). My pair with the Senator from Pennsylvania [Mr. QUAY] is transferred to the Senator from South Carolina [Mr. HAMPTON] in reference to this amendment and in reference to the bill. The Senator from South Carolina is paired with the Senator from Pennsylvania. I shall vote for the amendment.

Mr. HARRIS (when his name was called). On this question I am paired with the Senator from Vermont [Mr. MORRILL]. If the Senator from Vermont were here, he would vote "nay" and I should vote "yea."

Mr. KENNA (when his name was called). I am paired with the Senator from Minnesota [Mr. SABIN]. If he were present, I should vote "yea."

Mr. PAYNE (when his name was called). I am paired with the Senator from Delaware [Mr. SAULSBURY]. If he were present, he would vote "yea" and I should vote "nay."

Mr. RANSOM (when the name of Mr. VANCE was called). My colleague [Mr. VANCE] is necessarily at home. He is paired with the Senator from Michigan [Mr. PALMER].

The roll-call was concluded.

Mr. EDMUNDS (after having voted in the negative). I voted on this question, but I have a general pair with the Senator from Alabama [Mr. PUGH], and as he is not here, and I do not know how he would vote, I must withdraw my vote.

Mr. BLAIR (after having voted in the negative). I have voted, but I am paired with the Senator from Mississippi [Mr. GEORGE], who is absent. I therefore withdraw my vote.

Mr. KENNA. The Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Nebraska [Mr. MANDERSON]. The Senator from Kentucky would vote "yea," and I believe the Senator from Nebraska would vote "nay."

Mr. CULLOM. I announce the pair of the Senator from Colorado [Mr. TELLER] with the Senator from Louisiana [Mr. EUSTIS]. The Senator from Connecticut [Mr. PLATT] is paired with the Senator from Florida [Mr. CALL].

Mr. BLAIR. Is my colleague [Mr. CHANDLER] paired? He is absent in the service of the Senate. I do not know whether he is paired or not.

The PRESIDING OFFICER. There has been no pair announced for the Senator's colleague.

Mr. KENNA. There is a pair between the Senator from Illinois [Mr. FARWELL] and the Senator from South Carolina [Mr. BUTLER]. As far as we can we will transfer our pairs with Senators on the other side.

Mr. BLAIR. I have the consent of my colleague and of the Senator from Mississippi [Mr. GEORGE] to transfer his pair to my colleague, and so I am at liberty to vote. I vote "nay."

Mr. KENNA. I believe all the absentees are paired.

Mr. BECK. My pair with the Senator from Maine [Mr. HALE] has been announced. How he would vote has not been stated. I am satisfied the Senator from Maine would vote "nay" if he were here, and I should vote "yea."

The result was announced—yeas 14, nays 19; as follows:

YEAS—14.

Bate,	Daniel,	Ransom,	Walthall,
Berry,	Gray,	Reagan,	Wilson of Md.
Cockrell,	Jones of Arkansas,	Turpie,	
Coke,	Pasco,	Vest,	

NAYS—19.

Aldrich,	Cullom,	Hawley,	Sawyer,
Allison,	Davis,	Hoar,	Spooner,
Blair,	Dawes,	Mitchell,	Stewart,
Brown,	Dolph,	Paddock,	Stockbridge.
Chace,	Frye,	Plumb,	

ABSENT—43.

Beck,	Evarts,	Ingalls,	Quay,
Blackburn,	Farwell,	Jones of Nevada,	Riddleberger,
Blodgett,	Faulkner,	Kenna,	Sabin,
Bowen,	George,	McPherson,	Saulsbury,
Butler,	Gibson,	Manderson,	Sherman,
Call,	Gorman,	Morgan,	Stanford,
Cameron,	Hale,	Morrill,	Teller,
Chandler,	Hampton,	Palmer,	Vance,
Colquitt,	Harris,	Payne,	Voorhees,
Edmunds,	Hearst,	Platt,	Wilson of Iowa.
Eustis,	Hiscock,	Pugh,	

The PRESIDING OFFICER. There is not a quorum voting. The Secretary will call the roll of Senators.

Mr. HARRIS. I move that the Senate do now adjourn.

Mr. CHACE. I ask the Senator to withhold the motion for a moment.

Mr. HARRIS. I do so cheerfully.

Mr. CHACE. I ask unanimous consent that the Senate vote on this question and on the bill to-morrow at 1 o'clock.

Mr. EDMUNDS. You can not get unanimous consent when you have no quorum.

Mr. CULLOM. The bill will come up regularly to-morrow.

Mr. HAWLEY. We shall get a vote then, I guess.

Mr. HARRIS. I move an adjournment.

The motion was agreed to; and (at 4 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 1, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, *April* 30, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of Saturday was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. PARKER, on important business, until further notice; and also to Mr. LEHLBACH, on account of important business, until May 3.

CORRECTIONS.

Mr. RUSSELL, of Massachusetts. Mr. Speaker, I rise to a question of privilege. In the printed RECORD of this morning, on page 3649, I am recorded as having stated in the debate on Saturday afternoon:

The list of the bankruptcy courts for the last ten years in reference to the manufacturers of Massachusetts will show how many of them are being paralyzed.

I said, or meant to say, the "woolen" manufacturers of Massachusetts; and I beg that the RECORD be corrected by the insertion of that word.

Mr. ALLEN, of Massachusetts. Why did you not go on and explain why this paralysis had taken place?

Mr. RUSSELL, of Massachusetts. Because I was so broken up by interruptions and questions from the other side that I could not get to the statement of the fact that they were paralyzed by reason of high taxes on the raw material.

Mr. ALLEN, of Massachusetts. Why did you not explain that they were paralyzed because of certain rulings by the Secretary of the Treasury? [Laughter and applause on the Republican side.]

Mr. MILLS. The gentleman can explain that when the proper time comes. This, I understand, is only a correction of the RECORD.

Mr. O'NEILL, of Pennsylvania. What page does the gentleman refer to?

Mr. RUSSELL, of Massachusetts. Page 3649.

Mr. O'NEILL, of Pennsylvania. The RECORD I hold in my hand does not extend beyond page 3636.

Mr. RUSSELL, of Massachusetts. I suppose the gentleman has the wrong RECORD. The correction I ask to make simply refers to the insertion of the one word "woolen" before "manufacturers."

The SPEAKER. Without objection, the correction will be made.

There was no objection.

CHANGE OF REFERENCE.

The SPEAKER. The bill (H. R. 9445) creating the seventh judicial district of Dakota Territory, and providing a judge therefor, has been erroneously referred to the Committee on the Judiciary. Without objection, that committee will be discharged from its consideration, and it will be referred to the Committee on the Territories.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. MILLS. I move that the House now resolve itself into Committee of the Whole for the consideration of revenue bills.

The SPEAKER. That motion, the Chair thinks, could not be entertained until after the morning hour for the call of committees. Besides, this being Monday, the first business in order under the rule is the call of States and Territories for the introduction of bills and joint resolutions.

Mr. MILLS. But I understood the agreement with reference to the debates to cover Mondays as well as other days.

The SPEAKER. The Chair has examined the order made, and re-examined it since the question came up a few days since. The order does not set apart any days for the discussion of the bill known as the tariff bill. That is, it does not mention any specific days, but simply provides there shall be seventeen days' debate. Such orders are frequently made by the House—that when such matters are pending in Committee of the Whole there shall be so many hours' debate, but they do not fix the specific hours. It means that so many days shall be devoted to the discussion, such days as the House shall see proper to resolve itself into Committee of the Whole for that business.

Mr. MILLS. I move to dispense with the morning hour.

The SPEAKER. This day by the rules of the House is set apart for the call of States and Territories; and under the rules that will be the first business in order.

Mr. MILLS. Then I ask unanimous consent to dispense with that call.

Mr. TOWNSHEND. I ask the gentleman to allow bills to be presented at the Clerk's desk for reference.

Mr. MILLS. I have no objection to that.

Mr. BURROWS. I have a bill which I desire to offer and ask to have read.

The SPEAKER. The gentleman from Michigan objects.

Mr. BURROWS. No; I shall not object if the bill is printed in the RECORD.

The SPEAKER. Then without objection that order will be made.

There was no objection.

CLASSIFICATION OF PENSIONS.

Mr. BURROWS introduced a bill (H. R. 9737) to classify pensions and to facilitate the prompt settlement thereof, and for other purposes; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed, and also printed in the RECORD.

It is as follows:

A bill to equalize pensions, to facilitate prompt settlement thereof, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, upon application therefor, the names of the surviving honorably-discharged officers and enlisted men of the military and naval services of the United States who actually served ninety days, or more, subsequent to the 4th day of March, 1861, and prior to the 1st day of August, 1865.

SEC. 2. That pensions under section 1 of this act shall be at the rate per month of 1 cent for each day's service rendered, and payable only from and after the date of the passage of this act, for and during the natural lives of the persons entitled thereto: *Provided, however*, That in each and every case where the service so rendered was less than eight hundred days, the pension shall be at the rate herein established for a service of eight hundred days, to wit, $8.

SEC. 3. That all invalid pensioners who are now receiving pensions under existing laws, or whose claims are pending in the Pension Office, or before Congress, may, by application to the Commissioner of Pensions, in such form as he may prescribe, receive the benefits of this act; and nothing herein contained shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under any other general or special act at his election at any time: *Provided*, That no person shall receive more than one pension for the same period.

SEC. 4. That if any honorably-discharged officer or enlisted man of the military or naval service of the United States, who served during the period specified in section 1 of this act, has died, or shall hereafter die, leaving a widow, such widow shall be placed upon the pension-roll, upon her application, at the rate of $12 per month: *Provided*, That said widow was married to the deceased officer, or enlisted man, prior to the passage of this act: *And provided further*, That all pensions granted to widows under this act shall take effect from the date of death of the husbands of such widows respectively, but not dating from any date prior to the passage of this act.

SEC. 5. That rank in the service of any officer or enlisted man shall not be considered in applications under this act.

SEC. 6. That section 4716 of the Revised Statutes is hereby repealed so far as the same relates to this act or to pensions under this act: *Provided*, That this act shall not apply to those persons under the political disabilities imposed by the fourteenth amendment to the Constitution of the United States.

SEC. 7. That the Secretary of the Interior be, and he is hereby, authorized and directed to employ one thousand clerks, or such additional force as may, in his discretion, be deemed necessary, additional to those now employed in the Pension Bureau, to adjudicate all claims arising under the provisions of this act within two years from the date of the passage thereof. *And be it further enacted*, That the Secretary of War be, and he is hereby, authorized and directed to employ five hundred additional clerks, or such force as may be necessary, in the office of the Adjutant-General, United States Army, to dispose of the increased work consequent upon the passage of this act. *And be it further enacted*, That the several United States pension agents be authorized to increase their clerical force, subject to the approval of the Secretary of the Interior, to an extent necessary to promptly dispose of the increased work consequent upon the passage of this act, not to exceed twelve at each agency, and whose salaries shall be paid out of the moneys to be appropriated by this act.

SEC. 8. That so much as may be necessary to pay the pensions provided for in this act, and to pay for the increased clerical force in the offices of the Commissioner of Pensions, the Adjutant-General, and the United States pension agents hereinbefore authorized to be employed, be, and the same is hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated.

SEC. 9. That any agent, attorney, or other person instrumental in prosecuting any claim under this act who shall, directly or indirectly, contract for, demand, receive, or retain, for his services or instrumentality in presenting and prosecuting such claim, a greater sum than $10 (payable only upon the order of the Commissioner of Pensions by the pension agent making payment of the pension allowed), or who shall wrongfully withhold from a pensioner or claimant the whole or any part of the pension or claim allowed and due such pensioner or claimant, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall, for every such offense, be fined not exceeding $500, or imprisoned at hard labor not exceeding two years, or both, in the discretion of the court: *Provided*, That no fee whatever shall be allowed to any person whomsoever in any case where an invalid pensioner is granted an increase under the provisions of this act.

SEC. 10. That all the laws or parts of laws which conflict with the provisions of this act shall be, and the same are hereby, repealed.

COMMISSION ON FISH AND FISHERIES.

Mr. BUCHANAN. I was detained from the House on Monday by its order, on the Committee on Manufactures, and I wish also to make the same request as the gentleman from Michigan in reference to a bill that I would have introduced at that time had I been present.

The SPEAKER. Without objection, that order will be made.

There was no objection.

The bill (H. R. 9738) providing for the organization of the commission of fish and fisheries and defining its duties, introduced by Mr. DUNN, was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed, and also printed in the RECORD.

It is as follows:

A bill providing for the organization of the Commission of Fish and Fisheries and defining its duties.

Be it enacted, etc., That it shall be the duty of the Commissioner of Fish and Fisheries to continue the systematic investigation of waters of the United States, and of the biological and physical problems they present, with the object of determining the character, abundance, geographical distribution, and economical value of the inhabitants of the waters, both salt and fresh, as also their migrations and the cause influencing or regulating the same. This investigation is to be conducted on a broad and comprehensive plan, so as to arrive at the life

history of all species having economic value, as well as of those species to which they are intimately and essentially related.

SEC. 2. That he will continue the investigation into the history of the methods and apparatus of the fisheries and for the preservation and utilization of fishery products now in use, and will cause careful study to be made of new methods and apparatus introduced from time to time, with the object of determining their effect upon production, and furnishing the information upon which to frame intelligent legislation regulating the conduct of the fisheries and improving their methods and apparatus.

SEC. 3. That it shall be the duty of the Commissioner of Fish and Fisheries to provide for the collection of the statistics of the fisheries of the United States, especial reference being had to the fisheries of the Great Lakes and of the New England and North Pacific coasts of the United States, which are of international importance and may influence or become the subject of treaty stipulations. The statistical inquiry hereby authorized and directed shall be comprehensively planned to accomplish the purposes for which it is instituted.

SEC. 4. That it shall be the duty of the Commissioner of Fish and Fisheries to continue the work of artificial propagation of food-fishes and other useful inhabitants of the water, with a view to their introduction into and establishment in the interior and coast waters, and to the maintenance and improvement of the important commercial fisheries of the coast and interior lakes and rivers. To this end he will in his annual estimates transmitted to Congress provide for the maintenance and operation of the existing stations of the commission, and for the maintenance and operation of such additional permanent and field stations as may be from time to time authorized and directed.

SEC. 5. That the Commissioner of Fish and Fisheries shall appoint such employés as Congress may from time to time provide, with salaries corresponding to those of similar officers in other departments of the Government, and he shall, as Congress may from time to time provide, employ other persons, of expert knowledge, for such time as their services may be needed, including chemists, naturalists, and physicists, for the conduct of the researches and investigations required in the performance of the duties devolved upon this department, or which may be from time to time authorized and directed by Congress.

CONVICT LABOR.

Mr O'NEILL, of Missouri. Mr. Speaker, I ask unanimous consent to print in the RECORD the following petition in relation to convict labor; also the bill H. R. 8716 upon that subject, reported favorably from the Committee on Labor, and which will, during the next few weeks, be called for passage.

There was no objection, and it was so ordered.

The bill is as follows:

Mr. O'NEILL, of Missouri, introduced the following bill:

A bill to protect free labor and the industries in which it is employed from the injurious effects of convict labor by confining the sale of the goods, wares, and merchandise manufactured by convict labor to the State in which they are produced.

Be it enacted, etc., That every person who knowingly transports, or causes to be delivered for transportation, from the State or Territory in which they are in whole or in part manufactured, any goods, wares, or merchandise, in whole or in part manufactured by convict labor in any penitentiary, prison, reformatory, or other establishment in which convict labor is employed, to or into any other State or Territory, or into the District of Columbia, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $100 nor more than $5,000, or by imprisonment at the discretion of the court, and such goods, wares, or merchandise shall be forfeited to the United States.

SEC. 2. That it shall be the duty of the several United States district attorneys to prosecute all violations of this act by any person making the complaint under oath, and the same shall be heard before any district or circuit court of the United States or Territorial court holden within the district in which the violation of this act has been committed.

SEC. 3. That this act shall take effect at the expiration of sixty days from and after its passage.

The petition, which was ordered to be printed and referred to the Committee on Labor, is as follows:

To the Senate and House of Representatives of the United States in Congress assembled:

Your petitioners most respectfully represent that they are citizens of the United States, engaged in industrial pursuits; that the prevailing system of employment of convict labor in the prisons of the several States operates unjustly and injuriously upon your petitioners and other citizens engaged in like productive industries, by imposing upon them an unjust, unequal, and ruinous competition in the markets of the country with the products of such convict labor, and that they believe no adequate relief can be afforded unless through the intervention of your honorable bodies in their behalf.

They likewise most respectfully represent that practical experience teaches that such system fails either to reform the convict or to deter the evilly disposed from the commission of crime; that it tends to degrade free labor, to harm honest workmen, to ruin long-established industries, and to impoverish the deserving citizen without profiting the State.

Your petitioners submit that it is manifestly unfair and unjust that the State should enter upon an unequal and injurious competition with honest citizens, or unnecessarily employ its prisoners at such labor as lessens the wages and subverts the industrial interests of those engaged in productive occupations. That many of the most influential of the States have officially declared that the evils resulting from the present systems of employment of convict labor are serious and widely distributed, and conceded that no general system of regulation or cure can be established by State legislation, and that national legislation and mediation are required to afford adequate relief, and that Congress can alone confine trade within State lines and harmonize conflicting State interests. Your petitioners beg leave to add that this is one of those exigencies of general concern that the framers of the Constitution undoubtedly had in view when they so wisely conferred upon Congress the power "to regulate commerce among the several States, establish justice, and promote the general welfare."

Your petitioners do not believe that the State should support its convicts in idleness, but that their reformation should be the paramount aim of prison discipline, and all mere economic considerations be subordinated thereto; that the State should stimulate them to acquire habits of industry by paying to them at their discharge a reasonable proportion of their earnings, and by teaching them complete trades, and not parts of trades, as under present systems.

Your petitioners believe that if the following system of employment of convict labor were generally adopted the evils of which they complain would be substantially removed without loss to the State and with benefit to the convict; to wit: The public-account system alone used; prisoners confined to hand trades or to unskilled labor; the number of industries enlarged, including as few domestic industries as possible; the number of prisoners lessened by establishing reformatories in which shall be confined such as have been convicted of a first offense, not punishable with death, or for life; all public institutions supplied by prison-made goods, and all prison-made goods duly marked as such before offered for sale. They earnestly commend likewise that the hours of labor be lessened and additional time employed in the moral instruction of convicts.

Nevertheless, until such a uniform system has been established by the several States employing their convicts in skilled labor, your petitioners earnestly insist that the interests of honest labor engaged in productive industries imperatively demand the intervention of your honorable bodies in their behalf, and pray that an act be passed prohibiting, under adequate penalties, the sale or offering for sale of any goods, wares, or merchandise, the product in whole or part of convict labor, outside of the State in which they are manufactured.

Finally, they pray your honorable bodies to take such action, the premises considered, as may be fitting to secure the joint action of all the States employing their convicts in skilled labor, to the end that such a general and harmonious system, consistent with the rights of the national and State governments, respectively, may be established as will protect free labor engaged in productive industries, tend so far as practicable to the reformation of the convict, and "promote the general welfare."

SANDY HOOK SHIP-CHANNELS.

Mr. SPINOLA submitted the following resolution; which was referred to the Committee on Rivers and Harbors:

Resolved, That the Secretary of War be, and he is hereby, requested to transmit to the House of Representatives a detailed statement of the work being done in deepening the Sandy Hook ship-channels, giving the terms of the present contract, the facilities of the contractors for doing the work, the amount of material removed by the said contractors to date, and the estimated amount of material yet to be removed under the contract, and also at the present rate of progress what length of time will be required to exhaust the present appropriation of $750,000, and who, if any one, is to blame for the apparent neglect in pushing forward the work according to the terms of the contract.

PROTECTION OF AGRICULTURE.

Mr. PERKINS presented the following petition; which was referred to the Committee on Ways and Means, and ordered to be printed in the RECORD:

Petition for more effectual protection of agriculture.

To the Speaker of the House of Representatives, Washington, D. C.:

We, the undersigned farmers of Cherokee County, Kansas, respectfully pray that agriculture may be more effectually protected, as follows:

First. By preventing fraudulent importations of cattle on pretense that they are for breeding only.

Second. By a duty of 20 cents per bushel on barley, with proportionate increase of duty on malt.

Third. By duties of 25 cents per bushel on potatoes and onions, $2 per 100 on cabbages, $3 per ton on hay, 10 cents per pound on hops, 20 per cent. on beans and peas, 5 cents per dozen on eggs, 30 per cent. on fowls and poultry, and on "vegetables in their natural state, or in salt or brine, not otherwise provided for," with no removal or reduction of duties on market-garden products now dutiable.

Fourth. By such increased duties on flax and on linen goods as will effectually encourage the preparation of fiber and manufacture of goods.

Fifth. By abolishing all duty on sugar, with a bounty to home producers.

Sixth. By repealing all internal taxes on tobacco, and preventing imports of leaf-tobacco suitable for wrappers at the duty imposed on other leaf-tobacco.

Seventh. By restoring to wool-growing the substantial protection enjoyed under the tariff of 1867, so modified as to meet the later forms of foreign competition and of evasion.

IMMIGRATION.

Mr. BAKER, of Illinois. I desire to present resolutions of 3,276 members of the St. Louis Circuit of Turners, and approved by the Turnverein of Highland, relative to immigration. I ask that they be referred to the Committee on Commerce, and printed in the RECORD.

There was no objection, and it was so ordered.

The resolutions are as follows:

Hon. JEHU BAKER:

From the time of our independence and organization of this Republic our country has been a safe asylum for the oppressed and those who were persecuted for their opinion.

The natural resources of our country were developed and made useful to mankind by the endurance and industry of its inhabitants, who to a great if not the largest part were immigrants.

The naturalized citizens were, during the rebellion, true and loyal to our Republic, and in great numbers acquired honorable right of citizenship by service in the Army and Navy.

The existing laws for the regulation of immigration, if carried out in their true sense, are fully efficient to exclude all laborers imported under bond or contract, all convicts, cripples, paupers, idiots, and insane persons.

It would be a violation of personal right and of the spirit of the declaration of men to make that a test of citizenship or permission to reside in this country.

The Constitution of our Republic guaranties the right of free immigration, free thought, free speech, and free belief to mankind.

The vast Territories of our country, with their inexhaustible resources, are fully able to support hundreds of millions of striving and industrious humanity; to afford them a free homestead and a wide field for their exertions.

Prompted by these facts the St. Louis Circuit of Turners has passed the following resolutions:

1. That we enter our solemn protest against the passage of any laws tending to make the right of immigration dependent upon the personal views of the immigrant, or which may be construed so as to restrict or impede immigration.

2. That the existing laws, directed against importation or landing of bond-slaves, laborers under contract, criminal convicts, insane people, and paupers, should be strictly enforced by the authorities intrusted with their execution.

3. That these resolutions be spread upon the records of the St. Louis Circuit of Turners, and that its executive board be instructed to send a certified copy of the same to each Senator and Congressman of this circuit.

4. That the president of the Circuit of Turners of St. Louis be held to request Hon. JEHU BAKER to present these resolutions in the name of 3,276 members of the St. Louis Circuit of Turners in session of Congress.

FRANCIS P. BECKER, *President.*
[SEAL.] ARTHUR BOSCH, *Secretary.*

Approved by Highland Turnverein.

JACOB MAECHTLEN, *President.*
[SEAL.] EDMUND KNOEBEL, *Secretary pro tempore.*

ORDER OF BUSINESS.

Mr. MILLS. I renew my motion that the morning hour for the call of States and Territories be dispensed with.

The motion was agreed to.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the revenue.

[Mr. GROSVENOR withholds his remarks for revision. [See APPENDIX.]

Mr. RAYNER. Mr. Chairman, if the House will grant me their indulgence upon the paramount question that will claim our attention during this present session I shall be thankful for their patience, which I know has been taxed and strained in listening to discourses upon the subject of the tariff. My remarks shall be very brief, because I do not propose to treat it as a question of theory or political economy, and because I appreciate the fact that the country is tired of hearing speeches on this subject.

In 1884 the Democratic party, in convention assembled, denounced the injustice of the existing tariff and, in tones of thunder, proclaimed all through this land that Federal taxation should not exceed the requirements of the Government economically administered. Now, what the people are anxious to find out is, whether this was merely a tirade of glittering sentiments or whether it was a solemn pledge that the party proposes to redeem? If the former, then let us announce it so that our constituency can understand that, while we are ready at all times and upon all occasions to abuse and vilify the tariff, when the time arrived for action we became so fascinated by the lovely creature that we were unwilling to raise our hands to strike a single blow for fear that we might spoil or mar the symmetry of her charms or the beauty of her proportions.

You gentlemen upon the other side of the Hall are not in the position that we are in; you promised to do nothing, and you have faithfully kept your promise, and I respect you for it. When your platform declared that the tariff should be revised the people expected nothing from such a declaration, and their expectations have been fully realized. The country is looking to the Democratic party alone for deliverance. The question is, shall we proceed forward to victory and to the post of a nation's honor, or backward to disaster and defeat? We have no right to halt and raise a flag of truce to parley; if that was our intention we ought to have said so upon the floor of the convention. If we expected to be controlled by local interests and to present a divided front and to break up into fragments upon this vital issue, why then our platform was a snare and the emblem on our banner was an artifice and a lie. As far as I am concerned I am here as the representative of the people, and not of any class or section, and I stand by the terms of the covenant.

I have heard it said that the resolution of the platform calling for revenue reform was the joint product of a high-tariff Democrat and a free-trader; if this is so, then the high-tariff man occupied the position of a fraudulent debtor, who was willing to give his opponent a judgment because he expected to defeat him on the execution. The judgment is recorded and it contains not a sentence or a word that breathes an uncertain sound. It is as clear as language can be made to express the thoughts of man. I defy any one present to point me to any utterance on this platform, upon this subject, of doubtful or ambiguous signification. If there is a stroke of diplomacy in it, let some Democrat arise upon this floor and shield himself beneath it. If there is an avenue of escape, let him take it. If it contains a single prop that will sustain the incumbent weight of the existing tariff or that will authorize a Democrat to defend it, let us hear it. The Democratic party issued to the voters of this country revenue-reform notes, upon the strength of which it received their suffrages and came into power as a political party.

The question now is, shall we pay or shall we repudiate? The money is on hand, the paper is maturing a hundred million dollars a year. Shall we meet the issue, or shall we keep on plundering the people and pocketing the funds? I say the time is past for the discussion of questions of political economy. The people at large are now taking very little interest in abstract controversies upon free trade and protection. The thing that they demand is that the Government shall stop robbing them, and then they will argue the proposition whether the Government has the right to rob them. Does this Government need the surplus in order to pay its debts? Not a dollar. Does it require it to pay its expenses? Not a dollar. Well, what is it for? To protect. To protect whom—the people? I deny it. The laboring man? I deny it. The agricultural interests of the country? It is absurd. Whom, then? Why, centralized wealth that needs no support, sapping the earnings of the poor, and overgrown monopolies that require no protection, draining the life-blood of the country. We might as well meet the issue fairly and squarely and admit that this contest is one between the protected monopolies and protected capital on the one hand and the unprotected people and the unprotected tax-payers on the other, and in this contest I stand with the unprotected people for revenue reform against their financial oppressors.

I am not an extremist upon this subject. I am unwilling, on the one hand, to repeal our present system of import duties, and I am unwilling, on the other, to make custom-house taxation the instrument of enriching the rich and still further impoverishing the poor. Now, does this system impoverish the people and protect those who are not entitled to protection, and whom it is a shame and a crime to protect, at the expense, the toil, and the suffering of their fellow countrymen? A patient study of this question in its practical details has satisfied me that it does. Let us admit, for the sake of argument, that protection benefits the owners of your timber lands and your iron fields and the proprietors of your mills and manufactories. Let me ask, has this Government gone into permanent partnership with the capitalists of New England and Pennsylvania; and, if so, how long does the Government propose to keep on contributing capital to the firm?

Mr. DINGLEY. Will the gentleman permit an interruption?

Mr. RAYNER. Certainly.

Mr. DINGLEY. Do you favor putting coal upon the free-list?

Mr. RAYNER. Coal is not in this bill.

Mr. DINGLEY. But I would like to know if the gentleman will join me and others in a vote to put coal on the free-list.

Mr. RAYNER. Well, the question now before the House is the discussion of this bill, and as coal is not in this bill I do not propose to answer that question at this time. I can tell the gentleman, however, that there are other industries that affect me much more closely than coal. My district is affected (if any district is affected) by this bill and there are numbers of articles that come much more closely home to me than coal; so that the gentleman might have put a far more pertinent question than the one he did put.

Of course I do not for a moment mean to say that this bill is the perfection of human wisdom, or that it will not be modified and amended; nor do I mean to preclude myself from voting for amendments to it, but I do bind myself to stand by the bill in whatever shape it may come out of the Democratic party. [Applause on the Democratic side.] I am willing to stand by my party. [Renewed applause.] Will you [addressing Mr. DINGLEY] vote for the bill if we put coal on the free-list?

Mr. DINGLEY. I will answer that when the bill is completed. [Laughter.]

Mr. RAYNER. Well, when you answer my question I will answer yours. We will both answer together. [Laughter.]

Now, Mr. Chairman, I ask again, how long is this partnership to continue between the capitalists and the Government? The people are becoming poorer all the time and the firm is becoming richer. Every hundred million dollars that passes into the Treasury makes the nation a hundred million dollars poorer and the protected industries a hundred million dollars richer. Is this false or true? If it is false, then protection does not protect. If it is true, then it is a fraud that ought to be crushed and swept from the statute-book. Who is there here in favor of the perpetuation of the present system?

Mr. BAYNE. Why, there was a delegation here the other day.

Mr. RAYNER. A delegation?

Mr. BAYNE. Yes, sir.

Mr. RAYNER. How many?

Mr. BAYNE. They represented the entire Amalgamated Association of Iron and Steel Workers.

Mr. RAYNER. Does not the gentleman know that nineteen-twentieths of the laboring men in this country are employed in pursuits that are not affected by the tariff except detrimentally? [Applause on the Democratic side.]

Mr. BAYNE. I do not think so.

Mr. RAYNER. Well, I know it, and I stand ready with the statistics to support that statement. I have never heard one word about that proposition from the other side of the House. I say that five men out of every one hundred of the laboring men of this country are protected and the other ninety-five are taxed to death in order to protect the five. [Laughter and applause on the Democratic side.]

Mr. BAYNE. My friend from Maryland asked whether anybody was here. I merely pointed them out.

Mr. RAYNER. They were a part of the five who are protected at the expense of the other ninety-five who are not protected.

Mr. BAYNE. They were here all the same, and never got a hearing.

Mr. RAYNER. Yes, sir; and all of these men are sent here under a deception practiced on them by their employers, that if you reduce the duties on the articles they manufacture it will be necessary then to reduce their wages. Now, I say it is not necessary to reduce their wages; that it is not necessary to strike down a dollar of wages because of the reduction proposed on any article manufactured by these men.

Mr. BAYNE. Let me put in the gentleman's remarks that some of these men to whom he refers can come on the floor of this House of Representatives and put to shame a large majority of the members of Congress in the discussion of the tariff question. I say, sir, they can do that.

Mr. RAYNER. I have no doubt of that. I have heard the finest discussions from labor representatives of my own city; I have seen men with as much learning and as much eloquence, perhaps, as I have ever seen in this Hall addressing the assemblies and organizations of labor.

But that is not the point to which I am speaking, as to whether these gentlemen can or can not address the House on questions of political economy, but the question I am dealing with is, should not the men engaged in the industries benefited by the tariff have a share in those benefits? I say that the statistics show that ninety-five out of every hundred laboring men are employed in industries not affected by the tariff, and I turn you to the tables of our statistician on this point. The question is, what is the proportion which those men who are protected bear to the men who are not protected, the bricklayers, carpenters, and men engaged in the hundred and other occupations who are entirely untouched by the tariff, except as it raises the price of the food they eat and the clothes they wear? [Applause.]

Mr. MILLIKEN and Mr. NUTTING rose.

The CHAIRMAN. Does the gentleman from Maryland yield?

Mr. RAYNER. Yes, to both of the gentlemen.

Mr. NUTTING. There are thousands of men in this country engaged in making glass; you know that.

Mr. RAYNER. Yes, I do.

Mr. NUTTING. You know there should not be a reduction of the tariff on glass.

Mr. RAYNER. I am glad to answer that. I am frank to say I think the committee made too large a reduction on glass, and I shall vote for an amendment to keep the duty on. [Laughter on the Republican side.]

Gentlemen, do not laugh till I am done. While there might be a small reduction on glass, I do think the reduction which the committee has put upon the bill is lower than it should be; but I also say if that reduction in the tariff on glass is enacted into law it affords no justification for any glass manufacturer in the United States to reduce the wages of his employés one cent, for there is enough protection left on this article as well as on every other article to enable the manufacturer to pay easily the difference between the cheap-price labor in Europe and the higher-priced labor here. [Applause on the Democratic side.] You may take this in the way of an answer. You may take the wages of the Silesian linen weavers—— [Cries of "No!"]

Mr. NUTTING. No; let us take the glass-blowers in Belgium.

Mr. RAYNER. The unskilled mechanic gets about one-half of the wages of the unskilled American mechanic. There is not that difference between the wages of the skilled labor in glass manufactures in Belgium and the skilled labor in the glass manufactures in the United States.

Mr. NUTTING. You have not quite answered my question; you have answered it in part only. The gentleman is quite candid; but will you say to the House right here—because I think you have answered this question as far as you have gone fairly—will you say to this House whether or not the reduction in glass, as shown by this Mills bill, does not put the laboring men engaged in the business in our country directly in competition with the laboring classes of Europe engaged in working glass?

Mr. RAYNER. As I stated my position a moment ago, I do not think it does. I can select three or four articles to which, in my judgment, modifications can well be made in this bill. I do not in any event think the duties ought to be reduced to the extent they are reduced here on the Mills bill on glass, and I wish to be perfectly plain about that. I do not think the manufacturer has free raw material, coal, soda ash, etc., and he is therefore entitled to protection more than other industries.

If, the manufacturer of glass in this country takes down wages after the passage of a slight reduction, he is using the bill as a pretext to oppress and impoverish men for his own profit. [Applause on the Democratic side.]

Mr. NUTTING. But the gentleman does not come to the point.

Mr. RAYNER. Have you glass interests in your district?

Mr. NUTTING. I have glass-works, and am familiar with the business; but you have not answered my question. I ask the direct question, and I hope the gentleman will answer me yes or no, whether or not in his opinion the reduction in the tariff upon glass, as shown by the Mills bill, does not put the laboring men employed in the glass industry in this country in competition with the laborers in the glass-making business in Europe and elsewhere?

Mr. RAYNER. I repeat that upon particular articles of glass, as embodied in this bill, the duty, I think, is too much reduced. I have individual opinions upon that. I do not think there ought to be such a reduction of duty, and at the proper time—because I am not precluded from discussing that—I shall give consideration to that point and vote to put the duty back, with the understanding that whether the matter of the bill is exactly to my liking or not—because it is a Democratic measure—I shall vote for it. [Applause on the Democratic side.] That is more, I think, than any of you gentlemen can say on the other side, for I have never heard from any of you any speeches during this debate, or at any other time, which did not indicate that you had some particular interest in hand to support.

Mr. NUTTING. I have great respect for my friend from Maryland, but I am very sorry to hear him say upon the floor of the House that, though there is something wrong in this bill, that no matter for that fact, upon the whole, when it comes to the question of supporting the bill, he will vote for it.

Mr. RAYNER. How often has the gentleman refused to follow his party upon party measures? I follow my party upon this great issue, the issue of the hour; and I have no right, sir, to look to any industry in your district or in my district or in the district of any other man in this country when the great fundamental question before the whole country is, whether or not the systematized plan of robbery and plunder which has been in existence so long shall be kept up against the rights of the whole American people. [Applause on the Democratic side.]

Mr. NUTTING. Now, I ask the gentleman——

Mr. RAYNER. Now, let me go on, for there are more things than one to which I was to allude.

Mr. NUTTING. But this question I would like to have answered.

Mr. RAYNER. The gentleman says that he comes from a district where glass is manufactured.

Mr. NUTTING. Yes, sir; where more than two thousand men are laboring to-day and every day in the year in that industry, and every one of them has sent petitions to me asking and begging Congress not to reduce the tariff upon glass.

Mr. RAYNER. They have sent me the same petitions.

Mr. NUTTING. And I respect their wishes.

Mr. RAYNER. So do I. I have a number of petitions besides in other industries.

Mr. NUTTING. The only difference is that the gentleman from Maryland will not obey it. You say you are in favor of them, and yet you pay no heed to their wishes when expressed in the recognized manner.

Mr. RAYNER. I came here in the interest of the whole people. [Applause.] If the gentleman came solely to protect a class interest of the country, we differ. You come solely to protect the glass interest of the country, to perhaps insure your own election, and let every other interest go. [Applause on the Democratic side.]

Mr. NUTTING. Now, my friend, let me say——

Mr. RAYNER. You represent a fair sample of some gentlemen on the other side of the House. You have no regard for any one of the four thousand articles on the tariff except glass, and because that is what you directly represent. I am here as a representative of the people and of all their interests, and of no particular interest. [Applause on the Democratic side.]

Mr. NUTTING. Just a word now. Will the gentleman not permit me? I have a very great respect for the gentleman from Maryland; great indeed. [Laughter on the Democratic side.] I can stand to talk with him here or anywhere else, until he comes down to the question of personalities, and then——

Mr. RAYNER. Oh, I have said nothing on earth personal in my remarks. I am treating now of a great public question, and have no desire to be personal. I think the gentleman and myself can stand together, perhaps, on the question of glass, and he ought not to quarrel with me.

Mr. NUTTING. Now just wait awhile.

Mr. RAYNER. We both live in glass houses. [Applause.]

Mr. NUTTING. I may get you with me on some of the industries, perhaps. You said a little while ago that I represented the glass interest solely. Now, the city in which I live contains one establishment where there is manufactured more starch than in any other manufacturing establishment of the kind in the Union.

Mr. RAYNER. Do not let us get on starch now, if you please.

Mr. NUTTING. But I represent that interest here.

Mr. RAYNER. You represent nothing but interests. Let us keep to one thing at a time.

Mr. NUTTING. In that establishment are fourteen hundred men laboring. Those fourteen hundred men have asked me, and they would ask you if they thought it would do any good, that the tariff on starch be not taken off in this bill. Will the gentleman follow me in that?

Mr. RAYNER. I will cut this matter short by saying that when the time comes you will find the Democratic workingmen of Baltimore marching to the polls and voting for President Cleveland. I expect that is what you want to find out.

Mr. NUTTING. Not if you give them a fair vote.

Mr. RAYNER. The fairer the vote the larger the majority.

I am opposed to every scheme that contemplates the yearly and continual appropriation of this surplus towards the purchase or conversion of Government securities. I am opposed to such suggestions, because the remedy is only temporary, and because, sooner or latter, the issue now before us must be met, and it is as well to meet it now as at any

other time. The problem we have on hand is not a financial one at all, it is not one upon which it is necessary to consult the representatives of large moneyed interests, or fiscal agents, or experts, or anything of the kind. Let us return the money to the people, and then we will not encounter any difficulties about the proper application of it. I am opposed to using this money for the purpose of subsidies in any shape. In common with every citizen of this Government who has at heart its welfare and its perpetuity, I would like to see an American Navy eclipsing the armament of any government on this earth. I would like to see the ports and harbors of this great country aglow with the activity of the mechanic and the inventor to send forth upon the sea not only a merchant marine flying the colors of the Republic, but a power that, in time of war, would become the terror of the ocean and bid defiance to the squadrons of the world.

Yet, notwithstanding all this, I am willing to subordinate every feeling of national pride to this the paramount issue of the hour, and that is, shall the people day after day be plundered in the interests of monopoly? And shall a lobby, standing at the door of legislation, representing millions of centralized wealth, throttle the appeal that comes up from the bosom of this land, demanding relief from the most inequitable and oppressive system of taxation that is to be found anywhere in any civilized country on this globe. I am opposed at present to any interference with internal-revenue taxation, except perhaps the tax on tobacco for the sake of compromise. What an answer it would be to the toiling millions of this land to say to them: We have heard your appeal for relief; we have been deeply moved by the justice of your demands; you are burdened by an oppressive system of taxation, and are pouring into the Treasury unneeded hundreds of millions of dollars produced by labor and wrung from poverty——

Mr. MILLIKEN. Will the gentleman allow me to ask him a question?

Mr. RAYNER. Before I yield to the gentleman let me finish this sentence.

Mr. MILLIKEN. It is a very good sentence, I know.

Mr. RAYNER. Yes, it is.

We have, however, devised a remedy that will relieve you of your burdens and that will scatter contentment broadcast throughout this land; that remedy is free whisky—in the language of the distinguished gentleman from Pennsylvania, for now and for evermore a panacea for all your ills.

Mr. GROSVENOR. Will the gentleman yield to me now for a question?

Mr. RAYNER. Yes, sir.

Mr. GROSVENOR. My question pertains to the first half of the gentleman's handsome sentence. In what form has the bill for the relief of the laboring men of this country made its appearance in the House of Representatives?

Mr. MILLIKEN. That was the question I desired to ask the gentleman.

Mr. RAYNER. I have not spoken of any bill.

Mr. GROSVENOR. You say they appeal to you to be relieved from the burdens now resting on them.

Mr. RAYNER. Does the gentleman think all the laboring men of this country can come together into this Hall? If they wanted to appeal, could they get in here?

Mr. GROSVENOR. If this Hall were equal in size to some of your statements they might get in.

Mr. RAYNER. The gentleman speaks of exaggeration in my speech. I will say of his speech, deferentially, *de minimis lex non curat*. That is not unparliamentary. We have heard from every public source it is possible to imagine, we have heard from every newspaper and journal except the newspapers subsidized by the protective leaders, the demand that Congress shall pass some measure for the relief of the consumers of this country. If you have not heard that demand you have been so busily engaged that you have not read the daily papers.

Mr. GROSVENOR. I ask the gentleman, have not the Knights of Labor upheld the doctrine of protection?

Mr. RAYNER. Not that I know of.

Mr. GROSVENOR. Then you have not read the daily papers.

Mr. RAYNER. I know it is not so in Maryland. There are eight thousand Knights of Labor in my city, and I think I can speak for them. And I beg to say there never has been a labor assembly convened in my district that has passed a resolution in favor of a protective tariff, and a large number of them are Republicans. They know they are being plundered by the monopolists, and the laboring men of my district vote against your monopolists all the time.

Mr. GROSVENOR. Has any of them appealed to Congress to repeal duties on imports?

Mr. RAYNER. Who has appealed to retain the duty on imports, except the New York Tribune and other papers that your party is subsidizing?

Mr. GROSVENOR. Millions of men have sent petitions here in favor of continuing present duties; and I have myself filed petitions of a great many thousands.

Mr. RAYNER. That is a broad statement. We will not go into that general discussion. We have both been members of legislative assemblies—the gentleman I suppose much longer than I have. You might flood that petition-box with thousands of petitions, and there is not a human soul that would ever read them or pay the slightest attention to them. The newspapers are the exponents of public opinion. You may take the newspapers, except some published in some of the manufacturing districts, and you can not find any paper published in any village or hamlet or city of this country which for the last two years has not been appealing to Congress to grant relief from this odious and oppressive system of taxation which is grinding the people to desperation.

Mr. GROSVENOR. Does the Irish World in New York make that appeal?

Mr. RAYNER. The Irish World is a good paper, but I have not had time lately to read it. I get the Irish World regularly, but I have not time to read it lately, and I will read this article. If the gentleman wants to know anything about the Irishmen in my district I can inform him they are all right. They are Democrats, in sunshine and in storm. Now I hope the gentleman will let me finish my sentence.

We propose to say to the people: We have well considered the great questions you have submitted to us of relieving from taxation the common necessaries of life, but there are so many conflicting interests to consult in regard to them that we have abandoned the idea of giving you that kind of relief, and in lieu of free wool and free salt and free lumber and free clothing, why, *delirium tremens* shall be placed upon the free-list, and from now on all kinds of ardent spirits shall flow like milk and honey in the land of promise. It is true that a great many of you may be of the opinion that this sort of legislation will be detrimental to the morals and the happiness of your countrymen; but this Government must reduce its revenues, and *mania a potu* is the only raw material in the production of which we can compete with any foreign country on this globe. If the cities become too crowded, and farming lands too thickly cultivated in the agricultural districts of the West, then the genial climate of our Territories affords a field for the production of this article and the free enjoyment of it unexcelled in any region of the world. As far as I am concerned, I shall stand upon this floor until I sink in opposition to any such measure.

As much as I feel for the States that it is said will be beneficially affected by such legislation; as deeply as I sympathize with the destitution, the trials, and the sufferings of their people; as gratified as I would be to help Virginia and her sister commonwealths in any effort to promote their prosperity and relieve them from the blight which has followed in the track of war, and which has almost turned into a withering wilderness regions created in the prodigality of nature, I will never consent to sacrifice the rights of the people of this country for the benefit of any class, or State, or section, and I shall never, with a willing hand, open the flood-gates through which the crimson tide of vice and crime shall inundate this land and poison the hearts and desolate the homes of my countrymen.

Now, my friends, if internal-revenue taxation is not to be entirely repealed, if the surplus is not to be squandered, then there is only one course left to pursue, and that is to reduce the surplus by reducing the tariff. Now, how shall the tariff be reduced? I say strike for the raw materials; select those that can stand the change and will be least affected by it, and then reduce the duty upon every product into which the raw materials enter. I am an advocate of free wool; I would rather see wool upon the free-list than any other of all the four thousand articles named upon the schedules—first, because the tax on wool is the greatest burden upon the consumers of this country of all the hardships and all the burdens imposed by the present tariff, and second, because I firmly believe that, from the moment you make wool free and reduce your duties upon woolen manufactures, from that moment you not only revive one of the greatest departments of industry in our midst, but you will enable the skill and handiwork of the American mechanic and the fabric of the American mills to cross the sea and vie with the manufactured products of every country in all the markets of the world. I wish I had time to enter into a discussion of that matter now, but I have not.

I want to recur for one moment, however, again to the subject of wages in connection with the tariff.

Workingmen of America, do not let demagogues deceive you on this subject! Both parties want your votes; there is no doubt about that. Now, will you give them to a set of adroit and cunning leaders who are using you for the purpose of benefiting the monopolists whom they represent; or will you follow the party that is making an honest effort to crush the monopolists who have reaped at your expense all the profits and benefits of the protective system? The Democratic party has stood by you and will continue to do so. The Republican party has always been the ally of centralized wealth, of large moneyed interests, and of corporate rapacity arrayed against the rights of labor. Do not let them frighten you into the belief that your wages will be affected; they will not be affected to the slightest extent, but on the other hand your cost of living will be reduced, and you will just pay about one half for the raiment that covers you, for the articles you consume, and for the necessities of life.

European labor can never compete with American labor. It is the countries that pay the highest wages that bring forth the cheapest products, and statistics show that the capacity and producing power of the American laborer and the skill of the American mechanic find no peer in any country on this earth. You earn every dollar of your wages, because you produce twice and thrice as much as the laborers of other countries. You are under no obligation to any party for paying you living wages. The law of supply and demand regulates that. And while I am on this subject I defy any one to point me to a single article of all the four thousand on the schedule which requires labor, upon which the American manufacturer does not receive protection more than three times the difference in wages between the lowest priced labor in Europe and the highest priced labor in America. Name if you can the product upon which this does not take place. Now is it not a fraud and a falsehood to assert that because duties are lowered a trifle so as togive the laborer cheaper clothes and food, that the manufacturer will be compelled to reduce wages with this immense protection in his favor? Why are not wages higher now in the manufacturing industries? They ought to be, and I will join hands with you in adopting some system to increase them a little. I have stood by the laboring man here and his rights and interests from earnest conviction, while you gentlemen who are now so zealous in his cause have abandoned him in the interests of the monopolist and of Pennsylvania boards of trade and of the New England trusts.

Now, gentlemen, you have been very kind to me; if you will give me ten or fifteen minutes more I will conclude. I want to touch upon a subject that is near to my heart, and which is in direct connection with the subject-matter under discussion. I want to call your attention to a proposition upon which a great many of you will agree with me.

I desire, within the brief space of a few moments, to call your attention to a system of monopolies that are gradually growing up in this country under the fostering protection of a high tariff, of the most destructive tendencies, as far as the interests of the people are concerned. They are known under the name of trusts, a modern invention under an ancient title; and a measure is now pending in this House to prevent their growth and abridge their power. They have sprung into existence so rapidly that it has been impossible to apply the remedy in time. But if the most heroic steps are not promptly taken to impede their insidious advance it is safe to predict that in a short while the consuming public of America will be at the mercy of concentrated capital to such an extent that private enterprise will be seriously affected, legitimate competition in a great many departments of industry will be forced to abandon the field, and the prices of some of the principal commodities of commerce and of necessary consumption will be arbitrarily fixed and regulated by those who supply them and control their production, manufacture, and sale.

The proper definition of this character of trust is this. It is a combination between owners and producers of certain articles of merchandise to keep up the prices of the manufactured product, to suppress competition, to bankrupt private investments, and to compel the public to pay such rates as the combination may determine upon. They are not creatures of fiction; they are living realities, ramifying through almost every State and section of this country. They are of illegitimate birth; they have been nourished by the most corrupting influences, and to-day, largely with the aid of a protective tariff, they command the home markets and overshadow the business centers of this land. In their inception they are hostile to the spirit of our laws, and in the accomplishment of their purposes they are at war with the free spirit of our institutions.

I have not the time now to enter into a detailed statement of their operations. I propose to do this hereafter. The States are powerless to eradicate them, because their existence is not dependent upon local legislation. They go far beyond all the assumptions and arrogance of corporate power, and, as has lately been determined, they are not within the reach of the tribunals of this land, unless this body, under its constitutional authority to regulate commerce between the States, will pass a law forever invalidating the contractual obligations that bind them together and keep them alive. This is what the bill that I have offered proposes to do. It seeks to strike at the root of the evil and to crush these monstrous combinations before they can successfully defend themselves upon the plea of an *ex post facto* law.

The principal trust, and the pioneer that cleared the way, is the Standard Oil Company Trust, whose history, as it has defied the sovereignty of the States and their tribunals, is one of fraud, corruption, and oppression. A few years ago it started with a capital of a million of dollars. It then commenced to absorb refineries, pipe lines, transportation lines, and every competing enterprise that obstructed its track, until, to-day, paying an annual profit of $25,000,000 upon a capital of $150,000,000, it has crushed to destruction private enterprise in the line of its traffic in every State of the Union into which it has emigrated. It wields an enormous influence that enables it to defy the law and to control legislatures, and its triumphal acquisitions have left behind them such an attendant train of disaster and misfortune that no one dare raise his hand against its overpowering front, unless at the peril of destruction and annihilation.

Mr. MILLIKEN. Will the gentleman allow me a question now?

Mr. RAYNER. I will. I like questions.

Mr. MILLIKEN. Does the gentleman consider that the tariff is at fault in connection with the Standard Oil trust?

Mr. RAYNER. That is a very pertinent question.

Mr. MILLIKEN. Does not the gentleman know that there is no protective duty on petroleum?

Mr. RAYNER. There are thirty-one of these trusts now in active operation; and out of the thirty-one twenty-six are protected by tariff duties, as I can prove. The Standard Oil Company is one of the five that are not affected by a protective tariff; but I think I have the right to advert to it in this connection.

A MEMBER. How about the sugar trust?

Mr. RAYNER. It would be crushed to atoms if the duty were taken off refined sugar.

Mr. MILLIKEN. Why has it not been taken off in the Mills bill?

Mr. RAYNER. Is there no other article among four thousand that might be enumerated on which gentlemen can ask to have the duty removed? Why select a single article and ruin one State? Why not distribute the reduction equitably and rationally among various articles?

Mr. MILLIKEN. Was not the Standard Oil trust, with petroleum unprotected, the pioneer, as the gentleman calls it, in these "trusts," and the greatest and worst of all?

Mr. RAYNER. It was.

Mr. MILLIKEN. Then how can the gentleman lay the blame to the tariff?

Mr. RAYNER. I will come to the other trusts if gentlemen will let me proceed for a few moments.

Mr. MILLIKEN. Let me say to the gentleman that I am with him in regard to these "trusts." I will go as far as he will in crushing them out. I have already introduced two resolutions looking to an examination into the sugar trust; but a Democratic committee of this House has refused to report those resolutions favorably.

Mr. RAYNER. I am in the same boat with the gentleman. I have had a bill before the committee for three months, and it appears to be buried in the tomb of the Capulets—to be sleeping the sleep that knows no waking.

Mr. CANNON. Will the gentleman allow me a question?

Mr. RAYNER. Certainly.

Mr. CANNON. Am I to understand that the gentleman in condemning the Standard Oil Company speaks for the present Administration, of which Mr. Cleveland is the head?

Mr. RAYNER. Mr. Cleveland is not the president of the Standard Oil Company.

Mr. CANNON. I am asking whether the gentleman, in condemning the Standard Oil Company, speaks for the Administration.

Mr. RAYNER. No, sir; I do not speak for the Administration at all. I have never even had the pleasure of seeing Mr. Cleveland. I am the only man on the Democratic side who has never seen him. [Laughter.] I can not speak for him at all. I do not even speak for Mr. Lamont.

Mr. CANNON. I would like to follow that question by another. Does not the gentleman know that this Administration has appointed one of the principal representatives of the Standard Oil Company, at least by relation and probably otherwise—the Secretary of the Navy—and that another one is a Senator of the gentleman's own party from the State of Ohio?

Mr. RAYNER. Do you think the fact that a man is the son-in-law of somebody connects him with the fraud of which that person may be guilty? Suppose your father-in-law or son-in-law were engaged in some conspiracy to defraud the people; I would not hold you responsible. [Laughter.] I believe I can vouch for Secretary Whitney that he has not the slightest connection in the world with the Standard Oil Company. But it does not make any difference who is connected with it. I do not care whether the men engaged in it are Democrats or Republicans, silver men or Greenbackers. I do not care who has any connection with; it is the greatest fraud on the people that has ever been perpetrated.

Mr. CANNON. Let me ask——

Mr. TOWNSHEND. I simply want to deny the imputation that has been cast upon——

The CHAIRMAN. The gentleman from Illinois on the left [Mr. CANNON] has the floor.

Mr. CANNON. It appears, then, that in condemning the Standard Oil Company (and I unite with the gentleman in that condemnation), he speaks for himself; I speak for myself. The gentleman is not speaking for the Democratic party or the Administration.

Mr. RAYNER. That is correct. I am speaking of what *I* know of the history of that company from beginning to end; and I do not care if the best Democrats in the United States are connected with it. This is no political question at all.

I wish I had time to illustrate this point. I say to you that a starving army, foraging upon the enemy's lines, never scattered in its path devastation equal to the ruin occasioned by this commercial buccaneer in its freebooting expeditions through the prosperous homes and business centers of this country.

This is not an exaggerated statement, and I only wish that I had the time to follow this company in its march to aggrandizement and convince you how heartlessly it has depredated upon, plundered, and bankrupted every legitimate investment that interfered with its avarice and rapacity. Animated by the lead of its successful example one trust after another has sprung into activity until now pools and corners and combinations to regulate prices are the order of the day.

You have a sugar trust which is laying an infamous tribute upon sixty millions of people, and which, with a defiant hand, has swept away all formidable opposition until to-day it sits in colossal state and dictates to the consuming public of America the price of one of the absolute necessities of existence.

You have cattle trusts, and steel and glass and salt and rubber and coal trusts, representing hundreds of millions of dollars, until at this moment industry after industry, responding to the roll-call, is mustering its recruits ready to register themselves under the banner of monopoly.

What has been the actual result of all this? Prices have been raised, legitimate competition has been throttled, and the individual who for a time has refused to surrender has been compelled at last to abandon hope and place himself at the mercy of these relentless combinations.

Now, is there no remedy for all this? I think that there is. Every trust of this character depends upon the faithful performance of the contract of trust by those who have entered into it, and, as I have said, they are bound to enter into it to save themselves from bankruptcy, and they are bound to remain in it in order to keep their assets from depreciation and their business from financial ruin.

Now, how can you keep them from entering into it and still save them from the impending doom that now threatens them if they do not yield? Why, by reducing the tariff by making the contract of trust, with all its incidents, unlawful, and proscribing the execution of such a contract under the severest penalties.

I am prepared by an unbroken line of the highest authorities to maintain the constitutional power of Congress to pass an enactment of this sort, and I earnestly believe that from the moment that it is enacted its practical effect will be felt in every mart of commerce and in every channel of trade to the confines of this Republic. There is no difficulty about the remedy. The question is whether we are prepared to adopt a remedy, and whether we are prepared upon this issue to take a stand unswerving to the last degree.

Now, what is the situation? On the one side stands monopoly, with the centralized wealth of the country behind it, and with all the political influence that it can possibly procure—absolutely unscrupulous as to the instrumentalities that it employs to appease its ravenous greed. On the other side stand the people, without a dollar, appealing to their representatives in Congress here assembled to relieve them from the tramp of an iron heel that day by day is driving and crushing them to desperation.

As far as I am concerned, every earnest impulse of my being is enlisted against these deadly alliances that are pilfering the earnings and plundering the homes of our people, and I thank Providence that in this contest, standing shoulder to shoulder with us, is a fearless press—a press that can not be bought or bribed or subsidized.

A famous statesman once said, "Give me a free press and I will defy them to encroach a hair's breadth upon the liberty of my country." I say, give me an honest press, whose editorial columns are not for sale, that can not be swerved by favoritism or pacified by patronage, and I will defy them to encroach one hair's breadth upon the rights of the people.

Now let me say to you in conclusion, I do not think that this subject requires any prolonged investigation. I deny the necessity of it. That these systems exist is a matter of public proof and notoriety, of which this body must take official notice. That we have the power here and authority to sweep them from the face of this Republic is a proposition beyond the border-line of a reasonable doubt.

I am prepared by numberless constitutional authorities to maintain the constitutionality of the bill which I have offered in Congress for this purpose. I say postponement means destruction to the business interests of the country. Public opinion has condemned them and the hour has come to carry out the sentence. Do not give them one moment of unnecessary respite. We can not permit the commercial integrity of the land to surrender to them, because the flag that they unfurl is the pirate's ensign that gives no quarter and shows no mercy.

Mr. KERR. Let me ask the gentleman if he is not more in favor of that bill than of this?

Mr. RAYNER. I will say no; I am in favor of a modification of the tariff in preference to anything else. [Applause on the Democratic side.] Now, that question is easily disposed of.

Mr. WEBER. Will the gentleman permit me to ask him a question?

Mr. RAYNER. Certainly.

Mr. WEBER. I understood the gentleman awhile ago to enumerate the list of trusts that he claims are in existence owing to the tariff laws.

Mr. RAYNER. I said some were; not all of them.

Mr. WEBER. Please inform me how the tariff, a quarter of a century old, has developed these trusts only within the last few years.

Mr. RAYNER. My dear sir, I must refer you for information upon that subject to your own distinguished exponent of high tariffs on that side, Judge KELLEY, for that information is embodied in his own speech.

Mr. WEBER. Will you answer the question, then, yourself?

Mr. RAYNER. I have given the gentleman a reference.

Mr. WEBER. Was the gentleman here on Saturday?

Mr. RAYNER. I was not.

Mr. WEBER. The gentleman was not.

Mr. RAYNER. No; I was at home preparing my speech. [Laughter.]

Mr. WEBER. I did not know but that the gentleman was participating in the hospitalities extended to members at Philadelphia on that day.

Mr. RAYNER. I have not time to indulge in such luxuries. I have had no picnic since I have been here.

Mr. WEBER. I am glad to hear it. But if you had been here you would have had an opportunity to read in the papers (not the Irish World or Hebrew Herald to which the gentleman referred) an article in which it was stated that a "gun trust" had been formed across the water.

Mr. RAYNER. Gum trust?

Mr. WEBER. No; gun trust.

Mr. RAYNER. Where?

Mr. WEBER. In free-trade England.

Mr. RAYNER. Well, what has that got to do with the question?

Mr. WEBER. Only to show that the tariff is not altogether responsible for such things.

Mr. RAYNER. I did not say that it was. I said that most of them were the result of the tariff. I stand here to say that but for the tariff most of them would expire.

Mr. WEBER. The gentleman does not stand here to answer questions impossible to be answered.

Mr. RAYNER. I answer the gentleman's question most cheerfully by saying that I do not think a protective tariff is absolutely necessary to the existence of these combinations or trusts.

Mr. WEBER. I am very glad to hear the gentleman say so.

Mr. RAYNER. It is only a fact, for they have existed from time immemorial for all purposes. But as I stated, I have statistics here—but I do not care to go into statistics now—showing that of the thirty-one trusts now in effective operation in this country twenty-six of them are protected by the tariff. That was the extent of my remark.

Mr. WEBER. Most of them have come into existence within the last two years.

Mr. RAYNER. Well, suppose they have; what does that show?

Mr. WEBER. It simply shows that the tariff had nothing to do with their formation.

Mr. RAYNER. Has not there been a tariff for the last two years? If you reduce the tariff, I can say to the gentleman one thing with certainty——

Mr. WEBER. What is that?

Mr. RAYNER. That they will die an early death, in the first stages of their innocence.

Mr. BAYNE. Will the Standard Oil trust die?

Mr. RAYNER. Most likely not. But there is no difficulty about breaking up trusts; but it must be done by law. You can break up the Standard Company, but it must be done by law. My law will reach it.

Mr. BAYNE. But there is no law for it.

Mr. RAYNER. No; but you can break up a great many others of them by lowering the duty.

Mr. BAYNE. But the tariff has nothing to do with the Standard Oil Company.

Mr. RAYNER. That may be; but it has with twenty-six out of the thirty-one, and if the gentleman wants to see the list I can show it to him. Twenty-six of these are protected.

Mr. BAYNE. They have big trusts in England, too, where there is free trade.

Mr. RAYNER. But nothing like we have here.

Mr. BAYNE. No; because they have not the money coupled with so many diversified interests.

Mr. RAYNER. Does the gentleman think they have not the capital? Why, they have more capital in one little ward in London than we have here all together in Congress.

Mr. BAYNE. Oh, I guess not.

Mr. RAYNER. They have not the same protection that we have, that is the difference.

Mr. Chairman, I appeal to the Democracy here to stand true to their colors. [Applause on the Democratic side.] I appeal to them to stand up to the traditions of our party. A tariff for anything else than revenue is outside the traditions and principles of our party, and at war with its pledges and history. It is foreign to our platform. We have given to the people the assurances of our intention to do this. Let us prove our faith by our works. [Applause on the Democratic side.] Let us engrave upon the imperishable tablets of the law the truth of the doctrine we have proclaimed.

If you want the Democratic party to live, give it a principle that will sustain it. If you want it to die, stimulate it with a policy for-

eign to its nature, which will destroy it just as surely as poison will consume the human frame, though it may for a time impart to it the glow of youth and flush of health. A man can not, at this time, upon this floor, be a Democrat and be in favor of the continuance of the present system. If he is for protection for protection's sake, then he is against his party upon the principal issues that divide the parties. [Applause.]

That is right; you applaud my remark. [Continued applause.]

Mr. KERR. Will the gentleman allow me a question?

Mr. RAYNER. Yes, sir.

Mr. KERR. Then why is it that another gentleman on that side declared in his speech that in the platform of the Democratic party, which he then quoted, there was no room left for the internal-revenue system. Can the gentleman explain that?

Mr. RAYNER. It is not necessary for me to explain that. I have heard in this debate some funny things which I can not explain. I can not explain what other people mean. [Laughter.]

Mr. KERR. I want to call the attention of the gentleman to the fact that the gentleman who made that statement said he was the only member on this floor who was on the committee which framed the platform of that Democratic convention.

Mr. RAYNER. I do not know who the gentleman is, but in my opinion they should put him under the platform. I heard a gentleman on the other side of the House say that he put a lot of questions which he knew were conundrums that could not be answered.

I deny the right of any Democrat to be controlled by local interests upon this subject. In a few months from now you will be called upon to go before the people again in a fierce struggle for party supremacy. My fellow-Democrats, what do you propose to say in your convention upon the subject of the tariff? What account do you propose to render to the people of your stewardship? If you break your promise now, do you suppose that they will believe any other promise that you make them? Never. I make no claim to political prophecy, but I believe, as surely as the sun will rise upon the morrow, that if, under the pressure of local influence, we beat a cowardly retreat now, the party is doomed, and doomed it deserves to be, because a party does not deserve to live that has not the moral courage to stand by its convictions. [Applause.] And let me say to you that you will not be able to call upon President Cleveland to save the party. The splendid record that he has made will be of no avail. Our sins of omission and our violated vows will be too heavy a burden for any one man to carry. [Applause on Republican side.] And what will the leaders of the Republican party say? Why, that we nailed a lie upon our banner; that we went through every town and village and hamlet of this land and shouted revenue reform, and pledged our troth to the people to relieve an overburdened Treasury of its stolen plunder, but that when the drums beat and the roll was called we took refuge in a sutler's camp and sold our birthright for a mess of pig-iron and a herd of sheep.

I am for revenue reform because I am a Democrat; not of that sort of Democracy that gathers its inspiration from the blast furnaces of Pennsylvania or the woolen mills of New England, but a Democracy that can point to Mount Vernon's shades and Monticello's heights and say that from the day of its birth it has been the mortal enemy of monopoly; and when it strikes it down, as strike it down it will, upon its ruins it will live. Its manhood asserted, its promises fulfilled, and its honor vindicated, it will receive, under the leadership of him who leads it now, and who, in my opinion, is as fearless a foe as corruption ever encountered, the renewed fealty of the people; but if it yields to the tempter's touch, if it breaks its ranks and locks hands with the monopolists who have been gathering their iniquitous toll for a quarter of a century at the ports of entry of this Republic, and who are here now infesting the avenues of legislation, then in my opinion its handwriting is on the wall and its destiny is closed, for treachery can never triumph and a lie can never live. [Great applause.]

Mr. HENDERSON, of Iowa, Mr. CHAIRMAN: In discussing the tariff I am bound to say at the very outset that men may honestly differ on this great economic question. There are no juste grounds for the sharp words that too often pass between the conflicting parties. It is a purely business matter, in which we, as representatives of a common country, are interested in wisely legislating for the good of the people of this nation.

It is only a few years ago that I as honestly believed in free trade as I do to-day honestly believe in protection.

The proposition of having free trade, open and inviting ports between the nations of earth, is most captivating to the young mind. I can well recall the time when I and the young students of my acquaintance had scarcely decent toleration of any doctrine that did not look towards open ports, open doors, unlocked windows, international courts that would put an end to armies, fleets, and human carnage, and that aimed to reach a point when all restraints should be removed from the individual, save the protection that enlightenment and a clean conscience would give. We wanted to drift away from the law-making, law-construing, and law-executing machinery of government, so that every dollar earned by the individual might go into chairs, carpets, libraries, clothing, in brief, home comforts and luxuries, and not into the pockets of an army of government officials and men trained to cut throats, shoot, and kill their fellow-men.

There are but few young men who read, think, and aspire for the best in life that do not entertain these glorious day-dreams of a millennium upon earth; I do not aim to attack this line of thought. But I have learned in the school of experience that we can not take the locks from our doors and windows while the armed thief is concealed in the door-yard waiting for the darkness to cover his crime.

We can not abolish our armies and abolish our military and naval schools while other nations are increasing their muster-rolls, augmenting their navies, and choking their arsenals with improved implements of death.

Neither can we open our ports for free entrance to the rest of the world while all the great commercial nations on earth relentlessly close their ports in our faces. Nor am I prepared to open our ports, even if they are (as they are not), until their people are on as high and as generous a plane of life as are the people of the United States of America.

ALL THE GREAT NATIONS OF EARTH PROTECT THEIR HOME INDUSTRIES.

Their doors are closed against us. I see it stated in a Democratic paper that Germany collected tariff duties on the flowers that were sent from abroad as a tribute to the dead Emperor. Even England, which comes nearest to free trade, finds plenty of methods, and at great expense to the general government, to protect the industries of her people.

Observe how cunningly but firmly great European powers shut their ports against the hog products of our American farmers; and yet, we are asked to respond by inviting Europe to enter freely and occupy our markets.

These powers across the seas are all smart enough to look out for "Number one." My oath and yours bind us to the same policy.

The unit—the "No. 1"—which you and I are bound to look out for, is not the world, but our own good land, the United States of America.

If our unit of thought in this discussion is the world, we are bound to advocate free trade. If it is the country under whose Constitution we are sent here, then our duty is to advocate everything that will protect and make prosperous and happy our own American people.

I have said that honest differences of opinion may be held on this question, but I have indicated that free-trade opinions should be confined to youth and inexperience. It should be tolerated in the student and the purely book philosopher. But I am at a loss to understand how any man who becomes a part of the business, throbbing life of this country, and who has marked its progress and happy conditions under protection, can be a sincere advocate of free trade.

Mr. Chairman, President Cleveland in his extraordinary message speaks of "our present tariff laws" as "the vicious, inequitable, and illogical source of unnecessary taxation." In these and other expressions coming from that source, the President is understood as challenging the wisdom of the laws which have contributed so much to our national prosperity. He throws the gauntlet at the foot of protection and stands boldly forth as the champion of free trade. His message is so interpreted by the leading lights of the Democracy both here and in England.

The sentiment in Europe towards the President, and their construction of his message, may be gathered from the following extract from the letter addressed to me from a personal friend who is now in Europe representing a business that brings him in constant contact with the manufacturing interests of the Old World.

Under date of January 26, he writes:

The tariff question is the absorbing topic of conversation, and you can readily imagine they are all very friendly to the views as expressed by Mr. Cleveland, and look forward with joy to the day, which they think is very near, when they can pour their manufactured stuff upon our market. When next election comes, however, and the G. O. P. comes to the front again and our standard-bearer leads us to victory, we think their fond hopes will be dissipated.

The treatment of the subject on this floor by the Democracy is in harmony with that idea. You snap and snarl at our tariff laws as at things deadly and to be hated. Not one kind, generous word has emanated from your committee in charge of this bill, or from any Democratic speaker here, in favor of that revenue policy which took a bankrupt Treasury, an impoverished and suffering country, languishing in all of her industries, out of Democratic hands and made her the imperial, incomparable, prosperous, happy country of all earth.

While you are in fact for free trade, while it is true that protection and its grand results fret and condemn the Democracy, yet you dare not and can not destroy the Republican-American policy which has marked such mighty and happy results for our people.

PROTECTION IS RIGHT.

There is a right and wrong side to this question. If the doctrine of protection is right, free trade can not be.

I believe in protection. I am not a "high-tariff protectionist." Neither am I a "low-tariff protectionist." I do not know what is meant by those terms. Of course, if I can not reason on this question until I find a major premise on which to build my faith, or if I belong to that class of men who, seeing conflicts of opinion, has not the intellect or the courage to find solid ground and plant himself bravely upon it, I would seek any kind of term behind which to hide uncertain opinions, or to conceal my weakness from the people.

My line of thought on this question is a very clear one to me. I am first looking out for the happiness of the people of this country. I want to make America a beehive of industry. I want to draw all of our people into the varied avenues of work and keep them from the

commune. To accomplish this I want all of the material possibilities of this country developed. I want to tap the oil wells, open the mineral mountains, quicken the inventive genius of our wonderful, composite people. I want our prairies, hills, and valleys to groan with food for the millions. I want the music of the hammer, the steam-whistle, the school-bell, and the lowing of the flocks and herds upon a thousand hills.

There are but few human wants that can not be answered on this wonderful continent.

Whatever we do need that this country can not yield for our people I want no tariff duty placed upon it, except in times of war, of great national distress. To thus hold does not make me either a "high-tariff man," a "low-tariff man," a "revenue reformer," or a "free-trader."

Whatever we can make or raise in this country in sufficient quantities to supply the needs of our people I am in favor of protecting with such a duty as will keep other people out of our way and let our own heads, hands, and material supply our own wants. Whatever duty is needed for that purpose I favor, and that does not make me a high-tariff or a low-tariff man, but a protectionist.

If the conditions change, then I will change. We may exhaust certain resources so that the needed supply will fail; then I want the duty taken off and we will buy of the outsiders. On the other hand, when any inventions or discoveries will enable us to develop some new or struggling industry so that it can supply our wants, then I am for protecting that also.

THE SURPLUS.

Now, sir, we find that we are receiving about $60,000,000 annually more than we need to carry on the ordinary expenses of the Government. That is, we have paid off the matured indebtedness of the Government so that the money which had been wisely provided to meet our debts is no longer needed to the amount of $60,000,000 per year. This surplus we all want to avoid. There is not a member of this House that does not wish to avoid the collection of any more money than is needed for the wise and economical administration of the Government. This brings us to the question of, How shall we best prevent the accumulation of this surplus?

I submit that the true rule is to select such subjects for change of law as will least disturb the established business of the country, and at the same time try and find such articles that now bring a revenue, but which do not supply the needs of our people. That is to say, reduce the tariff or wholly remove it from such industries as fail to develop to the point of supplying our wants, or that do not give promise of meeting those wants.

That brings us, it seems to me, face to face with our clear duty, which is to

REMOVE THE TARIFF ON SUGAR.

This industry comes within the rule, for it has never reached the point of supplying our wants as a people, and it certainly has had plenty of time and abundant protection.

The following tables, furnished by the Treasury Department, clearly establish my proposition:

Statement showing the quantities of sugar and molasses produced in the State of Louisiana during the years named below.

[From data furnished by A. Bouchereau, esq.]

Years.	Sugar.	Molasses.	Years.	Sugar.	Molasses.
	Hhds.	*Gallons.*		*Hhds.*	*Gallons.*
1818	25,000	.....	1855–'56	231,429	15,274,140
1823–'24	30,000	.....	1856–'57	73,296	4,882,380
1824–'25	32,000	.....	1857–'58	279,697	19,578,790
1825–'26	30,000	.....	1858–'59	362,296	24,887,760
1826–'27	32,000	1,604,250	1859–'60	221,840	17,858,100
1827–'28	30,000	2,255,750	1860–'61	228,753	18,414,550
1828–'29	45,000	4,398,250	1861–'62	459,419	34,216,000
1829–'30	71,000	2,300,090	1862–'63	.....	7,619,000
1830–'31	88,000	3,900,000	1863–'64	76,800	2,303,000
1831–'32	48,000	3,650,000	1864–'65	10,387	765,000
1832–'33	70,000	.....	1865–'66	18,070	1,128,000
1833–'34	75,000	.....	1866–'67	41,000	2,570,000
1834–'35	100,000	.....	1867–'68	37,647	2,800,000
1835–'36	30,000	.....	1868–'69	84,250	5,636,920
1836–'37	70,000	.....	1869–'70	87,090	5,724,256
1837–'38	65,000	.....	1870–'71	144,881	10,281,419
1838–'39	70,000	.....	1871–'72	128,461	10,019,958
1839–'40	115,000	.....	1872–'73	108,520	8,898,640
1840–'41	87,000	.....	1873–'74	89,498	8,203,944
1841–'42	90,000	.....	1874–'75	116,867	11,516,828
1842–'43	140,000	.....	1875–'76	144,146	10,870,546
1843–'44	100,000	.....	1876–'77	169,331	12,024,108
1844–'45	200,000	.....	1877–'78	127,753	14,237,280
1845–'46	186,000	.....	1878–'79	213,221	13,218,404
1846–'47	140,000	.....	1879–'80	169,972	12,189,190
1847–'48	240,000	.....	1880–'81	218,314	15,255,029
1848–'49	220,000	.....	1881–'82	122,982	9,691,104
1849–'50	247,923	.....	1882–'83	241,220	15,716,755
1850–'51	211,201	.....	1883–'84	221,515	15,277,316
1851–'52	237,547	.....	1884–'85	170,431	11,761,608
1852–'53	321,934	25,700,000	1885–'86	231,290	17,863,732
1853–'54	449,324	31,000,000	1886–'87	145,986	.....
1854–'55	346,635	23,113,620			

NOTE.—No data for years left blank.

Statement showing the quantities of sugar and molasses produced in the United States during the years from 1852 to 1886, inclusive.

Year.	Sugar.		Molasses.	
	Louisiana.	Other Southern States.	Louisiana.	Other Southern States.
	Pounds.	*Pounds.*	*Gallons.*	*Gallons.*
1852–'53	368,129,000	18,173,000	25,700,000	1,260,000
1853–'54	495,156,000	29,998,000	31,000,000	1,956,000
1854–'55	385,227,000	29,498,000	23,113,620	1,406,000
1855–'56	254,569,000	22,000,000	15,274,140	1,320,000
1856–'57	81,373,000	5,987,000	4,882,380	360,000
1857–'58	307,666,700	14,303,000	19,578,790	795,000
1858–'59	414,796,000	18,298,000	24,887,760	1,080,000
1859–'60	255,115,750	11,534,000	17,858,100	736,000
1860–'61	265,063,000	9,661,000	18,414,550	1,394,000
1861–'62	528,321,500	11,509,000	34,216,000	3,502,000
1862–'63	96,840,000	6,200,000	7,619,000	381,000
1863–'64	84,500,000	560,000	2,303,000	217,000
1864–'65	10,800,000	400,000	765,000	85,000
1865–'66	19,900,000	780,000	1,128,000	172,000
1866–'67	42,900,000	7,500,000	2,570,000	430,000
1867–'68	41,400,000	10,120,000	2,800,000	570,000
1868–'69	95,051,225	5,750,000	5,636,920	764,000
1869–'70	99,452,940	5,380,000	5,724,256	876,000
1870–'71	168,878,592	9,426,000	10,281,419	619,000
1871–'72	146,906,125	9,446,000	10,019,958	681,000
1872–'73	125,346,493	9,486,000	8,898,640	601,000
1873–'74	103,241,119	5,399,000	8,203,944	507,000
1874–'75	134,504,691	7,736,000	11,516,828	674,000
1875–'76	163,418,070	9,062,000	10,870,546	1,380,000
1876–'77	190,672,570	8,688,000	12,024,108	876,000
1877–'78	147,101,941	11,940,000	14,237,280	913,000
1878–'79	239,478,753	11,402,000	13,218,404	1,005,000
1879–'80	198,962,278	8,915,000	12,189,190	1,211,000
1880–'81	272,982,899	12,320,000	15,255,029	1,704,000
1881–'82	159,874,950	11,200,000	9,691,104	2,308,896
1882–'83	303,066,258	15,680,000	15,716,755	3,250,000
1883–'84	287,712,230	15,232,000	15,277,316	3,118,000
1884–'85	211,402,963	14,560,000	11,761,608	2,802,000
1885–'86	286,626,486	16,128,000	17,863,732	3,645,000

NOTE.—The data as to the production of Louisiana are from the Louisiana Sugar Reports, by A. Bouchereau, and the data of the products of other Southern States were furnished by Mr. A. Noel Blakeman, manager of the New York Shipping and Commercial List.

Statement showing the quantity (in tons of 2,240 pounds) of sugar consumed in the United States during each year from 1877 to 1886, inclusive.

[Data mainly derived from the New York Shipping and Commercial List.]

Calendar year.	Imported cane sugar. *a*	Domestic product.						Total.	Consumption per capita of population.
		Manufactured from imported molasses. *b*	Of cane in Louisiana.	Of cane in other Southern States.	Of maple.	Of beet root. *c*	Of sorghum and other.		
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Tons.*	*Lbs.*
1877	606,750	35,500	85,121	3,879	12,000	446	1,554	745,250	36.0
1878	649,872	40,000	65,670	5,330	11,000	223	1,377	773,472	36.2
1879	663,196	44,900	106,910	5,090	10,000	357	1,443	831,896	38.1
1880	705,370	50,617	88,822	.....	10,000	357	1,943	917,109	40.9
1881	832,616	39,949	121,867	5,500	9,000	629	.....	1,009,561	43.9
1882	917,120	64,456	71,372	5,000	20,000	446	.....	1,078,394	45.7
1883	962,871	40,722	135,297	7,000	18,500	536	.....	1,164,926	48.2
1884	1,053,790	50,000	128,443	7,000	25,000	737	313	1,265,283	51.0
1885	1,069,539	47,259	94,376	6,500	25,900	600	1,400	1,245,574	48.8
1886	1,162,600	72,613	127,958	7,200	18,000	754	.....	1,389,125	53.3

a Includes such amounts of beet sugar as may have been imported.
b Leading refiners state that little or no sugar is manufactured from domestic molasses.
c Now manufactured in California only.

It will be seen that the largest amount produced in the United States in one year was in 1861–'62, when it aggregated 539,830,500 pounds, while in 1885–'86 it only amounted to 302,754,486 pounds, being 237,076,014 pounds less than in 1861–'62.

In 1886 we consumed 3,111,640,000 pounds of sugar; more than ten times the quantity produced in this country.

There is a falling off in the production, no increase in the acreage, and there are about seven hundred fewer sugar establishments now than there were before the year 1861. While this is true, our population is rapidly increasing, as is the individual consumption of sugar.

In 1877 we consumed 36 pounds per person annually; in 1884 it reached 53.3 pounds, and last year it is estimated at 55 pounds.

The duties paid in 1886 amounted to $50,265,538, and last year to $56,507,495.

As we produce so small a part of the amount consumed, here is a case where the duty becomes a direct burden upon the people, and it is one that should no longer be tolerated. At all events a very great

reduction should be made in the duty, and, if possible, it should be wholly removed.

But I would not abandon this industry, especially as the hope is offered that beet and sorghum raising for sugar-making may come to the aid of the sugar-cane and supply all our wants. Hence I am willing to try a bounty for the benefit of sugar raised in this country. In this matter my own State, Iowa, and this is also true of Kansas, has taken action, and but a few days ago enacted a law giving a bounty to her people to encourage the production of sugar. Here let me invite attention to the views of Alexander Hamilton on the subject of bounties. The views of so high an authority will be of interest.

From the report of Hon. Alexander Hamilton, Secretary of the Treasury, to Congress, made December 5, 1791, on the state of manufacturing in the United States, the following is taken:

PECUNIARY BOUNTIES.

This has been found one of the most efficacious means of encouraging manufactures, and is, in some views, the best. Though it has not yet been practiced upon by the Government of the United States (unless the allowance on the exportation of dried and pickled fish and salted meat could be considered as a bounty), and though it is less favored by public opinion than some other modes, its advantages are these:

It is a species of encouragement more positive and direct than any other, and for that very reason has a more immediate tendency to stimulate and uphold new enterprises, increasing the chances of profit and diminishing the risks of loss in the first attempts.

2. It avoids the inconvenience of a temporary augmentation of price, which is incident to some other modes, or it produces it to a less degree, either by making no addition to the charges on the rival foreign article, as in the case of protecting duties, or by making a smaller addition. The first happens when the fund for the bounty is derived from a different object (which may or may not increase the price of some other article, according to the nature of that object), the second, when the fund is derived from the same or a similar object of foreign manufacture. One per cent. duty on the foreign article converted into a bounty on the domestic will have an equal effect with a duty of 2 per cent. exclusive of such bounty, and the price of the foreign commodity is liable to be raised, in the one case, in the proportion of 1 per cent., in the other in that of 2 per cent. Indeed the bounty, when drawn from another source, is calculated to promote a reduction of price, because, without laying any new charge on the foreign article, it serves to introduce a competition with it and to increase the total quantity of the article in the market.

3. Bounties have not, like high protecting duties, a tendency to produce scarcity. An increase in price is not always the immediate, though where the progress of a domestic manufacture does not counteract a rise it is commonly the ultimate, effect of an additional duty. In the interval between the laying of the duty and the proportional increase of price, it may discourage importation by interfering with the profits to be expected from the sale of the article.

4. Bounties are, sometimes, not only the best but the only proper expedient for uniting the encouragement of a new object of agriculture with that of a new object of manufacture. It is the interest of the farmer to have the production of the new material promoted by counteracting the interference of the foreign material of the same kind. It is the interest of the manufacturer to have the material abundant and cheap. If, prior to the domestic production of the material in sufficient quantity to supply the manufacturer on good terms, a duty is to be laid upon the importation of it from abroad with a view to promote the raising of it at home, the interest both of the farmer and manufacturer will be dissevered. By either destroying the requisite supply or raising the price of the article beyond what can be afforded to be given for it by the conductor of an infant manufacture, it is abandoned or fails, and there being no domestic manufactories to create a demand for the new material which is raised by the farmer it is in vain that the competition of the like foreign article may have been destroyed.

It can not escape notice that a duty upon the importation of an article can not otherwise aid the domestic production of it than by giving the latter greater advantages of the home market. It can have no influence upon the advantageous sale of the article produced in foreign markets—no tendency, therefore, to promote its exportation.

The true way to conciliate these two interests is to lay a duty on foreign manufactures of the material, the growth of which is desired to be encouraged, and to apply the produce of that duty by way of bounty either upon the production of the material itself or upon its manufacture at home, or upon both. In this disposition of things the manufacturer commences his enterprise under every advantage which is attainable, as to quantity or price of the raw material, and the farmer, if the bounty be immediately to him, is enabled by it to enter into a successful competition with foreign material. If the bounty be to the manufacturer, or so much of the domestic material as he consumes, the operation is nearly the same; he has a motive of interest to prefer the domestic commodity, if of equal quality, even at a higher price than the foreign, so long as the difference of price is anything short of the bounty which is allowed upon the article.

Except the simple and ordinary kinds of household manufacture, or those for which there are very commanding local advantages, pecuniary bounties are in most cases indispensable to the introduction of a new branch. A stimulus and a support, not less powerful and direct, is, generally speaking, essential to the overcoming of the obstacles which arise from the competitions of superior skill and maturity elsewhere. Bounties are especially essential in regard to articles upon which those foreigners who have been accustomed to supply a country are in the practice of granting them.

The continuance of bounties on manufactures long established must almost always be of questionable policy, because a presumption would arise in every such case that there were natural and inherent impediments to success. But in new undertakings they are justifiable, as they are oftentimes necessary.

There is a degree of prejudice against bounties, from an appearance of giving away the public money without an immediate consideration, and from a supposition that they serve to enrich particular classes at the expense of the community.

But neither of these sources of dislike will bear a serious examination. There is no purpose to which public money can be more beneficially applied than to the acquisition of a new and useful branch of industry, no consideration more valuable than a permanent addition to the general stock of productive labor.

As to the second source of objection, it equally lies against other modes of encouragement which are admitted to be eligible. As often as a duty upon a foreign article makes an addition to its price, it causes an extra expense to the community for the benefit of the domestic manufacturer. A bounty does no more, but it is the interest of society in such case to submit to the temporary expense, which is more than compensated by an increase of industry and wealth by an augmentation of resources and independence, and by the circumstance of eventual cheapness, which has been noticed in another place.

It would deserve attention, however, in the employment of this species of encouragement in the United States as a reason for moderating the degree of it in the instances in which it might be deemed eligible, that the great distance of this country from Europe imposes very heavy charges on all the fabrics which are brought from thence, amounting to from 15 to 30 per cent. on their value, according to their bulk.

A question has been made concerning the constitutional right of the Government of the United States to apply this species of encouragement, but there is certainly no good foundation for such a question. The National Legislature has express authority "to lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defense and general welfare," with no other qualifications than that. "All duties, imposts, and excises shall be uniform throughout the United States; that no capitation or other direct tax shall be laid, unless in proportion to numbers ascertained by a census or enumeration, taken on the principles prescribed in the Constitution;" and that "no tax or duty shall be laid on articles exported from any State."

These three qualifications excepted, the power to raise money is plenary and indefinite, the objects to which it may be appropriated are no less comprehensive than the payment of the public debts, and the providing for the common defense and general welfare. The terms "general welfare" were doubtless intended to signify more than was expressed or imported in those which preceded; otherwise numerous exigencies incident to the affairs of a nation would have been left without a provision. The phrase is as comprehensive as any that could have been used, because it was not fit that the constitutional authority of the Union to appropriate its revenues should have been restricted within narrower limits than the "general welfare," and because this necessarily embraces a vast variety of particulars which are susceptible neither of specification nor of definition.

It is, therefore, of necessity left to the discretion of the National Legislature to pronounce upon the objects which concern the general welfare, and for which, under that description, an appropriation of money is requisite and proper. And there seems to be no room for doubt that whatever concerns the general interests of learning, of agriculture, of manufactures, and of commerce are within the sphere of the National Councils as far as regards an application of money.

The only qualification of the generality of the phrase in question, which seems to be admissible, is this: that the object to which an appropriation of money is to be made be general and not local; its operation extending in fact or by possibility throughout the Union, and not being confined to any particular spot.

No objection ought to arise to this construction from a supposition that it would imply a power to do whatever else should appear to Congress conducive to the general welfare. A power to appropriate money with this latitude, which is granted too in express terms, would not carry a power to do any other thing not authorized in the Constitution either expressly or by fair implication.

We can pay out annually $6,000,000 for bounties, protect the sugar-raiser for what he does accomplish, cut down our revenue $50,000,000, and save that amount to the consumers of the country.

It is suggested by some wise people, and by very many good and noble people, that we should cut down the surplus by removing the tax from distilled spirits and fermented liquors.

In reply to this I have only to say that these taxes were wisely laid at a time when the country absolutely needed the revenue from the same, and being laid on these articles, I am unwilling, for the present at least, to seek a remedy in that quarter. I can not convince myself that it is right to remove burdens from the wine-glass and leave them on the sugar-bowl. I would take the burden from the table of the home before taking it from the counter of the saloon.

THE FARMERS.

What interest has the farmer in tariff legislation? Out of our 60,000,000 people fully 8,800,000 are engaged in agriculture, and over half of our population are depending upon its fruits.

We have not less than 5,000,000 farms worth $11,000,000,000. Our farm products are worth $3,000,000,000, with $2,500,000,000 in live-stock. We have $600,000,000 in implements and machinery. Our fences and improvements amount to $150,000,000.

These are the men and this is the capital that feed the 60,000,000 of people.

They are a hard-working, earnest, intelligent, frugal, and moral element in our busy country. There is no class of our people that must depend so much upon the fidelity of their representatives, for they have not the means, time, or facilities for sending agents and attorneys here to plead for their interests. Let us look to it well that no legislation passes this body that will strike at the interest of this great body of our people.

THEY ARE NOW PROTECTED.

Here are some of the leading products that are protected: Wheat, per bushel, 20 cents; corn, per bushel, 10 cents; oats, per bushel, 10 cents; corn-meal, per bushel, 10 cents; potatoes, per bushel, 15 cents; hay, per ton, $2; oat-meal, per pound, ½ cent; rye flour, per pound, ½ cent; butter, per pound, 4 cents; cheese, per pound, 4 cents; pork, per pound, 1 cent; ham, per pound, 2 cents; tobacco, per pound, 40 to 75 cents; wool (according to grade), 2½ to 35 cents; wheat flour, 20 per cent.; turnips, 20 per cent.; cabbage, 20 per cent.; other vegetables, 20 per cent.; live animals, 20 per cent., except those imported for breeding purposes, which are free; beef, per pound, 1 cent; meat, extract of, 20 per cent.; potato-starch, 2 cents per pound; corn-starch, 2 cents per pound; rice-starch, 2½ cents per pound; other starch, 2½ cents per pound; honey, 20 cents per pound; hops, 8 cents per pound; milk, preserved or compressed, 20 per cent.; pickles, 35 per cent.; currants, 1 cent per pound; fruits, preserved, 20 per cent.

I believe, sir, that if any change is to be made in respect to farm products, there should be an increase instead of a decrease in order that we may keep out Canadian and other competitors. If any one doubts this let him look at the following table prepared for me by the Bureau of Statistics. This will show what Canada is doing now in the matter of stealing the market from our American farmers:

Statement showing the quantities and values of agricultural products imported into the United States from the Dominion of Canada during each of the years ending June 30, 1880 and 1887.

Agricultural products.	1887.		1880.	
	Quantity.	Value.	Quantity.	Value.
Animals:				
Cattle.....number...	59,653	$1,086,645	(*)	(*)
Horses.....do.....	25,525	3,430,594	(*)	(*)
Sheep.....do.....	450,175	1,215,437	(*)	(*)
All other.....	.....	114,837	(*)	(*)
Total animals.....	.....	5,847,513	.....	$3,528,300
Breadstuffs:				
Barley.....bushels...	10,351,895	6,170,660	7,126,436	4,527,382
Oats.....do.....	86,290	27,715	489,364	152,495
Rye.....do.....	18,468	10,718	532,386	373,135
Wheat.....do.....	277,510	218,551	451,712	515,828
All other breadstuffs.....	.....	103,864	.....	65,294
Total breadstuffs.....	.....	6,531,508	.....	5,634,134
Eggs.....dozen...	13,682,914	1,930,844	7,662,068	894,349
Flax, raw.....tons...	1,682	298,079	1,022	155,999
Fruits.....	.....	337,838	.....	113,462
Hay.....tons...	78,255	789,129	(†)	(†)
Malt, barley.....bushels...	206,203	149,444	1,023,411	829,467
Total eggs, etc.....	.....	3,505,234	.....	.....
Provisions:				
Meats.....	.....	123,788	(*)	(*)
Butter.....pounds...	234,756	37,864	(*)	(*)
Cheese.....do.....	2,335	424	(*)	(*)
Milk.....	.....	1,039	(*)	(*)
Total provisions.....	.....	163,115	.....	566,193
Rice.....pounds...	1,298,230	24,913	562,170	15,146
Seeds.....	.....	9,793	.....	90,975
Spices.....pounds...	11,473	2,773	31,500	7,239
Sugar, brown.....do.....	326,833	20,798	7,201,807	384,784
Molasses.....gallons...	92,283	20,120	367,843	93,503
Tobacco, leaf.....pounds...	419,450	222,345	59,010	24,184
Total rice, etc.....	.....	300,474	.....	.....
Vegetables:				
Peas and beans.....bushels...	597,741	556,430	327,271	272,084
Potatoes.....do.....	1,228,405	339,163	660,056	177,755
All other vegetables.....	.....	91,639	.....	.....
Total vegetables.....	.....	987,232	.....	449,839
Wool, raw.....pounds..	1,610,123	357,142	4,075,665	1,051,389
Total wool, raw.....	.....	357,142	.....	.....
Total.....	.....	17,692,586	.....	13,838,963

*Not stated separately. † Not stated.

WM. F. SWITZLER,
Chief of Bureau.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *March* 7, 1888.

Some sneeringly tell us that the farmer needs no protection, as his competitors are too far away to become successful rivals. The foregoing table disproves this assumption. In 1880 Canada alone, after paying the tariff duties, sent into the United States agricultural products amounting to nearly $14,000,000, and in 1887 it was increased to nearly $18,000,000. Take off the duty which holds them in check and the prices for products of the farm would soon be forced down, running the loss to our farmers up to tens of millions of dollars.

And yet, in the face of these facts, the bill now under discussion puts the following agricultural products upon the free-list:

All wools, linseed, garden-seed, rape and other oil seed, hempseed, bulbs, and roots, split peas, beans and peas, milk (fresh), meats, game and poultry, figs, plums and prunes, dates, currants (Zante), vegetables (fresh), bark, beans, etc.: hemp, beeswax, flax, manilla, other vegetable substances.

Instead, then, of extending a helping hand to this great industry, we find the Democracy turning their legislative guns against it, crippling where they should support, and tearing down where they should build up.

THE FARMER MORE INTERESTED THAN ANY OTHER CLASS.

The farmer has a deeper interest in protection than any other class of our citizens, than any other industry in the country. The application of free trade, or of such a reduction of duties as will throw out of employment the non-agriculturist, will be a blow at the farmer which he will feel most severely.

And yet the farmer is the special object of the demagogue, of all men; of all industries this is the one where the enemy of American prosperity most earnestly attempts to deceive and to seek political power at the expense of the farmer's happiness and the general thrift and prosperity of the country at large.

There is not a misfortune that overtakes the farmer but is quickly pointed out by free-traders as the result of protection.

If prices are low for grain or stock, it comes from "the villainous tariff." If the soil becomes exhausted so that 40 bushels an acre of wheat is followed by only 10 bushels, protection is the cause. If the wheat-producing belt moves from Iowa and Southern Minnesota far northward, it comes from "the war tariff." If a young fellow buys 160 acres and mortgages it to build fences and stock it, and with growing family and growing necessities he finds the mortgage slow in lifting, the free-trader hisses into his ear, "It comes from the damnable tariff of the Republicans."

If the wage-earner, the man who works by the day or month, puts his little savings into bank, and the farmer borrows money to put into land, fences, houses, farms, reapers, mowers, cattle, hogs, sheep, etc., he thus having valuable assets while the day laborer has his little saving and his muscles, the farmer is reminded that the tariff is "robbing" him, while the laborer in the city has money in bank.

It is boldly claimed for political purposes that

THE FARMS ARE ALL MORTGAGED,

that agriculture is groaning under debts springing from the tariff laws. Tables of mortgages are ground out daily by Democratic newspapers, printed and reprinted as coming from some "official source." They run their tables up into the billions. When men want to deceive in this way it is easily done; the addition of a little cipher at the right of $3,000,000 of mortgages on the Northwestern farms makes it thirty million, and one more cipher and it is three hundred millions, still another and "Presto! change!" the farmers of the Northwest are groaning under a load of three billions of mortgages. This is the modern Democratic method of demonstrating the evil results of protection. I have followed this "farm-mortgage" statement with some care, and I say that no figures have been given to the country by a single Democratic paper or speaker that can be proved to be accurate or anywhere near it. They are cut out of whole cloth for the sole purpose of deceiving.

I saw one of these farm-mortgage tables in the Washington Sentinel of March 3 last. Here is an extract from this paper, and it is going the rounds freely, and has even been put into the CONGRESSIONAL RECORD in a speech against public buildings:

Investigation started by the Agricultural Department and pursued by other inquiries have brought to light the mortgages held by Eastern States on the farms of the West. The South is not touched in this particular report. These are the figures of farm mortgages as gathered by the most careful examination of records and other sources of information:

Ohio	$701,000,000	Iowa	$351,000,000
Indiana	398,000,000	Nebraska	140,000,000
Illinois	620,000,000	Kansas	200,000,000
Wisconsin	250,000,000	Missouri	237,000,000
Michigan	350,000,000		
Minnesota	175,000,000	Total	3,422,000,000

Observe the devilish cunning of this free-trade item. It comes from an "investigation started by the Agricultural Department." That's a settler, is it not? Again it says, "These are figures of farm mortgages as gathered by the most careful examination of records and other sources of information." This is a clincher! The intent of the "reformer" who got that up (and no one can tell where it started or who started it) was to convey the idea that the "Department of Agriculture" is the real source. And notice again, "a most careful examination of records" was made. What records? By whom made? When made? Will some of these gentlemen get up in this place here now and tell the listening and eager world who did this job? I will yield now for any gentleman to answer these questions. When and where and what records were examined? It was a "careful examination," says the modern Ananias. Please tell us who the "careful," industrious, and benevolent chap is or was that did all this to let the farmers of my State know that they are going to ruin through mortgages put onto them by such rascally robbing protection teachers as Washington, Hamilton, Jackson, Lincoln, Grant, Garfield, and Horace Greeley.

Well, sir, I sent the Washington Sentinel referred to—and it is only dealing out the same as the other reform sheets are doing—I say I sent that paper to the head of the Agricultural Department so constantly referred to, with this letter:

HOUSE OF REPRESENTATIVES, *Washington, D. C., March* 4, 1888.

DEAR MR. COLMAN: I inclose herewith the Washington Sentinel of March 3, and invite your attention to the leading article on the first page, and to that part of it which makes it appear that the statement of mortgages therein given is the result of "investigation started by the Agricultural Department."

I will thank you to return this paper with information as to the reliability of the statement just quoted. Have any such figures been promulgated by your Department? If so, will you kindly tell me the source from which you received them, and oblige,

Very respectfully, yours,

D. B. HENDERSON.

Hon. N. J. COLMAN,
Commissioner Agriculture, City.

Several days went by after I wrote said letter, and failing to get a response, I wrote a second one, and finally the paper was duly returned with my letter of March 4, and an explanation for the delay, and a

perfectly satisfactory answer to me as to the authenticity of this $3,422,000,000 mortgage table. Here is the answer of the honorable Commissioner of Agriculture:

UNITED STATES DEPARTMENT OF AGRICULTURE,
CHIEF CLERK'S OFFICE,
Washington, D. C., April 18, 1888.

DEAR SIR: The inclosed letter and paper, I regret to say, got mislaid by being accidentally placed in the wrong apartment, and has but just come to light. Your second letter with reference to it, however, was answered on the 27th ultimo.

The figures given in the paper as the amount of farm mortgages were not obtained by this Department, nor does it know from whence they were obtained.

Very truly, yours,

NORMAN J. COLMAN,
Commissioner.

Hon. D. B. HENDERSON,
House of Representatives.

That letter, sir, disposes of the main free-trade argument of this campaign. The great $3,000,000,000 mortgage table that has been driving the farmer out of house and home is left without a legal parent; it is an unhappy bastard which does not know its father and can not prove that it ever had a mother.

But, Mr. Chairman, I do not deny that there are many farms under mortgage, and very many homes, including some of our own which are not situated on farms, that are also under mortgage. Farmers are, like the rest of us, pushing forward on their credit to try and get further ahead and better their financial condition. Many are successful in their efforts. Some are unsuccessful. The situation is well stated by the Commissioner of Agriculture in his last annual report. He says under the head of

DEBTS OF FARMERS.

There are now about five million owners of farms. A million of new farms have been acquired since 1880. Many of the four million then in cultivation have since changed hands. Hundreds of thousands of these are owned by young men and others who have never before tilled lands of their own and who commenced husbandry with small means, little more than health, energy, and determination to succeed. Necessarily indebtedness has been incurred in many of these cases in purchasing old farms, in stocking old farms already paid for, or in fencing and building upon lands obtained from the Government under the homestead act. To such as commenced judiciously, with a full knowledge of the responsibilities involved, and with will and industry commensurate with the burden assumed, a mortgage may prove a blessing. It represents capital, without which the business of farming can not be undertaken or its products and profits be secured. It enables a poor but capable and industrious young man to secure a home and a profitable business, paying for it in easy installments; but it becomes a withering curse when it makes production dear and difficult, consumes a crop before it is made, and renders indebtedness hopeless.

Now, sir, I will give you something more that does come from "the Department of Agriculture," but it was not given by the figure-maker that got up the bogus farm-mortgage table. Here is an extract from the last report of the Commissioner:

It is a matter of congratulation that the burden of debt is decreasing, and is, in fact, relatively less than it was ten years ago.

And again he says:

It is gratifying to know that the burden is decreasing. The element of time in eliminating debts of pioneer settlement and improvement is obvious, for a large portion of American farmers have settled with little capital, and have erected houses and barns, built fences, dug ditches, felled forests, or broken prairies by the labor of their own hands. The capital in agriculture is of recent creation, much the largest portion from the labor of a single generation of workers.

The inducement to improve and stock a farm on the basis of free land is sufficient to warrant incurring indebtedness on the security of youth, and will, and muscle; and the gradual reduction of the debt, while the property is increasing in value, is a security of ultimate removal of the burden.

Mr. Chairman, I have more interest in the happiness and prosperity of the farmers of my State, and especially of my district, than has any free-trader living out of Iowa. My business interests and my political interests are linked to the welfare of the farmers of Iowa. If I believed that protection was injuring them I would oppose it if every man in this House were against me.

In addition to that I spent the early years of my life on a farm. From the time that I was six years old until I entered my twenty-second year I toiled early and late on a farm. That was from 1846 to 1861—a period within which Democracy and its leading doctrine, free trade, gave the world the strongest test of the unwisdom of both.

I remember how the farmer had to toil like a galley-slave during that period. I remember the good crops, but the starvation prices, of that period. I recall the poor and dear clothing of that period. I remember the oppressive "store bills" of that period. I remember the bad money, bad politics, bad teachings, bad laws, bad tariff, bad mortgages, and bad everything of that period of Democratic supremacy.

You could tell the difference between an audience made up of farmers and their wives and children on the Fourth of July in those "dear" old Democratic days and an audience of "city folks," as we used to call them. You can not detect that difference to-day.

The "log cabin" has disappeared. Comfortable homes, a good carpeted room, a spring wagon, a barn, a buggy or carriage for the trip to church or the town, a country paper, and often a good daily, books, plenty to eat and wear; these are the fruits of protection that the farmer enjoys to-day. This is the rule in the great Northwest, and pinching poverty is the exception.

THE FARMER'S MARKET.

That market is best for the farmer which will enable him to get the most possible for his products after deducting the transportation charges for getting his produce to the market. Clearly, then, the nearer the market is to him the better, because it costs less to reach it.

The free-trader urges the foreign market as the farmer's heaven; the protectionist the near and home market as the better one for the farmer, for several reasons:

First. It is near by and costs less for transportation, both in sending what he sells and in receiving what he buys.

Second. Because it is a steadier, more reliable market. Our own people are here and depend on our own farmers for their food.

Third. Because our farmers buy what they use from the non-farmer class and the latter buys his food from the farmer.

It is "help me and I will help you, and we are always here to help each other, and no go-between or outside raiders shall rob the other of the regular and reliable patronage which insures the happiness of both."

Why are the farming lands of Iowa becoming so valuable? Why are the lands that were worth $1.25 and $2.50 an acre in 1850 now worth $25 and $50 per acre and, in the vicinity of cities, from $100 to $250 per acre? It is because consumers who are not farmers are settling near to our farms.

I represent one of the most prosperous farming districts in the West. Why is it so?

It is because it has in it 102 cities and towns, with 592 manufacturing establishments of different kinds, employing 7,190 workmen, and supporting 28,760 people who are constant consumers of the produce of my farmers.

There are in my district foundries, plow manufactories, sash and door factories, oil mills, paint mills, wagon factories, carriage factories, oatmeal mills, flouring mills, creameries, railroad machine-shops, boot and shoe factories, clothing factories, pump factories, paper mills, pork-packing establishments, canning companies, barb-wire factories, pottery works, sorghum mills, woolen mills, windmills and tanks, cabinet-makers, spring-bed and mattress makers, harness, saddles, etc., coffin manufacturers, street-car makers, churn factories, builders of steamboats and steel hulls.

We ship wagons and carriages East and West, sending car-loads into California, Texas, and even into Mexico. We send omnibuses made in the city of Waterloo to the large cities of the East, and we ride in street-cars made by our own people. When we visit our Northern lakes we ride in floating palaces made by the cunning hands of our workmen. Nothing pleases our farmers more than to see manufacturing establishments going up in the cities or towns near by. Why? Because they bring more consumers near to them.

Every smoke-stack that marks the presence of a manufacturing house is a guaranty to the farmer that his market is getting surer and better.

Let the great manufacturing princes of the Old World come here, as the free-trade Democracy invite, and supply the American market, thus throwing out of employment American cash and American workmen, and what must be the result? Our home market will be gone, and those unemployed will be driven into agriculture, increasing the competition which the farmer does not want and which must cut down his present profits.

My people are not interested in having more farmers. They want more manufacturing establishments. They have food for you of the East and for you of the West who are not food raisers, and the farmer's real interest lies in your people being able to buy their food and to have money enough to pay good prices for it.

If we can keep the non-agriculturists at work they can take all our food. In 1887 the farm products amounted to over $5,000,000,000, while only $500,000,000 was exported to other lands—only about 10 per cent. of all produced. Ninety dollars of each $100 is eaten by our own people. With these facts before us why spend time dreaming of the far-away and unreliable markets in other countries?

It is a pleasure to know that the steadily declining cost of transportation is bringing our American producers and consumers more closely together, as will be demonstrated by the following table of transportation rates, whereby it will be seen that the cost of transporting a bushel of wheat from Chicago to the New York market has fallen from 42.60 cents in 1868 to 16.33 cents in 1887. The competition between transportation lines, the vigilance of Federal and State Legislatures, watched and stimulated by a thinking people, added to the growth of business, are rapidly removing the farmer's greatest trouble—expensive transportation for freights.

The following table gives the average freight charges per bushel for the transportation of wheat from Chicago to New York from 1868 to 1887. This table has been compiled by the Bureau of Statistics of the Treasury Department:

Average rates of transportation in the United States from 1868 *to* 1887.

Calendar years.	By lake and canal.	By lake and rail.	By all rail.
	Cents.	*Cents.*	*Cents.*
1868	24.54	29.00	42.60
1869	23.12	25.00	35.10
1870	17.10	22.00	33.30

Average rates of transportation, etc.—Continued.

Calendar years.	By lake and canal.	By lake and rail.	By all rail.
	Cents.	*Cents.*	*Cents.*
1871	20.24	25.00	31.00
1872	24.50	28.00	33.50
1873	19.19	26.90	33.20
1874	14.10	16.90	28.70
1875	11.43	14.60	24.10
1876	9.58	11.80	16.50
1877	11.24	15.80	20.30
1878	9.15	11.40	17.70
1879	11.60	13.30	17.30
1880	12.27	15.70	19.70
1881	8.19	10.40	14.40
1882	7.89	10.90	14.60
1883	8.40	11.50	16.50
1884	6.31	9.95	13.125
1885	5.87	9.02	14.00
1886	8.71	12.00	16.50
1887, to October 1	8.21	12.00	16.33

FLAX AND LINSEED OIL.

Here are two things in which the farmers of the Northwest are vitally interested.

We have now 81 linseed-oil mills at work. They are located as follows:

Ohio	21	Wisconsin	3
Illinois	12	Kansas	2
Iowa	11	Nebraska	1
Pennsylvania	8	Michigan	1
Indiana	7	Dakota	1
New York	7		
Missouri	4	Total	81
Minnesota	3		

In these plants is invested over $5,000,000. They are capable of consuming the entire flax crop of this country—a crop that is annually growing larger.

The flaxseed last year aggregated about 12,000,000 bushels. In 1886 it was about 11,000,000 bushels. It is worth about $1 a bushel, so that the value of the crop last year to the farmers of the country was about $12,000,000. This industry meets sharp competition from Russia and British India, where it can be cheaply raised on account of the low prices paid to labor in those countries.

The Mills bill substantially leaves this industry unprotected. Withdraw the present protection and you will, first, destroy an annual crop aggregating $12,000,000; second, destroy $5,000,000 invested in oil mills; third, cut us off from the use of the linseed-oil meal now extensively used by farmers and graziers for feeding their stock; fourth, and, finally, many men now employed in this industry will be thrown out of employment.

The development of this industry in the West has reduced the prices of linseed oil and of flax products more than one-half, the direct result of our present protective duty on the same.

A short time ago the general value of linseed oil at the mills was from 80 cents to $1; the price now ranges from 36 cents to 55 cents.

The duty has given a high price to the farmers for the flaxseed and a lower price to the consumer for the oil.

Let the so-called "tariff reformers" have their way in this and the farmers of the Northwest will be robbed annually of $12,000,000, while Russia and British India would enjoy a monopoly of linseed culture and Great Britain would have a monopoly of the linseed-oil making of the world, all resulting in increased prices for linseed oil and the meal from the same.

If all this is wisdom and statesmanship, protect the farmer and the laborer from both.

WOOL.

A few words, Mr. Chairman, on the subject of wool.

Iowa is not a wool-growing State. In 1880 we had but 455,359 sheep in the State, being less than in 1870 by some 400,000 head. In passing, however, I note the fact that from the 855,359 which we had in 1870 we produced but 2,967,043 pounds of wool, while in 1880 we produced from the 455,359 head an aggregate of 2,971,975 pounds, showing an increased production in spite of a decrease in numbers.

We are not, as a State, specially interested in protecting this industry, and yet our interests as a part of this country clearly are with the protection and encouragement of the farmer who is engaged in sheep-raising and wool-growing. I can not limit the application of protection to the waters of the Mississippi and the Missouri, nor to the State lines of Minnesota and Missouri. My duty is to stand by the farmers of the United States.

Farmer LA FOLLETTE is raising wool in Wisconsin, just over the river from Farmer HENDERSON, who is raising pork. Should the former insist upon taking the duties off the swine products and the latter insist on taking the duties off the sheep products? No, sir. Our unit of thought is the United States; protection is right for all our industries that have capacity to meet our wants, and I will stand by the wool-growers of Ohio, Wisconsin, Texas, and other States on the same high and yet selfish principle that I ask them to stand by the farmers of Iowa. This is not an industry to be deserted.

In the last twelve years the total number of sheep has increased 10,975,914, or 32 per cent., in spite of the backset given a few years ago by reducing the tariff duty, and which was followed by evidence of the danger of such a course. We have now over 44,759,314 sheep in the United States. According to the statistician of the Treasury Department, we produced wool in this country as follows:

	Pounds.
1865	155,000,000
1875	192,000,000
1880	240,000,000
1886	285,000,000

We have not the values for 1865, but the other years are as follows:

1875	$94,320,652
1880	90,230,537
1886	68,400,000

These values warn us that this industry is not in a condition for the free-trade knife.

The values of the wool manufactures should be noted:

1850	$43,207,545
1860	65,596,364
1870	177,495,689
1880	267,252,913

The Department well adds that—

An examination of the totals above given will confirm the indications of the rapid development and the increasing interest of the people in the production of wool and in its manufacture.

When we consider in connection with the foregoing facts that we have invested in this business $159,091,869 as capital, employing at work an army of 161,557 people, paying out annually in wages $47,389,087, and feeding with these wages over 647,228 people, I am not prepared to strike at the wool industry.

Then, sir, let it not be forgotten that in addition to all of these national advantages from this one industry we find the cost of woolen goods gradually falling, so that we can buy our woolen clothing for less than we paid in 1861, before we gave wool real protection, and I for one can see my plain duty—a duty that I will find pleasure in performing—when I stand by the sheep-raising, wool-producing farmers of the United States.

I have taken pains to ascertain the sentiment of my own people on this subject, and I can say to the wool-growers of Ohio, California, Texas, and other States, no matter who may desert you the farmers of Iowa will not.

I read an extract from a letter from Hon J. M. Brayton, of Delhi, Delaware County, Iowa, who devotes his time to farming.

Under date of April 11, 1888, he says:

The sentiment here is to keep the tariff on wool. Few here keep sheep, but they like the tariff for the good of the farmer's cause. It aids agriculture to benefit any branch of it.

IS THE DUTY ADDED TO THE COST?

This is the point that is pressed by the free-traders more than any other. One J. S. Moore has been writing letters specially on this subject for Western consumption, and his letters have been published, I think, in every Democratic and free-trade paper in the West. He makes a long list of the articles under a startling heading something like this: "What the farmers pay under protection." Some papers change the heading and it reads, "Republican robberies of the farmer." This man Moore picks out all the items that are on the dutiable list, and in which farmers are in any way interested, places the rate of duty opposite, and the amount of duty is claimed to be the amount that is levied upon the farmer and that he must pay in addition to the original value of the article. It is the old free-trade claim, a thousand times completely refuted, that the duty is always added to the cost of the article to the consumer. It makes no difference what the article is selling for; it may be selling for less than the rate of duty, even, or within a trifle of that rate, the charge is made just as vigorously.

Take it in cases where, under the fostering care of a tariff duty we have developed an industry until we not only supply our own wants, but supply other countries, and, by sharp home competition, we have brought down the prices (as in the ordinary dishes used by our people) far below what the prices were before the duty was imposed. Still, Mr. Moore and all his clan keep right on telling the farmers that the tariff duty is added to the price of such articles.

Now, the very students in my State know better than this, and I can assure Mr. Moore and all other agents of the Cobden Club that the farmers of this country have intelligence and read and think for themselves, and are quite capable of understanding these false and foolish statements. I said that the students of my State know better than this. In a paper called The Citizen, published in my district, at Iowa Falls, in the issue of February 4, 1888, appears an article by "Student," in which communication this question is considered and its absurdities demonstrated. Then he takes Mr. Moore and his class on their own ground, as follows:

Now our free-trade or low-tariff friends insist that the tariff is a tax, and is so much added to the price of the article bought. Assuming this proposition to be true, let us look at it from the standpoint of the farmer's interest. Of course

if the duty is so much added to the price, then the farmer receives for his product just that amount more than he would receive if he were not protected by a tariff against the imported article.

Then "Student" takes up the duties on farm products and illustrates his position as was done the other day in this House by Judge PERKINS, of Kansas, whose table of computations I adopt in the place of "Student's," as it is much more complete.

Here it is:

Table showing the amount of the leading farm products of the United States and the profit resulting to farmers from the application of this rule, which must apply to farm products as well as to manufactured articles.

1885.	Corn produced	bushels...	1,936,176,000
	Gain at 10 cents per bushel duty		$193,617,600
	Wheat produced	bushels...	357,112,000
	Gain at 20 cents per bushel duty		$71,422,400
	Rye produced	bushels...	21,756,000
	Gain at 10 cents per bushel duty		$2,175,600
	Oats produced	bushels...	629,409,000
	Gain at 10 cents per bushel duty		$62,940,900
	Barley produced	bushels..	58,836,000
	Gain at 10 cents per bushel duty		$5,836,000
	Potatoes produced	bushels...	175,029,000
	Gain at 15 cents per bushel duty		$26,254,350
	Hay produced	tons...	44,731,550
	Gain at $2 per ton duty		$89,463,100
	Tobacco produced	pounds...	562,739,000
	Gain at 35 cents per pound duty		$196,957,600
	Duty at 35 cents to $1 per pound.		
1887.	Cattle raised, 33,511,750 head	value...	$663,137,926
	Gain at 20 per cent. ad valorem duty		$132,627,585
	Horses raised, 12,496,744 head	value...	$901,685,755
	Gain at 20 per cent. ad valorem duty		$180,337,151
	Sheep raised, 44,759,314 head		$89,872,839
	Gain at 20 per cent. ad valorem duty		$17,974,569
1880.	Wheat flour made		$315,394,385
	Gain at 20 per cent. ad valorem duty		$63,078,877
	Cheese made	pounds...	243,157,850
	Gain at 4 cents per pound duty		$9,726,314
	Butter made	pounds...	806,672,071
	Gain at 4 cents per pound duty		$32,266,882
	Molasses made	gallons...	46,811,523
	Gain at 4 to 8 cents per gallon duty		$3,745,081
	Sugar made	pounds...	124,516,685
	Gain at 1.40 to 3.50 cents per pound duty		$4,358,084
	Provision—meats	value...	$303,562,413
	Gain at 20 per cent. ad valorem duty		$60,712,482
	Hops raised	pounds...	26,546,378
	Gain at 8 cents per pound duty		$2,123,710
	Rice raised	pounds...	110,131,373
	Gain at 2½ cents per pound duty		$2,477,965
	Wool clips	pounds...	240,681,751
	Gain at 10 per cent.—per pound 2½ to 12 cents—duty		$24,068,175
	Pickles, etc	value...	$2,407,342
	Gain at 35 per cent. ad valorem duty		$842,569
	Beans and peas	bushels...	9,594,027
	Gain at 10 per cent. ad valorem duty		$959,002

RECAPITULATION OF SUPPOSED PROFITS.

Corn	$193,617,600	Cheese	$9,726,314
Wheat	71,422,400	Butter	32,266,882
Rye	2,175,600	Molasses	3,745,081
Oats	62,940,900	Sugar	4,358,084
Barley	5,836,000	Meats	60,712,482
Potatoes	26,254,350	Hops	2,123,710
Hay	89,463,100	Rice	2,477,965
Tobacco	196,957,600	Wool	24,068,175
Cattle	132,627,585	Pickles, etc	842,569
Horses	180,337,151	Beans, etc	959,002
Sheep	17,974,567		
Wheat flour	63,078,877	Total	1,203,954,994

It will be seen that if Mr. J. S. Moore is correct in his reasoning the farmers may be happy, for the application of this absurd doctrine as stated by Mr. Moore would give the farmers of this country annually the sum of $1,203,954,994 more than they would receive but for the tariff duties on the articles produced by them.

Perhaps allowance should be made for Moore, as he probably wrote his article above referred to just after one of the "costly dinners" referred to in this item:

J. S. Moore, the "Parsee Merchant," or rather, we may say, the agent of the free-trade foreign importers of New York, appears to be well cared for by his employers, if one may judge by the costly dinners, with unlimited champagne and other luxuries, with which he entertains the free-trade members of the Ways and Means Committee in Washington.—*Boston Commercial Bulletin.*

I will conclude this branch of the discussion on my part by quoting the language of Hon. Thomas H. Dudley in a speech delivered by him at a meeting of the Farmers' Congress held at Chicago November 11 last. Mr. Dudley formerly represented this Government as our consul at Liverpool, England. He is a man of learning and of high standing, whose facts are taken from the best official sources.

Here is what he said in reply to the question:

DOES PROTECTION INCREASE THE PRICE OF PROTECTED GOODS?

But there are those who say that protection increases the price of the protected goods, and that the people have to pay the difference between the low price the goods would be if not protected and the high price they bring when protected, and that the farmer and everybody else suffer to this extent, and they argue that the amount of protection placed upon a commodity represents the increased price to the purchaser. This is not true. The history of protection in our country shows directly the reverse of this.

It shows that upon all commodities such as tea, coffee, and spices, which we do not grow or produce in this country, the duty when imposed increases the price to the extent of the duty; but in no case has protection permanently increased the price upon commodities manufactured or produced here. The skill of our workmen, the machinery we use, and domestic competition have in every instance, as soon as the industry has been established, come in and reduced the price rather than increased it.

Let us look at the effect of protection upon the prices of articles manufactured in this country. An examination will show that there is not a single manufactured commodity, so far as I know, that is not cheaper to-day in the United States under our protective system than it was in 1860 under free trade and before the present protective tariff went into operation. Crockery-ware is 57 per cent. cheaper than it was in 1860; cotton goods are at least 25 per cent. less; and woolen goods, including dress goods and carpets, from 20 to 25 per cent. less. Silk goods, taking them on an average, are from 35 to 40 per cent. cheaper than they were in 1860, and so are all other kinds of textile goods. Iron and steel products, including machinery, edge tools, hardware, farming implements, tools, etc., and household goods, furniture, etc., are also much cheaper than they were in 1860.

Our present protective system commenced in 1861. The manufacture of steel rails in this country began in 1867. England was charging us at that time for steel rails over $150 per ton, and the duty imposed by us was 45 per cent. ad valorem. In 1871 the duty was changed from 45 per cent. ad valorem to a specific duty of $28 per ton, and in 1872 steel rails were selling for $112 per ton. In 1874, two years after this, steel rails were selling for $94.25 per ton; in 1876, two years later, they were selling for $59.25 per ton, and in 1885, nine years later, they sold as low as $27 per ton.

Previous to 1860 the duty on earthenware was 24 per cent. The pottery industry in this county at that time was substantially unknown, and England supplied us with nearly all the pottery we used. England had at that time no competition, and fixed her own prices, and the peple of this country had to pay them. The protective tariff raised the duty to 40 per cent., and it has since been still further increased to 55 per cent. Under these duties this industry sprung into existence, and it has grown to such an extent that now our home manufacturers are making two-thirds of all the crockery used in the country. Our home competition has forced down the price in England as well as in this country, and now you can buy as much crockery here for $2.50 as you could in 1860 for $4, and many descriptions are actually cheaper and are selling here for a less price than they are sold for in England.

While residing in Liverpool I ordered a watch from one of the makers in that city, for which he charged me 40 guineas, or $200 in our money. After I came home I bought the watch I now carry in this country, for which I paid $60. It is a far better watch than the one I bought in Liverpool, and more satisfactory in every way. The duty at that time was, and now is, 25 per cent. on watches, and, as we shall hereafter see, we are now exporting our watches and clocks to England.

By our present protective tariff on the lowest grades of unbleached cotton cloths there is a duty of 2½ cents per square yard; on bleached, 3½ cents; and on colored prints, 4½ cents, with a corresponding higher rate on the higher grades of cotton goods. Will any one assert that these duties have increased the price or in any way added one cent to the cost of cotton goods in the United States?

The manufacturers of this class of goods in this country are selling some descriptions of their goods at prices as low as the duty which is imposed by the law upon them, and, as we shall hereafter see, we are exporting our cotton goods to England and selling them in the markets there in open competition with the English manufacturers. In none of these cases has the duty increased the price; on the contrary, it has not only lowered the price, but it has forced the English manufacturer to reduce his price as well, a step he would never have taken so long as he had the monopoly of our market and could fix his own price for his commodities.

THE LABORER.

The laborer, like the farmer, is deeply interested in maintaining a sound protective-tariff system, and, above all, that it shall be stable, so that he may not suffer from fluctuating, uncertain, and falling prices for his labor.

The threatening attitude of the Democratic party towards the now well-recognized American policy of protection has, in my opinion, cost the laborers of this country untold millions of dollars.

I warn the laboring men against any party, any President, and any lawmaker whose influence and acts will quicken the manufacturing and industrial bee-hives of Great Britain and continental Europe, while in a corresponding degree it checks, hinders, and retards the capital and the manufacturing engines of your own country. It must be remembered that every dollar that is sent from this country to the laborers of Europe must come from the pockets of our own workingmen.

Some furnish figures to prove to laboring men, and including those who come from the old countries, that their condition is better here than it is abroad. I will not insult the intelligence of any laboring man by offering such proof, though plenty of it is at hand.

Every man, woman, and child born abroad and now here knows absolutely that their conditions are better here in every way, and they also know that their conditions have improved vastly since 1862, when the protective policy was really and honestly and fearlessly inaugurated and enforced in this country.

I do not claim that protection creates all of the happier conditions here found, but so far as human happiness can be promoted by calling out all the inventive, working, creating, and pushing powers of a people, there protection has been active, potential, and unceasing in giving these results to the laboring men of this Union.

Here is an unwilling witness as to the poor man's chances in this country. I quote from Mr. Matthew Arnold, who, after making a close study of this country, went back to England to scold us wherever he could find the smallest pretext. In his paper in the Nineteenth Century he says:

For that immense class of people, the great bulk of the community, the class of people whose income is less than three or four hundred a year, things in America are favorable. It is easier for them there than in the Old World to rise and to make their fortune; but I am not now speaking of that. Even without making their fortune, even with their income below three or four hundred a year, things are favorable to them in America; society seems organized there for their benefit. To begin with, the humbler kind of work is better paid in America than with us; the higher kind, worse. The official, for instance, gets less; his office-keeper gets more.

The public ways are abominably cut up by rails and blocked by horse-cars; but the inconvenience is for those who use private carriages and cabs; the convenience is for the bulk of the community, who but for the horse-cars would have to walk. The ordinary railway-cars are not delightful, but they are cheap, but they are better furnished, and in winter are warmer than third-class car-

riages in England. Luxuries are, as I have said, very dear, above all European luxuries; but a workingman's clothing is nearly as cheap as in England, and plain food is, on the whole, cheaper. Even luxuries of a certain kind are within a laboring man's easy reach.

Whatever Mr. Arnold has said unjustly of this country I will not stop by his new-made grave to notice, but I will pause here to thank him for these words of solid truth in behalf of America and her treatment of her sons of toil.

WAR TAXES.

The enemies of American industries are trying in every way possible to prejudice the public mind against our tariff laws, and one of the favorite methods is to speak of our whole fiscal system for raising money to run the Government as "the old war-tax system." With the coolness that should shame an iceberg for lack of influence they denounce our present system of taxation as "war tax," and there are many honest people who are misled by this oft repeated cry.

It is an absolutely false charge, and can only be supported by "brass," ignorance, or falsehood—certainly not by truth.

The "war taxes" touched almost every industry of the country, as of necessity they had to. But no sooner had the current war expenses ended than the Republican party commenced to cut down taxation, and in every possible way to relieve the people. It lifted the burden from all the hundreds of things taxed by the internal-revenue laws until four things—spirits, beer, and tobacco, and national banks—alone remained taxed. It was cut right and left, reducing the revenue and the internal revenue, keeping wise pace with our changing conditions.

But what it has done and what the Democratic party has done is so well told by the Republican members of the Committee on Ways and Means in their minority report that I submit that part of it here as an unanswerable refutation of the stale cry of "war taxes."

Here are the two records as given by the Republican minority.

WHAT REDUCTIONS HAVE TAKEN PLACE.

It is a striking fact that all of the reductions of taxation which have occurred since the conclusion of the war, with the exception of the trifling ones made by the acts of March 1, 1879, and of May 20, 1880, aggregating a little over $6,000,000, were accomplished while the party now in the minority was in the majority and in control of legislation.

A brief summary of what has been done in this regard will be both suggestive and instructive.

By the act of July 14, 1870, the reduction of the revenue from customs duties was:

Free list	$2,403,000
Estimated reduction from dutiable list	23,651,748
Total	26,054,748

By the act of May 1, 1872, tea and coffee were placed upon the free-list, making a reduction of $15,893,847

By the act of June 6, 1872, tariff duties were further reduced, and the reduction by the—

Free-list	$3,345,724
Estimated deduction from the dutiable list	11,933,191
Total	15,278,915

By the act of March 3, 1883, from tariff:

Free-list	$1,365,999
Estimated reduction from dutiable list	19,489,800
Total	20,855,799

The foregoing estimates were made when the several bills were passed.

Of internal taxes the following have been the reductions made by the party now in the minority since the conclusion of the war:

By the acts of July 13, 1866, and March 2, 1867	$103,381,199
By the acts of March 31, 1868, and February 3, 1868	54,802,578
By the act of July 14, 1870	55,315,321
By the act of December 21, 1871	14,436,862
By the act of June 6, 1872	15,807,618
By the act of March 3, 1883	40,677,682
Total	284,421,260

This we present as the result of Republican legislation from July 13, 1866, down to and including March 3, 1883.

The Republican party was in control of the House of Representatives from the first-named date to March 4, 1875. During that period it will be observed that taxation was reduced and revenue diminished in the aggregate sum of $284,421,260. On the 4th of March, 1875, the control of the House passed to the Democratic party and remained with it until the 4th day of March, 1881, a period of six years. During these years the internal revenue was reduced $6,368,935. On the 4th day of March, 1881, the Republican party was reinvested with control of the House of Representatives, holding it for two years, during which time it reduced taxation and the revenues from customs sources in the estimated sum, $20,855,793, and upon internal revenue, $40,677,682, a grand total of $61,432,481.

Since the 4th day of March, 1883, the House of Representatives has been dominated by the present majority party, a period of five years, and no taxes have been reduced and no curtailment of the revenues has taken place, although warned of a threatened surplus not only by the present Administration, but by the preceding one of President Arthur. It will be observed that from 1866 to 1888, a period of twenty-two years, the control of the House of Representatives has been equally divided between the two political parties, each having eleven years.

During the eleven years of Republican control the revenues were reduced (estimated)	$362,504,569
During the eleven years of Democratic control the revenues were reduced	6,368,935
Difference in favor of the present minority party in the House of	356,135,634

If it be claimed that for the most part during the Democratic control of the House the Senate was dominated by the Republican party, and therefore the responsibility of failure to reduce the revenues should be alike shared by them, we answer, that under the Constitution of the United States the House alone can originate bills to reduce taxation, the Senate having no jurisdiction of the subject until it is given to it by a bill which passes the House, and that during all these years no such bill has gone from the House to the Senate, and therefore the sole responsibility for failure rests with the present majority in the House of Representatives.

If disaster results from the failure of the President to use the surplus now in the Treasury, as the law authorizes him to use it, in payment of our existing debts, and if the majority in the House, which alone can originate a bill to reduce the revenue, fails to send to the Senate a bill of that character, the responsibility will rest with them. The minority are powerless; they are neither in control of the House nor the committees; they are in no parliamentary position to report a bill or give direction to legislation which shall surely accomplish results so much desired.

They sought by amendments in the Committee on Ways and Means to make this bill reasonable, just, and practical; failing there, they will seek to amend and modify it in the Committee of the Whole House, and if their efforts there are unavailing, they will seek as a last resort an opportunity to offer a substitute, which will assuredly diminish the revenues without any impairment of the American system of protection.

It is therefore manifest that the responsibility for the present monetary condition which so alarms the country does not rest with the minority party in the House, but with the President and the majority in Congress. They can not escape it. The President has for three years failed, while having the power, to avoid the financial condition he now complains of. The majority in the House for six years has signally failed to provide for a reduction of the revenue. They can not avoid responsibility for the evils which are now upon us, and while these are beyond their power to retrieve, they can, by courage and wisdom, and governed by business principles, provide against like evils in the future. They must now act or make public confession of failure.

The minority regard this bill not as a revenue-reduction measure, but as a direct attempt to fasten upon this country the British policy of free foreign trade. So viewing it, their sense of obligation to the people, and especially the working people, employed in manufacturing and agriculture in all sections of our common country, impels them to resist it with all their power.

They will assist the majority in every effort to reduce the redundant income of the Government in a direct and practicable way, but every effort at fiscal legislation which will destroy or enfeeble our industries, retard material development, or tend to reduce our labor to the standard of other countries will be met with the persistent and determined opposition of the minority represented in the House.

WM. D. KELLEY.
THOS. M. BROWNE.
T. B. REED.
WM. McKINLEY, Jr.
J. C. BURROWS.

It must also be kept in mind that while the war expenses have ceased accumulating, the great burdens left us by the war are still here and will press upon us for many years yet to come—as, for instance, the pension list, now aggregating $80,000,000 annually, and likely to be increased for some years to come.

And again, our annual interest account of $40,000,000, to which must be added due provision for paying the immense bonded debt of the nation when it matures. Here, then, is an annual charge of $120,000,000, which must be met in addition to the regular current expenses of our great and growing country.

CONCLUDING REMARKS.

Mr. Chairman, I have touched upon as many features of this question as my limited time would permit. I am aware that no law can be so framed as to work absolute justice to all, and legislation so comprehensive and far reaching as our tariff laws can not be made so that all criticism can be avoided. The most perfect work of to-day may, through changing conditions, demand a change in the future. One thing, however, can not be denied, and that is that our tariff system since 1861 has worked grand results for all our people, and has commanded the approving comments from the wisest statesmen of our own country and of foreign lands.

The destruction of a fiscal policy so fruitful of happiness and general prosperity to our people should not be thought of now; and before any radical changes are attempted, it should be demonstrated that good and not evil results would follow.

Let us apply our legislative powers with caution, with wisdom, and with an eye to the good of the whole country.

Let partisanship disappear in patriotism. Where we must yield a little for a locality let it be because we aim for the general good, forgetting not that each State is a link in a great chain, and that he who depends upon the chain cannot afford to destroy the power of a single link.

We can not turn a deaf ear to the thousands of lumbermen who appeal to us from Maine to California; we should not forget the weaver of Massachusetts, the spinner of Rhode Island, the cotton picker of South Carolina, the ranchman of Texas, the farmer of Iowa, the toiler in the shop, or the cowboy on the western plains.

The great advantage that comes from our "Union of States" is to be found in perfect confidence and fairness towards each other, in perfect free trade between the States, and in our absolute ability to prevent any outside power from destroying the Republic by the use of arms or by plundering the rich markets that belong to our own people. [Loud applause.]

During the delivery of the remarks of Mr. HENDERSON, of Iowa, when one hour had expired, the following proceedings took place:

Mr. BURNES. I ask unanimous consent that the time of the gentleman from Iowa may be sufficiently extended to enable him to complete his remarks.

Mr. HENDERSON, of Iowa. I think ten minutes will be sufficient.

Mr. BLAND. I do not object to this extension of time, as there has

already to-day been an extension of half an hour to another gentleman. I will merely say that, in view of the lateness of the hour, I do not propose to proceed with my remarks this evening, but will defer what I have to say.

Mr. BAYNE. I want my friend from Iowa to have this extension; but I would like to have it understood that these extensions of time are not to be taken out of the hours set apart for the discussion of this subject.

The CHAIRMAN. The time for general debate having been limited by the House——

Mr. MCMILLIN. What was the suggestion of the gentleman from Pennsylvania?

Mr. BAYNE. That these extensions of time shall not be taken out of the hours allotted to this debate, but shall be regarded as a courtesy extended to the individual members.

Mr. BLAND. I understand that the time of the gentleman from Ohio [Mr. GROSVENOR] was extended for half an hour. While I do not object to the extensions now asked, I do not care to follow at so late an hour this evening, and therefore have made the announcement that I do not propose to proceed with my remarks to-day.

The CHAIRMAN. Is there objection to granting the extension asked?

Mr. MCMILLIN. Do I understand the gentleman from Pennsylvania to claim that these extensions should not be charged to the side to which they are granted?

Mr. BAYNE. I think they should not be charged to the hours allotted for this debate.

Mr. MCMILLIN. Does the gentleman object to the extension?

Mr. BAYNE. I do not. I hope extensions will be given on both sides; but I do not want this time to be taken out of the hours allotted for general debate.

Mr. MCMILLIN. I do not want to be discourteous to the gentleman from Iowa, but I hope the gentleman from Pennsylvania will not place such restrictions upon the request as will make its granting impossible.

Mr. TOWNSHEND. What is the ruling of the Chair upon the point?

Mr. RICHARDSON. I rise to a parliamentary inquiry. Is it not beyond the power of the Committee of the Whole to make any agreement which will change the order determined upon by the House? We can not extend the time beyond the seventeen days.

Mr. BAYNE. We are in Committee of the Whole, and the committee can sit a little later if need be, in order to afford opportunity for these extensions.

Mr. MCMILLIN. I shall object to any extension of time if it involves an extension of the seventeen days allowed for general debate.

A MEMBER. Nobody is asking that.

Mr. MCMILLIN. I think these extensions ought to be charged against the side to which they are granted. That is certainly fair; I think no one should object to it.

The CHAIRMAN. The Chair desires to state that the time for general debate on this bill has been limited to a certain number of days. When those days have been occupied the general debate will be closed. It is immaterial, so far as the aggregate time is concerned, who occupies the time. The Chair, however, will endeavor to divide the time equally between those opposing the bill and those favoring it, and when the time for general debate shall have expired that fact will be announced by the Chair. The Chair desires further to state that to-day the committee will rise at half past 5 o'clock, and there will be no evening session.

Mr. WEBER. In view of the fact that the gentleman from Missouri [Mr. BLAND] has notified the House that he does not wish to proceed this evening, I would like to know whether the hour of which the gentleman neglects to avail himself will be charged to that side of the House?

The CHAIRMAN. The Chair will endeavor to accommodate both sides of the House, so far as the time is concerned. When the gentleman from Iowa has concluded, the Chair will recognize any gentleman that desires to proceed this evening. The gentleman from New Hampshire [Mr. GALLINGER] wishes to be recognized, and is ready to proceed. Is there objection to the request that the gentleman from Iowa [Mr. HENDERSON] be permitted to conclude his remarks? The Chair hears none.

Mr. HENDERSON, of Iowa, resumed and concluded his remarks, as already given.

Mr. GALLINGER:

> They wired in and wired out,
> And left the looker-on in doubt,
> Whether the snakes which made the track
> Were going South or coming back.

That is the record, Mr. Chairman, of the Democratic party on the tariff question. [Laughter.] Following the advice of the apostle, given, however, in a better cause, they have been literally "all things to all men." But after more than a quarter of a century of shilly-shallying and double dealing, the mask has been thrown off, and through their President and Secretary of the Treasury the principle of protection has been denounced and practical free trade indorsed. The President talks glibly of the "vicious, inequitable, and illogical" features of the tariff laws, and the Secretary of the Treasury gravely advises that as many additional articles as possible be added to the free-list. The issues are drawn, and the contest between protection and so-called revenue reform is inaugurated.

The immediate occasion of this outburst of anti-American doctrine is the fact that, under the operation of existing laws, the obligations of the Government have been met, and a large surplus has accumulated in the Treasury. Somehow the Democratic party has always seemed to prefer a deficit to a surplus, at least they have usually managed, when in power, to empty the Treasury. When the Republican party assumed control of the Government in 1860 the problem of a deficit confronted Congress, and when the Democratic party regained power in 1884 they were confronted with an entirely different problem, that of managing a large surplus. It will be remembered that in 1860, on the very eve of a gigantic rebellion, the Treasury was absolutely bankrupt, the bonds of the Government selling at 85 and money being borrowed at 12½ per cent. interest.

This condition of bankruptcy was the natural and inevitable outcome of the Calhoun free-trade policy of the Southern States, and the general mismanagement of governmental affairs by the Democratic party. The Southern States then, as now, dominated the Democracy. They were and are now consumers, not producers, and they enacted laws which would allow them to go into the markets of the world and buy goods where they were cheapest, without paying the duties to the United States which the Constitution authorizes may be levied and collected, and regardless of the effect of such legislation upon the manufacturing and laboring interests of our own country.

In 1837 a condition similar to that of 1860 existed, the Government being utterly unable to negotiate a loan of a few millions of dollars to meet its requirements, which were so urgent that at times there was not money enough in the Treasury to pay the salary of the President. This condition of things continued until 1842, when a so-called high tariff law was passed. A change for the better immediately ensued, which became so manifest as to justify President Tyler, in December, 1844, saying to the country:

> The credit of the Government has been thoroughly restored. Its coffers, which for a season were empty, have been replenished. A currency nearly uniform in its value has taken the place of one depreciated and almost worthless. Commerce and manufactures, which had suffered in common with almost every other interest, have once more revived, and the whole country exhibits an aspect of prosperity and happiness.

But notwithstanding this marvelous change for the better, the Southern leaders in 1846 insisted upon the repeal of the tariff law of 1842. Almost immediately a decline was witnessed in our productive industries, which, according to Henry Carey Baird, of Philadelphia, a distinguished authority, is well illustrated by that of iron, the production of which fell from 800,000 tons in 1847 to 500,000 tons in 1852, while the total consumption of pig-iron, domestic and foreign, which was, in 1847, 87.7 pounds per capita, declined, in 1852, to 53.5 pounds. At the same time a fearful condition of financial distress overtook the nation, the rate of interest advancing so rapidly that individuals and houses of the highest credit were obliged to pay as high as 2 per cent. per month for the use of money.

This condition of things, to a greater or less extent, continued until the accession of the Republicans to power in 1860. This party, by its wise financial legislation, raised money with which to prosecute a long and bloody war, and resumed specie payments long before any Democratic statesman thought it possible to do so. It also wiped out the national debt at a rate which challenged the admiration of foreign financiers, and gave to the Democratic party, when it resumed power in 1884, an overflowing treasury, with bonds greatly above par, and the debt of the Government carrying a much lower rate of interest than was ever known in the history of the country.

The fact is that with the exception of the years from 1824 to 1833, and from 1842 to 1846, thirteen in all, the Democratic doctrine of "tariff for revenue only" practically dominated the country from the inauguration of the Government to the breaking out of the rebellion. And it is a matter of history that the results of this policy brought about constantly recurring seasons of ruin to the people and their industries, the currency during all these years being neither sufficient in quantity nor good in quality. Indeed, so great, so almost universal were these seasons of disaster that the history of almost every productive industry in the country is a record of ruined farms, factories, workshops, and mines, of misery, wretchedness, and demoralization, of wrecked fortunes and shattered hopes.

And yet in the very face of these lessons the Democratic party to-day, backed by all the power of the Federal Administration, is here to strike a deadly blow at the present industrial prosperity of the United States, and this Congress is expected to crystalize into law the behests of the White House and the Treasury Department in that direction.

The majority of the Ways and Means Committee have brought into this House a measure the title of which is "A bill to reduce taxation and simplify the laws in relation to the collection of the revenue." The title of the bill might properly be changed to that of "A bill to re-

duce New England to the condition of a dependency of Great Britain." for whatever else this measure might do if enacted into law, it certainly would utterly wreck the industrial prosperity of the New England States.

With wool, timber, wood, boards, paper-pulp, needles, brick, many agricultural products, knives, pens, type-metal, house furniture and other manufactures of wood, cotton thread, cotton cloth, spool-thread, oil-cloths, gunny-cloth, bags and bagging, woolen and worsted cloth, flannels, blankets, knit goods, dress goods, wearing apparel, carpets and carpetings, paper, paper boxes, paper envelopes, bonnets, hats, card clothing, carriages, materials for hats, watches, and many other of the products of New England either on the free-list or the tariff greatly reduced thereon, it needs no spirit of prophecy to discern the utter demoralization of the manufacturing industries of the North, with consequent hardships to the workingmen and working-women who are earning comfortable wages in our shops and mills, and to our farmers, who find in the manufacturing centers a ready market for their products.

My only excuse for occupying a moment's time in this debate is that the interests of the section to which I belong are seriously threatened by the provisions of the bill under consideration. Living as I do on the banks of a stream which carries more spindles than any other river in the world—a river, too, which asks no appropriation from Congress, for its water is used to produce the wealth and comfort which come from busy communities and industrious artisans—I would be derelict alike to my own convictions and the welfare of my people did I remain silent while this important question is before the American Congress.

The message of the President and the bill of the committee are alike a challenge and a menace to the New England States. If the President's recommendations should be enacted into law, thriving villages will be depopulated and the hum of countless industries hushed. Where now are thrift and enterprise and prosperity—where happy homes and contented communities exist—will be ruin and sorrow and desolation. No language of mine can adequately portray the direful results of this contemplated legislation, and, as an humble representative of a New England district, I enter my solemn protest against it.

The Democratic party may think there are urgent political considerations demanding that this shall be done. But it is not so. The grand progress of this nation since the enactment of our tariff laws has been the marvel of the world, and it will be absolutely wicked and suicidal, in the very flush of that marvelous growth and prosperity, to change our laws so essentially as to open to Europe, with her poorly-paid labor, our magnificent and rapidly-increasing markets.

Mr. Chairman, the contest before us is a struggle between Europe and America, and the bill we are considering is a wicked and needless assault upon the industries of New England. I will not stop to repeat the trite arguments that sustain this view. I will not weary you with a lengthy repetition of the proofs that labor is better paid in America than elsewhere, or that our people enjoy infinitely more of the comforts and luxuries of life than any other people on the face of the earth. These things are well known, and the lesson they carry is so plain as not to require extended consideration.

I notice in this discussion that every speaker is an ardent friend of the laboring man and that both parties are extolled as being the special champions of labor interests. I am not posing in any direction. I believe that the interests of labor deserve and should receive national recognition. I believe that the wage-earner has a right to be heard in defense of his interests and that the doors of the Committee on Ways and Means should have been opened wide to him. In this matter of tariff revision he has as deep an interest as any other class, but it should not be forgotten that the men who have invested their money in business enterprises, who have built railroads, mills, and warehouses, have an equal right before the law, and that they, too, should have had easy access to the room where this iniquitous bill was framed.

The Republican party has made a record on the labor question. It passed laws which gave homes, without money and without price, to hundreds of thousands of American citizens. It fought the battle of freedom, and through its great leader, the immortal Lincoln, lifted a race from servitude and unpaid toil to manhood and citizenship. On this question the Republican party is impregnable and needs no defense. Recognizing tariff laws as absolutely indispensable if the rights of labor are to be protected, the Republican party stands unflinchingly in defense of that system, ready to join issue with any party which assails it. But the Republican party is equally firm in its defense of the business integrity of the country, and is united almost to a man in its opposition to the assault which this bill makes upon the manufacturing and financial interests of the Northern States.

It is a noteworthy fact that no other nation has prospered like the United States during the last quarter of a century. On this point the platitudes of *doctrinaires* must fall before the inexorable logic of fact. And I assert that our marvelous growth and phenomenal prosperity are largely due to the beneficent results of the policy of protection, inaugurated by the Republican party in the early years of its existence, and upheld and defended by that party ever since. Gladstone has alluded to our rapid growth and financial strength in glowing words, and this greatest of English statesmen doubtless knows the source of our prosperity, and also comprehends what is necessary to stop our progress.

England is a representative free-trade country, the United States a representative protection country. Sixteen billions of dollars was the sum total of our wealth in 1860, and one-half of that was wasted in the war. The wealth of England at that time was thirty billions, or nearly twice that of the United States. But notwithstanding the cost and devastation of a four years' war, our wealth is now over sixty billions, and that of England only a trifle more than forty billions. In 1860 our manufactures amounted to one billion eight hundred million dollars, while now they reach the vast amount of seven billions. Then we were the third manufacturing country in the world, while to-day we are the first, exceeding England by one-third.

Our farms have increased in number from two millions to five millions, and our wool product from sixty million pounds to three hundred million pounds. In that time we have increased our commerce eight times, while England has not quadrupled hers. Our railroads have grown from thirty thousand to nearly one hundred and fifty thousand miles, and the rolling stock of our railroads is worth nine times the merchant marine of England. In that time 55 per cent. of all the wealth added to the earth has been contributed by the United States. What a mighty result is that! In all human history nothing can be found to equal it, and yet we have croakers in Congress who are talking of the decay of our institutions. In England 51 per cent. of the wealth goes to pay labor, 26 per cent. to capital, and 23 per cent. to government, while in the United States labor gets 74 per cent., capital 21 per cent., and the Government 5 per cent.

Yet in the face of this fact we are asked to abandon the policy which has brought such marvelous prosperity to our people and adopt the economic theories and practices of Great Britain. Why should we do this? Why abandon a national policy which insures to labor a higher rate of wages than has ever been earned by man in any other country on the earth? I am aware that this is denied. If I mistake not, the denial has been made during the discussion of this bill; at least it has been claimed that the laboring men are no better off in this country than in Europe. This surely is not so. The distinguished chairman of the Committee on Ways and Means [Mr. MILLS] must be mistaken on this point, and the eloquent gentleman from Tennessee [Mr. MCMILLIN] must have allowed his zeal to blind his knowledge or he would not have asserted the same thing.

Facts go much farther on this point than glittering generalities. Take the matter of wages paid on the Clyde and the Delaware, and the figures show that American mechanics, in that line of work, get about twice the rate of wages that are paid abroad. Laboring men may well ponder the figures, and especially so this fall, when the choice will be presented to them between voting for a man who represents the protection idea of the Republican party and the man who issued the recent manifesto from the White House. Here are the figures:

Occupation and allied branches of labor.	Per week in Glasgow.	Per week in Philadelphia.
Foremen (men)	$10.60	$30.00
Platers (men)	7.50	18.00
Fitters (men)	7.50	15.00
Fitters' slippers	5.00	9.00
Drillers	6.00	10.50
Hole cutters	5.00	9.00
Riveters	5.00	12.00
Angle-iron smith	5.00	14.00
Ship-smiths	5.00	18.00
Ship-smiths' boys	2.50	4.00
Ship-smiths' strikers	4.50	9.00
Forgemen	4.50	9.00
Holders-up	4.25	9.00
Helpers (boys)	2.50	4.00
Caulkers and chippers	7.50	12.00
Ship carpenters	7.75	18.00
Joiners	7.25	15.00
Joiners' laborers	4.25	6.25
Riggers	4.80	11.00
Riggers' laborers	4.25	9.50
Painters	5.00	15.00
Engineers	5.75	12.00
Laborers	4.10	6.75
Heelers (boys)	2.00	4.00

Another table represents the average rate of wages paid in the flax-spinning trade in Europe and America, on the basis of sixty hours' work per week, although in some of the European countries they are required to work from seventy-two to eighty-one hours per week. This table shows that in some branches of this industry the United States pays its working men and women more than six times as much as they receive for the same labor in some European countries. And yet we are told by

Democratic orators that laboring men are no better off here than in Europe. It is not true, and this table will help to show that it is not true:

	Prussia (Silesia).	Rhineland.	Germany.	Russia, Eastern.	Russia, Western.	France.	Great Britain.	United States.
Sorters	$2.00	$3.75	$2.88	.....	.....	$3.85	$4.86	$12.00
Roughers	1.60	3.00	2.30	.....	.....	.....	4.86	12.00
Machine workers	1.15	1.78	1.46	$0.80	$1.00	1.35	1.46	5.00
Spinners	1.60	2.18	1.98	1.10	1.12	2.02	1.82	7.00
Reelers	1.60	2.18	1.98	.....	.....	3.37	1.34	7.00
Roving	1.40	2.00	1.70	.64	1.12	2.02	1.58	5.00
Carders	1.40	1.88	1.65	.....	1.12	2.20	2.19	6.00
Sprenders	1.20	1.88	1.55	.60	1.12	2.02	1.70	8.00
Drawing	1.20	1.78	1.50	.54	1.12	1.85	1.95	5.00
Doffers	.90	1.40	1.15	.50	.75	.....	1.34	3.50

The New York Press has recently compiled some wage figures, which can not fail to interest laboring men in this country. The statements in regard to the wages paid in England are taken from the latest returns made by the board of trade in London and other official documents for 1886. They give in every case the highest British wages according to free-trade authorities. The figures for the American side of the table come from fifty different sources, and have been compiled under the supervision of A. R. Whitney. American wage-earners, look in the right-hand column and then look in the left-hand column and decide which wages you would rather have. Remember also that official figures show that the cost of living is only 17 per cent. higher here than in England.

But what does it profit a man if he does gain 17 cents per day by reduced cost of living and at the same time loses at least $1 per day in wages?

The following table gives the weekly wages in England and the United States of laborers and mechanics in different branches of industry:

	England.	United States.
Book-binders	$6.00	$15.00 to $18.00
Brush-makers	6.00	15.00 to 20.00
Boiler-makers	7.75	16.50
Brick-makers	3.54	11.86
Brick-layers	8.00	21.00
Blacksmiths	6.00	13.30
Butchers	6.00	12.00
Bakers	6.25	12.75
Blast-furnace keepers	10.00	18.00
Blast-furnace fillers	7.50	14.00
Bolt-makers	$6.50	$16.50
Bolt-cutters	3.00	10.00
Coal-miners	5.88	13.00
Cotton-mill hands	4.60	6.72
Carpenters	7.50	15.00
Coopers	6.00	13.25
Carriage-makers	6.75	$13.00 to 25.00
Cutlery	6.00	12.00 to 20.00
Chemicals	$4.00 to 6.00	13.00 to 16.00
Clock-makers	7.00	18.00
Cabinet-makers	7.00	18.00
Farm hands	3.00	7.50 to 9.00
Glass-blowers	6.00 to 9.00	25.00 to 30.00
Glass (partly skilled)	6.00 to 7.00	12.00 to 15.00
Glass (unskilled)	2.00 to 4.00	7.00 to 10.00
Glove-makers (girls)	2.50	6.00 to 9.00
Glove-makers (men)	4.50	10.00 to 30.00
Hatters	6.00	12.00 to 24.00
Iron-ore miners	5.50	12.00
Iron molders	7.50	15.00
Iron, per ton (finished)	2.00 to 3.00	5.31 to 8.71
Heaters and rollers	10.00 to 12.00	20.00 to 30.00
Instrument-makers	7.00	18.00 to 20.00
Laborers	4.10	8.00
Longshoremen	8.00	15.00
Linen thread (men)	5.00	7.50
Linen thread (women)	2.35	5.22
Machinists	8.50	18.00
Masons	8.00	21.00
Printers (1,000 ems)	.20	.40
Printers, week hands	6.65	13.40
Pattern-makers	7.50	18.00
Painters	7.50	15.60
Plumbers	8.00	18.00
Plasterers	7.50	21.00
Potters	8.67	18.30
Polishers	7.00	18.00
Paper-makers	5.20	12.00 to 24.00
Puddlers, per week	8.00 to 10.00	18.00 to 20.00
Quarrymen	6.00	12.00 to 15.00
Rope-makers	5.25	9.00 to 12.00
Railway engineers	10.00	21.00
Railway firemen	5.00	12.00
Shipbuilding—		
Boiler-makers	7.00	14.00
Machinists	7.00	14.15
Coppersmiths	6.50	16.50
Platers	8.00	18.00
Drillers	6.00	12.00
Riveters	8.00	17.40
Riggers	5.50	11.00
Pattern-makers	8.00	24.00
Salt-makers	6.00	9.00 to 10.50
Silk (men)	5.00	10.00
Silk (women)	2.50	6.00
Scarf-makers	1.50 to 2.25	6.00 to 9.00
Servants (month)	5.00	15.00
Shoe-makers	6.00	12.00
Stationary engineers	7.50	15.00 to 18.00
Soap-makers	5.00	10.50
Tanners	5.00	8.00 to 10.00
Teamsters	5.25	12.00 to 15.00
Upholsterers	8.00	18.00
Watch-makers	8.00	18.00
Wire-drawers	11.00	22.00

Next I give a table showing the average weekly rate of wages paid in woolen factories in the United States (Massachusetts), France (Rheims district), England (Yorkshire district), and Germany (Rhenish district). It is impossible to doubt the accuracy of this table, as Carroll D. Wright is responsible for the United States figures, ex-Consul Frisbie for those of France, Robert Giffen for the English, and ex-Consul Du Bois for those of Germany.

Occupation.	United States.	France.	England.	Germany.
Wood-sorters:				
Men	$9.43	$5.82	$5.76	$5.50
Women	6.00	2.70	2.40	2.50
Young persons	5.12	2.00	1.80	1.90
Spinners:				
Men (overseers)	12.00	6.50	6.00	6.00
Spinners	9.05	6.00	5.00	5.25
Women	6.18	3.00	3.60	3.00
Young persons	4.81	2.00	1.80	1.90
Piecers	5.00	3.00	2.50	2.40
Weavers:				
Men	8.53	4.67	4.80	4.25
Women	7.45	4.00	3.48	4.10
Mechanics	13.40	6.25	5.50	5.00
Laborers	8.58	3.75	3.35	3.00

Thus it will be seen, according to official authority, that wages are 100 per cent. higher in the woolen and worsted industry in the United States than in any of the European countries. So long as this industry is adequately protected they can pay high wages. Reduce the duty and wages must be reduced proportionately. Abolish the duty and wages must ultimately sink to the European standard, or the industries must migrate to European countries.

The appended table gives the relative actual cost of labor in a woolen mill of two hundred and twenty-one hands in Providence and of a similar mill in Bradford, England, according to Mr. Charles Fletcher:

	Providence.		Bradford.	
	Per week.	Total.	Per week.	Total.
Forty-five small boys and girls, fourteen years old	$3.29	$146.25	$1.50	$67.50
One hundred and four small boys and girls, eighteen years old	5.25	546.00	2.50	260.00
Fifty boys and girls, twenty-one years old	6.00	300.00	3.00	150.00
Six section hands	13.50	85.00	7.00	42.00
Two overseers	24.00	48.00	9.00	18.00
One Superintendent	36.00	36.00	15.00	15.00
One boss dyer	30.00	30.00	10.00	10.00
Eight laborers in dye-house	7.00	56.00	4.50	36.00
One watchman	14.00	14.00	6.00	6.00
Two machinists for repairs	15.00	30.00	7.50	15.00
Two clerks	15.00	30.00	7.00	14.00
Total cost of weekly pay-roll	.....	1,317.25	.....	633.50

107.93 per cent. in favor of Providence operatives.

Illustrations could be continued *ad infinitum*, but enough have been given to convince any reasonable man that, however anxious importers and Southern consumers may be to have the tariff laws emasculated, laboring men have a special interest in keeping them intact. In many industries 100 per cent. is below rather than above the difference between the wage lists of free-trade England and protection America, and hence every laboring man has a direct and personal interest in the issue raised by President Cleveland and the Democratic party.

The distinguished gentleman from Michigan [Mr. BURROWS], in his great speech delivered on the 23d instant, called attention to some of the joyful utterances of the British press over the prospective success of President Cleveland's anti-tariff programme. Volumes of other testimony could be given on that point. Recently a prominent member of the British Parliament enthusiastically exclaimed:

To convert the United States is indeed a triumph. The Cobden Club will henceforth set up a special shrine for the worship of President Cleveland and send him all its publications gratis. Cobden founded free trade; Cleveland saved it.

Such are the utterances of British statesmen, and that is the feast to which the Democratic party invites the people of this country. But before accepting the invitation let us ask some of these same British statesmen what free trade has done for the people of Great Britain.

Thomas Carlyle declared only a few years ago that—

British industrial existence seems fast becoming one huge poison-swamp of reckless pestilence—physical and moral—a hideous living Golgotha of souls and bodies buried alive. Thirty thousand outcast needle-women working themselves swiftly to death. Three million paupers rotting in forced idleness; and these are but items in the sad ledger of despair.

What a picture that is for American workingmen and women to contemplate, and what a feast is that to which free trade invites them?

Look at the great free-trade city of Birmingham, the home of Bright and Chamberlain, and compare the condition of its working people with those of our own Birmingham, in a Southern State, which will soon, in industrial self-defense, repudiate the economic doctrines of the Democratic party.

In a locality seven miles from that great city of Birmingham, sixteen thousand English women—wives, mothers, and daughters—toil by day and by night making nails and rivets. A writer in the London Standard speaks thus of their remuneration:

The remuneration they receive is incredibly small. It is no unusual thing, indeed it is the usual custom, for a family of three persons, after working fourteen hours a day, to earn $5 in a week, out of which scanty amount deductions are made for fuel, repairing machinery, etc., which makes the actual pay for three persons $4.18 per week, work commencing at half-past 7 in the morning and continuing all through the weary day until late at night, with no substantial food.

And another writer says:

These poor laborers rarely or never taste meat from one week's end to the other. The scenes of misery—misery so deep and dreadful that the most graphic pen can only faintly convey its depth of sorrow—that are witnessed in this region would hardly be believed in the United States.

Go to Leeds, England, and see the condition of the working people there, and then tell me, men of the South, do you want the laboring men of the United States reduced to their level? A few years ago the inspector of police in Leeds was asked if he knew of a single instance in that great industrial city of 320,000 souls where a workingman—a skilled artisan, mechanic, engineer, carpenter, or mason—owned the house in which he lived and the ground on which it stood, and the reply was: "If I was on my oath in court I should be obliged to answer no."

Now come with me to any New England town or city and see the homes of the mechanics and laboring men, homes of thrift and comfort and neatness, and then insist, if you will, that the laboring men in Europe are as well paid and as prosperous as they are in this country; but you must not expect to deceive intelligent workingmen by such false and misleading statements.

Neither the incident so dramatically related by the gentleman from Texas [Mr. MILLS], that Jay Gould and Vanderbilt under a high tariff do not pay their boot-blacks $500 for a "shine," nor the circumstance so pathetically detailed by the gentleman from Indiana [Mr. BYNUM] of a family in that State being driven from their home by the sheriff, notwithstanding the tariff laws, will specially affect the question of the workingman's interest in tariff legislation.

If the gentleman from Texas will take the trouble to look at free-trade England he will doubtless find many lords and dukes, owners of vast estates, who pay even less liberally for labor than Jay Gould, and if the gentleman from Indiana will direct his gaze for a moment to Ireland, that land where free trade and British greed have destroyed the linen and other industries which prospered under tariff laws, he will see evictions by wholesale of workingmen from their homes, and cruelties and hardships to the laboring classes compared to which his Indiana incident is of the slightest possible consequence. [Laughter.]

But, as I have already said, my purpose is to make a plea for New England—the section of the country where seamless stockings are made, where the machine which makes them was invented and is now being exclusively built, and where pretty much everything else that the ingenuity of man has devised is reproduced. My plea is that no legislation may be enacted by this Congress which will strike down her magnificent enterprises, cripple her great financial prosperity, and bring disaster and ruin to her industrious and enterprising citizens.

To enforce this plea comparisons will be made between New England and the Southern States, and the lesson that I would enforce is that the South should not drag New England down by hostile legislation, but rather that she, freed from the incubus of slavery, should imitate New England thrift and enterprise; should plant manufactures on her streams; should call forth from her soil the mineral wealth there hidden, and that the New South, forgetting the things of the past and pressing forward in the onward march of industrial art and enterprise, should become a worthy rival of the States for which I make my plea to-day. If in the discussion I seem to be enthusiastic over the prosperity and enterprise of my own section, I shall certainly endeavor not to be unfair toward the South, a section of the country which, to my mind, is one of great possibilities but neglected opportunities.

The estimated population of the United States to-day is 59,893,000. The estimated population of the six New England States is 4,449,300, less than one-thirteenth of the whole, while the estimated population of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, Kentucky, and Tennessee is 17,841,600, or more than four times that of New England. New England represents the doctrine of protection, and has adapted her business accordingly, while the South, through its representative men on this floor, still clings to its early free-trade heresies, and apparently desires to uproot the existing tariff laws, upon which the industries and prosperity of New England, alike with all other sections of the country, necessarily depend.

I am free to confess that the present agitation of the tariff question has alarmed New England manufacturers. Why should it not? I know it is fashionable for Democratic orators on this floor to denounce New England manufacturers as "robbers," "thieves," etc. But the men who talk thus have not taken the trouble to inform themselves regarding the innumerable wrecks of business enterprises that mark the history of manufacturing in New England, nor to mention the vast amount of capital invested in these enterprises.

That most of them are prosperous admits of no doubt; but surely that fact is not a sufficient cause for hostile and destructive legislation, for after all it is only from prosperous people that our revenues can be collected. Three hundred and twenty of the largest manufacturers in New England have sent a petition to Congress, which gives unanswerable reasons for opposing the fallacious plea for free raw materials. The petitioners represent the cotton, woolen, paper, carpet, hardware, boots and shoes, silk, worsted, lumber, hosiery, machinery, and nearly fifty other leading New England industries, and, as an influential New England journal says—

It would be hard to find a parallel to this paper as an expression of the position of the industrial forces of New England.

Probably this petition has not been read by the majority of the Ways and Means Committee, but notwithstanding this, its expressions are those of experts who understand the practical workings of legislation affecting their interests, and as such they have a right to be heard. The petition points to the astounding fact that while the increase of free imports in twenty years has been from twenty-nine million dollars to two hundred and thirty-three millions, or about 700 per cent., the increase of dutiable imports in the same time has been only from three hundred and twenty-nine million dollars to four hundred and fifty millions, or 37 per cent.

Business men understand the significance of these figures, and naturally look with utter alarm upon any legislation which proposes to still further admit free foreign goods in competition with those of American manufacture. These petitioners claim that the principle of protection is national and not provincial, and that it is equally applicable to all the industries of the United States; that the American policy should benefit alike all citizens, whether engaged in agriculture, manufacturing, or mining, and that the interests of the country are interdependent and mutually sustaining, and the people of the different sections co-customers and co-consumers. That is the New England platform, and that is destined to be the platform of the South when her mines are developed, her mills constructed, and a home market thus supplied for her agricultural products.

I have suggested that probably this petition from these three hundred and twenty manufacturers of New England was not read by the majority of the Committee on Ways and Means. I noticed yesterday an article in the last number of the North American Review, from the pen of a distinguished member of that committee [Mr. BRECKINRIDGE, of Arkansas], in which he argues that no right was abridged by denying a hearing to these representatives of the manufacturing industries of the country, or to any other class, including, of course, the representatives of labor. He claims that the constitutional right of petition does not extend to matters before committees of the House. Surely this can not be so, because a committee of the House on the subject before it is for the time being the House, and all matters referred to it by the House should have the same treatment that the Constitution guaranties to the citizen in his relation to Congress. Any other construction practically nullifies the right of petition.

Under the rules of the House petitions are not read when presented, but are referred to the appropriate committees through the petition-box. Now, if committees can deny even the reading of such petitions as are referred to them, as the Committee on Ways and Means seems to have done, and also refuse to allow any man or body of men to make a statement to the committee, what becomes of the boasted right of petition guarantied by the Constitution? It becomes a myth and a mockery. The gentleman from Arkansas has made an ingenious plea, but he will not succeed in persuading the American people that their constitutional rights are safe in his hands, or in the hands of his Democratic associates on the Committee on Ways and Means. Had petitions been read and hearings allowed, the chairman of the committee would doubtless have learned where seamless stockings are made, and many crudities and inconsistencies in their bill would probably have been avoided.

Returning to the tariff discussion, let us glance at some significant facts which the Tenth Census reveals, and which any industrious Congressman, doubting the correctness of the statements, can verify for himself. And first let us look at the cotton industry.

In spinning cotton the six New England States make use of nearly ten millions of spindles, and in the weaving of cotton fabrics over two hundred thousand looms, employing more than one hundred and fifty thousand people in the cotton factories alone. Of the two hundred millions of dollars which represent the total capital invested in all the States of the Union in cotton manufactures, these six New England States hold within their bounds about one hundred and seventy millions of it in mills, machinery, and other things necessary to their work, and they pay to their one hundred and fifty thousand operatives over thirty-five million dollars annually.

Of the seven hundred and fifty-three million pounds of cotton actually consumed in the mills of the country, New England uses five hundred and forty-one million pounds annually, leaving only two hundred million pounds to be used in all the other States. Now, gentlemen of the South, or more particularly of the cotton States, glance along the line of the coast to the north of you, and let your eyes rest for a moment upon that section of the country which many of your people believe produces only ice and granite, and ask yourselves the question whether you want to follow the behests of your President and destroy so valuable a market for the cotton of your people.

Remember, too, that the Southern States do not produce one-half of the cotton used in the world, and that England is pushing cotton raising with great vigor wherever it can be produced in her dominions. Strike down New England, your best customer, put yourselves at the mercy of European nations, and then see how long it will be until the present rate of 8 cents per pound which you now receive for your cotton on your farms as against 14 cents under the high tariff in 1881 will be still further reduced. The South to-day consumes only 3 per cent. of her own cotton crops.

Let the South beware, lest by her own votes and her tampering with existing tariff laws she strikes down and destroys her best customer, and thus does violence to her own people. And let me further suggest, that while the value of all cotton material annually used in manufacturing in this country is about one hundred and two million dollars, these six New England States use seventy-four millions of it, or more than two-thirds of the whole, and that while the value of all the manufactured cotton product of the country in 1880 was one hundred and ninety-two million dollars, these six States made over one hundred and forty-three millions of it, while the product of the South was only forty-nine millions.

What we want, and what will most benefit the South, is to so adjust our laws as to practically exclude the product of European cotton mills from our country. In 1886 we imported thirty million dollars' worth of cotton goods, and during the last fiscal year thirty-five millions. Reduce the tariff on cotton and these importations necessarily further increase. These goods come in under a duty averaging about 40 per cent. ad valorem, thus showing that European cotton mills can pay this high duty and yet compete with our own. Lower the duty, increase importations, and what becomes of the proposition to reduce the surplus in this way? It will be increased instead of lessened.

There is one other important fact in connection with the importation of these sixty-five million dollars' worth of cotton goods in two years. Every fiber of thread used in their manufacture was probably American cotton exported, and valued at about one-quarter of the cost of the cotton goods. If the fifteen million dollars' worth of cotton exported and returned to us at a cost of sixty-five million dollars had been manufactured in the United States, there would have been fifty million dollars to distribute among thousands of men and women who would have been making good wages to manufacture these goods, and in turn the wages paid to them would have gone to the farmers and dairymen and meat packers, and to all the classes who produce the food which these thousands would have consumed, and which they would have been enabled to purchase because of the wages earned in manufacturing these cotton goods.

In the entire country there are about two hundred and sixty thousand manufacturing establishments of all kinds, employing two million seven hundred and fifty thousand people. The total capital invested in 1880 was nearly three billions of dollars. The total value of all material used was about three and one-half billion dollars, while the aggregate annual value of the products thereof was over five and one-half billion dollars. The share that the six New England States, with less than one-thirteenth of the population of the country, take in this combined manufacturing industry of the Union is that of about thirty-five thousand manufactories, or over one-eighth of all, and they employ six hundred and fifty thousand people, more than one-fifth of the entire number.

Of the total capital invested they employ within their own borders over six hundred and fifty millions, more than one-fifth of all; of the total value of materials used they consume nearly seven hundred millions, over one-sixth of the whole; and they yield in products of manufacture nearly twelve hundred millions of dollars, about one-fifth of all. And yet it is coolly proposed by hostile legislation to strike down this great wealth-producing, tax-paying section of our country, the section from which came the money to bind the Eastern States to the Pacific Ocean with bands of iron, which out of her abundance has built Western railroads and Western cities, and which to-day stands with open hand and generous purse ready to help rehabilitate the South whenever in good faith she is invited so to do.

In the common neighborhood trades of carpentering and blacksmithing New England produces nearly twenty million dollars, about one-fourth of that of the entire country, and in blacksmithing alone six million dollars, or about one-seventh of all.

In the manufacture of wood pulp there is invested nearly two million dollars, material used amounts to a little less than one million, and the manufactured product sells for two millions and a quarter. In this industry New England's share is nearly one million of capital; she expends over half a million for materials, and her product yields one million three hundred thousand dollars, or about 60 per cent. of the whole.

The manufacture of lumber into useful things, apart from agricultural implements, carriages, toys, tools, etc., in the United States, employs about thirty-two thousand people, with twenty-nine millions of capital. About thirty million dollars' worth of material is consumed, yielding an annual product of fifty million dollars. In this industry the New England States employ six thousand people, nearly one-fifth of the whole. They have seven millions of capital invested or about one-fourth of all. Of the material they use eight millions in value, not quite one-third, and render products aggregating fifteen million dollars, or over 30 per cent. of the entire amount.

Apart from the manufacture of boots and shoes, the chief industries in leather in the United States employ about seventy-three million dollars capital, the value of the material used is one hundred and fifty-six million dollars, and the manufactured product is worth over two hundred million dollars. In this vast industry the New England States employ fifteen millions of capital, or about one-fifth of all. They expend for material forty-eight million dollars, nearly one-third of all, while the value of their manufactured product is sixty million dollars, greatly more than one-fourth of the whole.

In the manufacture of boots and shoes the entire country employs forty-three million dollars in capital; over one hundred and two million dollars are expended for material, and from it products are manufactured to the value of over one hundred and sixty-six millions of dollars. Of this industry, felt and known in every home of the nation, and marked in the foot-prints of the legislators from the Southern States, the six New England States employ nearly twenty-five millions of capital, considerably more than one-half of all; they pay seventy millions of dollars for material, about three-fourths of all, and yield a product of one hundred and twelve million dollars, slightly over two-thirds of the whole, and are the best customer for hides that the South has or will have in all time to come.

The manufacture of iron bolts, washers, and rivets employs a capital in the entire country of nearly five millions of dollars; the materials used are worth about six millions, and the finished product aggregates ten millions. In this manufacture New England furnishes one and three-fourths of a million capital; of the cost of material she pays one and one-fourth of a million, and yields a finished product of nearly two and a quarter million dollars, her part in the entire manufacture being about one-fourth of the whole.

In iron forgings about four million dollars capital is employed in the country; the value of the material used is four million dollars, and the product reaches about six and one-half millions. In this branch of industry New England has a capital of over one million dollars, or more than one-fourth of all; she pays for material six hundred thousand dollars annually, and her manufactured product is one and a quarter millions, nearly 25 per cent. of the whole.

The manufacture of sewing-machines requires a capital of thirteen million dollars; the material used costs five million dollars, and the annual manufactured product is fourteen millions. New England furnishes seven and a half millions of the capital, nearly 60 per cent.; she pays for materials over one and a quarter millions, more than one-fourth of all, and her production is over four and a half millions, or about 33 per cent. of the entire product.

In the manufacture of straw goods about three and a half million dollars is invested, material is used to the amount of five and a half millions, and the finished product is worth nine and a half millions. In this important industry New England furnishes over two and a half millions, or 75 per cent. of the whole, expends for material over four and a quarter millions, or nearly 80 per cent. of the aggregate, and gives a finished product of seven and a half millions, over seven-ninths of it all.

The country at large has invested in the manufacture of tools and cutlery a capital of about fourteen and a half millions; the material used annually costs six and a half millions, and the product is over sixteen millions. Of this New England furnishes capital to the amount of six millions, nearly one-half of the whole; she expends two and three-fourths millions for material, slightly less than one-half, and returns a finished product of seven and a half millions, or nearly 50 per cent. of it all.

In foundry and machine-shop productions the country has invested one hundred and fifty-five millions of dollars; materials used amount to one hundred and three and a half millions, and the annual product therefrom is about two hundred and four millions of dollars. New England's investment in this industry is over thirty-one millions of

dollars; she pays for material twenty millions, and her finished product is worth forty-three millions, or about one-fifth of the entire capital, the cost of manufacture, and value of finished products.

In steam-fitting and heating, nails, spikes, pipe, railings, steel springs, and architectural and ornamental iron-work, the total capital of the country invested is sixteen and a half million dollars, of which New England has five millions, the material costs twenty millions, of which New England pays four and a half millions, and the manufactured product is thirty-one millions, New England's share being seven and a quarter millions.

In the manufacture of fire-arms the entire capital employed is about eight and one-fourth million dollars; the material used costs one million eight hundred thousand dollars, and the product aggregates a value of five and three-fourths millions. In this industry New England has almost a monopoly, furnishing over seven million dollars of the capital, being about seven-eighths of the whole, spending for material one million six hundred thousand dollars, or sixteen-eighteenths of it all, and furnishing a production of over four and three-fourths millions, leaving one million for the rest of the country; and notwithstanding she has the monopoly no fault is heard of the rate of wages paid in this industry, nor has any disturbance occurred among the laborers so employed.

In the manufacture of mens' clothing the country has invested a capital of eighty millions of dollars; the value of materials used is one hundred and thirty-one millions, and the production aggregates two hundred and nine millions. In this industry New England has a capital of eight millions, she invests over fifteen millions in materials, and yields a product of about twenty-four millions of dollars.

The manufacture of hosiery and knit goods in the country gives employment to sixteen millions of capital, uses material to the value of fifteen millions, a large part of which is imported, and the finished product is worth at wholesale about twenty-nine millions. In this industry New England furnishes about one-third of the capital (five and a quarter millions), uses over one-fourth of the material (four and a quarter millions), and produces one-third of the finished material (about eight millions).

The manufacture of carpets in the United States has been largely developed during the period of the high tariff. We now successfully compete with the best manufacturers of Europe, in Brussels, ingrain, Wilton, Axminster, Venetian, tapestry, velvet, cottage, and Dutch carpets, as well as rugs, druggets, lastings, and serges. The country has invested a capital of twenty-two millions of dollars in these manufactures of wool, which give employment to twenty-one thousand people, whose wages are upward of seven millions of dollars annually.

The materials used include thirty-five million pounds of foreign wool, two million pounds of domestic wool, twenty-five million pounds of scoured wool, inclusive of waste and shoddy, besides about fifty million pounds of mohair and camel's hair. These materials, together with chemicals, dye-stuffs, etc., cost the manufacturers about twenty millions a year, and the finished product sells for about thirty-three millions of dollars. In this industry the New England States have invested eight millions of dollars, more than one-third of the whole, and they give employment to five thousand people, paying them over three millions of dollars annually. They use nearly one-half of the foreign wool, thus being the heaviest tariff payers, and also use almost one-half of the scoured wool. Their annual production is worth, at wholesale prices, over ten millions of dollars, or nearly one-third of the total product of the country.

In the making of felt goods there is invested in the country about two millions of dollars, the value of the material used is two and three-fourths millions, and the total value of the manufactured product is about four millions. In this field New England has over one and a half million dollars invested, about 80 per cent. of the whole, and her manufactured product is not far from three millions of dollars, or 75 per cent. of the entire amount.

In the manufacture of woolen goods, exclusive of carpets, mixed textiles, and felt, the capital invested aggregates ninety-six millions of dollars, nearly fifty-two millions of which is contributed by New England. Materials used amounts to one hundred millions of dollars annually, New England's share being fifty-nine millions; and the finished product amounts to one hundred and sixty millions, of which ninety-five millions belong to New England.

The capital invested in the manufacture of worsteds is a little over twenty millions of dollars, of which New England has over thirteen millions. The material used aggregates twenty-two millions, of which New England uses thirteen millions, and the manufactured product is thirty-three millions, twenty millions of which is credited to the New England States.

I have enumerated most of the leading industries of New England. To them might well be added the manufacture of paper, of lumber in various forms, and other products of our fields and forests, all of which are threatened with annihilation by the Mills tariff bill. I might also dwell on the disastrous results of placing wool on the free-list, which will seriously affect almost every farmer in New England, but as others will discuss that I desist, simply adding that so long as Australian sheep lands are leased for 5 cents per acre and Australian shepherds work for $7 per week and board themselves, free wool means the complete destruction of the sheep industry of the United States for the benefit of foreign sheep-owners. But that is the Democratic programme, and that the idea of a great political party which claims to be the friend of American labor! But I can not leave this topic without adverting to Brazilian and other South American wools, the cheapness of which is startling, and cuts out the growth of the American product even under existing tariff laws. The effect of the removal of the duty on these wools is well illustrated by the fact that when we removed the tariff from coffee a few years ago Brazil, at the instance of England, immediately put an export duty on the article, so that coffee to-day is nearly as high to the consumer as in the years of the war. The same will undoubtedly be true of wool if that product is placed on the free list, under which circumstances it will not be many years until our home market is entirely supplied by foreign wool-growers.

That is the part New England takes in the field of industrial pursuits.

Her prosperity is indissolubly connected with tariff legislation, and the message of the President has sent a thrill of distrust and fear through her people. Did they believe that the nation would indorse that message the factories and workshops of New England would be for sale, and the South would have an opportunity to invest in that kind of property at a bargain. Fortunately, they do not believe this calamity is to overtake them, and so they are reaching out and planning for even greater things in the future.

These are some of the triumphs of New England. They speak for themselves and need no defense at my hands. This little rock-ribbed, ice-bound section of our country has thirty-two thousand manufacturing establishments, with six hundred and twenty-five millions of capital invested in them, paying annually in wages to employés the enormous sum of three hundred and four millions, expending for material six hundred and sixty millions, and furnishing a net manufactured product of over eleven hundred millions of dollars. On the other hand, the twelve Southern States have thirty-five thousand manufacturing establishments of all kinds; they have invested in them one hundred and eighty millions of capital; they pay less than fifty millions yearly for wages, and the total annual value of their production is only three hundred and twenty millions.

Let me make one other point of comparison. I find that the total estimated true valuation of all property in the country in 1880 was about forty-four billions of dollars, the assessed valuation being seventeen billions, or about 39 per cent. of the whole. Of this property the six New England States had five billions and the twelve Southern States six billions, but the five billions of New England property was assessed for taxation at two billions six hundred and fifty millions, while the six billions of the South were assessed at only two billions two hundred and twenty-nine millions. Thus it will be seen that the six New England States, with less than five millions of people, pay in revenue to the Government more than the twelve Southern States, with over fifteen millions of people. Might it not be well for some of our Southern friends on this floor when they are talking of the robberies and extortions of New England manufacturers to pay a little attention to this circumstance and explain how it happens that five billions of Northern property should be worth four hundred and twenty millions of dollars more for the purposes of taxation than six billions of Southern property?

Let me also call attention to the fact that there is in New England a form of banking almost exclusively for the protection of the earnings of labor. The New England system of savings-banks stands apart from all other financial enterprises. The savings-banks in these six States hold in trust the enormous sum of five hundred and seventy-five million dollars, or considerably more than one-half the amount in all the savings-banks of the country, which aggregates one billion three hundred and seventy-eight million dollars. In the report of the Comptroller of the Currency I find mention of but one savings-bank in the Southern States, having on deposit eleven thousand six hundred and seventy-two dollars. There are in the United States forty-two official trust companies, aggregating about two hundred and forty-eight millions of resources. Nineteen of these companies, representing fifty-seven millions, or nearly one-fourth of the whole, are in New England. There are none in the twelve Southern States, and for trusts and guaranties they rely on the North.

In New England there is deposited in savings-banks over one hundred and twenty dollars for every man, woman, and child, while in the South, upon the basis of the figures of the Comptroller, there is just about one-fourth of a cent per capita. This immense fund, five hundred and seventy-five million dollars, represents to a large extent the earnings of the laboring classes (including the farmers) of New England, and is of itself the grandest possible tribute to their industry, thrift, and capacity. And when are added the millions of New England capital invested in loans, in property in Western cities, and in Western, Southern, and transcontinental railways, some idea can be formed of the prosperity of her people.

But it is said that this prosperity is the result of the tariff laws, which rob the farmers of the West and South to enrich New England. No greater fallacy than this can be imagined. Agriculture thrives in pro-

portion as manufacturing is prosperous. Agriculture in the North will be crushed out when President Cleveland's free-trade notions are adopted, thus destroying our manufacturing centers, which furnish a ready market for the products of our farms. When manufacturing is developed in the South and West farmers will thrive because they will have home markets for what they raise, and every class will feel and share the benefits which flow from enterprise and business thrift.

The simple and undeniable fact is that while New England is extensively engaged in manufactures, agriculture is not neglected by her people. Evidently this is not understood by some men who have engaged in this discussion. Under a high protective tariff manufacturing towns and villages have sprung up on every hand, giving the farmer a home market for his products and putting ready money in his pocket. It is estimated that at least one-third of the five hundred and seventy-five millions in New England savings-banks belongs to farmers. In the New England States fully 75 per cent. of the farms are occupied and worked by their owners, and no agricultural people on the face of the earth have as many comforts and luxuries as the farmers of the New England States.

The area of New England farms is about twenty-two million acres, of which fifteen million acres are under tillage, three hundred and two thousand persons being employed on them. The acreage of farm land in the Southern States is two hundred and thirty-one million acres, of which about seventy-eight million acres are tilled, giving employment to three and a half million people, not over 25 per cent. of whom own a foot of the land they work on, and not 25 per cent. of those who own the land either live, work on, or exercise any care over them beyond collecting their rents. As to the relative value of farm lands, the last census shows that the twenty-two million acres of New England farms were valued at five hundred and eighty-two million dollars, while the two hundred and thirty-one million acres of Southern farms, more than ten times the area of New England, were valued at fifteen hundred and thirty-five million dollars, or less than two and three-fourth times the value of the one-tenth area situated in bleak New England.

The value of farm implements and farm machinery in New England is twenty-three million dollars, while in the twelve Southern States, with more than ten times the farm acreage, the value is less than sixty-eight million dollars. Of the two hundred and eighty-five million of tilled acres in the United States the New England States till more than one-sixteenth of the whole, notwithstanding some men on this floor never miss an opportunity to speak slightingly of agriculture in the New England States.

Of the fifty-one million dollars' worth of orchard products in the country New England produces four million two hundred and fifty thousand dollars' worth, while the sunny South, with her warm climate and superior facilities, produces a yield of only six millions in value. Of the twenty-two million dollars' worth of market-garden products of the country New England produces two million six hundred and fifty thousand dollars' worth, as against two million eight hundred and forty-six thousand dollars in the South.

Of the thirty-five million tons of hay grown in the United States icy New England produces over four million tons, or more than one-ninth of the entire product, while the twelve States of the South, who propose to give us a tariff for agricultural purposes, yield slightly over nine hundred thousand tons, or less than one thirty-fifth of the whole.

The rice crop of the South is about one hundred and ten million pounds, which, at three cents per pound, amounts to about three and a half million dollars. Add to this their hay crop at ten dollars per ton (a large price for Southern hay), and the total will be less than twelve and a half million dollars. The hay crop of New England at ten dollars per ton (and New England farmers get more money than that for their hay) will pay for the hay and rice crops of the Southern States and leave a balance of twenty-seven million dollars.

Of the Irish potato crop of the country, aggregating one hundred and sixty-nine million bushels, the New England States yield twenty-three million bushels, or one-seventh of it all, while the Southern States produce less than eight and a quarter million bushels. Of the thirty-four million bushels of sweet potatoes raised in the country, the Southern States produce nearly twenty-nine million bushels, but as 50 cents per bushel is as much as the crop can command at the South, the New England States can, from the twenty-seven and a half millions of dollars left over from its hay crop, after buying the rice and hay crop of the South, easily pay for the combined potato crop of the Southern States, and then have ten millions of dollars left with which to corner their wheat crop, and reduce them to short commons for bread.

The value of all live stock on farms in the United States in 1880 was, in round numbers, one billion five hundred million dollars. Of this the six New England States owned about seventy millions and the twelve Southern States three hundred and seven millions. Included in this estimated value are about twelve and a half million milch cows, of which seven hundred and fifty thousand are in New England and three million one hundred and twenty thousand in the Southern States, or nearly one-third of the entire number in the country. And yet of the five hundred and thirty million gallons of milk sold or sent to butter and cheese factories in the United States the Southern States, with four times as many milch cows as New England, supplied less than eight and a half million gallons, while the New England States supplied sixty-two million gallons.

Perhaps some Southern Representative will vouchsafe an explanation of this astounding fact. Certainly, if no explanation is given, we will be justified in concluding either that Southern cows are poorly fed and poorly housed, that the milk is used to increase the navigation of the nameless streams that Congress is asked to appropriate money for [laughter], or that utter thriftlessness and waste prevail at the South, none of the economies and care that distinguish New England having found a foothold among those who own cattle in the Southern States.

Again, of the seven hundred and seventy-seven million pounds of butter produced in the nation the Southern States furnished about one hundred and four million pounds from over three million cows, or about one-third of a pound to a cow, while the New England States furnished sixty-six million pounds from seven hundred and fifty thousand cows, or eighty-eight pounds per cow.

The same discrepancy exists in regard to cheese, statistics showing that of the twenty-seven million pounds made in the country the Southern States furnished only four hundred and thirty-eight thousand pounds, while the output of the New England States was about five and a quarter million pounds, or about seven and a quarter pounds per cow, in addition to the butter product.

The busy people of New England have little time to indulge the taste of chicken fanciers, yet of the four hundred and fifty-seven million dozens of eggs produced in the country, according to the last census, thirty million dozens, or about one-fifteenth of the whole, is credited to New England.

The Southern States, with a vastly greater number of fowls, had a product of less than eighty-nine million dozens. But what is of more consequence than the amount of the product is the significant fact that in New England eggs commanded a price about four times as great as that secured in the South, and the same is relatively true of the milk, butter, and cheese product of the two sections, due solely to the fact that New England has a home market for such products, a natural outcome of her manufacturing industries.

These are hard, stubborn facts, for which the Tenth Census is responsible. New England farms have long been carefully and intelligently tilled by the hands of free men, and notwithstanding the sterile soil and early frosts she produces per acre twice the yield of wheat, corn, oats, and rye that is credited to the South. New England farmers, New England mechanics, and New England workingmen are all prosperous, the result of diversified industries and ready markets. When the South learns this simple lesson in political economy her rallying cry will be protection, and she will enter upon an era of prosperity such as she has not yet even dreamed of.

I know that I have given more figures than people like to read. The free-trade theorists avoid figures always, or if they use them they are not taken from census reports. Like James Russell Lowell before he apostatized, and when he wrote the famous Biglow Papers, they say:

> I go free trade thru thick an' thin,
> Because it kind o' rouses
> The folks to vote, an' keeps us in
> Our quiet custom-houses.

If the genuine revenue reformers in this House, the men who are shouting themselves hoarse over the President's late message, will "read, learn, mark, and inwardly digest" the facts and figures on this question there will be some hope of their conversion. And if the people of this country will calmly and without prejudice inform themselves on the issue presented by President Cleveland they will thrust from power next November the political party which, ignoring the plain teachings of history and the lessons of industrial science, are girding on the armor of practical free trade and preparing to engage in a death-grapple with the principle of protection, which has made our nation the envy of the world. For my part, I prefer the protective to the destructive policy. New England prefers it, and the nation will prefer it as soon as the issue is clearly defined.

The President lays great stress on the necessity for admitting what he terms "raw materials" free of duty. Now, what is "raw material?" The best definition I have seen is this: "Actual raw material is a product of the earth in its normal condition." It must be something produced by nature, and into which neither labor nor money has entered. There are no such materials in the sense used by the President. Even the water we drink is not a raw material, because money and labor are used to bring it to our homes. Strange as it may seem, some Republicans have gone wrong on this question of raw materials. But it is at best a transparent fallacy.

The moment labor touches or money moves anything it becomes in part a result of human effort, and industry and capital are component parts of it. Neither wool, lumber, salt, iron ore, or pig-iron is a raw material. Indeed the only raw material I know of are the Democratic statesmen (?) who insist that there is such a thing. [Laughter.]

The President also undertakes to stir up strife by insinuating that the people are being robbed by the tariff laws and made to pay exorbitant prices for the necessaries of life. It is not necessary to argue the fact, so well known to those who have investigated it, that the tariff

does not ordinarily enhance prices, while it frequently greatly lowers them. To-day there is competition in trade. Break down the tariff, let England take possession of our markets, and competition ends. Then England will fix the price of her commodities without let or hinderance.

That fact has been demonstrated over and over again. It is human nature, and will assert itself whenever opportunity offers. Now, I maintain, without fear of successful contradiction, that the relative purchasing power of a dollar is as great to-day as in any period of our national history—that is, that considering the rates of wages the consumer can afford as many of the necessaries and luxuries of life as in any former period. Food is cheap, clothing is cheap, dry-goods are cheap, indeed everything is marvelously cheap, and the President's great solicitude about the workingman is a sham and a delusion. The real pinch will come to the laboring men of this country when the President's policy is enacted into law, which will compel American manufacturers to either reduce wages or go out of business.

Very likely the existing tariff laws need some revision, but they should not be revised on the basis proposed by the bill under consideration. If a thorough revision is made it should be made by friendly hands, by Republicans, not by Democrats—by protectionists, not by revenue-reformers. The tariff on some articles may need be reduced, on others it might with propriety be increased. The simple fact is, and the whole tariff argument is summed up in it, all the products required for the support of our sixty millions of people must be supplied by somebody's labor. In proportion as they are supplied by foreign labor just in that proportion American laborers—whether they are farmers or day laborers—are left without work and without wages. Free trade offers to give away our magnificent markets to any farmers or laborers on earth who will take them, at the expense of our own people. We should not make any effort for the world's markets until we have fully developed our own, both in labor and production, and when we have done this then will come our own foreign-carrying trade, and that, too, at a point in our history when it will pay better to build a ship than it will a factory or a railroad.

If this market could be supplied by Americans, not an American would have to be idle, and the labor problem would be solved. Whoever controls the market fixes the price. If a foreign product has the monopoly it can command a profit as enormous and a price as exorbitant as it pleases. Hence under free trade articles have sold for three, four, and even five times as much as the same articles have afterward brought under protection, when American products had gained control of their own markets. No foreign goods which can be manufactured in this country can be cheap to us at any price. No man or party who is a traitor to the best interests of our workingmen should receive their support. No sophistry can wipe out the real facts. Let us have no enriching of Australian sheep-men at the expense of our farmers, or of English manufacturers at the expense of our wage-earners. That is my platform, and I believe it is the platform of the Republican party.

The Democratic defenders of the Mills tariff bill insist that free trade is beneficial to the laboring classes. If this be so how does it happen that British mechanics and laborers flock to this country to better their condition, while American laborers and mechanics never go to England in search of work and wages? The whole scheme of reducing the tariff will benefit England at the expense of America. When the Morrison tariff bill was defeated in the Forty-ninth Congress the London Daily Telegraph editorially said:

> A bill to establish in America what the English call free trade has just been defeated in the House by the narrow majority of 4. The measure was of enormous importance for English manufacturers, as it would have enabled them to export goods to the States without the crushing tariff now imposed, and its fate was watched with intense interest by Englishmen. Were it passed it would have been worth £100,000,000 per annum to British manufacturers.

Surely it is fortunate for the Republican party and fortunate for the industries of the North that England's vote is not to be counted in the next Presidential election, for her vote, with that of the solid South, would triumphantly re-elect the man who so audaciously attacks the industrial system of the nation.

But it is said that the large surplus in the Treasury must be got rid of. The President said that, the Secretary of the Treasury said it, and every Democratic newspaper and orator has echoed and re-echoed the sentiment. Well, the Republican party managed in 1860 to provide for the deficit which they inherited from the Buchanan administration, and it will be strange if the combined wisdom of Congress can not take care of a surplus without destroying the industries of New England and the North.

To my mind if the free list is to be enlarged it ought to be done by adding sugar to it, an article which enters into the consumption of every man, woman, and child in the land, and which probably never can be developed to a point where it will supply the demand of our people. In this country two billions eight hundred million pounds of sugar are annually consumed, and only about three hundred millions, or a little over one-tenth of the whole, is produced at home, the other nine-tenths being imported. On this imported sugar we collected a revenue last year of fifty-eight millions of dollars; and this enormous revenue was collected to protect a few hundred sugar-planters in Louisiana and two or three other Southern States.

Year by year the consumption of sugar is increasing, while the sugar production of Louisiana is practically at a standstill. If we are to have free trade in anything, here is a good place to begin. Not a reduction of the tariff on it, but absolute free trade in sugar is what should be insisted on if the South persists in striking down Northern products. But President Cleveland does not suggest free sugar, and the Democratic Ways and Means Committee of this House do not suggest it. Oh! no. That would strike Democratic States. That might disturb the harmony of the solid South. They have their eyes on the wool industry of Ohio, the iron industry of Pennsylvania, the cotton manufacturing industry of New England, and the lumber industry of the Pacific Slope, Michigan, and certain Northern States. In fact their notions of free trade do not seem to travel south of the Potomac, or to seriously affect any industry in the States from which the 153 Democratic electoral votes never fail to come.

Another Southern product which might properly be given a taste of tariff reform is rice. Just why the agricultural products of the North should be left practically unprotected by the Mills bill, and thus put in competition with the cheaper products of Canada, while rice, which to-day is protected by a tariff nearly four times as large as it was before the war, is left undisturbed, is a conundrum hard to answer. True, rice is grown entirely south of the Potomac—it is exclusively a Southern product—but that ought not to be a valid reason for exempting it from the provisions of so sweeping a measure as the one we are now considering.

Before the war rice was raised in quantities that, after supplying the home demand, left some for export. To-day the production is 50 per cent. greater than in 1860, the annual product now being one hundred and fifty million pounds. If it was raised at a profit before the war, the profit now, under the high tariff of 2 cents per pound, must be exorbitant, and if it is the settled policy of the Democratic party to reduce the tariff on agricultural products I insist that the rice planters of the South should be given some of this Southern revenue-reform medicine.

But to return to the surplus. That it is large is undeniable, but it is large not so much because our tariff laws are too high, as because of the niggardly policy of the Democratic party. In the Forty-ninth Congress every Republican favored and voted for the pension bill presented by the Grand Army of the Republic, which, if it had become a law, would have removed the stigma of our having twenty thousand veterans of the late war in the almshouses of the country. This beneficent measure, which would have helped solve the problem of the surplus, was antagonized by a large number of Democratic votes in the House, and was vetoed by the same President who now hysterically shrieks that the surplus is so large as to endanger the business interests of the country. The Republicans also were largely in favor of the Blair educational bill, but that measure was strangled by a Democratic committee. The Republicans favored adequate seacoast defences, but the Democratic majority pronounced against it. The Republicans earnestly desired to do something toward re-establishing the American merchant marine by liberal appropriations to American steam-ships, especially those engaged in carrying the mails to the West Indies and South America, but the Democratic party shouted "no!" with a unanimity that was at once startling and suggestive. That is the record, and that is the chief reason why the surplus is so large to-day. [Applause.]

The Republicans in this Congress favor the same measures, and if the Democrats will join in such legislation the surplus now held will be distributed, sending joy and gladness to the veterans of the war, distributing millions upon millions among the laboring people of the land, lifting out of ignorance and degradation a race to whose elevation the nation is solemnly pledged, and opening markets for our products in countries where England to-day has a practical monopoly. Gentlemen of the Democratic party, will you do it? The answer can be anticipated. Instead of this statesmanlike way of meeting the exigency you propose to attempt its solution by dealing a death blow to some of the leading industries of the Northern States.

Instead of striking down Northern enterprises and destroying Northern communities it will be wisdom for the South to change her economic notions and to imitate New England by establishing on her streams diversified manufacturing industries. This will give remunerative employment to her people, build up her waste places, develop thrift, accumulate money, and bring to that section of our common country a higher degree of happiness and prosperity than are now enjoyed. This will be good business judgment, good politics, and good sense.

Then they will see and realize the beauties and advantages of tariff laws, and then they will join with the North in the expression of the opinion that "the Government which taxes its own and gives freedom to the alien is simply an engine of tyranny and oppression, which ours should never be." And in the conflict soon to come, in the forum of public debate and at the ballot-box, between the views of the President and those of the Republican party, I feel confident that the patriotism, the pride, and the business instincts of the American people will prevail, and that the party which takes a sectional view of this great question, and which seeks to degrade labor by opening the markets of our country to the semi-barbarism of Australia and the poorly-paid labor of Europe and of Canada will be swept ignominiously from power. [Applause.]

As a Northern man I rejoice to note the tendency in certain Southern States to break away from the old notions of that section on the question of a tariff. I rejoice to read the utterances of Southern men who refuse longer to be bound to the car of revenue reform. Listen to the words of Maj. J. F. Hanson, of Macon, Ga., a Democratic cotton manufacturer:

President Cleveland's message was arrogant and presumptuous, and displayed absolute indifference to the pledges of the platform upon which he was elected as well as profound ignorance of the questions upon which he presumes to lecture Congress and the country. This was bad faith, bad manners, and bad politics combined, and it presents to the Democratic party the alternative either of renominating President Cleveland, with the assurance beforehand of his defeat, or of throwing him overboard as a Presidential candidate.

I presume I am not mistaken in saying that the following eloquent utterances are from a letter written a year or two ago by Hon. GEORGE D. TILLMAN, of South Carolina, a distinguished member of this body, in response to an invitation to become a member of a free-trade club:

Shall we of the Palmetto State always be self-idolatrous Bourbons, never forgetting, never learning anything? Was it not our intemperate zeal for free trade that led to nullification, and was it not as much to enjoy free trade as to protect slavery that South Carolina seceded in 1860? Hence what issue can better revive sectional hate or reopen the healing wounds of the war than for the "cradle of rebellion" to begin, at this early stage of the next canvass, to agitate the old cause of the quarrel—free trade—when protection is the settled policy of a large majority of the Northern people?

No other Southern State, as I am advised, is at present trying to lash itself into furor of excitement against a protective tariff. Then why should we volunteer to preach a crusade for redressing the supposed wrongs of the agricultural States of the South and West? Surely we can bear the ills of protection as long as they can.

It is as true now as it ever was that whoever spits against the wind spits in his own face; and considering that South Carolina's policy led to the war which forced the Government to contract a debt of nearly three thousand million dollars, the payment of the interest and principal of which, together with providing for current expenses and pensions, requires an annual revenue of nearly three hundred million dollars, is it becoming in South Carolina to prate about free trade?

Whether it shall please South Carolina or the other ex-Confederate States or not, either incidentally or *per se*, protection will for a great while remain the law of this land, as has been the case since the war, and as was the case for considerable periods at different times before the war. If manufactures and a high tariff have made the North rich, why should not we avail ourselves of the same means to make money? Manufactures do undoubtedly multiply values, increase employments, diversify industries, raise wages, found towns, establish schools, accumulate wealth, and improve a community in innumerable ways.

What have we to show in South Carolina for two hundred years of devotion to free trade and exclusive agriculture, except worn-out land, 600,000 negroes, and universal suffrage? Where are our factories, our mines, our ships, our banks, our charities, our libraries, our colleges, our inventions, our sciences, our literature, or our arts? Is the result so cheering as to invite us still further to tread in the footsteps of our fathers, and not only to denounce all manufactures, but wear home-made cloth, as they did in the days of nullification, to discourage the use of factory cloth protected by a tariff?

In any community which has but one occupation, say agriculture, wages are generally low, except at short periods of seed and harvest time. When stagnation comes, as come it must in every profession and calling at times, how universal the depression.

I boldly avow myself the ardent friend of manufacturing at the South, as I believe it is the only means that can bring us prosperity, wealth, immigration, general education, or high civilization.

And Hon. JOSEPH E. BROWN, United States Senator from Georgia, in a speech delivered in the Senate, March 4, 1888, made use of the following emphatic language:

But it is time we were reflecting upon this question, and asking how is it that the people of the North have grown rich by manufacturing and commerce, though they may have had the benefit of protection? Did they have superior advantages or greater resources than the South? By no means. No section of the Union, and probably no portion of the continent or of the civilized world, has advantages superior to those enjoyed by the Southern section of this Union. We have a genial climate, a healthy country, immense fertility of soil; in fact, great varieties of soil and climate, adapted to the culture of almost every crop that is grown in this country. We have the orange belt along the coast; we have the sugar and rice lands in great abundance. Above that we have the cotton belt; then the belt where clover and the different grasses grow and flourish admirably well; then comes our vast mineral belt, where the bowels of the earth are store-houses of inestimable wealth. We have iron, manganese, marble, and coal, and almost every mineral known to the catalogue, including rich gold mines in great abundance. We have water-power without limit, enough to run all the machinery of this continent; and if we prefer steam the coal is at hand to make it. In a word, the natural advantages of the Southern country are surpassed by no other country on the globe. Why, then, should we lag behind in poverty?

If the North, with less resources and less genial climate, has grown immensely rich by manufacturing, and shipping, and commerce, should we not imitate their example, and with our better climate and greater facilities and resources move forward on the same line, and in the course of half a century accumulate greater wealth than they have piled up under a like system? For half a century, while we were planting cotton, or while we were engaged in war, and while we have been reconstructing society and government, the people North have availed themselves of our tariff legislation, and with great energy and zeal have engaged in manufacturing and commerce. They now have immense capital invested in manufacturing plants. They have skilled labor in abundance. They have had long experience, and they are approximating the condition where they will be able to compete with the English manufacturer almost upon equal terms. Indeed, in some of the branches of manufactures they could now compete if it were not for the great advantage that the British manufacturers have in cheap labor. As matters now stand, however, New England is much further advanced than the Southern States are in manufacturing, and Old England is still further advanced than New England.

And again Senator BROWN said:

No section of this Union is as much interested as the South in sustaining a liberal and just tariff, which, while it raises all the revenue we need, affords all the incidental protection possible to the manufacturing industries of this country. We complain that the Northern people have grown rich by perseverance in manufacturing under our tariff system. As we have greatly superior natural advantages, instead of making war on them, suppose we imitate their example and go forward in the development of our resources and the manufacture of our raw material, the diversity of our labor, of our crops, and of our productions, and let us see if we can not in this way grow rich and powerful, as the people of the North have done, by adopting their line of policy, which created their wealth. Instead of lagging behind and crying out against a policy which has greatly enriched a sister section of the Union, let us go forward as a determined competitor, and with our greatly superior advantages finally bear off the palm of victory in progress, development, and wealth.

It is safe to assert that if the Mills tariff bill runs the gauntlet of this House there will be one Democratic vote against it in the Senate of the United States.

In this conflict there are the ideas of two distinct civilizations, the one born of the spirit of oppression and aristocracy, and the other springing from the men who fought the wars of religious toleration in both the Old and the New World, and who came to New England to found a nation devoted to industry, progress, thrift, and political and religious liberty. The descendants of these people are not to be halted in their grand march of civilization and industrial prosperity. New England ideas may be, as they have been, mocked at and derided, but the hand of the Lord never permits time to be turned backward.

This nation can not stand still and will not retrograde. It has hitherto gone forward upon the lines marked for it by New England. The South has, reluctantly it may be, adopted many of her ideas, and the South, if she ever expects to become rich and great, will have to adopt more of them. The first gun at Lexington told of the patriotism of New England's sons when her liberties were in danger, and her response to the President's message will equally show her loyalty and courage when her industrial prosperity is threatened. The English and un-American spirit so thoroughly displayed in every sentence of that message is hostile to the interests and repugnant to the teachings of New England. The South may defend them now, but the time is coming when the American purpose and idea of material prosperity, emanating from and pursued on every water-course in New England, at every spot where an industry can be planted, whether near to or remote from rail communication, will be adopted by the Southern States.

When that time comes, as come it must, the illimitable possibilities of the Republic will be shown, and a government strong in all the elements of greatness and wealth will proudly take her place at the head of the nations of the earth. New England has adjusted her industrial affairs to fit the conditions created by the tariff, while the South, with her eyes still fixed on the free-trade notions of ante-bellum days, is plodding in the ruts of long ago. But her Birminghams and her Atlantas are a suggestion of what her future will be when she develops her resources and adopts the American policy of protection to American industries and American labor.

Is there politics in this? some may ask. Yes. Political economy is defined to be "the science which treats of the wealth of nations, and the causes of its increase or diminution; the principles of government." This surely, then, trenches on that ground. It points out to the South the true way to establish and make operative "the science of government." It establishes the higher order of politics in her domain. Not shot-guns, not tissue ballots, not intimidation for opinion's sake, but a fair field and no favor in the general upbuilding and rehabilitation of her territory. Not Copiah and Hamburg and Danville, but cities like Lowell and Lawrence, like Manchester and Lewiston, with their magnificent manufacturing establishments, will spring up all over the South, giving employment to tens of thousands of her people, converting her waste places into thrifty villages and prosperous communities, thus dignifying and ennobling labor, and practically helping to make this great country of ours independent of the productions of European nations.

When this becomes an accomplished fact a free ballot will follow, and the crimes against the suffrage perpetrated in some of the Southern States will of necessity cease. Is it worth the effort? Rather do not patriotism and enterprise alike point to this as the only proper course to pursue?—the one thing more needful than any other to forever obliterate the bitter memories of the conflict of 1861–1865, and reunite our whole people in the grand struggle for supremacy over the other nations of the world—a supremacy established upon the basis of intelligent business enterprises, and fostered and strengthened by intelligent business legislation. For my part I am ready to join in this rivalry, but I am not ready to give my voice or vote for a measure which will despoil my own section, and strike down and destroy the very heart of the nation's business life. This must not—this will not be done. [Great applause.]

During the delivery of Mr. GALLINGER'S remarks, Mr. RUSSELL, of Massachusetts, twice endeavored to ask a question, but Mr. GALLINGER declined to yield. When Mr. GALLINGER had occupied one hour the following proceedings took place:

Mr. WEBER. I ask unanimous consent that the time of the gentleman from New Hampshire be extended for ten minutes.

The CHAIRMAN. Is there objection?

Mr. BURROWS. As the committee will rise at half past 5, and as probably no other gentleman will desire to go on this evening, I ask that the gentleman from New Hampshire be allowed sufficient time to conclude his remarks.

The CHAIRMAN. There is not upon the list of the Chair the name of any other gentleman who desires to speak this evening.

Mr. BURROWS. Then I hope my request will be granted.

The CHAIRMAN. The gentleman from Michigan [Mr. BURROWS]

asks unanimous consent that the gentleman from New Hampshire be permitted to conclude his remarks—not to extend, of course, beyond the hour of half past 5, when the Committee of the Whole must rise. The Chair hears no objection. The gentleman from New Hampshire will proceed.

Mr. GALLINGER resumed and concluded his remarks.

Mr. McMILLIN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker *pro tempore* (Mr. McMILLIN) having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenues, and had come to no resolution thereon.

ABOLITION OF WAR TAXES UPON AMERICAN SHIPPING.

Mr. BUCHANAN introduced a bill (H. R. 9739) to abolish war taxes upon American shipping; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

CREDITS TO POST-OFFICES.

Mr. CHIPMAN introduced a bill (H. R. 9740) to credit post-offices with the actual number of stamps on letters mailed at their location; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

LIGHT-HOUSE, DOG RIVER, ALABAMA.

Mr. JONES introduced a bill (H. R. 9741) to establish a light-house at Dog River Bar, in Mobile Bay, Alabama; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CHAMBERLAIN CONGRESS GUN.

Mr. FORD introduced a bill (H. R. 9742) to provide for the building and testing the Chamberlain congress gun; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RELIEF OF SAILORS AND SOLDIERS.

Mr. BROWER introduced a bill (H. R. 9743) for the relief of certain soldiers and sailors of the late war; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ROAD TO NATIONAL CEMETERY, FLORENCE, S. C.

Mr. DARGAN introduced a bill (H. R. 9744) appropriating $10,000 for building a road from the town of Florence, S. C., to the national cemetery near said town; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

RIGHT OF SUFFRAGE TO WIDOWS AND SPINSTERS.

Mr. MASON (by request) introduced a joint resolution (H. Res. 159) proposing an amendment to the Constitution of the United States extending the right of suffrage to widows and spinsters; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

JOHN POPE HODNETT.

Mr. MASON also (by request) introduced a bill (H. R. 9745) to pay to John Pope Hodnett for services rendered as counsel to the Government in the investigation into affairs of the District of Columbia, acting as such counsel by order of a resolution of the House of Representatives; also for acting as counsel for the workingmen of the District of Columbia for fifteen years last past; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

WILLIAM H. AKINS AND JACOB D. FELTHOUSEN.

Mr. MASON also (by request) introduced a bill (H. R. 9746) for the relief of William H. Akins and Jacob D. Felthousen; which was read a first and second time, referred to the Committee on Patents, and ordered to be printed.

SURVIVING SOLDIERS OF THE MEXICAN WAR.

Mr. STEWART, of Georgia, introduced a joint resolution (H. Res. 160) to compensate certain surviving soldiers of the Mexican war, and for other purposes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

SURETIES ON OFFICIAL BONDS.

Mr. OATES introduced a bill (H. R. 9747) to limit the time to six years within which suits may be brought against accounting officers and the sureties on their official bonds; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

ESTABLISHING CO-OPERATIVE COAL-MINING ASSOCIATIONS.

Mr. MASON (by request) introduced a bill (H. R. 9748) for the establishment of co-operative coal-mining associations; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

BRIDGE OVER DETROIT RIVER.

Mr. CHIPMAN (by request) introduced a bill (H. R. 9749) to authorize the construction and maintenance of a railroad bridge across the Detroit River; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

REPEAL OF SPECIAL TAX ON RETAIL DEALERS IN LIQUORS, ETC.

Mr. LAWLER introduced a bill (H. R. 9750) to repeal the special taxes now imposed on retail dealers in liquors, malt liquors, manufactured tobacco, snuff, and cigars; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

LEAVE OF ABSENCE TO CUSTOM-HOUSE EMPLOYÉS.

Mr. LAWLER also introduced a bill (H. R. 9751) providing for leave of absence for officers and employés in the customs service of the Government who receive a per diem compensation; which was read a first and second time, referred to the Committee on Labor, and ordered to be printed.

DISALLOWED POSTMASTERS' CLAIMS.

Mr. COWLES submitted the following resolution; which was referred to the Committee on the Post-Office and Post-Roads:

Resolved, That the Postmaster-General be requested to transmit to the House of Representatives a tabulated statement of the disallowed postmasters' claims presented from the State of North Carolina, under the act of March 3, 1883, exhibiting all such claims as by an actual computation of commissions prescribed by the act of 1854 and entered upon claim-jackets show that the paid salaries are 10 per cent. more or less than such commissions. Such tabulated statement to show in each case, first, the name of the post-office; second, the name of the applicant; third, the period of service covered by the computation of commissions; fourth, the amount of the computed commissions; fifth, the amount of paid salary for the same term of service; sixth, the actual amount of commissions in excess of the paid salary.

BUSINESS OF COMMITTEE ON FOREIGN AFFAIRS.

Mr. BELMONT submitted the following resolution; which was referred to the Committee on Rules:

Resolved, That the House will, at 5.30 p. m. on Monday next, May 7, take a recess until 8 o'clock p. m., the evening session to be devoted exclusively to the consideration of bills reported from the Committee on Foreign Affairs.

EQUIPMENTS FOR DISTRICT MILITIA.

Mr. McADOO introduced a joint resolution (H. Res. 161) to authorize the Secretary of War to issue arms and equipments to the militia of the District of Columbia; which was read a first and second time, referred to the Committee on the Militia and ordered to be printed

STEAM ENGINEERING.

Mr. HEMPHILL introduced a bill (H. R. 9763) to amend an act entitled "An act to regulate steam engineering in the District of Columbia;" which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

RELIEF OF SETTLERS UPON PUBLIC LANDS.

Mr. LAIRD introduced a bill (H. R. 9764) for the relief of such settlers upon the public domain as took land by homestead entry and afterwards commuted the same to a cash entry; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MILITARY PEACE ESTABLISHMENT.

Mr. LAIRD also introduced a bill (H. R. 9765) to reduce the cost of the military peace establishment and facilitate its expansion in time of war; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

CONTESTANTS IN LAND CASES.

Mr. LAIRD also introduced a bill (H. R. 9766) requiring contestants in land cases tried before the local land officers of the United States to pay the costs of such contests in certain cases, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

CLAIMS FOR DAMAGES DONE TO PLANTED OYSTERS IN RARITAN BAY.

Mr. MERRIMAN introduced a bill (H. R. 9767) authorizing the Secretary of the Treasury to appoint commissioners to investigate certain claims for damages done to planted oysters in Raritan Bay in 1881; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

PUBLIC WORKS, MINNESOTA.

Mr. RICE introduced a bill (H. R. 9768) to authorize the city of Minneapolis, Minn., to repair, alter, and reconstruct certain public works; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

MESSAGE FROM THE PRESIDENT.

A message from the President, by Mr. PRUDEN, one of his secretaries, announced that the President had approved and signed bills of the following titles:

An act (H. R. 2927) to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.;

An act (H. R. 9381) to facilitate the prosecution of works projected for the improvement of rivers and harbors;

An act (H. R. 1584) granting the right of way to the Duluth, Rainy Lake and Southwestern Railway Company through certain Indian lands in the State of Minnesota; and

An act (H. R. 4964) to prevent any person or persons in the cities of Washington and Georgetown from making books and pools on the results of trotting or running or boat races.

The message also announced that House Resolution 7171, having been received by the President on the 12th instant and not returned by him to the House in which it originated within the ten days prescribed by the Constitution, had become a law without his approval.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. MCCOOK, its Secretary, requested the return to the Senate of the bill (S. 1161) granting a pension to Mrs. Jennie Stone, widow of General Charles T. Stone.

The message also announced that the Senate had passed without amendment the bill (H. R. 1788) for the erection of a public building in Lancaster, Pa.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 347) to provide for the erection of a public building at Youngstown, Ohio;

A bill (S. 349) for the erection of a public building at Akron, Ohio;

A bill (S. 1747) to authorize the sale of a tract of land in the military reservation at Fort Leavenworth, in the State of Kansas; and

A bill (S. 2329) to authorize the Secretary of the Treasury to re-examine and re-audit a claim of the State of Pennsylvania for advances made and money borrowed by said State to pay the militia called into the military service by the governor under the proclamation of the President of June 15, 1863.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

A bill (H. R. 112) granting a pension to George Schneider;

A bill (H. R. 1070) for the relief of J. A. Wilson;

A bill (H. R. 1158) to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualties," approved March 17, 1882;

A bill (H. R. 1438) to authorize the Kansas Valley Railway Company to construct and operate a railway through the Fort Riley military reservation in Kansas, and for other purposes.

A bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for water-works purposes;

A bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased;

A bill (H. R. 4082) for the relief of the Agricultural and Mechanical College, of Alabama;

A bill (S. 1413) to increase the pension of James Coey; and

A bill (S. 1483) for the registry of the barges Albert M., Condor, and Adalante.

And then, on motion of Mr. BRECKINRIDGE, of Kentucky, (at 5 o'clock and 20 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BELDEN: A bill (H. R. 9752) to remove the political disabilities of Matilda Joslyn Gage—to the Committee on the Judiciary.

By Mr. BOUND: A bill (H. R. 9753) granting a pension to Eliza Ramsey—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 9754) granting a pension to Annie A. Hays—to the Committee on Invalid Pensions.

By Mr. GALLINGER: A bill (H. R. 9755) granting a pension to Joseph P. Sanborn—to the Committee on Invalid Pensions.

By Mr. HALL: A bill (H. R. 9756) for the relief of Joseph Richards—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 9757) to remove the charge of desertion against Justin J. Wisner—to the Committee on Military Affairs.

By Mr. MCSHANE: A bill (H. R. 9758) for the relief of Clark S. Merriman—to the Committee on Patents.

By Mr. MOFFITT: A bill (H. R. 9759) granting a pension to John Wallace—to the Committee on Invalid Pensions.

By Mr. PHELAN: A bill (H. R. 9760) for the relief of W. A. Galloway—to the Committee on War Claims.

Also, a bill (H. R. 976) for the relief of Lucy E. Dowdy—to the Committee on War Claims.

By Mr. ROWLAND: A bill (H. R. 9762) for the relief of George B. Hanna—to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. ATKINSON: Petition of doctors and druggists of Freeburgh, Fremont, and Chambersburgh, Pa., for repeal of the law classing druggists as liquor dealers, etc.—to the Committee on Ways and Means.

By Mr. C. S. BAKER: Petition of W. J. Bills and others, citizens of Walworth, N. Y., in favor of reducing letter postage—to the Committee on the Post-Office and Post-Roads.

By Mr. JEHU BAKER: Petition of Local Assembly No. 1312, Knights of Labor, of Collinsville, Ill., in favor of the tonnage bill—to the Committee on Merchant Marine and Fisheries.

By Mr. BAYNE: Petition of Jackson Grange, of Susquehanna County; of 38 citizens of Columbia County; of Taugh Creek Grange, of Huntington County; of 17 citizens of Wyoming County; of the Wyoming County Grange, and of Clover Creek Grange, of Blair County, Pennsylvania, in favor of pure food—to the Committee on Agriculture.

Also, resolution of the Chamber of Commerce of Pittsburgh, Pa., for the erection of a public building in the city of Allegheny—to the Committee on Public Buildings and Grounds.

By Mr. BLANCHARD: Paper to accompany petition for the relief of Dr. James Ray, administrator of George Hill, of St. Landry Parish, Louisiana—to the Committee on War Claims.

By Mr. BLOUNT: Petition of T. W. Hightower and others, citizens of Barnesville, Ga., for repeal of that portion of the internal-revenue law classing druggists as liquor-dealers—to the Committee on Ways and Means.

Also, petition of Valentine Kahn, of Bibb County, Georgia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BOUND: Petition of J. W. Wenck and others, of Northumberland, and of J. W. Rewalt and others, of Middletown, Pa., for repeal of that portion of the internal-revenue law classing druggists as liquor-dealers, etc.—to the Committee on Ways and Means.

By Mr. BOUTELLE: Petition of Chester Weld and 18 citizens of Penobscot County, Maine, in favor of pure food—to the Committee on Agriculture.

By Mr. W. C. P. BRECKINRIDGE: Petition of J. E. Sharer and 55 others, citizens of Butler County, Kentucky, in favor of pure food—to the Committee on Agriculture.

By Mr. BUNNELL: Petition of druggists of Tunkhannock, Pa., for repeal of that portion of the internal-revenue law classing druggists as liquor-dealers, etc.—to the Committee on Ways and Means.

By Mr. BURNES: Petition of E. Padberg, of St. Joseph, Mo., in favor of the Butterworth bill regulating the manufacture and sale of lard—to the Committee on Agriculture.

By Mr. BURROWS: Petition of citizens of Mendon, Mich., for repeal of the internal-revenue law classing druggists as retail liquor dealers, etc.—to the Committee on Ways and Means.

Also, petitions of citizens of St. Joseph, Mich., in favor of pure food—to the Committee on Agriculture.

By Mr. BUTTERWORTH: Petition of Weerdeman & Co., of Cincinnati, Ohio, and many other manufacturers, against the passage of the Mills bill—to the Committee on Ways and Means.

By Mr. CATCHINGS: Petition of Sarah J. Mosby, of Warren County, Mississippi, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. CRAIN: Protest of citizens of Galveston, Tex., against the letting out of Government work by contract—to the Committee on Labor.

Also, protest of the Texas Ramie Planting Association, against the abolition of the duties on ramie and jute fibers—to the Committee on Ways and Means.

By Mr. DALZELL: Petition of sundry druggists of the Twenty-second district of Pennsylvania, for repeal of a portion of the internal-revenue laws—to the Committee on Ways and Means.

By Mr. FELTON: Petition of 110 citizens of California, against the reduction of the import duty on green and colored glass bottles—to the Committee on Ways and Means.

By Mr. FISHER: Petition of Newel Stevens and 8 other soldiers and sailors, of Mio and Mackinac City, Mich.—to the Committee on Invalid Pensions.

By Mr. FORNEY: Petition of Mrs. Alice Cole, of Calhoun County, Alabama, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. GAINES: Petition of Robert Michael, of Dinwiddie County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GIFFORD: Petition of M. H. Cummins and 102 others of Wilmot, Dak., that a treaty be had with the Sisseton and Wahpeton Indians for a reduction of their reservation—to the Committee on Indian Affairs.

By Mr. GROUT: Petition of Francis Whitaker & Son, in behalf of pure lard—to the Committee on Agriculture.

By Mr. HATCH: Four petitions of citizens of St. Louis, Mo., for a law compelling the branding of compound and adulterated lard—to the Committee on Agriculture.

By Mr. HAUGEN: Petition of citizens of Wisconsin, for the relief of Justin J. Wisner—to the Committee on Military Affairs.

By Mr. HERMANN: Protests of wood-pulp manufacturers, of Oregon, against the Mills bill—to the Committee on Ways and Means.

By Mr. S. T. HOPKINS: Petition of 120 citizens, of Wilbur, N. Y., and vicinity, asking that the duty on foreign cement be left undisturbed—to the Committee on Ways and Means.

By Mr. LANHAM: Petition of 135 citizens, of Mitchell County, and of citizens of Scurry County, Texas, for payment of Indian depredation claims on the frontier—to the Select Committee on Indian Depredation Claims.

By Mr. LEE (by request): Petition of citizens of Virginia for repeal of that portion of the internal-revenue law that classes druggists as liquor dealers—to the Committee on Ways and Means.

Also (by request), petition of Mathew Woodward, of Prince William County, and Henry W. Quarles, of Louisa County, Virginia, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. LIND: Petition of A. Gilberson, of Canby, Minn., and others, for repeal of the internal revenue law classing druggists as retail liquor-dealers—to the Committee on Ways and Means.

Also, petition of the Grand Army of the Republic, of Minnesota, for an appropriation of $200,000 for head-stones for soldiers' graves—to the Committee on Military Affairs.

Also, resolution of the railroad commissioners of Minnesota, for the adoption of safe and proper appliances for coupling and uncoupling cars, etc.—to the Committee on Commerce.

Also, memorial of Charles B. Trowbridge, of Minnesota, for payment to volunteer soldiers the difference between gold and the currency in which they were paid—to the Committee on War Claims.

Also, petition of John R. Slack, of Decorah, Iowa, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. LODGE: Petition of E. S. Dodge, of Chelsea; of B. F. Stacy, of Charlestown; of Smith Brothers, of Lynn; of W. B. Southworth, of Malden, and of Daniel N. Howard, of Medford, Mass., for the removal of the personal tax on druggists—to the Committee on Ways and Means.

By Mr. McMILLIN: Petition of Cain Davis, of Wilson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. McREA: Petition of Carrie McKennenand, Virginia P. Rogers, heirs of Eliza Miller, deceased, for reference of their claim to the Court of Claims—to the Committee on War Claims.

By Mr. McSHANE: Petition of citizens of Nebraska for repeal of that portion of the internal-revenue law requiring druggists to pay license of $25 per annum—to the Committee on Ways and Means.

Also, petition of citizens of Pawnee County, Nebraska, that the work of eradicating pleuro-pneumonia be continued in the Bureau of Animal Industry—to the Committee on Agriculture.

Also, petition of citizens of Nebraska in favor of prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

Also, petition of 110 citizens of Omaha, Nebr., against any bill designing to brand or tax refined lard—to the Committee on Agriculture.

Also, petition of citizens of the District of Columbia against interference with the liberty of the United States Marine band—to the Committee on Military Affairs.

Also, petition of citizens of Nebraska for prompt action in the organization of the Territory of Alaska—to the Committee on the Territories.

By Mr. MORGAN: Petition of Jacob Massier, of Holly Springs, Miss., for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. NELSON: Resolution of the Grand Army of the Republic, of Minneapolis, Minn., for an appropriation for head-stones for soldiers' graves—to the Committee on Military Affairs.

By Mr. O'DONNELL: Petition of J. E. Wells, of Athens; of E. T. Webb, of Jackson, and of Carter & Carter, of Springport, Mich., for repeal of the internal-revenue tax on druggists—to the Committee on Ways and Means.

By Mr. J. J. O'NEILL: Petition in relation to convict labor—to the Committee on Labor.

By Mr. OSBORNE: Petition of Joseph Calhoun and 77 others, citizens of Allegheny County, Pennsylvania, in favor of pure food—to the Committee on Agriculture.

Also, petition of W. F. Church and B. R. Tubbs, of Kingston, Pa., for repeal of the law requiring druggists to pay a license as liquor-dealers—to the Committee on Ways and Means.

By Mr. OWEN: Petition of John H. Fairbanks and 37 others, of Lake County, Indiana—to the Committee on ———.

By Mr. PERKINS: Petition of citizens of Labette County, of Allen County, of Montgomery County, of Anderson County, and of Neosho County, for the passage of the bill granting the right of way through the Indian Territory for the Kansas City and Pacific Railroad—to the Committee on Indian Affairs.

By Mr. PHELAN: Petition of Samuel F. Engs, of Kings County, New York, for payment of his war claim—to the Committee on War Claims.

Also, petition of L. G. Deloshmit, widow of G. B. Deloshmit, of Tipton County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. RICE: Petition of macaroni manufacturers of the United States, for an increase of duty on imported macaroni—to the Committee on Ways and Means.

Also, resolutions of the Board of Trade of Minneapolis, Minn., against the bill to take away from the Engineer Corps of the Army the work of improving rivers and harbors—to the Committee on Rivers and Harbors.

By Mr. SCULL: Petition of 56 citizens of the Seventeenth district of Pennsylvania, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

Also, memorial of physicians and druggists of Elk Lick, Somerset County, Pennsylvania, in favor of repealing that portion of the internal-revenue laws which classes druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. SHIVELY: Petition of John Tromp, of Mishawaka, and of O. A. Van Liew, of Lakeville, Ind., for the repeal of the law classing druggists as liquor dealers—to the Committee on Ways and Means.

Also, petition of A. P. Kent and others, of Elkhart, Ind., against the admission of Utah as a State with polygamy—to the Committee on the Territories.

By Mr. STAHLNECKER: Petition of the Italian Chamber of Commerce of New York, recommending a reduction of tariff on marble, works of art, wine, olive-oil, oranges, and lemons—to the Committee on Ways and Means.

By Mr. STEELE: Petition of 45 citizens of the Eleventh district of Indiana, for prohibition in the District of Columbia—to the select Committee on the Alcoholic Liquor Traffic.

By Mr. A. C. THOMPSON: Petition of G. A. Ewing, of Jackson, Ohio, for repeal of tax on druggists as liquor dealers—to the Committee on Ways and Means.

By Mr. TOWNSHEND: Petition of the department commander of the Department of the Potomac, Grand Army of the Republic, and others, for an appropriation to defray the burial expenses of certain indigent soldiers dying in the District of Columbia—to the Committee on Appropriations.

By Mr. VOORHEES: Petition of the heirs of Lewis H. Davis, of Washington Territory, with accompanying papers, for relief—to the Select Committee on Indian Depredation Claims.

By Mr. WHEELER: Petition of James L. Wellborn, administrator of Elias Wellborn, deceased, of Jackson County; of Amanda Wade, widow of A. H. Wade, of Lauderdale County, and of John H. Elliott, of Limestone County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. J. R. WHITING: Petition of C. P. Phelps and 16 others, citizens of Berrien County, Michigan, in favor of pure food—to the Committee on Agriculture.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. FORD: Of the Kent Scientific Institute of Grand Rapids, Mich.

By Mr. HERMANN: Of citizens of Wasco County, Oregon.

By Mr. KERR: Of citizens of Vinton, Iowa.

By Mr. McSHANE: Of citizens of Nebraska.

By Mr. ROCKWELL: Of citizens of Monson, Mass.

By Mr. HENRY SMITH: Of W. C. Holtz and 31 others, members of South Side Gun Club of Milwaukee, Wis.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. E. P. ALLEN: Petition of citizens of Cambria Mills, Mich.

By Mr. BOWEN: Of citizens of Rural Retreat, Va.

By Mr. J. R. BROWN: Of citizens of North Branch, Va.

By Mr. DE LANO: Of citizens of Tallette, Chenango County, New York.

By Mr. GROUT: Of J. C. Little and 21 others, citizens of Barre, Vt.

By Mr. HARE: Of citizens of Stony, Tex.

By Mr. S. T. HOPKINS: Of citizens of West Sand Lake, N. Y.

By Mr. NUTTING: Of citizens of Jerry, Oswego County, New York.

By Mr. C. A. RUSSELL: Of citizens of South Kent, and of Danbury, Conn.

By Mr. J. W. STEWART: Of citizens of Brookfield, Vt.

The following petition, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States and operated in connection with the Post-Office Department, was referred to the Committee on the Post-Office and Post-Roads:

By Mr. ATKINSON: Petition of citizens of Waynesborough, Franklin County; Broad Top City, Robertsdale, Chambersburgh, Black's Gap, Huntingdon County; Dudley, Huntingdon, Minersville, Coalmont,

Marysville, Berry County; Gaines, Lewisburgh, Port Allegany, and Tioga and McKean Counties, Pennsylvania.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. A. R. ANDERSON: Of J. C. Faris and 103 members of Post 96, Grand Army of the Republic, of Mount Ayr, Ringgold County, Iowa.

By Mr. ATKINSON: Of soldiers of Birmingham, and of soldiers, sailors, and citizens of Blain, Perry County, Pennsylvania.

By Mr. BELDEN: Of Jacob Schwarz and 24 others, veteran soldiers and sailors of Syracuse, N. Y., and of Nathan Wright and 14 other soldiers and sailors of Cardiff, N. Y.

By Mr. CHIPMAN: Of Daniel W. Barber and others, ex-soldiers of Wayne County, and of A. R. Teft and others, ex-soldiers of Plymouth, Mich.

By Mr. DE LANO: Of Post No. 383, Grand Army of the Republic, of Candor, Tioga County, New York.

By Mr. McSHANE: Of ex-soldiers and sailors of Nebraska.

By Mr. MAISH: Of ex-soldiers and sailors of Adams County, Pennsylvania.

By Mr. NELSON: Of soldiers and citizens of Minnesota.

By Mr. TOWNSHEND: Of Laren Kent Post, Grand Army of the Republic, of Omaha, Gallatin County, Illinois.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. BUNNELL: Of 109 citizens of Susquehanna County, Pennsylvania.

By Mr. BURROWS: Of citizens of Michigan.

By Mr. DARLINGTON: Of 151 citizens of Chester County, Pennsylvania.

By Mr. HERMANN: Of 54 citizens of Marion County, Oregon.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. STONE, of Kentucky: Of citizens of Birmingham, Ky.

SENATE.

TUESDAY, *May* 1, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

WILLIAM SACKMAN, SR.—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, referred to the Committee on Pensions, and ordered to be printed:

To the Senate:

I return without approval Senate bill 465, entitled "An act granting a pension to William Sackman, sr."

The beneficiary named in this bill served from December 24, 1861, to February 29, 1864, in the Fifth Regiment of the Missouri Militia Cavalry.

He was discharged on the day last named for disability. His certificate of discharge states his disability as follows:

"Palpitation of the heart and defective lungs, the disability caused by falling off his horse near Fredericktown, Mo., while intoxicated, on detached service, in the month of September, 1862. Not having done any duty since, a discharge would benefit the Government and himself."

It appears that a claim for pension was filed in the year 1881, in which the claimant alleged that—

"At Fredericktown, Mo., about the 10th or 12th of April, 1863, he had three ribs broken by falling from his horse while surrounded by guerrillas."

It will be seen that while the certificate of discharge mentions a fall in September, 1862, no allusion is made to any fracture of ribs, while the claimant alleges such an injury occurred in April, 1863.

In 1885 the surgeon who made the medical certificate attached to the discharge, in answer to an inquiry made by the Commissioner of Pensions, says:

"I have to state that I remember the case very distinctly. I made the examination in person, and was thoroughly acquainted with the case. I read the statement on which the application for discharge was based to the man, and he consented to have the papers forwarded as they read. The application for pension is fraudulent, and should not be allowed."

I have omitted references made to the habits of the soldier by this medical officer.

Of course much reliance should be placed upon these statements made by an officer whose business it was to know the exact facts, and who made his certificate at a time when such facts were fresh in his mind. There is no intimation that the surgeon who made the statement referred to was inimical to the soldier or influenced by any unjust motive.

The attempt to impeach the record thus made is based upon affidavits made by a number of the soldier's comrades, who testify to his character and habits, and only three of whom speak of an injury to the soldier caused by falling from his horse. Two of these affiants allege that they were with the claimant on detached duty when his horse took fright and ran away with him, injuring him so that he could not rise and get on his horse without assistance.

So far as these affidavits are before me no date of this occurrence is given, nothing is said as to the character of the injuries, and no reference is made to the condition of the soldier at the time. The third affiant, who speaks of an injury, says that it occurred while on duty on the march from Pilot Knob to Cape Girardeau, in the year 1862 or 1863, and that it was caused by the soldier's being thrown from his horse. He says further that the soldier was not intoxicated at that time.

No mention is made that I can discover of any fracture of the ribs except in the claimant's application for pension made in 1881, seventeen years after his discharge, and in a report of an examining surgeon made in 1882.

With no denial of the soldier's condition, as stated by the surgeon, on the part of the only parties who claim to have been present at the time of the injury, I can not satisfy myself, in view of the other circumstances surrounding this case, that the allegations contained in the claimant's discharge are discredited.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 30, 1888.

MARY SULLIVAN—VETO MESSAGE.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, referred to the Committee on Pensions, and ordered to be printed:

To the Senate:

I return without approval Senate bill No. 838, entitled "An act granting a pension to Mary Sullivan."

On the 1st day of July, 1886, an act was approved which is an exact copy of the one herewith returned. In pursuance of that act the beneficiary's name was placed upon the pension-rolls.

A second law for the same purpose is, of course, unnecessary.

GROVER CLEVELAND.

EXECUTIVE MANSION, *April* 30, 1888.

BRIDGES IN NORTH CAROLINA.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 2345) authorizing the construction of bridges across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina; which was to strike out all after the enacting clause and insert a substitute.

Mr. RANSOM. I move that the Senate non-concur in the amendment of the House and request a conference on the disagreeing votes.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. RANSOM, Mr. VEST, and Mr. SAWYER were appointed.

ENOS J. SEARLES.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 738) granting a pension to guardian of Enos J. Searles, of Clermont County, Ohio, which was, at the end of the bill, to add "and pay to his legally constituted guardian for him a pension of $18 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Enos J. Searles, of Clermont County, Ohio, late private Company L, Fifth Ohio Cavalry, and pay to his legally constituted guardian for him a pension of $18 per month.

Mr. TURPIE. I ask the Senate to concur in the amendment of the House of Representatives.

The amendment was concurred in.

PETITIONS AND MEMORIALS.

Mr. EVARTS presented the petition of Rev. W. P. Hazleton and 25 others, citizens of the Twenty-fifth Congressional district of New York, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Grand Army of the Republic, of Kings County, New York, Department of New York, praying for an appropriation for the erection of a monument at Fort Greene, in the city of Brooklyn, to the memory of the prison-ship martyrs; which was referred to the Committee on the Library.

Mr. PAYNE presented five petitions, signed by 110 ex-Union soldiers and sailors, citizens of Ohio, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. WILSON, of Iowa, from the Committee on the Judiciary, to whom was referred the bill (H. R. 8180) to regulate the liens of judgments and decrees of the courts of the United States, reported it with amendments.

Mr. FAULKNER, from the Committee on Pensions, to whom was referred the petition of Sarah J. Foy, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 2829) granting a pension to Sarah J. Foy; which was read twice by its title.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 2476) granting a pension to Charles F. Urban;

A bill (S. 2611) granting a pension to Charles Craft;

A bill (S. 2352) granting a pension to John F. Keran; and

A bill (S. 2596) to increase the pension of John A. Doyle.

Mr. BLODGETT, from the Committee on Pensions, to whom was referred the bill (S. 2606) granting a pension to John B. Timberman, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 2569) granting a pension to Robert Theodore Howard;

A bill (S. 2365) for the relief of James A. Armstead; and
A bill (S. 2362) granting a pension to Jackson Myers.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2655) granting a penson to Lydia Hawkins;
A bill (S. 2656) granting a pension to the widow and minor children of Patrick Frawley;
A bill (S. 2638) granting a pension to Mrs. Emma Dill; and
A bill (S. 2629) to pension Bartola Thebant, a soldier in the Florida Seminole Indian war of 1849 and 1850.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2659) granting a pension to Antony Schomacker;
A bill (S. 2660) granting a pension to Spencer West; and
A bill (S. 2626) granting a pension to Catlena Lyman.

Mr. WILSON, of Maryland, from the Committee on Claims, to whom was referred the bill (H. R. 92) for the relief of Morgan Rawls, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 41) granting a pension to Mrs. Octave Pavy:
A bill (S. 252) for extension of pension to Mrs. Ann Leddy; and
A bill (S. 1042) for the relief of Ann Leddy.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2631) granting a pension to Clarence Brown;
A bill (S. 2630) granting a pension to N. H. Guyton; and
A bill (S. 2573) granting a pension to George H. Boyd.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of Isaac Fowler, praying to be allowed a pension of $8 a month, submitted an adverse report thereon, and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2700) granting increase of pension to Allen Blethen; and
A bill (S. 1822) granting a pension to Ann E. Cooney.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1940) to provide for the construction of a public building at Sterling, Ill., reported it with amendments.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the bill (S. 1255) granting arrears of pension to Sarah E. Brashear, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred a petition of 24 citizens of Samoth, Massac County, Illinois, praying that Hugh B. Glass be granted an increase of pension, and the petition of Dr. Frederick Robinson, praying to be allowed an increase of pension, submitted adverse reports thereon; which were agreed to, and the committee were discharged from their further consideration.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2413) granting an increase of pension to Ernst Hein;
A bill (S. 2052) for the relief of Bridget A. Murphy;
A bill (S. 1264) granting a pension to Martha V. Coleman; and
A bill (S. 1319) granting a pension to Anna Slater.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the petition of Johanna Dorman Smith, praying for the passage of an act granting an increase of pension to her minor child, Mary Elvira Dorman, submitted a report thereon, accompanied by a bill (S. 2830) granting increase of pension to Elvira M. Dorman; which was read twice by its title.

Mr. BLAIR, from the Committee on Education and Labor, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 8560) to establish a Department of Labor; and
A bill (S. 375) to restrict the use and sale of opium in the District of Columbia and the Territories of the United States.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the bill (S. 653) defining the positions and salaries of assistant astronomers at the United States Naval Observatory, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. DANIEL, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally with amendments:

A bill (S. 2277) to provide for the extension of the public building at Lynchburgh, Va.; and
A bill (S. 2278) for the improvement and enlargement of the public building at Petersburgh, Va.

BILLS INTRODUCED.

Mr. COKE (by request) introduced a bill (S. 2831) for improving the mouth of the Brazos River, Texas; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GRAY introduced a bill (S. 2832) for the relief of General William F. Smith; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MITCHELL introduced a bill (S. 2833) granting a pension to Caspel Blanke, of Portland, Oregon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2834) granting a pension to Rebecca Craig; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Pensions.

He also introduced a bill (S. 2835) granting a pension to James Taggart; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2836) granting a pension to William E. Taylor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2837) for the relief of John S. Logan, assignee; which was read twice by its title, and referred to the Committee on Claims.

Mr. HAWLEY introduced a bill (S. 2838) granting an increase of pension to Betsey A. Mower; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2839) for the relief of Barker, Williams, and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORRILL introduced a bill (S. 2840) to establish an educational fund and apply a portion of the proceeds of the public lands and receipts from certain land-grant railroad companies to public education, and to provide for a more complete endowment and support of colleges for the advancement of scientific and industrial education; which was read twice by its title.

Mr. MORRILL. I desire that the bill shall remain upon the table, and I propose to submit some brief remarks in explanation of it.

The PRESIDENT *pro tempore*. The bill will lie on the table.

Mr. SHERMAN introduced a bill (S. 2841) granting an increase of pension to Josiah Edwards; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 2842) granting an increase of pension to William H. H. Welsh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2843) granting a pension to J. D. Greer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2844) granting a pension to Squire Burns; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 2845) granting to the corporate authorities of the city of Tuscaloosa, in the State of Alabama, all the right, title, and interest of the United States to fractional sections 22 and 15, lying south of the Warrior River, in township 21 and range 10 west; which was read twice by its title, and, with the accompanying petition, referred to the Committee on Public Lands.

Mr. CALL. I introduce a joint resolution, and in introducing it I ask the Committee on Epidemic Diseases to give to it immediate consideration. The reports of the Surgeon-General of the Marine-Hospital Service exhibit a somewhat alarming apprehension in regard to the prevalence of yellow fever in a mild form in some portions of the United States. I therefore ask that the committee give immediate attention to the bill.

The joint resolution (S. R. 78) appropriating $100,000 for the prevention and extirpation of yellow fever in the United States was read twice by its title.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The bill will be referred to the Committee on Epidemic Diseases, if there be no objection.

Mr. HARRIS. Let it be referred to the Committee on Epidemic Diseases; and I now give notice that a bill reported, perhaps a month ago, from that committee looking to the establishment of certain quarantine stations upon the coast, I shall on Friday next ask the Senate to consider.

AMENDMENT TO APPROPRIATION BILL.

Mr. SPOONER. I send to the desk an amendment which I propose to offer to the sundry civil appropriation bill. I ask that it may be printed and referred to the Committee on Finance; and I wish to say in reference to it that it is the direct-tax-return bill precisely as it passed the Senate.

The PRESIDING OFFICER. The amendment will be received, printed, and referred to the Committee on Finance, if there be no objection.

APPOINTMENTS IN CLASSIFIED SERVICE.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Civil Service Commissioners be, and they are hereby, directed to send to the Senate, at as early a date as is practicable, a complete list of all persons who have, under certifications from the Civil Service Commission,

received probationary appointments to positions within the classified service, in Washington, since March 4, 1885; also a complete list of all persons who have received absolute appointments within the classified service in Washington since March 4, 1885.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills:

A bill (S. 1148) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes;

A bill (S. 2605) relating to the anchorage of vessels in the port of New York; and

A bill (S. 2671) to create and organize the county of Latah.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 2097) to authorize the construction of a bridge across Trail Creek in the city of Michigan City, Ind.;

A bill (H. R. 2695) for the relief of Charles V. Mesler;

A bill (H. R. 6232) for the relief of Nancy G. Alexander;

A bill (H. R. 7340) to authorize the construction of a bridge across the Mississippi River at Hickman, Ky.; and

A bill (H. R. 8343) to authorize the construction of a wagon and foot-passenger bridge across the Noxubee River, at or near Gainesville, in the State of Alabama.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore:*

A bill (S. 1413) to increase the pension of James Coey;

A bill (S. 1483) for the registry of the barges Albert M., Condor, and Adalente;

A bill (H. R. 112) granting a pension to George Schneider;

A bill (H. R. 1070) for the relief of J. A. Wilson;

A bill (H. R. 1158) to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for loss by burglary, fire, or other unavoidable casualties," approved March 17, 1882;

A bill (H. R. 1438) to authorize the Kansas Valley Railway Company to construct and operate a railway through the Fort Riley military reservation in Kansas, and for other purposes;

A bill (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for water-works purposes;

A bill (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased; and

A bill (H. R. 4082) for the relief of the Agricultural and Mechanical College of Alabama.

SILVER BULLION.

Mr. STEWART. If the morning business is through I should like to call up a resolution that I heretofore offered.

The PRESIDING OFFICER (Mr. DOLPH in the chair). If there are no further concurrent or other resolutions, the Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Chief Clerk read the resolution submitted by Mr. STEWART, April 30, 1888, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate with a statement of the amount of silver bullion offered to the Government each month since the passage of the act of February 28, 1878, under the provisions of said act, and by whom, and at what prices; and also the amount of silver bullion purchased each month during such period, and from whom, and the prices paid therefor; and, further, to inform the Senate if the quotations of India council bills in London enter into the determination to any extent of what is the market price of silver bullion in the United States.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. STEWART. Mr. President, there are two theories of finance. One theory is contraction and a single gold standard at all hazards and under all circumstances. The other theory is the use of both gold and silver as a limitation of the quantity of money that shall be in circulation and such reasonable expansion as the precious metals will afford.

I do not propose to reflect upon the motives of the parties who are advocating either of these theories, but I wish to explain their acts and have them understood.

It has been alleged that there is a combination between the Treasury Department and the Bank of England which has existed since the passage of the Bland act, to depress the price of silver, to bring that metal into disrepute, and to force this country to a single gold standard.

It will be observed, and ought to be known of all men, that the United States, or rather the Treasury Department, and the Bank of England are the principal purchasers of silver bullion. In fact they purchase all except what is used in the arts.

The act of 1878 required the Secretary of the Treasury to purchase at least $2,000,000 worth of silver bullion per month, not less than that, and not exceeding $4,000,000 worth. It was contemplated by the act that circumstances would arise where it would be the duty of the Secretary of the Treasury to purchase more than $2,000,000 worth per month.

I propose to show that circumstances existed which made it the duty of the Secretary of the Treasury from the first to purchase $4,000,000 worth per month. If that had been done silver would be at par to-day; we would have about $300,000,000 more of circulation; we would not have shrinkage of values, hard times, paralysis of business, general gloom, and low prices of wheat and cotton. I shall show that it has been in the power of the Secretary of the Treasury from the beginning to rescue this country from the financial embarrassment under which it has labored for the last fourteen years.

The Secretary of the Treasury having this power has combined with the Bank of England against the people. The English Government collects its taxes in India in silver rupees—silver coin. It draws what are called council bills against the India revenue and sells them in the market. It has done that for many years. It also buys what silver is used in India and issues therefor council bills. It also buys with these council bills pretty nearly all the silver that is shipped to China and Japan, and consequently the price of silver depends upon these council bills. Whenever the Bank of England wants to put down silver it lowers the price of council bills. If anybody else attempts to ship silver to India the bank puts the council bills up so that the silver will be worth more in London than in India. Several have tried it and failed; it has been given up, and the world now has ceased to make any attempt to compete with the Bank of England in the purchase of silver for Asiatic consumption.

Then the United States and Great Britain, or rather the Treasury Department of the United States and the Bank of England, are the sole purchasers of silver, except what is used in the arts, and can put the price of silver where they please without regard to the laws of supply and demand. Before I am through I shall show why England puts the price of council bills down and puts silver down, and I shall show that she does it for the purpose of obtaining cheap breadstuffs from America and to give India the control of the cotton and wheat markets of the world, and also to enhance the value of bonds and other obligations for the payment of money.

With regard to the increase of these council bills since the passage of the Bland act I will give a statement from the American Interests, of December 15, 1886, published by Dr. Ivan C. Michels:

INDIA COUNCIL BILLS.

In dealing with the silver question it is most important to take into account the amount of India council bills drawn by the India office in England upon the Government of India.

India sends to England an annual tribute of about £15,000,000 sterling, the tribute representing the expenditure on Indian Government account made in England. The manner in which these £15,000,000 sterling are transmitted to the India council is this:

The India council in England draws bills on the government of India, payable in silver at Calcutta, Bombay, or Madras. These bills the India council sells in the London market for so much gold. The purchasers are usually the Indian banks who have remittances to make to India. Thus a banker, wishing to send money to India, can either buy as much silver and ship it, or forward a mercantile bill on India, or an India council draft. An India council draft, therefore, is equivalent to so much silver deposited in India, and accordingly a strong competition always prevails between silver and India council drafts when remittances to India have to be made.

Since the coinage act of 1873, which was enacted by Congress for the benefit of Great Britain, the amount of India council drafts sold in London has shown a remarkable increase.

In 1873 the amount of council bills drawn on India amounted to 142,657,000 rupees, or $68,475,360, while prior to that year, and for the six preceding years, the yearly average was only 82,876,029 rupees, or $39,780,493, rapidly increasing year by year until the enormous sum of 2,077,833,226 rupees were drawn against India from 1874 to 1885, inclusive. If we consider that 2,077,833,226 rupees are equal to $997,359,948.48, or at a yearly average of $83,113,329.04, we find that the increase of drawing council bills on India has beyond cavil or dispute promoted the depreciation in the value of silver bullion.

Then the English commerce is left to itself. The imports England takes from India are much greater than the imports which India takes from England, and a part of the balance has to be paid for in specie, the rest being settled in indirect ways. But the increase in the council bills provided a competing remittance with silver; if a merchant in England wants to make a payment in Calcutta he has the choice either to buy council bills or send out silver, and of course so much less silver was sent. The effect is the greater because the government of India must bring their money home from India, and therefore must sell their bills, whereas silver bullion, like any other commodity, may go to many markets, and may be held when its price falls.

This is the reason for saying that the price of council bills rules the price of silver—not the price of silver that of council bills. It is the price which the more anxious seller must accept that for the moment predominates, and not that which the less anxious can wait for.

Trade in Great Britain has been languishing for many years. The demonetization of silver has precisely the same effect upon the agricultural interests of Great Britain as it has upon the agricultural interests of America. Their manufacturing interests are also depressed.

In 1886 Great Britain appointed a royal commission to inquire into the cause of trade depression. They took a large amount of evidence upon the situation and made a report about a year ago.

In 1887 another royal commission was appointed in Great Britain to inquire into recent changes in the relative values of the precious metals. I have read these reports, and I will give a summary of the result; and after that I shall read some of the evidence contained in those reports. But I will give first what was ascertained by the evidence, and I shall show to what the whole evidence tended.

The evidence confirms substantially the fact that the depreciation of silver has been the result of legislation and not of production; that the demonetization of silver by Germany and the Latin Union and the

United States has caused the fall in the price of that metal; that the depression of silver has produced depression in the price of all property from 33 to 35 per cent.; that the fall in prices, particularly of wheat, is very prejudicial to agriculture in England and the United States; but notwithstanding this, it is contended that the demonetization of silver has many advantages, so far as Great Britain is concerned, which overbalance the evil caused by it. They say that England is a creditor nation, and that the demonetization of silver enhances the value of bonds.

They say that England has paid tribute long enough to American cheap lands and cheap produce, and that it is essential for them to build up India. They say that they have already reached a point at which the wheat and cotton of India control the price of those staples throughout the world, and that manufacturers of England will ultimately be benefited by the development of the resources of India, because England has exclusive trade with India. They tell the manufacturers of England they must submit to the present depression of trade for future advantages, when the resources of India are developed by cheap silver. To the agriculturist they say: "If your burdens are too great we will give you a tariff on wheat and corn."

Their contention is that all the world is indebted to England; that she is a creditor nation, and commands the trade of the world. The whole world has to pay tribute to her. She has been compelled to pay tribute to America for breadstuffs and cotton; she proposes to develop the production of those articles in India, which can only be done by cheap silver. Notwithstanding the depression of trade, notwithstanding the ruin of her agricultural interests in England, she will adhere to the single gold standard, enhance the value of bonds by contraction, and develop the resources of India by cheap silver.

These are the general conclusions which the testimony before the royal commission tends to establish.

The Secretary of the Treasury has at all times since the passage of the Bland act contributed to the extent of his power to aid the Bank of England to depress the price of silver. In fact, he assumes that the arbitrary price fixed by council bills is the market value of silver, and purchases silver according to the quotation of council bills in London. He never has in a single instance exercised the discretion given to him by Congress to purchase more than $2,000,000 a month, but has at all times purchased the least possible quantity, so as to leave as much silver as possible in the market and not interfere with the schemes of Great Britain to obtain cheap silver for the benefit of India.

I am aware that the system advocated by the Secretary of the Treasury, and to maintain which the whole power of every administration has been exerted since the demonetization of silver, is the policy of bondholders, creditors, and money dealers; that they are in favor of the single gold standard because it enhances the value of all obligations for the payment of money, and makes money dearer and property cheaper; that the present Secretary of the Treasury is acting with the financial combination to which he belongs. I have no fault to find with him personally. He is simply the agent put into the Treasury Department to carry out the views of the money powers who placed him there.

I now call attention to some English views developed by the royal commission.

Mr. R. H. Inglis Palgrave, Fellow of the Royal Society, was examined before the commission. He is a man of great learning. He exhibited some statistics as to the production of gold which I wish to call to the attention of those who desire to maintain the gold standard. He gave the yearly average of the production of gold, according to Dr. Soetbeer, which is as follows:

1851–1860	£28,650,000
1861–1870	26,600,000
1871–1880	23,000,000
1881–1884	19,500,000

Gold available for the supply of coin—estimates of yearly average, by Dr. Soetbeer:

1851–1860	£22,780,000
1861–1870	14,060,000
1871–1880	10,255,000
1881–1884	4,050,000

From the above tables it will be seen that the product of gold is constantly decreasing, while the amount used in the arts is increasing, and that the policy of the single gold standard is perpetual contraction and constant fall of the price of property and rise in the value of money.

The production of silver is not in excess of the present demand for that metal. Mr. David A. Wells, the life-long monometallist, has at last discovered that there is no danger of a flood of silver. In the May number of the Popular Science Monthly he says:

> Something of inference respecting the economic changes of the future may be warranted from a study of the past. It may, for example, be safely predicted that whatever of economic disturbance has been due to a change in the relative value of silver to gold will ultimately, and probably at no very distant period, be terminated by a restoration of the bullion price of the former metal to the rates (60 to 61 pence per ounce) that prevailed for many years prior to the year 1873. The reasons which warrant such an opinion are briefly as follows:
>
> Silver is the only suitable coin medium for countries of comparatively low prices, low wages, and limited exchanges, like India, China, Central and South America, which represent about three-fifths of the population of the world, or about a thousand millions of people. Civilization in most of these countries, through the advent of better means of production and exchange, is rapidly advancing, necessitating a continually increasing demand for silver as money, as well as of iron for tools and machinery.
>
> Generations also will pass before the people of such countries will begin to economize money by the use to any extent of its representatives, paper and credit; under such circumstances a scarcity, rather than a superabundant supply of silver, in the world's market, is the outlook for the future; inasmuch as a comparatively small per capita increase in the use of silver by such vast numbers would not only rapidly absorb any existing surplus, but possibly augment demand in excess of any current supply.* The true economic policy of a country like the United States, which is a large producer and seller of silver, would therefore seem to be, to seek to facilitate such a result, by removing all obstacles in the way of commerce between itself and silver-using countries, in order that through increased traffic and consequent prosperity the demand for silver on the part of the latter might be promoted.
>
> * * * * * *
>
> The situation suggests what is reported to have been contemplated, namely, the formation of a syndicate like the so-called recent French syndicate in copper, for intercepting the current market supplies of silver by speculative purchases and vast holdings, with a view of compelling an immediate rise in the bullion price of this metal.

POWER OF ABSORPTION OF SILVER IN INDIA.

As to the imports of silver into India since the demonetization of silver in the United States, in 1873, the results are almost incredible.

According to the returns published by Hon. D. Barbour, financial secretary to the Government of India, hence an indisputable official authority, in his work on the "Theory of Bi-Metallism," on page 108, the imports of silver into India were: 1872–'73, 7,000,000 rupees, increasing in 1873–'74 to 25,000,000 rupees, and so on until in 1878, when the purchase of silver bullion in the United States was made by law at the "market value," it reached the enormous sum of 147,000,000 rupees.

The official "Blue Book" of the British Government for India, page 25, gives the following imports of silver into India:

	Rupees.
1881–'82	64,863,889
1882–'83	83,580,218
1883–'84	74,085,065
1884–'85	91,160,254
1885–'86	101,212,496
Total for five years	414,541,922

Equal to $198,981,122, or at an average of $39,796,225 per annum.

When we consider that during the same period of five years, 1881–'82 to 1885–'86, the production of silver in the United States amounted to $236,400,000, and India alone was able to absorb $198,981,122 worth, it is no wonder that the fight for the further depression of silver is so desperately carried on by the enemies of this country and to the profit of India and the British Government. The profit alone to Great Britain upon the imports of silver bullion at the average rate of $1.10 per ounce for these five years amounts to $30,681,122.

Nothing has been done in this country to relieve the contraction resulting from the demonetization of silver except the passage of the Bland act. On the contrary, every effort has been made by the Treasury Department, or rather the gold syndicate through the agency of the Treasury Department, to manipulate the currency for the benefit of speculators and dealers in bonds.

I have prepared statements showing the amount of circulation in 1865, 1879, and 1888, which show enormous and continued contraction. They are as follows:

1865.

Circulation of money in the United States June 30, 1865.

[From paper prepared by United States Treasurer for American Almanac, 1887, page 340.]

State-bank notes		$142,919,638
National-bank notes		146,137,860
Legal-tender notes		432,687,466
Demand notes		472,603
One and two years' notes of 1863		42,338,710
Compound-interest notes		183,756,080
Fractional currency		25,005,829
Total currency		983,318,686
Add to this gold coined in United States—		
1860	$4,354,576	
1861	47,963,145	
1862	30,636,804	
1863	3,340,941	
1864	2,888,267	
		88,583,737
Add to this gold and silver in circulation, Pacific coast (estimated)		40,000,000
Grand total		1,112,902,423
In United States Treasury June 30, 1865		858,309
Leaving in circulation		1,112,044,114

Population, according to census, 35,000,000, of which 11,000,000 were in the Southern States; hence 24,000,000 only. The amount per capita equals $46.37.

*According to statements submitted to the royal (English) commission on trade depression, "The quantity of pure silver used for coinage purposes, during the fourteen years ending 1884, was about 18 per cent. greater than the total production during that period; and there are other estimates which place the consumption at a still higher figure. It is to be remembered that the coinage demand is fed from other sources than the annual output of the mines. It is supplied to some extent by the melting down of old coinage. Allowing for this, however, the evidence of statistics goes to show that the coinage demand for the metal is, and has been, sufficient to absorb the whole of the annual supply that is left free after the consumption in the arts and manufactures has been supplied; and this conclusion is supported by the fact that nowhere throughout the world has there been any accumulation of uncoined stocks of the metal."—*London Economist.*

1879.

Circulation of money in the United States June, 1879, the period of resumption:

State-bank circulation	$352,452
National-bank notes	329,691,697
Legal-tender greenbacks	346,681,016
Silver certificates	2,466,950
Demand notes	61,470
One and two year notes of 1863	86,185
Compound-interest notes	259,090
Fractional paper currency	39,360,529
Paper currency, total	734,901,995

According to report of the Director of the Mint for 1879, page 198, Finance Report, the amount of gold and silver in the United States was:

Gold	286,490,698
Silver	112,050,985
Total	1,133,343,678
In United States Treasury September 30, 1879, including bullion fund	$145,108,037
Leaving in circulation	988,235,641

Population, 50,000,000—$19.76 per capita.

1888.

Metallic stock in bullion and coin according to Report of Director of the Mint for 1887, page 82:

Gold coin and bullion	$654,520,335
Silver coin and bullion	352,993,566
Total	1,007,513,901
From this deduct estimate for loss, abrasion, etc	50,000,000
Revised grand total	957,513,901
Add legal-tender notes	346,681,016
National-bank notes	162,217,700
Representative of money in United States	1,466,412,617
From this deduct locked up in the United States Treasury	394,759,560
Total	1,071,653,057

Population, 62,000,000 = $17.29 per capita.

RECAPITULATION.

	Per capita.
In 1865	$46.37
In 1879	19.76
In 1888	17.29

The $162,000,000 of national-bank circulation will soon be retired. The question is already presented as to what shall take the place of the currency so retired. The national banks want the public debt made perpetual in order that they may control the circulation. The people want both precious metals used and no more national-bank issues, and demand that the United States shall no longer surrender its sovereign power to issue money to private corporations.

The statement that the circulation is increasing is a sad mistake, as will be seen by the foregoing tables. It is constantly growing less per capita and dearer, while property is growing cheaper. Much of the money outside of the Treasury is hoarded, because confidence in business is destroyed, money is growing dearer, and property cheaper. Interest is also falling for want of confidence, and also because enterprising men dare not borrow money and invest it in property which is shrinking in value. Low rate of interest is an invariable indication that times are hard and confidence is weak.

Prudent men will not borrow money in times like these to engage in any kind of business involving the purchase of property. Everybody knows that money and obligations for the payment of money, where the security is undoubted, is the only profitable investment.

I propose now to give you English opinions of what we are doing. I will first quote from a remark made in June, 1886, at an important meeting of the British and Colonial Chamber of Commerce, in London, at which there was an animated discussion of the silver question and its bearings upon the commerce of India, by Sir Robert N. Fowler, M. P., a London banker and an ex-lord mayor, who said—

That the effect of the depreciation of silver must finally be the ruin of the wheat and cotton industries of America, and be the development of India as the chief wheat and cotton exporter of the world.

I will read a few more extracts from the testimony taken by the royal commission. I first read from the testimony of James Shield Nicholson, professor of political economy in the University of Edinburgh, and a very learned man, as his testimony amply attests. He says:

First of all, with regard to the fall in the gold price of silver, will you state what in your opinion has been the cause of that fall?

Briefly expressed, I should say it was due to the demonetization of silver by several nations.

That is to say, to a diminution of the demand?

Yes. I do not think—that is to say, that the change that has undoubtedly taken place in the supply would in itself have had any effect upon the ratio at all.

There has been some increase in the supply of silver?

Yes, so I understand; but still, judging from the effects, in former times especially, I do not think that the increase in production would have really had any effect in disturbing the ratio.

H. R. Grenfell, ex-governor and director of the Bank of England, was also examined and testified at great length, and displayed great learning and experience. He was asked many questions; I will read a few extracts from his testimony:

At present gold is worth about twenty times as much as silver, and you propose by law to give it fifteen and a half times the value of silver. Is not that going against the natural law?

Before you can say what the relative value of gold and silver is you must demonetize gold, and when you have done that you will have some other thing than the money standard to tell you what the relative value is. At the present time, the privilege of the law having been conferred on gold and taken away from silver, the ratio is 20 or 21 to 1, but you can not say what the natural ratio would be unless you demonetized gold first.

Again:

Well, then, since that time it is a fact, is it not, that the gold price of silver has gone down in the market?

Yes.

If that is so, how would you account for the fall in the price of silver?

Because the demand for gold has been much greater.

But is not this demand for silver a very large one?

The demand for gold is unlimited. By the Bland act that of silver is limited.

He calls attention to the Bland act. He explains the reason why the demand under the Bland act has not put up silver, because it is a limited demand. If there is any left over, of course it would affect the market quotation. The same witness again testifies:

I may take it, then, that you consider beyond doubt that prices are influenced by an expansion or contraction of the volume of legal-tender money, and that they would rise and fall with that volume?

Yes, that is my opinion.

* * * * * * *

You said, I think, that you agreed with Mr. Gibbs, generally speaking, in his evidence; therefore perhaps I need hardly ask you whether you trace the disturbance in values to the legislation of Germany and subsequent legislation abroad in demonetizing silver since 1873?

I consider the action of the closing of the mints to silver in France following on the demonetization in Germany was the main cause.

Then, as a matter of fact, in your opinion the entire scale of prices has been suddenly affected since 1873 by the fact of that foreign legislation?

Yes.

Again:

I think you said you had no fear whatever that the operation of the Bland bill was likely to be suspended?

From what I hear I think it is almost impossible that it should be suspended.

But supposing it was suspended, do I gather from you that the effect of that suspension in your opinion would be to cause a still greater fall in the value of silver?

Certainly, and in the exchange with India.

And that all the evils which arise from the present system, in your opinion, would be proportionately increased?

Certainly.

Again:

I would ask you now, after looking at the figures that I have given you, to consider how you think it is that that scarcity of gold, or the increased demand for gold, in proportion to the supply, has arisen?

I would answer that I believe the scarcity of gold and the fall of prices to be absolutely convertible terms, and that there is no other meaning in the appreciation of gold and the fall in prices; they appear to me to be absolutely synonymous.

Then I would ask you another question, whether prices do not depend on the quantity of the commodities, as well as upon the quantity of gold?

That is quite compatible with the other; all I mean to say is that the two things are absolutely the same. The appreciation of gold and fall of prices are absolutely synonymous to me.

Again:

Q. The amount of gold and silver which has been dug out of the earth.

A. As long as the mints were ready to coin either metal it did not matter how the production varied.

Q. Then you think that it would have made no difference if the foreign mint regulations had remained as they were; that the production of silver in the world has increased from the date of the great gold discoveries from £8,000,000 to £25,000,000 a year, while the production of gold has fallen from £30,000,000 a year to about £20,000,000?

A. Upon the figures you give me prices ought to have risen under the old arrangements. The variations of the supply in quantity of gold and silver between 1873 and 1884 have varied much less than they did during the time that prices did not change at all.

Again:

Would the bi-metallic law, do you think, if it were introduced as we are proposing, would it have the effect of steadying that fall of wages?

I think it would create a greater demand for labor in the manufacturing districts, and I think it would stay the fall in the agricultural districts.

Again:

Then I gather your opinion to be that the action of Germany and other countries which have adopted the gold standard has affected the relative values of gold and silver by increasing the demand for gold and decreasing that for silver?

Yes, for the purpose of coinage.

Here is Mr. Gibbs, another ex-governor and director of the Bank of England, a learned man, and his opinions may be of some value:

Will you tell the commission how you understand the Gresham law to operate in practice?

If two kinds of money circulate in a country, the cheapest will drive out the dearest. That is the "Gresham law." But what is meant by cheapest and what by dearest is not always clearly understood, nor how the driving out is to be accomplished, nor what is the effect on the country so situated.

Then he goes on to explain that when one country uses more silver or more gold in its circulation than another country the coin will flow from one to the other; that which is undervalued will go to the country where it is overvalued.

Here is Professor Nicholson again, who was recalled:

I believe you are of opinion that a variation in the relative value of the two standards, such as has occurred in recent years, would give, for a time at any rate, an advantage to the producer in silver countries, and would especially affect industries in gold and silver countries which produce the same article for sale in the same markets?

It seems to me it would be so, unless silver prices rose.

The variation would specially affect industries in the gold and silver countries which produced the same article for sale in the same markets?

Yes.

Is it your opinion that this variation in the relation between the two standards in recent years has been sufficient to relatively stimulate production in the silver countries and to cause a corresponding depression in gold countries?

As far as I can gather, the prices in silver-using countries have not moved upwards, and therefore it would follow that the gold prices must have moved downwards, of these articles, and so there would be a depression in the gold-using countries from that cause through the fall in prices.

I suppose this relative stimulus and depression would only be temporary, and must cease if silver ceases to fall relatively to gold.

Yes, so far as that cause is concerned.

If silver continued to fall relatively to gold the stimulus and depression would continue as long as silver continued to fall?

Of course silver can not go on being depreciated forever; it must come to a stop some time, and then the stimulus and depression would cease.

And if silver rose relatively to gold you would have the opposite effect—a temporary stimulus in gold countries and a temporary depression in silver countries?

Yes, that seems to me to follow.

I now call attention to a witness who has visited this country, and who has given great attention to the subject of finance, named J. Barr Robertson, and I call particular attention to his testimony, because it is so pertinent to the question. He says:

Let me suppose now that two gentlemen each invested £100,000 in the period 1870-'74, but that the one invested in consuls and the other bought an estate with a rental from crops corresponding to the purchase-money. To-day the owner of the consols has his £100,000 intact, with a purchasing power over commodities as compared with the time he made the investment of £143,000, and he has his £3,000 a year, with an increased purchasing power of £1,200. On the other hand, the owner of the estate could not sell it for £70,000, and yet if the volume of money had been kept up from 1876 till the present time, as it was from 1866 to 1875, there can be no doubt that his property would, under average circumstances, have been worth £100,000 to-day, and would have been yielding a corresponding rental. This amount of depreciation is due solely to the mediatization produced by a contracting currency, which has given to the owner of the consols part of the value of the other gentleman's estate.

The farmer and manufacturer have had to accept continually over the last ten years lower and lower prices for the benefit of the owner of obligations in figures, to whom the farmer, the manufacturer, and the producer generally had to gradually give up their wealth and become themselves impoverished.

A careful investigation of this question would probably show that the mediatization of wealth from the producing classes and those allied with them to the holders of securities and the possessors of mortgages, annuities, fixed incomes, etc., has taken place in the United Kingdom in the last twelve years to at least £2,000,000,000, equal to about $10,000,000,000.

Suppose two gentlemen in the United States in 1863–'64 each invested $10,000, one in a farm yielding net 6 per cent. per annum, and the other in United States bonds, at 50 cents on the dollar which would equal $20,000 in bonds. The investment in bonds would have yielded $1,200 per annum for, say, fourteen years, making $16,800, and since the same was funded to the present time—ten years—$800 per annum = $8,000. Total interest = $24,800. Principal $20,000, 26 per cent. premium = $25,200. Principal, interest, and premium to date of the bonds = $50,000. The man who invested his money in the farm and was subjected at once to contraction and hard times for the purpose of enhancing the value of his neighbor's bonds, is very differently situated. By hard work he has barely made a living, and is in the best of luck if he has not been compelled to mortgage his farm to support his family, and the value of the farm for which he paid $10,000 has been reduced by the process of contraction of the currency nearly one-half and could not now be sold with the improvements for more than $6,000.

This process has been going on until the wealth of the nation has been transferred from the people to the various classes of bondholders.

I desire to reproduce an extract from the St. Louis Republican read in the Senate a few days ago by the Senator from Texas [Mr. COKE]:

It would be instructive to have the exact figures showing farm mortgages in the United States. There is no Federal law nor general law in the States for collecting the statistics, and they can therefore only be estimated. A correspondent of the New York Times, writing from Gypsum City, Kans., taking for a basis the recent statement that one-half the farms in Michigan are mortgaged, makes the following estimate for the ten leading Western States:

In Ohio	$701,000,000
In Indiana	398,000,000
In Illinois	620,000,000
In Wisconsin	250,000,000
In Michigan	350,000,000
In Minnesota	175,000,000
In Iowa	351,000,000
In Nebraska	140,000,000
In Kansas	$200,000,000
In Missouri	237,000,000
Total farm mortgages in the ten States	3,422,000,000

This aggregate is so enormous that we are inclined to think the respective sums in the States are overestimated. Still, it is a well-known fact that in the older and more prosperous States of the West, every fourth or third farm is mortgaged, and, in the newer ones, two out of three are in that condition, and the bulk of these claims is held in the prosperous and rich industrial States of the East. The insurance companies of the little city of Hartford, Conn., own $70,000,000 in Western farm mortgages; and the loan companies of Boston hold $76,000,000 more. Here is $146,000,000 in two cities to begin with, and it is certain that if complete returns could be had from all the nine industrial States the aggregate would be immense, probably one-half the assessed value of Western farms.

As the average annual net earnings of farming in the United States are only about 3½ per cent. on the capital invested, while the interest charged on these mortgages is 7 to 9 per cent., it is clear that the mass of farmers can not pay their debts, and that, sooner or later, their farms will fall into the hands of their creditors, and the great money-lending corporations of the rich manufacturing States will own fully one-half the Western States.

The above table must be an exaggeration, but the lowest estimate I have seen of farm mortgages in the Mississippi Valley was the enormous sum of $1,200,000,000.

These mortgages are pressing very heavily. The national debt is a very small part of the debt of this country. The United States has in it more bonds of railroads than any other country ever had. We have built railroads for the last twenty-five or thirty years with greater rapidity than any other country by our credit system with bonds. The people are compelled to pay on their freight the interest on these bonds; and by means of these railroad bonds and these mortgages and the national debt and State and corporation debts, and private debts, combined, more than half the property of the country has been transferred from the debtors to the creditors by the process of contraction, by the process of attempting to reach the gold standard. Just look at the colossal fortunes held by individuals in New York—look at the Vanderbilts and Goulds and others who have accumulated hundreds of millions by manipulation of money and the contraction of the currency.

I will introduce a few more extracts. I read from a gentleman who was examined before the royal commission, by the name of T. Comber, who was largely engaged in trade in Manchester and Liverpool and Bombay, and appears to be a man of great intelligence:

What are the reasons why the fall has specially stimulated the exports and imports of India and would not do so in other silver countries?

In my opinion it has given the Indian producer an advantage over his competitors in other countries in this way, as the exchange falls the rupee prices, other things being equal, rise. The cost of production which he incurs in consequence of the fixed settlement in India, or, in other words, the rent he pays, does not advance, and if he employs labor, the wages also are slow to advance, and as matter of fact they have not yet advanced as much as the produce has. Under those circumstances I think the producer in India is at a decided advantage over his competitors, whether in England or in America, and to that extent I believe that it has stimulated exports.

Again:

As matter of fact, has the Indian price risen?

Not much; but it is immaterial, I think, in his competition with other countries whether he has obtained a rise in price, or whether he has avoided a fall in price which his competitors have had to suffer. I should like to quote the Viceroy of India dispatch on that point, if you would allow me. It is dated the 2d February, 1886, paragraph 13. I think it is addressed to Viscount Cross: "We would call your lordship's special attention to the fact that the Indian cultivator of wheat and cotton appears to have actually gained, while the English and American producer of these commodities has suffered by the fall in the rate of exchange."

That is the view of the governing authority of the British mint. I now quote from Mr. H. L. Raphael, a bullion broker and financier, and a very sharp witness:

Statistics would hardly forward us, because I think that every one will allow that, perhaps with the exception of coffee, which, owing to a special cause went up last year very considerably from the fear of a short crop, every other article of food has been steadily and persistently declining; and this decline has been contemporaneous with the decline of silver. The cause of our agricultural distress, I believe, has been rightly ascribed to the competition of large tracts of land in the United States which pay no rent, but there is no doubt that, as regards the agricultural interest, the decline in silver has had a very damaging effect; in fact, it has been the finishing stroke to a long course of suffering, originating in the competition from free land in the United States. I do not question this agricultural distress being a serious matter for England, because in a political point of view it drives our laborers into towns, where they become enervated, and no longer form the back-bone of our fighting power.

However, it might be wise to take the duty off tea and put it on corn, but we are not here to discuss that matter to-day. I only mention this point to explain what appears to me to be the absurdity, that in order to give relief to agriculture to a certain extent, we should adopt a supposed cure, namely, bimetallism, which would raise the price, not only of wheat, but nearly every article 30 or 35 per cent. But take wheat alone, which we are obliged to import in enormous quantities, you would adopt a ruinous course for the sake of relieving our agricultural population which might be relieved just as easily, say, by taking the duty off tea and putting it on corn. But, however, whether you do that or not, in order to give a certain amount of relief, you propose to make the whole of the population pay considerably more for the food that they consume.

Now, the wealth of England, other than the accrued wealth, namely, the interest which she draws from her investments abroad, consists, as we all know, in her iron, her coal, and in the manufacture of iron and other metals, and in a great quantity of other manufactures, such as cotton, wool, jute, and the like. If, by adopting bimetallism and paying foreign nations dearer for our food, which would be the inevitable result, is there such a certainty that they would buy more of our manufactures? If we paid America 8s. per quarter more for her wheat and corn, is it so certain that she would take more iron from us in return? Her manufactures, as you know, have been so stimulated by protection, which on iron is 50 to 60 per cent., that to-day she can manufacture for her own use the sufficient quantity. But even if she is obliged to import, it does not follow that she will come to England because we paid her more for our food.

I think that is a very good lesson for Americans. Again, I call attention to the testimony of Mr. Herman Schmidt, a discount broker, and a very intelligent man. He says:

I do not quite understand your view of the origin of this disturbance and difficulty. You say that it was due to what is called, whether correctly or not, the demonetization of silver by the Latin Union and by Germany, that made the value of silver lower? The demonetization of silver caused one portion of the demand to be dried up, to be closed, and a demand which always existed at a certain ratio, and from that moment of course silver could fluctuate to anything.

Again:

Now, would you kindly explain to me in what way you consider that a fall in the price of silver affects the price of wheat in this country?

Because wheat can be imported into this country at so much less; can be laid down in this country at so much less.

He explains more at length how the fall in the price of silver benefits India, and builds up the resources of that country.

Here is the testimony of W. Fowler, author of a work on Appreciation of Gold:

I admit you have given a number of very powerful arguments against it.

That is against remonetizing silver.

I only want to arrive at the possible objections when it is done?

I think, also, that it would tend to discourage the exports from India, and

thereby lessen the power of India to take our manufactures, and so would materially injure a large class of our people. According to the argument that I understand you to have used to-day, you lay great stress upon this export bounty. If it be so, it leads to considerable increase of the exports from India, and therefore a large increase in the exports from England to India, and Mr. O'Conor says, if you have great export you must have great import, and that is the universal rule of commerce—goods go against goods.

One more extract and I am done, and to this I wish to call particular attention. It is the testimony of Mr. Daniel Watney, who has given special attention and written on the subject of the relations of the two metals, and I call the particular attention of Americans to this testimony. It is short and pointed:

Why should a bimetallic convention say, at 20 to 1, it would break down, if all the important nations joined in it?

I should have to suppose that everybody is wise to suppose that it would remain. I can not suppose that everybody is wise. Just think of the folly of the United States when they were a debtor nation in adopting a gold coinage. They knew nothing about currency matters; they did not know that it was going to increase their debt enormously.

Is the United States a debtor nation?

I call it so.

What leads you to suppose that?

Well, I believe there are enormous quantities of stocks held in this country for railways and all sorts of industrial enterprises for which dividends are received in this country. Besides, if you look at their imports and exports you will find that invariably they are a greater exporting than an importing nation.

You are aware that almost all her public debt is held in America?

Oh, but that is very small in comparison with the other debts of the United States, so I believe.

Now, I want to call the attention of the Senate to the effect of the demonetization of silver on some of our industries. I am aware of the fact that when I speak of its injury to the silver interest the enemies of silver appear to take great pleasure, and say, "Of course he is a silver man," and consequently I have left that question out of my argument invariably, and have confined myself to showing how it injures other interests; but I think that in the greatest silver-producing country in the world I might say one word against the robbery of the silver miners.

The silver miners of the United States have suffered a loss on discount by the demonetization of silver of over $80,000,000. This terrible and unjust tax has been imposed upon them to satisfy the greed of the creditor class, and it is refreshing to note with what complacency opulent members of the gold ring endure the disasters which they have brought upon their neighbors.

In 1873 and prior to the demonetization of silver, the silver dollar, since its first coinage in 1793, was always at a premium; in 1874 it was at par. Since 1874 the losses to the silver miners were as follows:

Year.	Production.	Average price per ounce.	Loss.
1875	$31,700,000	$1.27	$712,000
1876	38,800,000	1.26	1,126,000
1877	39,800,000	1.14	5,660,000
1878	45,200,000	1.18	4,254,000
1879	40,800,000	1.13	5,318,000
1880	39,200,000	1.11	5,678,000
1881	43,000,000	1.13	5,507,000
1882	46,800,000	1.10	7,200,000
1883	46,200,000	1.10	7,106,000
1884	48,800,000	1.09	7,951,400
1885	51,600,000	1.08⅛	8,327,000
1886	50,896,124	1.05	9,788,624
1887	50,389,950	.98½	12,022,950
Total	646,336,074		80,679,974

By this loss of $80,679,974 to the miners of silver in the United States the United States Government has profited by purchasing silver bullion at market value $36,152,332.

I now call attention to the tremendous loss of the wheat and cotton producers of the United States occasioned by the demonetization of silver.

Decline in prices for wheat and cotton since the demonetization of silver in 1873.

[Export prices from 1872 to 1879, the resumption of specie payments, reduced from currency to coin prices.]

Years.	Wheat, per bushel.	Cotton, per pound.
1872	$1.47	$0.19¼
1873	1.31	.19
1874	1.42	.15¼
1875	1.12	.15
1876	1.24	.13
1877	1.16	.12
1878	1.33	.11
1879	1.06	.10
1880	1.24	.11¼
1881	1.11	.11
1882	1.18	.11¼
1883	1.12	.11
1884	1.06	.10⅛
1885	.86	.10⅛
1886	.87	.10
1887	.89	.09⅛

In 1872 we exported 1,957,314 bales of cotton, equal to 782,925,600 pounds, for which we received $152,670,492; while in 1887 we exported 4,477,582 bales, or 2,161,435,833 pounds, for which we received $204,423,785.

We therefore gave 1,478,510,233 pounds more cotton in 1887, yet we received only $51,753,293 more than we did in 1872, prior to the demonetization of silver in 1873. In fact these 1,478,510,233 pounds of cotton which we have in excess exported are in reality double the quantity of the whole amount exported in 1872, and yet instead of $278,309,495 in excess of 1872 we have received only $51,753,293 more than in 1872, thus leaving a loss to the planter and exporter of American cotton of $226,556,202 on one year's crop.

To understand this loss more clearly, it becomes necessary to compare the prices paid in India for cotton with those of the United States. The first authentic export prices from official returns are those of 1874.

Year.	India.	Silver.	United States.
	Rupees, per cwt.	*Per ounce, par.*	*Per pound.*
1874	27.2	.....	$0.15¾
1875	26.5	$1.27	.15
1876	25.8	1.26	.13
1877	26.4	1.14	.12
1878	26.7	1.18	.11
1879	28.2	1.13	.10
1880	29.0	1.11	.11¼
1881	26.5	1.13	.11
1882	26.0	1.10	.11¼
1883	24.1	1.10	.11
1884	26.2	1.09	.10⅜
1885	26.6	1.08⅛	.10¼

From the foregoing table it will be seen that the silver rupee has not depreciated in India, but as the market value in London for silver is regulated by the price at which council bills on India are issued in London, with the decline in silver in England the price for cotton declines in the United States. As to wheat the same causes produce the same effect on our prices.

Year.	India.	Silver.	United States.
	Rupees, per cwt.	*Per ounce, par.*	*Per bushel.*
1874	4.2	.....	$1.42
1875	4.6	$1.27	1.12
1876	3.6	1.26	1.21
1877	3.5	1.14	1.10
1878	4.5	1.18	1.33
1879	4.9	1.13	1.06
1880	5.1	1.11	1.24
1881	4.4	1.13	1.11
1882	4.3	1.10	1.18
1883	4.3	1.10	1.12
1884	4.2	1.09	1.06
1885	4.0	1.08⅛	.86

Average price for wheat in India for the twelve years equal to 4 rupees 2½ annas per hundred weight, and if silver at par is equal to $1.76 per hundred weight of 112 pounds, or $1.05½ per bushel of 60 pounds; but in that period council bills were issued at an average of 1*s.* 6*d.* per rupee, which reduced the price equal to $1.33 per hundred weight of 112 pounds, or the bushel of 60 pounds equal to 79½ cents.

The exports of wheat from India since the demonetization of silver in 1873 have advanced from 735,485 bushels in that year to 41,588,235 bushels in 1887; while the United States since the enactment of the law of February 28, 1878, which provides that the purchase of silver bullion shall be at the market value of silver in London, our exports from 153,252,795 bushels in 1878–'79, have dwindled down to 57,759,209 in 1885–'86, while during the same period India has increased her exports from 4,109,495 bushels to 39,312,969 bushels—almost 900 per cent.

I have read the testimony taken before these royal commissioners, and it all tends to the same point, and every sensible man will admit that the fall in the price of wheat and cotton was produced by the demonetization of silver. Last year the cotton planters lost on their crop by this demonetization and this fall in the price of cotton $226,556,202, as is already shown. The table also shows the decline of the wheat interest of the country year after year with the decline in the price of silver side by side, and the price of wheat and cotton have gone down with the price of silver until the exportation of wheat and cotton from the United States have dwindled down both in price and quantity, to such an extent as to prostrate those industries.

While the exports of the United States have diminished, as these tables show, the exports of wheat and cotton from India have increased, so that they command the market and fix the price of those articles in Europe, as we have seen from the testimony I have read.

We have a country with boundless resources, but no money. We have lower prices for wheat and cotton than have prevailed for one hun-

dred years. We have built up colossal fortunes by the enhancement of bonds. Our rich men are as opulent as any on earth, while our farmers, mechanics, and laborers have lost much of their thrift and independence.

If the Secretary of the Treasury had bought $4,000,000 a month of silver since the passage of the Bland act all this would have been averted, and that is easy to demonstrate.

India imports over $39,000,000 of silver per annum. The United States produces in round numbers about $50,000,000. The Secretary of the Treasury purchased last year $24,000,000 worth of silver bullion at the market price. It required over $30,000,000, nearly $34,000,000, at the standard value of silver, to supply the amount purchased with the $24,000,000, on account of the discount. We exported about $20,000,000. If the Secretary of the Treasury had bought $4,000,000 a month it would have been necessary to have imported into this country from $8,000,000 to $14,000,000—$14,000,000 if the price had not been raised. What a boon that would have been, and how it would have revived the drooping industries of the country! The Secretary of the Treasury well knew, but he would not heed. Why did he not, when he saw the distress, buy more silver and put up the price? No; he did not do that. He allowed England to fix the price by her council bills.

My resolution is to call for the exact information. He allowed them to depress our wheat, and our cotton, and destroy our industries and impoverish the producing classes of this country. He allowed England to fix the price of silver without attempting to raise his hand, but bought only the minimum, accumulated the funds in the Treasury, and complained of the surplus. When the President's message came it was suggested that the power to purchase bonds being in an appropriation bill, it was desirable to have Congress express itself affirmatively on the subject. A bill for that purpose passed the House and came to the Senate. The Senate said, yes, you can buy bonds; but if you do and the national-bank currency is retired thereby, you shall buy silver, so as to prevent further contraction.

That bill was returned to the House of Representatives with a request for a conference on the amendment, but no notice has been taken of that request. We have never heard from it since; but we did see go through the other House a resolution saying that it was the opinion of the House that the President had the power to purchase bonds, and with that indorsement, without any new law, the Secretary of the Treasury is to-day purchasing bonds at from 25 to 26½ per cent. premium. He is giving to these people who bought bonds at 50 cents on the dollar and have received in interest about 130 cents on the dollar, not only the principal, but $26 on the hundred premium, all in gold. These bonds were originally payable in lawful money, but afterwards made payable by legislation in coin, and by the demonetization of silver made payable in gold. The effect of these purchases is to contract the currency by retiring the national-bank notes, making times more and more stringent while he refuses to exercise his power to buy silver and relieve the money market. Would he do this if there was any danger that the great money trust of New York would be unable to dictate the Presidential nominee in both political parties and thereby deny to the people the right to vote upon the question of gold and silver and prosperity, or gold alone and hard times?

He has had the power all the time to relieve the money market by buying silver, but he has not exercised it. On the contrary he has exerted every power conferred on him by legislation, dictated by a great money trust, to confer enormous privileges on a favored class of money changers. No class of men on earth ever possessed such privileges before. To-day the national banks are using over $60,000,000 of the people's money without paying a cent of interest. The Administration speculates in bonds, putting up the premium, while the farmers are crushed to the earth without money to pay their mortgages.

I want to avoid saying anything unkind of this Administration. It is following in the footsteps of Republican administrations. It has been the policy of the gold-contraction party, the bond absorption party, the grand money trust of this country, which dominates both political parties, to contract money, to enrich the bondholders and impoverish the people. It has been the policy of the Administrations, whether Republican or Democratic, from the beginning. The time will come when the voice of the people will be heard and somebody except an agent of an overgrown monopoly will be in the Treasury Department to act for the interest of the people of the United States and not to do the bidding of Great Britain to destroy our prosperity, to ruin our products, to depreciate everything produced here, to increase the wealth of bondholders in England and bondholders in the United States and to augment the wealth of England's possessions and break down our own. We will some time—when it will come I do not know, but the time will come when we shall have an American policy, when we shall have somebody at the head of affairs who will hear the voice of all the people.

Ever since the passage of the Bland act there has been a majority in both Houses of Congress in favor of the complete and absolute remonetization of silver, but it is stopped at the other end of the Avenue. Presidential vetoes and Federal patronage stifle the voice of the people's representatives in Congress. The Bland act alone triumphed over a veto, but it has been robbed of nearly all its virtue by the refusal by the Treasury Department to execute it fairly according to the intent and meaning of Congress. We have agents sent to Europe to inquire what the bondholders there want; and who bring arguments from them for American consumption. The arguments our agents claim they make are not the same that we find in the testimony they give when testifying before their own commissions in their own country, as I have shown. They admit that their policy is destructive of us. They say that is their purpose; that they will destroy their own agriculture or protect it by tariffs for the purpose of putting down wheat and cotton they are forced to buy from us, and that they will build up India, open up trade there, and benefit their own manufacturers in that way.

It is incredible to me that any man born on American soil or naturalized under American law can be so perverse, so deaf to the voice of the people, the voice of the two Houses of Congress, the voice of common justice, as to deny to the people of the Union both silver and gold without limit and without stint. I do not wish to cast special reflection upon anybody. I am dealing with a system that was inaugurated years ago.

From beginning to end I am at war with that policy, and I want a representative in the White House with an American policy, who is in favor of American industry, of equal rights, a champion of the people and not of the bondholders or English monopolists.

The PRESIDING OFFICER. The question is, Will the Senate agree to the resolution.

Mr. CULLOM. I should like to hear the resolution read.

The PRESIDING OFFICER. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to furnish the Senate with a statement of the amount of silver bullion offered to the Government each month since the passage of the act of February 28, 1878, under the provisions of said act, and by whom, and at what prices; and also the amount of silver bullion purchased each month during such period, and from whom, and the prices paid therefor; and, further, to inform the Senate if the quotations of India Council bills in London enter into the determination to any extent of what is the market price of silver bullion in the United States.

The resolution was agreed to.

NEW YORK CUSTOM-HOUSE EMPLOYÉS.

The PRESIDING OFFICER. The Chair lays before the Senate another resolution, coming over from yesterday under objection, which will be read.

The Chief Clerk read the resolution submitted by Mr. SPOONER April 30, 1888, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby directed to send to the Senate, at as early date as is practicable, full information as to employés in the customs service at the port of New York, in the offices of the collector, the naval officer, surveyor, and appraisers at said port, all of said information, as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888.

First. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885.

Second. Number, names, and official designation of employés appointed since March 4, 1885.

Third. Number and designation of offices and official positions coming within the classified service created since March 4, 1885.

Fourth. Number and designation of offices and official positions coming below or outside the classified service created since March 4, 1885.

Fifth. Number and designation of offices and official positions coming within the classified service abolished or left vacant since March 4, 1885.

Sixth. Number and designation of offices and official positions coming below or outside the classified service abolished or left vacant since March 4, 1885.

Seventh. Total number of employés, with name and official designation of each, in the customs service March 4, 1885.

Eighth. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.

Ninth. Number, names, and official designations of heads of divisions in the customs service March 4, 1885.

Tenth. Number, names, and official designations of heads of divisions in the customs service removed or resigned upon request since March 4, 1885.

Eleventh. Number, names, and official designations of heads of divisions in the customs service appointed since March 4, 1885.

Twelfth. Number, names, and official designations of temporary employés (excepting day laborers) appointed since March 4, 1885, with the date of appointment and terms of service of each.

The PRESIDING OFFICER. The question is, Will the Senate agree to the resolution?

Mr. COCKRELL. I see no objection to the giving by the Department of the information called for. The seventh and eighth clauses will cause an immense amount of work, and it seems to me will be entirely useless.

Seventh. Total number of employés, with name and official designation of each, in the customs service March 4, 1885.

That will include the writing out of several thousand names and will necessarily consume a great deal of time. It is also contained in the Official Register, which was published July 1, 1887. And then the eighth item is:

Eighth. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.

Which will be a partial repetition. I suggest to the Senator to leave out these two clauses, and the other sections will get all the information in regard to removals and everything of that kind that may be desired.

Mr. SPOONER. I am content to have those clauses eliminated.

Mr. COCKRELL. I move that those sections be stricken out.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is moved to strike out the seventh and eighth subdivisions, as follows:

7. Total number of employés, with name and official designation of each, in the customs service March 4, 1885.

8. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Missouri.

Mr. SPOONER. I have accepted the amendment.

The PRESIDING OFFICER. The amendment is accepted and the resolution is so modified.

Mr. SPOONER. There will be a change in the number of items.

The PRESIDING OFFICER. Of course that change will be made, without objection. The question is on the resolution as modified.

The resolution was agreed to.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. HOAR. I ask unanimous consent that the Senate lay aside informally the pending business and proceed to the consideration of Calendar number 1078, House joint resolution 56.

Mr. PLUMB. Before that is done I wish to suggest that as at 2 o'clock the special order will come up, I want to ask unanimous consent that at the conclusion of the morning business to-morrow the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, which had the right of way to-day but has been laid aside, as the Senate understands, may be taken up, and then I shall have no objection to the proposition of the Senator from Massachusetts.

Mr. HOAR. I withdraw my request for unanimous consent until that is disposed of.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that to-morrow after the conclusion of morning business Senate bill 1430 be taken up for consideration. Is there objection?

Mr. HARRIS. Is that the land-grant forfeiture bill?

The PRESIDING OFFICER. It is. The Chair hears no objection and it is so ordered.

CASTLE ISLAND, BOSTON HARBOR.

Mr. HOAR. I now move to proceed to the consideration of Order of Business 1078, being the joint resolution (H. Res. 56) authorizing the use and improvement of Castle Island, in Boston Harbor.

The PRESIDING OFFICER. The joint resolution will be read for information.

The Chief Clerk read the joint resolution, as follows:

Resolved, etc., That permission be, and is hereby, granted to the city of Boston, in the State of Massachusetts, through its park commissioners, to improve and beautify Castle Island, situated in said city, and belonging to the United States, in connection with a public park to be laid out on land adjoining and connecting with said island, with the right to said city of Boston to make such excavations and fillings and erect and maintain such structures as the Secretary of War may from time to time approve: *Provided*, That this resolution shall not be construed to pass any title in said island, but that the ownership and control of the said grounds shall remain entirely in the United States, and shall be subject to such changes and uses for military or other purposes as the Secretary of War may direct.

Mr. PLATT. If the resolution is being read for information, we do not get much information, because we are entirely unable to hear it.

The PRESIDING OFFICER. The Senator from Connecticut is entirely correct, and the Chair must insist that there must be order in the galleries.

Mr. HOAR. The city of Boston is laying out a very extensive and costly system of public parks, and immediately adjacent to the land occupied by that system of parks is Castle Island, which contains an old fort that, I understand, is of very little value to the fortification of the city of Boston in view of the modern improvements in the means of attack. This resolve simply authorizes the park commissioners to use it as part of their system of parks, subject entirely to the control of the Secretary of War, and with a provision that the city shall never get any title and that it shall always be subject to such uses as the Secretary of War shall direct hereafter. It is a mere permission for the people to extend their walks and drives on the island.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT EMPORIA, KANS.

Mr. PLUMB. I move now that the Senate proceed to the consideration of Order of Business 1175, Senate bill 1913.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1913) for the erection of a public building at Emporia, Kans.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, line 4, after the word "purchase," to insert "or acquire by condemnation proceedings or otherwise;" and in line 11, after the words "sum of," to strike out "one hundred" and insert "seventy-five;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or acquire by condemnation proceedings or otherwise, a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the post-office and other Government offices at the city of Emporia, Kans. The plans, specifications, and full estimates of said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $75,000.

The amendment was agreed to.

The next amendment was to add as a new section:

SEC. 2. That the sum of $75,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purpose provided in this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BUREAU OF ANIMAL INDUSTRY.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which is the bill (S. 2083) to provide for the establishment of a bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes, the pending question being on the amendment of the Senator from Michigan.

Mr. PALMER. That may be informally laid aside.

Mr. INGALLS. According to the notice that I gave on Thursday last, I ask that the unfinished business may be informally laid aside for the purpose of enabling me to submit some remarks upon the motion to refer the message of the President of the United States to the Committee on Finance.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that the unfinished business be informally laid aside for the purpose of taking for present consideration the resolution referred to. Is there objection? The Chair hears none, and it is so ordered.

PRESIDENT'S ANNUAL MESSAGE.

The Senate proceeded to consider the resolution submitted by Mr. SHERMAN December 19, 1887, to refer the message of the President of the United States to the Committee on Finance.

Mr. INGALLS. Mr. President, on the 11th day of January, 1888, a little less than four months ago, Maj. Gen. Fitz John Porter, now on the retired-list, wrote a letter from which I quote the following extract:

And now to you, one of the thousands of kind, generous friends, whose hearts I have felt, whose forms I have never seen nor warm hands touched, I beg to express my heartfelt appreciation of your kind acts in my behalf, and to assure you, all of you, North and South, that my heart is and always has been with you, though at one time my hand and head worked the best they knew against you and your cause, believing, as I did, it was for the best.

The Senator from Indiana [Mr. VOORHEES] in the course of his observations last Wednesday complained with some bitterness that "a determined attempt was made during the war of the rebellion," and he added:

It has been continued since, to blacken the names of the great civil as well as military leaders who remained true to the Democratic party, as at enmity with the cause of the Union and in an alliance of sentiment at least with the Confederacy.

He also admitted, what never has been conceded hitherto, so far as I am advised, by any Democratic orator, that there is such a crime as treason, and that to be an ally of the Confederacy was to be a traitor. From his complaint at the accusations which he declared had been made, the irresistible inference was, first, that the implications against the civil and military leaders of the Democratic party as sympathizers with the South were not true; and next, that if they were true, they were discreditable and dishonorable.

Fitz John Porter was a military leader in the war for the Union who remained true to the Democratic party. He was dishonorably dismissed from the Army by the sentence of a court-martial, and many years after the war ended, at the close of a fierce struggle in Congress, was placed on the retired-list by the united support of the Democratic party, including many of its members who had been soldiers in the army of the Confederacy. It was claimed by his friends that he was a gallant warrior who had been sacrificed as a political victim, but he assures the Confederates in the letter which I have read that his heart was always with the South, although at one time his head and hand were against them and their cause. That even at that fatal crisis when his head and his hand were "working their best" for that brave Commander-General John Pope, whom the Senator from Indiana describes with somewhat of redundant and elaborate affluence of diction as a vain, pretentious, specious, boasting, and vain-glorious pretender—that even then his heart was, as it had always been and has ever since been, with Jeff. Davis, Lee, and Stonewall Jackson. And Fitz John Porter, like every other general who was suspected and distrusted by Lincoln and the Northern people, is canonized as a sainted patriot and hero by the Democratic party North and South. They know their friends.

Maj. Gen. George B. McClellan was another military leader who retained his allegiance to the Democratic party. Born in Pennsylvania and educated at West Point, he went immediately to New Orleans, where he became the intimate business associate and political friend of Beauregard, and allied himself actively with the schemes for the extension and perpetuation of human slavery by the acquisition of Cuba, being concerned in that filibustering enterprise with Albert Sidney Johnston, Gustavus W. Smith, Mansfield Lovell, and J. K. Duncan. He began his military career by disobeying the orders of General Scott. He abandoned Pope to the mercy of his foes at Centerville. He failed to put the rebels to the sword at Antietam and refused to obey the orders of the President of the United States to follow them to Winchester. He fatally controlled the destiny of the Army of the Potomac until the battle of Fredericksburgh, and was the intimate friend, associate, and companion of Maj. Gen. Fitz John Porter.

In the Peninsula campaign he commanded a magnificent host, which under Napoleon would have bivouacked in every Southern capital from Richmond to New Orleans. After the victory at Malvern Hills the order to retreat was denounced by Kearny and Hooker in terms that I will not repeat here, for I am not dealing with his military but with his political career.

History has pronounced its verdict upon him as a soldier, and the Senator from Indiana will strive in vain to place him in the category with Napoleon and Hannibal and Cæsar, even though he remained true to the Democratic party.

I deal with him as a Democratic politician, and I affirm that no man can read the insubordinate and insolent letter that he wrote to President Lincoln from the gunboat in the James River, to which he fled after the loss of 70,000 men in the disastrous seven days' fight before Richmond, without being forced to the conclusion that McClellan was not fully and actively in accord with the ideas and the convictions then animating those who supported the Union cause.

Here is the letter in part:

HARRISON'S LANDING, *July* 7, 1862.

MR. PRESIDENT: You have been fully informed that the rebel army is in the front with the purpose of overwhelming us by attacking our positions or reducing us by blocking our river communications. I can not but regard our condition as critical, and I earnestly desire, in view of possible contingencies, to lay before your excellency, for your private consideration, my general views concerning the existing state of the rebellion, although they do not strictly relate to the situation of this army or strictly come within the scope of my official duties. * * * The Union must be preserved. * * * The time has come when the Government must determine upon a civil and military policy covering the whole ground of our national trouble. * * * The responsibility of determining, declaring, and supporting such civil and military policy and of directing the whole course of national affairs in regard to the rebellion must now be assumed and exercised by you or our cause will be lost. The Constitution gives you power even for the present terrible exigency. * * *

The war shall be conducted on the highest principles known to Christian civilization. It should not be a war looking to the subjugation of the people of any State in any event. * * * Neither confiscation of property, political executions of persons, territorial organization of States, or forcible abolition of slavery should be contemplated for a moment.

Unless the principles governing the future conduct of our struggle shall be made known and approved, the effort to obtain requisite forces will be almost hopeless. A declaration of radical views, especially upon slavery, will rapidly disintegrate our present armies.

He desired to conduct the war so that the people of the South should not be subjugated, nor their property confiscated, nor treason punished, nor States conquered, nor slavery abolished, and in effect advised his army to disband if emancipation was proclaimed.

He was nominated for the Presidency in 1864 by the Democratic party upon a platform that contained the following declaration. It is ancient history, but a generation has arisen to whom it may be novel:

Resolved, That this convention does expressly declare as the sense of the American people that after four years of failure to restore the Union by the experiment of war, during which, under the pretense of a military necessity or war power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, etc.

His nomination for the Presidency was received by the rebel armies in their intrenchments with cheers, and by the newspapers of the Confederacy with approving enthusiasm. The Richmond Enquirer of September 8, 1864, said:

Every defeat of Lincoln's forces inures to the benefit of McClellan. The influence of the South, more powerful in the shock of battle than when throwing her minority vote in an electoral college, will be cast in favor of McClellan by this indirect yet efficacious means.

Upon the day after the election in the Confederate congress Mr. Foote, of Tennessee, declared:

I say we have friends—good, true, valiant friends at the North. Every vote given for McClellan was for peace. Every vote given for McClellan was a vote against Lincoln's African policy. Every vote given for McClellan was a vote given for an armistice. If McClellan had been elected, he, Foote, was prepared to make from his seat a proposition for a convention of the sovereign States, North and South, and he believed the South would have secured from it peace and her independence.

Mr. President, the election occurred in November. McClellan received 3 votes from the State of Delaware, 11 votes from the State of Kentucky, and 7 votes from the State of New Jersey, making 21 in all; and when Mr. Lincoln was elected he resigned his commission and passed into history as a military and civil leader who had remained true to the Democratic party.

Maj. Gen. Winfield Scott Hancock was born in Pennsylvania and educated at West Point. He was another of the military leaders that was true to the Democracy. His martial career is one of the imperishable heritages of American glory. He marched and he triumphed. He filled the abyss of fame with names that will be eternally luminous—the Peninsula, Antietam, Gettysburgh, Chancellorsville, Cold Harbor, and Petersburg. Had he been a soldier under Napoleon he would have been a prince and marshal of the empire. Undaunted in battle, resolute, with an indomitable passion for glory, he was the ideal corps commander, and was well named Hancock the Superb. When the war closed he enjoyed to a degree almost unknown in our history the affectionate admiration, gratitude, respect, and honor of the American people, irrespective of party.

But he, too, became tainted with the fatal virus of an ambition for the nomination for the Presidency by the Democratic party, and they voted for him in 1880, fifteen years after the war ended, not as the man who defeated, overwhelmed, and destroyed them at Gettysburgh and in the Wilderness, but as the author of Order No. 40 and the determined opponent of reconstruction in the fifth military district, comprising Louisiana and Texas. What were his duties as defined by the act of March 2, 1867? It was entitled:

An act to provide for the more efficient government of the rebel States.

I quote so much of the preamble and of section 3 as will suffice to show his powers:

Whereas no legal State governments or adequate protection for life and property now exist in the rebel States of Virginia, North Carolina, South Carolina, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until legal and republican governments can be legally established: Therefore,

Be it enacted, etc., That said rebel States shall be divided into military districts and made subject to the military authority of the United States, as hereinafter prescribed, * * * Louisiana and Texas, the fifth district.

SEC. 3. That it shall be the duty of each officer assigned as aforesaid to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish or cause to be punished all disturbers of the public peace and criminals; * * * and all interference under color of State authority with the exercise of military authority under this act shall be null and void.

Those who were in sympathy with President Johnson in his effort to overthrow the reconstruction policy of Congress in the rebellious States were dissatisfied with Sheridan and the other great commanders who had preceded him, and they found in General Hancock a willing coadjutor.

The condition of affairs in the rebel States at this time is well described by General George H. Thomas, who commanded an adjacent district, and who was never suspected of partisanship or injustice. He says:

In localities where the disfranchised element is strong a spirit of persecution towards those in sympathy with the authorities, those who recognize the political rights of the enfranchised negroes, and the negroes themselves, especially shows itself in utter contempt of all respect for law. Violence is openly talked of. The editorials of the public press are such as to create the most intense hatred in the breasts of ex-rebels and their sympathizers. The effect of this is to cause disturbance * * * by inciting the ruffianly portion of this class of citizens to murder, rob, and maltreat white Unionists and colored people in localities where there are no United States troops stationed. The local authorities often have not the will, and more often have not the power, to suppress or prevent these outrages.

The colored people are quiet and peaceable; they have no political rights, not being enfranchised, yet ruffians are permitted to tyrannize over them, without fear of punishment. The testimony of negroes is refused in the State courts, and the United States courts are difficult of access to an ignorant people, without friends or influence. In some districts ex-Union soldiers are persecuted by their more numerous rebel neighbors, until they are forced into a resistance which sometimes ends with the loss of their lives, or they are compelled in self-defense to emigrate. An appeal to the courts affords but little hope for redress, as magistrates and juries too often decide in accordance with their prejudices, without regard to justice. The controlling cause of the unsettled condition of affairs in the department is that the greatest efforts made by the defeated insurgents since the close of the war have been to promulgate the idea that the cause of liberty, justice, humanity, equality, and all the calendar of the virtues of freedom suffered violence and wrong when the effort for Southern independence failed. This is, of course, intended as a species of political cant, whereby the crime of treason might be covered with a counterfeit varnish of patriotism, so that the precipitators of the rebellion might go down in history hand in hand with the defenders of the Government, thus wiping out with their own hands their own stains; a species of self-forgiveness amazing in its effrontery, when it is considered that life and property—justly forfeited by the laws of the country, of war, and of nations, through the magnanimity of the Government and people—was not exacted from them.

Under this inspiration the education of the great body of the people, moral, religious, and political, has been turned into channels wherein all might unite in common. The impoverishment of the South, resulting from war and its concomitants, the emancipation of slaves, and the consequent loss of substance, the ambiguity and uncertainty of political rights and financial values, as well as personal rivalries, have all combined to strengthen the efforts of pernicious teachers. The evil done has been great, and it is not discernable that an immediate improvement may be expected.

The reports of General Sheridan show that the situation in Louisiana and Texas was much worse even than that depicted by General Thomas, but General Hancock immediately upon assuming command issued his celebrated Order No. 40, prepared after consultation with the leaders of the Democratic party in Washington, written on his way down the river on a steamer, and promulgated before any opportunity to acquaint himself with the condition of affairs had occurred.

[General Orders No. 40.]

HEADQUARTERS FIFTH MILITARY DISTRICT,
New Orleans, La., November 29, 1867.

I. In accordance with General Orders No. 81, headquarters of the Army, Adjutant-General's office, Washington, D. C., August 27, 1867, Maj. Gen. W. S. Han-

cock hereby assumes command of the fifth military district and of the department composed of the States of Louisiana and Texas.

II. The general commanding is gratified to learn that peace and quiet reign in this department. It will be his purpose to preserve this condition of things. As a means to this great end he regards the maintenance of the civil authorities in the faithful execution of the laws as the most efficient under existing circumstances.

In war it is indispensable to repel force by force and overthrow and destroy opposition to lawful authority. But when insurrectionary force has been overthrown and peace established, and the civil authorities are ready and willing to perform their duties, the military power should cease to lead and the civil administration resume its natural and rightful dominion. Solemnly impressed with these views, the general announces that the great principles of American liberty still are the lawful inheritance of this people, and ever should be. The right of trial by jury, the habeas corpus, the liberty of the press, the freedom of speech, and the natural rights of persons and the rights of property must be preserved.

Free institutions, while they are essential to the prosperity and happiness of the people, always furnish the strongest inducements to peace and order. Crimes and offenses committed in this district must be referred to the consideration and judgment of the regular civil tribunals, and those tribunals will be supported in their lawful jurisdiction.

Should there be violations of existing laws which are not inquired into by the civil magistrates, or should failures in the administration of justice by the courts be complained of, the cases will be reported to these headquarters, when such orders will be made as may be deemed necessary.

While the general thus indicates his purpose to respect the liberties of the people, he wishes all to understand that armed insurrections or forcible resistance to the law will be instantly suppressed by arms.

By command of Maj. Gen. W. S. Hancock.

The results of this abdication of his powers and this renunciation of his duties under the reconstruction act are disclosed in the letter of Governor Pease to General Hancock, and the reply of the latter, which I will read as a contribution to the history of a military leader who remained "true to the Democratic party."

EXECUTIVE OF TEXAS,
Austin, Tex., January 17, 1868.

SIR: Your letter of the 28th of December, 1867, was received at this office on the 11th instant. I think it my duty to reply to some portions of it, lest my silence should be construed into an acquiescence in the opinions expressed therein in regard to the condition of Texas and the authority of the civil provisional government now existing here.

I dissent entirely from the declaration that "the State government of Texas, organized in subordination to the authority of the United States, is in full exercise of all its proper powers." The act of Congress "to provide for the more efficient government of the rebel States" expressly declares in its preamble that no legal State government or adequate protection of life or property now exists in Texas, and it is necessary that peace and good order should be enforced in said State until a loyal and republican State government can be legally established. It then provides that Texas shall be subject to the military authority of the United States, and shall constitute a part of the fifth military district. It also directs the President to assign to the command of that district an officer of the Army not below the rank of brigadier-general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority; and makes it the duty of such officer to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals; and to this end he may allow local civil tribunals to take jurisdiction of and try offenders; or when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose; and also declares that interference under color of State authority with the exercise of military authority under said act shall be null and void.

This act further provides that until the people of Texas shall be by law admitted to representation in the Congress of the United States, any government that may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same.

The supplementary act of July 19, 1867, declares it to have been the true intent and meaning of the original act and the supplementary act of the 23d of March, 1867, that the government then existing in Texas was not a legal State government, and that thereafter said government, if continued, was to be continued subject in all respects to the military commander of the district, and the paramount authority of Congress.

The reasonable construction of these provisions of the act of Congress referred to would seem to be that Texas is placed under a military government, of which the chief officer is the commander of the fifth military district, and that whatever civil government there is in Texas is provisional only, subject to said military commander and the paramount authority of Congress, and exists only by their sufferance as a part of the machinery through which the military authority of the United States is exercised. This construction is supported by the acts of the successive commanders of the fifth military district, and their correspondence with this office from the time they first assumed command in March, 1867, until quite recently. They have exercised the right of removing and appointing at their pleasure the officers of this civil provisional government (with the exception of the few that are appointed by the governor), and of filling by appointments all vacancies in offices heretofore filled by an election by the people of Texas. They have also at pleasure exercised the right to abolish, modify, control, and supersede the laws heretofore enacted, as well as the proceedings and judgments of the courts. They have also, at their pleasure, made arrests for violations of the criminal laws. It is true that they have permitted the officers of this civil provisional government, except the legislature, to perform their duties as prescribed by the laws of Texas, but in subordination to their orders and the laws of the United States.

I am at a loss to understand how a government, without representation in Congress and without a militia force, with such limited powers, and thus subject to be further limited and changed at pleasure by the military commander of the district, can, with any propriety, be called a State government organized in subordination to the authority of the Government of the United States, and in full exercise of all its proper powers.

I also dissent from the declaration that "at this time the country is in a state of profound peace." Texas can not properly be said to be in a state of profound peace. It is true that there no longer exists here any organized resistance to the authority of the United States; but a large majority of the white population, who participated in the late rebellion, are embittered against the Government by their defeat in arms and loss of their slaves, and yield to it an unwilling obedience, only because they feel that they have no means to resist its authority. None of this class have any affection for the Government, and very few of them have any respect for it. They regard the legislation of Congress on the subject of reconstruction as unconstitutional and hostile to their interests, and consider the Government now existing here, under the authority of the United States, as a usurpation on their rights. They look upon the enfranchisement of their late slaves and the disfranchisement of a portion of their own class as an act of insult and oppression.

This state of feeling against the Government and its acts by a large majority of the white population, who have heretofore exercised the political power of Texas, combined with the demoralization and impatience of restraint by civil authority that always follows the close of great civil wars, renders it extremely difficult to enforce the criminal laws in those portions of the State which are most densely occupied, and often impossible to do so in those parts of the State which are sparsely settled. A knowledge of this state of affairs induces many to redress their fancied wrongs and grievances by acts of violence.

It is a lamentable fact that over one hundred cases of homicide have occurred in Texas within the last twelve months, while not one-tenth of the perpetrators have been arrested, and less than one-twentieth of them have been tried.

Within the last few months United States officers and soldiers have been killed while in the discharge of their duties, and in no case have those who committed these offenses been tried or punished. In these cases the most strenuous efforts were made by the military authorities to arrest the guilty parties, but without success, although they were well known.

It often happens that when the civil officers of a county are disposed to do their duty and endeavor to make arrests they are unable to do so because they are not properly sustained by the citizens of the county, and when arrests are made a large portion of the offenders escape from custody because there are no secure jails for their confinement, and the county authorities have not the means to pay for the proper guards. Several cases have come to my knowledge in which sheriffs failed entirely to arrest parties who had been indicted, although they remained in the county for months.

Grand juries often fail to find indictments when they ought to do so, and petit juries as often fail to convict offenders in cases where the evidence is conclusive. Hence it results that in many cases offenders escape punishment when the magistrates and sheriffs do their duty.

It is by no means charged that all who took part in the rebellion participate or approve the many outrages and acts of violence which are perpetrated in Texas without punishment. A large majority disapprove and deplore this state of affairs; few of them, however, give any active aid in the enforcement of the criminal laws.

All good citizens feel and acknowledge that there is but little security for life in Texas beyond what each man's personal character gives him. Many loyal citizens have expressed the opinion that it would have a good effect upon the community if some of the perpetrators of aggravated crimes like that in Uvalde County, where the difficulty of keeping the prisoners in confinement rendered it highly probable that they would escape and where the sparseness of population made it so difficult to procure a jury, that it was considered almost certain that the parties would never be tried by the civil courts, should be brought before a military commission. In this opinion I fully concur, and it was for this reason that I made the recommendation.

The condition of affairs here was much worse before the establishment of the present military government than it has been since. The fear of arrest by the military authorities and a trial by a military commission has had some effect in deterring lawless men from the commission of crime, but I am constrained to say that since the publication of General Order No. 40, of 29th November, 1867, from headquarters fifth military district, there has been a perceptible increase of crime and manifestations of hostile feelings toward the Government and its supporters.

It is an unpleasant duty to give such a recital of the condition of the country. But the reports and correspondence on file in the offices of the Freedmen's Bureau and of the military commanders in Texas since the close of the rebellion will prove the truth of what is stated here.

In my communications with the previous commanders of the fifth military district, orally and in writing, I have frequently given them my views in regard to the powers of the present civil provisional government of Texas, and also in regard to the condition of affairs here, and the great difficulty and sometimes impossibility of executing the laws for prevention and punishment of crime and the preservation of the public peace.

If all these matters had been known to the commanding general fifth military district, his surprise might not have been excited that a civil magistrate of Texas, who is desirous to preserve peace and good order, and to give security to person and life, should have applied to him as the chief officer to whom the government of Texas is intrusted by the laws of the United States to do by military authority what experience had proved can not be effectually done by the officers of Texas, with the limited means and authority with which they are invested by law.

I am, sir, with great respect, your obedient servant,

E. M. PEASE.

Bvt. Lieut. Col. WM. G. MITCHELL,
Secretary of Civil Affairs.

Official:

R. CHANDLER,
Captain Thirteenth Infantry.

To which General Hancock replied:

HEADQUARTERS FIFTH MILITARY DISTRICT.
New Orleans, La., March 9, 1868.

SIR: Your communication of the 17th of January last was received in due course of time (the 27th of January), but not until it had been widely circulated by the newspaper press. To such a letter, written and published for manifest purposes, it has been my intention to reply as soon as leisure from more important business would permit.

Your statement that the act of Congress "to provide for the more efficient government of the rebel States" declares that whatever government existed in Texas was provisional; that peace and order should be enforced; that Texas should be part of the fifth military district and subject to military power; that the President should appoint an officer to command in said district, and detail a force to protect the rights of person and property, suppress insurrection and violence, and punish offenders, either by military commission or through the action of local civil tribunals, as in his judgment might seem best, will not be disputed. One need only read the act to perceive it contains such provisions. But how all this is supposed to have made it my duty to order the military commission requested you have entirely failed to show. The power to do a thing if shown, and the propriety of doing it, are often very different matters. You observe you are at a loss to understand how a government without a representation in Congress or a militia force and subject to military power can be said to be in the full exercise of all its proper powers. You do not reflect that this government, created or permitted by Congress, has all the powers which the act intends, and may fully exercise them accordingly. If you think it ought to have more powers, should be allowed to send members to Congress, wield a militia force, and possess yet other powers, your complaint is not to be preferred against me, but against Congress, who made it what it is.

As respects the issue between us, any question as to what Congress ought to have done has no pertinence. You admit the act of Congress authorizes me to try an offender by military commission, or allow the local civil tribunals to try, as I shall deem best; and you can not deny the act expressly recognizes such local civil tribunals as legal authorities for the purpose specified. When you contend there are no legal local tribunals for any purpose in Texas, you must

either deny the plain reading of the act of Congress or the power of Congress to pass the act.

You next remark that you dissent from my declaration "that the country (Texas) is in a state of profound peace," and proceed to state the grounds of your dissent. They appear to me not a little extraordinary. I quote your words: "It is true there no longer exists here (Texas) any organized resistance to the authority of the United States. But a large majority of the white population who participated in the late rebellion are embittered against the Government and yield it an unwilling obedience." Nevertheless, you concede they do yield it obedience. You proceed:

"None of this class have any affection for the Government, and very few any respect for it. They regard the legislation of Congress on the subject of reconstruction as unconstitutional and hostile to their interests, and consider the government now existing here under authority of the United States as an usurpation of their rights. They look on the emancipation of their late slaves and the disfranchisement of a portion of their own class as an act of insult and oppression."

And this is all you have to present for proof that war and not peace prevails in Texas; and hence it becomes my duty—so you suppose—to set aside the local civil tribunals, and enforce the penal code against citizens by means of military commissions.

My dear sir, I am not a lawyer, nor has it been my business, as it may have been yours, to study the philosophy of statecraft and politics. But I may lay claim, after an experience of more than half a lifetime, to some poor knowledge of men, and some appreciation of what is necessary to social order and happiness. And for the future of our common country, I could devoutly wish that no greater number of our people have yet fallen in with the views you appear to entertain. Woe be to us whenever it shall come to pass that the power of the magistrate—civil or military—is permitted to deal with the mere opinions and feelings of the people.

I have been accustomed to believe that sentiments of respect or disrespect, and feelings of affection, love, or hatred, so long as not developed into acts in violation of law, were matters wholly beyond the punitory power of human tribunals.

I will maintain that the entire freedom of thought and speech, however acrimoniously indulged, is consistent with the noblest aspirations of man and the happiest condition of his race.

When a boy, I remember to have read a speech of Lord Chatham, delivered in Parliament. It was during our Revolutionary war, and related to the policy of employing the savages on the side of Britain. You may be more familiar with the speech than I am. If I am not greatly mistaken, his lordship denounced the British Government—his Government—in terms of unmeasured bitterness. He characterized its policy as revolting to every sentiment of humanity and religion; proclaimed it covered with disgrace, and vented his eternal abhorrence of it and its measures. It may, I think, be safely asserted that a majority of the British nation concurred in the views of Lord Chatham. But whoever supposed that profound peace was not existing in that kingdom, or that government had any authority to question the absolute right of the opposition to express their objections to the propriety of the king's measures in any words, or to any extent they pleased? It would be difficult to show that the opponents in the days of the elder Adams, or Jefferson, or Jackson, exhibited for it either "affection" or "respect." You are conversant with the history of our past parties and the political struggles touching legislation on alienage, sedition, the embargo, national banks, our wars with England and Mexico, and can not be ignorant of the fact that for one party to assert that a law or system of legislation is unconstitutional, oppressive, and usurpative is not a new thing in the United States. That the people of Texas consider acts of Congress unconstitutional, oppressive, or insulting to them is of no consequence to the matter in hand. The President of the United States has announced his opinion that these acts of Congress are unconstitutional. The Supreme Court, as you are aware, not long ago decided unanimously that a certain military commission was unconstitutional. Our people everywhere, in every State, without reference to the side they took during the rebellion, differ as to the constitutionality of these acts of Congress. How the matter really is, neither you nor I may dogmatically affirm.

If you deem them constitutional laws, and beneficial to the country, you not only have the right to publish your opinions, but it might be your bounden duty as a citizen to do so. Not less is it the privilege and duty of any and every citizen, wherever residing, to publish his opinion freely and fearlessly on this and every question which he thinks concerns his interest. This is merely in accordance with the principles of our free Government; and neither you nor I would wish to live under any other. It is time now, at the end of almost two years from the close of the war, we should begin to recollect what manner of people we are; to tolerate again free, popular discussion, and extend some forbearance and consideration to opposing views. The maxims that in all intellectual contests truth is mighty and must prevail, and that error is harmless when reason is left free to combat it, are not only sound, but salutary. It is a poor compliment to the merits of such a cause that its advocates would silence opposition by force: and generally those only who are in the wrong will resort to this ungenerous means. I am confident you will not commit your serious judgment to the proposition that any amount of discussion, or any sort of opinions, however unwise in your judgment; or any assertion of feeling, however resentful or bitter, not resulting in a breach of law, can furnish justification for your denial that profound peace exists in Texas. You might as well deny that profound peace exists in New York, Pennsylvania, Maryland, California, Ohio, and Kentucky, where a majority of the people differ with the minority on these questions; or that profound peace exists in the House of Representatives or the Senate at Washington, or in the Supreme Court, where all these questions have been repeatedly discussed and parties respectfully and patiently heard.

You next complain that in parts of the State (Texas) it is difficult to enforce the criminal laws; that sheriffs fail to arrest; that grand jurors will not always indict; that in some cases the military acting in aid of the civil authorities have not been able to execute the process of the courts; that petit jurors have acquitted persons adjudged guilty by you; and that other persons charged with offenses have broke jail and fled from prosecution. I know not how these things are; but admitting your representations literally true, if for such reasons I should set aside the local tribunals and order a military commission, there is no place in the United States where it might not be done with equal propriety. There is not a State in the Union, North or South, where the like facts are not continually happening. Perfection is not to be predicated of man or his works. No one can reasonably expect certain and absolute justice in human transactions; and if military power is to be set in motion on the principles for which you would seem to contend, I fear that a civil government, regulated by laws, could have no abiding place beneath the circuit of the sun. It is rather more than hinted in your letter that there is no local State government in Texas, and no local laws outside of the acts of Congress which I ought to respect, and that I should undertake to protect the rights of persons and property in my own way and in an arbitrary manner. If such be your meaning, I am compelled to differ with you.

After the abolition of slavery (an event, I hope, which no one now regrets), the laws of Louisiana and Texas existing prior to the rebellion, and not in conflict with the acts of Congress, comprised a vast system of jurisprudence, both civil and criminal. It required not volumes only, but libraries to contain them. They laid down principles and precedent for ascertaining the rights and adjusting the controversies of men in every conceivable case. They were the creations of great and good and learned men, who had labored, in their day, for their kind, and gone down to the grave long before our recent troubles, leaving their works an inestimable legacy to the human race. These laws, as I am informed, connected the civilization of past and present ages, and testified of the justice, wisdom, humanity, and patriotism of more than one nation, through whose records they descended to the present people of these States. I am satisfied, from representations of persons competent to judge, they are as perfect a system of laws as may be found elsewhere, and better suited than any other to the condition of this people, for by them they have long been governed. Why should it be supposed Congress has abolished these laws? Why should any one wish to abolish them? They have committed no treason, nor are hostile to the United States, nor countenance crime, nor favor injustice. On them, as on a foundation of rock, reposes almost the entire superstructure of social order in these two States. Annul this code of local laws, and there would be no longer any rights, either of person or property, here. Abolish the local civil tribunals made to execute them, and you would virtually annul the laws, except in reference to the very few cases cognizable in the Federal courts. Let us for a moment suppose the whole local civil code annulled, and that I am left, as commander of the fifth military district, the sole fountain of law and justice. This is the position in which you would place me.

I am now to protect all rights and redress all wrongs. How is it possible for me to do it? Innumerable questions arise, of which I am not only ignorant, but to the solution of which a military court is entirely unfitted. One would establish a will, another a deed; or, the question is one of succession, or partnership, or descent, or trust; a suit of ejectment or claim to chattels; or, the application may relate to robbery, theft, arson, or murder. How am I to take the first step in any such matter? If I turn to the acts of Congress I find nothing on the subject. I dare not open the authors on the local code, for it has ceased to exist.

And you tell me that in this perplexing condition I am to furnish by dint of my own hasty and crude judgment the legislation demanded by the vast and manifold interests of the people. I repeat, sir, that you, and not Congress, are responsible for the monstrous suggestion that there are no local laws or institutions here to be respected by me outside of the acts of Congress. I say, unhesitatingly, if it were possible that Congress should pass an act abolishing the local codes for Louisiana and Texas—which I do not believe—and it should fall to my lot to supply their places with something of my own, I do not see how I could do better than follow the laws in force here prior to the rebellion, excepting whatever therein shall relate to slavery. Power may destroy the forms, but not the principles, of justice; these will live in spite even of the sword. History tells us that the Roman pandects were lost for a long period among the rubbish that war and revolution had heaped upon them, but at length were dug out of the ruins, again to be regarded as a precious treasure.

You are pleased to state that "since the publication of (my) General Orders No. 40 there has been a perceptible increase of crime and manifestation of hostile feeling toward the Government and its supporters," and add that it is "an unpleasant duty to give such a recital of the condition of the country."

You will permit me to say that I deem it impossible the first of these statements can be true, and that I do very greatly doubt the correctness of the second. General Orders No. 40 was issued at New Orleans November 29, 1867, and your letter was dated January 17, 1868. Allowing time for Order No. 40 to reach Texas and become generally known, some additional time must have elapsed before its effect would be manifested, and a yet further time must transpire before you would be able to collect the evidence of what you term "the condition of the country," and yet, after all this, you would have to make the necessary investigations to ascertain if Order No. 40 or something else was the cause. The time, therefore, remaining to enable you before the 17th of January, 1868, to reach a satisfactory conclusion on so delicate and nice a question must have been very short. How you proceeded, whether you investigated yourself, or through third persons, and if so, who they were, what their competency and fairness, on what evidence you rested your conclusions, or whether you ascertained any facts at all, are points upon which your letter so discreetly omits all mention, that I may well be excused for not relying implicitly upon it; nor is my difficulty diminished by the fact that in another part of your letter you state that ever since the close of the war a very large portion of the people have had no affection for the Government, but bitterness of feeling only. Had the duty of publishing and circulating through the country long before it reached me your statement that the action of the district commander was increasing crime and hostile feeling against the Government been less painful to your sensibilities, it might possibly have occurred to you to furnish something on the subject in addition to your bare assertion.

But what was Order No. 40, and how could it have the effect you attribute to it? It sets forth "the great principles of American liberty are still the inheritance of this people, and ever should be, that the right of trial by jury, the habeas corpus, the liberty of the press, the freedom of speech, and the natural rights of person and property must be preserved." Will you question the truth of these declarations? Which one of these great principles of liberty are you ready to deny and repudiate? Whoever does so, avows himself the enemy of human liberty and the advocate of despotism. Was there any intimation in General Orders No. 40 that any crimes or breaches of law would be countenanced? You know that there was not. On the contrary, you know perfectly well that while "the consideration of crime and offenses committed in the Fifth military district was referred to the judgment of the regular civil tribunals," a pledge was given in Order No. 40 which all understood, that tribunals would be supported in their lawful jurisdiction, and that "forcible resistance to law would be instantly suppressed by arms." You will not affirm that this pledge has ever been forfeited. There has not been a moment since I have been in command of the Fifth district when the whole military force in my hands has not been ready to support the civil authorities of Texas in the execution of the laws, and I am unwilling to believe they would refuse to call for aid if they needed it.

There are some considerations which, it seems to me, should cause you to hesitate before indulging in wholesale censures against the civil authorities of Texas. You are yourself the chief of these authorities, not elected by the people, but created by the military. Not long after you had thus come into office all the judges of the supreme court of Texas, five in number, were removed from office and new appointments made; twelve of the seventeen district judges were removed, and others appointed. County officers, more or less, in seventy-five out of one hundred and twenty-eight counties were removed, and others appointed in their places. It is fair to conclude that the executive and judicial civil functionaries in Texas are the persons whom you desire to fill the offices. It is proper to mention, also, that none but registered citizens, and only those who could take the test-oath, have been allowed to serve as jurors during your administration. Now, it is against this local government, created by military power prior to my coming here, and so composed of your personal and political friends, that you have preferred the most grievous complaints. It is of them you have asserted they will not do their duty; they will not maintain justice; will not arrest offenders; will not punish crimes; and that out of one hundred homicides committed in the last twelve months, not over ten arrests have been made; and by means of such gross disregard of duty, you declare that neither property nor life is safe in Texas.

Certainly you could have said nothing more to the discredit of the officials now in office. If the facts be as you allege, a mystery is presented for which I can imagine no explanation. Why is it that your political friends, backed up and sustained by the whole military power in this district, should be unwilling to enforce the laws against that part of the population lately in rebellion and whom you represent as the offenders? In all the history of these troubles I

have never seen or heard before of such a fact. I repeat, if the fact be so it is a profound mystery, utterly surpassing my comprehension. I am constrained to declare that I believe you are in very great error as to facts. On careful examination at the proper source I find that at the date of your letter four cases only of homicides had been reported to these headquarters as having occurred since November 29, 1867, the date of Order 40, and these cases were ordered to be tried and investigated as soon as the reports were received. However, the fact of the one hundred homicides may still be correct. As stated by you, the Freedmen's Bureau in Texas reported one hundred and sixty. How many of these were by Indians and Mexicans and how the remainder were classified is not known, nor is it known whether these data are accurate.

The report of the commanding officer of the district of Texas shows that since I assumed command no applications have been made to him by you for the arrest of criminals in the State of Texas.

To this date eighteen cases of homicides have been reported to me as having occurred since November 29, 1867, although special instructions had been given to report such cases as they occurred. Of these five were committed by Indians, one by a Mexican, one by an insane man, three by colored men, two of women by their husbands, and of the remainder some by parties unknown—all of which could be scarcely attributed to Order No. 40. If the reports received since the issuing of Order No. 40 are correct, they exhibit no increase of homicides in my time, if you are correct that one hundred had occurred in the past twelve months. That there has been a perfect administration of justice in Texas I am not prepared to deny.

There has been no such wanton disregard of duty on the part of officials, as you allege, I am well satisfied. A very little while ago you regarded the present officials in Texas the only ones who could be safely trusted with power. Now you pronounce them worthless, and would cast them aside.

I have found little else in your letter but indications of temper, lashed into excitement by causes which I deem mostly imaginary, a great confidence in the accuracy of your own opinions, and an intolerance of the opinions of others, a desire to punish the thoughts and feelings of those who differ from you, and an impatience which magnifies the shortcomings of officials who are perhaps as earnest and conscientious in the discharge of their duties as yourself, and a most unsound conclusion that while any persons are to be found wanting in affection or respect for government, or yielding it obedience from motives which you do not approve, war, and not peace, is the status, and all such persons are the proper subjects for military penal jurisdiction.

If I have written anything to disabuse your mind of so great an error, I shall be gratified.

I am, sir, very respectfully, your obedient servant,

W. S. HANCOCK,
Major-General Commanding.

To His Excellency E. M. PEASE,
Governor of Texas.

Mr. President, I have trespassed upon the patience of the Senate by this recital because it is claimed by the Democratic worshipers of General Hancock that his letter of the 9th of March, 1868, to Governor Pease, of Texas, was an exposition of the principles of constitutional law and of the maxims of free government which eclipses even his claims to military glory, and entitles him to stand upon the same plane with Jefferson and the other illustrious statesmen of the Revolutionary epoch. I assume, therefore, that I shall receive the thanks of the Democratic party for inviting public attention to this correspondence between General Hancock and Governor Pease, and that their gratitude will insure my pardon for affirming my opinion that General Hancock's attitude will be regarded as creditable only by those who were willing, after the battle for the Union had closed, to surrender to the enemies of the Government the legitimate fruits of victory.

This correspondence received the widest possible publicity through the Democratic press and from Democratic platforms in 1880. The world knows who one of the parties to that correspondence was; but the name of Governor Pease has not obtained as wide a renown.

Elisha Marshall Pease was a native of Connecticut, of Puritan descent, who emigrated in 1835 to Texas, while it was yet a Mexican province. He was an eminent and thoroughly disciplined lawyer. For ten years after the admission of Texas into the Union, as a member of the Legislature and governor of the State, he did at least as much as any other man in framing the laws and constitution of the new Commonwealth.

He was an original and life-long Democrat until expelled from the party for his uncompromising devotion to the Union. Before the war he was twice elected governor of the State by the Democratic voters of Texas. In all the relations of life he was without fear and without reproach. I believe that both the Senators from Texas knew him well. I am also assured that each of the eleven gentlemen who represent Texas in the other House of Congress were well acquainted with him, and I confidently rely upon the Senators from Texas and each of the Representatives in Congress to sustain me in the declaration that Governor Pease was not only an able but a thoroughly honest, upright, and conscientious man.

Apart from the merits of the questions of public interest involved in this correspondence, I feel sure that the people of the United States will agree with me in the declaration that between the two antagonists the governor of Texas bore himself with superior dignity. From some motive, which the people of the United States are as competent as I am to discern, the distinguished general, who is claimed by his adherers to be a model of knightly courtesy, permitted himself to omit the amenities which gentlemen are accustomed to observe in official intercourse. He called into question the honor and veracity of Governor Pease when the latter expressed his regret that a sense of duty compelled him to state that a degree of lawlessness prevailed in some portions of Texas which the ordinary civil tribunals of Texas were unable to repress. He allowed himself to administer an insulting reprimand to a gentleman who was honestly performing his duty, who was his equal as a man, and who, in point of experience in the civil service of his country and of acquaintance with the affairs of his State, was greatly his superior. His orders were rescinded by General Grant, and after a few inglorious months, finding the complications insupportable, he was relieved at his own request.

Mr. President, General Hancock received his reward. The Democratic party in 1880 nominated him for the Presidency. His claims were submitted to the people, who pronounced their verdict upon his political pretensions as a military leader who had remained true to the Democratic party. Notwithstanding his magnificent and unapproachable military career, recognizing his affiliation with those who had endeavored to destroy the Government by his opposition to the reconstruction policy of Congress and the acts and statutes made thereunder, he was overwhelmingly condemned. He carried, of the Northern States, California, 5 electoral votes; Nevada, 3, and New Jersey, 9; together with the 138 votes of the "solid South," which had been promised him in his speech at Cincinnati by the Senator from South Carolina [Mr. HAMPTON]. Of the votes of Northern States that he received, those of California and Nevada were stolen by the forgery and fraud of the Morey letter, invented by Democratic politicians upon the very eve of the election, when it was impossible that the refutation should follow before the votes were cast.

Mr. President, the affected indignation of the Senator from Indiana [Mr. VOORHEES] and others at my alleged assault upon these Union generals is discreditable either to their intelligence or to their candor. If they did not know that in speaking of them in that debate, in which I was not an intruder, I was speaking of them not as soldiers, but as politicians and as Democratic candidates for the Presidency, they are dull, stupid, and ignorant indeed. If they do know it and persist in their misrepresentations they are disingenuous, and I suspect, if such a thing were possible, they are both. [Laughter.]

Did the Democratic party in 1880v ote for the hero of Gettysburg or for the author of Order No. 40 and the opponent of the reconstruction policy ot Congress in the fifth military district?

Mr. President, from the impassioned eulogy, the rhapsody of approbation that flowed from the Senator from Indiana upon the great military achievements of McClellan and Hancock, I began to have some doubt who it was that really put down the rebellion, and was driven curiously to inquire into the attitude of the Democratic party in the North and to the Senator from Indiana as one of its acknowledged leaders in 1862, when McClellan, the idol of the Democracy, was fighting the battle of Antietam; in 1863, when Hancock was hurling back in confusion and dismay the scattered squadrons of the Confederacy at Gettysburgh. I was really for the moment inclined, Mr. President, to believe that the Democratic party of the North and the Senator from Indiana and those other great patriots whom he eulogized as the immovable bulwarks of liberty, of the Constitution, and of the Union, Mr. Thomas A. Hendricks, Mr. Horatio Seymour, and Mr. William A. Richardson, were in full panoply of battle, aiding McClellan, upholding Hancock, and doing the utmost to make the success of the Union arms possible. It seems like the very climax of effrontery, the apex of audacity for these men, whose history is so well known, who were from the beginning the undisguised enemies of the cause of the Union at every step of its progress, and who, like the Senator from Indiana, were avowedly in sympathy with the South, were the advocates and apologists for slavery and secession at the outset, who gave aid and comfort to the rebellion in every possible way—the Copperheads, the Butternuts, the Knights of the Golden Circle, and all their brutal and degraded allies—to appear here as the advocates and champions of Union soldiers and of the cause of human liberty.

One would suppose from the recent enthusiasm displayed over the military achievements of McClellan and Hancock that we should upon inspection discover that the leaders of the Democracy during the war were in sympathy with the Union cause and in co-operation with the efforts to overthrow the Confederacy. Yet almost at the very hour, certainly in the very year, when McClellan was fighting on the undulating slopes of Antietam, the Senator from Indiana, without excepting even McClellan or Hancock, speaking at Sullivan, in Indiana, on the 5th of August, 1862, said in reference to the Union soldiers that they should go to the nearest blacksmith shop and have an iron collar riveted around their necks, bearing thereon the inscription, "My dog, A. Lincoln." Upon the same occasion he described Union soldiers as "Lincoln dogs and hirelings," without excepting McClellan or Hancock. [Manifestations of applause in the galleries.]

The PRESIDING OFFICER (Mr. DOLPH). It is the duty of the Chair to inform the people in the galleries that under the rules of the Senate applause is not permitted, and if it occurs again it may be necessary to order the galleries to be cleared.

Mr. INGALLS. Mr. President, I speak to-day with difficulty in consequence of an infirmity of my throat, and I shall be under great obligations if there may be no interruption or disorder.

During the campaign that resulted in the election of Abraham Lincoln, the Senator from Indiana, who is now so vigorously in favor of the prosecution of the war of the rebellion, who eulogizes the efforts of the Union armies and the genius of the Union commanders, and poses as the special friend of the pensioners, and denounces and misrepresents my allusion to the political character and affiliations of McClellan and Hancock, made a speech at Greencastle, reported in the Cincinnati Com-

mercial of August 8, 1864, by Joseph B. McCullagh, now of the Globe-Democrat, St. Louis. The Senator from Indiana said:

Why, this campaign of Grant upon the Rapidan and at Petersburgh—

And Hancock was there—

this campaign of Grant upon the Rapidan and at Petersburgh was of such a nature that you could hear the bones of your brave sons and brothers crash like glass clear to Washington City. The sickening details of the slaughter came up with the fumes of blood on our very breakfast plates at Washington City every morning; yet Lincoln says he will peg away for four years more. In God's name, have you not had enough of it? Let us try some other plan, this one has signally failed. Five hundred thousand more men, that's all.

Now listen to the opinion the Senator from Indiana then entertained of President Lincoln, the martyr:

Three human souls were hurried into eternity by each of Mr. Lincoln's jokes. Another section of land in view of Mr. Lincoln's room had been dug up for a graveyard, and while he jested and joked with his servile crew he could look out on this scene of dying and death. Yet you propose to me to retain that monster another term of office—that monster, that with utter disregard of human life and misery has proposed to prolong his term of office? Gentlemen, it seems to me that I can hear the spirits of the hundreds of thousands of lives that have been uselessly sacrificed in this war pleading against the re-election of this man. It seems to me the very inanimate objects and dumb brutes would cry out, enough, he has had his day—bloody, gory, reeking, let him go out into hateful obscurity, there to spend the residue of his days with the ghosts of the murdered dead, gibbering around the unhappy—felon!"

In 1864, when the great struggle that resulted in the destruction and overthrow of the rebellion was going on, the Senator from Indiana put upon record the views he then entertained of Union soldiers, the President of the United States, and the efforts that were being made to reenforce the Union Armies.

When the sun rose on the 4th of July, 1863—

Says the Senator from Indiana in his speech last Wednesday—

and shone on Lee's army in retreat from Gettysburgh the last hope of the Southern Confederacy disappeared forever.

Yet in September, 1864, many months after the battle of Gettysburgh, that same Senator united with his party in the declaration that the war even then was a failure, that it was impossible to conduct it to a successful conclusion, and that immediate negotiations ought to be entered upon with the rebels for the purpose of procuring a dishonorable peace.

Mr. President, there appears to be some mysterious and occult fascination to the Democratic party about the "fraud of 1876." Senators within the past week have risen gravely to denounce it as one of the living issues of the day, and the Democratic party of Indiana, a few days ago, in their tenth resolution declared against it with emphasis.

I voted against the bill creating the Electoral Commission in 1876, because I believed that the power to count the votes rested with the President of the Senate. I was never specially enamored of President Hayes, but inasmuch as the question of his title is brought in controversy by the Democratic party as one of the issues of this campaign, I feel bound to say that his title is the most absolutely impregnable of any in the whole line of American Presidents, because it is the only one ever passed upon by a constitutional tribunal lawfully organized for that purpose.

The Democratic party should not forget that the Electoral Commission was one of their own devices. It was to consist, as we all remember, of fifteen members, five from a Democratic House of Representatives, five from a Republican Senate, which would leave an equal political division, and five from the Supreme Court of the United States, which as then organized would, as was discovered by the necessary investigation, complete a tribunal that would be in favor of seating Samuel J. Tilden, the Democratic nominee for the Presidency, by a majority of one.

It was not the first time, Mr. President, in the history of human affairs, that they who have digged a pit and dug it deep have fallen into the pit that they have prepared for their brother. By one of those mysterious and inscrutable dispensations of Divine Providence that sometimes appear to interfere in the affairs of man, Hon. David Davis, a member of the Supreme Court, was chosen to the Senate of the United States, in the place of Hon. John A. Logan, whose term had expired, which brought forward as the fifteenth member of the Commission on the part of the Supreme Court of the United States, Mr. Bradley, and presto, instead of being 8 to 7 for Mr. Tilden it was 8 to 7 for Mr. Hayes.

The interest of the Democratic party in the Electoral Commission ceased from that instant. [Laughter.] They immediately began to denounce it as an unconstitutional and illegal body, and Hon. Henry Watterson, as you may remember, issued his celebrated proclamation calling upon 100,000 unarmed Kentuckians to visit the city of Washington upon the anniversary of the battle of New Orleans for the purpose of superintending the Electoral Commission count. [Laughter.] I happened to have a conversation with President Grant at the White House shortly after that celebrated proclamation was issued and the interest of the Democratic party in the Electoral Commission had become so languid. I asked him if he thought there was going to be any trouble. He paused a moment with that deliberate method which characterized his utterances before he replied: "No; I do not think there is going to be any trouble, but it has been one rule of my life to be always ready;" and he was ready. In obedience to some mysterious direction parks of artillery and troops and munitions of war began coming into the capital and the agitation of the Democratic party became extreme, for if there is anything that will turn the average Democrat inside out with spasmodic indignation it is the sight of a Federal soldier in a new uniform. [Laughter.] The 100,000 unarmed Kentuckians did not appear and the count proceeded, notwithstanding the negotiations at the Wormley House, and in spite of the hostility of the Democratic party to the unexpected result of their own contrivance. The reason why the Presidential count was not protracted until after the 4th of March, 1877, and the Government thrown into a revolution, so far as the Democratic party could effect this, was not because they were patriotic or because they were so sincerely devoted to the peace and welfare of the country, but it was because U. S. Grant was in the White House, who had determined that when the count was completed, on the 4th of March or any other day, the candidate who received the certificate of election should be installed as his successor, whether it was Samuel J. Tilden or Rutherford B. Hayes, if it took the whole force of the United States and its Army and Navy to put him there. The people of the United States may as well understand that all this pretense about the fraud of 1876 and 1877 is not sincere. It was a Democratic device.

Mr. PAYNE. Does the Senator say that the Democratic party was responsible for the creation of the Electoral Commission? The resolution creating the committee which reported that bill was offered in the House of Representatives by Mr. McCrary, of Iowa. No person on that joint committee had so much influence in framing that electoral bill as Mr. McCrary and the honorable member from Massachusetts [Mr. HOAR] and the Senator from Vermont [Mr. EDMUNDS], a member on behalf of the Senate. They all led in the framing of the bill. That statement is due to history.

Mr. INGALLS. Mr. President, I understand all about that. I know who devised the Electoral Commission and who supported it and how it was carried. All this talk about Hayes and fraud, and Packard and Chamberlain, which is to be apparently one of the issues of this approaching campaign as an illustration of the turpitude of the Republican party, is altogether too transparent.

I never liked the abandonment of Packard as governor of Louisiana. I never was satisfied with the abandonment of Chamberlain as governor of South Carolina. I never believed, however, that there was any truth in the Democratic allegation of a collusive agreement by which the State governments of Louisiana and South Carolina were to be turned over to the Democracy. I have heard it, but I never believed it, and the evidence is almost conclusive to the contrary, because the Democratic majority in the House of Representatives refused to make the necessary appropriations at that session of Congress for supporting the Army of the United States. Although Chamberlain in South Carolina and Packard in Louisiana got more votes for the governorship than the Hayes electors did, one obvious reason why they were not sustained was because there was no Army to send to their support. The Democratic party had refused the necessary appropriations. And yet we are perpetually reminded, in order to distract attention from the crimes of the Democratic party in the South and in our great cities, that the Republicans were guilty of an enormous and gigantic fraud in the election and in the seating of Hayes.

Why, Mr. President, Cleveland has a warranty deed apparently to the seat that he occupies, and yet compared with the title that Mr. Hayes had to his seat he is in possession of stolen goods, and the receiver is as bad as the thief. In the court of justice and fair conscience he never was elected at all, but counted into office by a partnership between Dick Turpin and Uriah Heep, foot-pads and sneak-thieves, Cartouche and Pecksniff, and it is some consolation that in this partnership the apostates and renegades have lost their share of the swag. [Laughter.]

Now, Mr. President, we are upon the threshold of another election. We have had McClellan and Seymour, Greeley and Tilden, Hancock and Cleveland for Democratic candidates, and Cleveland is practically renominated for another term. It will be the most important contest of the century, a political battle whose result will determine the destiny of the United States for the next twenty-five years, involving the reconstruction of the Supreme Court of the United States, the control of the Senate, free trade or the protection of American labor, the currency, internal improvements, the distribution of the surplus, and all the other great political, social, and material issues that so nearly concern national greatness and individual happiness. And again we are confronted with the 153 votes of the "solid South," as we have been at every election since 1876; a "solid South" that is the essence and substance of the Southern Confederacy; and the success of the Democratic party means the triumph of the Confederacy, which is to-day as much an organized, active, aggressive force in our politics as it was in 1860 or at any previous time. Slavery is dead and secession is dead, but the ideas, the impulses, the purposes, the intentions engendered by slavery and secession remain. Ideas are immortal. They never die. Force can not annihilate them. No man was ever convinced by being conquered, and no Confederate has ever confessed that the cause for which he fought was wrong. The Senator from Virginia said the other day with spirit and courage that the Confederates felt contempt for but two classes of men, those who made apologies and those who demanded them; and so they rear monuments to their heroes, perpetuate the

memory of their victories, teach their children that the cause for which they contended was just and must ultimately triumph. They strive to regain by diplomacy their ascendency in national affairs which they lost in the field, and eventually intend to appeal for the vindication of their cause to the judgment of posterity.

Sir, I honor and admire while I regret and deplore the constancy of the South to their ideals, their loyalty to their leaders, their fidelity to the cause for which they made such inconceivable sacrifices, and their determination to rewrite and reconstruct history so that their posterity may proudly say to the generations that are to come, "While it is true that we were vanquished by overwhelming numbers in the field, yet within twenty-five years after the war closed our leaders were restored to political power by the deliberate verdict of the American people; we were intrusted with the purse and the sword and made the custodians of the destinies of the Republic."

What other explanation will the historian be able to make of the appointment of L. Q. C. Lamar as associate justice of the Supreme Court of the United States? It is the tribunal of last resort. There is no appeal from its decision except by revolution. Its influence in our political history has never been fully appreciated. All the important questions arising hereafter under the constitutional amendments, the reconstruction acts, the statutes of freedom, and the laws regulating national elections, the payment for slaves, captured property, and losses by war are to be decided by a majority of the Supreme Court. Why, then, was Mr. Lamar selected for a place upon the bench? He never was suspected of being a lawyer. [Laughter.] His bitterest enemy never accused him of that. He never had been admitted to practice at the bar of the Supreme Court; his age was against him. He had not tried a reported cause in any tribunal, State or national, for thirty years. It is an open secret that the President of the United States at one time peremptorily refused to appoint him, and said the case was closed. Why was he appointed, and how was the reluctance of the Executive overcome? There was no lack of eminent lawyers of suitable years in the South or in Mississippi. The only answer is that he had a record. On the 1st of June, 1861, upon a platform with Jefferson Davis, in the city of Richmond, Mr. Lamar used the following language:

> Fellow-citizens, if this continent is to be the theater of internecine war, history will acquit these Confederate States of all responsibility for this calamity. The very first act of the Confederate government was to send commissioners to Washington to make terms of peace and to establish relations of amity between the two sections; and if the buffoon who now disgraces the seat once occupied by Washington and Madison had not been lost to the dictates of truth, justice, and humanity, * * * it would have afforded the strongest evidence of the capacity of men for self-government ever presented to the world.

If we are to have peace, harmony, and reconciliation, why was it necessary to affront the North, the loyal sentiment of the Union, by placing in this most influential life position a man who was not a lawyer, and never had been, and who had described Abraham Lincoln as a buffoon? Why was it indispensable, of all the men in the South, to select him and force him upon a reluctant President and a protesting people? He was selected because he was the ablest and most conspicuous living representative of the Southern Confederacy, and because he was the nearest and closest adviser and representative of Jefferson Davis. That is why he was designated. There is no other explanation. If that is not true, then his nomination was a farce or a caprice, without excuse, without reason or justification.

And now already another vacancy has occurred by the lamented death of the Chief-Justice. Three associates are past the retiring age, and with another term of Democratic administration this tribunal will be reconstructed upon the basis of hostility to the amendments to the Constitution and all the legislation of Congress in the enforcement thereof.

The junior Senator from Kentucky, in a debate in the House of Representatives, of which he was then a member, in 1879, boldly declared that it was the purpose of the Democratic party to keep on until they had wiped from the statute-books the last vestige of Republican war legislation. That was a manly and honest declaration, and with a Democratic Executive, and Democratic majority in both Houses of Congress, and a Democratic Supreme Court, there is no question what the result will be. I know that the existence of such designs will be received with denials and denunciation, as an appeal to what the Senator from Indiana calls the issue of sectional hate. During the debate on the dependent pension bill I recalled the exercises at Atlanta, when the statue of Hill was unveiled, in 1886, the speech of the orator, the ovation to the venerable ex-President of the Confederacy as the "uncrowned king" of the Southern people, and the indescribable excitement and enthusiasm of the applauding myriads in attendance; my inferences were denied and my allusions resented with a freedom of criticism in the press that will not deter me from adverting to the circumstance of a similar occasion at Macon, in October, 1887, about six months ago. A monument to the Confederate soldiers was to be dedicated, with imposing display and ceremonials. The Confederate flag decorated the city, and was borne by the veterans of the Confederate armies, who assembled in great numbers to do honor to the occasion. The venerable ex-President again appeared, and Mr. Henry W. Jackson, late minister to Mexico under this administration, was selected to deliver the address. I have received a pamphlet containing a full report of his remarks, and, for the purpose of showing the convictions and purposes of the Democracy, I will read a few paragraphs from the address of the orator.

> For to-day there stands upon the soil of Georgia the distinguished Mississippian who, within the life of the present generation, was a prisoner in irons—the so-called "traitor" leader of a so-called "lost" cause. We, Confederate veterans, relict of the army which fought for that cause, are here to meet him; to move before him, in the pride and pomp of no Roman triumph, it is true, but bending our necks to no Roman yoke of subjugation. By invitation of the State of Georgia, speaking through her duly empowered officials, all have come. Behold majestic truth revealing herself! State sovereignty is not dead! Georgia is a sovereign still!

And, after an interval, he continued:

> And because, after decades of endurance as patient as it was delusive, the sovereign parties of the South declined to accept their revolutionary will in permanent place of the Constitution, the compact-breaking sovereigns of the North, with numbers overwhelming, and "material" unbounded, made aggressive war upon them to force them to accept it. Simple record this; yet forever fixed in the firmament of truth. Falsehood abroad, reckless or malignant; dallying with the false at home, ill-judged, cowardly, or venal, can not unfix it. As well attempt, standing upon a stool, to pluck a fixed star from heaven!
>
> * * * * * * *
>
> The principle for which they fought—the only principle of government expansive enough to meet the requirements of advancing civilization, made of late by Gladstone's eloquence so familiar to European thought—was American-born. Sun of the modern as compared with the ancient civilization; "home rule" as contrasted with Roman centralization; it rose in the west, and now mounts the western firmament, red with the blood of Confederate heroes, moist with the tears of Confederate widows and orphans. Eastward shall it continue to roll, carrying with it the blessed light of the Christian civilization all around the globe. And, so surely as it moves, it shall bring the day of a final triumph, to be decreed by the mind and conscience of man to time-tested truth. In that triumphal procession, Abraham Lincoln shall not move as the rightful President, but Jefferson Davis, the so-called "traitor" leader of a so-called "lost" cause.

This speech is especially interesting because of the effect that it had upon the Democratic party in the State election in Ohio, which was then pending. Immediately upon its delivery at Macon to the Confederate veterans in October great fear, alarm, and agitation fell upon the Democrats at Columbus for some unknown reason. Why the assertion of this appointee of the administration of a belief in secession and of a conviction that Jeff Davis was the rightful President of the United States rather than Abraham Lincoln should be detrimental to the Democratic party rather than to the Republicans, or the Prohibitionists, or the Anti-monopolists, does not appear, but the tribulation was so great that our old associate in the Senate, Judge Thurman, in an address at the capital of Ohio, to the club bearing his name, arose in great wrath and smote him thus:

> An old crank down in Georgia by the name of Jackson—God forgive him for bearing that name—a disappointed politician, a man whom Grover Cleveland recalled from his mission to Mexico, some say because he got too drunk there to be of any use; I do not know how that is, I am not accustomed to making personal charges, but what I do know is that the President recalled him, and, from the day he was recalled to this day, it is said that the President and the Democratic party have no more malignant enemy in the United States than he. [Applause.] This old fool at a meeting at Macon, a month ago, or something like that, saw fit to make a speech, and declare that the doctrine of secession was not dead.

And so on and so on. Mr. Jackson, who was an eminent citizen of Georgia, appointed on the recommendation as is understood of the two Senators from that State, naturally protested against being called a drunken old crank and fool, and filed a general denial, affirming that he was not recalled for any such reasons by Mr. Cleveland, but that he resigned and came home of his own free will and accord.

And immediately after the speech was made, Governor Gordon, of Georgia, whom we all know, our former esteemed and beloved associate in this body, desiring to counteract the injurious effects of Minister Jackson's imprudent candor upon the Democratic party in Ohio, chartered a special car and as fast as an engine could carry him went to Cincinnati to explain and qualify the indiscretion. So great was his desire to show the complete reconciliation between the North and the South, and that no hostile feeling existed between the sections, he approached General George W. Morgan and kissed him on the mouth [laughter], as was reported in the papers of that day.

After making two or three speeches which were received with tumultuous and derisive laughter from one end of the State to the other, General Gordon got onto his special car and, like the King of France, went back again. The Democratic party in Ohio suffered the worst political defeat of the generation, as Judge Thurman admitted, in consequence of this declaration of the purposes of the Southern Democracy. Thereupon Mr. Jackson wound up the controversy by declaring that the Democrats of the South do not propose to submit to Northern dictation from any quarter, but that they intend to adhere to their convictions, and to transmit them to posterity. He concludes:

> Simply because of my having made a speech of such character, upon such an occasion, to an audience of veteran soldiers, called together for no political purpose whatever, you, and the swarm of insects which have been buzzing about my name, delighted, perhaps, in the thought that they were inflicting upon me the venom of their stings, have held me up to the world as the meanly vindictive enemy of the Democratic party, prepared to harm it to the full extent of my malignant power. Is it possible that we of the South are thus to be welcomed back into the Union, even by the Democratic party of the North? Are we to stand in perpetual terror of opening our mouths anywhere or upon any occasion, to say one word in commendation of our past, or in honor of our dead, or in vindication of what we know to be the truth of history, lest we may say something "to injure the Democratic party?" Is it not sufficient that we have been stripped of our property, and of many things far dearer to us than property can ever be? Must we also consent to sink our good name into the abyss of silence? Must we keep our peace, unless we be prepared to kiss the hand that smites us, and to place ourselves in the line of truckling hypocrits? Must

our children grow up around us, hearing at the home fireside the story of the past and realizing that their fathers dare not repeat it in the face of the world? Will this be the school in which to train them for the manful discharge of the grand duties imposed by American civilization upon the American citizen? From the time they begin to perceive and to think for themselves, thus to be crushed to the dust by the cruel consciousness that, however pure and patriotic in fact their sires may have been, in the opinion of the world they were guilty of an enormous historic crime, the shadow of which must rest forever, like a black cloud of ignominy, upon the pride, the hope, and manhood of their posterity?

Mr. President, the Republican party would have no right to complain if the South was kept solid by fair means. If upon an honest, straightforward, open expression of opinion on the part of all men, black and white, in the South, there were 153 electoral votes for the Democratic party, nobody could complain. But as we have recently passed a statute forbidding all gambling and betting within the city of Washington, I may, perhaps, be pardoned for using the language of the pool-room by saying that the Democratic party is playing this political game with loaded dice. They throw sixes every time. Their cards are stocked; it is a cold deck; and they have a revolver in their boot and a bowie-knife down the back of their neck. We are compelled every day to witness, apparently without the possibility of prevention, wrongs inflicted upon thousands and hundreds of thousands of American citizens in the Southern States that, if they were inflicted by any foreign power upon "even the least of one of these my little ones," there would be a declaration of war within ninety days—even with the present Secretary of State in office. [Laughter.]

We have an illustration of what is going to happen in November next by what has just occurred in Louisiana. The Senator from Indiana after his denunciation of the Republican party, especially in its relations to the South, says:

Why gape and wonder at the result of the election a few days ago in Louisiana? There is nothing in the 75,000 Democratic majority to marvel at. It was simply the overwhelming protest of the people of that State, terrified and appalled at the prospect of ever again being governed by the leaders of the Republican party, and the only wonder is that the vote was not unanimous.

Mr. President, it was more than unanimous. The Democratic party have learned the art in the South not only of making it unanimous but of making it more than unanimous on their side. They have learned the secret of returning a larger Democratic majority than the entire registered vote in the precinct. I wonder myself at their moderation in returning only 75,000 majority. It has been going up since the Senator spoke; it is 83,000 now; and what it will amount to before dog-days nobody can tell.

I wish to refer to one other matter in connection with Louisiana. The Senator from Indiana, as a reason for this unanimity, says:

They had in former times seen their State government—

That is, the State of Louisiana—

They had in former times seen their State government pass into Republican hands with a debt of but $1,500,000, and they had seen her in the short space of four years afterwards crushed to the very earth, financially ruined, bankrupted, and dishonored by a mountainous debt of $50,000,000.

For the purpose of showing the accuracy and reliability of the Senator from Indiana when he makes a financial statement that is intended to be literally and exactly correct, I will read the figures of the debt of Louisiana when the State came into Republican hands and when it went out, the Senator from Massachusetts [Mr. HOAR] and the Senator from Maine [Mr. FRYE] being on the committee in which this report appears, the official statement having been obtained from the department of state at New Orleans.

The entire debt of Louisiana at the close of the war was $4,352,855. The Legislature chosen in 1865 was almost unanimously Democratic, and was composed of leading members of that party, who during its two years' term increased the debt $13,749,872; so that the entire amount of debt in Louisiana transmitted to the Republicans in 1868, instead of being $1,500,000 was $18,102,727. Of course the Senator from Indiana does not stand on a trifle of merely $15,000,000 or $16,000,000 in a statement of debt; it is nothing to him.

The bonded and floating debt of the State on January 1, 1875, was $23,933,407. The increase in seven years of Republican administration was $5,830,679, and in two years of Democratic administration, $13,749,872, or nearly three times in two years the increase that the Republicans made in seven years; and instead of being $50,000,000 that the State was in debt at the time when the Republicans finally abandoned it, the amount was $23,933,407, or a difference of about $26,000,000—it is a mere trifle to the Senator from Indiana—of which $18,000,000 was contracted by Democrats and about $5,000,000 by Republicans.

As an illustration of the temper that prevailed during the period of Democratic incumbency, there was a banquet of the Democratic members of the Legislature, and one hilarious member of that organization, in response to a toast, said:

Grant's motto is "Let us have peace." That is all very well; but we want a big piece.

And they got it. [Laughter.]

The story of the recent election in Louisiana is one of exciting interest. I do not propose to read all the tables I have here, for I have already trespassed too long upon the patience of the Senate; but it is important that the people of the United States should know precisely what the Republican party is to expect from the Democracy of the South in November next, and I shall therefore dwell somewhat at length upon the details of that election, which was held on the 17th of April.

In a speech at New Orleans in January, just before the election of delegates to the nominating convention, Governor McEnery said:

So far as my administration of the election laws is concerned, I pledge you tonight, that not only in the city of New Orleans, but throughout the State of Louisiana, I will see an honest and fair election; that every vote cast is counted as deposited, and that no substitution of ballots is practiced, but that the voice of all the voters in the State as deposited in the ballot-box shall find expression and receive recognition, and the officers elected commissioned. To that end I will remove any registrar or returning officer in the city or State that I have reason to believe will aid in the suppression or changing of the popular will.

This was a palpable admission that just ground of complaint had hitherto existed, but relying upon the public pledge of the governor, the Republicans organized and entered actively into the canvass.

The convention was held on the 10th of January, and after a bitter and protracted contest General Nicholls was nominated for governor over Governor McEnery. The Nicholls men on the committee of resolutions were asked to report a resolution indorsing Governor McEnery's administration. The question was submitted to the caucus of Nicholls men, who voted it down. J. D. Houston, a McEnery leader, informed the Nicholls caucus that unless the vote was reconsidered and Governor McEnery indorsed, he would offer a resolution in the convention declaring that the Democratic party demanded a "free vote and a fair count." Terrified by this threat, the Nicholls caucus reconsidered the vote by which they refused to indorse Governor McEnery's administration and adopted the resolution. It was reported by the committee on resolutions, adopted by the convention, and no resolution was introduced on the subject of a "free vote and a fair count."

In an interview between Governor McEnery, General McMillen, and ex-Governor Warmoth, at the St. Charles Hotel, Governor McEnery reiterated his declaration that he would see that a free, honest, and fair election should be held in April.

Governor McEnery's assurances were again and again reiterated during the campaign. As the canvass proceeded it became apparent that there was danger of Warmoth's election. The idea of a fair count and a free vote did not seem to be entirely satisfactory to the Democratic managers, and early in March, in a public speech, Governor McEnery said:

I tell you there is danger, and North Louisiana will have to save this State from disgrace. If you permit the negroes to organize, you will have to break it by power, and go right now and break it in its incipiency. Before I will see such another state of affairs I will wrap the State in revolution from the Gulf to the Arkansas line. The white people under the radical régime were fast going towards the condition of Hayti, and I now ask you to establish to the world that we, the white people, intend to rule the destinies of this country. We have now a Gaul at our doors, and it is time we shall say that the law shall be silent, and uphold our liberties at all hazards.

Not satisfied with this, Governor McEnery wrote to his returning officers, whose duty it is to fix the polling places, appoint the commissioners and clerks of election, and return the votes in all of the parishes of the State, as follows:

Warmoth is developing too much strength. We must beat him. See to it that your parish returns a large Democratic majority.

The author of the above statement is Governor Warmoth, who says:

I dare Governor McEnery to deny that he has written this letter. Not to one, but to many returning officers, besides many other leading Democrats.

At the meeting in March, at which Governor McEnery declared that "the law shall be silent," etc., he was followed by Colonel Jack, of Natchitoches, who said:

You have heard the assurances of our chief executive, that come what will or may he will wrap this State in revolution, from the Arkansas line to the Gulf, rather than have radicalism come into power. And I tell you we are in danger with the astute and wily Warmoth as a leader—the wily, crafty, and insidious gentleman from New Orleans.

If this state of affairs should confront him, all Governor McEnery would have to do would be to issue his fiat or manifesto, and the people of North Louisiana would come to his rescue and redeem the State as they did before; and if what I say is treason let them make the most of it.

I quote from the returns in the New Orleans Bee of April 24, 1888, the result of the election for governor, from which it appears that instead of 75,000 majority, as the Senator from Indiana stated, the majority has already reached the number of 83,200, and returns are still coming in:

Parishes.	Nicholls.	Warmoth.
Acadia	1,688	149
Ascension	2,715	1,334
Assumption	1,992	2,159
Avoyelles	800	.....
Bienville	2,021	23
Bossier	4,213	95
Caddo	4,640	339
Calcasieu	2,294	708
Caldwell	673	278
Cameron	400	2
Catahoula	112	.....
Claiborne	2,397	758
Concordia	4,249	145
De Soto	1,892	74
East Baton Rouge	1,994	2,576
East Carroll	2,680	285
East Feliciana	2,276	5
Franklin	987	4
Grant	582	412
Iberia	1,490	.....

Parishes.	Nicholls.	Warmoth.
Iberville	1,802	2,610
Jackson	1,057	7
Jefferson	.....	600
La Fayette	1,708	1,234
La Fourche	2,702	1,548
Lincoln	1,273	.....
Livingston	300	.....
Madison	3,530	.....
Morehouse	1,584	14
Natchitoches	3,291	285
Ouachita	2,992	4
Orleans	27,263	11,060
Plaquemines	959	1,678
Pointe Coupée	1,945	1,465
Rapides	4,678	449
Red River	1,679	78
Richland	1,287	63
Sabine	1,440	1
St. Bernard	904	993
St. Charles	172	1,377
St. Helena	846	375
St. James	873	2,184
St. John Baptist	593	1,216
St. Martin	1,113	1,624
St. Mary's	2,885	1,649
St. Landry	3,907	3,278
St. Tammany	912	615
Tangipahoa	1,249	629
Terre Bonne	1,700	2,100
Tensas	4,000	.....
Union	2,369	91
Vermillion	1,687	617
Vernon	800	.....
Washington	763	271
Webster	1,500	325
West Baton Rouge	1,712	454
West Carroll	420	81
West Feliciana	2,036	377
Winn	1,178	82
Total	131,899	48,699
	48,699	
Majority of Nicholls	83,200	

The following table shows the registration for 1884, the State and Presidential vote for that year, and also for 1880, together with the vote for governor in 1876 and 1879, from which it will appear that the vote for Nicholls, April 17, exceeded that cast for Cleveland nearly 70,000! He received nearly 67,000 more votes than Hancock, and 43,000 more than were counted for himself in his previous election in 1884:

In 1884 there were registered voters	218,906
Of these there were, whites	108,644
Of these there were, blacks	110,262
ELECTION OF 1884—SPRING.	
McEnery, for governor	88,794
Stevenson, for governor	43,502
Total	132,296
PRESIDENTIAL ELECTION, 1884.	
Cleveland's vote	62,546
Blaine's vote	46,347
Total	108,893
ELECTION OF 1880.	
Hancock	65,067
Garfield	38,628
Total	103,695
ELECTION OF 1879.	
Wiltz, for governor	74,098
Beatty, Republican	42,555
Total	116,653
ELECTION OF 1876.	
Nicholls, for governor	84,487
Packard, Republican	76,477
Total	160,964

The following table of selected counts in several important and populous parishes is exceedingly interesting in many particulars. The vote exceeds the registration more than 1,200, which is nearly the number of Republican votes counted:

Parishes.	Whole registered vote in 1884.			Whole vote returned in 1888.		
	White.	Colored.	Total.	Nicholls.	Warmoth.	Total.
Bossier	1,002	2,600	3,602	4,213	95	4,308
Jackson	691	423	1,114	1,057	7	1,064
Bienville	1,409	840	2,249	2,021	23	2,044
Tensas	471	3,689	4,160	4,000	.....	4,000
Concordia	448	3,753	4,201	4,249	145	4,394
East Carroll	233	2,343	2,576	2,680	285	2,935
Madison	279	3,081	3,360	3,530	.....	3,530
West Feliciana	557	2,091	2,648	2,036	377	2,413
Rapides	2,455	2,739	5,194	4,678	449	5,127
Red River	510	671	1,181	1,679	78	1,757
Sabine	1,173	329	1,502	1,440	1	1,441

I have also a few letters received of a recent date from eminent Republicans in that State. The first is from Bossier Parish, showing how the extraordinary unanimity for the Democratic condidates was obtained, and how a vote of 3,500 for Warmoth dwindled to 95.

BELLEVUE, LA., *April* 19, 1888.

DEAR SIR: I have just wired you the returns of Bossier Parish. Total vote returned, 4,308. Nicholls, 4,213; Warmoth, 95; total, 4,308.

There was a large turnout and a full Republican vote was polled. There seemed to be no trouble or hinderance about the negro voting the Republican ticket, and it is safe to say at least 3,500 votes were polled for Governor Warmoth and the Republican ticket, but they were counted out.

The work and proceedings of stuffing the boxes is no secret here; the Democrats talk plainly and boldly about how they did it.

Yours, respectfully, etc.,

B. F. O'NEAL.

Hon. ANDREW HERO, Jr.,
New Orleans, La.

The next is from West Feliciana Parish, where Nicholls received 2,036 and Warmoth 377:

ROW LANDING, *April* 21, 1888.

DEAR SIR: I write you a few lines to let you know how things went on here at Row Landing poll. Two hundred and fourteen votes cast for our ticket. At the Raccourci Island poll they robbed the box; they took 80 or 90 votes from the Republicans. At 2 o'clock 105 votes were polled, about 70 or 80 of them Republican votes. We had four men from our side of the river to work at that poll. They worked faithfully for the party. One hundred and thirteen votes were polled and they gave us only 5 votes. The Democrats stole our votes all over the parish.

Respectfully,

CLEM. SEWELL,
Chairman.

Hon. P. F. HERWIG.

The following letter is from Rapides Parish, in which Nicholls received 4,678 votes and Warmoth 449:

ALEXANDRIA, LA., *April* 20, 1888.

SIR: The election passed off quietly. We being without representation at any of the polls, the Democrats could make up the returns to suit themselves.

At the Alexandria box it was situated in a room in the court-house with a door opening in a hall, which was easy of access; the box was placed on a table and two or three gentlemen (Democrats) sat upon the table by the box from the time that the polls opened until they closed, and when a Republican voted, in nearly every case, one of the commissioners would take his ballot to put it in the box, but very few, if any, ever were put in the box. They were generally put on the table behind the box, and towards the closing of the polls the floor under the table was covered with the tickets taken from the colored voters by the commissioners to put in the box, which they failed to do; there were but few colored men allowed to deposit their votes.

At Cheneyville Mr. Barrett, the Republican candidate for State senator, distributed 180 votes to colored men, and they voted the tickets he gave them, and about half past five o'clock in the morning Mr. Barrett went to get a drink of water. He was absent from the poll about five minutes, and when he returned he saw a small crowd of white men enter the room where the ballot-boxes were and when he inquired what was the matter he was told that the polls had closed and that the commissioners were about to commence the counting of the votes; it was then a few minutes after six o'clock. Mr. Barrett staid until 9.15 p. m.; up to that time 300 votes had been counted, all straight Democrats and not one Republican vote. This Mr. Barrett could not understand, as he and a friend had kept a tally all day and had been absent but five minutes, and according to their tally there was but 260 votes cast, and 180 of them Republican, but the commissioners returned 600-odd Democratic majority though there were not 300 votes in the box. At Lamourie, out of a vote of over 300, they gave us but 11. They had about 44 votes, but the commissioners gave them a majority of 300, and the same can be said about Wiel's Store; only a few of our voters voted. At Boyce I am told that the whole poll-list was counted of that ward as a majority for the Democrats.

Truly, etc.,

GEORGE Y. KELSO.

Maj. A. HERO, Jr.

PARISH OF WEST BATON ROUGE (FOURTH WARD),
State of Louisiana, April 17, 1888.

We, the undersigned committee appointed on the above date to assist or witness the counting of the votes cast for both Nicholls and Warmoth and the remainder of the two tickets, declare that the commissioners closed the doors for about fifteen minutes, at which time the ballot-box was stuffed with Democratic tickets, and they made away with all the Republican tickets but 34, and counted themselves or their State ticket 409, which is more votes than are in the ward.

E. Tappins and A. L. Jadot tallied every vote both white and colored; we therefore enter our solemn protest against the Fourth ward of the parish aforesaid, and we the voters are willing to come down at any time and swear to the above statement.

I remain yours, respectfully,

I. S. TAPPINS, *Chairman.*

The following letter shows how Tobias Gibson did it in Terre Bonne:

NEW ORLEANS, *April* 27, 1888.

SIR: On Friday morning between the hours of 1 and 2 o'clock I was awakened by hearing some one calling at my gate. I did not answer, but quietly jumped out of bed and went to the window, peeped through the blinds to see who was calling me. I knew it was Mr. Tobias Gibson, the brother of Senator RANDALL GIBSON, but to be sure it was him calling me I got up on a chair in my house and peeped through the blinds, as I always keep the upper blind open, and in looking through the opening I saw and recognized Mr. Gibson and am sure that it was him who was calling me. He called me for at least fifteen minutes, but I did not answer. I also recognized Mr. Millard Thomas, the Democratic candidate for the House of Representatives, and Mr. John R. Grinnage, also a Democratic candidate for the House of Representatives at the election held April 17, 1888, and several others that I well knew. There were about fifteen or twenty other persons that I did not know.

After failing to answer Mr. Gibson he said, "Johnson, if you do not come out, I will come in and get you." He then ordered his men to open fire on my house and kill everybody therein; they fired about thirty or forty shots with their Winchester rifles. I returned the fire from inside for the purpose of keeping them from breaking the door and taking me out. They then began firing again and fired about as many shots as before, or more; they failed to hit me, as I was between the armoir and the wall. In my house was my family, composed of my wife and two boys, also three other women; they would have been killed only for my coolness and presence of mind in getting them to lay flat on the floor. I do not think they would have left as quick as they did, but I suppose

they thought that they had killed everybody in the house, but Providence let it so happen that no one was killed.

I infer that the cause of the trouble was my action in the late canvass. The Republicans met in convention at Morgan City, La., and indorsed the nomination of Judge B. F. Winchester for judge of the nineteenth judicial district, comprising the parishes of St. Mary's and Terre Bonne. We made this indorsement by the request of one wing of the Democratic party of Terre Bonne. A day after the indorsement was made the Democratic executive committee of the parish of Terre Bonne also nominated Judge Winchester. They then met the following night in the Fireman's Hall, in the town of Houma, in a meeting numbering 150 or 200, all Democrats. No Republican was admitted. The meeting was called to order by Mr. Thomas L. Winder, chairman of the Democratic campaign committee, who used the following language in his speech: "For twenty-five years this parish has been held in bondage by the Republican party with a negro majority; by the eternal God we shall deliver ourselves from the bondage of the negro and the Republican party. This is a white man's government and this parish shall be placed in the column of the other Democratic parishes regardless of the cost and what may be the penalty, if it takes blood to do it." Speeches as violent were made by the other speakers.

These speeches alarmed the colored people much. Knowing that they have a majority of at least 600 votes in Terre Bonne Parish, the leaders of the Republican party made an appeal to the planters and stated that if they would give them the protection of life and safety of the ballot and a fair count they would support the candidate of their choice for judge. They pledged themselves to do that, and they did so; they asked of the Republican sheriff to appoint a planter as deputy sheriff at each poll. The sheriff did so. There was no trouble all the day of election, because of the presence of each planter (deputy sheriff) with a Winchester rifle on his shoulder. By that means we succeeded in electing the Republican State ticket and all the Republican parish officers and Judge Allen, whom the Republican leaders promised to support. Being unable to carry out their threats and plans before the election, they sought revenge after the election by calling one man from his house and putting thirty bullets through him. After killing one man they came to my house to kill me also, but I was not fool enough to go to the door and be led out by them.

This man Tobias Gibson was the captain and leader of the mob. He said he wanted to have the two Democratic members of the house of representatives elected in order to secure those two votes for his brother as United States Senator.

This man Gibson was a candidate on the Democratic ticket for district attorney.

I was compelled to leave my home in Terre Bonne Parish to save my life; also a large number of Republicans were compelled to leave, and are now refugees in your city.

Respectfully, yours, etc.,

R. B. JOHNSON.

Maj. ANDREW HERO, Jr., *City.*

I append also a statement showing the perils of vote-distributing for Warmoth, giving the adventures of Mr. William Adams, a resident of Ouachita Parish, who was shot to death by unknown persons at the court-house in that parish:

[From the Daily City Item, Wednesday evening, April 25.]

WAS IT ASSASSINATION?—REMARKABLE ACCUSATIONS FROM MONROE.

The Item yesterday received information from Monroe to the effect that on Sunday, April 22, William Adams, a resident of Ouachita Parish, was shot to death by unknown parties at the court-house in that town. According to this authority Adams was first shot outside of the court-house, wounded in the nose and arm, and was subsequently captured and taken into the building, where he was killed by the mob. The provocation that led to this assassination is said to be as follows:

William Adams was a Republican, and just before the election he came to this city and obtained from Governor Warmoth authority to distribute the Republican tickets in Ouachita, Franklin, and other parishes of that district, and rendered himself very obnoxious to those who dominated the politics of that district, and that this led to his assassination. The number of men engaged in the affair could not be ascertained. On inquiring why no telegrams or other intelligence had been sent to the city, the gentleman said that there was an an apparent reign of terror in Monroe, and that the people did not dare send out this news for fear of being assaulted.

Still another statement is that he was first shot in the court-house yard, wounded in the nose and arm; that he then retreated to his house, from which he subsequently returned to the court-house. Upon entering the court-house a scuffling was heard, and it is supposed that he was killed with knives. Shortly after a carriage was driven away from the court-house, which is supposed to have contained his body, which has not been found.

I received this morning a private letter from New Orleans, from which I will read an extract as illustrating the condition of affairs in Louisiana:

It is said that thousands of colored men voted for Nicholls. I do not know if this is true; but I know that I was born in Louisiana, educated at the college of the Jesuit Fathers of New Orleans. I have always lived here. I know thousands of colored men, and I have never met one who was a Democrat.

I hope the North will understand the South, and will be solid in the coming campaign. For President the Republican party will not have a single electoral vote from the South.

There are many Republicans in the South, but no Republican party. With the despotism of the Democratic party of the South an organization is not possible.

And this is the "fair vote and honest count" which was promised by the governor of Louisiana!

Upon the subject of spurious and manifestly fabricated majorities, or majorities that exceed the entire registered vote, the statistics are interesting. For instance, in the parish of Bossier, giving Nicholls 4,213 votes and Warmoth 95, making a total of 4,308 cast, the registered vote of the parish is but 3,603, making a difference between the votes returned as cast and the registered vote of 705.

In East Carroll Parish the registered vote was 2,576, of which Nicholls received 2,680, or 104 in excess of the entire registration, and Warmoth the remainder of 285, being a total of 389 votes more than appeared upon the lists.

Adjoining the parish of East Carroll is Madison, where the law was entirely "suspended." The registered vote in Madison was 3,360, of which 279 were white and 3,081 colored. Nicholls's vote was 2,530, with not a single vote for Warmoth, so that Nicholls received 170 votes more than the entire number of voters, white and colored, in the parish.

The parish of Concordia had a registered vote of 4,201, of which 448 were white and 3,753 colored. Nicholls received 4,219 votes in Concordia, being 18 votes more than the entire registration, and the Democracy gratuitously gave Warmoth 145, making a total of votes cast apparently 4,364, or an excess of 163 votes above the entire registration.

In Red River Parish the result was still more "unanimous." The registered vote was 1,181, of which Nicholls received 1,679 and Warmoth 78, being a total of 1,757, an excess of 576. Subtracting the registered vote of the parish from the vote received by Nicholls, it will be perceived that the "reform" candidate was given 498 votes more than the entire parish contains. This is a free vote and an honest count.

Coming down to the parish of West Baton Rouge we find a total of 1,811, of which 504 are white and 1,307 colored. In this parish Nicholls was given 1,712 and Warmoth 454, a total of 2,166, making an excess of votes counted above votes registered of 355.

Another illustration of the fulfillment of McEnery's pledge that he would see an "honest and fair election" is found in the vote of Vermillion, in Southwestern Louisiana, a parish whose registered vote is 2,099, of which Nicholls received 1,687 and Warmoth 619, total 2,306, an excess of 211.

In Washington Parish the registered vote was 965, of which Nicholls received 763, Warmoth 271, a total of 1,034, or 69 more votes than the registration shows to have been in the parish. In these precincts and parishes to which I have referred, containing a registered vote of a little less than 20,000, the excess of votes cast above the registration is more than 2,600.

The returning officers evidently thoroughly obeyed the injunction of Governor McEnery to see to it that their parishes returned a large Democratic majority. Upon a fair and reasonable estimate of the actual poll in Louisiana on the 17th day of April there is no room for rational doubt that Warmoth carried the State by not less than 25,000 majority, which was converted by the methods heretofore described into a majority for Nicholls of more than 83,000. It is not surprising that even Democratic newspapers revolt at such an extraordinary and unprecedented result. The Madison Times, a leading Democratic newspaper in Louisiana, declares that:

The ridiculous majority of over 60,000 (or perchance 70,000) will make trouble in local and district matters; the unparalleled Democratic majority will excite derisive sneers through the North, and will go far towards electing a Republican President (though as opposed to Mr. Cleveland that would not be a terrible misfortune), and when these things come about the curses both loud and deep showered on the head of S. D. McEnery will make him quail in dismay before the storm.

Only a suspension of the law could produce such an unnecessary and exaggerated majority, and Louisiana, and the Democratic party, if it indorses such methods, will become a by-word and a reproach. A weapon has been put into Republican hands to break Democratic heads, and the heads will surely suffer. A mistake has been made, and it will not be long before everybody will know it.

Mr. Thomas Fortune, a colored Democrat of scholarship and culture, in a letter to the Brooklyn Eagle upon the results of the election, says:

You know my opinions are more Democratic than Republican, and that for years I have striven to liberalize the opinions of colored votes to the point of viewing men and parties as intelligent citizens and tax-payers rather than as narrow, ignorant, and unreasoning partisans.

* * * * * * *

The 153 electoral votes of the South predicated upon a "system of suppression and oppression," will yet become as troublesome an old man of the sea on the back of the Democratic party as they once were upon that of the Republican party—a source of weakness where they now appear a source of strength. Mark that.

I believe in the broad Democracy of Jefferson, Jackson, and Tilden. I repudiate the bastard Democracy of the South, based upon a "system of suppression and oppression."

* * * * * * *

I do not here enter into the admitted difficulties arising out of the race problem in the South. I understand them as well as any other man born and reared and educated in the South. They are systematically magnified for partisan advantage. I simply pin myself down to the scandalous outrage of constitutional guaranty and Democratic principle embodied in the system of suppression and oppression. Our Constitution recognizes neither race nor creed in its citizenship. It covers all the races of men except the Chinese. It is a question of principle, and we can not admit that it is just to outrage the principle in Louisiana without admitting that it is just to outrage it in New York.

Mr. President, it is by such performances as these in Louisiana that the South is kept solid by the Democratic party, and it is by such pretensions as those set forth by the Senator from Indiana that an attempt is to be made to divide the North at the approaching election. It is an absurd and intolerable declaration that—

but for the attitude and influence of Horatio Seymour, Thomas A. Hendricks, Allen G. Thurman, William A. Richardson, and their political associates and followers, not only would the Union never have been restored, but that the dearest and most sacred rights of American citizenship would have been swept away in the blinding storm of partisan wrath, which was most frequently mistaken for patriotic zeal.

Or that the—

Democratic party began its career and has maintained it in the broad spirit of nationality and fraternal union. No thought of a disunion of the States ever entered its councils as a party, and it filled the ranks of armies in the North and commanded them with its bravest and best.

No one has ever pretended to assert that there were no Democrats

in the Union armies, or that all Democrats were disloyal; but there were no Republicans voluntarily in the rebel armies, nor were there any Republicans who were disloyal. The great mass of the Democrats were on one side and the great mass of the Republicans on the other. There were no Republicans enrolled in the "Sons of Liberty" or as "Knights of the Golden Circle." These were Democrats. Every member of Congress who declared that he would not vote a man or a dollar or a gun to carry on the war for the Union was a Democrat. Every man who described Union soldiers as "Lincoln dogs and hirelings, who deserved to have collars welded about their necks," was a Democrat. All guerrillas and bushwhackers, the men from Union States who entered the Confederate service for plunder—in war cutthroats, in peace horse-thieves—were Democrats. All those who believed that it was honorable warfare to infect and destroy innocent men and women by the introduction of fever-infected clothing, all those were Democrats. Quantrell, Bill Anderson, Dave Livingstone, Hilldebrand, and the James boys belonged then, as they would were they living now, to the Democratic organization.

Equally untenable is the claim that such a party so organized and recruited is the special champion and friend now of the pensioners, and committed to the policy of liberal relief to the surviving soldiers of the Union armies.

The Senator from Indiana enlarged upon the title of the Democracy to this confidence, and insisted that because the President had signed more bills than any other Executive the pretensions of the Democrats were fully sustained. The real question is not how many more has he signed, but how many more has he vetoed? I have examined the record with some care, and the following tabulated statement will be of some interest as exhibiting the number of private pension bills approved and the number of private pension bills vetoed in the last half century.

Name of President.	Number approved.	Number vetoed.
Jackson	176	.....
Polk	160	.....
Taylor	1	.....
Fillmore	62	.....
Pierce	158	.....
Buchanan	117	.....
Lincoln	48	.....
Johnson	431	.....
Grant	499	5
Hayes	329	.....
Arthur	684	.....
Cleveland	801	122

Two pension bills became laws without his signature, and one was passed over his veto.

The statement, however, is not entirely accurate, because in earlier Congresses it was the habit to pass pension bills embracing many persons. One bill, approved May 2, 1830, contained 130 different persons by name, who were pensioned for various reasons, but in the computation under the administration of Jackson this bill is counted only as one.

The President has been consistent in but one course apparently, and that is in his opposition to Federal soldiers and to liberal bills for their relief. He vetoed the disability bill last session, but found no difficulty in approving the service bill for the surviving soldiers of the Mexican war, under which the first pension was granted to the Confederate general John S. Williams, of Kentucky; another to the widow of the rebel general George E. Pickett, the Confederate hero of Gettysburgh, who holds certificate 1056; to the widow of the rebel general Braxton Bragg, who holds certificate No. 4040; the widow of the rebel general Gideon J. Pillow, who commanded at Fort Donelson with Floyd and Buckner and escaped during the night previous to the capitulation.

The Senator from Indiana declares that the—

> Especial anger of Republican leaders is excited because the vote of the South in a national contest is solid against their party. Will some one on the other side of the Chamber, and with even the slightest knowledge of human nature, tell me how the vote of the South could be other than it is? You had political supremacy once from the Potomac to the Rio Grande. At one time and another for seven years and more after the war you had the ascendency in every State of the entire South; you elected Republican governors, State officers, and Legislatures in them all. You had the purse with which to corrupt, the sword with which to intimidate, and a Republican Congress and President to enact and to enforce all laws necessary for the overthrow of individual and State rights and for the consolidation of your power.
>
> You seized upon the enfranchised negro and sought to organize and hurl him against the peace and security of political and social order, and for a time and in many instances you succeeded. You and your allies, who mostly went there from the North, not "allies of the Confederacy," but allies for power and plunder, swept down upon the helpless South like Hyder-Ali upon the Carnatic, and left scarcely a vestige from which to hope and with which to rebuild, except its never-failing soil and its stanch and splendid manhood. You despoiled States of their resources, and you dismantled them of their credit. You issued their bonds and securities in the interest of fraud, and hawked them on the markets, like counterfeit paper, for anything you could get.
>
> You ordered investigations, and sent committees and commissions, composed of your bitterest partisans, into the South, for the purpose of scraping together and putting in permanent form the perjuries of vagabonds and scoundrels with which to defame and blacken the reputations of the Southern people. They were proclaimed in some instances as bandits, and in others as barbarians. You repeatedly annulled honest elections when their results were favorable to the stability and good order of society and against the schemes of partisan plunderers. You would have overturned the State government of South Carolina in 1876, and again sacked the substance and the credit of the State, had it not been that a giant stood in your way upheld by the public judgment of the world.
>
> You provoked collisions between the two races in order to justify military usurpation and to inflame sectional hate at the North. Sir, the career of the Republican party during its ascendency in the South was a career of crime, unrelieved by a single act tending to promote the education, the progress, the prosperity, the peace, or the happiness of either race, white or black. It reared and left behind it no monument of patriotism, wisdom, or benevolence to tell future ages that its presence had been a blessing and not a curse. And when the future historian comes to inquire why and how and exactly when the Republican party lost its tremendous hold on the prostrate South and slunk away to return no more forever, he will be puzzled to make answer in definite details, but he will finally write that its administration throughout all that region had become so vast and intolerable a scandal, filling the civilized world with its foul odors, that an intelligent and omnipotent public opinion here and everywhere demanded its downfall and the restoration on its ruins of home rule and decent government.
>
> And it is this party, sir, whose leaders now fume and resolve and threaten the Southern people and their States, because they do not welcome it back again into power with all its unhallowed memories and its predaceous instincts and habits! As well might you expect a frontier settlement to welcome with joy a second invasion of tomahawks and scalping-knives.

In the controversy that is now before us the Republican party is not asking for power, but it is demanding justice. It has made incredible sacrifices in the past for justice, and it now stands, as it has done hitherto, insisting that there shall be equal rights and exact justice in every portion of the Republic.

The Republican party, with its illustrious membership and its record of imperishable glory, does not suffer from the denunciations of the Senator from Indiana, who in the same speech denounced Seward as a political charlatan; Stanton, in his grave, as an organizer of defeat; and the brave, patriotic Pope as a vain, inglorious, and incompetent military pretender.

In the supreme struggle for constitutional liberty, in the crisis of the national life, millions of patriots responded to the call of the Government for defense against the conspirators and traitors who first sought to betray and then to destroy. But for their incredible sufferings and sacrifices, their patriotic devotion, their death, we should have no country, no vast continental commonwealth shored by the oceans, comprehending all zones, all creeds, and all tongues, gratifying the highest hopes and realizing the loftiest aspirations of humanity. Instead of this majestic Union there would have been an incoherent assemblage of jealous and discordant communities, rent with internal feuds and quarrels intestine, without permanence or stability. The United States of America would have been blotted from the map; its past would have been a troubled and distempered dream; its fragments would have been a present menace to prosperity and peace. Our future would be a frustrated and broken hope, contemplated by tyrants with derision and by their victims with despair. Our history and our traditions, the teachings of our sages, the eloquence of our statesmen, the achievements of our heroes on land and sea, would have been distributed among insignificant claimants or dispersed and dissipated like the trivial assets of an insolvent partnership. The Declaration of Independence would have been an empty echo, the Constitution of the United States an antiquarian relic, and American citizenship a forgotten and abandoned attribute.

Averting our gaze from this tragic and lamentable spectacle of what might have been, we behold in the far centuries that are to come the prophetic vision of a united, prosperous, and happy America; a vast, homogeneous dominion of freemen, rulers of the continent from the polar zone to the Gulf, from the Atlantic to the Pacific, enjoying the franchises of liberty inherited from us and perpetuating the arts of peace. And no generation will ever forget, as they assemble to recall the memories of this age, that the nation holds in its fertile and tender breast no more priceless treasure than the consecrated dust of those who died that this might be a government of laws and not of men, and that liberty and constitutional government might not forever perish from the earth. [Applause.]

Mr. BLACKBURN. Mr. President, before the Senator from Kansas yields the floor, hoping that he will be glad to hear the sentence a portion of which he quoted to the Senate from memory, I will call his attention to the official record of Congress on page 202, under date of April 3, 1879, three lines marked, constituting the sentence of mine a portion of which he read.

Mr. INGALLS. Give them to the Reporter.

Mr. BLACKBURN. I will leave the Senator to make any correction he pleases when the Secretary shall read the words.

The Chief Clerk read as follows:

> We do not intend to stop until we have stricken the last vestige of your war measures from the statute-book, which, like these, were born of the passions incident to civil strife and looked to the abridgment of the liberty of the citizen.

Mr. BLACKBURN. That is all.

Mr. VOORHEES. Mr. President, there is a fable with regard to a mountain in labor, a vast object struggling to express or bring forth something worthy of itself, and at last it is recorded that a poor, small mouse was seen creeping up into the distance from the labors of the mountain. The spectators had expected to see volcanic action, power

displayed, but when the end came they saw nothing of the kind, and I have never been more reminded of that fable than on this occasion.

Two hours have passed away. The blare of trumpets and notes brought here a large audience, and what have they heard, and what have they seen? Were it not for here and there a small, old, stale allusion to myself happening long years ago, and despised then as despised now, I would not rise to my feet to say a single word.

The Senator from Kansas mistakes himself. When I made my remarks last week, few and brief, but truthful, coming from my heart, my allusions to him were not because of him personally. I had no animosity towards him; I have no rivalry with him; I have no antagonism against him; but when I found the great Republican party, an organization worthy of battle anywhere, placing him in the highest position in the gift of the Government short of the Presidency of the United States, and listening to his accusation and arraignment here on this floor, I passed him by to ask the Republican party whether they expected to write the history of the war in falsehood, whether they expected to dictate a tome in history that men who were Democrats, faithful and loyal to their party, were disloyal thereby, notwithstanding the great services they had rendered their country.

That was the occasion of my allusion to the Senator from Kansas. He was more incidental to my remarks than protection is to a tariff for revenue. I alluded to him as incidental to my remarks. Why should I assail him?

Mr. President, as I have said, men mistake themselves, and the Senator from Kansas more than anybody I know. He has not been alive politically since the 6th of March last. The Senator from Kentucky [Mr. BLACKBURN] disposed of him, and he has been dead politically ever since. [Applause in the galleries.] He has been walking——

The PRESIDING OFFICER. The Senator will suspend. If there is a repetition of this applause in the galleries, the Chair will peremptorily order the Sergeant-at-Arms to clear the galleries.

Mr. VOORHEES. That is right. It ought to have been done some time ago, however, to make the thing fair. [Laughter.]

I repeat, Mr. President, the Senator from Kansas has been walking the streets and posing before the world as a political vitality since the 6th of March. As an old friend of mine once said to me in Indianapolis, who was in failing health, "I have been dead, but I am walking around to save funeral expenses." [Laughter.] So the Senator from Kansas has been walking around to save funeral expenses in a political way. The Senator from Kentucky settled that question.

The only criticism I have seen in the press of the country in regard to my remarks of last Wednesday alluding to the Senator from Kansas has been that I galvanized the corpse. I disclaim any purpose of that kind, because I made no attack upon him, intended none, but I did intend an attack upon the Republican party. I regard the Senator from Kansas, whatever his harsh opinions may be of me, as the most brilliant and capable man on his side of the Chamber, and elevated to its highest position consequently; and when I listened to the amazing and extraordinary speech of his on the 6th of March I passed him by and I arraigned the party of which he is made the leader here because no member of that party on that side of the Chamber, either here or in the other branch of Congress, disclaimed his terrible assault upon the most brilliant names in American history.

That, Mr. President, is the reason why his name came under my review, not because of personal hostility, not because of any desire to injure him—far from it. But it seems to me the Senator is mistaken in another thing. He not only saw fit to descend from the chair to make the assault of which I am speaking, but he readily assumed the rôle of orator for the occasion, if I may so say.

Mr. President, I was raised upon a farm in the country. I have seen the splendid peacock upon a high barn-yard fence posing of a summer morning, looking at his own feathers in the glare of the sun, delighted with himself and vocalizing the whole neighborhood with his harsh, unmusical, and unmeaning cries, unmindful of the fact that there were more useful fowls in that barn-yard; and I would commend that fable, however feebly told, to the Senator from Kansas. He is not the only bird of beauty or of usefulness on the Republican side of the Senate, and if he will get anybody else to assume the responsibility which I shall speak of directly of his 6th of March speech, I will divide that responsibility with him and with them.

Sir, that Senator saw fit to-day to arraign me. How useless a task! What a waste of time! He read here the old, stale, putrid, rotten slanders of years gone by, on which I have trampled in forty campaigns. They sounded to me like the voices of old, decayed, hackneyed political campaign liars of the last twenty-five years. That I ever uttered one word derogatory to the Union soldiers, that I ever talked about their having collars around their necks, is so base a lie, so infamous a falsehood, that the black walls of perdition can not repeat them with impunity. I say so. When the war closed I ran a race for Congress in a Republican district of 1,500 majority, in 1868, with Seymour and Blair up for President and Vice-President, and they were Democrats. I carried that district in the first race I ran after the war was over and the soldiers all home, because the soldiers all believed as I now pronounce every word of that slander a calumny and falsehood. I pronounce it so here.

I do not defend myself. The people of Indiana have defended me. I do not need to stand here and respond to what the Senator from Kansas has said. I spit upon it; I spurn it; I kick it from me; I despise it; and I say to the Senator from Kansas, without meaning the full extent of what perhaps my words may convey, that it is not in his power to fish up from the sewers of infamy old campaign lies and make them respectable in the Senate of the United States; but it is possible for him in a short step to put himself on equality with them.

What have the people of Indiana answered on these questions? What have they said? I stand here, sir, with four commissions as a member of this body. I never have had an opponent in my own party; popular majorities have risen on the legislative tickets from 20,000 to 30,000 in my State. The largest majority on joint ballot ever given a man since the State was in the Union has been given for me; and let me say to the Senator from Kansas, in order to warn him against the temerity and recklessness with which he has dealt with me, that no committee ever followed me here; no suspicion ever followed me here; no affidavit charging that I bought my way ever followed me here and aspersed my title. Never was I whitewashed by any report as a Senator; and it ill becomes the Senator from Kansas to arraign me, standing as I do upon the record given me by the people of Indiana. I, sir, can afford, infinitely afford to despise and contemn the reckless charges made by the Senator from Kansas.

I will do the Senator from Kansas this justice, as I look at it: I have admired his brilliancy, his scholastic habit, but he was born with inaccuracy marked upon him. If he was my long-lost brother, and I was looking for the stripling, I should look for "Inaccuracy" marked on him somewhere. He does not state things correctly and can not do so. Why, sir, a few moments ago, when reading the platform of the Democratic party in 1864, he stopped in the middle of a sentence at a comma. I have it here, and I will allude to it again. I would commend to the Senator, with his brilliant talents and his great leadership, a straight, old-fashioned adherence to the truth. Imagination he has imperial, power of language beyond almost anybody; but there is something more than that necessary to carry weight and strength, and that is to know your facts. When he assails me, as he has done here, I answer back that the people of Indiana have settled these questions and settled them as I have in many a hard-fought battle against the miserable and slanderous accusations that have been made.

Mr. President, I have observed the Senator from Kansas and what he has said in regard to his assault on McClellan and Hancock. I pray my Father in Heaven to smite me if I would do him or anybody else injustice; but he did here on this floor denounce McClellan and Hancock as false and traitorous to their country in war, not in peace, and I will show it—not in peace, after the war was over, but in war. I looked carefully over what the Senator said at a Grand Army meeting, when he spoke of the fact that his allusion was to their adherence to the Confederacy after the Confederacy fell! Nobody thought of such an explanation. He was inaccurate even then in stating that McClellan rode down the Avenue. He did not. It is so reported; I take it back, as the Senator shakes his head, and he may consider it as dropped; but that was the way he was reported.

But, Mr. President, how could George B. McClellan and General Hancock be allies of the Confederacy when it was no more? Just look at this thing broadly and squarely. The Senator from Kansas stands before the public as pretending that he alluded to those grand officers of the Union Army as allies of a vanished cause, of a broken cause; allies of the Confederacy when the president of the Confederacy was in irons in Fortress Monroe; allies of the Confederacy when every one of its armies was flying, when there was no organization of its government, when the world spoke not of it as a Confederacy.

Let me show the Senator from Kansas that he might have corrected this alleged false impression, had he seen fit to do so, very soon. The Senator from Kentucky [Mr. BLACKBURN], with a superb composure equal to his superb eloquence, while on the floor said, speaking of the Senator from Kansas:

> In his intemperate zeal he has not hesitated to invade graves. In his frantic efforts to stir prejudice between sections that have already been reunited he goes into the trenches of the soldiery, and not on my side but on his side, and drags up for abuse and vilification before the American Senate such men as traced with their own unblemished swords in blood the brightest pages of American history. McClellan and Hancock are to be denounced upon this floor as allies of Confederates. Might it not have been in better taste, more creditable at least to the courage and to the candor of that Senator, if he had made that charge before both of these men were dead?

"I made the charge often," interrupted the Senator from Kansas, before they were dead that they were allies of the Confederates. The Senator from Kentucky responded:

> Then so much the worse for the Senator from Kansas. What warrant or ground had he for that, except that they were both different from himself, at least in political faith, if we may not hope in many other regards?

Then said the eloquent Senator from Kentucky:

> Hancock an ally of the Confederates!

This was the Senator standing there and the Senator from Kansas over there.

> Was he so regarded and believed when, weltering in his blood upon Cemetery Heights, he refused to be taken from the field, and yet persisted in giving orders to check the last advance of Longstreet's irresistible veterans?

These two Senators were standing and sitting near by and face to face. Here was the question hurled from the Senator from Kentucky, "Was he so regarded and believed when weltering in his blood on Cemetery Heights?" The question was then asked of the Senator from Kansas which he could have answered, was he so regarded when commanding at Gettysburgh, when leading the Union forces. Was it then, says the Senator from Kentucky, that you meant to charge that he was an ally of the Confederacy?

The Senator from Kansas says now that he meant long years afterwards. The Senator from Kentucky gave him a chance, and I use the words that he was more imposing in utterance because it gave an opportunity to the Senator from Kansas to answer. Did he answer the Senator from Kentucky, pausing himself there as we all remember, asking whether Hancock was regarded as an ally when bleeding at Cemetery Heights, commanding the Union lines, resisting Longstreet's charge? The Senator from Kansas, who is alert in debate, circumspect, and clear, sitting where he sits now, could have answered him, "I do not mean then; I mean afterwards when politics raged, when he became a candidate for the Presidency." That is what he says now.

Sir, without meaning any disrespect to the Senator from Kansas, his present position is a miserable afterthought. It is not what he impressed upon the country then. The Senator from Kentucky gave him an opportunity to disclaim all that he charges now, and he saw fit to sit in his chair and let it go by, and let the brilliant and, as he to-day declared, the superb Hancock go under the ban of an ally of the Confederacy. There is no escape from this.

I repeat, not for the purpose of tautology or iteration, but to emphasize the fact before the country, that the Senator from Kansas said he had often charged Hancock with being an ally of the Confederacy, and when the Senator from Kentucky asked him "When? Was it when he bled at Gettysburgh? Was it when he lay in those lines and refused to be carried away?" and the Senator from Kansas opened not his mouth. It is too late, sir. The verdict of history is against him and will stand against him.

But what else is there on this subject?

Mr. President, we seem to be parading in the midst of a false scene, the creation of some magician with malicious purpose, with mischief in his eye. George B. McClellan an ally of the Confederacy! There is a passage in the speech of the Senator from Kansas which I spared him last Wednesday, which I forbore to bring forward here, which is so crushing, killing, and conclusive that I did not discuss it at that time. Said the Senator from Kansas on that occasion:

> We know why Hancock was nominated. We know why that other ally of the Confederacy, George B. McClellan, was nominated, who had just declared that the war was a failure after he had been trying for two years to make it so.

The last part of that sentence is what I spared—"after he had been trying for two years to make it so." He declared the war a failure after trying two years to make it so! Sir, that covers more than the period of his entire service. He was in the service not over sixteen months. I think I said fourteen months the other day. If I did, perhaps I shortened it more than I should have done.

The Senator from Kansas says that "for two years," so as to make it sure, from the time that he was brought here from his brilliant military and successful record in West Virginia until he was deposed in November, 1862, he had tried to make the war a failure.

The Senator from Kansas is an adept in the use of language. He knows the meaning of language, and I know him too well to suppose that he will complain when I hold him to the meaning of his language.

Benedict Arnold never did more than that. He tried to make the war of the Revolution a failure. He negotiated down the banks of the Hudson in the dark. He took André across the river and called him Mr. Anderson, clothed him in disguise, and sent him back. He was to accept his $10,000 in gold and a brigadiership in the British army, which he did, and did for what? To make the war of the Revolution a failure. No bitterer charge can be brought against Benedict Arnold than the Senator from Kansas brought against George B. McClellan, and he knows it as well as I do. He knows that his charge that McClellan was an ally of the Confederacy does not apply to the civil period subsequent to the war. He knows that his charge that McClellan was false to his country and an ally of the Confederacy is explained by that portion of the sentence which says he had tried to make the war a failure. A marshal of the army of France surrendered 180,000 men at Metz and was ordered to be shot to death. He only tried to make the war against Prussia a failure; that was all. He failed in his duty. He was forced from his command, and it is all covered by the language of the Senator from Kansas that he desired to make the war a failure.

More base, more infamous conduct can not be attributed to a man on the earth than that he wears the epaulets, takes the sword, takes the honors of the country, goes into the field with a false heart desiring to make a war a failure; and that, allow me to say to the Senator from Kansas, is what he charged upon this gentleman, this soldier, and this patriot. You can not make the country believe that of George B. McClellan. It is false from top to bottom. Before Richmond in that dreadful, bloody contest of seven days, with one-third of his rightful army held from him—the Senators around me of the Confederate army will bear witness to what I say—McClellan was driven and beaten every day for six days, fighting stubbornly and hard against the first flower of the Confederate power before they were defeated, before their forces were stricken, before they had been decimated in battle; and yet that man, General McClellan, held the confidence of his men. On the seventh day he gathered his forces about him, every man believing in him, and at the battle of Malvern Hill, his artillery parked and his infantry steady as veterans to their holy cause, he inflicted upon the Confederate forces almost a fatal and final overthrow. That was the manner of man that is said to have planned and desired the failure of the war during all the time he was there!

Why should I not speak as I did last week? Why should I not speak for the truth of history? Why should I not say what I knew to be true? Why should I not refute as far as my humble voice could the dictates of partisan falsehood and madness on this question?

George B. McClellan was the Democratic candidate for the Presidency in 1864. The Senator says that he was practically an ally of the Confederacy after the war was over. I have said all I wish to say in my speech of Wednesday last about the great battle of Antietam. It is as important as any other battle-field of the world where the destinies of nations were turned. Had the result been different the history of this country would have been different; and when McClellan rode into that fight quietly but firmly in his saddle there were no such men around him as the Senator from Kansas, who would say he was trying to overthrow our country. There was nothing against him in the voice of the country then, whatever might have been suppressed in the War Department or in the hearts of rivals. There were faith and hope in his courage and in his capacity, and the result showed that the faith and hope were not misplaced.

But, sir, the Senator from Kansas sees fit to attack General McClellan as a candidate for the Presidency or in civil life as if there was something wonderful there. He read from the Chicago platform of 1864, and stopped at the words "cessation of hostilities," when the sentence continues as follows—

> with a view to an ultimate convention of the States, or other peaceable means, to the end that at the earliest practicable moment peace may be restored on the basis of the Federal union of the States.

No thought of disunion. Whether the resolution was wise or unwise, I am not discussing; I am discussing McClellan to-day, and I ask what said he on this question that justifies the Senator from Kansas in aspersing his great fame in order to call an audience together to denounce a man as faithful to duty as was ever known in human history? McClellan in his letter of acceptance of the Presidential nomination in September, 1864, said:

> It is unnecessary for me to say to you that this nomination comes to me unsought. I am happy to know that when the nomination was made, the record of my public life was kept in view.

He continues:

> The effect of long and varied service in the Army during war and peace, has been to strengthen and make indelible to my mind and heart the love and reverence for the Union, Constitution, laws, and flag of our country impressed upon me in early youth. These feelings have thus far guided the course of my life, and must continue to do so to its end.
>
> The existence of more than one government over the region which once owned our flag is incompatible with the peace, the power, and the happiness of the people.
>
> The preservation of our Union was the sole avowed object for which the war was commenced. It should have been conducted for that object only, and in accordance with those principles which I took occasion to declare when in active service.
>
> Thus conducted, the work of reconciliation would have been easy, and we might have reaped the benefits of our many victories on land and sea.
>
> The Union was originally formed by the exercise of a spirit of conciliation and compromise.

Is that disloyal?

> To restore and preserve it the same spirit must prevail in our councils and in the hearts of the people. The re-establishment of the Union in all its integrity is and must continue to be the indispensable condition in any settlement.

And that is the expression of a man who it is said wanted the war to be a failure—"must continue to be the indispensable condition in any settlement."

> So soon as it is clear, or even probable, that our present adversaries are ready for peace, upon the basis of the Union, we should exhaust all the resources of statesmanship practiced by civilized nations and taught by the traditions of the American people, consistent with the honor and interests of the country, to secure such peace, re-establish the Union, and guaranty for the future the constitutional rights of every State.

Was there ever broader statesmanship? Was there ever broader constitutional thought? Was there ever anything more worthy of commendation, however it may strike the mind of the Senator from Kansas?

General McClellan continues:

> The Union is the one condition of peace—we ask no more.

Sir, there has been so much calumny, so much inconsiderate and reckless slander against George B. McClellan that while I am on my feet and hardly fit to be upon my feet, I intend to stay here until I do his great and beloved memory some justice. He continues:

> Let me add, what I doubt not was, although unexpressed, the sentiment of the convention, as it is of the people they represent, that when any one State

is willing to return to the Union, it should be received at once, with a full guaranty of all its constitutional rights.

Is that what the Senator from Kansas objects to?

If a frank, earnest, and persistent effort to obtain these objects should fail, the responsibility for ulterior consequences will fall upon those who remain in arms against the Union. But the Union must be preserved at all hazards.

I could not—

Says McClellan—

I could not look in the face of my gallant comrades of the Army and Navy who have survived so many bloody battles, and tell them that their labors and the sacrifice of so many of our slain and wounded brethren had been in vain, that we had abandoned that Union for which we have so often periled our lives. A vast majority of our people, whether in the Army and Navy or at home, would, as I would, hail with unbounded joy the permanent restoration of peace, on the basis of the Union under the Constitution without the effusion of another drop of blood. But no peace can be permanent without Union.

As to other questions, he proceeds to discuss them. Sir, look back to the war; its glorious victories and even its glorious defeats under McClellan answer for his constancy and fidelity in war; that letter answers for the same in peace; and yet to-day, after time for consideration, the Senator from Kansas has no apology to make for standing here on the 6th of March, and saying that for two years George B. McClellan had endeavored to make the war for the Union a failure.

Am I, or am I not, justified before the American people in answering as I did, not in any personal hostility, malignancy, or antagonism, but in calling the attention of the country to the fact that the highest officer now in the Government by Republican suffrage dares to confront the common sense and the common decency of the nation with a charge of this kind? He had a chance to disavow as to McClellan when the Senator from Kentucky interrogated him. I can only say he had a chance not to have made this aspersion upon McClellan.

There is another matter in this regard. In speaking of the support which the Democratic party gave to McClellan and Hancock he introduced the case of our support of Horace Greeley. Sir, I was not under any circumstances for Horace Greeley. I did all I could to prevent the Democratic party from taking what I thought was a false step. But when they took that step—I am one of those men who hold that a party is wiser than an individual—I bowed my head and went to defeat with them. But I was not prepared to have the Senator from Kansas or anybody else, because we did so, and in connection with the names of McClellan and Hancock, say that there was never an occasion wherein the Democratic party did not "commit illicit intercourse with the degraded elements of the North," characterizing McClellan and Hancock and Horace Greeley as the degraded elements of the North. I see that in the pamphlet speech (and I congratulate him upon his sense of propriety to use no other word) the word "subservient" is put in the pamphlet speech instead of the word "degraded," as appears in the RECORD. It appears in the RECORD that the Democratic party in supporting McClellan and Hancock was in "illicit intercourse with the degraded elements of the North." I congratulate the Senator on striking out that word and making it "subservient elements of the North" in the pamphlet speech.

Sir, what more should I say? I do not intend on this occasion to discuss in detail the affairs of the South. I do say that my statement in regard to Louisiana, notwithstanding the denial of the Senator from Kansas, will be substantially sustained by the figures of history and by her able and accomplished representatives on this floor. I commit, with all confidence, the task to them.

Sir, the Senator from Kansas saw fit to impugn my right to speak upon military affairs. After quoting reports and assigning the authority of the Cincinnati Commercial for what I said, he arraigned me as one whom he thought most likely had fought the battles of the war. He shakes his head to me now, and it only shows that inaccuracy is indelibly written on his face—a want of memory, no more.

Why, sir, let me say to the Senator from Kansas that there is something queer in his own history. He has not faltered or shrunk from bringing up the harsh, the old, stale, exploded, and decayed slanders that have been uttered against me. I uttered nothing against his personal character when I spoke here a week ago. I did arraign him as the representative of his party, and through him I sought to arraign his party sitting around him there, and to make them stand by him or stand off.

I do not intend here this afternoon to pay compliments to the Senator from Kansas. If I did I would say he was bolder than his associates, and brighter, too; but be that as it may, how comes it that he becomes a military censor? How comes it that he becomes a military critic? It happens that I have looked through the books. The Senator from Kansas came here young, handsome, and brilliant, in 1873, and the Directories—I have them here from that day twelve years forward—contain an unbroken statement. I must say that the Senator from Kansas had a care to see to it that all he had done in life was put into that biography. There was no official position missed. He had been secretary of the Wyandotte convention, and that was put down, and everything else was put down.

We all know, Mr. President, that it is put down by ourselves, for nobody knows that much about us, and it would be of small consequence whether any one did or not. I do not blame the Senator from Kansas for having it all put in. He tells us he was born in Massachusetts in 1833. It is a good place to be born in, and a good State to emigrate from. I beg pardon of the Senator from Massachusetts [Mr. HOAR]. My allusion the Senator from Massachusetts will understand when I say that the best emigration I know of on this continent was that whose centennial he spoke so eloquently at Marietta a few weeks ago. When I say to the Senator from Kansas that Massachusetts was a good State for him to be born in and a good State for him to emigrate from, it is no aspersion on that great old classic State which the Senator from Massachusetts does so much to honor.

Mr. HOAR. I shall not undertake to pardon the Senator from Indiana, as he requests, but I recommend him to mercy.

Mr. VOORHEES. Now, don't you know that I am complimenting you? Don't bother me. [Laughter.]

The Senator from Kansas not only tells us where and when he was born, in this biography which I have here, but he tells us where he went to school. He tells us that he read law and that he was admitted to practice law. He tells us when he went to Kansas and what he did there, with a circumstantiality and minutiæ that is extremely creditable to his memory. But, sir, from 1873 until December, 1885, twelve weary years, the fertile memory of that Senator did not remember that he had ever been in the military service of his country in any way, shape, or form, and for twelve years there was a statement without one reference to the great military services he had rendered his country. I have the statement here of his services. Suppose I read it. The Senator spoke two hours; I shall not speak one.

John James Ingalls, of Atchison, was born at Middleton, Mass., December 29, 1833; graduated at Williams College, Williamstown, Mass., in the class of 1855; studied law, was admitted to the bar in 1857, and has since been engaged in the practice of law; removed to Kansas in October, 1858; was a member of the Wyandotte constitutional convention in 1859; secretary of the Territorial council in 1860; secretary of the State senate in 1861; member of the State senate of Kansas from Atchison County in 1862; editor of the Atchison Champion in 1863, 1864, and 1865.

I am not leaving anything out.

Defeated as anti-Lane candidate for lieutenant-governor in 1862, and again in 1864.

He rather prided himself on running against Lane. I do not blame him for that much. [Laughter.]

Was elected to the United States Senate as a Republican to succeed S. C. Pomeroy, Republican; took his seat March 4, 1873, and was re-elected.

Leaving out "re-elected," it answers from the beginning.

Now, Mr. President, it is a singular circumstance, not one that is discreditable at all, yet I do not know—let us see how it reads now. It reads in the same words precisely with one parenthetic invasion. I wish I could say those things like the Senator from Kansas does, so as to be startling and striking; but suppose I call it a parenthetic invasion. Here is his autobiography of twelve years' long standing, in which, after saying everything else that has been said in what I read, he then says:

Major, lieutenant-colonel, and judge-advocate Kansas volunteers, 1863-'65.

Then he goes on and finishes it. That is the parenthetic invasion in the autobiography. Two years ago last December, in December, 1885, the Senator from Kansas remembered for the first time since the war that he had been a major and a lieutenant-colonel and judge-advocate of Kansas volunteers.

Sir, I have read in regard to the fountain of honors. In monarchical countries the king and the emperor constitute the fountain of rank and of military honor. In this country, under our Constitution, the President and this body in its power to confirm, compose the fountain of splendid honor which has given to the world its mighty names. But it seems the Senator from Kansas combines all these powers within himself. In December, 1885, he appointed himself a major in the Directory, and then promoted himself to a lieutenant-colonelcy in the Directory, and became a judge-advocate of Kansas volunteers in the Directory. [Laughter.]

Now, if the Senator from Kansas can find in any adjutant-general's report of the State of Kansas where his name ever appeared as a warrior, even in the diluted and dilapidated form of judge-advocate [laughter], I will let up on him. I say here that the American Army has but three names of Ingalls in it. Rufus Ingalls, and I speak his name with honor, the old Quartermaster-General, the old reliable friend of Grant, was one Ingalls. There was another Ingalls, who commanded a regiment from New York, and when we go out towards Kansas there was another Ingalls, by the name of Pearl P. Ingalls, who was a chaplain of an Iowa regiment. I will ask the Senator from Iowa about him. He prayed and preached. That is the nearest that the name of Ingalls is found in the United States Army in the records of the War Department. Being pious, perhaps he was a cousin of the Senator, but I do not know how that may be. There was none other.

All this, Mr. President, is not much to the American people. The Senator from Kansas and myself know how little it counts, and all that justifies me in bringing it forward is that that Senator on such a slender foundation sees fit to appear as the censor of George B. McClellan and General Hancock.

I ask him if I am not fair in presenting the reasons why somebody else ought to discuss the military aspects of this question besides him. He may say that somebody ought besides me. I will answer, yes, but,

sir, I will say that he has no greater claims than I; and here, once for all, whatever shortcomings I may have had, I will stand with him on a popular vote before the soldiers of Indiana or the soldiers of Kansas, and leave this body if I am not approved by them over him. If that is arrogance, it is justified by the provocation.

The Senator from Kansas has alluded to General Hancock's celebrated Order No. 40, issued while he was at New Orleans, issued in the blazing spirit of civil liberty, the supremacy of civil government over the military. It spoke the voice of the fathers and rang out over the country as a bugle-call back to the foundations of the Government. The Senator saw fit to denounce it. I have simply to answer in response that the Supreme Court of the United States, composed of men of the Senator's own political persuasion, construed that order to be constitutional and founded upon the eternal principles of liberty.

Mr. President, I have occupied the floor as long as I designed to do so. I spoke, as I said, a week ago for the truth of history, and here in my heart I reassert and reaffirm what I then said. I am willing that the figures in regard to pensions may be summed up as between those stated by the Senator from Kansas and myself. I will not open that question and go into detail now. As to the history of the South and the history of reconstruction, I stated the true scenes through which I lived, through which I passed, and which I know. I know that the Republican party in its dominancy and supremacy spoliated the South of over $200,000,000, broke in dishonor her civil governments, and but for the fact that she is composed of a people born to self-reliance, born to civilization and the higher arts and walks of life, they would have destroyed them from the earth.

In addition to what I said last week I will say here now that the annals of mankind furnish no other instance where the system of labor, social organization was torn up and turned upside down, slaves set free (which I was glad of) and put on top in political supremacy (which I was not), where society held together as it did in the South. You may attack, you may denounce, you may make war on such a people, but the end is their triumph and your defeat. [Applause in the galleries.]

Mr. INGALLS. It is not my purpose, Mr. President, to prolong the debate. I regret exceedingly that the Senator from Indiana has thought best to refer to personal matters in connection with my history, to which I do not propose now to advert. My military service was inconspicuous and obscure, and no one is more conscious than I am of the debt that I owe my country, and of the unpaid obligation of gratitude which I am under to those who did what I might under other circumstances have done.

But inasmuch as the Senator from Indiana has seen fit to invite comparison between his record, his history, and his relation and mine to the great questions that have for the past twenty-five years attracted the attention of the country, I feel it to be my duty, in the defense of the truth of history, to put on record the information in my possession, and I have it in a shape I think that he will not deny. I shall refer only to public matters in public records, and I shall venture the affirmation that whatever may have been my own relation to the great struggle between the North and the South, and for constitutional liberty, the Senator from Indiana was from the outset the determined, outspoken, positive, aggressive, and malignant enemy of the Union cause.

Mr. VOORHEES. I pronounce that deliberately false.

Mr. INGALLS. Well——

Mr. VOORHEES. It is absolutely false. I voted for every dollar that was paid to the soldier, for every suit of clothes he wore, and every pension that he has ever had, and for every land warrant. A proper statement——

Mr. INGALLS. I did not interrupt the Senator from Indiana. The Senator from Indiana took seven weeks to reply to my speech of March 6. He came in here with a pile of manuscript bigger than a Hebrew Talmud—sweltering venom sleeping got. I can excuse unpremeditated assaults.

There is something in chance medley and hot foot that is excusable, but the deliberate, premeditated preparation of malignant, unfounded attack is to my mind entirely incompatible with a noble nature. When the Senator from Indiana sat down in the privacy of his closet and called me a Thersites and referred to me as a "judge-advocate," a peevish and paltry politician, as one who, like Job's war-horse, had smelt the battle afar off, if he thinks that is not a personal assault, or if that is his idea of the observance of the comity that ought to prevail among gentleman, well and good.

My relations with the Senator from Indiana for many years have been those of cordiality and friendship, and never was I more surprised than when my attention was called to the vindictive, unfounded, malevolent, and unjustifiable aspersion with which he assailed me in manuscript. I could have borne it if an enemy had done it, but it was, as the Psalmist said, "my own familiar friend." I was unconscious of ever having uttered a word in derogation of the Senator from Indiana. We have agreed on many questions, and in the supreme crisis of my fortunes to which he has referred, unjustifiably referred, referred to me as having been "white-washed," I had his avowed and expressed sympathy; and when I escaped from the conspirators who had followed me from the State capitol to the doors of this Senate Chamber the Senator from Indiana was the very first man to write me a note of congratulation and sympathy.

Yet he comes in here to-day and says: "Thank God, he never had been followed here by a committee that questioned his right to his title to his seat," and with much diffuseness of illustration, for the purpose of casting aspersion and belittling and humiliating me in the eyes of the American people, when I had only referred to his public utterances given in debate, his speeches, which he did not deny.

Mr. VOORHEES. I did.

Mr. INGALLS. The Senator from Indiana did not deny the veracity of the publication that I read.

Mr. VOORHEES. I did.

Mr. INGALLS. He could not do so. It was a *verbatim* stenographic report, and was certified to by the man who made it.

Mr. VOORHEES. I do not want to interrupt the Senator——

Mr. INGALLS. Yes; I shall be very glad to hear the Senator, because I would not do him an injustice.

Mr. VOORHEES. I say that not a word or syllable read by the Senator is true, or believed to be true in Indiana. I have met those accusations and trampled them under foot. I would say further that the Senator's insinuation that I was ever a member of the secret society of the Knights of the Golden Circle is so base and infamously false that I do not know how to choose language to denounce it. I am not so held in my own State. [Applause in the galleries.]

Mr. COCKRELL. I ask that the rules of the Senate be enforced in regard to applause in the galleries. We have had enough of it.

Mr. INGALLS. I am quite sure that a suggestion to the occupants of the galleries that the rules forbid disorder will be sufficient to secure a strict observance of propriety; and I trust that no violent measures of removal will be taken, and no order will be issued for that purpose. I am sure none of us here are courting applause, and none of us desire any expressions of disapprobation.

The PRESIDING OFFICER. The Chair will remind the persons in the galleries that they are here by the courtesy of the Senate and its guests. They have been reminded more than once that the rules of the Senate do not allow any manifestations of satisfaction with or disagreement to what is said in the Senate; and while it would be a harsh measure, as has been suggested, and it would be much regretted, to clear the galleries, if it is necessary for the purpose of enforcing the rules of the Senate it will have to be done.

Mr. COCKRELL. I suggest that the Sergeant-at-Arms be directed to arrest any one who makes any applause in the galleries, and to so direct the doorkeepers.

The PRESIDING OFFICER. The Sergeant-at-Arms is so directed.

Mr. INGALLS. The Senator from Indiana has just said that he was in favor of the destruction of slavery and that he was opposed to secession, and yet in the published volume of his own speeches there is a reprint of an address delivered by him in Virginia shortly before the war in which he advocates both.

Mr. VOORHEES. Now, will the Senator pardon me a moment?

Mr. INGALLS. Certainly.

Mr. VOORHEES. I will be perfectly candid. I did not say that I was in favor of the destruction of slavery in connection with the war, but I did say that I was glad that it took place. Now, make the most of that.

Mr. INGALLS. I will say further than that, that the Senator from Indiana at the time when he delivered that speech had two editions of it prepared, one of them for circulation in the North and one in the South.

Mr. VOORHEES. That is not true.

Mr. INGALLS. Not true! Why, they are accessible to-day, just as much so——

Mr. VOORHEES. Get them and show them.

Mr. INGALLS. They are just as accessible as the Statutes of the United States.

Mr. VOORHEES. Get them and show them. I say it is not true. I have met that on the stump. I have heard campaign falsifiers before.

Mr. INGALLS. The Senator pleases to call these campaign rumors because he has heard them for the last fifteen years, and therefore they are not true.

In 1860, after the Senators from South Carolina had withdrawn from this Chamber, and when preparations for war were rife all over the South, and everybody knew that secession was to be, so far as the South could make it, an accomplished fact, the Senator from Indiana wrote a letter, which I shall read. Perhaps he will deny that. It is a letter to Mr. Francis A. Shoup, that he took South with him and filed in the Confederate war department in support of his own application for appointment as a brigadier-general in the Confederate army. The man who received it was appointed a brigadier-general in the Confederate army, and he is now an ecclesiastic in Alabama or somewhere in one of the Southern States. I will read what the Senator from Indiana wrote. Anybody can see it, and anybody who knows his handwriting can identify it. This is the letter:

INDIANAPOLIS, IND., *December* 12, 1860.

My friend, Capt. Francis A. Shoup, is about visiting the South with his sister, on account of her health.

I have known Captain Shoup since our boyhood; we were schoolmates. He

is a graduate of West Point, and was in the Army as a lieutenant four years. No more honorable or upright gentleman exists. On the disturbing questions of the day his sentiments are entirely with the South, and one of his objects is a probable home in that section.

I take this occasion to say that his sentiments and my own are in close harmony.

D. W. VOORHEES.

I suppose the Senator will say that that is a campaign slander, the vile calumny of the opposition press.

Mr. VOORHEES. Mr. President, that is not a campaign slander, but it is——

Mr. INGALLS. He has trodden it under foot and spat on it.

Mr. VOORHEES. Will the Senator pardon me a moment?

Mr. INGALLS. Certainly.

Mr. VOORHEES. I say it is not a campaign slander, but it is one of those things the people of Indiana have passed upon for now nearly thirty years.

Mr. INGALLS. The Democratic party of Indiana have passed upon it, I dare say. [Laughter.]

Mr. VOORHEES. They have passed upon it by a very large majority and no——

Mr. INGALLS. Oh, I know the Knights of the Golden Circle have passed upon it.

Mr. VOORHEES. No colporteur or missionary from Kansas can give it any more respectability than the fellows in Indiana have heretofore. I have disposed of them. There was no war when the letter was written; there was not for nearly a year afterwards.

Mr. INGALLS. Sumter fell ninety days afterwards.

Mr. VOORHEES. No, it did not.

Mr. INGALLS. Let me look at the date.

Mr. VOORHEES. In December.

Mr. INGALLS. December 12, 1860. When did Sumter fall?

Mr. VOORHEES. In April.

Mr. INGALLS. In April, 1861?

Mr. VOORHEES. Yes.

Mr. INGALLS. December, January, February, March—four months afterwards.

Mr. VOORHEES. Yes; inaccuracy is written on your face.

Mr. INGALLS. Within four months from the time the letter was written Sumter had fallen, and yet the Senator from Indiana says:

I take this occasion to say that his sentiments and my own are in close harmony.

That is something I suppose that the Senator regards as the vile expectoration of a partisan press. He spits on it and treads it under foot and kicks it out of sight. I will say to the Senator from Indiana that that paper was very important and influential in securing Mr. Shoup the appointment of brigadier-general in the Confederate army. When the archives of that government were captured it was sent here to the War Department, and the original is on file to-day.

Jesse D. Bright, from Indiana, was expelled for as small an offense as that from this body, yet the Senator from Indiana ventures to criticise my military record and my right to speak of the relations of George B. McClellan and Hancock to the Democratic party. The Senator from Indiana says that the accusation that he called Union soldiers hirelings and Lincoln dogs, that he said they ought to go to the nearest blacksmith shop and have a collar welded around their necks on which should be inscribed, "My dog. A. Lincoln," is a campaign calumny and slander which has been spat on, and kicked out, and trodden under foot. I will say to the Senator from Indiana that the averment that he made that statement can be substantiated by as credible a witness as there is in this city at this time.

Mr. VOORHEES. It is false, and even if the Senator said it it would be utterly false—just as false coming from the Senator as from the greatest liar ever in the country.

Mr. INGALLS. If this were a police court the Senator from Indiana would be sent to the rock-pile for being drunk and disorderly.

SULLIVAN, IND., *September* 28, 1868.

We, the undersigned citizens of Sullivan County, Indiana, were present at a public speaking held in Sullivan August 5, 1862, when Hon. D. W. VOORHEES said, speaking in reference to the Union soldiers, that they should go to the nearest blacksmith shop and have an iron collar made and placed around their necks, inscribed thereon in large letters, "My Dog. A. Lincoln," and at the same time he referred to the Union soldiers as Lincoln's dogs and hirelings.

VALENTINE HICK.	HELEN HEREFORD.
JAMES J. LAUDERMILK.	Mrs. M. E. EARL.
WARDEN WILLIAMS.	THOMAS BULTON.
LAFAYETTE HARTLEY.	JOHN W. HAWKINS.
PHILIP W. BECK.	RICHARD DODD.
JACOB B. MILLER.	NELSON BURTON.
ISAAC HILDEBRAND.	SETH CUSHMAN.
MARGARET HEREFORD.	OWEN ADAMS.
MARY HEREFORD.	J. H. RIDGWAY.

I suppose those are reputable citizens of Indiana. They are not ashamed of their names or their residence. They give their home and their designation. The Senator from Indiana can settle the question of the truth or falsehood with them and not with me. And when the Senator from Indiana states that he has been indorsed by his own party, that all these accusations have been trod on and contumeliously spat upon by the people of Indiana, I say to him that has only been done by the Democratic party of Indiana and not by the people of Indiana. We all know what business the Democratic party of Indiana were engaged in during the war. Seventy thousand of them were Knights of the Golden Circle, conspiring against this Union. They entered into combinations, as General Holt states in his report on that subject, for the purpose of——

1. Aiding soldiers to desert, and harboring and protecting deserters.
2. Discouraging enlistments and resisting the draft.
3. Circulation of disloyal and treasonable publications.
4. Communicating with, and giving intelligence to, the enemy.
5. Aiding the enemy by recruiting for them, or assisting them to recruit within our lines.
6. Furnishing the rebels with arms, ammunition, etc.
7. Co-operating with the enemy in raids and invasions.
8. Destruction of Government property.
9. Destruction of private property and persecution of loyal men.
10. Assassination and murder.

And it is susceptible of proof that they did conspire to murder Governor Morton, to overturn the State government and put it in the possession of the rebels; and this organization, to which the Senator from Indiana says he never belonged, had a ritual and organization of which 112 copies were found in his office—in the office of the Senator from Indiana—at the time when Hancock was at the bloody angle. In that same office was found correspondence between the Senator from Indiana and a Senator from New Jersey for the purpose of furnishing arms, 20,000 stand of them, not to the National Government, for the Senator from Indiana was not in sympathy with that at that time; not to the State government of Indiana, because that was in other and loyal hands; but for the purpose, as may be imagined, of carrying out the objects and purposes of this organization.

I am aware that the Senator from Indiana states and has stated that although these papers were found in his office, it was not then occupied by him. He is entitled to the benefit of the doubt. He states that he had abandoned the practice of law and was not intending to resume it; but I have here a list of what was found in his office at the same time when these 112 copies of the ritual and rules of organization of the Knights of the Golden Circle were found there, and he never denied it. He afterwards said that there had been an unwarrantable search of his private papers. General Carrington is a well-known man, and has stated publicly what was found in the office of the Senator from Indiana that did belong to him at the time when "these papers" were found.

The papers referred to are 112 copies of the ritual of the O. A. K., a treasonable order, aiming to overturn the Government of the United States, of whose Congress you are a member.

* * * * * * *

Your law library and office furniture were in the office where "these papers" were found.

You had declined renomination for Congress and the office as not for rent as late as April, 1864.

The ritual had been issued in the autumn of 1863. Your Congressional documents were in the office where "these papers" were found.

Your speeches, up to March, of your entire Congressional career, with the "John Brown" speech, were in the office where "these papers" were found.

The correspondence of Senator Wall, of New Jersey, under his frank, indorsing a proposition to furnish you with 20,000 stand of Garibaldi rifles, just imported, "for which he could vouch," was in the office where "these papers" were found.

The correspondence of C. L. Vallandigham, from Windsor, Canada West, assuring you "our people will fight," and that "he is ready," and fixing a point on the "Lima road" at "which to meet you," was in the office where "these papers" were found.

There is a little more historical information on that subject which I think may be valuable. In the rebel archives was found a letter from Mr. Clement C. Clay, dated Welland Hotel, St. Catherine's, July 11, 1864, addressed to Hon. Jacob Thompson, Montreal. Lest I may seem inaccurate I believe I will have the whole letter printed. I take an extract from it. It is full of confidential communications to Mr. Thompson as an agent of the rebel Confederacy, tells him what is being done by the Sons of Liberty and the Knights of the Golden Circle, advises methods for the purpose of releasing Confederate prisoners, and he says:

The only fear is, they will not be prepared for it, and will be surprised and stupefied without notice. You need not fear, as they are of the sworn brotherhood. Voorhees is to be here on Monday or Tuesday, and perhaps Ben Wood.

July 11, 1864, "Voorhees is to be here on Monday or Tuesday, and perhaps Ben Wood." What was Voorhees "to be here" for in Canada to see C. C. Clay, and why was Jacob Thompson, of the Southern Confederacy, advised of it?

The correspondence of Joseph Ristine, auditor of state, declaring that "he would like to see all Democrats unite in a bold and open resistance to all attempts to keep ours a united people by force of steel;" and that "this was a war against Democracy, and our only hope was a successful resistance of the South," was in the office "where these papers" were found.

The correspondence of E. C. Hibben, who assures you that "the Democracy are fast stiffening up when this war is to be openly declared as being waged for the purpose of freeing the negro," "which will arouse another section of the country to arms," and declaring "that Lincoln bayonets are shouldered for cold-blooded murder," was in the office "where these papers" were found.

The correspondence of J. Hardesty, who "wants you to have that one hundred thousand men ready, as we do not know how soon we may need them," was in the office where "this Ritual" was found.

And I have the letter of Hardesty here in which he calls on the Senator from Indiana to have the one hundred thousand men in readiness. There is a curious explanation about that letter, which is that when the Senator from Indiana, just previous to the breaking out of the war, was in Virginia making addresses in favor of slavery and secession, he

made a speech at a serenade or on a public occasion in which he said that if any attempt was made to coerce the South one hundred thousand Democrats in Indiana would come down to resist the effort. My informant says that they did come, but their guns were pointed the wrong way.

The correspondence of J. J. Bingham, who asks you "if you think the South has resources enough to keep the Union forces at bay," and says that "you must have sources of information which he has not" was in the office where "these papers" were found.

The correspondence of John G. Davis informing you that a certain New York journal "is wonderfully exercised about the secret anti-war movements" and "tremble in their boots in view of the terrible reaction is sure to await them" was in the office where "these papers" were found.

The correspondence of U. S. Walker, who "keeps out of the way," because they are trying to arrest him for officiating in secret societies, inclosing the oath of the K. G. C.'s prior to that of the O. A. K., was in the office where "these papers" were found.

The petition of C. L. Vallandigham, D. W. Voorhees, and Benjamin Wood in favor of two republics and a united South was in the office where "these papers" were found.

The correspondence of Campbell, E. Etheridge, George H. Pendleton, J. E. McDonald, W. B. Hanna, and others, Mr. Carrington says,

Are some of the "circumstances" that led me to believe that "these papers," the ritual of the O. A. K., were found in your office.

I looked upon these circumstances as a plain juror might be supposed to do, and not as a statesman, and innocently supposed that such papers as these, if spared from the fire, would be in possession of the owner, and that the office of the owner would be the place where "these papers" would be found.

And yet, with Colonel Thompson, I cheerfully accepted your denial, and so respond as you request "that the people may know the truth."

The Senator from Indiana in response to this wrote a letter three columns long that was published in the Democratic papers and printed in the Richmond Enquirer in Virginia, with praise of the Senator from Indiana!

A letter from J. Hardesty, of Harrisonburgh, Va., to his nephew, Daniel W. Voorhees, dated—

HARRISONBURGH, *February* 17, 1862.

Addressed—

MY DEAR NEPHEW: We want you to hold that 100,000 men in readiness, as we do not know how soon we may want them.

J. HARDESTY.

Addressed on envelope:

Hon. DANIEL W. VOORHEES,
Terre Haute, Ind.

SENATOR WALL, OF NEW JERSEY, TO DAN. VOORHEES.

LONG BRANCH, *August* 21, 1863.

MY DEAR SIR: I inclose you two letters from a man by the name of Carr, in reference to arms. A letter directed to him simply Philadelphia will reach him. I can vouch for the excellent quality and great efficiency of the rifles.

Yours, in haste,

JAMES W. WALL.

And another from Carr to Wall, dated August 14, 1863, on the same subject, giving the price at which these arms could be purchased, which was $14 apiece, saying there were about twenty thousand of them in all. For what purpose they were wanted is left to the imagination to disclose.

With regard to the question as to the side on which the sympathies of the Senator from Indiana were—I suppose the Senator from Indiana will deny this also and say it was mere campaign calumny cast out and trodden under the feet of men—on the 5th day of March, 1864, he spoke of Vallandigham as "that representative American patriot, who, with Hendricks and Seymour and Richardson, had done so much to uphold the hands of the American public and had preserved so far the guaranties of constitutional liberty," a man who was tried and banished from the country for being a traitor, and justly banished; and yet the Senator from Indiana said on the 5th of March, 1864:

Will some poor, crawling, despised sycophant and tool of executive despotism—

That sounds very much like the Senator from Indiana. If that is a fabrication it is a very ingenious one—

Will some poor, crawling, despised sycophant and tool of executive despotism dare to say that I shall not pronounce the name of Vallandigham? The scandal and stigma of his condemnation—

The scandal and stigma of Vallandigham's condemnation—

and banishment have filled the civilized world, and the Lethean and oblivious wave of a thousand years can not wash away the shame and reproach of that miserable scene from the American name. Some members have attacked with fierce clamor the great American statesman and Christian gentleman who suffers his exile in the cause of liberty on a foreign soil. So the basest cur that ever kenneled may bay, at "the bidding of a master, the aged lion in the distance."

His opinion of Mr. Lincoln was contained in the same speech—

Genghis Khan and Tamerlane, preserved by the pen of the historian for universal execration, found no pursuit so pleasant as calling for more men for the harvest of death, and, like our present Executive, snuffling with jests and ribaldry the warm taint of blood on every gale.

Oh, bitter mockery, justice has been dethroned and the blessings of liberty annihilated.

Because four millions of slaves were set free, apparently.

There is not one square mile of free soil in the American Republic.

The Senator from Indiana was also a member of Congress in the early days of the war, and he made some speeches upon the subjects that were then agitating the country. In an address to his constituents in April, 1861—I hope I am not inaccurate about that—he declared that he would never vote a single dollar or a single man for the prosecution of the war, and he never did so long as he was in Congress.

He consistently and persistently voted against every measure for upholding the Union cause and re-enforcing its armies, voted against all the constitutional amendments, and finally declared by a nay vote that he would not hold that the amendments were constitutional or binding upon the conscience of the American people. And yet the Senator from Indiana, who I think deserves charity more than any man that I know upon this floor, and who has received it at the hands of his associates, and who can less afford than any man of my acquaintance to invite a scrutiny of his war record with anybody, with playfulness and hilariousness refers to the fact that I served during the war as a judge-advocate with the rank of major and subsequently of lieutenant-colonel. I have this to say: That however obscure or inefficient my services may have been, they were always on the side of my country, and not as his has been, always against it.

Mr. VOORHEES. Mr. President, if the Senator from Kansas, to just take a matter of fact, will find one single vote that I have cast against the payment of soldiers for their pay, for their supplies, for their bounties, or appropriations for their pensions, I will resign my seat in the Senate. Every word that he has stated on that subject is absolutely false by the record—absolutely.

I measure my words as I stand here. If I am an object of his charity, he is an object of my contempt. He says I issued a proclamation to my constituents in April, 1861, that I would not vote for men or money. That is false. I never did anything of the kind; never in the world. I was a pretty hard fighter during the war in political campaigns. The party then in power gave it out that there should be no parties, that we should not contend as parties; but I did not accept that, and I fought my battles in my own way. I fought for free speech and a free press; but the soldiers of Indiana know, and they will measure and hear what I am now saying, that I voted for every dollar that ever fed them, that ever clothed them, and the man who says otherwise is a falsifier and a slanderer, and I brand it on him.

I can go home to my people on that statement. In 1864 I was in a bitter, hard canvass for Congress. The Senator from Kansas has announced that I had quit practicing law. That is not true. There is not a word of truth in it. I had gone from one office to another. Some papers that belonged to me were left in the office, and others put up a job on me in political campaigns, and put things there which were found and were published as found there. I denied then, as I deny now, that I was ever a member of any secret political society in my life.

Oliver P. Morton, a brave man, not, like the Senator from Kansas, small and active, but great and strong, and who believed that there was a secret organization in Indiana menacing the safety of the Republic, never pretended that I was connected with that organization. There has never been a man in public life, until the Senator from Kansas here persuades himself to do it, who ever alluded to the pretended fact that I belonged to such an organization. There was a gentleman from New Hampshire once, a member of the House, who inadvertently, in a sort of hurried way, alluded in a general manner to me as a member of a secret organization in Indiana; and the next day I took the floor for a personal explanation.

I remember the House gathered around me, and among the rest General Schenck, who was the leader of the House on the opposite side. He came close to me. I explained all these things, and that was the last of them. Now the Senator from Kansas sees fit, nosing around in a low, little way, to bring up these things which are stale, putrid, cast off, and the offal of years gone by.

When the matter that he speaks of as to my office was brought out by General Carrington I was in a hard canvass for Congress. I carried the district by nearly 800 majority. As my friend, the Senator from Massachusetts [Mr. DAWES], remembers they contested my seat, and they threw me out because the Republicans needed two-thirds majority to fight Andrew Johnson then, and for no other reason in the world. I went back to a changed district, where they put 1,500 majority upon me, and I beat them in that district with the soldiers all at home.

Now, if the Senator from Kansas thinks he is making respectability or honor or even courtesy by reviving these things which have been passed upon by a jury of my peers—a good deal more than his peers, but a jury of my peers in Indiana—he is mistaken. I have had several elections to Congress since all this poor old stuff was published, and then I have been four times commissioned a Senator. I have been elected three times by the Legislature, and I have carried the State twice, by from 25,000 to 30,000 majority. If the Senator from Kansas in his miserable condition attempting to extricate himself from the disgrace of assailing McClellan and Hancock, sees fit to assail me, he is welcome to do so. A man who has aspersed the fame of McClellan, and says that he had fought two years trying to make the war a failure, and that Hancock was an ally of the Confederacy, and that Hancock and McClellan and Horace Greeley all belonged to the worst elements of the North, I feel his abuse as a compliment, and I thank him for the aspersions and respond to him accordingly. [Laughter and applause.]

So far as the old stuff about my denouncing the soldiers of Indiana is concerned, the soldiers will take care of that, and there is only a miserable set of people who were never soldiers, or if they were were sutlers most likely or sutlers' clerks, ever allude to anything of that kind, and I can only say—I do not want to be offensive to the Senator

from Kansas, and do not care much whether I am or not [laughter]—I can only say (because he has thrust these matters upon me), as I have said, that the people whose names he reads there do lie and do not tell the truth, nor does the Senator when he repeats what they say tell the truth either. I have not the slightest concern, not the slightest feeling, not the slightest irritation upon this matter. It has been passed upon time and time again.

As to the letter for Captain Shoup I wrote the letter for Frank Shoup. I knew him well. We were boys at school together. He was going down South with his sister, who was dying of consumption. It was in December, before a single State had seceded, before the war had broken out, and I did sympathize with the feelings of the South that there ought to be a compromise at that time. The Crittenden compromise was pending, and the Peace Congress was called. I had no favors to ask; and as to charity, as I said, I respond with contempt.

That is all I have to say.

Mr. EUSTIS. Mr. President——

Mr. INGALLS. Will the Senator from Indiana allow me to ask him whether the soldiers of Indiana did not threaten to hang him with a bell-rope on a train between New Castle and Terre Haute after he made that "Lincoln dog" speech? [Laughter.]

Mr. VOORHEES. Mr. President, the Senator is a great liar when he intimates such a thing—a great liar and a dirty dog. ["Order!" "Order!"] Such a thing never occurred in the world. That is all the answer I have to make.

The PRESIDING OFFICER. The Senator is hardly in order. Personal discussion is not proper. The Chair hopes Senators will be in order.

Mr. VOORHEES. I pass it back to the scoundrel behind him who is instigating these lies.

Mr. INGALLS. Mr. President, there is a very reputable gentleman in the Chamber, a citizen of Indiana, who informs me that the signers of the certificate about the "Lincoln dog" speech are entirely reputable inhabitants, male and female, of Sullivan County, and that he knows fifty people there who heard the speech made and can swear to it.

Mr. VOORHEES. I say he is an infamous liar and scoundrel who says I did. I say so.

The PRESIDING OFFICER. The Senator will be in order. The Senator from Louisiana [Mr. EUSTIS] was recognized before the interruption.

Mr. BUTLER. Before that is done——

Mr. EUSTIS. I have the floor.

The PRESIDING OFFICER. Does the Senator from Louisiana give way to the Senator from South Carolina?

Mr. EUSTIS. For what purpose?

Mr. BUTLER. I was going to ask to have the resolution reported to which these speeches have been addressed.

Mr. HARRIS. I rose to ask the Senator from Louisiana if he preferred to go on now or adjourn until to-morrow.

Mr. EUSTIS. I have very few words to say and I prefer to say them now.

The PRESIDING OFFICER. Before the Senator proceeds the Chair desires to say that a considerable portion of the debate has been out of order, and in violation of the rules of the Senate; and he hopes hereafter that Senators will observe the rules and proceed in order, and that there will be order preserved in the Senate Chamber and in the galleries.

Mr. EUSTIS. Mr. President, I simply rise to very briefly protest against the great freedom and license with which the Senator from Kansas has seen fit to discuss the election which has taken place in the State of Louisiana. I am aware that we must make great allowances for that Senator. The fact is that his speech reminded me of a conversation that I happened to overhear yesterday between two ladies. One of them said seriously to the other, "What a great place Washington is for amusement; just think of it; we have INGALLS and the circus and the races, all the same week." [Laughter.] I am sure that no one will complain of the very theatrical entertainment that we have had furnished us to-day by the Senator from Kansas.

I can only say that I consider it exceedingly unseemly, undignified, and unjust for a Senator of the United States, in the absence of any proof or any testimony whatsoever, to denounce as fraudulent an election which has been held in a State. I would inform the Senator from Kansas that the mode and manner in which that election has been conducted, being a State election, is none of his business whatsoever.

Mr. INGALLS. We think it is.

Mr. EUSTIS. It is only, sir, when the credentials are presented to this body of a Senator who claims to have been elected by virtue of that election, and he offers himself to have the oath of office administered, that this body has any jurisdiction or any power whatever to inquire into that election. It is only that fact and that circumstance which invests this body with any power whatsoever to pass judgment upon the legality or regularity of a mere State election; therefore I denounce as scandalous, vituperative, and unparliamentary the language which has been used by the Senator from Kansas with reference to the people of Louisiana.

Sir, there seems to be a preconcerted conspiracy among the Republican leaders to question the legality of elections in the South for no other purpose than to be able to show and convince the Northern people that a Democratic administration placed in power by the suffrages of the American people is not legally elected.

The Senator from Ohio [Mr. SHERMAN] some time ago in a speech which he made in Springfield, Ill., made the startling statement and declaration that every man, woman, and child in the United States knew that Grover Cleveland had been elected to the Presidency by fraud, intimidation, crime, and violence in the South, and that declaration has been adopted as the party cry for the coming canvass by the Republican conventions which have been held. I read the resolution adopted by the Republican convention in Vermont:

> The present Democratic majority in the House of Representatives and the executive branch of the Government is a usurpation, and never before except by hostile armies has popular government been so seriously imperiled.

Then, sir, we have a like declaration made by the Republican convention in Ohio, and the Republican convention in the State of Massachusetts. The Republican party of Massachusetts, which is always true to its habit of pestiferously and mischievously interfering in the affairs of other States, made the declaration that the Louisiana election held last April was a fresh illustration of the suppression of the votes of the majority in that State.

Mr. HOAR. Will the Senator allow me to ask him a question?

Mr. EUSTIS. I have no objection if it is pertinent to what I am saying.

Mr. HOAR. I will endeavor to make it pertinent to what the Senator is saying. Does the Senator deny that the language which has been read here by the Senator from Kansas [Mr. INGALLS] and attributed to Governor McEnery, and the language which was read here the other day by the Senator from Ohio [Mr. SHERMAN] and attributed to him, were correctly quoted?

Mr. EUSTIS. I can only answer for the quotation which was made from my speech. That was strictly accurate, and I stand by every word that I uttered on that occasion.

Mr. HOAR. Now, has the Senator no knowledge or belief in regard to that ascribed to Governor McEnery?

Mr. EUSTIS. I know nothing in regard to the speech attributed to Governor McEnery. I was taken sick soon after I went to Louisiana, and am not well to-day. What I said was this: That the Republican leaders of this country are almost preparing the American people for a *coup d'état*.

What do you mean by stating that the President of the United States is illegally and unconstitutionally in office? What do you mean by stating that the Democratic Administration is a usurpation? What does that mean except that we have a government which has been established and installed by revolutionary methods and not by constitutional and legal methods; that we are reducing ourselves to the level of Mexico and Central America, and that you are going into the canvass with the declarations which you have made by your conventions proclaiming that the President of the United States was elected, not by the free and honest suffrage of the American people, but that he holds his election by virtue of the suppresssion of the will of the majority and by reason of the violence and intimidation and fraud committed in the Southern States at their elections?

Mr. President, I am glad that this era has at last arrived when Republican Senators rise in this Chamber, as do the Senator from Ohio and the Senator from Kansas, and advocate free and honest elections in the State of Louisiana. Let them look back, and what will they find from 1868 to 1876? In 1868, in 1870, in 1872, in 1874, in 1876, the Democratic party in Louisiana carried the State by an overwhelming majority. That majority was suppressed, and by the bayonet a government was installed over the people of Louisiana, and you admitted Senators into this Chamber and members into the other House who had not the shadow of a title to the seats which were given to them by Republican votes. I was in favor of honest elections then.

As a Democrat and a Senator of the United States I could sit in silence and listen to your aspersions and your accusations, deeming them unworthy of an answer until you have cleansed yourselves of the odium and disgrace and infamy and enormity which attach to you by reason of your fraudulent elections in the State of Louisiana. I could tell you, as Peter the Great told Charles XII., if I chose—"By defeating me you have taught me the art of war." But no, sir, I take no such position as that.

I tell the Senator from Kansas that he does not know what he is talking about. I will teach him what an election in Louisiana is some day. I will tell you that there is no reason why Mr. Warmoth should have received 500 votes in the State of Louisiana instead of 20,000. There is no reason why a solitary colored man in the State of Louisiana should have cast a vote for such a governor as Warmoth. He has a record as governor in Louisiana.

Suppose we did resort to irregularities, suppose we did resort to fraud, suppose we did do what you accuse us of doing and what we know perfectly well we did not do, what did you give us by your fraudulent elections? You gave us a government which was a disgrace to civilization; you gave us a government which produced conflicts be-

tween the two races, where society was torn up by the roots. The white men of the State of Louisiana resisted this negro domination which meant desolation, disaster, destruction to every interest in our State. When you failed to perpetuate your political supremacy in that State by the infamous machinations and the diabolical machinery which you invented and which you have used, then you rise to-day and in your wrath asperse and traduce the Democratic party of the State of Louisiana.

I, as a Democrat of that State, having taken an active part in every struggle which that noble people have made, tell you that instead of being abashed by your charges and aspersions, I throw them back in your teeth and tell you that I am proud of what the people of Louisiana have done in their struggle for home government and for the redemption of the State. I applaud their efforts, and notwithstanding these harangues and speeches that are made by political leaders I believe that the conduct of the people of Louisiana will have the approval of the thoughtful and intelligent and honest people of the North, because the people of Louisiana are only doing what the people of Kansas and the people of Massachusetts would do under the same circumstances and under the same conditions unless they are deficient in manhood and patriotism, and I know they are not.

Mr. President, I have not the strength to-day to make an elaborate speech on this question, but I wish to tell the Senator from Ohio, as he has chosen to criticise a speech which I made, and by which, I repeat, I stand, that I do not consider him a fair or honest judge of an election in the State of Louisiana.

When he and I in that Chamber witnessed that dramatic political scene when the veil was drawn from the chaste body of Eliza Pinkston, and her wounds eloquently appealed to the credulous sympathies of the distinguished Senator from Ohio, from that time, with reference to elections in Louisiana, I considered his judgment most sadly perverted.

I would also tell him that if he advocates negro domination in Louisiana, as I judge that he does by his speech, or if any Republican Senator does, I would tell him that if I were in this Chamber or to go abroad among the Northern people and make a speech there, and advise them to band together to make war upon society, to hang the rich capitalists who have enslaved them for so many years, to create a reign of terror in Northern cities and in Northern communities, to strike from the face of the earth those capitalistic oppressors who have put chains on their limbs, I would tell these Senators that I would no more feel guilty of having committed a crime against my country or against society than I feel that they are guilty when they ask the negro population to become the governing race in the State of Louisiana. I am too feeble to continue. [Applause.]

Mr. GIBSON and Mr. INGALLS addressed the Chair.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. GIBSON. I give way to the Senator from Kansas.

Mr. INGALLS. I thought, inasmuch as Governor Warmoth had been aspersed, or at least harshly criticised, by the Senator from Louisiana [Mr. EUSTIS], that it was no more than just to him that I should put on record the published utterance of Governor McEnery to Warmoth, his antagonist. Governor McEnery, in a speech at New Orleans, March 8, 1888, reported in the Picayune of the next day, said:

> I have no accusation to make against Governor Warmoth's personal or private character. I have cited the testimony of accomplices, who were actors in the saddest drama of our history. They may not have told the truth as to him personally, but as to the acts of the party of which Governor Warmoth was the chief their evidence is trustworthy. Governor Warmoth was a product of that era and he is inseparable from it. As a private citizen his life has been exemplary, his ability universally admitted, and his energy and progressiveness recognized.

There are a few more words I should like to say, but I refrain from doing so now.

Mr. GIBSON. Mr. President, I shall not detain the Senate by any extended remarks in reply to the Senator from Kansas. Before commenting upon his criticisms of the recent election in Louisiana I desire to say a word in answer to his extraordinary observations upon the Southern people. He says that the Southern Confederacy still exists, that it is embodied in the Democratic party in the South, and that the Democratic party in that section is animated by all the ambitions, the purposes, and the hopes of the Southern Confederacy itself.

Now, Mr. President, this is an aspersion upon every Senator on this side of the Chamber who represents a Southern constituency. It is an aspersion upon the character, the patriotism, and the intelligence of the Southern people themselves. It is an aspersion upon the Northern statesmen who draughted and ingrafted in the Constitution of the United States those amendments that contain the fruits of the war for the Union.

What was the issue put at arms by the Southern and Northern sections? It was in the first place the institution of slavery. Every one knows that slavery was the occasion of the war, and every one understands perfectly well that the principle of secession was invoked by the Southern people as the only safeguard to protect their property and liberty, their public peace, their social and political systems from violent overthrow. Those two questions were settled and settled finally by the amendments of the Constitution which we have sworn to support, the thirteenth and fourteenth amendments.

What Southern man, what Southern State, has attempted to revive the institution of slavery? What Southern statesman has, since the arbitrament of arms, agitated the doctrine of secession? Not one. We all admit to-day that if any one were to take up arms, whether under State authority or not, against the United States, he would be guilty of treason, because the constitutional amendments declare that "all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States." Citizenship and allegiance are correlative.

The Southern members of the Senate have voted for years with a lavish hand nearly a thousand millions in pensions to the soldiers of the Federal Army and to their families. We have freely voted supplies to the Army and Navy of the Union, from which we ourselves are excluded.

We have done what we could to establish a sound currency for the people of the country, to diminish the public expenses, to improve the rivers and harbors, and to maintain the credit and honor of the flag in every land and on every sea under the sun.

Sir, I believe I echo the sentiment that this day is in the heart of every man in the South when I repeat the glowing language of the great Senator from Massachusetts, which I learned in my boyhood:

> When my eyes shall be turned to behold for the last time the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original luster, not a stripe erased or polluted, not a single star obscured, bearing for its motto no such miserable interrogatory as "What is all this worth?" nor those other words of delusion and folly, "Liberty first and Union afterwards," but everywhere, spread all over in characters of living light, blazing in all its ample folds as they float over the sea and over the land and in every wind under the whole heavens, that other sentiment dear to every true American heart, "Liberty and Union, now and forever, one and inseparable."

These are the sentiments of the people that I represent.

Now, sir, I reply to the charges made by the Senator from Kansas against the people of Louisiana, but I shall do so briefly.

In the first place, according to the report of a joint legislative committee to examine the books and accounts and other official documents in the auditor's and treasurer's offices, dated April 19, 1875 (and which I hold in my hand), signed by E. F. Herwig, chairman, and W. W. Wharton, J. A. Masicot, and Thomas A. Cage, on the part of the senate, and by C. W. Lowell, A. B. Levisee, O. F. Hunsaker, F. R. Wright, and R. F. Guichard, on the part of the house, all Republicans, a committee created by the Kellogg administration to ascertain how the finances of the State had been conducted under the Warmoth administration, the debt of the State of Louisiana amounted, on January 1, 1866, to the sum of $1,500,000, and on January 1, 1867, after deducting available funds and credits, to $3,595,000; and they also show that the total debt on January 1, 1873, when the Warmoth administration went out of office, as reported by the auditor, was $29,567,849. The committee found that the funded, unfunded, and contingent liabilities of the State amounted at that time to the vast sum of $50,597,394.95.

I will give the summary:

Floating debt	$2,165,171.71
Bonds loaned property banks	4,830,683.33
Bonded debt proper	22,134,800.00
Contingent debt reported by auditor	10,895,000.00
Contingent debt not reported by auditor	9,605,500.00
	49,604,155.04
Add trust bonds and bonds missing	993,194.91
Total	50,597,394.95

The committee says:

> In conclusion, the commission find that a large portion of the public debt has arisen from extravagance, profligacy, and misuse of the revenues of the State; that as to all that portion created since 1865, the State did not realize over 50 cents on the dollar, nor was the amount realized expended for the benefit of the State to the extent of more than one-half; in other words, the State has not been actually benefited in an amount exceeding one-fourth of the debt created, nor to an amount exceeding one-half of the taxes collected since 1865. The entire balance, say one-half of all the taxes and three-fourths of all the present debt, have been squandered or done worse with by the administration of the government since that date. The taxes and other revenues which have been collected and squandered are past recall, and the only possible benefit to be desired from this contemplation is the lesson which may be taught for the future administration of the revenues of the State.

This enormous debt of $50,000,000 was contracted in four years on an assessed valuation of about $200,000,000. While piling up this debt on the people of Louisiana they gathered in through their tax-gatherers in the city of New Orleans every year 5 per cent. of the assessed valuation of the property of that city, and 5, 6, and 7 per cent. throughout every parish in the State of Louisiana.

I do not think it is necessary for me to go further into details. This statement from Republican sources, from a committee of the Legislature of Louisiana, looking carefully into the auditor's accounts, declares in effect that Warmoth's administration had placed a mortgage upon one-quarter of the entire property, movable and immovable, of the people of Louisiana in four years, while it had consumed their annual earnings with remorseless rapacity.

With such a record as that it was natural that the property-holders

of the State, that the intelligent men of the State in the recent election should show great earnestness and firmness and devotion to their own interests, in order to prevent a return of an administration which represented a policy which had already put in peril the earnings and the property of every man in the State.

I do not accuse Governor Warmoth himself personally; I do not say that Governor Warmoth himself put his hands into the treasury; but I say that he by the irresistible logic of events found himself at the head of the negro population, who but a few years ago had been held in abject slavery. They were ignorant. They could not conduct the government of a great commonwealth like the State of Louisiana. Unscrupulous and disreputable men took possession of the negro vote of the State and of the Legislature of the State, and Governor Warmoth at that time, even if he had been disposed, would not have been able to hold in check the debased and ignorant elements of society which the Republican party then represented.

I do not defend nor condemn him. I am not speaking of individuals. I am speaking of a system of government and of the relation which the Republican party as it was originally constituted in the State of Louisiana bore to property and to intelligence. To commit their destinies again to that party would be to put in peril every interest of the people of that State, their agriculture, their manufacturing industries, their institutions of learning, and their institutions of religion.

Mr. President, I will not indulge in further remarks about the relation of this party to the finances of the State, but I desire to respond briefly and directly to the insinuations which the Senator from Kansas has thrown out against the legality and fairness of the recent election. He has said that at the election in Louisiana the number of votes cast exceeded the male population of the State, or the registered vote of the State.

Mr. INGALLS. In several precincts.

Mr. GIBSON. He mentioned amongst others some precincts of Bossier Parish, and I will meet him on those precincts. The registration was taken four years ago and it was again taken but a few days before the recent election. The registration of Bossier Parish is 4,625, as taken before the recent election, and the vote in that parish does not equal by any means the registration. So, in Tensas Parish the registration to which the Senator referred shows 5,160. These are the figures with respect to these two parishes, to which the Senator referred. I desire to call his attention to what the vote of Kansas was in 1884. The vote of Kansas was 100 per cent. of its male population over twenty-one years by the census of 1880. The total vote of Kansas was 265,843, while the males twenty-one years of age and over in 1880 were 265,714, showing that the vote of Kansas at that time actually exceeded the total number of males in that State in 1880 over twenty-one years of age.

In the recent election in Louisiana, eight years from 1880, there has been cast only 80 per cent. of the males over twenty-one years of age by the census of 1880, whereas in many States of the Union, the American Almanac, of which our Librarian, Mr. Spofford, is the author, shows that it was quite usual in the election of 1884 that 100 per cent. of the voting population by the census of 1880, as in Kansas, should be cast, 90 per cent. as in Iowa, 99 per cent. as in Indiana, 104 per cent. as in Nebraska, 94 per cent. as in Ohio, 93 per cent. as in Wisconsin. In some States the percentage was lower; as 42 in Rhode Island, 60 in Massachusetts, 40 in Nevada, 78 in Connecticut, 69 in Maine; whereas in the recent election in Louisiana the total vote is only 80 per cent. of the males over twenty-one years of age in that State by the census in 1880.

I do not desire to detain the Senate any longer. I participated in the canvass in Louisiana and addressed large audiences in different parts of the State, and I can bear testimony to the peace and harmony and good feeling that existed everywhere in the State. And I can say further that the colored people and the white people live in relations of kindness and amity so far as I know everywhere in the State of Louisiana.

Mr. HOAR. May I ask the Senator a question?

Mr. GIBSON. Certainly.

Mr. HOAR. I ask him the same question which I put to his colleague, whether he can tell us as to the correctness of the remarks attributed to the governor of that State.

Mr. GIBSON. I did not hear the speeches of the governor of Louisiana, except one.

Mr. HOAR. The Senator has a belief whether the governor said that.

Mr. GIBSON. My belief is that he did not say it. I heard the governor of Louisiana speak in the town of Thibodeaux, and he delivered a speech of ability and eloquence, and I never heard a man address the people with more composure and more conservatism. I heard also the speeches of Governor Nicholls, who was a candidate for the Democratic nomination against Governor McEnery, and I have the language which he employed substantially everywhere during the long six months of the canvass in the State of Louisiana, and here are his sentiments in brief:

> I am thoroughly satisfied that any course of political action traced on a narrower line than the good of the whole people, regardless of color or condition, must inevitably lead to disaster and ruin.
>
> * * * * * * *
>
> I have earnestly sought to obliterate the color line in politics and consolidate the people on the basis of equal rights and common interests, and it is a source of gratification to say that this great object is about to be realized.
>
> * * * * * * *

This was the language he used when he was first inaugurated. It was the language I heard him repeat substantially in several parishes throughout the State of Louisiana. I do not know a Senator on this floor from any State in the Union who is more conservative, or who possesses the confidence of the people whom he represents in larger measure than the governor elected by the State of Louisiana. He was educated at West Point, conservative in all his instincts, devoted to the real welfare of the people of the State. I do not believe that under any circumstances there could have been a fairer canvass conducted in that State.

If every Senator here had seen fit to go to the State in behalf of Warmoth, it would not have stopped the march of the people of Louisiana in support of this gallant, heroic, and magnanimous soldier and gentleman and statesman. That is the secret, Senators, of the success of the Democratic party in Louisiana, and when that election shall be investigated through and through you will find that the colored people as well as the white people rallied around Nicholls; and I venture to declare that if that canvass had been prolonged three weeks or six weeks longer, Governor Warmoth would have retired from the race.

I have here extracts from some of the papers of Louisiana, among them extracts from papers edited and owned by colored men, in which they urge the colored voters to cast their votes for Nicholls. I will read one of these extracts to show Republican Senators particularly how these people, some of them educated, some of them acquiring property, some having pride in the name and welfare of the State, what sentiments they cherish towards Governor Nicholls. I read now from a newspaper edited by a colored man, in the city of New Orleans—the New Orleans Progress—which says:

> But perhaps the most gratifying result of the election is the breaking up of the color line. Outside of New Orleans and a few of the lower parishes thousands and thousands of colored voters, remembering the just, fair, impartial, and peaceful administration of General Nicholls, rallied around his standard and joyfully cast their ballots for him. So complete is this political revolution that hereafter it will be impossible for any one to marshal the colored voters solidly under the Republican banner again.
>
> Verily, the colored people of Louisiana have at last freed themselves from political servitude. It is for this that we have been contending for years, and whatever humble share we have had in bringing it about has made us supremely happy. Crow, our rooster, crow, and let us have the illumination.

The leading Republican organ in the city of New Orleans, edited and owned by white men and Republicans, the Item, says:

> One of the results of the political canvass just closed has been a large voluntary accession of the negro vote to the Democratic party. The causes of this seeming defection are not difficult to trace. They may be found partly in the nature of the negro himself, being destitute of any great amount of sentiment such as binds white men to a principle, an idea, a nationality, or a clan.
>
> Chiefly, however, the flexibility of the negro vote as an element in politics owes its origin to the profligate and corrupt character of those who meet in conventions to dispose of its nominal control. The recent Republican State convention which was held at Washington Artillery hall brought to the front all the old-time traders and tricksters who could squeeze themselves into a delegation under any pretext whatever; and, as their methods, objects, and aims were intuitively understood by all, even the dullest, they failed to effect an organization having any cohesive power or strength. A number of the better sort of intelligent and independent negroes, like Martinet, boldly proclaimed themselves Democrats and in favor of the election of General Nicholls from the beginning. * * *

And now, when the Southern people, stricken by losses in battle, by poverty unprecedented in the history of the world, are rallying around the great central ideas of constitutional government, building railroads, starting furnaces, building up great institutions of learning, doubling, as in the State of Louisiana in the last five years, the number of schoolhouses in the State and the number of teachers in the State, reducing governmental expenses, inviting foreign immigration and immigration from our countrymen in the North—why will Senators here, merely for political purposes, endeavor to excite the animosities of our former slaves and disturb the peaceful relations that are being knit together between the white people of the South and the negro people of the South—why, for political purposes, will they put in peril these growing interests of a new civilization when they know that the white people of the South have a problem to solve which is unique in the history of civilization? Not the abolition of slavery in Rome, not the abolition of vassalage in the Middle Ages, not the emancipation of serfs in Russia, not the graduated and compensatory form of emancipation in the West India Islands, not the conquest itself of India, none of these furnish an analogue to the vast problem which in the main must be settled by the white people of the South and by the colored people of the South.

It is true, sir, that on the surface of society occasionally there is a ripple of disturbance; true, that there are individual wrongs by white men against the negroes, and by the negroes against the white men; but the great body of the population reposes solidly upon those sentiments of religion and charity, of good-will and patriotic endeavor, that constitute the basis upon which the structure of every enlightened government must rest.

The Southern people are doing their best. With benevolence, with charity, with composure, with courage, they are invoking all the resources of our civilization to settle this great question in a way that will free us from strife, from the loss of life, from the loss of property, from those unseemly agitations that possess every other people in the world

except our own. We have no orders in society, no standing armies, no traditions to which we may cling, no great vested interest, no class to lead us. There was a disruption in the South in which everything went down into a chasm and beyond recall.

By an interposition of Divine Providence a revolution was wrought at the very moment when we were put at the greatest stress of fortune; and will not the people of the North, the generous and patriotic men and women of the North, who have come to our aid with such abundant benevolence in our many trials, be persuaded that the good men and good women of the South are striving not for party conquest, not for any base and ignoble purposes, but that they are endeavoring to do all they can according to their means to solve rightly every problem which God Almighty has committed to them, to do what they can to free society from the dangers of ignorance and vice and strife?

But they will never cease as long as they cherish liberty to feel that they ought to make any sacrifices to prevent this great instrument of government from falling into the hands of a race marked as distinct from the white race, and which has not yet the capacity because perhaps it has not had the opportunity to fit itself for the responsibilities of self-government.

We united with Senators from the North to exclude the Chinese from our country because they were regarded as an element dangerous to our society, and we have read in Froude's account of the West India Islands of the deplorable and blighting results of negro supremacy.

Sir, I do not mean at this time to suggest that we should take the ballot away from the negroes. I trust the experiment of universal suffrage in the South may prove successful. But we owe it to ourselves and to them to exhaust all the resources of civilization, using a phrase of Mr. Gladstone, to dissuade them from casting their ballots in favor of men incapable of administering the government, and from banding together in secret orders, under unscrupulous and designing men, to make war upon all the institutions we have inherited from our ancestors.

BUREAU OF ANIMAL INDUSTRY.

Mr. HARRIS. I move that the Senate adjourn.

The PRESIDING OFFICER. Before submitting the motion, the Chair will lay before the Senate the unfinished business.

The CHIEF CLERK. "A bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes."

The PRESIDING OFFICER. The Senator from Tennessee moves that the Senate do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 39 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 2, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *May* 1, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of yesterday.

Mr. BURROWS. I ask by unanimous consent that the reading of that portion of the Journal relating to the introduction and reference of bills and resolutions be dispensed with.

There being no objection, it was so ordered.

The residue of the Journal was read.

CORRECTION.

Mr. BUCHANAN. I desire to correct the Journal. I introduced yesterday a bill to abolish war taxes upon American shipping. Upon examination I do not find that bill noticed in the Journal, and I would like to have the proper correction made. The mistake has arisen from confusing two bills—one introduced by the gentleman from Arkansas [Mr. DUNN], and the other by myself.

The SPEAKER. The Clerk will read that part of the Journal.

The Clerk read as follows:

By Mr. DUNN: A bill (H. R. 9738) providing for the organization of the Commission on Fish and Fisheries, and defining its duties; which was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

Mr. BUCHANAN. That is the bill introduced by the gentleman from Arkansas. Mine was a bill to abolish war taxes on American shipping; and it does not appear in the Journal.

The SPEAKER. The Chair will cause the correction to be made.

Mr. BUCHANAN. Now, I desire to have the RECORD corrected. It follows the Journal, as those bills were filed at the Clerk's desk. On page 3672 it is stated that the bill (H. R. 9738) providing for the organization of the commission on fish and fisheries and defining its duties, was introduced by myself. That is the bill introduced by the gentleman from Arkansas. My bill, which the House gave consent should be printed in the RECORD, is not noticed. I desire that the RECORD should be corrected, so that my bill may appear as introduced and may be published in full, in accordance with the leave granted by the House.

The SPEAKER. The necessary correction will be made. The Chair will cause the Journal to be corrected according to the gentleman's statement.

The bill introduced by Mr. BUCHANAN, a bill (H. R. 9739) to abolish war taxes upon American shipping, was read a first and second time, referred to the Committee on Merchant Marine and Fisheries, ordered to be printed, and also to be published in the RECORD. It is as follows:

Be it enacted, etc., That the act approved May 31, 1830, entitled "An act to repeal the tonnage duties upon ships and vessels of the United States and upon certain foreign vessels," which was repealed by section 15 of the act approved July 14, 1862, entitled "An act increasing temporarily the duties on imports, and for other purposes," be, and the same is hereby, re-enacted as follows:

"That from and after the passage of this act no duties upon the tonnage of the ships and vessels of the United States, of which the officers and two-thirds of the crew shall be citizens of the United States, shall be levied or collected; and all acts or parts of acts imposing duties upon the tonnage of ships and vessels of the United States, officered and manned as aforesaid, so far as the same relate to the imposition of such duties, shall, from and after said 1st day of April next, be repealed.

"SEC. 2. That from and after the said 1st day of April next all acts and parts of acts imposing duties upon the tonnage of the ships and vessels of any foreign nation, so far as the same relate to the imposition of such duties, shall be repealed: *Provided*, That the President of the United States shall be satisfied that the discriminating or countervailing duties of such foreign vessels, so far as they operate to the disadvantage of the United States, have been abolished."

EXPENSES OF INTERNATIONAL MEDICAL CONGRESS.

The SPEAKER, by unanimous consent, laid before the House a letter from the Secretary of the Treasury, transmitting a statement of expenditures of the appropriation for entertaining and providing for expenses of the Ninth International Medical Congress, September, 1887; which was referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

REPAIR OF SEA-WALL, NAVAL HOSPITAL, NORFOLK, VA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Navy of an appropriation to be immediately available for repair of the sea-wall at the naval hospital, Norfolk, Va.; which was referred to the Committee on Appropriations, and ordered to be printed.

FIRE-ESCAPES, HOWARD UNIVERSITY BUILDING.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of the Interior for the erection of fire-escapes upon the Howard University building; which was referred to the Committee on Appropriations, and ordered to be printed.

PENSION APPROPRIATIONS.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, transmitting a letter from the Commissioner of Pensions requesting that the sum of $3,500,000 be transferred from the appropriations for Mexican war pensions to the Army pension appropriations; which was referred to the Committee on Appropriations, and ordered to be printed.

UNION BANK OF AUSTRALIA.

The SPEAKER also laid before the House a letter from the Acting Secretary of the Treasury, with accompanying papers, and a letter from the Secretary of State, relative to the relief of the Union Bank of Australia, limited, for losses sustained through payment of certain drafts drawn by the late United States commercial agent at Levuka, Fiji Islands; which was referred to the Committee on Claims, and ordered to be printed.

REFERENCE OF BILLS.

The SPEAKER laid before the House, under the rule, Senate bills, which were severally read a first and second time, and referred as follows, namely:

The bill (S. 347) to provide for the erection of a public building at Youngstown, Ohio—to the Committee on Public Buildings and Grounds.

The bill (S. 349) for the erection of a public building at Akron, Ohio—to the Committee on Public Buildings and Grounds.

The bill (S. 1747) to authorize the sale of a tract of land in the military reservation of Fort Leavenworth, in the State of Kansas—to the Committee on Military Affairs.

The bill (S. 2329) to authorize the Secretary of the Treasury to re-examine and reaudit a claim of the State of Pennsylvania for advances made and money borrowed by said State to pay the militia called into the military service by the governor under the proclamation of the President of June 15, 1863—to the Committee on War Claims.

The bill (S. 68) for the relief of James H. Smith, late postmaster at Memphis, Tenn.—to the Committee on Claims.

RETURN OF BILL TO THE SENATE.

The SPEAKER. The Chair will also lay before the House a request of the Senate for the return of a bill.

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES, *April* 30, 1888.

Ordered, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1161) granting a pension to Mrs. Jeannie Stone, widow of General Charles P. Stone.

The SPEAKER. If there be no objection this request will be complied with, and the Clerk will be directed to return the bill to the Senate.

There was no objection, and it was so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WHITE, of Indiana, indefinitely, on account of sickness in his family.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill of the following title; when the Speaker signed the same, namely:

A bill (H. R. 1788) for the erection of a public building at Lancaster, Pa.

KANSAS CITY AND PACIFIC RAILROAD COMPANY.

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to report from the Committee on Indian Affairs the bill (S. 1148) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes, and ask its present consideration.

The SPEAKER. The bill will be read, subject to the right of objection.

The Clerk proceeded to read the bill.

Mr. PERKINS. The bill, Mr. Speaker, is quite a lengthy one, and if there is to be an objection to its present consideration, perhaps it should be interposed now, so as to save the time that would be necessarily occupied in reading the bill.

Mr. MILLS. What is the purpose of the bill?

Mr. PERKINS. To grant a right of way through the Indian Territory to this railroad company.

Mr. DOCKERY. I trust the gentleman will not object. It is a measure of great importance to our people.

Mr. PERKINS. I will say that I have received a large number of petitions asking for the immediate consideration of this bill, and also from the Board of Trade of the city of Kansas City, Mo., and numerous other cities and towns in Kansas. It is quite important that immediate action should be taken upon the bill.

Mr. MILLS. I think we had better not delay the consideration of the regular order.

Mr. DOCKERY. I sincerely hope that there will be no objection to the consideration of this bill.

Mr. MILLS. How long will it take to get through with it?

Mr. PERKINS. There will be no debate, I take it. The bill is carefully prepared and contains all the safeguards usual to such legislation.

Mr. DOCKERY. Let the bill be printed in the RECORD.

Mr. MILLS. If it will not consume much time in its consideration, I will not make any special objection.

Mr. PERKINS. It contains every provision and every safeguard that has been incorporated in bills of this character heretofore and which have received the favorable consideration of this House in the past. This bill has received the consideration of our committee and now comes before the House with its unanimous indorsement. It is recommended unanimously by the committee——

Mr. MILLS. Can we dispense with the reading of the bill?

Mr. MCKINLEY. Let the gentleman simply state the object of it, and let the reading be dispensed with.

Mr. PERKINS. The object of the bill is to grant to the Kansas City and Pacific Railroad Company a right of way through the Indian Territory for their road from Kansas into Texas. I repeat, it has every safeguard which has been incorporated in this character of bills for the protection of the Indians, and all the rights of the Government under it are preserved.

Mr. ROGERS. Ask unanimous consent to dispense with the reading of the bill, and put it upon its passage.

Mr. PERKINS. I was just about to make that request.

The SPEAKER. Is there objection to dispensing with the reading of the bill?

There was no objection.

Mr. PERKINS. The company for which I speak is a responsible one, and now has more than a hundred miles of road in operation and desires to extend its road from Kansas City to the Gulf and give to the people of Missouri, Kansas, and Texas another competing line through the Indian Territory, and also another line binding together and connecting more closely these great States of the West and South.

Mr. HOLMAN. I wish to inquire of the gentleman from Kansas whether the usual limitations as to the transportation of passengers, etc., are in the bill?

Mr. PERKINS. Every one, and in addition there is a clause not heretofore incorporated in such bills which provides that Indians who are not satisfied with the award of damages in condemnation proceedings may appeal to the courts, and although they may not recover in court as much as is given by the commissioners, still they are to recover costs, notwithstanding such appeal and reduction in damages awarded.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The reading of the bill in full was dispensed with.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. PERKINS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS EASTERN BRANCH.

Mr. HEMPHILL. I ask unanimous consent to call up for present consideration the bill (S. 2458) to amend an act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, in his discretion, to make such alterations in the plan of said bridge as will best accommodate the traffic over and under said bridge, and for said purpose the sum of $60,000, or so much thereof as may be necessary, to be immediately available, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated: *Provided*, That the Baltimore and Potomac Railroad Company pay their fair and just proportion of the cost of said alteration at the west end of said bridge, to be determined by the Secretary of War.

The Committee on the District of Columbia recommended the following amendment:

In lines 4 and 5 strike out the words "said bridge" and insert "the bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east."

Mr. MILLS. Does the bill make any appropriation?

Mr. HEMPHILL. The bill makes an appropriation of $60,000. The House will remember that last year we made an appropriation for a bridge over the Eastern Branch of the Potomac River. We appropriated a sum of money which at that time was thought to be sufficient. The Secretary of War has let out contracts under that act; but now it has become perfectly apparent that the sum appropriated is not sufficient to give the people there the bridge they want. In addition to that the Baltimore and Potomac Railroad Company, by reason of the extension of the track which they are entitled to under the law, have a title to the land upon which this bridge as now planned will land; so that the public in crossing the bridge will run against the railroad. It is necessary to extend the bridge far enough over to allow the railroad to run under it. The Baltimore and Potomac Railroad Company have the right of way of, I think, 60 feet on each side of its track, and as the bridge is now planned people in crossing it will run right into the railroad track. This bill proposes to give additional money to build a better bridge, so that people in crossing the bridge may go over the railroad track instead of running right into it.

The bill has passed the Senate, and has been unanimously reported by the House committee after a personal investigation by some of the members, if I recollect correctly.

It is provided that the Baltimore and Potomac Railroad Company shall pay their just proportion of the increased cost, and that the amount of their share shall be determined by the Secretary of War.

The reason why I ask unanimous consent of the House to pass the bill at this time is because I have a letter from the Secretary of War, received yesterday, stating that the construction of the bridge according to the present plan is now going on, and that it will cost from $500 to $1,000 each day if there is delay in changing the plan.

Mr. HOLMAN. How much is appropriated out of the public Treasury for the bridge, including the appropriation made by this bill?

Mr. HEMPHILL. The original appropriation, I think, was $125,000. This will make the total amount $185,000.

Mr. HOLMAN. Does the District provide half the cost?

Mr. HEMPHILL. Yes, sir.

Mr. HOLMAN. What provision does the bill make about that?

Mr. HEMPHILL. Let the Clerk read the bill again.

The bill was again read.

Mr. HOLMAN. I do not observe any such provision in the bill.

Mr. HEMPHILL. I will add a proviso to the effect that one-half of the appropriation shall be paid from the revenues of the District of Columbia.

The SPEAKER. The Clerk will report the proposed amendment.

The Clerk read as follows:

Add to the bill the following:

"*Provided further*, That one-half of the sum hereby appropriated shall be paid out of the revenues of the District of Columbia."

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The question being put on agreeing to the amendment reported by the committee and the amendment offered by Mr. HEMPHILL, they were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. HEMPHILL moved to reconsider the vote by which the bill

was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ABOLITION OF PUBLIC DRUNKENNESS.

Mr. ATKINSON, by unanimous consent, introduced a bill (H. R. 9769) to punish public drunkenness in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

ORDER OF BUSINESS.

Mr. MILLS. I move to dispense with the morning hour for the call of committees.

The SPEAKER. That requires a vote of two-thirds.

The motion was agreed to (two-thirds voting in favor thereof).

Mr. MILLS. I ask unanimous consent that gentlemen having reports to present may file them at the desk for reference to the appropriate Calendars.

There was no objection, and the following reports were filed by being handed in at the Clerk's desk:

GEORGE CAMPBELL.

Mr. FORD, from the Committee on Military Affairs, reported back favorably the bill (H. R. 6018) for the relief of George Campbell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MICHIGAN CAVALRY.

Mr. THOMAS, of Wisconsin, from the Committee on War Claims, reported back favorably the bill (H. R. 3393) to amend section 10 of an act entitled "An act making appropriations for the sundry civil expenses of the Government for the year ending June 30, 1867, and for other purposes," approved July 28, 1866; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

D. W. BOUTWELL.

Mr. THOMAS, of Wisconsin, also, from the Committee on War Claims, reported back favorably the bill (H. R. 2253) for the relief of D. W. Boutwell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DETAIL OF ARMY OFFICERS TO COLLEGES, ETC.

Mr. SENEY, from the Committee on the Judiciary, reported back with amendment the bill (H. R. 6661) to amend section 1225 of the Revised Statutes; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

CLAIMS OF VOLUNTEER OFFICERS.

Mr. CUTCHEON, from the Committee on Military Affairs, reported back favorably the joint resolution (H. Res. 144) to provide for the adjudication of claims of volunteer officers under the acts of June 3, 1884, and February 3, 1887; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

CLAIMS FOR STORES AND SUPPLIES.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported a bill (H. R. 9770) for the allowance of certain claims for stores and supplies taken and used by the United States Army as reported by the Court of Claims under the provisions of the act of March 3, 1883, known as the Bowman act; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HUDSON G. LAMKIN.

Mr. STONE, of Kentucky, also, from the Committee on War Claims, reported back favorably the bill (H. R. 9464) for the relief of Hudson G. Lamkin; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS ENGLISH.

Mr. LAWLER, from the Committee on War Claims, reported back favorably the bill (H. R. 8692) for the relief of Thomas English; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SCREW STEEL STEAMER SCYTHIAN.

Mr. DUNN, from the Committee on Merchant Marine and Fisheries, reported back favorably the bill (H. R. 9081) to authorize an American register to be issued for the screw steel steamer Scythian; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, OTTUMWA, IOWA.

Mr. NEWTON, from the Committee on Public Buildings and Grounds, reported back the bill (H. R. 8031) to provide for the erection of a public building at Ottumwa, Iowa, and for other purposes; which was laid on the table.

He also, from the same committee, reported in the nature of a substitute a bill (H. R. 9771) for the erection of a public building at Ottumwa, Iowa; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

EMANUEL H. CUSTER.

Mr. CHIPMAN, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9387) for the relief of Emanuel H. Custer; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN A. ROLF.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 7093) granting an increase of pension to John A. Rolf; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARGARETHA SUSSMAN.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 3901) for the relief of Margaretha Sussman; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ADELINE COUZINS.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2356) to provide a pension for Mrs. Adeline Couzins; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

J. W. M'MILLAN.

Mr. CHIPMAN also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1074) for the relief of J. W. McMillan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NEIL FISHER.

Mr. HOOKER, from the Committee on Military Affairs, reported back favorably the bill (H. R. 105) for the relief of Neil Fisher; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

TENEDORE TEN EYCK.

Mr. LAIRD, from the Committee on Military Affairs, reported back favorably the bill (H. R. 5569) to authorize the President to restore Tenedore Ten Eyck to his former rank in the Army, and to place him upon the retired-list of Army officers; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM R. MURPHEY.

Mr. GEAR, from the Committee on Military Affairs, reported back favorably the bill (H. R. 9579) for the relief of William R. Murphey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ROBERT TRAVILA.

Mr. STOCKDALE, from the Committee on War Claims, reported back favorably the bill (H. R. 3618) for the relief of Robert Travila for amount overcharged for loss of carbine; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WINNEBAGO RESERVATION, NEBRASKA.

Mr. McSHANE, from the Committee on Indian Affairs, reported back with amendment the bill (H. R. 8372) authorizing the sale of a portion of the Winnebago reservation in Nebraska; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

UMATILLA RESERVATION, OREGON.

Mr. McSHANE also, from the Committee on Indian Affairs, reported back favorably the bill (S. 970) to amend an act entitled "An act providing for an allotment of lands in severalty to the Indians residing upon the Umatilla reservation, in the State of Oregon, and granting patents therefor, and for other purposes," approved March 3, 1885; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, CHESTER, PA.

Mr. SOWDEN, from the Committee on Public Buildings and Grounds, reported back the bill (H. R. 1785) for the erection of a public building at Chester, Pa.; which was laid on the table.

He also, from the same committee, reported, in the nature of a substitute for the foregoing, a bill (H. R. 9772) for the erection of a public building at Chester, Pa.; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, ROANOKE, VA.

Mr. SOWDEN also, from the Committee on Public Buildings and Grounds, reported back favorably the bill (S. 1294) for the erection of

a public building at the city of Roanoke, Roanoke County, Virginia; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. GALLINGER, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. 9197) granting an increase of pension to George S. Hawley; which was laid on the table, and the accompanying report ordered to be printed.

LOUISE F. D. HOIT.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 9587) granting a pension to Louise F. D. Hoit; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM C. LORD.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 7202) granting a pension to William C. Lord; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN S. BRYANT.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back favorably the bill (H. R. 5155) granting a pension to John S. Bryant; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LOUISE PROVOST.

Mr. GALLINGER also, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1884) granting a pension to Louise Provost; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CONVICT LABOR.

Mr. O'NEILL, of Missouri, from the Committee on Labor, reported back with a favorable recommendation the bill (H. R. 8716) to protect free labor and the industries in which it is employed from the injurious effects of convict labor by confining the sale of the goods, wares, and merchandise manufactured by convict labor to the State in which they are produced; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

INTERNAL-REVENUE LAW.

Mr. O'NEILL, of Pennsylvania. I ask unanimous consent to present at this time, that it may be referred to the Committee on Ways and Means and printed in the RECORD, a petition, very numerously signed by well-known business men of the city of Philadelphia, relative to a repeal of a portion of the internal-revenue tax, especially that upon alcohol wherever it enters into the making of medicines, so that medicines can be sold cheaper. I ask that the petition be read.

Objection was made to the reading.

Mr. O'NEILL, of Pennsylvania. Then I will put it in the box, and hope the Committee on Ways and Means will read it.

The SPEAKER. The Chair hears no objection to the request of the gentleman from Pennsylvania that the petition be referred to the Committee on Ways and Means, and that it be printed in the RECORD without the names.

The petition is as follows:

To the Honorable the Senate and House of Representatives of the United States:

The undersigned, citizens of the State of Pennsylvania, respectfully petition your honorable bodies to repeal that portion of the internal revenue law which classes druggists as liquor dealers, and requires them to take out a license and pay annually the sum of $25 therefor; and your petitioners further pray that as alcohol enters largely into the manufacture of medicines, thereby increasing their cost to the sick and needy, and as the necessities of the Government no longer require this excessive tax upon an article so largely used in the arts and medicine, that your honorable bodies take such action as will reduce the tax on spirits.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. McCREARY. Mr. Chairman, we are confronted to-day by a large and increasing surplus of money in our Treasury, while our people are overburdened with unjust and unnecessary taxes. One of the cardinal principles of good government is that no more money should be collected by taxation than is necessary to pay the expenses of the government, economically administered. President Jackson emphasized this principle in his last annual message to the Congress of the United States by saying:

The safest and simplest mode of obviating all the difficulties which have been mentioned is to collect only revenue enough to meet the wants of the Government, and let the people keep the balance of their property in their hands to be used for their own profit.

A GREAT QUESTION.

One of the great questions before us is, what causes this surplus, which amounts to nearly a hundred millions of dollars per annum, and which in a few years, if nothing is done, will draw all the money into the Treasury and produce stagnation of business, destruction of value, and financial ruin throughout the country? There can be but one answer to this question, and that is, excessive taxation and unjust exaction produce the surplus. Under our system of government every citizen is guarantied the full enjoyment of the efforts of his industry and strength, subject only to such deductions as may be his share in maintaining the Government. The collection of more than this is unjust extortion and legalized robbery. The history of the world shows fearful and wonderful results growing out of high taxes and unjust exactions. For these causes Charles the First was beheaded and the last of the Stuarts was driven into exile. For these causes our war for independence was fought and our Government established on the doctrine of proper taxation and fair representation; but—

Peace hath her victories, no less renowned than war.

The time has come when private extortion must yield to public right and selfish interest give way to public good, and excessive taxation must be remedied by a fair and conservative reduction of the taxes, and a diminution of the surplus will follow.

PRESIDENTS AND PARTIES HAVE RECOMMENDED TAX REFORM.

Both the great national parties have declared in favor of a tariff reduction. The Republican party at the national convention held at Chicago in 1884 promised to correct the inequalities of the tariff. The Democratic party at the national conventions held at St. Louis in 1876, at Cincinnati in 1880, and at Chicago in 1884, declared in favor of a revision of the tariff in a spirit of fairness for all interests.

In 1883 a Republican Congress provided for the appointment of a "tariff commission," which was composed mainly of men interested in protected industries; but the necessity and wisdom of tariff reduction were so great that the commissioners reported in favor of a reduction of from 20 to 25 per cent.

President Arthur said in his first message to Congress:

It seems to me that the time has arrived when the people may justly demand some relief from their present onerous burdens.

In his second annual message to Congress he said:

I heartily approve the Secretary's recommendation of immediate and extensive reductions in the annual revenues of the Government.

President Cleveland made himself conspicuous before the world for wisdom, patriotism, and courage by devoting his entire annual message to the Fiftieth Congress to the discussion and recommendation of surplus reduction and tax reform. In the light of these expressions it seems to me that Congress should have long ago provided for a diminution of tariff rates.

The Journals of the House of Representatives, however, show that when we on this side of the House have brought in bills to reduce taxes on the necessaries of life those on the other side have mustered nearly their entire strength to defeat us.

In 1884 and 1885 they struck out the enacting clause of our bills to reduce taxes, and in 1886 and 1887 they voted almost unanimously in opposition to even considering the bill to reduce taxation; but the continued flow of money into the United States Treasury at the rate of $42,000 per hour, and the manifest injustice and impolicy of maintaining a revenue system which compels the people to pay annually millions of dollars more than is needed by the Government, and the demands of those who have to bear the burdens and endure the hardships of onerous taxation are beginning to be heeded, and "A bill to reduce taxation and simplify the laws in relation to the collection of the revenue" is at last being considered in the House of Representatives of the United States.

Mr. McKINLEY. As we were in a minority, of course we could not have prevented the consideration of that bill without the help of Democrats on your side of the House.

Mr. McCREARY. If it had not been for the Republicans on your side of the House we would have prevented the enacting clause from being stricken out of the first bill and we would have considered the last bill, which was known as the Morrison bill.

Mr. McKINLEY. You mean that if it had not been for some Democrats on your own side of the House you would have succeeded.

Mr. McCREARY. The revenues of the Government are derived mainly from internal taxation and from tariff duties. The receipts from internal revenue for the fiscal year of 1887 amounted to $118,823,391.22; the receipts from tariff duties amounted to $217,286,893.13, and from miscellaneous sources, $35,292,993.31, amounting in all to $371,403,277.66. The total expenditure of the Government for 1887 amounted to $315,835,428.12

INTERNAL-REVENUE TAX.

The internal revenue is derived mainly from the taxes on distilled spirits, malt liquors, and tobacco, and the amount collected from this source goes directly into the Treasury, less about 3 per cent., the cost of collection. This tax is imposed on luxuries, and the amount collected is a clear gain to the Treasury. It does not interfere with nor add to the cost of clothing, food, shelter, farming implements, or any necessary of life, but helps to relieve them of the burdens of taxation.

TARIFF TAX.

The tariff tax is imposed on foreign articles imported into this country. It is first paid by the importer, but ultimately comes out of the consumer. When levied and collected for the Government, it is a revenue tariff; when it is levied for the purpose of aiding individuals in their business or private enterprises, it is a protective tariff.

The average tariff rate in 1850 was 27 per cent., in 1857 it had been reduced to a little over 18 per cent., but it was raised to an average rate of 40.29 per cent. on dutiable goods between the years 1862 and 1866 inclusive—the venerable and distinguished father of the bill then introduced declaring—

This is intended as a war measure, or a temporary measure, and we must, as such, give it our support.

His utterances have not been fulfilled. Although more than twenty years have passed since the war closed, these war taxes still remain, and they are heavier to-day than they were on an average during the late war, the average tariff duty now being 47.10 per cent.

WAR TAXES THAT HAVE BEEN REPEALED.

As peaceful and prosperous years have rolled by, many taxes caused by the necessities of the war have been repealed.

The income tax, which brought to the United States Treasury in 1866 $72,000,000; the tax imposed on home manufactures, which brought in $127,000,000 in that same year, were soon repealed after the war. They reached a high and select class of manufacturers and moneyed men, and they were soon blotted out.

There were also taxes on bank deposits, bank checks, taxes on the receipts of railroad companies, on insurance companies, and on express companies. These also yielded to the magic wand, waved by the rich and powerful, and vanished from our statute-books. Even the taxes on whisky and tobacco were much reduced, and the tax on playing cards was removed, but the tariff tax, which is so burdensome and crushing to the moneyless man and the laboring man, stands before the world as the only tax in our "land of the free and home of the brave" whose average rate has been increased since the war.

MANUFACTURERS GET MOST OF THE MONEY.

The tariff brings more money to the manufacturer than to the Treasury. The aggregate value of the manufactured products of the United States is reported by the Bureau of Statistics to be worth, in round numbers, $6,000,000,000 annually. More than two-thirds, or four billions, are sold in this country. The increased cost to the consumer in consequence of the tariff duties is, according to the estimates made by Professor Arthur L. Perry, $869,159,572 per annum, which goes into the pockets of manufacturers and private persons, outside of the amount received in the Treasury on imports.

Therefore the tariff tax, which put $217,000,000 into the Treasury last year, put $869,159,572 into the pockets of manufacturers and private persons, being $4 into their pockets for every dollar put into the Treasury. When we reduce the tariff we not only provide for a reduction of a continually increasing surplus, but for every dollar we leave out of the Treasury we leave $4 in the pockets of the people.

THE PROBLEM.

The problem then to be solved is, what shall we do with the surplus and the tariff; shall we get rid of the surplus by extravagant expenditures and leave the tariff high, or shall we reduce taxation, and thereby reduce the surplus?

We have more money piled up in the United States Treasury than there is in the Treasury of any kingdom, monarchy, or empire under the sun. Indeed, we have a greater amount thus hoarded than have the three leading nations of Europe.

A large surplus is a perpetual menace to an economical government, and invites unwise legislation, jobs and rings, and a long train of evils. It should be avoided.

If we reduce taxation, shall it be done by reducing the tariff taxes or by reducing the internal-revenue taxes?

If I consulted my own wishes I would say the reduction of tariff taxes is the true course. They rest on the necessaries of life and on nearly everything by which industry is benefited or civilization advanced.

The internal-revenue tax is obtained from luxuries. The taxes on them are in the nature of voluntary taxes, for any person who is burdened with them may cease to use the articles and avoid the tax.

To me it seems preposterous to suggest that whisky, beer, and tobacco be made free and the necessaries of life bear the burdens of taxation. No civilized country on earth ever did this. I can never vote for free whisky, free tobacco, and free beer, until we have free food, free clothing, free fuel, free implements of labor, and last, but not least, free blankets and free Bibles.

WHO WANTS FREE WHISKY AND FREE TOBACCO?

Whence comes the demand for free whisky and free tobacco? There are no delegations of distillers or tobacco raisers here to ask the repeal of internal revenue taxes. No petitions have been sent here that I have heard of by whisky makers or whisky sellers or whisky drinkers. Neither have the tobacco producers or the chewers or the smokers sent in their petitions. The great, zealous, importunate demand for free whisky, free tobacco, and free beer comes from the advocates of that masterpiece of injustice, inequality, and false pretense, known as "high protective tariff," and from the manufacturers and monopolists who have fattened on the hard earnings of the people and who are making colossal fortunes by means of the tax imposed on the necessaries of life.

The distinguished gentleman from Pennsylvania [Mr. KELLEY], the venerable god-father of the existing tariff, does not agree with me. He declared as far back as the 12th day of December, 1870, in this Hall, but his party overruled him, that the true principle of revenue reform points to the abolition of the internal-revenue system, and he reiterated that statement in his recent speech against the pending bill.

Mr. KELLEY. Will the gentleman pardon a moment's interruption?

Mr. McCREARY. Yes, sir.

Mr. KELLEY. I believe the resolution to which the gentleman refers was adopted with but six dissenting votes in the House. It is, therefore, a mistake for him to say that my party overruled me on that resolution; there were but six votes against me.

Mr. McCREARY. Was not the other branch of Congress Republican at that time?

Mr. KELLEY. The resolution did not go to the other House.

Mr. McCREARY. Was there not a caucus of the Republicans here which overruled the gentlemen?

Mr. KELLEY. You are referring now to the Forty-seventh Congress, when I had the honor of being chairman of the Committee on Ways and Means.

Mr. McCREARY. Was there not a caucus of your party in the Forty-seventh Congress in relation to your internal-revenue resolution?

Mr. KELLEY. You have recited a resolution that I offered in 1870—eighteen years ago.

Mr. McCREARY. Was there not a caucus held relative to the resolution which the gentleman from Pennsylvania [Mr. KELLEY] introduced, urging that the internal-revenue taxes be repealed, and did not that caucus refuse to indorse that resolution?

Mr. KELLEY. Not the resolution to which the gentleman refers in his speech.

Mr. McCREARY. I am asking the gentleman this question: Was there a Republican caucus held here at any time in reference to the gentleman's resolution, and was he not compelled by that Republican caucus to give up his views in favor of repealing internal-revenue taxes? I ask the gentleman to answer that question, yes or no.

Mr. KELLEY. I mean to answer the question, and I know that so courteous a gentleman as the gentleman from Kentucky does not wish to make a misstatement.

Mr. McCREARY. Oh, no.

Mr. KELLEY. You have cited a resolution that I submitted to Congress in 1870, and as to which there were but six dissenting votes, although you have said that my party overruled me. When I deny that, and say that six votes did not overrule the whole House, you now refer to an incident which occurred in the second session of the Forty-seventh Congress, four years ago, when I proposed to repeal internal taxes, to wit, the taxes on tobacco and on malt liquors, and my party did, in caucus, although I was chairman of the Committee on Ways and Means, refuse to hear either my argument or my figures. That is so.

Mr. McCREARY. As the Republicans were in power for twenty years and had authority and power during that time to repeal the internal-revenue taxes, why did they not do it?

Mr. KELLEY. Why? Because they needed the money; having had a Southern rebellion to suppress. [Derisive laughter on the Democratic side.]

Mr. McCREARY. If the gentleman from Pennsylvania's views are carried out and the entire internal-revenue taxes are repealed, as he proposes in his speech, there will be a deficit of $60,000,000 per annum in the revenues of the Government.

Mr. KERR. Would it not take four years of that deficit to overcome that surplus?

Mr. McCREARY. Oh, no, sir; it would not.

Mr. FARQUHAR. Oh, yes; it would.

Mr. McCREARY. He said also that "the enactment of this bill would instantly paralyze the enterprise and energy of the people." This is his view of a measure, the purpose of which is to relieve an overflowing Treasury and reduce taxation. This is his criticism of a bill, the object of which is to lessen the taxes which a comparatively small number of men can impose on millions of their fellow-men to build up the industries of one State at the expense of the people of a large part of the country. This is his opinion of a bill which, if it becomes a law, will still leave the average tariff rate in our Republic higher than it is in any other country in the world. I say to the distinguished gentleman that the assertion he has made can not be maintained, and that

the people will require further explanation before they will believe that a conservative reduction of a war tariff and a gradual return of a hoarded surplus to those from whom it was unjustly taken will retard or paralyze the enterprise of the people or the prosperity of the country.

DEFENSE OF KENTUCKY.

He is mistaken in this, as he is mistaken in many of the statements made in the same speech about Kentucky.

I remember well that in the early autumn of last year, when our fields and pastures had reached their rich perfection, while the people were resting after an abundant harvest, and the genial climate and the sunny days suggested hospitality and social meetings, I noticed in the papers that the distinguished gentleman from Pennsylvania had arrived by invitation at Louisville, Ky., to address an industrial convention. I noticed also with pleasure that after remaining at Louisville a few days he was escorted to the State capital, and then to Lexington, the center of the blue-grass region, and to other cities. We were all glad that the distinguished statesman from Pennsylvania had time and was willing to be our guest, for we love to welcome our brothers from the North as well as from the South to our State, believing that if "we know each other better we will love each other more."

The distinguished gentleman's speech in this Hall, I regret to say, indicates that he arrived at many erroneous conclusions while in Kentucky, and that he did not study that State as closely as he has studied the tariff.

When he called Kentucky a "laggard," why did he not compare Kentucky with Vermont, the first-born of the United States, and the only State which came into the Union before Kentucky, where protection has always flourished like a green bay tree, where it has had its stronghold for more than half a century, where the father of the existing tariff law has been elected term after term to the Senate of the United States? Vermont, the eldest daughter of our Republic, always steadfast and true to a protective tariff, has a population of 332,286, and only two Representatives in Congress. Kentucky has a population of 1,648,090, and has eleven Representatives in Congress, yet the gentleman singled Kentucky out as a laggard, and said not one word about Vermont.

The gentleman from Pennsylvania [Mr. KELLEY] said of Kentucky:

> The mass of her people are steeped in poverty and illiteracy. In 1880 the number of her people above ten years of age, who were reported by the census as unable to read and write, was more than one-half her total population. That number was 606,578, while her total population, which of course included those under ten years of age, numbered 1,163,498.

This is a marvelous misrepresentation.

According to the census of 1880, Kentucky had a population of 1,642,000, instead of 1,166,498, as stated by him. The census report also shows that the percentage of illiteracy in Kentucky is less than in any other of the Southern States, except Texas and West Virginia; and instead of there being 606,578 persons, or one-half of her whole population, as he states, who can not read and write, there are but 258,186 persons above ten years of age who can not read and write, out of her entire population.

Mr. KELLEY. Will the gentleman permit me to interrupt him for a moment?

Mr. McCREARY. Yes, sir.

Mr. KELLEY. I was speaking, from census figures, of the proportion of illiteracy among the people over ten years of age. I said elsewhere that Kentucky had a population of more than 1,600,000, but that when you abstracted from that total the children under ten years of age, you were left with a total, as I stated it, of one million and one hundred and odd thousand, and that was the total with which I was dealing.

Now, as the gentleman has permitted me, I am ready to say that I may have fallen into error in assuming that the total of persons unable to read was distinct from the total of those who were unable to write, while it is possible that the latter number included the former; which would make a change in my figures but would leave the general elements of the statement as they are.

I have in my desk the papers upon which I based my statements.

Mr. McCREARY. I will read from the gentleman's speech which I hold in my hand, the corrected copy which he has printed and sent out to the country:

Speaking of Kentucky he said the mass of her people—

> are steeped in poverty and illiteracy. In 1880 the number of her people above ten years of age who were reported by the census as unable to read and write were one-half of her total population. The number was 606,578, while her total population—

Which of course includes those under ten years of age—

> numbered 1,163,498.

That speech does not agree with what the gentleman says to-day. Mr. Chairman, according to the census of 1880 Kentucky had a population of 1,642,000, instead of 1,163,498 as stated by the gentleman. He merely made, as regards Kentucky, a mistake of half a million, or one-third of her population.

Mr. KELLEY. I stated her population at 1,600,000, but her population within school age at 1,100,000.

Mr. McCREARY. I have here the remarks of the gentleman as printed and sent out by him.

The census report also shows that the percentage of illiteracy in Kentucky is less than in any other of the Southern States except Texas and West Virginia, and instead of there being 606,573 persons, or one-half of her whole population, as he states, who can not read and write, there are but 258,186 persons above ten years of age who can not read and write, out of her entire population, and when we subtract colored persons——

Mr. KELLEY. The gentleman is mistaken. There are more than 348,000 who can not write.

Mr. McCREARY. I said "read and write."

Mr. KELLEY. There are 348,392 who can not write.

Mr. McCREARY. The gentleman makes the mistake now, as he did before, of adding together those who can not read and those who can not write.

Mr. KELLEY. Those are the illiterates; and they number, as I have said, more than 348,000.

Mr. McCREARY. I wish to be understood, Mr. Chairman, on this point, because I make a comparison with Pennsylvania to which I invite the attention of the gentleman. When we subtract colored persons in Kentucky over ten years of age who can not read, to wit, 133,895, there are but 124,219 white persons over ten years of age who can not read and write in that State, while there are 128,105 white persons who can not read and write in Pennsylvania. Thus it appears that there are more white persons who are illiterates in Pennsylvania than in Kentucky. [Applause on the Democratic side.]

Mr. KELLEY. I ask the gentleman whether the colored people are not part of the population of Kentucky?

Mr. McCREARY. They are; and are they not a part of the population of Pennsylvania?

Mr. KELLEY. Yes; but why do you exclude them when you enumerate the illiterates?

Mr. McCREARY. I subtract them in Pennsylvania and I subtract them in Kentucky.

Mr. KELLEY. The native white population of Kentucky who can not read and write are more numerous than in any other State.

Mr. McCREARY. I have stated that there is less illiteracy in Kentucky than in any of the Southern States except Texas and West Virginia, and the census report shows this.

The gentleman from Pennsylvania said:

> The mass of her people are strangers not only to the comforts of humble life but to the commonest and most absolute daily necessaries of Northern laborers.

This is a gross misrepresentation, for there is not a State in the Union where the laboring classes are better clothed, fed, and housed than in Kentucky, and this is the reputation of Kentucky with every person I have ever heard except the gentleman from Pennsylvania.

Mr. KELLEY. Will the gentleman permit me to say that I quoted a statement made to the convention which I was invited to address, by one of its committee. I knew nothing of the subject; but it was so reported to the convention.

Mr. McCREARY. I have the published proceeedings of that convention. The gentleman may have heard privately some such statement, but no such statement was ever sent out to the public.

Mr. KELLEY. I beg the gentleman's pardon; it was.

Mr. McCREARY. Then I say further, Mr. Chairman, that on this important subject the gentleman from Pennsylvania ought not to have made that assertion unless he had examined the facts and found out for himself that it was the truth. [Applause.]

In his zeal to assail Kentucky, why does he forget his own city, Philadelphia, and his own State, Pennsylvania.

I call him as a witness to testify about his protection-ridden city. In his speech in the House of Representatives, May 8, 1879, he said:

> Why, sir, the people of my city, Philadelphia, the working people, whose pride it has been to have their families under their own roof, are many of them huddling together, three or four families in one such house, and then are probably unable to pay their rent.

No such poverty and huddling as he testifies to in his own city can be found in any part of Kentucky.

I have not time now to read the evidence as published by the Senate Committee on Labor and Education in regard to the condition and wretchedness of laboring men in the coal and iron region of Pennsylvania, but I commend it to the gentleman from Pennsylvania. The testimony shows that the wages and earnings of laborers in the coal and iron region of Pennsylvania are not sufficient to give them comforts or even a decent support for their families, and that there has been a steady degradation in the condition of laboring men in Pennsylvania during the last twenty years.

Mr. Chairman, I will now read an extract from a speech made by a former member of this House in 1884, who is now the distinguished and honored mayor of New York City, Hon. Abram S. Hewitt:

> I have been in the coal regions of this country within the last six months, and have seen with my own eyes a condition of things which made my heart sad, which made me hope that this Congress might be wise enough to remove some of the causes of the wretchedness and the misery which I saw there. When I saw that men who worked a whole day away from the light of heaven, and who took their lives in their hands every time they entered the pit, are housed in hovels such as the lordly owners of the mines would refuse to stable their cattle in, then I felt that something was wrong in the condition of the American laborer.

When I learn that there are miners of iron ore working in the State of Pennsylvania for 75 cents a day, then I know that there is something wrong in the legislation of this country, for the duty upon iron ore was put up by the last tariff act on an average from 40 or 45 cents a ton to 75 cents a ton in order to protect these very miners and to give them high wages. When that act was passed they were in receipt of $1.25 a day; to-day they are in receipt of 75 cents a day. Surely, if there be virtue in legislation these men, hard-working, industrious, independent voters, if you will give them the means of living, ought not to have been reduced to this wretched state of misery. [Applause.]

My heart grows sad and swells with deeper emotions than his did when he was painting with lugubrious but unfaithful colors illiteracy and poverty in Kentucky, as I reflect that the poverty and suffering he has proven and the illiteracy I have shown exist in sight of Independence Hall in Philadelphia, the city of Brotherly Love, where the old Liberty Bell can still be seen; where the first constitutional convention assembled; where the centennial celebration of the Declaratio of Independence was held but a few years ago, and where, as civilization halted and took an inventory of our resources and of our vast and varied and wonderful progress, and the first grand volume of personal and national freedom was closed, the suffering and poverty in Philadelphia and in the State of Pennsylvania, if known, would have thrown a blight and gloom over all the proceedings. [Applause.]

He said also—

That the maxim of "Kentucky for Kentuckians" had been so rigidly maintained that there were many counties in the State in which a person of foreign birth could not be found.

If he had examined the Census Report of 1880 before making this statement he would have found that there were in Kentucky in 1880 30,217 foreign-born white voters, exercising all the rights of native-born citizens, and there are perhaps as many more families and an equal number of children under twenty-one years of age, making a total of at least 100,000 persons of foreign birth in Kentucky.

In the district which I have the honor to represent there are four flourishing settlements or colonies of Swedes and Swiss, several hundred in population, and I do not know how many are in the districts represented by other Kentuckians.

We have for a number of years had a bureau of immigration busily looking after immigrants, and a geological survey, both of which have done much good service and been of vast benefit to our State, but the distinguished gentleman seems to have overlooked them or failed to appreciate them.

His statement—

That so extreme was the poverty of a majority of the people of about one-half the counties of the State that they were unable to defray the expense of maintaining county governments, and were therefore known as pauper counties, whose local expenditures had to be paid from the treasury of the State—

is as amusing as it is misleading and unfounded.

Under our system in Kentucky there is a general State tax. Last year it amounted to 47½ cents on each $100 worth of property, since reduced, I believe, to 42½ cents, of which 26 cents is for educational purposes.

Where the amount outside of the school tax collected in the county is more than sufficient to pay the county expenses, the excess goes into the State treasury to assist in defraying the general expenses of the State.

If there is a less amount of tax collected in a county than is needed to pay the necessary expenses of maintaining the county government, such deficiency is paid out of the treasury.

It is not because the counties are wholly unable to defray their expenses, but because in equalizing taxes they do not pay as much as is needed.

If it will give my friend from Pennsylvania any comfort, I will tell him that nearly every county of the so-called pauper counties of Kentucky is Republican in politics. [Applause.]

Mr. KELLEY. That shows that humanity is never totally lost, but there is always some redeeming element. [Applause and laughter on the Republican side.] Poverty can not extinguish all virtue.

Mr. McCREARY. If he wants more comfort I will ask him to read the census report of 1880, and he will find that while Kentucky has 2,059 paupers, his State, Pennsylvania, has 12,646 paupers, or more than six times as many as Kentucky. [Applause.]

Mr. Chairman, the maxim that "charity should begin at home" is a beautiful and truthful one, and I commend it to the distinguished gentleman from Pennsylvania.

When he said on the floor of the House of Representatives, "Kentucky is the most illustrious victim of the whisky trust," why did he not remember that New York, Illinois, and Ohio, paid last year more internal revenue than Kentucky, Illinois paying double as much, and Pennsylvania standing next to Kentucky? Why did he not look into the iron trusts, Bessemer-steel trusts, plow-steel trusts, general steel trusts, and whisky trusts of his own State? If the internal-revenue system has established a despotism in Kentucky, as he states, why has it not also established a despotism in Illinois, New York, Ohio, and Pennsylvania, for Pennsylvania made more whisky last year and paid more internal revenue than all the thirteen Southern States, leaving out Kentucky?

A close examination of the last report of the United States Commissioner of Internal Revenue shows that his own State, Pennsylvania, is the most illustrious and conspicuous victim of the whisky traffic in the United States save one.

The Commissioner's report shows that Kentucky has 3,598 retail liquor-dealers, and that Pennsylvania has 19,240 retail liquor-dealers. While Kentucky has one saloon to 445 people, Pennsylvania has one saloon to every 204 people. These figures show that the gentleman might evangelize with success in his own State, and that he might read with profit the good words:

First cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye.

[Laughter and applause.]

If the number of saloons indicated are supported now in Pennsylvania, it is impossible to tell how many there would be if his wishes should prevail and the internal-revenue tax removed and free raw whisky allowed to the people.

Mr. Chairman, there is but one more correction I will make in the comedy of errors presented by the distinguished gentleman, but it is a very important one, and I believe he will be surprised when he sees the sunlight of truth.

He said, speaking of Kentucky:

It is a melancholy truth that to speak of her as a leading State, a progressive State, or even a prosperous State, would be to indulge in bitter irony.

Suppressing my fervid feelings for a State which I love so well, and passing without comment her genial climate, unexcelled for healthfulness in any part of the Union; the diversity and fertility of her soil, which will produce an abundance of almost anything that can be grown in any other locality; her rivers, which equal if they do not exceed in number, navigability, length, and supply of water-power, those of any other State; her area of coal lands, which exceed those of any of her sister States; her coking coal area, the largest in the Union and the nearest to extensive deposits of high-grade Bessemer-steel ores; her iron ore, her building stone, and vast forests which have hardly felt the ax of the woodman, I confidently assert that her progress, her prosperity, her possibilities, and her position are fully up to the highest average that can be established for the respective States of this Union.

I gather from the United States census reports and from other reliable and official sources the following facts:

Kentucky is seventh in population among the States of the Union. Instead of being stagnant, as he alleges, her population increased in the decade between 1870 and 1880, 24.8 per cent., being greater than that of thirteen of the other States, including Ohio, Indiana, and Illinois, as the ratios of their increase were respectively, 19.99, 17.71, and 21.18 per cent.

The number of miles of railway completed in Kentucky in 1886 was 2,158, while according to the last report of the railroad commissioners 501 additional miles are under contract.

She levies and collects the heaviest school tax collected by any State in this Union, and gives more than one-half of all the taxes collected for general purposes to the education of her children.

She is first in the production of tobacco, producing last year 36 per cent., or over one-third of all the tobacco produced in the United States, and she is unequaled for her flocks and herds and horses. Among the Southern States she stands first in the value of property assessed, and she is first in the production of corn, first in the production of wheat, first in value of farms, first in capital invested in manufactures, and first in value of products of manufactures.

Among the States of the Republic, she is sixth in the production of corn, thirteenth in the valuation of all property, and tenth in the valuation of farms.

In one respect only Kentucky appears to be a laggard and in rear of the procession of States, and far behind Pennsylvania, and that is in her State debt, for she is practically without a State debt, while Pennsylvania heads the list of States with $19,084,288 of indebtedness.

The report of the inspector of mines in Kentucky shows that the output of coal from all the mines in the State in 1870 was only 169,120 tons. Now the annual output averages 1,500,000 tons, giving employment to about 4,500 persons, and putting in circulation in our mining regions at least $1,500,000 per annum.

The report of the Bureau of Statistics shows that prior to 1870 the product of iron in Kentucky was insignificant. In 1860 it amounted to only $804,204. The product in 1885 was $17,331,237, with an invested capital of $6,156,431.

The governor of Kentucky, in 1887, said in an address:

The latest report upon the internal commerce of the United States, made by the Bureau of Statistics at Washington, shows that the amount of capital invested in mining and manufacturing industries in Kentucky during the two years ending December 30, 1885, was $46,707,200; $20,022,200 more than in Alabama, notwithstanding all that has been said of her remarkable progress; $33,253,200 more than in Arkansas; $3,558,240 more than in both combined, and with the exception of these two $7,336,400 more than all the other Southern States together, and that the increase in 1885 was $10,100,800 greater than in 1885.

The same authority shows that the increase in the value of products manufactured in the State from 1880 to 1885 was $16,109,000 greater than the increase for the preceding decade.

While the increase in the sales of leaf-tobacco in the great market at Louisville was 22,279 hogsheads, or 54 per cent. for the ten years from 1870 to 1880, the figures for the following five years was 42,399 hogs-

heads, or 65 per cent., reaching the enormous amount of 107,670 hogsheads in the single year 1885, while for the same year, the last one reported, we had an increase upon the one preceding of 8,124 mules, 11,156 horses, 28,196 cattle, 334,000 bushels of wheat, 18,680,000 bushels of corn and 17,455,000 pounds of tobacco.

If this information does not remove the melancholy which the gentleman from Pennsylvania states depressed him, and convince him that Kentucky is somewhat of a leading, progressive, and prosperous State, he is hopelessly ill.

Mr. Chairman, I was surprised that the gentleman from Pennsylvania should devote nearly one half of his speech, that lasted nearly two hours, to an arraignment of Kentucky, but I could not let that speech go into history and remain in the CONGRESSIONAL RECORD unanswered, and I was unwilling that my friend from Pennsylvania should not understand the facts about my native State. I hope I have convinced him that he was mistaken.

His assertions were so bald and pointed that I have been compelled to go into details to disprove them, but I have not intended to say a word to wound the sensibilities of any man or that was not indicative of the courtesy which I should extend to the distinguished leader on the Republican side who has been a member of Congress for twenty-seven years.

I give him credit for telling one fact and throwing a ray of sunshine on the blurred and blotted picture he had painted. He said:

> Central Kentucky is the seat of a more refined and cultivated pastoral community than I have ever been introduced to elsewhere, unless it was in the southern counties of England. * * * That the soil and native growths of this region of the State contr bute, in an exceptional degree, to the physical development of the human race and that of domestic animals is attested by the grand and harmonious development of its men and women, as well as by the almost unchanging superiority of its highly bred flocks and herds and studs of horses, which are the pride of the State.

His arraignment of Kentucky was for the purpose of showing what a blight the internal-revenue tax and the chief article embraced in it had been to Kentucky, and what a blessing the tariff had been to the whole country.

In other words, the purpose was to show that we should have free whisky, free tobacco, and free beer, but the tax should remain high on the necessaries of life.

I can not indorse that doctrine, and as long as I have health and strength my voice shall be raised in defense of Kentucky when her good name and fame are assailed.

THE BILL.

Mr. Chairman, the Committee on Ways and Means labored hard for months, and the result of their wisdom and industry is the bill now under consideration. It may not come fully up to the wishes of all, but it is a movement in the right direction.

All legislation is the result, more or less, of compromise. The vast and varied interests of our country require concessions to the sentiments, industries, and productions of the different sections, and under all the circumstances which surround us, I am willing to accept the bill reported by the committee.

I can see no evil that can result from a conservative diminution of the taxes as provided by the bill.

The contest is not between tariff and free trade, as some have alleged, but it is between a high tariff and a reasonable tariff.

The CHAIRMAN. The gentleman's hour has expired.

Mr. LANHAM. I move that the time of the gentleman from Kentucky be extended.

Mr. KELLEY. Mr. Chairman, I hope the time of the gentleman will be extended *ad libitum*, and that he may be allowed to proceed until he has concluded his remarks.

Mr. MCCREARY. I thank the gentleman from Pennsylvania for his courtesy.

Mr. KELLEY. I have interrupted the gentleman a great deal myself, and I hope this privilege will be extended to him.

Mr. LANHAM. I will modify my request and ask that the gentleman be permitted to proceed until he has concluded his remarks.

There was no objection, and it was so ordered.

Mr. MCCREARY. I thank the members of the House for extending my time until I conclude my remarks.

Mr. MCCREARY (resuming). The bill under consideration proposes to reduce, not abolish the tariff.

It takes $1,756,000 off of earthen and glass ware; $12,330,000 off of woolens; $878,000 off of chemicals; $1,480,000 off of sugar; $331,000 off of provisions; $227,000 off of cotton goods; $3,000 off of books and papers; $3,121,000 off of other articles, and adds salt, tin-plate, wool, and other things to the free-list, amounting to $22,189,000, making in all a tariff reduction of $53,720,000.

It proposes to make a reduction in the intereal revenue, including tobacco, of $24,455,000, leaving out cheroots, cigars, and cigarettes, or a grand tariff and internal-revenue reduction of $78,176,000.

	Per cent.
Present rate on dutiable goods	47.10
Proposed rate on dutiable goods	40.00
Present rate on articles affected by bill	54.16
Proposed rate on articles affected by bill	33.36

The bill also prohibits revenue officers from destroying property seized by them, which they suppose had been used in illicit distilling, until after presentment or indictment of the owner, and trial and judgment before a proper tribunal.

It repeals all laws which prevent the producer of tobacco from selling it to whom he pleases and in any form except cigars, cigarettes, and cheroots.

It places wool on the free-list, the duty on wool now preventing nearly all the better classes of wool from coming into this country.

The home product can supply only about one-half of the amount reired for home consumption.

quThe statistician of the Agricultural Department estimates the domestic production for the year 1887 at 275,000,000 of pounds. It requires about 600,000,000 pounds of wool and other fibers manufactured with it to supply the annual demand of home consumption, which is more than double the product of our country.

The statement of the committee is so strong on this point that I give it in full, as follows:

> We say to the manufacturer we have put wool on the free-list to enable him to obtain foreign wools cheaper, and send them to foreign markets and successfully compete with the foreign manufacturer. We say to the laborer in the factory we have put wool on the free-list so that it may be imported and he may be employed to make the goods that are now made by foreign labor and imported into the United States. We say to the consumer we have put wool on the free-list that he may have woolen goods cheaper. We say to the domestic wool-grower we have put wool on the free-list to enable the manufacturer to import foreign wool to mix with his, and thus enlarge his market and quicken the demand for the consumption of home wool, while it lightens the burdens of the tax-payer.

Salt is also made free. The salt manufacturers of this country are protected by a duty on imported foreign salt equal to about 100 per cent. This has had the effect of building up a number of wealthy and powerful companies.

Salt is a raw material in cheese-making, butter-making, and in meat-packing—three interests that exceed the salt-making interests ten-fold—but our tariff policy forbids our dairymen and meat-packers from buying cheap imported salt, and compels them to buy from the protected home manufacturers in New York, Michigan, and Ohio, at a price which is nearly doubled by the tariff duty.

Hon. R. Q. MILLS, chairman of the Committee on Ways and Means, very aptly and forcibly illustrated in his speech the effect of the bill when he said:

> I find in the report one pair of 5-pound blankets; the whole cost as stated by the manufacturer is $2.51. The labor cost he paid for making them is 35 cents. The present tariff is $1.90. Here is $1.55 in this tariff over and above the entire labor cost of these blankets. The poor laborer who made the blankets gets 35 cents, and the manufacturer keeps the $1.90. The bill takes off 90 cents of the tariff duty.
>
> Here is a car-wheel weighing 500 pounds. Cost, $13. Labor cost 85 cents. Tariff rate is 2½ cents per pound, equal to $12.50 to cover a labor cost of 85 cents.
>
> Here is a coarse wool suit of clothes, such as our workingmen wear in their daily toil in the shop and field. Whole cost is $12. Labor cost is $2. The tariff is $6.48 to cover $2 of labor.

These are fair illustrations of the effect of the present high protective tariff.

This so-called great "American system" is often said to protect laborers, but it is so perverted that its beneficence stops in the pocket of the employer and leaves the poor laborer to get what he can in the open markets of the world.

OBJECTIONS TO THE BILL.

What are the objections presented to the bill?

The principal objections presented are:

First. That the passage of the bill will paralyze the industry and enterprise of the people and destroy the prosperity of the country.

Second. That the wages of laboring men will be lessened.

When only 2,623,089 persons are engaged in industries which are benefited by the tariff, and there are 57,000,000 people in our country who derive no benefit from the tariff, but are oppressed with its burdens, it is difficult to understand how the industry and enterprise of the people will be paralyzed or the prosperity of the country destroyed by the fair and conservative reduction, both of tariff duties and of internal taxes, provided in the bill.

Indeed, the marvel of the nineteenth century is the success with which less than one-twentieth of the people of our country have controlled legislation for years, in their own interests and to the prejudice of the great multitude.

One of the hobbies of protectionists is the growth of our country in the last twenty years. They point to this and then say, "behold the results of a tariff."

I admit that the vast and varied and wonderful progress, improvement, and advancement of our country in the last twenty years is remarkable, but it has not been because of the tariff, but in spite of it. It should be remembered that there is no country on earth which has the resources, the attractions, the facilities, the opportunities, and the possibilities of ours; that our people are brave, energetic, and intelligent; that we have the most fertile lands in the world, which are freely given away for homesteads; that here we have free speech, free press, free religion, and free suffrage: that ours is the leading nation in the world in education, in inventions, in transportation, and in agriculture, and that it is our great and unprotected agricultural staples, such

as cotton and breadstuffs, whose growth has been the greatest, and but for the great volume of export of these staples our foreign commerce would make but a poor show and the balance of trade would be against us all the time.

During the last fiscal year our total imports amounted to $692,320,000 and our total exports amounted to $703,022,923, and of this total $523,073,798, or 74.41 per cent., were agricultural products, while only $136,735,105, or 19.45 per cent., were products of manufactures.

I have statistics taken from the United States census reports and from other reliable sources, which show a greater progress and improvement in our country from 1850 to 1860, a low-tariff period, than from 1860 to 1880, a high-tariff period.

As I have said before, the average tariff rate in 1850 was 27 per cent. I leave off decimals. In 1857 it had been reduced to a little over 18 per cent. on dutiable goods. It was raised to an average rate of 40.29 between 1862 and 1866.

Our population in 1850 was 23,191,876. In 1860 it was 31,443,321; an increase of 35.57 per cent. in this decade.

From 1860 to 1870 the population increased to 38,558,371, a gain of 22.62 per cent.; and from 1870 to 1880 to 50,155,783, an addition of 30.07 per cent. Thus the per cent. of increase of our population under a low tariff was greater than under a high tariff.

How has it been with railroads? There were 9,021 miles of railroads in the United States in 1850. The mileage in 1860 was 30,635, an increase of 239.6 per cent. during the low-tariff period. In 1870 there was a mileage of 52,914, a gain of 72.72 per cent. These figures had increased to 93,349 in 1880, a gain of 76.41 per cent. Therefore there was a gain of 239.6 per cent. in ten years of low tariff, from 1850 to 1860, and a gain in mileage of only 204.7 per cent. in the twenty years of high tariff, from 1860 to 1880.

How has it been with our foreign commerce?

In 1856 the value of the total imports and exports of the United States amounted to $641,604,850, of which American vessels carried $482,268,274, or a little over 75 per. cent. of the whole. In 1887 our total imports and exports reached the sum of $1,408,502,979, of which there was transported in American vessels $194,356,746, or only a fraction over 13 per cent.

Twenty years ago our flag, emblematical of American freedom, prosperity, and power, was seen in every port. Now it is rarely seen in any.

I read a published statement not long ago that of the thousands of vessels that passed through the Isthmus of Suez last year not one carried the American flag, and a traveler lately from South America told me this winter that during his travels for nearly a year in that country he did not see the flag of his country on any vessel except one, and that was a Government vessel. This destruction of our foreign carrying trade is the result of the prohibition of American registry to foreign-built ships and the high price of material caused by the tariff.

The effect on ship-building has been equally disastrous.

In 1855 we built in this country 400 vessels for the foreign carrying trade. In 1879 we built but 35. In 1857 the tonnage of sail and steam vessels of the United States engaged in foreign trade was about 3,000,000 tons. After twenty-six years of high tariff it has been reduced to 989,412 tons.

Mexico and the Republics of Central and South America are connected to our Republic by land, and form with the United States part of the western hemisphere. Their governments are fashioned after ours. They have much we need and we have much they need, yet the same system which has driven our flag from the ocean and nearly destroyed our tonnage has nearly destroyed our trade with the countries south of us.

Great Britain sold to the people of the Argentine Republic, Brazil, and Chili last year, $74,000,000 worth of goods, while we sold them only $13,000,000 worth.

As I have shown the effect of the tariff on our population, our railroads, our commerce, now let us see its effect on the long-suffering farmer. No class deserves more consideration than that engaged in agriculture. Our farmers control the largest landed interests in the world, and their possessions should be the pride and glory of our citizens. They are engaged in the oldest and largest industry of our country, and 52 per cent. of our entire population are farmers or are directly dependent on them for support. They furnish food for our whole population, and they send abroad three-fourths of the entire exports sent from the United States to foreign countries. They create one-half of the wealth of our country and receive as their share only about 4 per cent. on their investment, and are required by the protective-tariff system to pay an increased cost on the articles they use of four hundred millions to four hundred and fifty millions of dollars annually.

No protective tariff benefits the farmer. On the contrary he is compelled to sell his crops at prices fixed in the great markets of the world. These markets have the whole world from which to draw their supply, and he is compelled to compete with all kinds of labor. The farmer asks no tariff protection, but he is asking in thundering tones for equality under the law.

The census reports tell the difference between the situation of the farmer under a low tariff and a high tariff, as follows:

By the census of 1850 the estimated value of farms in the United States was $3,271,575,426. In 1860 the value was estimated at $6,645,045,007, showing an increased value during this decade of $3,373,469,581, or more than 100 per cent. In 1870 the value of the farms was esimated at $9,262,803,861, showing an increase during the decade of $2,617,758,861, or less than 40 per cent. In 1880 the value of farms was estimated at $10,197,096,776, being an increase during this decade of $939,292,915, or only a fraction of 9 per cent.

The value of the live-stock in the United States in 1850 was estimated at $544,180,566. In 1860 it was valued at $1,089,329,915. The increase during the decade was $545,149,349, or over 100 per cent. In 1870 it was estimated at $1,525,276,547, being an increase during the decade of $435,946,542, or less than 40 per cent. In 1880 the live-stock was valued at $1,500,464,609, being a decrease during the decade of nearly $25,000,000, or more than 1½ per cent.

There seems every reason to believe that between 1850 and 1860 there was a very rapid increase in wealth. In the general prosperity of the country the great farming community appears to have fully participated. Then, as now, it comprised about one-half of all our people. Starting in 1850 with less than $4,000,000,000, they increased their wealth by more than an equal amount in ten years. But since 1860, with far more than twice as much capital, and added millions of persons employed, they have scarcely been able, even by the highest estimates the census officers could possibly make, to add as much to their wealth in twenty years as they did in the preceding ten.

In 1860 farmers owned half the wealth of the country. In 1880 they owned but a quarter. By the census estimates the other half of the community between 1860 and 1880 increased their wealth by more than $23,000,000,000. But farmers, starting with an equal capital, increased their wealth during the same time only a little more than $4,000,000,000.

WAGES.

The next question to answer is, "Will the wages of laboring men be lessened by the passage of the bill?" I think it is clear that they will not. The reduction of tariff duties is so conservative that even if wages were affected by the tariff I do not think the passage of the bill would have any appreciable effect on wages.

The fact is, wages are not governed by the tariff, but by the supply and the demand for labor and by the facilities and opportunities afforded by the country. France has a protective tariff, and yet wages are lower in France than in free-trade England. Germany has still higher protection, and yet wages are lower than in France, and far below what they are in England. I append to my remarks tables which are conclusive on this point.

If the tariff makes wages high Germany and the United States should be the paradise of laboring men, but this is not the case. We find that free-trade England and our tariff-walled Republic, with identical conditions as regards capital and machinery, lead all other nations in the wages of laboring men. No people on earth have been more deluded and humbugged than the workingmen of our country have been by monopolists and manufacturers who have continually demanded a high protective tariff for the benefit of American laborers, but who have always pocketed the receipts and let the workingman take care of himself.

Did any one ever hear of a manufacturer going out to hunt a high-priced laborer when he could get a low-priced laborer who would perform the same work as promptly and as skillfully? Did a protected manufacturer ever call his laborers around him at the end of the year and propose to divide with them his enormous profits? No; the millionaire manufacturer gets his labor, like the railroad king, in the open markets of the country as cheap as possible.

Not only that, but sometimes Pinkerton detectives are placed at steel works, as was done a few days ago at the Edgar Thomson Steel Works, in Pennsylvania, for the purpose of protecting Hungarian immigrants who are going in there to work, while the native American workmen on a strike are at the point of the gun and pistol kept out. Not only that, but on the sacred anniversary of our country's liberty in 1864 an act known as the "contract labor law" was passed, which not only encouraged but legalized the importation of pauper labor from Europe to compete with American labor, and authorized a species of servitude in our free Republic which was as disgraceful as it was despicable. [Applause.]

I read the second section of the act:

SEC. 2. *And be it further enacted*, That all contracts that shall be made by emigrants to the United States in foreign countries, in conformity to regulations that may be established by the said Commissioner, whereby emigrants shall pledge the wages of their labor for a term not exceeding twelve months, to repay the expenses of their emigration, shall be held to be valid in law, and may be enforced in the courts of the United States or of the several States and Territories; and such advances, if so stipulated in the contract, and the contract be recorded in the recorder's office in the county where the emigrant shall settle, shall operate as a lien upon any land thereafter acquired by the emigrant, whether under the homestead law when the title is consummated or on property otherwise acquired until liquidated by the emigrant; but nothing herein contained shall be deemed to authorize any contract contravening the Constitution of the United States or creating in any way the relation of slavery or servitude. (United States Statutes at Large, volume 15, 1863-'65.)

A Democratic House of Representatives repealed this entire act in 1885, and a Democratic President approved an amendment to the act repealing it, which made the repealing act more effective in prohibit-

ing the importation and migration of foreigners and aliens under contract to perform labor in the United States.

I hope the day is not far distant when the laboring men will shake off the thralldom which monopolists and manufacturers have so long imposed upon them. They should be as free and equal before the law with their employers as they are before their God.

Capital and labor should stand together as twin sisters, recognizing the fact that united they will stand and be prosperous, divided they will fall and be injured, if not destroyed.

Stupendous efforts first gave freedom of thought. Then in the blood of saints and martyrs religious freedom was obtained. Then political liberty was achieved in our great Republic. The full measure of human liberty will be obtained when we also have real industrial freedom. [Applause.]

DOES THE TARIFF PROTECT LABOR?

The last census shows that there are 17,392,099 of our people engaged in all kinds of industries. Seven million six hundred and seventy thousand four hundred and ninety-three are employed in agriculture, 1,139,362 in professional services, 2,934,876 are laborers and domestics, 1,810,256 are employed in trade and transportation, 1,214,023 are carpenters, masons, blacksmiths. builders, bakers, plasterers, tailors, agricultural-implement makers, shoemakers, railroad employés, milliners, dressmakers, and other miscellaneous occupations, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

Thus it appears that 14,769,010 persons who perform six-sevenths of the labor done in this country are thoroughly taxed and fleeced for the benefit of 2,623,089, but only a few thousand of the last-named number receive the profits of the tariff. They are the owners and lords of the factories, the nabobs of the "trusts," the "pools," and the "combines," who make often from 30 per cent. to 50 per cent. per annum on their investments.

The 2,000,000 laborers employed in manufacturing or mining are not protected by the tariff, because they must compete with 8,500,000 other laborers in this country and with all the laborers of the world (except the Chinese, who are prohibited from coming here), and in addition to this they are compelled to pay the increased price for clothing, shelter, food, and home conveniences produced by the tariff.

While there is a tariff on thousands of things, there is no tariff on labor. When we come to the poor laborer we find absolute free trade. The manufactures of Europe can not be shipped here without paying a high duty, but European labor, and often pauper labor, comes here without paying a cent of duty. The tariff does not protect American labor. It protects the article on which it is laid by shutting out or lessening foreign importations.

As, for instance, a tariff on iron protects iron, a tariff on blankets protects blankets, a tariff on silk protects silk, but a tariff on iron does not protect blankets or laborers. The tariff must be on the thing protected. As there is no tariff on labor, of course labor is on the free-list.

PROTECTIVE TARIFF OUTGROWTH.

Twenty-seven years of protection have produced strange offspring. Who ever heard of a tramp in our country twenty years ago? Now they are seen daily, and almost hourly, in the by-ways and in the public places. Who ever heard of strikes and lockouts in our Republic until our high protective tariff period?

The advance sheets of the third annual report of the Commissioner of Labor show, in the six years from 1881 until 1886, there have been strikes in 22,336 establishments. Of these 16,692, or 74.74 per cent., were in the States of New York, Pennsylvania, Massachusetts, Ohio, and Illinois, where protection is claimed to have wrought such wonders for the laboring man. There were lockouts during the same period in 2,182 establishments. Of these 1,981, or 90.8 per cent., occurred in the five States named. The number of employés striking and involved was 1,324,152. In addition to these there were 159,548 employés locked out, 31.22 per cent. of whom were females.

Of the 22,336 establishments in which strikes occurred, the strikes in 18,342, or 82.12 per cent. of the whole, were ordered by labor organizations; while of the 2,182 establishments in which lockouts occurred, 1,753, or 80.34 per cent., were ordered by combinations of managers.

The loss to the strikers as given was $51,819,163. The loss to employers through lockouts was $8,132,717, or a total wage loss to employés of $59,951,880. It occurred in 24,518 establishments. The average loss was $2,415 to each establishment, and nearly $40 to each person involved.

Will gentlemen say, after pondering these disturbances, that the tariff law makes our country an Eden for laboring men, or will they rather say its—

——— inhumanity to man
Makes countless thousands mourn?

Investigations started by the Agricultural Department and pursued by other inquirers have brought to light the mortgages held in Eastern States on the farms in the West. The South is not touched in the report, but the appalling statement is made that mortgages in ten States of the West reach the sum of $3,422,000,000, being three times the bonded debt of the United States, and these mortgages draw an average interest amounting to over $200,000,000 annually. They are held by Eastern men, and are distributed as follows:

Ohio	$701,000,000	Iowa	$351,000,000
Indiana	398,000,000	Nebraska	140,000,000
Illinois	620,000,000	Kansas	200,000,000
Wisconsin	250,000,000	Missouri	257,000,000
Michigan	350,000,000		
Minnesota	175,000,000	Total	3,422,000,000

CONCLUSION.

Mr. Chairman, I have already occupied more time than I intended. The issues which I have been trying to discuss are the issues that are ringing throughout the length and breadth of our country. They are not new.

Nearly four years ago the Democracy in national convention gave solemn pledge to—

Reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners.

And our brave and able President in his last annual message to the Congress of the United States declared:

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers.

Mr. Chairman, the question of taxation stands next to free government. I am glad to be a member of a Congress to which a President sent an annual message entirely on tax reform, and which is true to the principles and teachings of the Democratic party from its organization by Jefferson at the beginning of this century to the present time.

I am proud to live in a Republic which has a Chief Magistrate so brave and patriotic and so mindful of his obligations to the people as to be willing to do his duty and follow the dictates of his heart, let the consequences be what they may; and I rejoice that I live at a time when the questions of reasonable taxation for the economical maintenance of the Government and high protective taxation to make the rich richer and the poor poorer are to be fairly tried before the voters of the greatest republic on the earth. [Applause.]

There can be, in my judgment, but one result. There will be a reform of tariff duties. The people's money, heretofore piled up in the Treasury, will flow again into the channels of commerce and trade to gladden the hearts of laboring men and benefit the vast and varied interests of our land.

The party organized by Jefferson, whose principles have been so ably and honestly supported by Cleveland, will triumph, and with "Peace on earth, good will toward men" as a sweet benediction, our country will move on to the accomplishment of its grand and glorious destiny. [Great applause.]

The following are the tables referred to by Mr. McCREARY.

Table showing average weekly wages paid in the enumerated occupations in different European countries.

[Furnished by Bureau of Labor, Washington, D. C.]

Occupation.	Austria.	Belgium.	France.	Germany.	Great Britain.	Holland.	Switzerland.
Blacksmiths	$3.18	$5.38	$5.81	$4.00	$7.37	$4.80	$5.20
Bricklayers	3.55	4.56	5.74	4.21	7.56	4.80	5.21
Hod-carriers	2.60	3.22	3.13	2.92	4.94	3.60	2.99
Carpenters and joiners	5.10	4.07	6.20	4.11	7.66	4.80	4.74
Coopers	3.64	5.17	5.58	3.97	7.50	4.80	4.78
Harness and saddle makers	3.60	5.51	5.70	3.69	6.63	.....	5.20
Masons	3.40	5.22	5.33	4.67	7.68	4.80	5.27
Painters	.....	.....	.....	4.82	.....	.....	.....
Plasterers	4.01	4.66	6.34	4.43	7.80	4.00	5.03
Plumbers	4.11	5.46	6.10	4.26	7.90	4.80	5.18
Tailors	4.03	5.58	5.02	3.41	7.40	5.00	6.36
Tinsmiths	3.70	4.40	5.46	3.55	6.56	4.00	4.40
Servants (domestic)	7.00	.....	.....	3.34	.....	3.75	3.90
Farm laborers	3.50	2.72	3.10	3.06	4.02	3.24	.....

Facts relating to foreign countries are taken from the report on foreign labor published by the Department of State, 1885.

[See tables on following page.]

COST OF LIVING—MASSACHUSETTS AND GREAT BRITAIN.

Rents are 89.62 per cent. higher in Massachusetts than in Great Britain.
Board and lodging is 39.01 per cent. higher in Massachusetts than in Great Britain.
Fuel is 104.96 per cent. higher in Massachusetts than in Great Britain.
Clothing is 45.06 per cent. higher in Massachusetts than in Great Britain.
Dry goods are 13.26 per cent. higher in Massachusetts than in Great Britain.
Boots and shoes are 62.59 per cent. higher in Massachusetts than in Great Britain.
Groceries are 16.18 per cent. higher in Massachusetts than in Great Britain.
Provisions are 23.08 per cent. higher in Great Britain than in Massachusetts.

The above facts are taken from the report of the Massachusetts bureau of labor statistics for 1884.

State.	Industry.	Occupation.	Daily hours of labor.	Average daily wages.	Labor cost, one ton.		Number of employés in the establishment.	Per cent. of employés.		
					Description of unit.	Amount.		Male.	Female.	Youth.
Belgium	Pig-iron	All employés in the establishment	12	$0.53	White pig	$0.97	572	78	6	16
Do	do	Filler	12	.65						
Great Britain	do	All employés in the establishment	12	.89	Run of the furnace pig	.97	374	100		
Do	do	Filler	12	1.26						
Alabama	do	All employés in the establishment	12	.88	Run of the furnace foundry pig	1.87	98	100		
Do	do	Filler	12	1.50						
Maryland	do	All employés in the establishment	12	1.30	No. 1 foundry pig	2.48	72	100		
Do	do	Filler	12	1.25						
Ohio	do	All employés in the establishment	12	1.24	Run of the furnace foundry pig	1.25	.25	100		
Do	do	Filler	12	1.10						
Pennsylvania	do	All employes in the establishment	12	1.42	do	2.00	.56	100		
Do	do	Filler	12	1.65						
New York	do	All employés in the establishment	12	1.36	do	1.55	.73	100		
Do	do	Filler	12	1.50						
Virginia	do	All employés in the establishment	12	1.23	do	1.28	1.14	100		
Do	do	Filler	12	1.30						

State.	Industry.	Occupation.	Daily hours of labor.	Average daily wages.	Labor cost of one yard.		Number of employés in establishment.	Per cent. of employés.		
					Description of unit.	Amount of cost.		Male.	Female.	Youth.
France	Print-cloth	All employés in the establishment.	11	$0.56	56+64, weight 3½ yards per pound.	$0.00983	201	23	74	3
Do	do	Spinner								
Do	do	Weaver		0.54						
Germany	do	All employés in the establishment.	12	0.49			2,452	36	49	15
Do	do	Spinner		0.88						
Do	do	Weaver		0.46						
Great Britain	do	All employés in the establishment.	10	0.75	64+64, weight 8 yards per pound.	.00802	306	15	62	23
Do	do	Spinner		1.48						
Do	do	Weaver		0.90						
Connecticut	do	All employés in the establishment.	11	0.97	64+64, weight 7 yards per pound.	.00972	308	36	46	18
Do	do	Spinner		1.62						
Do	do	Weaver		1.02						
Massachusetts	do	All employés in the establishment.	10	0.92	64+64, weight 7 yards per pound.	.01000	732	17	68	15
Do	do	Spinner		1.65						
Do	do	Weaver		0.95						
Italy	Cotton yarn	All employés in the establishment.	12	.31	16	.0193	1,047	34	46	20
Do	do	Spinner		.73						
Germany	do	All employés	12	.55	32	.02259	442			
Do	do	Spinner		.71						
France	do	All employés	12	.60	32	$.02525	201	57	20	23
Do	do	Spinner		.96						
Great Britain	do	All employés	10	.80	40	.01943	253	37	20	43
Do	do	Spinner		1.26						
North Carolina	do	All employés	11½	.65	20	.0230	78	26	30	44
Do	do	Spinner		.45						
New York	do	All employés	11	.93	10-30	.02410	94	36	28	36
Do	do	Spinner		1.75						

Mr. KELLEY. Mr. Chairman, I beg leave to ask unanimous consent of the committee to consume some ten or twelve minutes before the gentleman next to be recognized shall take the floor; in other words, I ask to have that much time in my own right.

Mr. McCREARY. I hope unanimous consent will be given the gentleman from Pennsylvania; and I ask that it be granted to him.

Mr. KELLEY. I thank the gentleman from Kentucky.

Mr. CHAIRMAN Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KELLEY. Mr. Chairman, I have no apology to make to Kentucky or to her gallant sons for my description of the condition of affairs in that State; but I desire to correct what appears to have been a clerical error on a single point in my remarks.

On page 23 of my printed remarks I find that in speaking of Kentucky I used the following language:

> Her territory is contiguous to seven States, the population of which numbered in 1880 more than 14,000,000, which together include 307,925 square miles, and were intersected at the close of last year by 33,555 miles of railroad over which her travel and traffic might be connected with and enjoy the benefits of our entire system of local and transcontinental lines. Her area is 41,283 square miles. Her population—

And I call the gentleman's attention specially to these words—

Her population in 1880 numbered 1,648,690, and in 1887 there were 2,070 miles of railroad operated within her limits.

I also said that she had more square miles of coal than England ever had; that the coal fields of Kentucky exceed in extent and richness those of England as they came from nature. But the error which has been brought to my attention is that I used, in referring to the measure of illiteracy, the school figures and referred to them as representing the total population.

In comparison with Pennsylvania, the official record of the census in a general comparison of all the States, sent to the Hon. Albert S. Willis, of Kentucky, from the Census Bureau, shows that while Pennsylvania had but 3.41 per cent. of population who could not read, Kentucky had 15.66 per cent., or nearly five times the percentage of Pennsylvania.

Mr. McCREARY. From what paper is the gentleman reading?

Mr. KELLEY. From the report sent by George W. Richards, acting Superintendent of the Census, to Hon. Albert S. Willis, of Kentucky, in response to an inquiry addressed by him asking for a comparative statement on this subject.

Mr. McCREARY. I wish the gentleman from Pennsylvania would use the figures given by the United States census reports.

Mr. KELLEY. Why, this is from the Superintendent of the Census.

The total number of persons over ten years of age returned as unable to read in Kentucky was 258,186, or 22.2 per cent.; and the number returned as unable to write 348,392, or 29.9 per cent. My mistake was in not noting the fact that the latter total embraced the former, while I added them together.

Of the white persons of the age of ten years and over the total num-

ber is given at 973,275, of which number, as I have said, 214,497, or 22 per cent. were unable to read. But of the native white population of Kentucky ten years old and upward, numbering 914,311, there were unable to write, according to this table, 208,796, or 22.8 per cent., showing a considerably increased percentage of illiteracy amongst the native white population as compared to that of the total white population. That fact is accounted for in this way. The total foreign-born whites in this State were 58,964. The number of them who were unable to write was 5,701, or of foreign white citizens 9.7 per cent. against 22.8 per cent. of the native white population. I shall correct the figures in my printed paper if it can be done.

Now, I desire to say that I made no statement reflecting upon the condition of Kentucky that could wound any sensibility that I did not utter in the course of my remarks in the Louisville opera house when I was addressing the assembled business men of the State of Kentucky.

Mr. McCREARY. If the gentleman will permit me to interrupt him, I desire to state that in my remarks I wish it to be understood distinctly that what I said was prompted by the kindest motives and with no intention to wound the feelings or offend the sensibilities of anybody.

Mr. KELLEY. I believe that; and appreciate the gentleman's courteous manners.

Mr. McCREARY. I only desired to correct the mistake which I thought the gentleman from Pennsylvania had fallen into, but had not deliberately made.

Mr. KELLEY. And I want to say to the gentleman that I received authority for all my statements in the conference of business men of Kentucky, which I had been invited to address; and that I produced in support of my statements here extracts from my address to that body taken from the Courier-Journal of the succeeding morning. No, sir; I said nothing here that I had not said to my hosts in the opera house at Louisville. So I repeat if I have slandered Kentucky, the business men of the State, in conference assembled, crammed me with the slanders which were printed next morning in the Courier-Journal with no intimation that they were slanders.

Mr. McCREARY. I wish to say, if the gentleman from Pennsylvania will allow me, that in answering his remarks to-day I did not refer to anything in his speech delivered in Kentucky. The extract I made is taken from the speech he made here the other day, and not from the speech he made at Louisville, which he incorporated in his remarks.

Mr. KELLEY. The gentleman is mistaken. It was from that address the phrase "laggard" came. I never used it but on that occasion. I did then speak of Kentucky as a laggard, and said to the gentlemen of that convention that as I sat and listened to them it appeared to me "that they were crying aloud to each other, if not to the Almighty, what shall we do to be saved?"

Mr. McCREARY. I hold in my hand the printed speech sent out by the gentleman from Pennsylvania, and in that speech, not in what is taken from the Kentucky speech, but in the portion in larger type, I find this:

> Mr. Chairman, my suggestion that there was something wrong in the condition of Kentucky and my inquiries as to what caused her to be a laggard even among the Southern States, etc.

Mr. KELLEY. What page are you reading from?

Mr. McCREARY. Page 29. I have the extract marked, and it is what you said on the floor of the House.

Mr. KELLEY. If you will look above a little you will see that I was quoting my Louisville speech. I quote it now:

> There is something wrong in Kentucky or these stories could not be circulated about her without contradiction.

And I am repeating what I said to that convention, and it is in close type.

> Why, years ago Kentucky was selling nails to Pennsylvania; the first machine for cutting and heading nails was invented and constructed in Kentucky. Yes, Lexington for many years shipped nails to Pittsburgh; but the trade has gone now; you do not do it now; you have not tried to do it. What is the secret of the failure?

That was quoted in my recent speech from the Courier-Journal report of my Louisville address. A distinguished gentleman of Kentucky took me to the city of Winchester, and being there he and others said to me: "You are now in a city in which no house was built during the last half century." I was then taken by a party of Winchester (Ky.) Democrats to see the house which was the last one that had been built in more than fifty years before the spirit of the new South came into Winchester, and under the impulse of which many dwelling-houses, a Methodist college, and two normal schools were being built.

Mr. McCREARY. I know the gentleman will allow me to interrupt him to ask him a question which brings out the success of a city which entertained the gentleman so handsomely. Will he tell this House how many houses have gone up there within the past two years?

Mr. KELLEY. I do not remember the number, but I eulogized the enterprise of Louisville all through my address. I told my hearers that Louisville holds the same relation to the expanding Southwest that that marvel of commercial growth, Chicago, bears to the great Northwest. They did not understand me to be offensive, nor was I, in the tone of any of my remarks.

Again, one of the most distinguished men of Kentucky said: "You can better estimate the condition of the mountaineers of our wealthy coal regions by a little prayer uttered by one of their ministers, of which I will give you a copy."

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLEY. I would like to read the prayer referred to, as I sympathize with its humane and Christian spirit. It was as follows

> O Lord, may the time soon come when the jingle of the sang hoe and the grate of the gritter may be heard no more forever.

If gentlemen want to know what the "grate of the gritter" and the "jingle of the sang hoe" are they can get the information by extending my time two minutes. [Laughter.]

Mr. GROUT. I ask unanimous consent that the time of the gentleman from Pennsylvania be extended for two minutes.

There was no objection.

Mr. KELLEY. I was told by an eminent Kentuckian, who has given me much valuable information by his reports as well as in my pleasant social intercourse with him, that this prayer illustrates one department of agriculture and one department of culinary service. The "sang hoe" is a small hoe of domestic manufacture, with which the people dig ginseng root, which is the only agricultural staple of a portion of the mountain district in Southeastern Kentucky.

Mr. McCREARY. Is that the Republican district you are referring to?

Mr. KELLEY. It is a Kentucky district; and the fact that Republicanism prevails there shows that poverty, however terrible it may be, can not obliterate all of the best impulses of humanity.

So much for the "sang hoe." Now, what is the "grate of the gritter?" That is heard in kitchens. The "gritter" is a piece of castaway tin or sheet-iron, through which holes have been punched with a nail, so as to throw out the surface on one side and make it rough. In its use it is what we would call a grater. It is used by good Kentucky women, in the midst of such wealth of minerals and timber as Pennsylvania never had, for rubbing the green corn from the cob in order to cook it for a family meal. So that now you know what the "jingle of the sang hoe" and the "grate of the gritter" are. The spirit of the new South will probably substitute better implements for both of them.

[Here the hammer fell.]

Mr. FORAN. Mr. Chairman, since I have been a member of this House, during almost every session at which I was present, I have heard gentlemen denounce and condemn and breathe out fiery invective against the protective system of this country. I have listened to messages and documents read from the Clerk's desk, inveighing in the most bitter terms against the tariff. Gentlemen, otherwise calm, suave, and dignified, I have seen when this subject was under discussion become satirical, abusive, censorious, captious—almost common scolds. I have heard the tariff characterized as "vicious, inequitable, and illogical," cruel and merciless—in fact the whole vocabulary of invective and scold words have been hurled at it, in season and out of season—in order and out of order—until I almost fancied and was made to believe that every manufacturer in the country was a being of whom it could be said—

> Through life's dark road his sorded way he wends,
> An incarnation of fat dividends.

Nay, more, I came to fancy and almost believe that the tariff was another Minos to whom the people paid tribute, that the manufacturers were the Minotaurs who devoured the tribute, and that the only Theseus who could deliver us from this galling thraldom was the star-eyed deity of free trade. Nor was this all, for my imagination has, at times, been so wrought upon by the glowing and fervid eloquence of these gentlemen that it painted every consumer a Sinbad, and the tariff an old man of the sea that clung to the consumer as closely as the shirt of Nessus. But it was only fancy and imagination, which, like a morning mist, fled at the first touch of the sunlight of truth and investigation.

How much does this great burden figure up in dollars? What is the weight of this old man of the sea which each person in the United States has to bear? The revenues of the United States from all sources during the year 1887 were $371,403,277, or about $6 per capita. Of this $154,116,364 came from internal revenue, land sales, and miscellaneous sources. There is no complaint made about this tax. Just at this time temperance fanatics, if they happen to be free-traders, benignly smile upon and lovingly caress the florid face of old John Barleycorn. The balance, $217,286,893, came from customs duties, and is the bone of contention. It is upon this tax that the vials of wrath have been so unsparingly poured. It has been computed by very careful statisticians that of the customs tax only about $85,000,000 are collected from articles of prime necessity. I do not include in this estimate sugar, because the committee has seen fit to leave it practically untouched. They treated it, whether they so regarded it or not, as a purely revenue commodity.

Now, if it were admitted that the $85,000,000, which is collected from articles of prime necessity, is added to the cost of home-made articles of similar character to the imported articles upon which it is laid, still the burden would be only about $1.25 per capita, or about what

we now pay for pensions. Here, then, is the incubus—the old man of the sea—the mountain of oppression and iniquity which is crushing and paralyzing the farmer and the consumer—$1.25 per annum. But I propose presently to show that scarcely a dollar of this $85,000,000 is added to the cost of home-made articles of the same kind as those upon which it is laid. But I desire to first call attention to the fact that the committee do not appear to have had, when they framed this bill, a very alarming conception of the burden which is fastened with "relentless grasp" upon the people. I take it that the committee knew what they were doing and that they honestly endeavored to meet the "condition" with which we are confronted. This "condition" is an annual surplus of nearly $60,000,000. The duty of the committee, supposing of course that their only object was to meet the "condition," was to frame a bill that would prevent any further augmentation of this surplus. Have they done so? If this bill is passed will the "condition" disappear, and if so, will it, like Banquo's ghost, rise again to haunt and plague those who are responsible for its attempted taking off? Let us see. The bill places upon the free-list articles which in 1887 yielded a revenue of $22,189,595.

This reduction we are sure of, as well as a reduction of internal taxation to the amount of $24,455,607 if the bill should pass; but these two items will only reduce the revenue $46,645,202, leaving us still about $15,000,000 away from the "condition." Oh, but, say the committee, we have carved and butchered this "vicious, inequitable, and illogical" tariff, we have so badly wounded and crippled it that it will not yield during the coming year within $31,530,941 as much as it did in 1887; that is, we estimate a still further reduction of over $31,000,000 because of the cutting, slashing, and carving we have done. But there will be no such reduction, and these gentlemen know it. In groping through the labyrinthian corridors of the tariff, their footsteps must have been guided by the light of the lamp of experience. Possibly the distinguished chairman may have snatched a ball of woolen thread from the industry he proposes to ruthlessly destroy, and thus have performed the feat of Theseus by the aid of this woolen Ariadne—at least wool and its products seem to be the pivot upon which the wheel of the scheme revolves. But to the point. I venture the assertion that should this bill pass, within three years from the date of its passage the customs revenues will be greater than they are to-day. I base this assertion upon the experience of the past. By the act of July 14, 1870, the free-list was enlarged $2,403,000, and an estimated reduction from the dutiable list of $23,651,748 was made. This was a total reduction of over $26,000,000. The revenue from customs during the year 1870 was $194,538,374. The revenue from this source during 1871, instead of being $26,000,000 less, was $206,270,408, or nearly twelve millions more than it was the year before the estimated reduction was made; during the following year, 1872, the revenue rose to $216,370,287. This is the way the reduction of duties reduces customs revenue.

The act of May 1, 1872, placed tea and coffee upon the free-list. The revenue derived from these articles amounted to $15,893,847. By the act of June 6, of the same year, the free-list was still further enlarged to the extent of $3,345,724, and reductions were made from the dutiable list, which it was estimated would amount to $11,933,191. These two acts made a total reduction, free-list and estimated, of $31,172,762. The customs revenue for 1872 was $216,370,287. The revenue for 1873 amounted to $188,089,523, nearly $4,000,000 more than it was estimated to be by reason of the reductions of the previous year. By the act of March 3, 1883, the free-list was still further enlarged $1,365,999, and reductions were made upon articles on the dutiable list, which it was estimated would still further reduce the revenue $19,489,800, or a total reduction of $20,855,799. The customs revenue during the year 1883 was $214,706,497. During the years 1884–'85 there was a slight falling off in the revenues from this source; but during the year 1887 the customs revenue amounted to $217,286,893, or nearly three millions more than it was during the year 1883, when an estimated reduction of over $20,000,000 was made. In 1866, the first year after the war, the customs revenue amounted to $179,046,652. By the acts of July 6, 1870, May 1, 1872, June 6, 1872, and March 3, 1883, the customs revenue was reduced by free-list and reductions upon articles on the dutiable list $78,083,309 annually, and yet, notwithstanding this enormous reduction, the revenue derived from customs during the year 1887 was $32,240,241 more than it was during the year 1866, before these reductions were made. In the light of this experience, what reason have we to hope that this bill will permanently reduce, in any appreciable degree, the present customs revenue?

The revenue from this source was greater last year than any year since the close of the war except 1882, when it was about three millions larger than it was last year. How is this increase accounted for? It can be accounted for in no way except by increased importations, and these increased importations, made possible by the reductions of duties, are so great that they largely overbalance the free-list, which has been increased from time to time. It seems to me that in the light of this experience, or of these facts, there is nothing clearer than that a reduction of the customs duty upon any article which is now in competition with a home product, will increase the importation of that article so largely that notwithstanding the reduction of duty the revenue will be largely increased. It may be claimed that the increase here shown is due to the increase of our population. I do not concede this; but grant that it is true, how will that help us out of the difficulty? The President says we are confronted by a "condition," the surplus. The facts I have here stated demonstrate beyond controversy that we can not meet this "condition" upon the lines marked out in this bill.

There are only two ways of meeting the "condition" and preventing a further accumulation of surplus, and that is by the reduction of internal-revenue taxation or by enlarging the free-list to an amount equal to the annual surplus, to do which would wipe out and forever destroy the whole American protective system. I am loath to believe that the gentlemen who framed this bill did not understand what effect previous reductions of duty had upon the amount of revenue collected or goods imported. They certainly must have been aware of these things, and I am therefore reluctantly and much against my will compelled to believe that the projectors of this bill were governed, rather by a desire to cut and slash the tariff than to honestly meet the "condition," which the President of the United States expected them to meet, and which the best interests of the country demanded they should meet, and that is, to prevent an unnecessary absorption of the circulating medium of the country and prevent its being hoarded in the Treasury and taken from the channels of trade and commerce. But what does this bill in reality accomplish? A reduction of a little over $46,000,080, $24,455,607 of which is taken from tobacco. Of this tobacco tax the gentlemen who have so vigorously in times past denounced the tariff never complained, so that the only reduction the committee saw fit to make from the "vicious, inequitable, and illogical" tariff that could be applied to meet the "condition" is the $22,189,505 which constitutes the free-list provided for in this bill. Notwithstanding the vehement and fiery eloquence and vindictive aspersions with which the tariff has been assailed upon this floor by members of the House, and by the President and some members of his Cabinet, yet the committee did not dare to enlarge the free-list beyond $22,189,505; and this is in reality the only reduction which this bill, if passed, will make in customs taxation.

It therefore seems to me that this bill is a humiliating confession that all the evil things which these gentlemen have said concerning the tariff are not true. Twenty-two million dollars is about 6 per cent. of the total taxation of the United States, or about 35 cents per capita. Thirty-five cents a year, then, in the estimation of the committee, is the terrible burden that has weighed down the farmer and consumer—this is the heavy load that has curved the spine and paralyzed the energies of the laborer for lo! these many years. In view of all these things I am irresistibly driven to the conclusion that this measure is intended rather as an attack upon the protective system of America than an honest attempt to reduce the annual surplus.

Mr. Chairman, watch any gentleman while advocating this bill—mark him well, for some time during his discourse his face will become transfigured—

> While shakes his ambrosial curls, and gives the nod,
> The stamp of fate, and sanction of the god.

Behold! He strikes an attitude, such as the old masters gave Jove when launching his thunderbolts; there is a terrible glitter in his eye, which is "in fine frenzy rolling," and there bursts from his throat, like a shell from a cannon, these words, which appal the ear and strike terror to the heart as they bellow through the vast and boundless recesses of this Hall: "Shall the blanket of the poor man be taxed and whisky be free?" These words have been ringing in my ears, dancing in my brain, until in the wild delirium of a fever-racked imagination I heard some millions cry, "Whisky! whisky! Open, ye stills of Kentucky, and pour the mighty deluge and flood a thirsting world! Ye earthquakes, split the globe, the solid rock-ribbed globe, and lay all bare its subterranean spirit rivers and fresh-whisky seas!"—while other millions I did see, blanketless and shirtless, shake and shiver and "wallow naked in December snow."

From this mental mirage I turn to the stern realities of hard facts and figures. I find that in the estimation of the committee this "vicious, inequitable, illogical" tax which forces the consumer to "wallow naked in December snow," amounts to $17,720,635. That is the amount of free-list and estimated reductions on wool and woolen goods.

Many of the gentlemen who have of this tax sung such sad refrains as would draw "iron tears down Pluto's cheek" and cause every farmer to think himself a "child of misery baptized in tears," fought like valiant knights, and lengthened a day into a week, in a bold attempt to take from the Treasury just about that amount of money. The direct-tax bill carries just about the amount the committee thinks the consumer pays on woolen goods. Year after year, upon this floor, gentlemen who shed scalding tears because the poor man's blanket is taxed, vote without a heart pang or qualm of conscience for river and harbor improvements about as much money as the committee say the consumer is unjustly taxed on woolen goods. Seventeen million seven hundred thousand dollars, then, is the amount, after all, that is wrung "with relentless grasp" from the consumer by this tax. This is about 4½ per cent. of the entire tax the people pay, or about 29 cents per capita.

Twenty-nine cents, then, is the monstrous sum which this "cruel and merciless" tax wrenches from a single man every year. What an enormous hole this fabulous amount must leave in his income. Is it

any wonder that the young men of the present day can not afford to marry? How could they afford to marry and also pay a tax of 29 cents a year? Adopt female suffrage and the party that would dare to continue this burdensome tax would be swept from power with the rapidity of the red-winged lightening.

Free whisky? I have not the figures, but I venture the assertion that the tax on the alcohol that is used in the manufacture of drugs and on the liquors used in the sick room, amounts to as much as the tax which the committee say is unjustly wrung from the consumer on woolen goods. Why did the committee, if the love they profess for the poor man is genuine, not endeavor, at least, to give him cheap medicine? Will any gentleman of the committee answer? In these comparisons I have admitted, for the sake of the argument, that the claim of the free-trader that the duty is added to the cost of the home-made article is true. The protectionist claims it is not true; but suppose we concede the free-trader to be half right, for the sake of further comparison, and then take into account the fact that poor men do not buy as much woolen clothing as the wealthy or middle classes, and where do we find ourselves? That the wool and woolen tax amounts to scarcely 12 cents per capita. Surely there has been, on this subject, a great deal of cry and very little wool. But why should the farmer and the manufacturer be placed in antagonism? Are they not correlatives in the operations of nature? Then why should they not be correlatives in the operations of human industry? When the farmer and the manufacturer are separated by long distances is not the middleman, the trader, the agent, and above all the transporter, a severe tax upon the energies and activities of both? When they are brought together, as they are by the protective system, this tax is to a large extent removed.

I think I have some personal knowledge of this subject. I was born in a farm-house and hoed my own row on a farm. I remember how the farmer prospered under the ad valorem tariff of 1846. It was in reality a free-trade tariff, as is always an ad valorem tariff that does not contain provision for the forfeiture of falsely invoiced goods. Under the operations of the tariff of 1846 the farmers of my native county sold their cattle and surplus products to drovers, traders, and agents, who had them transported to New York on the Erie canal and on the Erie road after it was built. For the farmer, in those days, there was mighty bad sledding on the road to Hard Scrabble. He was fleeced by middlemen, and frequently ruined by wildcat banks and depreciated currency. We did not, during those halcyion days of free trade, lay awake nights lest the nightmare of a woolen tax would freeze our blood. There was no such tax to annoy us. Our mothers spun the wool we sheared from the sheep we raised on the farm and wove the thread into cloth on a hand-loom. This was the only woolen cloth we wore. Last fall my county celebrated the centennial of its first settlement, during which time I revisited the glimpses of my childhood. Fancy's magic wand could not create a more striking change than I beheld—beautiful farms, neat and substantial buildings furnished with all modern improvements everywhere greeted the eye. In twenty-five years the thriving manufacturing towns of Binghamton and Owego, Susquehanna and Great Bend, have grown until their population is nearly 100,000. These towns are either in or upon the borders of my native county. The middleman has disappeared, the consumer and the producer, the farmer and the manufacturer are side by side, and both are prosperous and happy; and this is the condition of things in every State where has been adopted the American policy of bringing into proportionate and harmonious relation the four great branches of industry—agriculture, manufacturing, commerce, and transportation. Need I say more; can more be said upon this phase of the question?

The eminent gentleman from Texas [Mr. MILLS] in presenting this bill to the House undertook, with an ardor and persistency worthy of a better cause, to show that the high rate of wages paid in the United States is not due to the protective system. The gentleman well knew and fully appreciated the fact that if it was admitted that the protective system enhanced the price of labor it would be extremely dangerous to in any way mutilate or injure that system. He is well aware that labor is the pivotal point around which this discussion centers. The main portion of his argument, therefore, was intended to demonstrate that the high rate of wages paid in the United States is due to coal, steam, and machinery. He says:

> It is these three powerful agents that multiply the products of labor and make it more valuable, and that high wages means low cost of product.

I admit that a high rate of wages means a low cost of product. That is an economic axiom half a century old. Having established this fact, and I do not deny it, the gentleman asks why it is that while the labor cost is lower in the United States while the rate of wages is higher, yet England produces her goods at a total cost lower than ours. His answer to this question is that labor does not cause this difference, but that it is caused by the cost of the material; that England has cheaper machinery and cheaper raw material than we have, and therefore the total cost of any given product is lower in England than in the United States, notwithstanding the higher rate of wages paid by us. Upon this point I take issue with the gentleman from Texas. He seems to have overlooked the all-important fact that capital is cheaper in England than it is in the United States. England has been able, quite recently, to fund her entire national debt at 2½ per cent. Four per cent. has been the lowest rate at which we could fund any appreciable amount of our public debt for any considerable length of time. In old, wealthy countries money is always cheaper than it is in countries comparatively new and poor. Money is cheaper in New York than it is in Chicago, and cheaper in Chicago than it is in Kansas City. The farther you go from the moneyed centers the dearer money becomes.

Now let us apply this quantity to the Mills equation and see if the answer to the problem will not be different. Suppose, for instance, that a plant costing a million dollars is to be erected in Pennsylvania or Ohio. The capital stock of such a plant could not be sold upon our markets unless a dividend of at least 6 per cent. was guarantied, and for the reason that the money of capitalists is now earning that amount or more. Capital to establish a similar plant in England could be easily procured for 3 per cent. The interest cost of the American plant would, therefore, be $60,000 a year, while the interest cost of the English plant would be but $30,000 a year; so that it will be seen that the American plant would have to withdraw from its earnings $30,000 a year before it would be upon the same plane as the English plant. This $30,000 added to the total cost of the American product will perhaps account for most of the difference in the cost of producing goods in each country. Let me quote against the distinguished free-trader from Texas a distinguished English free-trader. Mr. J. E. Cairnes is an eminent English publicist and writer of the free-trade school. His works are clearer and more incisive than the writings of either Adam Smith, Ricardo, or John Stuart Mill. Mr. Cairnes, in his work on Political Economy Clearly Expounded, in discussing this very question, and the question that a high rate of wages means a low cost of product, says, in speaking of the United States:

> How happens it then that, enjoying industrial advantages superior to other countries, they are yet unable to hold their own against them in the general markets of commerce?

This in substance, though not in form, is the identical question asked by the gentleman from Texas. I have given the answer of the chairman of the Ways and Means Committee. Now hear the answer of the distinguished and eminent English free-trader. This is what Mr. Cairnes says is the answer:

> What it means, and what it only can mean, is that they are unable to do so consistently with obtaining that rate of remuneration on their industry which is current in the United States. If only American laborers and capitalists would be content with the wages and profits current in Great Britain, there is nothing that I know of to prevent them from holding their own in any markets to which Manchester and Sheffield send their wares.

At last the cat is out of the bag. According to Mr. Cairnes—and he is an authority as great and as distinguished, let me say it with all due deference, in my opinion as the gentleman from Texas—according to Mr. Cairnes there is nothing to prevent us from holding our own in any market to which Manchester and Sheffield send their wares, provided our capitalists and laborers are content to take the wages and profits paid and received in Great Britain. Could this proposition be more tersely stated? It can be and it is more tersely stated by the same author in the same chapter. Speaking of the inability of America to compete with the pauper labor of Europe, he says:

> They can not do so and at the same time secure the American rate of return on their work. The inability no doubt exists, but it is one created, not by the drawbacks, but by the exceptional advantages of their position. It is as if the skilled artisan should complain that he could not compete with the hedger and ditcher. Let him only be content with the hedger and ditcher's rate of pay and there will be nothing to prevent him from entering the lists, even against this rival.

Yes, indeed, the American workman can compete with the English workman if he will be content to take the English workman's pay, and the American capitalist and manufacturer can compete with the English capitalist and manufacturer if he will be content with the same profit that the Englishman realizes upon his investment. Here is the whole case in a nutshell. Pass this bill and the American workman will be compelled to compete with the English workman and receive the English workman's pay, or starve.

I fully appreciate the anxiety displayed by the gentleman from Texas [Mr. MILLS] when he discussed this phase of the question; and I am inclined to believe that he felt while he was discussing it that it was the rock upon which his scheme would be wrecked. The gentleman said, farther along in his argument, that our prosperity was due to the intelligence of our labor and the unrestricted movements of our exchanges among sixty millions of people at home. Again, he seems to have forgotten to state the reasons why our labor is intelligent, and why we have exchanges to move unrestrictedly among sixty millions of people. But I anticipate. I will discuss this phase of the question farther along. As bearing upon the question of the relative cost of production in England and the United States, let me quote for the edification and information of the gentleman from Texas [Mr. MILLS] from a report made to the House of Commons on the condition of the mining district in 1854. Among other things the report says:

> The large capitals of this country are the great instruments of warfare against the competing capital of foreign countries, and are the most essential instruments now remaining by which our manufacturing supremacy can be maintained.

Even as early as 1854 the statesmen of England became convinced that they could neither wheedle nor force other nations to adopt their free-

trade policy, so they admitted that their immense and colossal aggregations of capital were the great instruments of warfare against the competing capital of foreign countries. Please mark the word and heed it well—warfare. I think the gentleman from Texas [Mr. MILLS] may now well understand why England can manufacture goods at a lower cost than the United States, and why it is vitally essential that American workmen should be protected, not only against the cheap labor of England, but also against its gigantic accumulations of cheap capital, which are used, as they themselves admit, to make war upon the industries of other nations. And shall other nations not protect themselves by measures sufficiently restrictive to at least counterbalance this warfare? Whenever revenue measures are discussed upon this floor the commercial policy of England is approvingly and ostentatiously paraded. Why?

Are we to adopt free trade because England has done so or because England wishes us to do so? What is the commercial policy of England? Before answering let us glance at some of the conditions which led to and aided in creating her present policy. Ninety-five per cent. of all the land in England is owned by less than 5 per cent. of the people. These land owners are mostly titled noblemen—lords, dukes, counts, and marquises. These lords of the land have converted the most fertile portions of England and Ireland into deer parks, pleasure parks, sheep walks, cattle ranches, drives, and lawns. The amount of land in England and Ireland withdrawn from agriculture and devoted to idle, non-productive, and useless purposes is simply enormous. Meanwhile the population of the kingdom steadily increased. The inevitable result followed. England could not feed her people with the productions of her own soil. Bread and meat had to be procured abroad; and when this condition of things was reached, when because of the dead weight of a useless and blighting landed aristocracy, population began to press upon subsistence, England was forced to abandon her protective policy, which for five hundred years had promoted and fostered her manufactures, and throw her ports open to the world, primarily in order to procure cheap breadstuffs. The corn laws which protected British agriculture were removed, because cheaper food became a vital necessity.

Nearly all the old restrictive or custom laws were repealed or greatly modified in order to induce, by the example, other countries to open their ports to British goods. To-day the settled policy of England is to have all the nations of the earth compete in her market for the sale of their raw material, so that through such competition she may be able to fix the price of what she wishes to buy; and in addition to that it is her policy to have all nations compete in her home market for her manufactured goods, to the end that through that competition she may be able to fix the price of what she has to sell, and thus become mistress not only of the seas, but of the industries and commerce of the globe. In pursuit of these aims and in establishing this policy England has been aggressive, unscrupulous, dishonest, and brutal. She laid a heavy hand upon the manufacturing industries of Ireland and they withered and perished from the face of the earth—labor became a drug in the labor market—the island being densely populated, the soil, the most productive in the world, was unable to feed the large extra manufacturing class that was thrown upon it—bad seasons and consequent failure of crops produced famines, and the people of Ireland melted away by starvation and expatriation almost as rapidly as the hosts of Sennacherib melted and withered before the breath of the angel of God. Six hundred and fifty years of the most barbarous cruelty and oppression, of bayonet rule, of rapine, plunder, bloodshed, and murder; six hundred and fifty years under the iron heel of the ruthless invader, under the domination of the most rigorous and prescriptive penal code ever known, at the mercy of incarnate brutality, under the shadow of the great robber nation of the world, and yet the spirit of the Irish people remained buoyant and unbroken.

But what all the engines of torture, the ingenuity of tyrants could devise, failed to do, the free-trade policy of England quickly accomplished, and poor, blasted, ruined, desolated Ireland weeps to-day, the Niobe of nations. What more? *Laissez faire, laissez passer* is inscribed upon the commercial banners of England; liberty for exchange, liberty for commerce, liberty for work, but no liberty for the human bodies she holds in hopeless bondage. *Laissez faire, laissez passer*—let us pass. Liberty for trade, and she blew Sepoys from the mouths of her cannon with as little compunction as the soldier discharges grape and canister at the advancing foe. Liberty for trade, and the Indian slave pays the transportation upon his raw cotton to England and the transportation upon the manufactured product when it is returned. "Liberty for commerce," she cried, while she forced the helot of Hindostan to eat unsalted, putrid fish because he was unable to pay the enhanced price of imported British salt, salt that he might have manufactured for a mere trifle at his own door. *Laissez passer*, and the shotted guns of England's war ships are turned upon the villages of the untutored, savage African, and the vilest, deadliest compounds, miscalled gin and rum, are forced upon these naked savages, and thus a deeper darkness throws a blacker shadow over the dark continent. *Laissez faire*, and the boom of England's cannon and the screech of bursting shells were heard in the ports and cities of China, and India's poisonous drug, the seductive opium, in the name of liberty, was forced down the throats of the resisting Chinese.

Let commerce be free—*laissez passer*—but in the early years of this century, when American ships were transporting the products of our country to French ports, our ships were seized, our citizens impressed, and our commerce destroyed by this same power that forever cries, "Liberty for trade, liberty for commerce." *Laissez passer*, and in the name of liberty for trade, this same robber nation passed up the Potomac and with a fiendish barbarity and unheard-of brutality sacked this city and applied the torch to this Capitol. This act of vandalism was perpetrated not eighteen hundred years before, but eighteen hundred years after the birth of Christ.

Laissez faire—liberty to work, to manufacture, but only for England, say her capitalists and manufacturers when they reduce prices and run their factories and works at a loss, as they have frequently done, in order to strangle and destroy the industries of other nations.

The war of 1812 closed our ports and forced us to manufacture goods we had previously imported. When peace was declared, England, in the name of liberty for trade and commerce, systematically began to cripple and strangle these new industries. In 1815, shortly after that war, Lord Brougham said:

> It was well worth while to incur a loss on the exportation of English manufactures in order to stifle in the cradle the foreign [American] manufactures.

Laissez passer, let commerce pass, let it be free, said England, during the late war, when she built with her own money privateers, manned them with British crews, and, under the flag of the Confederate States, launched them upon our merchantmen and drove our commerce from the seas.

Laissez faire, indeed. Whenever any nation establishes a new industry or one that enters into competition with an established English industry, England will be on hand offering the same goods at cheaper prices.

> Wherever God erects a house of prayer
> The devil always builds a chapel there.

In every great crisis of our history as a people, whenever our liberties were endangered, whenever the existence of our institutions was jeopardized and the life of the Republic hung in the balance, let us not forget that England was and has been our most aggressive, active, dangerous, and deadly enemy. Her Canadian dependency is a menace to our prosperity and peace, and always will be so long as England's flag floats over that country. The military system of Canada is as perfect as British craft and experience can make it; nor should it be forgotten that the railway system of Canada, fostered and aided as it was and is by England, was projected as much with a view to future strategic military as present commercial purposes. A glance at any map of the United States and Canada will convince the casual observer of this fact. The vapid vaporings of the Anglomaniac about kinship of race, even if re-echoed in England, do not deceive the American patriot. Every thinking man knows that the ruling classes of England are hostile to this Republic—ever have been, always will be. The English press and English statesmen favor the bill now under discussion, and this in itself furnishes a reason, a very strong and cogent reason, why the American Representative should give it grave, thoughtful, and prayerful consideration before he decides to support it or vote for it.

Having glanced at the policy of England, let us turn our attention to our own country. What is, what ought to be our national policy? It seems to me that our policy should be to develop to the highest attainable limit, within our own boundaries, and as far as possible bring into proportionate and harmonious relation, the four great branches of industry—agriculture, manufacturing, commerce, and transportation.

> No pent-up Utica contracts our powers,
> For the whole boundless continent is ours.

There are but few things which contribute to the happiness and comfort of man, and the creation and growth of great national life that can not be found in our mines or grown from our soil. Our climatology is as varied as the wants of man are diversified. There is no reason why we can not, if we so desire, become a distinct, independent people. It certainly ought to be our policy to create such industrial conditions, that if occasion demanded it, we could supply our people with every commodity in the whole range of human desires from within our own borders.

Why should we throw our markets open to the foreigner? It has cost us an incalculable amount of capital, an immeasurable aggregate of human exertion, besides great sacrifice of life, to transform the American forests and wilderness into the most opulent and powerful of nations and to maintain and preserve the most beneficent institutions known to man. And shall the alien and the enemy be given a share in the results of all our toil and effort without paying therefor a single cent? That would be to discriminate against our own citizens in favor of the foreigner. Nay, more; it would be permitting the alien, favored by cheap labor and cheap capital, and the industrial experience and development of six or seven centuries, to subject our people to the blighting competition these advantages would give him in our markets. This may be free trade, sugar-coated into "fair trade," but it is not fair treatment or fair play, nor is it common sense. Place upon the country, which by nature or adventitious circumstances is given special advantages over other countries in some particular line of trade or commerce, a restriction sufficient to counterbalance the

special advantage, and you simply follow the great law of human existence, self-preservation.

But the doctrine of protection is in theory as sound and tenable as it is in practice beneficial and salutary. Let me not be misunderstood. I do not take shelter behind the doctrines of List that there is a distinction between the theory of values and living forces—that is, between wealth and its causes; nor do I pin my faith to the distinction between cosmopolitan and national political economy. I do not look longingly forward to that visionary, mythical illusion, the millennium, to furnish me an excuse and pretext for being a free-trader. I am an advocate of the industrial protective system because I believe in it. Free-traders claim a preponderance of argument over protectionists in all discussions upon this question. This is often apparently true, but it is due to the misleading and imperfect way the protective idea or case is presented. The free-trader, to be at all successful in argument against the industrial protective system, must attack that system in detail; and if by joining issue on each particular customs duty he shows what appears to be an injustice against any particular class of citizens, he loudly proclaims the injustice of the whole system. This is neither fair nor honest discussion. The fact is, the protective system stands as a whole, and if it is to fall it must fall as a whole.

The strength of the system lies in its entirety—in its *ensemble* and completeness as a system. When the free-trade lawyer, for instance, claims he is unjustly taxed, for the benefit of others, on the clothing which he wears, he is attacking the system in detail, and makes an apparent case against it. But when it is remembered that the retainer of the lawyer and the fees of all professional men rise and fall as the rate of wages rises and falls, it will be seen that the protective system works no injustice to them, because under that system the rate of wages being higher, their fees are relatively and correspondingly higher, and their abilily to pay slightly more for what they consume is thereby assured. The manufacturer of iron can not justly complain that his clothing is costing more than it would under the free-trade system, because the manufacturer of cloth could retort that he was paying relatively more for the iron and machinery he purchased. The farmer may say to the manufacturer that he is paying more for his agricultural implements and clothing than he would if foreign articles of the same kind were admitted free; but the manufacturer replies that the farmer has a home market created for him, and is paid more for the productions of the field than he would receive if he had to transport these commodities thousands of miles to some foreign market; so that, as M. Alby very pointedly puts it, we find that—

> As we run successively the entire circle of industrial and agricultural production with each new industry that we take account of, the era of the apparent injustice will be continually narrowing till we end by finding ourselves in the presence of a series of people paying dearer for what they purchase, but making others pay dearer for what they sell.

This is the industrial protective system in its completeness as a whole, in its *ensemble*. It is a great patriotic national system of assurance against the unjust and ruinous competition of the pauper labor, cheap commodities, cheap capital, and cheap men of foreign countries. Man's power over matter is but imperfectly developed by perfection in any single industry. Agriculture subdues the earth in one direction only, and its highest degree of perfection depends upon the aid it can receive from the whole range of art and science. The degree and extent to which the people of any community can command the forces and services of nature indicates the degree of civilization attained by that community, and the extent to which a people have diversified their industries—the variety of their pursuits, gives the best test of their power to command the governing forces of matter.

The greater the diversification of industry in a State the greater is the degree of material progress and intellectual development attained by its people. The gentleman from Texas [Mr. MILLS], in his remarks in presenting the bill under discussion, contended and insisted that the high rate of wages labor receives in the United States was not due to the tariff, but to labor-saving machinery, which vastly augmented the laborer's productive capacity. In his eager haste to score a point against the tariff, the gentleman admitted, unintentionally no doubt, the very converse of the proposition for which he was contending. Whence came this labor-saving machinery? What was it that stimulated the inventive genius of the country? Is it not a law universally recognized in economics that inventive genius is most active and efficient in that country where wages are highest? High wages then preceded invention and the highest types of labor-saving machinery and appliances, and high wages were the result of the tariff. Hence it will be seen that when the gentleman from Texas [Mr. MILLS] claimed that high wages were the result of labor-saving machinery he was simply arguing in a circle. But let me quote an eminent and learned free-trader against the distinguished chairman of the Ways and Means Committee. Mr. Henry George, in an article on Chinese immigration, in one of our cyclopedias, says:

> To apply to the machinery and industrial methods which are in one country (America) the outgrowth of high wages, the cheap labor which in the other country (China) destroys the incentive to improvement may for the time result in large profits to those who make the combination, but if the effect be ultimately to reduce the general rate of wages the result in that country is to check invention and lessen productive power.

Mr. George is an authority in the free-trade camp, and justly so for he is a close student and a deep thinker. He says the machinery and industrial methods of our country are the outgrowth of high wages. The gentleman from Texas [Mr. MILLS] says the high wages are the outgrowth of the machinery and industrial methods. Both of these eminent economists belong to the same school; but then doctors will disagree. But there is in the extract quoted from Mr. George a suggestion which it would be well for the gentleman from Texas [Mr. MILLS] to take into prayerful consideration. If the effect of free trade will be to reduce the general rate of wages in this country—and there can be no doubt upon that point—the result, as Mr. George says, will be to check invention and lessen productive power. It seems, then, that wherever we find great diversity of industry we find a high state of normal progress in all the essentials of intellectual and national life, including active and effective inventive genius. Consequently, then, the degree of inventive genius found in a State indicates very clearly the general progress of that State.

Let us now apply the test of fact and see if this assertion can be proven. The report of the Patent Office for 1886 furnishes some very interesting data. During the year 1860 there were issued by the Patent Office 4,778 patents and reissues. This was 1 patent to each 6,580 of the population of the country. During the year 1870, notwithstanding the terrible war we had passed through, yet under the stimulating influences of the Morrill tariff the number of patents increased to 13,333, or 1 to every 2,891 of population. And during the last year, 1886, the number increased to 22,568, or 1 to every 2,665 of population upon a basis of 60,000,000. These figures demonstrate beyond question that a protective tariff stimulates and quickens invention, and the great apostle of free trade, Mr. George, is authority for the statement that active invention is the result of high wages, which statement, if true—and it unquestionably is—emphasizes and accentuates the proposition that a high rate of wages invariably results from a protective tariff.

It may be laid down as a general proposition which is susceptible of accurate demonstration that purely agricultural nations, or nations having but few manufacturing industries are invariably poor. Ireland and India are notable examples.

Do we want to be placed in this category? If so, we have only to adopt the free-trade policy of England. But are agricultural communities invariably poor? Let us see what the facts establish in our own country. Take the New England States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut. These States have an area of only 66,465 square miles, but a population of 4,010,529, according to the census of 1880. The assessed value of the property of these States in 1880 was $2,652,011,532, or $660 per capita. Now let us turn our attention to the fourteen Southern States, including Missouri and West Virginia, which are not wholly agricultural.

These States have an area of 882,700 square miles, and in 1880 had a population of 14,425,723, and property assessed at $2,370,923,269, or a per capita of but $164. The contrast would be more striking still if those portions of Maine, New Hampshire, and Vermont which are purely agricultural were subtracted from the calculation. But let us pursue this inquiry a little further. The Middle States, including Maryland, Delaware, New Jersey, Pennsylvania, and New York, have an area of 116,460 square miles, and had, in 1880, a population of 11,578,549, and property assessed at $5,564,578,488, or a per capita of $480. The twenty-one Western States and Territories have an area of 1,883,975 square miles, and had in 1880 a population of 16,963,428, and property assessed at $6,187,266,625, or a per capita of $358. It must be remembered that the great manufacturing States of Ohio and Illinois and the semi-manufacturing State of Indiana aid in keeping up the per capita of wealth in the Western States. From these figures it is clearly seen that the States, like the New England and Middle States, which combine manufactures with agriculture, and in which the true patriotic American policy of bringing into harmonious and proportionate relation the four great branches of industry is pursued, are far more wealthy and prosperous than the States whose industry is confined almost exclusively to agriculture.

According to the census of 1880 Alabama had an estimated or actual per capita of $299, North Carolina $319, Wisconsin $737, while Massachusetts had $1,568, Pennsylvania $1,259, New York $1,499, and so on. These figures speak in thunder tones for the diversification of industry.

All human experience goes to show, and common sense would seem to indicate, that the farmer who has a home market, whose land is contiguous to the workshop and the factory prospers better and has a steadier and more stable market and receives larger prices than the farmer whose market is some thousand miles from the scene of his labors. The average wealth of the citizen of New England is four times as great as the citizen of the Southern States, while the citizen of the Middle States has a per capita wealth three times as large. This is wholly due to the manufacturing and greatly diversified industries of the New England and Middle States, and these industries have been created, brought into being, fostered, and promoted by the protective system, which this bill seeks to strangle and paralyze. To still further accentuate the striking difference between the States of but one industry and the States of many and varied industries, let us again look

at the report of the United States Patent Office. During the year 1886 there were issued to Massachusetts 2,116 patents, or one for every 842 of her population. During the same year there were issued to the people of Minnesota but 288 patents, or only one to every 2,711 of her population. The contrast between these two States is striking. It shows that there is three times more inventive activity and industrial progress in Massachusetts than there is in Minnesota. I do not wonder that the latter State has a united free-trade delegation upon this floor. Men are practically what their environment and conditions make them.

During 1886 there were issued to New York a patent to every 1,233 of her population; to Pennsylvania, 1 to every 1,871; to Ohio, 1 to every 2,000; to New Jersey, 1 to every 1,225; to Illinois, 1 to every 1,711; to Connecticut, 1 to every 729; to Rhode Island, 1 to every 1,101. These, with Massachusetts, are the great manufacturing States. Now look at the West and South: Missouri had issued in 1886, 1 to every 3,165; Wisconsin, 1 to every 3,305; Nebraska, 1 to every 3,453; Alabama, 1 to every 21,398; Texas, 1 to every 5,984; Georgia, 1 to every 11,015; South Carolina, 1 to every 21,640, and so on through the list. The average shows from five to fifteen times more inventive ability and industrial progress and activity in the manufacturing States than in those devoted almost entirely to agriculture. It is, perhaps, natural that the latter States will, upon this floor, vote almost solidly for this bill, while the progressive manufacturing States will vote almost solidly against it.

In view of these practical results from following a single industry, what becomes of the claim that free trade will make the United States wealthy and prosperous? It vanishes as do the theories of the college graduate after his mind has been sharpened by the friction of the realities of practical life. But what of the theory? If free trade will make this country wealthy, why not all countries? Other nations will not permit us to grow prosperous at their expense. If all nations had protective laws, commerce would exist under the conditions these laws made possible. Wipe out these laws everywhere—inaugurate the reign of universal free trade—the conditions would immediately change, but when trade and commerce became adapted to the new conditions would the sum total of the wealth of the world be increased? Wealth is only created by labor, and to increase wealth the productive power of labor must be increased by opening up new fields for its activities and by the invention and use of better and more productive labor-saving appliances. Invention is stimulated by protective duties; new fields of labor are opened by them and by the diversification of industry; the results we have already seen

That we should not collect more money than is needed for an honest and economical administration of the Government no one denies. There is no question here to discuss; but when economy is carried to a parsimonious policy of Government expenditure, there is an issue. In a country having no large standing army and an honest administration, as this country undoubtedly now has, a high rate of taxation does not in the least alarm me; for it will be found as a general rule that a highly civilized and progressive community can not exist, nor can a high and advanced degree of civilization be attained and maintained, without a comparatively high rate of taxation. And why should objection be made to taxing goods and products? All taxes are necessarily added to the cost of production and are of course paid by those who consume products, at least primarily, for it must not be forgotten that after the process of diffusion, percussion, and repercussion by which taxes reach and fasten upon all visible species of property has operated, yet after all it is the men who earn the money that goes into the Treasury who pay the taxes. That being true, does it make any difference to them how they pay them? Certainly not.

But the claim made by the gentleman from Texas [Mr. MILLS] is that they not only pay the taxes but a bounty to the American manufacturer as well. If this were true and there were no compensating advantages, I would not only retire from the field of discussion, but apologize for having appeared upon it.

The gentleman from Texas [Mr. MILLS] made the extraordinary and startling statement that the laborer has to work twice the number of days under the protective system to earn the price of a suit of clothes that he would have to work under the free-trade system. This is indeed important, if true. It is the old claim that the duty is added to the price of the home-made article. But is it true? It may be laid down as a general proposition that when home production is small and competition slight, much of the duty is paid by the consumer, but as home production increases and home competition becomes sharper, as it rapidly does under the stimulating effects of a fair tariff, the amount of the duty which the consumer pays steadily diminishes, and when the home supply equals or nearly equals the home demand, practically all of the duty is paid by the foreign manufacturer and importer. If the duty is added to the price of the protected article it is beyond controversy that the reduction or repeal of the duty will reduce the price of the home-made article by the amount of the duty removed.

Three times since the close of the late war duties have been decreased, but has there been cited a single instance of a corresponding decrease in the price of the home-made article? Advantage has not been taken of these opportunities to prove this reckless assertion. In 1879 American steel rails were worth in the American market $40; the duty was then $28. If the theory of the gentleman from Texas [Mr. MILLS] is sound, the repeal of the duty would have reduced the price of American steel rails to $12 per ton, although at that time the same grade of steel rails could not be purchased in the English market for less than $22 per ton. From 1846 to 1849 English iron sold in our market for $40 per ton. It cost the American at that time $60 per ton to produce like grade of iron. By 1851 the American furnaces were closed up and home competition no longer existed. The English iron immediately rose to $80 per ton. The gentleman from Texas [Mr. MILLS] seems to forget that even if this wild, reckless statement was based upon even the shadow of truth, the laborer would be in no way benefited by the removal of the duty, for as soon as the foreign manufacturer obtained control of the home market, prices, even if decreased, would be again advanced.

It is a fact, and I challenge contradiction, that hundreds of protected articles can be purchased in our retail stores for the same price that they can be purchased for in England.

It must have been such absurd and extravagant statements as these made by Mr. MILLS that induced the First Napoleon to say that "if an empire were made of adamant, political economy would grind it to powder." The gentleman from Texas [Mr. MILLS] also claimed that the manufacturer does not pay the workman a fair proportion of the margins which protection gives him. In many instances this is unfortunately too true. I meet the charge fairly and squarely. I would rather create and maintain an industrial condition which produces manufacturers—ay, monopolies and trusts, if you will—who have the ability to pay remunerative wages but who do not, than to create an industrial condition under which the manufacturer could not exist. In the latter case the laborer would starve. In the former case he can oppose combination by combination and fight industrial trusts with labor trusts. These combinations which so alarm my friend from Tennessee [Mr. MCMILLIN] have no terrors for me. The giant Cyclops, competition, will take care of the trusts. When profits become excessive or phenomenal in any line, outside capital will immediately rush in and it will be trust eat trust.

Even if outside capital does not rush in, excessive profits will cause a trust to fall to pieces of its own weight. The Knights of Labor organization is a vast labor trust, and this trust, with other labor trusts, will be able to prevent the industrial trusts from insisting upon unjust exactions. But right here I am reminded that the protective system is charged with the creation of these industrial trusts, another reckless assertion. The greatest of all trusts—in fact, the parent trust, the Standard Oil Company—does not owe its existence to the tariff; neither does the whisky trust, for whose welfare the gentleman from Tennessee [Mr. MCMILLIN] is so very solicitous. Trusts are the result of social forces now operating in all industrial countries, whether under the protective or free-trade policy. They are simply one of the many phases which the evolutions of mankind present. Should they abuse the patience of the people to the extent my friend fears, it will certainly be bad for the trusts. There is a higher law than a written constitution, and it is sometimes evoked.

But again it is said the protective system produces tramps, that the country is swarming with idle, unemployed men, and that the tariff is responsible for this condition of things—another absurdity. If free-trade England is more prosperous than we are why are English laborers and mechanics constantly fleeing from that country and flocking to our shores? Since 1873 there have landed upon our shores 169,000 adult Englishmen, seeking better wages and better environment, and this immigration is increasing, not diminishing. There are almost as many Canadians in the United States as there are in Canada. The Dominion has encouraged immigration in many ways, but immigrants will not bide with her; they almost invariably find their way to this tax-cursed, tramp-inflicted land of ours. Mr. F. B. Sanborn, an eminent American publicist, says it costs the United States less than 50 cents per capita to care for our paupers, while it costs England $1.50 per capita, or three times as much. At the last official enumeration there were 1,017,000 paupers in the United Kingdom, 803,000 of whom were in England, 115,000 in Ireland, and 99,000 in Scotland.

France has a larger population than England, but has only 417,000 paupers. England is a free-trade country; the United States and France are not, yet England has three times as many paupers as France or the United States. How these base charges melt away when the light of truth is turned upon them. But let us be honest to our convictions of truth. Paupers and tramps would exist no matter under what policy the world's industries and commerce were carried on—to a much less extent under the protective system, as the facts show; but still they would exist, always will exist while human selfishness is the dominant factor of social progress. Their very existence is an ever present, eternal protest against that universal selfishness upon which the whole fabric of our civilization is based and buttressed. Ambition and selfishness have been the main springs of human activity, but the time is at hand when the good that these human impulses accomplish will have to be separated from the evil that necessarily accompanies them. Great material progress is commendable, but our ultimate aim must be higher. A progress along the line of matter becomes a curse and an evil unless along the same line there is a progress of soul.

Man is progressing along this line, too, but he advances slowly and moves on a calvary highway, but by his sufferings he is exhausting and consuming the evil of his environment. Great philosophic truths do not become popular as soon as discovered; they must be first humanized by suffering souls or so translated by some inspired genius that the multitude can understand them. The proposition that the reign of law and order and the security of life and property is best subserved by a juster and more equitable distribution of the productions of labor than now pertains ought to be regarded and acted upon as a great economic truth, but unfortunately it is not. We have not yet fully emerged from those social conditions which prompted Hobbes to say *homo homini lupus;* but who will undertake to say that the time is not fast approaching when man will find pleasure in being humane even to the wolf—*homo lupo homo.*

The gentleman from Michigan [Mr. FORD] has called attention to the importation of pauper labor by capitalists and manufacturers. That was done, but I fail to see how the heartless cupidity and cruelty of these followers of Hobbes can be charged against the tariff. Let me vouchsafe to my friend some information of which he is perhaps not aware. When in the Forty-eighth Congress I was presenting to this House the merits of a bill which I had reported from the Committee on Labor, preventing the importation of pauper labor under contract, the word "demagogue" ever and anon floated to my ears in muttered whispers; and it was uttered and launched upon this not ambient but vapor-laden air by gentlemen who are now advocating and supporting the bill under discussion; and whatever opposition that measure received came from friends of the Mills bill. It came from gentlemen whose knowledge of the great labor problem was derived from tableaux and object lessons. Ring up the curtain. Behold the lights of other days, free-trade days; at the front of the stage an uncovered pine table, upon which is a lighted tallow candle, and farther back, in the shade, is a black man couchant and a white man and a rawhide rampant.

I do not say these things in bitterness; I only refer to them to show how very difficult it is to break away from the prejudices that are born with us, or to break through the environment of conditions that have influenced most of our lives. One of the greatest evils the curse of slavery brought upon our kinsmen of the South was the creation of a caste, because it has outlived all the other evils which flowed from this Pandora box. There is no despotism so cruel and harsh as the despotism of caste. It is supersensitive to any intrusion into its fancied realm, and anything whose tendency is to ennoble and elevate human dignity and independence always encounters its fiercest hostility. The caste of the South, by example and propinquity, caused and stimulated the birth of a Northern caste, which because of its lack of age and the fact that it is largely composed of parvenues and illiterate boors, who in many instances are the creation of fortuitous circumstances, is a hundred times more despotic and exacting than the Southern caste, which has the advantage of age, culture, manners, and refinement.

It is the castes who have created the new gospel which claims for the benefit of society the divine right of selfishness, and offers up with sardonic glee the poverty of the poor as an inevitable sacrifice to the Moloch of greed and competition.

It is the castes and the consuming desire to enter their charmed circle that has created and produced paupers and tramps in this country, as in England their presence is largely accounted for by the oppressions of the aristocracy. It is the reign of caste and the gross and brutal selfishness it creates that compels us to admit that, although the slave is no longer in the South or beneath us, yet he is among us. The barbarian is no longer away out upon the horizon of our vision; he is by our side. The shackles are laid away in the museum of the Limbo of the past, yet in reality slavery still abides with us. But these things do not deter me from looking hopefully to the future. The test of every system, political, religious, or economical, is the man it produces; and I know the protective system has produced better men and more of them for America than the free-trade system. The protective system gave the mechanics of the North better wages, more leisure, better schools, more of all the essentials of civilized life, and the result is that we frequently see mechanics and laborers, the sons of the humble and lowly poor, grow steadily in mental strength and vigor until, by their own exertions and the benefits derived from diversified industrial conditions, they become intellectual giants and suddenly burst through the fetters caste riveted upon them—burst through the disadvantages surrounding their lowly lives, and "flame like stars in the forehead of the morning sky."

The pauper question has led me into this digression, but before I leave the subject let me say a few words, not warningly, but rather advisory, to the people who live in the realm of caste. It must be always borne in mind that until the laws governing the distribution of wealth are changed, the great majority in every State must necessarily be comparatively ignorant, poor, and dependent, with but very little interest in the preservation of law, order, and government. It therefore follows as an inevitable sequence that the State is at the mercy of any accident or concatenation of circumstances which unchains the pent up passions of the multitude and lets slip the dogs of mobocracy; and if in such emergency law and order is overthrown, let us not forget that the catastrophe will be due to the harsh and cruel conditions which the castes blindly created for the State's existence. Society sometimes dances the stately minuet or the ravishing valse on the lava floor of a crater, unmindful of the fact that the volcano beneath slumbers only, and is not extinct or dead. Let every man do unto others as he would others should do unto him, and these evils will be averted, and tramps and paupers will exist in history only.

But to the point. Every gentleman who has spoken in favor of this bill has complained of the dearness of American goods. Cheapness, then, is the great desideratum to be attained. If I could I would expurgate the word "cheap" from all living languages. I hate it, and hate all inanimate cheap things as thoroughly as I despise cheap men.

It is said protection discriminates against the consumer in favor of the producer. If there be consumers who are not producers, it would be good policy to discriminate them out of existence. The citizen who consumes but does not produce is a curse to the community in which he lives; his sole purpose in life, the object of his existence, is to eat up the results of the producer's labor. This consumer, who is not a producer, can have no interest in the State, no interest in the welfare of his fellow beings, no interest in anything except to minimize the cost of all things which he consumes; cheapness is to him the sum of all earthly happiness. To have cheap sugar he would grind the negroes of Cuba and Louisiana into sirup; to have cheap provisions he would make the farmer a serf; to have cheap clothing he would pauperize and brutalize the laborers and mechanics of the country.

Low wages sends the pregnant mother into the factory and stamps upon her offspring the mark of premature age; low wages sends children into the shop, and dwarfs them physically and mentally; low wages prevents marriage and increases bastardy; low wages fills the brothel as well as the jail. Angels weep, while hell gapes and yawns, and demons dance and howl when Ricardo's low natural wage limit is reached, as it is, alas! too frequently in this country, but not because we have a tariff, but because of man's inhumanity and brutality to his fellows.

Cheap goods mean cheap labor, cheap labor means cheap men, cheap men mean poverty, ignorance, vice, brutality, and barbarism. Man's value to himself, to his family, to the state, is governed by his wages; his soul, his spirit rises as his wages advance—falls as his wages decline. Destroy a man's wages and you destroy the man. Destroy the high rate of wages paid American workingmen and our industries and liberties would be jeopardized. Do the advocates of this bill desire an era of general cheapness at this tremendous sacrifice? If they do their advocacy has wisdom and method in it.

And now, Mr. Chairman, I have reached a phase of this discussion which I would fain pass over in silence, but the gentleman from Texas [Mr. MILLS] will not have it so. He has proclaimed to the world, upon this floor and through the press, that this revenue bill involves Democratic principles and Democratic duty. In a letter written by the distinguished chairman of the Ways and Means Committee to the Iroquois Club of Chicago, the Cobden Club of America, he very clearly and emphatically declares that the Democratic party is not only pledged to the support of the policy involved in this bill, but that the coming Presidential campaign is to be contested upon the lines laid down in this measure. Against this assumption upon the part of the gentleman from Texas [Mr. MILLS] I, as a Democrat, here and now enter my most solemn protest. In the letter referred to Mr. MILLS says:

> Our President has boldly plaated the colors on the field, and challenged our opponents to try results with us upon issue presented.

The President in his message to this Congress indicated most clearly that in his opinion the reduction of taxation, necessarto w ipe out the surplus and prevent its further accumulation should be made wholly from customs duties, and that the internal-revenue system of taxation should not be disturbed. My political reading and education lead me to believe that the policy of the Democratic party in the past, and in the present, was and is hostile to an internal-revenue system of taxation

Mr. Jefferson denounced this system more than eighty years ago. That great statesman said that this system of taxation covered our land with officers, opened our doors to their intrusions and domiciliary vexation. Samuel J. Tilden more than twenty years ago also denounced in unmistakable terms the system of internal-revenue taxation. I always supposed that Mr. Jefferson and Mr. Tilden were prophets in the Democratic party, whose utterances could be relied upon as enunciating principles of the Democracy in all their purity. If we are to take the utterances of the gentleman from Texas [Mr. MILLS] for granted, we must take the position that free trade is a cardinal principle of the Democracy. I, for one, will not be driven into ny such false and ridiculous attitude. Mr. Jefferson, in his sixth-nnual message to Congress, nearly ninety years ago, pointedly and interrogatively said:

> Shall we suppress the impost and give the advantage to foreign over domestic manufactures?

Later on, in 1816, the father, not only of the Declaration of Independence, but the father and founder of the Democratic party, Mr. Jefferson, said:

> Experience has taught me that manufactures are as necessary to our independence as to our comfort.

The messages of Mr. Madison and Mr. Monroe fairly bristled with

declarations and recommendations in favor of protecting American manufactures and American industries. In those early days our tariff laws were protective in character, and strange enough one of these laws protected and fostered into existence the immense cotton industry of the South.

The question never took a political shape until 1832. South Carolina, under the leadership of Senator Hayne and Mr. Calhoun, about this time discovered that free trade would be of more advantage to the South than protection. Senator Hayne perhaps accurately described the situation when he said, in 1832:

> We can not manufacture except as to a few coarse articles. Slave labor is utterly incapable of being successfully applied to such an object. Slaves are too improvident and incapable of that minute, constant, delicate attention and that persevering industry which are essential to the success of manufacturing establishments.

The fact is the South, because of the curse of slave labor, found herself at a disadvantage, as compared with the North, in diversified industrial pursuits. Slave labor was adapted to only one industry, agriculture, and that being the case it was of course to the advantage of the South, at least for the time being, to purchase those manufactured goods she needed in the cheapest market she could obtain, while she sold her staple products in the highest market she could obtain. It will therefore be seen that the free-trade sentiment in this country was the outgrowth of peculiar conditions and peculiar environment, and perhaps nowhere in the history of the world is the tenacity of prejudice more strongly exemplified than in the fact that this sentiment continues a quarter of a century after the conditions and environment which gave it birth have passed away and no longer exist. Many gentlemen upon this floor can not help being free-traders. They were born so. It is rather the result of congenital causes than conviction based upon research and investigation.

Prior to the first election of General Jackson, local sectional feeling, especially in the South, became quite bitter upon this subject. In his first message to Congress, President Jackson used these words:

> In deliberating therefore, on these interesting subjects, local feeling and prejudices should be merged in the patriotic determination to promote the great interest of the whole. All attempts to connect them with the party conflicts of the day are unnecessarily injurious and should be discountenanced.

Thus spoke President Jackson in relation to tariff legislation and the tariff in December, 1829. That President Jackson was a protectionist is clearly revealed in his messages, and especially in a letter written to Dr. Coleman, in which he says:

> The American farmer has neither a foreign nor a home market, except for cotton. Does not this clearly prove that there is too much labor employed in agriculture, and that the channels of labor should be multiplied? Common sense points out at once the remedy.

It seems to me that it would be well for those who are now endeavoring to apotheosize this bill, and who proclaim that it involves Democratic principle and duty, to occasionally refer to the teachings of the founders and fathers of the Democratic party. It would be especially well for them to heed the warning advice of President Jackson, that—

> All attempts to connect customs-revenue legislation with the party conflicts of the day are necessarily injurious and should be discountenanced.

I am well aware that about 1830 both parties began to trim somewhat upon this question. Even so great a protectionist as Henry Clay, who would "rather be right than be President," was in favor of a compromise upon the question of the tariff. Mr. Clay, as well as Mr. Jackson, wanted to be President, and, as Mr. Thompson very tersely puts it—

> The concealed magnet in the White House often makes the most honest compass deflect from the North Star of principle.

The electoral vote of the Southern States was a stake for which many good men sacrificed both honor and principle; and from the time of Van Buren to that of Buchanan the Democratic party in its onward march sometimes obliqued toward the side of free trade. Since the close of the war a school of Democrats, of which the gentleman from Pennsylvania [Mr. RANDALL] is a conspicuous example, have been endeavoring to lead the party back to the principles that controlled it from Jefferson to Van Buren, a period which covered over forty years. This school of thought prevailed in 1884, as the plank in the Chicago platform upon which Mr. Cleveland was elected demonstrates.

The tariff plank in the Chicago platform clearly suggests, if it does not positively declare, that the necessary reduction of revenue to prevent the accumulation of a surplus, should be made along the line of internal-revenue taxation. It certainly does not justify, in the light of any possible construction, the claim that this reduction must be made entirely from customs duties.

It is clear and emphatic that the necessary reduction in taxation can be effected, and it declares that it must be effected without depriving American labor of the ability of competing successfully with foreign labor; and it further declares that as high rates of duties shall be levied as will be necessary to cover any increased cost of production which may exist in consequence of the high rate of wages prevailing in this country. I know it has been said by advocates of the present bill that the Chicago platform was considerable of a fraud. Gentlemen who make this declaration seem to forget that if it is true, the present Administration was elected by fraud. In 1884, when I advocated the election of President Cleveland, I believed that my party, through the Chicago convention, proclaimed honestly its views upon the tariff question. I did not then, nor did any other speaker or newspaper, say to the people of this country, "This platform is a fraud; we do not mean what we here say about the tariff. Although we here proclaim that the surplus can be reduced by the reduction of internal-revenue taxation, and that American industries must be fostered and protected, we do not mean that, but the very converse of the proposition."

If the Democratic leaders took that stand, if the Democratic party in 1884 appealed to the people in that way, Mr. Blaine would now be occupying the White House instead of Grover Cleveland.

I have no objection to any gentleman entertaining upon this great economic question any views which his judgment dictates, but I do protest now, and will protest at all times and upon all occasions, against the false assumption and suicidal declaration that this so-called "Mills bill" involves a Democratic principle or a Democratic duty. As a measure for reducing the surplus and preventing a still further accumulation of surplus, it will, if passed, in my judgment, prove an abortive failure. I therefore oppose it for that reason as well as those already given. As a measure, as it now stands and as it is here presented, enunciating Democratic principles and Democratic faith, I not only condemn it, I repudiate and denounce it. I have heard gentlemen upon this floor tear a passion to tatters and declare in impassioned speech that they would vote for this bill, not because it was a just or wise measure, but because they were Democrats. I believe in Democracy, but there is no Democracy in this bill. I know of but one guide by which to shape my official as well as my private conduct, and that is the light which comes from my inner, moral consciousness—by this light my convictions of right and duty are formed; and if the time should ever come when party or any other kind of prejudice becomes stronger than my judgment, and I find that the courage of my convictions is departing from me, I will be ready to exclaim with Brutus in honest candor and sincerity—

> Be ready, gods, with all your thunderbolts
> Dash me to pieces.

A brief summary of the history of our industrial legislation and policy may not be out of place here. We had no manufactures before the Revolution. That war forced the people to manufacture articles of necessity at least. But after peace was declared in 1783 the country was flooded by English goods. England had the factories, the machinery, the skilled labor, and our infant industries were crushed and ruined in a short time. The old articles of confederation created a government too feeble and weak to remedy this and other evils, hence the Constitutional Convention and the Constitution, which owed its existence to commercial necessity more than to any other cause. The power to regulate foreign and domestic commerce which is clearly vested in the Constitution did not exist in the articles of federation, but was a power claimed and exercised by each State. The first Congress was literally besieged with petitions from the business men of the country praying for protection against the absolute ruin which the competition of the foreign manufacturer and trader had brought upon the country. The first tariff law was passed and signed July 4, 1789. It imposed "duties on goods, wares, and merchandise imported." This tariff was very low. January, 1790, Washington recommended to the adjourned session of the First Congress a protective policy, and a bill was passed August, 1790, really protective in character.

Strangely enough raw cotton was one of the first industries specially protected at this period—3 cents per pound or 10 per cent. of its value. This protected the South against India. In 1794 Whitney's cotton gin put the South ahead of competition and outside of the need of protection. The war of 1812 found the country still wholly unprepared for such an emergency. The country could not even make a blanket. The limited protection afforded was not sufficient to promote woolen or iron industries, and others of a like character, to render the country independent of foreign markets.

Up to 1824 the tariff laws, though protection in character, were inadequate to protect the industries of the country from the supremacy of foreign manufactures.

It was the policy of England then to keep this country in the position of colonial dependence. That is her policy to-day, and free trade would render us simply the producers of food and raw material for England.

In 1823 President Monroe for the second time urged the adoption of a higher tariff. The following January a new bill was reported. This was the first real protective tariff. Under it the country prospered as it had never prospered before.

In 1833 the tariff was modified by a gradual 20 per cent. reduction, which was to take full effect in June, 1842. This increased imports 75 per cent. The gradual reduction went on, and shops and factories closed up and disappeared as the reduction went into effect, until in 1837 the crash came—banks closed, and the country verged upon the point of bankruptcy. The imports fell away because the people were too poor to buy, and the Government had to borrow money to meet its ordinary expenses. The cry, "Work! give me work!" was heard everywhere in the land.

In 1840 the country was so thoroughly aroused that the Democratic party was defeated, and General Harrison, a protectionist President, was elected. The tariff of 1842 was still more protective than the one of 1823–'24 to 1828. Even the South did not now object, for it had been

demonstrated that free trade was not the unmixed blessing it was claimed to be.

Next came the tariff of 1846. It was, strictly speaking, an ad valorem tariff, and therefore vicious, for ad valorem duties make the home market far more dependent upon the fluctuations of the foreign market, besides being more liable to permit and allow frauds and encourage perjury. The tariff of 1846 did not materially change the tariff of 1842 except by the adoption of vicious ad valorem methods.

This ad valorem tariff of 1846 lasted until 1857, to the ruin of many industries. In 1857 duties were reduced 25 per cent.; another great panic—collapse and ruin followed.

In 1860 the Republican party, with protection as one of its cardinal principles, carried the country, and for the third time Democratic supremacy was broken. We have changed our financial policy nine times in one hundred years, seduced always from protection to free trade by the seductive voice of theorists, but in every instance driven by hard and bitter experience back to protection. Are we going to repeat the experience once more? I ask again, are we going to be seduced from duty only to be driven back again? Will we ever learn anything? It might perhaps, taking an optimistic view of the matter, be well to try the free-trade experiment again, for the terrible lesson it would teach us would certainly settle the question for all time to come.

Mr. Chairman, that great *doctrinaire* and apostle of free trade, Robert J. Walker, in a report as Secretary of the Treasury in 1845, speaking of commerce and exchanges, said: "Let them alone." Those of our people who have followed this advice are surrounded by commercial inanition and industrial asphyxiation. This is an age of ideas, of thought, of active, rapid flight of mind onward, ever onward and upward; our faces are toward the noon-day sun of science, and the "Let them alone" dictum is far behind us. We let nothing alone. We recognize that mental activity is the supreme law of human destiny, and that the kingdom of matter must be conquered and subdued by the empire of mind; we push incessantly onward on the mighty track-way of civilization; we pierce the mountain-side; we span the river and the valley for iron roads on which trade and commerce forever flow; we organize the capital, the thought, the energies and activities of our people; we go down into the bowels of the earth, into the very arcana of nature, and tear out the heart of her mystery; we control and utilize the air, penetrate and investigate the secrets of the upper atmosphere and hoary ocean's awful depths; we touch every known element of nature with the deft fingers of art and the all-powerful hand of science; we apply to them living forces, the cunning but mighty hand of intellectualized labor, and change, transform, and transmute them into objects of use and beauty, to minister to our bodily wants and esthetical desires; we touch dull, inert matter with the wand of industrial genius, and sentient forces appear and become the slaves of our will; the electricity, which for cycles and ages only flashed its red glare in advance of the bellowing thunder, we have harnessed to the car of progress and utilized in an hundred ways to enhance the comforts and increase the potential possibilities of humanity; with it we annihilate time and space, propel machinery, decompose elements, chase away darkness, and send the human voice along the pulsing wires to points a thousand miles away. All this and vastly more have we accomplished, not by letting force and matter alone, but by applying to them the crystallizations of thought that we have inherited from the centuries of progress and human evolution that have gone before. [Great applause.]

Patents issued to citizens of the United States, with the ratio of population to each patent granted.

States and Territories.	Patents and designs.	One to every—
Alabama	59	21,398
Arizona Territory	13	3,110
Arkansas	61	13,155
California	524	1,650
Colorado	111	1,750
Connecticut	854	720
Dakota Territory	60	2,252
Delaware	42	3,490
District of Columbia	201	884
Florida	41	6,573
Georgia	110	11,015
Idaho Territory	6	5,435
Illinois	1,798	1,711
Indian Territory	2	.....
Indiana	699	2,830
Iowa	452	3,594
Kansas	283	3,519
Kentucky	251	6,568
Louisiana	95	9,894
Maine	138	4,702
Maryland	270	3,462
Massachusetts	2,116	842
Michigan	768	2,131
Minnesota	288	2,711
Mississippi	52	21,761
Missouri	685	3,165
Montana Territory	24	1,631
Nebraska	131	3,453
Nevada	14	4,447
New Hampshire	157	2,210
New Jersey	923	1,225
New Mexico Territory	12	9,993
New York	4,121	1,283
North Carolina	75	18,663
Ohio	1,509	2,009
Oregon	60	2,912
Pennsylvania	2,289	1,871
Rhode Island	251	1,101
South Carolina	46	21,640
Tennessee	135	11,340
Texas	260	5,984
Utah Territory	24	5,998
Vermont	117	2,849
Virginia	122	12,388
Washington Territory	32	2,347
West Virginia	83	7,451
Wisconsin	598	3,305
Wyoming Territory	8	2,598
United States Army	3	.....
United States Navy	3	.....
Total	20,993	.....

Patents issued to citizens of foreign countries.

Of patents issued to foreigners, there were granted to citizens of—

Algeria	1	Japan	1
Argentine Republic	1	Monaco	1
Australia	2	Mexico	6
Austria-Hungary	47	Netherlands	2
Belgium	17	Newfoundland	2
Brazil	2	New South Wales	4
British Guiana	1	New Zealand	6
Canada	275	Norway	4
Cape of Good Hope	1	Roumania	1
Central America	7	Russia	8
Corea	1	Scotland	35
Cuba	4	South Australia	3
Denmark	9	Spain	4
England	548	Sweden	18
France	144	Switzerland	34
Germany	272	Victoria	5
Hawaii	5	West Indies	1
India	1		
Ireland	9	Total	1,489
Italy	6		

Comparative statement of the business of the office from 1837 to 1886, inclusive.

Year.	Applications.	Caveats filed.	Patents and reissues.	Cash received.	Cash expended.	Surplus.
1837	.....	.....	435	$29,289.08	$33,506.98	.....
1838	.....	.....	520	42,123.54	37,402.10	$4,721.44
1839	.....	.....	425	57,209.00	34,543.51	2,716.49
1840	735	228	473	38,056.51	30,020.67	.....
1841	847	312	495	40,413.01	52,695.87	.....
1842	761	391	517	36,505.68	31,241.48	5,264.20
1843	819	315	510	35,315.81	30,776.96	4,538.85
1844	1,045	380	495	42,509.26	36,244.73	6,264.53
1845	1,246	452	504	51,076.14	39,395.65	11,680.49
1846	1,272	448	628	50,264.16	45,158.71	4,105.45
1847	1,531	553	569	63,111.19	41,873.35	21,233.84
1848	1,628	607	652	67,576.69	58,905.84	8,670.85
1849	1,955	595	1,068	80,752.98	77,716.44	3,036.54
1850	2,193	602	993	86,927.05	80,100.95	6,816.10
1851	2,258	760	872	95,738.61	86,916.97	8,821.64
1852	2,639	996	1,019	112,656.34	95,916.91	16,753.43
1853	2,673	991	961	121,527.45	132,869.83	.....
1854	4,435	966	2,012	216,459.35	179,549.23	36,910.02
1856	4,560	1,024	2,506	192,588.02	199,931.02	.....
1857	4,771	1,010	2,806	196,192.61	211,582.09	.....
1858	5,364	934	3,636	203,716.16	193,193.74	10,522.42
1859	6,235	1,097	4,566	245,942.15	210,278.41	35,663.74
1860	7,633	1,084	4,778	250,352.53	252,820.80	3,531.79
1861	4,643	700	3,929	137,354.44	221,491.91	.....
1862	5,638	824	3,532	215,754.99	182,810.39	32,944.60
1863	6,014	787	4,184	195,503.29	189,414.14	6,179.15
1864	6,932	1,063	5,025	240,919.93	229,868.00	11,051.93
1865	10,664	1,937	6,616	348,791.84	274,199.34	74,592.50
1866	15,269	2,723	9,458	455,665.38	361,724.28	133,941.10
1867	21,276	3,597	13,026	616,581.52	639,263.52	7,318.63
1868	20,429	3,705	13,410	681,565.36	628,679.77	52,885.69
1869	19,271	3,624	13,997	693,145.81	480,430.78	206,715.03
1870	19,171	3,273	13,333	662,406.76	557,149.19	112,307.57
1871	19,472	3,366	13,056	678,716.46	560,595.08	118,121.38
1872	18,246	3,090	13,613	699,725.59	665,591.36	34,135.03
1873	20,414	3,248	12,864	703,191.77	691,178.98	12,012.79
1874	21,602	3,181	13,599	738,278.17	679,288.41	58,989.76
1875	21,638	3,094	14,857	743,453.35	721,657.71	21,795.65
1876	21,425	2,697	15,595	757,987.65	652,542.60	105,445.05
1877	20,308	2,809	14,187	732,342.85	613,152.62	119,190.23
1878	20,260	2,755	13,444	725,375.55	593,082.89	132,292.66
1879	20,059	2,630	13,213	703,931.47	529,938.97	174,292.50
1880	23,012	2,400	13,947	749,685.32	598,865.17	240,820.15
1881	25,059	2,406	16,584	853,665.89	605,173.28	248,492.61
1882	31,522	2,553	19,267	1,009,219.45	683,867.67	325,351.78
1883	35,577	2,741	22,383	1,146,240.60	675,234.86	471,005.14
1884	35,600	2,582	20,413	1,075,798.80	970,572.76	105,219.04
1885	35,717	2,552	24,233	1,188,098.15	1,024,378.85	163,710.30
1886	35,968	2,513	22,508	1,154,551.40	992,503.40	162,047.96

Before the conclusion of Mr. FORAN's remarks the hour expired, and

On motion of Mr. SOWDEN, by unanimous consent, his time was extended to complete his speech.

Mr. O'FERRALL was recognized.

Mr. SCOTT. Mr. Chairman, I ask the gentleman from Virginia [Mr. O'FERRALL] to yield me three minutes.

Mr. O'FERRALL. I yield to the gentleman.

Mr. SCOTT. Mr. Chairman, I listened with a great deal of interest to the gentleman who has just preceded me [Mr. FORAN]. I did not desire to interrupt him in his argument, but he has made two or three positive statements, and if those statements can be successfully contradicted it is perhaps well that the contradiction should go forth to the country with his speech.

He has said here, sir, that he was opposed to everything cheap. I ask him if the records of the manufacturing industries of this country and of the world for the past thirty years do not show that while the prices of commodities have depreciated from 25 to 50 per cent., the price of labor has gradually and steadily increased throughout Europe from 50 to 80 per cent.? I ask him, sir, if it is not true that under the protected industries of this country the census of 1850 shows the average percentage paid labor to the cost of the article produced in this country, was 23.3 per cent.; that under the census of 1860 it had fallen to 21.2 per cent.; that in 1870 it had fallen to 18 per cent., and that in 1880 it had fallen to 17.8 per cent.; while to-day in England the average amount labor receives to the value of the article produced is from 30 to 32 per cent.? I ask the gentleman to explain these facts, and further to explain why it is that the American wage-worker's percentage of earnings to the value of articles produced has steadily, steadily, steadily depreciated, while the prices of all commodities in the United States are higher than in any other country in the world, and who is it that is receiving the difference in cost and labor? [Applause on the Democratic side.]

Mr. FORAN. Mr. Chairman, it is very evident that the gentleman from Pennsylvania [Mr. SCOTT] did not hear the whole of my speech. When he reads the whole of it, as I hope he will, he will find all his questions fully answered.

Mr. O'FERRALL. Mr. Chairman, for four sessions of Congress I have sat on this floor and listened to the speeches which have been made upon the great and now absorbing issue of the tariff. For four sessions I have remained an attentive listener to all that has been said by the advocates of a tariff for protection and the advocates of a tariff for revenue, and have not opened my lips, except indirectly in advocacy of the doctrine of either school.

The time has come, however, when my sense of duty to the people whom I have the distinguished honor to represent in this branch of the legislative department of this Government impels me to speak, and in speaking, though my words may be simple and unadorned, they will be the words of candor and soberness. I have just listened with pleasure to the remarks of the distinguished gentleman from Ohio [Mr. FORAN], but in my remarks I shall endeavor to be more practical and not so theoretical.

I believe, Mr. Chairman, that the farming and laboring classes of this country have never been brought to a full understanding of this question. The voice of the advocate of monopolies has been raised in every nook and corner, and his "league tracts" scattered as thick as autumn leaves in the highways and byways. Yet the advocate of the farmer and wage-worker has to a great extent bridled his tongue and curbed his pen.

Industriously indeed have the advocates of a protective tariff sought to impress the public mind with the belief that the tariff is a subject so difficult and intricate that only the most enlightened, those versed in statecraft and studying mighty governmental problems by the flickering light of the midnight lamp, could understand it, while the advocates of a tariff for revenue have failed to present and drive home the plain truth and immutable fact that a tariff is a tax, and the heavier the tariff the heavier the tax, and that the man who buys any manufactured article, from a knitting-needle to a thrashing-machine, a horseshoe to a ton of iron, a spool of thread to a silk dress, a pair of socks to a suit of clothes, a mustard plaster to a pound of morphine, whether manufactured in any foreign country or this country, pays this tax either into the Treasury of the Government, if he buys the foreign-made article, or the pocket of the manufacturer, if he buys the home-made article.

The advocates of a protective tariff with lusty lungs have sung the song of "Protection! protection!" to the farmer and laboring man, while the advocates of a tariff for revenue have failed to respond with the cry of "Oppression and robbery!"

It is high time, sir, those who stand in the position of representatives of the great mass of people of this land who earn their living in the furrow or at the bench, at the anvil or in the workshops, with the spade or with the hod, in the glowing light of the furnace or in the dingy darkness of the mines, by the music of the spindle and the loom, and by the many other avocations which fill the avenues of industry, should be awakening to the importance of the high duties devolved upon them, and no longer sleep at their posts when the wolf of protection is daily crying around the doors of the homes which they represent.

I know, Mr. Chairman, that so far as the Representatives on this floor from the Southern States are concerned there is some excuse for their past lethargy in this respect.

Mighty issues for years crowded upon them, which affected the very civilization of their States, and their minds were absorbed by questions whose importance was felt in the very marrow of their bones.

But the dangers which threatened have fortunately been dispelled, and lowering clouds have given way to bright sunshine; the sheen of Democracy has illumined the way, and each State in this Union of States stands out in the light of the Constitution as coequal and coordinate, and Southern Representatives can now direct their energies along with brethren of the North of the same political faith in correcting the crying evils of a system which is daily drawing from the people their hard earnings, and hoarding millions in the Treasury for the benefit of monopolies and favored classes.

I have declared as a truth that a tariff is a tax, and I repeat it in order to emphasize it. Now, sir, we must have money to meet the current expenditures of our Government, pay the interest upon the public debt, and comply with the demands of the pension-roll, now grown to enormous proportions, and the settled policy of the Government is to raise the money necessary to meet these purposes by a tariff, or more plainly speaking, a customs tax on foreign manufactured goods, wares, and merchandise brought to this country.

But on behalf of the tax-paying consumers of this country from Maine to California and from the Atlantic to the Pacific, from hill and dell, mountain and plain, I enter my earnest protest against a system which raises more money and imposes a greater tax than are required to provide sufficient revenues to meet the necessary wants and demands of the Government.

I enter my solemn protest against a system which has for its object, in imposing a heavier tax than the necessities of the Government demand, the fostering of certain men or classes.

All the citizens of this land are of right freemen; they owe no allegiance to any class and should recognize no task-masters. Under the chart of their liberties, under the law of high heaven, they are free and without shackles on their limbs or mortgages upon the fruits of their brain or muscles; they bow down before no prince, potentate, or sovereign, nor kiss the royal robes of any crowned head; they render homage only to their God and should pay tribute only to their Government. Such at least is the spirit of our institutions, the character of our written national compact.

But how is it in practice? Under this malign system for years the people have been made to submit their necks and receive the yoke of monopolistic oppression; they have been required to bend the knee at the shrine of monopolistic power, and in their extremity they have exclaimed, "Lord! Lord! how much demandest thou of me?" They have been compelled to contribute of their hard earning and sweat-drops for the support of their task-masters, that these task-masters may increase their dividends, roll in luxuries, and revel in wealth.

Freemen though they are by right, yet suffering an Egyptian bondage; living as they do in an atmosphere of boasted liberty, yet service-bound to a manufacturing oligarchy.

Mr. Chairman, in my own State I have met with gentlemen professedly of my own political faith who have have said to me: "Be careful; don't agitate the tariff question." With such timidity I have no sympathy. In such Democracy I have no confidence.

For five years and more I have proclaimed the doctrine of a tariff reform in almost every county, city, and town in Virginia. "Don't agitate the question." Ha! The people like serfs must still submit, like vassals still bend their necks, like slaves still work, work in the treadmill of protection! Sir, "Tariff for revenue" is the motto which I have tacked to the mast-head, and if I shall fall I shall fall with my face to the enemy still crying aloud against the oppression of my people. I intend to stand by, uphold and defend as far as God has given me the ability the underlying principle of Democracy upon this question. I may be a weak defender of the right, but I will at least be a bold one.

But I have no fears as to the result. The flag of tariff for revenue will soon float in triumph, and when victory is once inscribed upon it the child has not been born that will ever see defeat written over it.

I repeat, again, a tariff is a tax on foreign manufactured goods, wares, and merchandise.

Almost every article of foreign production, whether used upon the farm in tilling the soil, reaping the crops, or conveying them to market; almost everything that constitutes the common wants of life; almost everything that the humblest citizen wears, from the crown of his head to the soles of his feet, must pay a tariff tax as soon as it is landed upon our shores. This tax, then, being paid by the foreign manufacturer, is added by him to the price, and as he adds it to the price, the home manufacturer at once increases his price the amount of the tax, so that the consumer, whether he buys the foreign-made or home-made article, in the end pays the tax.

Let protectionists seek to their hearts' content to cover up the facts with their sophistries and theories; the plain and simple fact as I have stated it stands out in bold relief for the humblest man in the land to read and understand. He can understand that if he could buy a woolen suit of clothes, for instance, for $15 without the tax, and must pay $22.50 for it with the tax, that the tax affects and hurts him. It requires no

literary training, no college breeding, no study of governmental science for him to understand that he is injured in purse when he is saddled with a tax of 50 per cent., or $7.50, on a $15 suit of clothes; and the man who seeks to convince him that this is done for his protection will bring his labors to an unhappy end.

Now, Mr. Chairman, so far as the necessities of the Government require taxation well and good, and every patriotic citizen will meet it with cheerfulness; but as soon as the Government imposes a heavier tax than the demands of the Government require, just for the protection of articles manufactured in this country, it is robbing me for the benefit of a class and establishing here in free America a favored class and building up and fostering an aristocracy of monopolies.

The little tax on tea kindled the flames of republican liberty, and a weak people of only 3,000,000 determined not to submit. But though the soul of every American glows with pride as he recalls this historical fact, we have now millions of dollars annually wrung from the people—not to support the Government, but to enable a favored few to carry on trade with heavy profits and sell their wares at prices largely in excess of what the foreign articles could be purchased if it were not for the tax, and largely in excess of the price at which these favored few could sell and make reasonable profits.

So that year by year, week by week, and day by day the fruits of honest toil go into the tills of monopolies rather than into the pocket of the toiler for his own benefit and that of those whom God in his wisdom has given him.

A few days ago in referring to the fact just alluded to, that the tax on tea awakened the slumbering spirit of liberty in the breasts of the colonists, I was met with the reply that it was taxation without representation that inspired the Revolution. I said then as I say now, that the tax was the match that lighted the fire, and that while the rulers of that day only imposed this small tax on the one article, the rulers of this day impose a tax on thousands of articles, and the tax imposed in 1776 was for the support of government while the tax of 1888 is made heavy for the support of monopolies.

Remember, Mr. Chairman, I do not mean to intimate that even the heavy burden of taxation under which the people are now resting would justify a resort to violence. Oh, no. Peace reigns supreme throughout our borders, and the people have their remedy in the ballot, the weapon of the Constitution, and with it a revolution will be prosecuted which will as effectually shake off the shackles of unjust taxation as the Revolution of 1776 shook off the shackles of British tyranny.

Sir, I cannot conceive upon what principle of right it can be maintained that the people of the United States should be taxed more than necessary to meet the demands of the Government. I do not understand upon what principle of justice it can be insisted that about $100,000,000 in excess of the requirements of the Government should be drawn annually from the people, taken from their pockets, withdrawn from the circulating medium of the country and deposited in the gloomy vaults of the Treasury.

No State would dare tax her citizens more than necessary to run her government and hoard the excess up in her treasury.

Wherein lies any greater right in the National than in the State Government in this respect?

I take it that greater right is claimed by protectionists to sustain them in their position of tariff for protection. It is the only ground, it seems to me, upon which they can in reason stand.

Is it tenable? Has the National Government the right to impose excessive taxation for the protection simply of certain industries and enterprises?

To admit the existence of such a right is to admit that it exists without limit and the extent of its exercise rests alone in the judgment, whim, or caprice of Congress. If the right to raise $100,000,000 in excess exists, why not $200,000,000; why not $500,000,000; why not all the earnings of the consumers above a bare subsistence? Where and when will gentlemen belonging to this school stop? Will they stop when the monopolies cry stop? If so, the millennium will have dawned when that cry comes. Will they stop when the industries of this country no longer regard themselves as "infants?" If so, when the voice of the archangel shall be heard and the last trump shall sound, some "infant," with hoary locks and a body plethoric with dividends and profits gathered from the tills of the poor and wrenched from the hard hand of labor, will stand upon the shores of time and cry for more protection.

"Infant industries!" Mr. Clay, the great apostle of protection, in his debate with Mr. Calhoun, when giant mind met giant mind, and the sparkles flew around like the corruscations from heated metal when struck by a Vulcan's hammer, declared only for a temporary tariff for the protection of our "infant industries."

More than fifty years ago this memorable debate occurred. For more than thirty years the immortal Clay has been in his grave, and the winds of more than thirty winters have sung a requiem to his memory, and more than thirty springs have shed the fragrance of their flowers over the place where inurned is his sacred dust. Childhood then has grown to middle age; middle age then has gone tottering to the grave of old age, yet the industries of which Mr. Clay spoke are still infants, still crawling and mewling, still in their swaddling clothes, still unable to stand alone, and still sucking the bottle of protection.

Sir, with all due deference, I say what an absurdity. If it were so, if these industries were still unable to stand alone, still required the supporting arm of the Government, still called for protection from foreign competition, as a citizen of the United States, in the face of the world I would be ashamed to acknowledge it. With natural advantages greater than those of any country on the face of the habitable globe; with every improvement known to this inventive age; with a climate of unsurpassed salubrity; with a population strong and sturdy, industrious and energetic, I would blush with shame to admit that we can not compete in our own markets and at our own doors with the fabrics and manufactures of other countries, transported at heavy cost hundreds and thousands of miles across the mighty waters that separate us, without the protection of a heavy tariff.

Standing forth as we do in the majesty of our national power, boasting of our strength, our advancement in the arts and sciences, and in all that goes to constitute a nation's pre-eminent power and strength and greatness, my national pride would be touched to the very quick if I were forced to admit that our furnaces, surrounded by mountains of iron ore sufficient to run an iron belt around the world, and coal in close proximity to smelt every ton of it, our spindles and our looms driven by the finest water-power in the known world, or by steam-power supplied with coal from mines almost at the doors of the factories, or by natural gas, our manufactories sharing all the blessings of a country upon which Heaven has showered its most gracious gifts, can not stand upon their own feet and assert their own independence in their own land against all foreign comers without being sustained and supported by the arm of high protection.

Sir, I am a protectionist, but not a protectionist of monopolies; I am a protectionist of my people. I ask again, if the policy of drawing more money than necessary to support the Government is adhered to, where will it end? Already tens upon tens of millions of dollars have been withdrawn from circulation, and, of course, if persisted in, it is only a matter of time when all the money, the entire circulating medium, will be withdrawn from the channels of business and locked up in the vaults of the Treasury. Then without money for the transaction of business and to meet the wants of the people something must be done; the money must flow back into the channels from which it was taken. How will this be done? Will the people whose earnings are represented by the hoarded millions be permitted to walk up and receive back their own, the dollars representing their hours and days and years of toil and labor, sweat and anxiety? Oh, no; but they must give of the substance left them an equivalent for every dollar; they must buy back from the Government their own. Like the highwayman who demands money from the traveler for the horse from which he has just been dismounted, the Government will demand a *quid pro quo* for the fruits of its robbery. It seems to me, sir, that view this question as you may you can find no haven of safety, no solid ground upon which to plant your feet except upon the firm principles of Democracy—a tariff for revenue, which means taxation only for the economical support of Government.

Mr. KERR. You say you are for a tariff for revenue. Do you not know that we have now one hundred and sixteen millions of revenue raised outside of the tariff, and would it not be wise to return to the policies advocated by all the early great statesmen of your State?

Mr. O'FERRALL. In other words, cheap whisky or cheap clothing—that is the issue. I favor cheaper clothing and cheaper necessaries of life as against the cheap whisky advocated by the gentleman.

Mr. KERR. I do not advocate cheap whisky. I advocate the prohibition of whisky. You advocate a policy that makes it a permanent source of our national revenue, incorporates it into our system as a permanency.

Mr. O'FERRALL. The gentleman wants the poor man to have cheap whisky, and at the same time to pay a high price for his clothing. Now, sir, no man need drink whisky, but every man must wear clothes. [Applause on the Democratic side.]

Mr. BUTLER. How are you on the tobacco tax?

Mr. O'FERRALL. I am for the repeal of the tobacco tax.

Mr. BUTLER. How are you on sugar?

Mr. O'FERRALL. I will determine that when the question is before the House.

Mr. BUTLER. Can you not say now? How are you as to the reduction of the tariff on iron?

Mr. O'FERRALL. I am for a tariff upon iron ore and upon coal.

Mr. BUTLER. How are you upon this bill as to the reduction of the tariff on iron?

Mr. O'FERRALL. I am for this bill as a whole. [Applause on the Democratic side.] I hope I have answered the gentleman.

Cut loose from this principle and you at once embark upon a sea without a pilot, compass, or rudder, to be dashed about and finally wrecked upon the shoals of confusion and anarchy.

Better, far better, confine ourselves to the powers of the Constitution and to the teachings of the fathers than follow in the wake of false prophets and teachers.

But passing on, let me say that the policy of protection is contrary to the principle of independent citizenship. The admitted theory of our Government is that he that sows shall reap the fruit of his own labor, and that it shall not be tolled by his neighbor; that while he must rely upon the means given him by God, whatever he may accumulate shall not be made to pay tithes to another.

Applying this principle, suppose instead of raising revenue by a tariff we were to do so by direct taxation on property, and instead of a custom-house collector we were to have a Federal direct-tax collector. Imagine this dialogue between a Federal tax-collector and a good, honest old farmer:

Collector: Good morning my old friend; how are you this morning?

Old Farmer: Well, just so so. I am not very well, but I have to keep going. My land is not very good and I have to keep scratching to make buckle and tongue meet.

Collector: Well, sir, I am around collecting taxes. Will it suit you to pay to-day?

Old Farmer: Well, money is mighty scarce, but I always try to lay by little by little to meet my taxes and pay my part of the expenses of the Government, and I reckon I might as well pay now as any other time. How much are they?

Collector: Let me see; there is a ticket for $50.

Old Farmer: All right; here's your money, give me the ticket.

And the old fellow draws a long breath as he sees his $50, representing many a sweat-drop, the heat and cold of many a day, many a jerk and twist of the plow-handle, and many an ache and pain disappear in the wallet of the collector; but as a good citizen he willingly paid his part of the expenses of the Government. He is about to return to his work, for time is precious with him—he "must keep scratching,"—when he hears the voice of the collector again:

Collector: Hold on, my old friend, I have another ticket against you.

Old Farmer (turning suddenly and nervously): What! another tax ticket against me? I thought I had just paid my part of the expenses of Government.

Collector: So you have paid your part of the expenses of Government; but this is a "protection" ticket of $16.66⅔.

Old Farmer: Protection ticket!

Collector: Yes, "protection ticket."

Old Farmer: Well, what sort of a ticket is that? I ain't asking any particular protection. Everybody around here is quiet; my neighbors are all good people, and I don't need any protection; this thing must be a mistake; tell them down yonder in Washington I don't feel afraid; I harm nobody, work hard all day; go to bed with a clear conscience, sleep well, and don't want any fellow around to protect me. Just take the thing back and tell the fellow that sent it out that I can take care of myself, and don't want any protection, and don't want to pay for any.

Collector: Old man, you don't know what you are talking about.

Old Farmer: Yes, I do, too.

Collector: No, but you don't; this is a tax which the Government says you must pay to protect the people who make the clothes you wear, and the wagon you drive, and the plow you use, and the reaper and mower you have, and your sewing-machine, and so on.

Old Farmer: Well, well; has it come to this in our country that things are getting so bad that these people must be protected at their work? Why don't the Government shoot a few of these bad fellows and stop this taxing of poor men to protect workmen against them?

Collector: You evidently don't understand yet. I will explain. You know there are a great many people up in Lowell and Boston, and all over New England, and out at Cincinnati and Chicago, and many other points, who are engaged in manufacturing boots and shoes, cotton cloth, calico, flannel, carpets, sewing-machines, wagons, reapers, mowers, thrashers, plows, brooms, buckets, and other things that you buy, and the Government thinks they do not make money enough out of their business, and says you must pay one-third as much as your tax for the support of Government is to help them. Do you understand now?

Old Farmer (red with anger): Yes, I understand what you say; but what have I to do with helping them? Who helps me? I have a hard time of it. I sell my corn for 40 cents when I ought to have 70 cents; I sell my wheat for 78 cents, when I ought to get $1; I sell my hay for $4.50, when I ought to have $8, and I get small prices for everything, and I can't see what I have to do with helping them. They don't help me. If they don't make money enough at their business, why don't they quit and try something else? That's the way people do around here. Oh, pshaw, you must be fooling me.

Collector: No, I am not fooling you; I am in dead earnest. It is my business to collect, and you must pay or I will have to levy on your horse.

Old Farmer: Well, this is a strange thing to me; but I am a law-abiding man and I suppose I must pay. So here is your money. Give me the ticket. But before you leave I want to ask you a question.

Collector: All right; what is it?

Old Farmer: Is this Democratic doings or Republican doings?

Collector: Oh, it is the doings of the G. O. P.—the grand old party—the Republican party.

Old Farmer: Just as I expected. Well, sir, I am a Democrat and have been voting that ticket for many a year, but if Mr. Cleveland and the Democratic party don't bring about the old-time way of doing things and let every tub stand on its own bottom, I don't expect to vote any more. Good day, sir. [Loud applause and laughter.]

Now, sir, this is simply a homely illustration of just what the Government is doing under the present high tariff system. After drawing money enough to pay the expenses of Government, it imposes a tax of one-third more for the protection of or to help and aid the manufacturing monopolies of the country increase their profits and swell their dividends.

Attempt to disguise it as you may, or to cover it up under all the fallacies of the protective idea, still it stands out in its hideous form of oppression and imposition.

Let me take another illustration. Suppose the laboring man, who delves day in and day out, from week to week and year to year, goes to a store to purchase clothing for himself and family. He buys a pair of boots at $6, and a suit of cloths at $18, shoes for his family costing $10, cotton cloth costing $3, calico and other necessary articles amounting to $13; aggregating $50. More than $20 of this bill is tariff tax and more than $5 of the $20 is protection tax—tax to protect the manufacturers. "Protection!" Protecting a man by taking money out of his pocket. What an anomalous proposition!

Men struggle and bend their energies in the pursuit of money; they strain their nerves, tax their muscle, and charge their brain to accumulate for old age or for days of sickness, that they may be protected from want; this is the rule of mankind; but the Government, reversing human rule, says to the poor man, we must take your earnings for your protection. I repeat, what an anomaly!

I will now, Mr. Chairman, refer to some of the arguments used by protection leaders to sustain their theory that protection increases wages, stimulates enterprise, enhances the value of property, furnishes home consumption of our products, and promotes the general prosperity of the country.

Let us refer to the statistics of the country—for there we find authentic facts to which we can not close our eyes.

Does protection increase wages?

Between 1850 and 1860, an era of low tariff, when the Government imposed a tax only for its economical support, wages increased 18 per cent.

During the next ten years, from 1860 to 1870, when a war was raging for four years of this time, and prices were inflated and protection was at high-water mark, wages increased only 7 per cent.

Does protection give a home market to the products of our soil?

In 1850, under low tariff, we raised 867,453,967 bushels of cereals; 851,502,312 bushels were consumed at home; 15,951,655 bushels were exported. All but 1.9 per cent., or less than two bushels in the hundred, of our entire cereal productions found a market at our doors. In 1860, when the tariff was still lower than in 1850, we raised 1,239,039,945 bushels; 1,216,084,810 bushels were sold in this country; 22,955,135 bushels were sent abroad. Only 1.8 per cent., even a smaller per cent. than in 1850, was forced to seek a foreign market.

Now look at the picture presented by the year of the highest tariff. In 1870 our productions amounted to 1,629,027,600 bushels; 1,571,737,179 bushels found home consumption; 57,290,521 bushels were exported. Three and a half per cent. was compelled to seek sale in other countries. Between 1850 and 1860 productions increased 45.1 per cent., while between 1860 and 1870 they only increased 31.4 per cent. Between 1850 and 1860 exports advanced only 43.9 per cent., while between 1860 and 1870 they advanced 149½ per cent. In 1860 we exported only a very small per cent. of our corn; in 1880 we exported a large per cent. In 1860 we exported only a small per cent. of our wheat; in 1880 we exported a large per cent.

And just here I will say that the wheat which was exported in 1860 brought remunerative prices, for it had scarcely any competitor in the market; in 1880 it was placed in competition with the wheat of India, raised by cheap labor and sold at sacrificing prices, and this was the result of the protective system which drove England from our shores with her manufactured articles, and forced her to develop the wheat-growing facilities of India, and brought our wheat in competition in the English markets with the wheat grown by the outcasts of India and the cheap labor of Russia.

Does protection increase the wealth of the country and add to its general prosperity?

Investigations will show that between 1850 and 1860 wealth was more than doubled, increasing 126 per cent., or more than 12 per cent. per annum, while between 1860 and 1880 the increase was only 6 per cent. per annum.

Mr. Chairman, I regard these statistical facts as full, complete, and indisputable answers to every argument which has been or can be adduced in favor of the policy of a high protective tariff. They are not the result of imagination or fancy, of prejudice or bias, but their truthfulness is vouched for by this great Government.

Protectionists say that protection increases the prices of the products of the farm. Let us see how statistics bear them out.

WHEAT.

For the ten years between 1850 and 1860 the price of wheat ranged from $1.32 to $1.84 per bushel.

For the ten years between 1870 and 1880 the price of wheat ranged from $1.13 to $1.66 per bushel.

A difference of about 20 cents per bushel in favor of the low tariff years.

CORN.

Between 1850 and 1860 the price of corn ranged from 66 to 93 cents per bushel.

Between 1870 and 1880 the price of corn ranged from 49 cents to 79 cents.

A difference of from 14 cents to 17 cents per bushel in favor of the low tariff years.

OATS.

Between 1850 and 1860 the price of oats ranged from 46 to 65 cents per bushel.

Between 1870 and 1880 the price of oats ranged from 34 to 53 cents.

A difference of 12 cents per bushel in favor of the low tariff years.

FLOUR.

Between 1850 and 1860 the price of flour ranged from $4.96 to $7.18 per barrel.

Between 1870 and 1880 the price of flour ranged from $4.25 to $6.60 per barrel.

A difference of 58 to 71 cents per barrel in favor of the low tariff years.

MESS PORK.

Between 1850 and 1860 the price of mess pork ranged from $14.31 to $19.75 per barrel.

Between 1870 and 1880 the price of mess pork ranged from $12.35 to $18.84 per barrel.

A difference of from 91 cents to $1.90 per barrel in favor of the low tariff years.

WOOL.

Between 1850 and 1860 the average price of wool was about 28 cents per pound.

Between 1870 and 1880 the average price of wool was about 31 cents.

A difference of 3 cents per pound in favor of the high tariff years.

So the wool-grower received $3 more on his 100-pound clip in 1880 than in 1860, and then paid many times that in tariff on woolen goods which he bought.

Now let us take the small farmer and see how he stood between 1870 and 1880 as compared with how he stood between 1850 and 1860.

Suppose he raised each year—

100 bushels wheat, he got for it between 1850 and 1860 20 cents per bushel more than between 1870 and 1880, or	$20.00 more.
300 bushels corn, he got for it between 1850 and 1860 an average of 15 cents per bushel more than between 1870 and 1880, or	45.00 more.
200 bushels oats, he got for it between 1850 and 1860 12 cents per bushel more than between 1870 and 1880, or	24.00 more.
5 barrels mess pork, he got between 1850 and 1860 $1.44 per barrel more than between 1870 and 1880, or	7.20 more.

RECAPITULATION.

Wheat	$20.00	
Corn	45.00	
Oats	24.00	
Mess pork	7.20	
		96.20 more.

To say nothing about his other products.

Deduct, then, from this, his higher price of $3 on 100 pounds of wool which he received between 1870 and 1880 than between 1850 and 1860, and the small farmer will see and read for himself that between 1850 and 1860 he was $93.20 better off annually upon the products to which I have referred than between 1870 and 1880; that these fruits of his labor brought $93.20 more annually under low-tariff Democratic rule than under high-tariff Republican rule.

If the products of a farmer were two, three, or five times as great as these I have given, of course, his loss under high-tariff Republican rule was two, three, or five times as great as in the illustration.

Protectionists say that protection improves the farms and makes them more productive and profitable. Let us see what statistics show in regard to this matter.

Average yield per acre of cereals.

Wheat:			Barley—Continued.		
1860	bushels	16.0	1885	bushels	21.4
1885	do	10.4	Buckwheat:		
Corn:			1860	do	23.2
1860	do	37.3	1885	do	13.8
1885	do	26.5	Potatoes:		
Rye:			1860	do	119.0
1860	do	18.1	1885	do	77.2
1885	do	10.2	Hay:		
Oats:			1860	tons	1.42
1860	do	29.6	1885	do	1.12
1885	do	27.6	Tobacco:		
Barley:			1860	pounds	1,019.0
1860	do	29.0	1885	do	747.8

Let us see how the farmer stood in 1885 as compared with 1860. Suppose in 1860 and in 1885 he had the same quantity of ground in cultivation and use, say 20 acres in wheat, 30 acres in corn, 5 acres in rye, 10 acres in oats. How would the account stand?

Products.	Area.	1860.	1885.	Difference.
	Acres.	*Bushels.*	*Bushels.*	*Bushels.*
Wheat	20	320	204	116
Corn	30	1,113	795	318
Rye	5	90½	51	39½
Oats	10	296	276	20

He puts the same labor and capital in and gets in return 116 fewer bushels of wheat, 318 fewer bushels of corn, 39½ fewer bushels of rye, 20 fewer bushels of oats.

If that is protection, well indeed can the farmers of this land exclaim, "God save us from such protection!"

These 65 acres would have brought him in 1860, as follows:

320 bushels wheat, at $1.55, lowest	$432.00
1,113 bushels corn, at 64 cents, lowest	712.42
90½ bushels rye, at 80 cents, lowest	74.49
296 bushels oats, at 37 cents, lowest	109.52
Total	1,328.34

Now, in 1885 what would they have brought him?

204 bushels wheat, at 88 cents	$179.52
795 bushels corn, at 40 cents	318.00
51 bushels rye, at 60 cents	30.60
276 bushels oats, at 27½ cents	75.90
Total	603.92

His gross receipts from the same acreage and crops dropped down from $1,328.34 in 1860 to $603.92 in 1885, or a loss of $724.42.

That is the kind of protection our Republican friends offer to the man who follows the plow.

Mr. KERR. Certainly the gentleman does not charge the tariff with having reduced the production of the soil so as to diminish the number of bushels raised.

Mr. O'FERRALL. Mr. Chairman, I am answering the argument of protectionists that high tariff brings general prosperity to the country, improves the farms as well as everything else. That is the position I am answering. If the gentleman yields that point, and that tariff has nothing to do with it, the purpose I had in view is accomplished.

Mr. KERR. The gentleman's statistics would go to show that farms are not as productive as formerly. Certainly the tariff is not responsible or that.

Mr. O'FERRALL. Yes, sir, I insist that the tariff is responsible to a very great extent. The farmer is so heavily burdened by tariff legislation that he has not money to keep up the fertility of the soil, and must cultivate it as best he can. That is one reason why the fertility of the soil has gone back.

Mr. RUSSELL, of Massachusetts. You are right.

Mr. O'FERRALL. That is the kind of "protection" our Republican friends offer to the man who follows the plow.

Mr. DINGLEY. Allow me a single remark at this point in order that there may be no misunderstanding of the facts. Statistics of this kind are apt to be deceptive. The gentleman has given the price of wheat in the city of New York for a decade before the war and for a decade since the war. Now, is it not the fact that in the decade since the war the farmer obtained more per bushel on his Western farm than in the decade before the war, and that the seeming decline in the price of wheat is due to the decline in the cost of transportation from the Western farm to the city of New York?

Mr. O'FERRALL. I might agree with the gentleman but for the fact that the statistics which I am giving are drawn from the census reports furnished by official heads of this Government. Most of the statistics I have cited are good Republican statistics, prepared under Republican administrations.

SMALLER CROPS AND SMALLER PRICES.

In 1860, under Democratic low-tariff rule, the average farm with 65 acres in cultivation would have brought $1,328.34, while in 1885, under Republican high-tariff rule, it only brought $603.92.

CHEAPER CLOTHING.

But protectionists, when met with these facts, and when told how agriculture has languished under the protective fallacy, fall back upon the assertion that the farmer buys his clothing at lower prices than he did in former years, and that this results from protection.

Mr. Chairman, he does buy clothing for less per yard or per article than in former years. But I assert that in the course of a year his clothes cost him as much or more than in former years.

The fabrics from 1860 back were substantial; they were good; they were honest as a rule, and they wore well. The fabrics of the present day are, as a rule, "shoddy," made to please the eye, mislead and deceive. Shoes with paper filling, woolen goods three-fourths cotton, pasteboard hats, with fur pasted on the outside, and lined with fantastic colors, calicoes that a new-born babe can tear, domestics that you could almost sift pebbles through, and cloth that a heavy dew will

penetrate to the skin are all sold to the farmer cheap, and he is told to believe what protection has done for him.

O, what authority and show of truth
Can cunning *protection* cover itself withal.

But it is all show. In a brief season the farmer must return and buy again.

But, Mr. Chairman, protection has not given even these cheap, flimsy articles of wear. It has been the inventive genius of the age that has done it. They have sprung like magic from the brain of the inventor, just as in the days of low tariff, when the invention of the cotton-gin worked a revolution in the price of cotton. Protection seizes hold of everything and claims it as its own. It was protection, its advocates would have us to infer, that conceived the ideas that led to the important inventions of the last quarter of a century. It was protection, according to the idea of our Republican friends, that stimulated the brain of the geniuses of this country who have given to the world in the last two and a half decades the great adjuncts to manufactures, the revolutionizing improvements which have furnished the means of increasing the supply of fabrics for human wear.

Again, Mr. Chairman, protectionists insist that protection gives high wages to the mechanic and laboring man. They point to the fact triumphantly that wages are higher in the United States where we have a high tariff than in England where they have low tariff.

Now, sir, I propose to show the inconsistency of their position. Mark you, they claim that high tariff gives high wages.

Sir, in Austria, Belgium, France, Germany, the Netherlands, and Switzerland there is a high tariff. All of them are high-tariff countries. England is a low-tariff country. In high-tariff Austria, Belgium, France, Germany, the Netherlands, and Switzerland wages are low, while in low-tariff England wages are high as compared with other countries.

I will here give a table of the weekly wages in all these countries.

BLACKSMITHS.

Austria	$3.18	England	$7.37
Belgium	5.38		
France	5.81		
Germany	4.00		
Netherlands	4.80		
Switzerland	5.20		

The average wages paid to blacksmiths in these six high-tariff countries is $4.06, against $7.37 in low-tariff England; a difference of $3.31 weekly and $172.12 annually in favor of the English blacksmith.

BRICKLAYERS.

Austria	$3.55	England	$7.56
Belgium	4.56		
France	5.74		
Germany	4.21		
Netherlands	4.80		
Switzerland	5.21		

The average wages paid to bricklayers in these six high-tariff countries is $4.68, against $7.56 in low-tariff England; a difference of $2.88 weekly and $149.76 annually in favor of the English bricklayer.

CABINET-MAKERS.

Austria	$4.40	England	$7.68
Belgium	5.66		
France	6.14		
Germany	4.25		
Netherlands	4.80		
Switzerland	5.50		

The average wages paid to cabinet-makers in these six high-tariff countries is $5.14, against $7.68 in low-tariff England; a difference of $2.54 weekly and $132.08 annually in favor of the English cabinet-maker.

CARPENTERS AND JOINERS.

Austria	$5.10	England	$7.66
Belgium	4.07		
France	6.20		
Germany	4.11		
Netherlands	4.80		
Switzerland	4.74		

The average wages paid to carpenters and joiners in these six high-tariff countries is $4.84, against $7.66 in low-tariff England; a differ- of $2.82 weekly and $146.64 annually in favor of the English carpenter and joiner.

COOPERS.

Austria	$3.64	England	$7.50
Belgium	5.17		
France	5.58		
Germany	3.97		
Netherlands	4.80		
Switzerland	4.78		

The average wages paid coopers in these six high-tariff countries is $4.66, against $7.50 in low-tariff England; a difference of $2.84 weekly and $147.68 annually in favor of the English cooper.

DRIVERS AND DRAYMEN.

Austria	$2.20	England	$5.37
Belgium	3.77		
France	5.57		
Germany	2.96		
Netherlands	4.40		

I have been able to find no statement as to Switzerland in this connection. The average wages paid to drivers and draymen in the five high-tariff countries named is $3.78, against $5.37 in low-tariff England; a difference of $1.59 weekly and $82.68 annually in favor of the English driver and drayman.

FARM LABORERS.

Austria	$3.50	England	$4.02
Belgium	2.72		
France	3.10		
Germany	3.06		
Netherlands	3.44		

I have found no statistics as to Switzerland in this connection. The average wages paid to farm laborers in the five high-tariff countries named is $3.12, against $4.02 in low-tariff England; a difference of 90 cents weekly and $46.80 annually in favor of the English farm laborer.

LABORERS.

Austria	$3.20	England	$4.70
Belgium	3.00		
France	3.77		
Germany	3.11		
Netherlands	3.61		
Switzerland	2.88		

The average wages paid to laborers in these six high-tariff countries is $3.26, against $4.70 in low-tariff England; a difference of $1.44 weekly and $74.88 annually in favor of the English laborer.

PLASTERERS.

Austria	$4.01	England	$7.80
Belgium	4.66		
France	6.34		
Germany	4.43		
Netherlands	4.00		
Switzerland	5.03		

The average wages paid to plasterers in these six high-tariff countries is $4.75 against $7.80 in low-tariff England; a difference of $3.05 weekly and $158.60 annually in favor of the English plasterer.

PRINTERS.

Austria	$4.85	England	$7.23
Belgium	5.94		
France	6.64		
Germany	5.09		
Netherlands	4.80		
Switzerland	6.78		

The average wages paid to printers in these six high-tariff countries is $5.68, against $7.23 in low-tariff England; a difference of $1.55 weekly and $80.60 annually in favor of the English printer.

TAILORS.

Austria	$4.03	England	$7.23
Belgium	5.58		
France	5.02		
Germany	3.41		
Netherlands	5.00		
Switzerland	6.36		

The average wages paid to tailors in these six high-tariff countries is $4.90, against $7.23 in low-tariff England; a difference of $2.33 weekly and $112.16 annually in favor of the English tailor.

TINSMITHS.

Austria	$3.70	England	$6.56
Belgium	4.40		
France	5.46		
Germany	3.55		
Netherlands	4.00		
Switzerland	4.40		

The average wages paid to tinsmiths in these six high-tariff countries is $4.25, against $6.56 in low-tariff England; a difference of $2.31 weekly and $121.12 annually in favor of the English tinsmith.

I might pursue this comparison farther, Mr. Chairman, but this will suffice.

Now, sir, if, according to the theory of protectionists, high tariff gives high wages in America, why not in Europe?

If, according to the theory of protectionists, low tariff would bring low wages in America, why not in Europe?

We have heard already, and we will continue to hear during this debate, England abused because of her low-tariff policy, and in the face of the fact that she pays better wages than any country in Europe; but not one word has been said in denunciation of the high-tariff countries where labor is so poorly paid.

If low tariff enables England to pay from 25 to 50 per cent. better wages than are paid by her neighboring high-tariff countries, let us try the experiment of low tariff on this side of the water and see if we can not increase the wages of our mechanics and wage-workers.

We have strikes now all over our country. Who ever heard of a strike in the United States under Democratic rule and low tariff? Now under high tariff we have them every day. Why? I say it is because of high tariff, which has enabled wealth to be accumulated in the hands of a few, who use it to crush down the wage-worker, and then gaunt want, stalking at midnight like a horrible ghost through the precincts of his humble home, haunts his pillow and disturbs his slumbers, and in his desperation he strikes, as he believes, in defense of his rights and for food and clothing for his wife and children.

Mr. Chairman, as sure as there is a God above us there is something wrong in our country and in its policy. High tariff and high taxation in my judgment are the rocks upon which we are being dashed. Let us at least try the experiment of removing them. From 1881 to 1886, both inclusive, there were 3,903 strikes, in which 22,336

establishments were involved, and 13,443 were temporarily closed. The employés actually engaged in these strikes numbered 1,020,832, and those actually engaged with others involved aggregate 1,324,402. The strikes during 1886 numbered 1,412, or nearly one-third of the whole number. I gather this information from a table furnished by Hon. Carroll D. Wright, chief of the Labor Bureau, to Senator COKE.

If protection protects the laboring man and gives high wages, in the name of Heaven, tell me what has produced all this turmoil and trouble in the land?

Following a little farther the line of my remarks in regard to wages. I want to refer to the statement which is so frequently made that wages are better in this country than in England. In fact, if one of our protection friends were inadvertently to leave this statement out of his speech he would no doubt rise in his seat and "ask leave to print it in the RECORD."

I find that statistics show that the total average earnings of mechanics (family of five workers, including children) in Massachusetts are $803.47; in England, $517.47; a difference of $286 in favor of the Massachusetts mechanic. This is a good showing so far for the Massachusetts mechanic.

But there is another side to the picture.

I find, also, that the average total expenses of a family in Massachusetts are $754.42; in Great Britain $508.35; so it costs the Massachusetts family $246.07 more than the English family to live.

Now, let us make up the accounts of both of them and strike balances:

Annual wages of Massachusetts mechanic and family	$803.47
Deduct cost of living	754.42
Balance at end of year	49.05
Annual wages of English mechanic and family	517.47
Deduct cost of living	508.35
Balance at end of year	9.12
Balance of Massachusetts mechanic	49.05
Balance of English mechanic	9.12
Net balance in favor of Massachusetts mechanic	39.93

Mr. FUNSTON. Will my friend allow me a question?

Mr. O'FERRALL. Most assuredly. I am always glad to yield to my friend from Kansas.

Mr. FUNSTON. Is it not a fact that the laboring people in England live for less money because they do not live so well as the laborers in similar employment in the United States?

Mr. O'FERRALL. I think that is possible or probable. But if they live for less in England they do fewer hours of work during a day. The American mechanic works harder, works more hours, and expends more strength and energy than the English mechanic.

I am just reminded by my friend from Massachusetts [Mr. RUSSELL] that mechanics return to England from Rhode Island in order to get better wages; that they can make more and live better in England than in Rhode Island.

Mr. ALLEN, of Massachusetts. How many returned last year?

Mr. O'FERRALL. I have not looked into the statistics on that point, but my friend from Massachusetts, I have no doubt, can give the gentleman all the figures he may desire.

Mr. WARNER. Will the gentleman pardon me a question?

Mr. O'FERRALL. Certainly.

Mr. WARNER. Do not statistics show that in Europe the amount of grain consumed per capita by the laboring population (considering potatoes as grain) is 17.66 bushels annually, and in the United States 40.66 bushels; that in Europe the amount of meat consumed by the laboring population per capita is 57.50 pounds annually, and in the United States 120 pounds annually?

Mr. O'FERRALL. I must insist on the gentleman making his speech in his own time. I appreciate the compliment implied by his interruption.

Mr. WARNER. I trust the gentleman will not call it an "interruption." He gave me permission to ask him the question; and I do not want to be put in the position of having "interrupted" the gentleman.

Mr. O'FERRALL. It was an interruption nevertheless, though with my consent.

Mr. WARNER. I wish the gentleman would answer my question.

Mr. O'FERRALL. So we find that the advantage of $286 in wages in favor of the Massachusetts mechanic dwindles away to $39.93 after deducting his living.

In order to secure this little advantage he must work daily more hours and expend more of his strength than the Englishman.

The Englishman saves more in accordance with the time he works than the American.

Yet protection protects! Yet protection gives higher wages and more money!

Now, sir, the Massachusetts mechanic is loaded down with high tariff, the English mechanic is comparatively free. Take the weights of high tariff off the shoulders of the Massachusetts mechanic and let him stand on an equal footing with the English mechanic, and instead of having $49.05 at the end of the year, not enough to bury him decently, he will have much more.

He has $49.05 in spite of high tariff and high taxes; lower the tariff and lower the tax, put him upon the same plane with the Englishman, and then, with feeling, he can say, this is "the land of the free" as well as "the home of the brave."

Sir, I believe commerce between nations should be relieved as far as possible of all fetters and all restraints.

A distinguished son of the South years ago gave utterance to this eloquent truth:

> Why should we fetter commerce? If a man is in chains he droops and bows to the earth, because his spirits are broken; but let him twist the fetters from his legs and he will stand erect. Fetter not commerce! Let her be as free as the air. She will range the whole creation and return on the four winds of heaven to bless the land with plenty.

If the settled policy of this country is to raise money for revenue by a tariff, thereby fettering commerce to that extent, let us not fetter it except for governmental purposes, and not for class purposes. If the trade winds shall not carry the white sails of the world into our ports, dropping the riches of every clime into our lap in exchange for our products without let or hindrance, I insist that tribute shall be levied only for the expenses of the national household and not to fill the coffers of monopolies, classes, or individuals.

Referring now to the fact of which we boast that our system of government is more paternal than that of any other government; that it spreads the ægis of its protection over every citizen alike, treating all as children of a common parent, let us see if this is not an idle boast, unsupported by facts.

Paternal! oh, how much this word implies! There is no word in the English language that implies more of duty. Paternal duty implies equal maintenance and protection to every child that sprung from the same loins.

Unkind, indeed, would be the father who would, if he had the power, take from the earnings of the son engaged in tilling the soil to make more prosperous the son engaged in manufacturing pursuits; yet that is just what this paternal Government is doing and has been doing through the cycles of many years. It has been robbing the granary for the benefit of the manufactory; it has been hardening the hand of honest toil to soften the hand of idleness; it has been bronzing the cheek of labor to bleach the cheek of ease; it has been taxing poverty to make richer the rich.

That noble calling, agriculture, has been taxed and taxed until you hear on all hands the cry coming up from the farmers, "I was not made a horse yet I bear the burden of an ass."

This high and ennobling occupation is made the pack-horse of this system. It seems to have been forgotten that no craft would spread its wings to the ocean breezes; no spindle would delight the ear with its hum; no water-fall would charm with the music of its machinery; no mine would yield up its treasures; no furnace or rolling-mill would light the heavens with its lurid glare; no steam engine would penetrate our mountains and valleys and arouse their slumbering energies but for the plowshare turning up the soil and the husbandman sowing his seed for the sun and dews of heaven to quicken into life, bring to maturity, and ripen for the sickle.

Yes, it seems to have been forgotten that the husbandman stands pre-eminently the lord of creation; that before no human shrine should he bow; at no human altar should he worship; in no human presence should he cringe; to no human calling should he pay tribute.

Agriculture can live without manufactures; manufactures can not live without agriculture.

But, sir, while these things seem to have been forgotten, and the farmers, always slow to move, have been slumbering upon their rights for years, they are now awakening from their slumber, and I stand here to give warning of the gathering storm in the West, Northwest, and South, which will soon break and sweep over this country with the violence of a Western cyclone, carrying before it the last vestige of a system which taxes the many for the benefit of the few, burdens labor for the benefit of capital, and mortgages the muscles and energies of agriculture and labor for the benefit of manufactures and trusts. I do not want it inferred from anything I have said or shall say that I am unfriendly to the manufacturing interests. On the contrary, I am their friend and will promote their advancement in every legitimate way. I would oppose most vigorously any attempt to burden them for the benefit of agriculture or any other interest. I stand here as an advocate of the fundamental principle of "Equal rights to all, special privileges to none." I stand here as an advocate of the God-given doctrine, "Render, therefore, to all their dues."

It was in this school that I was raised. I was born and reared in a State which from the day-dawn of her existence as a State, in her hours of prosperity and adversity, through all the vicissitudes of her checkered career and the mutations of political parties has ever kept this principle inscribed in golden letters upon her tablet of principles; and to-day she stands as fully armed and as courageous in this battle for its maintenance as when the illustrious sons of her past stood forth in its vindication in debate with their scimeters bright and glistening. Sir, no

greater truth was ever uttered than that contained in one sentence of the annual message of President Cleveland a year ago. He says that—

The vast accumulations of a few among our citizens whose fortunes rival the wealth of the most favored in anti-democratic nations are not the growth of a steady, plain, and industrious Republic.

Who are these immense accumulators? Are they found among the tillers of the soil or the wage-workers? No; they consist of a parasitic class who have lived and grown, thrived and fattened upon the body and thews, sinews, and muscles of the farmers and laboring men of this country. They consist of the manufacturing monopolists, who, under the sanction of law and through a protective tariff system, have enriched themselves and made each a Cresus by making the farmer and laboring man each a Lazarus.

In 1880, in the manufacture of iron the manufacturers laid away 21.57 per cent. upon their investments, and the woolen manufacturers put 35 per cent. upon their investment in their pockets. I speak for the farmers of the Shenandoah valley and Piedmont section of Virginia—sections possessing a soil as rich as any and a population as industrious and frugal as any—when I say that in the most prosperous years and most luxuriant seasons they fall short of 6 per cent., probably do not exceed 4, and in less favored sections agriculture is so depressed that but for stern necessity the soil would be abandoned and allowed to relapse into its virgin state.

With such enormous dividends as these to which I have just referred, it is no wonder that fortunes have been made in brief seasons which "rival the wealth of the most favored anti-democratic nations." Men count their millions now, when ten years ago they could not count their thousands. In the very nature of things I do not believe such fortunes could be made under a normal condition of affairs; it must be abnormal. I know that men may start even in a race, and some will prove to be swifter of foot and will shoot ahead, and even distance others in reaching the goal; but I do not believe any racer can reach the end before the others take the first step, if all had a fair start and equal advantages. Whether this be true or not, I favor as fair a race and as fair a start in life as the Government can make it. I protest against placing upon the farmer boy and laboring boy a saddle weighted down with the weights of protection and taxation, while the son of the manufacturer shall run the race without saddle or weights. Give them a fair start and if the one, no matter which, outruns the other, then let him claim the prize and receive that which he has fairly won.

The agriculturists of this country are looking, anxiously looking, for tariff-reform legislation by this Congress. Let us not disappoint them in their expectations. Let them feel when they look upon their wavy wheat-fields in their golden hue of harvest time; their long corn-rows ladened with their ears; their meadows carpeted in nature's green or dotted with their sweet-scented hay-stacks; their cattle grazing upon their hills and their sheep gamboling in their pastures, that these are their portion under the dispensation of their God, and that their portion, their possessions, their crops, their muscle and brain, sweat and toil shall no longer be taxed for the benefit of A's factory, B's foundery, or D's furnace. [Applause.]

The wage-workers, too, in the cities and in the country, when not compelled to speak with bated breath, demand the repeal of a system which, in the language of a prominent Knight of Labor, "has made more millionaires and more paupers in the last twenty-five years than were ever made in any other civilized country in the world in the same length of time."

The bill presented by the Committee on Ways and Means I indorse as a whole. It gives to the toiling millions cheaper clothes and cheaper necessaries of life. It will tend to lighten the burdens under which they have been bending for years. It will tend to raise up the drooping spirit of the tiller of the soil and inspire the wage-worker with new life and energy. It will tend to quicken the step of the farmer and brighten the face of the son of toil. It will tend to shed a halo of happiness over the whole land and convert fields of bramble into fields of grain, and reclaim the soil which has relapsed into its virgin state. It will tend to bring peace and comfort to the pillow of the laboring man and relieve his fevered brain. [Applause.]

It will, sir, give assurance to the whole country that the Democratic party of to-day is true to its pledges, true to its history, and true to its traditions.

In closing I desire to say for myself that in this contest I am for the farmer. Agriculture was man's first and original occupation.

The Lord God when he made man took him and put him in the garden eastward in Eden to work and to keep it.

I am for the mechanic. In the great temple of nature there is no ministry more exalted than that of the enlightened mechanic.

I am for the laboring man. From early morn to the settling of the dews of heaven he toils. Great beads of sweat appear upon his bronzed brow as he wields the ax or slings the sledge, handles the shovel or plies the pick, but with cheerfulness he pursues his task thinking of the cheery greeting he will receive when the sun is set and his day's labor is done.

Yes, I am for the farmer, the mechanic, and laboring man against the unconscionable extortioner, the greedy monopolist, and blood-sucking protectionist, and may God keep me steadfast to the end [Great applause.]

Mr. DORSEY. Mr. Chairman, as one of the Representatives of one of the great, progressive agricultural States of the West, I feel it my duty to oppose this bill on the ground that I believe it to be a measure injurious alike to the agricultural and labor interests of the country. In doing this it is my purpose to view the general rather than the specific aspect presented.

This bill has not been prepared upon any principle whatever, but is apparently an emergency or expediency bill, patched up by the Democratic majority of the Committee on Ways and Means without giving a hearing to those whose interests are vitally affected by the changes proposed.

The framers of this bill claim they have followed in the line recommended by the President in his recent message, in which he poses as the friend of the farmer, and we have presented to us a bill which, in my judgment, directly as well as indirectly injures every man engaged in agricultural pursuits in this country. It would directly injure one million of our farmers, because it proposes to put wool on the free-list, and it would indirectly injure every farmer in the country, because it proposes to reduce the duty or place on the free-list so many articles that are now manufactured here, and to destroy so many of the important industries of the country, and thus drive the operatives now engaged in manufactures to agricultural pursuits. In this respect this bill is the most vicious ever presented to the American Congress.

Before recurring to the general thread of my argument I propose to refer briefly to the history of the legislation affecting the wool interests of the United States.

It appears that sheep were brought to this country as early as 1610; that laws to encourage sheep-raising were enacted in Massachusetts in 1645, and as early as 1676 it was written that "New England abounds with sheep." In 1814 the first official estimate of the production of wool was made, and it was estimated at from 13,000,000 to 14,000,000 pounds. Wool was free until 1816, when it became subject to duty at 15 per cent. ad valorem as a non-enumerated article. It was not made dutiable by name until the act of May 22, 1824.

By this act unmanufactured wool, the actual value of which at the place whence imported did not exceed 10 cents per pound, was made dutiable at 15 per cent. ad valorem until June 1, 1825; thereafter at 25 per cent. ad valorem until June 1, 1826, and thereafter at 30 per cent. ad valorem.

In 1828 a still higher rate of duty was placed on unmanufactured wool, namely, 4 cents per pound and 40 per cent. ad valorem until June 30, 1829, and thereafter, annually, an additional duty of 5 per cent. ad valorem until such ad valorem duty should reach 50 per cent. On low-priced wool this rate was equal to 100 per cent. ad valorem. Wool on the skin was made dutiable at the same rate as other imported wool. Under these acts the production of wool in the United States had increased to 50,000,000 pounds annually, in 1831.

In 1832 another change was made, and under the provisions of this act unmanufactured wool of the value, at the place of exportation, not exceeding 8 cents per pound, was admitted free of duty. All wool exceeding 8 cents per pound in value was dutiable at 4 cents per pound and 40 per cent. ad valorem.

This provision for the free admission of the lower grades of wool was continued in an act passed in 1833, while all wool above the value of 8 cents per pound was made dutiable at 4 cents per pound and 38 per cent ad valorem, the latter duty to be gradually reduced to 26 per cent. ad valorem in 1842.

It will be seen that our legislators were not then reckless enough to propose a sudden abandonment of all protection on wool. From the time of the reduction of duty the production of wool seems to have decreased, and the amount of the annual product in 1840 was 42,802,114 pounds, instead of 50,000,000, as it was estimated in 1831.

The act of August 30, 1842, imposed a duty on coarse unmanufactured wool of the value of 7 cents per pound, or under, of 5 per cent. ad valorem, and on all other unmanufactured wool of 3 cents per pound and 30 per cent. ad valorem. It was found that the act of 1832 making coarse wools free had worked great injury to our sheep husbandry, because the provision in regard to low grade of wools was freely taken advantage of by the introduction of large quantities of fine wool duty free.

Then came the so-called Walker tariff of July 30, 1846, which made all unmanufactured wools dutiable at 30 per cent ad valorem; Thibet and goat's hair at 20 per cent ad valorem. During this period of tariff tinkering but little progress was made in the production, the total production in 1850, as officially reported, being only 62,516,969 pounds, as against 50,000,000 in 1831, just prior to the act making coarse wools free.

The act of 1857 practically made wool free, for it included in the free-list all wool valued at 20 cents per pound or less at the port of exportation. Sheep husbandry struggled along as best it could under this adverse legislation, and the census of 1860 officially reported 72,571,343 pounds of wool as the product for that year. Here, then, is an increase from 1831 to 1860 of but 22,571,343 pounds, and during this whole period the tariff legislation was uncertain and adverse to home production.

In 1861 favorable legislation began again. A duty was placed on all unmanufactured wool, hair of the alpaca, goat, and other like animals, valued at less than 18 cents per pound, of 5 per cent. ad valorem; exceeding 18 cents and not exceeding 24 cents per pound, 3 cents per pound; and exceeding 24 cents, 9 cents per pound. In 1864 these rates were increased. In 1866 the following schedule was enacted:

Class 1. Clothing wools, unwashed, value 32 cents or less per pound, 10 cents per pound and 11 per cent. Value exceeding 32 cents per pound, 12 cents and 10 per cent.

Class 2. Combing wools, value 32 cents or less per pound, 12 cents and 10 per cent.

Class 3. Carpet wools, value 12 cents or less per pound, 3 cents per pound. Value exceeding 12 cents per pound, 6 cents per pound.

Class 1, washed, double duty.

All classes, scoured, treble duty.

Sheepskins, 30 per cent. to July 14, 1870, when they were made dutiable same as other wool.

In 1872, 10 per cent. was taken off above duties. In 1875, 10 per cent. was restored. In 1883, upon the report of the Tariff Commission, it was enacted as follows:

Class 1. Clothing wools, unwashed, value 30 cents or less per pound, 10 cents per pound. Value exceeding 30 cents per pound, 12 cents per pound.

Class 2. Combing wools, unwashed, value 30 cents or less per pound, 10 cents per pound. Value exceeding 30 cents per pound, 12 cents per pound.

Class 3. Carpet wools, unwashed, value 12 cents or less per pound, 2½ cents per pound. Value exceeding 12 cents per pound, 5 cents per pound.

Class 1, washed. Double duty.

All classes, scoured. Treble duty.

Wool on the skin, same as wool.

The above is a complete epitome of wool legislation in the United States. Under the continuance of the protective legislation which began in 1861 the wool industry grew in twenty-five years to large proportions, representing a value of over $200,000,000 in sheep, and an annual product of over $70,000,000 in wool and $40,000,000 in mutton. Under an ample protective tariff the woolen industry acquired a steadiness and solidity of position unknown in former days, when the tariff was being violently changed from one rate to another and when a large proportion of foreign wools came in free of duty. The following table shows the increase in our flocks and in the production of wool under this tariff:

Year.	Sheep.	Total wool.
		Pounds.
1840	19,311,374	42,802,114
1850	21,723,220	62,516,569
1860	22,471,275	72,571,343
1870	28,477,551	120,102,387
1880	42,192,674	240,861,751
1885	50,360,243	308,000,000
1886	48,322,000	285,000,000
1888	44,000,000	261,000,000

The imported wools of the five years beginning with 1880 constituted nearly one-fifth of the quantity manufactured, and but a little more than a tenth of the value of wool manufactured. At the same time the price was not increased to the consumer, as is shown by the following table, which gives the total average prices, in gold, of domestic fine, medium, and coarse washed fleece wool for each year from 1859 to 1888:

	Cents.		Cents.		Cents.		Cents.
1859	49	1867	37	1875	43	1883	39
1860	48	1868	33	1876	37	1884	33
1861	39	1869	37	1877	40	1885	31
1862	45	1870	40	1878	38	1886	33
1863	52	1871	48	1879	36	1887	38
1864	43	1872	62	1880	49		
1865	51	1873	48	1881	42		
1866	43	1874	47	1882	42		

Mr. Chairman, it will be seen from these facts that under an ample protective tariff the wool interest has increased as it never had done under an insufficient tariff, while there is, literally speaking, no precedent for free wool, for never since 1816 has wool entered the ports of the United States free of duty. Why should this great interest of the farmers be suddenly taken out of the protective system and placed upon a free-trade basis? There is no good reason for it. The product has increased by leaps and bounds. The quality, as shown by most competent statisticians employed under a Democratic administration (Messrs. Tichnor and Tingle and Mr. J. R. Dodge), has also improved to such an extent that whereas under a low tariff the weight of the fleece was not more 2½ pounds, now it is about 6 pounds.

Now, I do not wish to be understood as asserting that the tariff has done all this, but I do assert that a protective tariff has stimulated our farmers to improve the breed of their sheep, and hence the quality of the wool, and will continue to do so. And while it is true that under these influences the price of wool has steadily decreased to the consumer, at the same time the increase in production and in the yield in weight per sheep has amply compensated the farmer.

It will be noticed by the foregoing table that the production of wool has steadily decreased since 1884. Two causes have operated to bring this about; the first, the reduction of duty on wool and woolen goods in 1883; secondly, the monkeying attempts at horizontal reduction in the Forty-eighth Congress, and the efforts made in the Forty-ninth Congress to put wool on the free-list. The business interests of this country demand stability.

Turning now to the consideration of the effect of the protective tariff on the farmer, I will briefly call attention to the agricultural progress of the country under a protective tariff. Before doing this I wish to quote the following paragraph from the report of the Department of Agriculture for 1884, page 471:

The settler in new communities, the pioneer in cultivation of wild areas, who avails himself of his opportunity to select the choicest lands naturally and rightfully expects to be benefited in the future by increase of values. He may hope that his children will derive further advantage. His reasonable expectations are sometimes fulfilled; often they are disappointed. If the soil proves to be less fertile than more favored regions, or railway facilities are denied, settlement will be slow, roads poor, schools half supported; with such conditions prices of lands will advance with provoking tardiness. If the soil is rich and settlement rapid till all the land is occupied, while there are no industries beyond the line of agriculture, no families dependent on their neighbors for food supplies, no mines or mills, a certain level of moderate values may be reached, but no high prices of land or products will result. This is proved by the census and other reliable facts and by similar facts in the history of every country in which varied industries flourish. The statement that "other industries increase farm values" is, therefore, axiomatic rather than theoretical.

The same facts and similar data in all industrial history show that mere increase of population does not produce the highest values. Industry, not population, creates wealth. Prices are not enhanced by the presence of paupers. Increase of farmers advances prices in new settlements. Beyond a certain limit numbers may diminish prices, as in parts of India and other countries. Dense population, all employed in agriculture, can never raise prices or produce prosperity as the same population judiciously proportioned among productive industries. The increment will ever be "proportionate, not to numbers, but to productive forces in action, degree in skill, persistence in labor."

The above was written by Mr. J. R. Dodge, the statistician of the Agricultural Department, who, for more than a generation, has made a study of this class of statistics.

Mr. Chairman, what Mr. Dodge describes in that paragraph I have seen. I have lived long enough in the West to see the Western portion of our continent change from a region wholly given over to the production of meat and grain to States with diversified industries; towns that had heretofore been distributive points for goods of Eastern manufacture changed into centers of productive industry and distributing the manufactures of their own furnaces, mills, factories, and workshops.

It has been truly said that—

Every blast-furnace, every iron and steel plant, every woolen mill, every cotton factory, and every workshop, where skill and ingenuity are required, have the effect of promoting the entirety of the Northwest—of making the industrial organism more complete. Agricultural life has been supplemented with manufacturing life, each stimulating the other. That the result has been beneficial to the entire population of these States there can be no sort of doubt.

I have seen in the West the beginning of some Territorial governments, and watched the progress of communities there. Some of those Territories are now States of commanding influence. First came the cultivators of the earth, whose business it is to feed the many. Next came those whose occupation it is to clothe such workers and their families, and to shelter them. Then came the manufacturers of implements of all sorts, and, as a consequence of this diversification of industries, came improved homes for the people, schools, churches, and every instrumentality of a higher civilization.

The development of agricultural industries in the vicinity of hundreds of towns in our Western States, where manufacturing thrives, shows how beneficial to the surrounding country, and indeed to the State itself, such industries have proven.

There are hundreds of growing young cities throughout the West whose enterprising people are to-day offering to give to any firm or corporation that will establish a manufacturing plant within their borders both lands and money as a donation, thus to encourage the development of manufacturing industries. The representatives of those people are asked to support a measure in this Congress that will injure, if not break down, the manufacturing industries that we of the West are striving to build up. I now say to those enterprising citizens either stop trying to build up your cities, or vote down the party that will bring forth such a measure as the bill under consideration.

Why do we of the West desire to encourage manufacturing industries? Mr. Dodge, the statistician, has enforced this argument by dividing our States according to the number of their inhabitants engaged in agricultural pursuits. The first group has farmers to the extent of less than 30 per cent., and the land there is worth $38.65 an acre. In the second group from 30 to 50 per cent. are farmers, and the value of the land is $30.55 an acre. In the third group the farmers number from 50 to 70 per cent., and the land is worth $13.53 an acre. In the fourth group the States are chiefly agricultural, and 70 per cent. of the people are employed on the soil, while the land is worth an average of only $5.18 an acre. In the first group, moreover, the value of the products of the soil is $457 per capita to the cultivator; in the second group, $394; in the third group, $261; and in the fourth group the annual products fall to $160 per capita. I will not trouble you with the details of this investigation, but refer you to pages 472–474, Report of the Agricultural Department for 1884.

Thus we see that a protective tariff not only benefits the farmer in a direct way, by which I mean the direct protection which he gets; and, by the way, it is not generally known that one-third of the protective custom duties are raised upon agricultural products, but indirectly, as I have shown by the figures of Mr. Dodge, by increasing the value of

his acres and the value of his products, and thus increasing his income; but it also increases the farm laborer's wages. The average wages per month were, in the first class above quoted, $24.14; in the second, $23.51; in the third, $19.51; and in the fourth, $13.67.

Much has been said by gentlemen on the other side in regard to the agricultural progress of the United States under the tariff, and some gentlemen have tried to show that agricultural progress and development was greater under a low tariff than under a high one. I beg to differ from them.

To explode this sort of argument, based on the flimsiest kind of statistics, I have only to quote the following table, which shows the comparative number of horses, mules, cattle, sheep, and swine at four decennial periods:

Stock.	1850.	1860.	1870.	1880.
Horses	4,336,719	6,249,174	7,145,370	10,357,488
Mules	559,331	1,151,148	1,125,415	1,812,808
Cattle	17,778,907	25,620,019	23,820,608	35,925,511
Sheep	21,723,220	22,471,275	28,477,951	35,192,074
Swine	30,354,213	33,512,867	25,134,569	47,681,700

It will be seen that the number of our horses increased from 7,145,370 in 1870 to 10,357,488 in 1880, an increase of 44 per cent.; the number of our mules increased from 1,125,415 in 1870 to 1,812,808 in 1880, or 61 per cent.; the number of our cattle increased from 23,820,608 in 1870 to 35,925,511 in 1880, an increase of 51 per cent.; the number of our sheep increased from 28,477,951 in 1870 to 35,192,074 in 1880, an increase of 23 per cent.; our swine have increased from 25,134,569 in 1870 to 47,681,700 in 1880, an increase of 89 per cent. This table includes only the stock of farms, exclusive of ranches. Were animals on ranches included, the cattle and sheep of 1880 would be largely increased, and those of 1870 slightly. At the other dates, the ranch interest was scarcely appreciable.

Nothing could be more erroneous than to declare, as some gentlemen have done, that even the value of our farm animals has decreased, because of course that might take place and yet the number increase; but the value has not decreased.

The values are as follows:

Horses	$946,096,154
Mules	174,853,563
Cattle	978,002,693
Sheep	89,279,926
Swine	220,811,082
Total	2,409,043,418

The above table is the estimate made by the Agricultural Department in 1888, and is undoubtedly within the mark. According to the census of 1870 the total value of farm animals was $1,525,276,457, this being the currency value; the gold value would have been $1,220,221,167, showing a gain from 1870 to 1884 of $1,188,822,251, an increase of nearly 100 per cent., and this calculation entirely omits the ranch cattle, which, if included, would add several millions to the total, and show an increase of over 100 per cent.

And yet gentlemen have heretofore had the effrontery to tell us on this floor that under a high protective tariff our live-stock has declined 1½ per cent. I do not pretend to be much of a statistician, but I do say that when a gentleman is obliged to estimate the value of the cattle in the United States on the greenback basis in 1870, a year when gold averaged $1.25, and then to estimate their value on a gold basis in 1880 and deduce therefrom the fact that the live-stock of the United States has decreased under a protective tariff, I say, with due respect to my friends, that when the cause of free trade has to be bolstered up by such inaccurate statistics as these, it is time to cry stop, and to examine the facts and figures of our agricultural progress in a fair spirit and with an honest purpose in view.

Now let us examine the progress in other branches of agriculture. The number of farms has more than doubled—2,000,000 in 1860 to 4,000,000 in 1880 and 5,000,000 in 1887. Their value has increased in that period from $6,000,000,000 in 1860 to over $12,000,000,000 in 1887. The production of cereals has increased under protection from 1,230,000,000 bushels in 1860 to 2,700,000,000 bushels in 1880, an increase of over 100 per cent. The value of live-stock has risen from $1,000,000,000 in 1860 to $2,409,043,418 in 1888, while the annual products of the farm in 1880 reached $3,000,000,000. The number of sheep, owing in part to the duty on wool, has more than doubled—22,000,000 in 1860 to over 44,000,000 at the present time. The home products of wool have increased from 60,000,000 to 275,000,000 pounds. In 1840, with a population of 17,000,000, the United States produced 616,000,000 bushels of cereals and exported but 13,000,000. In 1850 the population had reached 23,000,000; the production of cereals 867,000,000 bushels. The exports, however, had increased but little, being 16,000,000 bushels. In 1860 the population was 31,000,000, the production of cereals 1,240,000,000 bushels, and the exports only 23,000,000 bushels. In 1870 the population had reached 38,500,000, the production of cereals 1,630,000,000 bushels, and the exports something over 57,000,000 bushels. From this date the population of the country has increased something like 3 per cent. per annum, while the annual average production of cereals has averaged since that time nearly 2,000,000,000 bushels, and the annual average exports have been about 150,000,000 bushels, the average annual exportation of wheat alone being 111,000,000 bushels during the period from 1873 to 1883.

How is it possible, then, that manufacturers have in any way interfered with agricultural progress? My attention has been called recently to the second report of the royal commission to inquire into the depression of trade and industry in Great Britain, and I find there, on page 295, in the testimony of Sir James Caird, given on the 4th of March, 1886, some facts bearing on the decline of agriculture in that country. Forty years ago, when Mr. Cobden and Mr. Bright were in their prime, they were advocating a policy of free trade for England, precisely as many of our eminent friends on the other side are now advocating a similar policy for the United States. England at that time was strong in manufactures, and the protective tariff was more particularly intended to help the agriculturists. In this country, at the present time, circumstances are reversed; we are strong in agriculture, though we are not strong enough in manufactures to compete with the world.

It was therefore necessary for Mr. Cobden and Mr. Bright to use their persuasive eloquence (and Mr. Cobden was particularly eloquent and particularly persuasive about that period, for he had received direct from the English manufacturers the modest sum of $1,000,000 for his services in bringing about free trade—see Morley's Life of Cobden) to convince the farmer that he would be benefited by this step as well as the manufacturer. In one of his speeches that gentleman said:

I believe when the future historian comes to write the history of agriculture he will have to state: "In such a year there was a stringent corn law passed for the protection of agriculture. From that time agriculture slumbered in England, and it was not until, by the aid of the Anti-Corn Law League, the corn law was utterly abolished that agriculture sprang up to the full vigor of existence in England, to become what it is now, like her manufactures, unrivaled in the world."

Now the advocates of free trade on this floor are not only telling the wool-growers of the country that they will be benefited by free trade, but they are also telling the manufacturers the same thing. Is it not fair to ask if the prophecies of Mr. Cobden have been fulfilled in England? On the contrary, the agricultural population has actually decreased. One-third less persons are now employed in agriculture than formerly. Land is going out of cultivation. Already 1,000,000 acres have gone out of wheat cultivation in England, and 1,300,000 acres have gone out of grain and arable cultivation in Ireland.

But what does Sir James Caird say? He says that within ten years the landlords in England have lost 30 per cent., the tenants 60 per cent., and the laborers 10 per cent. of their income; and putting that into figures it brings into bold relief the fact that on $325,000,000 of rental for the United Kingdom the landlords' loss of 30 per cent. would be equal to about $100,000,000; and the tenants' 60 per cent., inasmuch as their income may be taken at half the rental, would be just the same, that is to say, 60 per cent. on half rental, is also $100,000,000, while it would be difficult to estimate the amount of reduction in the income of the laborers. It is estimated that the total loss in spendable income, owing to the decline of agriculture in England, per annum is $214,000,000, taken from the annual income of the landlords, the tenants, and the farm laborers.

Does any one doubt that if we pursue a similar policy to our manufactures and to some extent to our agricultural interests, as England has done, that the results will be the same? I think that they will be.

We have seen during the past twenty-five years a progress in this country, agricultural, mechanical, industrial, and commercial, which has been unequaled by that of any other country in the world. Our railroads have increased, our manufactories have multiplied, our farms have been improved, and the products of our fields and mines have increased at a more rapid rate than ever before. Gentlemen may come here and juggle with percentages and try to make it appear that this is not true. I affirm that reference to official statistical data, easily obtainable by those who seek the truth, shows this to be true beyond the possibility of contradiction.

How has the laboring man fared? He has been benefited in two ways, by the increase in wages and by a decrease in prices of all necessities. Let me call attention to the following table, which shows the difference between wages paid laboring men here and those paid in free-trade England:

Occupation.	England.	United States.
Bookbinders	$6.00	$15.00 to 18.00
Brush-makers	6.00	15.00 to 20.00
Boiler-makers	7.75	16.50
Brick-makers	3.54	11.86
Bricklayers	8.00	21.00
Blacksmiths	6.00	13.30
Butchers	6.00	12.00
Bakers	6.25	12.75
Blast-furnace keepers	10.00	18.00
Blast-furnace fillers	7.50	14.00
Bolt-makers	6.50	16.50
Bolt-cutters	3.00	10.00
Coal-miners	5.88	10.00
Cotton-mill hands	4.60	6.72

Occupation.	England.	United States.
Carpenters	7.50	15.00
Coopers	6.00	13.25
Carriage-makers	6.75	13.00 to 25.00
Cutlery	6.00	12.00 to 20.00
Chemicals	4.00 to 6.00	13.00 to 16.00
Clock-makers	7.00	18.00
Cabinet-makers	7.00	18.00
Farm hands	3.00	7.50 to 9.00
Glass-blowers	6.00 to 9.00	25.00 to 30.00
Glass (partly skilled	6.00 to 7.00	12.00 to 15.00
Glass (unskilled)	2.00 to 4.00	7.00 to 10.00
Glove-makers (girls)	2.50	6.00 to 9.00
Glove-makers (men)	4.50	10.00 to 30.00
Hatters	6.00	12.00 to 24.00
Iron-ore miners	5.50	12.00
Iron molders	7.50	15.00
Iron, per ton (finished)	2.00 to 3.00	5.31 to 8.71
Heaters and rollers	10.00 to 12.00	20.00 to 30.00
Instrument-makers	7.00	18.00 to 20.00
Laborers	4.10	8.00
Longshoremen	8.00	15.00
Linen thread (men)	5.00	7.50
Linen thread (women)	2.35	5.22
Machinists	8.50	18.00
Masons	8.00	21.00
Printers (1,000 ems)	.20	.40
Printers, week hands	6.65	13.40
Pattern-makers	7.50	18.00
Painters	7.50	15.00
Plumbers	8.00	18.00
Plasterers	7.50	21.00
Potters	8.67	18.30
Polishers	7.00	18.00
Paper-makers	5.20	12.00 to 24.00
Puddlers, per week	8.00 to 10.00	18.00 to 20.00
Quarrymen	6.00	12.00 to 15.00
Ropemakers	5.25	9.00 to 12.00
Railway engineers	10.00	21.00
Railway firemen	5.00	12.00
Shipbuilding—		
Boiler-makers	7.00	14.00
Machinists	7.00	14.15
Coppersmiths	6.50	16.50
Platers	8.00	18.00
Drillers	6.00	12.00
Riveters	8.00	17.40
Riggers	5.50	11.00
Pattern-makers	8.00	24.00
Salt-makers	6.00	9.00 to 10.50
Silk (men)	5.00	10.00
Silk (women)	2.50	6.00
Scarf-makers	1.50 to 2.25	6.00 to 9.00
Servants (month)	5.00	15.00
Stationary engineers	7.50	15.00 to 18.00
Soap-makers	5.00	10.50
Tinners	5.00	8.00 to 10.00
Teamsters	5.25	12.00 to 15.00
Upholsterers	8.00	18.00
Watchmakers	8.00	18.00
Wire-drawers	11.00	22.00

Mr. Chairman, if the framers of this bill are so anxious to benefit those who wear woolens, use blankets and carpets, why were not the manufactured articles admitted free of duty? Why put the raw material, as wool is called, on the "free-list" and retain the duty on woolens? Does the distinguished chairman suppose the manufacturers will not take advantage of this omission and, while getting their raw material free, will they not demand the same price for the manufactured article as before? Does he suppose he can thus deceive the consumer?

He may hope to do so until after the next election, but if I am not mistaken the American people have already measured the depth and breadth of the injuries the passage of this bill would bring to them, and will not be deceived by the theorists who father it.

	Duty, ad valorem.
Wool free—flannels	40 per cent.
Wool free—blankets	40 per cent.
Wool free—clothing	45 per cent.
Wool free—cloaks and dress goods	40 per cent.
Wool free—carpets	30 per cent.

All in the interest of the manufacturer and importer, nothing for the consumer.

Is there any question as to the duty of the representatives of a progressive people? I think not; and in my judgment it is very fortunate for the country that Congress has never yet followed any recommendations made by the President in reference to financial matters. The country has not forgotten the letter written his party friends before his inauguration, and now he comes urging the reduction of the surplus and suggesting the mode of procedure, the bill under consideration being framed, as we are told, to meet the suggestions made in the message.

Let us dissect this message, as well as some others from the President:

Two years ago, in his annual message to Congress, he urged the suspension of silver coinage, declaring the many millions of silver then in the Treasury to be an "idle mass," and referred pathetically to "the ceaseless stream of silver" which threatened "to overflow the land." Fortunately, as the event has shown, Congress did not heed his advice, and there has since been added to our stock of silver an amount substantially equal to what, at the time his message was sent to this Congress, the President and his financial advisers treated as our Treasury surplus which they said should be given to the people to meet their monetary needs and avert the threatened financial disaster which might result from adding a few millions to it. If the President is, so far, right in this message, it seems evident that he was misled when he wrote the former one. The keynote of the President's recent message is that the country needs for monetary use all the Treasury surplus. This is doubtless true, but he devotes nearly the entire message to urging the reduction and abolition of tariff duties as practically the only proper means of preventing undue Treasury accumulations, and makes a special attack upon the tariff on manufactured articles and upon wool and other products which he calls raw material, and which, as I have shown, have been immensely increased in this country by means of a protective tariff.

He neglected the opportunity to mention the necessity for liberal expenditures for our much-neglected coast defense and for other important improvements which had been emphasized by Secretary Endicott, and devotes only a single paragraph of the merest reference to reports of the heads of Departments, seemingly quite forgetting that a considerable amount of Treasury surplus may be absorbed in the economical doing of the large amount of legitimate Government work, long neglected and now urgently required in the interest of over 60,000,000 of people. He fails to say that large appropriations for needed improvements may be in the line of the truest economy, but does not neglect to give a general warning against extravagant appropriations. This, however, is not inconsistent with his neglect to render operative by his signature many important bills passed by the last Congress. He aids Congress with no specific information or recommendations as to what reductions in tariff, falling short of the entire abolition of duties, on different lines and grades of manufactured articles will actually effect a reduction of revenue, although he must be aware that in some cases reduction of tariff might result in such increased importations as would greatly increase revenue.

That a large increase of importations in some lines of manufactured articles would result from any considerable reduction of tariff thereon seems as certain as that a reduction in the wages of workers would also ensue, and that many would be deprived of their accustomed employment. The President makes the omission to recognize this prospect more conspicuous by intimating that any reduction in the price of home manufactures may be made to affect only employers (who are, as he intimates, now making undue profit), which will seem as improbable to intelligent employés as to manufacturers.

Our home market is the best in the world. If we lose it in part, where, with the necessarily sharp competition with the products of lower priced labor abroad, shall we find compensation for that loss? It may be that the United States can now successfully compete with great manufacturing countries in making and selling palace cars and locomotives, but in many lines of staple goods such competition would only be made possible through such a reduction of wages as would make the wages paid here approximate to those abroad.

We are told that—

Millions of our people who never use and never saw any of the foreign products purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles.

This is a serious error if intended to apply generally to manufactured necessaries in common use, as a little attention to facts will show.

We are further told that—

The worker in manufactures receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in his purchase for his family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits the hard-earned compensation of many days of toil.

If this were a common occurrence, as is intimated, it would be a serious matter. But what are the facts? What manufactures are chiefly consumed by "workers in manufactures?" Their food is for the most part necessarily of home production. The cost of meat and bread can be very little affected by the tariff. The tariff upon sugar is more considerable than that upon any other article of food and affects the cost of the living of wage-workers more than that upon all other food products combined.

But the tariff upon sugar is not noticed by the President, it being the production of a Southern State. Sugar is one of the few articles, consumed largely and produced sparingly in this country, upon which a heavy duty is imposed. The tariff upon it yields a revenue about equal to our estimated last year's surplus, $58,000,000, and more than 25 per cent. of all revenue from customs. But there seems to be no good reason for the President's omission to even mention the tariff upon sugar, which is an article of as common use as wool, especially as the percentage of duty as well as the total revenue derived from sugar is much greater than in the case of wool and woolen goods. My own opinion is that the duty should be removed from sugar and that a sufficient bonus should be given to our sugar producers to protect the industry and encourage production until the United States shall produce the sugar we consume.

The cost of furniture used by the "worker in manufactures" or by the farmers can generally be made only in a slight degree more expensive by reason of the tariff. His carpets may cost him a little more here than the same quality would, at the moment, if of English man-

ufacture, imported free of duty. But the total wholesale value of all carpets, domestic and foreign, sold in this country, yearly, indicates a consumption, at present prices, of little more than 50 cents' worth for each person. Of course any enhancement of the price of common grades of home production, by means of the tariff, can be but a mere trifle for each family. But the worker has the satisfaction of knowing that the price of carpets has been greatly reduced within a few years, and is now much lower than it otherwise would be, by reason of our extensive manufacture thereof, made possible by the tariff. Doubtless the worker in manufactures also understands that if we should import one-half as many millions of yards of carpets as we now manufacture, the price of the foreign product would be enhanced by our greatly increased demand for it.

Evidently, the largest expenditure made by the average worker in manufactures for manufactured articles other than food is for clothing. It has often been shown by the testimony of experts that the grade of clothing usually worn by such workers costs but little, if any, more here than in foreign countries, although the higher grades of clothing doubtless do cost more here. The average wage-worker having received his wages "at the desk of his employer," does not on his way home buy a seal-skin coat. Such an article might, perhaps, cost the equivalent of the wages of several "days of toil" more here than in London. But such an article is a luxury, and the President says that he finds no fault with the tariff on luxuries.

May not a suit of clothes which costs from $80 to $100 be properly called a luxury also?

But the duty on the cloth in such a suit is not more than $5, which is hardly the equivalent of "many days of toil." It is needless to say that such a suit is seldom required by the "worker in manufactures" or farmers. There is a tariff amounting to about 40 per cent. on cotton goods. Some domestic cotton goods might, perhaps, at the moment be bought a little less were there no tariff.

The cost of other grades is no greater here than in England. If we make the probably all too liberal estimate that one-fourth in value of our entire consumption of cotton goods (including the finest imported goods) is enhanced to the full extent of the tariff upon corresponding foreign goods, the enhancement in accordance with such an estimate amounts to about 30 cents for each person. The cotton cloth used by the masses of our people can be bought here fully as cheaply as in England, thanks to the tariff which has helped to build up the great cotton manufacturing establishments, North and South.

From a somewhat careful survey of the field, considering consumption and prices of the principal necessaries of life, as well as the tariff upon imports thereof, it does not appear that the tariff possibly could both directly and indirectly affect the average necessary cost of living to each person in the country more than five or six dollars a year, even upon the President's unwarranted assumption that such things as domestic woolen goods, for instance, are enhanced in price to the full extent of the tariff on like foreign goods. As a basis for this estimate, furniture and household goods, as well as food and clothing and medicine, are considered. Liberal allowance is also made for sundries. In the case of woolen goods the domestic products are assumed to be enhanced in price to the full extent of the tariff on corresponding products, although the facts certainly do not justify the assumption.

The tariff upon such an article as wheat-flour is not considered as affecting the general price of flour in the United States to any appreciable extent, although the tariff upon wheat-flour is 20 per cent. and a few hundred barrels are imported. But wheat-flour is one of our important exports, and we always have a surplus. The theory which the President adopts, however, is that the cost to consumers of our domestic manufactures is enhanced to an extent substantially equivalent to the tariff imposed upon kindred foreign products. His reference to the extensive use of manufactured domestic articles by millions here who never see like foreign products, coupled with his statement that—

> Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens who buy domestic articles of the same class pay a sum at least approximately equal to this duty to the home manufacturer—

Seem to clearly refer to such manufactures as flour as well as woolen goods, as both are imported to a greater or less extent, and both are largely produced here. If the theory were well founded, or had any general application, as it apparently has in the mind of the President, it would follow that the tariff upon wheat flour, which in the census of 1880 is classed among our most important manufactures, enhances the wholesale value of a year's product of flour in the United States more than eighty millions of dollars, as the value of our product in 1880 is stated to have been over $500,000,000. The wholesale market value, of course, includes any possible enhancement effected by the tariff. It seems apparent that, with our present home supply and foreign demand, any possible imports of wheat flour, in the absence of a tariff thereon, would now affect the general price of flour in the United States about as little as a few hundred barrels of water might the general level of the ocean.

Were there no tariff on wheat flour the Canadian miller would get our price for the flour he sends over the border. As it is, he pays tribute to our Government for the privilege of selling his surplus flour here. The same might be said of other things which we import to a limited extent and produce largely.

The tariff upon wheat, however, may be of great benefit to our Western farmers when the great Manitoba wheat belt shall produce hundreds of millions of bushels of wheat, as it is destined soon to do. The fact is the tariff raises the cost of all the daily necessaries of life consumed by workers in manufactures and others far less than many suppose, while there is abundant evidence that the cost has in many cases been greatly reduced owing to the establishment of manufactures here, which would have been impossible without the tariff.

Computations based upon the President's assumption as to increase in price of leading domestic products, of which woolen goods furnish the President a striking example, are so made simply to show how small, even upon such an unwarranted basis, would be the tax imposed as compared with what the President seems to think it is.

The President recommends—

> the radical reduction of the duties imposed on raw material used in manufactures or its free importation.

He tries to convince the very small wool-grower, who keeps not more than from twenty-five to fifty sheep, that he, at least, will not suffer from the removal of the tariff on wool. He says in substance that the protection furnished such a farmer augments his yearly receipts not more than from $18 to $36; and that—

> the increase in price upon a moderate purchase of woolen goods and material to clothe himself and family for the winter—

Is—

> as a result of the tariff scheme, more than sufficient to sweep away the whole amount.

The fact is, that the small farmer, who by reason of the tariff realizes $36 more than he otherwise might from the sale of wool, leaving out of the question the number of his sheep, would pay, his family being of the average size and his expenditure for woolen material for their clothing being also average, certainly not more than about $8 a year, or a little more than $2 for each person, on account of the extra cost of all such family purchases imposed by reason of the tariff, even if the price of all domestic woolens were increased to the extent of the average amount of the duty imposed upon foreign woolen goods. It ought to be unnecessary to repeat to intelligent people that the price is not so increased.

The value of our total production of all woolen and worsted goods, including carpets, was in 1880 equal to a little more than $5 for each of our population. If production has kept pace with increase in population prices have fallen, so that it is doubtful if the wholesale value of the product in the last year was equal to more than $4.50 per capita. For the year ending June 30, 1887, the value of the imports of woolen goods, including the duty paid thereon, was about $1.11 for each person, from which it is inferred that the wholesale value of our entire consumption of woolen goods can not now exceed about $5.60 per capita. This average consumption, it should be remembered, is based upon an estimate which includes the most expensive goods as well as those of modern price. Even if the present wholesale price of all domestic woolen goods, including carpets, covered an average increase of 60 per cent. by reason of the tariff, the extra cost so imposed on each person would be little more than $2.

Probably no necessary of life, aside from food, costs either the average farmer or the "worker in manufactures" as much as woolen goods. Removing the tariff from wool would not obviate this, but lead to the slaughter of millions of domestic sheep, and the exportation of large sums to pay for foreign wool. After a temporary glut of mutton in our markets the price of mutton would doubtless be increased enough to offset any gain to consumers of woolen goods who are also consumers of mutton, which might follow the removal of the tariff upon wool.

Doubtless all will agree with the President that such articles as do not in any way compete with our own products should be placed upon the free-list. Probably we might safely, also, place upon the free-list some things which we produce to a very limited extent, but for any considerable production of which our soil, climate, or other conditions are unfavorable.

A well-known free-trader testified before the tariff commission in 1882 that he believed that a material tariff reduction would result in some reduction in wages; but he thought that the reduction of the cost of living would more than compensate therefor. This seems to be the President's theory also. The admissions of this free-trade witness as to the comparative condition of American and European laborers, which were elicited upon his cross-examination, are, however, worthy of some attention in this connection.

He admitted his conclusion, resulting from his personal observation in several countries, that the American laborer is able to have meat and carpets (which, however, the witness did not consider necessary), to dress his family more expensively, and to enjoy many luxuries practically unknown to the European laborer, and he also believed that the American laborers are able to make much larger savings-banks deposits than the English laborers can.

Representative Democrats who favor radical tariff reduction as relates to articles on the production of which some of our greatest industries

depend—Democrats like the gentleman from Illinois [Mr. SPRINGER] and the honorable Senator from Georgia [Mr. COLQUITT], admit that the President's claim that the tariff upon corresponding foreign goods affects our home products to the extent of the tariff rate should be discounted just one-half. It is but just to say that after examining the subject in the light of the best statistics relating to prices in this country, as compared with those in foreign countries, I am satisfied that the claim of these gentlemen should also be discounted at least one-half.

Let us use the surplus. Let us pay our debts. Let us call the Government bonds, and thus and in other legitimate ways furnish our people with not merely what the President treats as surplus, but with a much larger amount of our vast accumulation, which no sound policy requires us to keep locked up in the Treasury vaults.

But when this money shall have been made to pulsate like blood in the veins of our great internal commerce and to vivify our industries, let us not send it all out of the country to pay for foreign goods to take the place of what should be manufactured here, in order to gratify a few theorists at the expense of the well-being of the multitudes of our countrymen.

It is a favorite theory of some free-traders, who most loudly applaud the President's message, that but for the tariff we might import vastly more manufactured articles than at present, and that, such are our agricultural advantages, thousands of workers in manufactures might with profit "go to the soil" to develop its resources and produce the wherewith to pay for greatly increased importations. A witness who represented a free-trade league testified before the Tariff Commission to his belief that under the beneficent operation of free trade we might so increase our imports that by 1890 they might amount to about $1,500,000,000, or much more than double our present importations, the increase being equal to more than 12½ per cent. of the value of all our manufactures, estimating their value at about $6,500,000,000 a year.

Bearing in mind the President's opinion, that all the Treasury surplus is needed for monetary use among our people to prevent financial disaster and serious depression in our great industries, let us consider the probable effect of increasing our importation of manufactured articles to an amount equal to or even as little as 6 per cent. of our manufactures as a result of radically reducing the tariff on manufactured necessaries. Of course the importation of certain classes of goods would be increased to a much larger extent.

According to the last census the value of all manufactured products in the United States in 1880 was $5,369,579,191, to produce which the labor of 2,732,595 persons was required. If such products have increased correspondingly with our increase in population their value would now equal, at a valuation similar to that of 1880, nearly $6,500,000,000. A corresponding increase in the number of workers in manufactures would indicate nearly 3,308,000 such workers at the present time. Six per cent. of such value would be about $390,000,000, and 6 per cent. of such workers nearly 198,500. Should we increase the imports of manufactured articles to take the place of our own products to this extent and send 198,500 such workers "to the soil" with their dependent families; if they should consume as much of our agricultural products as now, and if, through some miraculous intervention, they might be able to produce as much as an equal number of trained agriculturists, the increase which we might export, to pay for the increase in imports, would evidently be very inadequate.

In 1880 there were, it appears, 7,670,493 persons engaged in agriculture in the United States. Three billion dollars has been considered a fair estimate of the value of our agricultural products for that year. It is several hundred millions larger than the census estimate for the preceding year. This estimate indicates an average production of about $391.10 for each person then engaged in agriculture. The greater production of each "worker in manufactures" is chiefly accounted for by the value of material used. If the manufactured articles were imported the material used therein would usually be produced abroad also. Thus other great industries in this country would be injured and more workers lose their accustomed employment.

Conceding the present agricultural product to be as large per capita as in 1880, 198,500 agricultural workers might, under the most favorable circumstances, be expected to produce agricultural products of the value of nearly $78,000,000, which might be available for export to pay in part for our increase of imports. But those who are now engaged in agricultural pursuits would necessarily lose in case of any considerable contraction of the home market for their products, as well as from the lessening of prices, which would follow a coincident increase in the volume of such products, and especially any attempt to export more than the foreign market demands. We are sometimes told that our agricultural exports might be vastly greater if we imported more manufactured articles, but there is plenty of recent historical evidence to disprove the assertion, unless it might result from greatly reducing the price of such exports.

Although our wheat crop was 74,000,000 bushels larger in 1886 than in 1881, and our corn crop 500,000,000 bushels larger, we exported but little more wheat and less corn in the year ending June 30, 1887, than in the year ending June 30, 1882, in spite of the fact that in the last twelve months our imports have actually exceeded our exports. How well this simple fact answers the recent statement of the honorable gentleman from Kentucky at Philadelphia, that we "can not send cargoes to foreign ports because we can not bring back cargoes to this protection-cursed country," I leave it to this House to judge. In the period covering the years 1879, 1880, and 1881 the balance of trade was largely in our favor. Our exports of wheat and corn were then vastly greater than now, although we still have plenty of surplus stock which we are ready to sell at a lower price than then. Among the causes which have operated to produce such results may be mentioned short crops abroad then, and large shipments of Indian wheat to Europe of late, as well as contraction in the volume of European metallic money, or, in other words, "appreciation of the purchasing power of gold."

Certainly it can not be said that any greater willingness on our part at that time to take European woolen goods contributed to the willingness of Europe to take our wheat and corn, as our imports of woolen goods are much greater now, owing doubtless, in part at least, to the reduction of the tariff on such goods in 1883.

If there should be no advance in the price of foreign goods, by reason of the increased demand for them, and if we could buy such foreign manufactures abroad as much less as the whole of the alleged enhancement in the value or price of domestic products by reason of the tariff, we might then obtain manufactures hitherto valued at $390,000,000 here, by exporting, in addition to about $78,000,000 worth of agricultural products more than at present, nearly $200,000,000 of gold. Should we pay for our foreign purchases, it would take a little more than three years for us to export all the gold in the country.

If, however, as would probably happen, we should pay for part and incur indebtedness for the balance, our exportation of gold would be slower, but not less certain. Our vast exports of specie in the period in which the low tariff of 1846 was operative (they were in ten years more than $200,000,000 greater than our imports), followed by the suspension of specie payments and the panic of 1857, should not easily be forgotten. Neither should we lose sight of the fact that in 1887 free-trade Great Britain, according to the Statist, imported merchandise to the amount of more than $400,000,000 more than she exported.

Under our present system the United States has been and is largely decreasing our indebtedness. Has free-trade Great Britain been as fortunate in this respect? The debt of the United States, per capita, was greater on August 1, 1865, than August 1, 1885, in the ratio of $84 to $24—250 per cent. An individual considers it a good thing to decrease his indebtedness. Is it different with a nation?

At this critical juncture, when European nations are clutching desperately at the gold they find slipping away from them, would it not be the height of folly for the United States to involve herself in monetary troubles to help Europe out of hers?

The claim made by some free-traders that we could with such a reduction in tariff, without lowering wages, export enough of our manufactures to pay for our increased importation of manufactures is not considered worthy of serious attention. This is a practical question with which we have to deal, and in the final outcome all the theories of all the free-traders in Christendom will not weigh a feather's weight against the practical common sense of the masses of our workers, even if such theories are adopted by Democratic leaders, who, professing not to be free-traders, eagerly promulgate nearly every free-trade absurdity.

Two propositions formulated by Mr. Robert J. Walker, Secretary of the Treasury under President Polk, have received much commendation from free-traders. The first, "That no more money should be collected than is necessary for the wants of the Government, economically administered," will be generally assented to, although there may and will be differences of opinion as to what may properly be considered economical administration. But the second, "That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue," would hardly be in accord with the serious effort which the President advises Congress to make to effect a reduction of revenue. In the case of woolen goods, for instance, raising the tariff 10 per cent. would be much more likely to effect a reduction of revenue than lowering it to the same extent, as lowering it would be sure to increase importations. If the tariff upon such goods is left as it is, it will be found that there is no lack of legitimate ways for disposing of all the revenue derived from it, after proper reductions are effected in other directions. Surely the time has not come for us to cripple our great wool and woolen industries and to strike a blow at others, by making vast exports of the money of the country to pay for what we may well produce.

Events of the past year, not less than the President's message, have called public attention to the necessity of avoiding monetary contraction. In considering the legitimate disposition of the surplus, the Government debt, amounting to many hundreds of millions, need never be forgotten until it is canceled. But it would be better to make even extravagant appropriations for great public improvements, to pay unwarrantably large pensions, to grant large bounties to encourage sugar culture and South American steamship lines, and to make large governmental appropriations for educational purposes in the States, of

however questionable propriety the suggestions may seem, than to send like amounts out of the country to pay for what is now produced here. In one case the money would be distributed among our people, and would furnish a needed condition for general prosperity. In the other it would be lost to the country, and lead to the consequences which usually follow extensive monetary contraction. The President has received much praise in certain quarters for his courage in advocating radical tariff reduction. This Congress may well hesitate before entering upon a course fraught with such apparent peril, even if it fails to receive like approbation from the same source. In endeavoring to steer our financial bark from the Scylla of Treasury accumulation we should be careful to avoid wrecking it in the Charybdis of gold exportation.

Mr. Chairman, we all agree upon two propositions, namely, that the surplus should be reduced and that our revenue laws should be revised.

Then what is our duty? Should we not deal with these questions in a business-like manner? I think so. Then let us do those things which are for the best interests of the country, and at all times be guided by the experience of the past. Let us follow the course so plainly marked out, turning away from the seductive pleadings of the theorist and following the advice of the practical and successful business men of the country. Each member upon this floor has fixed opinions upon the questions under consideration, and probably no two could agree in all details as to what is the true policy. Notwithstanding this fact, it is the duty of every member to submit for consideration the views he may entertain and then try to reconcile the differences that may exist. In my judgment it is the duty of the President to at once expend the surplus now in the Treasury in purchasing and retiring our bonds.

Then Congress should authorize the disbursement of the one hundred millions of gold now held in the Treasury for the redemption of the legal-tender notes. The holding of this vast sum is the height of folly. Why should the Government be required to hold within its own vaults any sum to make good its promise to pay? Using the surplus now in the Treasury and the one hundred millions of gold he would at once put into circulation over $200,000,000 that are now hoarded, and the obligation of the Government upon which we are paying interest would be decreased that amount less the premium upon the bonds.

To prevent such accumulations in the Treasury in the future, we should have a fair, just, and equitable revision of our revenue laws. This should be done after a careful investigation and a patient hearing of all the interests affected by the changes proposed. The principle of protection to the interests that have been developed in this country should never be forgotten. If we could place lumber, coal, and salt on the free-list, and reduce the duty on sugar and molasses so the revenue arising therefrom should not exceed $10,000,000 per annum, and use the portion of that sum necessary to encourage sugar-growing in the country, the revenues would be reduced to the extent required and the people of the country benefited and no industry injured.

If we pass the bill under consideration, we strike down and destroy one of our most important agricultural industries, in which over one million of our people are interested; we will force a reduction of the compensation paid to over two millions of wage-workers in the different industries affected by the reductions in duty made in the bill; we give the Canadian farmer a market for his products, and place him upon an equal footing with our farmers of the North and West. Time will not allow me to show all the vicious provisions of this bill. It should and will be defeated. This country is not yet ready to take the first step in the direction of free trade. This Congress will not make glad the hearts of those who for the past thirty years have yearned for the markets of the great Republic. [Applause.]

Mr. MILLS. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, and had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

An act (H. R. 7315) to divide a portion of the reservation of the Sioux nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder;

An act (H. R. 1956) to ratify and confirm an agreement with the Gros Ventre, Piegan, Blood, Blackfeet, and River Crow Indians in Montana, and for other purposes;

An act (H. R. 1805) for a public building at Greenville, S. C.;

An act (H. R. 4365) to authorize the construction of an arsenal for the repair and distribution of ordnance and ordnance stores for the use of the Government of the United States at Columbia, Tenn.; and

An act (H. R. 6894) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1889.

H. B. WILSON.

The SPEAKER *pro tempore* laid before the House a message from the President of the United States, returning without approval the bill (H. R. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased.

The Clerk began the reading of the message.

Mr. BURROWS (interrupting the reading). Mr. Speaker, as the reading of this message can not be concluded before half past 5 o'clock, I ask unanimous consent that, without finishing the reading, the message be printed in the RECORD and properly referred.

Mr. MILLS. Let this communication be read in the morning. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 28 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BACON (by request): A bill (H. R. 9773) granting a pension Morgan—to the Committee on Invalid Pensions.

By Mr. J. R. BROWN: A bill (H. R. 9774) for the relief of the estate of A. L. Burwell, deceased—to the Committee on Claims.

By Mr. BURROWS: A bill (H. R. 9775) for the relief of Harriet Melchor—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 9776) for the relief of Nancy E. Sawyer—to the Committee on Invalid Pensions.

By Mr. FISHER: A bill (H. R. 9777) granting a pension to David O. Ramsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9778) granting a pension to Henry W. Howland—to the Committee on Invalid Pensions.

By Mr. MILLIKEN: A bill (H. R. 9779) for the relief of John H. Merrill—to the Committee on Claims.

By Mr. SPINOLA: A bill (H. R. 9780) to retire certain officers who served in the volunteer army during the late war—to the Committee on Military Affairs.

By Mr. VOORHEES: A bill (H. R. 9781) to grant right of way to the Puyallup Valley Railway Company through the Puyallup Indian reservation, in Washington Territory, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 9782) for the relief of Henry C. Davis, Matilda Browning, and Caroline Hall, children and heirs of Lewis H. Davis, deceased—to the Select Committee on Indian Depredation Claims.

By Mr. YOST: A bill (H. R. 9783) for the relief of the heirs of H. C. Boyd, deceased—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 9784) granting a pension to Anna Boppell—to the Committee on Invalid Pensions.

By Mr. J. D. TAYLOR: A bill (H. R. 9785) granting a pension to William Burnworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9786) for the relief of J. W. McFerren—to the Committee on Invalid Pensions.

By Mr. CHIPMAN: A bill (H. R. 9787) to refund to Philip Kershner, late captain Company E, Sixteenth Regiment Ohio Volunteer Militia, $321.96—to the Committee on Military Affairs.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. J. M. ALLEN: Petition of citizens of Columbus, Miss., against the bill to brand or tax refined lard—to the Committee on Agriculture.

By Mr. C. L. ANDERSON: Petition of T. A. Woods and others, citizens of East Mississippi, relative to holding terms of the United States courts at Meridian, Miss.—to the Committee on the Judiciary.

By Mr. BANKHEAD: Petitions of John Block and of Thomas Bradley, of Walker County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. BELDEN: Petition of Rev. W. P. Hazelton and 25 others, citizens of the Twenty-fifth district of New York, for prohibition in the District of Columbia—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. BLOUNT: Petition of W. D. Curry, administrator of Henry Barnes, of Butts County, Georgia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. C. E. BROWN: Petition of Joseph Altschiel, late postmaster at Hampton, Ark., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. CAREY: Memorial in reference to the Fort Bridger military reservation, in Wyoming Territory—to the Committee on the Public Lands.

By Mr. CRAIN: A bill for improving the mouth of the Brazos River, in Texas—to the Committee on Rivers and Harbors.

By Mr. DUBOIS: Petition of the board of commissioners of Idaho County, Idaho, for the passage of bill allowing the Territory of Idaho

to construct wagon-roads between North and South Idaho—to the Committee on the Territories.

By Mr. ENLOE: Petition of citizens of Decatur County, Tennessee, in favor of House bill 7389—to the Committee on the Post-Office and Post-Roads.

By Mr. ERMENTROUT: Memorial of Francis Whittaker & Sons, of St. Louis, Mo., in favor of House bill 6138—to the Committee on Agriculture.

Also, petition of Charles Stoughton and others, of New York, favoring the completion of Harlem Canal—to the Committee on Railways and Canals.

By Mr. FARQUHAR: Resolutions of Pressmen's Union, No. 27, of Buffalo, N. Y., favoring the passage of the Chace international copyright bill—to the Committee on Patents.

By Mr. FORD: Petition of Olney, Shields & Co., of Grand Rapids, Mich., for reduction of duty on rice—to the Committee on Ways and Means.

By Mr. GLASS: Papers in the claim of Sarah J. Mosby, of Warren County, of Jesse Martin, of Woodruff County, and of Alice Cole, of Calhoun County, Alabama.

By Mr. GOFF: Petition of E. M. Atkinson and others, of West Virginia, in favor of additional protection to wool—to the Committee on Ways and Means.

By Mr. HARMER: Memorial of dealers in tobacco, of Philadelphia, in favor of the speedy repeal of the entire tax on tobacco—to the Committee on Ways and Means.

By Mr. JOSEPH: Petition of citizens of New Mexico and Colorado, for an investigation of the Sangre de Cristo land grant, in said Territory and State—to the Committee on the Public Lands.

Also, petition of citizens of San Juan County, New Mexico, protesting against the location of the county seat of said county at Aztec—to the Committee on the Territories.

By Mr. McKINNEY: Petition to be filed with bill for the relief of Isaac Hays—to the Committee on Invalid Pensions.

By Mr. MORGAN: Papers in the claim of James J. Ritch, of Scott County, Mississippi—to the Committee on War Claims.

By Mr. NELSON: Resolution of the Grand Army of the Republic, of Minneapolis, Minn., for an appropriation for head-stones for soldiers—to the Committee on Appropriations.

By Mr. OATES: Papers in the claim of Henry Sterne, Bullock County, Alabama—to the Committee on War Claims.

By Mr. PERKINS: Resolutions of the council of Coffeyville, Kans., for the passage of the bill giving the Kansas City and Pacific Railroad the right of way through the Indian Territory—to the Committee on Indian Affairs.

By Mr. RICE: Memorial and papers of the mayor and other prominent citizens of Minneapolis, Minn., in relation to the preservation of St. Anthony's Falls—to the Committee on Commerce.

Also, resolution of the Grand Army of the Republic, of Minnesota, for an appropriation of $200,000 for head-stones for soldiers' graves—to the Committee on Appropriations.

By Mr. TILLMAN (by request): Petition of Jackson M. Hoover, of Pierson Peeples, of Pierson Peeples, trustee for Isham Peeples, and of Henry J. Harter, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. A. C. THOMPSON: Petition of John Scott, late postmaster at Brookville, Pa., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. TOWNSHEND: Papers to accompany House bill No. 8939 for the relief of John S. Ball—to the Committee on Invalid Pensions.

By Mr. WHEELER: Petition of Samuel F. Ryan, of Jackson County, and of George M. Hanaway, of Lauderdale County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WILKINS: Petition of Rev. Favis Brown and 81 others, citizens of New Concord, Ohio, for prohibition in the District of Columbia—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. YOST: Petition of W. A. Pattie, late postmaster at Warrenton, Va., for relief—to the Committee on the Post-Office and Post-Roads.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. LEE: Of E. S. Pendleton & Son., of Louisa Court House, Va.

By Mr. CHARLES O'NEILL: Of citizens of Philadelphia, Pa.

By Mr. ROMEIS: Of H. B. Tiffany, of Clyde, Ohio.

By Mr. STRUBLE: Of C. Teal and A. E. Smith, pharmacists, of Ocheyedan, Iowa.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. CAREY: Of citizens of Phillips, Lawrence County, Wyoming.

By Mr. CUTCHEON: Of citizens of Antrim County, Michigan.

By Mr. KETCHAM: Of Robert P. Paulding and 29 others, citizens of Cold Spring, N. Y.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. REED: Of citizens of North Jay, Me.

By Mr. THOMAS WILSON: Of citizens of Concord, Minn.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BELDEN: Of Peter Kappesser and 21 others, soldiers and sailors, of Syracuse, N. Y.

By Mr. CUTCHEON: Of soldiers and sailors, of the wives of soldiers and sailors, of the sons of veterans, and citizens, of Osceola County, of Charlevoix County, and of Sherman, Mich.

By Mr. KEAN: Of soldiers of Plainfield, N. J.

By Mr. McKINLEY: Of citizens of Harlem Springs, Ohio.

By Mr. E. B. TAYLOR: Of citizens of Ashtabula County, Ohio.

The following petitions praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. COOPER: Of the faculty of Ohio Wesleyan University, and others, of Delaware, Ohio.

By Mr. CROUSE: Of 89 citizens of Medina County, Ohio.

By Mr. CUTCHEON: Of 212 citizens of Mecosta, Lake, and Charlevoix Counties, Michigan.

By Mr. GIFFORD: Of 217 citizens of Aurora, Pembina, and other counties of Dakota.

By Mr. HERMANN: Of 84 citizens of Linn County, Oregon.

By Mr. LAIRD: Of 143 citizens of Seward, Adams, Fillmore, and Thayer Counties, Nebraska.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. TURNER: Of W. B. Womble and others, citizens of Cuba, Ga.

SENATE.

WEDNESDAY, *May* 2, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury, transmitting a recommendation of the Supervising Architect that $18,000 be appropriated to complete approaches to the Santa Fé (N. Mex.) court-house; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills, received yesterday from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 2097) to authorize the construction of a bridge across Trail Creek, in the city of Michigan City, Ind.;

A bill (H. R. 7340) to authorize the construction of a bridge across the Mississippi River at Hickman, Ky.; and

A bill (H. R. 8343) to authorize the construction of a wagon and foot-passenger bridge across the Noxubee River at or near Gainesville, in the State of Alabama.

The bill (H. R. 2695) for the relief of Charles V. Mesler was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

The bill (H. R. 6232) for the relief of Nancy G. Alexander was read twice by its title, and referred to the Committee on Claims.

PROPOSED EXECUTIVE SESSION.

Mr. SHERMAN. I desire to give notice that immediately after the morning business is over I shall move that the Senate proceed to the consideration of executive business.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore*. The Chair presents the petition of John Pope Hodnett, of Washington, D. C., praying for an investigation of his claims to payment for services as counsel for the workingmen of the District of Columbia in the investigation of 1874; which will be referred to the Committee on Claims, if there be no objection.

Mr. SPOONER. That subject was before the Committee on Claims at the last Congress, and by direction of that committee I reported it back to the Senate, asking that the committee be discharged from its further consideration and that it be referred to the Committee on Education and Labor, which was done. I move that the petition just presented be referred to the Committee on Education and Labor.

The motion was agreed to.

The PRESIDENT *pro tempore* presented the petition of James Sumner, of Rockport, Spencer County, Indiana, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. BLODGETT presented a petition of ex-Union soldiers and sailors, citizens of the States of New Jersey and New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of vessel-owners, consignees, and business men of Atlantic City, N. J., and other citizens of New Jersey, praying that an appropriation be made for the erection of jetties near the entrance of the harbor at Atlantic City; which was referred to the Committee on Commerce.

Mr. FARWELL presented the petition of John F. Ryon, of Paris, Ill., late a private in Company I, One hundred and twenty-third Regiment Indiana Volunteers, praying to be allowed an increase of pension for the loss of his right eye; which was referred to the Committee on Pensions.

Mr. WILSON, of Iowa, presented a concurrent resolution of the Legislature of Iowa; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

[Concurrent resolution in relation to swamp land indemnity.]

Whereas the provisions of the act of Congress of March 2, 1855, as extended by act of Congress of March 3, 1857, granting indemnity to the States for swamp and overflowed lands disposed of by the United States, are held not to apply to sales and locations made after March 3, 1857; and

Whereas a large amount of land properly falling to the State and counties in Iowa under the swamp grant have been disposed of by the Government since March 3, 1857, thereby compelling the counties and their grantees to abandon their claim to such lands or litigate with the purchasers of the Government; and

Whereas on the 9th day of February, 1888, Hon. William McRae, from the Committee on Public Lands, made a report, to accompany bill H. R. 6897 in the House of Representatives in Congress, to extend said indemnity provisions of said act of March 2, 1855, and making the same applicable to sales and locations made since March 3, 1857, which bill is pending in Congress; and

Whereas, under the rulings of the Department, certificates, called scrip or indemnity scrip, issued for indemnity for swamp lands located with warrants can not be located on lands outside of the State, and there being no vacant land in Iowa on which scrip can be located, many of the counties in this State, after great expense, are unable to realize anything for their swamp lands so disposed of by warrant locations, and by that means are damaged to a large amount: Therefore,

Be it resolved by the Senate of the State of Iowa (the House concurring), That our Senators be instructed and our Representatives in Congress be requested to use all proper and lawful means in their power to secure the passage of said bill H. R. 6897, or by the enactment in some other bill of provision substantially as herein contained.

Resolved further, That the secretary of state transmit to each of our Senators and Representatives in Congress a copy of this resolution.

I hereby certify the foregoing concurrent resolution passed the senate and the house of representatives of the Twenty-second General Assembly of the State of Iowa.

[SEAL.] FRANK D. JACKSON,
Secretary of State.
By C. S. BYRKIT, *Deputy.*

Mr. DAVIS presented a petition of citizens of St. Paul, Minn., praying for the passage of a bill for the preservation of the Yellowstone National Park; which was ordered to lie on the table.

Mr. STEWART presented the petition of James Walsh, a citizen of California, praying reimbursement for losses sustained on account of Indian depredations in Nevada County, California; which was referred to the Committee on Indian Affairs.

Mr. CHANDLER presented the petition of H. E. Proctor and 47 other citizens of Stoddard, N. H., and the petition of Jonathan D. Hale, of Stoddard, N. H., praying that reimbursement be made for moneys raised and expended by the town of Stoddard, N. H., during the late war between the States; which were referred to the Committee on Military Affairs.

He also presented the petition of Jonathan D. Hale, formerly postmaster at Hale's Mills, Tenn., praying to be reimbursed the sum paid the United States Government in 1861, alleged to have been wrongfully exacted from him; which was referred to the Committee on Claims.

Mr. EDMUNDS presented the petition of A. J. Stone and 12 other citizens of Vermont, praying for the passage of Senate bill 548, granting pensions to widows and minor children of pensioners; which was referred to the Committee on Pensions.

Mr. MITCHELL presented a petition of citizens of Junction City, Oregon, praying for the correction of the military record of M. J. Gilstrap, of that place; which was referred to the Committee on Military Affairs.

Mr. PADDOCK presented a petition of citizens of Nebraska, praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers, and for a reduction of the duty on spirits; which was referred to the Committee on Finance.

REPORTS OF COMMITTEES.

Mr. EDMUNDS. I am instructed by the Committee on the Judiciary to report adversely the bill (S. 2470) to repeal section 714 of the Revised Statutes, allowing pensions to judges in certain cases. It may be placed on the Calendar, as my friend from Mississippi [Mr. GEORGE] desires to be heard upon it.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (S. 987) for the relief of the administrators of the estate of Isaac P. Tice, deceased, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 750) for the relief of Pearson C. Montgomery, of Memphis, Tenn., reported it with amendments, and submitted a report thereon.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of Clara B. Davidson, praying for an increase of pension, submitted a report thereon, accompanied by a bill (S. 2852) granting increase of pension to Clara B. Davidson; which was read twice by its title.

BILLS INTRODUCED.

Mr. EDMUNDS introduced a bill (S. 2846) to increase the pensions of soldiers and sailors in the war of the rebellion who contracted heart disease in the service; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DAWES introduced a bill (S. 2847) granting a pension to Albert F. Jones; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BECK introduced a bill (S. 2848) granting a pension to Thomas B. Dearman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HARRIS introduced a bill (S. 2849) for the relief of Collin Adams; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 2850) granting a pension to Harriet M. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The PRESIDENT *pro tempore*. If there are no resolutions, concurrent or other, the order of morning business is closed, and the Chair lays before the Senate, pursuant to the order of yesterday, the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the bill (S. 2458) to amend an act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east, with amendments in which it requested the concurrence of the Senate.

The message also returned to the Senate, in compliance with its request, the bill (S. 1161) granting a pension to Mrs. Jennie Stone, widow of General Charles P. Stone.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 1788) for the erection of a public building at Lancaster, Pa.; and it was thereupon signed by the President *pro tempore*.

EXECUTIVE SESSION.

Mr. SHERMAN. I move that the Senate proceed to the consideration of executive business.

Mr. PLUMB. Will the executive session be long?

Mr. SHERMAN. Only a few minutes.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session, the doors were reopened.

BALTIMORE AND POTOMAC RAILROAD.

Mr. FARWELL. I ask the unanimous consent of the Senate to take up Senate bill 2615, Order of Business 938.

The PRESIDENT *pro tempore*. The bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, being before the Senate, the pending question being on the amendment of the Senator from Florida [Mr. CALL], the Senator from Illinois [Mr. FARWELL] asks unanimous consent to proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. A bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia.

Mr. PLUMB. I will not object if the bill can be disposed of without debate.

Mr. FARWELL. If it leads to any debate I shall withdraw my request.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill; which was read.

Mr. GORMAN. I trust the Senator from Illinois will not press the consideration of the bill this morning. It has only been reported from the District Committee within a few days.

Mr. FARWELL. It has been on the Calendar since the 6th of April—almost a month.

Mr. GORMAN. I trust the Senator will not press the bill this morning, but will let it go over until to-morrow. I shall not object to its consideration at any time after to-day. I think there are some amendments that should be offered to it, and there are some reasons why the whole question as to the entry of these railroads into the city should be considered in the same connection.

Mr. FARWELL. I withdraw the request I made, so as to let the bill go over until to-morrow.

The PRESIDENT *pro tempore*. The bill having been read, and the Senator from Maryland objecting to its present consideration, it will resume its place on the Calendar.

MRS. JENNIE STONE.

The PRESIDENT *pro tempore* laid before the Senate the message of the House of Representatives returning to the Senate in compliance with its request the bill (S. 1161) granting a pension to Mrs Jennie Stone, widow of General Charles P. Stone.

Mr. SAWYER. I move that that bill be indefinitely postponed.

Mr. HOAR. Why should that be done?

Mr. SAWYER. There is on the Calendar a bill from the House of Representatives covering exactly the same point, I understand.

The PRESIDENT *pro tempore*. The bill having passed the Senate it can only be indefinitely postponed after reconsidering the vote by which it was passed.

Mr. HOAR. Let it lie on the table for a little while and I will look into it. My impression is that my honorable friend is in error in thinking that the bill which the other House has sent is to the same effect as the Senate bill.

Mr. SAWYER. It may be possible that it varies in amount.

Mr. HOAR. It varies in amount.

Mr. SAWYER. But it is for the benefit of the same person.

Mr. HOAR. Let this stand, and we may deal with them both at the same time.

Mr. SAWYER. Very well.

The PRESIDENT *pro tempore*. The bill will lie on the table.

EASTERN BRANCH BRIDGE.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the amendments of the House of Representatives to the bill (S. 2458) to amend an act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east, which will be read.

The CHIEF CLERK. In line 3, after the words "plan of," strike out "said bridge" and insert "the bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east;" so as to read:

That the Secretary of War be, and he is hereby, authorized, in his discretion, to make such alterations in the plan of the bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east as will best accommodate the traffic over and under said bridge.

Mr. CAMERON. I move that the Senate concur in that amendment.

The motion was agreed to.

The PRESIDENT *pro tempore*. The next amendment of the House of Representatives will be stated.

The CHIEF CLERK. Add to the bill the following proviso:

And provided further, That one-half the sum hereby appropriated shall be paid out of the revenues of the District of Columbia.

Mr. CAMERON. I move that the Senate concur in that amendment.

The motion was agreed to.

INDIANAPOLIS POST-OFFICE BUILDING.

Mr. TURPIE. I ask the Senate to take up for consideration at this time Order of Business 1170, being House bill 1325.

The PRESIDENT *pro tempore*. The Senator from Indiana asks unanimous consent that Senate bill 1430 be informally laid aside, and that the Senate proceed to the consideration of a bill the title of which will be stated.

The CHIEF CLERK. A bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $125,000 therefor.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. TURPIE. I move to amend the bill, in line 16, by making the amount appropriated $150,000 instead of $125,000.

The PRESIDENT *pro tempore*. The amendment will be reported.

The CHIEF CLERK. In line 16, after the words "one hundred and," it is proposed to strike out "twenty-five" and insert "fifty;" so as to read:

And for the purpose herein mentioned the sum of $150,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $150,000 therefor."

PUBLIC BUILDING AT ATCHISON, KANS.

Mr. SPOONER. I ask unanimous consent that the unfinished business may be informally laid aside, and that the Senate proceed to the consideration of the bill (S. 1726) to provide for the erection of a public building for the use of the post-office and Government offices at the city of Atchison, Kans. I think it will not elicit debate.

The PRESIDENT *pro tempore*. Is there objection to laying aside Senate bill 1430 informally for the purpose of proceeding to the consideration of the bill indicated by the Senator from Wisconsin? The Chair hears no objection, and the bill is before the Senate as in Committee of the Whole.

Mr. BERRY. I thought it was the intention to press the land-forfeiture bill at as early a day as possible. If that order is to be laid aside and other matters are to be taken up, I have no objection; but if the purpose is to go on with the land-forfeiture bill, I should be glad to have it proceeded with.

The PRESIDENT *pro tempore*. The consideration of these bills is proceeding by unanimous consent only, and a single objection——

Mr. BERRY. I shall not object.

The PRESIDENT *pro tempore*. A single objection will require the resumption of the unfinished business.

Mr. PLUMB. It is common, I think, to ask the consent of a Senator who has charge of a measure that it be laid aside. That formality has been waived this morning, but I am willing to allow this bill to be proceeded with.

The PRESIDENT *pro tempore*. The Chair has upon every occasion submitted the question whether there was objection to laying aside the unfinished business and proceeding to the consideration of the bill indicated.

Mr. SPOONER. The Senator from Kansas will do me the justice to say that before making this request I consulted him on the subject.

Mr. PLUMB. I was speaking about his action as a Senator, not about his action as an individual.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill mentioned by the Senator from Wisconsin?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Public Buildings and Grounds with an amendment, in line 4, after the word "purchase," to insert "or acquire by condemnation proceedings, or otherwise;" so as to read:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase, or acquire by condemnation proceedings, or otherwise, a site and to cause to be erected at the city of Atchison, in the State of Kansas, a suitable building for the use and accommodation of the post-office and other Government offices in said city, with fire-proof vaults extending to each story; the site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, not to exceed the cost of $100,000; and the sum of $100,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of said site and the completion of said building.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT WILMINGTON, DEL.

Mr. GRAY. If the Senator from Kansas will yield to me to make a request for unanimous consent to take up Senate bill 1062, I should be much obliged to him.

Mr. PLUMB. Having myself opened the door in a certain way by letting in the bills of two or three Senators, I do not think I ought to object to the request of the Senator from Delaware, who has spoken to me about the matter privately. I shall not object to bringing up the bill that he seeks to call up if it does not lead to debate, but I shall not yield any further.

The PRESIDENT *pro tempore*. The Senator from Delaware asks unanimous consent that the pending business be informally laid aside to enable him to move the consideration of the bill (S. 1062) to increase the appropriation for the erection of the public building at Wilmington, Del.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to increase the amount heretofore fixed as the limit of cost for the erection of a public building at Wilmington, Del., to $250,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES,

its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 1064) for the relief of L. J. Worden; and

A bill (S. 2614) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River in Arkansas.

The message also announced that the House had passed the following bills, each with an amendment; in which it requested the concurrence of the Senate:

A bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Virginia; and

A bill (S. 2506) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The PRESIDENT *pro tempore*. The Senate bill 1430 will now be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the amendment proposed by Mr. CALL.

Mr. PLUMB. Concerning the amendment of the Senator from Florida which is now pending, I will state that the Senator from Florida has agreed that he will not object to my motion to strike out all of the amendment after line 6. I therefore move to strike out that part of the amendment.

The PRESIDENT *pro tempore*. The amendment to the amendment will be stated.

The CHIEF CLERK. In line 6 of the proposed amendment, strike out all after the word "laws" down to and including the word "acres" in line 14, as follows:

All lands affected by any grant where the granting act required a disposal by the Legislature of the State and there has been no legislative disposal by the State Legislature in the time required by the granting act are hereby declared subject to homestead entry and settlement; and in all cases persons in possession of lots in town-sites and of tracts of land shall have the preferred right of entering the same to the extent of 360 acres;

So as to make the amendment read:

SEC. 8. That all actual settlers on any of the public lands in the State of Florida affected by the grants, who made actual settlements on any of said lands after the time limited in the granting act for the construction of said road, shall have the right to perfect their entries respectively under the homestead or pre-emption laws.

Mr. CALL. Mr. President, I have accepted the modification of the amendment as suggested by the Senator from Kansas, and only wish to say that I do so because I desire the amendment to be adopted without any controversy. So far as it goes it protects the actual settlers now upon this grant. I have maintained and expect to continue to maintain (and the Senator from Kansas assures me that there will be a bill before the Senate in which that question may be considered) that the whole of these grants are now by law subject to homestead entry and settlement, and the only difficulty in the way is that the Interior Department, by some strange and wonderful fatuity, although there has never been any legislative disposal or any pretense of a legislative disposal of this grant, or any portion of it, and although the time has expired years and years ago, and all the acts touching upon the subject have been repealed, until there was an attempt in 1881 to give a portion of the grant to a road to be located after that time, differing entirely from the road and the railroad company originally projected, and having neither succession to it nor connection with it, the charter of which was repealed years ago—until that time there had never been to 1881, nearly fifteen years after this grant had expired, either a location of any line of road with the authority of the State or a disposal of any kind to anybody by the Legislature of the State of this grant. Now, as to the larger portion of it, these facts still remain. There has never been a pretense, even, not a word, not a syllable, in all the laws of Florida of a legislative disposal of the larger portion of this grant, and none of even a part of it, until fifteen years after the time fixed in the grant for its completion.

Notwithstanding these facts, at the suggestion of the Senator from Kansas, I accept the modification to the amendment, to the end that this much may be now accomplished, declaring my intention to continue my efforts to make all this part of the public domain open to the people for homes for themselves and their families, saving only to purchasers of limited portions reasonable protection, and confirming to purchasers of town sites the title to their lots.

The PRESIDENT *pro tempore*. The Chair understands, then, that there is no objection to the proposed amendment to the amendment of the Senator from Florida. If there be no objection, it is agreed to.

Mr. PLUMB. I now move to insert, after the word "road," in line 5 of the same amendment, the words "and before May 1, 1888;" so as to read:

SEC. 8. That all actual settlers on any of the public lands in the State of Florida affected by the grants, who made actual settlement on any of said lands after the time limited in the granting act for the construction of the said road, and before May 1, 1888, shall have the right to perfect their entries respectively under the homestead or pre-emption laws.

The amendment to the amendment was agreed to.

Mr. MITCHELL. The amendment of the Senator from Florida as now modified provides that all actual settlers on any of the public lands in the State of Florida affected by the grants, "who made actual settlement on any of said lands after the time limited in the granting act for the construction of the said road, shall have the right to perfect their entries respectively." What I wish to know is whether any of the companies in Florida which received grants from the United States, and which did not complete their road or roads within the time required in the act, have since completed their roads or any portion of them?

Mr. CALL. There is no company in the State of Florida which has received any direct grant of lands from the United States.

Mr. MITCHELL. The company received the lands from the State?

Mr. CALL. The grant was to the State.

Mr. MITCHELL. It received the lands from the State?

Mr. CALL. The grant was to the State. There is no company that has completed any part of its line that has any grant from the State of the land embraced within the grant of the United States. There are companies which have been since chartered and which have constructed portions of their route since the passage of the granting act by the United States, and since the expiration of the time limited in the act, but there are no companies which have constructed roads under the authority of the Legislature of the State giving them any interest in the grant of 1856. That is the difficulty in this case.

The difficulty in this case is that the State of Florida received a grant from the United States to aid in the construction of certain lines of road, which was limited to ten years for the completion of the entire lines of road. That act required a legislative disposal of the grant. The Legislature never made any disposal of the larger portion of this grant, although the act of Congress expressly required a legislative disposal of the grant. The governor of the State in 1858, by a letter on file in the office of the Secretary of the Interior, notified the Commissioner of the General Land Office that there was no disposal by the Legislature of the State of this land to any railroad company, and that the reservation which had been made, upon the assumption that there had been or would be such a disposal, had never become effective or valid because of such failure of legislation upon the subject, and therefore that he could not accept as final or authoritative any selection of the lands.

Mr. MITCHELL. You claim, then, that the State never parted with the title; that it never transferred the title to any company in Florida?

Mr. CALL. It never did. I will show the Senator, if he will look at this map. [Exhibiting.] This grant embraced two lines, one from Jacksonville, on the St. John's, to Pensacola and the waters of Escambia Bay; the other from Fernandina to Tampa Bay, with an extension to Cedar Keys. There was a reservation made of the land from Fernandina to Cedar Keys and from Jacksonville to a point on the waters of Escambia Bay. The road was built within the time from Fernandina to Cedar Keys, but there never was a reservation made from Waldo to Tampa Bay until 1881, when Secretary Schurz, without any authority of the State Legislature, made such a reservation. In 1881 there was a new charter given as to the line from Chattahoochee to Pensacola, the old charter having been repealed in express terms as to the companies on both lines as to the uncompleted part of the line, and new companies created; and there was a charter given to a new company who projected another and a different line of road from Chattahoochee to Pensacola, Fla. This was in 1869–'70.

The companies authorized to build the road from Chattahoochee to Pensacola in 1869–'70, on one line, and from Waldo to Tampa on the other, both failed to build either line, and the charter of the I. P. & M. R. R. Company from Chattahoochee to Pensacola expired and was repealed; and in 1881, fifteen years after the grant expired, the State granted a charter to a new company and gave to it about 23,600 acres to the mile of the swamp and overflowed lands, and also gave to it whatever rights they had in the grant of 1856, so far as it lies along that line of road.

Mr. MITCHELL. Who gave the charter?

Mr. CALL. The State of Florida; and they said in the act as "to so much of this land as lay along their line of road whatever rights the State may have in this reservation we give under this act," or words to this effect.

Mr. MITCHELL. I shall not trouble the Senator with any further explanation, but what I wish to know is this: He has stated that the grant was originally made by Congress to the State with a proviso that the State should transfer it to some company or companies. He has stated further that his understanding is that the State never made any such transfer. Is it not a fact that this company or these two companies actually went on and built portions of these roads, claiming the grant?

Mr. CALL. No; that is not a proper statement. It is a fact that the Pensacola and Georgia Railroad Company under the authority of the internal-improvement act authorizing them to build any portions of that line, either the whole or a part, did construct before 1860 a line of road to the town of Quincy, near the Chattahoochee River. It is true that after the war the Legislature of Florida repealed that act, that they created a different system entirely and disposed of the swamp

and overflowed lands which were to be the foundation of the fund for the construction of that road to other purposes. They never did therefore build any portion of that road, and the original companies are extinct to-day, without succession or privity to or with any other corporation.

Mr. MITCHELL. But is it not the fact that a company or companies built portions of those roads claiming this land, and do they not to-day claim the land that is proposed to be forfeited by this bill?

Mr. CALL. Yes.

Mr. MITCHELL. Very well.

Mr. CALL. It is true another company has been chartered since that time and within a few years past, that has no connection whatever with the company which built the original portions of the line, having its origin within six or eight years past, long after this grant became extinct; but it is untrue that these companies have for the greater portion of this grant, except the part which I have indicated, any authority whatever from the Legislature of the State.

Mr. MITCHELL. That may all be, but now I wish to ask another question. Assuming for the sake of the argument that the title to these lands is in the company and not in the State, what I want to know, then, is whether or not this amendment would protect settlers who are located by the line of the road now completed.

Mr. CALL. Certainly; it would protect nobody if the title is in the company. If the title is in the company the amendment will not protect the settler.

Mr. MITCHELL. Why?

Mr. CALL. Because no act we can pass will divest the title that is already vested in a railroad company.

Mr. MITCHELL. I entirely agree to that proposition; but does not this amendment propose to do that very thing? That is the point I want to get at.

Mr. CALL. This amendment proposes to say that the settler upon this grant, there being no legislative disposal of it if that be a fact, there never having been a location of the line of road within the time required for completing the whole line, this amendment declares what the Supreme Court and every other court have repeatedly declared, that if during the life-time of the grant there has been no legislative disposal by the State of Florida of it and no road either located or built under it, then the settler shall have his rights protected, and the grant has never taken effect, and therefore the land has always been a part of the public domain, because an illegal executive act reserving public lands can confer no right on any one.

Mr. MITCHELL. I entirely agree with the Senator from Florida. If he is correct in his proposition to the effect that no legislative disposal has ever been made of this grant by the Legislature of the State of Florida, then this amendment is entirely proper, and comes within the authority of Congress as repeatedly declared by the Supreme Court of the United States; but if, on the other hand, the Senator from Florida is wrong in assuming that no legislative disposal of the grant has ever been made——

Mr. CALL. In the life-time of the grant.

Mr. MITCHELL. In the life-time of the grant, and that there has been a legislative disposal of the title so that it is vested in a railroad company, then I say this amendment is entirely beyond and without the principle declared by the Supreme Court.

Mr. CALL. Undoubtedly that is true, but we legislate on facts, and I have brought here half a dozen times the statutes of the State of Florida and read them to the Senate, and I have read from the message of the governor of the State in 1858, and from the resolutions and acts of the Legislature of the State, showing the fact that there was not then, and has not been since, until 1881, and then only for a small portion of this line, when there was this vague and indefinite declaration of the Legislature, which, after granting 23,600 acres to the mile of swamp and overflowed land to the railroad company to be selected anywhere in the State, they provided that whatever rights the State may have, if it has any, in the grant from Chattaboochee to Pensacola should be granted to the company.

Now, it is clear that the reservation made in 1856 on the verbal request of Mr. Yulee, the Senator, not being then nor afterwards authorized by the Legislature, and the road never having been built, the only right the State could have, even if the granting act of 1856 by the United States was still alive, was to select them in 1881 along the line of the road then for the first time authorized and located under authority of the Legislature.

Mr. MITCHELL. The point I wish to make is this: I think in view of the rule well settled now by the courts as to the want of power in Congress to declare forfeiture of any portion of a grant *in præsenti* that is adjacent to a road that has been completed, it would be a very great injustice to settlers for Congress to undertake to legislate upon that subject or to attempt to protect them. It would lead to "confusion worse confounded," and that is the very point I wish to get at, whether this amendment proposes to do that thing or not. Of course if the fact is as stated by the Senator from Florida, that there has been no legislative disposal of this grant, then the amendment is all right. Otherwise I think it is all wrong.

Mr. CALL. Now, Mr. President, the Senator and I differ as wide as the heaven from the earth in regard to the law and what the courts have decided. I understand that no supreme court has ever decided that there was no power in Congress to forfeit lands where the road was not constructed within the time required by the granting act. And I affirm furthermore, without undertaking to go into that discussion, that the proposition is untenable, without a shadow of reason, and can not be sustained in argument.

Mr. MITCHELL. I am utterly amazed at the Senator from Florida.

Mr. CALL. Now wait a moment. I do not care to discuss that question with the Senator here. That has been discussed before. I only wanted to emphasize my dissent to his proposition. This matter of *in præsenti* grants, according to the decision of the Supreme Court, in my opinion, has no kind of justification, and some day in some other case will be reversed by the same court otherwise constituted. But be that as it may, the question presented here is whether or not a settler upon the public lands in the State of Florida, upon a reservation made without the authority of law, made upon the verbal request of a Senator of this body, so notified to the Department by the governor of the State, the location not approved by the State, and not made under any authority of the Legislature of the State, of a railroad company whose charter has been repealed, and which was never built and has no successor—whether or not that settler upon the public domain should be protected in his rights.

The Senator says he agrees to that, but if I am mistaken in my facts then there would be an invitation to the settler to occupy and improve land the title to which might be taken away by a court. What objection is that to his protection?

If the law has vested the title the railroad company will be sure enough to take advantage of it. If the law has not vested the title then the settler will have the protection of the courts. So this bill giving this right is simply a direction to the Interior Department, which has always leaned against the settlers and in favor of the corporations of this country, and when the settlers, the citizens, are poor and unable to litigate in the courts, and are dependent upon that Department alone for protection, it is an effectual denial of the rights of the settler not to legislate in his favor here. That is all I ask, I ask to give a direction and a status of right which will require the officers of the Interior Department to protect the settler upon that void reservation, made illegally upon the request of a Senator here and so declared officially in the records of the public land department.

Mr. MITCHELL. I should like to inquire who that Senator was.

Mr. CALL. Mr. Yulee, of Florida.

Mr. MITCHELL. Who was the Secretary of the Interior, or Commissioner of the General Land Office?

Mr. CALL. I forget, now; but I think Mr. Hendricks, and afterwards Mr. Wilson.

Mr. MITCHELL. What date was it?

Mr. CALL. In 1856. I have read it here. If I had my speeches here I could show it. I have the printed letter of the Commissioner of the General Land Office—I believe it was in 1856 or 1857—declaring in express words that this reservation was made upon the request of Mr. Yulee, and upon his statement that there had been or soon would be some legislation which would authorize the construction of that line of road.

Mr. MITCHELL. I know nothing about the facts myself; but if the Senator is not correct, then I undertake to say that this amendment is simply holding out to the settlers on land adjacent to the completed road a false hope, and the effect of it will be to involve them in litigation that they otherwise might avoid.

Mr. CALL. They are upon these lands. They have their homes there; they have their improvements there; and these are the facts as presented to Congress. All that we can do is to give them the protection of the law and the benefit of the exercise of such power as we have. It is no objection to the proposition that it may be the courts may place some other and different construction of the law upon a different state of facts than those presented here.

Mr. DOLPH. Will the Senator from Florida allow me to ask a question?

Mr. CALL. Certainly.

Mr. DOLPH. I understand that the amendment proposed by the Senator has been modified by striking out all after the words "preemption laws," in line 6. Now, I state frankly to the Senator that I do not understand this amendment as it stands. It reads:

That all actual settlers on any of the public lands in the State of Florida—

I understand that where a grant has been made to a railroad company and no act of forfeiture has been had it is no longer a part of the public domain, and therefore settlers within the limits of the grant, either on the earned lands or the unearned lands, to use that term to distinguish lands situated adjacent to completed road and those which are adjacent to uncompleted line of the road, would not be (if that is the correct position) upon the public lands.

The next clause is—

affected by the grants.

That is, you say "public lands in the State of Florida affected by the grants." Suppose that the land within the limits of the grant to a

railroad company or to a State for the purposes of aiding in the construction of a railroad is public land and part of the public domain, what "grant" does the Senator mean? Has he made it plain so that the Secretary of the Interior and the courts will understand what grant is meant by "the grants?"

Then there follows:

who made actual settlement on any of the said lands.

If they were not public lands, if persons went on them without the authority of the Interior Department or of law and squatted upon the lands, are they settlers within the meaning that has come to be attached to that term under the land laws of the United States, or are they mere squatters, persons upon the land without authority? What does the term "said lands" refer to? Does it refer to the lands which are forfeited by the first section of this act? That seems to me to be the only thing to which it can relate.

I call the attention of the Senator to these suggestions in regard to his amendment. I do not understand in the first place what "the grants" means or "said lands" or "said road," because there is no road specified, there is no grant specified, there are no lands specified in the bill to which these words can relate unless the land forfeited by the first section of the bill.

Mr. CALL. Mr. President, I think that is all very plain. I do not think the amendment needs further amendment. I did first propose to include the words "the grants hereinbefore referred to." Here is one of these grants referred to in the language of the bill in the State of Florida:

All lands heretofore granted to any State or to any corporation to aid in the construction of a railroad.

In the State of Florida, the grant of 1856 to the States of Alabama and Florida will be shown by the laws to be the only grants affected by this act, because it is the only grant ever made to the State for that purpose. Therefore that is a sufficient description.

Now, the meaning of the term "said lands" used in that section of the amendment is plain. Of course "grant" and "lands" are the subjects respecting which the legislation is had; they convey the same idea; and we have very little difficulty in ascertaining what lands are referred to, the word "grants" having been used and the phrase "grants of lands," and the original bill referring in express terms to "all lands heretofore granted to any State." So I think there will be no difficulty in regard to that.

Now I will answer the Senator's suggestion in regard to what is meant by "settler." I mean, and I think the courts will sustain that construction, and if they do not (inasmuch as any act which we pass is subject to their construction) they will limit it according to the Senator's idea, to the term "actual settler" as used and recognized in the Department of Public Lands. Certainly the anomaly of our Government is that in any case of individual right before one man, termed a judge or a court, all the people of the United States and their Congress and executive department may enact and construe a law to mean one plain and clear thing, and the one man, the judge or court, may say it means another, and for that case his decision makes it so.

That is judicial power, and relates to this and to all our acts so far as individual rights or cases are concerned.

Mr. DOLPH. The Senator will understand that there might be within that definition a settler on these railroad lands, because there was a time, as I understand, when as to some of these lands the Department held that they were subject to settlement, and persons went on and filed their certifications and made their settlements and complied with the law as far as they could at the time.

Mr. CALL. That may be so or it may not; but what I mean by "settler" is a person who is in occupation of the public land and who makes application for homestead or right of entry thereon, and that is the condition of much of this land in the twenty-five years during which there was never a pretense of the construction of a railroad, during which the State had repealed the only charter and the only act under which it had ever given a right to any corporation to build a road and prohibited it from proceeding, during which the land was unclaimed by any corporation or by the State, the State having passed a joint resolution asking Congress to revive the grant upon the condition that the company which had been authorized to build the road before the war should never have the benefit of any portion of it.

During the time in which Secretary Chandler decided wisely and with entire conformity to law that these grants had expired and the lands had become public domain, the people settled upon them, and have grown families of children upon them, and have their homes there. If this reservation made against the protest of the governor of the State on record in the Department, upon the verbal request of a Senator, stating that legislation would be had that was never had, no railroad built, no foot of a road built, no charter to any railroad company to build—all charters having been repealed up to 1881, and none now existing as to the larger part of the grant to any, yet it has stood there in the Land Department menacing the homes of these people, and many of them have been sold out, having no power to litigate this question in suits brought upon the pretended claim of a railroad company, chartered twenty-five years after the time of the passage of the act and seventeen years after the grant had expired. The homes of these people have been taken from them.

Now we only ask that this amendment be put in this bill in order that the actual settlers living upon these lands who have grown up their families there and sought to be allowed to enter their homes, who were invited to go there by the decision of Secretary Chandler, shall have the benefit of this remedial law.

The PRESIDENT *pro tempore*. The question recurs on the amendment proposed by the Senator from Kansas [Mr. PLUMB] to the amendment of the Senator from Florida [Mr. CALL].

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question recurs on the amendment of the Senator from Florida as amended.

The amendment as amended was agreed to.

Mr. SPOONER. I offer an amendment.

Mr. DAWES. Will the Senator from Wisconsin allow me to offer an amendment now, as I am obliged to leave the Senate?

Mr. SPOONER. I yield to the Senator from Massachusetts.

The PRESIDENT *pro tempore*. The Senator from Wisconsin withholds his amendment.

Mr. DAWES. I offer the following amendment:

Provided further, That this act shall not be considered to impair any rights, legal or equitable, now vested in any person or corporation to any of the lands herein forfeited.

Mr. BERRY. It seems to me that the object of the bill is to forfeit the title of railroad corporations to these lands, and yet the amendment says that it shall not affect the title of any corporation, either legal or equitable. The whole purpose of this bill is to forfeit these lands and restore them to the public domain. I suppose the Senator's object is to say that it shall not affect the title of a different corporation, a certain canal company that claims equitable rights in certain lands in Michigan.

Mr. DAWES. That is the object of it.

Mr. BERRY. That word "equitable" ought not to be inserted in the amendment. Whether or not the canal company has an equitable right is a question that perhaps the courts ought to pass on and will pass on. The point is whether the canal company has an equity which the courts would recognize. But the Senator from Massachusetts is seeking to establish an equity that can not be established in the courts of the country and to have Congress declare an equity which those who favored the amendment offered by the other Senator from Massachusetts [Mr. HOAR] sought to establish the other day. This is seeking to do indirectly that which that amendment sought to do directly, and it was laid upon the table.

I think the amendment ought not to be adopted. If these persons have legal rights which they can assert in the courts, it is not necessary to put in a clause granting this right, because the law will take care of them, and if the Senator is seeking to give that canal company some kind of Congressional equity which does not exist in law, then I insist that the amendment ought not to be adopted after we have laid the amendment of his colleague on the table.

Mr. DAWES. If the purpose of the Senator from Arkansas is, when he knows that there is a technical defect in the title held by this canal company for which it paid a valuable consideration, to intervene for the benefit of an organization that put squatters upon its lands, telling them when they were put there that they knew the lands were not open to settlement, but when the time for forfeiture came they would be on the road to make good their claims from that date—if that is the purpose of the Senator from Arkansas, then it is proper to lay this amendment upon the table. If, however, the Senator from Arkansas desires to protect innocent purchasers for a valuable consideration of lands as to the title to which there is a technical defect simply because the title is in a railroad corporation who have not earned it, then he should be willing that the technical defect should be cured in a court that would recognize legal and equitable considerations. That is the whole of it.

Now, it is apparent that there is in this city an organization that has planned for this very hour, that has put upon this land men to whom it has said in its letters of instruction, "We know that you can not make a legal entry now because the legal title is in a railroad corporation, but whenever the lands are forfeited, you, knowing you were not there as honest settlers, will be there ready to perfect your claim." This canal corporation obtained this land through the State of Michigan, supposing, and everybody supposing, that the title was perfect, but finding but now by a subsequent decision of the Supreme Court that it has a legal and technical defect, if the Senator wants to forfeit that title and give it to these men, then he will lay this amendment on the table.

Mr. BERRY. I would say to the Senator from Massachusetts that the purpose of the Senator from Arkansas is to prevent the canal company from getting twenty-five or forty million dollars' worth of land for a canal which was never built; one that was a fraud, as shown by the testimony taken; one that selected this land in defiance of the laws of the United States—a company that never completed its contract. My purpose is to prevent a confirmation to that canal company of lands to which they have no title, and to prevent a confirmation which will

deprive settlers who went there in good faith of their pre-emption and homestead claims.

There is nothing, however, in this bill that says these settlers shall have any preference whatever. The bill simply leaves them to their rights in the courts of the country, and if the canal company has superior rights in the courts under the bill the canal company is protected. But if the courts say, as the Secretary of the Interior has said, that the rights of the settlers who have homes there, who have raised families there, are superior, I do not wish by an act of Congress to take these people's homes from them and turn them and their children out, and give the land to this company for a canal that was never constructed, and that a committee of the House of Representatives before which the testimony was taken said was fraud, that it was not only a fraud in the construction of the canal, but a fraud in the selection of the lands, selected directly in the face of the law.

I hold that the bill as it comes from the committee does not protect the homestead settlers or any others unless they are protected under the laws of the land. If the canal company seek to assert its rights before the courts, and if the homestead and pre-emption settlers have no rights, then they will gain on showing their own right. If the canal company has the better right the courts will so hold. The bill does not give them a preference in any way whatever. But it is the Senator from Massachusetts who seeks by legislation to do what we know the laws of the land do not do—give this canal company lands to which they are not entitled, lands selected in fraud of the law, lands selected outside of the grant, and lands selected, I repeat, for a canal that is worthless as declared by the House of Representatives, and that the State of Michigan is trying to get the United States to take off its hands.

These lands are of immense value which it is proposed to give to them by legislation which they are not entitled to under the law. If they have equitable rights, I apprehend when they assert those rights in the courts of the country, the courts will say that as this thing was conceived in fraud, you can not come here and have this confirmation because you must come in with clean hands. If the courts do not say that, if they say they have legal rights, then so be it, and these settlers will have to give way.

In regard to what the Senator has said about there being men in this city hiring men to go there and settle, I know nothing of it; but I know the law to be that if men went there under a contract agreeing that any person should take a part of the homestead, the law of the land is that they can obtain no title whatever; they can not get confirmation. They would gain no benefit by it, because the law absolutely prohibits all such arrangements. That is all I have to say about it.

Mr. PALMER. Mr. President, I do not know what will be the effect of the pending amendment; but if it is considered as giving any advantage to the canal company to which reference has been made, it surely ought not to pass.

The appeal to the Senate is for consideration for that canal company which got these lands not alone in contravention of law, but in direct defiance of law and by nefarious methods. They had an honest man removed from the place of receiver at Marquette that they might procure these very illegal entries, as appeared in a report of a House committee which was read here the other day. The whole course of this canal company in the first selections of the lands which were illegal, in the wrecking of the original company by a conspiracy which was nefarious in itself, has been attended with fraud from the beginning to the end; and now they come in a pathetic manner before the United States Senate and ask that a technical defect be remedied. It was a defiance of the law in the first place, and it was a conspiracy to get these lands. I have a map here, and I can go over it again to-day as I did the last time the subject was up, and if called upon I will show the course of the canal company after the successors came into possession of the land, how they wrecked the original company. It is beneath the attention of the United States Senate to extend them any relief. Let them have their legal rights; but do not put anything into any of the amendments that will give them an advantage before the courts.

I do not believe that the Senators from Massachusetts have read the different reports in regard to this Portage Canal Company. If they have they must see that it has been attended with irregularity, if not fraud, from the beginning to the end.

If this is going to continue, and I imagine from the look of things that it is going to be the salient point of the discussion and probably will take up the time of the Senate all day, I shall send up some reports to be read which it seems to me will extinguish any claim in equity, right, or decency of the canal company to the consideration of the Senate.

Mr. HOAR. Let them be read. I should like to hear them.

Mr. PALMER. The Senator from Massachusetts says he would like to hear them read. If it would not bore the Senate, it would give me great pleasure. I dislike to trespass on their time. Will the Secretary read?

Mr. DAWES. Let me reply first.

Mr. PALMER. I yield before calling for the reading.

Mr. DAWES. Mr. President, the Senator from Arkansas [Mr. BERRY] says that if the canal company have a legal title to this land they can go into the courts and assert it. The Senator knows that if they had a perfect title to this land they would not be talking here, nor would anybody be representing them here. He has heard it stated over and over again just what the technical defect in their title is; and he knows (because he is a good lawyer) that the effect of this bill is to forfeit to-day their right and everybody else's right. The rights of the men who are on the land, whom he calls honest settlers, are forfeited to-day, whatever they are, and so is the right of the canal company.

Mr. PALMER. Will the Senator permit me to interrupt him? The honest settlers do not consider their rights jeopardized at all by this forfeiture unless amendments are injected into this bill. They ask for no legislation.

Mr. DAWES. I understand that the settler who went there upon his contract with an attorney does not feel that he has the slightest trouble, and why? That is what I want to ask the Senator from Arkansas and the Senator from Michigan, why is he perfectly satisfied to have the canal company and himself cut off and this land forfeited to the United States? The Senator from Michigan lives in a Western country and knows just what is the condition of things there, that the man starts *de novo* as a settler. The canal company has no place, for whatever right, legal or equitable, it has has been forfeited to the public domain.

Mr. PALMER. Let me interrupt the Senator to ask him to explain how the canal company's rights are forfeited by this bill. Have they sailed along under the shelter of the grant to the Ontonagon and Brulé Company for the last thirty years? Have they sought to have that grant forfeited without any amendment asserting their own rights?

Mr. DAWES. Why, Mr. President, I suppose it is all my fault that I am unable to make the Senator see that the language of the bill is that every acre of the odd sections opposite unearned land grants is forfeited to the United States and made a part of the public domain as of to-day. Now, these 15,000 acres are of that kind, and therefore they will be forfeited as of to-day to the public domain if this bill passes, notwithstanding his own State conveyed them to this corporation and this corporation took its money and built this canal, because the technical title is in the railroad company and an act of Congress is necessary to take it out of the railroad company. Therefore the grant of Michigan to the canal corporation does not take effect.

Now, does not the Senator see what becomes of all claim of the canal corporation to these lands? And the same is true of any man who is on them. But he has this difference: The moment it is public domain he becomes a settler on the land from that day; no matter how he got in there, no matter how he came there, he is there to-day a settler, and that is his advantage. That is why the Senator comes in with amendment after amendment, which if they were drawn by these attorneys down here on the Avenue for the very purpose could not have been drawn in any different language from that which is embodied in the amendment of the Senator.

Now, I wish the Senator from Arkansas——

Mr. PALMER. Will the Senator permit me to interrupt him?

Mr. DAWES. Yes, sir.

Mr. PALMER. I believe I have the floor, however.

Mr. DAWES. No, I have the floor.

Mr. PALMER. I yielded to the Senator from Massachusetts, as I think the record will show.

Mr. DAWES. If the Senator has the floor——

Mr. PALMER. I was going to say that the Senator from Michigan has no amendment to offer and would prefer to have this bill go through pure and undefiled; but when able lawyers, men whose lives have been passed in legislation, keep injecting amendment after amendment, when foiled at one point embody the ideas that they have been foiled in upon other amendments and keep shoving them in, it is time that the Senator from Michigan, who is a plain, blunt man, should have some one back of him that will tell him the force of legal language. It is David not only against Goliah but a whole host——

Mr. HOAR. The Senator has compared himself to David very much. He will remember that David was a victorious chieftain; I never heard that Goliah was, and I do not think he need be very much afraid.

Mr. PALMER. I hope that will be the result.

Mr. HOAR. I merely wish to correct one misapprehension of my honorable friend. He says some Senators here have been foiled in their amendments and have redrawn them and offered other amendments of the same sort. If that applies to any one, if the Senator has it in his mind as applying to anybody, it applies to me. I offered an amendment the other day and I was notified that the Senator from Wisconsin [Mr. SPOONER] had an amendment which contained my amendment and something else which he wanted inserted, a modification which he was going to offer. Thereupon there was a vote taken on my amendment and a few said "ay" and a few "no," and I did not even call for a division, supposing that the next thing that was to come up at that time was my amendment modified by the Senator from Wisconsin; and so I allowed my amendment to be declared voted down.

I had something more that I intended to say, but I thought I would let that go, so that the amendment of the Senator from Wisconsin should be before the Senate. It turned out when I came to examine the amendment of the Senator from Wisconsin that it did not contain

mine. It contained merely his own provision, without mine. I never should have allowed that vote to pass without calling for a division or calling for the yeas and nays, and without having a further explanation. My amendment, if it was voted down, was voted down under these circumstances alone.

Mr. PALMER. I am not trying to cast discredit on either of the Senators from Massachusetts. They are fighting valiantly for what they believe to be the right. I believe them to be wrong. It is a question of ethics on which wise and great men may differ.

I do not think that I said that that was the state of the case, that Senators were coming in with amendment after amendment when foiled on previous amendments. I said that when that was the case it was time for a plain, blunt man to have lawyers to advise him.

I stand here for the homesteaders of the State of Michigan. This canal company never should have the land inside of these railroad limits confirmed. There is no doubt about that. Those lands were gotten in direct defiance of the law and by strategy, by getting one receiver removed and a pliant tool put in his place; and I think it is beneath the dignity of the Senate to have anything to do with confirming that grant, and that they should be relegated to the courts for any relief they may ask.

I will say further, that I was inclined to accede to the amendment of the Senator from Massachusetts, but if it is going to be construed as giving a hold to the canal company by which they can further their schemes, I must oppose it. It all depends upon the construction of that word "equitable."

The PRESIDING OFFICER (Mr. CHACE in the chair). The question is on the adoption of the amendment of the Senator from Massachusetts [Mr. DAWES].

Mr. DAWES. I understand the amendment to mean just what I understood the Senator to consent to early in the discussion. I stated publicly that if gentlemen would leave these 15,000 acres of land not affected at all by this forfeiture to be settled in the courts between the canal company and anybody else who set up claims thereto without forfeiting the land into the public domain, we should be perfectly content; and that is the whole purpose of this amendment. If the Senator prefers to put it in that language I will accept that language. I desire simply that this forfeiture shall not have the effect to make a new title of public domain to-day applicable to these 15,000 acres.

Mr. PALMER. I think that is eminently fair. I do not wish to take away from the canal company a single right they have, but I do not wish them to get any new right by legislation.

Mr. DAWES. I do not intend by this amendment to give them any new title. I merely try to let them maintain in court such title as they have got as against anybody else.

Mr. PALMER. It all turns upon the construction of that word "equitable."

Mr. DAWES. Is the Senator afraid of the equitable consideration of the equitable title?

Mr. PALMER. I am afraid of phraseology.

Mr. DAWES. I want to reply to what the Senator from Arkansas [Mr. BERRY] has said about the fraud in this matter. The Senator says there was fraud in the selection. The Department says there was no fraud in the selection, and I will read what the Department says on that point. The Senator says there was fraud in the selection first because they selected lands not nearest the canal. I refer him to the report of the Commissioner of the General Land Office, from which the Senator from Michigan read, of date June 9, 1886, in which it is said:

> The grant of 1866, although additional to that of 1865, was not made subject to the conditions and limitations of the act of 1865, nor is there anything in the latter grant indicating any intention on the part of Congress to make it subject to such conditions and limitations. The conditions and limitations upon which each was made are plainly set forth in the respective granting acts, and differ in several essential particulars. The act of 1865 provided that the lands granted thereby should be selected from lands subject to private entry nearest the location of the canal; the grant of 1866 was of lands to which the right of homestead or pre-emption had not attached.
>
> The act of 1866 should, therefore, be construed as though it stood alone, without reference to the act of 1865. In this view of the case it follows that selections under said act were not restricted to the lands nearest the location of the canal, nor to lands subject to private entry.

The other charge of fraud made by the Senator from Arkansas is that they selected mineral lands. That was decided the other way by the Secretary of the Interior in a letter of June 6, 1863, in which he decided that these very lands were not the mineral lands that were excluded and that the company had a right to take them. I refer him to that decision. Now he says that they never built any canal. He has never been there and I have never been there. The act required that the governor of the State of Michigan should determine when the canal was completed. I read the other day the determination of the governor of Michigan that it was completed.

If there has been any other fraud the Senator has not suggested it that I know of. If he has, I have omitted to hear it. He says that he wants to forfeit all rights that this canal company have so that they shall not come into court at all. The Senator shakes his head. Then he does not want this bill. If there is anything plainer in the world than the words of this bill and their legal effect, I do not know what it is. The Scripture can not be made plainer than these words——

Mr. BERRY. Will the Senator allow me one moment?

Mr. DAWES. Certainly.

Mr. BERRY. The bill does not propose to forfeit lands granted to the canal company. The bill proposes to forfeit lands granted to railroad companies throughout the United States, what are commonly called the unearned lands, lands opposite that portion of the roads yet uncompleted. That is the object and purpose of the bill, and it is a worthy object.

Mr. DAWES. Then I am for it.

Mr. BERRY. This bill forfeits 15,000 acres of that land, the title to which was supposed to be in the Ontonagon and Brulé Railroad Company. Under the decision in Schulenberg vs. Harriman it is necessary for Congress to pass an act of forfeiture in order to divest the railroad company of that land. This bill does that. The canal company come and say they have some sort of title. This bill does not propose to forfeit that title, but unfortunately for the canal company they have no title, and it is proposed by the amendment of the Senator from Massachusetts now to give them a title to these 15,000 acres, whereas the bill if it passes as it is will divest the railroad company of the lands, and then if the canal company have any legal right to them it does not affect it in any way whatever. If the homestead or pre-emption claimants have legal rights it does not affect them in any way whatever, but leaves them to settle those rights between themselves in the courts. The homestead settlers are seeking no advantage by legislation here to-day. They ask that the railroad company be divested of this title, and that the courts of the country may determine whether or not they have any title or whether the canal company has.

Now, in regard to the fraud. Under the second grant of 1866 I did not say they were required to select the lands nearest the canal. I said that it had been argued by able lawyers that such was the effect of it, because it must be construed with the previous act, which contained that restriction, and I said the original act required that they should so select lands; but they did select lands in fraud of that law, as the House report shows. That report shows that the canal was never constructed in the manner required by law.

Mr. HOAR. Will the Senator allow me to ask on what authority he makes that statement?

Mr. BERRY. I make it on the authority of a report made by Mr. Henley, of California, from the Committee on Public Lands of the House of Representatives in the last Congress.

Mr. HOAR. Now the Senator will allow me to make a statement, and I will give him my authority. The governor of Michigan, Hon. Henry P. Baldwin, lately a member of this Senate, as honorable a man as breathes on this continent, as many persons within the sound of my voice will testify, appointed an eminent engineer to report whether that canal was completed or not, and he reported that it was, and thereupon the successor of Mr. Baldwin, Governor Bagley, also an eminent and able man of high character, certified that it was completed; and the honorable Senator from Michigan [Mr. STOCKBRIDGE] has told me within five minutes that the canal was completed and was in constant use, and that he has been through it himself on the largest lake steamers a dozen times. I think that story ought to stop in the Senate.

Mr. PALMER. Will the Senator permit me?

Mr. BERRY. One moment. I assert that here is a report made by a majority of the committee of the House of Representatives, which was made after thorough investigation. It was made after proof taken and after witness after witness was brought before that committee; and after long and mature deliberation that committee decided that the canal never was constructed according to the terms of the grant, that it had wholly failed to meet the conditions; and while I do not wish to impute any wrong to the governor of Michigan—I know nothing about him—I refer to the report of a majority of the committee of the House of Representatives acting under their sworn oaths after hearing the testimony of witnesses, including the same engineer, if I am not mistaken, of whom the Senator speaks—after his testimony was taken, and that of many others, the committee said it was not completed according to law. There is where I get my authority. I know nothing about it personally, but a majority of the Committee on Public Lands of the House of Representatives, who are supposed to be honorable and truthful men, acting under their oaths as members of Congress, after patient investigation so stated in their report; and it is on that authority that I assert it. If the Senator calls it a story I give him the authority on which that story originated.

Mr. HOAR. The minority of the committee decided otherwise.

Mr. BERRY. Yes, sir; but I rely on the majority report. There was a minority report also.

Mr. PLUMB. This debate threatens to go on indefinitely. I move to lay the amendment on the table.

The PRESIDING OFFICER. The Chair did not understand the remark of the Senator from Kansas.

Mr. PLUMB. I move to lay the amendment on the table.

Mr. HOAR. I hope the Senator will not do that.

Mr. PLUMB. I do not want it debated all day.

Mr. HOAR. There is no stopping the debate. The amendment may be offered again.

Mr. PLUMB. That is true, but this question has been discussed backwards and forwards, and having charge of the bill I feel some responsibility in the matter, and I wish to bring it to an issue as soon as I can. My idea was that we might get a vote on the proposition.

The PRESIDING OFFICER. The Senator from Kansas moves that the amendment of the Senator from Massachusetts [Mr. DAWES] be laid on the table.

Mr. HOAR. I ask to have the motion withdrawn for a moment.

Mr. PLUMB. I withdraw it.

Mr. HOAR. I have drawn an amendment which I have submitted to the Senator from Michigan, and which he prefers a little to the one which is proposed by my colleague, and it seems to me that it will answer what I understand to be the professed desire of both sides to this controversy.

As I understand the chairman of the Committee on Public Lands and the gentlemen who have discussed this question, they say that what they want to do by this bill is to make a general declaration of forfeiture of all unearned railroad grants, and that they do not want to go at this time into the question whether this, that, or the other railroad or person claiming under this, that, or the other railroad has got an equity which we ought to respect, but to let all such parties come to Congress hereafter if they require legislation, or let them go to the courts and present their case if they have a good legal title now, one which the courts may enforce.

That being the purpose, it seems to me—and I have submitted it to my colleague and others—that this bill as it is framed goes further than that, and that when these grantees come to Congress hereafter they will be met with the answer, "Why, Congress had that all up before them when this forfeiture bill was passed, and they determined that they would not make you an exception to any general forfeiture. Your question has been settled, and we will not reopen it." I suppose the honorable Senator from Kansas would agree that that would not be a fair result from this legislation to-day.

The PRESIDING OFFICER. The Senator from Massachusetts will suspend. The morning hour having expired, the Chair lays before the Senate the regular order.

Mr. HOAR. I ask unanimous consent to complete this statement.

The PRESIDING OFFICER. The Chair will lay the regular order before the Senate.

The CHIEF CLERK. A bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. HOAR. Now, if I may be permitted by unanimous consent to complete my statement——

The PRESIDING OFFICER. Is there unanimous consent to the Senator from Massachusetts proceeding? The Chair hears no objection.

Mr. HOAR. To this amendment to the land bill the Senator from Michigan expresses his assent, and I desire to read it to the Senator from Kansas, and if I can get the assent of the Senator from Kansas it will save all trouble. It is in reference to this single canal company:

Provided, That this act shall not be construed to prejudice any right of the Portage Lake Canal Company or any person claiming under them who applies hereafter to the courts or to Congress for any legal or equitable relief to which they may be now entitled.

I can not see that I give any human being an advantage.

Mr. PLUMB. If the Senator from Michigan is willing to agree to that, I shall not stand in the way myself.

The PRESIDING OFFICER. The regular order is Senate bill 2083.

Mr. PLUMB. I want to say about this whole business, if I can have a moment, that this railroad forfeiture bill remained on the Calendar unacted on for a long time because of the fact that the Senators from Michigan desired to have some amendments made which would meet the situation in that State as they respectively understood it. In the hope that they would be able to agree on something which would meet with concurrence on the part of the Senate, and thus dispose of what has always been an active and acrimonious controversy, I did not ask the Senate to consider this bill as early as I otherwise should. The debate has now gone on substantially upon this proposition for days. I shall not as far as I am concerned agree to any further extension of it, and I ask unanimous consent that the bill may come up to-morrow immediately on the conclusion of the morning business, and I will make every effort as far as I am concerned to reach a final vote before 2 o'clock to-morrow.

The PRESIDING OFFICER. Did the Chair understand the Senator from Kansas to ask unanimous consent that this bill be considered to-morrow at 2 o'clock notwithstanding the regular order?

Mr. PLUMB. No; at the conclusion of the morning business to-morrow.

The PRESIDING OFFICER. The Senator from Kansas asks——

Mr. HOAR. Is there anything else? Suppose this amendment should be adopted now, can not the bill be disposed of at once?

Mr. BERRY. I object to passing the amendment until we can examine it by to-morrow morning.

Mr. HOAR. Let the amendment be printed.

Mr. DAWES. I accept the modification of my amendment suggested by my colleague.

The PRESIDING OFFICER. The Chair understands the other amendment is withdrawn and this substituted for it.

Mr. HOAR. I move that as an amendment, and ask that it be printed.

The PRESIDING OFFICER. If there be no objection that will be done, and the new amendment proposed will be printed. Is there objection to the proposition of the Senator from Kansas that the Senate bill 1430 come up to-morrow morning at the conclusion of the morning business? The Chair hears none, and it is so ordered.

WHARF AT FORTRESS MONROE.

Mr. PADDOCK. I call now for the regular order for the purpose of submitting some remarks on the question.

The PRESIDING OFFICER. The regular order is Senate bill 2083, which is the unfinished business.

Mr. DANIEL. I desire to have a bill considered.

Mr. PADDOCK. I will yield to the Senator if it requires no time.

Mr. DANIEL. It will require no time. I ask unanimous consent to call up Order of Business 1155, being the bill (S. 2624) to provide for the enlargement of the dimensions of the wharf at Fortress Monroe. I would not ask this of the Senate but for the fact that there are public considerations why the bill should be acted upon immediately if at all. There is a wooden structure in process of erection, and the proposed change in it has been recommended by the War Department and by a report of the Committee on Commerce. I see the Senator from Maine [Mr. FRYE] is in his seat, who is quite familiar with the details of this matter, and I should be very glad if he would supplement my remarks by making a statement.

Mr. FRYE. Probably there will be no objection made to the passage of the bill.

The PRESIDING OFFICER. The Senator from Virginia asks for the consideration of the bill named by him. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2624) to provide for the enlargement of the dimensions of the wharf at Fortress Monroe.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

INTERSTATE COMMERCE.

Mr. CULLOM. I am instructed by the Committee on Interstate Commerce to report back several bills, being Senate bills Nos. 613, 291, 362, and 363, and to submit a substitute for them all in the shape of a new bill. I ask that the amendments to the original act which are made in this substitute bill be printed, so that they may be shown to be amendments to the law.

Mr. HARRIS. I suggest to my colleague on the committee that instead of encumbering his substitute with the original bill he should move to indefinitely postpone all of these bills and report an original bill, so that we shall have but the one bill to deal with.

Mr. CULLOM. I have no objection to that. I presume it is the most regular way. I report the following bill from the committee.

The bill (S. 2851) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, was read twice by its title.

Mr. CULLOM. I move that the other bills be indefinitely postponed.

The motion was agreed to, and the following bills were postponed indefinitely:

A bill (S. 291) to amend the second and fourth sections of "An act to regulate commerce," approved February 4, 1887;

A bill (S. 362) to be entitled "An act to amend the first section of the 'Act to regulate commerce,' approved February 4, 1887;"

A bill (S. 363) to amend the fourth section of the "Act to regulate commerce," approved February 4, 1887; and

A bill (S. 613) to amend an act entitled "An act to regulate commerce," approved February 4, 1887.

Mr. CULLOM. I renew the suggestion that the new bill be printed, so that the amendments proposed to be made to the law as it now is shall be shown on the print.

Mr. HARRIS. Let the act be printed and the amendments printed with the act.

Mr. CULLOM. Let the section proposed to be amended be set out and then the amendments to that section here made. I want the amendments to be printed in italics so as to show the changes.

The PRESIDENT *pro tempore*. That course will be pursued if there be no objection.

BUREAU OF ANIMAL INDUSTRY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and

their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes, the pending question being on the amendment offered by Mr. PALMER as a substitute for the bill.

Mr. PADDOCK. Mr. President, in the attempt to discuss some of the constitutional questions that naturally arise in the consideration of this subject in the presence of so many able lawyers I confess to no little embarrassment. The consciousness of my inferior learning in the law, and that the charge of presumption can be made good against me, coupled with the expectation that I shall be subjected to the criticism of "threshing over the old straw" of elementary principles in the hearing of those to whom they are as the alphabet, are not calculated to assure me. But, sir, this method seems to me to be necessary for the particular purpose I have in view, and the purpose itself being honest, I think I shall be cheerfully indulged by the Senate.

Of course, sir, there is no doubt nor question whatever that the National Government has absolute, undivided power to regulate commerce with foreign nations. All concede this. As to this great function of government the United States stand as a nation with a perfect, an indivisible autonomy. In the presence of this supreme authority State lines fade away and disappear. When the national arm is extended to strengthen, defend, "regulate" our commerce with foreign nations, it is the arm of the sovereign people, divided by no boundary lines of geographical or political subdivisions, but massed in all the majesty and strength of nationality. In the exercise of this great power the Federal Government may, when necessary to protect commercial intercourse, quarantine against ships from foreign ports at which a contagious disease is believed to have secured a foothold epidemically, and when there is a reasonable apprehension that such ships may be infected by the contagion thereof. It may, and it does, place restrictions on the importation of domestic animals that are believed to be afflicted with or to have been exposed to a contagious disease or to contagious disease-conditions.

It may prohibit altogether all commerce with a foreign nation which discriminates against ours in favor of that of another nation, or which may refuse to us fair, reasonable, and satisfactory regulations as to commercial exchanges—indeed it may do all things not inconsistent with international law "to promote the general welfare" by liberal or restrictive regulations for the protection and for the advancement of our interests through foreign commerce. But, sir, it will be remembered that the same clause of the same section and article of the Constitution which gives this supreme control over foreign commerce to the National Government, in exactly the same language gives exactly the same "power to regulate commerce among the several States and with the Indian tribes." If it is an exclusive power as to foreign commerce, "and with the Indian tribes," which latter, under the theory of the Constitution, have been treated as quasi nationalities, it is equally an undivided power as respects the exercise thereof in the regulation of "commerce among the several States." The very restrictions placed upon this power by Section 9 of Article I of the Constitution, that "no tax or duty shall be laid on articles exported from any State," and "no preference" given "to the ports of one State over another," and that "vessels bound to or from one State" shall not "be obliged to enter, clear, or pay duties in another;" and the corresponding restraint placed upon the States by section 10 of the same article that no State shall "lay any imposts or duties on imports or exports" except for purposes of local inspection, and that all State laws, even as to this limited privilege, shall be under the revisory control of Congress, prove the absolutely exclusive national character of this power not only to regulate foreign, but internal commerce. The same control in the matter of these regulations and restrictions for the removal of impediments or obstructions in the way of the free course of foreign commerce exists as to the commerce among the several States, qualified only by the restraints thereupon before referred to.

The power of a State under the Constitution to quarantine as to a matter or thing which is clearly a subject of interstate commerce can only be exercised subject to the duty of Congress to regulate such commerce. The entirely independent exercise of this power under such circumstances by a State would be inconsonant with the national attribute respecting the regulation of commercial intercourse between the States with which the Constitution has clothed the National Government, and would be wholly inadmissible except with the sanction of Congress. Undoubtedly non-action by Congress would be such sanction. Quarantine is a potential instrumentality when employed as a health or police regulation by a State, and may become by its misuse most dangerous, most hurtful to the very interests for the protection of which it is invoked. When interjected by authority of a State into the general plan and policy of interstate commerce, as is sometimes done without due and proper public notice of the same to all the other States, it is liable to disturb commercial relationships between the States and derange the economic checks and balances that have grown into our commercial system through the sanctions of the Constitution. Verily, sir, this power can not be too prudently employed by a State nor too jealously guarded by the National Government. Great irritation between the States may occur from the careless exercise of this power locally on account of the suspicion that may be created that the State establishing the quarantine has a competitive interest to conserve through the practical embargo thus laid upon the commerce of other States. Recently one or more of the States of the farther West quarantined against the shipment to those States of cattle raised in certain Middle, Eastern, and Southern States under the apprehension that pleuro-pneumonia existed therein. One of the States thus prohibited from engaging in this kind of commerce was Virginia, from which had been exported formerly to the farms and ranges of the great trans-Missouri country many thorough-bred or high-grade animals for the improvement of the Western herds.

There was not at the time, nor had there ever been anywhere, either in the section of Virginia where the stock-farms are located upon which such animals are raised, nor upon the transportation routes over which they would be shipped, a single case, nor any exposure of any kind to the contagion of pleuro-pneumonia. Now it would be difficult, I think, to convince the men engaged in this industry—carrying on this commerce—that there was not a competitive interest in stock raising in that section whence the prohibition came which furnished the inspiration for such prohibition, and that it was not due, as alleged, to any apprehension of the spread of this disease through such commerce. I do not think this suspicion was well founded. The quarantine was undoubtedly the result of misinformation, which often reaches remote States as readily as correct information. But from whichever of these causes it resulted it shows the importance of the chief control of this subject being lodged with the National Government, which can be relied upon most surely to act in such a case without bias or prejudice for or against any particular State or section, and only upon carefully-collected information gathered from all parts of the country, from day to day, through official avenues always open to it. Under the powerful influence of great transportation companies, operating exclusively in one, or possibly in several contiguous States, such State or States, without sufficient cause, might quarantine against the commerce in domestic animals, or, indeed, in other or perhaps all of the products of other States, the real object being, through the interruption of intercourse thus secured, to specially advance the interests of the former, and the particular commercial centers or ports therein. Thus it might happen that the restraints placed by the Constitution upon the National Government to prevent "a preference for the ports of one State over another" might be removed by such State or States themselves, acting independently of the national authority, and in violation not only of the essential spirit but the plain provisions of the Constitution.

There was a unanimous consensus of opinion with the eminent men who framed the Constitution that commerce between the States should be under the exclusive control of the National Government. They were not afraid of encroachments by Congress upon the States in dealing with this subject. Mr. Madison said in the debate in the convention upon the plan of government proposed:

> Every one is impressed with the idea of a general regulation of trade and commerce.

Again he said, speaking of the proposed relations between the national and State governments:

> I apprehend the greatest danger is from the encroachment of the States on the National Government.

Mr. Wilson said:

> We have unanimously agreed to establish a general government—that the powers of peace, war, treaties, coinage, and the regulation of commerce ought to reside in that government.

In this enumeration of the great powers which were afterwards given to the National Government the word "commerce" is italicized in the report of the debate, indicating that Mr. Wilson considered the power to regulate commerce one of exceptional importance. These wise men foresaw, if this power to regulate commerce among the several States was not given absolutely to the National Government, that with the growth of the country, the increase of business, the multiplication of great commercial centers, and the preponderance in wealth, financial influence, natural resources, and advantages of some of the States over others the equilibrium so essential to the maintenance of the Union and the retention of its component parts in their proper spheres of subordination to the national authority would be impossible; that where the interests should become so diverse, the competition so great, the rivalries so formidable, if each State should have independent control, each striving to make its own regulations with the others, considering only its own special interests, it would be impossible to secure anything like uniformity of regulations, and a national government thus organized would speedily go to pieces.

But the Constitution could never have been framed upon such a theory. It could not have received a single vote in the convention if the great power over internal as well as foreign commerce had not been given by it without reservation or qualification to the National Government. It is a historical fact that one of the chief incentives for a stronger National Government was the universal embarrassment to commerce through the regulations thereof under the Confederation by the several States acting independently. Indeed, the difficulties, hardships, and irritations under this rule became finally so intolerable that a concerted movement by business men throughout the confederacy was inaugurated to secure relief from this oppressive system. Mr. Presi-

dent, I shall in no sense disparage or detract from the prescience of the great men who framed that immortal instrument when I say that, astute and far-seeing as they were, "they even builded better than they knew" in this as in many other respects.

The wise design of the fathers to secure uniformity of commercial regulations among the several States was very clearly set forth, after the experience of many years, in the opinion in Railroad Company *vs.* Richmond (19 Wall., 581), in which the court said:

> The power to regulate commerce among the several States was vested in Congress in order to secure equality and freedom in commercial intercourse against discriminating State legislation.

And, sir, whoever, under the apprehension of encroachments upon the rights of the States through the exercise of this power by the National Government in the manner best calculated to reach and regulate every incident, remove every menace, every impediment or obstruction from the path of interstate commerce, or who seeks to subtract from or limit such power to gratify State-rights sentimentalism, imperils the commercial prosperity and safety of all the States. Congress is the only safe repository of this power. If it errs at all it will be sure to err in the right direction, *i. e.*, for the advancement and protection of the commerce of the whole country and the promotion of the general welfare of all the people. It will always be found safer and better to resolve whatever doubts may arise in favor of the most liberal and comprehensive regulations of commerce by the National Government rather than for such limited regulations as shall make it possible for the States, through the exercise of their police powers, to encroach upon the domain of the national authority over this subject.

And now, Mr. President, I desire to call the attention of the Senate to the importance of the great interest for the protection of which this bill is designed, with the view of making a practical application of the theory I entertain as to the power and duty of Congress over this whole subject.

The United States owns more live-stock than any nation of Europe, with the sole exception of Russia. Leaving the domains of the Czar out of the calculation, and excepting sheep, we exceed by five times the number of farm animals in all Europe. By the census of 1880 the United States was credited with 34,921,670 cows and other cattle; an increase of more than 13,000,000 over the number reported in 1870. According to the last estimates of the Department of Agriculture, a corresponding increase in this class of live-stock had taken place from 1880 to January, 1887. In the single State of Nebraska, by the State census of 1885, the value of live-stock had increased in five years from $33,440,265 to $83,776,720. To-day eight States and Territories west of the Mississippi River own more than one-third of all the cattle in the United States.

The aggregate value of live-stock in the whole country, according to the census of 1880, was $1,500,464,609. On January 1, 1887, this enormous amount had increased to the stupendous aggregate of $2,400,586,938, of which $1,041,000,000 are represented by cattle, including milch cows.

Mr. President, more than nine years ago I ventured, on behalf of the great State which I had the honor then, as I have now, to represent here in part, to call the attention of the Senate to the rapidly-developing need for national legislation upon the subject presented by the bill now under consideration. Time has more than verified the predictions then made as to the growth of this great interest, and the importance to the whole country of giving it stronger national protection than it has yet been able to secure. The figures I present to-day show that the increase of our flocks and herds during the past decade has been marvelous. The great ranching industry on the plains of the far West has been enormously developed, while the still larger industry of cattle feeding in small herds on the farms has been correspondingly stimulated. The demand for cheap meats has been met by new facilities for food production, and new processes and methods for the condensation of food products for shipment and distribution to the consumers, not only of this, but European countries. More and more each year the live-stock interest, particularly in the farther West, is becoming the essential feature of farm husbandry. The small herd is rapidly taking its place with the flock and drove as the most important wealth-producing factor in Western agriculture.

And here, Mr. President, if I may be permitted to further digress, is the explanation of the existence of a very large part of the farm mortgages in the trans-Mississippi River States of which we have heard so much lately from demagogues and others.

The increase in the number and aggregate amount of such mortgages is in no respect the result of unsuccessful agriculture, as has been charged, but quite the contrary. Tens of thousands of farmers in the States mentioned, who formerly depended upon the raising of cereals exclusively, have during the past ten years been acquiring herds and flocks. To make this change in their farm husbandry a great deal of money has been required, and some part of it has been borrowed. When you deduct the number of those who have purchased new farms, or who have enlarged their original farms by purchasing contiguous lands and have made moderate loans for that most proper and legitimate purpose, it will be found that a much larger sum than the remainder of the mortgages is represented by the value of the immensely increased number of cattle, horses, sheep, etc., that have been placed at great profit to the owners upon such farms. Through this diversification which has been for years and is still going on in the great agricultural States of the West the wealth of that country has been enormously increased, and farmers as a class are becoming more prosperous each year, while their farms have greatly increased in value. The capitalist has made in these cases the best loans to be found in the whole world, while the money thus borrowed has immensely increased the business, the wealth, and the general prosperity of those States, and indeed of the whole country.

The aggregate of these mortgages has been enormously overstated, while the properties upon which they have been placed have been correspondingly undervalued, both by the pessimists in politics who have sought through this attack upon Western securities to score a partisan advantage, and by the army of conscienceless speculators in watered stocks and other like securities in Wall street and elsewhere in the East, who are restless under this withdrawal of capital from their own kiting ventures for employment by the industrious and thrifty farmers of the West in the safest and most useful of all legitimate industries, the development and carrying on of agriculture in the chosen field of all the world. At another time, in the discussion of another subject, I shall have more to say about these misrepresentations.

Thus, Mr. President, the live-stock industry has come to be second only to all others combined in respect of its contributions to the staple food supplies of the people. It furnishes more than two-fifths of the internal commerce of the whole country. A large part of this commerce is carried on between the great inland grazing fields of the trans-Missouri States and Territories and the commercial centers in the Middle, Eastern, and Southern States, whence the products of this industry are distributed universally among the consumers of the whole country and of Europe as well. So that while the value of this commerce is enormous, with hundreds of millions of dollars invested in it, and hundreds of thousands of men employed in one way and another in carrying it on, it is even more important to the mass of the people because of the fact that upon it they largely depend for their supply of meats. Considering all these things, it would be almost impossible to estimate the magnitude of the calamity that would befall the country if this great industry should be destroyed.

It would not only bring ruin upon the multitude of men who have their money invested in the industry, or who labor in it for the support of their families, but it would greatly reduce the meat supply and thus make it impossible for the laboring classes, with their narrow incomes, on account of the increased cost resulting from the constantly increasing disproportion of supply to demand, to use meat, as at present, as an essential part of their daily food. In view of these important facts, will any one say that it is not the imperative duty of the National Government to foster, encourage, strengthen, and protect this industry and the enormous interstate commerce in the products thereof, by the use of all the powers intrusted to it by the Constitution? Indeed, it would be difficult to discover a better subject than this to operate upon for the promotion of "the general welfare."

It is well known that of all the contagious diseases to which cattle are subject there is none so terrible, so much dreaded, as pleuro-pneumonia. When it has once secured a firm lodgment among the herds occupying considerable areas of any country, no limit can be placed upon its ravages short of complete extermination—nothing can prevent its spread indefinitely except the slaughter or the perfect isolation of all animals affected and the entire destruction of every condition from which the disease can be communicated. Once well started the contagion will travel through a region devoted to cattle-raising almost with the rapidity of a prairie fire.

If, for instance, it should secure a firm footing in the herds of Central Illinois before the work of extirpation could be effectively commenced, the contagion might so spread as to envelop the whole country through which pass the transportation routes over which this enormous commerce from the farther West is borne to the great distributing centers of the East, virtually laying thereupon as complete an embargo as if such commerce should be absolutely prohibited by law. I can not accept for a moment the doctrine that if such a state of things should come to exist, and the State of Illinois, for instance, in the exercise of its general police powers, was powerless, from want of means or from other causes, or having the ability, should neglect to deal summarily and effectively with such an emergency, the National Government, with its unlimited jurisdiction over the whole subject of commerce, could not provide by Congressional enactment for the employment of its enormous forces to hunt out such contagion wherever it might be and destroy it in order to speedily secure the reinstatement of the commerce, thus destroyed or threatened with destruction. But more than this. The State or States in which such a situation should develop could not be called upon in the interest of interstate commerce alone to expend their money, to tax their resources, to employ their agencies to remove an obstruction thus interposed, unless they should themselves elect so to do. Besides, an intermediate State on the routes of such commerce might not have a special interest in its protection, or it might have a paramount interest in another direction competitive in its character that would be better conserved by the continuance of such obstructions to the commerce between other States passing through it, and there-

fore it might be indifferent as to these obstructions. Can it be possible that the National Government, which is charged specially with the duty not only to guard but to promote commerce between the States, could refuse under such circumstances, even without the assent of the State itself, to intervene? I think not, sir.

In my opinion, sir, the omission to do so would be a crime on the part of those charged with such responsibility under their oaths to support and defend the Constitution.

But, sir, it is contended by some that the powers reserved to the States to enact quarantine, health, inspection, and other similar laws carry with them exclusive control as to police regulations of all kinds and for all purposes whatsoever; that the national jurisdiction over this subject, if it exists at all, is secondary, subordinate, or auxiliary to State authority, and that the exercise of the same is permissible only when the State to be affected gives assent thereto. Abstractly considered this may be partly true, but in the concrete it is not true. The power to regulate commercial intercourse between the States belongs exclusively to the National Government by specific grant. It is a power to be exercised solely and independently by authority of Congress, not for the States as such, but for all the people of the United States standing together, and perfectly equal as to their rights, privileges, and immunities as citizens of one nationality in respect of all matters and things connected with such commerce and intercourse between the States. This power is not only specifically granted to the National Government for the benefit of the whole people, but it is with equal definiteness prohibited to the States. The inspection laws are distinctly subordinated to this larger grant of powers, and in order to emphasize this subordination more fully and forcefully it is provided that these very laws shall be subject to the revision and control of the Congress in order to make it certain that this exceptional authority may not be used in any manner or form to impede in the slightest degree the free course of commerce between the people in all sections of the Union, which the National Government is specially required to promote and preserve.

Undoubtedly, sir, there is a perfect and unbroken consensus of opinion running through all the debates in Congress and all the decisions by the courts since the adoption of the Constitution that the State may legislate primarily for the protection of the public morals, the public health, and the domestic welfare generally of society in the State, but I have been unable to find any decision of the Supreme Court from Chief-Justice Marshall down to the present day indicating that if through an incompetent, a negligent, or an indifferent administration of the affairs of a State, the insufficiency of its general statutes, or the poverty of its resources, or all these combined, the health or other local conditions have been permitted to fall so low as to become continuously a menace, an obstruction to the commerce between other States necessarily passing through the State so afflicted, that the National Government could not intervene and act directly upon such conditions for amelioration or removal, and the reinstatement of the commerce thus interrupted and threatened with destruction. Indeed, from my reading of the Constitution, I am satisfied that the warrant of authority is not only given, but the duty is imperatively enjoined upon the Congress by the Constitution to make full and careful provisions against all such contingencies. Nor is it permissible, in my opinion, for Congress to await the invitation, nor to be deterred by the protest of the State so affected when satisfied that conditions exist therein obstructive of commerce between the several States which the Constitution says must be protected by the national authority without reference to the geographical lines of any particular State, and which the State refuses or neglects to remove.

In the great case of Gibbons *vs.* Ogden, made historic by the learned opinion delivered by Chief-Justice Marshall, in which he considers the whole question of the powers of the National Government over the subject of commerce, that most eminent jurist, while not dissenting from the view that a State may provide by quarantine and other laws for the protection of the public health, is very careful to indicate that when a State law, whether quarantine, health, or other, may operate as an obstruction or an impediment to commerce it must fall before the supreme power of the National Government over that whole subject. Referring to the acts of 1796 and 1799 he says:

> But in making these provisions the opinion is unequivocally manifested that Congress may control the State laws so far as it may be necessary to control them for the regulation of commerce.

In other words, that Congress may accept the State laws, as was done in 1799, and co-operate with the State authorities in their enforcement, or by implication that it may modify or even replace them altogether by other laws of its own enactment, and provide for their enforcement through the agencies of the National Government alone if it shall deem it necessary, considering the interests of commerce, to do so.

Again, in this same opinion, speaking of "the power to regulate," he says:

> This power, like all others invested in Congress, is complete in itself, may be exercised to its utmost extent, and acknowledges no limitations other than are prescribed in the Constitution.

By parity of reasoning, if there are no "limitations" upon this power, and if it "may be exercised to the utmost" in conforming even the police and other regulations of a State to the requirements of commerce, Congress may undoubtedly, where there is an entire absence of law in a State for the protection of a great subject of interstate commerce, adopt regulations to protect the same when such protection is necessary to the maintenance of the commerce therein passing through such State to and from the several other States.

In the case of Walling *vs.* Michigan (116 U. S., 446) it was said by the court that—

> The police power can not be set up to control the inhibitions of the Constitution or the powers of the United States Government created thereby.

In other words, that the police power can not be employed by a State to prevent the necessary regulations of commerce, nor to limit nor abridge the powers of the National Government over this subject through the inhibitions in respect of such power. And so I maintain that, *pari passu*, if the police power may not be invoked by the State to obstruct, it may be set in motion by the national authority itself under some circumstances to remove obstructions in the way of interstate commerce. To illustrate: If certain police regulations necessary to protect a particular branch of interstate commerce in its passage through a State are not supplied by a State, the Congress may provide for making and enforcing such regulations in the interest and for the protection of such commerce, having due regard for all the interests of the people of such State to be affected by these regulations.

As for instance, if yellow fever should suddenly take possession, epidemically, of the States of the Lower Mississippi, and intercourse between the great States of the Northwest and the ports below, which are usually employed to make the exchanges incident to the commerce of that vast region, should be seriously interrupted—I maintain that in the absence of the necessary health or police regulations in those States to deal quickly and effectively with the situation, Congress could and it would be its duty under the Constitution to supply those regulations and authorize action directly upon the case anywhere in those States for the purpose of removing such obstacles to commerce when they could not otherwise be removed. And ultimately this rule will obtain and be gladly accepted by the people of every State in the Union. Of course these are extreme cases, but the law should be ready always to protect commerce among the several States in any and every emergency.

Certainly it would always be most desirable, and undoubtedly it would generally happen, if the bill under consideration should become a law, that where the State had provided laws to meet the case the national power would be exercised as an auxiliary force only, the State laws being supplemented by the regulations established by Congress, and the State agencies being employed so far as practicable to carry out the purposes of the proposed act. It is upon this theory of co-operation, where possible, that this bill was framed.

The reasons for such a policy are manifold. They could not be better presented than they were by Chief-Justice Marshall in the learned opinion in the case of Gibbons *vs.* Ogden, from which I before quoted. He said:

> The acts of Congress passed in 1796 and 1799 empowering and directing the officers of the General Government to conform to and insist in the execution of the quarantine and health laws of a State proceed, it is said, upon the idea that these laws are constitutional. It is undoubtedly true that they do proceed upon that idea, and the constitutionality of such laws has never, so far as we are informed, been denied. But they do not imply an acknowledgment that a State may rightfully regulate commerce with foreign nations or among the States, for they do not imply that such laws are an exercise of that power, or enacted with a view to it. On the contrary, they are treated as quarantine and health laws, are so denominated in the acts of Congress, and are considered as flowing from the acknowledged power of a State to provide for the health of its citizens. But as it was apparent that some of the provisions made for this purpose and in virtue of this power might interfere with and be affected by the laws of the United States made for the regulation of commerce, Congress, in that spirit of harmony and conciliation which ought always to characterize the conduct of governments standing in the relation which that of the Union and those of the States bear to each other, has directed its officers to aid in the execution of these laws, and has in some measure adapted its own legislation to this object by making provisions in aid of those of the States. But in making these provisions the opinion is unequivocally manifested that Congress may control the State laws, so far as it may be necessary to control them, for the regulation of commerce.

However, it will be remembered that Chief-Justice Marshall, in the case of Gibbons *vs.* Ogden, had before him primarily the question only of certain State enactments, under which Congress had authorized co-operation through certain officers of the National Government with the State authorities, whereas the requirement now is to provide not only for co-operation, when that can be had, but for independent action by the National Government in the case of non-action by the State, or of the non-existence of any State laws or regulations whatever to meet the case.

While the bill under consideration may be faulty in some of the details of its provisions as to administration, etc., it is in its general features within the scope of the authority of Congress over the subject under consideration. I think, however, that it aims to confine the operations of the national bureau or board, for which it provides, too narrowly, too closely, to established lines of transportation. As I have before said, if pleuro-pneumonia should exist epidemically and generally in Central Illinois, it would become a menace to the interstate commerce throughout the entire region through which three or four great interstate lines of transportation pass. Without authority to operate universally in that entire district for its eradication it would be impossible to relieve these great avenues of trade.

It often happens that cattle are gathered into herds preparatory to

shipment at points somewhat removed from the actual shipping-point on the railroad over which they are to be transported. There can certainly be no question as to the importance of extending the jurisdiction of the board over such herds. Moreover, I think it would be safe to say that there are very few, if any, stock farms in the State of Illinois which are not within 20 miles of one or the other of these interstate transportation lines. I believe it would be entirely prudent to say that there are very few, if any, cattle in that State farther removed from one or the other of these routes than one day's drive at most; that one-half of them are even nearer, and that fully one-quarter of all of them are located not farther than three hours' drive at most from some one of these interstate roads. In my opinion, therefore, you can not safely confine the operations of this board to the exact limits of the right of way of each of these lines of traffic. As a member of the committee which presented this bill I accepted the provisions thereof respecting this jurisdiction as apparently the best attainable under the circumstances, and not because I indorsed the theory upon which they rest. I think the jurisdiction of the board should be more extended, and that it is a mistake not to make it so.

Mr. President, it would be impossible to estimate the importance of this subject. In a comparatively few years pleuro-pneumonia has cost this country directly and indirectly $10,000,000. Within ten years the losses from hog-cholera have been estimated at the enormous sum of $300,000,000 or more. We have to-day 125,000,000 of farm animals at the mercy of infectious diseases which commonly affect herds and flocks. Besides, we should not forget the lessons taught some of the older nations in the school of costly experience.

In Western Europe a single epidemic of the rinderpest swept away thirty million head of cattle of the estimated value of $1,500,000,000. France alone during the last century lost ten million head of cattle from malignant diseases. In the years from 1856 to 1862 lung fever and epizootic apptha cost Great Britain over one million head of cattle, worth $50,000,000; and in eighteen months in 1865–'66, from rinderpest, $10,000,000 more were added to the cattle losses of the same country.

If no calamity shall happen to the live-stock interest of this country, the census of 1890 will undoubtedly show its aggregate value to be nearly, if not quite, $3,000,000,000. And yet if this result shall be reached the supply per capita, with the enormous increase of our population, will be relatively smaller than it is now. Notwithstanding the great increase in the number of cattle of all kinds since 1860, while the ratio in that year was 814 head to each 1,000 of population, it has fallen to 600 to the 1,000 of population at this time. If, in addition to this, an infectious disease like pleuro-pneumonia should become general, particularly in the Western ranges, from which our beef supply largely comes, and our herds should be diminished through the insufficiency of our precautionary measures or the inefficiency of administration, it would seriously injure the whole country, and the condemnation of those who should be responsible for these omissions would be swift and terrible. You can not legislate for the evils of the present moment only. You must provide for those that may belong to the future as well. The National Government must deal with this matter. Congress can not shift the responsibility to the States.

There must be uniformity of regulation and action, with unlimited power and resources to meet any and every emergency. One method in one State, another system in another, and none of any kind in many, with non-co-operation between all, will not do. They are, so to speak, simply so many invitations for the introduction and spread of disease.

I am frank to say that the bill presented by the committee does not suit me in all particulars. There had to be, as is usual in perfecting important bills, concessions and compromises on the part of those who joined in reporting the bill, and I hope the proposition—considering the importance of the subject—will receive equally liberal and unselfish treatment in the Senate.

RAILROAD BRIDGE AT LITTLE ROCK, ARK.

Mr. JONES, of Arkansas. I ask the unanimous consent of the Senate to take up from the Calendar Senate bill 2198.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks unanimous consent that the pending order be informally laid aside to enable him to move the consideration of the bill (S. 2198) to authorize the building of a railroad bridge at Little Rock, Ark.

Mr. SHERMAN. I do not wish to interfere with the bill indicated by the Senator from Arkansas, but I wish to call the attention of the Senate to the state of the public business. There are several important bills awaiting action. The time of the Senate in the last week or two has been wasted, in my judgment, by taking up and laying down and taking up and laying down bill after bill. Unless the Senator from Michigan will press his bill and have it disposed of, I propose to antagonize that bill and the other bills which are occupying so much time with some other measures. I give fair notice now.

The PRESIDENT *pro tempore*. Is there objection to laying aside informally the pending order and taking up the bill indicated by the Senator from Arkansas?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2198) to authorize the building of a railroad bridge at Little Rock, Ark., which was reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That it shall be lawful for the Little Rock Bridge and Terminal Railway Company, a corporation organized under the laws of the State of Arkansas, to construct and maintain a bridge, and approaches thereto, over the Arkansas River, at a point on said river at or near the city of Little Rock, in the State of Arkansas, and to lay on and over said bridge a railroad track or tracks for the more perfect connection of any railroad or railroads that are or shall hereafter be constructed to the said river, on either or both sides thereof, at or opposite said point, under the limitations and conditions hereinafter provided; said bridge shall be constructed to provide for the passage of railway trains, and at the option of the builders and owners thereof, may be used for the passage of wagons and vehicles of all kinds, for the transit of animals of all kinds, and for foot-passengers for such reasonable rates of toll as may be approved, from time to time, by the Secretary of War as to railway trains; and as to wagons, vehicles, animals, and foot-passengers, such rates as may be provided by the laws of Arkansas.

SEC. 2. That any bridge built under this act is subject to its limitations, shall be a lawful structure, and shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, troops, and the munitions of war, or other property of the United States, than the rate per mile paid for the transportation of the same over the railroads or public highways leading to the said bridge, and it shall enjoy the rights and privileges of other post-roads in the United States. Equal privileges in the use of said bridge shall be granted to all telegraph companies; and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes.

SEC. 3. That the said bridge shall be constructed with a draw or pivot span which shall be over the main channel of the river at an accessible navigable point, and the openings on each side of the pivot pier shall not be less than 160 feet in the clear, and, as nearly as practicable, both of said openings shall be accessible at all stages of water; that the spans be not less than 10 feet above extreme high-water mark, as understood at the point of location, to the lowest point of the superstructure of said bridge; that the piers and draw rests of said bridge shall be built parallel with the current at that stage of the river which is most important for navigation, and the bridge itself at right angles thereto; and that no riprap or other outside protection for imperfect foundations be permitted to approach nearer than 4 feet to the surface of the water at its extreme low stage, or otherwise to encroach upon the channel-ways provided for in this act: *Provided*, That said draw shall be opened by the company or persons owning said bridge upon reasonable signal for the passage of boats; and there shall be maintained, at the expense of the owners thereof, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe.

SEC. 4. That all railroad companies desiring the use of said bridge shall have, and be entitled to, equal rights and privileges relative to the passage of railway trains over the same, and over the approaches to the same, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge, and the several railroad companies, or any of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon rules and condition which each shall perform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon hearing of the allegations and proofs of the parties.

SEC. 5. That any bridge authorized to be constructed under this act shall be built and located under and subject to the regulations for the security of said river, as the Secretary of War shall prescribe; and to secure that object the owner or owners thereof shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge, and a map of the location, giving for the space of 1 mile above and 1 mile below the proposed location, the topography of the banks of the river, the shore-line at high or low water, the direction and strength of the current at all stages, and the soundings, actually showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for the full and satisfactory understanding of the subject, and until such plan and location of the bridge are approved by the Secretary of War, the bridge shall not be commenced or built, and should any change be made in the plan of said bridge during the progress of construction, such change shall be subject to the approval of the Secretary of War.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved, and the right to require any changes in said structure, or its entire removal at the expense of the owners thereof, whenever the Congress shall decide that the public interest requires it, is also expressly reserved.

SEC. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date thereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT-HOUSE AT GOOSE ROCKS, MAINE.

Mr. FRYE. I desire to call up from the table the bill (S. 2506) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine, which has been returned from the other House with an amendment.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 2506) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine, which was to strike out all after the word "sites," in line 6 of the bill.

Mr. FRYE. That amendment simply strikes out the appropriating clause, and I move that the Senate concur in the amendment of the House of Representatives.

The amendment was concurred in.

NEWPORT NEWS LIGHT-HOUSE.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Virginia, which was to strike out all after the word "Virginia," in line 3 of the bill.

Mr. DANIEL. I move a concurrence in the House amendment.

The amendment was concurred in.

ORDER OF BUSINESS.

Mr. DAVIS. I ask unanimous consent that the pending order be in-

formally laid aside, and that the Senate proceed to the consideration of unobjected pension bills.

The PRESIDENT *pro tempore*. The Senator from Minnesota asks unanimous consent that the pending order be informally laid aside for the consideration of private pension bills upon the Calendar to which there is no objection. Is there objection to that course of proceeding?

Mr. PADDOCK. In the absence of the chairman of the Committee on Agriculture and Forestry, who is in charge of the pending bill——

Mr. DAVIS. He gives consent.

Mr. PADDOCK. Very well; I understand that he gives consent to the course suggested by the Senator from Minnesota.

Mr. CHACE. I object temporarily for the purpose of asking a question or two and making a few remarks, not that I intend to object to the proposition of the Senator from Minnesota.

The Senate has before it now three separate measures, all of them matters of considerable public interest, what is ordinarily termed the animal-industry bill, upon which the Senator from Nebraska has been making an address, the land-forfeiture bill, and Senate bill 554, to provide for an international copyright.

The Senator from Michigan [Mr. PALMER] having charge of the first bill which I have named has kept it before the Senate week after week, retaining his right of way and yielding occasionally for the consideration of other bills.

The copyright bill has got along so far as to a vote. The Senate adjourned the other day in the midst of a vote on an important amendment to that bill. I feel that in justice to the public, and to the parties who are interested in that measure, the Senate ought either to take some action on these other bills and get them out of the way or permit a positive assignment by which they will put the copyright bill upon its passage.

I give notice that I shall ask to-morrow at 2 o'clock to lay aside the pleuro-pneumonia or animal-industry bill and also the land-grant forfeiture bill, and I shall ask the Senate to take up, any objection to the contrary nevertheless, Senate bill 554, and proceed with that bill to a conclusion.

The PRESIDENT *pro tempore*. Order of Business 1012 is the first private pension bill on the Calendar.

Mr. DOLPH. I object temporarily for the purpose of giving a notice. I was in the chair when the Senator from Wisconsin [Mr. SPOONER] gave notice that after the disposition of the pending order of business he would move to take up the bill to regulate the manufacture and sale of gas in the District of Columbia. A previous notice had been given, I think, by the Senator from Connecticut [Mr. PLATT], if not by the Senator from Nevada [Mr. STEWART], that at the earliest opportunity a motion would be made to take up for consideration the bill for the admission of the Territory of Washington. I introduced that bill and am anxious for its early consideration, and I wish to give notice that I shall feel disposed to antagonize the motion to take up any other bill, after the disposition of the pending business, in advance of that measure. I entirely agree with the Senator from Ohio [Mr. SHERMAN] that these bills ought to be disposed of, and that we are losing ground by first taking up one bill and then another and laying them aside.

Mr. MITCHELL. As it seems to be in order to give notices, I desire to give notice (and in order that I may not interfere with any other measure I will put it so far ahead that there can be no objection) that on next Wednesday, the 9th instant, immediately after the conclusion of the morning business, I shall ask the Senate to indulge me in taking up the bill (S. 566) making an appropriation for a final survey and estimates for and the commencement of the construction of a boat railway around the obstructions to navigation at The Dalles and Celilo Falls, in the Columbia River.

This is a matter outside of the river and harbor bill. The bill has been reported unanimously from the Committee on Transportation Routes to the Seaboard, and is a measure of great local and national importance. I shall not ask the Senate to take it up for the purpose of wearying the Senate's time with a speech or anything of that kind, but for the purpose of its consideration by the Senate and action on the bill.

The PRESIDENT *pro tempore*. The pension bills on the Calendar to which there is no objection will be proceeded with in their order.

WIDOW OF JOHN LEARY.

The bill (S. 1076) granting a pension to the widow of John Leary, deceased, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of the widow of John Leary, late a first sergeant in Battery F, Third Artillery, United States Army, in the war of the rebellion, at the rate of $20 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JACOB PITNER.

The bill (S. 2371) granting a pension to Jacob Pitner was considered as in Committee of the Whole. It proposes to place on the pension-rolls the name of Jacob Pitner, late private in Company K, One hundred and ninety-second Regiment of Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH C. ANDERSON AND MINOR CHILDREN.

The bill (S. 2370) granting a pension to Sarah C. Anderson and children under sixteen years of age was considered as in Committee of the Whole. It proposes to place on the pension-rolls the name of Sarah C. Anderson, widow of William H. Anderson, late a private of the Fifth Independent Battery Ohio Light Artillery, and the names of the children under sixteen years of age of Sarah C. and William H. Anderson.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH C. TAYLOR.

The bill (S. 1482) granting a pension to Sarah C. Taylor was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah C. Taylor, a volunteer nurse in the Army during the war of the rebellion, at $25 a month during life.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE L. FLECH.

The bill (S. 2372) restoring pension to George L. Flech was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of George L. Flech, late of Company G, One hundred and fifth Ohio Volunteer Infantry, from the time of his suspension from the roll.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY J. BYRD.

The bill (S. 2334) granting a pension to Mary J. Byrd was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary J. Byrd, widow of Solomon G. Byrd, late of Company B, Forty-third Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CATHARINE K. WHITTLESEY.

The bill (S. 2274) granting a pension to Mrs. Catharine K. Whittlesey was considered as in Committee of the Whole. It was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Catharine K. Whittlesey, widow of the late Major J. H. Whittlesey, United States Army, and pay her a pension at the rate of $25 per month, in lieu of the pension she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARGARET M. MILLER.

The bill (S. 1500) granting a pension to Margaret M. Miller was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret M. Miller, of Elgin, Ill., a volunteer Army nurse during the war of the rebellion, at the rate of $25 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MANHATTON PICKETT.

The bill (S. 2301) to increase the pension of Manhatton Pickett was considered as in Committee of the Whole. It was reported from the Committee on Pensions with an amendment, in line 6, before the word "dollars," to strike out "one hundred" and insert "forty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Manhatton Pickett, late a sergeant of Company B, One hundred and twelfth Regiment New York Volunteers, to $45 per month, in lieu of the pension now authorized by law.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA M. FREEMAN.

The bill (S. 1136) granting a pension to Anna M. Freeman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anna M. Freeman, widow of Thompson P. Freeman, late private in Company F, One hundred and thirteenth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALLIE R. ALEXANDER.

The bill (S. 1009) granting an increase of pension to Sallie R. Alexander, widow of Lieut. Col. Thomas L. Alexander, United States

Army, was considered as in Committee of the Whole. It was reported from the Committee on Pensions with an amendment in line 8, before the word "dollars," to strike out "one hundred" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sallie R. Alexander, widow of the late Lieut. Col. Thomas L. Alexander, United States Army, at the rate of $50 per month, for and during her natural life, in lieu of the pension of $30 per month now paid to her.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANK PASCHKER.

The bill (S. 2263) granting a pension to Frank Paschker was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Frank Paschker, late a private in Company I, First Regiment New York Light Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH DETTIS.

The bill (S. 2575) granting a pension to Elizabeth Dettis was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Dettis, widow of Jacob Dettis, late a private in Company E, Twenty-seventh Regiment Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

H. H. RUSSELL.

The bill (S. 2609) granting a pension to H. H. Russell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of H. H. Russell, late of Company E, Seventy-fifth Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RICHARD HUDSON.

The bill (S. 2576) granting a pension to Richard Hudson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Richard Hudson, late of Company B, Third Regiment Wisconsin Volunteer Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MAGGIE A. WEED.

The bill (S. 2579) granting a pension to Mrs. Maggie A. Weed, formerly Miss Maggie A. Egan, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Maggie A. Weed, formerly Miss Maggie A. Egan, a volunteer nurse in the late war, at the rate of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OLIVER H. JUDD.

The bill (S. 2538) granting a pension to Oliver H. Judd was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Oliver H. Judd, late private Company I, Fifteenth Regiment Illinois Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

D. G. SCOOTEN.

The bill (S. 2435) granting a pension to D. G. Scooten was considered as in Committee of the Whole. It proposes to place the name of D. G. Scooten, late a private in Company H, Fifty-ninth Regiment Illinois Infantry Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JARRET SPENCER.

The bill (S. 2418) granting a pension to Jarret Spencer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jarret Spencer, late of Company H, Fifth Regiment Wisconsin Volunteer Infantry.

Mr. COCKRELL. I should like to have the report in that case read.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. SAWYER April 17, 1888:

The Committee on Pensions, to whom was referred a bill granting a pension to Jarret Spencer, have examined the same, and report:

This claimant was a member of Company H, Fifth Wisconsin Volunteers. The Adjutant-General's report shows that he was enrolled on the 13th day of August, 1862, and it appears from the record that he was continuously in service until he was mustered out with his company at Hall's Hill, Va., on the 20th of June, 1865. In his declaration he says that at Brandy Station, in the State of Virginia, on or about the 15th of February, 1864, he contracted rheumatism, resulting in paralysis, and that at the date of filing his application he suffers constantly from rheumatism, paralysis, and general debility, which disqualify him for any kind of manual labor: that he was never treated in any hospital.

The history of this man's service is remarkable. He was fifty years and seven months old when he enlisted, and he was in all the skirmishes and engagements in which his regiment participated, and which included the battles of Antietam, Marye's Heights, Chancellorsville, Rappahannock Station, Gettysburgh, the battles of the Wilderness, and around Richmond. He was never off duty, never in hospital, but the hard, continuous service at his advanced age affected him seriously, and since his discharge he has had a progressive disability. The certificate of the medical board which examined him in 1887 says: "He can feed and dress himself by taking time; can not perform manual labor; does not require constant aid and attendance, but requires watching when moving about, because he frequently falls, and when down can not rise without help." They rate him total for rheumatism and heart trouble, and total for paralysis.

He is now eighty years old. In the past year his disabilities have increased; he needs the constant care and attendance of another person, and should be so rated. A petition to Congress for his relief, and signed by nearly two hundred of his neighbors, says his wife, the mother of all his children, with whom he has lived for nearly fifty years, takes care of him, and should not be separated from him. Nevertheless, their poverty is so great that they will have to be separated by placing him in a charitable institution unless Congress extends the relief which he has earned and which, if it is to be of any use to him, must speedily be conceded.

The claim is still pending in the Pension Office. It has not been rejected, but it is awaiting testimony which, in his disabled condition, it is impossible for him to furnish without protracting the time of its completion beyond the limit of his life.

The bill is reported favorably, with a recommendation that it do pass.

Mr. COCKRELL. I wanted the record to show the reason why the Pension Committee, contrary to what I understand to be its established rules, has proposed to grant a pension in this case while the case is still pending in the Pension Office.

Mr. DAVIS. I will state to the Senator from Missouri that under the peculiar circumstances of this case, this man's advanced age and present condition, we made an exception.

Mr. COCKRELL. I think the report shows that fact clearly.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROZALIA JUNK.

The bill (S. 2310) granting a pension to Rozalia Junk was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rozalia Junk, widow of John Junk, alias John Younge, late a private of Company K, Sixth Regiment of Wisconsin Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MARY MOTT.

The bill (S. 1838) granting a pension to Mrs. Mary Mott was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Mary Mott, widow of Henry A. Mott, late lieutenant of Company K, Fifty-sixth Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALEXANDER H. WHITE.

The bill (S. 1925) granting a pension to Alexander H. White was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Alexander H. White, late a private in Company D, One hundred and forty-first New York Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MADISON M. MEREDITH.

The bill (S. 1591) granting a pension to Madison M. Meredith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Madison M. Meredith, late captain of Company D, One hundred and third Regiment Pennsylvania Volunteers, at $20 per month, in lieu of the amount he is now receiving.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report, submitted by Mr. QUAY April 17, 1888:

The Committee on Pensions, to whom was referred the bill (S. 1591) granting an increase of pension to Madison M. Meredith, having examined the same, beg leave to submit the following report:

Claimant was mustered in, November 13, 1861, as first lieutenant of Company D, One hundred and third Pennsylvania Volunteer Infantry, commissioned as captain April 10, 1862, and honorably discharged for disability July 12, 1862.

He filed his declaration March 8, 1882, alleging that before Yorktown, Va., about March or April, 1862, he contracted chronic diarrhea and rheumatism and fistula.

He was granted a pension, to date from March 8, 1882, at $8.50 per month, with rank of first lieutenant, for chronic rheumatism.

Upon application of claimant his rating was corrected, and his pension increased to $10, as of the rank of captain. The claim for pension for fistula was rejected, the Pension Office deciding that claimant had not conclusively proven the existence of the disability since the war.

The papers on file in the Bureau of Pensions make the following exhibit:

First, that claimant was strong and healthy before his enlistment.

Second, that claimant contracted hemorrhoids or fistula while in the service and line of duty. The certificate of the regimental surgeon, upon which claimant was discharged July 12, 1862, was as follows: "I certify that I have carefully examined the above-mentioned officer, and find him suffering with chronic rheumatism and hemorrhoids, and that he is unable to perform the duties required of him, and has been since the 10th of May, 1862, and in my opinion ever will be."

Third, that claimant was still suffering from fistula May 6, 1885, when examined by the medical examining board. The board reports: "There is a blind internal fistula (internal opening 1 inch from anal margin) on right side, which applicant thinks resulted from diarrhea."

This board, as a result of this examination, rated claimant one-half of total for rheumatism and one-half of total for fistula.

Claimant was unable to conclusively prove the continuance of fistula from the date of the regimental surgeon's certificate (upon which claimant was discharged) until the medical board's examination, May 6, 1885, chiefly owing to the death of the physician who attended him after his discharge. But from all the evidence in the case your committee are of the opinion that the disability now existing is a continuation of that contracted in the spring of 1862, and that this bill simply gives the claimant the total pension to which he was entitled under the finding of the board of medical examiners, and under the evidence on file in the Bureau of Pensions. They therefore report the bill with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM SMITH.

The bill (S. 1926) granting a pension to William Smith was considered as in Committee of the Whole. It was reported from the Committee on Pensions with an amendment, in line 5, before the word "dollars," to strike out "fifty" and insert "forty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, at the rate of $45 per month, subject to the provisions and limitations of the pension laws, the name of William Smith, late a private in Company H, Ninety-third Pennsylvania Volunteers, this act to take effect from its passage, and the pension hereby granted to be in lieu of that which he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading; and was read the third time, and passed.

PIERRE BOTTINEAU.

The bill (S. 2713) granting a pension to Pierre Bottineau was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Pierre Bottineau, at the rate of $25 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN EDSON.

The bill (S. 915) granting a pension to Susan Edson was considered as in Committee of the Whole. It was reported from the Committee on Pensions with an amendment, in line 6, after the words "rate of," to strike out "seventy-two" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Susan Edson, M. D., a volunteer surgical nurse in the late war of the rebellion, at the rate of $25 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

R. H. BLACKISTON.

The bill (S. 1988) granting a pension to R. H. Blackiston was considered as in Committee of the Whole. It proposes to place on the pension-roll, at the rate of $72 per month, the name of H. R. Blackiston, late an acting master in the United States Navy.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MAHALA DEXTER.

The bill (H. R. 4104) granting a pension to Mahala Dexter was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mahala Dexter, dependent mother of Henry H. Dexter, late of Company M, Second Massachusetts Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM B. JOHNSON.

The bill (H. R. 428) granting a pension to William B. Johnson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William B. Johnson, late of Company D, Thirty-ninth Regiment Iowa Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN B. COVERT.

The bill (S. 2314) granting a pension to John B. Covert was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John B. Covert, late a private in Company B, One hundred and forty-seventh Regiment Pennsylvania Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. EMELINE ANDERSON.

The bill (S. 2366) granting a pension to Mrs. Emeline Anderson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Emeline Anderson, widow of Jeff Anderson, late a private in Company K, First Regiment Minnesota Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN J. SNEDAKER.

The bill (S. 2313) granting a pension to Ellen J. Snedaker was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ellen J. Snedaker, the dependent mother of James W. Snedaker, late second lieutenant of Company D, One hundred and eleventh Regiment New York State Volunteers, and of Albert I. Snedaker, late a private in the same company and regiment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HANNAH BABB HUTCHINS.

The bill (S. 1540) granting a pension to Hannah Babb Hutchins was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Hannah Babb Hutchins, a volunteer nurse in the war of the rebellion, and to pay her a pension during life of $25 per month, in lieu of the one now received by her.

Mr. COCKRELL. I should like to hear the report read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report, submitted by Mr. DAVIS April 17, 1888:

The Committee on Pensions, to whom was referred the bill (S. 1540) granting a pension to Hannah Babb Hutchins, have examined the same, and report:

A bill of like tenor was favorably reported on by this committee at the first session of the Forty-ninth Congress, granting the claimant a pension for services rendered and disabilities resulting from her labors as nurse during the late war. Adopting the views expressed in such report, the committee report the bill favorably, and recommend its passage.

[Report Forty-ninth Congress, first session.]

The evidence and attendant circumstances of this case are set forth in the following report of the Committee on Invalid Pensions of the House of Representatives (House Report No. 1058) made during the present session:

Mrs. Babb makes the following presentment of her case in petition addressed to Congress:

"The undersigned, Hannah B. Hutchins, a resident of Freeport, in the State of Maine, respectfully represents: That at the time of the breaking out of the civil war she had recently lost her husband and four children; that her name was then Hannah Babb; that in response to the advertisement of the Government for nurses she offered her services in the capacity of a nurse, and on the 1st day of June, 1862, received a dispatch to report immediately at Washington, and that she did so at once; that upon arriving there she signed enlistment papers as a nurse, and mustered into the United States service as a nurse; that she served in that capacity three years and three months in the hospitals in and about Washington, and received pay at the rate of $12 per month and one ration; that she used the money received for pay largely for the purposes of procuring necessary delicacies for the sick and wounded soldiers; that on the 1st day of January, 1865, while engaged in said service at the Harewood Hospital, in Washington, in passing from ward 12 to ward 10, she slipped on the outside steps and fractured her ribs and injured herself otherwise severely; that she was confined to her quarters for a month, and after partially recovering again commenced services as a nurse; that on the 31st day of July, 1865, she was discharged at that hospital; that she returned to Maine, and subsequently married Solomon S. Hutchins, who died in 1880, leaving her a widow with no means of support; that her injury aforesaid affected her so that she was unable to labor and was obliged to be a patient for some eight months in the Maine General Hospital, whereby she got partially relieved, but has never been able to perform any manual labor; that she is seventy-six years of age and entirely without means of support; that she believes she is justly entitled to aid from the nation precisely as if she had been a soldier and been incapacitated from labor by injury received in the line of duty, but that she is informed that there is no law of the nation under which she would be entitled to a pension, as the laws for those purposes do not include nurses. She therefore prays that she may be granted a pension."

In connection with this petition is the following certificate by Josiah H. Drummond, dated December 27, 1885:

"I hereby certify that I have known the above-named Mrs. Hutchins for nearly twenty years; that I have personal knowledge that the statements in the foregoing petition as to matters happening during that time are all true; also that she is very poor, and has had to depend upon charity for support, although being an excellent nurse, she could support herself but for her disability. The State of Maine, upon a hearing of her case, granted her a pension for two years from January 1, 1885. She has no relations able to assist in her support, and she must have aid from the public, and must go to the poor-house unless she has it in some other way.

The efficient and faithful character of Mrs. Babb's services in the hospitals are attested by Mrs. H. B. Corts, M. Hoard, Elvina Bliss Sheldon, Harriet P. Dame, and Caroline A. Burghardt, M. D., members of the Army Nurse Association, all of whom speak from personal knowledge of her services. Twenty-five members of the Soldiers' Aid Society and other citizens of Chelsea, Mass., testify to her fidelity as an army nurse. They say:

"We knew her before the war as a worthy woman, and during the war some of us were in constant correspondence with her, forwarded her supplies from the above-named [Soldiers' Aid Society] and from individuals. Her services and sacrifices seem to entitle her to recognition by the Government, and we earnestly commend her to the favor of Congress."

Dr. Albion Cobb, of Webb's Mills, Me., who was on duty at the Harewood Hospital, writes that she was one of the best nurses there; that he remembers of her sick in the nurses' quarters, but has forgotten the cause of it.

Dr. David Dana Spear, of Freeport, Me., certifies under date January 14, 1886, that she has been his patient since 1880, treated for chronic diarrhea, and has known of her being treated for this and other troubles at the Maine General Hospital.

Dr. Charles O. Hunt, resident physician and superintendent of said hospital, certifies:

"Mrs Hannah B. Hutchins has been under treatment at this hospital since April 23, 1883, for cystocele, for which she has been obliged to have a surgical operation performed. She claims that the trouble was originated by a fall received while in the employ of the Government as a nurse in one of the army hospitals during the late war. I have no doubt that she has suffered much from this disease in the past, and that it has proved a real hinderance to her gaining a livelihood by her labor, and if there is any way by which such cases could be pensioned and her claims as above are substantiated, I think she richly deserves to be remembered by the Government she has served so well, now that age and infirmity render her unable to support herself."

James M. Bates, M. D., formerly surgeon of the Thirteenth Maine Regiment, makes a certificate, which Dr. Spear indorses:

"I have known Mrs. Hannah Babb, now Mrs. Hutchins, for several years past, and at one time attended her professionally for an extensive humor in her hands, wrists, and arms, which she supposed to be the result of blood poisoning, which she received while performing the duties of hospital nurse during the late civil war. She also complained, and does now, of pain and lameness in the region of the spine, between the shoulders, which she believes to be the result of slipping and falling on some door-steps at Harewood Hospital, while performing the duties of nurse. I know of no other cause for the disabilities named above, and consider Mrs. Hutchins a perfectly reliable woman, and any statement which she may make entitled to credit."

The evidence seems to disclose a meritorious case, which entitles Mrs. Hutchins to the same consideration accorded others of her class. The committee accordingly recommend the passage of the bill.

This bill passed the House at $12, having been reduced to that amount by the committee, mainly on the ground, as your committee are advised, that this lady was paid at the time for her services. The evidence before your committee shows that what little money she did receive was used for the purpose of purchasing necessary delicacies for the sick and wounded soldiers and food for herself; so that in no real sense did she receive compensation. She is now old, in poverty, and helpless, suffering by reason of disabilities incurred in her service.

The evidence shows that $12 per month will not be enough to relieve her necessities, and there appears to be no valid reason why she should not receive the same amount which in several other cases has been granted to other nurses. Her appeal that her services and sufferings be thus recognized is strongly urged by the Army Nurses' Association.

In view of all these facts your committee report back the bill with a recommendation that it do pass, with the following amendment: Strike out the word "twelve," in line 6, and insert in lieu thereof the words "twenty-five."

Mr. COCKRELL. I thought the committee had adopted a rule allowing $12 a month as the pension for these nurses.

Mr. DAVIS. The rule of the committee in cases of this character has been $25 a month. The second page of the report is covered with evidence confirming the petition.

Mr. COCKRELL. I have seen the evidence there. I wish to call the attention of the Senate to the fact that this lady was a nurse, and received a regular monthly compensation of $12 per month. We have heretofore heard it said that the nurses were voluntary, and performed their services without any compensation. The report in this case flatly contradicts that position.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN C. ABBOTT.

The bill (S. 2246) granting a pension to John C. Abbott was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John C. Abbott, late a private of Company B, Second Illinois Artillery.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FANNY WILLIAMS.

The PRESIDENT *pro tempore*. Order of Business 1086, House bill 335, is the next pension bill on the Calendar favorably reported.

Mr. FAULKNER. I was requested by the Senator from Florida [Mr. PASCO] to ask when Order of Business 1064 was reached (which I reported adversely, and which he asked to be put upon the Calendar), that it be indefinitely postponed, as he did not understand the reasons for the action of the committee, and the report was really in the interest of the claimant, as the case is now pending in the Pension Bureau. The Senator from Florida desired me to ask that the bill be indefinitely postponed when it was reached.

The PRESIDENT *pro tempore*. The title of the bill will be stated.

The CHIEF CLERK. A bill (S. 2236) granting a pension to Fanny Williams, widow of William H. Williams, a lieutenant in the Seminole war.

The PRESIDENT *pro tempore*. The report of the committee will be agreed to, and the bill indefinitely postponed, if there be no objection.

GENERAL W. E. WOODRUFF.

The bill (H. R. 335) granting a pension to General W. E. Woodruff was considered as in Committee of the Whole. It proposes, in recognition of meritorious service, to place the name of General W. E. Woodruff, of Kentucky, on the pension-roll at the rate of $50 per month.

Mr. COCKRELL. Let the report be read in this case.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report submitted by Mr. SAWYER April 23, 1888:

The Committee on Pensions, to whom was referred a bill granting a pension to General W. E. Woodruff, have examined the same, and report:

This bill passed the House on the 13th of April. The House report is adopted and is as follows:

"General W. E. Woodruff was a soldier in the Mexican war. He was one of the first Kentuckians to respond to President Lincoln's call for troops at the outbreak of the civil war. He was the organizer and drill-master of both the First and Second Kentucky Regiments, and rendered great service in keeping his State in the Union. He was captured early in the war, and was one of the first prisoners confined in the Libby prison at Richmond. He was one of the five Union officers who were held as hostages and sentenced to death in the event of the execution of certain Confederates who were confined at Philadelphia as pirates."

"The gallows on which he was to be hung was constructed and was erected in sight of his window. He was thus held four months under death sentence, in full view of the scaffold, until the United States Government agreed to treat the Philadelphia prisoners as prisoners of war. Whilst on duty in West Virginia he was thrown from his horse and suffered internal injuries from which he has never recovered. General Woodruff was a brave and gallant officer, and has suffered greatly for his devotion to the Union cause. He is now over sixty years of age, infirm, and without resources.

"Your committee think the modest sum of $50 a month asked by him should be cheerfully allowed."

The bill is reported favorably with a recommendation that it do pass.

Mr. COCKRELL. I should like to ask if this officer was pensioned in the Pension Office? Has there ever been any pension granted to him?

Mr. SAWYER. No, I think not. It is a House bill.

Mr. COCKRELL. Did he apply there for a pension?

Mr. SAWYER. I do not remember about that; I have had so many cases to examine. I am quite willing that the bill shall go over, if the Senator from Missouri desires to look into it.

Mr. COCKRELL. I do not desire to object to it, but let it stand over for the present, retaining its place on the Calendar.

The PRESIDENT *pro tempore*. The bill will be passed over, retaining its place on the Calendar.

FRANCIS DANIELS.

The bill (H. R. 2664) for the relief of Francis Daniels was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Francis Daniels, of Cropseyville, N. Y., late a private in Company H, One hundred and twenty-fifth Regiment of New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY M'GRATH.

The bill (H. R. 404) for the relief of Mary McGrath was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary McGrath, dependent mother of Peter McGrath, deceased, late of Company F, Twenty-seventh Regiment Michigan Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA SHREEVE.

The bill (H. R. 3735) granting a pension to Eliza Shreeve was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza Shreeve, widow of Alfred T. Shreeve, late of Company A, Sixth Regiment Maryland Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. JEANNIE STONE.

The bill (H. R. 401) granting a pension to Mrs. Jeannie Stone was considered as in Committee of the Whole. It proposes to pay to Mrs. Jeannie Stone, widow of General Charles P. Stone, a pension.

Mr. SAWYER. I move to amend the bill by adding: "at the rate of $50 per month."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. SAWYER. I move that the Senate ask for a conference on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. DAVIS, Mr. HOAR, and Mr. TURPIE were appointed.

Mr. SAWYER. I ask that the bill (S. 1161) granting a pension to Mrs. Jeannie Stone, widow of General Charles P. Stone, be indefinitely postponed.

The PRESIDENT *pro tempore*. If there be no objection, the vote by which the bill was ordered to a third reading and passed will be reconsidered, and the bill will be postponed indefinitely.

JOSEPH PERRY.

The bill (H. R. 138) granting a pension to Joseph Perry was considered as in Committee of the Whole. It proposes to place the name of Joseph Perry, of Dearborn County, Indiana, late a private in Capt. Joseph H. Burkam's company, Twelfth Regiment of Indiana Militia, on the pension-roll, he having been disabled while in the line of duty in the military service in the late war.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN KINNEY.

The bill (H. R. 7882) granting a pension to John Kinney was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Kinney, late private Company M, First Regiment Ohio Heavy Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY H. STUTSMAN.

The bill (H. R. 680) granting a pension to Henry H. Stutsman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry H. Stutsman, late of Company F, Thirteenth Regiment Iowa Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROYAL J. HIAR.

The bill (H. R. 879) granting a pension to Royal J. Hiar was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Royal J. Hiar, late of Company K, First Regiment Michigan Engineers and Mechanics Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. FOGLE.

The bill (S. 2333) granting a pension to George W. Fogle was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George W. Fogle, Company G, Sixty-second Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN WHITE DOWLING.

The bill (S. 1481) granting a pension to Ellen White Dowling was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ellen White Dowling, a volunteer nurse in the Army during the war of the rebellion, at $25 a month during life.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LYDIA K. WHITE.

The bill (S. 1269) granting a pension to Lydia K. White was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lydia K. White, a volunteer nurse in the late war, during life at $25 a month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN TAYLOR.

The bill (S. 2058) to increase the pension of John Taylor was considered as in Committee of the Whole. It proposes to increase the pension of John Taylor, late of Battery M, Third New York Light Artillery, from twelve to sixteen dollars per month, on account of gunshot wound of the head and its results.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATHAN B. RARICK.

The bill (S. 2578) granting a pension to Nathan B. Rarick was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Nathan B. Rarick, late a private of Company F, Thirty-ninth Regiment Illinois Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES E. KABLER.

The bill (S. 2616) granting a pension to James E. Kabler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James E. Kabler, late a private in Company I, Tenth Regiment Kentucky Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALONZO H. GREGORY.

The bill (H. R. 5311) granting a pension to Alonzo H. Gregory was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Alonzo H. Gregory, of Company H, Fifteenth Regiment Vermont Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER CLARK, JR.

The bill (H. R. 6971) to pension Peter Clark, jr., was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Peter Clark, jr., of Atchison, Kans., late of Company H, Second Illinois Light Artillery.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID L. PARTLOW.

The bill (H. R. 8185) granting a pension to David L. Partlow was considered as in Committee of the Whole. It proposes to place on the pension-rolls the name of David L. Partlow, father of David S. Partlow, late of Company A, Fifth Regiment Minnesota Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DAVID W. SEELY.

The bill (H. R. 5195) granting a pension to David W. Seely was considered as in Committee of the Whole. It proposes to place the name of David W. Seely on the pension-roll.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report, submitted by Mr. SAWYER April 24, 1888:

The Committee on Pensions, to whom was referred a bill granting a pension to David W. Seely, have examined the same and report:

This bill passed the House, and the report, which is as follows, is adopted:

"The applicant in this case was a member of Lieut. R. Crandall's company, of the Minnesota State Militia, called out to fight the Indians in 1865. In 1866 he filed an application in the Pension Office for pension, which was rejected on the ground that the injury was not received in actual engagement with the Indians.

"It seems that while he was in pursuit of the Indians with his company, by the accidental discharge of his gun he was wounded in the left arm, rendering amputation necessary. The facts as herein set forth seem to be fully established. Had the wound been received in an actual engagement with the Indians claimant would have been entitled to and would have received a pension under the general laws.

"Your committee feel that the man was actually engaged in protecting the frontier from the hostile Indians, and that the technicality ought to be waived."

The bill is reported favorably, with a recommendation that it do pass.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY G. CROCKER.

The bill (H. R. 4579) granting a pension to Mary G. Crocker, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary G. Crocker, widow of George W. Crocker, late of the Seventy-fifth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROSANNA ROBEY.

The bill (H. R. 4491) granting a pension to Rosanna Robey was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rosanna Robey, widow of Phineas S. Robey, deceased, late of Company L, Third Wisconsin Cavalry Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM L. EDDY.

The bill (S. 2763) granting a pension to William L. Eddy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William L. Eddy, late a private in Company F, Seventh Regiment Massachusetts Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LENA NEUNINGER.

The bill (S. 2452) placing the name of Lena Neuninger on the pension-rolls, was considered as in Committee of the Whole. It proposes to place on the pension-rolls the name of Lena Neuninger, widow of John Neuninger, deceased, late second lieutenant Company I, One hundred and ninety-sixth Regiment Ohio Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BRIDGET WHITE.

The bill (S. 2450) placing the name of Bridget White on the pension-rolls was considered as in Committee of the Whole. It proposes to place the name of Bridget White, widow of William White, deceased, late private Company I, Eleventh Regiment Ohio Volunteer Infantry, on the pension-rolls.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH E. M'CALEB.

The bill (H. R. 6609) for the relief of Sarah E. McCaleb was considered as in Committee of the Whole. The Committee on Pensions reported an amendment, in line 6, to change the name "Hebert" to "Hubert;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah E. McCaleb, widow of the late Hubert A. McCaleb, of Company I, Eleventh Illinois Infantry.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

WINEMAH RIDDELL.

The bill (S. 2126) to pension Winemah Riddell was considered as in Committee of the Whole. The Committee on Pensions reported an amendment, in line 7, after the words "sum of," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Winemah Riddell, and to pay her, from and after the passage of this act, during life, the sum of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWIN E. CHASE.

The bill (S. 2571) granting a pension to Edwin E. Chase was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Edwin E. Chase, late of Company B, Third Regiment Massachusetts Cavalry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MATILDA WILKINS EMORY.

The bill (S. 2547) to increase the pension of Mrs. Matilda Wilkins Emory was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Matilda Wilkins Emory, widow of the late Brig. Gen. William H. Emory, United States Army, at $50 per month, in lieu of the pension she now receives.

Mr. COCKRELL. Is there a report in that case?

The PRESIDENT *pro tempore*. Report No. 1097. Does the Senator from Missouri desire to have it read?

Mr. COCKRELL. Let it be read, please.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report, submitted by Mr. DAVIS April 24, 1888:

The Committee on Pensions, to whom was referred the bill (S. 2547) to increase the pension of Mrs. Matilda Wilkins Emory, have examined the same, and report:

The committee report favorably upon the bill under consideration and recommend it for passage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELLEN SHEA.

The bill (H. R. 1579) granting a pension to Ellen Shea was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ellen Shea, mother of Michael Shea, late of Company A, Thirteenth Illinois Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE BLACK.

The bill (H. R. 3554) granting a pension to Catharine Black was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catharine Black, widow of Patrick W. Black, deceased, late a first lieutenant in Company F, Ninth Massachusetts Volunteers, also captain of Company B, Twenty-eighth Massachusetts Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. M'KEEHAN.

The bill (H. R. 6576) for the relief of James M. McKeehan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James M. McKeehan, late private in Company G, Seventh Kentucky Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILSON C. MOLES.

The bill (H. R. 3844) granting an increase of pension to Wilson C. Moles was considered as in Committee of the Whole. It proposes to increase the amount of pension paid to Wilson C. Moles, late Company H, First Ohio Heavy Artillery, from $50 to $72 per month.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report, submitted by Mr. DAVIS, April 24, 1888:

The Committee on Pensions, to whom was referred the bill (H. R. 3844) granting a pension to Wilson C. Moles, have examined the same, and report:

Your committee have reported favorably several bills involving the same principle as the present one, and they therefore recommend the passage of this bill. The report of the House committee is subjoined.

HOUSE REPORT.

The claimant in this case was pensioned for partial paralysis, receiving $8 per month from March 3, 1864, $15 from May 1, 1869, $18 from June 4, 1872, $24 from August 9, 1880, and $50 from May 27, 1885. This is the highest rate that can be allowed in this case by the Pension Office, because the claimant does not come under the provisions of the act of June 16, 1880, not being on the pension-roll at that time for $50 per month.

The files in the Pension Office show that though comparatively a young man, having enlisted in the service when only a little more than sixteen years of age, he is a complete wreck.

The report of the examining board of surgeons at Marysville, Kans., after describing the disabilities, add:

"This man is certainly a pitiable subject, dependent upon the kindness of friends for everything. He requires the regular aid and attendance of another person."

Affidavits filed in the case show that from the effects of the paralysis the soldier has lost all control of his bowels, and has to be cared for as an infant would be. His condition is certainly worse than that of a man who has lost the sight of both eyes, or of one who has lost both legs or both arms, and is otherwise in good health. The present pension is inadequate to provide for his comfortable support and to pay for necessary medical attendance. It is not possible for him to live many months, and your committee believe that it is the duty of the Government to make him as comfortable as possible for the short time he can live.

Your committee therefore report favorably, and recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY F. JENNINGS.

The bill (H. R. 5545) granting a pension to Nancy F. Jennings was considered as in Committee of the Whole. It proposes to put the name of Nancy F. Jennings, widow of William Jennings, late of Company F, Thirteenth Regiment Michigan Cavalry, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. SAYERS.

The bill (H. R. 3180) granting a pension to John H. Sayers was considered as in Committee of the Whole. It proposes to place upon the pension-roll the name of John H. Sayers, late captain of Company H, Twenty-sixth Regiment of Michigan Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH WARD.

The bill (H. R. 6582) granting a pension to Elizabeth Ward was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Ward, wife of Joseph S. Ward, late a private in Company B, Seventy-second Enrolled Missouri Militia.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA GRAY.

The bill (H. R. 2071) for the relief of Martha Gray was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martha Gray, widow of Charles Gray, deceased, formerly of Company A, Fourth Illinois Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOWARD S. ABBOTT.

The bill (H. R. 3158) increasing the pension of Howard S. Abbott, was considered as in Committee of the Whole. It proposes that the pension of Howard S. Abbott, certificate 73522, late adjutant of the Seventy-eighth Ohio Volunteer Infantry, be increased from $17 to $30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID M. RENNOE.

The bill (H. R. 6379) to increase the pension of David M. Rennoe was considered as in Committee of the Whole. It proposes to increase the pension of David M. Rennoe, late private in Company H, Twenty-ninth Regiment Indiana Volunteers, to $40 per month, for disability resulting from wounds in left foot, neck, and hand.

Mr. COCKRELL. Let the report be read in that case.

The PRESIDENT *pro tempore*. The report will be read.

The Secretary read the following report, submitted by Mr. DAVIS April 24, 1888:

The Committee on Pensions, to whom was referred the bill (H. R. 6379) granting a pension to David M. Rennoe have examined the same and report:

The grounds on which this increase is asked are set out in the following report of the House committee.

Your committee concur in the conclusion therein reached, and recommend the passage of the bill.

This claimant, David M. Rennoe, enlisted as a private in Company H, Twenty-ninth Indiana Volunteers, November 29, 1861, and was honorably discharged March 23, 1863, for gunshot wounds received at the battle of Murfreesborough, Tenn., December 31, 1862.

Claimant was pensioned December 28, 1863, at the rate of $8 per month, for loss of right foot, which was increased from time to time by the Pension Department until he received a pension for total third grade. At the session of the Forty-ninth Congress a special act was passed, June 4, 1886, increasing his pension to $30 per month, because of wounds of left foot, neck, and hand. Subsequent to the passage of the aforesaid act a general act of Congress was passed August 4, 1886, increasing the rate for total disability of right foot to $30 per month. Since the passage of the aforesaid act he continued to receive only $30 per month, or the rate for the disability of right foot, and nothing for the disabilities of foot, neck, and hand.

By the ruling of the Pension Bureau the special act for his relief, passed June 4, 1886, must govern, and therefore the general act of August 4, 1886, which increased the rate on his disability of right foot to $30 per month, is made to repeal the effect of the special act of June 4, 1886, which increased his pension from $24 to $30 per month because of wounds of left foot, neck, and hand, and this bill for an increase of pension is to secure what Congress by special act allowed him for the last-named disabilities, but which has not been permitted by the Pension Bureau since the approval of the general act of August 4, 1886.

The evidence now on file in this case discloses the following facts: Soldier was wounded at the battle of Murfreesborough, Tenn., December 31, 1862, the ball passing through the left foot, just in front of the astragalus and os calcis bones, and through the center of the os calcis of the right foot, fracturing the bone in many pieces. Three months after soldier was discharged from the service on account of said wounds. In discharge it is stated "gunshot wound, fracture of the right and left metatarsals; disability total."

In a short time after the arrival of soldier at home it became necessary to amputate the right foot to save his life. The board of examining surgeons at South Bend, Ind., make the following report upon examination:

"Pensioner's right foot is off about 18 inches above the ankle; left foot shot through below and a little forward of the ankle joint. We find the foot tender, and he is not capable of walking or being on his left foot much on account of the lameness and soreness it produces; foot looks tender and red. The wounds of neck and hand are not painful, and, he says, do not trouble him. We find his disability as described above to be equal to and entitling him to total third grade for loss of right foot, and one-half total for wound of left foot."

The evidence of the examining surgeons and the citizens of his home clearly establish the fact that the soldier is now receiving a pension only for the amputation of right leg, and nothing on the wounds of the left foot, neck, or hand, and that soldier is unable for the performance of manual labor.

The committee, being unanimously of the opinion that claimant is entitled to

the benefit of the general act of August 4, 1886, submit a favorable report and recommend the passage of the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. LEPHA A. OSBORN.

The bill (H. R. 5966) granting a pension to Mrs. Lepha A. Osborn was considered as in Committee of the Whole. It proposes to place the name of Mrs. Lepha A. Osborn, widow of Henry A. Osborn, late corporal Company C, One hundred and eleventh Regiment Pennsylvania Volunteers, and of Company E, One hundred and twenty-eighth Ohio Infantry Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MRS. THEODORA M. PIATT.

The bill (H. R. 2282) granting a pension to Mrs. Theodora M. Piatt was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Theodora M. Piatt, widow of Benjamin M. Piatt, late a captain and assistant adjutant-general of United States Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FARNAREN BALL.

The bill (H. R. 4580) granting a pension to Farnaren Ball was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Farnaren Ball, mother of Augustus F. Coldecott, late private in Company F, Seventy-fifth Regiment New York Volunteers, war of the rebellion.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. HESTER.

The bill (H. R. 8164) granting a pension to William H. Hester was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William H. Hester, late of Company M, Nineteenth Kansas Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN G. MERRITT.

The bill (S. 2738) granting an increase of pension to John G. Merritt was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John G. Merritt, late a sergeant of Company K, First Regiment Minnesota Volunteer Infantry, at $45 per month, in lieu of the pension he now receives.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MARY M. ORD.

The bill (S. 2663) granting an increase of pension to Mrs. Mary M. Ord, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Mary M. Ord, widow of the late General E. O. C. Ord, at the rate of $100 per month, in lieu of the pension she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM J. MILLER.

The bill (H. R. 4519) granting a pension to William J. Miller was considered as in Committee of the Whole. It proposes to place the name of William J. Miller, of Salina, Kans., late a private in Company G, One hundredth Pennsylvania Volunteers, on the pension-roll.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAFAYETTE LAKIN.

The bill (H. R. 8211) to pension Lafayette Lakin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lafayette Lakin, late of United States steam-ship Albany.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NOAH S. CRAMER.

The bill (H. R. 5237) granting a pension to Noah S. Cramer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Noah S. Cramer, late of the United States Navy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH TWIGG.

The bill (H. R. 5847) granting a pension to Elizabeth Twigg was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Twigg, as dependent mother of Henry Twigg, late a member of Company H, Fourteenth Regiment United States Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALLY A. RANDALL.

The bill (H. R. 88) granting a pension to Sally A. Randall was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sally A. Randall, widow of Antipas Taber, who served as private in the war of 1812.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HANNAH VARQUISON.

The bill (H. R. 431) granting a pension to Hannah Varquison was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Hannah Varquison, widow of John M. Varquison, late private in Company A, One hundred and forty-first Regiment of Pennsylvania Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALETTA V. QUICK.

The bill (H. R. 7181) granting a pension to Aletta V. Quick was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Aletta V. Quick, dependent mother of Abram Quick, late sergeant-major of Thirteenth Regiment New Jersey Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYRENIUS G. STRYKER.

The bill (H. R. 5234) granting a pension to Cyrenius G. Stryker was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Cyrenius G. Stryker, late a private in Company A, Thirtieth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILHELMINA KUHLMANN.

The bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Wilhelmina Kuhlmann, widow of Frederick Kuhlmann, deceased, late private in Company F, Twentieth Regiment New York Volunteers.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN E. SMITH.

The bill (H. R. 130) granting a pension to John E. Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John E. Smith, late a private in Company B, Fifty-ninth Regiment Indiana Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA M. SCANDLIN.

The bill (S. 2779) granting a pension to Eliza M. Scandlin was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Eliza M. Scandlin, widow of William G. Scandlin, late a chaplain in the Fifteenth Regiment Massachusetts Volunteer Militia, at the rate of $12 a month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES H. SMITH.

The bill (H. R. 5249) granting an increase of pension to Charles H. Smith was considered as in Committee of the Whole. It proposes to increase the present pension of Charles H. Smith, late corporal, Company K, Seventy-sixth New York Volunteers, from $31.25 to $72 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH J. FOY.

The bill (S. 2829) granting a pension to Sarah J. Foy was considered as in Committee of the Whole. It proposes to place on the pension-roll, at the rate of $25 per month, the name of Sarah J. Foy, late a nurse in the Second Vermont Regiment Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN B. TIMBERMAN.

The bill (S. 2606) granting a pension to John B. Timberman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John B. Timberman, late private in Company G, Thirty-fourth Regiment of Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LYDIA HAWKINS.

The bill (S. 2655) granting a pension to Lydia Hawkins was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Lydia Hawkins, widow of Richard Hawkins, late private in Company D, Fifty-seventh Regiment of Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WIDOW AND CHILDREN OF PATRICK FRAWLEY.

The bill (S. 2656) granting a pension to the widow and minor children of Patrick Frawley was considered as in Committee of the Whole. It proposes to place on the pension-roll the names of the widow and minor children of Patrick Frawley, late a private in Company C, Tenth Regiment Ohio Volunteers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MRS. EMMA DILL.

The bill (S. 2638) granting a pension to Mrs. Emma Dill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Emma Dill, widow of William Dill, late a captain Company D, Thirty-fifth Iowa Volunteer Infantry, at the rate of $20 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BARTOLA THEBANT.

The bill (S. 2629) to pension Bartola Thebant, a soldier in the Florida Seminole Indian war of 1849 and 1850, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bartola Thebant, a soldier in the Florida Seminole Indian war of 1849 and 1850.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALLEN BLETHEN.

The bill (S. 2700) granting increase of pension to Allen Blethen was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Allen Blethen, late of Company H, One hundred and twenty-fourth Ohio Volunteers, at the rate of $24 per month, in lieu of that which he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANN E. COONEY.

The bill (S. 1822) granting a pension to Ann E. Cooney was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ann E. Cooney, a volunteer army nurse during the late rebellion, and to pay her, during life, a pension of $25 per month, in lieu of the pension now received by her.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ERNST HEIN.

The bill (S. 2413) granting an increase of pension to Ernst Hein was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ernst Hein, late a private in Company H, Eighteenth Massachusetts Volunteers, at such a rate and increase over and in addition to the pension now received by him as he may be entitled by reason of gunshot wound in the index finger of the left hand.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BRIDGET A. MURPHY.

The bill (S. 2052) for the relief of Bridget A. Murphy was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bridget A. Murphy, widow of Thomas Murphy, deceased, formerly of Company I, Twenty-third Regiment Illinois Volunteer Infantry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARTHA V. COLEMAN.

The bill (S. 1264) granting a pension to Martha V. Coleman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martha V. Coleman, a volunteer nurse in the late war, for life, at $25 a month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANNA SLATER.

The bill (S. 1319) granting a pension to Anna Slater was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Anna Slater, a volunteer nurse in the late war, giving her, during life, the sum of $25 a month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELVIRA M. DORMAN.

The bill (S. 2830) granting increase of pension to Elvira M. Dorman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elvira M. Dorman, minor child of James Dorman, late of Company A, First Kansas Cavalry, at the rate of $14 per month, in lieu of that which she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NANCY VAN DYNE.

Mr. SAWYER. I ask leave to report from the Committee on Pensions and have put on its passage a pension bill which I neglected to report heretofore. I report without amendment the bill (H. R. 7094) granting a pension to Nancy Van Dyne. I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Nancy Van Dyne, mother of James B. Van Dyne, who was a private in Company B, Thirty-third New York Volunteers, and late orderly sergeant in Company I, First Regiment New York Veteran Cavalry.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

Mr. COCKRELL. I call attention to the wording of the latter part of that bill.

The PRESIDENT *pro tempore*. It will be again read.

The CHIEF CLERK. "Subject to the provisions and limitations of the of the pension laws."

Mr. COCKRELL. I move to strike out one of the "of the's."

Mr. SAWYER. I thought of that, but then we should have to send it back to the House and it would cause more bother than it is worth. It does not amount to anything.

Mr. COCKRELL. Is it a House bill?

Mr. SAWYER. Yes; the repetition will not do any hurt.

Mr. COCKRELL. Let it go.

The bill was passed.

PUBLIC BUILDING AT ASHEVILLE, N. C.

Mr. RANSOM. I ask leave by unanimous consent to call up Order of Business 1163, House bill 1697.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY H. SIBLEY'S REPRESENTATIVES.

Mr. DANIEL. I ask the Senate to take up Order of Business 1163, Senate bill 518, the second on the Calendar below the one just read.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 518) for the relief of the legal representatives of Henry H. Sibley, deceased.

Mr. HOAR. I move to amend in line 4 by striking out "W." and inserting "H.;" so as to read "Henry H. Sibley."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT WOONSOCKET, R. I.

Mr. ALDRICH. I ask unanimous consent for the consideration of Order of Business 1012, Senate bill 165.

There being no objection, the bill (S. 165) for the erection of a public building in the city of Woonsocket, R. I., was considered as in Committee of the Whole.

The Committee on Public Buildings and Grounds reported the bill with amendments, in line 4, after the words "directed to," to insert "acquire by;" in the same line, after the word "purchase," to insert "condemnation," and in line 5, after the word "otherwise," to strike out "provide;" so as to read:

That the Secretary of the Treasury be, and hereby is, authorized and directed to acquire by purchase, condemnation, or otherwise a suitable site, and to cause to be erected thereon, at the city of Woonsocket, in the State of Rhode Island, a substantial and commodious public building, with fire-proof vaults, for the use and accommodation of the United States post-office and for other Government uses.

The amendments were agreed to.

The next amendment was, in line 13, before the word "thousand," to strike out "seventy-five" and insert "fifty;" so as to read:

The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $50,000.

Mr. ALDRICH. I hope that amendment will not be adopted. I have already explained to the members of the committee that that sum is inadequate, and I think I have the assent of the committee in asking that the bill shall stand as originally presented.

The amendment was rejected.

The next amendment was, in line 17, before the word "thousand," to fill the blank by inserting "fifty;" so as to read:

And the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least 40 feet, including streets and alleys; and for the purposes herein mentioned the sum of $50,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury.

Mr. ALDRICH. I hope that amendment will not be agreed to.

The PRESIDENT *pro tempore*. It can be amended.

Mr. ALDRICH. I move to amend by striking out "fifty" and inserting "seventy-five."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT FORT DODGE, IOWA.

Mr. ALLISON. I ask that the Senate proceed to the consideration of Senate bill 289, Calendar number 1178.

There being no objection, the Senate, as in Committee on the Whole, proceeded to consider the bill (S. 289) for the erection of a public building at Fort Dodge, Iowa.

The bill was reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in line 4, after the word "purchase," to insert "or acquire by condemnation proceedings or otherwise;" so as to read:

That the Secretary of the Interior be, and he hereby is, authorized and directed to purchase or acquire, by condemnation proceedings or otherwise, a site for, and cause to be erected thereon, a suitable building, with fire-proof vaults therein, for the accommodation of the United States district and circuit courts, post-office, and other Government offices, at the city of Fort Dodge, Iowa.

The amendment was agreed to.

The next amendment was, in line 12, after the words "sum of," to strike out "one hundred" and insert "seventy-five;" so as to read:

The plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed for the site and building complete the sum of $75,000.

Mr. ALLISON. The original bill provided an appropriation of $100,000. The committee have reported an amendment reducing the sum to $75,000. That amount is not sufficient to put up such a building as should be constructed at Fort Dodge, Iowa, where the United States circuit and district courts are held. Therefore I hope the Senate will non-concur in the amendment reducing the sum to $75,000. A very good example has just now been set in the case of the Asheville bill for North Carolina, which passed the Senate with $100,000, though that is a much smaller place.

The PRESIDENT *pro tempore*. If there be no objection, the amendment will be disagreed to. The Chair hears no objection, and it is disagreed to.

The next amendment reported by the Committee on Public Buildings and Grounds was, in line 22, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to read:

And no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $75,000.

The amendment was rejected.

The next amendment was, in line 33, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to read:

For the purpose of this act the sum of $75,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the same to be expended under the direction of the Secretary of the Treasury.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT STERLING, ILL.

Mr. CULLOM. I move that the Senate proceed to the consideration of Order of Business 1190, Senate bill 1940.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1940) to provide for the construction of a public building at Sterling, Ill.

The bill was reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in line 4, after the word "purchase," to insert "or acquire by condemnation proceedings or otherwise;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, or acquire by condemnation proceedings or otherwise, a site for, and caused to be erected thereon, a suitable building for the accommodation of the post-office and other Government offices at the city of Sterling, in the State of Illinois.

The amendment was agreed to.

The next amendment was, in line 11, before the word "thousand," to strike out "one hundred" and insert "forty;" so as to read:

And plans, specifications, and full estimates for said building shall be previously made and approved according to law, and shall not exceed, for the site and building complete, the sum of $40,000.

Mr. CULLOM. The amendment proposed reduces the amount from $100,000 to $40,000. I wish to say that I was misled, because I recommended to the committee to make that reduction myself. I thought $40,000 was the right amount from what I had heard; but I desire to say that on investigation I find there can not be such a building put there for the amount after purchasing the ground, and so I ask that the amount be increased to $50,000 instead of $40,000 as proposed by the committee.

Mr. COCKRELL. I notice the same thing has been done in two or three cases. It seems to me the Committee on Public Buildings and Grounds ought to make investigation, and if they make a report here that we should not ignore it lightly. There have been two cases passed to-day where they recommended a smaller amount than the Senate voted. In a bill that provided $100,000 they recommended $75,000, and so reported a few days ago, and we trampled the report under foot and gave $100,000.

Mr. CULLOM. The remarks of the Senator do not apply to this case.

Mr. COCKRELL. I am only speaking of the precedent. If we are going to have a committee to do its work, let it do its work and dismiss it. No member of the committee is here to defend the action of the committee and its reports are ignored and trampled under foot.

Mr. CULLOM. I move to amend the amendment by striking out $40,000 and inserting $50,000. I exonerate the committee, as I told the committee myself that I thought possibly $40,000 would do, but I find on investigation that it is not enough. The committee would probably have made it more than $50,000 if I had insisted upon it.

The PRESIDENT *pro tempore*. The question is on the amendment to the amendment to strike out "forty" and insert "fifty."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment reported by the Committee on Public Buildings and Grounds was, in line 30, before the word "thousand," to strike out "one hundred" and insert "forty;" so as to read:

And no purchase of site, nor plan for said building, shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $40,000 for site and building.

Mr. CULLOM. I move to make that $50,000 also.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Public Buildings and Grounds was to add as a new section the following:

SEC. 2. That the sum of $40,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purpose provided in this act.

Mr. CULLOM. I move to amend that amendment in line 1 by making the amount $50,000 instead of $40,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RIGHT OF WAY THROUGH INDIAN TERRITORY.

Mr. BERRY. I move to take up for consideration Order of Business 1162, Senate bill 2644.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2644) granting the right of way to the Fort Smith, Paris and Dardanelle Railway Company to construct and operate a railroad, telegraph, and telephone line from Fort Smith, Ark., through the Indian Territory, to or near Baxter Springs, in the State of Kansas, and authorizing said company to build a bridge across the Arkansas River at or near the city of Fort Smith, Ark.

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was in section 4, line 6, after the word "mile," to strike out:

and shall in all respects conform to the laws of Congress on the subject of interstate commerce which have been or may hereafter be enacted on the subject: *Provided*,

And insert:

Congress hereby reserves the right to regulate the charges for freight and passengers on said railway and messages on said telegraph and telephone lines, until a State government or governments shall exist in said Territory within the limits of which said railway, or a part thereof, shall be located; and then such State government or governments shall be authorized to fix and regulate the cost of transportation of persons and freights within their respective limits by said railway; but Congress expressly reserves the right to fix and regulate at all times the cost of such transportation by said railway or said company whenever such transportation shall extend from one State into another, or shall extend into more that one State: *Provided, however*, That the rate of such transportation of passengers, local or interstate, shall not exceed the rate above expressed: *And provided further*,

So as to make the section read:

SEC. 4. That said railroad company shall not charge the inhabitants of said Territory a greater rate of freight than the rate authorized by the laws of the State of Arkansas for services or transportation of the same kind: *Provided*, That passenger rates on said railway shall not exceed 3 cents per mile. Congress hereby reserves the right to regulate the charges for freight and passengers on said railway and messages on said telegraph and telephone lines until a State government or governments shall exist in said Territory within the limits of which said railway, or a part thereof, shall be located; and then such State government or governments shall be authorized to fix and regulate the cost of transportation of persons and freights within their respective limits by said railway; but Congress expressly reserves the right to fix and regulate at all times the cost of such transportation by said railway or said company whenever such transportation shall extend from one State into another, or shall extend into more than one State: *Provided, however*, That the rate of such transportation of passengers, local or interstate, shall not exceed the rate above expressed: *And provided further*, That said railway company shall carry the mail at such

prices as Congress may by law provide, and until such rate is fixed by law the Postmaster-General may fix the rate of compensation.

The amendment was agreed to.

The next amendment was, in section 9, line 2, before the word "miles," to insert "fifty," and in the same line, after the word "within," to insert "three years;" so as to make the section read:

SEC. 9. That said railway company shall build at least 50 miles of its railway in said Territory within three years after the passage of this act, or the rights herein granted shall be forfeited as to that portion not built; and that said company shall construct and maintain continually all road and highway crossings and necessary bridges over said railway wherever said roads and highways do now or may hereafter cross said railway's right of way or may be by the proper authorities laid across the same.

The amendment was agreed to.

The next amendment was to strike out "Sec. 13" and connect section 13 with section 12.

The amendment was agreed to.

The next amendment was to strike out sections 14, 15, 16, 17, 18, and 19, as follows:

SEC. 14. That the said Fort Smith, Paris and Dardanelle Railway Company shall have the right to construct and maintain a bridge across the Arkansas River, at or near the city of Fort Smith, Ark., and also to lay on and over said bridge a railway track or tracks for the passage of railway trains; and said company may, at its option, construct and maintain ways for wagons, carriages, and foot passengers, charging and receiving such reasonable tolls therefor as may be approved by the Secretary of War, if built in the Indian Territory, and if built in the State of Arkansas, by the authorities of the State of Arkansas.

SEC. 15. That said bridge shall be constructed and built without interference with the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order to secure that object the said company shall submit to the Secretary of War, for his examination and approval, a design and drawings of the bridge, a map of the location, giving, for the space of 1 mile above and 1 mile below the proposed location, the topography of the banks of the river, the shore lines at high and low water, the direction and strength of the currents at all stages, and the soundings, accurately showing the bed of the stream, the location of any other bridge or bridges, and shall furnish such other information as may be required for a full and satisfactory understanding of the subject; and until the said plan and location of the bridge are approved by the Secretary of War the bridge shall not be built: *Provided*, That the bridge built under this act shall be a draw-bridge, with a draw over the main channel of the river at an accessible and navigable point, and with the spans of not less than 300 feet, should the width of the river between the draw span and the banks be sufficient to permit it, and the head room under such spans shall not be less than ten feet above high-water mark: *Provided, also*, That said draw-bridge shall be opened promptly upon reasonable signal for the passing of boats; and said company shall maintain at its own expense, from sunset until sunrise, such light or other signal on said bridge as the Light-House Board shall prescribe.

SEC. 16. That the Secretary of War is hereby authorized and directed, upon receiving such plan and map and other information, and upon being satisfied that the bridge upon such plan with such necessary works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and upon receiving such notification the said company may proceed to an erection of the bridge, conforming strictly to the approved plan and location; and should any change be made in the plan of the bridge or accessory works during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War, and, in case of any litigation arising from any obstruction or alleged obstruction to the free navigation of said river, caused or alleged to be caused by said bridge, the case may be brought in the United States court for the western district of Arkansas.

SEC. 17. That the said bridge and accessory work, when built and constructed under this act and according to the terms and limitations thereof, shall be lawful structures; and said bridge shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transportation over the same of mails, the troops, and munitions of war of the United States, than the rate per mile paid for the transportation over the railroad said company may construct on its right of way granted in this act, this bridge being a part of the same; and said bridge and railway line shall enjoy the rights and privileges of other post-routes in the United States; and should said bridge be constructed and built in the Indian Territory, Congress reserves the right at any time to regulate by appropriate legislation the charges for freight and passengers over said bridge.

SEC. 18. That the United States shall have the right of way for such postal-telegraph lines across said bridge as the Government may construct or control.

SEC. 19. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in said structure, or its entire removal, at the expense of the owner thereof, whenever Congress shall decide that the public interest shall require it, is also expressly reserved.

The amendment was agreed to.

Mr. HOAR. I move to strike out in the third section of the bill the words in the forty-sixth line beginning "If the judgment of the court" down to the word "damages" in line 49. It is the same provision which was struck out of the railroad bill which was passed the other day. My colleague informed me that he intended to have all these bills modified so as to correspond with the one then passed.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. In section 3, line 46, after the word "company," it is proposed to strike out the words:

If the judgment of the court shall be for the same or a less sum than the award made by the referees, then the costs shall be adjudged against the party claiming damages.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting the right of way to the Fort Smith, Paris and Dardanelle Railway Company to construct and operate a railroad, telegraph, and telephone line from Fort Smith, Ark., through the Indian Territory, to or near Baxter Springs, in the State of Kansas."

FORT SEDGWICK MILITARY RESERVATION.

Mr. PADDOCK. I move that the Senate proceed to the consideration of Order of Business 821, Senate bill 1765.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1765) to provide for the sale of the Fort Sedgwick military reservation, in the State of Colorado and Territory of Wyoming, to actual settlers.

The bill was reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, line 6, after the word "settlers," to strike out "only at minimum price," and in line 8, after the word "laws," to insert "only;" so as to read:

That it shall be the duty of the Secretary of the Interior to cause said tract of land to be surveyed, sectionized, and subdivided as other public lands, and after said survey and appraisement to offer said land to actual settlers under and in accordance with the provisions of the homestead laws only.

The amendment was agreed to.

The next amendment was, in section 1, line 8, after the word "person," to insert "who;" in line 10, after the words "to the," to strike out "appraisement thereof" and insert "1st day of January, 1888;" and in line 14, after the word "laws," to insert "notwithstanding such prior entry;" so as to read:

Provided, That if any person who has made permanent improvements upon said land prior to the 1st day of January, 1888 (being an actual settler thereon), has exhausted his right to make a homestead entry, such person, or his heirs, may enter one quarter-section of said land under the provisions of the homestead laws, notwithstanding such prior entry.

The amendment was agreed to.

The next amendment was, in section 1, line 17, after the words "prior to," to strike out "such appraisement" and insert "January 1, 1888;" and in line 18, after the word "complete," to strike out "the pre-emption or;" so as to make the clause read:

And provided further, That the heirs of any deceased person who had made settlement and improvement as above described prior to January 1, 1888, may complete homestead entry of the person so deceased.

The amendment was agreed to.

Mr. REAGAN. I should like to hear the bill read as it now stands amended.

The PRESIDENT *pro tempore*. The bill will be read as amended.

The Chief Clerk read the bill, as follows:

Be it enacted, etc., That it shall be the duty of the Secretary of the Interior to cause said tract of land to be surveyed, sectionized, and subdivided as other public lands, and after said survey and appraisement to offer said land to actual settlers, under and in accordance with the provisions of the homestead laws only: *Provided*, That if any person who has made permanent improvements upon said land prior to the 1st day of January, 1888 (being an actual settler thereon) has exhausted his right to make a homestead entry, such person, or his heirs, may enter one quarter-section of said land under the provisions of the homestead laws, notwithstanding such prior entry: *And provided further*, That the heirs of any deceased person who had made settlement and improvement as above described prior to January 1, 1888, may complete homestead entry of the person so deceased.

SEC. 2. That the sum of $1,500, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act.

Mr. REAGAN. I am not advised about this bill, but I should like to hear the Senator who reported it explain why it is that this land is to be left open to be taken up by homestead entries. It seems to be a military reservation, and doubtless, being a military reservation, it has a primary value attached to it. It seems to me it is proper that the Senate should know whether the land is of great value, and whether there are persons now on it prepared to take it up as soon as the law authorizes them to do so.

Mr. PADDOCK. I will state for the information of the Senator from Texas that the land is not of great value. It is of very ordinary value. It is very common arable land. Some settlers have gone upon it to develop it, and the aim is to put it upon the same footing as the surrounding arid country in Northwestern Nebraska. The land is of very little value. It could not be sold at a dollar and a quarter an acre under the circumstances.

Mr. REAGAN. Will the Senator tell us how long a military post was kept at that place?

Mr. PADDOCK. For a very short time. It was only a temporary post. It was never an important post.

Mr. REAGAN. I do not know the particulars.

Mr. PADDOCK. The bill is the unanimous report of the Committee on Public Lands, and was recommended by the Commissioner of the General Land Office.

Mr. REAGAN. I suppose the committee in passing upon the bill has inquired into it, but it seems to me that the legislation proposed is unusual; and that a military reservation which is of the value that generally attaches to those reservations, after being surveyed, should be sold to the highest bidder. I do not understand why it should be taken up by homestead entries.

Mr. PADDOCK. The bill is in exact accordance with the provisions of all the bills which have been passed with reference to military reservations in that whole region of country. The Fort Kearney military reservation, which was composed of land very much more valuable than this, was disposed of exactly under the provisions of this bill, the aim being to give the poor people who have gone on the land to

develop the country the same opportunities that they have under the general homestead law. There is actually no value in this land. I assure the Senator that it is one of the commonest tracts of land there is in this country.

Mr. REAGAN. Of course, if the bill has been examined by the Committee on Public Lands and reported favorably, I shall raise no further objection; but it seems to me that it is rather an unusual thing that a military reservation should be disposed of under pre-emption or homestead.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The Committee on Public Lands reported to amend the preamble in line 1 by striking out the word "State" and inserting "States," and in the same line by striking out the words "Territory of Wyoming" and inserting "Nebraska;" so as to make it read:

Whereas the tract of land in the States of Colorado and Nebraska, known as the Fort Sedgwick military reservation, is no longer needed or used for military purposes, and has been abandoned by the military authorities: Therefore.

The amendment was agreed to.

The preamble as amended was agreed to.

The title was amended so as to read: "A bill to provide for the sale of the Fort Sedgwick military reservation, in the States of Colorado and Nebraska, to actual settlers."

HEIRS OF SOLOMON SPITZER.

Mr. HISCOCK. I ask to call up House bill 2699, Calendar number 776.

There being no objection, the bill (H. R. 2699) for the relief of the heirs of the late Solomon Spitzer was considered as in Committee of the Whole. It proposes to pay $12,500 to the heirs of Solomon Spitzer for the unexpended increase in the work of weighing imports at the port of New York, under his contract with the Secretary of the Treasury, during the year 1879.

Mr. COCKRELL. Why was not the money paid to Spitzer if he had a written contract?

Mr. HISCOCK. The report shows that there was some technical objection to the payment by the Secretary of the Treasury, but he recommended that it be paid by Congress.

Mr. COCKRELL. Let the report be read.

The PRESIDENT *pro tempore*. The report will be read.

The Chief Clerk read the following report submitted by Mr. STEWART March 21, 1888:

The Committee on Claims, to whom was referred the bill (H. R. 2699) for the relief of the heirs of the late Solomon Spitzer, after having considered the same, submit the following report:

A bill similar to the one under consideration was favorably reported upon by the House Committee on Claims of the first sessions of the Forty-seventh, Forty-eighth, Forty-ninth, and Fiftieth Congresses, and passed the House of Representatives on the 2d instant. The facts in the case are fully stated in the last-mentioned report.

A report made by the committee of Treasury officers appointed by the Secretary of the Treasury to examine into Spitzer's claim in 1880 for extra compensation, and the concurring opinion of the Secretary of the Treasury, are hereto attached and also made a part of this report.

In view of the facts stated in the accompanying papers, your committee report back the bill favorably and recommend its passage.

The following is the report of the Committee on Claims of the House of Representatives, made on February 14 last, to which is added the above-mentioned report of the committee of Treasury officers and the concurring opinion of the Secretary of the Treasury:

"The Committee on Claims, to whom was referred the bill (H. R. 2699) for the relief of the heirs of Solomon Spitzer, would respectfully report:

"That a similar bill was favorably reported by Mr. TILLMAN, from the Committee on Claims, in the Forty-eighth Congress. Your committee concur in the report, which is hereto annexed, and recommend that it do pass."

"The Committee on Claims, to whom was referred the bill (H. R. 1089) for the relief of Solomon Spitzer, and accompanying papers, have had the same under consideration, and make the following report:

"This bill appropriates the sum of $12,500, or so much thereof as in the opinion of the Secretary of the Treasury may be necessary, to pay the claim of Solomon Spitzer for the unexpected increase in the work of weighing imports at the port of New York under his contract with the Treasury Department for the year 1879.

"It appears that Spitzer entered into a contract with the Treasury Department to do all the work of weighing imports at the above-named port for three years from February 1, 1878, at a compensation of $75,000 per annum.

"The contract also specified that in case the work was increased more than 10 per cent. by legislative action increasing the classes of weighable goods, the contractor should be entitled to compensation in proportion to the increase, less the 10 per cent. specified.

"An unanticipated increase in the volume of importations took place in the latter part of the year 1879, and the quantity of weighable goods imported continued to increase to such an extent that Spitzer was no longer able to perform his contract, and it was terminated on the 1st of January, 1880. Spitzer presented a claim to the Treasury Department for extra compensation on account of the unexpected increase, and it was referred to a committee of Treasury officers, appointed by the Secretary of the Treasury. They examined the matter carefully, and reported that, under the terms of the contract, Spitzer was equitably entitled to additional compensation to the extent of $12,500, but there was no power vested in the Department to pay same, and recommended legislative action. The Secretary of the Treasury concurred in the report of the committee.

"The average number of tons weighed during each of the six years from 1873 to and including 1878 was 1,104,488, and it is fair to assume bidders for furnishing the labor in question took into consideration, in making their bids to perform the service, the average number of tons weighed during former years. The quantity of goods weighed in 1879 was 1,570,907 tons, or 466,419 tons more than the average of each of the six preceding years, an increase of about 42 per cent., while the price paid by the Government for the labor performed was over $100,000 less than 1877, according to the report of the Treasury officials.

"The collector of the port of New York, the deputy naval officer, and General Curtis all seem to indicate, by communication to the Department on this subject, that in their judgment it would be equitable to allow Mr. Spitzer 33 per cent. in addition to his contract price for such period as the Secretary might deem proper.

"The report of the collector of February 10, 1880, states that according to Spitzer's pay-rolls the labor under the contract cost him $32,000 in 1879 more than the $75,000 received from the Government. He also estimated that during the year 1880 the work done by Spitzer would cost something like $144,000, and experience has shown that this was an underestimate.

"Your committee are therefore of the opinion that as Spitzer made his contract in good faith, and as it is fair to assume, on the estimate as furnished by the Government for the six years preceding 1878, that, in accordance with the said contract, he would be equitably entitled to an addition of 33 per cent. to his contract price for the last half of the year 1879, or $12,500.

"At the commencement of the first session of the Forty-seventh Congress, of 1882, Mr. Spitzer came to Washington and presented his claim, and, while here prosecuting said claim, was suddenly taken sick, and died April 13, 1882.

"In view of the foregoing facts, your committee therefore report back the bill, amended so as to pay said amount of $12,500 to the legal representatives of the late Solomon Spitzer, and recommend that it do pass."

"TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
"*Washington, D. C., August* 16, 1880.

"SIR: In accordance with instructions contained in the letter of Assistant Secretary French, of the 12th of February last, we have examined the claims of Solomon Spitzer for extra compensation on account of weighing imports at New York, and beg leave to make the following report:

* * * * * * *

"The only other branch of the subject remaining to be considered is, what extra compensation, if any, shall be paid to Spitzer on account of the large increase in the work prior to the 1st of January last, and what period such compensation shall embrace. Is is conceded that the work for which this extra compensation is sought was of a character covered by the contract. If Mr. Spitzer can be paid extra compensation on account of such increase, the following table, furnished by the superintendent of the weighers, Mr. Lake, may be taken as exhibiting the number of tons and cost per ton of weighable goods weighed at the port of New York from 1873 to and including 1879:

Year.	Number of tons weighed.	Expenses of weighing.	Cost per ton of 2,000 pounds.
1873	1,184,386 1938/2000	$367,934.09	$0.31 1/2
1874	1,138,132 750/2000	301,536.30	.26 1/2
1875	1,005,944 1500/2000	314,109.73	.29 1/2
1876	1,057,437 750/2000	301,891.18	.28 1/2
1877	1,097,368 1250/2000	314,294.72	.28 1/2
1878	1,093,662 500/2000	197,467.22	.18 1/2
	6,626,931 662/2000		1.62 1/2
1879	1,570,907 1346/2000	198,207.78	.12 1/2

"Average number of tons weighed during each of the six years from 1873 to and including 1878, 1,104,488.

"Average cost per ton, 0.2713+ cent.

"It is assumed that bidders for furnishing the labor in question took into consideration, in making their bids, the average number of tons weighed during former years. The quantity of goods weighed in 1879 was 466,419 tons more than the average of each of the six preceding years; an increase of about 42 per cent.

"The contract specified that in case the work was increased more than 10 per cent. by legislative action, increasing the classes of weighable goods, the contractor should be entitled to extra compensation in proportion to the increase, less the 10 per cent. specified.

"The collector, by his letter of January 14 (see Exhibit F); the deputy naval officer, by his letter of January 12, and General Curtis, by his report of January 10 (both inclosures of Exhibit F), all seem to indicate that, in the judgment of these officers, it would be equitable to allow Spitzer 33 per cent., in addition to his contract price, for such period as the Secretary may deem proper.

"To form any judgment as to the period of time which this extra compensation should embrace, it is proper to inquire what were the expenses and receipts of Mr. Spitzer in connection with the contract for the year 1879. The report of the collector of February 10, 1880, marked I, states that according to Spitzer's pay-rolls the labor under the contract cost him $32,000 in 1879 more than the $75,000 received from the Government as the contract price. The collector estimates in said letter that during the present year the work done by Spitzer would cost, on the basis of last year's importations, something like $144,000, and later experience has shown that this was a serious underestimate.

"Upon review of all the circumstances, we are of opinion that if Mr. Spitzer has in good faith performed his contract according to its terms, he would be equitably entitled to an addition of 33 per cent. to his contract price for the last half of the year 1879, or $12,500.

"We are, however, of the opinion that no power exists in the Secretary to make this award without legislative sanction.

"Very respectfully,

"J. H. ROBINSON,
"*Assistant Solicitor.*
"A. K. TINGLE,
"*Supervising Special Agent.*
"H. B. JAMES,
"*Chief Customs Division.*

"HON. JOHN SHERMAN, *Secretary.*"

"TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
"*Washington, D. C., March* 1, 1881.

"SIR: I am in receipt of a note from the clerk of your committee, dated the 21st ultimo, requesting, on behalf of the subcommittee charged with the preparation of the deficiency bill for 1881, an expression of the views of this Department upon the merits of a bill therewith inclosed for the relief of Solomon Spitzer.

"This bill proposes to appropriate the sum of $12,500, or so much thereof as, in the opinion of the Secretary of the Treasury, may be necessary to pay the claim of Solomon Spitzer for the unexpected increase in the work of weighing imports at the port of New York under his contract with this Department for the year 1879.

"Mr. Spitzer entered into a contract with this Department to do all the work of weighing imports at the port of New York for three years from February 1,

1878, at a compensation of $75,000 per annum. This contract was let to Spitzer after public advertisement, he being the lowest bidder.

"A great, and to a large extent unanticipated, increase in the volume of importations took place in the latter part of the year 1879, and the quantity of weighable goods imported continued to increase to such an extent that the contractor was no longer able to perform his contract, and it was accordingly terminated on the 1st of January, 1880.

"After the abrogation of the contract Spitzer presented a claim for extra compensation on account of the heavy and unexpected increase in the volume of the work during the last half of the year 1879, and this claim was referred by me to a committee consisting of the Assistant Solicitor of the Treasury, the chief of the special agent's force, and the chief of the customs division, and I inclose herewith a copy of their report upon the case. Their conclusion was that inasmuch as this work was done while the contract remained in force there was no power vested in the Department to grant the relief sought, but that if Spitzer had faithfully performed the terms of his contract he was equitably entitled to additional compensation to the extent of $12,500. The method by which they arrive at this sum as a basis of compensation is given in their report.

"I know of no facts which lead me to dissent from the conclusion reached by the committee.

"Very respectfully,

"JOHN SHERMAN, *Secretary.*

"Hon. J. D. C. ATKINS,
"*Chairman Committee on Appropriations, House of Representatives.*"

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT DULUTH, MINN.

Mr. SABIN. I move to take up the bill (H. R. 7218) for the erection of a public building in the city of Duluth, State of Minnesota.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT DOVER, N. H.

Mr. CHANDLER. I move to take up Order of Business 1179, Senate bill 384.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 384) to provide for the erection of a public building in the city of Dover, in the State of New Hampshire, which was reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in section 1, line 4, after the word "purchase," to insert "or acquire by condemnation proceedings or otherwise;" so as to make the section read:

That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase, or acquire by condemnation proceedings or otherwise, a site for, and cause to be erected thereon, a suitable building, with commodious fire-proof vaults, for the accommodation of the post-office, internal-revenue office, and other Government offices at the city of Dover, in the State of New Hampshire.

The amendment was agreed to.

The next amendment was, in section 1, line 12, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to read:

The site, and the building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $75,000.

The amendment was agreed to.

The next amendment was, in section 2, line 1, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to make the section read:

That the sum of $75,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be used and expended for the purposes provided in this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

T. J. EDWARDS.

Mr. HOAR. I move to take up the bill (H. R. 518) for the relief of T. J. Edwards, administrator of David Edwards, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to T. J. Edwards, as administrator of the estate of David Edwards, deceased, late of Jackson County, Ohio, $225, for the balance due said David Edwards, deceased, for property taken by the United States Army in 1862.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. SHORTER.

Mr. SPOONER. Mr. President——

Mr. HOAR. If the Senator from Wisconsin will pardon me a moment, I moved the other day, unless I am mistaken in my recollection, to recommit to the Committee on Military Affairs, with the assent of the chairman of that committee, Order of Business 997, being the bill (H. R. 2465) for the relief of the heirs of John F. Shorter, but I find it still stands on the Calendar. I move that the bill be recommitted if it has not already been sent back to the committee.

The PRESIDENT *pro tempore.* The mistake is in the Calendar, and not in the condition of the business. The bill has been recommitted, and it should be taken from the Calendar.

SURETIES OF DENNIS MURPHY.

Mr. SPOONER. I ask the Senate to proceed to the consideration of Order of Business 935, Senate bill 1715.

There being no objection, the bill (S. 1715) for the relief of the sureties of Dennis Murphy was considered as in Committee of the Whole. It proposes to release from liability the sureties of Dennis Murphy, who was formerly paymaster and military storekeeper at the national armory at Harper's Ferry, Va., upon his official bond to the United States as such paymaster and military storekeeper, executed on the 28th of April, 1858.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF JOSEPH H. MADDOX.

Mr. MITCHELL. I move that the Senate proceed to the consideration of Order of Business 508, being the bill (S. 2201) for the relief of Laura E. Maddox, widow and executrix, and Robert Morrison, executor of Joseph H. Maddox, deceased.

Mr. COCKRELL. Pending that motion I move that the Senate do now adjourn.

Mr. MITCHELL. Will the Senator allow me a moment?

Mr. COCKRELL. Certainly.

Mr. MITCHELL. This bill——

The PRESIDENT *pro tempore.* The motion is not debatable.

Mr. COCKRELL. I withdraw the motion, if the Senator desires to make an explanation.

The PRESIDENT *pro tempore.* The motion to adjourn is withdrawn.

Mr. MITCHELL. This bill was reached in regular order three or four weeks ago, and was passed over at the suggestion of a Senator on my own motion. The bill has been twice reported unanimously after careful investigation by the Committee on Claims; and I trust the Senator from Missouri will suspend his motion to adjourn and let the bill be passed.

I will state in addition that there were two bills of the same nature, arising out of similar transactions. One was passed two or three weeks ago and this one was held over so that the Senator from Iowa [Mr. ALLISON] might examine into the matter. He has done so and he withdraws his objection. I appeal to the Senator from Missouri not to interpose any objection by a motion to adjourn, and let us pass this bill.

Mr. COCKRELL. I appeal to the Senator from Oregon not to ask the Senate to pass a bill of this character with no quorum here. There is no quorum present; it is past 5 o'clock; and there is no time to discuss this bill, which may involve millions of dollars. I know that when you touch the question of insurrectionary claims, claims for property acquired technically under the law, you touch a very large number of claims. They have been pending here for the last twenty years.

I am not certain whether this comes within the category of those claims or not. If it does I am opposed to it *in toto.* It may not come within the same rule that would be applied to the others which have been reported adversely time and again by the Committee on Claims; and I believe the Senator from Massachusetts [Mr. HOAR] once reported this claim adversely.

Mr. MITCHELL. No, Mr. President——

Mr. COCKRELL. We want some explanation about it, and I tell the Senator the bill can not be passed now at 5 o'clock without a quorum. There is no use in wasting time with it now.

Mr. MITCHELL. It is not necessary that the Senator from Missouri should make any threats at all. I know he is a just man, and I know he would not do a wrong for anything in the world. I shall not press the bill now, but I ask him to-morrow or this week to look into this case carefully.

Mr. COCKRELL. I will do so.

Mr. MITCHELL. I am quite sure if he will do so he will come to the same conclusion that the Committee on Claims have twice come to unanimously.

Mr. COCKRELL. I will look into it carefully. I shall get all the reports. I see it has been reported twice adversely, and I think I was a member of the committee once when it was reported adversely.

Mr. MITCHELL. I ask that the bill retain its place on the Calendar.

The PRESIDENT *pro tempore.* It is so ordered.

WILLIAM P. GORSUCH.

Mr. GORMAN. I ask the Senate to consider Order of Business 761, House bill 3727.

By unanimous consent, the bill (H. R. 3727) for the relief of William P. Gorsuch was considered as in Committee of the Whole. It proposes to pay William P. Gorsuch, of Carroll County, Maryland, $300, the amount paid by him for commutation, he having been drafted into the military service of the United States after he had arrived at the age of forty-five years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. COCKRELL. I move that the Senate do now adjourn.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 3, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate May 2, 1888.

CHIEF-JUSTICE.

Melville W. Fuller, of Illinois, to be Chief-Justice of the United States, in the place of Morrison R. Waite, deceased.

UNITED STATES CONSUL.

David N. Burke, of New York, now consul at Puerto Cabello, to be consul of the United States at Bahia, *vice* William O. Patton, resigned.

ASSISTANT APPRAISER OF MERCHANDISE.

Francis Gross, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to succeed William Kent, deceased.

ARMY APPOINTMENT.

James S. Jouett, late first lieutenant Tenth Cavalry, to be first lieutenant in the Tenth Cavalry, with rank from February 17, 1883.

PROMOTIONS IN THE ARMY.

Third Regiment of Artillery.

Capt. Wallace F. Randolph, of the Fifth Artillery, to be major, April 25, 1888, *vice* Lodor, promoted to the Fifth Artillery.

Fourth Regiment of Artillery.

Lieut. Col. Henry W. Closson, of the Fifth Artillery, to be colonel, April 25, 1888, *vice* Best, retired from active service.

Fifth Regiment of Artillery.

Maj. Richard Lodor, of the Third Artillery, to be lieutenant-colonel, April 25, 1888, *vice* Closson, promoted to the Fourth Artillery.

First Lieut. Benjamin K. Roberts, to be captain, April 25, 1888, *vice* Randolph, promoted to the Third Artillery.

Second Lieut. Harvey C. Carbaugh, to be first lieutenant, April 25, 1888, *vice* Roberts, promoted.

Second Regiment of Infantry.

Second Lieut. John S. Mallory, to be first lieutenant, April 10, 1888, *vice* Muhlenberg, deceased.

Third Regiment of Infantry.

Lieut. Col. Edwin C. Mason, of the Fourth Infantry, to be colonel, April 24, 1888, *vice* Brooke, appointed brigadier-general.

Fourth Regiment of Infantry.

Maj. Frederick Mears, of the Twenty-fifth Infantry, to be lieutenant-colonel, April 24, 1888, *vice* Mason, promoted to the Third Infantry.

Twenty-first Regiment of Infantry.

First Lieut. Joseph W. Duncan, regimental adjutant, to be captain, April 24, 1888, *vice* Miles, promoted to the Twenty-fifth Infantry.

Twenty-fifth Regiment of Infantry.

Capt. Evan Miles, of the Twenty-first Infantry, to be major, April 24, 1888, *vice* Mears, promoted to the Fourth Infantry.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *May* 2, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

VETO MESSAGE, H. B. WILSON.

The SPEAKER. The Clerk will now read the message from the President of the United States, the reading of which was interrupted on yesterday by the adjournment.

The Clerk read as follows:

To the House of Representatives:

I return without approval House bill No. 19, entitled "An act for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased."

The purpose of this bill is to refund to the estate of William Tinder the sum of $5,000 which was paid to the Government by his administrator in June, 1880, upon the following facts:

In 1876 two indictments were found against one Evans, charging him with passing counterfeit money. In May, 1878, he was tried upon one of said indictments and the jury failed to agree; thereupon the prisoner entered into two recognizances in the sum of $5,000 each, with W. R. Evans and William Tinder as sureties, conditioned for the appearance of the prisoner Evans at the next term of the court, in November, 1878, for trial upon said indictment. Before that date, however, the prisoner fled the country and failed to appear according to the condition of his bond. In the mean time William Tinder died and H. B. Wilson was appointed his administrator.

Suits were brought upon the two bail bonds, and the liability of the sureties not being admitted, the suits were tried in March, 1880, resulting in two judgments in favor of the United States and against the surety Evans and the estate of Tinder for $5,000 each and the costs.

Soon thereafter an application was made by the administrator of the estate of William Tinder for relief, and an offer was made by him to pay $5,000 and the costs, in compromise and settlement of the liability of said estate upon said two judgments.

These judgments were a preferred claim against the estate, which was represented to be worth sixteen or eighteen thousand dollars. The other surety, Evans, was alleged to be worthless, and it was claimed that neither the administrator of the Tinder estate nor his attorneys had known the whereabouts of the indicted party since his flight, and that some time would elapse before certain litigation in which the estate was involved could be settled and the claims against it paid.

It was considered best by the officers of the Government to accept the proposition of the administrator, which was done in June, 1880. The sum of $5,099.05, the amount of one of said judgments, with interest and costs, was paid into the United States Treasury, and the estate of Tinder was, in consideration thereof, released and discharged from all liability upon both of said judgments.

Thus was the transaction closed, in exact accordance with the wishes and the prayer of the representative of this estate, and by the favor and indulgence of the Government upon his application. There was, so far as I can learn, no condition attached, and no understanding or agreement that any future occurrence would affect the finality of the compromise by which the Government had accepted one-half of its claim in full settlement.

It appears that in 1881 the party indicted was arrested and brought to trial, which resulted in his conviction. And apparently for this reason alone it is proposed by the bill under consideration to open the settlement made at the request of the administrator and refund to him the sum which he paid on such settlement pursuant to his own offer.

I can see no fairness or justice to the Government in such a proposition. I do not find any statement that the administrator delivered the prisoner to the United States authorities for trial. On the contrary, it appears from an examination made in the First Comptroller's Office that he was arrested by the marshal on the 25th of May, 1881, who charged and was paid his fees therefor. And if the administrator had surrendered the prisoner to justice, it would not entitle him to the repayment of the money he has paid to compromise the two judgments against him.

The temptation to relieve from contracts with the Government upon plausible application is, in my opinion, not sufficiently resisted. But to refund money paid into the public Treasury upon such a liberal compromise as is exhibited in this case seems like a departure from all business principles and an unsafe concession that the interests of the Government are to be easily surrendered.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May* 1, 1888.

The SPEAKER. What action will the House take with the message?

Mr. WHEELER. I move that it be referred to the Committee on Claims, and ordered to be printed.

The motion was agreed to.

COLLECTION OF REVENUE, NO MAN'S LAND.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting correspondence and recommending legislation for enforcing the laws for the collection of internal revenue in the Public Land Strip known as "No Man's Land;" which was referred to the Committee on the Judiciary.

BRIDGE ACROSS BLACK RIVER, ARKANSAS.

The SPEAKER also laid before the House the bill (S. 2611) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River in Arkansas; which was read a first and second time.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent of the House for the consideration of this bridge bill at the present time; and hope I will be permitted to state in this connection that the bill has been reported unanimously by the House committee in the exact form here presented. It has also received the approval of the Secretary of War and the Chief of Engineers. I ask unanimous consent, not only to consider the bill now, but also to dispense with the reading of the bill at length, in order to save time. It is provided with all of the usual restrictions placed in bills of this character.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. DINGLEY. I have no objection; but there is another Senate bill which came over on Friday last, relating to the establishment of a certain light-house in Maine; and I ask that I may also be recognized for the purpose of asking the present consideration of that bill.

Mr. ROGERS. I hope the gentleman will let that come up afterwards. I did not object to its consideration.

Mr. MILLS. Let each stand on its own merits.

The SPEAKER. The Chair has withheld from the House, at the suggestion of members who desired to ask unanimous consent, several Senate bills, among them the one to which the gentleman from Maine refers. The Chair has sent for the bill.

Is there objection to the present consideration of the bill referred to by the gentleman from Arkansas?

There was no objection.

The SPEAKER. Is the reading of the bill demanded?

Mr. ROGERS. I hope the reading will be dispensed with.

The reading of the bill was dispensed with.

The bill was considered, ordered to be read a third time; and was accordingly read the third time, and passed.

Mr. ROGERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. If there be no objection, the House bill No. 6563, upon the same subject, will be laid upon the table.

There was no objection, and it was so ordered.

LIGHT-HOUSE, ETC., FOX ISLAND, MAINE.

The SPEAKER also laid before the House the bill (S. 2506) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine.

Mr. DINGLEY. Mr. Speaker, I ask unanimous consent for the present consideration of that bill.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That there be established at or near Goose Rocks, at the entrance of Fox Island Thoroughfare, on the coast of Maine, a light-house and fog-signal, and that there be established at or near Channel Rock, in the vicinity of Goose Rocks, a day beacon, the cost of which shall not exceed the sum of $35,000, including the cost of the sites, and said $35,000, or so much thereof as may be necessary for said purposes, is hereby appropriated out of moneys in the Treasury not otherwise appropriated.

Mr. DINGLEY. I wish simply to state, in connection with this bill, that it has been unanimously reported by the Committee on Commerce of the House, with this exception, that in the House bill there is no appropriation, as appears in the present bill, and if unanimous consent is given for the consideration of the bill at this time, I will move to strike out the appropriation, so that it will be precisely the bill reported by the House committee, and also precisely in the form of the bill which was passed a few days ago for the establishment of a light-house on the Florida coast, on motion of the gentleman from Florida [Mr. DAVIDSON]. I will state that this is recommended by the Secretary of the Treasury and by the Light-House Board.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRISP. Before consent is given, as I do not see the gentleman from Missouri [Mr. CLARDY] in his seat, who has charge specially of matters referring to light-houses, I would like to know whether this meets his approval?

Mr. DINGLEY. I consulted with the gentleman from Missouri, and he has given his consent to this application.

Mr. CRISP. Then I have no objection.

The SPEAKER. Is there further objection to the present consideration of the Senate bill?

There was no objection.

Mr. DINGLEY. I now move to strike out the appropriating clause in the bill.

The SPEAKER. The Clerk will read that portion of the bill proposed to be stricken out.

The Clerk read as follows:

And said $35,000, or so much thereof as may be necessary for said purposes, is hereby appropriated out of moneys in the Treasury not otherwise appropriated.

The motion to strike out was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. DINGLEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. Without objection, the House bill No. 1492, upon the same subject, will be laid upon the table.

There was no objection, and it was so ordered.

LIGHT-HOUSE AT NEWPORT NEWS, VIRGINIA.

The SPEAKER also laid before the House the bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Virginia; which was read a first and second time.

Mr. PHELAN. I ask for the present consideration of that bill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to cause a light-house to be constructed at Newport News, Middle Ground, Virginia; and $50,000, or so much thereof as may be necessary, is hereby appropriated for this purpose from any money in the Treasury not otherwise appropriated.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRISP. I believe that the chairman of the Committee on Commerce, the gentleman from Missouri [Mr. CLARDY], is now present. I desire to call his attention to the request of the gentleman from Tennessee [Mr. PHELAN].

Mr. CLARDY. Is this a Senate bill?

The SPEAKER. It is.

Mr. CLARDY. It seems to carry an appropriation.

Mr. PHELAN. I am willing to have the appropriation stricken out.

Mr. CLARDY. I ask the gentleman further if the Senate bill conforms in every respect to the House bill.

Mr. PHELAN. It conforms to the House bill exactly, except that the House bill provided for an appropriation of $35,000 and the Senate bill for an appropriation of $50,000, but that being stricken out, there is no cause for objection.

The SPEAKER. If there be no objection, the amendment of the gentleman from Tennessee [Mr. PHELAN] to strike out the appropriating clause will be agreed to.

Mr. CLARDY. I ask if there ought not to be an amendment prescribing the amount which this light-house will cost.

Mr. PHELAN. That can be settled by an appropriation hereafter. The Light-House Board calls for an appropriation of $50,000. The House committee recommended an appropriation of $35,000. The Senate bill calls for an appropriation of $50,000. That can be settled in the future. I ask for the passage of the Senate bill.

The SPEAKER. The Clerk will report the appropriating clause, which it is proposed to strike out.

The Clerk read as follows:

And $50,000, or so much thereof as may be necessary, is hereby appropriated for this purpose from any money in the Treasury not otherwise appropriated.

The amendment offered by Mr. PHELAN to strike out the appropriating clause was agreed to

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. PHELAN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The corresponding House bill (H. R. 1891) to provide for a light-house at Newport News, Middle Ground, Virginia, was laid on the table.

L. J. WORDEN.

The SPEAKER also laid before the House the bill (S. 1064) for the relief of L. J. Worden; which was read a first and second time.

Mr. FUNSTON. I desire to say that I introduced a bill like this in the House, which has been favorably reported. I also introduced a similar bill in the last Congress, and it was favorably reported. I ask unanimous consent that the Senate bill be now considered, and that the House bill be laid upon the table.

The SPEAKER. The Senate bill will be read.

The bill (S. 1064) was read as follows:

Be it enacted, etc., That the Postmaster-General be, and is hereby, authorized and directed to allow L. J. Worden, late postmaster at Lawrence, Kans., for expenditures made by said L. J. Worden for clerk-hire necessary for the proper transaction of the business of said post-office during the period from July 1, 1882, to June 30, 1883, the sum of $625; and that a sum sufficient to pay said allowance is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRISP. I ask if that bill has been considered by the House committee?

Mr. FUNSTON. It was considered in the last Congress by the House committee and favorably reported. A similar bill was introduced in this House and has been favorably reported.

Mr. CRISP. In this Congress?

Mr. FUNSTON. Yes, sir.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. FUNSTON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The corresponding House bill (H. R. 2265) was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. GROSVENOR, for four days, on account of important business.

To Mr. BOWEN, indefinitely, on account of sickness.

ORDER OF BUSINESS.

Mr. MILLS. I now call for the regular order, and move to dispense with the morning hour for the call of committees for reports.

Mr. TOWNSHEND. I wish to call attention to the fact that the Nicaragua Government has asked this Government to permit one of their youths to be educated at the West Point Military Academy. A House bill giving that permission has been reported. A Senate bill for the same purpose has been received, and I ask that it be passed.

The SPEAKER. But the gentleman from Texas [Mr. MILLS] has called for the regular order.

Mr. TOWNSHEND. This is not a private request. It is a matter of international courtesy, and I hope the gentleman will yield long enough to allow that bill to be passed.

The SPEAKER. The gentleman from Texas has declined to withdraw his call for the regular order, and the Chair has no discretion. The question is on the motion of the gentleman from Texas to dispense with the morning hour for the call of committees for reports.

The motion was agreed to, two-thirds voting in favor thereof.

Mr. MILLS. I ask unanimous consent that gentlemen having reports to make from committees may have leave to hand them to the Clerk for reference to the appropriate Calendars.

There was no objection.

The following reports were filed by being handed in at the Clerk's desk:

ALASKA SEAL FISHERIES.

Mr. DUNN, from the Committee on Merchant Marine and Fisheries, reported back favorably the following resolution; which was referred to

the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed:

Resolved, That the Committee on Merchant Marine and Fisheries be authorized and directed to fully and thoroughly investigate the fur-seal fisheries of Alaska, and all contracts or leases made by the Government with any persons or companies for the taking of fur seals or other fur-bearing animals in Alaska; the character, duration, and conditions of such contracts or leases; and whether and to what extent the same have been enforced and complied with or violated; the receipts therefrom, and the expenses incurred by the Government on account of any such contracts or leases; and to fully investigate and report upon the nature and extent of the rights and interests of the United States in the fur-seal and other fisheries in the Bering Sea, in Alaska; whether and to what extent the same have been violated, and by whom; and what, if any, legislation is necessary for the better protection and preservation of the same; that said committee be authorized to send for persons and papers, issue process, summon witnesses, administer oaths, etc., and to employ a clerk, stenographer, and messenger, whose compensation shall not exceed $6 a day while so employed; and that all expenses of such investigation shall be paid out of the contingent fund of the House.

DEFICIENCY IN EXPENSES OF COLLECTING CUSTOMS REVENUE.

Mr. BURNES, from the Committee on Appropriations, reported a bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

JOHN FARLOW.

Mr. PIDCOCK, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2014) granting a pension to John Farlow; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RACHAEL A. SINKINSON.

Mr. PIDCOCK also, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1101) granting a pension to Rachael A. Sinkinson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SAMUEL NOBLE.

Mr. OATES, from the Committee on the Judiciary, reported back favorably the bill (S. 2202) for the relief of Samuel Noble; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SANDY HOOK SHIP-CHANNELS.

Mr. CATCHINGS, from the Committee on Rivers and Harbors, reported back resolution moved by Mr. SPINOLA April 30, 1888, with the following substitute therefor; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed:

Resolved, That the Secretary of War be, and he is hereby, requested to transmit to the House of Representatives a detailed statement of the work being done in deepening the Sandy Hook ship-channels, giving the terms of the present contract, the facilities of the contractors for doing the work, the amount of material removed by the said contractors to date, and the estimated amount of material yet to be removed under the contract, and also at the present rate of progress what length of time will be required to exhaust the present appropriation of $750,000, and why the work has not been pushed forward more rapidly.

ACADEMIC BUILDING AND GYMNASIUM, WEST POINT.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported back the bill (H. R. 9409) for the erection of an academic building and gymnasium at West Point; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, WATERBURY, CONN.

Mr. SOWDEN, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (H. R. 7729) for the erection of a public building at Waterbury, Conn.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

POLICE MATRONS, DISTRICT OF COLUMBIA.

Mr. ATKINSON, from the Committee on the District of Columbia, reported back favorably the bill (H. R. 8039) providing for the appointment of police matrons for the District of Columbia, defining their duties, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ACKNOWLEDGMENT OF DEEDS IN THE DISTRICT OF COLUMBIA.

Mr. RUSSELL, of Massachusetts, by unanimous consent, introduced a bill (H. R. 9804) to validate acknowledgment of deeds made before commissioners of the circuit courts of the United States or before any of the commissioners of the supreme court of the District of Columbia since the 16th of September, 1850; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the amendments of the House to the bill (S. 738) granting a pension to the guardian of Enos J. Searles, of Clermont County, Ohio.

The message also announced that the Senate had passed without amendment the joint resolution (H. Res. 56) authorizing the use and improvement of Castle Island, in Boston Harbor.

The message further announced that the Senate had disagreed to the amendments of the House to the bill (S. 2345) authorizing the construction of bridges across the Cape Fear River and the Northeast River in the State of North Carolina, asked a conference upon the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Mr. RANSOM, Mr. VEST, and Mr. SAWYER.

The message further announced that the Senate had passed a bill (S. 1913) for the erection of a public building at Emporia, Kans.; in which the concurrence of the House was requested.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. WILSON, of Minnesota. Mr. Chairman, the collection of taxes is one of the admitted functions of government; but how they should be collected, in what proportion imposed on different industries and individuals, and for what purposes are still vexed questions that nearly affect the interests of the people. No class is disposed to cavil at any tax or system of taxation merely intended to raise revenue for the support of the Government, honestly and economically administered; but it is claimed that this is the limit of the power, and certainly it is the measure of the duty of the Government in respect to taxation. It is claimed that the Government has no right to take from the people by taxation a sum more than commensurate with its needs, or to tax, directly or indirectly, A, B, and C for the purpose of enriching D. When a greater sum is raised by taxation than is demanded for governmental purposes, even though it is retained in the Treasury vaults, the people have a right to complain. Excessive or unnecessary taxation takes from the people what is theirs, and what they have a right to retain and use, and the unnecessary accumulation of money in the Treasury merely adds to the wrong, for it can only have the effect of appreciating the price or value of money and depreciating the price of every other species of property. To the masses of the people such a policy is especially unjust and oppressive. As has been said by an eminent writer on economics:

Federal taxes, both direct and indirect, with very few exceptions, are levied on commodities, fall on consumption, and must be paid by the consumer in the increased price of the things he consumes. Hence it follows that the burden of such taxes must be disproportionately heavier on the man who, from necessity, expends all or nearly all of his wages, salary, or other income, in mere living, than on him who expends one-half or one-third, or a smaller proportion of his income for like purposes, and lays up a surplus for increasing his resources. * * * Every dollar raised by the Government by taxation for any other purpose than to provide revenue for its most economical administration, constitutes, therefore, a heavier burden on the recipients of smaller incomes and wages than upon any other class of the community.

The taxes levied in the States are imposed on the property, every one paying in proportion to his wealth and ability. But tariff taxes often fall more heavily upon the necessaries of the poor than upon the luxuries of the rich. The poor man's blankets or his wife's cloak or shawl pay a tariff five or ten times as high as the rich man's diamonds.

By overtaxation we have now in the Treasury more than $100,000,000, and for a number of years we have had an unnecessary accumulation of the money of the people withdrawn from the circulating medium of the country. The amount of this drain on the country is not at once appreciated. David A. Wells, one of our best thinkers and writers on economics, in an article published in the Princeton Review a few years ago, said:

Recent investigations have shown that, accepting the highest reasonable estimate that can be made of the value of the annual product of the nation, and supposing the same to be equally divided among our present population, the average income of each person, out of which subsistence, savings, education, means of enjoyment, reparation of waste, and taxes are to be provided, would not be in excess of 50, probably not over 40, cents per day. But, as a practical matter, we know that the annual product is not divided equally, and never can be, and some receive the annual average as stated multiplied by hundreds and thousands, which of course necessitates that very many others shall receive proportionately less.

When, now, it is further considered that the present aggregate of Federal, State, and municipal taxation in the United States probably amounts to 7 per cent. on the value of the entire annual product of the country, and that the unnecessary taxation of $100,000,000 which the Federal Government now collects from the people is equal to 15 or 20 per cent. of what the whole people annually save from the product of their labors (taking no account of the additional burden which the imposition of such taxation entails through increased prices), it is possible to form some idea of how a fiscal policy of large taxation, which so many politicians and so-called statesmen advocate as in the interest of the

masses, fearfully trenches on the narrow measure of comfort which the masses under the most favorable circumstances can obtain.

Such taxes—

Says Mr. Atkinson, alluding to the fact before noticed that the Federal taxes fall on commodities—

take from the many what they may actually need for a bare subsistence. They must fall with the greatest hardship on those whose earnings for their families are less, on the average, than a dollar a day to each adult man and woman; and while our present excess of national taxation may be equal to only 15 per cent. of the possible savings of the whole people, they may take 100 per cent.—even the little all—of what the poor man may save.

In addition to the direct injury to the general business of the country and to the individual citizen such an accumulation in the Treasury is demoralizing in the extreme. It is an incentive to the multiplication of offices, the increase of salaries, and to extravagant, if not corrupt, expenditures generally. It can not be necessary to enlarge on the wrong of overtaxation or the evils of such a surplus. All will, at least in theory, admit them. The President has at different times called the attention of Congress to the situation and its dangers.

The questions therefore arise, What is the remedy? Why is it not applied?

To answer these questions it is necessary to take a brief retrospect of our system of Federal taxation, and to look at the reasons why it was adopted and why and by what means retained.

At the breaking out of the war of the rebellion, the "Morrill tariff bill," so called, was enacted, which was an increase of the then existing tariff. Even that increase was not demanded by the manufacturers, as was declared by their friends on the floor of Congress, and there is certainly no reason to suppose that the manufacturers asked for a higher tariff than that of the Morrill bill, in 1861.

But during the war very heavy internal taxes having been imposed on nearly every class of business, the import taxes were accordingly raised. This was a simple act of justice to our manufacturers, for it would otherwise have been impossible for them to bear the burdens of our high internal-revenue taxes and compete with outside untaxed competitors. The tariff on imports was therefore raised, but with the distinct understanding expressed by the advocates of the tariff and the friends of the manufacturers on the floor of Congress, that the measure should be only temporary as an offset to the internal taxes. The several bills increasing the tariff were passed with this distinct understanding. Mr. MORRILL, in a speech introducing one of the bills, used this language:

It will be indispensable for us to revise the tariff on foreign imports so far as it may be seriously disturbed by any internal duties, and to make proper reparation. * * * If we bleed manufacturers, we must see to it that the proper tonic is administered at the same time.

And Mr. Stevens said:

We intended to impose an additional duty on imports equal to the tax which had been put on the domestic article. It was done by way of compensation to domestic manufacturers against foreign importers.

These gentlemen had charge of the bills and were, as it is well known, leading protectionists.

The three revenue acts of June, 1864—practically one measure—were the greatest measure of taxation the world had ever seen. The first provided for an enormous extension of the internal-tax system; the second for a corresponding increase in duties on imports; and the third authorized a loan of $400,000,000. The first two were understood to be and advocated as companion acts, one the complement of the other—the first made necessary by the second, and only to exist while the second existed.

When the war was terminated, its floating debt paid, and the then exciting questions of reconstruction disposed of, the attention of Congress was naturally called to the reduction of taxation. Then common fairness and the previous solemn understanding obviously required that in proportion as the internal taxes were abated the tariff on imports, imposed during the war and as a war measure, should also be abated. Mr. MORRILL, who, as I have said, was an extreme protectionist and the author of the tariff bills, said in 1870:

For revenue purposes, and not solely for protection, 50 per cent. in many instances has been added to the tariff (during the war) to enable our home trade to bear the new but indispensable burdens of internal taxation. Already we have relinquished most of such taxes. So far, then, as protection is concerned, * * * we may safely remit the percentage of tariff on a considerable part of our foreign importations. * * * It is a mistake of the friends of a sound tariff to insist upon the extreme rates imposed during the war if less will raise the necessary revenue. * * * Whatever percentage of duties was imposed on our foreign goods to cover internal taxation on home manufactures could not now be claimed as lawful prize of protection when such taxes have been repealed. There is no longer an equivalent.

In the year 1870, and prior years, it was estimated that an annual reduction had been made in internal-revenue taxes as follows:

By act of 1866	$65,000,000
By act of 1867	40,000,000
By act of 1868	23,000,000
By act of 1869	45,000,000
By act of 1870	55,000,000

So far as they affected the manufacturers the internal-revenue taxes were wiped out. The people had, therefore, a right to demand that the promised reductions should be made in the taxation on imports. But during the war and the years following the protectionists had seen many fortunes made—I should rather say acquired—in a few years, and they thought this their opportunity. And our princely masters—for, disguise it as we may, they have dominated us for years—insisted on retaining, and do still substantially retain, what was conceded to them by the patriotism of the people as a war measure, on the express understanding that when the pressure of internal taxes should cease the pressure of their exactions should also cease.

The good old rule
Sufficeth them, the simple plan,
That they should take who have the power,
And they should keep who can.

It is difficult to consider this subject with equanimity. But perhaps we should not be too severe in our condemnation of the course of these monopolists, for when has ever any class of people willingly surrendered such an advantage? It is hardly to be expected that a few favored classes should, without a struggle, consent to the surrender of their power to levy tribute upon the people. Self-interest obscures the moral sense of all men. These lines of Scotland's great poet are almost as true as the precepts of Holy Writ:

But, och! mankind is unco weak,
And little to be trusted,
If self the wavering balance shake
It's rarely right adjusted.

For the last few years the contest has been going on, and growing hotter and hotter, between the monopolists on one side, fighting like feudal lords of the middle ages for the right to compel the masses of the people to contribute to their magnificence, and, on the other side, the people, in almost an unorganized condition, resisting the injustice and oppression. The contest is an instructive one; humiliating to the people in some respects, it is true, because at the bidding of party hacks they have permitted themselves to be overborne by a handful of capitalists; but nevertheless its lessons, if carefully read and pondered, can not be without advantage.

Though the internal taxes had been so largely reduced, the annual receipts of the Government had become greater than its needs, with a certainty that the surplus would increase annually. There was, therefore, a necessity for a reduction of taxes. One class or party in Congress insisted that the reduction should be made so as to lessen the taxes on the necessaries of the people, according to the understanding when the tariff was increased, while the other side insisted that the reduction should be so made as to lessen or abate the taxes on the property of the wealthy class and on those articles the tax on which bore heavily on no one. The latter class succeeded.

So, that the very truth may appear, I refer to the record.

In 1870, a bill being before the House to regulate internal taxes and for other purposes, Mr. HOLMAN moved an amendment imposing—

a tax of 10 per cent. per annum on the interest and income accruing from all bonds, notes, and other securities of the United States, the same to be deducted and withheld from such interest at the time of payment thereof by the Treasurer of the United States—

Which was disagreed to—yeas 46, nays 135; of the yeas all were Democrats but 3; of the nays all were Republicans but 5.

Mr. BECK moved to—

amend by levying a tax of 5 per cent. on the interest or coupons of all bonds or evidences of debt, including United States bonds.

Which was disagreed to—yeas 78, nays 111. Of the yeas all were Democrats but 26; of the nays all were Republicans but 2.

This bill being in the Senate in the same year, Mr. Bayard moved to amend by adding the following words:

That hereafter there shall be annually deducted and withheld by the Treasurer of the United States 5 per cent. of all moneys payable as interest upon the public debt of the United States, the same being hereby imposed as a tax upon the property represented by the bonds heretofore issued under the laws of the United States.

Which was disagreed to—yeas 12, nays 36. Of the yeas 8 were Democrats and 4 Republicans; of the nays all were Republicans.

Mr. Thurman moved to amend by adding the following words:

That there shall be levied and collected in the manner hereinafter specified a tax of 5 per cent. upon the income of every person residing in the United States, and of every citizen of the United States residing abroad, derived from interest on the bonds of the United States, said tax to be collected by withholding the same in the payment of such interest.

Which was disagreed to—yeas 11, nays 35. Of the yeas all were Democrats but 3; of the nays all were Republicans.

At the first session of the Forty-seventh Congress (1882) a bill was pending, the first section of which was in the following words:

Be it enacted, etc., That on and after the passage of this act, except as hereinafter provided, the taxes hereinafter specified, imposed by internal-revenue laws now in force, be, and the same are hereby, repealed, namely: The stamp tax on bank-checks, drafts, orders, and vouchers; the tax on the capital and deposits of banks and bankers, under section 3408 of the Revised Statutes of the United States, as amended; the tax of capital and deposits of national-banks, under section 5214 of the Revised Statutes; * * * the tax on matches, perfumery, medicinal preparations, other articles, imposed by Schedule A, following section 3437, of said Revised Statutes.

On the passage of that bill there were yeas 127, nays 80; of the yeas all were Republicans but 23, of the nays all were Democrats but 16, and of those 16 four were Independents.

When this bill reached the Senate Mr. GEORGE moved to limit the repeal of the stamp tax to checks, etc., under $100 in amount; which

was disagreed to—yeas 19, nays 39; of the yeas all were Democrats, of the nays all were Republicans but 7, two of whom were Independents.

Mr. GEORGE then moved to strike from the bill that part which relieved from tax the capital and deposits of banks and bankers, and which repealed the stamp tax on bank checks, drafts, orders, and vouchers; which was disagreed to—yeas 15, nays 41; the yeas were all Democrats; the nays all Republicans but 8; one of the 8 was an Independent.

Mr. BECK then moved to strike from the bill that clause which took the tax off perfumery, medicinal preparations, and other articles. ("Other articles" here included pills, powders, tinctures, troches, lozenges, sirups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, waters, essences, spirits, oils, or other medicinal preparations; in fine, it included all that class of medicines.) On this amendment of Mr. BECK there were—yeas 26, nays 29; the yeas were all Democrats, the nays all Republicans but 2, and they were Independents.

Mr. VANCE then moved to amend as follows:

Except playing-cards, after the words "Schedule A," so as to retain the stamp tax on playing-cards.

Which was disagreed to—yeas 28, nays 28; of the yeas all were Democrats; the nays were all Republicans but 1, and he an Independent.

Up until 1883, when on many articles a considerable reduction was made, the war taxes had remained, with slight modification, on all necessaries of the people. In that year complaints of the people became too loud to be ignored. Hence, some tariff legislation became absolutely necessary, and I beg leave to call attention to the record of the struggle that followed.

A bill pending in the Senate in that year, fixing the rate of duties on certain articles, contained the following clause:

All other earthen, stone, and crockery ware, white-glazed, branded, painted, and dipped or cream-colored, composed of earthy or mineral substances not specially enumerated or provided for in this act, 50 per cent. ad valorem.

Mr. VANCE moved to substitute 25 per cent. for 50 per cent., which was rejected—yeas 20, nays 27; the yeas were all Democrats but 1, the nays all Republicans but 3, one of the 3 being a Liberal.

Mr. BECK thereupon moved to substitute 40 per cent., which was rejected—yeas 17, nays 23; the yeas being all Democrats, the nays all Republicans but 2, one of whom was a Liberal.

Mr. VANCE moved thereupon to substitute 45 per cent., which was rejected—yeas 20, nays 28; the yeas being all Democrats, nays all Republicans but 4, one of whom was a Liberal.

Pending the following clause of the same bill—

Porcelain and Bohemian glass, painted glassware, stained glass, and all other manufactures of glass, or of which glass shall be a component material of chief value, not specially enumerated or provided for in this act, 45 per cent. ad valorem—

Mr. BECK moved to amend so as to reduce the duty to 40 per cent. ad valorem, which was rejected—yeas 16, nays 25; the yeas being all Democrats but 1, the nays all Republicans but 3, one of whom was a Liberal.

Pending the same bill Mr. INGALLS moved to strike out the clause imposing a tariff on lumber, laths, shingles, clapboards, etc., the object being to place these on the free-list, which was agreed to—yeas 25, nays 23. The yeas were all Democrats but 5, one of whom was a Liberal, and the nays were all Republicans but 1. This amendment was subsequently defeated by the Republicans.

Pending the following clause of the same bill—

Bar-iron, rolled or hammered, comprising flats less than 1 inch wide and not less than three-eighths of an inch thick, nine-tenths of a cent per pound; comprising round iron not less than three-fourths of an inch in diameter, and square iron, not less than three-fourths of an inch square, 1 cent per pound; comprising flats less than 1 inch wide or less than three-eighths of 1 inch, round iron less than three-fourths of an inch and not less than seven-sixteenths of an inch in diameter, and square iron less than three-fourths of an inch square, 1.2 cents per pound—

Mr. BECK moved to amend by making—

Bar-iron, rolled or hammered, comprising flats not less than an inch wide nor less than three-eighths of an inch thick, and round iron not less than three-fourths of an inch in diameter, and square iron of not less than three-fourths of an inch square, seven-tenths of a cent per pound; comprising flats less than 1 inch wide or less than three-eighths of an inch thick; round iron less than three-fourths of an inch and not less than seven-sixteenths of an inch in diameter; and square iron not less than three-fourths of an inch square, eight-tenths of 1 cent per pound.

Which was rejected—yeas 25, nays 33; the yeas were all Democrats, the nays all Republicans but 4, two of whom were Liberals.

In the same bill was the following clause:

Iron or steel T-rails weighing not over 25 pounds to the yard, and iron or steel flat rails punched, nine-tenths of 1 cent per pound.

Pending which Mr. Bayard moved to make the rate seven-tenths of 1 cent per pound, which was rejected—yeas 24, nays 26. Of the yeas all were Democrats but 1; of the nays all were Republicans but 2.

In the same bill, pending a clause taxing boiler or other plate iron 1.3 cents per pound, Mr. BECK moved to reduce the tax to 1¼ cents per pound, which was agreed to—yeas 28, nays 25. Of the yeas all were Democrats but 3, one of whom was a Liberal; of the nays all were Republicans but 1, and he a Liberal.

In the same bill, pending the following clause—

Wrought iron or steel spikes, nuts, and washers, and horse, mule, or ox shoes, 2 cents per pound—

Mr. VANCE moved to reduce the rate to 1½ cents, which was rejected—yeas 23, nays 25; the yeas were all Democrats, the nays all Republicans.

Pending this clause—

Iron or steel blacksmiths' hammers and sledges, track-tools, wedges, and crowbars, 2½ cents per pound—

Mr. VANCE moved to reduce the rate to 2 cents, which was rejected—yeas 18, nays 21. The yeas were all Democrats, the nays all Republicans but 1, and he an Independent.

Pending this clause—

Horseshoe nails, hob nails, and wire nails, and all other wrought-iron or steel nails, not specially enumerated or provided for in this act, 4 cents per pound—

Mr. COKE moved to reduce the rate to 2½ cents, which was rejected—yeas 22, nays 23; the yeas all Democrats, the nays all Republicans.

Pending this clause—

Hand, back, and all other saws, not specially enumerated or provided for in this act, 40 per cent. ad valorem—

Mr. COKE moved to make the rate 20 per cent., which was rejected—yeas 21, nays 27; yeas all Democrats, nays all Republicans.

Pending this clause—

That on all kinds of iron or steel articles or manufactures of iron or steel hereinbefore in this act enumerated, when galvanized or coated with any metal or compound, alloy, or mixture of metals, by any process whatever, there shall be paid one-half cent per pound in addition to the rates provided in this act—

Mr. SAULSBURY moved to amend by inserting after the word "enumerated" the words—

Except wire used for fencing only between sizes 8 and 13—

Which was not agreed to—yeas 27, nays 27; yeas being all Democrats but 1, the nays all Republicans but 2, and they were Liberals. It will be seen that the scope and effect of this amendment, if adopted, was to except fence-wire from the additional burden imposed by this act.

Pending this clause—

Hollow-ware, coated, glazed, or tinned, 3 cents per pound—

Mr. VANCE moved to make the rate 2½ cents, which was rejected—yeas 19, nays 22; the yeas all Democrats but 2, one of whom was a Liberal; nays all Republicans.

Pending this clause—

Potato or corn starch, 1 cent per pound; rice starch, 2½ cents per pound; other starch, 2½ cents per pound—

Mr. HALE moved to make the first-named rate 2 cents, which was agreed to—yeas 28, nays 24; the yeas all Republicans but 2, and they were Liberals; the nays all Democrats.

Pending this clause—

Cotton thread, yarn warps or warped yarn, whether single or advanced beyond the condition of single by twisting two or more single yarns together, whether in beams or in bundles, skeins, or cops, or any other form, value not exceeding 25 cents, 10 cents per pound; valued at over 25 cents and not exceeding 40 cents per pound, 16 cents per pound; valued at over 40 cents per pound and not exceeding 50 cents per pound, 22 cents per pound; valued at over 50 cents per pound and not exceeding 60 cents per pound, 27 cents per pound; valued at over 60 cents per pound and not exceeding 70 cents per pound, 35 cents per pound; valued at over 70 cents per pound and not exceeding 80 cents per pound, 40 cents per pound; valued at over 80 cents per pound and not exceeding $1 per pound, 50 cents per pound; valued at over a dollar per pound, 50 per cent. ad valorem—

Mr. HARRIS moved to place upon all the classifications one uniform rate of 30 per cent. ad valorem, which was rejected—yeas 23, nays 30; yeas all Democrats but 2, nays all Republicans but 2.

Mr. HARRIS then moved to make a uniform rate of 35 per cent. ad valorem, which was rejected—yeas 24, nays 25; yeas all Democrats but 1, nays all Republicans but 2, one of whom was a Liberal.

Mr. HARRIS then moved to make a uniform rate of 40 per cent. ad valorem, which was rejected—yeas 25, nays 26; yeas all Democrats but 2, nays all Republicans.

Mr. BECK then moved to change the rate first named from 10 cents to 7½ cents per pound, which was rejected—yeas 25, nays 26; the yeas all Democrats, nays all Republicans but 1, and he a Liberal.

Pending this clause—

On stockings, hose, half-hose, shirts, and drawers, fashioned, narrowed, or shaped wholly or in part by knitting machines or frames, or knit by hand, and composed wholly of cotton, 45 per cent. ad valorem—

Mr. BECK moved to make the rate 35 per cent. ad valorem, which was rejected—yeas 27, nays 27; yeas all Democrats but 1, and he a Liberal; nays all Republicans but 1.

Mr. BECK then moved to make it 40 per cent. ad valorem, which was agreed to—yeas 31, nays 24; the yeas were all Democrats but 4, one of whom was a Liberal; nays all Republicans.

Pending this clause—

Spool thread of cotton, 7 cents per dozen spools containing on each spool not exceeding 100 yards of thread; exceeding 100 yards on each spool, for every additional 100 yards of thread or fractional part thereof in excess of 100 yards, 7 cents a dozen—

Mr. BECK moved to strike out "7" where it occurs and insert "6," which was rejected—yeas 26, nays 28; the yeas being all Democrats but 2; the nays were all Republicans but 2.

Pending this clause—

And like manufactures of jute or jute butts (materials used for cotton bales, sacks, and bags), or in which jute or jute butts shall be component material of chief value, 20 per cent. ad valorem—

(The effect of this amendment was to reduce the tariff on this article from 35 to 20 per cent.)

This was agreed to—yeas 25, nays 18; the yeas were all Democrats but 5, one of whom was a Liberal; the nays were all Republicans.

Pending this clause—

Women's and children's dress goods, coats, linens, Italian goods, and goods of like description now or heretofore known as worsted stuffs, the warp of which was made wholly of cotton, linen, ramie, china grass, or other vegetable materials, or of a combination of them, and the woof of which is made wholly or in part of wool, worsted, or hair of the alpaca, goat, or other like animal, valued at not exceeding 20 cents per square yard, 5 cents per square yard, and in addition thereto 35 per cent. ad valorem; valued at above 20 cents per square yard, 7 cents per square yard, and in addition thereto 40 per cent. ad valorem—

Mr. VANCE moved to strike from the clause all after the word "animal" and insert in lieu thereof the words "fifty per cent. ad valorem."

(It will be observed this would have been a considerable reduction.)

This was rejected—yeas 26, nays 27. Of the yeas all were Democrats, the nays all Republicans but 1, who was a Liberal.

Pending this clause—

Precious stones of all kinds, 10 per cent. ad valorem—

Mr. VANCE moved to make the clause read—

Diamonds, cut or uncut, and precious stones of all kinds, 25 per cent. ad valorem.

Which was agreed to—yeas 21, nays 18. Of the yeas all were Democrats but 3, nays all Republicans.

Pending this clause—

Free-list—

Mr. HAWLEY moved to strike therefrom "garden seeds" (so as to make garden seeds subject to tariff); which was rejected—yeas 25, nays 32. The yeas were all Republicans but 1 Liberal, nays all Democrats but 5, one of them a Liberal.

Pending this clause—

Salt in bags, sacks, barrels, or other packages, 10 cents per 100 pounds; in bulk, 6 cents per 100 pounds—

Mr. VANCE moved to strike out, with the view to put salt on the free-list; which was rejected—yeas 22, nays 24; the yeas all Democrats but 2, nays all Republicans but 2.

These references sufficiently illustrate the position and policy of the parties. Some of the votes above referred to would seem to show that those in favor of tariff reduction had succeeded on certain propositions, but in nearly all, I believe in all, such cases on a subsequent vote they were overruled. These facts and figures should be carefully considered. With a heavy tax on the tools and machinery of the mechanic, the implements of the farmer, and the clothing of all classes, from the swaddling-cloth to the shroud, and on nearly every article that is a part of the common needs of the people, a tax varying from 25 to 100 per cent., and in many instances heavier on the necessaries of the poor than on the luxuries of the rich; with a constant augmentation of the surplus in the Treasury, increasing the value of money and decreasing the value of all other property; with the wealth of the country accumulating in an unprecedented degree in the hands of a few favored classes; and with the burden of taxation pressing heavily on the laboring and producing classes, we had this singular spectacle—the leaders of a great party of the country, backed and impelled by the money power and the monopolists (generally the same persons), struggling contrary to a solemn understanding to retain the war taxes on the necessaries of the people and to remove all taxes from the property and luxuries of the wealthy.

The people asked for bread, and they were given a stone; for a fish, and they were given a serpent. They asked to have the taxes, heavy beyond precedent in any other country in the world, lessened on the things that are necessary, not only to their comfort but to their very existence, and the answer to their prayer was the removal of the taxes from bank deposits, bank stock, incomes from United States bonds, playing-cards, perfumery, cosmetics, and many other such articles.

I do not argue that because an act was passed or defeated while either party had a numerical majority in Congress therefore that party is necessarily responsible wholly or at all for the act or its defeat. No party, either political or religious, can fairly be held blamable for the vote or act of every individual who calls himself by its name. Self-interest or lack of principle will always affect the conduct of a few.

But all the legislation to which I have above referred was enacted while the Republican party was in power in every branch of the Government, and these measures were carried by a majority of its members, approximating to unanimity. They, therefore, must be admitted to have been Republican measures. On that proposition the record leaves no ground for discussion.

I now wish to refer to two other measures originating in the House while the Democrats were in the majority in that body. I refer to the Morrison tariff bills, so called, of 1884 and 1886, respectively.

In 1884 Mr. Morrison introduced a bill to reduce import duties and war-tariff taxes, by the provisions of which the tariff was reduced 20 per cent. on manufactures of wool, metal, sugar, earthenware, glassware, and certain other articles, it being expressly provided that nothing in the act should operate to reduce the duty so imposed on any article below the rate at which said article was dutiable under the Morrill tariff of 1861, to which I have above referred. This Morrison bill of 1884 placed on the free-list coal, timber, shingles, laths, and lumber. The Committee of the Whole voted to strike out the enacting clause—156 ayes to 151 noes, in which the House concurred by a vote of 159 ayes to 155 noes. This killed the bill. This was done without offering even a single amendment. In other words, it was a refusal to even consider the question of a reduction of the tariff. Of the 159 ayes there were 41 Democrats and 118 Republicans, and of the 155 noes there were 151 Democrats and 4 Republicans.

In 1886 Mr. Morrison again, from the Committee on Ways and Means, reported a bill to reduce the tariff. By its provisions the tariff was reduced on woolen and cotton goods, on glass, manufactures of metal, and other articles of prime necessity. Timber, lumber, laths, shingles, wool, flax, hemp, jute butts, and other articles of necessity were put on the free-list. On a motion to consider this bill there were 140 ayes, 157 noes. Of the affirmative vote, 135 were Democrats, 1 Greenback Democrat, and 4 Republicans. Of the negative vote, 121 were Republicans, 1 Greenback Republican, and 35 Democrats. So the House refused even to consider the subject of the reduction of the tariff.

I wish here, Mr. Chairman, to emphasize these facts: (1) That in the Morrison bill of 1884 it was expressly provided that nothing in that act should operate to reduce the duty imposed thereby on any article below the rate at which said article was dutiable under the Morrill tariff bill of 1861; (2) that when the duty was raised above that in the Morrill bill of 1861 it was with the distinct understanding that the increase should only be retained so long as the internal-revenue taxes imposed on the protective industries should be retained; (3) that long before the Morrison bill of 1884 was introduced the internal-revenue taxes affecting the protected industries had been removed; and (4) that notwithstanding these facts, the protectionists, including all the Republicans in the House but four, refused to even consider the question of reducing the tariff.

I would not be justified in spending time to further refer to the position of the parties on this question. If anything can be established beyond the possibility of a doubt, it is this: That the Republicans in Congress of late years have, with almost unanimity, been opposed to even considering the question of a reduction of the tariff on necessaries of the people and in favor of reducing or abating the tax on the wealth and luxuries of the rich, and the record shows with equal clearness that the Democrats in Congress, with the exception of certain ones residing in districts where manufacturers and monopolists are powerful, have have been opposed to taking the tariff from the luxuries and wealth of the country and in favor of reducing it on the necessaries of the people.

It is here proper to inquire more particularly what protection is and what are now the demands of the protectionists. The demands of the protectionists are not what they were in the days of Henry Clay, nor, as I have shown, what they were at the commencement of the late war. Their demands are each year greater. On this question I will first let one of the most prominent Republicans and at the same time one of the ablest men of our country, the late Emory A. Storrs, speak. In 1870 he delivered a speech before a meeting of farmers at Springfield, Ill., which I send to the Clerk's desk to be read.

The Clerk read as follows:

A surplus so gigantic demonstrates, better than any argument could possibly do, that taxation is unnecessarily high. Still there stands, in a time of profound peace, an enormous tariff, the effect of which is felt in every department of business, and the maintenance of which enhances the cost of living to every man in the land. Why should that tariff be continued? The fact of the surplus demonstrates that it is not necessary for the support of the Government, and so those who are interested in maintaining it are compelled to place their demands upon what they call the "protection of American industry."

I will inquire precisely what is meant by protecting American industry? Against what or against whom is American industry to be protected? Who attacks or proposes to attack American industry? How is the attack made? Is American industry so feeble that it can not, without assistance from the Government, protect itself? These are all vital questions. If no one is attacking American industry, it needs no protection. The forms of American industry are wonderfully diversified. The great body of the farmers of the country constitute a large element of what may be called American industry, and I know of no attack upon them so serious in its character as that made by the tariff; and if the farmers need protection against anything it is against protection. There are thousands of printers in the country; who attacks or proposes to attack them? No one, except it be the tariff, which enhances the cost of material with which their industry is carried on, of the clothes which they wear, of the coal which they burn, of the lumber with which their homes are built, of the salt which they consume, and of the books which they read. There are thousands of shipbuilders in the country; who attacks them and their interests, and from what enemy do they need to be protected? The deserted ship-yards of the East answer this question—they need to be protected against protection, and that is all the protection they need. The thousands and hundreds of thousands of carpenters and joiners, boot and shoemakers, blacksmiths, and the daily toilers with their hands, upon the land or upon the sea, are threatened with an attack against which, for their own protection, the interveation of the Government is necessary.

I apprehend that should the Government levy a direct tax upon all the property of the country, to be paid over directly to iron manufacturers, so that they might be enabled to hold their own against the competition of the foreign manufacturers, but few would be found who would justify such an exercise of the power of taxation. When reduced to its exact practical operations, the protection of American industry, so called, is simply the forcible taking from the consumer of a portion of his earnings and handing it over to the manufacturer. The proposition to the consumer is simply this: We, the Government, will take from you 10 or 15 or 20 per cent. of your earnings and give it to the manufacturer, and he will spend it so much more judiciously than you would; that ultimately and in the process of time it will in some curious and circuitous manner which we have not the time to explain now redound more greatly to your advantage than it would had you spent it yourself and for yourself.

Mr. WILSON, of Minnesota. These words are not less appropriate and truthful now than they were then.

The tariff on many of the necessaries of the people is double what it was before the imposition of the war tax, and while the duty paid at the custom-houses on importations is the measure of the sum collected by the Government, it is not the measure of the sum paid by the people. This will be apparent when it is considered that the foreign manufacturer can not afford to sell his goods in our market at less than their value plus the duty paid to the Government, nor can he sell at a price higher than that at which our goods of home manufacture of a like kind are sold. If he pays 25 or 50 per cent. tariff on his goods he of course must add that sum to the price, and it is borne by the consumer. So, if domestic goods are raised to the price of the foreign, as they must be or no foreign goods would be imported or sold, the sum of the increase is likewise paid by the consumer. The effect of the tariff is, therefore, to raise the price of both, and to put into the Treasury of the United States the sum of the increase on the imported goods, and into the treasury of the protectionists the sum of the increase on the domestic goods.

The imports of dutiable goods into this country for the fiscal year ending June 30, 1887, were $460,000,000, on which the duty collected was $218,000,000, being an average tax of over 47 per cent. While it is impossible to state with accuracy the value of domestic manufactures raised in price by the tariff, it is estimated that it very much exceeds the amount of imported goods. These facts considered, it is not a matter of wonderment that fortunes in such numbers and with such rapidity are of late years amassed by the favored classes, nor that the agriculturists and producing classes are not prosperous. All these things are the inexorable logic, the necessary consequence of our unprecedentedly high protective tariff.

Even the promise of the protectionist, that by competition among themselves prices should be reduced, has proved delusive, as is shown by the following lists of trusts or combinations to keep up prices, with the per cent. of tariff duty protecting each:

Name of trust.	Protected by duties averaging—	Name of trust.	Protected by duties averaging—
	Per cent.		Per cent.
Salt trust	50	Tin trust	32
Earthenware trust	56	Lead trust	74
Bessemer-steel trust	84	Glass trust	55
Plow-steel trust	45	Soap trust	26
General steel trust	45	Linseed-oil trust	54
Nail trust	45	Rubber-shoe trust	25
General iron trust	45	Envelope trust	25
Copper trust	24	Paper-bag trust	35
Zinc trust	52	Cordage trust	25

The unreasonableness of the demands of the protectionists is more clearly seen by reference to the percentage of people for whose benefit it is insisted the Government shall levy tribute on the whole. The following table, prepared by David A. Wells from the census of 1880, furnishes a good illustration:

Tables and estimates deduced from the census of 1880 will afford approximately correct data for estimating the method in which the burden of the taxation imposed to maintain the protective tariff policy of the United States distributes itself among population, occupations, and professions:

OCCUPATIONS OF THE PEOPLE OF THE UNITED STATES IN 1880.

Agriculture	7,670,493
Professional and personal service	4,074,238
Trade and transportion	1,810,256
Manufacturing, mechanical, and mining industries	3,837,112
Total	17,392,099
Proportion engaged in agriculture who may possibly be subjected to foreign competition in some manner—mainly the growers of sugar and of rice, and of wool possibly to a very small extent, about 5 per cent. or	400,000
Proportion engaged in manufacturing, mechanical, and mining industries, who can be in part but not wholly subjected to foreign competition—large estimate based on calculation	837,112
Total	1,237,112
Proportion that are heavily taxed and placed at a disadvantage in agriculture, manufactures, mechanical pursuits, and in mining by the protective system	16,154,989
Proportion in whose favor the protective system is invoked, but whose wages are not lower than in other employment	1,237,112

It will be seen that it is proposed to heavily tax 16,154,112 of our population for, as it is claimed, the benefit of 1,237,112, but in fact for the benefit of a handful of wealthy manufacturers. In the face of these facts, the cry of "free-trader" will not silence protest nor satisfy the masses of the people who bear the burden. It is not epithets, but arguments and reason that are demanded in such a case.

The assertion that those who demand a reduction of taxation wish to destroy the industries of the country will not be accepted as true without evidence, nor will the pretense that the tariff is for the benefit of labor deceive any one in view of the known fact that laborers in protected industries do not fare better than in other branches. The advocates of tariff reform would neither embarrass the industries of the country nor reduce the rewards of labor. What they complain of is that the protectionists are appropriating much that properly belongs to labor; that they are limiting the income and field of labor, and levying an unreasonably high tribute on the people of the country, especially on the agriculturists and other industrial classes without any equivalent.

All of our wealth is the product of capital and labor, and when capital appropriates too much it follows, of course, that labor receives too little. When the capitalist in a few years accumulates a fortune as his share of the profits, while the laborer is enabled merely to make a living, the inequality and injustice are self-evident; and when a few favored classes secure such legislation as compels the people to contribute to their wealth, the burden is on them to show some benefit to the public to offset the essential injustice of taxing one class or person for the benefit of another.

In answer to these objections we are met with the stereotyped exclamation, "Our laborers must be protected against the pauper labor of Europe." That is now, apparently with one consent, accepted as the most taking argument, as they are pleased to style it.

Some years ago the claim was that protection would only be needed to aid our "infant industries." But as these industries have grown older and stronger and richer their demands have grown greater. Now they appear in the rôle of patriots and public benefactors. They propose to contribute largely of other people's money to aid, as they pretend, our laborers in their competition with the "pauper labor of Europe and Asia."

A few weeks ago, in a speech delivered in Congress, a leading protectionist stated their argument as follows:

He who strikes down the protection the laboring man enjoys against the cheap labor of Europe and Asia strikes at the prosperity, happiness, intelligence, and independence of the masses of the American people, and therefore at the prosperity of the country and the existence of republican institutions.

He then went on to state what the senior Senator from Maine had learned during the past summer about wages in Italy, Belgium, Germany, England, and other countries. He added, referring to the Senator from Maine—

He says: "Of the countries I visited the wages of Switzerland and Italy were the lowest, Germany next, then Belgium, then France, while those of England were highest."

Warming up with the subject, he triumphantly exclaimed:

If the labor of the country can not stand the competition of the Chinese upon the Pacific coast and a few thousand imported Italian laborers upon the Atlantic coast, how could it stand the competition of 404,000,000 of Chinamen, 40,000,000 of Japanese, of 60,000,000 of the population of India, and the pauper millions of Europe under a free-trade policy? There was never a greater fallacy than the one being so persistently advocated by the free-traders, and which was presented by the Secretary of the Treasury—that the greater efficiency of our laborers and the consequent low labor cost of our agricultural and manufacturing products enable us to compete successfully with the cheap labor of other countries.

I quote at length from the speech, because it is a bold and full statement of the staple argument of the protectionist against revenue reform and tax reduction. It is true that the wages in England are considerably higher than in any other of the countries named, and grow lower in those countries about in the order stated—France, Germany, Belgium, Switzerland, Italy, Japan, China, India. If this contention of the protectionist means anything it means this: That the cost of production is lower where wages are lower, and that high-wage countries can not without protection stand up against the competition of countries where wages are lower.

If it were necessary to disprove a proposition which I had supposed every one knew to be untenable, the data furnished by the speaker would be its sufficient refutation. Every school boy knows that England needs no protection against the manufacturers of India, China, Japan, or Russia, though the wages of England are five times as high as in any of those countries. It is a well-known fact that though free-trade England pays the highest wages in Europe, it makes the cheapest goods and is the most successful manufacturer. England neither needs nor asks protection against the cheaper labor of any of those other countries, while they insist that they need protection against the products of her high-priced labor.

Nor is the disproof of the protectionist's assumption found alone in the history of manufacturing in England. France and Germany do not ask protection against the lower wages of the other lower wage-paying countries named, but against the higher wages of England.

In 1887 of all the merchandise by us imported we got from free-trade England nearly 20 per cent.; from Germany over 11½ per cent.; from France nearly 10 per cent.; from Italy, China, British East Indies, respectively, a little over 2½ per cent.; from Japan a little less than 2½ per cent.; from Russia a little over nine-tenths of 1 per cent. These figures show how successfully Russia, China, India, and Japan, with their untold millions of laborers working for nominal wages, compete with the highest wage-paying country of Europe. They conclusively show that low wages and low intelligence are beaten in the race with higher wages and greater intelligence.

The subjoined table, made by the Chief of the Bureau of Statistics of the Treasury Department from the census of 1880 and official data in the Treasury Department, furnishes indubitable proof that the high rate of present tariff is not needed to offset the difference between the cost of labor in this country and in Europe.

Table of specified manufactures, showing amount of capital, value of materials, amount of wages, and value of product, with the per cent. of material and wages, also the average ad valorem rate of duty on similar importations for the fiscal year 1887.

[Compiled from the United States census of 1880.]

Manufactures.	Capital.	Value of materials.	Total amount paid in wages during the year.	Value of products.	Per cent. of—		Ad valorem rate of duty on imports, 1887.
					Materials.	Wages.	
							Per cent.
Cotton manufactures	$219,504,794	$113,765,537	$45,614,419	$210,950,383	53.93	21.62	40.17
Cotton manufactures (specific)	208,280,346	102,206,347	42,040,510	192,090,110	53.21	21.88	*45.49
Glass	19,844,699	8,028,621	9,144,100	21,154,571	37.95	47.95	59.14
Iron and steel manufactures	230,971,884	191,271,150	55,476,785	296,557,685	64.50	18.77	40.92
Hosiery and knit goods	15,579,591	15,210,951	6,701,475	29,167,227	52.15	22.97	†62.80 ‡39.37
Silk and silk goods	19,125,300	22,467,701	9,146,705	40,033,045	56.12	22.84	50.00
Woolen goods	96,095,564	100,845,611	25,836,392	160,606,721	62.79	15.08	67.21
Worsted goods	20,374,043	23,012,628	5,683,027	33,549,942	68.59	16.94	
Mixed textiles	37,996,057	37,227,741	13,316,753	66,221,703	56.22	20.11	§54.20
Woolen and worsted goods	116,469,607	123,858,239	31,519,419	194,156,663	63.79	16.23	67.21
Woolen goods and mixed materials	134,091,621	138,073,352	39,153,145	226,828,424	60.87	17.27	§60.70
Woolen goods, mixed materials, and worsted goods	154,465,664	161,085,980	44,936,172	266,378,366	60.47	13.87	§61.31

*Cotton cloths. †Woolen hosiery. ‡Cotton hosiery. §Estimated.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *January* 25, 1888.

WM. F. SWITZLER, *Chief of Bureau.*

It will be observed that the percentage of duty is in all cases higher, and in many cases twice and in some cases three times as high as the whole cost of labor in the production of the article. The statistics in the volume of the Census from which these figures are taken, were compiled by Joseph D. Weeks, an authority on such subjects and a prominent Republican. Nothing further surely need be said in disproof of the "pauper-labor" argument.

Even loaded down by the disadvantages and burdens imposed by our protective tariff, the ingenuity, energy, and intelligence of our people are so great that they in many departments compete successfully in the markets of other countries. And it will be instructive to observe that our competition has been most successful in those manufactures, the principal cost of which is labor, and high-priced labor, too; such as musical instruments, carriages and cars, clocks and watches, earthen and stone ware, manufactures of iron, steel, paper, etc.

Another argument in favor of the retention of our extremely high taxes is that it is necessary to build up our home manufacturing industries, and thus create a home market for our agricultural products. We have had now about a quarter of a century to discover the beneficent effects of our tariff, a hundred per cent. higher than that of any other country in the world, and the result can be satisfactory only to those for whose protection it was imposed, and their advocates. It is true that many individual fortunes have been made by it at the expense of the people. The excessive tariff and high prices—our market being limited—have not infrequently stimulated overproduction, followed of course by reduction in labor and wages, and that by strikes and lockouts to the great detriment of labor.

We have succeeded in many instances in building factories, but not in building up industries to an extent that can be satisfactory to any one who unselfishly considers the interest of the whole country. A reference to the figures will best illustrate this. The following table, compiled from official data, shows the imports and exports of the manufactures of metals and textiles by the countries named, in the year 1886:

Total values of manufactures of metals and textiles imported into and exported from the United Kingdom, Germany, France, Netherlands, and the United States in 1886.

Countries.	Imports.		Exports.	
	Total.	Per capita.	Total.	Per capita.
United Kingdom	$203,258,137	$5.48	$664,936,612	$17.93
Germany	114,991,366	2.45	289,831,878	6.19
France	63,189,867	1.75	186,360,142	5.15
Netherlands	69,750,000	17.44	49,200,000	12.30
United States	190,727,090	3.27	38,031,459	.66

NOTES.—The imports into Germany and France are the net imports, and the exports from all countries the exports of domestic products. The data for Germany are those for the German Customs Union.

All metals beyond the condition of ore, and all textiles not raw or unmanufactured, are classed as manufactures.

There being no later official data for Netherlands than 1883, the data furnished by Hon. Thomas Wilson for 1880 are repeated.

WM. F. SWITZLER,
Chief of Bureau.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *April* 17, 1888.

These figures show that the United States import more largely than any other of the countries named, except Great Britain, of those manufactured articles which we attempt to exclude by our exceptionally high tariff, and an analysis of the list would show that of the imports of Great Britain a large percentage is in a partly manufactured state, to be exported greatly increased in value; so that the United States are, beyond a doubt, the largest importers of manufactured goods, properly so called.

These figures also show that per capita England exports over twenty-seven times, Germany over nine times, France nearly eight times, and the Netherlands nearly twenty times as much as the United States, notwithstanding our exceptional advantages.

The testimony of Mr. Howard M. Newhall, one of the leading manufacturers of shoes in Lynn, Mass., before a committee of the Massachusetts Legislature in 1882–'83 (quoted by Mr. Wells in an article written by him a few years ago), is so apposite that I quote from it:

I have come before this committee—

Said Mr. Newhall—

to present a few facts in regard to one specific branch of business interest—a protected shoe industry. The shoe industry is the most thoroughly American in its parts of any of our great industries. A few years before 1860 few would have dared to predict that a shoe could ever be made by machinery, or that in a quarter of a century there would be so many people employed in making shoes by machinery as to render the American market altogether too small for their industrial capacity. Yet such is the fact. In Lynn alone the capacity is 300,000 pairs of shoes per week, and Lynn is only one great representative of a great many shoe-manufacturing centers in New England, New York, Pennsylvania, and the West. This is its present capacity, but the power of enlarging this capacity is unlimited. This whole system could be duplicated and reduplicated if necessary within a short term of years. With such facilities it is very natural that the business should soon outgrow the home consumption.

Where a few years ago it took nine months in each year to shoe this country it now takes six months, and with the present increase of factories a few years hence it can be done in less than that time. Of course the increase of capacity engenders competition among the manufacturers, and there is a constant incentive to underbid the market to secure trade. As in all trade, a low price (often quoted) "sets" the market, and in order to meet the market articles have to be made cheaper at the expense of the operatives. If the materials used to make a shoe go up in price, labor always has to go down. Strikes result, as that seems to be the only way the laborer can protect himself from the encroachment of the employer. In a general strike in a shoe manufacturing center the operatives often gain temporary advantage, but with a supply greater than the demand it can not long continue.

* * * * * * *

Gentlemen, do not blame the manufacturer for trying to meet the market, or blame the operatives for resisting a reduction in wages. It all goes to show that the supply is greater than the demand, and that our market is not large enough. Perhaps you may wonder how and where we are "protected" in our shoemaking. I will mention two or three articles specially and speak of the others generally. Take, for instance, serges or lastings. The average duty on the serges or lastings used in the manufactures of shoes is 85 per cent; and how many factories do you think are protected by this enormous duty? I know of only two, one at Oswego, N. Y., the other at Woonsocket, R. I. I may be in error, but these are all which have been named to me, although I have made diligent inquiry.

As another instance take that well-known article, French kid, or, in fact, kid of any foreign make. Kid requires a duty of 25 per cent. on the average. French kid costs all the way from $18 to $45 per dozen skins, according to the quality. An average skin would cost about $30 per dozen, and each skin would cut about one pair of shoes. Hence, the prospective penalty for wearing soft, pliable French kid shoes is 60 cents before the process of making the shoe has begun. This appeals to our own pockets, but in its broader sense we are at just 60 cents disadvantage in competition with the rest of the world in that grade of shoe. The light, pliable glove-calf of foreign manufacture is taxed by a duty of 20 per cent. I have selected the serges, kid, glove-calf, which perhaps form a sufficient variety to illustrate the argument. In the warm climates where we must push these very kinds of shoes which have been mentioned American calf, goat, or grain is too heavy for use, and if we are to compete with foreign manufacturers we need every advantage of competition. Cottons, nails, tacks,

buttons, threads, all have to be used in the make-up of a shoe, and they are protected. The iron from which we make our machinery is protected. If, as facetiously said, we make shoes of paper, that is protected too. In short, you have paid a duty on nearly every component part of the shoe which you are now wearing on your foot.

* * * * * * * *

A removal of duty from all articles used in the manufacture of a shoe would be an advantage to employer and employed. Why, up in Canada and in the Provinces they have been obliged to protect themselves from American shoes by a duty of 25 per cent.; and even though we are having to pay a high tariff on importation and exportation, we are sending as many shoes into Canada as ever. This alone proves what our shoe-manufacturing industry is capable of achieving if it can have a chance. There is no other country knows how or could make shoes as fast and as cheap as the Yankees, and all we need is one end of the bargain. If we are able to sell our goods when protected and protected against, if half the disadvantage we now stagger under were removed, we could soon fix ourselves into a place where the world's buyers could not afford to purchase from any other market.

This speaks volumes to thoughtful men; and what is here said would equally apply to other industries. It is not against the pauper labor of Europe or Asia that the laborer or the people generally need protection so much as against the rich beggars among ourselves who have secured the passage of laws compelling every industry, class, and person in the country to contribute to their enrichment, and who are now, by every means in their power, opposing the modification of these laws. This is but another illustration of the fact that what we need most is protection against protection. If we were not put at a disadvantage by our extremely high tariff we could hold our own against the world.

We export annually to Great Britain of raw cotton $200,000,000 worth, and of breadstuffs, $125,000,000 worth. The breadstuffs are consumed by the operatives who manufacture our cotton in England. It is not doubted but that if our manufacturers were not put at a disadvantage by our protective tariff, they could successfully compete with Great Britain or any other country in the manufacture of cotton goods, especially of the lower grades.

At our very doors there is a heavy trade in these goods with the South American and Central American Republics. They entertain the most friendly disposition toward us. They have hardly any manufacturing industries of their own. We naturally should supply them. But the following table of the imports of English and American cotton goods into Central and South American States for the year ending June 30, 1887, shows that we do not compete with Great Britain notwithstanding our exceptional advantages:

Total values of the exports of domestic manufactures of cotton from the United Kingdom, and the United States to Mexico, Central and South America, and to the West Indies in 1886.

Countries to which exported.	Exported from United Kingdom.	Exported from United States. (*)
Mexico	$2,239,870	$829,596
Central American States	2,288,632	377,612
British Honduras	69,513	27,883
British West Indies	(†)2,799,084	152,672
Other West Indies	5,202,483	1,436,148
United States of Colombia	2,350,607	443,112
Venezuela	1,297,356	602,131
British Guiana	(‡)	21,408
Brazil	14,915,978	705,638
Uruguay	2,401,798	188,358
Argentine Republic	7,227,779	797,246
Chili	3,152,567	408,434
Ecuador	665,630	255,401
Peru	1,845,430	90,062
Total	46,456,727	6,335,701

* Year ending June 30, 1887.
† Includes British Guiana.
‡ Included in British West Indies.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *April* 17, 1888.

We sell them a little over $6,000,000; Great Britain over $46,000,000.

Illustrative of this point, I call attention to the following table, showing the ratio which the exports of unmanufactured and manufactured products from the United States have sustained to each other during the periods designated.

The ratio which the exports of the unmanufactured and manufactured products from the United States have sustained to each other during the decennial periods included between the years 1859–'60 and 1879–'80, and from 1881 to 1887, are as follows:

	Unmanufactured products.	Manufactured products.
1859–'60.....Per cent. of total...	82.3	17.7
1869–'70.....do.....	86.6	13.4
1879–'80.....do.....	87.5	12.5
1881–'87.....do.....	85.20	14.80

Unmanufactured products have risen, therefore, from below 82.3 per cent. of the total exports in 1859–'60 to 87.5 per cent. in 1881–'87, while during the same period manufactures have fallen from 17.7 per cent. to 14.80 per cent. Further illustrations can not be necessary to demonstrate the fact that our tariff has not built up our manufacturing industries. Though we have piled stone upon stone upon the high tariff Chinese wall by which we have undertaken to exclude foreign imports, they have continued rapidly to increase. The value of our imports of merchandise from all countries in 1860 was $353,620,000, but it had gradually risen in 1887 to $692,320,000. If anything can be conclusively proven by facts and figures, this is, that protection does not exclude European manufactures from our market, and that it does exclude our manufactures from the markets of the world. Hardly any country on earth could compete with us under equal conditions. Our situation is most favorable, our natural resources great, and the superior intelligence and ingenuity of our people unquestioned.

But to any thoughtful person, who honestly seeks to discover the truth, the reason that our imports of manufactured products are so great and our exports so insignificant is not far to seek. Of the countries named the United States is the only one that prevents the free importation of raw materials, by our tariff on which we largely increase the cost of our manufactured products. Our domestic manufacturers have to pay a very high tariff directly on their tools, machinery, dye-stuffs, chemicals, and on all raw material, and indirectly on many other articles that enter into the cost of production. This must ordinarily exclude them from the markets of the world, where they come in competition with those who are not so burdened.

That a manufacturer of woolen goods, for instance, who is compelled to pay from 25 to 30 per cent. more than another manufacturer in the same line for his wool, dies, machinery, etc., can not compete with the latter is a proposition too plain to admit of doubt. Every person who reflects on the subject must perceive the truth of the statement of Schoenhoff, that—

Taxes on raw materials inevitably lead to the decay of manufacturing industries. Either one or the other has to give way. There is no choice, no alternative.

Nor is this the only disadvantage at which our tariff places our manufacturers, so far as markets outside of the United States are concerned. To sell, we must buy. Commerce is traffic. But under our tariff laws our manufacturer can not purchase and import on equal terms with his competitors of other countries. The effect of all this is of course to make traffic difficult or impossible, and practically to shut us out of the markets of the world. It must, too, as a consequence, lessen wages and the demand for labor. To compete in the markets of other countries our manufacturers must sell at market prices; and as the cost of the materials, tools, machinery, etc., plus the cost of labor, fixes the cost of production, it is a plain proposition that as the cost of raw materials, tools, and machinery go up labor must go down, or our manufacturers must go out of the market. And certainly, that as the markets for our goods are circumscribed the demand for labor is lessened is a proposition that can hardly be denied.

The protectionists are accustomed to point to the volume of our domestic manufactures as the fruits of the tariff; but they do not state, what ordinary observation shows to be true, that 80 or 90 per cent. of such products must, and would of necessity, be made in the United States, tariff or no tariff.

And as I have attempted to show, so far as we export we do so in spite of the tariff. I am therefore opposed to our present tariff, because while it enriches a few it prevents the expansion of our industries and lessens the field and the reward of labor. But my opposition is intensified by the belief that it is especially unjust and oppressive to the agriculturists of the country.

While, Mr. Chairman, experience and uncontroverted facts show that, in the business of manufacturing, unintelligent, low-priced labor can not and does not compete with intelligent, high-priced labor aided by improved machinery, they also show that our farmers are brought in direct and severe competition with the lowest-priced labor in the world. Perhaps in no other country on the globe are wages so low as among the natives of India and Russia. In either country they are not over about one-fifth as high as in the United States.

That the annual surplus of our wheat which fixes the price of the whole crop comes in competition with the harvests of India and Russia is known to every one, and improved facilities for transportation from these countries are each year making this competition more sharp.

In 1870 British India exported of wheat only 78,208 cwt., and not until 1874 did it export as high in any year as a million of bushels. The table which I append shows that between 1880 and 1886 inclusive, the exports of wheat from Russia in Europe had nearly doubled; from British India had more than trebled; from Victoria, South Australia, and New Zealand had largely increased (but how much we have not the data to show), while within the same period the exports from the argentine Republic grew twenty-five times greater, but from the United States they shrunk nearly one-half in volume and over one-half in value.

Quantities and value of domestic wheat exported from Russia in Europe, British India, the Australian colonies, the Argentine Republic, and the United States during the years 1880 to 1886, inclusive.

Calendar year.	Russia in Europe.		British India.		The colonies Victoria, South Australia, and New Zealand.		Argentine Republic.		United States.	
	Bushels.		*Bushels.*		*Bushels.*		*Bushels.*		*Bushels.*	
1880	36,565,653	$53,524,459	13,896,168	$15,952,105	13,999,415	$13,905,868	42,829	$45,111	144,433,097	$171,420,195
1881	48,972,597	71,672,255	37,078,571	41,871,765	9,729,596	9,632,200	5,772	10,722	126,451,888	140,218,714
1882	76,373,532	100,008,804	26,402,893	29,534,467	8,506,904	9,727,068	62,659	65,844	149,343,185	125,051,895
1883	83,777,096	102,286,594	39,118,791	43,202,651	7,481,949	8,219,776	2,292,352	2,345,128	71,013,280	79,065,180
1884	67,719,720	78,089,132	29,550,741	30,703,430	19,466,921	17,526,920	3,986,663	4,188,074	81,628,418	74,962,678
1885	91,754,000	83,909,180	39,312,969	38,943,436	No data....	No data....	2,884,138	3,029,845	53,625,934	46,678,257
1886	No data....	No data....	41,558,250	41,977,479	....do.....	....do.....	1,288,302	1,457,316	89,294,887	75,955,039

I also append another table that shows the quantities and values of certain leading articles of domestic merchandise exported during the years ending June 30, 1887 and 1881, respectively, and presents a comparison of the percentages of decrease or increase in the quantities with the percentages of decrease or increase in the values of the same articles since 1881:

Articles.	Quantities.			Values.		
	1887.	1881.	Per cent. of increase +; decrease —, from 1881.	1887.	1881.	Per cent. of increase +; decrease —, from 1881.
Cotton, unmanufactured ..... pounds...	2,169,457,330	2,190,928,772	—.97	$206,222,057	$247,695,746	—16.7
PRINCIPAL ARTICLES OF BREADSTUFFS.						
Corn ..... bushels...	40,307,252	91,908,175	—56.14	19,347,361	50,702,669	—61.8
Corn-meal ..... barrels...	265,333	434,993	—38.7	705,343	1,270,209	—44.4
Rye ..... bushels...	357,256	1,928,437	—81.4	216,190	1,885,813	—88.5
Wheat ..... do.....	101,971,949	150,565,477	—32.2	90,716,481	167,698,485	—45.9
Wheat flour ..... barrels...	11,518,449	7,945,786	+44.97	51,550,082	43,047,257	+19.3
Cattle ..... number...	106,459	185,707	—42.7	9,172,136	14,304,103	—35.9
PRINCIPAL ARTICLES OF PROVISIONS.						
Beef products:						
Beef, fresh ..... pounds...	83,560,874	106,004,812	—21.1	7,228,412	9,860,284	—26.5
Beef, salted and cured ..... pounds...	36,479,379	40,698,649	—10.3	1,990,188	2,665,761	—25.3
Tallow ..... do.....	63,278,403	96,403,372	—34.3	2,835,300	6,800,628	—50.8
Pork products:						
Bacon and hams ..... pounds...	419,922,955	746,944,545	—43.7	33,314,670	61,161,205	—45.5
Pork ..... do.....	85,893,297	107,928,686	—20.4	5,641,327	8,272,285	—31.8
Lard ..... do.....	321,533,746	378,142,496	—14.9	22,703,921	35,226,573	—35.5
Butter ..... do.....	12,531,171	31,560,500	—60.3	1,983,698	6,256,024	—68.4

It will be seen that during that period there was a decrease in quantity varying from 10 to 60 per cent., and in value varying from 25 to 68 per cent. on every article mentioned but one—wheat flour; and if we take wheat and flour together there was a great decrease in that.

The records of the Treasury Department show that since the years 1855, 1856, the export prices of the following products have not been as low as in 1885 and 1886, only as hereafter stated, namely:

Corn, but once; wheat, not once; wheat flour, not once; cotton, not once; pork, but once; beef, not once; butter, but three times; cheese, but once.

My time, Mr. Chairman, will not permit me to dwell on the lesson taught by these figures, nor is it necessary that I should. They speak with an eloquence greater than I could command of the great injustice of our tariff.

Pressed on one side by the products of the labor of myriads of semi-serfs, and with their markets constantly growing narrower and their products lower priced, our agriculturists are at home oppressed by an unprecedented tariff imposed, not for the support of the Government, but for the protection, so called, of a mushroom, moneyed aristocracy that it has built up.

I append a table showing the tariff on a few of the necessaries of the people:

Articles.	Tariff.
Lumber	$2 per thousand.
Nails	43 per cent.
Common window-glass	68 per cent. and upward.
Linseed-oil	54 per cent.
White lead	40 per cent.
Red lead	77 per cent.
Wall-paper	25 per cent.
Stoves	45 per cent.
Carpets	50 per cent.
Oil-cloth	40 per cent.
Books	25 per cent.
Glassware, cheapest kind	45 per cent.
Cooking utensils, pots and kettles	45 per cent.
Knives, forks, spoons, etc	35 per cent.
Common soap	20 per cent.
Plowshares, hoes, and forks	45 per cent.
Shingles	17 per cent.
Salt, in bags	39 per cent.
Salt, in bulk	79 per cent.
Needles	25 per cent.
Grindstones	14 per cent.
Garden seeds	20 per cent.
Castor-oil	19 per cent.
Earthenware	55 per cent.
Wool hats, not valued at over 80 cents per pound	66 per cent.
Knit goods, not valued at over 30 cents per pound	88 per cent.
Wool yarn	69 per cent.
Women's and children's dress goods, wholly or partly of wool	60 to 80 per cent.
Clothing, ready-made	54 per cent.
Cloaks, dolmans, jackets, etc	67 per cent.
India-rubber shoes	25 per cent.
Umbrellas	45 per cent.
Looking-glass	78 per cent.
Round and sheet iron	40 to 50 per cent.
Cut-nails and brads	35 per cent.
Wrought-iron spikes, nuts, washers, etc	54 per cent.
Horse or ox shoes	55 per cent.
Anvils, mill irons, etc	68 per cent.
Iron or steel axles	62 per cent.
Horse-shoe nails, hobnails, etc	76 per cent.
Iron or steel chains	47 per cent.
Hand-saws and buck-saws	40 per cent.
Files	64 per cent.
Screws	60 per cent.
Hollow-ware, glazed or turned	47 per cent.
Pens	43 per cent.
Penknives	50 per cent.
Sugar	60 to 80 per cent.
Molasses	47 per cent.
Starch	95 per cent.
Rice	113 per cent.
Cotton thread	50 per cent.
Cotton cloth	50 to 75 per cent.
Bags and bagging	54 per cent.
Woolen cloth, not over 80 cents per pound	89 per cent.
Shawls, not over 80 cents per pound	88 per cent.
Flannels, not over 30 cents per pound	73 per cent.
Blankets, not over 30 cents per pound	79 per cent.

The following table states the description of the goods, their width in inches, and the weight per yard of each kind, the price of the goods at the factory, the rate and the amount of duty per pound and ad valorem, and the total amount of duty levied under the compound rate, and also the per cent. which the total duty is of the price per yard at the factory in England.

Price per yard of Leeds (England) woolen and mixed goods, duties, etc.

Name.	Description.		Price at factory.	Duty.					Cost in New York, not including packing, carriage to port, ocean freight, and insurance.
				Rate.		Amount.			
	Width (inches).	Weight (ounces).		Per pound.	Ad valorem (per cent.)	Per pound.	Ad valorem.	Total.	Per cent. of price at factory.	
West of England broadcloth	60	17	$3.60	$0.35	40	$0.372	$1.440	$1.812	50.3	$5.412
Fine worsted trousering	28	11	1.62	.35	40	.241	.648	.889	54.9	2.509
Imitation sealskin (mohair and cotton)	50	31	4.50	.35	40	.678	1.800	2.478	55.0	6.978
West of England beaver	58	25	3.36	.35	40	.547	1.344	1.891	56.3	5.251
West of England all-wool Moscow	58	29	3.60	.35	40	.634	1.440	2.074	57.6	5.674
Fine worsted coating	56	24	2.88	.35	40	.525	1.152	1.677	58.2	4.557
Fine worsted trousering	28	12	1.42	.35	40	.263	.568	.831	58.5	2.251
Indigo-blue Cheviot coating	58	28	2.40	.35	40	.612	.960	1.572	65.5	3.972
Low worsted coating (worsted face, woolen back, cotton warp)	50	24	.82	.18	35	.270	.287	.557	69.0	1.377
Low worsted trousering (woolen back)	28	11	.48	.24	35	.165	.168	.333	69.4	.813
Ottoman (worsted face, woolen back, cotton warp)	50	27	.82	.18	35	.304	.287	.591	72.0	1.411
Matelasse (worsted face, woolen back, cotton warp)	50	28	.84	.18	35	.315	.294	.609	72.5	1.449
Mantle cloth (worsted face, woolen back, cotton warp)	50	24	.68	.18	35	.270	.238	.508	74.7	1.188
Wool, fancy suiting	54	25	.94	.35	35	.547	.329	.876	93.2	1.663
Cotton-warp cloth	50	15	.54	.35	35	.328	.189	.517	95.7	1.057
Fancy coating	54	23	.78	.35	35	.503	.273	.776	99.5	1.556
Fancy Cheviot	54	25	.82	.35	35	.547	.287	.834	101.7	1.654
Wool, fancy suiting	54	22	.70	.35	35	.484	.245	.726	103.7	1.426
Diagonal Cheviot	54	25	.76	.35	35	.547	.266	.813	107.0	1.573
Common blue Cheviot coating	52	25	.72	.35	35	.547	.252	.799	111.0	1.519
Cotton-warp Moscow	52	35	.96	.35	35	.766	.336	1.102	114.8	2.062
Cotton-warp cloth	52	25	.64	.35	35	.547	.224	.771	120.5	1.411
Cotton-warp twilled Melton	50	16½	.42	.35	35	.361	.147	.508	121.0	.928
Cotton-warp Moscow	52	30	.74	.35	35	.656	.259	.915	123.6	1.655
Cotton-warp cloth	50	13	.32	.35	35	.284	.112	.396	123.7	.716
Fancy overcoating (cotton warp)	50	34	.82	.35	35	.744	.287	1.031	125.7	1.851
Cotton-warp reversible	50	31	.74	.35	35	.678	.259	.937	126.6	1.677
Fancy overcoating (cotton warp)	50	32	.76	.35	35	.700	.266	.966	127.0	1.726
Cotton-warp coating	50	17	.40	.35	35	.372	.140	.512	128.0	.912
Imitation sealskin (calf hair mixed with wool, cotton warp)	50	28	.56	.35	35	.612	.196	.808	144.3	1.368
Cotton-warp coating	50	23	.46	.35	35	.503	.161	.664	144.3	1.124
Cotton-warp Melton	50	13	.24	.35	35	.284	.084	.368	153.3	.668
Cotton-warp serge Melton	50	15½	.26	.35	35	.339	.091	.430	165.4	.860
Reversible diagonal (cotton warp)	50	29	.48	.35	35	.634	.168	.802	167.1	1.282
Reversible nap (cotton warp)	50	29	.44	.35	35	.634	.154	.788	179.1	1.228
Cotton-warp reversible	50	30	.45	.35	35	.656	.157	.813	180.7	1.263

This table is well worthy of careful study. In examining the figures given in the column headed "price at factory" and the column headed "per cent. of price at factory," which the total duty amounts to, the startling inequalities in the rate of duty to be paid in this country becomes apparent. The highest-priced goods named in the table is West of England broadcloth, worth $3.60 per yard in Leeds, the specific duty being 35 cents per pound and the ad valorem duty 40 per cent., making a total of duty of 50.3 per cent. on the value at the factory. This is on a high grade of goods. In looking at the bottom of the table the last entry is for cotton-warp reversible cloth, made in imitation of a better kind. It is worth but 45 cents per yard at the factory. The specific duty is the same as on the West of England broadcloth, 35 cents per pound, the ad valorem duty is 35 per cent., but the specific duty and the ad valorem duty together make the rate on the price at the factory 180.7 per cent. That is to say, the cheaper the goods at the factory the greater is the proportional increment of duty. The column headed "per cent. of price at factory," which shows the percentage that the duty is of the factory price, brings this out clearly.

By looking at this table it will be seen that this per cent. steadily increases from 50.3, on high-priced goods, to 180.7 on low-priced goods.

Had it not been for the richness of our soil and the pluck and intelligence of our people they must long since have been overcome in the unequal contest. That they could hold their own under such circumstances was not possible. That they have not held their own is shown by the following graphic statement, cut from the St. Louis Republican (quoted a few days ago by the gentleman from Illinois [Mr. LANDES] in his speech on this question):

ILLINOIS AND MASSACHUSETTS.

Illinois is a farming State, the richest and most productive one in the Union. Massachusetts is a manufacturing State, one of the most wealthy and prosperous in the industrial group of nine States that are the seat of the protected vocations and the chief beneficiaries of the high-tariff policy.

The fertile soil of Illinois, its enormous crops of grain and other farm produce, its admirable railroad systems—the largest possessed by any State in the Union—and the intelligence and thrifty habits of its people make it the true representative agricultural State of the West; and in like manner, the intelligence and superior ingenuity of the Massachusetts people, their judiciously diversified industries, their thriving manufacturing towns, and their great wealth make it the proper representative of the industrial group. Illinois has an area of 56,650 square miles; Massachusetts, 8,310. At the last census Illinois had a population of 3,077,000; Massachusetts, 1,783,000. Illinois is more than six times as large in area as Massachusetts, and has nearly twice as great a population.

In 1880 Illinois had 255,741 farms, 436,371 persons engaged in farming pursuits, and $1,175,000,000 capital invested in agriculture, this being the estimated value of the farms, with the buildings, live-stock, and implements on them. Massachusetts had 14,352 manufacturing establishments with $303,808,000 invested in them, and employing 352,200 persons. It will be observed that Illinois has nearly four times as much capital invested in farming as Massachusetts has invested in manufacturing, and also that it has 84,000 more persons employed on farms than Massachusetts has employed in factories.

The value of all farm products in Illinois, both sold and consumed on the farms, in 1880 was $204,000,000, while the value of all the products of manufacture in Massachusetts was $631,000,000, from which must be deducted the value of the raw materials used, $387,000,000, leaving $244,000,000 as the net product. It appears, then, that Massachusetts, with one-fourth as much capital as Illinois, and 84,000 fewer persons employed, made $40,000,000 more in manufacturing than Illinois made in farming.

Again, it takes $1,175,000,000 capital invested in farming in Illinois to produce $204,000,000 worth of produce, but in Massachusetts $303,000,000 invested in manufacturing produces $244,000,000.

It appears, also, that it takes 436,371 persons engaged in farming in Illinois to produce $204,000,000 worth of crops, but in Massachusetts 352,200 persons engaged in manufacturing produce $244,000,000 worth of goods. In Illinois the average product per capita in farming is $442; in Massachusetts the average product per capita in manufacturing is nearly $700.

The assessed valuation of taxable property in Illinois for 1887 was $798,000,000, which, for a population of 3,077,000, is about $266 per capita. The assessed valuation in Massachusetts for 1887 was $2,100,000,000, which, for a population of 1,780,000 is about $1,120. So that not only is there more than twice as much assessed valuation in the small manufacturing State of Massachusetts as in the large farming State of Illinois, but an average person in Massachusetts is worth more than four times as much as an average person in Illinois.

These estimates are based on the assumption that all the wealth in Illinois is owned by its people. But it is notorious that this is not the case. All the railroads and telegraph lines are owned outside the State—in the industrial States of the East—and are assessed at $70,000,000, but actually worth $300,000,000.

This article does not state the whole truth. Not only do the wealthy citizens of the manufacturing States own a large percentage of the stock of our telegraphs and railroad companies, but they also own millions upon millions of mortgages upon the farms of our people, as is shown by a table which I also append:

Table showing assessed value under census of 1880, *net State debt under census of* 1880, *net local debt under census of* 1880, *per cent. of total debt to assessed value, and estimated amount of farm mortgages.*

States.	Assessed value of real estate, census 1880.	Net State debt, census 1880.	Net local debt, census 1880.	Per cent. of total debt to assessed value.	Estimated amount of farm mortgages.
Ohio	$1,093,000,000	$5,735,000	$43,000,000	4½	$330,000,000
Indiana	538,000,000	5,000,000	13,355,000	3½	175,000,000
Illinois	575,000,000	.....	45,180,000	8	200,000,000
Michigan	432,000,000	.....	8,803,000	2	125,000,000
Wisconsin	344,000,000	2,252,000	9,623,000	3½	100,000,000
Iowa	$297,000,000	$370,000	$7,562,000	3	$100,000,000
Minnesota	203,000,000	2,565,000	5,911,000	4	70,000,000
Missouri	381,000,000	16,259,000	40,692,000	15	103,000,000
Kansas	108,000,000	1,087,000	1,918,000	16	50,000,000
Nebraska	55,000,000	375,000	7,050,000	15	25,000,000
Colorado	35,000,000	212,000	3,381,000	10	15,000,000
Nevada	17,000,000	.....	1,024,000	6	.....
Oregon	32,000,000	511,000	337,000	.....	15,000,000
California	466,000,000	3,306,000	13,449,000	4	125,000,000

This table, taken from the National Review, was compiled for one of the leading banks in Chicago after a thorough investigation.

While, Mr. Chairman, it is not pleasant for our agriculturists to learn the lesson taught by these figures, it would not be wise to blink or disregard them. No sophistry can gainsay the fact that a good percentage of the profits of their labor is without any equivalent transferred to the pockets of certain favored classes.

It is not strange that after a consideration of the facts and a careful estimate, Joseph Medill, a very prominent Republican and the proprietor of the leading Republican journal of the Northwest (The Chicago Tribune), in a speech delivered before the American Agricultural Society in 1882, said:

> I understate the truth when I say that the farmers of the West and the planters of the South are charged $500,000,000 a year on their goods for the profit of protected Eastern manufacturers more than is fair or necessary on the principle of "live and let live."

But it is idle to disguise the fact that the monopolists are determined that there shall be no essential change in the tariff. They are determined to insist on a literal application of that Scripture:

> Unto every one that hath shall be given, but from him that hath not shall be taken away even that which he hath.

Their representatives and advocates on this floor treat with derision our appeals for a modification of the tariff so as to lighten the burdens on our farmers. They are willing that the tax shall be abated on tobacco and whisky, as they were that it should be on bank stock, bank deposits, incomes from United States bonds, perfumery, playing cards, etc.; but they are not willing that it should be lessened on the shoes, the blankets, the clothing, the plow-shares, or any other of the necessaries of the people.

The most important question now is, shall the wealthy classes be permitted to continue to levy tribute on the industrial classes; shall toil be guarantied the fruits of its own labor? Between these two classes there is an irrepressible conflict. Sooner or later the people will succeed. It may not be at first. The power of concentrated capital is great. The practical politician, the lobbyist, and the place-seeker will be on that side until it is most clear that it can not succeed.

They always worship the golden calf.

But ultimately the people will say, as President Cleveland in his last message said:

> The taxation of luxuries presents no feature of hardship; but the necessaries of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened.

[Applause.]

During the delivery of the foregoing speech, the hour having expired,

On motion of Mr. MACDONALD, by unanimous consent, the time of Mr. WILSON, of Minnesota, was extended for ten minutes.

Mr. CANNON. My friend from Minnesota, in the speech he has just concluded, made a statement about Illinois, comparing her with Massachusetts as to the assessed value of property in Illinois compared with the assessed value of property in Massachusetts. He also made a statement in which, making a comparison between manufacturing Massachusetts and agricultural Illinois, he ignored manufacturing Illinois and misleads as to agricultural Illinois. I do not know where the gentleman got his table——

Mr. WILSON, of Minnesota. I stated that it was taken from the St. Louis Republican. It purports to be, and I have no doubt it is, compiled from the census of 1880.

Mr. CANNON. Well, I have here the census of 1880 as compiled and tabulated, and instead of the condition of affairs which the gentlemen's tables show I find this fact: the true valuation of property in Illinois in 1880, as shown by the census, was $3,092,000,000.

Mr. WILSON, of Minnesota. Mr. Chairman, I am ready to answer any question, but perhaps this is not just the time to inject a speech. Let me say to the gentleman [Mr. CANNON] that the comparison made is not a comparison of the whole of the property of Massachusetts with the whole of the property of Illinois, but a comparison of the value of the farms of Illinois with the value of the manufacturing property of Massachusetts.

Mr. CANNON. A partial statement always misleads.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. WILSON] has expired.

Mr. CANNON. I ask five minutes to complete my statement. I do not contemplate a speech.

The CHAIRMAN. The Chair is compelled to recognize the gentleman from Maryland [Mr. MCCOMAS], who is entitled to the floor.

Mr. MCCOMAS. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois [Mr. CANNON] be allowed five minutes; not to come out of my time. [Laughter.]

There was no objection, and it was so ordered.

Mr. CANNON. To continue, Mr. Chairman, I call the attention o the gentleman from Minnesota [Mr. WILSON] to the fact that the true valuation of all property in Illinois, real and personal, as shown by the census of 1880, was three thousand and ninety-two million dollars, while the true valuation of all the property in Massachusetts was two thousand seven hundred and ninety-five million.

Mr. WILSON, of Minnesota. Can you institute any fair comparison in that way? Is not the only proper way to make the comparison the way it was done by the St. Louis Republican, to wit, taking the value of the agricultural property in one State as compared with the value of the manufacturing property in the other?

Mr. CANNON. I will make the comparison of manufacturing in Illinois with manufacturing in Massachusetts, too, within my five minutes.

The aggregate wealth per capita in Illinois, as shown by the census of 1880, is $1,005, not $266, as stated and quoted with approval by the gentleman, as against $1,568 per capita in Massachusetts; Illinois having a population far exceeding that of Massachusetts. The population of Illinois has nearly doubled within the last twenty years. More than that, Mr. Chairman, we will talk about the manufacturing interests of the two States for a moment. I speak now from the census of 1880. Massachusetts then had 14,352 manufacturing establishments; at the same time Illinois had 14,549. The value of the manufactured products of Massachusetts in 1880 was $631,000,000; the value of the manufactured products of Illinois was $415,000,000. This same census which shows Illinois to be first in agriculture also shows her to be fourth in manufactures, the States coming in this order: New York first, Pennsylvania second, Massachusetts third, and Illinois fourth. That is the census. [Applause on the Republican side.]

Mr. WILSON, of Minnesota. Now, Mr. Chairman, my able friend from Illinois knows that that is not the comparison to which I was calling attention, and that his comparison only distracts attention from the issue that I presented.

Mr. CANNON. What I complain of is, that the statement which the St. Louis Republican made, and which the gentleman and other gentlemen on that side of the House have adopted, is deceptive; that figures, when you tell only part of the truth and conceal a part, do, in effect, tell a falsehood. That is what I complain of. I do not claim, of course, that the gentleman from Minnesota prevaricates; but I say such is always the effect when any one states only a part of the truth.

Mr. WILSON, of Minnesota. If nobody can make a better explanation than you have made, it is an admission of the truth of the St. Louis Republican's statement.

Mr. CANNON. Let me say one word further. The honorable gentleman from Missouri [Mr. DOCKERY]—and I see it in his published speech for the first time this morning—spoke of census reports of assessed values in the State of Illinois. Why, sir, everybody in Illinois, and everywhere else, who has given any attention to the subject knows that the assessed value of property in Illinois is not one-fourth of its real value. It is by artful statements, founded upon such figures, that the attempt is made to mislead the House and the country; and I sometimes think that some of these newspapers desire to have believed as truth that which is not the truth.

Mr. WILSON, of Minnesota. May I ask the gentleman from Illinois another question?

The CHAIRMAN. The five minutes allowed to the gentleman from Illinois have expired.

Mr. WILSON, of Minnesota. If the assessed values in both Massachusetts and Illinois are divided by four, what difference does it make in the gentleman's comparison?

Mr. HOPKINS, of Illinois. I want to say—and the statistics sustain the assertion—that the percentage of wealth per capita has increased as rapidly in Illinois as in Massachusetts.

Mr. MCCOMAS. Mr. Chairman, if any article of common use which our farmers can not profitably grow or our miners or workmen produce is not already on the free-list I will vote to put it on.

If any duty on any home product be higher than the conceded higher wages rate of my country I will vote to reduce it to the protective level, because I believe the tariff is simply a question of wages. If it be clear that any clause fosters only monopoly I will vote to strike it out. If you frame a revenue-reduction bill with an eye single to the relief of the Treasury and the people from a growing surplus I will vote with you.

If you who are the majority would suffer the Republican minority to deal for one day only with the problem of the surplus I believe we would in that single day reduce our annual revenues $70,000,000, by repealing the internal-revenue tax on tobacco, a burden on the farms in sixteen hundred counties and fifteen States; by repealing the internal-revenue tax on alcohol used in the arts, manufactures, medicines and drugs, and by reducing the tariff on sugar to a minimum, yielding revenue enough to pay bounties to home producers of sugar from cane, sorghum, corn, and beets.

The reduction of the surplus is the pretext but not the motive of this bill.

Who, for instance, to reduce a surplus of $55,000,000 would put "curled hair for beds or mattresses" on the free-list, which last year yielded a revenue of $38.25?

It is not a surplus revenue, but a protective revenue; not a war tariff, but a protective tariff, you gentlemen of the majority assail. Mr. Cleveland's message and this foundling now called the Mills bill have a common purpose. Both use the surplus as the fulcrum wherewith

to apply the free-trade lever to dislodge the protective system. Every free-trader applauds both. Every protectionist denounces both.

Why, in this debate, has every friend of the Mills bill landed the English free-trade tariff system, which only levies duties on articles not produced at home?

Has any friend of this bill in this debate uttered one sentence in favor of the American tariff system, which discriminates in favor of the home producer and laborer?

I pause and will yield a half minute to any member on the Democratic side to name the sentence or the member's name who uttered it.

Mr. HOOKER. No. There was no one, and you won't hear any Democrat utter one.

Mr. McCOMAS. I have heard one eloquent Democrat [Mr. FORAN] defend the tariff and labor, but he will not vote for this bill. I am glad to hear the gentleman from Mississippi declare for his party that no Democrat has or can utter a word for protection of labor.

Your purpose is the enlargement of the free-list and final opening of our markets to the world. Why then discuss the revision of the protective tariff with this majority which would wipe it out as with a sponge? [Applause.]

The Democracy has under Cleveland after forty years renewed its allegiance to English free trade. This fight is not over the details of this bill but on the broad issue of free trade or protection. Your tariff of 1846, the contagion of Cobden's enthusiasm, resulted in the bankruptcy of all industries, wheat rotting in unthrashed stacks, and corn burned for fuel on the Western farms. Said Richard Cobden in 1844:

You have no more right to doubt that the sun will rise to-morrow than to doubt that in less than ten years from this time, when England inaugurates the glorious era of commercial freedom, every civilized nation will be free trade to the backbone.

It was to convert the world, and after forty years no nation has adopted it.

Enterprise was to be paralyzed and invention stifled where free trade did not prevail. It was to confer great benefits on its votaries, and impose evils on those who rejected it.

Free trade to-day comes with the broken promises, the disappointed hopes of its early supporters and founders.

Protective France and Belgium rival England, while Germany is surpassing her, and after five years of protection Bismarck says, "Germany fears nobody but God," while the United States has far outstripped England in enterprise and inventive industry. Thirty-ninefortieths of mankind repudiate free trade to-day.

Prophecy has been falsified by history. One year ago, outside of England, of all the wise and thoughtful men in Europe and America, no ruler or minister dared to propose free trade. After forty years of trial all statesmen outside of England have united in rejecting it as one of the "puerile doctrines and illusions of mankind." The modern statesmen we find all protectionists: Thiers, Gambetta, Clemenceaux, Grant, Garfield, Bismarck, Sherman, and Blaine.

Wherever there is universal suffrage the producers the world over have repudiated free trade. When free trade won in England the working people were excluded from the suffrage.

THE BRITISH TARIFF FOR REVENUE ONLY AND DIRECT TAXES.

We collect over two hundred millions from customs under a protective tariff.

England collects one hundred millions from customs under a free-trade tariff for revenue only.

The campaign this fall is designed to bring our tariff to the English model—a free-trade tariff for revenue only.

Great Britain has 2,220 customs officials. Her custom-houses are scattered everywhere.

On some imports Great Britain imposes a duty of 400 per cent. or 500 per cent.; on several a duty of 1,900 per cent.

By a tax of 6 pence per pound on tea and 2 pence per pound on coffee, Great Britain wrests from the breakfast table of her people $22,000,000 annually.

She has a tariff on chicory, cocoa, cocoa husks, chocolate, currants, figs, raisins, plums, prunes, chloral, chloroform, collodion, tobacco, snuff, soap, ether, cordials, alcohol, spirits, and other articles, which in 1886 yielded her a customs revenue of $99,086,435.

Besides, a free-trade tariff compels heavy direct taxation. While we collect our one hundred and eighteen millions from internal-revenue taxes, Great Britain in 1886 by internal taxes collected by licenses to auctioneers, pawnbrokers, and peddlers, by stamps on bankers' notes, on bills of exchange and promissory notes, on checks, drafts, and receipts, on deeds and instruments, by a tax on dogs and guns, by a house duty, by a tax on marine and life insurance, by a land tax, a tax on legacies, by liquor taxes and licenses, by a tax on patent medicines, on property, and licenses on refreshment houses, by a tax on dealers and manufacturers of tobacco and snuff, and by taxes on a hundred other vexatious items, from her people, the enormous sum of $291,573,490.

DEPRESSION OF TRADE AND INDUSTRY IN ENGLAND UNDER FREE TRADE.

Dare you now go home and tell the people of our land how thirty years of a free-trade tariff for revenue only has prospered Great Britain? Even after three years of Democratic incompetent administration we have nothing like the industrial distress existing in England. There is a wolf at the door of the English wage-earner and an enemy at his fireside. There is the figure of the laborer badly clad in his hovel, living in want and ignorance. England has a million paupers, and seven millions of people there to toe the line of pauperism. Wages all over England are low and decreasing. Her industries are depressed by a competition some of them can not survive. Eighty thousand people are out of employment in London alone. Women are selling their life-blood working at a half-penny an hour in making cheap clothes, and lately the countless army of the unemployed crowded Haymarket. Tens of thousands marched through London streets to Westminster Abbey calling for "bread or work."

ENGLISH FARMING HAS COLLAPSED UNDER FREE TRADE.

Learn from England, ye farmers of America, how free trade benefits agriculture.

There agriculture has reached a state of collapse. Every farmer is 40 per cent. poorer than he was twelve years ago. The tenant farmers are now paying their rent out of their capital. In ten years the loss of income to owners of land was 30 per cent. and to tenant farmers 60 per cent.

The farm laborer now works for 1 or, at most, for 2 shillings a day, a loss of 20 per cent. of his wages.

The land is rapidly going out of cultivation, and free trade has made wheat growing unprofitable to the English farmer. Within ten years 1,000,000 acres, one-fourth of the whole wheat area of Britain, has gone out of cultivation. Dairy farming is extinguished. The best of the farm population is crowding into the great cities, no longer customers, but competitors.

To the *doctrinaires* it is a pretty pastoral scene; free-trade England, a grass country without gates, cropped-tail horses, and foxes and hounds running on forever and ever.

The howling dervish of free trade, with his epileptic froth over the mortgages on Western farms, should remember that while mortgages on farms here are 20 per cent. of their value, the mortgages on English lands were over 58 per cent. of their value (says Mullhall) in 1876, and since then the value and income of these lands has fallen off from 20 to 50 per cent. The number of farming bankruptcies in Britain have increased six times in ten years. Bills of sale have multiplied ten times in five years.

I was born upon a farm; its fragrant fields, its meadows, and clover bloom are redolent of the memories of a happy boyhood. I live among farmers and represent largely a farming constituency. As I consider their wants, their burdens, their troubles, God forbid I should ever vote to add to their present evils by a dose of English free-trade tariff for revenue only, the loss of their home market, the farmer's main dependence for the sale of his surplus products. [Applause.]

Free trade may cheapen a few of the farmer's supplies; it will still more cheapen the value of his farm and its products, decrease manufactures, and increase farmers.

When our people are all employed they earn wages, and the more wages they earn the more of the farmer's products they buy. Free foreign trade may enrich the mugwump importers of New York or Boston, but it is home production and consumption that enriches the farmer. Foreign importation enriches the few at the expense of the many by gathering the profits in a few hands—the bankers, the merchants, the brokers, the agents, the shippers, those who deal in money and exchange. Home trade is tenfold more profitable than foreign trade. Foreign trade profits individuals; home trade profits the community, because the money turned over once in foreign trade is turned over ten times in home trade.

While foreign trade enriches many middlemen, home trade enriches the producer. In home trade both the buying and the selling are done at home, and both transactions bring profit to the community. In foreign trade one transaction is done abroad and does not benefit our country at all. Free foreign commerce is a curse if it only displaces so much home commerce.

For the farmer foreign goods in exchange for the farmer's grain and raw material are far-fetched and dear-bought. The farmer will not transfer prosperity from home manufacturers to Northern importers, for the manufacturer keeps the money at home, while the importer sends it abroad. He knows to-day that it is best to exchange his produce at his own door, to have his neighbor for his customer instead of his competitor, quite as well as when a century ago the American farmers created the American protective policy. He knows that the home market his foresight fostered consumes more than all of Britain's imports and exports combined. He hails the tendency to bring producers and consumers together by more rapid transit and fewer middlemen.

THE AMERICAN FARMER SACRIFICED TO FREE TRADE BY THE MILLS BILL.

Mr. Chairman, the American farmer has for years heard the Democratic leaders denounce the tariff as the bulwark of monopoly, the enricher of a favored few whose products ought to be on the free-list

He will read the Mills bill to find that the farmer is the Robber Baron whose products now go to the free-list. The raiser of sheep and the grower of wool is now the chief of sinners, and wool must be made free. Cultivators of hemp, flax, peas, beans, cabbage, potatoes, seeds, and vegetables are monopolists; so these go to the free-list.

More than one-third of the free-list in the Mills bill is composed of the yield of the field, forest, and mine to the damage of the lumberman, quarryman, farmer, and miner.

With demagogic zeal salt which costs us 6 cents per capita is hurried to the free-list, while sugar which costs us $2.57 per capita escapes lightly.

But I will not vex the House with figures. Figures are good servants but bad masters. This bill and the tables in the majority report suggest that either ad valorem or percentage is the prince of liars.

THE PROBLEM TO-DAY—NOT CHEAPNESS, BUT EMPLOYMENT.

Mr. Chairman, the speeches for this bill are the extravagant speeches of forty years ago. The necessaries and conveniences of life were never so plentiful or so cheap as to-day. The wages of labor were never so high in our country. The poor man's blanket never was so cheap as now, but the poor man's wages are the lowest in the States where most of the members who support the Mills bill hail from. During the past forty years all over the world mechanical and scientific appliances have transformed the transporting and producing of commodities. These have reduced and are still reducing the labor required for both.

When Cobden triumphed with the cry of "the cheap loaf" the trouble was the scarcity and dearness of the necessaries of life. To-day the struggle is for work enough to give the bulk of population money enough to buy these necessaries of life now so cheap and abundant.

Without employment, increasing masses of people must pass a miserable existence in the midst of plenty. Industries must constantly grow and diversify to give full and well-paid employment. From the difficulty of supplying adequate employment in the midst of commodities cheap and plentiful has resulted the reconversion of the civilized world to protective tariffs.

Employment, not cheapness, is the mainspring of national contentment. Internal production and internal consumption are the best tests of national prosperity.

Cheap blankets and cheap salt are a mockery if labor is cheaper still. Free trade means untaxed foreign competition. It cheapens a few things the workman consumes, but cheapens everything that he produces. Protection raises the price of a few things the workman consumes, but raises the price of everything he produces, and higher wages for what he produces means a higher standard of life for home, wife, and children.

Free trade means cheapness to the few rich idlers with fixed incomes, but longer hours, lower wages, harder work to the workers, who are many. Goods are too cheap for us when they are cheaper than we can make them. Competition with long hours and low wages will bring us to long hours and low wages. "Competition for cheapness becomes competition in cheap labor, and competition in cheap labor means competition in flesh and blood."

To-day every old soul-driver of the South is a free-trader. Free trade is against the poor man and in favor of the rich man when it lets the rich man buy what he wants abroad and employ the foreign workers at lower wages in place of the American producer who stands ready with his capital, the workman's skill, his practical knowledge, his industry, his strength, his health. In this country to-day the workingman has the ballot to defend him against the competition of underpaid workmen and plethoric capital in Europe, and Coolie and Chinese labor in Asia, for all of them by cheap ocean freights are now brought near our door. [Applause.]

THE MARKET OF THE WORLD IS A DELUSION AND A SNARE FOR US.

When you tell the farmer if he will slaughter his sheep free wool will enable our manufacturers to control the foreign market, he retorts that cotton has always been free. Free cotton has not given our spinners control of the foreign market, but with free wool a million flockmasters must seek other employment.

Since all foreign countries save England have adopted the protective system, free trade for us can not open a single port or market not now open to us, but simply opens our market to all foreign wares. We would fall before the combined efforts of protective tariffs abroad and foreign competition at home.

The depressed and overcrowded market of England is already open to us, and all the markets of the continent of Europe are protected. How then will these markets give us continuing employment? Besides, if ten million workers in glass, woolens, cotton, and silk in Germany, France, and Belgium are working 72 hours a week, including Sunday, at 50 per cent. less wages, and send their products free to New York and Boston or Baltimore, at a lower rate of freight than it costs workmen working 48 hours a week here, then these ten million workmen are competing as if they were all here alongside of our workmen. Instead of free trade let us rather make more stringent our immigration laws. [Applause.]

THE SOUTH MOST NEEDS THE TARIFF.

Mr. Chairman, it amazes me to hear Mr. Mills, who hails from Texas, claim that the tariff has nothing to do with wages, because wages are higher in some States than in others. The tariff wrought its best fruit in New England and the enterprising North and West. Wages are lower in Arkansas and Louisiana and South Carolina, because slavery condemned the black and poor white people to ignorance; and after the war under the inherited system it was too long disgraceful to labor.

The wages of her men and women are not much more than half the wages paid in New England. It is amazing to hear Representatives from the Southern States unite to denounce the tariff, when the South most needs protection. New England and Pennsylvania, rich with the fruits of a general system of manufactures, may well smile at the folly of these Southern leaders blinded by prejudice.

The United States Government was formed in part for the creation and promotion of manufactures. The Confederate States government was formed to stimulate agriculture alone and to import manufactures.

Will the old South never recant this clause of the Confederate constitution?

> But no bounties shall be granted from the treasury, nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any industry.

On this charter of free trade and slave labor the South based the fabric of a commercial alliance with England—the exchange of cheap manufactures from cheap foreign labor for unlimited cotton from cheap slave labor. The war cry of the old South was slave labor and free trade. Slavery has gone, but these leaders of the old South here on this floor fight for the English alliance and free trade once more. Free trade is still the dream of the old South, whose corner-stone was the plantation idea—wide lands, an accomplished few enriched by the ignorant many toiling for bare subsistence.

The old South, whose old master class can forget with magnanimity the bitterness of the war, but can not forget the enfranchisement of their slaves.

The old South, which, appalled at the rule of the ignorant majority, resorts in turn to violence or fraud, convinced that if ever the small white minority yields at the ballot-box to the growing black majority then will be the doom in the cotton States of public and private rights.

The old South, which, bewildered by the gravest problem of civilization, blindly keeps solid the black vote by outside pressure, by the denial of full citizenship, which excuses the fraudulent denial of a fair poll or count in communities where there is a black majority, by reason of color, ignorance, and poverty, convinced that fraud affords the only escape from the supremacy of the poor and ignorant mass.

The old South, which passionately forbids massed black ignorance to be counted against its own intelligent white minority, but with shameless inconsistency believes it right to count this uncounted black vote wherever the South needs an offset to as many intelligent workingmen's votes actually cast in the North and West, believes it right to thus quadruple the power of the white minority of the cotton States at an election for President and Congress.

This old South, whose old Confederate leaders on this floor now seek by free-trade and the English alliance to readjust the old plantation idea to raw products of mines and fields with cheap peasant labor.

The young men of the South begin to realize, though slowly, that when the white minority stoops to fraud upon the poll or count, it controls the massed majority at the cost of its own civic virtue and debasement of the moral sense of the community.

There is hope in the new South with her exultation in her new-found treasures, her inexhaustible mines of coal and iron, her mountains of iron and salt, her copper, lead, her granite, her fire-clay, her cement and lime rock, all imperiled by this bill. The new South, with its nascent industrial fire, its gleams of wealth through whirling spindles and looms and molten glass.

The new South, with its growing impatience with the plantation idea, the growing belief that the Northern township system will be potential, and that peasant labor can not sustain "Southern booms." The new South by slow degrees learning that the healthful growth of Southern towns and cities must be grounded upon the education of the whole mass of the people, by the free consent of all under a local self-government with equal civil rights as citizens. The new South, conscious of the value of its free black labor, beginning dimly to see that this labor robbed of its dues for two centuries must be educated if the South would rival Northern labor, if it wants the factory to raise the value of the farms, and around the shops to grow a village.

The new South, which believes it must lift its labor above the level of Europe, and that like the North it must eventually pay its skilled workers in metal, glass, wool, and cotton 50 per cent. more than the old world if it would transform its towns into cities and diffuse prosperity over countless small farms.

Upon this new South, thrilling with mighty enterprises, developing her mines, founding her cities, Mr. Cleveland's message against a protective tariff fell like some unwelcome bell knelling a departed friend. This cry of free raw materials is the device whereby to drive the new South back to free trade before her transformation weds her to the tariff which made New England great. In this spirit John Randolph said he would go a mile out of his way to kick a sheep. He hated the animal which made the farmers protectionists.

Like another Tannhauser, the new South has just broken away from the toils of slavery. It has awakened to the industries of earth. Just as it has made paths in the trackless forest, just when it is exploring the seams of earth to extract its ores, just as it stands by the mouths of its new-made coal-pits, the President's message and the Mills bill summon the new South again to slumber, that the vines may cumber the forests, that bats and owls may inhabit the shafts of deserted mines, that spiders may weave their webs over the mouths of the coal-pits, that the grass may grow again in the village streets. [Applause.]

Like another Tannhauser, this last cry will break the illusion of free trade that so long has blinded the South.

Instead of Cleveland's curfew, we will set the morning school-bells ringing in the South. [Applause].

Mr. HEMPHILL. Have you ever been South?

Mr. McCOMAS. I have, somewhat.

Mr. HEMPHILL. How many times?

Mr. McCOMAS. Many times. I was born and bred on the Potomac, in a slave State, and I live there yet.

Mr. HEMPHILL. Well, I do not live in that country either. I want to know whether the gentleman has ever been south of the Potomac.

Mr. McCOMAS. Oh, yes; lived South, and sometimes traveled South.

Mr. HEMPHILL. Recently?

Mr. McCOMAS. I have been there recently, and would be glad to go again to the gentleman's country; would be glad to meet my friend there; would be glad to observe the effect of protection still retained at 100 per cent. on rice in his State, and above all would be glad to go there next election day to look upon peaceful and fair elections and the eight ballot-boxes to deceive the illiterate voters; would be glad to see there such a state of sentiment as is represented on this side by seventeen men, friends of the American industrial system from the Southern States—six from Virginia, four of them gallant ex-Confederates as well as Republicans; two from Tennessee, one from West Virginia, one from Maryland, two from North Carolina, three from Kentucky, in spite of the deadly enmity of the whisky ring, the deadly foe of the protective tariff; my two neighbors yonder from Missouri, the whole seventeen, except the two brave soldier Republicans from Missouri, Republicans who are "native and to the manor born"—born and bred in the slave States, belonging there, and all of them the peers of any man from the South, on this floor as well as at their own homes and among their own constituents. [Applause.]

I lament that able and fair-minded men like my friend from South Carolina can be standing here against the best interests of my section as well as the grand interests of my country, while these Republican ex-Confederates and these Republican Union soldiers, these Republican native-born Representatives from the South, come here to cast 17 votes from the new South against this free-trade bill which would bring ruin to the South even more than to other portions of the Union. I hope the gentleman is satisfied with my answer.

Mr. HEMPHILL. The gentleman's eloquence, I will say, with proper respect to my friend, is only surpassed by his ignorance. One peculiarity of people who live North and are Republicans is that they not only want to regulate their own affairs but those of everybody else. Now, we from the South are supposed to know what are the interests of our section. We are sent here for the purpose of representing those interests by as intelligent constituents as any persons in this country. We have no feeling of opposition to the North; let its people make all the money they can——

Mr. McCOMAS. I can not yield for my friend to make a speech, though he is able to make a very good one; the time I have remaining is too short. He does not hesitate, by helping the Mills bill, to try to regulate and ruin the interests of my State—its coal, its glass, cement, and labor.

Mr. HOPKINS, of Illinois (to Mr. HEMPHILL). What do you pay your laborers?

Mr. HEMPHILL. We pay them all we can afford to pay them under this miserable protective system, which takes almost everything to satisfy the demands of oppressive taxation.

Mr. HOPKINS, of Illinois. In Illinois a farm hand gets $20 to $25 a month, because we have diversified industries. In South Carolina such laborers receive but $6 to $7 a month. [Applause on the Republican side.]

Mr. HEMPHILL. In addition to their wages we give them a home. I guaranty that we pay our laborers as much, counting provisions and home, together with actual cash, as similar laborers are paid in Illinois.

Mr. HOPKINS, of Illinois. I will say——

Mr. McCOMAS. I can not yield further; I have something myself to say about that. In reply to the gentleman from South Carolina, who says Maryland is not a Southern State, I wish to say in 1861 your people, imbued with the poison of the subtile and able Calhoun, the virus from the fangs of secession, sent her commissioners who came to the people of Maryland and plead with her as a Southern State to go with them into secession, bankruptcy, and ruin. You called her then a Southern State. Although lying on the Potomac, and although a slave State, she vindicated her right to come farther North when she sent 46,000 Union soldiers to defend that flag which hangs over the Speaker's chair upon the field of battle when your war cry was free trade and slave labor and ours was protection to white labor and freedom to slave labor in this country. [Great applause on the Republican side.]

The gentleman's own ignorance is narrow indeed when he restricts and limits the South to South Carolina. It was so once, but is no longer.

But when you say we are to be likened to the North and West, we in Maryland begin to rival their glowing activity. I thank thee, Jew, for that word. [Applause.]

ORGANIZED LABOR—BLAIR BILL—PROTECTIVE TARIFF.

Mr. Chairman, these three things affright the old Bourbon régime—organized labor, the Blair bill, and a protective tariff. Organized labor which in the freer States by manifold endeavors, through blunder and defeat, still is always groping upward toward the light, and destined under liberty and law to grandly help the uplifting of all mankind in this favored land. Organized labor, so blindly battled with by the leaders of the old South on this floor, will yet prevail, as in this modern world the strength of numbers ever ultimately prevails.

If these free-trade leaders are statesmen they should beware lest the black labor of the South, robbed of two centuries of education, of self-help, standing with its eyes blinded, may take hold of the middle pillars of our house, while our Philistines are sacrificing to their god Free Trade, and are making merry with our Southern people, and pull down our house upon us to avenge its two eyes.

The Blair bill, which is the surest remedy to ward off such awful calamity, whereby in separate schools the children of the slaves may be fitted for intelligent labor and citizenship which makes organized workers in contented homes the bulwark of the nation. The protective tariff which, linked with organized labor and national educational aid, will destroy proscription, prejudice, and sectionalism.

COAL AND IRON ON THE FREE-LIST.

The clamor of the Southern people, the stern protests from the mines and the towns disconcerted the plan to put coal and iron on the free-list, but these free-traders were not to be foiled. Anthracite coal is on the free-list and bituminous coal is not mentioned. They have put on the free-list "all mineral substances in a crude state and metals unwrought not specially enumerated or provided for. They do not specifically enumerate bituminous coal, which is a mineral substance in a crude state, nor iron which is metal unwrought, and the last section of the Mills bill repeals all laws or parts of laws in conflict therewith. They have openly put all the products of coal on the free-list.

The simple device of omitting to specify bituminous coal, repealing the law which did specify it, and putting it on the free-list as a "mineral substance in a crude state" will not long be hidden from the new South concerned for its coal and iron.

I now charge that since this bill was introduced here our free-trade Treasury chiefs have by a mere ruling repealed the tariff law which protected coal.

For a hundred years, since George Washington signed the first tariff act, bituminous and semi-bituminous coal of commerce have been protected. All the semi-bituminous coal of the Atlantic slope, the coal of Maryland, Virginia, West Virginia, much of the coal of Pennsylvania has been protected. Suddenly, in March, our Secretary declared that all coal with less than 20 per cent. of volatile combustible matter is anthracite, and therefore free. It matters not that anthracite averages less than 5 per cent. of volatile matter.

For the first time the Cumberland coal of my own State and the Pocahontas coal of Virginia are declared to be anthracite by the Treasury, though still called semi-bituminous by all mankind.

The bituminous coal of Swansea, Wales, and the bituminous coal of Canada are already coming into our ports and will not be stopped unless this House shall declare that a free-trade Secretary can not legislate and thus enlarge the free-list at will to give the railroad, the gas, and steam-ship monopolies free trade in coal before the Mills bill has passed. And I would vote to impeach the Secretary of the Treasury who has dared to usurp the functions of Congress, who has boldly put bituminous coal on the free-list in defiance of the law.

THE AMERICAN SYSTEM—ITS SPLENDID DEVELOPMENT.

Mr. Chairman, I have listened to the lamentations of the other side, who forget that for eleven years they have controlled this House, and for three years past ruled this country. If the plain people, the working people of my country, can be diverted, by these querulous complaints, from the greatness of the American protective system and the splendor of its development as fashioned by the national Republican party during the recent twenty-five years, they indeed are our people—

Like the people—

To borrow from an old philosopher—

who when they went to Olympia could only perceive that they were scorched by the sun, and pressed by the crowd, and wetted by the rain, and that life was full of disagreeable and troublesome things, and so they almost forgot the great colossus of ivory and gold, Phidias's statue of Zeus which they had come to see, and which stood in all its glory and power before their perturbed and foolish vision.

I believe rather that the vast majority of our people will, with our foremost statesman, again declare for that policy which inspires labor

with hope and crowns it with dignity, which gives safety to capital and protects its increase, which secures political power to every citizen, culture and comfort to every home. [Great applause.]

Mr. HEMPHILL. I wish to say, Mr. Chairman, simply, if the gentleman from Maryland [Mr. McCOMAS] will give me his attention for a moment, that in my remarks a few moments ago I desired to express my understanding of his lack of information as to the condition of things in the Southern States. My remark had reference exclusively to that, and was intended in no sense to be offensive.

Mr. McCOMAS. I appreciate that. I could not understand the gentleman from South Carolina as intending to give or myself as desiring to take offense at what he has said.

Mr. HEMPHILL. It was only that I did not think the gentleman had sufficient personal knowledge of the subject upon which he was then speaking to enable him to advance opinions of that character.

Mr. McCOMAS. I hope to have the opportunity of witnessing in person, at no distant date, the condition of affairs there, and especially would I like to see an election held.

Mr. HEMPHILL. I will be delighted to see the gentleman there on such an occasion, and promise to show him an election where there is a voter for every vote.

Mr. HOUK. But counted differently from the way they are cast.

Mr. HEMPHILL. No, sir; counted just as they are cast.

Mr. PERKINS. That would undoubtedly be a rare sight, which a man might be justified in going so many miles to see.

Mr. HEMPHILL. Very well; we will be very glad to show it to gentlemen who choose to favor us with their presence there.

Mr. LANHAM. Mr. Chairman, I claim no superior knowledge as an expert in the "dismal science." I can not assume to be as well informed on the tariff question as the learned gentlemen who have heretofore spoken upon the subject, nor do I hope for one moment that what I may say will afford any specially valuable contribution to the economic thought or literary excellence of this discussion. But believing as I do, that the subject under consideration is one of supreme importance, and of the utmost interest to every section of our common country, I have felt constrained to record my convictions and express some reasons for the faith within me.

During the brief period of my Congressional service I have witnessed two occasions in this House which impressed themselves in an extraordinary degree upon my observation. They attracted great public attention and will not soon pass from the memory of those who were then present. I allude to what occurred on May 6, 1884, and June 17, 1886. On the first of these dates the enacting clause of the tariff bill as then proposed was stricken out by a vote of 159 yeas to 155 nays; on the last the House refused to enter upon the consideration of a kindred measure by a vote of 140 yeas to 157 nays. The results of these votes, the political complexion of which is well known, were greeted with applause by the protectionists, and the country was given to understand that the burdens of war taxation, indefensible as they are in times of peace, should continue to oppress the people. In the face of Executive recommendation, in spite of popular clamor for tax reduction, and the *consensus* of the best political economists of all parties as to the absolute necessity for legislative action, in the presence of a constantly accumulating revenue beyond the requirement for an economical administration of the Government, and the inevitable consequence of an abnormal and prodigious surplus in the Federal Treasury, aside from the palpable injustice and obvious impolicy of perpetuating the existing system of taxation, there could not then be found in this great House of the people a sufficient number of their chosen Representatives who would even allow time and opportunity to investigate or reform apparent abuses, or in any manner relieve the tax-payers from confessed oppression.

When, however, on the 17th of April of this good year, the motion was made by the chairman of the Committee on Ways and Means to begin the consideration of the bill now before us, no voice was heard in opposition. High-tariff men, Republicans and Democrats, "opened not their mouths." It seemed to be realized on all sides that remedial action could not longer be delayed, that the last continuance had been granted, and the time for trial had arrived.

What the fate of the pending bill shall be no one can safely prognosticate. It is within the power of the protectionists to defeat it—to strangle and destroy it ere final consideration is reached; to obstruct and wear it out. But whatever may be the result, I sincerely hope that no Converse will be found on this side of the Chamber to take the initiative in its decapitation, that no man who calls himself a Democrat will draw the first dagger or deal the first blow. In view of the conditions that surround us, and the intrepid stand taken by the President, I can not perceive how any Democrat can afford to antagonize the general proposition now submitted in the direction of reducing taxation and simplifying the processes of its collection. It is possible, as intimated, for the opposition to prevent the passage of the bill in its present shape, or as it may be amended, to prevent any relief contemplated by its provisions, and thereby maintain the present *status* of the tariff schedules. If any bill of the sort shall pass, it will be the result of Democratic persistency and aggression, and by the grace and permission of the Republican party both in the House and in the Senate.

If there be no tariff legislation the Republican party will be responsible for the failure. One thing is certain: the Democrats are inflexibly determined to crowd and press this great issue before Congress and the country. The fight has been going on for years. The agitation will not cease until something is accomplished. The people in the factory and in the field, in the shop and at the shambles, whether they live by the expenditure of brain or brawn, at the North or in the South, everywhere throughout this great country, expect and require some certain and definite action, some decision and settlement of the question. They can not and will not brook further suspense. The Armageddon of American politics is at hand. The lines are being drawn. Choose you this day whom you will serve. He that is not for us is against us. If a Democrat favor a continuation of war taxes, let him go to the camp of the enemy; if a Republican love country better than partisanship, let him join the ranks of reform; if any patriot prefer the general good to special advantage and class benefit, now is the time to show his colors. Listen to the authoritative declaration of your respective parties four years ago:

> The Democratic party has failed completely to relieve the people of the burden of unnecessary taxation by a wise reduction of the surplus. The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus.—*Republican Platform of* 1884.
>
> That change is necessary is proved by an existing surplus of more than $100,000,000 which has yearly been collected from a suffering people. Unnecessary taxation is unjust taxation. * * * The Democratic party is pledged to revise the tariff in a spirit of fairness to all interests.—*Democratic Platform of* 1884.

Read the message of the Union's Executive, who is charged with conserving the public weal, at the beginning of this Congress. He emphasizes the gravity of the situation. Look at it as you will, it sounds the note of alarm and can not be disregarded. He has hoisted the danger-signal and the world has seen it. Our safety and prosperity depend upon heeding the warning and putting into practical operation the plain behests of representative duty.

Gentlemen of the House, after all, the great body of our constituents are homogeneous. Tax-payers have kindred interests and cognate sympathies. Political parties, it is true, are necessary factors in republican institutions. Party alignments were formed in the very incipiency of our Government, and will and ought always to exist. I believe there always have been and ever will be conscientious citizens of the American Union who entertain different views and conflicting sentiments on questions of public policy. I do not believe that any party has now or ever will have a monopoly of all the virtue and purity, or all the vice and profligacy, which adorn on the one side, or degrade on the other, the administration of governmental affairs. There are good men and bad men alike in every human association. Evil communications will corrupt the good manners of all the sons of Adam.

But in the presence of a common danger, in the blazing light which unmistakably reveals the absolute necessity for a conservation of the best interests of the Republic, there must and will be found sufficient unity of purpose and concentration of effort to meet, in some measure, the demands of the situation. Selfishness must be made to yield to the paramount requirement of the general good and public welfare.

Mr. Chairman, it seems to me unnecessary to repeat the current platitudes and generic postulates which ever attend a tariff discussion. The diverse constructions of constitutional power and purpose are known of all men. The infinite variety of transformation and verbal adjustment of old statement, the artistic modern formulation of ancient *dicta*, however ingeniously constructed, can make no substantial addition to what has so often been announced. What I said in the Forty-eighth Congress in this connection is perhaps equally applicable to the present time:

> It were practically impossible, at this day, for any man to suggest anything new or essentially different from the manifold thought and treatment which the subject of Federal taxation has received in this country from time to time. It has engaged the attention and inspired the research of governmental philosophers for more than a century, and statesmen and essayists have in turn given it their current contributions. It has been so often discussed, critically considered, and profoundly explored that the very language employed is generic, the platitudes identical, the illustrations parallel, the methods threadbare. With a very slight adjustment of transposition, and the elimination of modern data, it will be discovered upon close inspection that much of our recent literature upon this subject is but the adroit reproduction of what was said scores of years ago.

It is not assumed by the majority of the Committee on Ways and Means, nor any one else, that the bill reported is perfect, nor is it expected that it shall be exempt from legitimate criticism. There are, perhaps, many objections which may be urged against it, but it will serve at least as the ground-plan for the interchange of representative opinion and the foundation for legislative judgment. It seems to me that we ought to discuss its defects and commend its merits in the spirit of fairness and concession, and strive to meet on some common ground. I am for the bill, with some amendments. If they can not be had, I will take it as it is and give it an earnest support as the best that can now be accomplished. My most serious general objection to the bill is that it is too protective. It leaves the duties on many articles far too high, which at earlier periods in our history would have been regarded as monstrous. Its chief reductions, amounting to $46,645,112.48, are made

by additions to the free-list and subtractions from excise or internal-revenue sources. I am not sure that the importation of articles upon which imposts are lessened will not be stimulated to such an extent as to increase the revenues now derived therefrom. In that event, however, some benefit would result in favor of the mass of consumers. There is more required of us than merely stopping an inflow of surplus. That, of course, is an important *desideratum*, but a thorough revision and adjustment of the entire tariff law is absolutely needed.

Mr. Chairman, it is my purpose to discuss specially only one feature of the bill, and that is section 3, which relates to wool and the manufactures thereof, to be found on pages 27 to 29. By its terms all wools are placed upon the free-list, while articles made from wool are taxed upon an average of 39.87 per cent., ad valorem. Wool contributes to the proposed reduction its present average ad valorem of 29.60 per cent., while its manufactures are only made to surrender 29.05 per cent. This, in my judgment, is disproportionate, and I give notice that at the proper time I shall either move or support an amendment which will reduce the duties on woolen manufactures to an average ad valorem of 25 per cent. Just here I beg to reproduce a portion of my former speech, submitted April 22, 1884, bearing upon this subject:

I may fail to convince the opposition, and may not satisfy the sheepmen of the country, that the proposed reduction in the tariff on wool will not injuriously affect the wool business; that it will not measurably embarrass that interest and depress prices. I might content myself by saying—what ought to be a conclusive reason—that it is unjust and unconstitutional to tax the great body of the people to protect that or any other interest; that protection to one sheep-raiser, if it increases the cost of the consumer's necessities, means oppression and injustice to fifty other good citizens engaged in other pursuits, and that the conscientious discharge of apparent duty is infinitely above and beyond any consideration of the mere consequences involved.

But I do not believe, in the presence of living facts and the truth of history, that high tariffs on wools necessarily bring high prices to the wool-grower. I am not prepared to state the exact extent to which the character of wools produced in Texas enters into competition with that imported from foreign countries; but feel warranted in the statement that it is limited.

Mr. Hurd, in his recent admirable speech, said:

"There are three grades or classes of wool in the market—first, the superfine or the Silesian wool; second, the intermediary or combing wool; and third, the coarse carpet wool. Of these America does not produce the superfine wool or the carpet wool, and it can not produce them. Therefore no duty on them can be of any benefit to the farmer of this country. He does not grow them.

"As to the intermediary grade this is the situation: The wools of the foreign countries have a fiber and texture which our wools do not possess, and the American manufacturer needs them to mix with American wool to produce the best results. No man can make a good suit of clothes made from American goods alone. From England, from France, and other parts of the world we want the wool with their fiber to make the best product for our manufacturer in his work of supplying the home demand.

* * * * * * *

"I believe every pound of American wool of intermediary grade that comes into this country will make more valuable every pound of wool raised here. The basis of my proposition on this point is that the foreign wool does not come into America in competition with American wool, but to supplement its deficiencies. This is no idle theory of mine."

As to the general effect of the tariff on the prices of wool in this country I take the liberty to quote in addition the following extract from a very able published letter of Senator J. H. Slater to the secretary of the wool-growers' convention of Oregon, of date December 30, 1883:

"It has been demonstrated over and over again from the statistics of wool prices in this country, covering a period of many years, during which time wool has been subjected to varying duties, sometimes practically prohibitory, at other times letting in the lower grades entirely free, with a moderate duty upon the higher and firmer grades, that the domestic product has always borne better prices under low tariffs or when wool was free than during periods of high duties. This fact has been reiterated in this country and elsewhere many times by publicists of the highest character.

In corroboration of this statement I invite attention to the following quotations from the forcible speech of Hon. WILLIAM M. SPRINGER in the last Congress:

"In 1867 the wool-growers of the country and the manufacturers of woolen goods succeeded in inducing Congress to impose protective duties on the importation of foreign wools, and also to impose such additional duties upon importations of foreign woolen goods as would compensate them for the loss they would sustain by reason of the duties on the raw material. The tariff upon wool prior to 1867 had been fluctuating under various acts of Congress from 1824 to 1865. Some of these acts place the duties very low. From 1858 to 1861 wool costing 20 cents per pound or less was on the free-list, and all other wools paid a duty of 24 per cent. ad valorem. From 1862 to 1864 the duty on wools costing 18 cents per pound and less was but 5 per cent. ad valorem; and over 18 cents and less than 24 cents it was 3 cents per pound; and over 24 cents per pound in price, 9 cents per pound in duty.

"Between 1865 and 1866 the tariff on wool costing 12 cents per pound and less was 3 cents per pound, and costing over 12 cents up to 24 cents per pound the duty was 6 cents per pound, and between 24 cents per pound and 32 cents per pound the duty was 10 cents per pound and 10 per cent. ad valorem; and on all wools costing over 32 cents per pound the duty was 12 cents per pound and 10 per cent. ad valorem. The act of August 28, 1866, slightly changed these duties, but they remained substantially the same until the taking effect of the act of March 2, 1867, the law now in force. I will not recapitulate the various tariffs imposed by the act of 1867. The classification prepared for Government experts embraces one hundred and sixty-eight different standard samples of wool to be taxed under this law. The duties, however, vary from 18 to 110 per cent.

"These burdens are very unequally distributed on the different classes of wool, carpet wools being taxed at the rate of from 18 to 39 per cent. ad valorem, while fine wool pays from 37 to 88 per cent. in the grease, and from 31 to 96 per cent. if washed, and from 73 to 110 per cent. if in scoured condition. It will be seen that the high tariff upon fine washed and scoured wools has had a marked effect upon the manufacture of woolen goods in this country, and has worked greatly to the injury of both the wool-growers and manufacturers, as will be seen as I proceed further.

"The wool-growers felicitated themselves after the passage of the act of 1867 upon the success which had attended their efforts in securing a protective tariff on their product; but we will see how far their expectations have been realized. Their object in securing tariff legislation was to prevent foreign wools from competing with their products. They desired to practically exclude many classes of wool from our markets in order that they might receive greater prices for all they might raise. I shall be able to prove that, so far from realizing their expectations, the market has actually been depressed; that in the States east of the Mississippi and Missouri Rivers the number of sheep has vastly decreased, and that the price of wool has averaged less per pound since the high tariffs were imposed than prevailed previously under the low tariffs.

* * * * * * *

"I have stated that since the passage of the protective tariff act of 1867 up to the present time, a period of fifteen years, the price of wool in this country has been less than it was for the fifteen years next preceding that time. This proposition is not left to conjecture or speculation. Fortunately for the position which I assume, the most accurate and reliable data upon this subject have been preserved, and herewith I present for careful examination the following statement furnished by the Chief of the Bureau of Statistics of the Treasury Department.

Statement showing the average price of medium American washed clothing fleece wool from 1824 to 1881, inclusive.

[United States Economist and Dry Goods Reporter, January 31, 1880, data furnished by Mauger & Avery, 49 West Broadway, New York City.]

Year.	Average price.	Year.	Average price.
	Cents.		*Cents.*
1824	44½	1853	35½
1825	42	1854	44
1826	30	1855	37½
1827	32½	1856	45
1828	36	1857	40½
1829	36½	1858	39½
1830	45½	1859	47
1831	61½	1860	47½
1832	47½	1861	38½
1833	50½	1862	50½
1834	54	1863	75½
1835	56½	1864	87½
1836	60½	1865	82
1837	50½	1866	63
1838	42	1867	50½
1839	49½	1868	46
1840	41½	1869	49
1841	41½	1870	46½
1842	37½	1871	55
1843	30	1872	70½
1844	35½	1873	55½
1845	37½	1874	54½
1846	32½	1875	51½
1847	40	1876	44
1848	34½	1877	42½
1849	34½	1878	40½
1850	38½	1879	37½
1851	41½	1880	46
1852	38½	1881	40

JOSEPH NIMMO, JR., *Chief of Bureau.*

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
February 3, 1882.

The average price for the fifteen years preceding 1867 was 58.8 cents per pound. The average price for the fifteen years succeeding 1867 was 48.6 cents per pound. These statements, supported as they are by facts and figures, are exceedingly cogent and to my mind unanswerable. But be that as it may, with me the solution of the matter, as before intimated, does not depend upon the possible results to one class of business enterprise, but upon doing what is right. I can not, as a public representative, sworn to support the Constitution, seeking general justice, economic administration, and fair dealing to the entire people, ask that wool be protected, if it has to be done at the expense of all other interests and thereby lay the foundation for the protection of everything else which clamors for class legislation. I consent to and shall vote for the reduction on wool as proposed by the bill under consideration, as well as for all other reductions contemplated, as far as they go, believing that to the extent of such reductions the general well-being of the people will be promoted. But while this is the case I wish to contend that an average reduction of 15.06 per cent. on wool is not met by an average reduction of only 19.99 per cent. on the manufactures of wool, as estimated under this bill.

The following statistical statement, prepared at my request by the Chief of the Bureau of Statistics, shows the operations of the tariff upon wool and the manufactures thereof, and the relative difference in the results of the old law and the act of March 3, 1883:

Value of imports of wool entered for consumption in the United States and the ad valorem rate of duty collected during the following periods:

Articles.	During the six months ended December 31—					
	1882.		1883.		Increase + Decrease —	
	Value.	Ad valorem rate of duty collected.	Value.	Ad valorem rate of duty collected.	Value.	Ad valorem.
	Dollars.	*Per ct.*	*Dollars.*	*Per ct.*	*Dollars.*	*Per ct.*
Clothing wool	1,210,689	55.46	2,399,515	44.73	+1,188,826	−10.73
Combing wool	135,123	50.19	615,677	43.48	+ 480,554	− 6.71
Carpet wool	3,505,980	27.79	4,345,385	25.02	+ 839,405	− 2.77
Manufactures of wool	22,400,387	66.71	22,064,512	68.90	− 335,875	+ 2.19

JOS. NIMMO, JR., *Chief of Bureau.*

TREASURY DEPARTMENT,
Bureau of Statistics, March 7, 1884.

From this it appears that the duty on the character of wools therein stated was decreased, while that upon woolen manufactures was increased as indicated, under the act of the Forty-seventh Congress. The inequality was glaring enough under the old law. The reasonable proportion and adjustment of rates

would have demanded under that a very considerable reduction on the manufactures of wool to have equalized them with those upon the raw materials. And now while the present bill limits the maximum rate of duty on wools and woolens at 60 per cent. ad valorem, and is *pro tanto* a relief to the people, yet I think it preserves and perpetuates, to a greater or less extent, many of the original vices, and in addition provides:

"That nothing in this act shall operate to reduce the duty above imposed on any article below the rate at which said article was dutiable under 'An act to provide for the payment of outstanding Treasury notes, to authorize a loan, to regulate and fix the duties on imports, and for other purposes,' approved March 2, 1861, commonly called the 'Morrill tariff.'"

This clause prevents, it is true, a 20 per cent. reduction on some characters of wool, but comes, I think, materially to the aid of certain woolen manufactures, and allows the duties thereon to remain too high. I do not favor any indorsement of the maladjustment or cabalistic features of the existing tariff law. In my judgment the pruning ought to be thorough and the reformation radical. "What is worth doing at all is worth doing well." If existing conditions are condemned, it seems to me that "the ax ought to be laid to the root of the tree;" if the tares are to be separated from the wheat, why not collect them all, and apply the fire? I believe in an intrepid policy and a heroic treatment of this national disease. If it be wise and proper to agitate the tariff question—and that it is I entertain no doubt—the agitation, it seems to me, should be comprehensive, and the work of reformation extend all along the line.

No skirmishing, no half-way measure, no temporizing expedient will elicit popular commendation or endure the test of enlightened criticism. If the desired and necessary legislation can not be accomplished—and under the present composition of Congress I fear it is hopeless—a courageous assertion of principle, an exhibition of the faith within us can be made. Now, I have no adverse criticism to make upon the pending bill, save the propriety of eliminating therefrom the defects and inequalities which characterize the past enactments; if they are to furnish the model, if it were left to me, I would lop off their excrescences, heal their deformities, and eschew their vices. But if in the judgment of wiser men it will be now impracticable to obviate these imperfections, I shall support the bill in its present shape in the interest of harmony and concert of action. For one, I am willing to lay upon the altar of the common country every selfish consideration, and that my people shall rely upon their natural resources, their own protective energies, the legitimate profits of their own pursuits, unaided by any tribute to be extracted at the toil and expense of their fellow-men.

It is neither impolitic nor improper to demand an equivalent concession at the hands of others. The humblest shepherd, who in the solitude of the Western prairies attends his flock and listens to the bleating of his lambs, is the peer of the grandest millionaire in the crowded city, whose music comes from the hum of his spindles and the clang of his machinery. The one is just as good, just as nobly born, just as American, just as much entitled to consideration as the others. Equal rights is the transcript of the paternal mind, planted in the corner-stone of our republican edifice, and when by ruthless hand removed, the stately structure will be in ruins.

Mr. Chairman, I ask indulgence to discuss this clause of the bill from a Texas standpoint.

I have before me the report of the Comptroller of Public Accounts of the State of Texas for the year ending August 31, 1887, which contains statements showing the assessment of property for taxation in that State for the year 1887, as taken from the official rolls of the different counties. In it I find the number and value of sheep rendered for taxes for the years 1886 and 1887. It shows for the year 1886 4,543,765 sheep, valued at $5,282,814; for the year 1887, 4,275,394 sheep, valued at $5,016,674. The number of decrease from that of 1886 is 268,371, valued at $266,140. Mr. Dodge, the Statistician of the Department of Agriculture, estimates the number of sheep in Texas in January, 1888, at 4,523,739, with an average value of $1.52 per head, amounting in the aggregate to $6,864,744. I quote from him the following estimate of the number, average price, and total value of sheep in all the States and Territories of the United States.

States and Territories.	Sheep.		
	Number.	Average price.	Value.
Maine	547,725	$3.01	$1,645,914
New Hampshire	205,023	2.98	610,968
Vermont	393,301	2.85	1,120,279
Massachusetts	62,667	3.30	206,702
Rhode Island	20,852	3.81	79,498
Connecticut	49,199	3.81	187,517
New York	1,564,067	3.46	5,415,582
New Jersey	105,276	3.70	389,100
Pennsylvania	984,891	2.89	2,756,119
Delaware	22,294	3.27	72,790
Maryland	160,254	3.35	537,171
Virginia	444,741	2.42	1,078,053
North Carolina	427,500	1.36	581,054
South Carolina	107,334	1.72	184,400
Georgia	442,274	1.50	664,826
Florida	92,888	1.96	182,061
Alabama	310,622	1.46	453,135
Mississippi	247,830	1.57	390,362
Louisiana	113,965	1.64	186,801
Texas	4,523,739	1.52	6,864,774
Arkansas	220,167	1.41	310,127
Tennessee	516,504	1.61	832,440
West Virginia	474,933	2.26	1,073,824
Kentucky	797,998	2.43	1,936,741
Ohio	4,106,622	2.61	10,714,177
Michigan	2,113,004	2.72	5,743,990
Indiana	1,003,068	2.55	2,553,611
Illinois	814,177	2.49	2,026,894
Wisconsin	911,662	2.15	1,962,261
Minnesota	283,725	2.38	674,698
Iowa	408,478	2.41	985,249
Missouri	1,087,690	1.74	1,894,973
Kansas	830,139	1.76	1,457,558
Nebraska	422,112	2.02	852,456
California	5,462,728	1.88	10,291,779
Oregon	2,930,123	1.70	4,987,069
Nevada	660,996	1.91	1,259,660
Colorado	1,137,686	$1.98	$2,297,169
Arizona	658,561	1.75	1,152,482
Dakota	269,619	2.60	700,526
Idaho	312,408	2.05	640,436
Montana	1,285,000	2.10	2,698,398
New Mexico	3,623,168	1.09	3,953,239
Utah	1,335,000	1.91	2,594,172
Washington	549,885	1.94	1,068,976
Wyoming	523,340	2.08	1,089,853
Indian Territory			
Total	43,544,755	2.05	89,279,926

It is, I think, worthy of note that while the average value of sheep per head for the whole country is placed at $2.05, the lowest average, where sheep-raising is of special importance, is given to Texas and New Mexico. The fleeces of this quality of sheep, however, would, it is believed, be in greater demand for purposes of manufacturing admixture with the finer wools that would be imported, as a result of the removal of the present duties on wools. The average value of sheep per head in Texas, as shown by the Comptroller's report, is only $1.13. This, however, is from the standpoint of taxable valuation and rendition.

Mr. Chairman, I have taken the pains to make a careful computation of the number and value of sheep in the counties which compose the Congressional district which I have the honor to represent in this body, and I discover that the number, as shown from the most authentic sources at my command, is 1,035,396, valued at $1,196,932, a greater number than that found in the entire State of Indiana, and almost equal to that of Missouri or Colorado. There are but ten of the States and Territories which contain more sheep than the Eleventh Congressional district of Texas; and yet I shall vote for free wool without any fear of injuring the people of my district or retarding the well-being and prosperity of my State.

Let us examine and see if the wool-growers of Texas have any just grounds for opposing the free-wool clause of the bill, and whether their complaints and resolutions against their delegation in Congress are well founded. Of course we deem it impossible to either convince or conciliate our Republican constituents, and such Democrats as cling irremovably to the tenets of protection. But there are those who do not believe that the mere owning of sheep or investment in wool-growing are adequate causes for a transfer of party allegiance, and it is not every sheep-raiser in Texas that will vote the Republican ticket. Some, yea, many, of them are Democrats, and will continue to be Democrats, "in whom there is no guile."

In January, 1883, as shown by the Comptroller's report, there were 4,491,600 sheep in Texas. This was during the high-tariff period, and before the duties on wool were reduced by the act of March 3, 1883. The number appears to be slightly greater in 1886 and less in 1887; and it is not improbable, I think, that the official assessment for taxation may show some falling off for 1888. Much, if not all, of the decrease may be attributed to disease, the severity of recent winters, insufficient shelter, and the fact, as stated in the late report of Mr. Dodge, that "some of the flock-masters in Texas have sent considerable numbers to New Mexico." There has been no greater, and I think far less decline in the profits of this industry than has attended other business pursuits and avocations; nor do I believe that the tariff duties before or since the act of March 3, 1883, have been of any appreciable advantage to the Texas wool-grower, nor specially augmented the prices of the quality of wool grown by him.

In the rush for purchase and investment a few years ago, owing to the profitable utilization of our cheap lands and the supposed fortunes that sheep-raising would yield, there was much of improvident speculation by many persons not experts in sheep values, and having no practical experience in their necessary treatment and preservation. Poor management, the scab, cold weather, and want of proper knowledge and attention will produce their own consequences, whether there be high tariffs, low tariffs, or no tariffs at all. In Texas we have cheap pastoral lands in great abundance at $2 to $3 per acre, indigenous and nutritious grasses, and ordinarily mild climatic conditions. Herding expenses are comparatively inconsiderable, and when the methods of sheep-growing are properly understood and observed, it must and always will be, as a rule, reasonably profitable. Waiving the point as to whether a tariff on wool is necessary in other States, where lands are worth from $50 to $150 per acre, where sheep require artificial and cultivated food, where expenses are heavy, where only fine wools are produced, I can not perceive why there should come any wail from the Texas sheep-pen at the prospect of free wool, or that it shall ever be said of our shepherd in any event—

He left his crook, he left his flocks.

May it not be presumed that should the wool industry through any possibility deteriorate elsewhere, it would find its appropriate transfer and diversion of its energies to our inviting region? The selfishness involved precludes further pursuit of this proposition. It is not un-

likely, I think, that some high-tariff advocates dread Texas competition as much as foreign importation.

There has been for several years—

Says Mr. Dodge—

a deportation of sheep from Pennsylvania to the cheaper grasses of the far West.

There are less sheep now in the whole State of Pennsylvania by 51,041 than in my Congressional district. I commend this statement to the careful consideration of my friends from Pennsylvania.

Mr. ROWELL. Will the gentleman yield to me for a question?

Mr. LANHAM. Certainly, if it be pertinent to this branch of the subject.

Mr. ROWELL. Do you believe that the price of wool will go down by the amount of tariff tax taken off?

Mr. LANHAM. I can show you, sir, from the reports of the fifteen years preceding and succeeding the protective tariff act of 1867 that the prices of wool absolutely were higher under a low tariff than under a high tariff. I can establish that, I think, by authentic data.

Mr. ROWELL. Then you believe that clothing will cost more under free wool than with wool protected?

Mr. LANHAM. No, sir; I do not believe it will, for reasons which I will endeavor to explain.

Paradoxical as it may appear to my friend from Illinois, I believe that with the repeal of the duties on wool, higher grades of wool grown abroad would be imported for admixture with American wool. The effect of the tariff has been to give to foreign manufacturers a practical monopoly of such wools of Australasia and South America, and they have been able to manufacture and sell to us large quantities of manufactures, notwithstanding our high duty on woolen goods. Our woolen mills by reason of this fact have been seriously crippled, and consequently the market for American wool greatly depressed. By giving our domestic manufacturers foreign wools at the same prices paid by their British competitors to mix with native wools, they will be able to pay as good or better prices for the home product, and yet furnish cheaper and better goods to the consumer. Be this as it may, I would remove all possible doubt, by reducing the duties on woolen manufactures to an average ad valorem of 25 per cent., as before stated.

Mr. Chairman, I desire for the purpose of comparison, and to show that the wool industry has suffered no greater reverses in the shrinkage of values, or from other causes than those which have befallen other enterprises, to allude again to the report of the Comptroller of the State of Texas. I find that in 1886 there were rendered for taxes 6,955,248 cattle, valued at $60,852,938; in 1887, 7,081,976, valued at $51,008,550, an increase in number for 1887 of 126,728, but a decrease in value of $9,844,338, and the average value of cattle per head is placed at $7.20. From the same report I ascertain that there were 2,317,396 cattle in my district, valued at $19,596,380. In view of these statements, is there any valid reason why the cattleman should be forced to pay any tribute to the sheepman?

I regret that I am not prepared to show to what extent the business of the farmer went down during the same period.

They were years of unprecedented drought, dearth, and desolation. There was scarcely sufficient bread for the eater or seed for the sower. The distress which obtained in the agricultural counties of my district is simply indescribable. They appealed to the State Legislature and to Congress for relief, and private charity was dispensed with a liberal hand. Congress passed a bill providing for a distribution of seeds in these drought-stricken counties through the Commissioner of Agriculture. The President vetoed it, and told us that it was the duty of the people to support the Government, and not the duty of the Government to support the people. I am glad to say that there is now a splendid prospect for abundant harvests in this afflicted region; but what bounties of Government, what protective tariffs will enhance the value of the farmer's products? What will his wheat and corn be worth per bushel and his cotton per pound? He must work "day in and day out," "from weary chime to chime," live on frugal fare, and study the hard problem of how to "make buckle and tongue meet," looking alone to his own strong arm and the blessing of Providence. Talk about factory hands, and operatives in machinery, and corporations' servants, and Government employés, and eight-hours-a-day-law laborers, and bestow all deserved sympathy upon them; but there are none of them who, in my opinion, are not better paid in proportion to the amount of labor performed than the average tiller of the soil, and none of them who would exchange places with him. The fact is there are too many of the American people who have a distaste for sweat and solar exposure. Is there any reasonable excuse that I could offer to the farmers of my district should I vote to keep a tax on wool for the supposed benefit of the sheep-raiser, for them to pay?

I, for one, am not prepared to return to my constituency without aiding, as far as I can, in removing the oppression of the unnecessary and unjust taxation they are now compelled to bear. They are too sensible to believe that the yoke of war taxes is easy and its burden is light. The wool-grower is just as good as the farmer, the mechanic, the blacksmith, the professional man, but he is no better. He has no special claim for legislative favoritism beyond that enjoyed by the humblest consumer in the land.

But is the tariff now imposed or any tariff on wool in reality beneficial to the wool-growers? I answer this question by quoting the conclusion of the report of Mr. Morrison, chairman of the Committee on Ways and Means in the last Congress, upon a resolution providing for the restoration of the tariff of 1867 upon wool. He says:

In conclusion, your committee submit that the duty upon imported wool is proved, by testimony derived both from argument and experience, to be injurious to all classes and beneficial to none.

It drives from our markets many kinds of wool not raised here, but which are indispensable to a successful manufacture of woolen goods.

It gives to European manufacturers the exclusive use of these wools, and therefore a monopoly of the manufacture of goods made of them, and consequently of the markets of the world.

It confines American manufactures to a restricted choice of materials and so to the production of a limited class of goods, with which the home market is periodically glutted.

It makes it impossible for our manufacturers to export woolen goods, and by confining them to the home market leads to ruinous fluctuations of prices, resulting in frequent closing of the mills and their sale at disastrous sacrifices.

It cripples the only customers of our wool-growers so seriously that the market for wool is periodically in an unhealthy condition.

It prevents the home manufacturers from buying the foreign wools which could be used in mixture with American wools, and thus lessens the demand for American wools, instead of increasing it, as intended.

It has given the European manufacturer control of all foreign wools; it has thus caused the importation of foreign wool to come in the manufactured form; and the more the duty has been raised, the more disastrous have been the results to the American wool-grower.

It has furnished a good excuse for heaping heavy taxes upon the clothing of the people, and it has thus taxed every wool-grower to an amount far exceeding the whole benefit which he has ever imagined that he would derive from the tariff, without giving him that imaginary benefit.

It has reduced the wages of workmen in the woolen manufacture; it has ruined numerous investors, who were enticed into this manufacture by the delusive promises of a high tariff; it has greatly hindered our trade with our natural customers in South America; it has made clothing dearer in America and cheaper in Europe; it has injured all classes and helped none.

Your committee therefore recommend that the resolutions lie on the table, but that the prayer of the convention of textile workers in Philadelphia should be granted, that the duties on wool should be repealed, and the duties on woolen manufactures reduced to at least an equal extent.

If the logic of these statements be unsound, and if the facts do not warrant the conclusions reached, then the only reason for insisting upon a tariff on wool is that it is of benefit to a particular class, and comes to the aid of those engaged in a particular business, and the wool man is placed in the position of asking that the great body of the people be taxed in his behalf. He must say the tariff will bring him higher prices and a better paying business, and that he wants tribute extracted at the expense of his fellow-man to sustain his private enterprise. If the tariff give him personal bounty at public expense, it is unjust, unwarranted by constitutional authority, and at war with the essential principles of republican institutions; and he has no right to demand or expect it; if it does not have this effect, he can invent no reason for its imposition.

Mr. Chairman, we have heard much during this discussion of pauper labor in Europe, Cobden clubs, and free-trade England. I deem it not inappropriate to invite brief attention to two of England's greatest men, and what they have said of American institutions and American policy. It seems to me that some useful instruction may be derived from their respective declarations. John Bright, one of the best and purest of English statesmen, in reply to a letter from the editor of the North American Review, asking whether England would return to protection, after making some historical statements as to English policy in the past and giving his opinion as to its future course, said:

It is a grief to me that your people do not yet see their way to a more moderate tariff.

Not to free trade, but a more *moderate* tariff. Do not the conditions which surround us demand a more moderate tariff? Who can successfully gainsay the proposition?

They are doing wonders, unequaled in the world's history, in paying off your national debt.

That is true, and greater wonders in this respect have been since accomplished.

A more moderate tariff I should think would give you a better revenue, and by degrees you might approach a more civilized system. What can be more strange than for your great free country to build barriers against that commerce which is everywhere the handmaid of freedom and of civilization?

I should despair of the prospects of mankind if I did not believe that before long the intelligence of your people would revolt against the barbarism of your tariff. It seems now your one great humiliation; the world looks to you for example in all forms of freedom. As to commerce, the great civilizer, shall it look in vain?

This letter was written on the 25th day of April, 1879. These are the words that came from the author of the repeal of the Corn Laws; from that grand man who devoted his magnificent energies to opening up a foreign market for American breadstuffs and the products of American farmers. To the ears of some they may sound "quite English, you know," but I firmly believe they involve a just criticism and express the living truth. Shall we respond to the suggestions for a "moderate tariff," or shall we in this day and generation continue in force the grievous exactions levied for purposes of war? Shall we not answer his question, unmoor our commerce, and send it forth to the utterm[illegible] parts of the earth with the joyous speeding—

Beat it on, thou restless ocean;
Let thy winds its canvas swell!
Heaves our heart with proud emotion,
As it goes far hence to dwell!

[Applause.]

Under the "moderate tariff" of 1846 to 1861, in the halcyon days of the Republic, long before this letter was written, our country had prospered in an extraordinary degree; there was steady and substantial progress in all the elements of national growth and greatness. Is it any wonder that our people, having experienced the beneficence of this "moderate tariff" in years gone by, and which, but for the war, would in every human probability have remained undisturbed, should now, when peace has resumed her wonted sway, "revolt" against the harshness and severity of that system, unexcused and inexcusable only as a temporary measure, and solely instituted for purposes of war? The revolt has come, and it is here to stay until all the just cause of complaint shall be fully and finally removed.

I have given you one English view of our situation since the war, and dating back less than a decade.

I desire now to invite your attention to another perhaps less inviting English opinion of American institutions as entertained by an equally eminent man. It is full of admonition and worthy of the most careful consideration at the hands of every thoughtful and patriotic citizen of this country. I believe that I do a public service by recalling it to your notice. On May 23, 1857, Lord Macaulay wrote a letter to Henry S. Randall, the author of The Life of Thomas Jefferson. It is not found in The Life and Letters of Macaulay, and hence may have escaped that general observation it would have otherwise received. From it I quote the following:

I am certain that I never * * * uttered a word indicating an opinion that the supreme authority in a State ought to be intrusted to the majority of citizens told by the head; in other words, to the poorest and most ignorant part of society. I have long been convinced that institutions purely democratic must sooner or later destroy liberty, or civilization, or both.

In Europe, where the population is dense, the effect of such institutions would be almost instantaneous. What happened lately in France is an example. In 1848 a pure democracy was established there. During a short time there was reason to expect a general spoliation, a national bankruptcy, a new partition of the soil, a maximum of prices, a ruinous load of taxation laid on the rich for the purpose of supporting the poor in idleness. Such a system would in twenty years have made France as poor and barbarous as the France of the Carlavingians.

Happily the danger was averted; and now there is a despotism, a silent tribune, and enslaved press. Liberty is gone; but civilization has been saved. I have not the smallest doubt that if we had a purely democratic government here the effect would be the same. Either the poor would plunder the rich and civilization would perish, or order and property would be saved by a strong military government and liberty would perish. You may think that your country enjoys an exemption from these evils. I will frankly own to you that I am of a different opinion. Your fate I believe to be certain, though it is deferred by a physical cause. As long as you have a boundless extent of fertile and unoccupied land your laboring population will be far more at ease than the laboring population of the Old World, and while this is the case, the Jeffersonian polity may continue to exist without causing any fatal calamity.

But the time will come when New England will be as thickly peopled as Old England. Wages will be as low and will fluctuate as much with you as with us. You will have your Manchesters and Birminghams, and in those Manchesters and Birminghams hundreds of thousands of artisans will assuredly be sometimes out of work. Then your institutions will be fairly brought to the test. Distress everywhere makes the laborer mutinous and discontented, and inclines him to listen with eagerness to agitators, who tell him that it is a monstrous iniquity that one man should have a million while another can not get a full meal.

In bad years there is plenty of grumbling here, and sometimes a little rioting. But it matters little. For here the sufferers are not the rulers. The supreme power is in the hands of a class, numerous indeed, but select; of an educated class, of a class which is, and knows itself to be, deeply interested in the security of property and the maintenance of order. Accordingly, the malcontents are firmly yet gently restrained. The bad time is got over without robbing the wealthy to relieve the indigent. The springs of national prosperity soon begin to flow again; work is plentiful, wages rise, and all is tranquility and cheerfulness. I have seen England pass three or four times through such critical seasons as I have described. Through such seasons the United States will have to pass, in the course of the next century, if not in this. How will you pass through them? I heartily wish you a good deliverance. But my reason and my wishes are at war, and I can not help foreboding the worst. It is quite plain that your Government will never be able to restrain a distressed and discontented majority. For with you the majority is the Government, and has the rich, who are always a minority, absolutely at its mercy.

The day will come when in the State of New York a multitude of people, none of whom has had more than half a breakfast, or expects to have more than half a dinner, will choose a legislature. Is it possible to doubt what sort of legislature will be chosen? On one side is a statesman preaching patience, respect for vested rights, strict observance of public faith. On the other is a demagogue ranting about the tyrany of capitalists and usurers, and asking why anybody should be permitted to drink champagne and ride in a carriage while thousands of honest folk are in want of necessaries. Which of the two candidates is likely to be preferred by a workingman who hears his children cry for more bread? I seriously apprehend that you will, in some such season of adversity as I have described, do things which will prevent prosperity from returning; that you will act like a people who should in a year of scarcity devour all the seed-corn, and thus make the next year a year not of scarcity, but of absolute famine. There will be, I fear, spoliation. The spoliation will increase the distress. The distress will produce fresh spoliation.

There is nothing to stop you. Your Constitution is all sail and no anchor. As I said before, when a society has entered on this downward progress, either civilization or liberty must perish. Either some Cæsar or Napoleon will seize the reins of government with a strong hand, or your Republic will be as fearfully plundered and laid waste by barbarians in the twentieth century as the Roman Empire was in the fifth, with this difference, that the Huns and Vandals who ravaged the Roman Empire came from without, and that your Huns and Vandals will have been engendered within your own country by your own institutions. * * *

Did the "sunset of life give him mystical lore?" Have these gloomy forebodings, these dark and pessimistic predictions been in any measure fulfilled? Have our boasted high wages to the laborer brought him content? Have our Manchesters and Birminghams been moved by love and consideration of their employés or instigated by their own greed?

Let strikes and lockouts and riots answer. Let "pools" and "trusts" and combinations reflect.

In England the supreme power is in the hands of a class. The sufferers are not the rulers.

Majorities do not rule.

Mr. Chairman, far be it from me to widen the breach between the rich and poor, or play the rôle of the ranting demagogue described by Macaulay. I would not have the poor to despise the rich nor the rich to oppress the poor. I hate the spirit of envy and contemn the methods of the mere agitator who seeks to stir up strife among a people of the same country, bound by the same laws, and among whom sentiments or sympathy and community of feeling should be encouraged. The avenues of wealth should be open to all; but no man or set of men has the right in this country to be legislated into wealth. I firmly believe that class legislation has had the inevitable effect of building up monopolies, resulting in colossal fortunes and concentrating in the hands of a few of our citizens a rulership as antagonistic to the genius of our institutions as would be that of crowned heads.

The logical tendency of high tariffs is, to use the trite and familiar statement, to make the rich richer and the poor poorer, thereby intensifying the discontent of the people. A continuation of such a system of legislation may hasten on the conditions which may still further sustain the apprehensions and prophecies of Macaulay.

Here all our citizens, unrestrained by accident of birth and unfettered by caste, participate in the exercise of political power, and I believe that through their virtue and intelligence our institutions can be made to withstand every test and overcome every shock they may receive, and the government of the people, by the people, and for the people preserved. May the day never come when it shall pass from the earth. Fortunately our death-strifes are over and our war-dissevered sections are reunited, and I trust we are fully prepared to combine our hearts and hands in the grand movement for greater and more glorious national attainments.

Mr. Chairman, I listened with unusual interest to the splendid peroration of the gentleman from Michigan [Mr. BURROWS] a few days ago, wherein he spoke of the South. It was graceful in diction, beautiful in imagery, and elegant in delivery. I thank him for his intended compliment to that section of the country from whence I hail; but, sir, I do not agree with him when he says that "this measure bodes no good to the South." On the contrary, I think it comes to her as a "glory-beaming star" from the dark clouds of misrule and class legislation; it gives her joyful assurance of the dawn of a better day. It tells her of a grander development and greater industrial freedom. It sets before "her uplifted brow" the rainbow of commercial promise, "with its wing on the earth and its wing on the sea." It speaks to her of a new and happier era in which the strings of her harp, long silent, shall be attuned to the music of progress and prosperity. It tells her the raw materials which lie at her feet in rich profusion will invite and welcome the idle and dormant capital which seeks investment; it tells her that the mighty possibilities she possesses shall have ample opportunities for culture and expansion; it assures her of equal privileges and a fair show in every aspiration; it tells her the distinctions and partialities in the blessings of Judah and Issachar shall be leveled, and that no longer shall her sons crouch between burdens, bow their shoulders to bear, and become servants unto tribute.

Improve and pass this great measure of reform, expunge from the statute-books the barbarism of war taxation, reduce the burdens of the Government to a peace basis, take no more money from the people than is absolutely required for economic public use, stay the hand of monopoly, insure equal and exact justice to all and exclusive privileges to none, and then indeed, will the South be rehabilitated and her people inspired with a loftier patriotism, a purer devotion to this glorious Union, and a stronger affection for her brethren of the North. Join with her in the declaration that the war is over and its temporary exactions no longer required, that good-will and national fellowship shall prevail, and all her sons will shout for joy:

Alleluiah! Peace omnipotent reigneth!

[Great applause.]

At the conclusion of the remarks of Mr. LANHAM the following dialogue occurred:

Mr. ALLEN, of Michigan. I believe the gentleman from Texas has not fully occupied his time, and I desire to ask him a favor in the shape of a question. Will the gentleman allow me to do so?

Mr. LANHAM. I will hear the gentleman's question.

Mr. ALLEN, of Michigan. I am not certain but what I shall desire to circulate the gentleman's speech in my district.

Mr. LANHAM. Allow me to say that I shall be glad to present the gentleman with as many copies as he may desire.

Mr. ALLEN, of Michigan. I shall pay for the copies which I may circulate. That will make them more valued. But I ask the gentleman if he will be so kind as to insert in his speech, after what the Englishman, John Bright, said, the resolutions that have been passed by one or more gatherings of Texan Americans since the agitation of this bill commenced, so that we may know what Americans in Texas think as against what John Bright, of England, thinks.

Mr. LANHAM. In the revision of my speech I will endeavor to give

due reflection to the gentleman's suggestion. Doubtless I have already referred to what the gentleman alludes to.

Mr. ALLEN, of Michigan. Unless that is done I will decline to circulate the document.

Mr. LANHAM. I am much obliged to the gentleman, but I do not desire that he shall make my speech for me or select for me matter in addition to what I have submitted. Have I any time left?

The CHAIRMAN. The gentleman has seven minutes of his time remaining.

Mr. LANHAM. I reserve that time.

Mr. ALLEN, of Massachusetts. Mr. Chairman, I suppose if Massachusetts was to divide to-day upon the question of protection or free trade the number of people in favor of protection would outnumber its opponents by a vast majority not easily computed in figures, and I am sure in my own Congressional district such a division would result in a majority of more than 10,000 in favor of the champion of the protective side of the argument, and I dare say that even such an estimate would fall below the actual figures. So far as I am personally concerned, therefore, having been born among a people devoted to the principle of protection, I do not feel it at all necessary to define my position upon that question, and I am therefore averse to occupying the time of this House in traveling along the well-beaten thoroughfare of general tariff discussion. Much has been well said upon that subject, and more will be submitted in the line of general discussion, but there are several byways still to be explored, not in the way of any new discoveries but simply in developing certain well-understood principles which every one must admit, but which have not perhaps been as fully analyzed as to make their simple logic clearly brought out in support of the general theory, just as we all come to realize the absolute truth of certain physical laws, the existence of which we all understand and firmly believe, but which are so commonplace in our daily experience that we have never taken the particular time to examine into them and make the simple application.

We live in an age of great physical and mental activity. Wonderful inventions of mind and matter are crowding each other so fast that in the hurried race we hardly see whence they come or where they lead. Theories and isms of all sorts seize upon the people and rush them into great extremes, disorganizing and disarranging old-established rules, and leading us into a way of discarding what is old and tried for experiment and theory. Just now the medical profession finds itself antagonized by a new and strange psychical force, which, overturning facts and argument, seems to have worked its way into the imagination of the people, that all disease is a pure fancy of the imagination; that one is never sick—we sometimes think we are—but the evidence of the sickness is but the warning of a violation of the divine will and the setting up of our own finite will against the infinite; that if we could only follow closely enough to the way marked out by infinite wisdom we should all preserve the perfect body and entire immunity from disease and dissolution; that if it were possible for man to follow out with unvarying exactness the divine guidance there is no reason why we should not live forever, and our span of life is but to be measured by the closeness with which we guide our existence to the divine standard. Such, in a word, is the theory of the Christian scientist of the day, whose strange fancy has pervaded the homes of the people, has found a place among the musty folios of the literary man, has disturbed the professional man in his studies, and by the very force of its inertia seems to have passed within the closed doors of the Committee on Ways and Means and dominated the deliberations of that great committee. So that it may be truthfully said, if no other credit is to be given, that these learned gentlemen have evolved a new school of Christian-science political economy. Is not the analogy complete?

To them facts have seemed entirely unimportant. No diagnosis required, no expert knowledge of symptoms; simply the existence of a diseased condition of the mind. Has not the chairman of the committee repeatedly demanded of the country only a hopeful state of mind and all will be well?

Only recently in his speeches at Providence and elsewhere he assures the wool-grower that with free wool the increased consumption will be so great that better prices will surely come to them, while to the wool manufacturer he turns with the cheering assurance that under this bill he will pay so much less for his wool that in spite of all other circumstances prosperity will be thrust upon him. Thus it is that again we find the Administration ever in advance, and with a progression which is certainly remarkable, applying the soothing balm of the "faith cure" to the inflamed and feverish condition of our trade and national commerce.

But this "Mills bill" is in other respects a most remarkable document. Regarded simply as a device for reducing revenue, without acknowledging the principle of protection, this bill is entirely inadequate. It should go much farther, for under the most liberal construction of its most ardent admirers too small an amount will be saved to the country to give it credit as a revenue bill. Yet it is quite susceptible of proof that it would not only not reduce the revenue, but under its operation, should it become a law, it would increase the revenues by more than $11,000,000 over the present receipts, so that as a bill to reduce the revenue it is an utter and complete failure.

But if it be said, on the other hand, that its purpose is to recognize some protection to certain industrial enterprises which have grown up under protection, then the fault of this bill is that its framers—who in the nature of things could have no expert knowledge whatever of the industries affected—have persistently refused to take the testimony of interests involved, where such testimony has been offered, but with a persistency, unique in such matters, have seemed to seek the advice of those who from their prejudices or the nature of their business are entirely opposed to the application of the protective principle to any of our industries so far as they are able.

Let me illustrate this point. Suppose you write to me for the best formula for making the most palatable and nutritious bread? If I really desired to give you the best information I could secure, which would be really of advantage to you, I should not apply to a person who had some patent device by which he was able to substitute for the true ingredient of that article a certain compound which would apparently answer the purpose. Not at all. I should first apply to my cook, if I had a good one, for information, and then I would supplement that evidence by inquiring of the cook of my neighbor, if he had one with a bread-making record, and if their two stories corresponded I should be willing to submit that consolidated information for your benefit, with a firm belief that I was giving you what you wanted; or, better still, if there was a national association of cooks, and that association had met in convention and had carefully considered the bread question, and had expressed their opinion as the best wisdom they had on that subject, then I would cheerfully give you that information, with the firm conviction that you were getting the best possible expert opinion on the subject of bread-making, which, if carefully followed, would insure you peace in your domestic circle and good digestion.

Precisely in this way this committee might have worked. For there is hardly a protected industry in this land which is not able in some way to present the testimony of experts upon the exact condition and needs of such industry, and all such information would be entirely reliable and trustworthy, for I am sure no one is willing to say that the name of Barabas is written upon the foreheads of the manufacturers of this country.

Having failed then to take expert testimony upon these great questions, the majority of this committee have utterly failed to encourage the slightest support in favor of the theory that this bill has for its purpose the encouragement of our vested enterprise, built up upon the principle of protection. But more than all this, when the majority of this committee have thus obviously failed in their duty in this respect and have insisted upon reporting to this House a bill clearly the result of their application of the "faith cure" principle to industrial enterprises, and have sat with closed doors refusing to recognize the authority of this House in its purpose of forming committees that they should sit as a court in judgment of all cases coming before them, and after patient and exhaustive hearings of all evidence submitted, upon that evidence, in the light of its bearing upon the "general welfare" of the country, shall make up their judgment upon the preponderance of evidence submitted.

When such a committee have reported to the House a measure upon which they have not taken expert evidence, and have placed that measure before the House, where of course such expert evidence can not properly make itself heard, except in way of amendment or substitution, then such a committee has utterly failed in its duty to this House, to the people, and to the industries assailed, and such a bill ought in perfect fairness to be recommitted to that committee with instructions to take advantage of such avenues of expert information, so close at hand and available. If this committee have taken such evidence, and if this bill is a deliberate judgment based upon such evidence, then perhaps this charge can not lie against it; but if the charge is not proved to be absolutely unfounded, then I dare say the propriety of such action by the House will not be disputed.

But I wish to leave this particular bill for the present, and in a temperate manner, without rhetoric, to undertake in a hasty way the development of a fact which I think must be patent to all—that a protective tariff, so adjusted as to meet the wants of the people, is a most powerful stimulant to the intelligence of mankind, and indirectly aids to the comfort, the happiness, and the prosperity of man, not alone in this country, but throughout the entire breadth of the civilized world.

If, while watching a balloon ascension in the presence of some person who was unfamiliar with physical theories, one should say to him that the force of gravity compelled all material objects, of whatever kind, to fall toward the center of the earth, one would expect him to say in reply: "But all things do not fall to the earth. I have just seen that balloon shooting up into the sky; and the rising smoke from every chimney in the world contradicts your theory. The law of gravitation must be made very plain to me before I can be induced to go contrary to the evidence of my own senses."

This person's position is a fair illustration of the attitude of the free-traders toward the theory of protection as applied in and for this country. They insist that the tariff is a tax upon the whole people for the

benefit of a favored class, and that a tariff upon any article enhances the cost of that article to the consumer by exactly the amount of the tax.

Let me quote from the message of the President upon that point:

But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our own people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty.

So it happens that while comparatively a few use the imported articles, millions of our people, who never used and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

The protectionist insists that a protective tariff is not laid, and could not be laid for the benefit of a class, but rather for the general welfare of the country, and that the inevitable result of a protective tariff has been to eventually bring down the cost of the article taxed to a figure which is lower than that article sold for before a duty was laid upon it, and the result of such competition has been abundantly shown, not alone in this country, but in Great Britain, and upon the Continent even, in the improved quality of the clothing of the people, the excellence in design, and the general additions of comforts and even luxuries, comparatively unknown before the imposition of the tariff of 1861.

Let me mention, right in this connection, one or two striking illustrations upon this point, not, of course, in the way of presenting anything new, but simply in the way of driving in a little deeper the nail already started. During the last nine years of the famous Walker "revenue-reform" tariff, and previous to 1861, the average production of the useful commodity of pig-iron was but 798,488 tons, and during that period the output was about the same, at all events it showed no increase. But in 1863, as soon as the industry had begun to feel the stimulating effect of the tariff of 1861, then the production began to increase in a most astonishing ratio, while the prices decreased, until, during the year 1863, the output increased to 947,604 tons, and in 1886 the industry had become so well settled, the workmen so skillful, and the plant in such good condition, that what was less than 800,000 tons as the annual production in 1861 had increased to more than 6,000,000 tons, and during this period the price had steadily decreased, so that the country was receiving the benefit of this enormous production, and at much less money per pound.

Who can estimate the advantage to the country at large in increased comfort, in the development of industrial skill, in inventive genius which came to the people in the sections of country immediately affected? Why, under the "revenue-reform" tariff it was impossible to successfully establish the industry of making steel in this country. Time and time again the experiment was attempted. Experts were brought here from abroad, the most skilled labor employed, with the invariable result that foreign competition could come in, and did come in, and force the courageous experimenters into bankruptcy, and thousands and hundreds of thousands of dollars were swept away, like the early mists, in the vain endeavor to establish a new industry upon our shores in competition with outside manufactures.

But when the tariff of 1861 came, opportunities once more arose, and the growing demands of our country, as the most promising and hopeful market of the whole world, stimulated internal industries as they had external. The market was not yielded by the outsider without a struggle, but under the tariff just alluded to we did succeed, and not only saved our own market practically for ourselves, but by the spirit of competition thus aroused, in a way to which I shall allude further on, we succeeded in reducing prices in a most unheard of degree and to a most remarkable extent.

In 1868 we made in this country of all kinds of steel 30,000 tons; in 1878, 819,814 tons; in 1886, 2,870,003 tons; while during that period we have reduced the price of steel rails in America, which was $158 per ton in 1868 to $26 per ton in 1886, while the price in England, by means of this protective tariff of ours, was reduced from $61.50 in 1868 to $18 in 1886, though it must be said in fairness, however, that this reduction is not wholly due to the influence of competition under the tariff of 1861, since, during that period, the royalties on Bessemer steel ran out. But the decline without that is ample to point the moral. So that I am confident that whenever you make the application of this general rule with reference to any of our industries you will find the same result—an enormous lowering of prices, increased competition, better goods, and a round advantage in a thousand ways to the people at large.

Particularly is this so with reference to any commodity the manufacture of which was not attempted in this country prior to 1861, and which was really created by the tariff of 1861. I have at this moment in mind the carpet industry in its finer grades, almost entirely developed in this country within twenty-five years. The statistics of the carpet industry are not as complete as in many other industries, yet we have no difficulty in noting the great development since 1871, when many of the patents expired. Previous to that time the number of looms on Brussels and Wilton carpets did not exceed one hundred looms (power) and the market was controlled by English makers who regulated the prices. To-day there are 1,225 looms running on Brussels and Wilton and the importation of carpets has almost ceased; the import last year being 190,118 yards Brussels. Body Brussels sold within the recollection of all before me but a few years ago in crude colors and wretched designs for $2.75 to $3.50 per yard, while to-day you can buy the best Brussels from the finest looms, with the most delicate colors, the most original and charming designs, for $1.25 per yard at retail; while for those who do not buy Brussels, but prefer the tasty ingrains, there has been the same advantage, and they buy to-day at 75 cents per yard what they paid $1.35 to $1.50 for but a few years ago.

I quote the wholesale prices in the New York market:

NEW YORK, *March* 17, 1888.

New York wholesale carpetings during the years—	1871.	1880.	1888.
Crossley's tapestry	1.45	1.08	.75
Five-frame Crossley's brussels	2.30	1.67	1.22½
Five-frame Bigelow brussels	2.15	1.50	1.07½–1.10
Smith's tapestry	.....	.97½	.67½
Lowell ingrain	1.30	.90	.57½

Thus it is domestic competition has cut down prices to the lowest margin of profit. Let me show you how naturally this all comes about through perfectly simple methods. Suppose a man wishes to start the manufacture of some commodity not hitherto made in this country, say woolen cloth? He borrows money with which to build his mill, to supply it with the requisite machinery, and to carry on his business until he begins to get returns from his sales.

Suppose he produces 100,000 yards of cloth in a year, that being, we may say, as large a product as might be safely attempted by any one until his operatives and himself had acquired a sufficient technical experience, and that it cost him $1 a yard, and that he sells it at $1.10 per yard? His profit will be 10 cents a yard, or $10,000. In figuring his cost of production two classes of expenses appear:

First. Those which depend directly upon the amount of work produced, such as the cost of wool, of labor, of coal, etc.

Second. Those expenses which remain are very nearly fixed in amount, no matter what the amount of his product may be. These fixed expenses would consist of the interest upon his capital and such items of general expense of management, taxes, insurance, etc. Suppose that his fixed expenses have been 10 per cent. of the total cost of production, or 10 cents for each yard of cloth produced? If, now, at the end of the year his operatives have become skilled and his business is so well established that he may venture to increase his product, he takes steps with that end in view. He finds that by crowding his machinery together he can make room for some more, and by increasing their speed and making use perhaps of recent inventions he can produce just twice as many yards of cloth as he formerly made in the same mill. Practically he is under no greater charge in respect of the fixed expenses now, that he is making 200,000 yards a year, than he was formerly, when he could make but half that quantity; and as the cost of this item was formerly 10 cents a yard, now that he produces twice as many yards for the same sum total, the cost of fixed expenses is but 5 cents a yard.

The cost of his fabric will now be 95 cents a yard. If he can still sell at $1.10 he will be making 15 cents a yard profit, instead of 10 cents a yard as formerly; and observe that he not only has an increased profit, per yard, but he has twice as many yards to sell, so that by doubling his production he has raised his profits from $10,000 to $30,000. What will be his position now with regard to a competitor who is just entering the field? We have seen that a product of 100,000 yards is all that this latter can venture upon at the start, and that therefore his cloth will cost him $1 a yard to make, whereas our larger manufacturer is making 200,000 yards at a cost of 95 cents a yard. The latter can now sell his entire product at the cost price of his smaller rival and still make his original profit of $10,000; or better yet, if he can sell 100,000 yards at $1.10 he may offer the other 100,000 yards to the customers of his rival at 90 cents a yard, or 10 cents below the cost price of the latter, and still make his profit of $10,000. Or if he desires to ruin his competitor, he can sell the other 100,000 yards at 80 cents per yard, and still without a loss on his year's business. In the latter case the small man would find that whereas every yard of cloth he made cost him $1 a yard, he could only sell it for 80 cents per yard.

Now, then, coming back to the question, "How can putting a tax on an article lower its cost to us?" let us suppose that in 1861 we imported from England, say, all the woolen cloth which we used, and at that date there was no mill in this country which produced woolen cloth, because for various reasons it could not be manufactured so

cheaply here as in England. In 1861 a tariff is passed which lays a tax on all woolen cloth coming to this country, and the price of these cloths is for a time, enhanced by exactly the amount of the tax. At the increased price which the cloth is now sold for, an American, whom we will designate as A, thinks he can manufacture it and sell it at a profit. Naturally his early attempts are made upon the cheapest and coarsest varieties, because they offer fewer obstacles to his unskillful laborers.

He succeeds in producing an article which is crude and cheap, but he is able to sell it at a price just a little below the cost of a similar imported article, with the tax added, and he makes a profit. Meantime another ambitious American, B, has been attempting to produce the same cloth. He offers his production to the same purchasers who have bought from A. They inspect his cloth, and they tell him they have bought as good cloth and as cheaply elsewhere, and there is no object in changing. B has now the alternative of making a better cloth to sell at the same price A is receiving, or of making his price lower than A's. B shrinks from the attempt of making a better cloth, and prefers to sacrifice some of his profits. He lowers his price, therefore, and undersells A.

But by this time other enterprising Americans have been watching this business development, and, attracted by the profitable industry A and B have succeeded in establishing, at once enter into the manufacture of the same class of goods, and presently the shops are flooded with cheap cloths, made by all these competitors; and since there are now more of these cloths offered than are needed at the price, these makers are obliged to lower their prices considerably. They accordingly reduce prices to the lowest possible margin, and they continue to sell their wares.

The original maker, A, by this time finds that whereas a short time previously he could command a price for his cheap cloth which was equal to the English price with the tax added, now he is compelled by the competition of B and others to sell it at a price very much lower than that; so low, in fact, as to make his venture hardly a profitable one. But by this time his operatives have become more skillful, and he decides to attempt the manufacture of a higher grade of cloth, which so far has not been made here, and upon which the tax offers him a new and profitable field. He thus again escapes competition for awhile, but not for long; the energetic manufacturers have also become skillful, and they follow wherever A leads, so that the old story of reduction in price by competition to the lowest possible terms is repeated over and over.

In the mean time B has been studying the lesson of greater production. He increases the capacity of his factory again and again. He is on the alert for every labor-saving device. Some of these are invented by his own employés, perhaps, who have become alive to the needs of the occasion.

B remains a manufacturer of cheap cloth, but his mills are on a scale which is hardly to be found elsewhere in the world, and his needs form the great incentive to that branch of invention which has, during the last twenty-five years, so increased the producing power of all machinery. He has thus been of immeasurable service to his countrymen in a twofold manner, by reducing the cost of the cloths he has made, but more than that, in inspiring the inventive genius of all about him, who, catching the spirit of his work, have found themselves pressing forward to the greatest possible success in every direction of industrial activity.

It is in this manner that every field of possible industry has been explored by American manufacturers since the tariff of 1861 was passed, and no new field has been enjoyed by any one alone for more than a brief season. A reduction of prices has been effected which can only be measured by the keen enterprise of the American character; but the tariff has had a twofold effect in lowering the price of any taxed article which has been manufactured in this country. While we have been watching the course of the American manufacturer, what has been happening to his foreign competitor? He has not been idle, we may be sure. Up to the tariff of 1861 we have supposed that he held all the trade of this country in woolen cloths. His market is removed by more than 3,000 miles from his workshop, and such competition as he has from other European manufacturers is remote and not very active. We are obliged to buy of him, for we can go nowhere else.

He is rich, and his operators are skillful. He can manufacture cheaply, and he sells almost at his own price. By virtue of his size and skill he can defeat all attempts at competition in this country, and he is not obliged to make his cloths very tasteful or attractive, as any one who can remember our woolen fabrics of twenty-five years ago will testify. Our tariff comes, and he soon discovers that he has competition here upon the cheaper of his fabrics. He lowers his prices (observe the first effect of the tariff), and we have seen that he can afford to lower them a great deal, so low indeed that if it were not for the tariff no American enterprise could stand against him; but he only lowers them upon the cheap cloths, for as yet there is no occasion to change them upon his better fabrics. Later on, when our manufacturer, A, begins to make the higher grades, he lowers his prices on them also.

But this does not avail him, for, thanks to protection, though he may push them hard, he can not undersell them to their ruin. He, too, resorts to increased production and improved machinery, hoping that in that way he may still export at least the surplus of his increased output, which, as we know, he can afford to sell relatively low.

It is in vain, for his American competitors have now acquired considerable skill; they understand the advantage of great production better than he, and their own internal competition has already so lowered prices that it is almost hopeless for him, handicapped with the tariff tax on his cloths, to attempt to place them in competition with those of American makes.

He is driven, therefore, to improve the quality of his cloth and to devise new and tasteful combinations, for his only hope for American trade now being to offer to it a fabric which the American manufacturers (lacking in technical experience) have not ventured to attempt. This he is doing to-day. Constantly inventing new goods and fanciful designs, sending them to this country at large prices, turning a part of his looms to such manufacture for sale in this country to our wealthy people, at a fancy price, while this increased value to him upon this American output enables him to run his regular styles for his home trade and to undersell his home competitors and still have his entire business yield him a profit.

Every season the "novelties" sent by foreign manufacturers are sold at wholesale in this country at prices perhaps ruling at $1 per yard, which our manufacturers would gladly produce at 37 cents; but because they are "novelties" and are fashionable, our wealthy people will buy them, and before our manufacturers can commence the manufacture the season is over, and new "novelties" in dress goods take their place. Such "novelties," as a rule, are not serviceable, and are largely bought by people who can afford to pay larger prices to be in fashion. Thus, for the sake of clearness, and to make my argument consistent, I have spoken entirely of woolen goods in the illustration of the great benefit of the tariff, in stimulating the ambition of our people, and of lowering prices both in this country and elsewhere; but it will be apparent that the illustration applies to every article the manufacture of which has obtained a foothold in this country. So bright a man as Mr. Watterson, it is to be expected, should notice this wonderful lowering of prices, for in his recent article in the Atlantic Monthly he says:

> It is assuredly true that in the last twenty-five years there has been a decline in prices. There have been causes operating universally which have lowered to a remarkable degree the price of most manufactured articles.

And again:

> Perhaps the most striking fact of recent industrial history is the improvement in the manufacture of steel rails, by which the price in England has fallen from $61.50 in 1868 to $18 in 1886. In the same time the price in America, which was $158 in depreciated currency, declined to $26 in 1886. It is customary for the protectionists to point to this steel-rail industry as convincing proof of the value of the tariff in decreasing prices, but as the price has fallen in England far below the American level, the cause can not be local. It must be general; it must be due to an influence that works effectively elsewhere as here. This influence is the inventive genius of the age.

I have pointed out what this influence has been, how stimulated, and how its power has been exercised. In the case of steel rails especially, for which America is the largest market in the world, it will readily be seen that both American and English manufacturers would use every device of vast production and improved methods to effect and maintain their sales. The inevitable result of such herculean efforts throughout twenty years is told in the figures quoted by Mr. Watterson. It will be seen that our tariff has had a profound influence upon the industrial situation of the world at large. It gave birth to the keen and potent element of American competition with which European industries found themselves confronted in the American market—a market which was of the highest importance to them, even in 1861, but which has grown enormously in purchasing power since that date, and toward which to-day their eyes are turned with an eager longing.

It has not only brought down prices throughout the world, but it has added improvements in utility, in quality, in variety and taste. And if it has imposed unwonted anxiety upon the foreign manufacturer, at least the foreign consumer may thank it for carrying down their prices simultaneously with our own. I spoke in the beginning of the astonishment of the unbeliever when he was told of the law of gravity and its universal application in the presence of the balloon ascension. We see a little clearer now what the illustration meant. If a law of nature so eternal and absolute in its action as the law of gravity, and which deals with but a single physical property of matter, shows such a seeming contradiction in its manifestation as this of the balloon flight, we may expect to encounter many apparent anomalies, many matters which will require the explanation of an expert, when we come to consider the effects of an economic force such as the protective policy in this country.

For this economic device is in no way akin to a law of nature or an "eternal principle." It is a mere tool of civilization, to be used at the proper time and in the right place, and to be laid aside when its usefulness has passed. It is like a carriage which is invaluable when traveling upon the land, but preposterous as a means of conveyance upon the ocean. It may be serviceable in one country and worse than useless in another, or its use may be wise at one period of a nation's existence and folly at another. It may be safely said to be applicable in those countries which possess natural advantages not fully devel-

oped, of climate, of mineral wealth, and of territory, and whose inhabitants are suited by temperament and by intelligence for the pursuit of industrial enterprises. And since it has to do not with such simple elements as the force of gravity, with which we have compared it, but with the daily lives of 60,000,000 people; since it has not only modified our national habits and characteristics, but has also been modified in its action by them, we need not be surprised if its aspects are many and confusing, and if the channels in which it runs are often intricate and obscure, nor that equally able and honest men should hold such directly contradictory opinions upon it, as are daily expressed.

Without doubt the controlling objection in the minds of those who oppose a protective tariff is the belief that they are being taxed for the benefit of the manufacturing classes, and that the cost to them of everything they purchase is enhanced by the amount of the duty which would be levied upon such articles were they imported. These statements are constantly being made by free-traders and are the burden of Mr. Cleveland's tariff message.

The protectionist, on the other hand, asserts that the invariable result of protection has been to lower the price of the protected article, for the reasons already stated. Here we have the free-trader asserting that the balloon goes up, and the protectionist protesting that its eventual fall is inevitable.

Of course it is impossible in a practical way to lay a tax with mathematical exactness. It not unfrequently happens, in practice, that taxes are laid where slight immediate benefit seems to accrue to those who pay the largest share of the tax. A conspicuous instance of this is seen in the postal service of the country, where the people are taxed to sustain post-routes which are not yet self-sustaining. Yet all admit the wisdom of the course pursued, nor do they regard the pioneer who, leaving the comforts and luxuries of civilized life, starts into the unknown country, there to build up cities and add to our habitable territory, as receiving undue benefit from the taxation of the many, though here we may appear to be "taxing the many for the favored few," but which is in fact for the "general welfare" of the United States.

Either the tariff has been conducive to the "general welfare" of this country—or it has been harmless, in which case it deserves no attack—or it has been injurious. And since we have had it in full operation for twenty-five years, those who assert that its protective features are inimical to the general welfare should by this time be able, and should be required to point out definitely just where and when this loss has been sustained. Collective wisdom upon any subject is what gives strength and positiveness, and upon the subject of a protective tariff we have the collective wisdom of work-people who, while interrogated singly upon some subject which concerns their material prosperity, may be vague and hesitating in their replies, yet when they have had time to arrive at a tolerably unanimous judgment, that judgment may be relied upon as the correct decision for them.

By some inscrutable process of reasoning, perhaps not far removed from instinct, they reach the wise conclusion as surely as the herd, caught in the storm, finds the most strategic point of shelter in the field. This, of course, amounts to saying that the wisdom of individuals, however gifted, is not so great as the wisdom of a multitude of individuals.

In the immense influx of working-people to our shores, aggregating in the last year 518,592 souls, we have the testimony of a multitude of individuals from all nations, to the general welfare of our country under a protective tariff. And the objection that these people are attracted by other inducements, such as "republican institutions, free schools, free land, good soil, genial climate," is not a sound one, for all these attractions existed long before the tariff of 1861, and, so far as they could attract, their drawing power was much greater at that time, yet we find that during the twenty years before that tariff but 4,756,398 came to our shores, while from 1866 to 1886, after our tariff had begun to show the fruits of such a policy, immigration increased to the astonishing figures of 8,129,553.

And this naturally leads me to say that after all we are a nation of plain people. We make our greatest advances, witness our best prosperity as we keep closer to the simple, plain teachings of our fathers. As a nation we are toilers, we work for our daily bread, we legislate for ourselves and our country, and we want no interference in legislative matters to turn us from our simple ways.

The protective tariff is for the people. There can be no doubt upon that point in the mind of any one who carefully considers the question in its widest bearings. So far as there is any inequality in the workings of the tariff, they fall most heavily where they should, upon the rich, who can bear them, and it is significant that the enemies of protection are almost always found in the wealthier classes, and almost never among the poor.

If I desired to inflict tables of figures upon you, I could show you conclusively that under this system our working people are better paid and live almost as cheaply as in other countries even as it is, while the immense advantage they derive in their dress, their habits of life, the education of their children, their little homes, their accumulated savings in our banks all over the land, tells a story of richness, happiness, contentment which figures would not begin to express. It is the rich who complain. They are not content with American-made articles, and their luxurious tastes lead them to desire articles for which the total demand in this country is not sufficient to induce their manufacture here. They are forced to make their purchases abroad, or have them made for them; and the prices of all imported articles whose manufacture is not attempted in this country are necessarily enhanced by the amount of the duties. Thus it is that our protective tariff, for obvious reasons, exercises its effective work in lowering prices along the lines of goods in which the poor are more interested than the rich. It is true the rich can live better abroad. The luxuries they crave, the imported cloths for their garments, their fine hats, gloves, shoes, umbrellas; their elegant carriages, their superb harnesses, the thousand and one articles deemed essential to their comfort, must pay a duty if they are brought into this country; but in all things conducive to the comfort and happiness of the plain people, America is indeed the sought-for land.

We may spend our time here attempting to pass labor bills and labor legislation for the benefit of the working people, and so far as we strive for that interest we do well; but we can do more for these people, and therefore more for the general prosperity of our country, by wisely looking into the results of the protective tariff in this country and shaping our action in a line with the result of that investigation, than by all the purely labor legislation we shall be able to accomplish.

When I read the speech of my colleague from Massachusetts, with its wealth of imagery and its exuberance of statement, the temptation was great to make a particular refutation of many of his extravagances, from authentic figures, readily at hand; but as he himself allowed but one night for reflection to pass over his head before coming before the House to correct certain glaring misstatements, I think it may be safely left to his good judgment to thoroughly purge his speech of many other inconsistencies, before this debate is exhausted.

The cotton, the flax, hosiery, and woolen industry in my section of the country are deeply interested in the defeat of this bill, and when the proper times comes I shall hope to be heard upon each of them.

In the mean time, I leave this question for the present, save only calling your attention for one moment to the peaceful contentment of our manufacturing people. When men put their money, their brains, and their ambition at stake, and start out as pioneers in any new industrial development, it is the duty of the Government, under the Constitution, if such development will conduce to the general welfare of the country, to protect and defend them from ruinous competition abroad. This question of a tariff is the one great topic of conversation to-day among the people in all the industrial sections of the country. These men know their own interests, as only experts can, and they are watching the course of their Representatives upon this issue.

I have tried to express the feelings of my own people upon this question, and I should be remiss in my duty to them, if I failed in any degree to do my utmost to preserve for them, and by this I mean for the whole country, the continuance of a policy of legislative protection under which they have prospered, and which, if we can judge anything from past experience, offers such bright promise in the future.

I wish I could take this body of men to the heights opposite the city of Lowell, Mass., where, with one glance of the eye sweeping up and down the stream, would be literally seen miles of cotton mills, perhaps the finest in the world, equipped with the most ingenious labor-saving machinery known to this wonder-working age, and filled from basement to roof with a thinking, throbbing army of intelligent and skillful men and women.

Standing upon this spot in the early evening as the sun goes down, you would see first from one and then another of the thousands of windows the lights flashing out; twinkling and flashing as they are reflected from the bosom of the flowing river, they rival in brilliancy the stars of an October night. Listen, and the bells ring out their peal, the gates fly open, and from them issue thousands of working men and women, well clothed, well fed, well housed, pleasant to look upon, happy and contented, moving quietly to their own homes in many cases—the ideal laboring wage-earners of a New England manufacturing city.

I draw for your imagination no fancy picture, but one to be seen at any time, in hundreds of our manufacturing towns, varying in degree but rarely in quality. These people to-day are watching the result of the deliberation upon this bill, and anxious to know whether, face to face with a true knowledge of their condition and their desires, with the picture of their progress and prosperity in colors which must appeal to the honest sense of justice which prevails in every American, you will in the slightest degree turn from the principle of a policy which has done so much to make this country great and powerful.

Every man looks upon legislative matters more or less prejudiced by his own surroundings and environment. For that reason I come to this question with a deeper interest, perhaps, than to any other measure presented or likely to be presented at this session of Congress.

I see the fortunes of my own people in this measure, and my interest is natural and intense. [Applause.]

Mr. CARUTH. Mr. Chairman, if I properly understand the derivation of the word "tariff," its origin is not such as to commend it to the admiration of man. At Tarifa the Moors levied their duty and collected their customs from those whose ships, driven by adverse winds, were forced, in order to escape destruction at sea, to suffer a robbery on shore.

If, as has been charged, this "bantling" brought forth in secrecy and darkness which has been carried into this House in the arms of the majority of the Committee on Ways and Means, is of unknown parentage, it can be said in its favor that it can not have so base an origin nor be of so foul an extraction as the robber-born idol which our protectionist friends on the other side of the House hug to their breasts and worship with a devotion like that which the sin-cursed Israelites fell down to and adored, the golden calf their hands had made.

This tariff is a most insidious enemy. It works in silence and under cover; and whilst it pretends to be giving us "protection" it is really stealing our substance and destroying our lives. It is not the highwayman who boldly gallops up on the public road and demands "your money or your life," but the sneak-thief who in an unconscious moment filches your purse or the burglar who robs you of your possessions in sleep's unconscious hour. It holds to the false doctrine of Othello—

> He that is robb'd, not wanting what is stolen,
> Let him not know it and he is not robb'd at all.

Under pretense of receiving a benefit the American people are now yielding to its exactions and paying its demands. In buying a hat one does not stop to think that he is buying and paying for not only the cost of making, the reasonable due of the manufacturer and the dealer, but that he is paying besides, as his tribute, his duty, his tariff to the maker of that hat, 54 per cent. of its entire cost.

In arraying himself in his ordinary apparel one does not stop to think that he has not only paid for the material of which it is made, its reasonable market value, for the skill and labor of the tailor who fashioned it, but he has also paid a tribute of 50 per cent. of the cost to the manufacturer for patriotically engaging in the business! When one lays himself down upon his couch at night, to court the company of "tired nature's sweet restorer, balmy sleep," in the present comforts of his surroundings he does not let his thoughts dwell upon the fact that he has not only purchased the wool of which the blanket which covers him was made, at a fair price in the open market, that he has not only given to the labor employed in its making its just wage, but he has also paid as a gratuity to the individual, or, more likely, the corporation, who furnished it almost as much as the entire cost of material and production.

In supplying almost all the wants of life, to almost all trades and callings, "the butcher, the baker, and the candlestick-maker," the tariff requires that dues shall be paid. We are told that this mighty freebooter, this pirate who has robbed us on the sea, this thief who has stolen our substance on land, is not our enemy, but the cause of national prosperity, the promoter of our best interests, our truest friend and our stanchest ally.

I do not pretend, Mr. Chairman, to that profound knowledge of the tariff which some of my colleagues on this floor possess; I have not made that the study of my life. I have been employing my brain with legal questions rather than with economic problems. But, sir, there are certain facts, which come to every person of observation, so plain that a wayfaring man can not err therein. They are connected with the subject of this debate, and to their consideration it is my purpose to address myself. I think it does not require a student of political economy to know that a "tariff" is a tax, and when we strip the question of the useless garments of show in which it is clad; when we take off the purple and the fine linen, the silks and the satins; when we strip it of the domino in which it has been masquerading, there is seen the horrid features which we have been taught to tolerate only on the ground of necessity, but which we can never be taught to court or adore.

I said it was a tax, because I had no better word with which to describe it; but I am unjust to the word, and crave its pardon, for a tax is a rate or duty laid by government on the property of an individual, and with that the citizen purchases the sheltering care of the government—the aid of its army in war, the care of its police in peace, for the protection and preservation of the rights of citizenship. But a tariff, such as we now discuss, which raises money that the government does not need and cannot legitimately spend, is not a tax, but a tribute paid by the weak to the strong—to the individual for personal advantage, not to the government for the public good.

That government, Mr. Chairman, is the best government, those laws are the wisest laws, which contribute to the benefit of the most people, which bless the many and not the few. It is in recognition of this fact that those who hold to "protection for protection's sake" cry aloud, whilst with one hand they filch the gold from the purse of the citizen, and with the other blind his eyes to the act. "It is for the public good." It has ever been thus from the foundation of the world. Deceived into security by the false promises of the serpent, man fell, and from then till now—

> Falsehood puts on the face of simple truth
> And masks in the habit of plain honesty
> When she in heart intends most villainy.

If I believed for one moment that it was for the public good, would promote the general welfare to maintain in this country a system of protection in order that manufacturing interests might be fostered, the people employed, labor rewarded, and the general welfare secured, I would not here and now lift my voice in favor of a measure looking to the reduction of a duty and a lessening of the tributes of the tariff. I hold it my duty, in the administration of the trust confided to me, not to be restricted, as a member of the law-making body, simply to that which will benefit the people who constitute the special constituency by whom I am here accredited, but to look to the common good, the general welfare of the whole country; to know no North, no South, no East, or no West, but to regard these only as the component parts of a great country, united under one Government, owing allegiance to one flag, which, thank God, now waves in triumph "over the land of the free and the home of the brave."

I find the people constituting that country in this condition: That of the 17,392,099 persons engaged in all industrial pursuits in the United States, according to the census of 1880, there were employed in mechanical, manufacturing, and mining occupations 3,837,112; in trade and transportation, 1,810,256; in personal and professional callings, 4,174,238; and in agriculture, 7,670,493. When I come to apply the rule laid down that "wise laws are those which confer the greatest good on the greatest number," I find that under the exaction of the present tariff system about four-fifths of the people are paying tribute to about one-fifth; in other words, that under the exactions of this tariff four men are suffering that one may live. When I find one man made happy and prosperous under the existing law, I find that happiness and prosperity purchased at the expense of the misery and destitution of four of his fellow-citizens. I stop and ask myself, "Can this be fair, honest, and right?"

A tax is only justifiable under the plea of necessity. It is an exaction from the citizen enforced by the sovereign power, and the justification is that it is levied to meet the needs of the Government. When that need ceases the tax should cease, unless its continuance shall be shown to be for the purpose of conferring some benefit on the body of the people. What benefit do these taxes, levied originally to maintain an army and a navy, to carry on a war to preserve the integrity of the Union, confer? Why in time of peace should these taxes still be collected and the unneeded excess be buried like the "unused talent?" To this our friends on the other side answer that it is necessary for the protection of the American toiler; that it is to clothe and feed the struggling masses; that it is to maintain the dignity of American labor. If, Mr. Chairman, this were true, I would hesitate long before I would yield my support to the principle embodied in the pending bill. But the plea, Mr. Chairman, comes to us from a suspicious source; it must be investigated. Republicans present it, and their party has never been the friend of the laborer.

The Democratic party has ever won the allegiance of the working classes. It is the people's party. Not much individual wealth has been found within its ranks, and it has ever fought the battles of the people against restrictions and monopolies. It has ever battled for the enlarged liberties of the citizen and contended for the reserved rights of the States and the people. On the contrary the Republican party has ever advanced with stealthy but steady step towards the enlargement of the powers of the Government and the restrictions of the rights of State and citizen, and when the cry comes from the throats of the Republican party that it is urging protection in the interest of the American workmen, that cry is to be heard with caution.

The distinguished gentleman who has the honor to be the chairman of the Committee on Ways and Means, and who opened this discussion, has, I think, demonstrated by indisputable facts and figures the fallacy of the position that the tariff affects the wages of the workingmen. And a leader of the working classes, who gathered around him recently in the city of New York such a number of supporters from the toiling masses, has gone further in the direction of unfettered trade than either the Democratic platform or the chosen representative of the party, the bold and thoughtful President of the United States. That labor leader, Henry George, said:

> The cry of "protection for American labor" comes most vociferously from newspapers that lie under the ban of the printers' unions; from coal and iron lords, who, importing "pauper labor" by wholesale, have bitterly fought every effort of their men to claim anything like decent wages; and from factory owners who claim the right to dictate the votes of men. The whole spirit of protection is against the rights of labor.
>
> * * * * * * *
>
> We thus see from theory that protection can not raise wages. That it does not, facts show conclusively. This has been seen in Spain, in France, in Mexico, in England, during protection times, and everywhere that protection has been tried. In countries where the working classes have little or no influence upon government it is never even pretended that protection raises wages. It is only in countries like the United States, where it is necessary to cajole the working classes, that such a preposterous plea is made, and here the failure of protection to raise wages is shown by the most evident facts.
>
> * * * * * * *
>
> To discover whether protection has or has not benefited the working classes of the United States it is not necessary to array tables of figures which only an expert can verify and examine. The determining facts are notorious. It is a matter of common knowledge that those to whom we have given power to tax the American people "for the protection of American industry," pay their employés as little as they can, and make no scruple of importing the very foreign labor against whose products the tariff is maintained. It is notorious that wages in the protected industries are, if anything, lower than in the unprotected industries, and that though the protected industries do not employ more than a twentieth of the working population of the United States there occur in them more strikes, more lockouts, more attempts to reduce wages than in all other countries.
>
> In the highly protected industries of Massachusetts official reports declare that the operative can not gain a living without the work of wife and children. In

the highly protected industries of New Jersey many of the "protected" laborers are children whose parents are driven by their necessities to find employment for them by misrepresenting their age so as to evade the State law. In the highly protected industries of Pennsylvania, laborers, for whose sake we are told this high protection is imposed, are working for 65 cents a day, and half-clad women are feeding furnace fires. "Pluck-me stores," company tenements and boarding houses, Pinkerton detectives and mercenaries, and all the forms and evidences of the oppression and degradation of labor are, throughout the country, characteristic of the protected industries.

So when a protectionist claims that a war tariff must be maintained in order that we may protect the dignity and honor of American labor and save it from competition with the pauper labor of Europe, tell him his position is untrue. If protection benefits the wages of labor, why do the statistics of the country show that higher wages are paid by unprotected industries than by protected industries? Do you deny it? Why then do the figures show that the annual average wages of all persons employed in manufactories in this country was but $346 per annum, much less than the average of those who give their attention and their labor to unprotected occupation, and why is it that the record shows that in many instances the highest wages were paid the workingmen during the period of low tariffs? I cast my eyes over this House and my glance falls upon the intelligent features of those who are the accredited representatives on this floor of the working-people, and I ask, how stand these men upon this question? Surely they know the needs of the people who sent them here; they have worked in shop and factory and gained a place in the National Council by their devotion and zeal in the cause of labor, and desiring myself to be found with the friends of honest toil I ask the question, how do they stand on this great contest which agitates this House and the country? I find them in favor of the reduction of these war taxes.

With many of my colleagues I was in the city of Philadelphia the other day to witness the new movement on the part of our Government to place its Navy on a respectable footing on the high seas. Whilst in that metropolis of protection, Pennsylvania, I saw in the Philadelphia Record the following article:

The five Congressmen from Philadelphia whose hearts yearn for the interests of workingmen may find profitable reading in the resolutions adopted last week by Philadelphia workingmen, at a meeting called by workingmen, officered by workingmen, and managed by workingmen according to their own notions. These two resolutions are particularly noteworthy:

"*Resolved*, That we especially request that wool be made free in the interest of the 60,000 textile workers of our city, who, with free wool, would compete with the world and obtain the privilege of making the finer grades of goods from which the present tariff excludes them.

"*Resolved*, That we emphatically protest against petitions to Congress that have been or are being signed in the mills and factories, either under the direction of the foreman or otherwise, being accepted as the free expression of the sentiments of workingmen, as the manner in which these signatures are procured is but a species of slavery."

Observing these things what could I say to our protection friends who claim that this high tariff was in the interest of labor? I could but reply that experience and history both proclaim in unmistakable voice that they are endeavoring to delude the American people with false statements, frighten them from the enjoyment of the fruits that lie before them by a wretched scarecrow. But protection has added, it is true, to the number of our millionaires; it has built up vast business concerns in which are invested large sums of money. It has congregated the wealth of the country until in America it is accepted as axiomatic, "the rich have grown richer and the poor poorer." The lines of demarkation in the United States between wealth and poverty have become wider and more distinct. It is the wealth and not the talent of the country that is dominating in governmental affairs.

It has not been long since, Mr. Chairman, that an illustrated paper, whose mission is ridicule and laughter, pictured the highest branch of the law-making power in America as so many money-bags holding various large amounts and crowned with the head of the particular legislator; and it is because wealth has with the power of its dollars purchased position, defied the courts of justice, and held undisputed and unchecked sway in the land, that there have been combinations made and societies formed, looking to the leveling of these inequalities, and in their frenzy endangering the peace and safety of the Republic. A great danger to this country is threatened by the aristocracy of wealth. Let us heed the warning of the poet—

> Ill fares the land, to hastening ills a prey,
> Where wealth accumulates, and men decay.

By the aggregation of wealth represented in these manufacturing enterprises, these corporations, grown gigantic because they monopolize the field of some particular industry, "trusts," "combines," combinations, and conspiracies against the money of the people, have been formed, to add other dollars to the pile they have already wrung by the hand of extortion from the purse of the defenseless citizen. Greed and avarice hold their sway in the land, and gold—

> The yellow slave,
> Will knit and break religions; bless the accurs'd;
> Make the hoar leprosy ador'd; place thieves,
> And give them title, knee, and approbation
> With senators on the bench.

It is the power of this wealth that labor fears. It is the "combine" of this capital that labor fights. It is this hated system which has augmented wealth and chained labor that wise statesmanship demands shall be abrogated. It is argued that, relying upon the faith of the Government, capital has made investments and "plants;" that it has been encouraged by the prevalent tariff laws which have been maintained in peace as well as in war, and that it would be a governmental wrong to take from these industries the aid which has been given them, at the expense of the consumers of their manufactured articles.

But it is claimed that if we remove the governmental support they will fall; that destruction and ruin would follow the enactment of a revenue-tariff law. I thought as I listened to the glowing and deserved tribute paid to the "New South" the other day by the distinguished and eloquent Representative from the State of Michigan [Mr. BURROWS] of that time, within the memory of many gentlemen upon this floor, when it was contended by the Representatives of the South in the American Congress that the abolition of slave labor would mean the destruction of their wealth, the irretrievable ruin of their section, that their homes would rot to the ground, their fields lie idle, their lands be waste. No argument could convince them of their error; no eloquence could convert them from this belief. It took a horrible war; it took shot and canister and shell. It took the blood of valued lives to remove the peculiar institution of the South, to alter the nature and condition of its labor. Not a quarter of a century has passed since then, and what is the result? Let the answer be made in the language of the eloquent Representative from Michigan [Mr. BURROWS]:

I rejoice that there is a new South, a new industrial South, born of the throes of war, but full of hope and full of courage. She stands to-day with uplifted brow facing the dawn of a mighty future. Her loins are girt for a new race. With unfettered hands she smites the earth, and fountains of unmeasured wealth gush forth. Beneath her feet she feels the stir of a marvelous life. Her pathway is already illumined with the light of blazing furnaces. Her heavens are aglow with the break of a new day. All hail its on-coming!

> "Aid its dawning, tongue and pen:
> Aid it, hopes of honest men;
> Aid it, paper; aid it, type;
> Aid it, for the hour is ripe,
> And our earnest must not slacken into play;
> Men of thought and men of action clear the way."

The entire people of the South thank God that slavery has been abolished and none but freemen live within the borders of our country. Owing its origin to a revolt against a trivial but unjust tax, and holding to the maxim of "millions for defense, but not one cent for tribute," the United States has forever cherished a repugnancy to the tax-gatherer. The South has ever murmured against the unjust tribute exacted from her people to enrich citizens of the North and the East. As the South contended that without slave labor she could not exist, so now the North contends that protection is her only safety. As the South found that the liberation of her slaves was the commencement of her greatness, so the North will find that the adoption of a wise and just system of taxation will awaken her every energy, and, desiring to excel in the race for wealth and power, new impetus will be given to her enterprise, and competition—

> Will lend to every power a double power
> Above its functions and its offices.

To reach the desired end there should not be and will not be a recourse to arms. That industrial revolution in the North is to be brought about not at the expense of the blood and treasure of the nation, not by a revolt of those who have no protection against those who are protected, but by wise counsel in the legislative bodies, by mutual concession and conciliation, by a gradual emancipation, if you will, of the American people from this slavery to monopoly. The President of the United States, as wise as he is courageous, tells us:

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a condition which confronts us—not a theory. Relief from this condition may involve a slight reduction of the advantages which we award our home productions, but the entire withdrawal of such advantages should not be contemplated. The question of free trade is absolutely irrelevant; and the persistent claim made in certain quarters, that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free-traders, is mischievous and far removed from any consideration for the public good.

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people, by cheapening their means of subsistence and increasing the measure of their comforts.

The distinguished gentleman who now presides with so much dignity, impartiality, and wisdom over the deliberations of this House, and who the State from which I am accredited in this body proudly calls her son, in assuming for the third time the position of Speaker of the House of Representatives, said:

Investments made and labor employed in the numerous and valuable industries which have grown up under our present system of taxation ought not to be rudely disturbed by sudden and radical changes in the policy to which they have adjusted themselves, but the just demands of an overtaxed people and the obvious requirements of the financial situation can not be entirely ignored without seriously imperiling much greater and more widely extended interests than any that could possibly be injuriously affected by a moderate and reasonable reduction of duties.

It is with that spirit that we should approach the final action upon the pending bill. I favor the independence of these States; I believe this country capable of producing from her fertile soil all that is necessary to supply the wants of her people. I know her capable of calling

into being by her mechanical skill every instrument necessary to till her soil or gather her fertile harvest; I know her genius can invent and supply all the comforts and needs of life; I know the songs of her poets fall with sweetest melody, and that the productions of her pen give food to human thought and impetus to human action; I know that her gallant sons fear no enemy on tented field. These are indeed free and independent States. I favor with heart and soul a home supply and a home market. I would be proud to see our products carried in our ships, sailing under that star-spangled banner, with our trade ruling the markets of the world.

America, thank God, fears no competition with any country on the globe. With a government where the accident of descent does not give position, where each of her sons is by birth "a peer of the realm and a prince of the blood," where high station may be attained by honest exertions, and where wealth bows at the feet of genius and surrenders her possessions at the bidding of industry—when we remember that not four centuries have passed since the eye of the white man first saw through the mists of ocean the outlines of this hitherto unknown country; that not three centuries have passed since the smoke of the first white settlement on these shores sought the skies; that but little more than a century ago, rebelling at an unjust tax, in the infancy of her power, she proclaimed to a wondering world that her colonies "were and of right ought to be free and independent States," and that we are soon to celebrate the one hundredth anniversary of her constitutional government—we stand amazed at her rapid growth and at the mighty achievements of her arm and brain, and cry:

Who shall place
A limit to the giant's unchained strength,
Or curb his swiftness in the forward race.

I look forward to the time when, freed from unjust and restrictive laws, fearing none in the competition of skill and talent and power, these States of ours, this grand Republic, shall conquer all opposition, and, fulfilling the prophecy, show herself to be "the queen of the world and the child of the skies."

I could not, Mr. Chairman, close these remarks without referring to the opening speech of the gentleman from Pennsylvania, the "father of the House." In the conclusion of his address he took occasion to pay his respects with a sharp but, he says, not unfriendly tongue to the State I have the honor in part to represent upon this floor. Although I honor and respect the venerable gentleman who gave utterance to the sentiment, I can not let his statement go unchallenged to the world. I shall say nothing of complaint at the fact that, made our guest, feasted upon the best our hospitality could afford, he has seen fit to complain like Justice Shallow:

I wished your venison better; it was ill-killed.

Whilst I thank him for the tribute paid to that unmeasured wealth which lies within her bosom, whilst I thank him for the encomiums passed upon her stout sons and fair daughters, I do resent the statement that Kentucky is a laggard; that she is behind her sister States. I do repel the charge that to "speak of her as a leading State, a progressive State, or even a prosperous State, would be to indulge in bitter irony."

The gentleman told us the other day that, like all old men, he lived in the past. He seems to have forgotten the past of Kentucky. Living on the border-land which separated North from South, she saw the war cloud gathering and tried to arrest the storm; she saw the troubled waters and spoke, "Peace, be still!" But the angry waves heard her not. On the floor of this House her revered Crittenden, parting the lips of age and experience, spoke the words of conciliation, but hatred and passion heeded them not.

Torn by conflicting sentiments, on the one hand, revering the Government of her fathers and loving the flag of her country, on the other, bound by kindred institutions, by ties of association and blood, to her sister States of the South, Kentucky hesitated. She endeavored to make her soil neutral ground, where in peace and unarmed the men of the North and the sons of the South might meet in safety. But that was not to be. Two of her sons were high in authority; the people of the South had made one Kentuckian their leader and the Union had inaugurated as its President another of her sons, the grand martyred and immortal Lincoln. The tocsin of war sounded; the martial spirit of her people could not be restrained. Some rushed with her Morgan, [her Buckner, her Breckinridge to the South, whilst others seized the Stars and Stripes and followed her Whittaker, her Rousseau, her Nelson, and her Buell to the field. How well Kentucky bore herself on the tented field, in charging the cannon's mouth, let history the record tell. Her purest blood stained the battle plain; her best loved gave up their lives to the cause they had espoused. When the end came, when the banner of the Confederacy was trailed in the dust of defeat, back to the Kentucky home they loved so well came the survivors of the war, wearing the victorious blue or clad in the conquered gray.

What greeted them? Their State had been the scene of border and guerrilla warfare; blackened ruins marked the path of the departed armies. Untilled fields, deserted homes, silent forges, spoke the desolation war had made. These soldiers of the North and South saw that the future of that great State depended upon their exertions. The motto of the grand old Commonwealth is "United we stand, divided we fall;" and forgetting that they had faced one the other in the deadly hate of battle the blue and the gray joined hands and marched forward to a grand destiny. What have been the proud achievements of twenty-three years? Kentucky has taken into the equality of citizenship those who formerly owned themselves her property. She has opened for them schools of instruction which challenge comparison with those of any people in the world; and notwithstanding the poverty of that race Kentucky to-day, when she spends a dollar for the education of a white child, gives a dollar for the education of the negro. I find her increase in population from 1870 to 1880 to be 22.98 per cent., while the increase in boasting Pennsylvania was but 21.60 per cent. I find her the eighth State in the Federal Union in point of population. I find, too, that the great Commonwealth of Kentucky is free of debt, but that the State of Pennsylvania is cursed with a debt over and above its available assets of ten and a half million dollars.

But why enlarge on that subject? You listened, gentlemen, to the noble and eloquent defense made by my distinguished colleague who has had the honor in the past to preside over the destinies of that great Commonwealth as its governor, and you must know and feel now that Kentucky needs no defender, and you ask the question, why does the gentleman from Pennsylvania complain that Kentucky is a laggard? because, forsooth, she has not produced as much pig-iron in the past year as the gentleman thinks she should. With her vast forests which timber her lands, with the untold wealth which lies buried in her bosom, with her fertile soil, Kentucky has ever held wide her hospitable arms to all who seek a home within her borders. She fears no comparison.

Conquering her territory foot by foot from the savage red men, she earned then the title of "the dark and bloody ground." But for the preservation of the public peace, for the obedience to law, for the love of order, her sons fear no comparison. It is only in some portions of that State where they forget that the war is ended, and where they vote the Republican ticket "with readiness and dispatch," that the law is at times ignored and defied.

But Kentucky, gazing not back on the past, but living in the present and working for the future, looks forward to a career full of the promises of prosperity and wealth under just enactments wisely administered, and she is here to-day to lift her voice and cast her vote in favor of the people of the whole country and against the greed of monopoly. [Great applause.]

Mr. MILLS. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 1062) to increase the appropriation for the erection of the public building at Wilmington, Del.;

A bill (S. 1726) to provide for the erection of a public building for the use of the post-office and the Government offices at the city of Atchison, Kans.;

A bill (S. 2198) to provide for the building of a railroad bridge at Little Rock, Ark.; and

A bill (S. 2624) to provide for the enlargement of the dimensions of the wharf at Fortress Monroe.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House was requested, the bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $125,000 therefor.

BRIDGE AT OMAHA, NEBR.

Mr. MCSHANE. I ask unanimous consent that the Committee of the Whole House be discharged from the consideration of the bill which I send to the desk, and that it be now considered.

The Clerk read the title of the bill, as follows:

A bill (H. R. 6440) to authorize the construction of a bridge over the Missouri River at or near Omaha, Nebr.

Mr. LYMAN. I feel obliged to object to the consideration of that bill at this time.

DUTY ON LIME.

Mr. MOFFITT. I ask unanimous consent to present a short memorial from certain lime manufacturers of my district and adjoining counties. I desire that it shall be printed in the RECORD, and that it be referred to the Committee on Ways and Means.

There was no objection, and it was so ordered.

The memorial is as follows:

To the honorable the Senate and House of Representatives of the United States:

We, the undersigned, manufacturers of lime in the counties of Warren, Washington, and Saratoga, State of New York, do most respectfully and earnestly call your attention to the following facts affecting the interest of the people of this and other border and coast States, and particularly said counties:

The large beds of limestone in these counties have caused an industry in the

manufacture of lime, which has existed for many years, gradually increasing to upward of forty kilns, with daily capacity of 4,000 barrels, and representing a large capital invested in quarries, lime-kilns, store-houses, boats for transportation, etc.

The entire cost of this article, other than the value of the rock in the bed and the wood and timber in the tree for burning the lime and stock for barrels, is made up of labor, to wit:

The shaving of hoops and sawing and dressing of stock for and the making of barrels or casks, quarrying, preparing, and delivering the rock to kilns, burning, drawing, and barreling the lime, chopping and gathering wood for fuel, and delivering the lime to boat or cars when ready for shipment, thus giving employment to many and benefiting, directly or indirectly, the whole community.

Some years ago a large amount of lime was annually shipped from the States into Canada, but later the duty imposed by the government encouraged the building of kilns at various places near our border, thus providing not only for home consumption, but with the advantage of cheap fuel, barrel stock, and labor they are now shipping a large amount into our markets. It is claimed that these advantages amount to more than 20 cents per barrel in their favor, thus producing so cheap that the basis of duty is but 30 cents per barrel, exclusive of cask, the cask when so filled being admitted duty free.

The present duty, *i. e.*, 10 per cent ad valorem, therefore costs them but 3 cents per barrel, or but little in comparison to the difference in the cost of labor there and here.

We therefore most respectfully petition your honorable body to not only remove lime from the free-list but to impose a specific duty corresponding to that of the Dominion Government.

KEENAN LIME COMPANY.
JOINTA LIME COMPANY,
By WAIT.
SHERMAN LIME COMPANY,
By H. G. LAPHAM.
MORGAN LIME COMPANY.
BALD MOUNTAIN LIME COMPANY.
GLENS FALLS COMPANY.
GLENS FALLS TRANSPORTATION COMPANY,
Per J. WOODRUFF HUNTING, *Secretary.*
J. W. FINCH.
WM. E. SPIER.
T. S. COOLIDGE.
S. B. GOODMAN.
F. W. WAIT.
SAM'L PRUYN.

S. B. WEST.

Mr. JOHNSTON, of North Carolina. I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 8956) for the relief of S. B. West, administrator of Thomas Becton, deceased, and that it be now considered. This bill was objected to the other day by the gentleman from Iowa [Mr. KERR]. He now withdraws his objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay S. B. West, administrator of Thomas Becton, deceased, of Lenoir County, North Carolina, out of any money in the Treasury not otherwise appropriated, the sum of $1,585, being for stores and supplies taken and used by the Army of the United States during the late war, as found by the Court of Claims.

Mr. SOWDEN. Reserving the right to object, I call for the reading of the report.

Mr. JOHNSTON, of North Carolina. It was read the other evening.

The SPEAKER *pro tempore*. The Clerk will read the report.

The report (by Mr. STONE, of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred miscellaneous document—claim of S. B. West, administrator of Thomas Becton, deceased—have examined the same, and report as follows:

The Committee on War Claims of the Forty-ninth Congress, not being clearly and fully advised of all the facts in the case, referred it to the Court of Claims for a finding of facts, under the provisions of the Bowman act. Said claim has been returned to the committee with a report that the claimant was loyal to the Government of the United States throughout the war, and that stores and supplies of the value of $1,585 were taken from the decedent by the Army of the United States.

Your committee report herewith a bill for the relief of S. B. West, administrator of the estate, and recommend its passage, and ask that the miscellaneous document be printed as a part of this report.

[Court of Claims. Congressional case No. 1263. S. B. West, administrator of Thomas Becton, deceased, *vs.* The United States.]

FINDINGS OF FACT.

At a Court of Claims, held in the city of Washington on the 19th day of March, A. D. 1888, the court filed the following findings of fact, to wit:

The claim in the above-entitled case for supplies or stores, alleged to have been taken by or furnished to the military forces of the United States for their use during the late war for the suppression of the rebellion, was transmitted to the court by the Committee on War Claims of the House of Representatives on the 24th day of January, 1887.

G. Wm. Z. Black, esq., appeared for claimant, and the Attorney-General, by Lewis Cochran, esq., his assistant, and under his direction, appeared for the defense and protection of the interests of the United States.

On a preliminary inquiry the court, on the 5th day of December, 1887, found that the person alleged to have furnished the supplies or stores, or from whom they were alleged to have been taken, was loyal to the Government of the United States throughout the said war.

The case having been brought to a hearing on its merits on the 27th day of February, 1888, the court upon the evidence, and after considering the briefs and the arguments of counsel on both sides, find the facts to be as follows:

I.

The said decedent during the late war was a farmer, and resided in the county of Lenoir, in the State of North Carolina.

II.

It is alleged by claimant that during said war, at the place aforesaid, there was taken from the said decedent by the military forces of the United States, for their use, stores and supplies of the kind and value, to wit:

8,000 pounds of pork, 20 cents	$1,600.00
2 beef cattle, $25	50.00
400 bushels of sweet potatoes, $1	400.00
1 mule	150.00
100 barrels of corn, $5 per barrel	500.00
12,000 pounds of fodder	180.00
100 cords of wood, $2	200.00
100 bushels of potatoes, $1	100.00
2,500 pounds of bacon, 25 cents	525.00
10 barrels of pork, $30 per barrel	300.00
20 bushels of potatoes, $1 per bushel	20.00
Total	4,125.00

III.

The court upon the evidence finds that during said time, at said place, the said forces for their use took from the said decedent stores and supplies of the aggregate value of $1,585.

IV.

It does not appear that any payment has been made for said property.

Filed March 19, 1888.
By the court.
A true copy.
Test, this 21st day of March, A. D. 1888.
[SEAL.]
JOHN RANDOLPH,
Assistant Clerk Court of Claims.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the bill?

Mr. SOWDEN. I will have to object.

The objection was subsequently withdrawn.

There being no further objection, the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. JOHNSTON, of North Carolina, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE AT DULUTH, MINN.

Mr. NELSON. I ask for the present consideration of the bill (H. R. 5191) for the construction of a bridge across the canal entrance to the harbor of Duluth, Minn.

Mr. HAUGEN. I object to the consideration of that bill at this time.

MAIL ROUTE 30100.

Mr. WILKINSON. Mr. Speaker, I ask, by unanimous consent, that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (H. R. 8965) to authorize the Postmaster-General to cancel mail contract on route No. 30100, and for other purposes, and the bill be now put upon its passage.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized to terminate the mail contract on route No. 30100, with Charles P. Truslow, and to place the mails at legal rates for transportation, and cause the same to be carried on and by the New Orleans and Gulf Railroad from New Orleans to Bohemia, supplying all intermediate offices along said route, and to advertise and contract with the lowest responsible bidder for carrying the mails over the balance of said route from Bohemia to Port Eads, with weekly side supply to Pilot Town, for and during the unexpired time of said Truslow's contract: *Provided*, That said Postmaster-General shall not terminate said Truslow's contract, nor place the mails on said railroad for transportation, nor contract for its carriage from Bohemia to Port Eads, with supply to Pilot Town, unless he first receives a bid for the latter service, and has let the contract for the performance thereof at a price which, when added to the cost of carrying the mail by railroad from New Orleans to Bohemia and supplying the intermediate offices, does not exceed the amount now paid to said Truslow for the same service under his contract.

The report (by Mr. MONTGOMERY) was read as follows:

The Committee on the Post-Office and Post-Roads, to whom was referred House bill 5148, submit the following report:

The original bill proposes to cancel the contract of Charles P. Truslow to carry the mails on steam-boat route No. 30100, from New Orleans to Port Eads, La., which contract extends to June 30, 1890.

Your committee, on the facts fully presented in a communication from the Acting Second Assistant Postmaster-General, which is appended and made part of this report, think that the contractor, Charles P. Truslow, ought to be relieved from the hardships which a change in the methods of transportation over this route have brought about. But, in order that the Government may lose nothing by this change, we recommend that the original bill do lie on the table, and that the substitute therefor submitted with this report do pass.

POST-OFFICE DEPARTMENT,
OFFICE OF THE SECOND ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., March 9, 1888.

SIR: I have the honor to acknowledge the receipt of House bill 5148, forwarded by you to this office, being a bill for the relief of Charles P. Truslow, mail contractor on steam-boat route No. 30100, from New Orleans to Port Eads, La., and in reply to submit the following statement:

Prior to December 20, 1885, the service on said route was performed under a contract with N. L. McGinnis, at a compensation of $22,719.16 per annum.

On December 18, 1885, the Postmaster-General, deeming it for the good of the postal service, exercised the authority conferred on him by the act of Congress dated May 4, 1882 (22 Statutes at Large, 53), and annulled the contract of McGinnis from December 20, 1885, entering into contract with The Red River and Coast Line, Charles P. Truslow, president, for exactly the same service for the balance of the regular contract term, namely, from December 20, 1885, to June 30, 1886, at the rate of $12,600 per annum.

For the next succeeding contract term, from July 1, 1886, to June 30, 1890, the same service was advertised in the regular quadrennial advertisement, under

which but two proposals for carrying the mails on this route were received, namely:

	Per annum.
Louis A. Jung	29,973
Charles P. Truslow	7,600

The latter proposal was accepted, and Mr. Truslow is now under contract to perform the service until June 30, 1890.

The service required is as follows:

Six round trips per week between New Orleans and Burns, 83 miles,
Three round trips per week between Burns and Port Eads, 41 miles.
One round trip per week between Head of Jetties and Pilot Town, 12 miles.
Offices to be supplied, 26.
The mails to be carried in safe and suitable steam-boats.

It is represented that Mr. Truslow took the contract for carrying the mails at a very low rate because he had several steam-boats engaged in the passenger and freight traffic between New Orleans and Port Eads, and had practically a monopoly of the river trade below New Orleans; but that since he began service under the contract a railroad has been constructed from New Orleans down the eastern bank of the river for a distance of 50 miles, to a point called Bohemia (5 miles below the post-office of Pointe à la Hâche), and that the said railroad has secured so large a part of the river trade along its line as to amount to a monopoly.

It is further represented that were it not for his mail contract, which compels him to run his steam-boats at a very great loss, Mr. Truslow would withdraw them from the trade entirely.

If Mr. Truslow's representations are true (which the Department has no reason to doubt), he will undoubtedly suffer a great hardship if he is required to continue service under his contract to the end of the contract term.

The present contract pay is only about one-third of the pay prior to December 20, 1885, and there is no question but that the service can not be performed for the amount now paid, in the absence of other business to be done in connection therewith.

Application is now pending in the Department for the establishment of mail service on the New Orleans and Gulf Railroad between New Orleans an Bohemia. If, in order to secure superior service, this application should be granted, it would then be necessary, and under the contract the Department has the right, to curtail the steamboat service so as to require six trips per week between Bohemia and Buras, three trips per week between Buras and Port Eads, and one trip per week between Head of Jetties and Pilot Town. This curtailment would reduce the contract pay (a pro rata deduction for all service dispensed with being required by law and by the contract) to $3,277.73 per annum, and in all probability would not only not improve his present position but would subject him to still greater loss. In the opinion of this office, the service below Bohemia, if relet, would cost fully as much as the present contract pay for the entire route.

Mr. Truslow has applied to the Department to be released from his contract, but the Department, although convinced that to require him to fulfill the contract would cause him great hardship and involve him in large pecuniary loss, can not grant him the desired relief.

The facts in the case are submitted for your consideration.

Very respectfully,

D. HAGERTY,
Acting Second Assistant Postmaster-General.

HON. J. H. BLOUNT,
House of Representatives, Washington, D. C.

Mr. WILKINSON. I would state, Mr. Speaker, that this bill does not involve the expenditure of a dollar by the Government. The contract can not be changed until a mail contractor is found who will step into the other contractor's shoes and do the work for the same price.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WILKINSON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

P. A. LEATHERBURY.

Mr. THOMAS H. B. BROWNE. Mr. Speaker, I ask, by unanimous consent, that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 3008) for the relief of P. A. Leatherbury, and that the same be put upon its passage.

There was no objection, and the motion was agreed to.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to pay P. A. Leatherbury, of Accomack County, Virginia, the sum of $601.27, out of any money in the Treasury not otherwise appropriated, that being the amount paid by him to Lucy Roberts, on pension-checks numbered 6863 and 6864, which were afterward recalled and canceled, and returned to the Treasury.

SEC. 2. That this act shall be in force from its passage.

The report by (Mr. BOWDEN) was read, as follows:

The Committee on Claims, to whom was referred House bill 3008, beg leave to submit the following report:

That Perry A. Leatherbury became a bona fide purchaser of a check of the amount of $1,301.27 from Lucy Roberts, said check having been issued by the United States in payment to the said Lucy Roberts, widow of Nelson Roberts, for pension.

The committee find also that the Department discovered, after the issuing of the check, that the claim for pension was fraudulent, but not until after the purchase, in the ordinary course of business, by Mr. Leatherbury, paying $601.27 therefor, and giving his due-bill for the balance, which balance he refused to pay after ascertaining that the check was repudiated by the Government.

The committee, therefore, believing the claim for reimbursement of the amount paid on said check a just one, recommend the passage of the bill.

On motion of Mr. THOMAS H. B. BROWNE, the second section was struck out.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time and passed.

Mr. THOMAS H. B. BROWNE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ADDITIONAL LAND DISTRICT, OREGON.

Mr. HERMANN. Mr. Speaker, I ask by unanimous consent to report at this time from the Committee on Public Lands for present consideration Senate bill 555, to establish an additional land district in the State of Oregon.

The SPEAKER *pro tempore*. The bill will be read, after which the Chair will ask for objections.

Mr. SOWDEN. Mr. Speaker, I reserve the right to object.

The bill was read, as follows:

Be it enacted, etc., That so much of the districts of lands subject to sale under existing laws at Lakeview, La Grande, and The Dalles land districts, in the State of Oregon, as are contained in the following boundaries shall constitute a new land district, to be called the Harney land district, bounded as follows: Commencing at Snake River, in the State of Oregon, on township line between townships 12 and 13 south of second standard parallel; thence west to northwest corner of township 13 south, of range 24 east of Willamette meridian; thence due south to the southwest corner of township 29 south, of range 25 east of Willamette meridian; thence due east to the boundary line of the State of Oregon; thence north on said boundary line to the place of beginning.

SEC. 2. That the location of the office of said district shall be designated by the President of the United States, and may be changed from time to time by him as the public convenience may seem to require.

SEC. 3. That there shall be appointed by the President, by and with the advice and consent of the Senate, a register and a receiver for said land district, who shall respectively be required to reside at the site of the office, and be subject to the same laws and entitled to the same compensation as is or may be prescribed by law in relation to other land offices in said State.

Mr. SPRINGER. Has this bill been reported from the Committee on Public Lands at this session?

The SPEAKER *pro tempore*. The gentleman from Oregon asks unanimous consent to report the bill at this time, and it is read, the right to object being reserved.

Mr. SOWDEN. I call for the reading of the report.

The report (by Mr. HERMANN) was read, as follows:

Your committee, to whom was referred Senate bill 555, establishing a land district in the State of Oregon, beg to say that this is a duplicate of H. R. 1762, already favorably reported by this committee, except that in the Senate bill there is a clerical error in this, that words "twenty-three" (number of range) should be "twenty-four," so as to read, "of range 24 east." We recommend that said words "twenty-three" be stricken out and that said words "twenty-four" be substituted, and, as thus amended, that the Senate bill pass instead of House bill 1762; and as to the urgent necessity of this land district we append a report (No. 189) made by us on the House bill heretofore reported by us:

"The Committee on Public Lands, to whom was referred H. R. 1762, beg leave to report that they have carefully examined the facts necessitating the establishment of an additional land district in the State of Oregon, and find that—

"Oregon embraces a land area of 60,975,360 acres, or greater than New York and Pennsylvania combined.

"About two-thirds are now fully surveyed and capable of settlement, and the remainder are arable, grazing, and timber lands.

"The present land districts in that State are all very large and each contributes an excess over the maximum land business, and yields to its officers the maximum salaries and commissions allowed by law.

"The proposed new district is located in Eastern Oregon, until in late years in the occupancy of Indian tribes, and the necessity for the present establishment is occasioned by the rapid settlements which are induced there by the large area of vacant agricultural lands subject to homestead and pre-emption.

"The proposed boundaries embrace about 9,308,160 acres and are 150 miles distant from the east to the west and 102 miles from north to south. The nearest land offices at present by the usually traveled route to the settlers in the center of the new district are Lakeview, distant 160 miles, and La Grande 180 miles; and the communication is only by wagon-roads. These great distances impose much cost and inconvenience to every settler who makes a home on the public domain, and greatly retards the growth and development of the country. The creation of this district will reduce the three districts from which it is taken, bringing their outer boundaries within easier access to the local offices, while not disturbing their present earnings much, if any, below the maximum limited by law. The least district in area of those from which the new district is taken will still be in excess of 8,000,000 acres.

"This committee reported the necessity for this new district in the last session of the Forty-ninth Congress, and the Senate passed a bill similar to the present, but it failed to pass the House for want of consideration. The Department then and now recommends the establishment of this additional district, the Commissioner of the General Land Office reporting to the committee that 'it will serve the convenience of a great number of settlers and be in the interest of the public service,' and therefore is approved.

"We accordingly report said bill back to the House with the recommendation that it do pass, with the following amendment: Substitute the word 'four' in line 13, page 1, for the word 'three;' and strike out, in line 14, the words on said parallel line.'"

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The amendments recommended by the Committee on the Public Lands were agreed to.

The bill was ordered to be read a third time; and it was accordingly read the third time, and passed.

Mr. HERMANN moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN M'FALL.

Mr. O'NEILL, of Missouri. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 5591) for the relief of John McFall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to John McFall, of St. Louis, Mo., the sum of $350, being value of two horses, the property of said McFall, and used by him while lieutenant-colonel of the Twenty-sixth Missouri Volunteer Infantry, and by the quartermaster of said regiment turned over to the Government while the said John McFall was ab-

sent from said regiment on detailed duty as a member of a court-martial convened for the trial of Brigadier-General Sweeney, in 1864.

The report (by Mr. STONE, of Kentucky) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 5591) for the relief of John McFall, report as follows:

That this is a claim for two horses turned over to the Government in 1864 by Col. John McFall, late of the Twenty-sixth Regiment Missouri Volunteer Infantry. Claim stated at $350.

The proof shows that John McFall was lieutenant-colonel of said regiment, and was the owner of two horses; that some time in 1864 the claimant was detailed as a member of a general court-martial, and whilst in the performance of his duties as a member of the court-martial his regiment moved to Savannah, Ga., and the horses turned over to Lieut. J. M. Berry, the quartermaster of said regiment; that the said regiment was mustered out in January, 1865; that the horses were turned over to the Quartermaster's Department, and the claimant never recovered them.

Your committee are of opinion that the claim is a just one, and report back the bill and recommend its passage.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. O'NEILL, of Missouri, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

YORK HARBOR AND BEACH RAILROAD.

Mr. REED. Mr. Speaker, I ask to have the Committee of the Whole House discharged from the further consideration of the bill (H. R. 7509) granting to the York Harbor and Beach Railroad Company a right of way.

The bill was read, as follows:

Be it enacted, etc., That the right of way, 4 rods in width, across the military reservation at Fort McClary, in the town of Kittery, in the State of Maine, be, and the same hereby is, granted to the York Harbor and Beach Railroad Company, a corporation created by the laws of the said State of Maine, and said company is authorized to construct, maintain, and operate its railroad on said right of way, according to the location thereof, as recorded in the office of the commissioners of the county of York, in the State of Maine, and described in the license issued by the War Department to said company on the 16th day of June, 1887.

The report (by Mr. MAISH) was read, as follows:

The memorial of the York Harbor and Beach Railroad Company, asking for the passage of this bill, explains so fully its objects that your committee adopts it as a part of this report, and recommends the passage of the bill with the following amendments:

Insert between the words "the" and "license," in line 11, the words "temporary revocable;" also add, after the words "eighty-seven:"

"*Provided*, That the Government may, at any time, terminate the aforesaid right of way whenever it may be deemed necessary for military purposes or the sale of the property."

The letter of the Secretary of War accompanies this also as a part of the report.

WAR DEPARTMENT, *Washington City, March 23, 1888.*

SIR: In reply to the request of your committee, dated the 16th instant, for the views of the Department upon House bill No. 7509, Fiftieth Congress, first session, granting to the York Harbor and Beach Railroad Company a right of way across the military reservation at Fort McClary, Maine, I have the honor to state that no objection exists to the adoption of the measure. I beg to suggest, however, that in line 11 of the bill, before the word "license," the words "temporary revocable" should be inserted.

Very respectfully, your obedient servant,

WILLIAM C. ENDICOTT,
Secretary of War.

Hon. R. W. TOWNSHEND,
Chairman Committee on Military Affairs, House of Representatives.

MEMORIAL.

To the honorable Senate and House of Representatives in Congress assembled:

The undersigned, York Harbor and Beach Railroad Company, a corporation created by charter from the State of Maine, respectfully represents:

That by virtue of its charter it has constructed a railroad from a point in Kittery, on the Portland, Saco, and Portsmouth Railroad, through the villages of Kittery, Kittery Point, and the town of York, and Union Bluffs, so called, in the town of York.

That the military reservation at Fort McClary, in said town of Kittery, extends from the ocean back to the high-water line of a body of water known as Barter's Creek Cove.

That it was necessary to construct said railroad between the ocean and said cove, and that it was impracticable to construct the same wholly below the line of high water on said cove, and said company has located and constructed its railroad partly over lands parcel of said military reservation.

That the land included in said location is not used, and is of such character that it can not be used for any purpose in connection with said fort.

That said location does not divide said reservation to any appreciable extent, but is upon the edge thereof, next to said Barter's Creek.

That the construction and maintenance of said railroad will be of great benefit to said fort and all persons who may occupy it.

That upon application, duly made to the honorable Secretary of War, permission was granted to said company to construct its railroad over and across the military reservation at Fort McClary aforesaid, and to maintain the same until the adjournment of the next session of Congress.

Said railroad company therefore prays that permission to maintain its said railroad over said premises as now located, and as described in said license from the War Department, may be granted to it.

Dated this 2d day of December, A. D. 1887.

THE YORK HARBOR AND BEACH RAILROAD COMPANY,
By DRUMMOND & DRUMMOND,
Its Attorneys.

There was no objection, and the Committee of the Whole House was discharged from the further consideration of the bill and amendments.

The amendments recommended by the Committee on Military Affairs were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. REED moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The hour of 5.30 p. m. having arrived, the House, under the order, took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m., and was called to order by Mr. MCMILLIN as Speaker *pro tempore*, who directed the Clerk to read the following:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES, *May 2, 1888.*

I hereby designate Hon. BENTON MCMILLIN to preside at the session of the House this evening.

JNO. G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk House of Representatives.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole on the state of the Union.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. SPRINGER in the chair), and resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. STEWART, of Georgia. Mr. Chairman, taxation is not a sentiment, but a stern, cold fact, a burden upon the people. Excessive taxation imposed in any manner and called by any name is odious to the American people.

From the time when King George imposed an oppressive tax on the subjects of the infant colonies down to this good hour the American mind and heart have always detested oppressive taxation. It is a well-settled rule of political economy that no more taxes should be collected than the actual needs of the Government demand. President Jackson on this subject declared the safest and simplest mode of obviating all difficulties which have been mentioned is to collect only revenue enough to meet the wants of Government and let the people keep the balance of their property in their own hands, to be used for their own profit.

We have arrived at that period in our country's history when the circumstances demand that we collect only what is absolutely necessary to support the Government, for the actual expenses of the Government were never so great as now, as the estimated expense of the Government for the year 1888 amounts to $316,817,785.48; and in this connection I submit a table prepared by the Secretary of the Treasury, showing the receipts and expenditures for the year ending June, 1888.

FISCAL YEAR 1888.

For the present fiscal year the revenues, actual and estimated, are as follows:

Source.	Quarter ended September 30, 1887.	Remaining three-fourths of the year.	Total.
	Actual.	Estimated.	
Customs	$62,588,115.92	$165,411,884.08	$228,000,000.00
Internal revenue	31,442,039.49	88,577,960.51	120,000,000.00
Sales of public lands	2,620,890.23	7,379,109.77	10,000,000.00
Tax on national banks	912,411.69	1,087,588.31	2,000,000.00
Interest and sinking fund, Pacific railways	446,090.81	1,553,909.19	2,000,000.00
Customs fees, fines, penalties, etc	273,201.10	876,798.90	1,150,000.00
Fees—consular, letters-patent, and lands	1,007,660.36	2,492,339.64	3,500,000.00
Sales of Government property	84,926.87	215,073.13	300,000.00
Profits on coinage, assays, etc	1,113,855.90	7,886,144.10	9,000,000.00
Deposits for surveying public lands	40,450.32	109,549.68	150,000.00
Revenues of the District of Columbia	356,400.11	2,043,599.89	2,400,000.00
Miscellaneous sources	1,462,355.02	3,037,644.98	4,500,000.00
Total receipts	102,328,397.82	280,671,602.18	383,000,000.00

The expenditures for the same period, actual and estimated, are as follows:

Object.	Quarter ended September 30, 1887.	Remaining three-fourths of the year.	Total.
	Actual.	Estimated.	
Civil and miscellaneous expenses, including public buildings, light-houses, and collecting the revenue	$17,286,572.63	$62,713,427.37	$80,000,000.00
Indians	1,913,585.65	4,336,414.35	6,250,000.00
Pensions	29,156,382.17	50,843,617.83	80,000,000.00
Military establishment, including fortifications, river and harbor improvements, and arsenals	12,368,225.87	26,631,774.13	39,000,000.00
Naval establishment, including vessels and machinery, and improvements at navy-yards	3,735,240.89	12,264,759.11	16,000,000.00

Object.	Quarter ended September 30, 1887.	Remaining three-fourths of the year.	Total.
	Actual.	Estimated.	
Expenditures for District of Columbia	$ 1,474,685.28	$ 2,775,314.72	$ 4,250,000.00
Interest on the public debt	12,162,181.68	32,337,818.32	44,500,000.00
Sinking fund, including premium	43,024,277.84	3,793,507.64	46,817,785.48
Total expenditures	121,121,152.01	195,696,633.47	316,817,785.48

Total receipts, actual and estimated	$383,000,000.00
Total expenditures, including sinking fund	316,817,785.43
Estimated surplus	66,182,214.57

Now, this vast sum of money has to be gathered from the hard earnings of the people, and it is all the same to them, as I hope to show, whether paid by direct taxation or collected from import duties. In addition to this, the farm lands of the country are involved to an amount which is alarming.

It is estimated that the lands in the following States are mortgaged as follows:

Indiana	$175,000,000	Iowa	$120,000,000
Ohio	350,000,000	Nebraska	25,000,000
Michigan	125,000,000	Kansas	100,000,000
Wisconsin	100,000,000	Illinois	200,000,000
Missouri	100,000,000		
Minnesota	70,000,000	Total	1,365,000,000

The South also is largely indebted by mortgage on farms, but not to so large an amount as the Western States named above. Pending this discussion it has been admitted on this floor that the farms of the South and West are mortgaged to an amount between two and three billions of dollars. These loans were principally from Eastern capitalists; money which they had accumulated being the fruits of a high protective tariff, and to continue this system another quarter of a century will result in the South and West becoming laborers, if not the slaves, of these Eastern monopolies. The interest on this large sum of money has to be paid by the people, as well as the taxes to defray the expenses of the Government. Is not this of itself a potential reason why no more money should be collected, either by direct taxation or by way of customs duties, than is necessary for an economical administration of the Government? But, Mr. Speaker, by a system of high protective tariff we are not only raising revenue sufficient to defray the necessary expenses of the Government, but about $65,000,000 annually in addition thereto. This vast sum of money is accumulating in the Treasury of the United States, gathered from the hard earnings of the people, and strange as it may seem, when the Democratic members of this House make an effort to change this condition of things, to take this burden from the shoulders of the people, they are met by most persistent and stubborn opposition. The Republican members of this House are working with might and main to defeat all attempts to reduce taxation, especially on the necessities of life. Let us for a time inquire, what does all this mean?

The Ways and Means Committee have offered to the House a measure which proposes to reduce taxation on the necessaries of life. In a word, they say to the toiling people of this country, "We will reduce the surplus in the Treasury by a reduction of the duty on imported articles, so they shall have cheaper clothing, blankets, woolen goods, salt, sugar, cotton-ties, coal, and many articles in common use and of absolute necessity." To this reasonable demand the Republicans reply that by thus reducing the tariff on these articles you will injuriously affect the industrial interests of the East: "We are and have been the favorites of the Government, and under a system of high protective tariff, which has in a large measure broken down all competition and allowed our industries to control the markets of the country, our people have grown rich and strong, and we must not be disturbed."

This argument is equivalent to insisting that two or three millions of people engaged in manufacturing, for some cause deserve better treatment than the seven millions who rise early and toil late through the heat of the day in the fields to earn a living. For the Government to participate in such favoritism and invidious distinction between its citizens is to deserve censure, and for a particular class to grow rich under the fostering hand of the Government from the sweat and toil of the more unfortunate is not only wanting in fair dealing, but is a species of tyranny and intolerance that will not forever be borne by the great majority of the burden-bearing people of this country. It might not be improper to inquire in this connection what principle of constitutional law, of natural equity, or of administrative justice can be found in our Government which authorizes it to build up one industry at the expense of another; and is not the maintenance of such a principle contrary to the very genius of our free institutions? In the case of Loan Associations *vs.* Topeka, 20 Wallace's Reports, Justice Miller has said:

> To lay with one hand the power of the government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprise and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation, it is a decree under legislative forms. Nor is it taxation. A "tax," says Webster's Dictionary, "is a rate or sum of money assessed on the person or property of a citizen by governments for the use of the nation or state."

Taxes are burdens or charges imposed by the legislature upon persons or property to raise money for public purposes. Cooley on Constitutional Limitations, uses the following language:

> Taxes are defined to be burdens or charges imposed by the legislative power upon persons or property to raise money for public purposes.

And I would emphasize "public purposes." But our protective friends insist, and it is the burthen of their song, that if we change our tariff system we will affect the price of labor, and they hold up their hands in holy horror, and pretend that they are the true friends of the workingman. Pending this discussion, this argument has been so repeatedly and successfully replied to it would seem now entirely unnecessary to reply to it again. An investigation of this matter clearly demonstrates that the price of labor is not regulated by a protective tariff. It is not, as a rule, true that high tariff makes high wages and that low tariff reduces wages. In a large measure, wages are regulated by supply and demand.

The tariff is uniform throughout the United States, but wages are not, differing much in different localities. Workers in iron-furnaces in Alabama, Pennsylvania, and Rhode Island do not receive the same wages, yet the tariff on steel rails is the same; the wages of those engaged in the manufacture of cotton goods in Georgia and Massachusetts are not the same, yet the tariff on those goods imported into this country is the same. The tariff on coal is uniform, yet the wages paid those engaged in the coal business in Pennsylvania, Tennessee, and Alabama are not the same. The wages of farm hands are not uniform throughout the United States.

This proposition that tariff does not regulate the price of labor is clearly demonstrated by laborers' wages in England as compared with other countries. England is a free-trade country, while Austria, Germany, Italy, and France have high tariff, and what does an investigation of the question of wages show? Senator FRYE said, in a speech delivered in Boston, on what he saw in Europe:

> From all my observations made, and they were made as carefully as I could make them, and in all honesty of purpose, there is only one country in Europe that comes within half of our wages, and that is Great Britain; that in Germany, France, Belgium, and Switzerland they are not one-third our wages and in Italy one-quarter.

Is not the Senator good authority with our Republican friends? All of this shows most clearly that cost of living, density of population, and other things beside tariff regulate wages.

In this connection I append a table showing the prices of labor in certain countries where high tariff is maintained, and these wages refute the claim of high-tariff advocates—that high tariff insures high wages.

Table showing average weekly wages paid in the enumerated occupations in different European countries.

[Furnished by Bureau of Labor, Washington, D. C.]

Occupation.	Austria.	Belgium.	France.	Germany.	Great Britain.	Holland.	Switzerland.
Blacksmiths	$3.18	$5.38	$5.81	$4.00	$7.37	$4.80	$5.30
Bricklayers	3.55	4.56	5.74	4.21	7.56	4.80	5.22
Hod-carriers	2.60	3.22	3.13	2.92	4.94	3.60	2.99
Carpenters and joiners	5.10	4.07	6.20	4.11	7.66	4.80	4.74
Coopers	3.64	5.17	5.58	3.97	7.50	4.80	4.78
Harness and saddle makers	3.60	5.51	5.70	3.69	6.63	.....	5.20
Masons	3.40	5.22	5.33	4.67	7.68	4.80	5.27
Painters	.....	.....	.....	4.82	.....	.....	.....
Plasterers	4.01	4.66	6.34	4.43	7.80	4.00	5.05
Plumbers	4.11	5.46	6.10	4.26	7.90	4.80	5.18
Tailors	4.03	5.58	5.02	3.41	7.40	5.00	6.36
Tinsmiths	3.70	4.40	5.46	3.55	6.56	4.00	4.40
Servants (domestic)	7.00	.....	.....	3.34	.....	3.75	3.90
Farm laborers	3.50	2.72	3.10	3.06	4.02	3.24	.....

Facts relating to foreign countries are taken from the report on foreign labor published by the Department of State, 1885.

COST OF LIVING—MASSACHUSETTS AND GREAT BRITAIN.

Rents are 89.62 per cent. higher in Massachusetts than in Great Britain.
Board and lodging is 39.01 per cent. higher in Massachusetts than in Great Britain.
Fuel is 104.96 per cent. higher in Massachusetts than in Great Britain.
Clothing is 45.06 per cent. higher in Massachusetts than in Great Britain.
Dry goods are 13.26 per cent. higher in Massachusetts than in Great Britain.
Boots and shoes are 62.59 per cent. higher in Massachusetts than in Great Britain.
Groceries are 16.18 per cent. higher in Massachusetts than in Great Britain.
Provisions are 23.08 per cent. higher in Great Britain than in Massachusetts.
The above facts are taken from the report of the Massachusetts bureau of labor statistics for 1884.

In this connection I desire especially to call the attention of the seven millions of people in this country who are engaged in farming to the manner and extent that protective tariff affects their interest, and I

here submit a table showing the rate of tariff duty imposed by the law as it now exists upon articles which are most in common use by the farmers of this country.

	Per cent.
The iron the stove is made of	45
Hollow ware, pots, and kettles	53
Copper and brass utensils, if any	45
Crockery of the commonest kind	55
Glassware of the cheapest kind	45
Table cutlery and spoons	45
Pickled or salted fish	25
Salt	56
Sugar	48
Vinegar	76
Pickles	35
Rice	123
Oranges and other foreign fruit, about	20
TAXES ON THE PARLOR.	
Carpets, if made of druggets	74
Carpets, if made of tapestry	68
Furniture	35
Wall-paper	25
Window-curtains	45
Looking-glass	60
Ornaments or knickknacks	35
TAXES ON THE WARDROBE.	
	Per cent.
Men's clothing, of wool	48
Woolen hosiery and undershirts	75
Cotton hosiery and undershirts	45
Woolen hats and caps	75
Gloves	60
Blankets	60
Alpaca dresses	63
Any other woolen dresses	70
A pair of scissors	45
Brass pins	30
Hair-pins	45
Penknives	50
Needles	25
Steel pins	45
Ink	20
Paper	25
Razors	45
TAXES ON SUNDRIES.	
Castor-oil	102
Castile soap	50
A dose of Epsom salts	30
Insect powder	20
Salad oil	34
Commonest window-glass for houses	80
Paint (white lead) for the farm-house	54
Brick	35
Roofing slates	30
Horseshoe nails	31
Trace-chains	53
A hand-saw	40
Files	40
Spool-thread	60
Bag and bagging for grain	40
A burr-stone	20
Combs and brushes	30
A wooden pipe	80
An alpaca umbrella	50
Any iron or steel a farmer may need, average of	45
Tin cups, skimmers, dippers, and all tinware	42
Tin-plate for canning meats and fruits	34
Fencing boards, $2 per thousand.	
Pine boards for building, about	20
If planed	33
Fencing posts, about	30
Shingles for roof	25
Lath for house building	20
Barbed wire for fencing	55

Schedule under act of 1883—present law.

I insist that the farmers of this country, although in numbers the largest, are not benefited by a high tariff, but, on the contrary, are shamefully discriminated against, and it is not so strange that their farms are heavily mortgaged when we come to understand how the tariff affects them.

Under the present law let us see what an ordinary family on a farm has to contribute to the Government. I submit a schedule of articles mostly used by a family as an illustration, and the duty on them, and also showing the reduction proposed under the Mills bill.

	Value.	Duty.	Net Saving.
		Per cent.	
One cook-stove	$35.00	47= $16.45	
By Mills bill		31= 10.85	$5.60
One set crockery	12.00	55= 6.60	
By Mills bill		35= 4.20	2.40
One set cheap glass-ware	4.00	56= 2.24	
By Mills bill		41= 1.64	.60
One set cheap cutlery	2.00	50= 1.00	
By Mills bill		35= .70	.30
Two carpets, $12 and $15	27.00	47= 12.00	
By Mills bill		30= 8.00	4.00
Sugar	20.00	60= 12.00	
By Mills bill		50= 10.00	2.00
Molasses	$10.00	*Per cent.* 47= $4.70	
By Mills bill		35= 3.50	$1.20
Salt	3.00	40= 1.20	
By Mills bill		Free list.	1.20
Two suits each for father and two sons, six suits, $14	84.00	54= 45.36	
By Mills bill		45= 37.80	7.56
Two suits each for mother and two daughters, six suits, $14	84.00	82= 68.88	
By Mills bill		40= 33.60	35.28
Twelve pair shoes, $2.50 each	30.00	30= 9.00	
By Mills bill		15= 4.50	4.50
Six wool hats, $1 each	6.00	73= 4.38	
By Mills bill		40= 2.40	1.98
Six fur hats, $2.50 each	15.00	52= 7.80	
By Mills bill		40= 6.20	1.60
Six ladies' hats, $3 each	18.00	70= 12.60	
By Mills bill		40= 7.20	5.40
Six bonnets for ladies, $3 each	$18.00	70= $12.60	
By Mills bill		40= 7.20	5.40
Farming tools, including plows, gear, hand-saw, ax, draw-knife, chains, etc	60.00	47= 28.20	
By Mills bill		24= 13.60	14.60
Medicines	20.00	*48= 9.80	
By Mills bill		30= 6.00	3.80
Thread, needles, thimbles, scissors, etc	12.00	35= 4.20	
By Mills bill		20= 2.40	1.80
Four pairs blankets, $3 each	12.00	70= 8.40	
By Mills bill		40= 4.80	3.60
Two umbrellas, $2.50 each	5.00	40= 2.00	
By Mills bill		30= 1.50	.50
Cotton hosiery, undershirts, etc	8.00	45= 3.60	
By Mills bill		30= 2.40	1.20
Window-glass	2.00	60= 1.20	
By Mills bill		43= .86	.34
Starch	4.00	94= 3.70	
By Mills bill		47= 1.88	1.82
Rice	10.00	113= 11.30	
By Mills bill		100= 10.00	1.30
Total cost under present tariff	501.00	189.27	
Under Mills bill		104.98	84.29

*Average.

From the foregoing calculation it will be seen that the entire amount of goods purchased at the prices named amounts to $501, that the present duty on these articles amounts to $189.27, and the duty as proposed by the Mills bill would amount to $104.98, which deducted from the rate of duty under the present law would be a net gain of $84.29.

I have been induced to make this calculation as a basis upon which all consumers of such articles can find data upon which they can make an actual calculation (knowing what they consume and prices of same) and determine for themselves what benefit would accrue to them if the Mills bill should be enacted into law.

With the farmers of the South, if the present bill should become a law, much would be saved by putting hoop-iron for baling cotton on the free-list and by reducing the tariff on bagging from about 3 cents to about 1½ cents per yard. In marketing six million bales of cotton it will amount to many hundreds of thousand of dollars. Each farmer can make a calculation for himself, dependent upon the amount of cotton that he raises.

As 7 yards are used to the bale, at 10 cents per yard, including the present tariff—3 cents per yard—the cost of the bagging is 70 cents; but under the present bill, at 1½ cents duty per yard, the amount for a bale will be reduced to 59½ cents, a reduction of 10½ cents per bale. With ties on the free-list, at a saving of about 12 cents per bale, the two would make a reduction to the farmer on each bale of 22½ cents, and this on six millions of bales would amount to $1,350,000. This alone should commend this measure to the favorable consideration of the farmers of this country. While it can not be done in a cursory discussion, yet an analysis of the bill would present many other features as favorable to the farmers of the country as this.

Mr. Chairman, what is the bill that we present for your consideration? It is a bill which proposes to take $878,000 off of chemicals; $1,756,000 off of earthen and glass ware; $11,480,000 off of sugar; $11,000 off of tobacco; $331,000 off of provisions; $227,000 off of cotton goods; $2,042,000 off of hemp, jute, and flax goods; $12,330,000 off of woolens; $3,000 off of books and papers, and $1,079,000 off of sundries. It

is also proposed to add to your free-list flax, hemp, jute, chemicals, and salt, tin-plate, wool, and other things, amounting to $22,189,000, making in all a tariff reduction of $53,720,000. It proposes to make reductions in the internal revenue of $24,455,000, or a grand total of tax reduction from tariff and internal-revenue sources of $78,176,000—more than a dollar and a quarter to every individual, or $6 for every family in the United States. And the plain, simple question presented here to-day is: Will we take this burden off or will we leave it on? Will we free commerce by leaving it unshackled or will we keep it hampered? Will we continue to hoard up a corrupting surplus or will we leave the money in the pockets of the people, where it justly belongs? These are the grave questions which confront us, and these are the subjects upon which we are to act:

	Per cent.
Present rate on dutiable goods	47.10
Proposed rate on dutiable goods	40.60
Present rate on articles affected by bill	54.16
Proposed rate on articles affected by bill	33.36

Several of the schedules of the more luxurious articles are not touched.

It would seem that it ought to demand the consideration as well as meet the approval of every true patriot in this country. It is based upon the principle that the necessaries of life should bear lightly the burdens of Government and that luxuries are the proper subjects of taxation. It will also be observed that many articles are put on the free-list which the poor and unfortunate are compelled to have, and it will be further observed that it places on the free-list many articles of raw material which will demand the labor of our working people to prepare them for use and consumption.

While in a short speech but little can be said as to what the present bill contains, yet I herewith submit a statement of some articles in common use which are placed on the free-list, and many more might be included:

Lumber, planks, sawed, etc.; hubs for wheels, laths and shingles; salt; wool, unmanufactured; flax, straw, and hemp; soap, potash, soda; log-wood and dye stuffs, spirits of turpentine, tin-plates, bricks, vegetables, needles, etc., figs, eggs, rough marble, tallow, feathers, and human hair.

If this bill is not constructed upon proper principles of political economy—if it is not so constructed our Republican friends should offer something better; but they offer nothing; "they object." While they are confronted with the accumulation of surplus in the Treasury—a policy which if continued will break down the great business interests of the country—yet our Republican friends content themselves by rising to the high plane of dignified patriotism and with emphasis say, "We object." It might be well for them to bear in mind that an outraged and oppressed people will hold them to an account, and by their votes hurl them from place and power. With a view, doubtless, to bring the bill under consideration in derision before the people, our Republican friends cry out "free trade." No one on this side of the House has contended for free trade, for we all know full well that it is the policy of the Government to raise revenue by import duties, and it will be well for our Republican friends to bear in mind that the people of this country are wiser than they think, and the cry of "free trade" will not shield them before the bar of the American people. If they defeat the purpose to reduce the surplus by a reduction on the necessaries of life, the consequences of such a defeat will lie at their own door.

The surplus as shown by the receipts and expenditures of the Government will appear by the following table:

Statement showing the expenditures of the Government from July 1, 1887, *to March* 31, 1888; *the estimated expenditures for April, May, and June,* 1888; *the available balance in the Treasury March* 31, 1888, *and the estimated available balance for June* 30, 1888.

Expenditures from July 1, 1887, to March 31, 1888	$244,068,137.00	
Estimated expenditure for April, May, and June, 1888	64,931,863.00	
Total for twelve months ending June 30, 1888	309,000,000.00	
Available balance in the Treasury March 31, 1888		$104,573,930.34
Add estimated receipts for—		
April	32,597,661.13	
May	34,788,626.56	
June	33,709,624.62	
	101,095,912.31	
Less estimated expenditure for April, May, and June	64,931,863.00	
		36,164,049.31
Estimated available balance June 30, 1888		140,737,979.65

Deducting the expenditures from the receipts, we find that there will have been collected from the people, for public purposes, during the fiscal year ending the 30th day of June, 1888, $75,156,611.31 more than was necessary to meet the demands of the Government. But there was on the 31st day of last month an available balance, a portion of which came over from preceding years, of $104,573,930.34, and, if the estimated receipts for April, May, and June, less the estimated expenditures for the same months be added, we should have in the Treasury on the 30th day of next June an available balance of $140,737,979.65.

So great is the surplus, and so strongly it threatens the business interest of the country, that the President deemed it proper to devote his entire message, at the opening session of Congress, to this subject. And the country is to be congratulated that we have a President who is alive to the business interest of the country, and notwithstanding the severe criticisms of speakers and papers, who bow their neck to the dogma of high tariff, the President possesses the courage of his convictions, and, unmoved by flattery and undaunted by fear, maintains the rights of the people.

He has placed the success of his administration upon an issue, and the outlook will well justify the prediction that in the coming election from the North to the South and from the East to the West the people will say "Well done, faithful servant; continue longer in the high office to labor for the maintenance of free government."

One of the fruits or evil consequences of high protective tariff is the formation of trusts, which to-day seeks to control the material interests of this great country in its "Briarean arms."

The following is a list of a few of the trusts, together with the amount of bounty the present tariff seeks to allow them to collect from the people, also their expense for labor, and the excess of tariff bounty over the amount they pay in wages. Not one of these trusts could live were it not for the war tariff:

Name of trust.	Protected by duties averaging, per cent.—	Adjusted to guaranty a bonus in each $100 of product amounting to—	Their whole expense for labor in $100 worth of product being—
Salt trust	50	$33	$25
Earthenware trust	56	36	40
Bessemer-steel trust	84	46	9
Plow-steel trust	45	33	29
General steel trust	45	33	25
Nail trust	45	33	33
General iron trust	45	33	35
Copper trust	24	32	32
Zinc trust	52	28	25
Tin trust	32	24	24
Lead trust	74	43	65
Glass trust	55	36	45
Soap trust	26	19	8
Linseed-oil trust	54	35	3
Rubber-shoe trust	25	20	24
Envelope trust	25	20	11
Paper-bag trust	35	26	15
Cordage trust	25	20	12
Average		30	21

The above table, which is taken from a pamphlet entitled Tariff Chats, by Henry J. Philpot, of Des Moines, Iowa, well illustrates the glaring hypocrisy of the claim that the war tariff must be kept up so that these trusts and combines may receive protection against the labor of Europe. The average bonus which the tariff allows these eighteen trusts to exact from the people is $30 upon every $100 of their product, while their whole expense for labor amounts to only $24 upon every $100 produced, leaving $6 tariff bonus over and above the entire labor cost. I would like to inquire how long the war tariff must be kept above the entire cost of labor in order, as they say, to offset the difference between the cost of labor in this country and the cost of labor in Europe. In this connection it should be borne in mind by our Republican friends that the reduction of taxation heretofore made was in the interest of wealth. Incomes were taxed, and brought to the Treasury $72,000,000. This affected manufactures and was repealed. We laid a tax on the receipts of railroad companies, insurance companies, express companies, bank capital, bank deposits, and bank checks. These were all denounced as war taxes. They affected the rich and strong, and were repealed. Now, with a surplus in the Treasury, is it not high time that the burdens imposed upon the toiling millions who are not rich, who are not strong, who are carrying a heavy burden of tariff taxation, shall be lightened? And these millions who constitute the stay and support of the country feel that they are as much the favorites of the Government as those who with hoarded wealth by combines and trusts seek to crush them; and I now here declare in this warfare I am for the weak against the strong, for the oppressed against the oppressor, for the people against trusts, combines, and combinations, let them come from whatever source they may. [Applause.]

Mr. KERR. Will the gentleman allow a question?

Mr. STEWART, of Georgia. Yes, sir.

Mr. KERR. Notwithstanding those "trusts" of which the gentleman speaks, is there a single article the price of which is as high to-day as it was before the tariff?

Mr. STEWART, of Georgia. What does the gentleman mean when he says "before the tariff?"

Mr. KERR. Before the tariff of 1861. Notwithstanding the "trusts," is there a single article which to-day is as high as it was before that act went into effect?

Mr. STEWART, of Georgia. I will say to my friend that the vacillations or changes of prices of commodities are all relative. Before the war—at the time to which the gentleman doubtless refers—prices were largely affected by supply and demand, and were largely affected by the price of cotton.

Mr. KERR. That is your theory; but the fact is otherwise.

Mr. STEWART, of Georgia. Well, my theory or my opinion is based upon facts. Now I want to ask you a question.

Mr. KERR. Yes, sir.

Mr. STEWART, of Georgia. I want to know whether you expect to stand here and insist that the present tariff shall be maintained on account of the fact that these "trusts" exist and are making fortunes for the persons who take part in them? Are you willing to aid these "trusts?"

Mr. KERR. No, sir; I am opposed to "trusts;" and that is why I am in favor of the tariff—because it you take it away you will have no protection at all against foreign "trusts;" you can not control them because they are not within the operation of your law.

A MEMBER. Are there any foreign "trusts?"

Mr. KERR. There always have been and always will be.

The CHAIRMAN. The gentleman from Georgia [Mr. STEWART] is entitled to the floor.

Mr. STEWART, of Georgia. These interruptions do not disconcert me at all.

The morning papers contain a statement, worthy of consideration in this connection, concerning the formation of trusts. It is as follows:

IRON MANUFACTURERS ORGANIZED.

PITTSBURGH, PA., *May* 1.

The iron manufacturers of Pittsburgh and the Ohio Valley are hereafter to be more closely allied. An association has been formed and a commissioner appointed who will have full power, the same as a railroad commissioner, to settle all points of dispute. The association will deal with the prices and production, and will also have a committee to look after freight rates. A meeting will be held in Youngstown to-morrow and arrangements completed.

The country has witnessed with more or less alarm the details of "strikes," in many instances destroying property and sometimes human life; but so long as capital, under the name of trust, seeks by strong hand to oppress the people, what hope have we that strikes will not be continued?

Our Republican friends on the other side of this Chamber insist that it would be proper to reduce the surplus in the Treasury by a repeal of the internal-revenue laws, and if current rumor can be relied on our Republican friends are not agreed on that question, and I shall watch with anxiety their conduct when this part of the bill shall have been reached for consideration. Some of them say, "Let the States tax whisky and derive a revenue from it."

I have taken some pains to look into this question, and I find that out of the thirty-eight States, twenty-seven by their constitutions provide in terms that taxes shall be ad valorem and uniform. Now, I desire my friend who is to follow me to-night [Mr. DAVIS] to tell me, if taxes are to be ad valorem and uniform, how can we tax a dollar's worth of whisky in Georgia or Tennessee 50 cents, and a dollar's worth of corn or a dollar's worth of wheat only one-half of 1 per cent.? I want him to answer according to the rules of law, and according to constitutional principles, how he can do that.

Mr. DAVIS. Will the gentleman allow me to interrupt him a moment?

Mr. STEWART, of Georgia. Certainly.

Mr. DAVIS. I will, shortly after I commence my remarks, refer the gentleman to the views of the last Democratic President on that subject.

Mr. STEWART, of Georgia. I am asking you the question—not any Democratic President. I want you to answer according to the principles of law.

Mr. DAVIS. I agree with the Democratic President on that point; he states the matter much better than I can.

Mr. STEWART, of Georgia. If I am right, the gentleman will follow the Democratic President in his views on this question.

Now, I answer, Mr. Chairman, if we repeal these laws we will create a deficiency; and if we create a deficiency of $60,000,000 I want to see the Representative, I want to look squarely in his face, who is willing here on this floor to create a deficiency in this way—to take the tax off whisky, to make free whisky, to make more orphans, more criminals, to fill our jails and our penitentiaries, and by so doing put a higher rate of duty on the necessaries of life. [Applause on the Democratic side.]

Mr. KERR. With the permission of the gentleman, I will ask him another question. Is it not a fact that there are more ardent spirits consumed in this country to-day, notwithstanding the high tax, than ever before?

Mr. STEWART, of Georgia. I do not know. Thank God, I do not drink the article; I do not buy it. I have no feeling akin to it in any way. But I do know that there are more people in the country than at any previous time, so that there are more consumers than there ever were before. [Applause.]

Mr. KERR. Yes; and there is more ardent spirits consumed in proportion to the population than ever before.

Mr. SPRINGER. That is so in Iowa, no doubt, where they have a prohibitory law. [Applause on the Democratic side.]

Mr. KERR. There is not any of it consumed in Iowa; and so far as I am concerned I never drank a drop of it in my life.

Mr. STEWART, of Georgia. Well, I say amen to that. May the Lord keep you in the good pathway of sobriety.

Now, I want to say that I have in my feeble way held court for five years in the State of Georgia; and of the eight counties in my district six were prohibition counties, and the others non-prohibition or free-whisky counties. I want to say as a witness on this subject that in the counties where the sale of intoxicating liquor was absolutely prohibited my duties in disposing of the criminal docket would occupy sometimes one or two days, sometimes half a day, while in the counties where there was free whisky I have scarcely ever cleared the criminal docket in less than three to five days. While it is no part of my argument to-night, I want to say that in our part of the country where there is prohibition it has added to the uprightness of conduct and the integrity of the people; yea, it has tended to promote a higher civilization; and for one my heart and my soul approve that policy.

Mr. KERR. Amen.

Mr. STEWART, of Georgia. Now, Mr. Chairman, turning aside from the argument I had prepared, I wish to say that if our Republican friends have discovered that the taxation on spirits is a proper source of income for the States, there is nothing to prohibit the States from levying such a tax, notwithstanding our Federal legislation. If there is no constitutional inhibition against State taxation on spirits, although the Federal taxation may be continued, this will not prevent the States from acting as the laws of the States may allow.

It will be remembered that at first the tax imposed by the Government on whisky was $2 a gallon. The tax is now 90 cents; and I see that a bill which has been distributed here, and which possibly reflects the views of somebody on the other side, proposes to reduce the tax to 50 cents a gallon.

Well, then, if it has been already reduced from $2 a gallon to 90 cents, why not, without changing this law, let the States tax it now if they want to, and if they have the constitutional authority to do so? The point I wish to make is this: That in those States where the authority now exists to tax it, where the law now authorizes a tax upon it, this bill does not prohibit them, nor does the bill stand in the way of their taxing it. This bill does not stand as a preventive of such legislation. That being so, let the States continue to tax it. But let us analyze that for a moment.

Let us say that the State of Georgia taxes it at the rate of 50 cents a gallon. My friend over there in Tennessee and his friends probably will not tax it but half that amount, or perhaps 10 cents on the gallon. What will be the result? Georgia must levy the tax in order to get the revenue in order to help out State institutions, to carry on the State government. The inevitable result of such a state of things would be that Georgia money would go into the other State because whisky is cheaper there. It would go to buy whisky in that State and yet have all the evil fruits and consequences to Georgia that do attend the use and consumption of whisky, and not make one solitary cent to pay any portion of the State expenditures. Mr. Chairman, the simple statement of the proposition, the simple suggestion of the question, is to argue it. There is nothing in it. Another argument in favor of the continuation of the internal-revenue tax for the present is this: Of the $118,000,000 raised, the North and West pay about $111,000,000, and the South about $7,000,000. This money is needed to pay pension claims and the interest on the public debt. Of the $80,000,000 paid to pensioners, most of that sum goes to the people of the North and West, and the same may be said of the $41,000,000 paid as interest on the public debt, as our Northern friends own most of the bonds. Is there not equity in requiring those who reap the benefit of a tax to raise and pay it? Take as an illustration Georgia and Illinois. The first pays about $300,000 and the latter about $23,000,000 internal taxes. What reply can be made to this argument; and is not this a matter worthy of consideration by those who are urging a repeal of the internal-revenue laws?

But, Mr. Chairman, the argument that the internal-revenue tax was a war tax and that the war is over is most fallacious, for the results of the war are still with us. While the war has already cost more than $6,000,000,000, yet it is quite probable that we are not more than half finished paying for the war. The annual expenditures for pensions will likely reach $100,000,000 at no distant day, and how long the Government will be called upon to extend its beneficence in this direction no one can foretell.

I sometimes have been made to rejoice in my heart of hearts, though not especially wedded to this system of taxation (but, sir, if my friends on the other side could only realize that down in my part of the country, where the colored population largely dominates in numbers, and realize the fact that with free whisky, or with whisky at 25 cents a gallon, any man, be he white or colored, could set up from three to five

stills to every district in that State, and with a peck of corn buy a gallon of whisky, which in its inevitable results would be to strike down our form of civilization); I say sometimes I have thought that it was the work of Providence that this state of things, though having its objectionable features, had been visited upon us so that society there might be made tolerable, and so that the races might live with each other in peace and harmony.

But, sir, I desire, and I repeat now, I want to know where is the philanthropist, where is the believer in eternal truth, who loves his home and his country, who has a mind to think and a heart to feel, and who is in favor of Christian civilization, who is capable of rising to the plane of patriotism, that can say, "I want free whisky, more of it, whether better or meaner, and in order to get it will favor a higher tariff on the necessaries of life?" [Applause on the Democratic side.] God pity such a man! But, sir, I want to say that this is the only argument that I have heard for the reduction of this tax by our Republican friends.

Why, Mr. Chairman, it seems to me that he who loves his race and loves his kind, the man who loves his home, who loves his wife and loves his children and his country, would rather look into their faces and say, "Cheaper food, cheaper blankets, cheaper dry goods, cheaper necessaries of life for you, cheaper coal, when the shivering cold winds of the winter's blast come, cheaper books, cheaper the things that maintain human existence; aye, all of these rather than cheaper whisky." That is my view of patriotism and love of country and love of home. [Applause.]

And, sir, as the distinguished gentleman from Pennsylvania advertises on the other side of the House, that he will at the proper time offer an amendment and put us to the test and see whether or not we will vote to repeal these laws, while I am willing, and say it now, to vote a repeal of the tobacco tax, as it is an article in common use and of merchandise, for one, I would if it digs my political grave, if it forces me to walk the path of political death, I shall vote, God giving me strength of mind to think and a heart to feel and an arm to strike, I shall vote for the cheaper necessaries of life and let whisky stay under the ban it is under to-day. [Applause.]

But, say my friends on the other side, we have heard even in the Senate and in the House that this law is oppressive. Why is it oppressive? Why, Mr. Chairman, do we not all remember; is it not fresh in our minds that we brought in a bill here early in the session making it the duty of the courts to appoint a commission in each county, making it the duty of the marshal to carry arrested parties to the commissioner in his own county; making it the duty of the party making the arrest to issue a warrant and in everything, as far as human thought and ability could do it, placing the administration of this law just as the State laws are administered? And do not all remember that this bill passed this House without a dissenting voice?

But to day, Mr. Chairman, in the other end of this Capitol, at the other end of this Hall, that bill is ready for consideration; and in addition to that the Mills bill contains almost similar provisions which, if enacted into law, will break down the hardships which have been endured under this law and the brutal manner which has been exercised in the enforcement of this law. Then, sir, if the law, as has been suggested, is not perfect, why not come forward like lawyers, as statesmen, as wise legislators and make it what it ought to be? Why stand stubbornly in the path of legislation and say only, in response to every appeal for relief from the suffering masses, "I object!" "I object!"

Now, sir, I wish to state that in my opinion it will not be the part of wisdom or the part of statesmanship, nor would it be our duty to our constituents and to the people of this great country to repeal this tax rather than give them cheaper clothing, cheaper food, cheaper shelter, to lighten the taxes bearing so heavily upon their shoulders. Will we refuse these demands and say, "No, we will give you free whisky?" But our Republican friends need not take encouragement from such a situation, for in my opinion there is a constituened behind them, should they vote for such a measure, that will by any by rise in its majesty and go forth like the storm, like the cyclone, and by its votes and patriotic endeavors sweep from place and power those who dare to vote against the relief they demand.

But I will not pursue the argument upon this point further; only to repeat and say, let the States tax it now as they need it, but simply see that it is uniform. Whisky is a luxury that men can live without. God has given man the power and capacity that will enable him to live without whisky, but he can not live without food; he can not live without raiment.

Let us, then, rather say cheaper food and raiment, and let this tax remain as it is. I want to say here and now, I would I had the voice to make the country feel and know that on this side of the Chamber, with all our force of hand, of mind, of purpose, as Democrats, I trust as patriots, I trust as men of thought, we will never cease until we see to it that the shoulders of the toiling millions of this grand and great country of ours shall be free of this iniquitous, oppressive taxation called high tariff. And, Mr. Chairman, while I do not say it in any partisan spirit, I feel that this is a great economic question. I feel that it is a question that from one end of this great country to the other largely, deeply, seriously affects every heart and every home. And, sir, I would appeal in the spirit of love and affection to all on the other side of the Chamber, and say to them, let us rise to a higher plane of patriotism, let us rise above partisan spirit, let us rise above individual passion, let us seek to consult our country's good, let us be inspired by love of home and love of country, and taking charge of this question, let us settle it as business men in a way which will scatter peace, joy, brightness, and sunshine all over this country.

Let us see to it when we reduce the surplus in the Treasury that we reduce it not by making the rich richer and the poor poorer; let us see to it that we reduce it not by bowing the neck to monopoly; that we reduce it not by yielding to the aggressiveness of capital; that we reduce it standing in the broad daylight as patriots; that we reduce it so as to carry the hallowed effect of our action to every hearthstone, and to every heart; that we reduce it in the name of eternal justice and right, by lifting the burdens of aggressive, wicked taxation from the shoulders of the people of this country, and especially from the mother's heart, from the father's strong arm, and the people will say "Yea, amen," when we pass that act. [Applause.]

Mr. Chairman, there is possibly more truth than poetry in the words of Pope when he said:

> As for forms of government, let fools contest—
> That which is administered best is best.

To continue the surplus now in the Treasury can not be a proof of good government; it is not justified either by law or precedent; it is a menace against the peace and prosperity of the country; its tendencies are evil. It tends to reckless if not to corrupt legislation; to correct this evil calls for the exercise of good judgment, influenced alone by patriotic motives. Let us remember that we are American citizens, born to a common heritage and destined to a grander triumph than has ever marked the civilization of any age or people.

If we do this we will but do our duty; if we fail to do this the historian of to-day should hand us down to coming ages as both wanting in wisdom and too cowardly to do right. [Applause.]

Mr. DAVIS. Mr. Chairman, I do not rise to make a tariff speech. The subject has already been ably discussed, and I could only traverse ground previously covered. My purpose is to correct certain erroneous impressions regarding the industries of Massachusetts.

I confess to some surprise in seeing free trade so boldly advocated. In former time the Democratic party has not been so pronounced. Its last President, preceded by an unbroken line of predecessors, advocated discriminating duties for the protection of our industries, and urged specific instead of ad valorem duties for the purpose.

> In my deliberate judgment, specific duties are the best, if not the only, means of securing the revenue against false and fraudulent invoices, and such has been the practice adopted for this purpose by other commercial nations. Besides, specific duties would afford to the American manufacturer the incidental advantages to which he is fairly entitled under a revenue tariff.
>
> The present system is a sliding scale to his disadvantage. Under it, when prices are high and business prosperous, the duties rise in amount when he least requires their aid. On the contrary, when prices fall and he is struggling against adversity, the duties are diminished in the same proportion, greatly to his injury.

Northern Democrats up to a recent date have advocated protection and claimed that the party favored it. Indeed, incidental protection has been advocated by both parties North and South, except that extreme element which has always wanted the cheapest possible labor and cared nothing for diversified industries. The Republican party still maintains this policy, believing it to be a beneficent one for every class, interest, and section of our country.

Certainly the statistics, which are so familiar to you and which I will not quote, show the matchless progress of our country under the influence of a protective tariff. Indeed, the story of its vast increase in population, the development of its myriad industries, and enormous accumulation of wealth during the present generation reads more like an Arabian tale than a sober statement of fact. And this notwithstanding the country was desolated during the same period by the greatest war of modern times.

At the very acme of this prosperity, when everything bears witness to the benign influence of the protective policy, when even the Southern States, cursed by slavery first, then by war, and now by a malign and fatal policy which proceeds upon the false and wicked assumption that to prostrate another section is the way to elevate itself—I say when even the South is beginning to respond to this new influence, when manufactures are being established, her mines are being opened, her limitless resources are being developed, and Northern capital is pouring in to make her waste places blossom like the rose—when we are using our own products at home and extending our market every twenty years by an increase of population to the extent of an average European nation, and when our manufactures already equal in value those of Great Britain and in addition two-thirds of France, it is at this moment that the Democratic party, under the lead of the South, pronounces for free trade, denounces the protective tariff as an injustice, and attacks the Middle and Eastern States, which it claims are rolling in wealth through this robbery of other States, and draining the life-blood from the South and West. And still this tariff, were it not for an exceptional war tax levied in time of peace upon our domestic products, would not meet by many millions the ordinary expenses of the Government economically administered.

And this internal-revenue system is to be preserved with its army of office-holders, in order that the tariff may cease to be protective, and that free trade and unrestricted commerce shall prevail and British manufactures shall displace the products of our own labor on our own soil. When that day comes the American laborer will know whose hand has dealt the blow which has destroyed his occupation or reduced his wages to the lowest living point.

One might respect a straightforward assault which carried a theory to its logical conclusion, but it is difficult to entertain that sentiment for the policy which thinks free trade good enough for one's neighbor but protection better for one's self. The leaders in this free trade crusade insist upon free raw material when produced in the North, but they want a protective duty upon the coal and iron ore of Tennessee, Alabama, and Virginia and Maryland, and they also insist upon retaining the most obnoxious feature of the protective system—the duty only slightly reduced upon sugar, which will compel our people to pay $36,000,000 annually to protect the Louisiana sugar planters, who do not produce one-ninth of the sugar consumed in the country.

The gentleman from South Carolina strikes sturdy blows for free trade and denounces the iniquity of a protective tariff with a bag of protected rice upon each shoulder. It is understood that the gentleman from Michigan, who is also indignant at the injustice of a protective tariff, will at the proper moment move to restore the duty upon salt and lumber because free trade in those articles will not suit the voters of the Saginaw district. Am I wrong in the impression that my free-trade colleague will also try to secure a larger degree of protection to card clothing than is now given by the Mills bill, and that he has a pretty good prospect of success? All these gentlemen appear to be willing to sacrifice other interests upon the altar of free trade, but they have a reluctance to subject those of their own constituents to a like fate. These gentlemen deserve to rank with Artemus Ward's patriot, who was willing to send all his wife's relations to the war but preferred himself to stay at home.

Verily, consistency, thou art a jewel—in this case one of the largest size and purest water, which coruscates and blazes on the forehead of their argument like the head-light of a locomotive as they make their onslaught on the protective system.

But I do not wish to be betrayed into an argument on the general subject of the tariff, however tempting the theme.

My purpose in rising was to meet the charge that the manufacturing States, and especially Massachusetts, had grown rich at the expense of the agricultural States of the West and South, and that meantime the manufacturer, while accumulating wealth (and this charge was pointedly applied to Massachusetts), was paying the laborer wages which were slightly if at all above the European standard. Now, sir, I admit that Massachusetts has been fairly prosperous. She is an old State, and her prosperity has been fairly achieved by the industry, energy, thrift, and intelligence of her people exerted through many generations.

Through her long history she has had many vicissitudes, and it is to her credit that she has triumphed over them all, and occupies to-day a position which I need not describe or eulogize, for it is known to the people of this country and to mankind. In the early part of the century her people were engaged in commercial pursuits, but the embargo and the war of 1812-'15 greatly impaired and nearly destroyed her commerce. But she did not despair or rail at her sister States or persistently denounce the policy which caused her stately ships to rot in port and reduced her seamen to poverty.

She adapted herself to the new conditions which had been created, and which were alternately fostered and discouraged by the National Government. But on the whole she has prospered, and is a striking example of the benefits of a protective system. What she has done other States have done and are doing to their own advantage and to that of the general welfare of the country, and to the disadvantage of no State or section. Massachusetts is the third manufacturing State in the value of her industrial products. The great manufacturing as well as agricultural State of Illinois is the fourth, and Ohio the fifth. And these and other Western States are rapidly forging ahead, and will soon rival the Eastern and Middle States in the extent and variety of their manufactures.

It has, however, been so often charged upon this floor that Massachusetts was accumulating ill-gotten wealth, and that the Western States were suffering from the results of an unjust protective system, that I desire to make a comparison in order to test its truth. I will take the total valuation of Massachusetts and of Michigan, Wisconsin, Minnesota, and Iowa, as shown by the official returns in 1880 and 1887. This is done in order to bring the results, as nearly as may be, to the present time, and show the relative progress and wealth during the first seven years of the present decade.

During this period Massachusetts has increased her total valuation $362,774,620, or 16½ per cent.; Iowa, $202,698,493, being 50 per cent.—about 200 per cent. more than Massachusetts; Wisconsin, $142,292,998, 32 per cent.; Michigan, $332,254,704, or 62 per cent., and Minnesota the extraordinary increase of $211,551,035, being 77 per cent.—more than four times that of Massachusetts. I hope my friend from Minnesota will not hereafter be so much alarmed at the wretched condition of his State or so indignant at the robberies which have been practiced upon her by the Eastern and Middle States.

I apprehend that these States have been benefited fully as much by the East as the East has derived advantage from them. The Eastern and Middle States have not only furnished a market for Western products, but it has poured its money and its manhood into the lap of the mighty West, building its railroads and cities, developing its mineral resources, and contributing effectively to its unparalleled increase in wealth and population. What the manufacturing States have done for the West they have done, and are now doing, in still larger measure to develop the resources of the South.

It will not be denied that the railroad system of the South, now rapidly extending, and the establishment of manufacturing and mining enterprises to so large an extent, and all of which are destined to work a revolution in her industrial condition, are due to the investment of Northern capital, and largely from New England and the Middle States. All this teaches the lesson that the prosperity of one section is not necessarily the adversity of another, but that, on the contrary, it sustains and benefits all. It encourages emulation and not envy, a fraternal and noble rivalry in the march of progress, and the cultivation of the arts of peace, and it discourages and condemns that bitter and destructive antagonism of feeling, policy, and supposed interest so baneful to the welfare and safety of our common country.

Mr. Chairman, before closing I wish to accomplish my chief purpose of disproving the charge that the laborers in the various industries of Massachusetts are but little better paid than those of Great Britain, and that they derive substantially no advantange from a protective tariff. To do this I shall quote from the most eminent statistician of our country, the Commissioner of Labor.

In 1883, while chief of the bureau of statistics of Massachusetts (and I may add that he still occupies that position), he instituted a very careful and extended inquiry into the rates of wages paid in that State and Great Britain.

He employed personal agents of the bureau to make the necessary investigations, and after considerable difficulty in securing information in Great Britain, while he had none in Massachusetts, he secured reliable data upon which his comparison is based.

He gives the rate of wages paid in twenty-four industries which are common to Great Britain and Massachusetts. He states that they cover 74.9 per cent. of the total products of the manufacturing industries of Massachusetts and establish the complete representative character of these statistics.

He states that he has sought to determine with mathematical accuracy the percentage of difference in the rates of wages paid in Massachusetts and Great Britain in industries common to each. The industries referred to are as follows:

1. Agricultural implements.
2. Artisans' tools.
3. Boots and shoes.
4. Brick.
5. Building trades.
6. Carpetings.
7. Carriages and wagons.
8. Clothing.
9. Cotton goods.
10. Flax and jute goods.
11. Food preparations.
12. Furniture.
13. Glass.
14. Hats: Fur, wool, and silk.
15. Hosiery.
16. Liquors: Malt and distilled.
17. Machines and machinery.
18. Metals and metallic goods.
19. Printing and publishing.
20. Printing, dyeing, bleaching, and finishing cotton textiles.
21. Stone.
22. Wooden goods.
23. Woolen goods.
24. Worsted goods.

He first gives the highest average weekly wages of men, women, young persons, and children, and the percentage of difference, and a summary of the average highest weekly wages; then a similar statement of the lowest average weekly wages, and of the average weekly wages.

As the result of his extremely careful analysis and classification of the tables of figures which he has prepared, he arrives at the following conclusion:

GRAND RESULT.

1. If Massachusetts is credited with the average wages paid and Great Britain is credited with the high wages paid—the Massachusetts wages are higher in twenty-three out of the twenty-four industries considered, the percentage in favor of Massachusetts, in all the industries, being 48.28.

2. If both Massachusetts and Great Britain are credited with the average wages paid—the wages in Massachusetts are higher in each of the twenty-four industries considered, the percentage in favor of Massachusetts, in all industries, being 75.94.

3. On an industry basis, the average percentage in favor of Massachusetts, in 23 industries, is 65.05.

4. Taking the wages paid per hour as the basis, the average in Massachusetts is higher in each of the 24 industries, the percentage in favor of Massachusetts, in all the industries, being 70.88.

5. On the basis of establishment pay-rolls, the percentage in favor of Massachusetts is 97.39.

The percentage that will truly and fairly indicate the higher rate of wages paid in Massachusetts in the industries considered, as compared with the wages paid in the same industries in Great Britain, must be found somewhere between the extremes here given, namely: 48.28 per cent. and 97.39 per cent. The results shown in sections 4 and 5 are not based upon as complete data as those shown in sections 1, 2, and 3, and neither percentage can be fairly used in determining the grand result.

The mean of 48.28 per cent. and 75.94 per cent., as we have previously shown, is 62.11 per cent., and this approximates so closely to the general average 65.05, as shown in section 3, that we state as the grand result of the comparative

weekly wages investigation in Massachusetts and Great Britain for the year 1883:

That the general average weekly wage of the employés in twenty-four industries in Massachusetts is 62 plus per cent. higher than the general average weekly wage of the employés in the same industries in Great Britain.

He also finds—

That wages by the hour in Massachusetts exceed those of Great Britain by 70.88 per cent., and the excess is shown to exist in every industry considered.

He then compares the wages paid in Massachusetts and Great Britain from 1860 to 1883, with the following result:

In the ninety industries, in Massachusetts and Great Britain, supplying statistics of average weekly wages for the period between the years 1860 and 1883 the wages of at least one and a quarter millions (1,250,000) of employés are represented.

In the ninety industries considered, from 1860 to 1883, the general average weekly wage was 75.40 per cent. higher in Massachusetts than in Great Britain.

If we examine the manufacturing and mechanical industries by themselves, 84 in Massachusetts and 35 in Great Britain, we find, in these industries, that the general average weekly wage, from 1860 to 1883, was 73.02 per cent. higher in Massachusetts than in Great Britain. If we confine our comparison to the 37 industries which supply an exact comparison, that is, an average figure in both countries for the same industry, we discover that the general average weekly wage in these 37 industries in Massachusetts, from 1860 to 1883, was $10.17, while in Great Britain it was $5.57, or, the general average weekly wage was 82.59 per cent. higher in Massachusetts than in Great Britain. A further examination of these 37 fully comparative industries shows that in 8 the percentage in favor of Massachusetts was less than 60, in 7 from 60 to 80, in 11 from 80 to 100, and in 11 over 100 per cent., reaching as high as 191.6 per cent.

By the industry presentation, the percentage in favor of Massachusetts in ninety industries from 1860 to 1883 was shown to be 75.40 per cent.; by the yearly consolidation (on nine yearly bases instead of ninety industry bases) we find it to result in 79.57 per cent. in favor of Massachusetts. The mean of these two percentages is 77.49 per cent. The result of the comparative wages investigation from 1860 to 1883 is—

That the general average weekly wage of the employés in the industries considered was 77.49 per cent. higher in Massachusetts than in Great Britain.

GRAND RESULT.

1. The number of employés whose average weekly wages are represented in the comparisons from 1860 to 1883 is at least one and a quarter millions.

2. In the comparisons, 88 industries in Massachusetts and 39 in Great Britain were represented. The Massachusetts wages were higher in all the industries compared, the percentage in favor of Massachusetts, on an industry basis, being 75.40.

3. The purely manufacturing industries entering into this comparison numbered 84 in Massachusetts and 37 in Great Britain. In these industries the percentage in favor of Massachusetts was 73.02.

4. Complete comparisons were possible in the case of 37 industries having wage statistics for both countries. In these industries the percentage in favor of Massachusetts was 82.59.

5. On the yearly basis, Massachusetts from 1860 to 1883, and Great Britain from 1872 to 1883, the percentage in favor of Massachusetts is 79.57.

6. Wages in Massachusetts are 28.35 per cent. higher than they were in 1860.

7. Wages in Great Britain are 9.74 per cent. higher than they were in 1872.

The mean of the percentages shown on the industry basis in section 2 (75.40) and on the yearly basis in section 5 (79.57) is 77.49, which figure is the result of the comparisons from 1860 to 1883. This result not only verifies beyond question the result obtained in Part II, namely, 62+ per cent., but it also shows that the extreme figure, for 1883 alone, found in Part II, namely, 75.94 per cent. (see page 119) is less than the average per cent. in favor of Massachusetts from 1860 to 1883.

The grand result of the comparative wages investigation in Massachusetts and Great Britain for the years 1860 to 1883 is, that the general average weekly wage of the employés in the industries considered in Massachusetts was 77+ per cent. higher than the general average weekly wage of the employés in the industries considered in Great Britain.

He then makes a careful comparison of the cost of living, and arrives at the following results:

Comparisons for 1883 between Massachusetts and Great Britain enable us to secure the following results: Groceries were 16.18 per cent. higher in Massachusetts; provisions were 23.08 per cent. higher in Great Britain, while fuel was 104.96 per cent. higher in Massachusetts.

Dry goods.—From the high, medium high, medium, medium low, and low prices for dry goods, we secure two percentages, both in favor of Great Britain. If all goods in all grades are compared we find that dry goods were 13.26 per cent. higher in Massachusetts in 1883 than in Great Britain. If the comparison is made on the basis of all goods in the medium, medium low, and low grades, from which workingmen obtain their supplies, the figure in favor of Great Britain is .9, or less than 1 per cent.

Boots, shoes, and slippers.—In 1883, if all goods in all grades are included, boots, shoes, and slippers were 62.59 per cent. higher in Massachusetts than in Great Britain. If the comparison is confined to the medium, medium low, and low grades, then these articles were 42.75 per cent. higher in Massachusetts than in Great Britain.

Clothing.—If all goods in all grades are considered, the specified articles of clothing were 45.06 per cent. higher in Massachusetts in 1883 than in Great Britain. If the comparison covers only the medium, medium low, and low grades, then the articles considered were 27.36 per cent. higher in Massachusetts. The low grade alone shows that prices in Massachusetts were 18 per cent. higher, while the high and medium high grades indicate that prices in Massachusetts were 56.57 per cent. higher.

Rents.—A very full showing of rents for Massachusetts and Great Britain in 1883 supplies the following result: Rents were, on the average, 89.62 per cent. higher in Massachusetts than in Great Britain. The average rent of one room in Massachusetts was 66 cents per week, $2.86 per month, and $34.38 per year. The average rent for various sized tenements can be easily computed on this basis. In Great Britain the average rent for one room was 35 cents per week, $1.51 per month, and $18.02 per year. Computations for tenements can be made as in the case of Massachusetts.

I give his conclusions:

That on any basis of yearly expenditure the prices of articles entering into the cost of living were on the average 17.29 per cent. higher in Massachusetts in 1883 than in Great Britain, that of this figure 11.49 per cent. was due to higher rents in Massachusetts, leaving 5.80 per cent. as indicative of the higher cost of living in Massachusetts, as compared with Great Britain, as regards the remaining elements of expense.

We have seen, on page 151, *ante*, that the Massachusetts workingman expends 48.41 per cent. more for the support of his family than the workingman in Great Britain. (The average families referred to (page 151) are virtually of the same size, for the slightly increased size of the average Great Britain family is compensated for by a greater proportion at work in Great Britain, and this proportion is the same as the ratio between Massachusetts and Great Britain as regards size of family and persons at work.)

Of this 48.41 per cent. 5.80 per cent. is paid extra for articles which could be purchased 5.80 per cent. cheaper in Great Britain; 11.49 per cent. is paid extra to secure more and larger rooms and more air space than the workingman in Great Britain enjoys, while the remainder, 31.12 per cent., indicates also an extra amount expended by the Massachusetts workingman to secure better home surroundings and to maintain the same higher standard of living, as shown for rent, as regards other expenses, which standard is higher than that secured by the workingman in Great Britain.

Distinguishing the figures indicating the greater expenditure for living in Massachusetts (48.41 per cent.) from those indicating the higher cost of living (17.29 per cent.), we find, as a grand result, that the higher prices in Massachusetts are represented by 5.80 per cent.; that increased accommodations in housing and the general higher standard of living maintained by Massachusetts workingmen as compared with the standard of living of workingmen in Great Britain is represented by 42.61 (11.49+31.12) per cent. out of the total greater cost of 48.41 per cent.; or, stated as a direct ratio, the standard of living of Massachusetts workingmen is to that of the workingmen of Great Britain as 1.42 is to 1.

I will also quote from House Executive Document No. 54, 1884–'85, the report of Consul Lathrop on factory labor in the west of England:

Consul Lathrop selects Trowbridge, a factory town of 12,000 inhabitants in his district, as a place which shows factory life in England in its most favorable light. It is entirely a manufacturing town, in the middle of a fertile agricultural country. It has given many operatives to American mills, and in all its labor conditions may be considered representative of the best phases of English factory life.

The average wages of the men in the Trowbridge woolen factories are estimated at $5.44 per week. The average wages paid to 418 women in one leading factory are given as $2.66 per week, and in another at $3.02 per week. These wages, adds the consul, would not support life unaided; but, generally, these women are the wives or daughters of the male operatives; neither could the male wages alone sustain the average English families, and so the children in their turn contribute to the general fund by also working in the factories. Boys and girls, when employed, earn from $2.25 to $2.40 per week. Thus, to enable a Trowbridge family to live, every member—husband, wife, and children—works in the mills.

It will, therefore, be seen that the conditions which surround labor in this representative factory town are not much different from the conditions which prevail in similar towns in France and Germany. "Notwithstanding the favorable agricultural conditions which surround Trowbridge," adds the consul, "giving the working-people cheap and wholesome food products, aided by flourishing co-operative stores, the combined earnings of the family are barely sufficient for its support." The operatives are steady and law-abiding, and drunkenness is rare.

In reporting thirteen interviews with Trowbridge operatives, purposely selected for their steadiness and trustworthiness, representing the best element of factory life, Consul Lathrop says that only two were able to save anything. One of these has a weekly income, earned by himself and three children, of $8.03 per week, the other a weekly income, earned by himself and wife, of $7.20. Without the labor of the wife the family resources are insufficient, and when the husband and wife both work the home suffers and the children are neglected.

Consul Lathrop concludes his report with the following comparisons between labor in his district and in the United States:

"1. No class of laborer is as intelligent as the corresponding class in the United States.

"2. In consequence of this the laborer here is not so valuable to his employer as in the United States. He is less receptive and retentive of ideas, requires more oversight and direction, and accomplishes less in a day.

"3. His wages are less than in the United States.

"4. There is not a corresponding cheapness in the price of commodities. Rent is cheaper, but if the laborer spends less here in other directions it is because he does without or buys inferior articles, and not because the general necessaries of life are cheaper here than in the United States.

"5. The employment of women is more general than in the United States. There is some female member contributing towards the support of almost every laborer's family.

"6. The laboring classes are not so self-respecting or respected here as in the United States."

Consul Shaw writes respecting the manner of living in Manchester, as follows:

American work-people, as a whole, would not live under the conditions in force here among operatives, nor could they be induced to adopt the English system. Here whole families live in the mills and are satisfied to do so. Here the children are compelled to help pay the family expense.

Great numbers of houses visited by me contained each only one living room, and this served as kitchen, dining-room, sitting-room, and in some instances also bed-room. Into some of these small houses large families are crowded, and the manner of life is almost necessarily demoralizing and unfortunate.

I will now read a statement just received showing the average rate of wages now paid in a Fall River mill, and for the accuracy of which I vouch, and would add that the same wages are paid in all the mills of the city, and I have no doubt represent fairly the rate of wages paid elsewhere in the State.

Average pay per week of-	
Mule spinners	$11.00
Weavers	7.75
Carders (men)	7.50
Carders (women)	7.00
Slasher tenders	10.00
Children (ring spinning)	4.25

These wages, as shown by data in my possession, are 50 per cent. higher than in 1860, before the passage of the Morrill bill.

Mr. SPRINGER. I hope the gentleman will explain also the difference between the wages of labor in free-trade England and protective Germany.

Mr. DAVIS. I have confined my statement strictly to Great Britain.

Mr. SPRINGER. What is the object of citing these statistics?

Mr. DAVIS. My object is simply to show the difference between Massachusetts and Great Britain; Great Britain being a free-trade country and Massachusetts a protective State. Now, if the gentleman [Mr. SPRINGER] has an argument on the other side, of course he can make it, but not in my time.

Mr. SPRINGER. But do not you know that in Germany, which is a protective country, the difference is just as great the other way?

Mr. DAVIS. There may be other causes affecting wages there, but I can not go into that question now. The statement has been made here repeatedly that the workingman in Massachusetts receives little if any higher wages and is in no better condition than the workingman in Great Britain, and it is to show the error of that statement that I have produced these figures.

Mr. SPRINGER. If it were true——

Mr. DAVIS. I can not permit further interruption, because my remarks will occupy the whole of my time.

Mr. SPRINGER. We will give you all the time you want.

Mr. DAVIS. I will say, however, in passing, that I believe it is well understood that since the protective tariff has been increased in Germany her laborers are getting better wages and their condition is improving, and the same is true of France. That may go some distance toward answering the gentleman's question.

Mr. SPRINGER. But in all the protective countries of the world, except the United States, labor is cheaper than in Great Britain.

Mr. DAVIS. I wish also to correct the impression that enormous profits have been made in cotton manufacturing in Massachusetts, and will read the following statements giving the dividends of mills which include the bulk of the business in New England for a series of years, and also a statement giving the dividends of the Fall River mills for a number of years:

Dividends paid by fifty-two corporations, having $53,182,000 capital stock, manufacturing cotton goods in Maine, New Hampshire, and Massachusetts have averaged during fourteen years, 1874 to 1887, inclusive, 6.149 per cent. per annum.

Dividends paid by seventy-five corporations, having $70,681,000 capital stock, manufacturing cotton goods in Maine, New Hampshire, and Massachusetts, have averaged during six years, 1882 to 1887, inclusive, 5.952 per cent. per annum.

Mills in Fall River, having a capital stock of $13,361,330, have paid annual dividends averaging during fourteen years, since 1873, 5.23 per cent.

I think these statements will disabuse the minds of gentlemen of the error that large profits have been made in the cotton business of Massachusetts. The average profits have been moderate, and the cost to the consumer has been reduced to a minimum. It may fairly be said that in this industry protection has done its perfect work, and no better argument can be urged in its behalf than the history of the cotton-manufacturing industry of Massachusetts. It furnishes a product to the American people far cheaper than they could otherwise have obtained it, and it has built up flourishing communities, which have furnished the best of markets for the products of other industries in every portion of our country.

There are in my own district two cities numbering 100,000 people and employing more than 2,000,000 of spindles in this industry, and consuming one-twentieth of the entire cotton product of the South. I need hardly suggest the importance of these communities as consumers of the various products of all the sections of our country. Let me also say that in the city of my residence, the Manchester of America, nine-tenths of whose industries have sprung up since 1860, we have, according to the popular standard of this day, no rich men and no grasping monopolies.

Our industries are organized under the corporation laws of the State, by which the moderate subscriptions of individual stockholders are aggregated into the capital stock of the corporations, many of which have hundreds of stockholders.

But we are a fairly prosperous community, and the eleven millions and a half of deposits in our savings banks prove that our workingmen have their full share in our prosperity. Sir, I have listened with some impatience to the attacks which have repeatedly been made upon the State which I have the honor to represent in part here, but I know that she needs no defense from me or any one.

For two hundred and fifty years her career has been luminous in the pathway of history, and would grace and illustrate a distinct nationality of a thousand years. Within her limits are the historic spots which the stranger visits to renew his love of liberty, and to awaken inspiring recollections of an heroic epoch. The simple shaft which rises from Bunker's Height tells its mute but glorious story of courage, devotion, and patriotism to every coming generation. The world knows by heart the names of the patriots and statesmen which Massachusetts has given to the service of their country and humanity.

Her orators and men of letters grace the literature of our age, and her system of education, her institutions of learning and charity, and her wise and liberal legislation are the pride of her children and the example of her sister States. And, sir, all that she is or has been is not hers alone, and she does not seek to appropriate it. It is an inseparable part of the common heritage and the common glory of the nation, and as such should be valued and cherished by every American. But, sir, this theme is too lofty to treat here and now, and I would not have ventured to utter a word relating to it were I a native son of Massachusetts, but I owe something to the noble Commonwealth which has sheltered me from infancy and granted me favors and honors far beyond my deserts. [Applause.]

Mr. MILLS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having resumed the Chair as Speaker *pro tempore*, Mr. ALLEN, of Michigan, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenues and had come to no resolution thereon.

Mr. MILLS. I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 9 o'clock and 43 minutes p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ANDERSON, of Iowa: A bill (H. R. 9789) for the relief of E. J. Sankey—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 9790) granting to the corporate authorities of the city of Tuscaloosa, in the State of Alabama, all the right, title, and interest of the United States to fractional sections 22 and 15 lying south of the Warrior River, in township 21 and range 10 west—to the Committee on the Public Lands.

By Mr. BARRY: A bill (H. R. 9791) for the relief of Charles W. Geddes—to the Committee on Pensions.

By Mr. LAIDLAW: A bill (H. R. 9792) to increase the pension of Charles S. Baker—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 9793) authorizing a loan of arms and equipments to the Ancient and Honorable Artillery Company—to the Committee on Military Affairs.

By Mr. LYMAN: A bill (H. R. 9794) for the relief of Daniel J. Ockerson—to the Committee on War Claims.

By Mr. SHIVELY: A bill (H. R. 9795) granting a pension to Nathaniel Francis—to the Committee on Invalid Pensions.

By Mr. VOORHEES: A bill (H. R. 9796) to correct an error in the Government survey of the quarter-section corner on the west boundary of section 30, township 20 north, range 3 east, Willamette meridian, in the county of Pierce, Washington Territory—to the Committee on the Public Lands.

Also, a bill (H. R. 9797) authorizing the President to appoint and retire James Weir Graydon, of Indianapolis, Ind., with the rank and grade of lieutenant in the United States Navy—to the Committee on Naval Affairs.

By Mr. WALKER: A bill (H. R. 9798) for the relief of John W. Holleck—to the Committee on War Claims.

By Mr. WHEELER: A bill (H. R. 9799) for the relief of Thomas W. Townsend—to the Committee on Claims.

Also, a bill (H. R. 9800) to refer the claim against the United States of L. H. Walker to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 9801) to refer the claim against the United States of F. Varin to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 9802) to refer the claim against the United States of Mary E. Reed to the Court of Claims—to the Committee on War Claims.

By Mr. BUTTERWORTH (by request): A bill (H. R. 9803) to amend the tenth section of the act approved March 3, 1863, entitled "An act to establish a court for the investigation of claims against the United States," etc.—to the Committee on the Judiciary.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BARRY: Petition of citizens of Kemper County, Mississippi, for pure food—to the Committee on Agriculture.

Also, petition of G. W. S. Davidson, of Yalobusha County, Mississippi, for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. C. R. BRECKINRIDGE: Petition of Lizzie Lanford, heir at law of Jesse Martin, deceased, of Monroe County, Arkansas, for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. T. H. B. BROWNE: Petition of William H. Vaughan, of Caroline County, Virginia, for relief—to the Committee on War Claims.

By Mr. BUTTERWORTH: Petition of C. Parker, of Harveysburgh, Warren County, Ohio, asking for $100 to enable him to go to Florida—to the Committee on Invalid Pensions.

By Mr. CLARDY: Petition of J. T. Bugg and 40 others, citizens of Washington County, Missouri, asking that the duty on barytes be retained—to the Committee on Ways and Means.

By Mr. CONGER: Memorial and concurrent resolution of the General Assembly of Iowa, for the passage of House bill 6897—to the Committee on the Public Lands.

By Mr. FULLER: Resolution of the General Assembly of Iowa, for the passage of House bill 6897—to the Committee on the Public Lands.

By Mr. GEAR: Resolution of the General Assembly of Iowa, for the passage of House bill 6897 in regard to indemnity swamp lands—to the Committee on the Public Lands.

Also, petition of Gravewig & Scharcey, of Council Bluffs, Iowa, for reduction of duty on rice—to the Committee on Ways and Means.

By Mr. HAYDEN: Petition of the Worsted Operatives' Protective Association in favor of protecting worsted-yarn mills—to the Committee on Ways and Means.

By Mr. HEMPHILL: Petition of the Cheraw Lyceum, for reference of its claim to the Court of Claims—to the Committee on Claims.

By Mr. D. B. HENDERSON: Petition of Assembly No. 4192, Knights of Labor, of Dubuque, Iowa, favoring House bill 8716—to the Committee on Labor.

Also, concurrent resolution of the General Assembly of Iowa, in relation to swamp-land indemnity—to the Committee on the Public Lands.

By Mr. HOLMES: Petition of the railroad commissioners of Iowa for legislation relative to coupling and uncoupling cars, etc.—to the Committee on Commerce.

By Mr. HOUK: Petition in favor of House bill 7389—to the Committee on the Post-Office and Post-Roads.

Also, petition of Ann A. Trundle, of Sevier County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, evidence in favor of Isaac Diehl, of Tennessee—to the Committee on War Claims.

By Mr. McCULLOGH: Petition of John Jones and others, and of T. J. Crage and others, ex-soldiers and sailors of Greene County, Pennsylvania—to the Committee on ———.

By Mr. McKINLEY: Petition of citizens of Trenton, N. J., against reduction of duty on pottery—to the Committee on Ways and Means.

By Mr. MAISH: Petition of estate of John Group and William Patterson, of Adams County, Pennsylvania, for reference of their claims to the Court of Claims—to the Committee on Claims.

Also, petition of estate of Franklin Swisher, of Adams County, Pennsylvania, for reference of claim to the Court of Claims—to the Committee on Claims.

By Mr. PEEL: Petition of William H. Bohannon, for correction of his army record—to the Committee on Military Affairs.

By Mr. PERKINS: Petition of B. F. Prather and others, ex-soldiers of Montgomery County, Kansas—to the Committee on Invalid Pensions.

By Mr. STOCKDALE: Petition of heirs of John R. Williams, of Amite County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. STRUBLE: Concurrent resolutions of the General Assembly of Iowa, for the passage of House bill 6897—to the Committee on the Public Lands.

By Mr. TAULBEE: For the relief of Benjamin F. Young—to the Committee on Invalid Pensions.

By Mr. J. D. TAYLOR: Petition of J. H. Furman and others, of Sarahsville, Ohio, for the passage of the dependent pension bill—to the Committee on Invalid Pensions.

By Mr. VOORHEES: Affidavit and other papers of C. O. Bean, city surveyor of Tacoma, Wash., correcting errors of the United States surveyor-general—to the Committee on the Public Lands.

By Mr. WICKHAM: Petition to accompany bill No. 8829, for the relief of Charlotte W. Boalt—to the Committee on Invalid Pensions.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. DAVIS: Of S. T. Davis, M. D., and 22 others, citizens of Orleans; of Bradford Dunbar, of Fall River, and of Davis & Chase, of Orleans, Mass.

By Mr. FUNSTON: Of Topping & Son, of Pomona, Kans.

By Mr. LODGE: Of J. D. Mansfield, M. D., of Wakefield, Mass.

By Mr. LONG: Of A. G. Dargin, of Quincy, Mass.

By Mr. OATES: Of Dr. A. C. Crymes, of Midway, Ala.

By Mr. YARDLEY: Of L. L. Hoguet and 13 others, druggists, of Bucks County, Pennsylvania.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. PETERS: Of A. T. Livingston and 17 others, citizens of Barton and Rush Counties, Kansas.

By Mr. RICE: Of 70 citizens of St. Paul, Minn.

By Mr. VOORHEES: Of 14 citizens of W shington Territory.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. CROUSE: Of Krumroy, Summit County, Ohio.

By Mr. FUNSTON: Of citizens of Richmond, Kans.

By Mr. GROUT: Of E. W. Whitford and 27 others, of Chimney Point, Vt.

By Mr. NUTTING: Of citizens of Owasco, N. Y.

By Mr. VANDEVER: Of citizens of Lodi, Cal.

The following petition, praying for the enactment of a law to establish a system of telegraphy, to be owned and controlled by the Government of the United States, and operated in connection with the Post-Office Department, was referred to the Committee on the Post-Office and Post-Roads:

By Mr. VOORHEES: Of 57 citizens of Washington Territory.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BELDEN: Of Thomas Saile and 20 others, and of Richard Dunn and 24 others, soldiers and sailors, of Syracuse, N. Y.

By Mr. GOFF: Of J. J. Monday and others, of West Virginia.

By Mr. KENNEDY: Of W. K. Hill and 100 others, of C. W. Clarke and 60 others, of C. T. Jamison and 125 others, and of Samuel Hedges and 50 others, citizens of Ohio.

By Mr. LYMAN: Of Freeman & Co., of Gray, Iowa.

By Mr. OSBORNE: Of Andrew Campbell and 13 others, citizens of Shamokin, Pa.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. HIRES: Of 98 citizens of Salem County, New Jersey.

By Mr. KETCHAM: Of 140 citizens of Putnam and Columbia Counties, New York.

By Mr. SCULL: Of 236 citizens of Blair County, Pennsylvania.

By Mr. TOWNSHEND: Of 157 citizens of Marion, Saline, and Gallatin Counties, Illinois.

By Mr. YARDLEY: Of 121 citizens of Montgomery County, Pennsylvania.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. CLARDY: Of James H. George and 20 others, citizens of the Tenth district of Missouri.

SENATE.

THURSDAY, *May* 3, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the Commissioner of Indian Affairs in relation to the claim of Rollins & Presbrey for legal services rendered to the Eastern band of Cherokee Indians, on which the Court of Claims find that the claimants are entitled to the sum of $10,176.77 beyond what has been paid to them, and recommending that the claim be paid by the Government and not by the Indians; which, on motion of Mr. DAWES, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition of ex-Union soldiers and sailors, citizens of Kansas, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of the Grand Army of the Republic of Kings County, New York, Department of New York, praying for the passage of the House bill appropriating $50,000 for the erection of a monument at Fort Greene, in Brooklyn, N. Y., to the memory of the prison-ship martyrs; which was referred to the Committee on the Library.

Mr. GORMAN presented the petition of L. J. Bell and other citizens of the Sixth Congressional district of Maryland, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented the petition of J. M. Green and other citizens of Washington, D. C., praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. BOWEN presented a petition of a convention of citizens of Colorado, signed by John L. Routt, president, Henri R. Foster and F. M. Clarke, secretaries, and Alvin Marsh, E. S. Nettleton, Alva Adams, Henry Lee, and H. A. W. Tabor, committee, praying Government aid in the construction of reservoirs in that State; which was referred to the Committee on Public Lands.

He also presented a petition of citizens of Denver, Colo., praying for legislation for the settlement of Indian depredation claims; which was referred to the Committee on Indian Affairs.

Mr. CAMERON presented a petition of ex-Union soldiers and sailors, citizens of Carmichaels, Greene County, Pennsylvania, and a petition of ex-Union soldiers and sailors, citizens of Bradford County, Pennsylvania, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

He also presented the petition of W. J. Kiskadden and other citizens of Etna, Pa., praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers, and for the reduction of the tax on spirits; which was referred to the Committee on Finance.

Mr. DAWES. I present a memorial of the National Woman's Christian Temperance Union, signed by Elizabeth S. Tobey, president, Elizabeth P. Gordon, corresponding secretary, and Helen G. Rice, recording secretary, addressed to the Congress of the United States, remonstrating against Sunday mails; also a memorial signed in like manner, remonstrating against running trains on railroads on Sunday, and also a memorial signed by the same parties officially, remonstrating against Sunday parades. I move the reference of the memorials to the Committee on Education and Labor.

The motion was agreed to.

Mr. HOAR. I present the memorial of Mr. George Ticknor Curtis, setting forth that he is interested in the Weil and La Abra claim, and praying for certain action by the Senate in regard to the proper proceeding to enforce the rights of persons so interested. I move its reference to the Committee on the Judiciary, and I ask unanimous consent that the memorial be printed. It is a very full legal argument.

The PRESIDENT *pro tempore*. If there be no objection, the memorial will be received and referred to the Committee on the Judiciary. The Senator from Massachusetts asks unanimous consent that an order to print be also made. Is there objection? The Chair hears none. It is so ordered.

Mr. HISCOCK presented the petition of Alonzo Garretson and 39 other ex-Union soldiers and sailors, citizens of Queens County, New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. BLAIR. I am directed by the Committee on Education and Labor, to whom was referred the petition of John Pope Hodnett, praying for an investigation of his claim for payment for services rendered the workingmen of the District of Columbia, to ask that it be discharged from the further consideration of the petition, and that it be referred to the Committee on Claims, where a bill for the relief of John Pope Hodnett is now pending.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

Mr. HAWLEY, from the Committee on Military Affairs, to whom was referred the bill (S. 1100) to retire certain disabled officers of the Army, reported it without amendment.

Mr. CAMERON, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2972) authorizing the President to appoint and retire Alfred Pleasonton, with the rank and grade of colonel, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1368) for the relief of the widow of Lieut. John F. Stewart;

A bill (S. 2540) for the relief of Edward L. Keyes; and

A bill (S. 1603) for the relief of Thornton Smith.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 2608) for the relief of Harrison Flora, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. DANIEL, from the Committee on Indian Affairs, to whom was referred the bill (S. 2176) for the ascertainment of the amount due the Pottawatomie Indians of Michigan and Indiana, reported it with an amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Commerce, to whom was referred the bill (H. R. 2097) to authorize the construction of a bridge across Trail Creek, in the city of Michigan City, Ind., reported it with amendments.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 8809) to provide for the promotion of officers of the Army after twenty years' continuous service in one grade, reported it with amendments, and submitted a report thereon.

Mr. COCKRELL. That is a majority report. A minority of the committee are opposed to the bill.

The PRESIDENT *pro tempore*. The bill will be placed upon the Calendar.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 457) for the relief of Electa Brace, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (H. R. 7340) to authorize the construction of a bridge across the Mississippi River at Hickman, Ky., reported it with an amendment.

Mr. DAWES, from the Committee on Indian Affairs, to whom was referred the bill (S. 2536) granting to the Oregon Railway and Navigation Company the right of way through the Nez Percé Indian reservation, reported it with an amendment.

He also, from the same committee, to whom were referred amendments submitted by Mr. MITCHELL April 23 and 24, an amendment submitted by Mr. STEWART April 24, and an amendment submitted by Mr. DAWES April 30, all intended to be proposed by them respectively to the Indian appropriation bill, reported them favorably and moved their reference to the Committee on Appropriations; which was agreed to.

Mr. JONES, of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 7936) to restore to the public domain a part of the Uintah Valley Indian reservation, in the Territory of Utah, and for other purposes, reported it with amendments, and submitted a report thereon.

BENJAMIN M. SIMPSON.

Mr. PUGH. I am instructed by the Committee on Revolutionary Claims, to whom was referred the bill (H. R. 48) for the relief of Benjamin M. Simpson, to report it favorably without amendment, and as it relates to a small, individual matter, and will take less time to dispose of now than on any other day, being a bill asked for by the Commissioner of Public Lands to enable him to reissue a Revolutionary land certificate, I ask for its present consideration.

Mr. COCKRELL. Let the bill be read for information.

The PRESIDENT *pro tempore*. The bill will be read at length for information.

The Chief Clerk read the bill, as follows:

Whereas a Revolutionary bounty-land scrip, numbered 7269, for 80 acres, founded on Virginia military warrant, the property of Benjamin M. Simpson, is alleged to have been lost or mislaid by an officer of the General Land Office while said scrip was in the custody of the General Land Office: Therefore,

Be it enacted, etc., That the Secretary of the Interior, on satisfactory proof of ownership and the loss of said scrip, and that said scrip was lost or mislaid by an officer of the General Land Office, or by an employé of said office, be hereby authorized and directed to reissue and deliver to Benjamin M. Simpson a Revolutionary bounty-land scrip for 80 acres of land.

Mr. PUGH. There is a letter of the Commissioner of the General Land Office accompanying the bill showing the fact that the original certificate was filed in his office and was lost or mislaid. I know the fact that it was filed there, as I saw the original myself. He thinks he has no power to reissue the certificate without authority from Congress.

The PRESIDENT *pro tempore*. The bill having been reported this morning, the Senator from Alabama asks unanimous consent that the Senate now proceed to consider the same.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The PRESIDENT *pro tempore*. The bill having been read at length, a further reading will be considered as waived, if there be no objection.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

CAPT. THOMAS SAMPSON.

Mr. FRYE. I am instructed by the Committee on Commerce to report favorably without amendment the bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning, and to ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 2853) granting a pension to Mary J. Mahoney; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 2854) to execute certain treaty stipulations prohibiting Chinese immigration; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PUGH introduced a bill (S. 2855) granting to the corporate authorities of the city of Tuscaloosa, in the State of Alabama, all the right, title, and interest of the United States to fractional sections 22 and 15, lying south of the Warrior River, in township 21 and range 10 west; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Lands.

Mr. CHANDLER introduced a bill (S. 2856) providing pensions for persons employed as scouts in the military service of the United States; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 2857) granting a pension to Charlotte Ayers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2858) granting a pension to William Church; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2859) granting a pension to Alfred G. Romine; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WALTHALL introduced a bill (S. 2860) for the relief of James Sims; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 2861) granting a pension to David A. Hall; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2862) granting a pension to William M. Dean; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. SAULSBURY introduced a bill (S. 2863) to provide for the erection of a public building in the town of Smyrna, Del.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. HISCOCK introduced a bill (S. 2864) granting a pension to James B. Bray; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2865) for the relief of Carl L. Recknagel, Rudolph Pagenstecher, and Albrecht Pagenstecher; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BLAIR introduced a bill (S. 2866) granting a pension to Abel G. Rankin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 2867) to incorporate the National Academy of Dental Science; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. EVARTS introduced a bill (S. 2868) to remove the charge of desertion now standing against the name of Michael Sullivan, *alias* Michael Murphy; which was read twice by its title, and referred to the Committee on Military Affairs.

ALLOTMENT OF LANDS IN SEVERALTY TO INDIANS.

Mr. DAWES submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That there be printed in document form 1,000 copies of the act of February 8, 1887, entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes."

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN one of his secretaries, announced that the President had on the 1st instant approved and signed the following acts:

An act (S. 1431) for establishing a light or lights and other aids to navigation to guide into Charlotte Harbor, Florida;

An act (S. 2085) to provide for protecting the navigation of the Illinois River by extending the system of beacon-lights to said river;

An act (S. 2179) authorizing the Kansas City, Texarkana and Gulf Railway Company to bridge the Red and Little Rivers, in the State of Arkansas;

An act (S. 173) granting a pension to Henry B. Very;

An act (S. 293) granting a pension to Mrs. Arabella Coddington; and

An act (S. 679) granting a pension to Henry Stafford.

The message also announced that the bills of the following number and title, having been presented to the President on the 19th ultimo and not having been returned by him to the House of Congress in which they originated within the ten days prescribed by the Constitution, have become laws without his approval:

An act (S. 172) granting a pension to Abbie M. Hay; and

An act (S. 450) for the relief of Thomas S. Hopkins, late of Company C, Sixteenth Maine Volunteers.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. If there are no further resolutions, concurrent or other——

Mr. SHERMAN. I desire to call up a House joint resolution on the Calendar.

The PRESIDENT *pro tempore*. Under the order of the Senate of yesterday, when the morning business is completed it is the duty of the Chair to lay before the Senate the bill which was under consideration during the morning hour yesterday, being Senate bill 1430.

Mr. SHERMAN. I ask the Senator from Kansas to yield to me. This is a matter of common humanity, and it ought to have been passed before. It is a House resolution and it will take but a moment to read it, and I think there will be no objection to it.

Mr. PLUMB. After the experience of yesterday morning, with the sense of responsibility I have in regard to the land-forfeiture bill, I feel that I can not yield. There will be plenty of time at a later period, when such matters can be considered without embarrassing the regular business.

JAMES A. UNDERWOOD.

Mr. PADDOCK. Will the Senator from Kansas allow me to move a reconsideration of a bill, simply to have it recommitted to a committee?

Mr. PLUMB. Certainly.

Mr. PADDOCK. I move to reconsider the vote by which Senate bill 1047 was indefinitely postponed, and I ask that it be recommitted to the Committee on Pensions.

The PRESIDENT *pro tempore*. The bill will be reported by its title.

The CHIEF CLERK. A bill (S. 1047) to increase the pension of James A. Underwood.

The PRESIDENT *pro tempore*. The Senator from Nebraska moves that the vote by which this bill was indefinitely postponed be reconsidered. If there be no objection, the vote will be reconsidered and the bill be recommitted to the Committee on Pensions.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 3008) for the relief of P. A. Leatherbury;

A bill (H. R. 5591) for the relief of John McFall;

A bill (H. R. 7509) granting to the York Harbor and Beach Railroad Company a right of way;

A bill (H. R. 8956) for the relief of S. B. West, administrator of Thomas Becton, deceased; and

A bill (H. R. 8965) to authorize the Postmaster-General to cancel mail contract on route No. 30100, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $125,000 therefor.

The message also announced that the House insisted upon its amendments to the bill (S. 2345) authorizing the construction of bridges across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CRISP, Mr. PHELAN, and Mr. ANDERSON, of Iowa, managers at the conference on its part.

The message further announced that the House had passed the following bill and joint resolution:

A bill (S. 2198) to authorize the building of a railroad bridge at Little Rock, Ark.; and

Joint resolution (S. R. 68) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point José Andrés Urtecho, of Nicaragua.

The message also announced that the House had passed the bill (S. 555) to establish an additional land district in the State of Oregon, with an amendment, in which it requested the concurrence of the Senate.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. HOAR. I offered an amendment the other day which was pending, I think, when the bill was last under consideration. I will withdraw that amendment. The Senator from Michigan [Mr. PALMER] has an amendment to offer which includes that amendment with some modifications, and I therefore withdraw it.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Massachusetts is withdrawn.

Mr. PALMER. I offer an amendment as a substitute for the one withdrawn by the Senator from Massachusetts, to come in at the same place in the bill indicated for his amendment.

Mr. HOAR. At the end of the bill.

The PRESIDENT *pro tempore*. The Secretary will read the amendment.

The CHIEF CLERK. It is proposed to add the following proviso:

Provided, That this act shall not be construed to prejudice any right of the Portage Lake Canal Company or the Ontonagon and Brulé River Railroad Company, or any person claiming under them, to apply hereafter to the courts or to Congress for any legal or equitable relief to which they may be now entitled, nor to prejudice any right of forfeiture or recovery of the United States in respect of any of the lands claimed by said companies, nor to the prejudice of the right of any person claiming adversely to said companies or their assigns under the laws of the United States.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is, Will the Senate agree to the amendment of the Senator from Michigan?

Mr. PLUMB. I should like to ask the Senator from Michigan where he intends the amendment to come in.

Mr. PALMER. In the place indicated by the Senator from Massa-

chusetts for his amendment. It is his amendment modified. I think that amendment was to come in at the end of the bill.

Mr. BERRY. I should like to ask the Senator from Michigan why he proposes to insert the Ontonagon and Brulé Railroad Company. The object of the bill is to forfeit the right of all these railroad companies to the lands opposite the uncompleted part of the roads. Why does he propose to insert a provision that the bill shall not prejudice the right of one of those companies to lands which I understand it is the purpose of the bill to forfeit?

Mr. PALMER. I understand that the purpose of the bill is to forfeit the unearned lands opposite the uncompleted portion, and this is merely put in to reserve any legal rights that the company may have. I should not have offered it if the amendment of the Senator from Massachusetts had not been offered; but under the circumstances I thought it was well to reserve the rights of the Ontonagon and Brulé Railroad Company, which has had a very hard time, and has lost a great deal of money, so as to give it all the rights it has under the law. That is to be determined by the courts as a matter of course.

Mr. BERRY. So far as the amendment provides that the bill shall not prejudice the rights of any person whatever claiming under the canal company, or the settlers, or any other claim of that character, I can see no objection to it; but the object of the bill is to forfeit all lands opposite the uncompleted portions of the railroads throughout the United States, and I am certainly opposed to excepting any lands where the road has not been completed at the time of the passage of the bill.

I therefore move to strike out of the amendment the words "or the Ontonagon and Brulé River Railroad Company."

Mr. HOAR. This part of the amendment was not put in on my suggestion. That came from the Senator from Michigan. What I endeavored to do in drawing the amendment was to put into shape exactly what the Senator from Arkansas himself said yesterday, and has said a great many times; and everything that he says, as we all know, is said with considerable knowledge of this subject as well as with absolute sincerity, because he is on the committee and has investigated the matter a great deal more than I have. The Senator from Kansas, the chairman of the committee, the Senator from Michigan, and all have said the same thing, that they propose to forfeit these titles to revest them in the United States, but that if anybody had any special reason why Congress should be asked to except them, or to recognize some equitable or legal rights that they claim, they did not think this was the time to go into all those numerous questions over the country, but let the people come by and by before the committees and see what rights they could establish.

That I understand is the policy of the committee, and being the policy of the committee my desire was that the bill should so pass that if anybody came hereafter and went before the Committee on Public Lands and said, "We have a claim which Congress in its sense of justice and equity ought to recognize and do something for us," the committee should not feel obliged by the phraseology of this bill to turn around to them and say, "That was all considered in 1888; Congress meant to determine and adjudge that question; we do not want to hear you any more."

Therefore I drew the amendment referring only to those interested in my State, so that if they had any legal or equitable right which they had now, this measure should not prejudice their title to come to Congress hereafter and ask relief, or to go to the courts. That is the whole of it as I drew it. Now, the Senator from Michigan desires to put in this provision in regard to other companies, which of course is equally just, and I have no objection to it.

Mr. PLUMB. I have examined the amendment. I think it ought to be proposed as a proviso to section 4.

I wish to say to the Senator from Arkansas [Mr. BERRY] that I do not think the amendment really changes the purport or effect of the bill in the slightest particular. It simply says that it shall not interfere with the right of the company to go into the courts or to come to Congress, and it is a right that Congress can not practically take away anyhow. I believe the effect of the amendment is to leave the bill exactly as it was when it came from the committee. Therefore, while I think it is idle, at the same time, inasmuch as the Senators who are interested upon the various sides of this question are satisfied with it, so far as I am concerned I am willing that it shall be adopted.

Mr. BERRY. Will the Senator from Kansas allow me to ask him a question?

Mr. PLUMB. I will.

Mr. BERRY. Will not the amendment have the effect, if the Ontonagon and Brulé Railroad Company finish their road hereafter, to give them a right to the lands along that portion of it now uncompleted?

Mr. PLUMB. Not at all. It does not impair or qualify the forfeiture of the first section in any way whatever, as I think.

Mr. BERRY. I can see no necessity and no reason why one railroad company should be specially named when the amendment as proposed by the Senator from Massachusetts included every person who has now a legal or equitable right. To that I have no objection, because the bill proposed all the time, and the committee has intended all the time, to give them all their rights, such as they are. To that I have no objection, but I do object to selecting one railroad company and saying that the bill shall not affect its rights when the object of the bill is to forfeit the rights of all railroad companies throughout the United States to unearned lands.

Mr. PLUMB. Let me read the amendment, and I think the Senator from Arkansas will see that my construction of it is correct:

Provided, That this act shall not be construed to prejudice any right of the Portage Lake Canal Company, or the Ontonagon and Brulé River Railroad Company—

If it stopped there, of course it would be amenable to the objections of the Senator from Arkansas—

or any person claiming under them, to apply hereafter to the courts or to Congress—

I think that is absolutely, so far as the legal effect is concerned, so much waste paper—

from any legal or equitable relief to which they may be now entitled.

It limits them to just two things. They can apply to Congress or to the courts for that relief, and I do not think we can cut them out from either.

Mr. PALMER. I understand that the amendment does not alter the purpose of the bill at all. I think it is just so much verbiage, but as long as one company was going to be specified, I thought it well enough to specify another. I am perfectly willing to have the bill pass without the amendment or with it. The Senator from Massachusetts desires to have it in, and I can see no harm in inserting it in the bill.

The PRESIDING OFFICER. Does the Senator from Arkansas insist on his amendment to the amendment?

Mr. BERRY. Yes, sir.

Mr. CALL. Mr. President, it seems to me that this method of legislation is subject to a very serious criticism and to a very grave objection. For Congress to declare that an equitable right as against an act of forfeiture is reserved and unaffected by the act of forfeiture is in itself contradictory. There can be no equity against the exercise of the sovereign power of forfeiture exercised by Congress. When there is the exercise of legislative power to do a certain thing, if it has that power and it is exercised, there is an end of it; the law effectuates itself.

The equity that exists against that is a matter that is referable to the discretion of Congress alone, and it seems to me if the friends of this canal company desire Congress, in consideration of certain circumstances which to them seem equitable, to interpose for its relief, it should be done by a bill distinctly presenting that question and excepting this company from the act of forfeiture.

To say that the act of forfeiture should apply to the canal company or to the railroad company, but that all legal and equitable rights shall be reserved, is, as said by the Senator from Kansas, the affirmation of something that is impossible, except that it may be considered to mean that Congress considers in this act of legislation that there is an equity, and that it creates an equity and empowers the courts to substitute the judicial discretion for the sovereign discretion of the legislature.

I am opposed to all that method of legislation which gives to judicial tribunals the legislative power belonging to the representatives of the people and to the States. There can be no equity against the exercise of the power of forfeiture when in the judgment of Congress it ought to be and is exercised. To say, then, that we forfeit this land and we protect the settlers under the laws of the United States upon it, but we reserve to these grantees all the legal and equitable rights which they have, is an improper manner of exercising that power, and is an exercise of it subject to limitations which may not unreasonably authorize the courts to say, "Congress has declared there was an equity, and we so declare." In other words, it may destroy the entire operation of the act of forfeiture in regard to this property.

Mr. PLUMB. The point which the Senator from Florida makes, I think, is covered by section 4 of the bill, which is—

That nothing in this act shall be construed to waive or release in any way any right of the United States to have any other lands granted by them, as recited in the first section, forfeited for any failure, etc.

Mr. CALL. That is true; but then this amendment expressly negatives that provision of the bill.

Mr. PLUMB. Not at all. It simply provides that these people may go into the courts as though this bill had not been passed; and that we can not prevent them from doing.

Mr. CALL. It goes further than that.

Mr. PLUMB. It provides that they may come to Congress; and that we can not prevent them from doing.

Mr. CALL. It goes further than that.

Mr. PLUMB. Not at all.

Mr. CALL. "For any legal or equitable relief."

Mr. PLUMB. That is to say, they may be recognized by these tribunals.

Mr. CALL. This tribunal, after having passed an act of forfeiture, can not say that there is a legal and equitable right against what they themselves have done in the exercise of power given to them.

Mr. PLUMB. Suppose these people have a legal right to go into the courts, does the Senator want to take that right away from them?

Mr. CALL. If you can not take it away from them, there is no need of the amendment.

Mr. PLUMB. Therefore I say, in my comprehension, this amendment is absolutely without effect; but at the same time, inasmuch as it has been proposed, I do not see any objection to having it adopted.

Mr. CALL. It would not be objectionable if it did not say "legal and equitable rights." They may hereafter come to Congress and say that this forfeiture is not good which has taken place and which is declared, and that their legal and equitable rights against it are reserved in this act.

Mr. PLUMB. No, there is no reservation at all; they simply shall not be estopped from coming to Congress and asserting those rights. Any person may come to Congress for that purpose.

Mr. CALL. My friend must not mix up the two things. Anybody may come to Congress for any kind of relief he sees fit to ask; but after an act of forfeiture has been passed restoring land to the public domain, and it has been disposed of by the proper officers under the land laws, no one can come to Congress and say, "I ask that this action be reversed and that the land be given to me under a legal and equitable right which I now affirm as against that act."

Mr. PLUMB. There is no limit to the right of petition. A person may ask for anything.

Mr. CALL. That is true, but that is not the question.

Mr. PLUMB. This does not bind Congress to give anything. It simply says that it shall not cut them off from applying.

Mr. CALL. Now, let us examine that point and see whether it does or not? This act of forfeiture we will suppose to take effect according to the idea of the Senator from Kansas. It forfeits the land which this Portage Canal Company claims. That land is disposed of to settlers, or by donation under act of Congress to some one else. If the act of forfeiture is valid that vests a title in it. Then these petitioners come to Congress and file a petition, and say:

By the amendment proposed by the Senator from Michigan our rights, legal and equitable, were reserved, and we had a right to come to Congress or to go to the courts, and we ask now that the consequences of this act of forfeiture in the disposal of this land by homestead entry or otherwise under the land laws of the United States shall all be reversed, and that the land shall be restored to us.

Is not that competent?

Mr. PLUMB. No, Mr. President, that brings up a question beyond the competence of Congress. If other people have a legal title to these lands Congress can not take it away. It might happen—I do not know that it would happen; I do not think it would happen—that this company might have a claim against Congress, or somebody else might have a claim against Congress, on account of some misleading action taken by the Interior Department, and if that were so they might come and ask compensation and damages in money. There might be a variety of ways in which they might ask compensation. Congress can not take away the title, of course, and persons affected could apply, whether we put this provision in or not, because it is always in the competence of Congress to take into consideration equities of any kind whatever. Legal rights, of course, are supposed to be enforced by the courts, but Congress may take into consideration that class of equities of which the courts can not take cognizance.

Mr. CALL. The Senator, I think, is exactly right, and if you will insert in the amendment that they may come to Congress for a pecuniary compensation for any injury to their equitable rights there would be no objection to it, except that it would be unnecessary, for they can do that any way. But the difficulty in the case is that this bill proposes to forfeit a specific portion of land. As against the exercise of that power of forfeiture which the bill itself contains, here is an amendment which says that these parties may come into Congress or go into the courts—to do what? They can not go into the courts to assert any equitable right, for there is no equity against the exercise of the sovereign power of legislation. Supposing the power to exist, there can be no equity except such as the discretion of the sovereign sees fit to create.

Mr. PLUMB. This does not limit that power at all.

Mr. CALL. If it is not to be construed as saving their equitable right to the land, if it is not to be construed as creating an equity by act of legislation which does not exist, it does not limit it; but if it does, and the language so purports, and that can be the only intention in offering it, it must be, as the Senator from Kansas says, utterly void, unless it limits and qualifies the exercise of the power of forfeiture which the act purports to make.

Mr. PLUMB. It is a reservation in favor of individuals, substantially in terms the reservation in favor of the Government contained in the fourth section of the bill, which I will now read:

That nothing in this act shall be construed to waive or release in any way any right of the United States to have any other lands granted by them, as recited in the first section, forfeited for any failure, past or future, to comply with the conditions of the grant.

Then the amendment simply goes on to say, nor shall this interfere with any right—not conferring any right, legal or equitable, upon the parties named in the amendment to come to Congress or to go to the courts; in other words, whatever the *status quo* may be, to simply leave it; that is all. It does not confer any right; it does not say there is any right; it simply says, if there is any right this shall not cut out those holding it from applying to the courts or to Congress for the purpose of having it recognized. That is all there is about it. That is exactly what the bill is intended to do.

The matter was discussed in the committee. The intention was in regard to all this class of controverted questions, about which the Senate has heard so much recently, that Congress should not interfere with cases in which it might perhaps do injustice, but at all events of which it was not thoroughly informed.

Mr. REAGAN. Mr. President, I understand that this action is rendered necessary because the courts have determined that this land can not be forfeited without the action of the political authority, as under the peculiar legislation the courts can not declare a forfeiture. This bill purposes to do by the political authority what under other circumstances would be done by judicial authority. If railroad companies have rights which the judiciary can not forfeit, and that reservation is made, does it not follow that the roads will not come under the provisions of the act?

Mr. PLUMB. No, not at all.

Mr. CALL. Mr. President, this question presents itself in two aspects. The first is, is there any land contained in this grant which ought to be subject to the power of forfeiture by the Congress of the United States? That is one question. Ought this land to be forfeited or not? Is there any ground of law or equity which should retain the sovereign power of the people from dedicating this land to the general use in homestead settlement or entry? If there is, it should be distinctly recognized and so declared by Congress, because the exercise of this power of legislation is final and conclusive and imperative as law. There can be no equity, except that which Congress creates against the exercise of any power of legislation. Now, if you say when exercising a sovereign power of legislation "there is hereby reserved the equitable right of any individual," how is it to be ascertained? Here sits the judge to say: "Congress has passed a law, has exercised its sovereign power of legislation; we declare that there is an equity which should have restrained and which shall restrain the Congress of the United States from the exercise of its power."

Why, Mr. President, that is not correct reasoning. There can be no restraining power as against the sovereign legislature exercising its power; otherwise it is not sovereign and it is not legislation.

There can be no equity. This amendment says it shall not affect any equity against the exercise of this power. That is not a proper form in which we should place ourselves. If these parties should have this land it should be so said in terms; if not, it should be forfeited. If the courts should decide the question of legal right, we should leave it to them in express terms; but to say that we forfeit the land but reserve the equitable rights of the company named or anybody else who may assert a title seems to be absurd. Congress can not do it. It is out of its power. All this is subject to the exercise of the power of Congress. Whether it ought to be so or not, is another and a distinct question; but I think we place ourselves in a very improper light when we say "we forfeit this," and yet we do not forfeit it, but we reserve to all parties claiming any legal or equitable right they may have.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas [Mr. BERRY] to the amendment of the Senator from Michigan [Mr. PALMER].

Mr. PLUMB. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. COCKRELL. Let the amendment be read.

The PRESIDING OFFICER. It will be read.

The SECRETARY. Insert in line 4 of the amendment the words "the Ontonagon and Brulé Railroad Company," and after the word "company" insert the words "Ontonagon and Brulé River Railroad Company;" so as to read:

Provided, That this act shall not be construed to prejudice any right of the Portage Lake Canal Company or the Ontonagon and Brulé River Railroad Company, or any person claiming, etc.

Mr. BERRY. The Secretary is mistaken. I did not move to insert anything. I moved to strike out "the Ontonagon and Brulé River Railroad Company."

The PRESIDING OFFICER. The Secretary did not understand the amendment as offered. It will be reported.

The SECRETARY. After the word "company," in line 4, it is proposed to strike out "or the Ontonagon and Brulé River Railroad Company;" so as to read:

Provided, That this act shall not be construed to prejudice any right of the Portage Lake Canal Company, or any person claiming under them, etc.

Mr. PALMER. I hope that the motion of the Senator from Arkansas will not prevail. I think that if we are going to make any declaration in favor of one company we should in favor of the other. I do not think the amendment amounts to anything. It is merely explanatory or declaratory of what is the manifest purpose of the bill, but as long as it is going to be adopted I do not wish the canal company to be favored as against the Ontonagon and Brulé River Railroad Company. I have heretofore introduced a bill to forfeit the grant of the Ontonagon and Brulé Railroad Company, but at the same time they are entitled to some consideration, for they have had a very hard time, and if we can, consistently with our duty to the public, relieve the burden that they bear, I think we should do so.

Mr. BERRY. I want to forfeit the grant to the railroad company. The bill is to forfeit the railroad grants, and I would not vote a foot of land to any railroad company in the United States.

Mr. PALMER. I have not got the phobia quite as bad as that. I believe in declaring the unearned grants forfeited, but I believe in giving the railroads fair play. I think that we erred by going to the other extreme hitherto, and now we are liable to err by following the oscillations of the pendulum a little too far the other way. I believe in fair play to the railroads as well as to individuals and to the public.

The Secretary proceeded to call the roll.

Mr. GRAY (when his name was called). I am paired with the Senator from Illinois [Mr. CULLOM].

Mr. PUGH (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS].

The roll-call was concluded.

Mr. FAULKNER. I am paired with the Senator from Pennsylvania [Mr. QUAY], and have transferred the pair to the Senator from New Jersey [Mr. BLODGETT]. Therefore I vote "nay" on this proposition.

Mr. BECK. I am paired with the Senator from Maine [Mr. HALE], who is necessarily absent from the city. I would vote "nay" if he were present.

The result was announced—yeas 20, nays 26; as follows:

YEAS—20.

Bate,	Coke,	Gorman,	Reagan,
Berry,	Colquitt,	Hampton,	Saulsbury,
Brown,	Dolph,	Harris,	Turpie,
Butler,	Eustis,	Jones of Arkansas,	Vest,
Call,	Gibson,	Pasco,	Wilson of Md.

NAYS—26.

Aldrich,	Frye,	Payne,	Stewart,
Blair,	Hawley,	Plumb,	Stockbridge,
Chandler,	Hoar,	Sabin,	Teller,
Davis,	Mitchell,	Sawyer,	Walthall,
Dawes,	Morgan,	Sherman,	Wilson of Iowa.
Farwell,	Paddock,	Spooner,	
Faulkner,	Palmer,	Stanford,	

ABSENT—30.

Allison,	Cullom,	Hiscock,	Pugh,
Beck,	Daniel,	Ingalls,	Quay,
Blackburn,	Edmunds,	Jones of Nevada,	Ransom,
Blodgett,	Evarts,	Kenna,	Riddleberger,
Bowen,	George,	McPherson,	Vance,
Cameron,	Gray,	Manderson,	Voorhees.
Chace,	Hale,	Morrill,	
Cockrell,	Hearst,	Platt,	

So the amendment to the amendment was rejected.

Mr. BERRY. I move to lay the amendment of the Senator from Michigan [Mr. PALMER] on the table.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The Senator from Arkansas moves to lay on the table the amendment of the Senator from Michigan.

The motion was not agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

Mr. PLUMB. I understand that is a proviso to section 4.

The PRESIDING OFFICER. It is a proviso to come in at the end of section 4.

Mr. SPOONER. I offer the amendment which I send to the desk to come in as an additional section to the bill.

The amendment was read, as follows:

SEC. 9. That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States, by sales or entries, by cash warrants or scrip, under color of the public-land laws, and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided, however*, That where the original cash purchasers are the present owners this act shall be operative to confirm the title only of such said cash purchasers as the Secretary of the Interior shall be satisfied have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment of the Senator from Wisconsin [Mr. SPOONER].

Mr. PALMER. There are two amendments offered by me to the amendment of the Senator from Wisconsin which may be embodied in one, and can be appended to line 16. They are printed on the same sheet. Let the Secretary embody both of these amendments in one. I now offer them.

The PRESIDING OFFICER. The Secretary will report the amendment of the Senator from Michigan to the amendment offered by the Senator from Wisconsin.

The SECRETARY. At the end of the amendment of Mr. SPOONER it is proposed to add:

Nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States.

Mr. SPOONER. I accept that amendment.

The PRESIDING OFFICER. The Senator from Wisconsin modifies his amendment as just read by the Secretary.

Mr. PALMER. There is another amendment of mine. I see that the Senator from Wisconsin may object to the second, and therefore it can not be embodied in the first.

The PRESIDING OFFICER. It is now in order. The Senator from Wisconsin has modified his former amendment. Now the Senator from Michigan can offer his amendment.

Mr. PALMER. I now offer my second amendment.

The PRESIDING OFFICER. It will be read.

The SECRETARY. It is proposed to add to the amendment of Mr. SPOONER the following words:

And no sale or entries shall be hereby confirmed to the prejudice of any pre-emption or homestead claims now valid under existing decisions of the Secretary of the Interior, and which were existing on the 1st day of January, 1888.

Mr. COCKRELL. Is that amendment subject to amendment?

The PRESIDING OFFICER. This is an amendment in the second degree.

Mr. COCKRELL. Would it be in order to move to strike out certain words in that amendment?

The PRESIDING OFFICER. That would be an amendment in the third degree, which would not be in order.

Mr. COCKRELL. Was not the amendment of the Senator from Wisconsin adopted?

The PRESIDING OFFICER. The amendment of the Senator from Wisconsin is pending, to which the Senator from Michigan has now offered an amendment.

Mr. COCKRELL. I suggest to the Senator from Michigan that he modify his amendment by striking out the words "under existing decisions of the Secretary of the Interior" and inserting in lieu thereof the words "under the existing laws of the United States." I do not think it would be very appropriate legislation to put in "under existing decisions of the Secretary of the Interior" without knowing what those decisions are.

Mr. PLUMB. I would suggest to say "now valid under existing law."

Mr. COCKRELL. That is what I mean—under existing law.

Mr. PALMER. I should prefer to have it just as it is. There are certain rights which have been established or decided upon in the Interior Department which the homesteaders of our State have been prosecuting for seven or eight years. The decision was given in the case of Wakefield *vs.* Cutter to the effect that cash purchasers on the common land, as it was called, have no rights whatever. That decision has been made by the Secretary of the Interior, and the very gist of the whole amendment is in those words that the Senator from Missouri suggests should be stricken out. They do not wish to be relegated to the old fight; I do not suppose that the Secretary of the Interior is the court of last resort; but they do not want to have this fight to go over again. They are poor men. They have with their little dimes and half dollars kept counsel here to protect their interests. One has been sent down here now, and has been here all winter, watching this bill. What they desire is that they shall lose no ground that they have obtained. Under these circumstances I hope that the amendment will be adopted as I have offered it, without qualification.

Mr. SPOONER. The amendment which the Senator from Michigan last offered, as explained by him, has the effect to render of no avail, if adopted, the amendment to which it is an amendment. The amendment which I have sent to the desk is an amendment which applies to the transactions of six or seven hundred citizens of the United States with the Government of the United States through the officers of the United States; simply those principles of common honesty and fair dealing which obtain among honest men dealing with each other.

By a mistake as to the law, a confessed mistake, but a mistake for which the officers of the Government were as much responsible as those who dealt with them, during the period of eight years portions of these lands were held open to entry and sale in the State of Michigan, and during that time and all of that time the Government officers, acting in good faith, dealing with citizens of the United States also acting in good faith, sold these lands to purchasers, taking the money from them and putting it in the Treasury, where it is to-day, accepting from them land-warrants and canceling them as having performed their function, accepting from them at the land offices scrip with the function of location annexed. My amendment is a proposition simply that as to those persons who purchased in good faith, the purchase-money being still retained by the Government, the title shall be confirmed.

Their entries were void, I concede, for the purposes of the argument, technically, because the act of Congress required that the lands should be reoffered. They were restored to market. They were proclaimed restored by the President of the United States and were advertised for sale, and from 1866 until 1874 they were as open to entry in the land offices, so far as the world knew and so far as the action of the Government was concerned, as any public land in the United States.

At the last session of Congress an act was passed providing for the adjustment of land grants which declared, I think justly declared, that wherever persons had purchased in good faith from a railway company they should be permitted, notwithstanding the failure of the railway company's title, to pay the purchase-money to the United States and protect their title. This very bill, in its second section, fairly and justly provides that wherever any of the lands which are forfeited by the provisions of the bill shall have been purchased in good faith by citizens of

the United States and are in their possession they shall have the right to protect that title by paying the purchase-money to the Government. That is a just and right provision. But why protect the titles of those who have bought in good faith from railroad companies throughout the country, and yet refuse to protect the titles of those who have purchased in good faith from the Government itself?

Mr. COCKRELL. I should like to ask the Senator a question in regard to those lands about which he is speaking now. As I understand, the defect is that the United States officers failed or neglected to advertise and offer those lands for public sale?

Mr. SPOONER. They advertised, but they were not technically offered, except as to a small quantity.

Mr. COCKRELL. It was advertised that they would be sold at public sale.

Mr. SPOONER. Yes, sir.

Mr. COCKRELL. But on that day the formal offering was not made.

Mr. SPOONER. There was an offer of a few tracts in fact, as I understand it, but the whole body was not offered for sale.

Mr. PALMER. Will the Senator excuse me? I think that these lands were never advertised or offered at public sale.

Mr. SPOONER. I have a copy of the advertisement.

Mr. PALMER. I may be in error.

Mr. COCKRELL. They were then in the market how long?

Mr. SPOONER. Eight years.

Mr. COCKRELL. When were these entries made?

Mr. SPOONER. These entries were made during that time.

Mr. COCKRELL. Were they all made right at once?

Mr. SPOONER. No; they were made during those years.

Mr. SAWYER. I will answer that. They were principally made during a period of four years.

Mr. COCKRELL. Were all the lands taken up?

Mr. SPOONER. No, sir.

Mr. COCKRELL. In what proportion?

Mr. SPOONER. There were about 700 purchasers, I understand, altogether.

Mr. COCKRELL. How much did each one purchase?

Mr. SPOONER. I do not know.

Mr. COCKRELL. How much was taken up in the aggregate?

Mr. SPOONER. I do not know that.

Mr. SAWYER. I think there were altogether 100,000 acres, but there were very few lands sold till after they had been in the market from four to five years. They were all advertised. I know that, because I saw the advertisement in the papers at the time, but they were not put up at public auction.

Mr. COCKRELL. They were then treated by the land offices as subject to disposition to any one who applied?

Mr. SAWYER. That is it.

Mr. COCKRELL. By cash, land warrant, or entry?

Mr. SPOONER. That is the point. There is a technical defect in the title, and probably a fatal defect in the title if Congress chooses to insist upon it; but the land officers, undoubtedly acting in good faith, opened the lands to purchase, and during those years from time to time, and at different times, these entries were made, and the locations were made.

Mr. COCKRELL. Were they made by individuals or by corporations?

Mr. SPOONER. By individuals mostly, as I understand it, residing in different States—some of them in Wisconsin, some of them in Michigan, some of them in Illinois. The Government has issued patents on a large portion of them. On others the land officers' receipts only were issued. These purchasers have paid taxes on the land for years as their property. The lands have been subject to mortgage; they have been subject to sale under warranty deeds by the individual purchasers, and they have been subject to sale upon execution. They have been treated, in other words, by the Government of the United States, by the purchasers of the lands, and by the State in the exercise of her taxing power, as having been acquired in good faith and as belonging to these purchasers.

There was at one time some suggestion of fraud in connection with some of them, but I have provided in the amendment that it shall be operative to confirm these titles where the lands are now owned by the original entrymen only in those cases where the Secretary of the Interior shall be satisfied that their purchases were without fraud and in the belief that they were thereby obtaining a valid title from the United States.

It is not a new policy for the Government to protect purchasers in good faith. Repeatedly such acts have been passed. Congress provided, as I have stated, at the last session, and this very bill provides, for protecting purchasers from the railway companies whose lands were forfeited under these grants, because they acted in good faith, and it would be impossible——

Mr. COCKRELL. Let me ask the Senator if he can not extend that provision to assignees or vendees where they have not purchased in good faith?

Mr. SPOONER. I did not draw the amendment to extend to assignees of original purchasers for this reason: It seemed to me that where a patent had been issued by the Government of the United States to a purchaser, which we all recognize as the highest possible muniment of title, and individuals had purchased upon the strength of that title, the Government not moving now for fourteen, fifteen, or sixteen years to assert any defect, it would be unjust to extend the condition to the vendees.

Mr. COCKRELL. You are right now; but the question would be as to cases where the patent had not been issued.

Mr. SPOONER. I would have no objection to that limitation.

Now, as to the proposition of the Senator from Michigan. While protecting the rights of bona fide purchasers from the United States, and confessing their need of confirmatory action, admitting that the title is technically invalid, I have no desire that these titles shall be confirmed as against any bona fide homesteader or pre-emption claimant on any of these lands, and therefore I accepted the amendment offered first by the Senator from Michigan, declaring that this act should not confirm the title of any purchaser as against any bona fide settler, pre-emptioner, or homesteader existing on the 1st day of January, 1888.

Now, the Senator asks the Senate by his second amendment—and I think the objection taken to it by the Senator from Missouri is well taken—to legalize, beyond the reach of the courts even, some decision or decisions of the Secretary of the Interior holding cash entries to have been void. We all know they were void as against the United States. They were void upon this technical ground, that the lands had not been formally reoffered. It is because they were so defective that these purchasers invoke this measure of justice and protection from the United States; but they do not ask that it shall be granted as against any bona fide pre-emption claimant or homesteader.

Mr. PALMER. Does the Senator understand that the cash entries are void on all these lands proposed to be forfeited in Michigan?

Mr. SPOONER. Only the odd-numbered sections.

Mr. PALMER. In all the grants?

Mr. SPOONER. In the odd-numbered sections.

Mr. PALMER. I think that is confined to the common land. I do not think they went on to any other than the common lands.

Mr. SPOONER. Wherever in the State of Michigan within the limits of the land grants made by the act of June 3, 1856, odd-numbered sections were sold after 1866 and down to 1875, without having been first offered technically at public sale, the title is defective, as I understand it.

Mr. CALL. I ask the Senator, was that the ground taken by the Secretary?

Mr. SPOONER. I suppose it was. I do not know anything about that decision, but it would not require a decision of the Secretary nor would it require a decision other than that which the Supreme Court of the United States has already made to make that the law. The Supreme Court held in the case of Eldred *vs.* Sexton, 19 Wall., 189, many years ago, what no lawyer ever could fairly doubt, that where the law required that the public lands should be reoffered at public sale before being subject to private entry, if they were sold without that condition-precedent the entry would be invalid.

Mr. CALL. I only wished to know if there was any other ground.

Mr. SPOONER. Not that I know of.

Now, sir, I want and I ask that these purchasers in good faith shall be protected except where their title conflicts with any bona fide settler or homesteader down to 1888. Wherever there is any such conflict the cash entryman must yield to the interest and right of the settler. But when the Senator from Michigan goes beyond that and asks Congress to give these men or any men more than they are entitled to under the laws of the United States he asks too much.

The decisions of the Secretary of the Interior may be right; they may be wrong. They are not entitled to the presumption of correctness that a decision of the Supreme Court of the United States would be. They are sometimes changed by different Secretaries, and I do not think it would be good policy or good legislation to legalize and make a rule of law by enactment of any decision of a head of a Department, no matter who he may be. If his decision is the law, it will stand. If his decision is not the law, then Congress should not declare it to be the law. The Senator from Michigan, it seems to me, ought to be entirely satisfied with an amendment which protects the rights of every bona fide settler in Michigan upon these lands under the laws of the United States as they have been declared and may hereafter be declared by the Secretary of the Interior or ultimately by the courts.

I will go as far as he in protecting the right against cash entrymen and every one else of any bona fide settler or homesteader under the laws of the United States. No man, it seems to me, can fairly ask more than that.

Mr. CALL. Who was it entered these lands? Were they generally farmers or speculators?

Mr. SPOONER. I think a large portion of this land was not agricultural land. I suppose the land was entered by men interested in lumbering operations for the pine that was upon it.

Mr. CALL. Were they entered in large bodies or small?

Mr. SPOONER. I do not know. I am told there were about seven

hundred purchasers. Many of the purchasers reside in Wisconsin. Some of them I know, and I know them to be reputable men, men of integrity.

Mr. BERRY. Will the Senator allow me to ask a question?

Mr. SPOONER. Certainly.

Mr. BERRY. Suppose the amendment of the Senator from Wisconsin be adopted, in case this land was purchased at private sale and since the purchase settlers in good faith settled there with a view to homestead, would not the adoption of the amendment give the cash entryman an advantage over that settler?

Mr. SPOONER. Not in the slightest degree.

Mr. BERRY. Does it not confirm the cash entry if made prior to the time of the homestead entry?

Mr. SPOONER. My amendment expressly declares, with the amendment which I have accepted, that it shall confirm the title of the cash entryman, but not as against any bona fide settler up to 1888.

Mr. BERRY. May I ask, then, the difference between your proposition and that of the Senator from Michigan?

Mr. SPOONER. The difference between the Senator from Michigan and myself is this: I have accepted an amendment to my amendment guarding and protecting the bona fide claims of settlers and homesteaders down to January 1, 1888, under the laws of the United States.

Mr. PALMER. Will the Senator permit me to state what the difference is?

Mr. SPOONER. I think I can state it.

Mr. PALMER. Possibly from my standpoint it might look a little different.

Mr. SPOONER. I think I can state it, and if I can not I will call the Senator from Michigan to my assistance.

The difference between the Senator from Michigan and myself is this. I having accepted his amendment protecting the bona fide claimants down to January 1, 1888, under the laws of the United States, the Senator from Michigan offers an amendment beyond that, legalizing the existing decisions of the Secretary of the Interior, whatever they may be. It is a proposition to make a law by act of Congress of existing decisions of the Secretary of the Interior. That I object to.

Mr. BERRY. May I ask the Senator, if the intention is to give preference to the cash entryman, why should he object to confirming to him directly?

Mr. SPOONER. One Secretary of the Interior may have decided homestead settlements to be bona fide and valid which another Secretary of the Interior or which a court might hold to be void. I do not want to take away from any homesteader any right which he has under the decision if the decision is good law. All I desire is that he shall be protected in every right which he has in good faith under the laws of the United States.

Mr. BERRY. But you are willing to extend that to cash entrymen without regard to the laws of the United States which you are unwilling to give to bona fide settlers.

Mr. SPOONER. I am not unwilling to give it to bona fide settlers. The amendment which I have offered distinctly and unqualifiedly gives it to bona fide settlers; but if there shall have been an erroneous decision by the Secretary of the Interior—I do not know that there has been—a decision giving to claimants who have not in fact bona fide rights in these lands as against the bona fide purchaser from the United States, I do not want the Congress of the United States to make by act that decision a law. No man has a right to claim more or further protection than that. If he has acted in good faith, his rights thereby acquired under the laws of the United States, without regard to these bona fide cash purchasers, should be protected.

The trouble is that this amendment looks as if it were drawn by some lawyer familiar with some specific decision of the Secretary of the Interior, of the correctness of which he is not certain, and which he wants the Congress of the United States to crystallize into an act. I think any Senator here would hesitate very much to declare any particular decision of a court by act of Congress to be the law, so that courts hereafter could not change it, or would feel constrained in the exercise of judicial judgment as to the power to change it.

It is not good legislative policy on the part of the United States. And no honest homesteader, no honest settler, can ask for more than that the Congress of the United States shall declare in this bill that nothing herein contained shall operate to his prejudice. That the amendment to the amendment, offered by the Senator from Michigan and accepted by me, clearly covers. Beyond that I think he asks the Senate to do what would not be right. He states fully and frankly that the Secretary of the Interior has decided that these cash entries were void, and he wants the Congress of the United States to declare, even where they do not conflict with bona fide settlers, that that decision shall stand as the law. It is because of that decision and because I believe that such decision is correct that this legislation confirming the titles of these cash entrymen, except as to bona fide settlers and homesteaders, is required.

Mr. PALMER. Mr. President, I hardly think that the Senator from Wisconsin has stated my position fairly; he undoubtedly thought he was doing so; but my position is just this: The homesteader and the pre-emptor and the settler ask for no legislation. The infirmity of the cash entrymen arises from the fact that after the release of the lands in 1866 the law required them to be restored to market by some executive action before they could again be subject to private entry. They were never so restored; and as was held by Secretary Schurz in Eldred *vs.* Sexton, and by Secretary Lamar in Wakefield *vs.* Cutter *et al.*, all cash entries made thereon were absolutely void. This is in the nature, if the Senate will permit me to use a legal term, of *res adjudicata*. The thing has been passed upon; the cash entrymen have been beaten, and now they come into Congress and ask for relief.

Mr. TELLER. I should like to interrupt the Senator to say that I think he is mistaken as to the ruling of Secretary Lamar that those entries were void. I do not remember the case, but I do remember that it was decided that they were not void, but voidable at the option of the Government.

Mr. PALMER. I would say that that makes my case all the stronger. It makes the hardships much less for the cash entrymen. Their entries are merely voidable. I accept that explanation.

Mr. BERRY. Allow me a moment. I wish the record to be correct. The decision of the Secretary of the Interior was that, so far as the private entries of the even sections were concerned, they were voidable and not confirmed by the board of equitable adjudication. So far as the odd sections were concerned, the entries were absolutely void, for the reason stated in the last decision made by Mr. Lamar.

Mr. SPOONER. I am willing to admit that so far as I am concerned.

Mr. PALMER. I think the case has been stated more generously possibly to the cash entrymen by the former Secretary of the Interior. He says they are merely voidable.

Mr. SPOONER. I am willing to admit that they were void, so far as my purposes are concerned.

Mr. PALMER. That makes the case altogether better for your side.

Mr. SPOONER. Not necessarily.

Mr. PALMER. I now take the explanation of the former Secretary of the Interior that they are merely voidable. The homesteaders have fought a long and expensive fight. They have got certain rulings; they have got certain rights established. They do not ask for any legislation. This is entirely in favor of the cash entrymen. Many of them are my friends; they are men whom I esteem very highly; but after that decision of the Supreme Court which opened these lands to the homesteader and the settler, I think we should not put them to the expense of fighting this battle over again. They went on there; they have land cleared up and homes established, and although I have no doubt that ultimately they would triumph, they want to be protected against expensive litigation. They ask no legislation. I am perfectly willing, in their behalf, to have all these amendments laid on the table.

Mr. DOLPH. Mr. President, this discussion has taken rather a curious course. There was an amendment offered by the junior Senator from Michigan [Mr. STOCKBRIDGE] which embodied all the first portion of this amendment, and also provided for the confirmation of certain State selections, and if my recollection serves me it was laid upon the table. Now we have the same old controversy, and here is a proposition to confirm the disposition of a certain portion of the lands which were granted to the State of Michigan to aid in the construction of a railroad from Ontonagon to the Wisconsin State line, and to omit to confirm a certain portion of the lands that were disposed of to the State by the General Government.

The lands disposed of were probably disposed of to pre-emption settlers, entrymen, homesteaders, settlers, who entered by warrants, it appears, and on scrip, and were sold at private entry, that is to say, cash sales. This amendment is broader, that is, it affects lands not forfeited by the bill under consideration. If the bill under consideration becomes a law, the portion of the land grant to the State of Michigan adjacent to the uncompleted road between Ontonagon and the Wisconsin State line will be forfeited. Within that line lands have been disposed of along the uncompleted road, the odd sections. Cash entries have been made. Those cash entries are illegal, first, because the lands were not public lands at the time they were made. The fee was in the State of Michigan, or in the railroad company, if there had been a transfer by the State to the company. They were also irregular or voidable, because it was held that where lands were subject to private entry before the grant was made, and then were by the Government granted to a railroad company or to the State for the purpose of aiding in the construction of a railroad, and then forfeited and restored to the public domain, they could not be again entered at private entry until they had been reoffered at public sale. That rule applied as well to the lands between Marquette and the State line which were forfeited or properly relinquished by the State of Michigan to the General Government; and those cash entries within the limits of that grant in place were voidable also because the lands, after they had been relinquished to the General Government, were not again offered at public sale, and were not therefore subject to entry at private sale. Hence whoever introduced this amendment has drawn it so as to confirm the cash entries which were irregularly made within the limits of the grant which was properly relinquished to the Government by the State of Michigan.

Notwithstanding those entries may be voidable, I understand that

in the main, if not altogether, they have been patented by the General Government to the parties who made the entries, and if so, according to a series of rulings by the Department of the Interior, they are beyond the jurisdiction of the Department, and since the time they were patented they never have been subject to settlement under the homestead or pre-emption laws, and there can not be to-day a legal pre-emption or settler's claim upon them.

Now as far as I am concerned I am quite willing to confirm all these claims, although I repeat what I said the other day, that as between the 15,000 acres that were selected by the canal company and the cash entrymen, I think that the selections for the benefit of the canal company are the most meritorious, and I am not disposed, if this old question comes up again, to vote for this amendment unless it includes all those persons who have bona fide interests there. I should have much preferred the amendment offered by me, which simply provided that these lands should be treated as public lands from the time the governor of Michigan undertook to release them to the General Government, leaving the merits of all claims as between the parties and the General Government to be determined hereafter by the Interior Department and the courts; but if Congress is to confirm these claims now, I say I do not propose to be a party by my vote to confirming them in part and leaving them unconfirmed in part.

In my opinion common honesty requires that the General Government and the State of Michigan, which treated these lands as public lands, the State of Michigan which undertook by its governor to convey these lands back to the General Government and then made these selections through its agent for the canal company, and the Secretary of the Interior, who acted for the General Government, and certified these lists to the State of Michigan—I say that common honesty requires both the State and the General Government to do what was recommended by Secretary Schurz, and has been recommended by other Secretaries of the Interior, what has been recommended by the Public Land Committee of this body frequently, to treat these lands as if they had been public lands at that date; and when the time comes I shall raise the question again by moving to strike out, in line 6, "by sales or entries, by cash, warrants, or scrip," leaving the amendment to read:

When any lands relinquished to, or from any cause resumed by, the United States from grants for railroad purposes, heretofore made to the Sate of Michigan, have heretofore been disposed of by the proper officers of the United States, under color of the public-land laws, and where the consideration received therefor is still retained by the Government—

And embrace everybody within the provision.

Mr. PALMER. I should like to ask the Senator from Oregon——

Mr. DOLPH. I yield for a question.

Mr. PALMER. I want to ask whether you are now discussing the canal amendment or this amendment of mine?

Mr. DOLPH. I am discussing the entire amendment now.

If any one supposes that where the patents have been issued to the cash entrymen there can be a valid homestead or pre-emption claim, that the lands were subject to entry, that any action of the Interior Department could breathe vitality into such a claim, and that it will be protected by the amendment of the Senator from Michigan, I think he is very much mistaken.

Mr. CALL. Will the Senator allow me to ask a question?

Mr. DOLPH. Certainly.

Mr. CALL. Suppose the Interior Department issued a patent to a part of the public domain in Oregon without any authority of law, would it confer any right?

Mr. DOLPH. No; if there was no law. If the lands did not belong to the United States, and the officer should issue a patent for the lands, it would convey no title. If there was a law that authorized these parties under any circumstances to execute a patent for these lands, and the Secretary of the Interior passed upon the fact and issued the patents, then I say that while the patents might be avoided for fraud, until they were set aside by the courts they would be a valid conveyance as between third parties.

I go further yet. Although the title may be of such a nature that the courts would say it was void and nothing passed under it, it was decided by Secretary Schurz, and has been decided by other Secretaries of the Interior, that when once a patent is issued, as for instance to swamp lands which were not swamp in fact, though the title can be set aside, the patent overcome by proof in a suit in equity that the lands are dry lands, yet wherever the patent has been issued the jurisdiction of the Interior Department is gone, and it can not offer the lands to anybody else, but the remedy must be in the courts.

I have suggested three cases in which a patent may be void or voidable, and still the jurisdiction and power of the Secretary of the Interior to dispose of the land is gone, and there can not be initiated under the rulings and law a valid adverse claim to the title which was attempted to be passed by the patent.

Mr. CALL. Then I understand the Senator to maintain that this patent, issued without authority of law by an executive officer of the United States, suspends and repeals the force and effect of the land laws authorizing the people of the United States to enter upon public lands, make their applications, and have a homestead granted; the mere fact of the issuing of a patent by an executive officer without law suspends the action of the land laws of the United States, which give to a citizen the right to enter upon the public lands, apply for a homestead, comply with the terms of the law, and obtain a patent.

Mr. DOLPH. The Senator will understand that there must be some regularity in regard to the distribution of the public lands; that after the Secretary of the Interior has once acted and issued the highest evidence of title, a patent, for him to proceed afterwards to execute a second patent, or a third patent, if he should conclude that the second one was also illegal, would only be productive of the utmost confusion, and therefore it is held that after a patent has issued it has passed beyond the power of the administrative officers of the Government to inquire into its validity. It must be set aside, if at all, by a court of justice; and although it might be held void by a court, still it has been held—and I think it correct law—by several Secretaries of the Interior to divest of jurisdiction and power the Interior Department to make a further disposition of the land until that is disposed of.

Mr. CALL. I wish only to say that the proposition of the Senator from Oregon is entirely untenable and unreasonable. I shall not prejudice the case of my friend from Wisconsin. I am not speaking in regard to his amendment, but the proposition of the Senator from Oregon is in violation of law; that without law an executive officer——

Mr. DOLPH. Who is to determine whether it is in violation of law?

Mr. CALL. There is only one power to determine in cases made before them the interpretation of the law as a finalty, and that is the judicial department. In other cases the executive officer charged with the duty must determine the constitutionality of the law and the manner of its execution.

Mr. DOLPH. Does the Senator hold that one Secretary of the Interior can proceed to set aside a patent issued by a previous one and make a new grant of land?

Mr. CALL. Beyond all question. If a patent is issued in violation of an act of Congress or without authority of law, it is simply void. A patent is a paper issued evidencing the conveyance of an interest in land in accordance with and by virtue of an act of Congress, not otherwise; and if the Secretary of the Interior were to give me to-day a patent for all the lands in Oregon it would not be worth the paper on which it was written, and it would be the duty of the first Secretary of the Interior or other executive officer before whom it came to treat it as a mere waste piece of paper. It has no validity and no vitality, except by the action of the law and of the authority of Congress. A Secretary of the Interior is only an executive officer, having no power of concluding any person's rights, and that his acts have and can have no validity, except in so far as they are authorized by law; outside of this their opinions are only their personal opinions, and have no force or effect.

Mr. BERRY. As the reason why this consummation ought not to be made, if the Senate will indulge me, I will read the report of the committee of the House of Representatives made to the last Congress. It is very short, and it covers the entire case. It is as follows:

Notwithstanding the fact that none of these lands were, under this well-known principle of law, subject to private entry, yet a large number of such entries were allowed by the register at Marquette, covering over 88,000 acres of land within the limits of this grant alone, to say nothing of a much larger quantity outside of those limits, all of which entries were illegal and void *ab initio* under the authority cited.

It further, in respect to these entries, satisfactorily appears to your committee that they were made in violation of direct and positive instructions from the General Land Office, forbidding such disposition of the land; that these instructions were issued at intervals from 1865 to 1880; that not the slightest attention was paid to them by the local officers, who still continued to dispose of the lands at private entry, and that in this way, within the limits of the Ontonagon and State Line grant alone, there were disposed of, between 1856 and 1880, as already stated, 88,471 acres of lands, more than three-fourths of which were entered by less than thirty corporations, firms, and individuals.

These figures are compiled from the pamphlet entitled "History of the Ontonagon and State Line Railroad Grant," a document prepared by the private entry claimants themselves, and furnished the committee for use in this case.

Some of the orders, emanating from the Land Department, prohibiting these entries, read by counsel to the committee, found in their brief, with references to the official records, and uncontradicted, were as follows:

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business.

Mr. PLUMB. I ask unanimous consent that Senate bill 1430 may be taken up at the conclusion of morning business to-morrow.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that the bill indicated by him may be proceeded with immediately after the conclusion of the routine morning business to-morrow. Is there objection? The Chair hears none, and it is so ordered.

Mr. BERRY. I ask unanimous consent to finish reading half a page of what I was reading before the regular order was announced.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas? The Chair hears none, and the Senator from Arkansas will proceed.

Mr. BERRY. The report continues:

"[Commissioner to register and receiver, July 5, 1865.]

"You will not forget that all odd-numbered sections in your district, north of township 40 and west of range 21 (including the lands in contest), were withdrawn from market by order of May 26, 1865, and hence not subject to entry, location, or claim until regularly restored to market."

"[Commissioner to register and receiver, May 29, 1873.]

"It appears from your returns that you have already allowed a number of entries of these lands without authority from this office; these will be submitted to the board for equitable adjudication, but you will not permit any further entries until the date of restoration."

"[Commissioner to register and receiver, March 1, 1879.]

"Under no circumstances will you permit any entries of any of these lands, or take any action further than herein directed, in relation thereto, until specially instructed by me."

"[Commissioner to register and receiver, August 1, 1879.]

"In disregard of the above instructions, you continued to permit entries and locations to be made upon these lands, and now report them as being in conflict with tracts listed and held for restoration by my decision of 7th March last. As I am unable to account for your action in the premises, you will please report at once, giving in full the reasons for such seeming misconduct."

"[Commissioner to register and receiver, October 12, 1880.]

"By said letter of 29th May, '73, you were directed to 'permit no further entries until the date of restoration.' Your attention is invited to said letter, and you will promptly report by what authority you have allowed entries upon lands within the limits of the withdrawal made for said railroad."

No attention whatever was paid by the local officers to these repeated orders, who, as before stated, continued to dispose of these lands, and up to October 12, 1880, had permitted entries covering over 88,000 acres of land within the limits of the railroad grant alone."

During the argument of the matter before your committee it was asserted by counsel for homestead and pre-emption settlers that most of the applications to enter were filled out in the handwriting of the then register of the Marquette office, the officer to whom the various prohibitory orders were sent; that they were frequently made on top of subsisting pre-emption and homestead claims, and that the register who allowed the most of them is now a member of a "committee of land-owners," urging the passage of the confirmatory bill and signing circulars levying assessments to aid its passage, one of which was read to your committee. Some of these allegations seemed to be sustained by the proofs.

Your committee is unable to resist the conclusion, under all the facts of the case, that not only were these private entries invalid and illegal, but that certainly, in some cases, they must have been made fraudulently and by collusion with the officers of the local land office. They are, accordingly, of opinion that an act confirming them should not be passed.

That is all I wish to present now.

Mr. DOLPH. Will the Senator allow me to ask him what report that is?

Mr. BERRY. That is a report made March 5, 1884, by Mr. Henley, of California, from the Committee on Public Lands. He made a subsequent report in the last Congress embodying the same ideas which I have read.

Mr. DOLPH. I should like to state to the Senator that I am informed by a member of this body that the Mr. Redington, who appears to be running this amendment pretty much, informed him that he wrote that report himself.

Mr. SPOONER. Does the Senator mean to say that Mr. Redington is running the amendment to confirm cash entries that I have offered?

Mr. DOLPH. No. He is the man who desires to prevent the confirmation of selections for the canal company, in order that the entries in which he is interested may be confirmed.

Mr. SPOONER. He is not in favor of the amendment I offered, as I understand.

Mr. DOLPH. The report read by the Senator from Arkansas was made by one majority only.

Mr. BERRY. I know Mr. Henley, of California, who made that report, to be an honorable gentleman, and a majority of the Committee on Public Lands acted with him in making it. I do not know who wrote it, but I think I may say that the men who made it made it honestly and because acting under their oaths they thought it was true.

Mr. DOLPH. I did not make such a suggestion, but I thought that was a fact which ought to be known.

Mr. PALMER. I call for the regular order.

The PRESIDENT *pro tempore*. Before the unfinished business is taken up, the Chair will present for reference bills from the House of Representatives.

HOUSE BILLS REFERRED.

The following bills, received from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 3008) for the relief of P. A. Leatherbury; and

A bill (H. R. 8956) for the relief of S. B. West, administrator of Thomas Becton, deceased.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 5591) for the relief of John McFall; and

A bill (H. R. 7509) granting to the York Harbor and Beach Railroad Company a right of way.

The bill (H. R. 8965) to authorize the Postmaster-General to cancel mail contract on route No. 30100, and for other purposes, was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

OREGON LAND DISTRICT.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the amendment of the House of Representatives to the bill (S. 555) to establish an additional land district in the State of Oregon, to which it calls the attention of the Senator from Oregon [Mr. DOLPH]. The amendment will be stated.

The CHIEF CLERK. In line 10 of section 1, after the word "range," the amendment is to strike out "twenty-three" and insert "twenty-four;" so as to make the section read:

That so much of the districts of lands subject to sale under existing laws at Lakeview, La Grande, and The Dalles land districts, in the State of Oregon, as are contained in the following boundaries, shall constitute a new land district, to be called the Harney land district, bounded as follows: Commencing at Snake River, in the State of Oregon, on township line between townships 12 and 13 south of second standard parallel; thence west to northeast corner of township 13 south, of range 24 east of Willamette meridian; thence due south to the southwest corner of township 29 south, of range 24 east of Willamette meridian; thence due east to the boundary line of the State of Oregon; thence north on said boundary line to the place of beginning.

Mr. DOLPH. I move that the House amendment be concurred in.

The motion was agreed to.

CORRECTION OF REMARKS.

Mr. GIBSON. I submitted some remarks in the debate of Tuesday last, which were published in the RECORD without my revision. They were in some respects incorrectly reported. I ask consent of the Senate that I may correct them and republish them in the RECORD. They are not long.

The PRESIDENT *pro tempore*. The Chair supposes the Senator from Louisiana would have the right to revise his remarks under the custom and usage of the Senate, without asking formal permission.

Mr. GIBSON. Then I shall do so.

Mr. COCKRELL. The Senator can have them corrected to appear in the bound RECORD as he wishes.

Mr. GIBSON. I wish them to appear also in corrected form in the daily RECORD.

The PRESIDENT *pro tempore*. The Chair does not understand that the Senator from Louisiana, under the rules, would have the right to insert a speech not delivered.

Mr. GIBSON. No, sir; I do not wish to do that. It was simply to correct a speech that was delivered, and to embody in the speech as published certain tables and figures that I stated to the Senate at the time that I would embody in the speech; but they were not printed because I did not have an opportunity to correct the report of the speech.

The PRESIDENT *pro tempore*. The Chair is under the impression that the Senator would have that right without appealing to the Senate.

Mr. GIBSON. Very well, sir. I ask that the remarks may appear again in the RECORD.

Mr. HOAR. Does the Chair understand that after a speech has been reported in the daily RECORD any Senator can have it reprinted in the daily publication in the RECORD?

The PRESIDENT *pro tempore*. The Chair did not understand that to be the request of the Senator from Louisiana.

Mr. GIBSON. That was the request I desired to make, that the speech be reprinted as corrected, it not having been correctly reported in some respects.

The PRESIDENT *pro tempore*. The Chair, then, will submit the question to the Senate for its determination, whether the Senator from Louisiana shall have the right to correct and revise the speech delivered on Tuesday and have the same printed in the RECORD as revised and corrected.

Mr. HOAR. I understand the request of the honorable Senator—of course the Senate will grant any request he makes on the subject—to be to republish the speech as delivered.

Mr. GIBSON. As delivered.

Mr. HOAR. With the tables which were omitted from publication, and which he announced his purpose to add to the speech, but which, in fact, are not there.

Mr. GIBSON. Yes, sir.

The PRESIDENT *pro tempore*. The Chair understands. If there be no objection, that consent is given as requested.

REPORTS OF COMMITTEES.

Mr. DAVIS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 7509) granting to the York Harbor and Beach Railroad Company a right of way, reported it without amendment.

Mr. HAMPTON, from the Committee on Military Affairs, to whom was referred the bill (S. 2477) granting the right of way to the Mobile and Birmingham Railway Company, the successor to the Mobile and Alabama Grand Trunk Railroad Company, across the Mount Vernon Arsenal reservation, in Mobile County, Alabama, reported it with amendments.

BUREAU OF ANIMAL INDUSTRY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes, the pending question being on the amendment offered by Mr. PALMER as a substitute for the bill.

Mr. PALMER. When I concluded my remarks the other day I was analyzing the letter of the Commissioner of Agriculture, and I will now continue that analysis, after which I will make a few remarks which will conclude what I have to say. The Commissioner says:

I am satisfied that no bill can be devised which would more speedily or more

effectively stamp out pleuro-pneumonia by any other plan than the one now in operation.

And then he contradicts himself, for he says (pages 60 and 63, report of hearings on this bill):

I think, of course, the law could be made much stronger than it is. * * * Of course, new machinery could be built up and equipped, and probably do just as good work as is being done at present.

That is all we ask. The men who framed the present law are the men who urge this bill. They know whether their first bill does the work or not, and they tell you what they know by urging this bill for their protection. The Commissioner says that "the State officers of the several States are in hearty accord with the bureau and perfectly satisfied with the work done."

If this be true, why do the governors of Nebraska and New Mexico (recently) set up their State quarantine against States in which he claims to have the disease in control? In New York and New Jersey the daily press is full of denunciations and grave charges. I sent up some clippings the other day to be read. I have enough here to take the time of the Senate all the afternoon, but the animus is shown by those read at that time.

In Kentucky, Pennsylvania, New York, and Illinois resistance has been offered to the officers. In New York, repeatedly of late, complaints have been and continue to be made, while local and county officers are vehement in complaint.

The Commissioner says that "a change in the bureau would bring in a body of new men who would be necessarily inexperienced." This bill distinctly provides for keeping all the present employés till their places are filled by others.

The Commissioner asserts that "the work of the bureau, so far, has been done in a conservative and economical way." The facts and figures furnished by himself and Dr. Salmon and others do not permit this conclusion, and I should like the Senate to give a little attention to the figures of the expenditure for the prevention and extirpation of pleuro-pneumonia.

The expenses of handling the disease in New York were:

From January 1 to December 31, 1887, total expense	$30,632.49
Compensation for slaughtered animals	21,894.66
Miscellaneous expenses	156.95
Traveling expenses	2,544.03
Salaries	6,036.35
	30,631.99

Salaries one-fifth of the whole.

Traveling expenses one-fifteenth of the whole.

Salaries and traveling expenses four-fifteenths of the whole.

A showing of the figures for the time from January 1, 1887, to date, will present a very much more unsatisfactory condition of things. The expense of handling the disease in New Jersey from January 1 to December 3, 1887, was as follows:

Total expense	$12,146.03
Compensation for slaughtered animals	5,491.00
Miscellaneous expenses	199.33
Traveling expenses	1,813.43
Salaries	4,642.27

Salaries one-fourth of the whole.

Traveling expenses about one-sixth of the whole.

Salaries and traveling expenses more than one-half of the whole.

A later showing will be much worse.

The expense of handling the disease in Maryland was, from January 1 to December 31, 1887—

Total expense	$105,883.81
Compensation for slaughtered animals	75,156.72
Miscellaneous expenses	1,170.16
Traveling expenses	9,430.49
Salaries	20,126.44

Salaries about one-fifth of the whole.

Traveling expenses about one-twelfth of the whole.

Salaries and traveling expenses nearly one-third of the whole.

The expenses of handling the disease in Illinois were, from September 1 (only) to December 31, 1887:

Total expense	$73,991.96
Compensation for slaughtered cattle	17,332.74
Miscellaneous expenses	3,952.52
Travel expenses	3,598.99
Salaries, etc	49,107.71

Out of $73,991, $49,107 was spent for salaries, two-thirds of the whole. The salaries and traveling expenses were over two-thirds of all. This may be conservative and economical, but it does not have that appearance.

If, as the Commissioner asserts, "the cost has been far less than was anticipated," those anticipations must have been wild. The contrast between the cost of the same work at the hands of the bureau and of the Illinois live-stock board is startling. (See Report of Hearings, page 34.)

From December 4, 1886, to February 1, 1887, 56 days, with 20 men, the bureau quarantined 1,217 cattle in 367 stables, at a cost of $3,300, or $2.75 for each animal quarantined. From February 1, with 14 men, in 35 days the Illinois live-stock board quarantined 10,192 head of cattle, in over 7,000 stables, at a cost of less than 10 cents per head. Ten cents against $2.75 per head.

The Commissioner lays much stress upon the importance of scientific skill in the work of the bureau. No one questions its value for scientific work for determining disease and for determining all scientific points. But the detail work of suppressing disease, and matters of transportation, quarantine, export trade, etc., are executive, practical, and business matters, for which the scientific man is, in fact, not only untaught but unfit. They constitute by far the greater and more financial features of the duty of such a bureau. The bill provides for the happy combination of these respective abilities.

The Commissioner claims that it "has been almost universally admitted that executive work requires one head and one responsibility," etc. The facts do not corroborate this statement, especially as to this class of work. In every State but one having officers to take charge of live-stock diseases there is a commission of three or more. Maine, Massachusetts, Connecticut, New Hampshire, Illinois, Maryland, and others all have them, while in others the State boards of health are so commissioned.

Under the General Government the same principle has been recognized in the Interstate, Civil Service, Treasury, Cattle, District of Columbia, Congressional Library, and other commissions, the Light-House, Coast Survey, Soldiers' Home, Fisheries, and other boards, and by appointment of Deputy Commissioners in the Patent, Pension, and other bureaus.

Invariably the best results have been obtained from such commissions, while in New York, Pennsylvania, and other States where a single executive had had charge of cattle diseases the results have been wholly unsatisfactory.

The Commissioner, with strange interpretation of the word "stock-growers," concludes that their recognition on the board is class legislation. Every farmer, breeder, feeder, or raiser of range, dairy, or draft cattle (horned or not) is a stock-grower. Every hog, mule, sheep, horse or goat raiser is a stock-grower.

Neither does "stock-grower" by any possible construction mean only one class of cattle-grower, as the Commissioner so queerly concludes. All classes of cattle-growers, dairyman, beef-producer, breeder, or feeder, are stock-growers.

But the bill says "cattle-growers." Why? Because the great threatening diseases that demand this law and which are paralyzing the traffic are cattle diseases; pleuro-pneumonia, tuberculosis, and foot-and-mouth diseases are our present chief concern.

No one objects to a dairyman in the commission. He is a practical cattle-grower. The cattlemen have immense values at stake.

The objections raised by the Commissioner to the creation of crimes, etc., by regulations of the proposed board, and to vesting the appointing power of subordinates in the board (except in emergency) no longer exist, having been removed by amendment.

Mr. President, a great many petitions and remonstrances have been sent in against the proposed legislation on this pleuro-pneumonia bill, and they generally come in the same shape. They are probably inspired by one hand. I have seen some thousands of them, and I am going to present a lot now from my own State; and each one reads thus:

We, the undersigned, your petitioners, citizens and voters in the town of Chandler, county of Huron, State of Michigan, respectfully demand:

1. That the work for the eradication of pleuro-pneumonia shall be continued under the Bureau of Animal Industry as at present organized.

I do not suppose there is a man in the State of Michigan who knows how the Bureau of Animal Industry is organized, unless it is myself. I have studied it somewhat, and on that account know a little about it.

2. That the law establishing this bureau be strengthened without changing the plan of work now in operation.

I do not believe the signers of the petition know what the plan of operation is.

3. That the Bureau of Animal Industry shall be allowed to remain in the Department of Agriculture, with a chief, who shall be a competent veterinary surgeon, and who shall report to the Commissioner of Agriculture, and that no board or commission shall be given any authority or control over this bureau, or the work which it is now performing.

I imagine that all of these memorials are inspired by one hand. I understand they are voted on and adopted in the different granges in the various States. That may be right, but I believe it does not represent the views of the signers.

The Senator from New York [Mr. HISCOCK] introduced some resolutions when this bill was last up for discussion, from some society in New York, the State Agricultural Society, I think, which were hostile to the bill. I now send to the desk a letter which indicates how that hostile action was procured.

The PRESIDENT *pro tempore*. The paper will be read.

The Secretary read as follows:

BATAVIA, N. Y., *April* 16, 1888.

DEAR SIR: Yours of the 13th instant is at hand. The action of the executive committee of the State Agricultural Society to which you refer was taken, as you suppose, upon representations made before it by Col. F. D. Curtis. In the absence of any opposing arguments the resolutions proposed passed unanimously. In justice to myself, and I have no doubt to other members of the com-

mittee similarly situated, I will say that I had not previously seen the full text of the Palmer bill, and it was of course impossible, with the light given us on the subject at the meeting, to fully study the subject. Our action was taken with the belief that we were warranted in the confidence given the representations made by Colonel Curtis.

Since the receipt of your letter I have quite carefully studied the subject and the copy of the bill before me, as well as other matter relating to it, and am entirely free to say that I now believe the action taken hasty and illy considered. I believe the subject should be again brought before the executive committee, of which you are now a member in place of C. C. B. Walker, deceased, and properly considered. Another meeting of the committee will be called soon to consider the question of the Syracuse location, on the report of a subcommittee, and I very much hope to see you at that time. This whole question as treated in the Palmer bill is too important to be passed over lightly, as I fear it has been, and representations which you could make, coming directly from the seat of war, would have great weight with the commission.

Hoping to hear from you again, I remain, yours truly,

FRANK D. REDFIELD.

Mr. F. C. STEVENS,
Washington, D. C.

Mr. PALMER. Will the Secretary now read between the brackets in the paper I send up to the desk?

The Secretary read as follows:

It is reported that Commissioner Colman has taken an active hand against your bill through one of his employés, Col. Frank D. Curtis, who has been very active in the farmer institutes in the State in creating a prejudice against your bill. I do not know who inspires him, but I do know he has been very active and very decided in his opposition. I am informed that it was through his influence that the executive committee of the State Agricultural Society took action against you.

Mr. PALMER. I will state that Mr. F. D. Curtis stands on the Blue Book as an employé, a statistician, I believe, in the Agricultural Department, with a salary of $1,200 a year. Here is the official reply of the Consolidated Cattle-Growers' Association of the United States to the resolutions of the executive committee of the State Agricultural Society of New York. I send it to the desk to be read.

The Secretary read as follows:

DEAR SIR: We beg your indulgence to enter an emphatic denial against certain insinuations brought forward in the course of the recent Senate debate upon the new pleuro-pneumonia bill.

A determined effort, it seems, is being made by parties whose interest in this whole subject is of a very recent and altogether doubtful character to discredit this bill, more especially among Senators representing States having extensive dairy interests, on the ground that the Consolidated Cattle-Growers' Association, which is asking this legislation in the name of the organized cattle-growers of the country, is being made the tool of the so-called stock-yard and oleomargarine interest.

The utter falsity of any such insinuation is so apparent to any one knowing even a little concerning the affairs of this association, that we have not deemed it necessary to enter any formal protest against such baseless allegations; but inasmuch as the late action of a committee of the New York State Board of Agriculture, cited by Senator HISCOCK, may be regarded as giving color of truth to such a charge, we desire to say that the allegation has not even the shadow of a foundation in truth to rest upon, and is as wholly false and misleading as it is malicious in conception; as our Albany friends could have easily ascertained had they sought information concerning the matter from those who have some slight acquaintance with the history of the National Association, the make-up of its managing board, and with the sentiments of the great dairy-cattle-breeders' organizations, which we have the honor to represent. Our only regret in connection with their action is that the members of said committee, having no personal knowledge of the truth or falsity of such evidence as may have been placed before them, should upon a hearing, entirely *ex parte* in its nature, have allowed designing parties to so play upon their natural prejudices in the oleomargarine matter, at the expense of an organization which has the interests of cattle-growers in the dairy regions of the country quite as much at heart as those of the ranch-owners of the far West.

In the first place, the "make-up" of this association is such as to absolutely preclude it from participating in any way, shape, form, or manner in factional disputes between the beef and dairy interests, or from taking any action or following up any policy inimical to the interests of a large and influential body of its membership. Its official board is as evenly balanced between the beef and dairy interests as it is possible to attain, and the stenographic records of all its association and executive committee meetings show that no position at any time has ever been taken or even recommended with reference to oleomargarine except one of strict neutrality; and this position it has throughout this whole matter faithfully maintained. Recruited, therefore, as our ranks necessarily are in about equal number from members of both parties to the "oleo" controversy, it happens that some of those identified closely with our work hold very pronounced individual opinions upon that much-discussed question, some for and others against, and we do not doubt they have at times freely expressed themselves according as their individual opinions have dictated, but we submit that we are no more to be held responsible for the private views of the members of our committees upon "oleo" or the tariff than for their personal opinions upon the equally controverted point as to "who struck Billy Patterson." Suffice it to say that no man as a representative of this association has ever been authorized to ask for but one thing at the National Capitol, and that is the enactment of an efficient law dealing with contagious diseases of farm animals.

Furthermore, any statements or insinuations that the so-called "oleo" syndicate is furnishing the funds to defray the only outlay we have in this matter, the traveling expenses and hotel bills of some of our members to make proper representations upon this subject to your honorable body, are baseless and malicious fabrications. A tithe of an unexpended balance in our treasurer's hands November 1, 1887, was contributed by the people interested in the cattle business at the Chicago yards; but since the present bill was draughted by your honorable committee they have neither contributed a dollar to our cause nor turned their hands over, so far as we are aware, in support of the pending bill. In fact, as a matter of common knowledge, at our late national convention the Chicago Live-Stock Exchange came out "flat-footed" in behalf of the Bureau of Animal Industry as it is; so that if any odium is to attach to affiliation with them at this juncture, it lies at the door of the opponents of the new and advanced legislation we now seek.

It may be remembered, by the way, that both this exchange and the Texas rangemen have opposed every fresh grant of power asked by this national association of Congress in relation to this whole subject, a statement which may assist somewhat in sounding the real depth of their present position.

Permit us to quote also, for the information of those who are endeavoring to poison the minds of the friends of the dairy interest against the bill, the following resolution, passed since the measure was finally amended and reported to the Senate, by the Holstein-Frisian Cattle Breeders' Association of America, at its meeting just held at Buffalo, N. Y.:

"*Resolved*, That we, the members of the Holstein-Frisian Association of America, are heartily in sympathy with the bill known as the Palmer bill (S. 2083) and firmly believe that its passage will greatly aid in the speedy extirpation of all contagious animal diseases in this country."

Now, it happens that this great organization of dairy cattle breeders has three of its most intelligent men upon the executive board of the consolidated association, namely, Messrs. F. C. Stevens, of New York; Thomas B. Wales, of Iowa, and Col. William M. Liggitt, of Minnesota, and as they are therefore familiar with the management of our organization, the unqualified indorsement above given by their own association may be claimed to represent the sentiment of dairy-cattle men about as accurately as any resolutions of a committee of a State agricultural board. If additional citation of sentiment upon this point is required, however, it is found in the following public declaration recently made by Maj. Henry E. Alvord, of the American Jersey Cattle Club, than whom no man stands higher as a steadfast champion of dairy interests:

"From first to last the members of the legislative committee of the Consolidated Cattle Growers' Association which have visited Washington for several successive years have individually and collectively labored honestly and earnestly, without compensation or the hope of reward other than the satisfactory results of the legislation sought, to serve the common interests of all owners of American neat cattle. And these committeemen have in no way, jointly or severally, acted to the prejudice of the interests of any cattle-owners or class of cattle-owners. Consequently, knowing well whereof I speak, I declare to be absolutely false and without foundation the assertions and insinuations that the Cattle Growers' Association and its Washington committeemen are influenced by or working in the interest of "the Chicago beef clique" and "the stock-yards people" any more than all other cattle interests of the country. The allegations that such committees have been unfriendly to the Department of Agriculture and to legislation favorable to the dairy interests are untrue, and when persisted in are maliciously mischievous, because they directly mislead and tend to cause dairymen and others to distrust those who are really their true and useful friends."

In conclusion we would merely say we hope that the Congress of the United States in considering this question will not be unmindful of the fact that but one association of cattle-growers in the United States declines to indorse this bill, and, as above intimated, that one has always opposed every law that has been proposed with reference to this subject, although now claiming to have experienced a change of heart with reference to the existing one which they fought in Congress to the bitter end.

Another class that interested parties are seeking to marshal against the bill is the Grange organization in different States. We suppose bodies having a membership composed of all classes of country people (ladies included) has as good a right to petition Congress as any other, but the men who have their all at stake in the cattle business, the organized cattle-growers of the nation, in short, have probably given this subject as much serious consideration and have about as much at stake as any other class of your constituents, and they hope and have faith that Congress will therefore recognize the justice and propriety of their being allowed to participate in the administration of a law which is of such vital concern to them as provided for in the bill now up for consideration.

W. A. TOWERS, *President.*
ALVIN H. SANDERS,
Secretary Consolidated Cattle-Growers' Association of the United States.

Hon. T. W. PALMER,
Chairman Senate Committee on Agriculture and Forestry,
Washington, D. C.

Mr. PALMER. I am merely having these documents read to show the animus of the opposition. Here is a letter from Mr. R. G. Head, of Denver, to show how it has been inspired and operated. It has been machine work, I think, all the way through. I ask for the reading of that part which I have marked.

The Chief Clerk read as follows:

I trust that your committee will use better discretion than to give credence to the "flaming" reports, or so-called resolutions purporting to be the expressions of large gatherings of Texas cattle-men. It is all most ridiculous bosh and is merely the agitation created by well-known agents of the present Bureau of Animal Industry and probably effected through careless use of funds from Washington, the paying for Associated Press dispatches, lengthy (Government rate) telegrams, traveling expenses, etc., all of which no doubt is done.

It is a moral fact that the cattle-men of Texas possess ordinarily as much good common sense as those of other sections, and such reports as I have referred to should not be accepted inadvisably as emanating from them. No feeling of unkindness, I believe, whatever exists between the cattle-men of Texas and those of other sections, and the schemes of the Bureau of Animal Industry through its efforts to create such unpardonable wrong impressions is the most outrageous conduct to which a man in high place could reasonably be guilty of.

Mr. PALMER. I now send up some extracts from Western papers, which will be the last extracts I shall call for.

Mr. PLUMB. Is it necessary to have those read?

Mr. PALMER. Not unless the Senate would like to hear them.

Mr. PLUMB. I think not.

Mr. PALMER. Well, let them appear in the RECORD, with the consent of the Senate.

The PRESIDING OFFICER (Mr. CHACE in the chair). If there be no objection, the extracts will be printed in the RECORD.

The extracts are as follows:

Opposition to the measure on Western ranges is confined to agents of the bureau and their personal influence. These gentlemen are making a mistake. They are paid for promoting stock interests, and they must be aware that it is preposterous for them to assume that the Consolidated Cattle Growers' Association is not the safest counselor on this question. Neither are they right in supposing that the proposed measure will interfere in other respects with the bureau or necessarily cost them their places. They ought to be foremost in advocating a law which will be worth so much to all cattle interests.

The Fort Worth Gazette of February 28 reports a meeting of stockmen which illustrates the kind of drumming referred to. A lot of resolutions were adopted assailing the Consolidated Cattle Growers' Association and opposing the passage of the bill protecting the country against contagious disease. The speakers were two agents of the Bureau of Animal Industry. This is explanation enough. No cattle-grower should be deceived by such meditated clap-trap. The association which is asking Congress to pass this important measure is composed of the most intelligent stock owners in the country, including full representation from the ranges. They can have no motive but a desire to save the nation from a great peril.—*Denver (Col.) News, March 28, 1888.*

The Live Stock Indicator, of Kansas City, a paper of wide influence among stockmen, says:

"There seems to be considerable of an effort being made in certain quarters looking to the defeat of the bill now before Congress amending the Bureau of

Animal Industry measure, and it is to be hoped that the International Range Association as a body will effectually sit down upon all such efforts. Range cattle owners are most deeply interested in the suppression of contagious diseases, because should they ever get a foothold upon the range, it will be found almost absolutely impossible to stamp them out. For several years we have been trying to secure a law that will effectually stamp out contagious diseases wherever they appear, and the Bureau of Animal Industry has had the matter in hand long enough to have succeeded had the law under which they worked been efficient. That body has, however, a host of paid agents, many of whom will be at the range convention, and naturally they are desirous of holding onto their places, regardless of the interests of stockmen generally."

The opposition to this important legislation, which is referred to in the Indicator, may be traced exclusively to the active efforts of the Animal Bureau. Under the present arrangement there is fat picking in return for no beneficial service, and it suits the men employed. They have good pay and traveling expenses, with nothing to do but lobby about stock meetings and conventions for one little job or another. They have improved their opportunity to the utmost. They have managed and molded half a dozen stock meetings in Texas, and, by the most inexcusable perversion of truth, they have deceived cattle-men and influenced the passage of resolutions suicidal to the best interests of the industry.

The only opposition known to exist in the West has been worked up by paid agents of the Bureau of Animal Industry. The News reported a meeting at Fort Worth recently which is a type of others. It was gotten up by two of these agents, and the two agents were the speakers. Presumably they are receiving $10 a day and traveling expenses for doing Government work. Their interest in these clap-trap meetings is to save their places. Yet they are themselves deceived as they are deceiving others in regard to the proposed measure. Instead of affecting the Bureau of Animal Industry injuriously, the bill proposes to reorganize that body on an effective and useful basis. The bureau will continue and there will doubtless still be men in its employ to attend meetings and conventions at a stiff salary, but ostensibly to protect cattle from disease.

These agents are not doing fair work in the premises. They are deceiving cattle-men in their statement of the case. For instance, Texans are falsely told that the Consolidated Cattle Growers' Association and its legislative committee, now at Washington in the interest of all stockmen, are unfriendly to Texas, and are "the same men who, under the pretext of disease, have sought to shut out healthy Texas cattle from the markets of the country for mischievous purposes and who are mainly responsible for the blockade at Camp Supply three years ago."

The circulation of such stuff as this about an association representing the entire country, including every State and Territory in the range, with a membership owning $800,000,000 in live-stock, is hardly the work that these ten-dollar men are paid by the Government for doing. The valuable service rendered by the Bureau of Animal Industry will be cheerfully recognized by stock-owners, but all will agree that such inexcusable misrepresentations, calculated to excite sectional hostility among cattle-men, is not a legitimate part of the bureau's work.

Some features of the present bureau have disgusted Western cattle-owners beyond measure, and its reorganization upon a business basis will be approved. The paid agents of this branch of Government service have been mainly identified with stock meetings and conventions in the interest of jobberies of one kind or another. They were at both of the Denver cattle conventions, with lobby work. Last year they were enlisted for a scheme designed to impose on the convention and to entrap individual members. Its real character became known, and honest men prevented it from even coming to the surface. Some of these persons, figuring at the Government's expense, are now trying to manufacture a sectional feeling in Texas against the proposed cattle legislation through fear of losing their places under the new law. They have procured the passage of resolutions in some stock meetings upon a statement of the case that is shamelessly untrue. The worst feature of their mischievous meddling is that it tends to create a hostile feeling among men whose interests are identical, and who should be harmoniously united.—*Denver News, March* 12.

Mr. PALMER. I have now got through with my presentation of the bill for the reorganization of the Bureau of Animal Industry.

If legislation was to be had in the face of as great a danger as we experienced last winter Senators would tumble over each other in their haste to vote for it. Then we had the most radical and grasping bill and the most extraordinary, if not the most unconstitutional, bill presented to the Senate that I have ever seen; and notwithstanding that I think it passed by a vote of 31 to 19. That was in the face of the great emergency existing in Chicago. Now it does not rain and we think our house does not need mending, but the time is coming when some bill giving full powers to the Bureau of Animal Industry will be required, when a reorganization will be demanded, and when a commission will be called for; how soon I do not know. But at present all the practical work that they are doing is under legislation in a clause in an appropriation bill—all the powers that they have to co-operate with the States and spend money for the purchase of cattle.

Here is an interest representing $2,400,000,000, which furnishes $103,000,000 annually of our exportations, and the exportations of that kind would be much larger but for the fact that they are tabooed and proscribed on the other side of the water on account of the diseases among our swine and our cattle. Here is a new disease threatening the existence of our horses; and still the report of the Chief of the Bureau of Animal Industry has devoted but one page to swine and the balance to pleuro-pneumonia.

I imagine that by the organization of a commission and defining their powers great economy can be conserved, and that this work can be taken in hand and in a very short time these diseases, not only pleuro-pneumonia, but tuberculosis can be extirpated; but if we let it run till another exigency arises we shall be without the means of accomplishing anything, and then this bill or some more radical one will be called for.

I hope, Mr. President, that the bill may pass. If it does not, I shall feel that I have acquitted myself, at the expense of the Senate, of my duty. It has been a long, tedious, and rather an oppressive explanation, but you have got all I know on the subject, and it will make very tolerable reading if you do not concur in all my views.

Mr. VEST. Mr. President, it is not my purpose to enter into any discussion or controversies of a personal character with regard to the Commissioner of Agriculture. He is a very honorable citizen of my State. He is my constituent, who occupied a high position there before he was appointed Commissioner of Agriculture, and as a man of integrity and sound judgment he has no superior, in my belief, in that Commonwealth. All I can say about him is that from my knowledge, and rather an intimate knowledge——

Mr. PALMER. Will the Senator yield to me a moment?

Mr. VEST. Certainly.

Mr. PALMER. I did not hear the first of the Senator's remarks. Did he claim that I made any charges against the Commissioner? I have been very careful to refrain from any personalities.

Mr. VEST. As a matter of course, I did not understand the Senator to make any personal charges, but the matter which was read from the Secretary's desk did reflect upon the Commissioner.

Mr. PALMER. Inferences might be drawn, but I do not wish to father any charges against him, for personally I like him very much, and regard him as my friend.

Mr. VEST. I am simply speaking with regard to what was read at the desk which did reflect upon the Commissioner of Agriculture, and which, if one-tenth of it be true, ought to hurl him from public life a disgraced and dishonored man. If he has used his official position for a personal purpose, to defeat legislation or advance it here, he is unworthy to be a messenger, much less to be the head of this great Department or in charge of a bureau like a Department. I do not believe he is capable of it.

My State is largely interested in this matter, and no personal consideration would induce me to hazard this great interest or any portion of it, and my course would not be changed if the person who is involved in this discussion, against whom these charges are made, were my own brother. I speak here now as a Senator from the State of Missouri, and I announce that my only object in any vote that I shall give or in any statement that I shall make here is to protect the cattle interest throughout the United States, and especially in the great Northwest, where the largest portion of it is found.

Mr. President, I have been diligent in searching for the truth all through this labyrinth of literature and of speech, and the first question is, do we need any additional legislation? Is there any such emergency, any such overwhelming danger to the cattle interest of this country as demands the bill now before the Senate? In order to arrive at the truth I did not know any source from which it could be obtained more readily than from the Commissioner of Agriculture himself. In view of the statements made here at the beginning of this debate—I will not undertake to say how many days ago—to the effect that there was a great increase of pleuro-pneumonia and of cattle disease through the country, I addressed him a communication, which I ask the Secretary to read, together with his reply. He is either unworthy of credence as a man or trust as an officer if there is any necessity for this bill at all.

The Chief Clerk read as follows:

WASHINGTON, D. C., *April* 5, 1888.

SIR: During the debate on the pleuro-pneumonia bill in the Senate to-day it was positively stated that "there is more pleuro-pneumonia in the country to-day than there ever has been," and also that "pleuro-pneumonia has now got beyond the Alleghanies and that it bids fair to get across the Mississippi." Will you kindly give me such information as may be in your possession showing the accuracy or inaccuracy of these statements?

Very respectfully,

G. G. VEST.

Hon. NORMAN J. COLMAN,
Commissioner of Agriculture.

UNITED STATES DEPARTMENT OF AGRICULTURE,
COMMISSIONER'S OFFICE,
Washington, D. C., April 6, 1888.

SIR: Your letter of inquiry has been received asking as to what information I have in regard to the correctness of the following statements made in the Senate, first, that "there is more pleuro-pneumonia in the country to-day than there ever has been," and, second, "that now pleuro-pneumonia has got beyond the Alleghanies and that it bids fair to get across the Mississippi." In reply I would refer you to my report to Congress (Senate Ex. Doc. No. 69, page 29), in which I have shown that this Department has succeeded in eradicating all pleuro-pneumonia known to exist in any part of the United States outside of the States of New York, New Jersey, Pennsylvania, and Maryland, with the exception of one herd in Connecticut and one in Virginia which have since been slaughtered, and that the spread of the disease has been controlled in these States, and that the infected centers are now held in rigid quarantine so that there is no danger of its spreading to other parts of the country. I have no knowledge that there exists to-day any pleuro-pneumonia outside of the States above named. Pleuro-pneumonia did exist in the county of Cook, Illinois, and the outbreak there was quite extensive, but it has been completely eradicated, and the quarantine restrictions placed on that county were removed on the 1st day of April of the present year. In the State of Pennsylvania but three herds are known to be infected, and as the agreement for co-operation goes into effect on Monday, April 9, these will be at once slaughtered.

This Department receives almost constantly reports of the breaking out of supposed pleuro-pneumonia in various sections of the country. It is an invariable rule to at once dispatch an experienced veterinarian to investigate the alleged existence of the disease. We almost invariably find that it is a false rumor and that the disease is of a different kind from the one reported to us. The farmers of the country are in such terror of pleuro-pneumonia that whenever their cattle die from causes unknown to them they immediately suspect it to be contagious pleuro-pneumonia and call on us for help. Not long since there appeared in the public prints positive statements that pleuro-pneumonia had appeared at New Castle, Ind. Veterinarians from that place forwarded lungs of animals killed, which they diagnosed as showing pleuro-pneumonia. It was decided on an inspection of the lungs by the Chief of the Bureau of Animal Industry that it was not that disease, and he so informed these veterinarians. Rumors, however, continued to pour in, positively asserting that pleuro-pneumonia was at New Castle, and a telegram was received from the State

veterinarian of Ohio stating that the disease there was in fact pleuro-pneumonia. The chief of the bureau, personally, went to New Castle, and in the presence of a number of veterinarians and officials of that State examined the suspected herd, and slaughtered and held post-mortem examinations on animals selected by the parties present as showing signs of disease, and satisfied them that the disease did not exist.

A statement was made in the Senate not long since that pleuro-pneumonia had broken out at Cincinnati, Ohio. A telegram was immediately forwarded to the State veterinarian asking if this statement was correct. The reply was in the negative, and I inclose it for your consideration.

Permit me to say that if there are any parties who are in possession of facts or knowledge from which they suppose pleuro-pneumonia to exist in any section of the country, they are certainly derelict in their duty to the cattle interest of the country not to bring such facts to the notice of this Department in order that we may investigate as to their truthfulness, and, if the disease is found, eradicate it. At present writing we have no reports or information of any kind that there is any pleuro-pneumonia in any place other than those I have named.

Very respectfully,

NORMAN J. COLMAN,
Commissioner of Agriculture.

Mr. PALMER. Will the Senator from Missouri yield a moment till I present some petitions?

Mr. VEST. Certainly.

Mr. PALMER. I present petitions which are indorsed upon the back, "Against the so called Palmer bill." I intended to present them when I made my remarks on their character.

The PRESIDING OFFICER. The petitions will be received and laid on the table.

Mr. VEST. Mr. President, I can not support this bill, and I do not propose making any elaborate argument against it, but in my judgment it is unconstitutional. No legislation that we have ever adopted here, or attempted to adopt, goes further than or as far as this pending bill. I recollect there was a bill introduced by a Democratic friend a few years ago—I can not say exactly how long, but in 1884, I am told it was—when the Senator from Kansas introduced a resolution making an appropriation of some thousands of dollars on account of foot-and-mouth disease of cattle in the State of Kansas. That resolution, about which I was so much criticised for having supported it, simply went to the extent of appropriating money to meet disease in the State of Kansas, with the consent and co-operation of the State authorities; and so with the general statute which I have before me now on the subject of pleuro-pneumonia and cattle disease, and of which this bill is pretended to be amendatory and a substitute for. That statute provides that the rules and regulations for the extirpation of cattle disease shall be submitted by the Commissioner of Agriculture to the authorities of the respective States for their co-operation.

But here is a bill that authorizes this so-called board of commissioners to go into any State and determine the question for themselves whether cattle shall be withheld from transportation or not, no matter what may be the intent on the part of the owner. They act without appeal, arbitrarily order his cattle to be killed, appraise them without his being heard in regard to their value. Such a measure in the way of arbitrary and dictatorial action has never been presented to the Congress of the United States.

If this bill be enacted, there is not a man in a single State in this Union who would be safe from the operations of this board if they came to the conclusion that his cattle had been exposed to disease, or had what is called a disease. He is not heard from. They simply go into the State, in defiance of the governor and of the Legislature, hearing from some irresponsible traveling vagrant, perhaps, that a man is buying cattle that he intends to send to the Chicago market. They meet when they please, give him no notice, and then kill his cattle and pay him what they suppose to be their value, without regard to any evidence.

I submit that there is much involved in the bill outside of what appears on the face. I undertake to say that of all the abuses that ever have existed in the shape of monopolies, in the shape of unjust exactions off the producer, the worst is that which exists in regard to cattle. I live in a city which is the second largest cattle market in the world, next to Chicago, and those of us who understand the operations of the cattle syndicate to-day know that we are helpless and writhing under the most terrible monopoly commercially that ever has existed on this continent. There are five men in the city of Chicago, or five firms, who regulate the price of cattle every day. They meet each night and fix the price for the next day. The farmer of Missouri who has cattle to ship starts to market when the quotations represent that beef is worth 3 cents to 3¼ cents per pound. He reaches Chicago and finds that the syndicate has put beef down the next day, when his cattle get there, to 2½ cents. He can not store his cattle as he could wheat or barley or rye or oats or cotton; he can not wait, and the result is that he must sell; he is coerced to sell. He goes to Armour and he is told, "Cattle are worth 2½ cents per pound;" he goes to another—"2½ cents a pound;" he is met all over the city with the unvarying response, "2½ cents a pound," and he must take it. They hold his property and confiscate his property as absolutely as if they possessed the right to take it from off his farm without paying him one cent.

Mr. President, you may talk about trusts, you may talk about pools; the cattle pool of Chicago is the most infamous tyranny that ever existed in the United States, and they have got that power to-day over the cattle producers, and I know no remedy for it. The statesmen who will invent one will deserve a monument more enduring than this Capitol. He would perform the greatest benefaction that has ever been done for the people of the Northwest.

I propose, without elaborating my views, to offer an amendment, to come in at the end of section 2. I do not care to say anything more about the bill.

The PRESIDING OFFICER. The proposed amendment will be read.

The Secretary read as follows:

Provided, That the owner of such cattle, or person having charge of the same, shall have reasonable notice of the time and place when and where the appraisement will be made, and shall be permitted to make proof as to the value of said cattle: *And provided further*, That said board, its agents and servants, shall have no authority to exercise any of the powers hereby granted within the limits of any State without first obtaining the consent of the executive authority of said State therefor.

[Mr. PLUMB withholds his remarks for revision. See APPENDIX.]

Mr. BLAIR. Mr. President, I do not think it necessary that I should undertake to add anything to what has been said by the Senator from Kansas [Mr. PLUMB] and by other Senators in regard to the importance of the interest which is involved in the legislation now proposed. There is probably hardly any material interest in this country of greater consequence than that which will be affected by this legislation.

I wish to call attention specifically to the existing legislation, to the means which now exist for the extirpation of pleuro-pneumonia and the other contagious diseases which are embraced in the scope of this proposed act, in order that the Senate may see distinctly how inadequate those means are to meet emergencies which exist and which must inevitably arise hereafter.

I wish to call attention to the fact that whatever has been accomplished hitherto in the removal of these diseases, in their suppression and extirpation, has not been accomplished by virtue of the power of any existing enactments, but in consequence of other arrangements which have been made, the result of which has conferred upon the joint executive power of the nation and of the States the very power which it is indispensable, as I think, that the nation should be able to exercise when the emergency arises.

The act of May 29, 1884, in section 3, defines the power which may be exercised by national authority, and it is as follows:

SEC. 3. That it shall be the duty of the Commissioner of Agriculture to prepare such rules and regulations as he may deem necessary for the speedy and effectual suppression and extirpation of said diseases, and to certify such rules and regulations to the executive authority of each State and Territory, and invite said authorities to co-operate in the execution and enforcement of this act. Whenever the plans and methods of the Commissioner of Agriculture shall be accepted by any State or Territory in which pleuro-pneumonia or other contagious, infectious, or communicable disease is declared to exist, or such State or Territory shall have adopted plans and methods for the suppression and extirpation of said diseases, and such plans and methods shall be accepted by the Commissioner of Agriculture, and whenever the governor of a State or other properly constituted authorities signify their readiness to co-operate for the extinction of any contagious, infectious, or communicable disease in conformity with the provisions of this act, the Commissioner of Agriculture is hereby authorized to expend so much of the money appropriated by this act as may be necessary in such investigations, and in such disinfection and quarantine measures as may be necessary to prevent the spread of the disease from one State or Territory into another.

There are other provisions which are to be made operative within the States and as between the States whenever there is that co-operation and consent mutually given between the State and the national authority as will enable them jointly to assume jurisdiction of and to extirpate this disease.

The act confers upon the Commissioner of Agriculture increased power to these ends in the District of Columbia and in the Territories, but the great evil exists, of course, in the States; and with reference to the control of disease in the States and its spread as between the States under existing legislation there is no national regulation upon the subject conferring power except as it may be exercised in connection with the assent of the States themselves.

By an appropriation act of the year 1887 a certain amount of money was appropriated to be expended by the Commissioner of Agriculture in the removal of the disease, in the prevention of its spread, and for the protection of our foreign and domestic commercial interests whenever this conjoint feature of operation and exercise of power can be produced and may be necessary by reason of the existence of the disease.

That, I think, is a fair statement, or at least it is a statement as I understand it to be, of the existing national legislation and of the existing legal forces, both State and national, which may be exercised for the control of this great danger to this important interest of our country.

I am not one of those who care to see any legislation enacted which shall disregard the rights of private property or in any way disregard the forces and power of the States in the defense of the individual rights of the citizens resident therein; but I desire to see upon the statute-book of the country legislation which will enable the national forces, the national power, to protect interstate commerce and commerce with foreign countries so far as this interest is concerned, and I think that it is due to the property of the citizens of the States and of the United States and of the community of this great interest that such legislation should be provided.

Under existing law we have given to the Commissioner of Agriculture the power to expend the money of the nation in compensation of the loss which results from the disease, and it is only by virtue, I may say,

of that power of appropriation of money to prevent the loss to individuals whose animals may be diseased, it is only by reason of the fact that we have provided the means of paying the bills, that the legislation of the country has been of any consequence hitherto. Upon this point there is no difference of testimony, as I understand. As a member of the Committee on Agriculture I listened to the statements of nearly all the witnesses, including the Commissioner of Agriculture himself, to whom I propounded questions upon this very point.

The existing legislation, as Senators will remember, grew out of the fact that this disease prevailed with great virulence in Chicago and with somewhat of virulence in some other portions of the country; but it was most destructive in Chicago. The Commissioner of Agriculture informed us that, called upon as he was to exercise such powers as he had, he found it utterly impossible to do so, and for the nonce there was a wrangle between the authority of the Government beseeching for the opportunity to go there and pay out the money of this nation, in order to remove this disease, and the authorities of the State, on the other hand, who refused such co-operation. The result was that the disease continued; that it spread everywhere; that this great interest became actually in danger, if not of extirpation, at least of such serious and protracted destruction or prostration as to throw into great difficulty the pecuniary interests and the industrial interests of the entire country, for we all understand when a great interest, approaching nearly $2,000,000,000, is deranged, practically destroyed, how all the other interests of the country must suffer with it.

So it has been demonstrated that the existing legislation is entirely incompetent to manage and to eradicate this difficulty when there fails to be such a consensus of will between the different legislative authorities of the country as is necessary to the full and the free exercise of the complete power.

The bill addresses itself to this primary difficulty, and it confers upon the Commissioner of Agriculture, as the representative of national power, and the commission which is organized in his Department and under his control, the power, so far as the great, broad national interest of interstate and foreign commerce is concerned and affected by these diseases, to seize upon and to eradicate the diseases so far as they can be subjected by the forces of the nation or of the nation and State combined. That is to my mind the main excellence of this bill.

The commission itself I do not think to be in its organization open to objection. The Senator from Kansas spoke of the suspicion that in its organization it might be affected by the great "combine" to which he alludes. I have not myself come in contact with that power. I doubt not that it exists, and that it affects and controls very largely the great interest with which we have to deal in this legislation; but in a commission of five persons, of whom the Commissioner of Agriculture himself is one and is the chief, and the remaining four are to be appointed in the discretion and by the selection of the President and with the approval of the Senate, we are likely in this way to secure the organization of a force for the control of these diseases which will be as little amenable to the influences to which he refers as will likely be a commission organized within a single bureau of this Government. In the first instance the commission which is proposed by the bill has at its head the Commissioner of Agriculture himself. There are then to be four other individuals selected by the President and to be confirmed by the Senate.

So in the organization of the commission contemplated by the bill we have the security, first, of whatsoever of discretion and of integrity there is in the Commissioner of Agriculture himself, who alone as an individual constitutes the commission which now exists and is responsible for the whole of it. In addition to whatsoever there is of official capacity and official integrity in the selection of the individuals who are to discharge this great duty by the provisions of this bill, we have the knowledge, the intelligence, the official honor, the official integrity of the President of the United States, himself the creator, with the sanction of the Senate, of the Commissioner of Agriculture; and we have whatsoever there may be of intelligence, of integrity, of knowledge of men, and of proper official action to be secured by the consideration and the approval of the Senate itself. I look upon a commission thus created as a body far better fitted to exercise the tremendous powers which are undoubtedly involved and which must be involved in the control and extirpation of these diseases; I look upon it as one far more likely to exercise its powers properly and resist the malign and secret influences which have been alluded to by the Senator from Kansas.

The commission is to have upon it a representation not exceeding two members, who shall be practical cattle-growers. It may be said that practical cattle-growers are likely to be interested or liable to be subject to be influenced by this secret organization, whatever it is; but however that may be, every one must see that this secret organization and the cattle-growers as a whole are interested, and above all others interested in the suppression of these diseases. All their profits, the profits of the combine, the profits of the honest cattle-grower upon the plains of Kansas or Texas, or among the mountains of Montana, the profits of everybody depend upon the extirpation of the diseases; and I am utterly unable to see how primarily the combine or anybody can be interested to secure the appointment of a citizen who would be inefficient in the discharge of his duties for the preservation of the great cattle interest, which is at the bottom of it all.

Even if it were so, as I said before, such a commission as this is far more likely to be above and beyond and outside of these malign influences under the operation of two practical cattle-growers to be selected not from any combination. It is to be assumed that the President and the Senate and the Commissioner of Agriculture, who is to preside over all, will among them be likely to select men who are not thus interested against the general public interests.

To the Commissioner of Agriculture I gladly pay the tribute which belongs to any competent, high-minded, and, as I think, exceedingly energetic and efficient public officer. The existing commission is organized under his direction, but practically it is very largely beyond his personal supervision, by reason of the great mass of other duties which he has to perform. It is a commission of mere clerks with one high scientific man, the surgeon. Is not such a commission as is proposed, when you come to confer upon it the increased power which it is indispensible to have in this national legislation if we are to control it, far more effective? We have the power to control it when necessary, at all events. Is not a commission of mere clerks and a veterinary surgeon at least exceedingly liable to be controlled by the great and dangerous influences to which allusion has been made? It seems to me that it would be the height of madness to pass any law which gives competent power if we did not elevate the character and the responsibility and the efficiency of the commission which is to exercise that power.

The bill as it originally came from the committee contained, as I think, no attempted exercise of power which was not embodied in the bill passed in the last Congress by a large majority through the Senate; but objection being made to the extent to which the rights of the States and of individual citizens of the States might be interfered with under its provisions, and the committee being exceedingly anxious in view of the pressing importance of some legislation upon the subject, the bill was referred again to the committee, and the present substitute or modification has been returned with its sanction, the passage of which is asked on its part by the Senate.

An attempt has been made to confine the powers conferred and to be exercised strictly to the protection of animals which are the subject-matter destined for interstate commerce. The committee believe, at least some members of the committee, perhaps a majority, that the powers of the commission under this bill will fall somewhat short of those which it will be necessary to have exercised, and that still the co-operation of the States very largely will be requisite in order that the diseases may be reached in those hidden recesses far within State lines, or it may be upon the borders of States which must be reached, and which must be exercised, I say, in order that the diseases may be controlled.

However that may be, and our experience hereafter may demonstrate the shortcomings of this bill, nevertheless, for the sake of obtaining some legislation that will be on the national statute-book and ready for coming emergencies, it has been deemed proper to submit the bill in its modified form. I do not think that it is possible for any one who will peruse it carefully to find any objection even from the standpoint of the most ultra believer in what we call State rights.

I do not know that there is anything more I wish so say, at present at least, in regard to the bill. It is not of supreme consequence to the part of the country where I reside, save only that whatever affects any of the parts of our common country affects us all. The disease seldom appears there; its ravages are easily controlled.

Mr. DAWES. You want good, cheap beef?

Mr. BLAIR. Yes; it is indispensable to us that we have cheap beef and good beef. Good beef, though, we are able to buy by paying what is necessary for our board in New Hampshire. Nevertheless, as parts of this great whole, our farmers and our people are exceedingly anxious that there shall be efficient legislation upon the national statute-book. We are at the present time entirely at the mercy of any discordant voice in any State in this country. We may pay the bills, we may attempt co-operation, but it is only upon condition that the State will consent to co-operate that we have been able hitherto to accomplish anything under the provisions of the law. It does seem to me that if we are to exercise the power of appropriation for the promotion of subjects which are within the admitted scope of national power and the national Constitution, it is our duty when we exercise the power to appropriate that we give the statutory authority for the exercise of that power. This bill simply does that.

Mr. REAGAN obtained the floor.

Mr. MORGAN. If the Senator from Texas will yield to me, I will move an executive session.

Mr. REAGAN. I will consent to that, with the understanding that I retain the floor until morning.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The Senator from Texas will be entitled to the floor when the unfinished business comes up again.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed

the following enrolled bills and joint resolution; and they were thereupon signed by the President *pro tempore:*

A bill (S. 333) granting a pension to Reuben Brownmiller;

A bill (S. 334) granting an increase of pension to Charles F. Allgower;

A bill (S. 738) granting a pension to guardian of Enos J. Searles, of Clermont County, Ohio;

A bill (S. 1148) to grant a right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes;

A bill (S. 2267) for the relief of the Omaha tribe of Indians in Nebraska, to extend time of payment to purchasers of land of said Indians, and for other purposes;

A bill (S. 2605) relating to the anchorage of vessels in the port of New York;

A bill (S. 2671) to create and organize the county of Latah;

A bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $150,000 therefor; and

Joint resolution (H. Res. 56) authorizing the use and improvement of Castle Island, in Boston Harbor.

EXECUTIVE SESSION.

Mr. MORGAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and twenty-eight minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

On motion of Mr. SPOONER, it was

Ordered, That when the Senate adjourns to-day it be to meet on Monday next.

QUARANTINE SERVICE.

Mr. HARRIS. I ask unanimous consent for the consideration of Order of Business 815, Senate bill 2493.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2493) to perfect the quarantine service of the United States.

Mr. HARRIS. The Surgeon-General of the Marine Hospital Service called my attention some time ago to the fact of trespasses by unauthorized individuals upon quarantine grounds, and I therefore suggest as a remedy for that evil that in line 3, on page 1, section 1, we insert the words:

Whenever any person shall trespass upon the grounds belonging to any quarantine station, or.

The amendments which I propose are in line 3 and line 9. They were prepared by the Surgeon-General of the Marine Hospital Service, and I send them to the desk.

The PRESIDING OFFICER (Mr. DOLPH in the chair). The amendments will be stated.

The SECRETARY. In section 1, line 3, after the word "that," it is proposed to insert:

Whenever any person shall trespass upon the grounds belonging to any quarantine station, or.

So as to read:

That whenever any person shall trespass upon the grounds belonging to any quarantine station, or whenever any person, master, pilot, or owner of a vessel entering any port of the United States, shall so enter in violation of section 1 of the act entitled "An act to prevent the introduction of contagious or infectious diseases into the United States," approved April 29, 1878, or in violation of the quarantine regulations framed under said act, etc.

The amendment was agreed to.

Mr. HARRIS. In line 9 of the same section, after the word "person," I move to insert "trespassing or such;" so as to read:

Such person trespassing, or such master, pilot, or other person in command of a vessel shall, upon conviction thereof, pay a fine of not more than $300, or be sentenced to imprisonment for a period of not more than thirty days, or shall be punished by both fine and imprisonment, at the discretion of the court.

The amendment was agreed to.

Mr. RANSOM. I appreciate, Mr. President, the very great importance of the immediate passage of this bill. If the reports of the consuls abroad were presented they would show that we are in danger of contagion reaching our country; and I will not say a word or do anything in the world to delay the passage of the bill; but I would be glad if the Senator from Tennessee would give me information on one point. I see that there is a quarantine station established near Cape Charles and one at Sapelo Sound, on the coast of Georgia. If an infected vessel were to come into the port of Beaufort or Wilmington, N. C., it would be sent, as I understand, to the nearest station for disinfection.

Mr. HARRIS. The Senator is quite right. Such vessels would be sent to the nearest quarantine station to be disinfected and the cargo and passengers taken care of.

Mr. RANSOM. If the vessels were obnoxious to the charge that they were infected?

Mr. HARRIS. If they had infection on board they would be disinfected, and if they had persons affected with contagious disease they would be deposited in the hospital and treated in the best possible manner.

Mr. RANSOM. That is all right. My attention was called to the bill this morning by a letter, and I should have seen the committee or have seen the Surgeon-General and prepared what I think is a proper amendment to make another station if I had supposed the bill would come up to-day; but I will not delay the passage of this bill. I can very easily, if my view about an additional station is right, on seeing the Surgeon-General prepare a bill for that purpose—and I know in that matter I shall have the co-operation of the Senator from Tennessee—introduce it and secure its passage, establishing a new station; or I can get some gentleman of the other House to introduce an amendment there to this bill before its final passage. With that statement I will not delay this bill.

Mr. HARRIS. I desire to say to the Senator from North Carolina that there were a large number of memorials, petitions, and resolutions from sanitary organizations presented here and referred to the committee of which I have the honor to be chairman. In considering these various appeals for quarantine stations and to guard against the importation of contagion into this country we deemed it proper to submit all the applications to the Treasury Department and to the Surgeon-General of the Marine-Hospital Service. They were so submitted, and the Surgeon-General came before us, we interrogated him, and finally instructed him to systematize the whole matter of coast defense against contagion and report to us the quarantine stations absolutely necessary. He did so.

This bill was prepared by the Treasury Department upon the suggestions of the Surgeon-General of the Marine-Hospital Service, just as it appears here. It was unanimously reported by the committee. Any application to establish an additional quarantine station will be referred to that Department for its investigation, and when found necessary by the officers in charge of the quarantine service, I take it for granted the committee will favorably report it and respond to the necessities, whatever they may be.

Mr. RANSOM. In that view I have no doubt that the bill has been well prepared and deliberately considered; but having received a letter from a most intelligent gentleman, who has given a great deal of thought to this subject, only this morning, I thought proper to make my statement to the Senate.

I will not offer an amendment now, as I said in my previous remarks, because I do not desire to delay the passage of the bill, nor could I offer it with propriety until I had seen the Surgeon-General and learned his reasons for the bill in its present shape, which I suppose are satisfactory.

I offer no amendment now to the bill. Let it pass; I think it ought to be passed; but hereafter I shall see the Surgeon-General, and if necessary I will try to have the amendment offered elsewhere, or it may not be necessary at all.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. TELLER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 56 minutes p. m.) the Senate adjourned until Monday, May 7, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate May 3, 1888.

INDIAN AGENT.

Henry George, of Wingo, Ky., to be agent for the Indians of the Colorado River Agency in Arizona, to take effect July 1, 1888, *vice* George W. Busey, resigned.

POSTMASTERS.

Howard H. Edwards, to be postmaster at Fayetteville, Onondaga County, New York, *vice* William Austin, term expired.

James B. Keeler, to be postmaster at Ellenville, Ulster County, New York, *vice* Oscar B. Seaman, term expired.

N. H. Sixby, to be postmaster at Horseheads, Chemung County, New York, *vice* Lawrence L. Curtis, term expired.

HOUSE OF REPRESENTATIVES.

THURSDAY, *May* 3, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

POSTAL REGULATIONS AND TREATIES, UNITED STATES AND CANADA.

The SPEAKER laid before the House a letter from the Postmaster-General, in response to a resolution of the House calling for information relative to postal regulations and treaties between the United States and Canada; which was referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

ROLLINS PRESSLEY.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting, with accompanying papers, a letter from

the Commissioner of Indian Affairs relative to the claim of Rollins Pressley for legal services rendered to the Eastern band of Cherokee Indians; which was referred to the Committee on Indian Affairs.

J. E. KELSEY VS. THE UNITED STATES.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting the findings of fact in the case of James E. Kelsey against the United States; which was referred to the Committee on War Claims.

PUBLIC BUILDING SITE, INDIANAPOLIS.

The SPEAKER also laid before the House the bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $125,000 therefor, with amendments by the Senate.

Mr. BYNUM. Mr. Speaker, I ask unanimous consent that the amendment of the Senate be concurred in. I ask permission to make a short statement in regard to the amendment. The only change made in the bill by the Senate is that the amount appropriated is increased from $125,000 to $150,000. Upon consultation with the owners of the property and with leading citizens there, my colleague, Major STEELE, and myself concluded that $125,000 might not be sufficient to purchase the ground, and, in compliance with our request, the bill was amended in the Senate by adding $25,000 to the appropriation. I would state further that it is important that this bill should pass immediately, because the value of the land is continually increasing and the sooner the Government buys it—and we are bound to buy it—the cheaper it can be had.

The amendments of the Senate were read, as follows:

Page 1, lines 13 and 14, strike out "25" and insert "50."

Also amend the title so as to read: "An act providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $150,000 therefor."

The amendments of the Senate were concurred in.

Mr. BYNUM moved to reconsider the vote by which the Senate amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGES ACROSS CAPE FEAR AND OTHER RIVERS, NORTH CAROLINA.

The SPEAKER also laid before the House the bill (S. 2345) authorizing the construction of bridges across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina, returned from the Senate with a request for a conference upon the disagreeing votes of the two Houses upon the House amendment to the bill.

On motion of Mr. CRISP, by unanimous consent, the House insisted upon its amendment, and agreed to the conference requested by the Senate.

The SPEAKER appointed as managers of the conference on the part of the House Mr. CRISP, Mr. PHELAN, and Mr. ANDERSON, of Iowa.

WHARF AT FORTRESS MONROE.

The SPEAKER also laid before the House the bill (S. 2624) to provide for the enlargement of the dimensions of the wharf at Fortress Monroe; which was referred to the Committee on Military Affairs.

PUBLIC BUILDING AT WILMINGTON, DEL.

The SPEAKER also laid before the House the bill (S. 1062) to increase the appropriation for the erection of a public building at Wilmington, Del.; which was referred to the Committee on Public Buildings and Grounds.

PUBLIC BUILDING AT ATCHISON, KANS.

The SPEAKER also laid before the House the bill (S. 1726) for the erection of a public building for the use of the post-office and Government offices at the city of Atchison, Kans.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

RAILROAD BRIDGE AT LITTLE ROCK, ARK.

The SPEAKER also laid before the House the bill (S. 2198) to authorize the building of a railroad bridge at Little Rock, Ark.; which was read a first and second time.

Mr. ROGERS. Mr. Speaker, a House bill similar to this has been reported by the House committee. The road referred to in the bill is now completed to Little Rock, and is about to be opened. There is great anxiety that this bridge should be authorized as speedily as possible. I trust, therefore, unanimous consent may be given for the immediate consideration of this Senate bill, and also to dispense with its reading, as it is an exact copy of the House bill, with the single exception that, as the gentlemen who asked for the passage of the House bill have since been incorporated, a corresponding change has been made in the Senate bill. The parties, however, are precisely the same, and the Senate bill is satisfactory to the House committee.

Mr. MCMILLIN. If this bill can be considered and passed without debate and without the reading of the bill, I do not object.

The SPEAKER. The gentleman from Arkansas [Mr. ROGERS] asks unanimous consent that this bill be considered, and that the reading of the bill be dispensed with. Is there objection to either request? The Chair hears none.

The House accordingly proceeded to the consideration of the bill, which was ordered to a third reading, was accordingly read the third time, and passed.

Mr. ROGERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. If there be no objection, House bill No. 7790, of similar purport to the Senate bill just passed, will be laid on the table.

There was no objection, and it was ordered accordingly.

PUBLIC BUILDING AT EMPORIA, KANS.

The SPEAKER also laid before the House the bill (S. 1913) for the erection of a public building at Emporia, Kans.

Mr. RYAN. The House Committee on Public Buildings and Grounds has reported a bill for the erection of a public building at Emporia, Kans., the cost being limited to $60,000. This Senate bill is similar in its provisions, except that the limit of the cost is $100,000. I ask unanimous consent that the Senate bill be now taken up for consideration, and that it be amended by substituting the provisions of the House bill.

Mr. MCMILLIN. I suggest to the gentleman from Kansas [Mr. RYAN] that he had better let this matter go over for the present. The time for debate on the tariff is limited, and I dislike to consent to having that time otherwise occupied.

Mr. RYAN. I will say to my friend from Tennessee that if this proposition provokes any discussion——

Mr. MCMILLIN. I prefer that the gentleman should let it go over. There may be opportunity later in the day for its consideration.

The SPEAKER. If there be no objection, the Chair will retain the bill on the Speaker's table.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. ANDERSON, of Illinois, for two weeks, on account of important business.

To Mr. LAFFOON, indefinitely, on account of sickness.

To Mr. KELLEY, until Monday, the 7th instant, on account of important business.

NICARAGUAN PUPIL AT MILITARY ACADEMY.

Mr. TOWNSHEND. Mr. Speaker, I have in my hand a joint resolution which has been passed by the Senate at the request of the Secretary of State, simply extending to the Government of Nicaragua the privilege of having one of its citizens educated at the West Point Military Academy at his own expense. The bill passed the Senate immediately upon the request of the Secretary of State, and the Committee on Military Affairs of this House recommend that the House concur in the passage of the measure. A similar courtesy has heretofore been extended to the Government of Guatemala as well as the Government of Nicaragua.

Mr. MCMILLIN. Is it understood that this measure involves no expense to the Government of the United States?

Mr. TOWNSHEND. The resolution provides that no expense is to be incurred by the United States.

Mr. MCMILLIN. Then I do not object.

There being no objection, the House proceeded to the consideration of the joint resolution (S. R. 68) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point José Andrés Urtecho, of Nicaragua; which was read, as follows:

Resolved by the Senate and House of Representatives, etc., That the Secretary of War be, and he hereby is, authorized to permit José Andrés Urtecho, of Nicaragua, to receive instruction at the Military Academy at West Point: *Provided*, That no expense shall be caused to the United States thereby: *And provided further*, That in the case of the said Urtecho the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The joint resolution was ordered to a third reading; and was accordingly read the third time, and passed.

Mr. TOWNSHEND moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CORRECTION OF REFERENCE.

Mr. SPRINGER. I desire to have corrected the reference made yesterday of an executive document. A communication was transmitted to the House by the Secretary of the Treasury, recommending legislation for enforcing the laws for the collection of internal revenue in the public-land strip known as "No Man's Land;" and the communication was referred to the Committee on the Judiciary. The Committee on the Territories has taken jurisdiction of this subject and desires the information embraced in the correspondence which accompanies this communication. I ask unanimous consent that the reference be

changed to the Committee on the Territories, and that the communication, with the accompanying documents, be printed.

The SPEAKER. If there be no objection, the communication mentioned by the gentleman will be referred to the Committee on the Territories, and ordered to be printed.

There being no objection, it was ordered accordingly.

MESSAGE FROM THE PRESIDENT.

A message, in writing, from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved and signed bills of the following titles:

An act (H. R. 6759) granting a pension to Mary Robinson;

An act (H. R. 5233) granting a pension to William F. Randolph;

An act (H. R. 5118) granting a pension to Theodore Gardner;

An act (H. R. 4106) granting a pension to Olive Wallace;

An act (H. R. 4110) granting a pension to Mehitable Wheelock;

An act (H. R. 6812) granting an increase of pension to Stephen Thurston;

An act (H. R. 4672) granting an increase of pension to Mrs. Emily M. Wyman;

An act (H. R. 3253) appropriating the sum of $52,090 for the enlargement and improvement of the United States Government building at Charleston, W. Va.;

An act (H. R. 7546) to amend sections 2595 and 2596 of the Revised Statutes of the United States, and to provide a collector at the port of St. Paul, Minn., and for other purposes; and

An act (H. R. 4557) for the relief of George F. Chilton.

Mr. McMILLIN. I call for the regular order.

PARIS INTERNATIONAL EXPOSITION.

Mr. BELMONT. I rise for the purpose of submitting a privileged report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. Res. 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 7, 8, 10, 11, and 13, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: On page 2, line 9, after "appoint," insert "as assistants to the commissioner-general;" and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: On page 3, line 17, in lieu of the sum named, insert "$250,000;" and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: On page 3, line 21, after "exposition," insert "and accompany the same with a report respecting such production, to be printed in the English, French, and German languages;" and the Senate agree to the same.

PERRY BELMONT,
ROBERT R. HITT,
ISIDOR RAYNER,
Managers on the part of the House.

JOHN SHERMAN,
WM. M. EVARTS,
JOSEPH E. BROWN,
Managers on the part of the Senate.

The SPEAKER. The Clerk will now read the statement which accompanies the conference report under the rule.

The Clerk read as follows:

The managers on the part of the House submit the following statement:

The amount appropriated by the joint resolution, as it passed the House, was $225,000; the Senate increased it to $300,000; the conferees agreed upon an appropriation of $250,000. The Senate increased the allowance for salaries and expenses of the commissioner-general and assistants on the ground that the length of time over which their services would extend would be much greater than on the corresponding occasion in 1878, and the House managers accepted these amendments. The proposed honorary commissioners from States and Territories are stricken out, as is also the provision requiring in express terms an exhibit to be made of American pork products, the House managers having assurance from the Commissioner of Agriculture that, under the general terms of the joint resolution, he will be able to carry out the purpose had in view by the House when this amendment was added to the resolution.

PERRY BELMONT,
ROBERT R. HITT,
ISIDOR RAYNER,
Managers on the part of the House.

Mr. BELMONT. I ask that the letter of the Commissioner of Agriculture be printed in the RECORD.

There was no objection, and it was ordered accordingly.

The letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
COMMISSIONER'S OFFICE,
Washington, D. C., April 28, 1888.

SIR: I have the honor to acknowledge the receipt of your letter of the 25th instant, requesting to be informed whether if lines 17-35 be stricken out of House resolution 83 it will still be possible for me to carry out substantially the purpose had in view by the House when the resolution was passed.

The exhibits of "suitable specimens of the agricultural productions of the several States and Territories of the Union," for which provision is made in the joint resolution, would necessarily include a complete line of our pork products, which have always been our most prominent branch of meat exports, and as a surplus for foreign food supply still next in importance to exportation of breadstuffs, having averaged for a quarter of a century about 15 per cent. of our entire pork production, and in some years reaching 30 per cent., constituting a large proportion of Western pork packing, and requiring in 1880 more than 7,000,000 swine to produce it.

It would be eminently proper and in accordance with usage in all international exhibitions to prepare precise statements of our methods in swine raising and process of curing for gratuitous distribution at the Paris exposition. It should of course be accurate and dignified, without offensive reference to foreign decrees of exclusion. Similar information concerning other products which compete with European agriculture would naturally and properly be made in like manner. Thus the fullest opportunity would be enjoyed for showing the abundance and soundness of our material for swine-feeding, the ample and airy feeding grounds and healthful conditions for meat-making, and the ingenious and skillful methods in killing, dressing, and curing, for the production of the most healthful pork products that are sent into the markets of the world. I answer your inquiry therefore in the affirmative, having in mind always the important proviso in your letter, namely, "if a sufficient appropriation be made." In this connection I beg leave to suggest that the sum allowed by Congress for this purpose be distinctly named in the appropriation act and not left to the exigencies of the occasion and the pressure of other interests in the exhibition. The original resolution would seem to contemplate an expenditure on the part of this Department of $25,000 for the single exhibition of our pork products. I consider this sum reasonable, and only express the hope that if other agricultural industries are to be represented through the Department a proportionate sum be allowed for the purpose. Indeed, I should consider it most desirable that the collection of agricultural products should be made exclusively by this Department, and that a single national exhibition, rather than numerous local exhibits, should be made. In other words, the governors of the several States and Territories should co-operate with this Department, so far as the respective exhibits relate to agriculture, in order that a well arranged and thoroughly systematic exhibition may be made. I respectfully and urgently urge the importance of this point upon your committee.

It does not need any argument from me to prove the value to this country, from every point of view, of such an exhibition by this Department of the products of American agriculture—an exhibition that shall fairly represent the remarkable variety and superior quality of such products, as well as the dignity of a country with the largest agricultural product and greatest surplus of any nation in the world.

Very respectfully, your obedient servant,

NORMAN J. COLMAN,
Commissioner of Agriculture.

Hon. PERRY BELMONT,
Chairman Committee on Foreign Affairs, House of Representatives.

The conference report was adopted.

Mr. BELMONT moved to reconsider the vote by which the conference report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

LABOR TROUBLES IN PENNSYLVANIA.

The SPEAKER. The gentleman from South Carolina [Mr. TILLMAN], chairman of the Select Committee to Investigate Existing Labor Troubles in Pennsylvania, asks, by unanimous consent, that the testimony taken before that committee, as well as the report which has been prepared, but not yet adopted, may be printed. If there be no objection, it will be so ordered.

There was no objection, and it was ordered accordingly.

TEMPORARY AID FOR COMMON SCHOOLS.

Mr. BIGGS, by unanimous consent, presented a petition to the Congress of the United States of America, praying for the enactment of a bill providing temporary aid for common schools, to be disbursed on the basis of illiteracy, thereby securing the means of education in otherwise neglected portions of our country, and asked that it be printed in the RECORD and referred to the Committee on Education.

Mr. SPRINGER. Of course, without the names.

Mr. BIGGS. Yes; without the names.

There was no objection, and it was ordered accordingly.

The petition is as follows:

Petition for national aid to common schools.

To the honorable the Senate and House of Representatives of the United States of America:

We, the undersigned, citizens of Amador City, county of Amador, and State of California, believing that the prosperity and perpetuity of all free institutions depend upon the intelligence and virtue of the people; that ignorance exists to an alarming degree, and endangers the general welfare of the Republic, we therefore earnestly pray for the enactment of a law which shall authorize the appropriation of money from the Treasury of the United States for temporary aid in the establishment and maintenance of free public schools, and for such other remedial legislation as is necessary, to the end that the number of illiterates in the country, now exceeding 6,000,000 persons, ten years of age and over, shall be reduced to a minimum.

VETO MESSAGE OF BILL FOR RELIEF OF EMILY J. MILLS.

The SPEAKER laid before the House the following message of the President:

To the House of Representatives:

I return without approval House bill No. 4534, entitled "An act for the relief of Emily G. Mills."

The object of this bill is to provide a pension for the beneficiary named therein, as the widow of Oscar B. Mills, late a second assistant engineer, retired, in the United States Navy. The deceased was appointed an acting third assistant engineer in October, 1862, and in 1864 he was promoted to the place of second assistant engineer.

It is supposed that while in active service he did his full duty, though I am not informed of any distinguished acts of bravery or heroism. In February, 1871, he was before a naval retiring board, which found that he was incapacitated for active service on account of malarious fever, contracted in 1868, and recommended that he be allowed six months' leave of absence to recover his health.

In December, 1871, he was again examined for retirement and the board found

that he was not in any way incapacitated from performing the duties of his office. The next year, in 1872, another retiring board, upon an examination of his case, found that he was "laboring under general debility, the effect of intermittent fever acting upon an originally delicate constitution," and he was thereupon placed upon the retired-list of the Navy.

On the 10th day of August, 1873, he was accidentally shot and killed by a neighbor who was attempting to shoot an owl.

As long as there is the least pretense of limiting the bestowal of pension to disability or death in some way related to the incidents of military and naval service, claims of this description can not consistently be allowed.

GROVER CLEVELAND.

EXECUTIVE MANSION.

The bill and amendment, on motion of Mr. SPRINGER, were referred to the Committee on Pensions, and ordered to be printed.

FILING OF REPORTS.

The SPEAKER. The regular order of business is the call of committees for reports.

Mr. MCMILLIN. I move to dispense with the morning hour for reports from committees, and that gentlemen have leave to hand them in at the Clerk's desk for reference.

There was no objection, and it was ordered accordingly.

The following report was filed by being handed in at the Clerk's desk:

JOSEPH ROSIER.

Mr. BARRY, from the Committee on Pensions, reported back with amendments the bill (H. R. 9668) granting a pension to Joseph Rosier; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

TARIFF.

Mr. MCMILLIN. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9651) to reduce taxation and simplify the laws in relation to the collection of the revenue.

[Mr. WILSON, of West Virginia, addressed the committee. His remarks are withheld for revision See APPENDIX.]

Mr. DINGLEY. Mr. Chairman, the distinguished member of the Ways and Means Committee [Mr. WILSON, of West Virginia], who has just addressed the House in Committee of the Whole, has rested his entire speech in favor of the pending bill on the assumption that duties imposed on articles which can be produced or made here to the extent of our wants, without serious natural disadvantages, are taxes which increase the burdens of the consumer to the extent, or nearly to the extent, of the duties.

The President himself, in his tariff message, and every gentleman who has spoken thus far in this debate in opposition to protection, has coolly begged the vital point in issue between the friends and opponents of protection, and on the assumption that such duties thus increase the prices of not only imported articles, but of all similar articles produced or made here, has proceeded to indulge in violent denunciation of the "robber" protective tariff.

It is conceded on all sides that duties imposed on articles that can not be produced in this country are a tax which increase the prices of the articles and the burden of the consumer to the extent of the duty. It is for that reason that the present tariff places all such articles on the free-list except where they may be used as a substitute for articles produced here, and a few luxuries.

It is conceded on all sides, also, that duties imposed on articles that are produced here to only a limited extent in consequence of natural disadvantages—as, for example, sugar and rice—are added to the price in large part, depending upon the extent of the home production, and are in effect a tax which increases the burdens of the consumer.

But the friends of protection hold that duties imposed on all imported articles which can be produced here without serious natural disadvantages to the extent of our wants are not taxes that increase the burdens of the consumer, but that on the contrary they give effect to a system which encourages home industries and promotes the welfare of each citizen and of the country as a whole.

But instead of meeting this vital issue and discussing it candidly, we have thus far had nothing but an assumption that the anti-protective view of the effect of such duties is an axiomatic truth which needs no demonstration of its correctness.

I think it was my friend Judge KELLEY who once characterized free trade as the science of assumptions. Judging from the course thus far pursued by the opponents of protection in this debate the characterization is amply justified.

The gentleman from Texas [Mr. MILLS] based his whole argument on the same assumption, which he put in this concrete form:

Suppose a laborer, who is earning a dollar a day by his work, finds a suit of woolen clothes that he can buy for $10 without the tariff tax, then the suit of clothes can be purchased for ten days' work; but the manufacturer comes to Congress and says, "I must be protected against this man buying this cheap suit of clothes," and Congress protects him by putting on a duty of 100 per cent., or $10 more. Now, it will require the laborer to work twenty days to get his suit of clothes. Has he not been required to work twice as long under the tariff as he would have done without to obtain his suit of clothes? But how has this duty affected the manufacturer? If it required him to work ten days to produce the suit of clothes worth $10, he now produces them by five days' work, for he receives $20 for ten days' work, and, of course, $10 for five days' work. The manufacturer has had his work reduced one-half, the laborer has had his doubled.

In other words, Mr. Chairman, my friend from Texas ingenuously asks the House and the country if, on the supposition that a laborer could obtain a coat in this country under free trade for ten days' work, but would have to give twenty days' work under protection, it would not be clear that protection deprived such laborer of the fruits of one-half his work? And having begged the whole question at issue by his suppositions, he triumphantly points to the demonstration as proof that a laborer could obtain a coat or any other article for as much less labor as the percentage of duty now is if we should adopt free trade.

MILLS BILL INDEFENSIBLE ON THE TAX THEORY.

Now, I want to say to the distinguished chairman of the Ways and Means Committee that if his assumption is correct, then the bill which he has reported to the House can not be defended.

Let me call his attention to the flagrant injustice he proposes to heap on the laborer and the laborer's family, if the foundation of his whole argument is sound.

On page 28 of his reported bill, I find that duties of 45 per cent. are imposed on ready-made men's and women's clothing, cloaks, jackets, and garments for women and children.

Now, if he and his associates are correct in the assumption on which they rest their whole argument against protection—that duties on imported articles which can be made in this country to the extent of our wants increase the cost of all such articles to the consumer in labor, service, or products to the amount of the duty—then I call the attention of my friend from Texas to the fact that he proposes by his bill to require a laborer to work fourteen and a half days for clothing for which he would have to give but ten days' work if the duty should be removed. [Laughter.] And according to the same logic, he proposes to allow the manufacturer to convert to his own use the four and a half days exacted from the laborer by his bill.

THE POOR MAN'S BLANKET.

The gentleman from Texas dwelt with some feeling on the taxes imposed by the present tariff on the poor man's blanket, and conveyed the impression that in the bill which he has presented the one thing especially cared for was the interest of the poor man in the matter of blankets.

What was my surprise, therefore, on looking at the blanket "tax" proposed by the new bill, to find that the rich man's blanket had been subjected to a reduction of $1.75 in the tax—assuming, of course, that the gentleman's theory that a duty on blankets is a "tax" which increases the cost of blankets to the extent of the duty is correct—while the poor man's blanket had been reduced only 42 cents.

Let me call my friend's attention to this discrimination against the poor man's blanket.

Under the present tariff a 5-pound blanket invoiced in England at 30 cents per pound, or $1.50 (for a blanket selling in English markets at $1.75 to $2 would be undervalued to this extent in the invoice), would pay a duty of 10 cents per pound, 50 cents, to compensate the manufacturer for the duty on the wool, and an ad valorem duty of 35 per cent., 52 cents; total duty, $1.02. The rich man's blanket, invoiced at $5, pays a duty of 35 cents per pound and 40 per cent. ad valorem; total duty, $3.75. Now, the Mills bill, which strikes off the pound duty because the wool duty is abolished, imposes a uniform duty of 40 per cent. on imported blankets. This would make the "tax" on the poor man's blanket 60 cents, a reduction of only 42 cents, while the tax on the rich man's blanket would be reduced to $2, a reduction of $1.75.

And I call attention to the fact that on this article of blankets, "poor men's blankets," too, the Mills bill makes the reduction on that part of the duty which goes to the farmer for wool; and notwithstanding all the denunciation of the "robber" manufacturer indulged in by the gentleman from Texas, yet it actually increases the ad valorem duty which goes to the manufacturer 5 per cent.

When the gentleman's colleague [Mr. CRAIN] asked him during his speech how much the duty was reduced by his bill on a pair of $2.50 blankets, and the chairman of the Ways and Means Committee proudly replied, "From $1.90 to $1," I wanted to ask the distinguished chairman on what principle of justice he proposed to compel the workingman to give an extra day's work for a blanket to shield him from the cold winter? for this is what the gentleman must believe he has done if he accepts the theory on which his whole argument is based.

And when my friend from Texas proceeded to demonstrate by the same kind of logic that this duty of $1.90, or even $1, on the poor man's blanket enables the manufacturer in this country to charge $1.90 or $1 more than such a blanket would cost in England, and to put the whole of this amount into his own pocket—a profit of 75 or 40 per cent. on the product—I wondered how the gentleman had worked himself

up to accept the view that manufacturing paid such enormous profits when hundreds and thousands of men are eager to go into any kind of business that pays 6 per cent., and when there is not more than 50 cents to 75 cents difference between the retail price of a 5-pound blanket of that quality in the United States and England, the difference being almost entirely in the cost of the wool, for the reason that there is very little labor in a common blanket.

Evidently the gentleman from Indiana [Mr. BYNUM], who treated the committee subsequently to a dismal account of the unremunerative character of the woolen industry in this country—bankruptcy and ruin staring the manufacturers in the face because of the fierce competition in the manufacture of woolen goods, which has depressed prices below cost, and which can only be remedied by free wool—has not read the demonstration of the gentleman from Texas that the tariff puts the amount of the duty into the pockets of the manufacturer.

I wish, however, to congratulate my friend from Indiana on his acceptance of the correct doctrine that the tariff does not enable the domestic manufacturer to add the duty to his product, but that the prices which he realizes for his goods must be those fixed by the competition of our sixty millions of people; and that inevitably they must be as low as such goods can be made here and yield the same returns as other business.

I may add in passing that the special difficulty which our woolen manufacturing industry now experiences arises from a practical lowering of the duties on imported woolens, first, by a construction of the tariff which cuts down the duties on worsteds, and, secondly, by systematic wholesale invoiced undervaluations, a situation which ought not to suggest as a remedy the lowering of the duties on woolens and the substitution of exclusively ad valorem duties, which invite undervaluations, as proposed by the Mills bill.

OTHER EXAMPLES.

When the gentleman from Virginia [Mr. O'FERRALL] was insisting so earnestly that he supported the Mills bill because it removed so many of the burdens of taxation from the poor man, I was surprised to hear him intimate in reply to a question that he could not have voted for the measure if it had put coal and iron ore on the free-list; for on his theory that duties on imported articles which we can produce here to the extent of our wants increase the cost of all such articles to the extent of the duty, I could not understand why he should regard a "tax" of 45 per cent. on the poor man's coal and 40 per cent. on the raw material out of which the poor man earns wages in making iron as a blessing, while justice and patriotism urged him to strike down the duties on other articles advanced by labor to a higher stage. Is it possible that the gentleman holds to the "tax" theory of protective duties as to the products of other districts, but sees nothing but delightful results of such duties as to the products of his own district?

I might pursue further this line of illustrations from the bill reported by the distinguished chairman of the Ways and Means Committee, calling his attention to the fact that he proposes (according to his theory) to tax the poor man's cotton shirt 40 per cent. and compel him to work fourteen days, when ten days' work would buy the same cloth if the tariff tax were removed; but these examples suffice to show that the gentleman from Texas, whom I know to be a humane man, would not propose such an injustice if he really believed that a duty on imported articles which can be produced or made in this country to the extent of our wants increased the burdens of the consumer to the amount of the duty.

PROTECTIVE DUTIES NOT A TAX.

Mr. Chairman, not only does an appeal from the rhetoric to the acts of my friend from Texas disprove this theory of the effect of protective duties, but also a reference to familiar facts of every day's experience exposes the groundlessness of the President's assumption.

I have before me two samples of cotton prints, identical in quality and character—the one made in a British, the other in an American mill. If the British manufacturer sends a square yard of his print into our markets he is required to pay a duty of 5 cents thereon—a hundred per cent. The price of the British print at retail in Manchester is 5 cents per square yard. If the fundamental theory of the President and of the gentleman from Texas, and all others who have spoken against protection, is correct, then the cost of all prints of this quality of prints in American markets is 10 cents per yard at retail, for that is the English price plus the duty. But it so happens that any one can go into any retail store in our commercial centers and buy this print at 5 cents per yard—the same as the duty. [Applause.]

In view of this fact of every day observation, what becomes of the President's theory on which he built his tariff essay superstructure, that a duty is a tax which always increases to nearly or quite that extent the price of all articles of the class on which it is imposed, whether made abroad or at home?

Evidently whatever duties have been collected on imported prints have been taxes paid, not by the consumer, but by the foreign manufacturer who has sent some of his surplus to our markets and sold it at the same price for which American goods are sold, making up the loss of the duty paid our Treasury by his sales in unprotected markets. And the duty has not added a single penny to the money cost of home-made prints to our consumers. On the other hand the employment of labor at home in making these goods has benefited every consumer.

Now, Mr. Chairman, I invite the committee to examine a little more closely the fundamental error of the free-trade assumption, that a protective duty on imported articles which can be produced here to the extent of our wants is a tax which (as the President puts it) compels the consumer to pay for such articles, whether imported or made here, "nearly or quite the enhanced price which the duty adds to the imported articles"—an assumption which is the key-stone of the free-trade arch, and on the basis of which my amiable friend from Illinois [Mr. SPRINGER], who never does anything by halves, has demonstrated in the North American Review, to his satisfaction at least, that protection costs this country annually more than $600,000,000. The only surprise to me is that my quick-witted friend from Illinois, when he surveyed the enormous waste "proved" by his figures, and looked around on the most prosperous country on the face of the earth, had not indulged in the tinge of a suspicion that there might be some error in his computation.

If my friend from Illinois, after he had added several millions of dollars to his imposing column of figures as the result of 5 cents per yard tax on every yard of print consumed in this country (on the theory that the duty of 5 cents per yard is added to the cost of every yard to the consumer), had stepped into the nearest dry-goods establishment and ascertained that he could buy all the prints he wanted at 5 cents per yard, and had learned, as he might on inquiry, that similar prints are sold at the same price in London, he would certainly have moderated his figures, although it would have been at the expense of his rhetoric.

Or if, after my friend had figured up that the 2½ cents per square yard duty on standard sheetings increased the cost of every poor man's shirt 25 cents, and had swelled the sheeting tax of the country up to fifty millions, he had ascertained (what is the fact) that common sheeting is as cheap here as in England, it is possible that some of the many numerals which represented the tariff tax might have disappeared from his computation.

COMPETITION FIXES PRICES.

It is to be borne in mind that what protectionists affirm as to the effect of duties applies only to protective duties; in other words, to duties laid on such imported articles as can be produced here to the extent of our wants, and laid at such a rate as to encourage the production or manufacture of such articles to supply our own markets, rather than at such low rates as to invite a supply of our markets from abroad. In the case of such articles it is to be remembered that the price is determined, not by what they cost abroad plus the duty, as the free-traders assume, but by what it costs to make such articles here, under the influence of home competition and stimulated inventive genius, with our better-paid labor.

The suggestion that a duty on imports high enough to give our home markets to our own industries affords an opportunity for monopolies to increase prices beyond living profits, is groundless for the reason that it is impossible to build up monopolies in a country of 60,000,000 of enterprising people busily seeking every avenue for the profitable employment of labor and capital by simply giving all our own citizens the first chance.

No instance can be found where the tariff created a monopoly in this country, or prevented the free working of home competition in the production of an article which can be produced here to the extent of our wants. The monopolies which have from time to time arisen in this country have been based either on patents, special chartered privileges, or combinations in the form of trusts or pools without any reference to the tariff, or in products on the free-list like petroleum and anthracite coal where nature has restricted their field, or in articles like sugar, not produced here to the extent of our wants. A trust in cotton, woolen, leather, and ordinary iron-manufacturing industries in this country is an impossibility.

The fact stands out that prices of all articles produced or made here under the policy of protection must, in the face of our fierce competition, necessarily be on the average as low as they can be successfully made here with our present wages of labor. In the case of common articles, where the proportion of labor cost is small, it has been found that after experience we have been able to make and sell them not only as cheap, quality for quality, as they are sold abroad, but even cheaper than they were sold abroad before our competition forced down prices. But this result has in every case been brought about by maintaining duties which would give our own markets substantially to our own industries. By this means our own inventive genius and skill have been stimulated to the utmost, without fear that foreigners might combine to injure or break down our own industries by unloading surplus goods at any time at less than cost.

REDUCTION OF PRICES BY PROTECTION.

The influence of the development of our manufacturing interests, not only here, but abroad, is entirely ignored by the opponents of protection. For example, up to 1867 not a single steel rail had been made in this country, and we were relying upon English steel rails, for which we were paying $75 per ton in gold in Liverpool, and freight and duty,

bringing the cost up to $100 in gold. In 1870, against the protests of free-traders that we were taxing every farmer who had freight to send from the West, Congress placed a specific duty of $28 per ton on rails; in 1883 reduced to $17. This duty immediately developed the steel-rail manufacture in this country and began to bring down the price here and in England. In two years American steel rails could be purchased in our markets for $85 in gold, in four years for $75, in six years for $60, and to-day for $32 per ton. Unquestionably if we had refused to lay a protective duty on steel rails and thus made it impracticable to begin their manufacture here, we should to-day be paying English mills much more than we now are.

In other words, the duty on steel rails has not increased, but has decreased, the burdens of the consumer.

It will be seen, therefore, that even in the case of articles in which the proportion of labor is so large that foreign manufacturers have been able to continue to make and sell them cheaper than our own manufacturers can, with our better-paid labor, our competition has reduced prices all over the world.

Crockery ware is 37 per cent. cheaper than in 1860, cotton and woolen goods 25 per cent. cheaper, iron and steel products 25 per cent. cheaper, boots and shoes 25 per cent. cheaper; in short, not a single article can be named whose manufacture has been developed in the United States by protection which has not been cheapened to the consumer by this policy far beyond what it would have been if we had not entered into these industries.

REAL TEST OF PRICES.

Mr. Chairman, thus far in discussing the effect of protective duties on the cost of the articles on which they are imposed, I have considered only prices in money. Money, however, is only the medium used in making exchanges. The articles purchased are really paid for in labor, service, or some other products of labor. The price of an article in money is not what the laborer is interested in. His real interest is how much labor it requires to pay for it. In other words, every useful citizen is a producer as well as a consumer. Products may be ever so cheap in money and yet extortionately dear in labor or service or other product. What does it matter to a workingman that he can buy a coat in free-trade Liverpool for $8 which costs $10 in protective America when ten days' work are required to buy the coat in Liverpool and only eight days' in this country? Under such conditions—and these are the actual facts which confront us in the two countries—the Liverpool price is dear and the American price is cheap. [Applause.]

Mr. MACDONALD. Does the gentleman apply the same rule to the farmers of this country and of Europe with reference to the number of days' labor paying for a suit of clothes?

Mr. DINGLEY. Certainly.

Mr. MACDONALD. How can you do that when the American farmer must go to the European market for the sale of his surplus and rely upon it for the price of his wheat?

Mr. DINGLEY. I will come to the point suggested by my friend from Minnesota presently.

WAGES IN THE UNITED STATES.

For many years free-traders denied the fact that wages are much, if any, lower in Great Britain than here. But since the investigations of Col. Carroll D. Wright, a few years ago, then commissioner of labor for Massachusetts, but now Commissioner of Labor of the United States, which showed that on an average wages in Massachusetts are 77 per cent. higher than in Great Britain, running from 38 per cent. in cotton manufacturing (where less skill is required in most grades of cottons made in this country than in other manufacturing industries) to over 100 per cent. in industries requiring a high degree of skill, the claim has been set up that whatever advantage a workingman may have in this country over a similar workingman in Great Britain is offset by the increased cost of living.

Colonel Wright's carefully-collated statistics of the relative cost of living on similar scales in the two countries placed the excess in this country at only 6 per cent. in food and clothing and 11 per cent. in rents.

COLONEL WRIGHT'S WAGES REPORT.

In order to set at rest the contention as to the difference between wages in the United States and Great Britain I copy the following summary from Labor Commissioner Wright's official report:

1. The number of employés whose average weekly wages are represented in the comparisons from 1860 to 1883 is at least one and a quarter millions.

2. In the comparisons, 88 industries in Massachusetts and 39 in Great Britain were represented. The Massachusetts wages were higher in all the industries compared, the percentage in favor of Massachusetts, on an industry basis, being 75.40.

3. The purely manufacturing industries entering into this comparison numbered 84 in Massachusetts and 37 in Great Britain. In these industries the percentage in favor of Massachusetts was 73.62.

4. Complete comparisons were possible in the case of 37 industries having wage statistics for both countries. In these industries the percentage in favor of Massachusetts was 82.50.

5. On the yearly basis, Massachusetts from 1860 to 1883, and Great Britain from 1872 to 1883, the percentage in favor of Massachusetts is 79.57.

6. Wages in Massachusetts are 28.36 per cent. higher than they were in 1860.

7. Wages in Great Britain are 9.74 per cent. higher than they were in 1872.

The mean of the percentages shown on the industry basis in section 2 (75.40) and on the yearly basis in section 5 (79.57) is 77.49, which figure is the result of the comparisons from 1860 to 1883. This result not only verifies beyond question the result obtained in Part II, namely, 62+ per cent., but it also shows that the extreme figure, for 1883 alone, found in Part II, namely, 75.94 per cent. (see page 119), is less than the average per cent. in favor of Massachusetts from 1860 to 1883.

The grand result of the comparative wages investigation in Massachusetts and Great Britain for the years 1860 to 1883 is, that the general average weekly wage of the employés in the industries considered in Massachusetts was 77.49 per cent. higher than the general average weekly wage of the employés in the industries considered in Great Britain.

He then makes a careful comparison of the cost of living, and arrives at the following results:

Comparisons for 1883 between Massachusetts and Great Britain enable us to secure the following results: Groceries were 16.18 per cent. higher in Massachusetts; provisions were 23.08 per cent. higher in Great Britain, while fuel was 104.96 per cent. higher in Massachusetts.

Dry goods.—From the high, medium high, medium, medium low, and low prices for dry goods, we secure two percentages, both in favor of Great Britain. If all goods in all grades are compared we find that dry goods were 13.26 per cent. higher in Massachusetts in 1883 than in Great Britain. If the comparison is made on the basis of all goods in the medium, medium low, and low grades, from which workingmen obtain their supplies, the figure in favor of Great Britain is .9, or less than 1 per cent.

Boots, shoes, and slippers.—In 1883, if all goods in all grades are included, boots, shoes, and slippers were 62.59 per cent. higher in Massachusetts than in Great Britain. If the comparison is confined to the medium, medium low, and low grades, then these articles were 45.75 per cent. higher in Massachusetts than in Great Britain.

Clothing.—If all goods in all grades are considered, the specified articles of clothing were 45.06 per cent. higher in Massachusetts in 1883 than in Great Britain. If the comparison covers only the medium, medium low, and low grades, then the articles considered were 27.36 per cent. higher in Massachusetts. The low grade alone shows that prices in Massachusetts were 18 per cent. higher, while the high and medium high grades indicate that prices in Massachusetts were 56.57 per cent. higher.

Rents.—A very full showing of rents for Massachusetts and Great Britain in 1883 supplies the following result: Rents were, on the average, 89.02 per cent. higher in Massachusetts than in Great Britain. The average rent of one room in Massachusetts was 66 cents per week, $2.86 per month, and $34.38 per year. The average rent of various sized tenements can be easily computed on this basis. In Great Britain the average rent for one room was 35 cents per week, $1.51 per month, and $18.02 per year. Computations for tenements can be made as in the case of Massachusetts.

I give his conclusions:

That on any basis of yearly expenditure the prices of articles entering into the cost of living were on the average 17.29 per cent. higher in Massachusetts in 1883 than in Great Britain; that of this figure 11.49 per cent. was due to higher rents in Massachusetts, leaving 5.80 per cent. as indicative of the higher cost of living in Massachusetts, as compared with Great Britain, as regards the remaining elements of expense.

We have seen, on page 151, *ante*, that the Massachusetts workingman expends 48.41 per cent. more for the support of his family than the workingman in Great Britain. (The average families referred to (page 151) are virtually of the same size, for the slightly increased size of the average Great Britain family is compensated for by a greater proportion at work in Great Britain, and this proportion is the same as the ratio between Massachusetts and Great Britain as regards size of family and persons at work.)

Of this 48.41 per cent. 5.80 per cent. is paid extra for articles which could be purchased 5.80 per cent. cheaper in Great Britain; 11.49 per cent. is paid extra to secure more and larger rooms and more air space than the workingman in Great Britain enjoys, while the remainder, 31.12 per cent., indicates also an extra amount expended by the Massachusetts workingman to secure better home surroundings and to maintain the same higher standard of living, as shown for rent, as regards other expenses, which standard is higher than that secured by the workingman in Great Britain.

Distinguishing the figures indicating the greater expenditure for living in Massachusetts (48.41 per cent.) from those indicating the higher cost of living (17.29 per cent.), we find, as a grand result, that the higher prices in Massachusetts are represented by 5.80 per cent.; that increased accommodations in housing and the general higher standard of living maintained by Massachusetts workingmen as compared with the standard of living of workingmen in Great Britain is represented by 42.61 (11.49+31.12) per cent. out of the total greater cost of 48.41 per cent.; or, stated at a direct ratio, the standard of living of Massachusetts workingmen is to that of the workingmen of Great Britain as 1.42 is to 1.

These statistics show that on the average the wages of workingmen in this country have a purchasing power of nearly 60 per cent. more than the purchasing power of the wages of similar workingmen in Great Britain.

THE NEW THEORY.

Mr. Chairman, there has been recently an attempt to break the force of this demonstration, that a protective policy which secured an average of 77 per cent. higher wages in the manufacturing industries of Massachusetts than of Great Britain, and a cost of living on similar scales only 6 per cent. higher for food and clothing, was not a tax, but a great boon to the workingman, by alleging that the only reason the laborer in this country receives more than in Europe is because he accomplishes more; that really our high-paid laborer, judged by the results of his work, is cheaper than that of the British workman.

This explanation is ingenious, but unfortunately for its sponsors there are no facts to sustain this theory that laborers and employés in manufacturing industries do 50 per cent. more effective work in a given number of hours here than they do in Great Britain, and therefore obtain no more pay for a definite result. Indeed, many of Colonel Wright's comparative statistics of wages in the two countries are for piece-work in mills, and it is noticeable that the compensation per yard or cut for weaving, or per pound for spinning, maintains very nearly the same relative proportion as for work by the hour, or day, or week. The weaver who can run two, three, four, or six looms, for example, obtains 38 per cent. more in this country than in England. Moreover, it is well known to textile manufacturers that their most efficient help in many departments are English men or women, who have been trained in British mills, and who have come to this country to make themselves homes; and these employés bear witness to the fact that their pay for

the same work is from 30 to 100 per cent. more here than in Great Britain. The simple fact that so many hundreds of thousands of foreigners come to our shores to improve their condition, and that none go to Europe from this country for this purpose, is a complete demonstration that they secure better wages for the same amount of work.

WHAT MAKES OUR WAGES HIGHER?

Driven to the wall, the last refuge of the free-trader is in the assumption that our protective policy has nothing to do with maintaining our higher wages, but that these are the result of our cheap land and abundant natural resources.

Undoubtedly cheap land and abundant natural resources did secure better rewards for labor in the United States than in Europe before a single manufacturing industry was established here. But is there any one who believes that our wages of labor would have gone on increasing from decade to decade, as they have, if we had not increased the opportunities of and demand for labor by introducing manufacturing industries and diversifying our employments? And how could we have successfully established and maintained these industries with our wages of labor from the start higher than in Europe, and this superiority of wages constantly increasing as new industries were opened, if we had not adopted the policy of encouraging home industries by placing protective duties on such imported articles, made by the cheaper labor of Europe, as would come into ruinous competition with similar articles which we were seeking to make at home?

"Demand and supply make wages," says the gentleman from Texas. True, with certain limitations. But the protective policy comes in to encourage and establish new industries and new opportunities for labor, and thus increases the demand and necessarily tends to raise the rate of wages, not simply in manufacturing industries, but also in every other employment within the reach of the demand for labor which they create.

IMPORTED LABOR.

The suggestion has been made that protection by means of duties against the competition of the products of foreign labor is nugatory so long as we allow the foreign laborer himself to come in freely.

I am aware that the policy of this country has always been to welcome the sober, industrious immigrant who voluntarily comes here to make for himself a permanent home and to improve his condition. I am sure that no party has advocated in the past, and no party at present advocates this policy more earnestly than the Democratic party.

Neither does this policy tend to diminish wages in this country so long as the immigration is confined to such a class of voluntary immigrants, for on landing here they will demand and receive American wages. But the class of immigrants whom we ought to repel are the contract laborers who are imported under agreements to work for wages determined abroad, and who are practically serfs. I am sure that no members of the House will go further than the friends of protection in repelling undesirable immigrants, who come here not to make for themselves homes, not to become true American citizens, and not to live and work according to American standards.

PROFITS OF MANUFACTURERS.

The gentleman from Texas devoted much time to an attempt to show that manufacturers, and not their employés, reap the whole benefit of protective duties.

The simple answer to this allegation is that the active competition going on in all kinds of business in this country prevents manufacturers from reaping larger rewards for their investments than is obtained in other kinds of business. Statistics of dividends, furnished by Mr. Edward Atkinson, an authority which the gentleman from Texas accepts as reliable, shows that the average annual profits of the manufacturing establishments of New England in the last fifteen years average only 6 per cent.

Indeed, Mr. Atkinson states that the proportion of product received by capital has been steadily declining, and that received by labor steadily increasing.

The gentleman from Illinois [Mr. LANDES] and several other gentlemen have taken the census figures of cost of materials, wages received by labor, and value of product, and have argued that the difference between the latter and the first two combined showed the profits of the manufacturer.

When it is borne in mind that there are expenses of manufacturing amounting to from 12 to 30 per cent., of which no account is taken by the census—including taxes, fuel, lights, insurance, repairs, depreciation, freight, commissions, interest, etc.—it will be seen how misleading are conclusions as to the profits of manufacturing drawn in this careless way.

The gentleman from Virginia [Mr. O'FERRALL], who claimed to speak from official statistics, capped the climax by asserting that "in 1880 the woolen manufacturers of the United States put 35 per cent. of their investment in their pockets." He figured it out in this way: Capital, ninety-six millions; cost of materials, one hundred and three-quarter millions; cost of labor, twenty-five and three-quarter millions; value of product, one hundred and sixty and one-half millions; deducting materials and labor from product leaves a balance of thirty-four millions, or 35 per cent. on capital, which the gentleman calls clean profit.

That is, according to the gentleman, it costs the woolen manufacturers nothing for taxes, insurance, superintendence, depreciation of machinery, fuel, lights, freight, repairs, commissions or interest, etc., expenses which are put by woolen manufacturers at not less than 25 per cent., and many claim 30 per cent. Some of the manufacturers who have found it hard work to make 6 per cent. on the average on their investments would like to employ the gentleman from Virginia to run their mills without any expense for all these items. The gentleman evidently forgot that the census did not undertake to give the cost of manufacturing outside of materials and labor.

The gentleman from Minnesota [Mr. WILSON] read approvingly a newspaper article asserting that capital invested in manufacturing paid more than capital invested in farming, proving the assertion by the assumption that there are no expenses in manufacturing except for materials and labor in the processes of manufacture.

Indeed, nearly every speaker who has opposed protection has woven into his argument in some form a demonstration based on this uncandid, I hope not intentional concealment of essential facts. Yet persons unfamiliar with all the facts will accept the conclusions as a demonstration, in utter ignorance of the fact that they have been furnished only a part of the statistics necessary to form a correct judgment.

THE BLANKET AGAIN.

The gentleman from Texas [Mr. MILLS], who selected several articles in which the materials compose the principal part of the cost, and in which the labor in the process of manufacture is very small, was similarly uncandid in his treatment of the profits of manufacturers. I quote from his speech, as follows:

I find in the report one pair of 5-pound blankets; the whole cost as stated by the manufacturer is $2.51. The labor cost he paid for making them is 35 cents. The present tariff is $1.90. Here is $1.55 in this tariff over and above the entire labor cost of these blankets. The poor laborer who made the blankets gets 35 cents, and the manufacturer keeps the $1.90. The bill takes off 90 cents of the tariff duty.

A manufacturer informs me that a pair of blankets of this grade costs $2 for wool and 50 cents for labor and incidental expenses, and sells here at wholesale for $2.75 and in England for about $2.

In the first place the duty on a pair of 5-pound imported blankets of the quality referred to (for such goods, which are always undervalued in exporting, would not be valued on the invoice at over $1.50, or 30 cents per pound) is only 10 cents per pound (50 cents) compensatory duty as an equivalent for the duty on the wool, and 35 per cent. ad valorem (52½ cents) manufacturer's protective duty; total $1.02½, instead of $1.90. Secondly, the manufacturer's duty would be only 52½ cents, the 50 cents going to the wool-grower, so that if the manufacturer pocketed the whole of the duty which protects the labor in building and running the mill he would get only 52½ cents instead of $1.90. Thirdly, the bill as proposed by the Ways and Means Committee reduces the duty only 50 cents—the amount of the wool duty—leaving the manufacturer 40 per cent. on this quality of blankets, instead of 35 per cent.; and this is to make up the difference in cost of labor, not simply in the process of manufacturing, but in preparing the materials, building the mill, and machinery, repairs, superintendence, etc.

PROTECTION BENEFITS ALL.

What I have said, Mr. Chairman, suggests the answer to another assumption of the President in his tariff-essay message, and of the gentlemen who have spoken in opposition to our protective tariff—that however useful our protective tariff may be in maintaining the wages and improving the condition of the 3,837,112 operatives and employés in manufacturing and mining, yet it does not benefit the 1,810,256 persons employed in trade or transportation, the 4,074,238 persons engaged in professional and personal service, and the 7,670,493 persons employed in agriculture.

BENEFITS THE FARMER.

It is contended that whatever benefits other citizens may receive from the protective system yet farmers can get none of them, as they must sell their products at prices fixed in foreign markets, whether sold at home or abroad. This is the point of the question put to me by the gentleman from Minnesota. There can, of course, be no pretense that the foreign markets have anything to do with the prices of protected farm products entirely consumed at home, and these comprise about everything raised here except wheat, corn, meats, cotton, and tobacco. The prices of such farm products are determined by the activity and extent of the home demand and home supply. When the demand is improved by the establishment of manufacturing industries in any community the farmer reaps the benefit in better prices. But even in the case of such farm products as wheat, corn, and beef and pork, of which we send a surplus to foreign countries, the prices obtained in foreign markets are determined more by the quantity of the surplus which we must sell than by any other condition. When our surplus is very large in comparison with the requirements abroad, prices are sure to fall in foreign markets. When our surplus is small, prices abroad are sure to rise. Therefore such a development of manufacturing industries at home as increases our domestic consumption and provides employments outside of the farm will not only secure better prices for wheat, corn, and beef and pork consumed at home, but also better prices abroad.

One gentleman even went so far as to assert that wages in non-pro-

tected industries are higher than in protected industries, intimating that he referred to carpenters, masons, etc.

Now the protective system is incomplete if it has not imposed a duty on every article which can be produced or made here to the extent of our wants when that article can be imported so as to come into competition with the home product. I know of no omission in our tariff schedules.

Neither the work of the carpenter, nor of the mason, nor of the man engaged in any other pursuit in this country, nor of the farmer is left in an exposed condition. Each is protected. Indeed, much of the opportunity to work and to sell products at home depends upon the building of mills, shops, boarding-houses, etc., for manufacturing, and the establishment of new industries. There is no unprotected industry, and wages in each industry in any community stand on a common basis, varying according to the skill required and the continuity of employment.

I have no doubt that if I could sit down with the President, or with most of the gentlemen on this floor who have declared that only the owners and employés of manufacturing establishments are benefited by the protective policy which has built them up, I should ascertain on inquiry that all know, as I do, of scores of rural communities where the farmers found it difficult to barter at low prices the surplus produce of their farms at the country store, where there were few opportunities for the young men and young women to earn a pittance now and then at odd jobs, where a few mechanics obtained a difficult support, suddenly transformed by the erection of manufacturing establishments into busy communities where the farmers found a ready market, at good prices, for everything they could raise, where the young men and young women found ready employment at good wages at home, where hundreds of mechanics had enough to do at liberal wages, and where thrift and progress took the place of listlessness and decay.

Yet such illustrations as these of the general benefits arising from the diversification of industries are at hand from one end of the country to the other. Wherever manufacturing industries go they benefit the farmer by giving a home market at better prices, by reducing the surplus to be sent abroad and thereby improving the prices of his products in foreign markets, and by furnishing employment for thousands of men who would otherwise crowd to the farm and glut the market for farm products. This is in addition to the direct benefit derived by the duties on wool and farm products, which prevent Canadian and South American competition. Such industries benefit the mechanic by enlarging the opportunities for his labor in building and repairing mills, houses for operatives, and machinery, and thus improve his wages by increasing the demand for his services. They benefit the men engaged in transportation, in professional services, in trade, and in every occupation by increasing business and enlarging the opportunities for service.

In short, there is not a single citizen who does not feel in his own occupation the beneficial influence of that policy which builds up manufacturing industries and diversifies occupations.

It should be borne in mind that the only proper way in which the effect of protective duties can be tested is by comparing the results of a protective with an anti-protective system. The ordinary free-trade method of arguing that because a single article might be taken from the protected list and put on the free-list, with a temporary reduction of price, and without a material disturbance of the general prosperity, therefore it would be an advantage to put all other articles on the free-list and come down to a free-trade basis, is unsound. To allow one citizen to import goods free of duty, or to allow a few articles to be imported, would benefit the person or persons thus favored, and at the same time preserve to them all the advantages of a system which maintained that high degree of general prosperity which protection secures. But when the protection system is abandoned and the country comes down to a free-trade or revenue basis, then the conditions are entirely changed, and whatever is gained by a reduction of price of articles for consumption is more than offset by the lower wages and diminished value of the services with which every man supplies his wants.

THE OBJECT OF PROTECTION.

The simple object sought in imposing protective duties on imported articles which can be produced or made here to the extent of our wants is not to tax our own citizens, the purpose being to practically compel the foreigner to pay the duty in order to get his goods into our markets, but to encourage the production and manufacture of such articles at home, in the belief that a policy which secures this result in preference to sending abroad for such articles increases the opportunities for the use of our labor and adds to the prosperity of our people.

To sum up, the protectionist policy is based on the view that we have here a great country, covering a wide variety of climate, soil, and natural resources, peopled by an intelligent and ambitious population, who have founded a popular government resting on the idea of equality and the elevation of labor; that in order to maintain these conditions and make the most of our heritage our great resources should be developed by producing and manufacturing at home everything that can be made or produced here without natural disadvantages; and that this can be done and at the same time the higher wages in this country as compared with Europe maintained only through holding so far as possible our own markets, the best in the world, for our own industries, by imposing duties, protective duties, on the products made in foreign countries by cheaper labor when they seek to enter our markets.

THE PERCENTAGE ARGUMENT.

In this connection it is interesting to note the peculiar methods adopted by our free-trade friends to prove that this country prospered more highly in the revenue-tariff period before the war than since the war under protection.

My distinguished friend from Kentucky [Mr. MCCREARY] has done this by the percentage device. Every mathematician understands that a given sum is a much larger percentage of a small amount than of a large amount. For example, a man may boast that at one decennial period of his life (between ten and twenty years) his age increased 100 per cent., but that in another decennial period of his life (between fifty and sixty) his age increased only 20 per cent. But if he should gravely argue that his age increased five times as fast in the latter period as the former, he would be laughed at.

Yet the gentleman from Kentucky gravely argues that an increase of eleven and one-half millions in population between 1870 and 1880 was less than an increase of seven and one-half millions between 1850 and 1860; and an increase of 21,600 miles in railroad mileage between 1850 and 1860 was greater than an increase of 41,600 miles between 1870 and 1880.

Surely anything can be proved by figures when used in such a way as this.

THE "LOW" PROTECTION DODGE.

Right here, Mr. Chairman, I wish to notice one defense of the pending bill, which seeks to put protectionists off their guard.

It is said that this bill does not deprive our industries of just protection; it simply substitutes low protection for high protection.

This sounds well, especially as coming from those who declare that protection is "robbery," but will deceive no one unless he desires to be deceived.

In the first place, no one will deny that the pending bill proposes by one blow to sweep away all protection from our citizens engaged in manufacturing lumber, lime, wood and chemical pulp, brick, and many other articles, and also from our farmers engaged in producing wool, flax, potatoes, vegetables, meats, and many other articles.

Certainly the bill proposes free trade as to all these important industries.

DIFFERENT TREATMENT OF NORTHERN AND SOUTHERN FARMERS.

It would be interesting to inquire how it happens that the farmers and the industries carried on mainly in the Republican States are so selected for slaughter, while such crude articles as iron ore and coal are left with the old protective duties. It would undoubtedly afford materials for an interesting chapter if we could know the negotiations which led to the retention in the pending bill of a duty of 68 per cent. on such articles of food as sugar and rice, agricultural products of Democratic Southern States, while Northern agricultural products, with which the Canadians can compete, are put on the free-list.

Would the gentleman from South Carolina [Mr. HEMPHILL] be quite as jubilant over this bill as he appeared the other day if rice should be cut down from 65 per cent. to the same basis as the Northern farmer's wool and other products? Or would the gentlemen from Louisiana see in this bill quite as much "revenue reform" as they do now if sugar should be reduced from 82 per cent. to the 30 per cent. duty fixed by the much-admired tariff of 1846, or to the 24 per cent. of the more admired tariff of 1857, or be placed on the free-list, as they perhaps propose to vote to put manufactured lumber and lime and wood-pulp?

The gentleman from Tennessee [Mr. MCMILLIN] congratulated the country that "we have reached a point for the consideration of a bill looking to the reduction of the taxes on the necessaries of life." Surely there is not much reason for congratulation on this score in view of a bill which proposes to impose a "tax" of 65 per cent. on rice and 68 per cent. on sugar—two articles which by common consent are as necessary as flour in every poor man's family, and articles, too, produced to so small an extent in this country that the duty is nearly all added to the price. [Applause.]

THE DANGER AHEAD.

But what I desire to call the attention of the committee and the country to is the fact that the reduction of duties proposed by this bill on imported manufactured goods is at those points where already the duties are perilously near the dividing-line between the encouragement and discouragement of importations, and where further reduction will swell importations, increase the revenue, and deprive our own industries and labor of the opportunity to supply our own markets.

So far as the common cotton, and woolens used by the masses of the people are concerned, with the exception of worsteds, we are successfully holding our own markets; but the duties on fine cottons and woolens are so perilously near the dividing-line between protection and free trade that millions of dollars of these goods are being imported annually, when the duties ought to be strengthened so as to have them all made here. Yet, with these facts staring us in the face, the pending

bill proposes to reduce the duties on fine cottons and fine woolens to an extent that will certainly swell importations and increase the revenue and leave us neither high nor low protection, for no duty can be called a protective duty unless it is sufficiently high to discourage importations.

We have, for example, a duty of 1 cent per pound on tin-plate—"low protection," my friend from Texas will perhaps say. I reply, that is not a protective duty, but an ideal revenue duty, because it is so low that not a pound of tin-plate can be made in this country, and every sheet of our tin is imported. Practically it is free trade.

And it may not be out of place here to ask my friend from Texas how it happens—in view of his assertion that a given result can be produced here by labor as cheaply as in England—that we can not manufacture tin-plate at all in this country, notwithstanding we have iron ore in abundance and tin on the free-list, and there is a duty of 1 cent per pound on imported tin-plate?

COARSE COTTONS ALWAYS PROTECTED.

The gentleman from Massachusetts [Mr. RUSSELL], in calling attention to the fact that the cotton mills of New England which manufacture coarse cottons were established and prospered under the "low tariff" of 1846, has not, as he supposes, shown that low revenue duties are as favorable for manufacturing interests as protective duties. The rates of duty on coarse cottons provided by the tariff of 1846 were amply protective in view of the fact that the labor cost of this class of goods is very small in proportion to cost of material. And it is worthy of notice that when the rates of duty have been continued through all tariffs so high on an article which can be made to the extent of our wants as to shut out foreign competition prices have been reduced the most by exclusively home competition. This has been the case with not only coarse cottons, but with boots and shoes, where the duty has been practically prohibitory.

DUTIES UNDER DIFFERENT TARIFFS.

In this connection I desire to call attention to the unfair methods which have been adopted to create the impression that the duties on imports under the present tariff are much higher than have been known under previous tariffs.

The gentleman from Michigan [Mr. BURROWS] has called attention to the misleading character of comparisons simply of dutiable lists under different tariffs without also comparing free-lists. As he well said, on such a deceptive basis goods to the value of fifty millions might be put on the free-list, yet without any increase of the rates of the dutiable list it would appear as if the duties had been increased if we should look only at that list.

Obviously the only fair comparison of tariffs is to include both the free and dutiable lists. On this basis the average duty on all imports during the past year was only 31 per cent., against 26 per cent. under the tariff of 1846, and 45 per cent. under the tariff of 1824. Indeed, if the duty on sugar, which was the equivalent of 82 per cent. ad valorem on the imports of last year, had been only 30 per cent., as under the tariff of 1846, the average rate on all imports free and dutiable would have been only 28 per cent., substantially the same as under the tariff of 1846.

It is the enormous duty of 82 per cent. on sugar, it should be observed, which made the average ad valorem duty on imports 47 per cent. the last year, against 41 per cent. under the same tariff in 1883. If sugar is excluded from the account, the average duty on dutiable goods is 38 per cent., and on all imports only 27 per cent. [Applause.]

It is sufficient to say that in consequence of systematic undervaluations, an apparent ad valorem duty of 40 per cent. affords in textile goods hardly more protection than a specific duty equivalent to 30 per cent.

When the gentleman from Texas says that the woolen manufacturer is protected by a duty of 66 per cent. he conveys a wrong impression to men who do not understand that the manufacturer and his employés are protected by only an ad valorem duty of 35 per cent. on common woolens and 40 per cent. on fine woolens—the balance of the duty being simply compensatory for the duty on wool.

HOW TO REDUCE THE REVENUE.

It is obvious from what I have already said that so far as the Mills bill reduces the duty on imported manufactures it will not reduce, but increase the revenue by swelling importations to take the place of our domestic products. For this reason in these particulars it is not a bill to reduce, but to increase what are improperly styled war taxes.

So far as the bill abolishes the internal-revenue tax on tobacco—in which I concur, except that I would sweep away all the tobacco taxes—the bill will reduce the revenue. I would also abolish the tax on alcohol used in the arts and manufactures. These two items would make a reduction of $35,000,000.

I would then reduce the enormous duty of 82 per cent. on sugar, a necessary article of food, to the average duty borne by products similarly advanced, and this would reduce the revenue $30,000,000 more.

If it is probable that we can develop the manufacture of sugar in this country (which we have not been able to do after forty years' trial, for the reason that nature is against us), I would resort to the bounty system by which France and Germany developed their beet-sugar industry. But under no circumstances can there be an excuse for maintaining a duty of 82 per cent. on sugar, or 68 per cent. as proposed by the pending bill, when the product is so small here that the duty is inevitably nearly all added to the price.

Then I would correct the inequalities of the tariff at other points; as, for example, in the Treasury ruling that worsteds are not woolens, and in general seek to substitute specific for ad valorem duties, in order that the duties might be determined by our lawmakers rather than by the European exporter, and thereby secure our own markets more completely for our own industries and our own labor.

FREE RAW MATERIALS.

Mr. Chairman, it is significant that within a few years our free-trade or revenue-tariff friends—for in the popular use of these two terms both mean the same thing—have abandoned to a certain extent their direct assault on protection and are now attempting to circumvent it by what might be called in military phrase a flank movement. They have suddenly discovered that manufacturers are not so great "robbers" as they were a few years ago, but are rather objects of pity because of the burdens they have to bear in "taxed raw materials." The free-trade slogan to-day is not so much free manufactured products as "free raw materials."

I remember when the distinguished Congressman from, and now mayor of, New York appeared in this House as the John the Baptist of this movement, and almost literally cried alone in the wilderness of this Chamber for "free raw materials," which then meant "free iron ore" and "free coal," both of which he told us are indispensable to the success of our manufacturing industries.

In the Forty-ninth Congress the distinguished gentleman who then was at the head of the Ways and Means Committee, Mr. Morrison, became a "free raw-material" disciple, which then came to mean free coal, free iron ore, and free sawed lumber.

In the present Congress my excellent friend, the distinguished gentleman from Texas [Mr. MILLS], whose fiery rhetorical lances have been thrown at the "robber" manufacturers so many times in this Chamber, started out, not like Saul of Tarsus on his way to Damascus, but like Paul on his great missionary tour to the unbelieving Gentiles, to convert the heathen manufacturers of Rhode Island by the tender of "free raw materials," which had come to mean free wool, free lime, free manufactured lumber, free wood-pulp, and free Canadian farm products, but by some mysterious interposition no longer free coal and free iron ore.

The distinguished gentleman from Kentucky [Mr. BRECKINRIDGE], re-enforcing the alluring word-picture of the chairman of the Ways and Means Committee, pointed out that with the cheaper wool, cheaper farm products, cheaper lumber, and cheaper lime, secured by allowing South American wool and Canadian farm products, lumber, and lime to be imported free of duty, while retaining liberal duties on manufactured goods, Rhode Island textile establishments and their operatives would prosper.

An inventory of the net results of this "free-raw-material" missionary tour appeared a few weeks ago in the election returns from Rhode Island. I violate no confidence when I suggest that the investment proved ruinous.

The truth is that the "free-raw-material" scheme is unjust and indefensible, except in the view that free trade is the goal aimed at and "free raw materials" only a stepping-stone.

In the first place the use of the term "raw" is misleading. Strictly speaking, raw materials are only those to which no labor has been added—ore in the mine, timber in the forest, lime-rock in the quarry, or land untouched by the hand of man and untilled and ungrazed. These are as cheap and abundant in this country as anywhere on the face of the earth.

But why is it that the moment these really raw materials are touched by our labor and prepared for man's use they begin to cost more than the same materials abroad? Simply because the labor that is employed in transforming these raw materials into useful forms is paid higher wages in this country. If similar quantities of labor cost no more here than in other countries, then the ore at the furnace, the lime at the kiln, the manufactured lumber at the mill, the wool in the fleece, and the hay, potatoes, vegetables, peas, beans, and grain on the farm, and other materials used in more advanced manufactures could be produced as cheaply here as in Canada or South America.

In other words, we are prevented from producing these materials as cheaply as they can be produced in other countries for the same reason that cotton can not be manufactured into fine goods, that wool can not be made into fine cloths, that ore can not be made into pig or bar iron, that leather can not be made into boots and shoes; in short, that any manufactured article in which labor is a large element can not be made in the United States as cheaply as in Europe, namely, because our labor costs more.

Now, my distinguished friend from Texas [Mr. MILLS] comes in with a bill to make wool, lime, manufactured lumber, wood and chemical pulp, and farm products cheaper by allowing them to be imported free of duty from other countries where the labor required to produce these materials is cheaper than here. This, he tells the House and the country, will be a good thing to do.

Now, what I desire to ask the distinguished chairman of the Ways and Means Committee is, if it is a good thing to avail ourselves of the manufactured lumber, the wood pulp, the lime, the wool, and the farm products supplied by the cheaper labor of other countries, and give up producing these articles here, or else bring our labor down to the foreign standard, why then is it not a good, aye, a better, thing to also allow all the more advanced manufactures which can be made abroad more cheaply by labor paid less wages than here to come in free of duty. [Applause.]

WHY ABANDON LUMBER, LIME AND FARM WORKERS?

In other words, will any gentleman tell me why the labor employed in manufacturing lumber, wood pulp, and lime, and producing wool and farm products is not entitled to the same protection, proportioned to its quantity and character, as the labor employed in other industries?

The lumber industry is carried on in nearly every State. The value of the product in 1880 was $233,268,729; number of men employed, 147,956; wages paid laborers, $31,845,974. The value of the product of manufactured lumber is as much as that of the iron industry, more than that of either cotton, wool, or leather, and more than that of the carriage, furniture, glass and hardware industries combined.

Will any gentleman tell me why so important an industry is to be subjected to unrestricted Canadian competition? Or will any one tell me why the laborers who make lime at $2 per day in this country, are to be driven to the wall by Canadian lime manufacturers who pay only $1.25 per day? Or why our large and growing wood and chemical pulp industries should be destroyed by putting their products on the free-list?

THE FOREIGN-MARKET DELUSION.

The chief reason given by the gentleman from Texas for placing on the free-list these so-called "raw materials" was to thereby cheapen our manufactured products, so as to be able to better compete with European manufacturing nations in foreign markets.

The gentleman from Indiana [Mr. BYNUM] seemed to think that if we only had free wool our woolen-mills would at once be able to find valuable foreign markets for their goods. And yet in the same speech he showed that with the free raw material of cotton we exported last year cotton goods to the value of less than $15,000,000, and these all of the coarsest variety, while we imported fine cotton goods to the value of nearly $29,000,000.

Now, if with the raw material of cotton cheaper than our British competitors we are able to export only a few goods, in which there is but a fraction of labor, how does the gentleman suppose we should be able to compete in foreign markets with woolen goods in which the labor is a much larger element?

No, Mr. Chairman, free wool would not add to our foreign markets for woolen goods so long as our labor costs so much more than does the labor of our foreign competitors. That is the sole reason why we can not compete in foreign markets with manufactured articles into which much labor enters, except in cases of specialties which circumstances have made peculiar to this country.

Indeed, if any manufacturer thinks that he can successfully compete with foreign manufacturers in foreign countries provided he can have the privilege of importing materials free of duty, he can take advantage of section 3019 of the Revised Statutes, which permits the importation of materials for articles for export on payment of a duty of only 10 per cent., and there would be no objection among protectionists to removing even the 10 per cent. duty. I introduced a bill to this effect and had it referred to the Committee on Ways and Means at the beginning of this session, but notwithstanding the apparent zeal of the majority of that committee for free raw materials in order to increase our exports, the bill sleeps the sleep of death in the committee-room.

VALUE OF OUR HOME MARKETS.

Mr. Chairman, I do not desire to be misunderstood in reference to the desirability of extending our foreign markets as much as possible. Let that be done, but in such a way that it will not surrender much more valuable home markets. A lowering of duties on imported articles which we can produce here to the extent of our wants, for the ostensible purpose of cheapening production so as to enable us to compete more successfully in foreign markets, would inevitably surrender a hundred dollars to foreign producers in our home markets in exchange for the bare possibility of obtaining a trade of $10 in foreign markets.

Have gentlemen who talk so admiringly of new foreign markets and so depreciatingly of our home markets considered that the markets of the United States consume more products than are consumed by Great Britain and exported from Great Britain, France, Germany, Russia, Holland, and Austria combined?

Great stress is laid upon the large products of Great Britain. Yet the consumption of products per capita in the United States is greater than the consumption and exports of the United Kingdom per capita.

According to Mulhall, in 1880 the total production of the United Kingdom was six thousand two hundred millions, or $172 per inhabitant, of which $136 was consumed at home and $36 exported.

According to the estimates of Mr. Nimmo, of the Bureau of Statistics, the total production of the United States in the same year was ten thousand millions, or $200 per inhabitant, of which $183 was consumed at home and $17 exported.

The value of our products of agriculture in 1880 was three thousand six hundred millions, of which 85 per cent.—92 per cent., excluding cotton and tobacco—was consumed at home, while the value of the products of British agriculture was only thirteen hundred millions.

We are already the largest manufacturing nation in the world. The value of our product of manufactures, mining, and forestry in 1880 was nearly five thousand five hundred millions—six hundred and fifty millions more than the similar products of Great Britain, of which five thousand three hundred and sixty-two millions was consumed at home and one hundred and thirty-eight millions exported. Indeed, our home market consumed more manufactured products than the combined home consumption and exports of Great Britain.

The value of the products of our leather industries, including the manufacture of boots and shoes, in 1880 was four hundred and fifty-four millions—two and a half times that of Great Britain—of which four hundred and forty-seven millions was consumed at home.

The gentleman from Massachusetts [Mr. RUSSELL] conveyed the impression the other day that by putting hides on the free-list in 1871 we paved the way for an export of boots and shoes. But we have done nothing of the kind, our total exports in this line last year reaching only $700,000. We have only held our own markets since 1871, precisely the same as we did before, simply because the 30 per cent. duty on goods in which the materials compose so large a part of the cost was ample to keep out foreign competition. If this duty should be removed it would not be long before the boot and shoe industry would begin to feel the effect of French and English boots and shoes.

The value of our woolen manufactures in 1880—that industry which the gentleman from Indiana pictured as well nigh extinct for want of free wool—was two hundred and seventy-three millions, or forty-eight millions more than the value of the woolen manufactures of Great Britain, of which nearly all was consumed at home.

I am ready to co-operate in any feasible measure which will tend to increase our export trade, but excuse me from sharing in the responsibility of any movement looking to the surrender of such a magnificent home market as ours in the vain hope that in some already gorged foreign market—gorged, too, with the products of cheaper labor—we can make up the loss.

THE BARTER FALLACY.

But I hear the gentleman from Texas asserting that foreigners will not buy of us unless we open to them our markets for manufactured goods, which we can and ought to make for ourselves.

To this proposition I reply that foreigners will buy what they need where they can buy the cheapest, as we do, without regard to whether they can or can not sell their manufactured products to us. Let my friend consult the last report of the Bureau of Statistics on commerce, and he will find that our exports to each foreign country do not have the slightest reference to our imports from that country.

We exported last year to Great Britain (omitting fractions) products to the value of three hundred and sixty-three millions, but imported from that country only one hundred and sixty-five millions.

We imported from the West Indies seventy millions, but exported only twenty-four and three-quarter millions. Has the gentleman heard from any one in this country who proposed to stop buying sugar in Cuba because she buys so little of us?

We imported almost fifty-three millions from Brazil, but Brazil bought of us only eight millions.

What becomes of the doctrine that we can sell only as we buy, in the light of such facts as these?

PROTECTION FAVORABLE TO FOREIGN TRADE.

Mr. Chairman, it must not be assumed, as has been charged, that on the whole the protective policy is less favorable to a development of our foreign trade than such a tariff policy as prevailed before the war.

On the contrary, it is the claim of protectionists that the policy which builds up home manufactures and diversifies our home industries results in such increased prosperity to the people that they on the one hand produce more, and on the other hand demand more of such imports as they do not produce than they would have consumed under a policy which discouraged home industries.

The proof of this claim is to be found in a comparison of the exports and imports under the revenue-tariff period between 1846 and 1861 with those under the protective period between 1865 and 1881.

In the revenue-tariff decade between 1851 and 1861 our annual imports, per capita, averaged $10.73, and our exports $9.94; annual foreign trade, $20.67 per inhabitant.

In the protective-tariff decade between 1871 and 1881, our annual imports averaged, per capita, $13.50 and our exports $14.93. Annual foreign trade $28.43 per inhabitant.

It will be observed that our exports and imports per inhabitant were nearly 50 per cent. greater in the protective decade than in the revenue-tariff decade.

This result, as disclosed by the official report, ought to silence the charge that the protective system destroys our foreign trade. The truth is that our foreign commerce with every country in the world

never grew so rapidly as it has since the war under the protective policy. If the carrying of this commerce had been retained by American shipping we should to-day have a tonnage in the foreign trade of five times as large as it is.

In 1865, when our civil war closed, the value of our foreign commerce was $404,774,883. In 1881 the value of this commerce had increased to $1,545,041,974, a growth in sixteen years of almost 300 per cent. The increase of our foreign commerce from 1846 to 1861 was only 70 per cent.; and yet there are many persons who are constantly asserting that the palmy days of our foreign commerce were under the tariffs of 1846 and 1861, and that the high tariffs since the war have destroyed our foreign trade.

There are those who are adverting in and out of season to the "unexampled" growth of the foreign commerce of Great Britain in the last twenty years. I desire to call attention to the fact that in 1865 the foreign commerce of the United Kingdom was valued at $2,384,117,140, and in 1881, it was $3,377,863,266, an increase of only 50 per cent., or only one-sixth of the increase of the foreign commerce of the United States. Even including the war period, when the foreign commerce of this country was so seriously impaired and that of Great Britain so prosperous, the statistics show that the value of the foreign commerce of the United Kindom increased between 1860 and 1885 only 83 per cent., that of France 80 per cent., and that of the United States 95 per cent.

In other words, the foreign commerce of the United States has increased since 1860 more rapidly than that of Great Britain or that of any other nation. Gentlemen who find it convenient to lament what they call the "decline" of our foreign commerce, and point to the growth of English commerce as something which "our blind protective policy" prevents us from attaining unto, should consult the official statistics.

OUR EXPORT TRADE.

Again, there is no basis for the oft-repeated assertion that the protective tariffs of the United States since 1861 have restricted the export trade of the United States, which, it is assumed, the revenue tariffs in force from 1846 to 1861 had specially fostered.

According to the official statement of Mr. Evans, of the Treasury Department, our exports increased only 16½ per cent. in the revenue-tariff decade between 1851 and 1861, or 60 per cent. if the years 1850 and 1860 are compared; while in the protective decades between 1861 and 1871 our exports increased 146 per cent., and between 1871 and 1881 increased 59¾ per cent. Our total exports in the decade ending with 1860 were eight hundred and fourteen and one-half millions; in the decade ending with 1880 they were fifty-one hundred and twelve millions.

Comparing population and exports, and the official statistics show that in the decade between 1851 and 1871 our annual exports were $10.66 per inhabitant; and in the decade between 1871 and 1881 they rose to $14.93 per inhabitant, and in 1883 to $15.25 per inhabitant.

With an official showing of annual exports of only $9.94 per inhabitant in the revenue-tariff decade between 1851 and 1861, and of $14.93 per inhabitant in the protective decade between 1871 and 1881, it is time that the oft-repeated assumption that protection has destroyed our foreign export trade should no longer be used by men who profess to seek the truth.

Side by side with the official evidence that our foreign exports per inhabitant are 50 per cent. larger under protection than they were under a revenue tariff, having risen from $228,699,486 in 1861 to $898,452,891 in 1881, I wish to place the additional fact that this growth of exports has not been solely in crude products, as many of our free-trade friends aver, but that the growth of our exports of partially and wholly manufactured articles has been even more rapid than the growth of our exports of crude articles.

In the decade between 1851 and 1861 official statistics show that only 16¾ per cent. of our exports were manufactured goods and only 16 per cent. partially manufactured; but in the decade between 1871 and 1881 20 per cent. of our exports were manufactured, rising in 1883 to 23 per cent. manufactured, and 22½ per cent. partially manufactured.

The growth of our exports of manufactured goods will be clearly seen by any one who will take the trouble to examine the official statistics. In the decade between 1851 and 1861 no agricultural implements were exported; but in the decade between 1873 and 1883 the value of these implements exported was twenty-seven millions. In the first decade not a single watch or clock was exported; in the last decade watches to the value of $600,000 and clocks to the value of ten millions. In the first decade forty millions in value of iron and steel were exported; in the last decade one hundred and fifty millions. In the first decade leather and leather goods to the value of ten millions were exported; in the last decade seventy-eight millions. In the first decade manufactures of wood to the value of eighty-seven millions were exported, and in the last decade one hundred and ninety millions.

And yet there are gentlemen who continue to gravely assert on this floor that protection has destroyed our export trade, particularly in manufactured goods, and taken away cargoes from vessels.

I desire to call the attention of gentlemen who so frequently in this Hall lament the alleged loss, through protection, of the export trade to various countries, which was supposed to have been so flourishing in the revenue period before the war, to the fact disclosed by the official statistics that there is scarcely a country to which we do not export twice as much, and in many cases three, four, and even five times as much, under our protective policy as we did under a revenue tariff.

In 1860 our exports to Russia were $2,750,000; in 1883 they were $19,000,000. In 1860 our exports to Germany were $14,750,000; in 1883, $64,250,000. In 1860 our exports to Belgium were $2,750,000; in 1883, $26,750,000. In 1860 our exports to Great Britain were $196,250,000; in 1883, $420,500,000; or, turning to the East, in 1860 our exports to Japan were $90,000; in 1883, 3,250,000. In 1860 our exports to Australia were $4,000,000; in 1883; $9,500,000. To South and Central America, which trade it has been asserted we largely held under revenue tariffs, our exports in 1860 were only $17,500,000, but in 1883, $42,500,000. Even our exports to the West India Islands have increased from $23,000,000 in 1860 to $32,250,000 in 1883.

Mr. Chairman, look in whatever direction we may to the practical results of the protective policy in the United States in the last quarter of a century, and we find abundant evidence that it has promoted in the highest degree the prosperity of our people. By common consent the United States is pointed to everywhere as the most marvelous national growth recorded in history. [Applause.]

THE DECLINE OF OUR FOREIGN CARRYING TRADE.

I forgot, Mr. Chairman, that in one particular, namely, our foreign carrying trade, and one only, it was pointed out by the gentleman from Tennessee [Mr. McMILLIN], as it has been heretofore by others, that we had retrograded rather than advanced. My friend from Tennessee went further, and charged that the decline of this foreign carrying trade is due to our protective tariff.

When the gentleman made the charge I endeavored to call his attention to the fact that the decline in our foreign carrying trade began immediately after 1855, when the revenue tariff of 1846 was in force, and that in the six years between 1855 and 1861, while this policy continued, the average annual decline was as great as since the war under the protective tariff. This is proved by the official statistics, which show that 75½ per cent. of our exports and imports were carried in American vessels in 1855, and only 69½ per cent. in 1861.

Moreover, the statistics show that in 1855 there were 507 vessels of the class used in foreign trade built in the United States, in 1859 there were 309, and in 1857 only 117. [Applause.]

Therefore there is as much reason for saying that the revenue tariff before the war caused the decline of our foreign carrying trade as there is for charging that our protective tariff brought it about.

Looking still further at the statistics, it is found that during the four years of civil war the Confederate cruisers swept more than one-third of our shipping in the foreign trade from the ocean either by capture or sale to avoid destruction, so that when the war ended in 1865 only 28 per cent. of our exports and imports were carried in American vessels.

I take it for granted that my friend from Tennessee will not charge to the protective tariff this loss of 38 per cent. of our foreign carrying trade through the ravages of the Alabama and other Confederate cruisers.

Since the war the decline has gone on year by year a little more slowly than before the war, until last year only 14 per cent of our exports and imports were carried in American vessels.

From what I have already stated it is evident that this decline is not due to a falling off of cargoes to be carried, for our exports and imports have increased in an unexampled manner. The trouble is that foreign vessels have seized upon the cargoes which ought to be carried in our own vessels.

The statement of this fact shows that our foreign carrying trade occupies a position different from that of every other industry in this country. While every other industry is protected to a greater or less extent, either directly or indirectly, from foreign competition, the foreign carrying trade alone since 1850 has been open to the free competition of British and other foreign vessels. In other words, all our domestic industries have been prospering under the policy of protection. Our foreign carrying trade has been well nigh destroyed under the policy of free trade.

Mr. McMILLIN. Will the gentleman from Maine yield to me for a question?

Mr. DINGLEY. I will if my time can be extended.

Mr. McMILLIN. You can have an extension of time. What I want to know is whether the American citizen is permitted to buy free the vessel that is to run in this trade, or whether he is permitted to bring in free the materials of the ship that is to be built in this country?

Mr. DINGLEY. I will meet that point as I proceed.

Mr. McMILLIN. What I want to show is that we have not free trade in that business.

Mr. DINGLEY. In the business of the ocean carriage of our exports and imports we have had free trade.

Do not understand me as saying that any tariff has destroyed our foreign carrying trade, for tariffs have had nothing at all to do with it It is other legislation which opened our foreign carrying trade in 1850

to British competition and placed this business on a free-trade basis, thus giving an opportunity for other causes to operate against us.

This is brought into a clearer light when it is noted that our coastwise shipping, which is absolutely protected from foreign competition, has highly prospered, notwithstanding the severe competition of railways, until to-day it has a tonnage three times as large as the home fleet of Great Britain and five times as large as that of any other nation. [Great applause on the Republican side.]

Computing by the accepted rule that one ton of steam is equal in carrying power to three tons of sail, and our coastwise tonnage was in 1869 an equivalent of 4,300,892 tons of sail, and in 1887 this had increased to an equivalent of 6,075,716 tons, an increase of nearly 50 per cent. in less than twenty years.

No country on the face of the earth is able to present such a marvelous growth of home shipping, and no other country has so cheap water and rail transportation.

Mr. BRECKINRIDGE, of Kentucky. May I ask the gentleman a question right there?

Mr. DINGLEY. Yes, sir.

Mr. BRECKINRIDGE, of Kentucky. Is not that partly because the cargo in the coastwise trade goes to a place where there is no duty and comes back to a place where there is no duty, although the vessel has an outgoing cargo and an incoming cargo? In other words, is not the coastwise trade carried on under absolute free trade, while the port to which and the port from which the vessel sails are absolutely without any tariff law?

Mr. DINGLEY. Let me show my friend that vessels in the foreign trade are precisely in that position. Mind you, there is no lack of cargo to be carried either way in either the foreign or the coastwise trade. We have permitted the British and other foreign vessels to come in on equal terms and take the cargoes, whereas in the coastwise trade we have excluded all except American vessels.

Mr. DOCKERY. Will the gentleman from Maine not state the reasons why, in his opinion, the marine has declined?

Mr. DINGLEY. I will come to that in a moment.

Mr. BRECKINRIDGE, of Kentucky. I do not like to interrupt the gentleman, but he will permit me to say that I think there are other causes for the decline of the marine than the tariff,

Mr. DINGLEY. I am glad the gentleman has reached that conclusion. I had supposed from what I had heard on the other side of the House that this was considered the sole cause, and that all we have to do to revive our foreign carrying trade is to go back to the tariff of 1846.

Mr. DOCKERY. Not by any means.

Mr. BRECKINRIDGE, of Kentucky. There are other causes relating to material, naval architecture, etc.

But is it not true that one of the reasons besides what the gentleman has spoken of—the monopoly the coastwise trade has by excluding the competition of foreign vessels—is it not one of the reasons that the coastwise trade has grown because of absolute free trade between the ports between which the coastwise vessels trade? They go from one port to another, and both ports are under the same law, which as to that trade is absolute free trade.

[Here the hammer fell.]

The CHAIRMAN (Mr. LONG). The time of the gentleman from Maine has expired.

Mr. BRECKINRIDGE, of Kentucky. I ask that the gentleman's time be extended.

There was no objection.

Mr. DINGLEY. I wish to show the gentleman that his suggestion that the coastwise trade is prosperous because the vessels engaged in it have cargoes that they can take, for instance, from New York to Boston or from New York to Charleston, applies as well to the foreign trade. There is the same abundance of cargoes between Boston and Liverpool, between Boston and Havre, and between New York and any of these foreign ports. There is abundance of cargoes in each case. The difference is, we admit the British and other foreign vessels to compete with us in carrying our exports and imports, and they can beat us on free-trade principles. In the coastwise trade none but American vessels can engage.

Mr. BRECKINRIDGE, of Kentucky. Is it not the fact that going from Boston to Liverpool a ship takes an outgoing cargo upon which there is no duty at either port, but when it comes back it comes back with a cargo on which there is a duty? Therefore, so far as our trade is concerned, that ship-owner being obliged to be an American, and the ship, by our registry laws, being obliged to be an American ship, it can not find a cargo belonging to American owners which he can swap for a cargo that is to come to American ports, and it has to come around by Great Britain.

Mr. DINGLEY. But that makes no difference with the carrying trade. The American vessel is not obliged to carry a cargo that belongs to Americans any more than the British vessel is obliged to carry a cargo that belongs to a British subject. There are abundant cargoes to be carried between all the ports of this country and of other countries. There is no trouble on that score. The difficulty is not that the American vessel has not the same chance as the British; the trouble is that it has no better chance, and it is beaten in the race of competition because it costs more to run an American vessel than a British vessel on account of our higher wages of labor and better fare. Therefore the gentleman's comparison between the ocean carrying trade and the coastwise trade is not pertinent at all, because both have an abundance of cargo to carry.

Furthermore, the gentleman says that the coastwise trade is a monopoly. Of course the inference to be drawn is that our people pay a great deal higher rates than are paid to the similar home fleets of other nations. Now, it is a fact that there is no people on the face of the earth who get their coastwise carrying trade done cheaper than the American people do, because we have reserved that whole business to our own vessels, so that they are encouraged to go on and build up their business without any fear of being suddenly driven off by foreign competition.

Mr. DOCKERY. In other words, there is competition and yet no "trusts" in the coastwise merchant marine.

Mr. BRECKINRIDGE, of Kentucky. That is, competition has made the coastwise trade very cheap and valuable, while competition has made the ocean carrying trade utterly valueless.

Mr. DINGLEY. Not at all. The theory on which protectionists proceed is this, that we are a nation of 60,000,000 people with all these advantages, and that when our people can carry on competition among themselves, knowing that they are not to be driven off by the cheaper labor of some other country whenever there happens to be some little depression of business, knowing that they have got the business to themselves, the result of competition among ourselves, and the consequent result of exciting the inventive genius of our people, gives us, in the long run, cheaper prices than we would have if we were liable at any time to be deprived of the business by foreign competition.

Mr. MILLIKEN. Is it not true that the rivals abroad with whom our vessels have to compete are subsidized, while ours are not?

Mr. DINGLEY. Yes, not only have we put our foreign carrying trade on a free-trade basis with respect to the competition of foreign vessels, but Great Britain, under the guise of free trade in her foreign carrying trade, has erected the most stupendous system of protection by subsidies ever known on the face of the earth. [Applause on the Republican side.]

PROTECTION FOR FARMERS.

Mr. WILSON, of Minnesota. The gentleman has stated that except this foreign carrying trade almost every other industry in this country is protected directly or indirectly and is prosperous.

Mr. DINGLEY. That is so as a rule. Of course there are periods of depression in all kinds of business.

Mr. WILSON, of Minnesota. Is it not true that since 1855-'56, about one-third of a century, the export prices of our products have never been as low, except as I now state: Corn but once, wheat not once, wheat flour not once, cotton not once, pork but once, beef not once, butter but three times, cheese but once? If that be true, why does the gentleman say that agriculture is prosperous under his high protective tariff?

Mr. DINGLEY. I will answer that question, because I heard a gentleman here with apparent sincerity press that point with much vigor.

Mr. WILSON, of Minnesota. I press it with real sincerity, sir.

Mr. DINGLEY. The gentleman asks why when wheat and corn are lower than formerly that fact does not prove that protection has not advanced the interests of the farmer. The gentleman understands that the price to the farmer is what he receives on the farm, and does not the gentleman know that the cost of transportation between Minnesota, for example, and Mark Lane in London has been reduced more than 30 cents per bushel from what it was before the war, and that therefore, even if wheat in London is 30 cents lower than it was then, still the farmer gets as much or more for his wheat than he got before?

Mr. WILSON, of Minnesota. Upon what principle does the gentleman argue that because transportation has been reduced the farmer should give all the benefit of that reduction to the monopolist?

Mr. DINGLEY. But he does not.

Mr. WILSON, of Minnesota. That is just what you said.

Mr. DINGLEY. Not at all. Upon the same principle, why does not the gentleman turn around and make an argument like this: The manufacturer now gets only 5 cents a yard for a product which before the war brought 10 cents a yard; therefore, has not protection been a great disadvantage to the manufacturer? Does not my friend know that the cost of production, largely through the influence of our protective system, has been greatly reduced in the manufacture of nearly all the articles which the farmer buys, and also in the production of wheat itself? Does it not cost less to produce a bushel of wheat now with all our improved farm machinery than it did thirty years ago?

Mr. WILSON, of Minnesota. Yes, and that is just——

Mr. DINGLEY. I want to add that there never has been a time when the farmer could buy so many yards of sheeting, so many yards of cloth of any kind, or so much of any product that he consumes on his farm for a bushel of wheat or a bushel of corn or a bushel of potatoes as he can to-day. [Applause on the Republican side.]

Mr. WILSON, of Minnesota. And that is the way you explain the

proposition that the farmer is benefited by protection when I ask you the question, and you can not deny that in one-third of a century farm products have never been so low as they are now.

Mr. DINGLEY. Now, I want to say a word more about the farmer, although it is a little out of the line of the discussion I was pursuing. The claim of the protectionist with reference to the farmer relates not merely to what he may do with that portion of his product which he exports, but it is claimed that the home market, by reason of the diversification of industries, has been so largely increased that the farmer, instead of being obliged to ship abroad three-fourths of his product, finds a better market at home.

Mr. WILSON, of Minnesota. Does not the export price fix the price of that which is sold at home?

Mr. DINGLEY. Right on that point I wish to ask my friend a question, for if ever there was a fallacy it is right here. I want to ask the gentleman whether the price of wheat, for example, in Mark Lane is not fixed rather by the quantity of the surplus we have to send abroad than by anything which may transpire in Mark Lane? Suppose Europe wants this year 100,000,000 bushels of wheat, and no more. Now, if Russia and this country and other wheat-exporting countries have each 75,000,000 bushels to export, there being sent abroad a surplus beyond what the market demands, prices inevitably go down. But suppose that, in consequence of having a market at home for a large part of our product, we ship abroad only 25,000,000 instead of 75,000,000 bushels, thereby bringing down the quantity of wheat shipped to Europe so as to not exceed the demand, is not this home consumption as potent an influence in determining the price of wheat in Mark Lane as anything transpiring there? In other words, is not the price in Europe greatly affected when our own markets take so much of our wheat that our surplus for shipment is small?

HOME MARKETS AGAIN.

Mr. BRUMM. Will my friend from Maine allow me to put one question——

Mr. DINGLEY. I must beg to be allowed to decline. I have no right to take up the time which other gentlemen may wish to occupy.

Mr. BYNUM. I would like to ask one question if my friend from Maine will permit me.

Mr. DINGLEY. I would be very glad indeed to yield, but I do not like to occupy the time to which other gentlemen are entitled.

Mr. BYNUM. That is the very same reply which I made to the gentleman the other day when he wanted to interrogate me, yet he was very persistent.

Mr. DINGLEY. Very well; I will hear the gentleman's question.

Mr. BYNUM. Does the gentleman know that the percentage of agricultural products exported now is greater than in the period from 1850 to 1860?

Mr. DINGLEY. I understand that, for we are exporting many kinds of agricultural products that Europe has begun to demand within a few years.

Mr. BYNUM. Then how is a home market being created when the percentage of exports is larger?

Mr. DINGLEY. We have been settling new agricultural lands with immigrants who have rapidly increased our agricultural products, but at the same time our home demand has been rapidly increasing.

Mr. BYNUM. Does not the gentleman know that we are manufacturing now more than we can consume?

Mr. DINGLEY. This is hardly so. Last year we imported $44,902,718 in woolen goods, $49,293,163 in iron and steel, $28,940,353 in cotton goods, $21,933,028 in linen and jute goods, $31,347,923 in silk goods, $11,199,945 in leather and leather goods, $7,319,895 in glassware, and over $25,000,000 of other manufactures—over $220,000,000 in the aggregate—all of which we ought to have manufactured ourselves.

OUR FOREIGN-CARRYING TRADE AGAIN.

Mr. DOCKERY. I would like to ask the gentleman a question, for the reason that in former debates on this subject of the decline of our foreign carrying trade, I have always understood him to maintain that neither high nor low tariffs have affected this matter.

Mr. DINGLEY. I am not arguing that the tariff has anything to do with this question.

Mr. DOCKERY. You are discussing the question of "free trade."

Mr. DINGLEY. I am not contending that the tariff has anything to do with the decline of our carrying trade.

Mr. CASWELL. I hope that the gentleman from Maine [Mr. DINGLEY] may be allowed to conclude his remarks without further interruption. Gentlemen who are to follow in this debate have some interest in the consumption of time; and these interruptions are hardly fair to them.

Mr. McMILLIN. The gentleman from Maine has not hesitated to put questions when other gentlemen were on the floor. I would be glad to ask him a question on a point upon which he interrogated me a few days ago.

Mr. DINGLEY. I would be very glad to answer questions to any extent, if I could do so without interfering with the rights of other gentlemen.

Mr. McMILLIN. The question I wanted to ask, if the gentleman will permit, is this——

Mr. DINGLEY. I will yield.

Mr. McMILLIN. When I was arguing the other day that the tariff had had a depressing effect upon our foreign carrying trade, the gentleman from Maine denied the statement, and said that the deterioration had begun before the present rates of tariff were inaugurated. In view of that statement, I wish to know why he contends to-day that foreign competition or "free trade" has destroyed our foreign carrying business, and protection has preserved intact our coastwise shipping.

Mr. DINGLEY. Not the protective tariff, but protection in the broad sense.

Mr. McMILLIN. I did not understand the gentleman to make any such distinction. He contended farther that the reverse of protection has destroyed our foreign carrying trade.

Mr. DINGLEY. Yes, sir.

Mr. McMILLIN. Now, if a non-protective policy has destroyed our foreign-carrying trade, why did the decline begin at the time the gentleman mentioned—before the present tariff rates came into operation?

Mr. DINGLEY. Because under the tariff of 1846 there was no protection for our carrying trade any more than there is now. Our discriminating charges against British vessels, which were abrogated in 1850, protected our foreign carrying trade up to that time.

Mr. McMILLIN. Then the tariff has had nothing to do with it?

Mr. DINGLEY. As I have said from the start, I am speaking of the principle of protection and the principle of free trade. I have always contended that the change from the tariff of 1846 to the present tariff has not had anything to do with this matter. I do not think I can be misunderstood on that point. I am simply saying that we have saved our coastwise trade because we have shielded it from the competition of British and other foreign vessels, not by the tariff, but directly by the navigation laws; and we have lost the foreign carrying trade because we have not shielded it from direct foreign competition since 1850.

Mr. BRECKINRIDGE, of Kentucky. I would like to ask the gentleman a question, solely for information, because I know he is thoroughly familiar with this subject. Has the gentleman himself made any calculation or investigation as to the amount of money which is annually paid to foreign ship-owners for our foreign carrying trade?

Mr. DINGLEY. It is not far from $150,000,000 annually.

Mr. DOCKERY. I would like to ask the gentleman a question. Are there not two principal reasons for the decline of our foreign merchant marine: first, the fact that it costs $100,000 to $150,000 more to construct an American ship than to build a foreign vessel; and second (this being the more important reason), the fact that the daily operating expenses of a foreign vessel are from 30 to 35 per cent. less than those of an American vessel?

Mr. DINGLEY. The last reason practically presents the difficulty that meets us.

Mr. HOPKINS, of Illinois. In an American-built vessel which costs $500,000, 95 per cent. of the cost is labor.

SHIP-BUILDING UNDER DIFFERENT TARIFFS.

Mr. DINGLEY. Inasmuch as it has been intimated that the present tariff is not so favorable for ship-building as the tariff of 1846, I desire to correct that impression. Under the tariff of 1846 all materials for the construction and repair and supplies of vessels bore a duty. Under the present tariff all lumber, timber, hemp, manilla, iron and steel rods, bars, spikes, nails, bolts, copper and composition metals, and wire rope for the construction, equipment, and repair, and all supplies of American vessels for the foreign trade, are admitted free of duty, so that on the whole the present tariff is as favorable for the construction of vessels for the foreign trade as the tariff of 1846. The difference in cost in this country and England in other materials of a vessel was as great before the war as now, so that if we had been called upon to build iron steam-ships before the war we should have had the same difficulty as now. The tariff of 1846 would not have helped us.

CAUSES OF DECLINE.

The causes of the decline of our foreign carrying trade since 1855, in the face of the unexampled increase of our exports and imports offered for transportation, must evidently be looked for entirely outside of tariffs or mere party issues. They may be briefly stated to be these:

First. The revolution from wood to iron in marine architecture, and from sails to steam in propelling power, which began to be felt about 1855. This gave England an advantage which we had so long as wooden sailing vessels controlled the commerce of the world.

Second. The admission of our great rival to our carrying trade on equal terms with our vessels about the beginning of 1850, which gave England an opportunity to use the advantage which she gained about 1855, as already stated.

Third. The adoption by England of the policy of aiding the establishment of steam-ship lines to all parts of the world by postal subsidies. The value of this aid may be appreciated when it is stated that she has expended $200,000,000 for this purpose in the last forty years, not to mention the great assistance she has given her ship yards by building 80 per cent. of her naval vessels in private establishments.

Fourth. The destruction of one-third of our merchant marine by Confederate cruisers between 1861 and 1865, and the advantage which England gained in building up great iron-ship yards while we were engrossed with war.

Fifth. A greater increase of wages of men engaged in ship-building and in the sailing of vessels in the United States in the last twenty years than in the foreign countries which are seizing upon our foreign carrying trade.

Sixth. The great opportunities for uses of capital and enterprise in building railroads, establishing manufacturing industries, and opening up the new West, which have afforded larger profits than could be obtained from the foreign carrying trade in close competition with foreign vessels. The capital and labor put into railroads in the United States in excess of that put into railways in Great Britain since 1855 would have built an ocean fleet of three times of the whole tonnage now sailing under the British flag.

AN OBJECT-LESSON IN FREE TRADE.

I repeat, Mr. Chairman, that our coastwise shipping has been saved and swelled to these magnificent proportions not by a protective tariff, but by protection, by legislation which directly excludes foreign competition. Our shipping in the foreign trade has been overwhelmed, not by a free-trade or revenue tariff, but by legislation which has admitted foreign vessels to open free-trade competition.

Instead of the decline of our shipping in the foreign trade, affording proof of the baneful effects of the protective principle, it is, on the other hand, an object-lesson, showing in a vivid manner the kind of destruction which would come to other industries in this country if we should open them up to the equal competition of similar foreign industries, as we have in the case of our foreign carrying trade.

I am aware, Mr. Chairman, that when we admitted British vessels to participate in our foreign carrying trade on equal terms with our own, in 1850, our statesmen did not foresee that a revolution had already begun from wood to iron and sails to steam, which would deprive us of the great natural advantages we had so long as wooden sailing-vessels controlled the ocean carrying trade, through which we had been enabled to hold our own. But when this revolution began to be felt, about 1855, when British iron steam-ships, built from the ore in the mine by cheaper labor than we have, and, far more important still, manned with officers, seamen, engineers, and firemen commanding far less wages than similar employés receive on board our vessels, then the principles of free trade applied to the foreign carrying trade began to do its work, and American interests in this business began to decline.

The contest would have been more severe and prolonged than it has been had not the civil war interfered to tie our hands, destroy a third of our marine in the foreign trade, and given Great Britain an opportunity to build up great iron-ship-building plants by government contracts for war vessels; and especially had not the British Government strengthened the hands of her ship-owners by postal subsidies to establish steam-ship lines to all parts of the world, while our Government has refused aid to our vessels.

LOWER WAGES ABROAD WHAT TROUBLE US.

In the attempt to compete on free-trade principles in the foreign carrying trade with British steam-ships we have been worsted, first, because England had cheaper labor than we have to mine her ore, make her iron, and build her iron vessels, but (in view of the fact that the difference in first cost of a vessel spread over thirty to fifty years is a small item) mainly because England has cheaper labor to run her steamships after they are built.

I have heard this denied, but in order to establish this fact beyond question I read from a special report on wages of officers, engineers, and seamen on British and on American vessels, made last November by United States Consul Russell at Liverpool, a free-trader, by the way, who would not be likely to color any facts to bear against his cause, and published in the February consular reports, as follows:

British vessels in domestic ports can procure crews for from 37 to 32 per cent. lower than those paid on American vessels, which is a serious item in the disbursement account. Then, again, the cost of maintenance on American ships is about 40 cents per day per man against the English 29 cents, or a difference of 27 per cent. in favor of the latter. When it is considered that provisions, such as beef, pork, and flour, which are the principal articles of food consumed, can be obtained in the United States, if anything, at a lower price than in England, it seems remarkable that the crews of our vessels should cost 27 per cent. more per man for maintenance; yet such appears to be the case. It is an acknowledged fact that the living on board our vessels is superior to that of other nations, and it is generally asserted that larger quantities of food are supplied to the crew, the scale of provision laid down by Congress being rarely, if ever, resorted to.

I invite the attention of gentlemen who contend that there is not much difference between wages in the United States and Great Britain to this official statement that crews can be procured for British steam-ships at 37 per cent. lower wages than they can be procured in this country for American steam-ships, and that it costs 27 per cent. more to feed the American crews than it does the British crews, because our laborers properly insist on better living.

FREE SHIPS NOT A REMEDY, BUT A SERIOUS PERIL.

I should like to ask the gentlemen who think that the slight initial saving which might be made in going to the Clyde and having our ships built would enable us then to compete on equal terms in the foreign carrying trade with our British rivals, to tell the House and the country how they propose to run steam-ships after they have been built in free competition with British vessels which are manned by officers and men who receive 37 per cent. less wages and 27 per cent. poorer fare than our own officers and crews require!

The simple statement of the situation shows the absurdity of the free-ship remedy for a revival of our merchant marine in the foreign carrying trade, to say nothing of the grave national peril involved in relying upon Great Britain to build our vessels and abandoning our own ship-yards, which Jefferson well said are as necessary as forts in case of war.

Nothing can be more obvious than that if we persist in turning over our shipping in the foreign trade to open competition on free-trade principles with British and other foreign vessels without aid from our Government, the day is not far distant when every American vessel in that trade will have been driven from the ocean.

THE LESSON TO BE HEEDED.

Let this illustration of the disastrous effects of free trade in our foreign carrying trade warn us in time against trying the same experiment with other industries in this country.

It ought to be sufficient to deter us from hazardous experiments which look attractive in the figures of rhetoric, that under the protective policy which has prevailed for more than a quarter of a century the United States has grown so wonderfully in population, agriculture, manufactures, and all the elements which have to do with material prosperity, that even the most distinguished and most highly honored statesman of Great Britain—the peerless Gladstone—has spoken of her in debate in Parliament as the most marvelous and prosperous nation in Christendom. [Prolonged applause.]

APPENDIX.

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
Washington, D. C., December 9, 1884.

SIR: I have the honor to transmit to you herewith tabular statements showing the articles of imported merchandise which were entered for consumption in the United States during the year ended June 30, 1884, with the values thereof, the rates of duty, and the amounts of duty collected thereon, the average value per unit of quantity, and the average ad valorem rate of duty.

These statements exhibit in detail for a full year the operation of the tariff act of March 3, 1883, in comparison with the operation of the tariff previously in force for the year ended June 30, 1883.

The total value of the imports of merchandise entered for consumption in the United States during the year ended June 30, 1884, was $667,575,389, as against $700,829,673 during the preceding fiscal year; the value of dutiable merchandise so entered amounted to $456,295,124, as against $493,916,384 during the preceding year; the value of merchandise free of duty amounted to $211,280,265, as against $206,913,289 during the preceding year; the total amount of duties collected during the fiscal year was $190,282,836, as against $210,637,293 during the preceding fiscal year; the average ad valorem rate of duty on dutiable merchandise was 41.702 per cent., as against 42.646 per cent. during the preceding fiscal year; and the average ad valorem rate of duty on free and dutiable merchandise was 28.503 per cent., as against 30.055 per cent. during the preceding fiscal year. These facts may be more concisely presented in tabular form, as follows:

Value of imported merchandise entered for consumption, and duties collected thereon.

Description.	Year ended June 30—	
	1883.	1884.
Merchandise free of duty	$206,913,289	$211,280,265
Dutiable merchandise	493,916,384	456,295,124
Total value of merchandise	700,829,673	667,575,389
Total duty collected	210,637,293	190,282,836
Average ad valorem rates of duty on:	*Per cent.*	*Per cent.*
Dutiable merchandise	42.646	41.702
Free and dutiable merchandise	30.055	28.503

THE GENERAL RESULTS OF TARIFF LEGISLATION IN THE UNITED STATES FROM 1791 TO 1884.

Prior to the year 1867 no separate account was kept of the quantity and value of each kind of imported commodities entered for consumption and of the amount of duty collected thereon. The following table is therefore divided into two parts, the first of which shows for the years 1791 to 1866, inclusive, the value of the net imports of merchandise into the United States, the amount of duty collected thereon, and the average ad valorem rates of duty on dutiable and on free and dutiable goods imported; and the second of which shows for the years 1867 to 1884, inclusive, the value of merchandise entered for consumption free of duty and dutiable, the amount of duty collected, and the average ad valorem rate of duty on the total value of both free and dutiable goods entered for consumption.

Duties on imports.

Year ended—	Value of net imports.*			Amounts of duty collected.	Average ad valorem rates of duty on—	
	Free.	Dutiable.	Total.		Dutiable.	Free and dutiable.
Sept. 30—					*Per ct.*	*Per ct.*
1791	.....	.....	$28,687,959	$4,399,473.09	.....	15.34
1792	.....	.....	29,746,902	3,433,070.85	.....	11.54
1793	.....	.....	28,990,428	4,255,306.56	.....	14.68
1794	.....	.....	28,073,767	4,801,065.28	.....	17.10
1795	.....	.....	61,266,796	5,588,461.26	.....	11.21
1796	.....	.....	55,136,164	6,657,987.94	.....	12.07
1797	.....	.....	48,379,406	7,549,649.65	.....	15.60
1798	.....	.....	35,551,709	7,106,061.93	.....	19.99
1799	.....	.....	33,546,148	6,610,449.31	.....	19.70

* From 1791 to 1820 the values of free and of dutiable goods can not be separately shown.

Duties on imports—Continued.

Year ended—	Value of net imports.			Amounts of duty collected.	Average ad valorem rates of duty on—	
	Free.	Dutiable.	Total.		Dutiable.	Free and dutiable.
Sept. 30—					*Per ct.*	*Per ct.*
1800			$52,121,891	$9,080,932.73		17.42
1801			64,720,790	10,750,778.93		16.61
1802			40,558,362	12,438,235.74		30.67
1803			51,072,594	10,479,417.61		20.52
1804			48,768,403	11,068,565.33		22.76
1805			67,420,981	12,936,487.04		19.19
1806			69,126,764	14,667,698.17		21.22
1807			78,856,442	15,845,521.61		20.09
1808			43,992,586	16,363,550.58		37.22
1809			38,602,469	7,257,506.62		18.80
1810			61,008,705	8,583,309.31		14.07
1811			37,377,210	13,313,222.73		35.62
1812			68,534,873	8,958,777.53		13.07
1813			19,157,135	13,224,623.25		69.03
1814			12,819,831	5,998,772.08		46.79
1815			106,457,924	7,282,442.22		6.84
1816			129,964,844	36,306,874.88		27.94
1817			79,891,931	26,283,348.49		32.90
1818			102,323,304	17,176,385.00		16.78
1819			67,959,317	20,283,608.76		29.81
1820			56,441,971	15,005,612.15		26.59
1821	$1,730,725	$41,965,680	43,696,405	13,004,447.15	30.99	29.76
1822	3,554,146	64,841,527	68,395,673	17,589,761.94	27.13	25.72
1823	2,626,630	48,684,106	51,310,736	19,088,433.44	39.21	37.20
1824	3,083,408	50,763,159	53,846,567	25,516,966.48	50.21	47.39
1825	3,707,960	62,687,762	66,395,722	31,683,096.15	50.54	47.72
1826	4,650,373	53,002,204	57,652,577	26,108,254.74	49.26	45.29
1827	2,890,130	52,010,978	54,901,108	27,962,145.43	53.76	50.94
1828	4,012,196	62,963,309	66,975,505	29,966,472.23	47.59	44.74
1829	3,481,946	51,259,625	54,741,571	27,769,769.03	54.18	50.73
1830	3,511,586	46,063,513	49,575,099	28,417,055.96	61.69	57.33
1831	5,508,094	77,300,016	82,808,110	36,623,270.48	47.38	44.23
1832	6,996,732	68,330,956	75,327,688	29,356,056.74	42.96	38.97
1833	20,211,675	63,258,392	83,470,067	24,196,103.67	38.25	28.99
1834	39,724,515	47,248,632	86,973,147	18,687,952.77	40.19	21.83
1835	57,796,380	64,211,594	122,007,974	25,931,233.16	40.38	21.26
1836	70,120,705	88,690,687	158,811,392	30,991,510.93	34.94	19.51
1837	50,977,428	62,333,143	113,310,571	18,191,605.31	29.18	16.05
1838	38,161,583	48,391,015	86,552,598	19,998,861.98	41.33	23.11
1839	65,188,174	80,682,642	145,870,816	25,631,888.13	31.77	17.57
1840	42,110,829	44,139,506	86,250,335	15,178,975.46	34.39	17.60
1841	57,078,044	57,698,265	114,776,309	19,941,090.29	34.56	17.37
1842	23,346,171	34,650,147	87,996,318	16,686,341.92	25.81	18.96
June 30—						
1843*	11,571,486	25,722,643	37,294,129	7,508,627.19	29.19	20.13
1844	16,684,902	79,705,646	98,390,548	29,395,762.56	36.88	30.50
1845	15,664,548	89,934,993	105,599,541	30,978,558.44	34.45	29.34
1846	18,647,378	91,401,481	110,048,859	30,484,716.34	33.35	27.70
1847	15,838,500	100,419,095	116,257,595	28,137,922.86	28.02	24.20
1848	14,946,012	125,705,826	140,651,838	33,034,306.09	26.28	23.49
1849	13,710,610	118,854,498	132,565,108	31,027,772.46	26.11	23.41
1850	15,982,458	148,051,575	164,034,033	40,181,813.04	27.14	24.50
1851	17,910,930	182,565,378	200,476,308	48,626,600.08	26.63	24.26
1852	21,649,731	173,737,583	195,387,314	47,577,633.19	27.38	24.35
1853	24,732,613	225,424,532	250,157,145	58,467,814.85	25.93	23.37
1854	22,552,835	253,535,495	276,088,330	64,931,607.09	25.61	23.52
1855	29,913,974	201,736,366	231,650,340	54,119,676.91	26.82	23.36
1856	49,603,470	246,047,468	295,650,958	64,084,400.56	26.05	21.68
1857	49,942,107	283,569,188	333,511,295	63,664,863.56	22.45	19.09
1858	55,292,929	187,385,484	242,678,413	42,046,722.31	22.43	17.32
1859	66,856,406	249,966,964	316,823,370	48,894,683.55	19.56	15.43
1860	68,391,038	267,891,447	336,282,485	52,692,421.02	19.67	15.67
1861	67,421,022	207,235,303	274,656,325	30,038,269.16	18.84	14.21
1862	49,842,947	128,487,253	178,330,200	46,509,214.66	36.20	26.08
1863	30,026,756	195,348,524	225,375,280	63,729,203.24	32.62	28.28
1864	38,162,565	262,950,757	301,113,322	96,465,957.27	36.69	32.04
1865	40,097,208	169,559,317	209,656,525	80,635,169.78	47.56	38.46
1866	57,121,369	366,349,277	423,470,646	177,056,523.27	48.35	41.81

*Nine months, from October, 1842, to June, 1843.

*Value of imported merchandise entered for consumption.**

Year ended June 30—	Value of imports entered for consumption.			Amounts of duty collected.	Average ad valorem rates of duty on—	
	Free.	Dutiable.	Total.		Dutiable.	Free and dutiable.
					Per ct.	*Per ct.*
1867	$17,033,130	$361,125,553	$378,158,683	$168,503,750	46.667	44.559
1868	15,147,618	329,661,302	344,808,920	160,532,779	48.696	46.557
1869	21,692,532	372,756,642	394,449,174	176,557,584	47.365	44.761
1870	20,214,105	406,131,905	426,346,010	191,513,974	47.156	44.919
1871	40,619,064	459,597,058	500,216,122	202,446,673	44.049	40.472
1872	47,683,747	512,735,287	560,419,034	212,619,165	41.468	37.939
1873	178,399,796	484,746,861	663,146,657	184,929,042	38.149	27.886
1874	151,694,834	415,748,693	567,443,527	160,522,285	38.610	28.288
1875	146,465,463	379,795,113	526,260,576	154,554,983	40.694	29.368
1876	140,561,381	324,024,926	464,586,307	145,178,603	44.805	31.249
1877	140,840,149	298,989,240	439,829,389	128,428,343	42.954	29.199

*The expression "entered for consumption" refers to the form of the entry of goods made by the importer at the custom-house, and merely implies the delivery of the imported goods from the custody of the customs officers to the importer.

Value of imported merchandise entered for consumption—Continued.

Year ended June 30—	Value of imports entered for consumption.			Amounts of duty collected.	Average advalorem rates of duty on—	
	Free.	Dutiable.	Total.		Dutiable.	Free and dutiable.
					Per ct.	*Per ct.*
1878	$141,339,059	$297,083,409	$438,422,468	$127,195,159	42.815	29.012
1879	142,550,159	296,742,215	439,292,374	133,366,436	44.953	30.366
1880	208,049,180	419,506,091	627,555,271	182,747,654	43.563	29.121
1881	202,557,412	448,061,588	650,619,000	193,800,880	43.253	29.787
1882	210,721,981	505,491,967	716,213,948	216,138,916	42.758	30.178
1883	206,913,289	493,916,384	700,829,673	210,637,293	42.702	30.055
1884*	211,280,265	456,295,124	†667,575,389	190,282,836	41.702	28.503

The foregoing table presents an epitome of the results of tariff legislation in the United States from the beginning of the Government to the present time.

It must be observed, however, that the average ad valorem rates given in this table do not constitute an absolutely correct presentation of the general results of the various tariff laws which have from time to time been in force in this country since the organization of the Government. There are other factors to be taken into consideration. Such ad valorem rates have, from year to year, been more or less affected by changes in the relative proportion of the several kinds of dutiable goods imported upon which the rates differ. For example, either a falling off in the imports of goods paying high rates of duty or an increase in the imports of goods paying low rates of duty during any one year might cause a very considerable fall in the average ad valorem rate without any change in the tariff laws; and conversely an increase in the imports of goods paying high rates of duty or a decrease in the imports of goods paying low rates of duty might cause a very considerable increase in the average ad valorem rate of duty in the absence of any change whatever in our tariff laws.

The average ad valorem rate on all dutiable merchandise from year to year has also been affected by fluctuations in the prices of goods upon which the duties are specific. This was fully explained in the special report of this office on the operation of the tariff act of March 3, 1883, for the six months ended December 31, 1884.

Again, the average ad valorem rate for any one year may fail to indicate the results of even radical changes in the tariff laws, the operation of which has been to raise the duty on certain commodities and to lower the duties on others. For example, the act of March 3, 1883, raised the average ad valorem rate on sugar and melada, on manufactures of cotton, on earthen and china ware, on glass and glassware, on spirits and wines, and on malt liquors, and reduced the average ad valorem rate on iron and steel, on wool, on manufactures of wool, and on manufactures of silk, but the average ad valorem rate on all dutiable merchandise was not much changed.

A complete explanation of the effects of all the changes of law and of commercial conditions upon average ad valorem rates since the organization of the Government would evidently involve a treatise of great length.

These statements serve to indicate the important truth that figures are but words, and that frequently in the absence of adequate explanatory statements the infirmities of speech attach to them as to other words, even when they are used honestly and in their normal significance for the purpose of presenting and illustrating concrete facts.

The following table shows the average ad valorem rate of duty on all merchandise and on the principal commodities imported during the years ended June 30, 1883 and 1884, with the increase or decrease in the several rates:

Articles.	Average ad valorem rate during the year ended June 30—		Increase+ Decrease—
	1883.	1884.	
	Per cent.	*Per cent.*	*Per cent.*
All dutiable merchandise	42.64	41.70	.94—
Sugar and melada	52.88	53.94	1.06+
Iron and steel, and manufactures of	37.52	34.48	3.04—
Wool:			
Clothing wool	56.28	44.92	11.36—
Combing wool	51.22	42.65	8.57—
Carpet wool	27.84	25.02	2.82—
Manufactures of wool	68.49	66.23	2.26—
Manufactures of cotton	37.44	40.09	2.65+
Manufactures of silk	59.01	49.86	9.15—
Earthen and china ware	43.10	57.66	14.56+
Glass and glassware	55.05	55.68	.63+
Spirits and wines	69.45	84.37	14.92+
Malt liquors	44.59	47.64	3.05+

THE OPERATIONS OF THE TARIFF ACT OF MARCH 3, 1883.

From the foregoing table it appears that the average ad valorem rate of duty on all imported merchandise entered for consumption during the year ended June 30, 1883, was under the operations of the act of March 3, 1883, reduced only ninety-four one-hundredths of 1 per cent.; but by making due allowance for the fall in the prices of goods upon which the duties are specific, for the effects of the provision of the act of March 3, 1883, that the customs valuation of imported goods shall no longer include commissions, the cost of the necessary coverings

*The statement in regard to the receipts and expenditures of the Government, made by the Secretary of the Treasury, shows the receipts from customs to have been $214,706,496.93 for the year ended June 30, 1883, and $195,067,489.76 for the year ended June 30, 1884. This statement includes not only duties on imports, but also tonnage tax and certain customs fees, whereas the above table shows only the amounts of duty collected on merchandise.

†The value of the merchandise entered for consumption during the year ended June 30, 1884, amounted, as above stated, to $667,575,389, and embraced both goods entered for immediate consumption on arrival in the United States and goods withdrawn from warehouse for consumption during the year. The value of the imports into the United States, as hereinbefore shown, amounted to $667,697,693, embracing both goods entered for immediate consumption on arrival and goods entered for warehousing awaiting the payment of duties. The two statements differ in character.

and casings of goods, internal transportation charges in foreign countries, etc., and for the transfer to the free-list of goods the duties upon which are much below the average ad valorem rate, it has been ascertained that the reduction made in that rate by the provisions of this act mentioned was about 5 per cent.—*i. e.*, 5 per cent. of the value of imports.

The amount of duty received fell from $210,637,203 during the year ended June 30, 1883, to $190,282,836 during the year ended June 30, 1884—a fall of 9.7 per cent.

JOSEPH NIMMO, JR.

Mr. MCMILLIN. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. BLOUNT having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue, and had come to no resolution thereon.

ENROLLED BILLS.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 1148) to grant the right of way to the Kansas City and Pacific Railroad Company through the Indian Territory, and for other purposes;

A bill (S. 2605) relating to the anchorage of vessels in the port of New York;

A bill (S. 2671) to create and organize the county of Latah;

A bill (S. 738) granting a pension to Enos J. Searles, of Clermont, Ohio;

A bill (H. R. 1325) providing for the purchase of additional ground in the city of Indianapolis, Ind., adjoining the post-office site, and for the improvement of the building thereon, and appropriating $150,000 therefor;

A bill (S. 333) granting a pension to Reuben Brownmiller;

A bill (S. 334) granting an increase of pension to Charles F. Allgower;

A bill (S. 2267) for the relief of the Omaha tribe of Indians, in Nebraska, to extend the time of payment to purchasers of lands of said Indians, and for other purposes; and

Joint resolution (H. Res. 56) authorizing the use and improvement of Castle Island, in Boston Harbor.

PUBLIC BUILDING, ROANOKE, VA.

Mr. SOWDEN, from the Committee on Public Buildings and Grounds, reported back the bill (H. R. 6683) for the erection of a public building in the city of Roanoke, Roanoke County, Virginia; which was laid on the table, and the accompanying report ordered to be printed.

PUBLIC BUILDING, ST. ALBANS, VT.

Mr. SOWDEN also, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (S. 1876) for the purchase of a site and the erection of a custom-house and post-office at St. Albans, State of Vermont; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate by Mr. MCCOOK, its Secretary, informed the House that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

A bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Virginia;

A bill (S. 2458) to amend an act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east; and

A bill (S. 2506) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine.

The message also announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 88) granting a pension to Sally A. Randall;

A bill (H. R. 130) granting a pension to John E. Smith;

A bill (H. R. 138) granting a pension to Joseph Perry;

A bill (H. R. 404) for the relief of Mary McGrath;

A bill (H. R. 431) granting a pension to Hannah Varquison;

A bill (H. R. 428) granting a pension to William B. Johnson;

A bill (H. R. 680) granting a pension to Henry H. Stutsman;

A bill (H. R. 879) granting a pension to Royal J. Hiar;

A bill (H. R. 2071) for the relief of Martha Gray;

A bill (H. R. 2282) to pension Mrs. Theodora M. Piatt;

A bill (H. R. 2664) for the relief of Francis Daniels;

A bill (H. R. 3158) increasing the pension of Howard S. Abbott;

A bill (H. R. 3180) granting a pension to John H. Sayers;

A bill (H. R. 3554) granting a pension to Catharine Black;

A bill (H. R. 3579) granting a pension to Ellen Shea;

A bill (H. R. 3735) granting a pension to Eliza Shreeve;

A bill (H. R. 3844) granting an increase of pension to Wilson C. Moles;

A bill (H. R. 4104) granting a pension to Mahala Dexter;

A bill (H. R. 4491) granting a pension to Rosanna Robey;

A bill (H. R. 4519) to grant a pension to William J. Miller;

A bill (H. R. 4579) granting a pension to Mary G. Crocker;

A bill (H. R. 4580) granting a pension to Farnaren Ball;

A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann;

A bill (H. R. 5195) granting a pension to David W. Seely;

A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;

A bill (H. R. 5237) granting a pension to Noah S. Cramer;

A bill (H. R. 5249) granting an increase of pension to Charles H. Smith;

A bill (H. R. 5311) granting a pension to Alonzo H. Gregory;

A bill (H. R. 5545) granting a pension to Nancy F. Jennings;

A bill (H. R. 5847) granting a pension to Elizabeth Twigg;

A bill (H. R. 5966) granting a pension to Mrs. Lepha A. Osborn;

A bill (H. R. 6379) to increase the pension of David M. Rennoe;

A bill (H. R. 6576) for the relief of James M. McKeehan;

A bill (H. R. 6582) granting a pension to Elizabeth Ward;

A bill (H. R. 6971) to pension Peter Clark, jr.;

A bill (H. R. 7094) granting a pension to Nancy Van Dyne;

A bill (H. R. 7181) granting a pension to Aletta V. Quick;

A bill (H. R. 7882) granting a pension to John Kinney;

A bill (H. R. 8164) granting a pension to William H. Hester;

A bill (H. R. 8185) granting a pension to David L. Partlow;

A bill (H. R. 8211) to pension Lafayette Lakin;

A bill (H. R. 3727) for the relief of William P. Gorsuch;

A bill (H. R. 2699) for the relief of the heirs of the late Solomon Spitzer;

A bill (H. R. 518) for the relief of T. J. Edwards, administrator of David Edwards, deceased;

A bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning;

A bill (H. R. 48) for the relief of Benjamin M. Simpson;

A bill (H. R. 7218) for the erection of a public building in the city of Duluth, State of Minnesota; and

A bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.

The message further announced that the Senate had passed with an amendment, in which the concurrence of the House was requested, the bill (H. R. 6609) for the relief of Sarah E. McCaleb.

The message also announced that the Senate had passed with an amendment the bill (H. R. 401) granting a pension to Mrs. Jeannie Stone, asked a conference with the House of Representatives on said bill and amendment, and had appointed as conferees on its part Mr. DAVIS, Mr. HOAR, and Mr. TURPIE.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 1940) to provide for the construction of a public building at Sterling, Ill.;

A bill (S. 384) to provide for the erection of a public building in the city of Dover, in the State of New Hampshire;

A bill (S. 289) for the erection of a public building at Fort Dodge, Iowa;

A bill (S. 165) for the erection of a public building in the city of Woonsocket, R. I.;

A bill (S. 1765) to provide for the sale of the Fort Sedgwick military reservation, in the States of Colorado and Nebraska, to actual settlers;

A bill (S. 1715) for the relief of the sureties of Dennis Murphy;

A bill (S. 518) for the relief of the legal personal representatives of Henry H. Sibley, deceased;

A bill (S. 915) granting a pension to Susan Edson;

A bill (S. 1009) granting an increase of pension to Sallie R. Alexander, widow of Lieut. Col. Thomas L. Alexander, United States Army;

A bill (S. 1076) granting a pension to the widow of John Leary, deceased;

A bill (S. 1136) granting a pension to Anna M. Freeman;

A bill (S. 1264) granting a pension to Martha V. Coleman;

A bill (S. 1269) granting a pension to Lydia K. White;

A bill (S. 1319) granting a pension to Anna Slater;

A bill (S. 1481) granting a pension to Ellen White Dowling;

A bill (S. 1482) granting a pension to Sarah C. Taylor;

A bill (S. 1500) granting a pension to Margaret M. Miller;

A bill (S. 1540) granting a pension to Hannah Babb Hutchins;

A bill (S. 1591) granting an increase of pension to Madison M. Meredith;

A bill (S. 1822) granting a pension to Ann E. Cooney;

A bill (S. 1838) granting a pension to Mrs. Mary Mott;

A bill (S. 1925) granting a pension to Alexander H. White;

A bill (S. 1926) granting a pension to William Smith;

A bill (S. 1988) granting a pension to H. R. Blackiston;

A bill (S. 2052) for the relief of Bridget A. Murphy;

A bill (S. 2058) to increase the pension of John Taylor;

A bill (S. 2126) to pension Winemah Riddell;

A bill (S. 2246) granting a pension to John C. Abbott;

A bill (S. 2263) granting a pension to Frank Paschker;

A bill (S. 2274) granting a pension to Mrs. Catharine K. Whittlesey;

A bill (S. 2301) to increase the pension of Manhatton Pickett;

A bill (S. 2310) granting a pension to Rozalia Junk;

A bill (S. 2313) granting a pension to Ellen J. Snedaker;
A bill (S. 2314) granting a pension to John B. Covert;
A bill (S. 2333) granting a pension to George W. Fogle;
A bill (S. 2334) granting a pension to Mary J. Byrd;
A bill (S. 2366) granting a pension to Mrs. Emeline Anderson;
A bill (S. 2370) granting a pension to Sarah C. Anderson and children under sixteen years of age;
A bill (S. 2371) granting a pension to Jacob Pitner;
A bill (S. 2372) restoring pension to George L. Flech;
A bill (S. 2413) granting an increase of pension to Ernst Hein;
A bill (S. 2418) granting a pension to Jarret Spencer;
A bill (S. 2435) granting a pension to D. G. Scooten;
A bill (S. 2452) placing the name of Lena Neuninger on the pension-rolls.
A bill (S. 2450) placing the name of Bridget White on the pension-rolls;
A bill (S. 2538) granting a pension to Oliver H. Judd;
A bill (S. 2547) to increase the pension of Mrs. Matilda Wilkins Emory;
A bill (S. 2571) granting a pension to Edwin E. Chase;
A bill (S. 2575) granting a pension to Elizabeth Dettis;
A bill (S. 2576) granting a pension to Richard Hudson;
A bill (S. 2578) granting a pension to Nathan B. Rarick;
A bill (S. 2579) granting a pension to Mrs. Maggie A. Weed, formerly Miss Maggie A. Eagan;
A bill (S. 2606) granting a pension to John B. Timberman;
A bill (S. 2609) granting a pension to H. H. Russell;
A bill (S. 2616) granting a pension to James E. Kabler;
A bill (S. 2629) to pension Bartola Thebant, a soldier in the Florida Seminole Indian war of 1849 and 1850;
A bill (S. 2638) granting a pension to Mrs. Emma Dill;
A bill (S. 2655) granting a pension to Lydia Hawkins;
A bill (S. 2656) granting a pension to the widow and minor children of Patrick Frawley;
A bill (S. 2663) granting an increase of pension to Mrs. Mary M. Ord;
A bill (S. 2700) granting increase of pension to Allen Blethen;
A bill (S. 2713) granting a pension to Pierre Bottineau;
A bill (S. 2738) granting an increase of pension to John G. Merritt;
A bill (S. 2763) granting a pension to William L. Eddy;
A bill (S. 2779) granting a pension to Eliza M. Scandlin;
A bill (S. 2829) granting a pension to Sarah J. Foy; and
A bill (S. 2830) granting increase of pension to Elvira M. Dorman.

TARIFF.

Mr. McMILLIN. I move that the House resolve itself into the Committee of the Whole on the state of the Union for the purpose of resuming the tariff debate.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole on the state of the Union, Mr. SPRINGER in the chair.

Mr. McKINNEY. Mr. Chairman, labor is the source of all wealth. Capital produces nothing, therefore labor being the foundation of all wealth, it must bear the burden of taxation. The question of taxation is always of vital importance to the people, and one that touches more closely the individual than any other question with which this House has to deal. I come to the discussion of this question, not as a free-trader—I believe the best way to collect the necessary taxes for the support of the Government is by levying a tax on imports. I believe, as far as may be, the tax should be levied on those articles of import known as luxuries, so that the taxes may be borne by those who are best able to bear them, and that the necessities, as far as may be, should be put on the free-list. I am not in favor of any radical changes in our tariff laws, for the business of the country is now upon a high-tariff basis, and any radical and sudden change would disturb our business interests. I am the last man in the country that would desire to interfere with our manufacturing interests, for I represent one of the largest and most important manufacturing districts in the country, and my home is within the sound of the machinery of the largest cotton-manufacturing corporation in the world.

There are in my district thousands of men, women, and children who earn their bread in our manufacturing institutions; and I should deem myself worse than a traitor did I by my vote on this floor in the least degree detract from their opportunity to earn an honest living in their chosen calling; but I have not forgotten that I am a citizen of a great nation, as well as a citizen of a great manufacturing State; that any legislation that has not for its ultimate end the good of the whole people is vicious legislation, and having fought in the hour of the country's danger for the preservation of the whole Union, I must now, as the people's representative, vote for the interests of the whole people. Our present system of tariff was levied as a war measure, and those who presented it to this House and to the country felt called upon to apologize to the people for it, and to appeal to their loyalty to endure the burden, promising when the war should end and the need of this burden of taxation should no longer exist that the tax should then be removed and the people relieved. The people did endure it loyally, the war was brought to a close, the armies disbanded, and the soldiers returned to their peaceful occupations; everybody rejoiced that the struggle was ended and that prosperity was manifest in every part of our great, free country.

But were the burdens of the people removed? Did the same party that promised relief, remaining still in power, fulfill its promise? No; instead of relieving the people they conceived the thought that this great nation that had freed itself from the tyranny of the Old World, that had maintained its national existence and integrity through external and internal strife, was not able to cope with the Old World in the domain of business and commerce; and to enable our people to protect themselves from the manufacturers of Europe, they increased the tax on importations in order that we might stimulate home production, and protect the American laborer from the cheap labor of Europe. Under this system, it is true, our country has prospered; we have increased largely in population and in wealth; we have met the interest on our public debt, and paid the principal as fast as it has become due, and to-day we have a hundred millions of the people's money in the Treasury in the form of a surplus, and it is fast accumulating. Yes, accumulating so fast that the whole country is alarmed, and the people regardless of party affiliations admit the necessity of a reduction of taxation. The people are looking to this House to-day as they have never looked before for relief, and he who refuses to vote for relief on fair business principles will not fail to hear from those whose servants we are and by whose votes we have been sent here to legislate for their welfare. The only difference between us to-day is the manner in which taxes shall be reduced.

Our friends on the Republican side say we must continue the tariff on imports at the present rates as a means of protection to American manufacturers and American labor; that we have had great prosperity as the result of our protective system, and to give it up will be to give our markets to the foreign trade. This side, while admitting that the country as a whole has prospered under our system of protection, deny that it has prospered because of protection; that protection has shut us out of the markets of the world and forced us to confine our trade to our own markets; that it has stimulated production until we can no longer consume our products, and the result is depression in business, idleness for our laborers, and a threatened panic in every avenue of trade. Is it true that the country has increased in wealth under the system of protection more than it did under a low tariff for revenue? Let us look at the statistics of the three decades previous to 1880. The true valuation of this country in 1850 was $7,135,788,228; in 1860 it was $16,159,616,068; in 1870 it was $30,068,518,507; in 1880 it was $43,642,000,000. Now, if you will figure the per cent. of increase you will find the country increased in value from 1850 to 1860, 126 per cent.; from 1860 to 1870 the increase was only 93 per cent.; and from 1870 to 1880 the increase was only 45 per cent. Now, certainly, if protection has made our country so very prosperous our protection friends will be able to explain to the country why it is that for the ten years preceding 1860 the valuation of the country under a low tariff increased 126 per cent., while in the next two decades it only increased 93 per cent. and 45 per cent., respectively. If they say it is not fair to consider the decade from 1860 to 1870 on account of the war then the showing is still worse for protection, for from 1870 to 1880, the best possible period for a comparison of the protective system, the increase was only 45 per cent. against 126 per cent. from 1850 to 1860.

Now, Mr. Chairman, in order that we may see what influence protection has had upon these industries, which it was intended especially to protect, let us take for example wool. The tariff law of 1867 was passed to encourage wool-growing and wool-manufacturing; but instead of increasing the wool product it decreased it, especially in the older wool-growing States. I will now give a table of statistics, showing the product in the older States and the entire product for twelve years from 1866 to 1877, inclusive:

Year.	Older States.	Total clip.
	Pounds.	*Pounds.*
1866	120,000,000	137,000,000
1867	140,000,000	160,000,000
1868	150,000,000	177,000,000
1869	135,000,000	162,000,000
1870	130,000,000	163,000,000
1871	110,000,000	146,000,000
1872	120,000,000	160,000,002
1873	125,000,000	174,000,000
1874	120,000,000	178,000,000
1875	125,000,000	192,000,000
1876	112,500,000	198,250,000
1877	120,000,000	208,250,000

By examining these figures it will be seen that there was an increase in the wool clip till 1868; then there was a constant falling off till 1871, and, in fact, the wool clip of 1868 was not again reached till 1874; and the product of the old wool-growing States was the same in 1877 that it was in 1866, eleven years before, though the entire clip had increased from 137,000,000 to 208,000,000 pounds. This shows very plainly that wool-growing was not stimulated in these States where the bulk of the

wool had been produced previous to the high tariff of 1867. Now let us see what effect the tariff had on the number of sheep in the great wool-growing States of the Union:

The total number of sheep in the United States in 1867 were 39,385,386; in 1877 there were 35,804,200; a loss in ten years of 3,581,186.

Ohio had in 1866, 6,568,052; in 1877 she had 3,900,000; a loss in eleven years of 2,668,052. Michigan had in 1866, 3,473,075; in 1882 she had 2,320,752; a loss in sixteen years of 1,152,323. Pennsylvania had in 1866, 3,230,440; in 1882 she had 1,785,491; a loss in sixteen years of 1,444,949. New York had in 1866, 5,117,148; in 1882 she had 1,732,332; a loss in sixteen years of 3,384,816. Indiana had in 1866, 2,783,367; in 1882 she had 1,111,516; a loss in sixteen years of 1,671,851. Illinois had in 1866, 2,446,081; in 1882 she had 1,026,702; a loss in sixteen years of 1,420,379. Iowa had in 1866, 1,950,752; in 1882 she had 482,681; a loss in sixteen years of 1,468,071.

Now, to show that the tariff of 1867 did not have the effect of increasing the price of wool to the producer, let us look at the following facts: The average price of wool from 1847 to 1866, a period of twenty years, during none of which time the tariff on wool was more than 30 per cent., several years of which time it was free, was 48 cents a pound. The average price of wool from 1867 to 1887, inclusive, with a tariff of from 40 to 60 per cent., figuring from a gold basis in both cases, was 44 cents a pound, or 4 cents a pound less under the protective tariff of the last twenty-one years than it was under the low tariff of twenty years before.

Will gentlemen on this floor who are so anxious to keep a high tariff on wool explain to this House and to the country what benefit the wool-grower has derived from the system of a protective tariff? I say the wool-growers of the Northern States have not been benefited by a high tariff on wool. The stimulus given to the production of wool was in the Southern and Western States and Territories, and the older wool-growing States were forced largely to go out of the business. Why? Because of the better facilities for producing wool in the warmer climates and the less cost of production. In New York, Pennsylvania, and Ohio the land is worth from $50 to $100 per acre. In Texas there are very large tracts of school lands owned by the State. Sheep-raisers rent that land at from 6 to 10 cents an acre, or if they want to buy the land they can get it for $1 an acre.

How can an Ohio wool-grower, who has from $50 to $100 invested in an acre of land, compete with the man who has only from 6 to 10 cents invested? How can he compete with the man who herds his sheep on Government lands and has not a single dollar invested in farms? Again, the Ohio farmer must feed his sheep four months in the year, while the Texas farmer has continual summer. If the Ohio farmer would make a success of wool growing he must ask for a tariff to protect him from Texas and the prairies of the great West; they have injured him far more than the importations of foreign wool. All the protection Ohio and the Northern States can ever have on wool is the protection which nature has provided in soil and climate, which enables them to produce a quality of wool that can be produced nowhere else. This is all the protection that nature and an honest government ever intended they should have. Now, why, in a country like this, with such a diversity of soil and climate, should we attempt to protect an interest in one part of our country that nature has declared can be better served without protection in another? Texas can produce wool for 10 cents a pound as easily as Ohio can produce it for 20 cents, and every dollar of taxes paid by the people on wool imported into this country is paid as a premium to those who feed their sheep on Government land. Now, the Texas Representatives on this floor, who represent the great wool-growing interests of the South, are very generally voting to remove the tariff from wool, and thus relieve the people of five millions of taxes and make it possible to relieve them of twelve millions more on manufactured goods.

It seems to me that we can not better fulfill our pledges to the people, both Democrats and Republicans, North and South, than by first placing wool on the free-list. Now, so far as our woolen manufacturers are concerned, we want for them free wool, in order that they may be able to compete with foreign manufacturers in the markets of the world. I am confident that free wool, while it will not interfere with wool-growers, will increase the manufacture of woolen goods by placing our manufacturers on a level with foreign manufacturers; they having their wool at the same cost, can then compete in any market of the world. A man largely interested in the manufacture of woolens approached me a few days ago and said: "My corporation is losing money every day because of the increased cost of raw material over that paid by the foreign manufacturer; but," said he, "give us free wool and put us on a level with the foreign manufacturer, and then we can compete with him." Why should we maintain a high tariff on wool and make necessary an enormous tax on manufactured goods to offset it? This is taxing every citizen in the land for the protection of a single interest, or, in other words, it is placing a tax on sixty millions of people for the benefit of one million, and the statistics already given show that they even have not been benefited by it. Any policy that taxes the many for the benefit of the few is un-American and opposed to every principle of republican form of government. The agent of the largest cotton manufacturing corporation in the world a few years ago was asked what action he desired Congress to take on the tariff on cotton goods such as his corporation produced. His reply was, "That depends upon what you do with raw material. If you increase the tariff on raw material you must increase it on my goods; if you decrease it on raw material you may decrease it proportionally on my goods; if you will take it all off of raw material I will take care of my own goods." He said to another gentleman, when talking on the same subject, "Give me free dye stuffs, and I will compete with the world."

I some time ago advocated this doctrine to one of the largest and most prosperous woolen manufacturers in New Hampshire. He said in reply, "Your principle is right, but I am afraid if we begin to meddle with the tariff the whole system will fall. The woolen manufacturers have agreed to stand by the wool-growers in return for their support of a tariff on manufactured goods." Here we have an acknowledged combination between the various interests to keep a high tariff both on raw material and manufactured goods in order to protect each other, and force the consumer to pay the bills.

The bill we have before us now does not contemplate the destruction of the tariff on manufactured goods. That has never been the policy of the American people. But it gives the manufacturer raw material at such a price as will enable him at an ad valorem duty of 40 per cent. on his goods to produce as cheaply as the foreigner and give him an equal chance in the markets of the world. Why should the manufacturer object to this so long as the American policy of allowing a reasonable ad valorem protection on the manufactured goods is recognized? The Democratic party has no desire to ruin American industries. They are interested in the prosperity of this country as well as the Republican party; they breathe the same air and enjoy the same sunlight; they are protected by the same flag and are in as much need of food and clothing as the Republicans are; and there are as many in their party who earn their bread by honest toil as there are in the Republican party. It is about time the gentlemen on the other side of this Chamber ceased to charge the Democratic party with a desire to bring disaster upon the business interests of this country, and to proclaim to the world that this effort to reform the tariff laws is an attempt of the Southern Representatives to overthrow the business interests of the North. We have no South nor no North; our interests are one; this is our country.

We are only trying to carry out the fundamental principles of our Government by legislating for the whole people, and not for the few as against the many. We recognize no favored classes, and believing the policy of the Republican party for the last twenty years has tended to build up a moneyed aristocracy that is dangerous to the liberties of the people, we propose now to return to the principles of true democracy and equal taxation for all. The people demand it, and we shall try and prove true to the trust reposed in us. Our country is naturally an agricultural country. The prosperity of our people depends largely upon the success of our agricultural interests. Now what protection has the farmer as compared with the tax he pays? He has a protection of 20 cents a bushel on wheat. We produce more than we consume, and therefore are forced to export the surplus. The price is fixed in the European market, and the home price is determined by the export price. It matters not whether you make wheat free or put a tariff of $1 a bushel upon it. It could not affect the price one iota. He has a protection on potatoes and a few other products. Now let us look at the other side of the question. He is taxed on the plow and harrow with which he prepares his land for sowing; he is taxed on the drill with which he plants his seed; he is taxed on the reaper with which he gathers his crop; he is taxed on the twine with which he binds it; he is taxed on the machine with which he thrashes it; he is taxed on the bags in which he carries it to market; he is taxed on the wagon in which he transports it to the railroad; he is taxed on his harness and on the shoes which he puts on his horses. All this for the privilege of selling his wheat at a price fixed in the English market. He then in return pays a tax on his cotton goods; on every pound of woolens which he buys to protect his family from the cold; he pays a tax on the plate he eats off of; the knife and fork he eats with; the cup and saucer he drinks out of; the sugar he puts in his tea; the salt with which he seasons his food; he pays a tax on every thousand of lumber he puts in his buildings; in fact on every necessity of life he is taxed. How it must delight the intelligent farmer as he sits by his fire of a winter night and meditates upon the protection he gets upon what he produces and then compares it with the taxes he pays for the benefit of a protective system. No class of people in this fair land has paid so much and got so little in return for the system of protection. The protectionist tells us that the tariff on imports increases the price of labor, and it is for the protection to American labor that he insists upon a tax on imports. I would like to ask the protectionist in what way American labor is protected. I think no one will deny that the price of labor is regulated by the law of supply and demand, and every employer of labor gets it as cheaply as possible. Has there ever been a tax put upon the importation of foreign labor? Is not every port in the United States open for the landing of any foreigner who desires to come to this country to compete with those who are already here, with a single exception of the Chinese?

Have not the protected interests of this country until within a short time systematically brought into this country foreign contract labor to

compete with American labor? Was this done by the protectionist because he had such a mighty interest in the protection of American labor? Go into the British provinces and ride through the country villages, and what will you see? Large posters announcing that one thousand operatives are wanted in this city, and two thousand in some other city. I suppose they are wanted for the protection of American labor. Oh, no! It is because they can get labor cheaper in the provinces than in the United States, and like everybody else they go into the cheapest market for what they want to purchase, and then cry protection to American labor. This is mere sophistry, and the people are beginning to understand it. I receive circulars which tell me if we remove the tax on foreign lumber we will ruin our lumbering interests and throw a million laborers out of employment. Now, if you will go into the lumber fields of Michigan, Wisconsin, and Minnesota, and look into the lumber camps, you will find nine-tenths of the laborers are from the British provinces, who come over for the lumbering season, and when the timber is at the mills or in the streams ready to float down to the mills you will see these workmen wending their way back to Canada, with their winter's wages in their pockets to spend for the support of their families in the Canadian market, while in New England our lumber fields have been decimated to supply the home consumption, and because of the tariff on Canadian lumber we are forced to purchase our supply from the millionaire statesmen of the West, who have grown rich by employing foreign contract labor and getting the benefit of protection on that which the labor has produced.

Thus foreign labor gets the work. The American lumberman puts the increased value of his lumber in his pocket, and comes to Congress to vote for a continuation of the tax, and to proclaim that a million American laborers will be ruined if we take the tax off of lumber. For my part I have no fears of the result. Now, I would not be misunderstood. I have no objection to foreigners coming to this country who desire to better their condition and become American citizens. I bid them a hearty welcome to our shores, but I say the time has come when this hypocrisy of demanding protection from cheap foreign labor, while those who get the protection are straining every nerve to get that same cheap labor to perform the work required, should be stopped. The honest American laborer, the honest foreigner who has come here ta better his condition, is beginning to see the result of protection, that it is for the benefit of the employer, and not the employé, and he is demanding honest legislation for the protection of honest labor.

But the protectionist says we have greatly prospered for the last twenty years. For twenty years we have had protection; therefore protection has been the cause of our prosperity. Let us see how the protective doctor likes his own medicine. Before the present protective system came into vogue in this country a labor strike was scarcely ever heard of. Under protection, strikes have become the commonest thing in the world. There has hardly been a time for years when there has not been a strike of the workmen in some of the protected interests. Business has everywhere been demoralized because of strikes. Now, using the argument of the protectionists, I say because strikes have been known only under protection, therefore our protective system is the cause of all our strikes. Before our present protective system we knew nothing of tramps. Under our protective system tramps have become a national epidemic, so that in New Hampshire we passed a law making it a crime to be a tramp, a penitentiary offense, and many other States have followed our example. Following the argument of the protectionist, I say as tramps have only been known under protection, therefore our protective system has produced all our tramps. Is not my argument as good as theirs? Ah, is there not a better foundation for my argument than there is for theirs?

Mr. Chairman, how long would the people endure this tax if instead of collecting it indirectly it was collected directly when they purchased the article for consumption? A man buys a dollar's worth of sugar, an officer demands 50 cents; he buys a dollar's worth of rice, an officer demands 40 cents; he buys a pair of woolen blankets, an officer demands $2; he buys a bolt of cotton cloth, an officer demands $1.50; and so through the entire list of taxed necessities. Reduce the amount one-half, if you please—I care not how much it is reduced—collect your tax direct and let the collection result in a hundred millions a year more than is necessary for the support of the Government, and there would be revolution and the party that advocated such a tax would be speedily relegated to the rear. Yet we are, by an indirect tax on the people, gathering into the Treasury, of the people's money, tens of millions a year that is forced to lie idle. By what moral right is this money collected? Does the Government own the people's property or earnings? Is the Government Treasury a depository of the people's money?

I claim that every dollar of money collected from the people above the needs of the Government economically administered is simple legalized robbery. It takes the money out of the legitimate channels of business; it creates a stringency in the financial world, and is ever threatening panic and disaster; and the Secretary of the Treasury is forced to go into the market and purchase the Government bonds at a premium to prevent financial panic. He has been forced within the last six months to take the currency that was issued for the people, that was hoarded in the Treasury by this system of robbery, and give it to the national banks, and the people have been forced to go to these banks and pay interest on that money that has been taken from them wrongfully in order that they might save themselves from bankruptcy. That same money belonged to the people and should have been left in their hands. Money is not made to hoard in the public Treasury, but to put into circulation for the benefit of the people, and they demand at the hands of this Congress that they be relieved of the burden of taxation that ruins business and threatens disaster to the nation.

But our friends on the other side say, "Oh, we want to reduce the surplus, but we will do it by abolishing the internal revenue, by taking the tax from tobacco and whisky. See how the poor laboring man is burdened with the tax on his pipe and the poor Congressman with the tax on his cigar! This poor laborer for which we have such an absorbing love should by all means have his free smoke. And see how the poor laborer suffers because of the immense tax he pays on the spirits that enter into the arts and sciences!" I suppose they must refer to the art and science that some of the Republican States have so successfully learned of keeping a prohibitory law upon the statute-books and yet manage to have free drinks. And this is the grand old party, the God-and-morality party, the party of great moral ideas, the party of the saints, the party that has such a mighty love for the poor laboring man!

Oh, how the mighty are fallen in these latter days, when the party of Lincoln and Sumner have come to advocate free tobacco and free whisky, while they demand a tax on the blankets, the clothing, and the food of the poor!

Would to God Lincoln might be here once more with power to emancipate the American people from the curse of a mighty iniquity, as he did the negro from the curse of slavery. Now, if the statement of the protectionist that a protective tariff increases the price of labor be true, then the interests that have the largest protection ought to pay the highest wages. This is not so. The shoe interest has grown to be one of the largest interests in the line of manufacture in this country. Cotton has a protection of 50 per cent., woolens a protection of 58 per cent., while manufactured shoes only have a protection of 30 per cent. Now, any one who has investigated the subject knows that the wages of operatives in shoe manufactories get about 50 per cent. better wages than the operatives in cotton or woolens. One of the largest shoe manufacturers in New England told me a few days ago that the wages of his employés last month averaged $10.93 a week, men, women, and children. In this corporation they manufactured cheap shoes that sell for from 85 cents to $1.50 a pair. The average wages of operators in woolens and cotton is considerably less than $1 a day. I have talked with many of the largest shoe manufacturers of my own State, and they all tell me if they can have their raw material free, leather, serge, buttons, thread, etc., they can compete with the world, sell their shoes in the foreign markets, and will ask no protection on the manufactured goods.

The reason why they can pay higher wages to-day than any of the other great manufacturing interests is that we have free hides and only 20 per cent. on leather. Take away your tax on raw material and give us an opportunity to go into the markets of the world, and we need have no fear of foreign competition. We can sell more in their markets than they can sell in ours. It has been shown very clearly upon this floor that while we pay much higher wages per diem in this country than is paid in the same industries in Europe, yet the labor cost of manufacturing a given product here is less than in the Old World. Where, then, is the difficulty? It is in the system of first taxing the material that enters into the manufacture and creating a necesssty to tax the manufactured article to overcome it. Thus the laborer's wages is not increased, but the price of what he consumes is. Make first the raw material as cheap as possible the laborer's wages will be kept where they are, and the purchasing power of what he earns will be increased. It is easy to show, further, that under our protective system the wages of labor have not been kept up. The average wages paid in the worsted manufactories of this country in 1870 was $338, in 1880 they were $302—a decrease of $36 per year. In the carpet manufactories the average wages in 1870 were $387—in 1880 $335; a decrease of $52 a year; and if you will investigate the wages paid in the various protected industries you will find they are far less to-day than in 1870.

But the protectionist tells us that the tariff stimulates production and therefore reduces the price to the consumer. Admit it. The iron industry has been stimulated until our power of production is greater than our power to consume. In the beginning of this hard winter just passing away every time you took up a morning paper you would see an account of iron furnaces that had been banked somewhere in Pennsylvania. That meant an overproduction. The owner banked his furnace until the surplus should be disposed of and there should be a demand for a new supply. God only knows what it meant for the poor laborer who went home penniless to his wife and children who depended upon him for bread. God only knows the sufferings of that family as the winter's blast piled the drifts in front of his hovel, while they waited the starting of the fires in the furnaces that should give them promise once more of bread. This is one of the protected industries that stimulates production. It is a false stimulus, and one that does not give steady employment to labor and bread to the poor. It cripples competition, which is the life of trade in every nation of the earth. We are taught in the Scriptures that "God has created of one blood all nations of men to dwell on all the face of the earth." That

is equality. In the Declaration of Independence our fathers, accepting this as the voice of God, proclaimed "that all men are created free and equal and are endowed with certain inalienable rights, among which are life, liberty, and the pursuit of happiness." If these principles be true, then the doctrine of protection as it is illustrated in our policy is wholly, radically, and supremely wrong, for it destroys competition and builds walls around nations, shuts up the channels of commerce, and prevents men from seeking happiness and prosperity in the natural channels of trade. We therefore demand legislation that will result in a more free interchange of commodities, and give to our people a broader field of trade. It is conceded by all parties that we need this.

Mr. Chairman, I can not refrain from replying to some of the statements made by my colleague in his speech on the tariff. I have the profoundest respect for him as a man and a gentleman, and recognize his ability as a debater upon this floor, but as a representative of New Hampshire I must object to some of his statements. He said:

If the President's recommendation should be enacted into law, thriving villages would be depopulated and the hum of countless industries hushed. Where now are thrift and enterprise and prosperity, where happy homes and contented communities exist, will be ruin and sorrow and desolation.

Now, Mr. Chairman, my colleague and myself are neither natives of New Hampshire; we are both adopted citizens of the State; he coming from Canada and I from the great State of Ohio, both undoubtedly to better our condition; and the people have honored us both by sending us to this House to represent their interests. Now, I do not believe the people of New Hampshire would thank either of us for standing here and proclaiming to the world that New Hampshire with her $50,000,000 in the savings-banks of which my colleague boasts, with her immense manufacturing interests and great water-powers, with her great agricultural interests and the intelligence of her citizens, with her lofty mountains and beautiful lakes that attract the people from every part of the land and the world in the summer months, that they may enjoy our beautiful scenery and breathe our pure atmosphere, leaving millions of money in our people's pockets in return for health and renewed vigor—I say our people would not thank either of us for proclaiming that New Hampshire is a poor, toddling weakling that can not take care of herself without taxing the whole nation for her protection. With her great natural resources, with the intelligence and native genius and energy of her people, she can stand alone with the balance of the world and bid defiance to any other State or people of the earth. Why, sir, I verily believe the bones of Webster and Greeley and Hale and the scores of other statesmen that first saw the light and received their early education among the hills of New Hampshire would rattle in their graves at such a slander spoken against the people of their native State. While I am honored by the grand old State of New Hampshire with being one of her citizens, I shall defend her with all my powers against such a charge.

During the campaign of 1884 the Republican papers and Republican stump orators proclaimed to the people of New Hampshire that if Grover Cleveland was elected our mills would be idle and the grass would grow in the streets of our manufacturing villages and cities. Grover Cleveland was elected and inaugurated President of these United States. The mills have not been idle, the grass has not grown in our streets, and the first act of our largest cotton-manufacturing corporation in my adopted city after Mr. Cleveland's inauguration was to establish a new corporation and put into it a million dollars of her surplus earnings. The people of New Hampshire are too intelligent to be longer frightened by such a ghost. Carry out the recommendations of the President's message and New Hampshire will receive renewed inspiration and accomplish greater things in the future than she has in the past. [Applause on the Democratic side.]

In 1868 Senator Sherman said:

Every advance toward a free exchange of commodities is an advance in civilization; every obstruction to a free exchange is born of the same narrow, despotic spirit which planted castles upon the Rhine to plunder peaceful commerce; every obstruction to commerce is a tax upon consumption; every facility to a free exchange cheapens commodity, increases trade and production, and promotes civilization. Nothing is worse than sectionalism within a nation, and nothing is better for the peace of nations than unrestricted freedom of commerce and intercourse with each other.

How different from this are the sentiments of the Senator to-day; yet we believe the people of this country have more faith in the sentiments of Senator Sherman of 1868 than they have in Senator Sherman of 1888. The Senator may have gone backward in his subserviency to the monopolistic tendency of his party, but the people of this free country have moved forward and demand a release from the heavy burden that confines them to a home market, and destroys that commercial freedom so essential to a nation's prosperity. On the 29th of March, the Farmers' Alliance, of Minnesota, passed the following:

Resolved, That we heartily indorse President Cleveland's views on the tariff issue.

Resolved, That the so-called protective tariff is an iniquitous tax on people for the benefit of monopolies and trusts, and we demand its immediate repeal on all raw material and the necessaries of life.

These resolutions were unanimously adopted, not by a Democratic convention, but by the farmers of a great State, regardless of party affiliations. I warn the gentlemen on the other side that the people are awake to their best interests, and will no longer blindly follow party dictation, but will be controlled by true American principles. Now we wish to quote the sentiments of some of our Massachusetts statesmen on the proper manner to reduce the tariff. I quote the honorable gentleman from Massachusetts [Mr. LODGE] who, as chairman of the Republican State committee in calling the convention together in 1884, said:

Grave public questions confront us. There is a large, perilous, and growing surplus in the revenues. It must be removed, not by needless and extravagant expenditure, not by abolishing the proper taxation of whisky and tobacco, not by a stupid and injurious and horizontal reduction for politics only, but by plain business methods, by freeing entirely those great necessaries of life which enter into the daily consumption of every household, and by wise and discriminate reductions.

Now I wish to quote from another honorable gentleman from Massachusetts [Mr. LONG], who presided over the same convention. In his address he said:

There are only two ways to reduce the tariff. One by raising the tariff to a prohibitory height, which nobody advocates; the other, the free-list. The free-list is the honest revenue reformer's hope.

Now, I want to commend these sentiments, and I rejoice that the Democracy of New Hampshire and the Republicanism of Massachusetts can meet on a common ground, and give the people relief, and relieve the Treasury of a great surplus at the same time. If Mr. LODGE has not changed his sentiments on whisky and tobacco, and Mr. LONG on the subject of the free-list I shall expect to see them show their faith by their works and come up and vote, first, for free wool, and then, as a return for that, vote to reduce the tariff on woolen goods manufactured in New Hampshire and Massachusetts to 40 per cent. ad valorem, which we can easily do, and then get the blessing of the poor who can wear flannels next winter as well as we.

Show me your faith without works, and I will show you my faith by my works.

That Scripture will apply to the tariff question as well as to religion. Our aged and experienced friend from Pennsylvania [Mr. KELLEY] said in his address on the tariff:

The enactment of this bill (Mills bill) would instantly paralyze the enterprise and energy of the people; under the baneful influence of such a law the report of the census of 1890 will announce the overthrow of our manufacturing supremacy, and the reduction of our commanding commercial position to that of a colonial dependence.

Mr. Chairman, I have read in one of the old histories, written many centuries ago, of a class of people who had a monopoly of a certain industry and made great gain therefrom. And there was a certain man came into the land where these people dwelt and preached against them, and his words were so powerful that those who used curious arts brought their books and burned them before all men, and they counted the price of them and found it fifty thousand pieces of silver. And we are told at—

The same time there was no small stir about that way, for a certain man named Demetrius, a silversmith, which made silver shrines for Diana, brought no small gain to the craftsmen, whom he called together with the workmen of like occupation and said: "Sirs, ye know that by this craft we have our wealth; moreover, ye see and hear that not alone at Ephesus but almost throughout all Asia this Paul has persuaded and turned away much people, saying that there be no gods which are made with hands; so that not only this our craft is in danger to be set at naught, but also that the temple of the great goddess Diana should be despised, and her magnificence should be destroyed whom all Asia and the world worshipeth." And when they heard these things they were full of wrath and cried out, saying, "Great is Diana of the Ephesians."

Now, like these people of old, Pennsylvania has for a long time had a monopoly in many of those industries which have brought to them great wealth. An apostle has come into their midst who dwells at the other end of this avenue, and has proclaimed to the people against such a monopoly, and many who have heretofore believed in their doctrine are repenting of their sins and proclaiming their conversion before all the people. [Applause.] And now comes the great apostle of protection and calls together his people and says: Sirs, ye know that by this protection we have our wealth. Moreover, ye see and hear that not only in Pennsylvania, but almost throughout all the nation, this apostle of reform hath persuaded and turned away much people, saying that there be no justice in this doctrine of protection, so that not only this our wealth is in danger to be set at naught, but also that the great goddess of protection should be despised, whom Pennsylvania and all the land hath heretofore worshiped. And when they heard these words they were full of wrath, and cried out, Great is the goddess of protection! [Applause.]

Mr. Chairman, but a little over a hundred years have passed since our fathers were struggling, a little band, for national freedom. We have to-day a territory stretching from the Great Lakes to the Gulf of Mexico, and from the Atlantic Ocean to the setting sun, a soil as rich as any on God's footstool; a variety of climate that will produce almost everything that grows out of the ground; our hills and plains underlaid with rich mines of gold, silver, copper, iron, lead, and coal; our immense forests and unprecedented water-powers sufficient to move all the machinery of the world; having passed through great wars with foreign nations, and contended with our own kindred, having always as a nation proved our valor on the land and on the sea; having grown to 60,000,000 of people, with our free schools in every part of our fair land; boasting that there is not another people on the

earth so intelligent and so free; inviting all the oppressed of the earth to come to our shores and enjoy our free institutions and help develop our resources, and yet with all that nature has done for us, with all our wealth, our industries, our resources, and our intelligence we proclaim to the world that we can not live without protection from every other nation of the earth. In other words, we plead to the world the baby act.

As an American I deny the assertion. Give us a free and open market with the world, break down the barriers that a false system has built around us, go back once more to the principles of true democracy, take off the embargo that the Republican party has placed upon our shipping, let our flag be seen once more floating before the mast on every sea and in every port as in the olden time, and once again you will see our country prosperous, our people happy, and foreign nations will seek protection from us, the grandest, the freest, the noblest nation of the earth. [Applause.]

During the delivery of the foregoing speech, the hour having expired, on motion of Mr. DARGAN, by unanimous consent, the time was extended until the conclusion of the speech.

Mr. CASWELL rose.

Mr. GALLINGER. I would like, if there be no objection, to be permitted to occupy the floor for the purpose of propounding four or five perfectly courteous interrogatories to my colleague who has just addressed the committee.

Mr. BRECKINRIDGE, of Kentucky. I do not like to interpose any objection, but there are gentlemen who have been waiting and are ready to proceed, who ought not longer to be delayed.

Mr. GALLINGER. I was not aware any other members desired to speak this evening or I would not have made the request.

Mr. BRECKINRIDGE, of Kentucky. Yes; the gentleman from Wisconsin [Mr. CASWELL] has the floor, and I understand is ready to proceed.

Mr. CASWELL. If we intend to observe the rules of the House, Mr. Chairman, and to confine debate under the one-hour rule, we must stop the practice of extending the time in every case. To-day two or three gentlemen have occupied the entire time, and while upon the list I am the next one to speak nevertheless I dislike to proceed at this very late hour in the day with what I have to say on this important subject.

Mr. WARNER. It is very late in the day, and I hope there will be no objection to allowing the gentleman from Wisconsin to proceed with his remarks in the morning, instead of compelling him to go on with them now.

Mr. CASWELL. By the extension of the time in every case I have been thrown over to this very late hour in the day, and it would be very hard indeed to try to keep members here.

Mr. McMILLIN. This delay has been caused by the courtesy of extending the time of gentlemen who have preceded the gentleman from Wisconsin. I move, if the gentleman will permit me, that the committee rise.

Mr. CASWELL. I yield for that purpose.

The CHAIRMAN. The Chair will state that recognitions that have been promised for to-morrow will perhaps make it impossible to recognize the gentleman from Wisconsin, but he can be recognized on Saturday, first or second on the list, if that will suit his convenience.

Mr. McMILLIN. Would the gentleman prefer to go on to-morrow rather than on Saturday?

Mr. CASWELL. I should much prefer to go on to-morrow, if possible.

The CHAIRMAN. Promises for recognition have been made for to-morrow, and the gentlemen who have been promised have reason to suppose that they will be permitted to occupy the floor.

Mr. CASWELL. So it was announced that I should speak to-day, but the whole time has been consumed.

The CHAIRMAN. The Chair will again state that it can recognize the gentleman on Saturday, either first or second on the list, if that will suit him, and without any embarrassment to any other gentlemen who are to speak on that day.

Mr. CASWELL. I should prefer to continue to-morrow.

Mr. WARNER. Let me make a suggestion. I understand the gentleman from Wisconsin has the floor now in his own right, having been recognized. Certainly his time has been taken to-day. If the committee rises now, would it not follow that he would be first entitled to recognition, as a matter of justice, to-morrow?

The CHAIRMAN. The Chair would feel compelled to recognize the gentleman.

Mr. WARNER. That is all right.

The motion of Mr. McMILLIN was agreed to.

The committee accordingly rose; and Mr. McMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the tariff bill, had come to no resolution thereon.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a joint resolution (H. Res 83) accepting the invitation of the French Republic to take part in an international exposition to be held in Paris in 1889; when the Speaker signed the same.

DISPOSAL OF CERTAIN PUBLIC LANDS.

Mr. STOCKDALE. Mr. Speaker, I ask unanimous consent to submit at this time a report from the Committee on the Public Lands, and ask unanimous consent for its present consideration. I refer to the joint resolution (S. R. 73) relating to the disposal of public lands in certain States.

The SPEAKER *pro tempore*. Is there objection to the submission of the report at this time?

There was no objection.

Mr. McTHOMAS. Before consent is given to the consideration of this resolution I desire first to ask if it is unanimously reported from the Committee on the Public Lands?

Mr. STOCKDALE. It is, sir.

There being no objection, the joint resolution was considered.

Mr. STOCKDALE. The committee recommends two amendments, which had better be read.

The Clerk read as follows:

Strike out the word "entry," in line 3, and insert "sale as offered lands."

Add also a proviso, as follows:

"*Provided*, That any isolated or disconnected tracts or parcels of the public domain, less than 160 acres, may be sold at private or public sale for not less than $1.25 per acre by the Commissioner of the General Land Office, when in his judgment it would be proper to do so."

The amendments were agreed to.

The joint resolution as amended was ordered to a third reading; and being read the third time, was passed.

Mr. STOCKDALE moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS THE OHIO.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent to concur in the Senate amendment to the bill (H. R. 3215) authorizing the construction of a bridge at Pittsburgh, over the Ohio River.

The SPEAKER *pro tempore*. The Clerk will report the bill, after which objection will be asked for.

Mr. DALZELL. I will state that the amendment suggested by the Senate was simply to reserve the power in Congress to alter or amend.

The SPEAKER. The Chair will state that this bill is not before the House.

Mr. DALZELL. It was at the Clerk's desk on yesterday.

The SPEAKER *pro tempore*. The bill was laid before the House this morning, and is now in the hands of the committee.

Mr. DALZELL. I think that is a mistake.

The SPEAKER *pro tempore*. The Chair is so informed by the Clerk.

Mr. DALZELL. It was reported to the House some ten days ago, and is now on the Calendar. The report of the committee is there.

Mr. ENLOE. While waiting for that can not we consider something else?

The SPEAKER *pro tempore*. If there be no objection, the Chair will recognize another gentleman until the Clerk has procured the bill referred to by the gentleman from Pennsylvania.

There was no objection.

BRIDGE ACROSS TENNESSEE RIVER.

Mr. ENLOE. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (S. 1889) to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem proper.

The SPEAKER *pro tempore*. The Clerk will read the bill, after which objection will be asked for.

Mr. ENLOE. I ask unanimous consent to dispense with the reading of the bill. It is in the usual form. It has passed the Senate and has been reported by the House Committee on Commerce with amendments.

Mr. KERR. Unanimously reported?

Mr. ENLOE. Yes, sir.

There being no objection, the reading of the bill was dispensed with.

The SPEAKER *pro tempore*. The Clerk will report the amendments proposed by the committee.

The amendments are as follows:

Add to section 2:

"And equal privileges in the use of said bridge shall be granted to all telegraph companies; and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes."

Add a new section, as follows:

"SEC. 6. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case the owner or owners of said bridge and the several railroad companies, or any of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon rules and conditions to which each shall conform in using said bridge, all matters as issue

between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties."

The amendments were agreed to.

The bill as amended was ordered to a third reading, and being read the third time, was passed.

Mr. ENLOE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

T. H. NORTON AND J. M'LEAN.

Mr. GOFF. I ask that the Committee of the Whole House be discharged from the further consideration of the bill S. 109, and that the same be considered now.

The Clerk read the bill, as follows:

A bill (S. 109) for the relief of Thomas H. Norton and James McLean.

Be it enacted, etc., That the sum of $3,200 be, and the same is hereby, appropriated, out of the funds in the Treasury not otherwise appropriated, to pay Thomas H. Norton and James McLean, being amount of excess paid by them on coal entry No. 1 at Del Norte land office, Colorado, July 10, 1882.

Mr. GOFF. There is a unanimous report of the Committee on Claims in this case.

Mr. BRECKINRIDGE, of Kentucky. Let the report be read.

Mr. GOFF. I ask that the reading of the report, which is somewhat lengthy, be dispensed with.

Mr. BRECKINRIDGE, of Kentucky. What is the amount?

Mr. GOFF. Thirty-two hundred dollars.

Mr. BRECKINRIDGE, of Kentucky. What is the basis of the claim? Can the gentleman give an explanation of it in two minutes?

Mr. GOFF. Certainly, I was prepared to do that if the House should dispense with the reading of the report. The other day the bill was called up, and there was no objection to it, but half past 5 o'clock having arrived the House had to take a recess.

This matter arose out of an entry of 360 acres of land. The statute requires that if a railroad had not been constructed within 15 miles of the land the price should be $10 per acre; if it was constructed within 15 miles the price should be $20.

The entry was made and the receiver of public moneys accepted the draft of these parties at the price of $10 an acre. It turned out before the draft was collected, after an interval of forty and odd days, the railroad had come within 15 miles of the land. The receiver then claimed that he must be accounted with for what was the price, not when these parties accepted the land, but when he received the money. But he accepted the draft at the time as payment for the land. The matter went to the Secretary of the Interior. The Secretary said he thought these parties ought to have relief, but he did not think that he could grant it.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. GOFF moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE AT OMAHA, NEBR.

Mr. McSHANE. The gentleman from Iowa [Mr. LYMAN] has withdrawn his objection to the consideration of the bill (H. R. 6440) which I called up the other day.

The title of the bill was read, as follows:

A bill (H. R. 6440) to authorize the construction of a bridge over the Missouri River at or near Omaha, Nebr.

Mr. McSHANE. I ask unanimous consent that the reading of the bill be dispensed with. It is reported unanimously by the Committee on Commerce.

There was no objection.

The Committee on Commerce recommended the following amendment:

In the second section, after the word "States," in the eighth line, insert "and all companies and individuals." Also insert the word "telegraph" after the words "right of way for."

The amendment was agreed to.

Mr. LYMAN. I desire to offer an amendment which we have agreed should be inserted.

The amendment offered by Mr. LYMAN was read, as follows:

Insert after the word "Nebraska," in the seventh line of section 1, the following:

"Said bridge when built shall not be located less than one-third of one mile from any other bridge across said river then built or in process of construction."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. McCLAMMY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

OHIO CONNECTING BRIDGE.

The SPEAKER *pro tempore*. The bill called up by the gentleman from Pennsylvania [Mr. DALZELL] has been found.

The title of the bill was read, as follows:

A bill to authorize the construction of the Ohio Connecting Railway Company bridge, with an amendment by the Senate.

The amendment of the Senate was read, as follows:

On page 2, after line 26, insert:

"SEC. 7. That Congress shall have power at any time to alter, amend, or repeal this act."

The amendment of the Senate was concurred in.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DALZELL moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ROBERT S. M'DONALD.

Mr. MORGAN. I ask unanimous consent to call up from the Private Calendar for present consideration the bill H. R. 827. The proposition is merely to refer a claim to the Court of Claims.

The bill was read, as follows:

A bill (H. R. 827) for the relief of Robert S. McDonald.

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Robert S. McDonald, of Benton County, Mississippi, the sum of $3,784, out of any moneys in the Treasury not otherwise appropriated, for stores and supplies taken and appropriated to the use of and used by the United States Army during the late war.

Mr. MORGAN. Let the Clerk report the resolution.

The Clerk read the report (by Mr. CROUSE), as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 827) for the relief of Robert S. McDonald, report herewith a resolution authorizing the Court of Claims to adjudicate the same, and recommend its passage:

"*Resolved*, That the claim of Robert S. McDonald, with all the papers in the case, be, and the same is hereby, referred to the Court of Claims, under the provisions of the acts of Congress of March 3, 1883, commonly known as the "Bowman act," and the amendment thereto, the fourteenth section of the act of March 3, 1887, commonly known as the "Tucker bill."

The SPEAKER *pro tempore*. The question is on the resolution reported by the committee.

The resolution was adopted.

Mr. MORGAN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. O'NEILL, of Missouri. I ask unanimous consent that the time be extended for thirty minutes.

Mr. BRECKINRIDGE, of Kentucky. I object.

Mr. BUTLER asked unanimous consent for the present consideration of the bill (H. R. 6602) for the relief of James Obrion.

The SPEAKER *pro tempore*. The Clerk will report the bill.

Mr. TAULBEE. I object, and call for the regular order.

Mr. BUTLER. Very well. There will be nothing else done.

The SPEAKER *pro tempore*. The Chair understands that the gentleman from Kentucky [Mr. TAULBEE] demands the regular order.

Mr. TAULBEE. Yes. If this House is to be controlled by one individual I may as well be the individual as anybody else. [Laughter.]

Mr. SPRINGER. I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 5 o'clock and 30 minutes p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. CANDLER: A bill (H. R. 9805) for the relief of Mathias Bates—to the Committee on War Claims.

Also, a bill (H. R. 9806) for the relief of Adaline M. Hutchens—to the Committee on War Claims.

By Mr. GRANGER: A bill (H. R. 9807) to increase the pension of Britton Brunt—to the Committee on Invalid Pensions.

By Mr. HIRES: A bill (H. R. 9808) granting an increase of pension to Rebecca Manlone—to the Committee on Invalid Pensions.

By Mr. HOUK: A bill (H. R. 9809) for the relief of Thomas J. Prosise—to the Committee on War Claims.

Also, a bill (H. R. 9810) for the relief of Susan R. Leeper—to the Committee on War Claims.

By Mr. McSHANE: A bill (H. R. 9811) for the relief of John M. Burks—to the Committee on Claims.

By Mr. PEEL: A bill (H. R. 9812) for the relief of Mrs. Cynthia C. Baker—to the Committee on War Claims.

By Mr. PUGSLEY: A bill (H. R. 9813) granting a pension to Lawrence Dougherty—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 9814) for the relief of Stephen Williams—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 9815) for the relief of Felix G. Duvall—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BINGHAM: Petition urging prompt action on the revenue bill now pending to abolish the entire tax on tobacco—to the Committee on Ways and Means.

By Mr. COMPTON: Petition of Sarah E. Williams and of Mrs. S. A. Steaver, for reference of their claims to the Court of Claims—to the Committee on ———.

By Mr. R. H. M. DAVIDSON: Petition of citizens of Washington County, and of citizens of Escambia County, Florida, for the establishment of a light-house at St. Andrew's Bay, Florida—to the Committee on Commerce.

By Mr. GIFFORD: Petition of James Bryson and 113 others, citizens of Dakota and ex-Union soldiers, for the passage of House bill 4339—to the Committee on Invalid Pensions.

By Mr. GRANGER: Petition of George E. Lockwood and others, for increase of pension of Britton Brunt—to the Committee on Invalid Pensions.

By Mr. HOUK: Statement of James Ogg and T. J. Gault, in favor of the claim of B. L. Roark—to the Committee on War Claims.

By Mr. JACKSON: Protest of the Whitla Glass Company, of Beaver Falls, Pa., against the passage of the Mills tariff bill—to the Committee on Ways and Means.

By Mr. JOSEPH: Petition of citizens of New Mexico, for the speedy settlement of Indian depredation claims—to the Select Committee on Indian Depredation Claims.

By Mr. KERR: Joint resolution of the Legislature of Iowa, for the passage of the bill to reimburse the State for the swamp lands sold by the United States Government—to the Committee on the Judiciary.

By Mr. McCOMAS: Petition of Jacob A. Miller and of Charles W. Webster, for relief—to the Committee on War Claims.

By Mr. McKINNEY: Petition of A. S. Batcheller, of New Hampshire, regarding certain matters relating to the Eleventh census—to the Select Committee on the Eleventh Census.

By Mr. McSHANE: Petition of the National Farmers' Alliance for the establishment of a department of agriculture—to the Committee on Agriculture.

By Mr. NEAL: Petition of Bartley Morgan, of Marion County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. NELSON: Petition for increase of the pension of Moses W. Adley—to the Committee on Invalid Pensions.

By Mr. CHARLES O'NEILL: Petition of citizens of Pennsylvania, for the repeal of the tobacco tax—to the Committee on Ways and Means.

Also, petition of Henry Myers, of Philadelphia, Pa., for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. PEEL: Petition of Mrs. Cynthia C. Baker (formerly Williams) for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. PERKINS: Evidence in support of House bill 783, granting a pension to Mrs. Nancy E. Spencer—to the Committee on Invalid Pensions.

By Mr. PLUMB: Petition of J. B. Cunliffe and 8 others, soldiers of Utica, Ill., asking for a vote on the general pension before the vote is taken on the Mills bill—to the Committee on Ways and Means.

By Mr. E. J. TURNER: Petition of J. K. Thompson and others, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WADE: Petition of Felix G. Duvall, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. WALKER: Petition of James W. Crafton, heir of Mary Crafton, of Scott County, Missouri, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. WARNER: Petition of Jesse A. Skeen, for a pension—to the Committee on Invalid Pensions.

By Mr. J. R. WHITING: Petition of citizens of Calhoun, Gratiot, Hillsdale, Hannah, Huron, Iosca, Ingram, Kent, Livingston, Monroe, Wayne, Clinton, Van Buren, St. Joseph, Sanilac, St. Clair, Oakland, Ottawa, Manistee, Benzie, Marion, and Newaygo Counties, Michigan, in favor of pure food—to the Committee on Agriculture.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. BAYNE: Of W. J. Kiskadden and others, druggists of Etna, Allegheny County, Pennsylvania.

By Mr. BINGHAM: Of citizens of Philadelphia, Pa.

By Mr. CARUTH: Of Colgen & McAfee and 3 others, druggists of Louisville, Ky.

By Mr. CONGER: Of James Braniff, of Des Moines, Iowa.

By Mr. DALZELL: Of druggists of Pittsburgh, Pa.

By Mr. FULLER: Of Ray & Pomeroy and M. L. Woodbridge, of Nashua, Iowa.

By Mr. LEE (by request): Of citizens of Alexandria and of Falls Church, Va.

By Mr. LONG: Of Orrin B. Cole, of Bridgewater, Mass.

By Mr. O'FERRALL: Of J. B. Taylor, M. D., and others, of Virginia.

By Mr. SENEY: Of Justice & Co., of Gilboa, Ohio.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. C. H. ALLEN: Of A. S. Guild and others.

By Mr. JEHU BAKER: Of Cyrus W. Thompson and 23 others, members of the Audubon Society, of Belleville, Ill.

By Mr. DE LANO: Of S. S. Wilcox and 18 others, citizens of Osborne Hollow, Broome County, New York.

By Mr. FORD: Of the O-wash-ta-nong Boat Club, of Grand Rapids, Mich.

By Mr. MORSE: Of John C. Cook and 25 citizens of Boston, Mass.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. CROUSE: Of Michael B. Myers and 44 others, citizens of Summit County, Ohio.

By Mr. GEST: Of citizens of Adams, Ill.

By Mr. McCOMAS: Of farmers of Carroll County, Maryland.

By Mr. McCORMICK: Of citizens of Venango County, Pennsylvania.

By Mr. NUTTING: Of citizens of Wallington and of South Granby, N. Y.

By Mr. SAWYER: Of citizens of Rock Glen, N. Y.

By Mr. SPOONER: Of citizens of Ashaway, R. I.

By Mr. WARNER: Of citizens of Huntsville, Mo.

By Mr. WEBER: Of citizens of East Hamburgh and Ellicott, N. Y.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. E. P. ALLEN: Of Rowley Post, Grand Army of the Republic, of Clayton, Lenawee County, Michigan.

By Mr. FORD: Of J. L. Fairbanks and 52 others, citizens of Holland, Mich.

By Mr. WILLIAMS: Of D. J. Martin and 172 soldiers and citizens of Covington, Ohio.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. BIGGS: Of 199 citizens of Nevada and Amador Counties, California.

By Mr. BURROWS: Of 86 citizens of St. Joseph County, Michigan.

By Mr. CUTCHEON: Of citizens of Mecosta County, Michigan.

By Mr. MACDONALD: Of 108 citizens of Goodhue, Rice, and Dakota Counties, Minnesota.

By Mr. McCORMICK: Of 143 citizens of Lycoming County, Pennsylvania.

HOUSE OF REPRESENTATIVES.

FRIDAY, *May* 4, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

RIGHT TO TAKE FUR SEALS IN ALASKA.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, in response to a resolution of the House calling for information in regard to the lease of the right to take fur seals in Alaska; which was referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

SAND ISLAND LIGHT STATION, ALABAMA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Light-House Board of an appropriation for the protection of Sand Island light station, Alabama; which was referred to the Committee on Appropriations, and ordered to be printed.

ALASKA SEAL AND FUR COMPANY.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting the annual report of the governor of Alaska upon the operations of the Alaska Seal and Fur Company;

which was referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House the following Senate bills; which were severally read a first and second time, and referred to the Committee on Public Buildings and Grounds:

A bill (S. 1940) to provide for the construction of a public building at Sterling, Ill.;

A bill (S. 384) to provide for the erection of a public building in the city of Dover, in the State of New Hampshire;

A bill (S. 289) for the erection of a public building at Fort Dodge, Iowa;

A bill (S. 165) for the erection of a public building in the city of Woonsocket, R. I.; and

A bill (S. 1913) for the erection of a public building at Emporia, Kans.

The SPEAKER also laid before the House the following Senate bills; which were severally read a first and second time, and referred as indicated, namely:

The bill (S. 1765) to provide for the sale of the Fort Sedgwick military reservation, in the States of Colorado and Nebraska, to actual settlers—to the Committee on Military Affairs.

The bill (S. 1715) for the relief of the sureties of Dennis Murphy—to the Committee on Claims.

The bill (S. 518) for the relief of the legal personal representatives of Henry H. Sibley, deceased—to the Committee on Claims.

The bill (S. 2629) to pension Bartola Thebant, a soldier in the Florida Seminole Indian war of 1849 and 1850—to the Committee on Pensions.

PENSION BILLS REFERRED.

The SPEAKER also laid before the House Senate bills of the following titles; which were severally read a first and second time, and referred to the Committee on Invalid Pensions:

A bill (S. 915) granting a pension to Susan Edson;

A bill (S. 1009) granting an increase of pension to Sallie R. Alexander, widow of Lieut. Col. Thomas L. Alexander, United States Army;

A bill (S. 1076) granting a pension to the widow of John Leary, deceased;

A bill (S. 1136) granting a pension to Anna M. Freeman;

A bill (S. 1264) granting a pension to Martha V. Coleman;

A bill (S. 1269) granting a pension to Lydia K. White;

A bill (S. 1319) granting a pension to Anna Slater;

A bill (S. 1481) granting a pension to Ellen White Dowling;

A bill (S. 1482) granting a pension to Sarah C. Taylor;

A bill (S. 1500) granting a pension to Margaret M. Miller;

A bill (S. 1540) granting a pension to Hannah Babb Hutchins;

A bill (S. 1591) granting an increase of pension to Madison M. Meredith;

A bill (S. 1822) granting a pension to Ann E. Cooney;

A bill (S. 1838) granting a pension to Mrs. Mary Mott;

A bill (S. 1925) granting a pension to Alexander H. White;

A bill (S. 1926) granting a pension to William Smith;

A bill (S. 1983) granting a pension to H. R. Blackiston;

A bill (S. 2052) for the relief of Bridget A. Murphy;

A bill (S. 2058) to increase the pension of John Taylor;

A bill (S. 2126) to pension Winemah Riddell;

A bill (S. 2246) granting a pension to John C. Abbott;

A bill (S. 2263) granting a pension to Frank Paschker;

A bill (S. 2274) granting a pension to Mrs. Catharine K. Whittlesey;

A bill (S. 2301) to increase the pension of Manhatton Pickett;

A bill (S. 2310) granting a pension to Rozalia Junk;

A bill (S. 2313) granting a pension to Ellen J. Snedaker;

A bill (S. 2314) granting a pension to John B. Covert;

A bill (S. 2333) granting a pension to George W. Fogle;

A bill (S. 2334) granting a pension to Mary J. Byrd;

A bill (S. 2366) granting a pension to Mrs. Emeline Anderson;

A bill (S. 2370) granting a pension to Sarah C. Anderson and children under sixteen years of age;

A bill (S. 2371) granting a pension to Jacob Pitner;

A bill (S. 2372) restoring a pension to George L. Flech;

A bill (S. 2413) granting an increase of pension to Ernst Hein;

A bill (S. 2418) granting a pension to Jarret Spencer;

A bill (S. 2435) granting a pension to D. G. Scooten;

A bill (S. 2452) placing the name of Lena Neuninger on the pension-rolls;

A bill (S. 2450) placing the name of Bridget White on the pension-rolls;

A bill (S. 2538) granting a pension to Oliver H. Judd;

A bill (S. 2547) to increase the pension of Mrs. Matilda Wilkins Emory;

A bill (S. 2571) granting a pension to Edwin E. Chase;

A bill (S. 2575) granting a pension to Elizabeth Dettis;

A bill (S. 2576) granting a pension to Richard Hudson;

A bill (S. 2578) granting a pension to Nathan B. Rarick;

A bill (S. 2579) granting a pension to Mrs. Maggie A. Weed, formerly Miss Maggie A. Eagan;

A bill (S. 2606) granting a pension to John B. Timberman;

A bill (S. 2609) granting a pension to H. H. Russell;

A bill (S. 2616) granting a pension to James E. Kabler;

A bill (S. 2638) granting a pension to Mrs. Emma Dill;

A bill (S. 2655) granting a pension to Lydia Hawkins;

A bill (S. 2656) granting a pension to the widow and minor children of Patrick Frawley;

A bill (S. 2663) granting an increase of pension to Mrs. Mary M. Ord;

A bill (S. 2700) granting an increase of pension to Allen Blethen;

A bill (S. 2713) granting a pension to Pierre Bottineau;

A bill (S. 2738) granting an increase of pension to John G. Merritt;

A bill (S. 2763) granting a pension to William L. Eddy;

A bill (S. 2779) granting a pension to Eliza M. Scandlin;

A bill (S. 2829) granting a pension to Sarah J. Foy; and

A bill (S. 2830) granting increase of pension to Elvira M. Dorman.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CRISP, indefinitely, on account of important business.

To Mr. LONG, for ten days.

To Mr. WILSON, of Minnesota, for two weeks, on account of important business.

To Mr. GALLINGER, for ten days, on account of important business.

To Mr. GAINES, for five days, on account of important business.

To Mr. BURNES, for ten days, on account of important business.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled the joint resolution (H. Res. 83) accepting the invitation of the French Republic to participate in an international exposition to be held in Paris in 1889; and the Speaker signed the same.

OVERLOADING OF VESSELS ON GREAT LAKES.

Mr. DUNN. I am directed by the Committee on Merchant Marine and Fisheries to report back with a recommendation that it be adopted the resolution which I send to the desk.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, *February* 9, 1888.

Mr. NUTTING submitted the following resolution; which was referred to the Committee on Merchant Marine and Fisheries, and ordered to be printed:

"'Whereas at a convention of seamen held at Toledo, Ohio, January, 188, delegations were present from Chicago, Milwaukee, Detroit, Toledo, Cleveland, Buffalo, and Oswego, and said delegations represented more than 5,000 seamen of the great chain of lakes. That said convention passed the following preamble:

"'Whereas 73 vessels, aggregating a tonnage of 20,678 tons, and valued, with cargoes, at $2,500,000, together with 204 lives, were lost on the Great Lakes during the season of 1887; and

"'Whereas the 204 lives lost, with the vessels mentioned, caused such an intense feeling of indignation throughout the country that the press was loud in its denunciation of underwriters and the incompetency of Government inspectors; and

"'Whereas, as is well known, a majority of vessels lost on the Great Lakes during the season of 1887 were rendered unseaworthy by being loaded beyond their carrying capacity, thereby causing them to founder and carry to the bottom with them, in most cases, the entire crew, and as a consequence leaving widows and orphans destitute of their natural protectors:' Therefore,

"*Resolved*, That the Secretary of the Treasury of the United States be, and he is hereby, requested, if consistent with the public good, to transmit to this House all information in custody of said Department in regard to the matters and things set forth in said preamble; and said Secretary is requested to state whether there is any rule, order, or regulation of the Treasury Department the enforcement of which would prevent the overloading of vessels with freight, and as to whether there is any law or laws in force regulating the quantity of freight vessels on the Great Lakes shall carry."

The resolution was adopted.

Mr. DUNN moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EMORY R. SEWARD.

Mr. KERR. I desire to submit a privileged report, the report of a committee of conference.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7319) for the relief of Emory R. Seward, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: Strike out all after the word "Provided," in the said amendment, and insert in lieu thereof the words:

"If in the judgment of the Chief of Engineers the necessities of commerce require the completion of said contract, or any portion of it, there shall, in making settlement with the said Emory R. Seward, be deducted from the above-named appropriation such an amount as in his judgment it will cost, in excess of the sum of $625, to complete such contract in a manner to meet the necessities of commerce at that point."

T. J. CAMPBELL,
DANIEL KERR,
Managers on the part of the House.
JOHN H. MITCHELL,
JOHN C. SPOONER,
E. K. WILSON,
Managers on the part of the Senate.

The following statement of the House conferees was read:

The House conferees, in explanation of the conference report, say that on ex-

amination of the amendment proposed by the Senate we were satisfied that it would provide an additional, though perhaps an unnecessary safeguard in carrying out the purpose of the bill, and therefore recommend the adoption of the modified amendment of the Senate.

The report of the committee of conference was adopted.

Mr. KERR moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CALIFORNIA CONTESTED-ELECTION CASE.

Mr. JOHNSTON, of Indiana. Mr. Speaker, I submit a privileged report from the Committee on Elections, in the case of Lynch *vs.* Vandever, from the Sixth Congressional district of the State of California.

The SPEAKER. The report and accompanying resolutions will be referred to the House Calendar and ordered to be printed. Does the gentleman desire immediate consideration?

Mr. JOHNSTON, of Indiana. I will call this up some time hereafter, but will give notice of the time before calling it up.

ORDER OF BUSINESS.

Mr. MILLS. I demand the regular order.

The SPEAKER. This being Friday, the regular order is the consideration of bills upon the Private Calendar.

Mr. MILLS. I move to dispense with that business for to-day.

Mr. TAULBEE. Mr. Speaker, I do not want to interfere with the understanding between the members of the Committee on Ways and Means, or to interfere with the discussion of the tariff matter; but I want to offer a brief observation with reference to the condition of business on the Private Calendar——

The SPEAKER. But this motion is not debatable.

Mr. TAULBEE. I understand that it is not. However, if the point is not made, I presume that I may be permitted——

Mr. MILLS. I must demand the regular order.

Mr. TAULBEE. Then let us have the regular order.

The SPEAKER. The regular order is the consideration of bills on the Private Calendar. The gentleman from Texas moves to dispense with private business for to-day.

The question was taken; and on a division there were—ayes 58, noes 52.

Mr. TAULBEE. No quorum.

The SPEAKER. The point of order being made that no quorum has voted, the Chair will order tellers.

Mr. TAULBEE and Mr. MILLS were appointed tellers.

Mr. MILLS. Let us have the yeas and nays at once.

The yeas and nays were ordered.

The question was taken; and there were—yeas 107, nays 91, not voting 126; as follows:

YEAS—107.

Allen, Miss.	Cummings,	Lagan,	Rice,
Atkinson,	Dockery,	Laidlaw,	Richardson,
Bacon,	Dunn,	Landes,	Robertson,
Bankhead,	Enloe,	Lanham,	Rogers,
Barnes,	Ermentrout,	Latham,	Rowland,
Biggs,	Fisher,	Lawler,	Sayers,
Blanchard,	Foran,	Lee,	Scott,
Bliss,	Ford,	Macdonald,	Shaw,
Blount,	Forney,	Mansur,	Spinola,
Breckinridge, Ark.	French,	Martin,	Springer,
Breckinridge, Ky.	Glass,	Matson,	Stewart, Tex.
Bryce,	Granger,	McClammy,	Stewart, Ga.
Butterworth,	Grimes,	McCormick,	Stockdale,
Bynum,	Hall,	McKinney,	Stone, Ky.
Campbell, F., N. Y.	Hare,	McMillin,	Struble,
Candler,	Hatch,	McRae,	Tarsney,
Carlton,	Heard,	Mills,	Thompson, Cal.
Caruth,	Hemphill,	Moore,	Tracey,
Caswell,	Henderson, Iowa	Morgan,	Townshend,
Chipman,	Henderson, N. C.	Neal,	Turner, Ga.
Clardy,	Herbert,	Newton,	Walker,
Clements,	Hogg,	O'Ferrall,	Washington,
Cobb,	Hooker,	O'Neall, Ind.	Wheeler,
Cowles,	Howard,	Peel,	Whitthorne,
Cox,	Hudd,	Penington,	Wilkinson,
Crain,	Hutton,	Perry,	Wilson, W. Va.
Culberson,	Johnston, N. C.	Rayner,	

NAYS—91.

Allen, Mass.	Crouse,	Johnston, Ind.	Russell, Conn.
Allen, Mich.	Dalzell,	Kean,	Ryan,
Baker, N. Y.	Darlington,	Kennedy,	Sawyer,
Baker, Ill.	Farquhar,	Kerr,	Scull,
Bayne,	Felton,	Long,	Seymour,
Belden,	Flood,	Lyman,	Sherman,
Bingham,	Fuller,	McKenna,	Spooner,
Boothman,	Funston,	Milliken,	Stephenson,
Boutelle,	Gear,	Moffitt,	Stewart, Vt.
Bowen,	Gest,	Nelson,	Taylor, E. B., Ohio
Brewer,	Grout,	Nichols,	Taylor, J. D., Ohio
Brower,	Guenther,	Nutting,	Thomas, Wis.
Browne, Ind.	Harmer,	O'Donnell,	Thompson, Ohio
Brown, Ohio	Haugen,	O'Neill, Pa.	Turner, Kans.
Brown, J. R., Va.	Hayden,	Osborne,	Vandever,
Buchanan,	Henderson, Ill.	Owen,	Wade,
Bunnell,	Hiestand,	Patton,	Warner,
Burrows,	Hitt,	Perkins,	Weber,
Butler,	Holmes,	Peters,	Whiting, Mass.
Cannon,	Hopkins, Ill.	Phelps,	Wickham,
Cheadle,	Hopkins, Va.	Rockwell,	Williams,
Clark,	Houk,	Romeis,	Woodburn.
Cogswell,	Hunter,	Rowell,	

NOT VOTING—126.

Abbott,	Davis,	Lane,	Reed,
Adams,	De Lano,	Lehlbach,	Russell, Mass.
Anderson, Iowa	Dibble,	Lind	Rusk,
Anderson, Miss.	Dingley,	Lodge,	Seney,
Anderson, Ill.	Dorsey,	Lynch,	Shively,
Anderson, Kans.	Dougherty,	Maffett,	Simmons,
Arnold,	Dunham,	Mahoney,	Smith,
Barry,	Elliott,	Maish,	Snyder,
Belmont,	Finley,	Mason,	Sowden,
Bland,	Fitch,	McAdoo,	Stahlnecker,
Bound,	Gaines,	McComas,	Steele,
Bowden,	Gallinger,	McCreary,	Stone, Mo.
Browne, T. H. B., Va.	Gay,	McCulloch,	Symes,
Brumm,	Gibson,	McKinley,	Taulbee,
Buckalew,	Glover,	McShane,	Thomas, Ky.
Burnes,	Goff,	Merriman,	Thomas, Ill.
Burnett,	Greenman,	Montgomery,	Tillman,
Campbell, Ohio	Grosvenor,	Morrill,	Vance,
Campbell, T. J., N. Y.	Hayes,	Morrow,	Weaver,
Catchings,	Hermann,	Morse,	West,
Cockran,	Hires,	Norwood,	White, Ind.
Collins,	Holman,	Oates,	White, N. Y.
Compton,	Hopkins, N. Y.	O'Neil, Mo.	Whiting, Mich.
Conger,	Hovey,	Outhwaite,	Wilber,
Cooper,	Jackson,	Parker,	Wilkins,
Cothran,	Jones,	Payson,	Wilson, Minn.
Crisp,	Kelley,	Phelan,	Wise,
Culcheon,	Ketcham,	Pidcock,	Yardley,
Dargan,	Kilgore,	Plumb,	Yoder,
Davenport,	Laffoon,	Post,	Yost.
Davidson, Ala.	La Follette,	Pugsley,	
Davidson, Fla.	Laird,	Randall,	

So the motion to dispense with private business was agreed to.

During the roll-call,

On motion of Mr. MILLS, by unanimous consent, the reading of the names was dispensed with.

The following pairs on political questions were announced until further notice:

Mr. MCSHANE with Mr. MCCOMAS.

Mr. WILSON, of Minnesota, with Mr. GALLINGER.

Mr. PIDCOCK with Mr. WEST.

Mr. ANDERSON, of Illinois, with Mr. YOST.

Mr. WHITE, of New York, with Mr. COCKRAN.

Mr. WHITING, of Michigan, with Mr. WILBER.

Mr. BURNETT with Mr. HAYDEN.

Mr. CAMPBELL, of Ohio, with Mr. PUGSLEY.

Mr. COLLINS with Mr. DUNHAM.

Mr. PARKER with Mr. STONE, of Missouri.

Mr. YODER with Mr. FINLEY.

Mr. TIMOTHY J. CAMPBELL with Mr. BELDEN.

Mr. GREENMAN with Mr. THOMAS, of Illinois.

Mr. LANE with Mr. WICKHAM.

Mr. RUSK with Mr. BROWN, of Ohio.

Mr. TAULBEE with Mr. ANDERSON, of Kansas

Mr. SNYDER with Mr. GOFF.

Mr. GLOVER with Mr. ADAMS.

Mr. OUTHWAITE with Mr. PAYSON.

Mr. SHIVELY with Mr. LA FOLLETTE.

Mr. ALLEN, of Mississippi, with Mr. CUTCHEON.

Mr. DIBBLE with Mr. LEHLBACH, from the 24th of April to May 3. For this day:

Mr. HAYES with Mr. MCCULLOGH.

Mr. MONTGOMERY with Mr. DORSEY.

Mr. ANDERSON, of Iowa, with Mr. DAVIDSON, of Florida.

Mr. CUMMINGS with Mr. DAVENPORT.

Mr. BURNES with Mr. MORROW.

Mr. WILKINS with Mr. HOPKINS, of New York.

The result of the vote was then announced as above recorded.

Mr. TAULBEE. Is it not necessary that two-thirds shall vote in favor of this motion?

The SPEAKER. It is not. Such was the rule until the beginning of the Forty-ninth Congress. It was then changed. There was an apparent conflict between clause 1 of Rule XXVI and clause 3 of Rule XXIV, and during the Forty-ninth Congress a change was made in clause 1 of Rule XXVI so as to require only a majority vote to dispense with the consideration of the Private Calendar on Fridays.

Mr. TAULBEE. If I understand the meaning of Rule XXVIII aright, I am of the opinion that it will be necessary, in order to change the regular order for the consideration of private business, taken in connection with Rule XXV and Rule XXVI, to have a two-thirds vote in the affirmative.

The SPEAKER. This is not a motion to suspend the rules. Rule XXVIII refers to motions to suspend the rules.

Mr. TAULBEE. This is a motion to change what is the business under the rule.

The SPEAKER. It is a motion to determine what business the House will consider.

Mr. TAULBEE. It is a motion to suspend the operation of Rule XXVI.

The SPEAKER. It is simply a question as to what business the House shall proceed to consider.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, informed the House that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 2493) to perfect the quarantine service of the United States; and

A bill (S. 2644) granting the right of way to the Fort Smith, Paris and Dardanelle Railway Company to construct and operate a railroad, telegraph, and telephone line from Fort Smith, Ark., through the Indian Territory, at or near Baxter Springs, in the State of Kansas.

STATISTICAL BUREAU.

Mr. WHEELER, by unanimous consent, introduced a bill (H. R. 9827) to create and establish a tariff statistical bureau; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. CASWELL. Mr. Chairman, when Congress assembled in December last this country was enjoying a greater prosperity than any other country in the world. There was no impending crisis or threatened disturbance. There was a surplus of money in the Treasury, but the circulating medium was not so withdrawn from business as to create a stringency, and the country was in a very prosperous condition.

Congress had not been in session for nine months. It was a new Congress without official information on the state of the country. The Constitution that convenes us enjoins upon the President to "give to Congress information of the state of the Union."

I doubt if ever before since the organization of the Government did the Executive fail to comply with this provision. But in place of this annual message the Executive sends to us a platform for his party, stating the issue which is to divide the two great political parties in the Presidential campaign soon to follow, wholly ignoring the vast interests which are committed to his charge and in aid of which we are here to legislate. Hardly a reference does the President make in his message to the duties of the session, except to the one measure which he brings to the front for the contention of both Houses.

Unfortunately for the country we are here to serve, this message of discord prostitutes the session from a legislative body to the arena of a political strife.

The cause for precipitating the issue is alleged to be a surplus in the Treasury, a circumstance that would have occurred at any time in the last twenty years had the Executive ceased to apply the surplus money upon the national debt.

But, I ask, what cause of alarm does the surplus present. Are we so untrustworthy that we can not guard and protect it? Should we doubt our own integrity and ability to preserve this money? Certainly we should not distrust the Executive's watchfulness with his reserve power. At any other time this surplus would have been pointed to by the Administration as an evidence of success. If this accumulation of credit in any way disturbed the business of the country the President had only to obey the law and purchase bonds of the United States for cancellation as the law requires and as both branches of Congress and the people are now insisting he shall do. But a large part of this money constituting the surplus is simply placed to the credit of the Treasury in the public depositories in every part of the United States, and the banks holding those deposits are paying it out over their counters as business may require.

Mr. Chairman, the presence of this surplus in the Treasury gives little cause of alarm compared with the assault made by the President himself upon the business and industries of this country. The surplus has caused no disturbance whatever, no apprehension or alarm; while the message, coming as it does from the high position occupied by its author, falls with great weight upon the business of the country. It excites a fear and apprehension which will cost our people untold millions.

But, sir, the time had come when the people must be aroused, an alarm must be sounded, not really at the condition of the country, for that was never better, but at the dangers which overshadow the future of this Administration. It had been in possession of the Government nearly three years. It came into power upon the plea of economy and a promise that it would exhibit to the people gigantic frauds as soon as possession of the records could be obtained. In both these pretenses they have failed, utterly failed. The frauds were not there, but, instead, a record that challenges a parallel in the history of the world for honesty and fidelity to the people. There never has been an administration from the foundation of the Government down to the present that exceeded this one in personal extravagances. Year by year, since it came into power, has its expenses increased, and year by year they will continue to increase.

Mr. Chairman, if we expect to meet the demands upon the Treasury a very great reduction of taxes will be impossible. If we pay our current expenses, as we must, the interest on the public debt, provide for the sinking fund, and discharge our obligations to the soldiers and their families, if we pay the millions of dollars of just claims against the Government, some of which are drawing interest, we must continue to raise nearly the same revenue we now do. This must be collected through the custom-house or the internal-revenue bureau.

In addition to the demands upon the Treasury to which I have referred, there will mature in three years $230,000,000 of United States bonds, bearing 4½ per cent. interest. The passage of the bill reported by the Committee on Ways and Means will reduce the revenues, they say, $78,000,000. This would leave us without any provision whatever for paying these bonds, and how, I ask, are we to meet them?

We are in daily receipt of petitions from all parts of the country protesting against further extension of the national debt or any part of it, and yet here is a bill proposed by the majority of this House deliberately reducing the revenues so low that not one dollar can be applied upon the national debt after its passage. If the revenues remain as they now are, the entire surplus, from this time on to the maturity of these 4½ per cent. bonds, would be needed to pay them. But we need not retain the money in the Treasury. The plain, simple duty of the President is, as it has been during the past year, to purchase from time to time, as the surplus would permit, these bonds and keep the money in circulation. In this way, with the revenues as they now are, he could retire gradually these bonds till the hour of their final maturity would find but few outstanding.

The law authorizing the President to so use the surplus was enacted on the 3d of March, 1881, and reads as follows:

That the Secretary of the Treasury may at any time apply the surplus money in the Treasury not otherwise appropriated, or so much thereof as he may consider proper, to the purchase or redemption of United States bonds.

An observance of this law would have taken care of every dollar of the surplus of which we now hear so much. But it would have deprived the President of his chief argument which he is now using as a party measure to coerce Congress into the passage of this bill and the people into the support of his administration.

But, sir, if the current expenses of the Government had been paid in the last year and a proper amount of money used in the construction and preservation of our public works and the improvement of our harbors, if the pressing demands, debts, and liabilities of the Government had been paid as business men discharge their obligations, there would have been but little, if any, money in the Treasury with which to purchase bonds.

This surplus was grown to its present proportions for a purpose. Its preparation has been going on for a year or more. Much needed appropriations in the last Congress were withheld and Government business suspended. Our fortifications have been unprotected, piers have gone to pieces, and the channels in our harbors have been filling up because the money to protect these works could not be spared from the surplus. An appropriation of $10,000,000 for the improvement of the rivers and harbors passed both Houses of Congress at the last session, but met with a silent veto in the hands of the President because the money was needed to swell his surplus. Two deficiency bills, amounting to $10,000,000, have already passed this Congress to meet the expenses of the last and other Congresses. I will not stop here.

Our feeble and dilapidated Navy has not a parallel upon the seas. It is excelled by every first and second class power in the world. More than $40,000,000 could be profitably expended in the construction of a navy that would even be respectable. The building of ships would give much life and aid to business and employment to thousands of men. But the money can not be spared. I repeat, had this Government been honest with its citizens and dealt with them as business men deal, had it provided the means necessary to a faithful administration of the Government, the surplus of $55,000,000 would never have appeared.

The amount collected from customs in the year ending June 30, 1887, was		$217,286,893.13
From internal revenue		118,825,201.22
From all other sources		35,292,983.31
Total receipts during the year		371,405,277.66
Total disbursements	$267,932,179.97	
Applied on sinking fund	47,894,200.00	
		315,826,379.97
Leaving a surplus for the year of		55,576,897.69

But, sir, it may be a reduction of taxes can be had to some extent without great embarassment to the Treasury. If so, I for one am ready to give assent though by the act we commit ourselves to an extension of the national debt which matures in 1891, for we shall have no way of meeting the bonds when they fall due.

In the plan of reduction, however, I shall differ materially from that

adopted by the Committee on Ways and Means. I would confine the reductions of duties to the necessaries of life, and to such articles as are not produced or manufactured in this country, or which are produced in such limited quantities as to make the cost of production too great.

The President tells us in his message that the removal or reduction of duties cheapens articles of like grade of home production to the extent of the duty removed. Sir, the greatest part of the goods in use by the poorer and middle classes of the people are manufactured by ourselves, and their price is in no sense affected by the tariff, while it is a fact too well known to be contradicted that the imported goods and home manufactures of similar kind and quality are consumed by the wealthier classes, and a substantial reduction of the duty laid upon such goods will chiefly lighten the burdens of the rich and shift a corresponding amount of taxation to some other source. In other words, a reduction of duties cheapens the price of goods purchased by wealthy people, while it affects but slightly the articles purchased by the poorer classes.

If this reform party wish to relieve the people from unjust burdens, why do they not provide some substantial reduction on articles of general consumption? Why do they not provide in this bill for the removal of the entire duty on sugar? That would reduce the taxes $60,000,000 a year. It would take $1 of taxes from the food of every man, woman, and child in the United States. Such relief would extend to every family, whether they be rich or whether they be poor. Every one consumes sugar, and the same number of dollars would be lifted from each person alike. With great reluctance I would withdraw protection from any industry which has prospect of such growth and development as to warrant that competition which would insure a reduction of price.

But as this promise does not exist for the sugar production in the United States, and as it is conceded that there must be a reduction somewhere, and that some industry must surrender its protection, I would select those which have the least prospect of success and which will contribute most to the comforts of the people when made cheaper. For years we have fostered and favored the sugar interest in the United States, maintaining a higher rate of duty upon it than upon any other article of general consumption. The protection of sugar has cost the people in the last twenty years one-half the sum necessary to pay the national debt, and its developement has made no progress whatever.

The State of Louisiana alone of all the Southern States has made it a principal industry. She has raised about 93 per cent. of all the cane sugar of the United States. In 1860–'61 the sugar crop of Louisiana was 265,063,000 pounds; in all the other Southern States, 9,661,000 pounds. In 1861–'62 the crop in Louisiana was 528,321,500 pounds; in the other Southern States, 11,509,000 pounds. Coming down to the present time, we find the State of Louisiana producing in 1884–'85 only 211,402,963 pounds; the other Southern States, 14,560,000; in 1885–'86, Louisiana, 286,626,486; the other Southern States, 16,128,000; showing an absolute falling off in the quantity produced.

We have been told of the beet sugar and of the sorghum sugar that would soon be produced in large quantities, but they do not appear in our markets in quantities sufficient to affect the price. But even now I would follow the example of Germany and other countries, and give a reasonable bounty for all the cane, beet, and sorhgum sugar which could be produced in the United States. But we should no longer continue this great tax upon the mouths of 60,000,000 people, under the guise of revenue or protection. The entire sugar crop in the United States is only 10 per cent. of the amount consumed, while the duty is nearly one-half the price we pay.

The pending bill takes from this duty only about $10,000,000, leaving $50,000,000 to be hereafter collected each year. This will tax the man who owns no property, not even the roof under which he sleeps, just as many dollars as it does the man whose holdings are measured by the millions in lands and estates, which are guarded and protected by the strong arm of the Government. Yet these gentlemen call this bill a just measure of relief. What principle is there in this revision that places wool and flax and hemp and jute upon the free-list and at the same time taxes the sugar which every one must eat 75 per cent.

Has the political complexion of the State of Louisiana anything to do with the extraordinary measure of protection meted out to her? I trust not, for the question is too important to be influenced by the political fortunes of any State. And yet I greatly fear if that State were located somewhere in New England, or among the Northwestern States, which can not always be relied upon to sustain the present party in power, sugar would share in this bill the same fate of wool and the other farm products so universal in the North, and find its place upon the free-list. If I were to make further substantial reductions in taxation I would go to the internal revenue and take away the tax upon tobacco, except its manufactures. Tobacco is an American production, and the machinery of its taxation is distasteful to our people.

In my judgment such further reduction is unnecessary, perhaps unwise, but the people are demanding it, and I yield my assent. It is possible, too, that the tax should be taken from such spirits as are used in the arts and for medicines, but I would go no further in the reduction of the tax on spirits; and I want to say here to gentlemen on the other side of the Chamber, who are so swift to charge free whisky to us, that you are greatly mistaken in your accusation; you may boast of your reduction on clothing and the goods that men of wealth alone can buy, and of the cheapening of every article that enters into the construction of railroads, of Pullman cars and palace cars, but you shall not truly say we favor a repeal of the tax on spirits. If I understand the temper of this side of the House, a very large majority is against it.

Under our system of protection we have in twenty years passed from a minor position to the very front of all the nations in the world. Our common people own their homes, find employment, and are educating their children in the line of industrial habits. Labor is respected and so well paid that all the comforts of life are brought within its reach. Here we find production and consumption dwelling together. Every American product of field, mine, or factory, the value of which is much increased by labor, can only be cheapened by lowering the price of labor.

What farm product is there on which a duty is laid that we can not produce here as well as elsewhere?

What manufacture is there on which a duty is laid that we can not make here as well as in England? Why, then, do we not successfully compete with other countries in whatever we make? There is but one answer to be made. We can not compete with these foreign productions and pay our present price for labor. We can compete with every country in the world in everything except in the products of cheap labor. That alone enables them to drive us from the markets of other countries, and it will enable them to drive us from our own markets unless we maintain such a duty upon their imports as will secure for our people a fair compensation for their labor.

It is vastly better for us to have the articles we consume produced here than in some other country. Whatever we make or raise with our own hands is so much added to our aggregate wealth, and we are not obliged to part with an equivalent.

Under this protection we are now manufacturing $7,000,000,000 worth of goods a year and our farm products amount to $3,000,000,000 more, making a total annual production of $10,000,000,000. Of this vast amount only about 5 per cent. of the goods and 8 per cent. of the farm products are marketed abroad. All of the remainder is consumed at home. The President and his party tell us that we must reduce the tariff and encourage importations from other countries if we would find a like market for our own productions with them. There is no logic in this statement; we can not compete with them now with all our industries in successful operation and maintain the price we pay for labor. How can we compete in foreign ports with our fabrics displaced at home by importations with the cost of transportation added, any better then than we now can? How are we better able to sell our products abroad after a disturbing element has forced us from our own markets and greatly injured our business? But it is absolutely certain, if we keep our mills in motion, we shall be obliged to seek a foreign market after we destroy our own. We must not forget that these importations are the product of labor in the form of goods imported to displace American labor. In 1887, $679,000,000 worth of goods and raw materials were imported to the United States; more than $500,000,000 of this was the product of labor, displacing just so much here.

Had our tariff been so high as to prohibit this importation all of the $679,000,000 in value would have been raised and manufactured here in our own country. But the bill before the House would double the quantity every year, to the displacement of just so much more of our labor and raw material.

That is not all. The men and their families who performed this work in foreign lands required food and clothing, houses and fuel, and all that sustains life while employed, and had they been here our producers would have enjoyed the benefits. Nay, more. All the shops and machinery used for the manufacture of these imports were constructed by foreign labor and material in place of ours.

If this work can be performed in America, why should it be done elsewhere? Why not pay the $679,000,000 which these goods cost us to our own people and enrich Americans, not Englishmen? Have we not the land on which the raw material can be raised? Have we not the mines, the ore, the timber; in fact, the resources of every description? Have we not the labor, skilled and unskilled, which can perform the work in converting this material into the finest and best manufactures in the world? And have we not millions of idle capital seeking investment? Why, then, go to England, to Germany, or any other country for goods or material which we can produce at home? Simply because we have to pay our laborers a fair compensation for their work. There is no other reason for it.

If we will reduce the wage-earner to the scale of Great Britain, Germany, Belgium, and France, we will have no occasion to visit their markets for the goods we need; but when they place the products of their cheap labor by the side of ours in the form of material, goods, and machinery, we must close our factories or scale down our labor. In either case as the laboring men are deprived of the means of support they will leave the factory and the shop to setttle upon lands, and soon they will find themselves raising produce without a market for it.

If we pass this bill and provide a market for the manufactured goods of Great Britain, we shall win for her a greater victory than she can

win for herself in Parliament or upon the battle-field. Pass this bill and all the free-trade journals of England will sound our praise, and the Cobden Club will send congratulations and welcome us with open arms as they proceed to absorb and demolish the great industries of America. [Applause.]

Mr. Chairman, I hear from the other side of this Chamber much said about monopolies. I have heard that same song for more than a half score of years. In fact the ghost of monopoly is always with them, on all occasions and for all purposes, ready to aid and assist them when reason is dethroned and arguments will not prevail. And yet no one here arises to defend or excuse monopolies and trusts, but all are ready to condemn them. I know of no connection between a protective tariff and monopolies. In fact the very object of a tariff is to protect the weak. No country in the world has greater monopolies than free-trade England. But I can imagine no monopoly so sweeping and disastrous and so humiliating to witness, none that would so crush out the spirit of our people, as the monopoly of Great Britain upon the markets and industries of this country. [Applause.]

Mr. Chairman, when I travel through this country, from one end to the other, and see the thrift and industry of the people, when I see the school-houses, the churches and colleges, the learning and intelligence, when I see the cultivated farms, with the seeders and mowers moving in all directions, as the seed time and harvest come, when I see factories and workshops in the villages and cities, I see something for every willing hand to do. I see comfortable homes and houses for all classes of our people, which I know to be the fruits of well-paid labor, and I contrast this country in its grandeur and glory with the countries where free trade abounds with a pride and satisfaction which I can not describe. [Applause.]

Go to England, and you will find her streets and public places thronged with a poorly-fed, poorly-clothed, and destitute people, seeking a few hours of work to buy bread for hungry wives and children.

Those who are so fortunate as to obtain employment receive but half the compensation paid to our people for like service. Such is the situation in Italy, in France, and in Germany. The battle there with the millions is a battle for existence, a struggle for life. Official reports tell us that in Manchester alone 90,000 women are working in the factories for $60 per year. The laboring men throughout England receive but $125 to $150 per year. In no spot or place in the wide world do the laborers receive such compensation as here in America. I submit a table of prices, taken from consular reports, compiled by the Secretary of State in 1885, showing the price per week paid for labor in seven foreign countries, in New York and Chicago.

Occupations.	Austria.	Belgium.	France.	Germany.	Great Britain.	Netherlands.	Switzerland.	United States.	
								New York.	Chicago.
Bakers	$4.63	$4.28	.....	.....	$6.17	$4.80	$3.88	$7.00	$12.00
Blacksmiths	3.18	5.38	$5.81	$4.00	7.37	4.80	5.20	13.00	15.00
Book-binders	4.10	5.35	5.17	4.20	6.77	4.00	4.68	14.00	16.50
Bricklayers	3.55	4.56	5.74	4.21	7.56	4.80	5.21	20.00	24.00
Cabinet-makers	4.40	5.66	6.14	4.25	7.68	4.80	5.59	12.00	15.00
Carpenters and joiners	5.10	4.07	6.20	4.11	7.66	4.80	4.74	14.00	16.50
Coopers	3.64	5.17	5.58	3.97	7.50	2.80	4.78	12.00	12.00
Drivers, draymen	2.20	3.77	5.57	2.96	5.37	4.40	.....	10.00	12.00
Farm laborers	3.50	2.72	3.10	3.06	4.02	3.24	.....	.....	.....
Laborers, porters, etc.	3.20	3.00	3.77	3.11	4.70	3.61	2.88	9.00	10.50
Plasterers	4.01	4.66	6.34	4.43	7.80	4.00	5.03	18.00	27.00
Plumbers	4.11	5.46	6.10	4.26	7.90	4.80	5.18	16.00	22.50
Printers	4.85	5.94	6.64	5.09	7.23	4.80	6.78	13.00	18.00
Tinsmiths	3.70	4.40	5.46	3.55	6.56	4.00	4.40	11.00	12.72
Weavers	3.15	3.95	3.23	2.79	6.31	3.60	3.05	10.00	.....

But they say "Remove the duties on imports and we can make good our loss in the price of wages by the saving in the price of goods we purchase." We should not forget that this saving will be very small, while we will feel the full weight of a reduction in the price of labor the year round. It may be true that a coat on which much labor has been expended can be bought in England for $10 which would cost thirteen in this country; but we must not forget that the extra dollars are paid to support the price of American labor. In the one case the tailor receives $3 for his four days of toil, while the other is paid six or seven dollars for the same work. So it is with every other occupation in which labor forms a principal part.

Labor and capital should work together. Neither can succeed without the other, and the nearer we bring the market to the place of manufacture the better for both.

No class of people have more interest in protection than the American farmer. A home market is his crowning success. Since our protective system our population has increased so rapidly that the farmer is enabled to sell for home consumption 92 per cent. of his entire crop. It will be a great mistake for the American farmer to build a hope on a foreign market. Better by far that he look to our own country as the only reliable field for the consumption of his products. But even under the present tariff there were imported into this country last year farm products amounting to $74,734,573. I submit a table showing the amount of each:

Animals	$4,631,846	Provisions	$1,896,259
Breadstuffs	6,640,228	Rice	1,674,394
Flax, hemp, etc., raw	12,312,853	Tobacco, raw	8,704,559
Fruits	15,840,827	Vegetables	2,350,351
Hay	790,394	Wool, raw	16,424,479
Hops	3,404,669		
Barley malt	153,363	Total	74,734,573

These importations took the place of so many products that should have been raised by our own farmers, and the labor employed in their growth and culture should have been American. But this bill places a large portion of these articles upon the free-list, and if it becomes a law more than twice this amount will be imported to us and sold every year hereafter.

This bill proposes to wipe out all protection whatever to the farmer in his struggle to keep alive the sheep industry and place him and the American people wholly at the mercy of foreign competition. It places wool upon the free-list, and, according to the President's rule, reduces its price 10 and 12 cents per pound. This would inflict a severe blow upon our farmers without reason or justification, as wool is now as cheap as any one could possibly wish. It would wipe out and destroy more than $200,000,000 in value now employed in the raising of sheep.

Since the reduction of the duty on wool of 12 per cent. ad valorem, in 1883, the sheep in the United States have decreased 6,000,000 head. Take from the present low price of wool 10 and 12 cents per pound, or even one-half that sum, and it will destroy every flock of sheep in the country. Australia, with her 75,000,000 sheep, of excellent grade, stands ready to profit by our misfortune. Her labor and lands cost but a nominal price, and the removal of the duty on wool will place her product in our mills. The duty, and that alone, keeps it in check. South America, too, will be here with her wools, and our free-traders bid them welcome. If we are to give up these industries, one after another, why not place wheat upon the free-list? It can be purchased in the Northwest, on the Canada side, for 8 and 10 cents less than upon our side. Let Minneapolis obtain a supply for her great mills from the region of Manitoba, grown by Canadian farmers. India, too, is at the port of New York, with her wheat at 70 cents per bushel, and if it were not for the duty of 20 cents the great cities of the coast would buy their bread of India. Why not take away this duty as well as that upon wool?

There is still another product, most valuable to the farmer, which this bill will greatly injure. The tobacco crop has become extensive and very remunerative. Its chief profit lies in the higher grades. The Island of Sumatra can furnish us with a wrapper one pound of which is equal to three of ours for wrapping purposes. It has been held in check only by a duty of 75 cents per pound. This bill reduces that rate to 35 cents. Its passage will be looked for by the merchants and shippers who hold large quantities in store to launch upon us at the first opportunity. Pass this bill and they will supply our market.

The President tells us in his message:

> The radical reduction of the duties imposed on raw material used in manufactories, or its free importation, is of course an important factor in any effort to reduce the price of these measures. It would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened, that part of the tariff upon such product, as a compensation to the manufacturer for the price of raw material, could be accordingly modified.

By the reduction of the duty on tobacco the President would cheapen the price of cigars to the consumer, but he would make competition by the American farmer with Sumatra tobacco impossible.

The President consoles the laborer by telling him wages should not be reduced, because the manufacturer, the duty being removed, can purchase his raw material at reduced prices. But he fails to point out a remedy for the farmer, who sees his product placed in competition with those of other countries where land and labor are of little value. Manufacturers, however, will not be pleased with a dependency upon foreign markets for their raw material. The maker of twine for binding grain writes me—

> If the duty is taken from hemp and flax (as this bill proposes) we believe there will not be a pound grown in the United States.

If we cease to raise raw material the manufacturing plants will be transferred to the field of production, and where cheap labor may be had also. If I were a manufacturer of woolens I should regret to see the sheep driven from this continent. Once gone, and the foreign grower could name his own terms, and our independence would be changed to dependence, which in the time of war, if we were to clothe an army, might present a serious problem.

Attempt has been made and it is now daily charged that protection is maintained for the benefit of the manufacturer and not in the interest of labor. The President is author of the statement that a reduction of the price of goods might take place without a corresponding reduction in the price of labor.

If people are beguiled into the support of this theory, and ultimately find themselves degraded to the level of Europeans, God help the party that led the way to the tomb of American labor.

Let me ask those who are disposed to listen to this folly, how they propose to obtain from the employer a greater share of his profits than they are now receiving? Would a blow that cripples the business in which they are engaged tend to better their condition? Would they be as likely to receive a just share of the earnings if the goods they make are reduced in price by foreign competition, as they would be if no reduction were made? If the manufacturer is obliged to produce an article at a less price than he is now receiving, would he not be likely to scale down the wages of his employés to meet the reduction on the price of the goods; and if he choose to do so, or withdraw his capital from the business, how are they to prevent it?

These questions, it seems to me, are entitled to careful consideration Akin to this theory is the oft-repeated charge that labor is now being cheated of its just share, and that this protection inures wholly to the benefit of the manufacturer in the shape of enormous profits, and that if a reduction of the tariff takes place, and a corresponding reduction of all the fruits of labor, from the farm hand to the artisan, still the employer, whether he be farmer, herder, builder, manufacturer, contractor, or jobber, merchant, or miller, can if he will pay the same price for all his labor and have remaining his just and full share. What a pity it is that some of these theorists could not have a little experience and be a farmer, a manufacturer, or other employer for a while, so he could test the correctness of his wisdom. I sometimes think if the leaders of strikes were obliged to labor themselves their occupation would soon be gone, and if we had less Solons and more of the practical ways of Benjamin Franklin we would not weave so many snares for our constituents.

If we will study the laws of trade, supply, and demand, and consider the inevitable result of competition, we must abandon the idea that, in a country like this, where all the channels of industry are open and free, where intelligence and enterprise have marked every epoch of our lives, from our fathers and founders of the Republic down to the present hour, one class of the people can engage in business alongside of millions and millions of capital unemployed and carry it on reaping enormous gains year after year undiscovered by their astute neighbors whose money is earning nothing whatever. Mr. Chairman, it is asking too much to believe these charges, to say nothing of the sincerity and purposes of such arguments. Why, sir, look at the great volume of idle capital in this country.

The deposits in the savings-banks on the 30th day of June last—and the greatest part of them is in the States alongside of these very manufacturing establishments—amounted to $1,235,000,000; and it is said two-thirds or more of these deposits belong to the laboring people. Why do they not invest their money in the capital stock of these factories, instead of depositing it in the banks at a nominal rate of interest, if the earnings of their employers are so great? Go further. The deposits of business men and capitalists in the national banks at the same time were $1,274,000,000, and $1,000,000,000 more was deposited in the State and private banks, making a total of $3,509,000,000 of idle capital subject to order in the banks.

Yet we are told that by the side of this vast amount of unemployed capital these manufacturers are able to prosecute their business with such success as to acquire immense fortunes in a very short period.

A noted statistician cites the business of seventy cotton mills in New England with a capital of $61,000,000, for three years, the dividends of which averaged 5½ per cent. per annum on the capital invested.

It is well known that should a 3 per cent. United States bond be placed upon the market a thousand million dollars would be taken at the par value within sixty days. It is difficult to understand, if these manufacturers are massing such fortunes and appropriating to their own use far in excess of their just proportion of the profits of their transactions, as the President and our tariff reformers would have us understand, why they should rob the farmer and place wool and other raw material required by the manufacturer for his purposes upon the free-list to augment his profits already too large.

The complaint has the ring of unsoundness, and is in conflict with every well-settled principle of competition, while the commercial reports which I have been able to secure absolutely overthrow the statement. It is folly to believe that such large profits are made and retained by the manufacturer while so much capital remains idle, but which would be gladly used, even with small profits, if opportunity were afforded.

Competition will establish values, and it is folly to say that any enterprise which has character and principle can yield such large fortunes by the side of untold sums of idle capital. An honorable and profitable business always invites capital until competitoin brings the product of the business to the lowest remunerative price. Duties are imposed to bar out the goods of unhealthy productions.

Bankrupt sales are destructive and harmful, as every one knows, to a legitimate business. Sacrifice must be made, and the assets are forced upon the market. In transactions of this kind every principle of trade is violated, and injury results from the demoralized condition of the market which it produces.

No healthy business can compete with such sales. So with the foreign trade and products transported to this country at prices below our own. Labor has been defrauded of its just dues. The product is brought to our market for sale and to take the place of our goods and our labor. This bill proposes to let them come. We say, "No! Go back with your wares; they shall not enter our ports for sale until you pay into our Treasury such a duty as will make you respect the labor of this country and place your goods alongside of our fabrics on equal footing."

The complaint of heavy taxes has taken chronic form. Many really believe we are a greatly oppressed people. Those who assail the protective policy charge that nearly everything we eat, drink, or wear is laden with heavy duties, while as a matter of fact the principal articles of consumption and use in the daily routine of our families is neither taxed nor influenced by taxes. These articles are either upon the free-list or of a class not affected by duties. Protection as to them has long since accomplished its purpose, and they can be purchased here cheaper than elsewhere. Such is the condition of much of our farm produce, wheat, oats, beef, and pork. Importations of this class are rarely known except along the Canada line. During the last year the importations of merchandise were valued at $733,000,000 on which no duties whatever were laid, while duties were collected from $450,000,000. Careful examination will disclose that the articles which enter most into consumption among the poorer and middle classes will be found upon the free-list.

The entire tax collected through the custom-houses and the Internal-Revenue Bureau in 1887 was $336,110,284.95. Of this $135,373,392.22 was collected from spirits and tobacco alone, $15,549,301 from silks, $2,949,360 from fancy articles, and $37,292,855 from animals, breadstuffs, fruit, hay, hops, malt, provisions, and vegetables, leaving only $144,954,376.13 collected from all other sources, and of this sum $68,016,686 was laid upon sugar, which I would remove at once, but which this bill does not propose to do.

Take away the duty on sugar and there will remain only $86,937,689.13 which was collected from all other sources. A small per cent. only of the revenues were collected on the imports which were necessary to the comforts and conveniences of life.

They tell us our protective policy has driven our commerce from the high seas, and that we have but few ships under our flag, while free-trade England covers the ocean with her masts. Great Britain has her provinces in every part of the world, and her carrying trade with them is done by water. But while England has invested her capital in ships, America has invested hers in railways. Our possessions are at home, our commerce is internal and worth vastly more to us than England's ocean trade is to her. The United States has 150,000 miles of railway track, valued at $8,000,000,000, nearly one-half of the railroads in the whole world. We have a coast marine covering the shores of this great continent, and not equaled in any country. Our trade, our commerce, and our markets are at home, and we, upon this side of the Chamber, are here to defend and protect them against assaults or invasions from any source whether it be foreign or domestic.

But, Mr. Chairman, while we are now in the enjoyment of very great prosperity we should not close our eyes upon the future. The delusive picture of foreign markets for our products is drawn before us with promises of trade and great exportations as soon as we open our gates to the admission of foreign commodities. I ask, what do we have in this country, except it may be our cotton and wheat, that is not produced in other countries with cheaper labor and cheaper lands? Reports tell us to-day Russia alone can supply the United Kingdom with wheat and have 30,000,000 bushels of her surplus yet to spare. India can do nearly the same. The store-houses of England, from basement to attic, are filled with manufactured goods, waiting for the passage of this bill now before the House. This is the picture of to-day, and you take away the protection we have thrown around the industries of America and you will find its repetition year after year until the standard of American labor is prostrated to the level of competition. I warn this House against the fatal step.

But, sir, before we enter upon a general reduction of the tariff, we should consider well its effect upon the great industrial interests of this country, and whether the proposed change is not in the interests of some other than our own. We are constantly referred by gentlemen upon the other side to the example of free-trade England. I am willing to leave them to study the history of that country, but for one I prefer to follow the living example of progressive America. The time was when we might look forward to England, perhaps with profit, but the time has now come when we must look far in the background to discover her locality, and I do not propose to do it. [Applause.]

Rather let us stand by the fostering policy which has made us so great, and this the grandest country in the world. I would add to the structure which our fathers began, and rear the Republic, like the strong oak, to stand alone and erect amid the storms that come against it. I would do this for my country as a whole, for there is not a State I would not assist nor an inch of soil I would not protect. [Applause.]

Mr. MACDONALD. Mr. Chairman, immediately after this Congress organized President Cleveland transmitted his now celebrated annual message, which opened with these suggestive words:

You are confronted at the threshold of your legislative duties with a condition of the national finances which imperatively demands immediate and careful consideration.

The amount of money annually exacted, through the operation of present

laws, from the industries and necessities of the people largely exceeds the sum necessary to meet the expenses of the Government. * * *

It will not do to neglect this situation because its dangers are not now palpable, imminent, and apparent. They exist none the less certainly, and await the unforeseen and unexpected occasion when suddenly they will be precipitated upon us. * * *

Our surplus revenues have continued to accumulate, the excess for the present year amounting, on the 1st day of December, to $55,258,701.19, and estimated to reach the sum of $113,000,000 on the 30th of June next, at which date it is expected that this sum, added to prior accumulations, will swell the surplus of the Treasury to $140,000,000.

And, after a masterly presentation of the reasons rendering a reduction of our system of tariff taxation necessary, he concluded as follows:

The Constitution provides that the President "shall, from time to time, give to the Congress information of the state of the Union." It has been the custom of the Executive, in compliance with this provision, to annually exhibit to the Congress at the opening of its session the general condition of the country and to detail with some particularity the operations of the different Executive Departments. It would be especially agreeable to follow this course at the present time, and to call attention to the valuable accomplishments of these Departments during the last fiscal year. But I am so much impressed with the paramount importance of the subject to which this communication has thus far been devoted that I shall forego the addition of any other topic and only urge upon your immediate consideration the "state of the Union" as shown in the present condition of our Treasury and our general fiscal situation, upon which every element of our safety and prosperity depends.

It is needless to say that that message attracted the attention of the country, and gave to the subject of revenue reform an importance in public estimation it never before possessed. It made this question the paramount issue before the country. It brought it to the front; and the response that has come up from the people is such that no set of men will—as in the Forty-ninth Congress—dare to attempt to prevent a consideration of this bill, or any other upon the subject.

It was not to be anticipated that there would be a general acquiescence in the views of the President. The selfish interests of the monopolies and "protected" industries indicted by this message were expected to rush to arms, as they have done, in defense of their long enjoyed system of plundering the people through the means of a protective tariff. From the day that message was read to us our mail has been loaded down with letters, circulars, petitions, pamphlets, and marked copies of newspapers, appealing to us to let the present tariff tax remain upon the articles, products, or commodities that they were each respectively interested in.

Everyone of the "protected" branches of business made an appeal, that showed it was "every man for himself and the devil take the hindmost." Even those who—taking advantage of the fact that they were "protected" from foreign competition—had banded themselves into "trusts" and other combinations to avoid competition and further increase or keep up prices, with an affrontery that would cause Satan to blush, have appealed to us to continue the system of robbery of the people by law that has prevailed for the past quarter of a century. Talk about paupers and beggars! A stranger, ignorant of the incentive and our past tariff system, would upon reading these appeals declare that those protectionists were our national beggars. And they are, in fact, our national beggars—begging for more, while they are the wealthiest in our land. All that wealth, prompted by self-interest could do, has been done to defeat a reduction of the present rate of tariff taxes. Arguments, appealing to the selfishness of different classes of our people, based upon groundless and false assumptions, have been made for years; and these means have been employed so long, and with such success, as to capture and secure, as the champion and protector of "protection" the entire Republican party of the country. This assertion no gentleman upon the other side can or will deny—with the possible exception of my colleague [Mr. NELSON], who may, notwithstanding the "cold shoulder" that has been shown him since he delivered his tariff-reduction speech, still claim to be a member of that party.

HOW PROTECTIONISTS ARE WORKING.

It is not to be wondered at that these "protected" interests, so varied, extensive, and powerful, should have secured control of one of the great political parties of the country. The protectionists have pleaded their cause with effect. While the great mass of the people who till the soil or are engaged in pursuits other than those "protected" have been moving along in the hope that their wrongs would be righted without much effort on their part, the protectionists have with ceaseless vigilance and lavish expenditure labored to defeat any attempt to reduce or disturb the existing list of tariff taxes. As a single fact in the great mass of evidence that could be produced to show the tremendous efforts that have been (and are being) put forth to convert the public to their way of thinking, I submit this item from the editorial columns of the Bulletin of March 7, 1888, a paper that is the organ of the American Iron and Steel Association.

366,413.

This is the exact number of tariff tracts, published by the Industrial League, of Philadelphia, which were distributed from the office of the American Iron and Steel Association from the 1st of January last to the close of business on the 5th of March. On the 28th of February the president of the Industrial League, Mr. Joseph Wharton, paid to Allen, Lane & Scott for printing tariff tracts, one bill which amounted to $2,638.36.

In its last issue it has this item:

657,487 TARIFF TRACTS.

From the 15th of January until the close of business on April 25, 1888, the American Iron and Steel Association distributed gratuitously 657,437 well printed tariff tracts, published by the Industrial League, of Philadelphia.

And by letters received, I am informed that they are flooding the State of Minnesota with these tracts.

Gloating over the reported suspension of The Million newspaper, this paper says:

We think that we know the exact influence which has caused the suspension of Mr. Philpot's free-trade newspaper, The Million, at Des Moines, Iowa. In 1886 the Industrial League, of Philadelphia, sent 72,556 protective-tariff tracts to Iowa, and down to the 1st of November in the present year it had sent 57,902 to the same State. These were distributed among the farmers and other voters of that State. The Million could not live under this steady fire of hard facts and common sense.

The editor of the Bulletin evidently thought he was satisfying the members of the Iron and Steel Association when he published this interesting item, and that their president, with lavish hand, paid "one bill, which amounted to $2,638.36;" but I doubt if the association will be pleased to learn that I thus assist in giving it publicity. As an interesting question in arithmetic, I submit the following: If one bill for printing alone of this protected association amounted to $2,638.36, what does the grand aggregate which the protectionists have expended to prevent reduction of tariff taxation amount to?

OUR FINANCIAL CONDITION.

Another question here suggested is: How much of this vast sum was expended through a sincerely philanthropic desire to benefit the laboring men, in whose behalf they shout so boldly in their frantic efforts to prevent a reduction of these tariff taxes?

On the other hand, the Democratic party has championed the cause of that portion of our people who are not benefited by protection, but who are compelled to pay a certain percentage upon everything they buy to these proprietors of "protected" industries without receiving anything in return. This class, who are thus unjustly taxed, includes farmers, workingmen, mechanics, professors, artisans, and in fact nine-tenths of our entire people, as I will show later on. They have had no associations, companies, or organizations to maintain a campaign in their behalf, or to flood the country with "tracts" presenting the people's side of this great question, and no treasury from which they could pay out nearly $3,000 at a time and as often as necessary. But we believe they have justice and right upon their side, and "thrice armed is he whose cause is just."

This is the situation as it presents itself to my view, and, conceding to each gentleman upon this floor sincerity and honesty in the expression of his opinions, I will now proceed to consider the questions submitted to us by the message of the President.

To my mind the facts fully warrant the importance given to them by the President. I shall not indulge in any fine-spun theories upon the subject of finance or import duties, or attempt any flights of oratory. The discussion of this question can only be made eloquent to our people by the presentation of facts, not mere assertions, that will throw light upon this all-important and absorbing subject.

The President tells us that at the close of the fiscal year, June 30, for the years mentioned the surplus was as follows:

1885	$17,859,735.84
1886	49,465,545.20
1887	55,567,889.54

He then estimated that the aggregate of this surplus at the close of the present fiscal year, June 30 next, would be $140,000,000. Later estimates place it at $155,000,000.

We have become so accustomed to speak of hundreds of millions that we fail to realize or appreciate the magnitude of these amounts. Pause for a moment and reflect upon it. Assuming our entire population to be 60,000,000, here is a sum of money equal to over $2.50 for every man, woman, and child, collected from our people in excess, bear in mind, of what is required to meet every matured obligation of the Government, and which is now lying idle in the National Treasury.

It is unnecessary for me to say that if this continues general bankruptcy must follow. The dullest of comprehensions will see that if this system continued we would have all the money in the country hoarded up in the National Treasury in a few years.

The money that is collected by the Government for the proper and legitimate purpose of meeting its current expenses is paid out to those to whom it is indebted soon after it is received. It therefore soon finds its way back into the channels of trade and commerce and contributes to the business prosperity of the country. But when revenues are in excess of the needs of the Government—when more is collected than needed—the amount of that surplus is as valueless to the country as if sunk in the depths of the ocean so long as it is locked up in the Treasury. It is therefore a great wrong—I had almost said crime—for us to longer permit this unnecessary accumulation and locking up the money of our people.

This brings us to a consideration of how we should reduce the revenues; and we should begin by examining the present sources of revenue.

The revenues of the present fiscal year we will have to estimate from,

and by comparison with, the last fiscal year. For the fiscal year ending June 30, 1887, we collected—

From customs	$217,286,893.13
From internal revenue	118,823,391.22
From sales of public lands	9,254,286.42
From profits on coins, bullion deposits, and assays	8,929,252.83
From tax on national banks	2,385,851.18
From fees, consular, letters-patent, and land	3,301,647.16
From customs fees, fines, penalties, etc	1,053,037.86
From sales of Indian lands	1,479,028.81
From Soldiers' Home permanent fund	1,226,259.47
From sinking fund for Pacific railways	1,364,435.87
From repayment of interest by Pacific railways	914,793.13
From sales of old public buildings	624,882.20
From sales of Government property	262,832.32
From immigrant fund	258,402.50
From tax on sealskins	317,452.75
From deposits by individuals for surveying public lands	94,289.76
From revenues of the District of Columbia	2,367,869.01
From miscellaneous sources	1,458,672.04
Total ordinary receipts	371,403,277.66

A glance at this statement of the different sources of revenue will show that any reduction, such as is absolutely necessary, must be made in either or both of the two first items, "customs" or "internal revenue."

The imports of this country during the last fiscal year were	$692,000,000
Of which were free of duty	232,000,000
Leaving dutiable	460,000,000
On which duties were collected	217,000,000

The average duty collected is therefore 47 per cent.

Of this $217,000,000, collected as "customs" or "import duties" (which are but other names for what we term the tariff), there were collected upon that portion of articles, which may properly be classed among the necessaries of life, the following amounts thereof:

Sugar, molasses, and sugar-candy	$58,016,686.00
Iron and steel, and manufactures of	20,713,234.00
Wool	5,899,817.00
Manufactures of wool	29,729,717.00
Silk, manufactures of	15,540,301.00
Glass and glassware	4,510,312.00
Earthenware	2,409,796.16
Hemp, jute, and flax goods	6,228,310.41
Lumber (in round numbers)	1,000,000.00
Salt (in round numbers)	700,000.00
Cotton and cotton goods	1,233,599.57
Total	145,981,773.14

The balance of the $217,000,000 was collected from articles and goods that partake of the character of luxuries, such as tobacco, diamonds, and jewelry.

Here, then, we find that there was collected during the last fiscal year, as tariff taxes upon these articles of necessity, the enormous sum of $145,981,773, every dollar of which was, of course, added to the selling price of these articles by the importer and collected from the consumer—the people.

THE TARIFF.

But this tax is not limited to articles imported into this country. It is manifest that if our merchants and dealers who import these articles did not have to pay this tax upon them they could afford to sell them to us for a less amount; the reduction being equal to the tax or duty now paid upon them. This being the case, this tariff enables our home manufacturer to add to the price of his goods the amount of the tariff tax, for without this protective tariff he would have to sell in competition with the imported article; he would have to sell at a reduction equal to the amount of the tariff tax removed.

That we may have a correct idea of the amount of tariff tax our people have to pay upon the necessaries of life which they purchase, I submit this list of several articles out of the many. It will well repay perusal and study:

TAXES ON THE KITCHEN.

	Per cent.
The iron the stove is made of	45
Hollow ware, pots, and kettles	53
Copper and brass utensils, if any	45
Crockery, of the commonest kind	55
Glassware, of the cheapest kind	45
Table cutlery and spoons	45
Pickled or salted fish	25
Salt	36
Sugar	48
Vinegar	36
Pickles	35
Rice	123
Oranges, and other foreign fruit, about	20

TAXES ON THE PARLOR.

Carpet, if made of druggets	74
Carpet, if made of tapestry	68
Furniture	35
Wall-paper	25
Window-curtains	45
Looking-glass	60
Ornaments or knickknacks	35

TAXES ON THE WARDROBE.

Men's clothing, of wool	48
Woolen hosiery and undershirts	75
Cotton hosiery and undershirts	45
Woolen hats and caps	75

TAXES ON THE WARDROBE—continued.

Gloves	60
Blankets	60
Alpaca dresses	63
Any other woolen dresses	70
A pair of scissors	45
Brass pins	45
Hair-pins	30
Penknives	50
Needles	25
Steel pins	45
Ink	20
Paper	25
Razors	45

TAXES ON SUNDRIES.

Castor-oil	102
Castile-soap	50
A dose of Epsom salts	20
Insect powder	20
Salad oil	34
Commonest window-glass for houses	80
Paint (white lead) for the farm-house	54
Brick	35
Roofing slates	30
Horseshoe-nails	31
Trace-chains	53
A handsaw	40
Files	40
Spool thread	60
Bag and bagging for grain	40
A burr-stone	20
Combs and brushes	30
A wooden pipe	80
An alpaca umbrella	50
Any iron or steel a farmer may need, average of	45
Tin cups, skimmers, dippers, and all tinware	42
Tin-plate for canning meats and fruits	34
Fencing boards, $2 per thousand	
Pine boards for building, about	20
If planed	33
Fencing posts, about	30
Shingles for roof	25
Lath for house-building	20
Barbed wire for fencing	55

This list comprises but sixty-six out of about four thousand articles so taxed. It is large enough, however, to illustrate the iniquity of a high tariff, and shows how much the consumers of these articles have to pay, without compensation, for the benefit of certain classes. It will surprise many to learn that $16.18 of every $100 worth of rough lumber they buy is a tariff-tax to keep Canadian lumber out. And where does the "pauper labor" come in here? Will any one say that lumber can not be cut as cheap upon one side of the line, between us and Canada, as another. The price of dry goods will be seen to be more than doubled by the tariff-tax, and other articles increased in an equally remarkable proportion.

These facts present the status of the customs revenue, or tariff tax, as clearly as I can present them in the brief space allotted to me; and before considering the question of where and how the necessary reduction should be made, I will first refer to the internal revenues, and examine into the character of the items that go to make up the aggregate given in the statement of the various sources of revenue which I have read.

THE INTERNAL REVENUE.

The sources from which was derived this $118,837,301.06 of "internal revenue" can be classified as follows:

Spirits	$65,829,321.71
Fermented liquors	21,922,187.49
Tobacco, in different forms	30,108,067.13
Oleomargarine	723,948.04
Penalties	220,204.83
Collections	29,283.49
From banks	4,288.37
Total	118,837,301.06

Now, I believe no gentleman here will have the hardihood to claim that any of the above internal-revenue taxes are imposed upon what are conceded to be the necessaries of life. Mr. Blaine did, in a recent letter, claim that tobacco was; but if his present "boomers" should be successful he will wish before the next campaign is over that instead of sending it he had said to his servant, "Burn this letter."

If we have any regard for the interests and welfare of the people at large and are not directly interested in "protected" industries, we must favor a reduction of the revenues of the Government to only what is needed by reducing these tariff taxes upon the necessaries of life, even to the extent of in some cases putting some of them upon the free-list. The revenues of the Government should as far as possible be derived from sources that can best afford to pay them, such as incomes, whisky, tobacco, oleomargarine, and other proper sources of internal revenue.

And here is a suitable time to meet and refute the charge so glibly made that we who advocate tariff of this kind are "free-traders." A free-trader is one who is in favor of free and unrestricted trade with the outside world and the payment of the expenses of the Government by direct taxation of the people.

Now, if there is a gentleman upon this (Democratic) side of the Hall who favors absolute free trade I do not know it. There is one upon the other side who comes so very near to it, in advocating reciprocity with Canada, that many may fail to discover the distinction. I of course allude to the gentleman from Ohio [Mr. BUTTERWORTH].

We as a party are pledged to the reduction of the tariff to such a rate as will not exceed the needs of the Government economically administered; and we favor so imposing this tax as to, as far as possible consistent with "the greatest good to the greatest number," give incidental protection to our home industries. Individually I would limit this qualification to such industries as have not become one of the numerous arms of that modern commercial octopus or "devil-fish," the "trust" fiend.

The person who will charge any person entertaining these views with being a "free-trader" is singularly oblivious to contradicting facts, or he purposely misrepresents. To prove this we have but to consider the amount of money that is required to be raised annually to meet the current expenses of the Government. Let us refer to it.

ESTIMATED FUTURE EXPENSES.

For the ensuing fiscal year, ending June 30, 1889, the Secretary of the Treasury gives the following as the estimates of the several Executive Departments:

Legislative		$3,272,110.85
Executive		18,852,734.95
Judicial		422,200.60
Foreign intercourse		1,947,865.00
Military establishment		25,692,574.54
Naval establishment		21,948,032.57
Indian affairs		5,488,097.66
Pensions		76,312,400.00
Public works:		
Legislative	$4,000.00	
State Department	6,000.00	
Treasury Department	5,074,446.00	
War Department	22,381,151.20	
Navy Department	1,653,591.56	
Interior Department	915,798.90	
Department of Justice	44,967.00	
		30,081,982.66
Postal service		1,403,499.42
Miscellaneous		20,802,193.36
District of Columbia		5,265,702.35
Permanent annual appropriations:		
Interest on public debt	$42,500,000.00	
Sinking fund	47,844,158.90	
Refunding—customs, internal revenue, lands, etc.,	11,943,000.00	
Collecting revenue from customs	5,500,000.00	
Miscellaneous	7,853,640.00	
		115,640,798.90
Total estimated expenditures, including sinking fund..		326,530,793.26
Or an estimated surplus of		56,469,206.74

Increased expenditures for river and harbor improvements and pensions may add fifteen to twenty millions to the above. If we were to make no reduction in the internal-revenue taxes and apply the whole of them to the payment of these expenditures there would still be over two hundred millions to raise by tariff taxation. Is not the imposition of this enormous sum of over $200,000,000 annually a sufficient incidental protection to our own industries and manufactures? And yet the bill under consideration proposes to reduce the internal-revenue taxes $24,455,607, which amount must be added to the more than two hundred million, which I have stated to be necessary to be raised by a tariff upon imported articles.

HOW SHOULD THE SURPLUS BE REDUCED?

This brings us to the question as to how the present excessive revenues should be reduced and whether the bill under consideration is worthy of support.

We are not "free-traders." We are simply demanding what was promised us by the distinguished gentleman from Pennsylvania [Mr. KELLEY] away back in 1870, when, in answer to a demand for a reduction of this high tariff, he said:

Keep your duties high enough to induce other men to build furnaces and rolling-mills, and before five years you will find American iron cheapened to the level of the markets of the world, and that, too, without a commensurate reduction of wages.

We are simply asking by this bill what President Arthur, in his annual message in 1882, recommended:

An enlargement of the free-list, * * * a simplification of the complex and inconsistent schedule of duties upon certain manufactures, cotton, iron, and steel, and a substantial reduction of the duties upon these articles and upon sugar, molasses, silk, wool, and woolen goods.

This he substantially repeated in his last message in 1884, and that distinguished financier, Secretary McCulloch, in his accompanying annual report, said:

As relief from the present burden of taxation is urgently and justly demanded, I deem it my duty to suggest that something in this direction should be done without delay. * * * This much, however, it may be proper for me to recommend: First, that the existing duties upon raw materials which are to be used in manufacture should be removed; second, that the duties upon the articles used or consumed by those least able to bear the burden of taxation shall be reduced.

We have waited many years for what the gentleman from Pennsylvania said would come more than a dozen years ago, and because we now favor a bill in accordance with what President Arthur and Secretary McCulloch declared to be right we are called "free-traders." If we are, so are many Republicans whose vision is not obscured by partisan bias.

BILL DOES NOT GO FAR ENOUGH.

I am frank to say that this bill does not meet with my unqualified approval. I am not fully satisfied with it, because it does not go far enough. We of the Northwest have had to submit too long to having our money taken from our pockets by the legalized robbery called a protective tariff to cheerfully acquiesce in the enactment of any measure that does not put an end to it. Tariff taxes necessary for the support of the Government, economically administered, and the meeting of all its obligations, we will willingly pay; but we insist that the taxation of the necessaries of life should only be resorted to after the luxuries have been taxed all they will bear. This bill is, however, quite an advance in the right direction, and with some amendments, not changing its main features, we all should be willing to vote for it as a compromise measure.

It is so far from being what would do full justice to the farmers and people of the Northwest, and is correspondingly in favor of the "protected" interests, that I can not see how any Representative of a district where those interests exercise a controlling influence can, in all fairness, refuse to vote for it.

Anticipating the inquiry, I will state that I would, if I could, place coal, iron, sugar, hemp, jute, and sisal grass, and other necessaries on the free-list, and restore some of the taxes which capital and wealth had to pay before the Republican party reduced the annual internal revenue from $309,266,000 to $116,000,000 (during the last twenty years it was in power), as stated by the gentleman from Indiana [Mr. BROWNE]. This reduction that the honorable gentleman boasts of was made by relieving wealth of its share of the burdens of the Government which protected it, and transferring it to the poorer to pay. Under the law taxing incomes there were but 460,170 persons out of about 45,000,000 taxed, paying upon an aggregate income of $707,000,000, and that had to be abolished, at the behest of "protection," as an odious "war tax." The tariff taxes on the necessaries of life were retained, although as far back as 1866 they were denounced upon this floor by Hon. John A. Kasson, then a member, in more vigorous language than we now use. He said:

What you call "protection" amounts therefore to a system of legal robbery. In order to make the United States rich you must diminish the cost of your manufactures.

This was on July 9, 1866, and on the next day, speaking on a tariff bill, he gave his opinion of a protective tariff in general as follows:

Take the article of wool, for instance. No sooner do you propose to increase the tariff on wool than you immediately go to the manufacturers of wool and give them an increased protection on their manufactures. And thus those who raise the wool pay back a large part of the bounty that is paid for the raising of wool to contribute to the bounty given to the manufacturer, and the non-producer of wool pays both bounties in buying his clothing. And so it is in relation to the article of iron, or upon any other particular branch upon which you increase your tariff; you immediately go off in another direction and increase the tariff upon other collateral interests affected by it; and so you build up a gigantic system of bounties upon all these interests upon the plea of protecting them. The fundamental error in the bill is this: You endeavor to make the people of this country grow rich off each other.

This was said by Mr. Kasson before the Republican party had become the champion and defender of "protection" or, more correctly speaking, high-tariff taxes, upon food, clothing, and other necessaries of life.

I would here serve notice upon the "protectionists" that they had better meet us half way, and in a spirit of fairness. But a few short years ago, and they would have laughed in the face of any one who would have told them that the people would have in the Presidential chair a man who, in obedience to public sentiment, would issue such a message as the one now under consideration with this bill. They should take warning in time. Even the Republican party (their friend and present apologist and defender) has to admit that a reduction be made, which is conceding more than half the case made against them. So far as its representative men have spoken, the Republican party has declared in favor of the repeal of the internal-revenue taxes, and in favor of retaining the present burdensome and excessive high-tariff taxes upon food, clothing, and other necessaries of life. This is the only plan of reduction that I have yet heard authoritatively suggested by the other side. So anxious was their recognized leader, the gentleman from Maine [Mr. REED], to repeal the tobacco tax, that he opposed the usual holiday recess, because this had not, that early in the session, been done. A general assault upon the internal-revenue taxes has been made. They are now denounced by the "protectionists" as "war taxes" that ought to be abolished.

WHAT THE PROTECTIONISTS ADVOCATE.

Just after the President delivered his message, and in December last, the Bulletin—that protectionist organ that I have already referred to—said:

REPEAL THE INTERNAL TAXES!

The reduction of the surplus revenue of the General Government is now the topic of general interest which is most widely discussed in business and political circles in all parts of the country. The difficulties surrounding this question are most happily stated by Congressman REED, of Maine, in an interview published on another page of our paper to-day.

Nevertheless, we hope to see an earnest and persistent demand made upon

Congress for a repeal of the internal "war taxes." They make the surplus in the Treasury which ought not to be there. Over a hundred million dollars are collected every year from internal taxes on tobacco, whisky, and malt liquors.

* * * * * * *

If all the interests in this country which are hostile to the continuance of the internal taxes will but rouse themselves these taxes can be repealed or greatly reduced, for Congress is but the servant of the people, and it will listen to them if they will but express their wishes in letters, by petitions, through the newspapers, and, if need be, by mass-meetings.

In that article it suggested they call to their aid the Prohibitionists. Immediately this was done, and every member of Congress received a circular letter from Mrs. Joseph D. Weeks, of Pittsburgh, Pa., as the "chairman of the committee on repeal of internal-revenue taxes," urging that repeal. The name "Weeks" seemed familiar when I received this circular letter, and I was not surprised to find upon inquiry her husband to be the well-known general secretary of the "American Protective Tariff League" and State secretary of Pennsylvania for the same.

This was a remarkable case of convenience and marital harmony. This lady, as a brilliant example of what a wife can do to aid her husband in his efforts in behalf of "protection," deserves to have her name embalmed in history. Taken together these facts go far toward explaining the singular unanimity of feeling upon the subject of the repeal of the internal-revenue taxes that has been recently manifested by the Republican and Prohibition parties.

In his speech upon the day this debate opened (which speech was loudly applauded by every Republican member present) the distinguished gentleman from Pennsylvania [Mr. KELLEY] said:

But the authors of this bill and the professional advocates of free foreign trade will assume from the drift of these remarks that I resist the reduction of the surplus, and am unwilling to abolish the taxes from which it flows in annually increasing volume.

Sir, I reply to such suggestions in the language of a resolution which I submitted to the House of Representatives more than seventeen years ago, on the 12th of December, 1870, and which was adopted with but six dissenting votes. It expressed the almost unanimous sentiment of the people, which had not then been corrupted by the influence of the "whisky ring" as it has been during the intervening years.

It was as follows:

"*Resolved*, That the true principle of revenue reform points to the abolition of the internal-revenue system, which was created as a war measure to provide for extraordinary expenses, the continuance of which involves the employment, at the cost of millions of dollars annually, of an army of assessors, collectors, supervisors, detectives, and other officers previously unknown, and requires the repeal at the earliest day consistent with the maintenance of the faith and credit of Government of all stamp and other internal taxes."

Mr. KERR. Will the gentleman permit a question?

Mr. MACDONALD. Yes, sir.

Mr. KERR. Does not the Democratic national platform call those taxes "war taxes?"

Mr. MACDONALD. I did not say it did not. I believe it does; but it does not recommend that they be abolished for the purpose of reducing the surplus or preventing a reduction of the tariff taxes.

I have listened in vain for any different suggestion, from my Republican friends, for a reduction of the surplus. The gentleman from Pennsylvania now enjoys the supreme satisfaction of seeing the Republican party go to him upon this question. Did the mountain go to Mahomet, or did Mahomet go to the mountain? [Laughter.]

HIGH TARIFFS DO NOT PROTECT LABOR.

Our position is that high tariffs do not protect our laborers and mechanics from the competition of the so-called "pauper labor of Europe." In other words, that a "protective" tariff only protects the proprietors of the several industries "protected" by it from competition in selling in our own markets.

What folly to speak of protecting our laborers and mechanics from the competition of the cheap labor of Europe, when a man can come from Europe to this country for $15; and when foreigners are emigrating here at the rate of from 40,000 to 50,000 per month. Here is an item that I find in a paper but a few months old, and which was among the daily dispatches of last October:

The total number of immigrants who arrived in the United States during the month of September, 1887, was 48,161, as compared with 39,917 who arrived during the same month last year. During the first nine months of the present year the arrivals were 411,000, against 294,596 in the corresponding period of 1886.

But aside from this conclusive fact, the number of our population who are engaged in protected industries is comparatively small. According to the last census there were engaged in gainful occupations 17,392,099, divided as follows:

Agriculture	7,670,493
Professional and personal service	4,074,238
Manufacturing, mechanical, and mining	3,837,112
Trade and transportation	1,810,256
Total	17,392,099

The only persons employed in the "protected industries" are included in the number engaged in manufacturing, mechanical, or mining occupations. Assuming, for the purpose of the argument, that all of the 3,837,112 so engaged were to be benefited by a protective tariff (which I deny), there would remain 13,554,987 who would have to be taxed to support the few. Why should four-fifths of the American people be taxed for the benefit of one-fifth, or rather for the benefit of those who give employment to the one-fifth?

We are told that the general prosperity of the country depends upon keeping up a home market maintained by a protective tariff. I have been taught to believe, and the people of the State I have the honor in part to represent believe, that the prosperity of our country depends entirely upon the prosperity of our farmers, and that the prosperity of the farmers depends in turn upon good crops and a good foreign market for their surplus products.

THE FARMER HAS NO PROTECTION.

Without any protection our farmers furnish 74 per cent. of all our exports, while the manufacturer furnishes only 19 per cent.; and upon our farmers' exports of products do we in the Northwest have to rely for our commercial prosperity. When the farmers' crops fail to be in excess of his own needs, business is prostrated; and almost equally calamitous to us would be the absence of a foreign demand for our surplus wheat, corn, barley, oats, and live-stock. The same can be said of the farmers who are engaged in raising cotton and other less important crops; but I am now considering the productions of my own State. Last year there were exported from the United States farmers' products of the following kinds and values:

Wheat	$140,768,915
Indian corn	18,279,499
Live-stock	10,055,874
Oats	491,140
Rye	195,129
Barley	243,505
Total	169,984,063

Our total exports for 1887 were as follows:

Agriculture	$550,000,000
Mining (only a part protected)	56,250,000
Manufactures	20,500,000
Forests	7,650,000
Fisheries	7,250,000
All others	7,250,000

What a commentary upon protection and its theories! And yet the farmers of the United States, who have to look abroad for their $550,000,000 worth of surplus products, are told that by allowing themselves to be taxed upon articles of food and clothing and other necessaries of life they are compelled to purchase they would thereby create a home market. What sophistry! And yet, strange as it would appear to a disinterested party, many farmers in our country have listened to just such erroneous teaching.

Our farmers have come to believe that this "infant" American industry must by this time have reached the age of mature manhood, or it never will. They believe that it has been pampered and fed at their expense and that of the other unprotected classes long enough, and that it is no longer entitled to any protection other than that which it would incidentally receive through the instrumentality of a tariff for revenue only. To show how insignificant in numbers, as compared with the great body of our citizens who are not protected, the persons engaged in these protected industries are, I submit the following statement, showing

WHO ARE PROTECTED AND THEIR NUMBERS.

Sugar planters	1,400
Laborers employed	14,500
Rice planters	1,500
Laborers employed (estimated)	5,000
Wool-growers owning flocks of over 100 head (estimated)	50,000
Manufacturers	52,127
Aggregate capitalists	105,027
Laborers employed in protected industries	1,500,000

THE TARIFF ON WHEAT.

When my colleague [Mr. NELSON] was addressing the House upon the subject of the tariff, some days ago, the gentleman from Kansas [Mr. FUNSTON], in a manner which he evidently deemed overwhelming, asked him why he did not advocate putting wheat upon the free-list. I was surprised that my colleague did not confuse the gentleman then and there with a statement of the facts in the case, and an explanation of what a sham and fraud this tax upon wheat is. The same question has been asked by others, as if it was a "crusher," and could not be answered. I will here say that the farmers of my State—being men possessing a reasonable share of ordinary common sense—do not care a fig whether it is repealed or remains. It does them no good, and is no protection to them.

According to the official statement of imports and exports submitted to us by the Treasury Department there was imported into the United States during the seven months ending on January 31 last, wheat amounting in value to $261,966. But I have looked in vain for a statement of the net revenue derived by the Government as the duty or tariff tax on this wheat. A microscope will be required to make the discovery.

Nearly all this wheat came from Manitoba to the State of Minnesota, and it is a matter known to nearly all our people that the placing of this duty upon wheat thus imported is a mere matter of form.

After the law placing a duty upon wheat was enacted wheat buyers of Minnesota, Milwaukee, Chicago, and other places applied to the Treasury Department of the United States for permission to ship wheat purchased in Manitoba and intended for Europe through the United States free of duty and as a matter of convenience to them. This favor was granted to them by the then Secretary of the Treasury. Subse-

quently, and after the city of Minneapolis became the great flour-manufacturing city of America and the custom of what we term there "milling in transit" came to prevail, another application was made to the Secretary of the Treasury—who, if I recollect right, was the Hon. William Windom, of our own State—to allow the wheat purchased in Manitoba intended for the European market to be also "milled in transit" in Minneapolis in the same manner as wheat bought in Dakota Territory and Minnesota was done.

Here, perhaps, I ought to explain what is meant by "milling in transit." It is the result of railroad competition. The different railroads which convey wheat entirely over their own lines from points above and beyond Minneapolis and St. Paul to Chicago or Milwaukee or other points eastward contract with millers and with buyers to haul the wheat purchased by them from the points where purchased to the eastern terminus of their road, and, as a matter of convenience, permit them to unload wheat at Minneapolis or St. Paul, or wherever it is to be manufactured into flour and milled; and then they are allowed to ship the like number of pounds in the form of flour that they brought to the milling point in the form of wheat. In this way wheat can be purchased at points in the Northwest and brought to our mills in Minnesota and be manufactured into flour, and then reloaded and shipped to the eastern terminus of the railroad which brought it to the mill, and all for one single and agreed rate of freight.

This is what is known in Minnesota as "milling in transit."

As already remarked, these wheat buyers applied to the Treasury Department of the United States for permission to also mill wheat, purchased in Manitoba, in transit, and an arrangement was entered into by which persons could buy wheat in the province of Manitoba, ship it by way of Minnesota or St. Paul to the European market, and when it arrived at Minneapolis or St. Paul it could be "milled in transit," the owners of the wheat being charged with the duty or tariff upon the number of bushels brought to the mills to be ground, and when the same was ground and reshipped for the European market they were credited with the same number of bushels of wheat which the flour would equal.

Mr. HENDERSON, of Illinois. Will the gentleman allow me a question?

Mr. MACDONALD. In a moment I will.

Mr. HENDERSON, of Illinois. It is on that point.

Mr. MACDONALD. Let me finish this statement.

So that in the transaction the Government received as duty from such wheat imported from the province of Manitoba, and brought into the United States, only that proportion per bushel that was represented by the bran and shorts that remained at the mills after the wheat was ground into flour. Hence it will be seen that notwithstanding a large amount of wheat appears to be imported into the United States annually, it is of no possible importance, and is only imported into the United States for the purpose of having it milled while being shipped to the European markets. Now, if the gentleman from Kansas [Mr. FUNSTON] or any other gentleman upon that side of the House can demonstrate how, under an arrangement of this kind, a tariff upon wheat is any protection or benefit to our farmers in Minnesota I should be pleased to have him do so.

I now yield to the gentleman from Illinois for a question.

Mr. HENDERSON, of Illinois. It is this: When was that arrangement made by which wheat was admitted from Manitoba free of duty to be ground at Minneapolis?

Mr. MACDONALD. It has been in existence since we adopted the practice of milling in transit. We do not complain of that practice. It makes no difference with the price of wheat, which is fixed in Liverpool, and it gives our railroads business and our millers work.

Mr. HENDERSON, of Illinois. I suppose not, but I conceive that the farmers might complain of it. Is it under a law?

Mr. MACDONALD. It is under a regulation of the Treasury Department, and it can make no difference to our farmers whether the wheat goes through our State ground or unground.

Mr. HENDERSON, of Illinois. I never knew it could be done until it was so stated by a gentleman from Minneapolis who was here recently, and I had some reason to doubt the correctness of the statement. But now the gentleman from Minnesota confirms it, and I would like to know whether it is done under authority of law.

Mr. MACDONALD. I understand the Treasury rules and regulations permit it. The gentleman from Illinois will understand that has been the prevailing custom for years. It began, in the first place, under Republican rule, and as a matter of convenience to facilitate shipments from Manitoba to Europe.

Mr. HENDERSON, of Illinois. Is it not a matter of fact now that the millers of Minneapolis really purchase this wheat from Manitoba, just as they purchase any other wheat from Dakota or elsewhere, then manufacture it into flour and ship it, and thus escape a duty which they ought to pay under the law?

Mr. MACDONALD. No, sir; and I do not want to be understood to say that they do that, by any means.

Mr. LIND. Will the gentleman allow me a question?

Mr. MACDONALD. Yes, sir.

Mr. LIND. It was stated this practice was inaugurated by Secretary Windom.

Mr. MACDONALD. I do not say that milling in transit was inaugurated by Secretary Windom.

Mr. LIND. No; but admitting it to be ground in bond. Is it not also a fact that under regulations established by Secretary Windom wheat was admitted in bond on the basis that only 75 per cent. of the tariff would be returned when exported? I will also ask the gentleman whether it is not the fact that the present Secretary of the Treasury has increased this to 90 per cent.; so that now as a matter of fact the Treasury Department allows a rebate of 90 per cent. of the 20 cents per bushel of the duty, whereas under the former administration it allowed only 75 per cent. I want also to state——

Mr. MACDONALD. I did not yield for a speech. I do not think I can yield further, as my time is fast running out. I am admonished by the Chair that my time has nearly expired.

Mr. LIND. I will only add there is none imported in bond in Minnesota.

Mr. FARQUHAR. But there is in New York.

Mr. LIND. Yes; there is in New York——

Mr. MACDONALD. I can not yield any further, as I wish to conclude my own remarks. If the gentleman wishes to make a speech in opposition to my views, he must do it in his time and not in mine.

All that the Government ultimately gets in the way of revenue out of that wheat is what the bran and shorts, or "offal," as some call it, amount to. There is no dispute but that the wheat so milled in transit goes over our railways as a matter of convenience. But gentlemen can readily see that the tariff on wheat is practically of no benefit to our farmers, and can not possibly affect the market price of wheat, whether that wheat comes in this way or remains out. In what I have said upon the wheat tariff I have only been answering the assertion which has been frequently made to the effect that the tariff on wheat was of material benefit to our farmers. It is of no benefit, or protection, whatever.

Mr. McCULLOGH. What change does the bill under consideration make in that respect?

Mr. MACDONALD. I do not know that it makes any. It does not. Will you vote for the bill if we take the duty off wheat?

Mr. NELSON. To ease the gentleman's mind we will put wheat on the free-list.

Mr. FARQUHAR. Will the gentleman from Minnesota permit a suggestion?

Mr. MACDONALD. Yes, sir.

Mr. FARQUHAR. Under the new regulations of the Treasury Department wheat is practically free now.

Mr. MACDONALD. I think 10 per cent. is all we retain of the tariff on wheat, and all we are entitled to under the arrangement I speak of, and that practically wheat is free. So this tariff on wheat is all a sham.

Mr. FARQUHAR. And it is free by Treasury decision and Treasury order.

[Here the hammer fell.]

The CHAIRMAN. The hour of the gentleman from Minnesota has expired.

Mr. McCREARY. I ask unanimous consent that the time of the gentleman be extended until he concludes his remarks.

Mr. BRUMM. I suggest that the extension of time be limited.

Mr. MACDONALD. I think I can conclude in twenty minutes.

By unanimous consent an extension of twenty minutes was granted.

OUR BURDEN OF DEBT.

Mr. MACDONALD. In answer to the declaration that our country is prosperous, we see the following statement of the mortgage indebtedness of the Western States going the rounds of the press:

Ohio	$701,000,000
Indiana	288,000,000
Illinois	920,000,000
Wisconsin	270,000,000
Michigan	250,000,000
Minnesota	175,000,000
Iowa	351,000,000
Kansas	200,000,000
Missouri	267,000,000
Total farm mortgages in the ten States	3,422,000,000

The gentleman from Indiana [Mr. BROWNE] combated the accuracy of these figures, and gave a statement said to have been carefully compiled from authentic sources, showing the amount of this mortgage indebtedness in these States to be as follows:

Ohio	$350,000,000
Indiana	175,000,000
Illinois	200,000,000
Wisconsin	100,000,000
Michigan	125,000,000
Minnesota	70,000,000
Iowa	100,000,000
Nebraska	25,000,000
Kansas	50,000,000
Missouri	100,000,000
Total	1,295,000,000

These last figures are a bad enough showing in all conscience, but are they correct? At the meeting of the National Farmers' Alliance held last fall in the city of Minneapolis, the president, Mr. A. T. Streeter, in a speech, spoke thus of the condition of the State of Illinois:

In the great agricultural State of Illinois the farmers are sinking in debt; two-thirds of the farms are mortgaged so the principal and interest can never be paid. The official report of the secretary of agriculture shows that corn has been grown at a loss. In 1881 the loss was $12,735,710; in 1883 the loss was $8,821,400; in 1882, $1,178,554; 1885, $10,830,701; 1887, $19,700,209; total loss in five years, $52,377,528.

In 1884, according to agricultural reports, every crop of grain was grown at a loss, except potatoes, hay, and rye. It is better in other places. Last year I went through the State of blooming Kansas and learned that 95 per cent. of the farms were mortgaged, and many for all they are worth. Many of them are growing crops at a loss. One banking firm told me they had in one county advanced $12,000 to pay defaults in the interest on mortgages. How are those mortgages to be paid? In Texas I learned that every pound of cotton costs 2 cents more to raise it than it was sold for, and the rate of interest is 20 per cent. I never saw such miserable property.

The La Crosse Chronicle of a recent date, discussing this matter, said:

The farm mortgages of Wisconsin foot up $250,000,000, and those of Minnesota $175,000,000. This possibly represents about one-half the amount of which the tariff tax has robbed them. In other words, if this kind of taxation had been justly and properly equalized after the war necessity ceased, there would have been comparatively few mortgages, and the farmers would have been ahead about the amount of their present mortgage indebtedness. While the war lasted the farmers received war prices for their products—two or three hundred per cent. higher than now—lightening their burden; but since the war the market prices of their products have been constantly getting lower, while this kind of taxation, instead of being diminished, has been increased. The tariff duties of to-day are about 16 per cent. higher than Mr. Morrill's war tariff bill of 1862 imposed.

THE TARIFF AND WAGES.

The report of the minority—a report that has become notorious throughout the land as proposing nothing—has much to say about the labor cost of articles, especially in the manufacture of plate glass. It gives this quotation, accompanied with a tabular statement as to the labor cost in this country and England, France, Germany, and Belgium. It said:

It is labor that mines, loads, transports, unloads, and uses the coal, the sand, the limestone, and fire-clay used in making plate glass. It is labor that manufactures the felt, the arsenic, the emery, the copperas, and the soda which enter into the composition of plate glass. And it is labor that fires the furnaces, that tends the machinery, and finally prepares and forwards the product, and not until such labor in its various stages is paid for on the basis of European labor can the American manufacturer expect to make glass at a corresponding cost.

Now, here is a statement of the labor cost upon many other leading articles:

Table, compiled from Tenth Census, showing value of various manufactured products, per cent. of labor cost, rate of duty existing and proposed.

Industries.	Value of product.	Labor cost.	Percentage of labor.	Present tariff.	Proposed rate.
				Per ct.	*Per ct.*
Carpets	$31,792,802	$6,835,218	21.5	47	30
Cotton goods	210,950,383	45,614,419	21.6	50	40
Bolts, nuts, etc	10,073,330	1,981,300	19.7	59	35
Nails and spikes	5,629,240	1,255,171	22.3	43	34
Iron pipe, wrought	13,292,162	1,788,258	13.5	70	35
Oil, castor	653,960	44,714	6.8	194	97
Oil, linseed	15,393,812	681,677	4.4	54	21
Screws	2,184,532	456,542	20.9	50	35
Wool hats	8,516,569	1,893,215	22.2	54	40
Woolen goods	160,606,721	25,836,392	16.1	70	40
Worsted goods	33,549,942	5,683,027	16.9	68	40

It will thus be seen that while the labor in carpets, leaving off fractions, is 21 per cent. of the cost, the tariff is 47 per cent. In cotton goods the labor is the same and the tariff 50 per cent. In wrought-iron pipe, labor is 13 per cent. and the tariff 70 per cent. In castor oil, labor 6 per cent. and the tariff 194 per cent. In wool hats the labor is 22 per cent. and the tariff 54 per cent. In woolen goods, labor is 16 per cent. and the tariff 70 per cent. In worsted goods, labor is 16 per cent. and the tariff 68 per cent.

But I can not dwell upon this subject. I regret that my time will not permit me to discuss, as I would wish, the effect of the tariff upon the workingman; I mean the man who is employed in what we call the protected industries. It does not aid or "protect" the 4,225,945 farmers or the nearly 4,000,000 of farm laborers employed by them, or the 4,074,238 engaged in professional and personal service pursuits, the 1,000,000 domestic servants, the 64,698 clergymen, the 85,671 physicians and surgeons, the 227,710 teachers and scientific persons, or the 64,137 lawyers, or the 84,000 soldiers, sailors, and marines.

THE TARIFF DOES NOT PROTECT OUR WORKMEN.

On January 17 last, at a meeting of the Federation of Labor in Hilton's Hall, in this city, Mr. Paul T. Bowen addressed the workingmen of Washington upon the tariff. Mr. Bowen's position in the Knights of Labor organization adds much importance to what he said. He favored free trade, and upon the tariff and wages spoke as follows:

Protection and free trade do not govern the standard of wages. The element that makes wages high here is the abundance of raw material and the great quantity of free land. To the extent that our land is absorbed by capitalists our wages will sink, and are sinking, to the European level. High wages in this country preceded the imposition of high tariff—the tariff was invented to protect the wages that were already up, and it is illogical now to claim that the protective tariff is the cause of the high wages.

Does protection increase the manufactures? We are told that it does, that 3,837,000 people engaged in manufacturing would be thrown out of employment. On looking over the list enumerating these people it is found that carpenters, house-builders, blacksmiths, butchers, bricklayers, dressmakers, plasterers, and many other tradesmen are counted in. Would there be any houses imported, or would the horses be brought in so thoroughly shod as to keep our blacksmiths out of work if the tariff were removed? Throwing aside those whose trades would be in no way affected by either free or protected commerce, the number engaged in manufacturing who would be affected by a repeal of the tariff is remarkably small. If we had nothing in view but the increase of our manufacturing interests we should be much better off with free trade.

Does protection create national independence? It is said that by means of the tariff we are placed on such a footing that in case of a war our industries would not suffer; in other words, that it places us on an independent footing. Suppose we had free trade and there were a war, could we not wear our coats, which we get from England, a little longer by patching them? But no Englishman could digest his dinner, a greater part of which comes from us, twice.

Does it distribute property more equitably? We have now had a high tariff for twenty-five years, and the inequality between the rich and the poor has been going on until it is now alarming, and it is greatest in the lines of protected industries. But the great test is, does it protect American labor?

Who is there among the American workingmen so poor as those in the protected industries? They strike and try to improve their condition, but they are weak, and are put down by the importation of foreign contract labor. When protective taxes were established there was a general movement among European manufacturers to transplant their business bodily to America, and they did it. Was that protection to us? The economic value of a man, based on long-studied averages, is about $1,000, and the average tax on imports is 47 per cent. Why not tax contract labor at the rate of $470 per head? Who is it that is protected by the high tariff but the man who owns some part of the earth that produces something that comes in the tariff list? These test questions are not answered.

Does, then, protection protect, or does it realize the expectation or the predictions of its originators? If there is no truth in protective arguments, free trade comes up for consideration. Supposing the living expenses should be lessened, as it is claimed free trade will accomplish, since the average of wages is now only a bare living, when the cost of such goes down the average goes down too, so that the workingman would not be benefited. What is the best way to raise a revenue? Tax the income! Raise the money from the right men and spend it in the right way, for a Government telegraph, a Government railroad, broader educational system, put duties on luxuries, taxes on privileges, a tax on raw land, and subsidize these immense manufactures. Free trade in its broadest sense means free contract between man and man, when one man can feel himself equal to the other.

I can not take the time to answer all the fallacious arguments that have been advanced during this debate as to the effect of a protective tariff upon the wages of the laboring man and mechanic in this country, or the erroneous statements made as to how the same class of workmen are paid in Europe. I must content myself with the general statement that the only class of laborers in this country who are paid starvation wages are those employed in the "protected" industries; and that our best paid laborers are bakers, blacksmiths, bricklayers, masons, carpenters, painters, plasterers, plumbers, and others who are not protected.

"Facts are stubborn things," and will destroy volumes of theory. Is this statement of fact as to wages paid in protected industries denied? If so, here is the proof. About the 1st of November last the general executive board of the Knights of Labor issued an appeal to the assemblies of the order in aid of the striking coal-miners, in which the following occurs:

By the report of the bureau of statistics of Pennsylvania it is shown that the wages of the miner will not average more than $300 a year. In this calculation are included the wages of the subcontractor, under-bosses, and choice men, so that if the true average of the ordinary miners and mine laborers was taken the amount earned would not average more than $280 per year. The net amount received by each miner per ton for the coal he mines will not exceed from 9 to 15 cents. The advance in the price of coal to the consumer during the past year has been in many of the markets $1 per ton, or from six to ten times the amount received by the miner, who risked life and limb to bring it from the bosom of the earth.

The advance which would be accepted would not add more than 2½ cents per ton to the cost of producing the coal. The employers are at the same time the landlords, who own the houses in which the miners live and the stores in which they are compelled to buy their daily food. The doctors that heal the sick, the undertakers that bury the dead, and the ministers who preach the funeral sermons are the servants of the corporations. No question of recognition of the order is involved. It is simply a question of whether the men shall starve to death while at work or suffer a little extra privation for a short time in order to get means enough to keep body and soul together. No appeal for aid has been sent out from the general office more deserving of the prompt and generous action of the order.

Accompanying this appeal was a personal one from General Master Workman Powderly, who said:

We read of the heart-rending scenes of eviction as practiced in Ireland. We are told of the terrible work of the crow-bar brigade, which levels homes, severs broken, loving hearts forever, and drives dear ones from homes and kindred across the sea. None of these scenes can outrival the acts of cruelty that are practiced every day in the scourged, misery-clouded middle coal-fields of Pennsylvania. In the most prosperous times the miner and his family live from hand to mouth, scarcely able to keep body and soul in unison. Notwithstanding all this, no law is broken, no offense of any kind is committed.

A more honest, industrious, moral, or patriotic people does not inhabit any portion of our country; no more generous or manly men exist than our coal miners. They have done everything, they have endured everything, and have sought every way to improve their condition, so as to lift it to the standard of American manhood and citizenship. Failing in that, they have continued a hopeless struggle to keep food in the mouths of loved ones while enduring every privation themselves. The last hope is gone, tired nature refuses to longer perform its functions, and in despair the miners have laid down their tools. They appeal to their fellow-citizens for the bread which their honest labor could not win. I unite my humble voice with theirs, and ask relief for them. Give quickly, give liberally; they deserve all that you can do.

The gentleman from New Jersey [Mr. BUCHANAN] closed his able effort, in behalf of protection, by giving us an exhibition of word-

painting that showed ability worthy of a far better cause. I am sorry to mar his picture; but truth, as well as justice to the memory of Washington, Jefferson, and Jackson—whose names he invoked—required that I should remove his protection allegory from the frame and replace it with the truthful and awfully realistic production of Master Workman Powderly. And I am sorry to have to remind my esteemed friend from Pennsylvania [Mr. O'NEILL] that all these horrors described by Mr. Powderly are in what he, on Saturday last, boasted of as "the protection State of Pennsylvania."

Within the past two months we have had the Reading strikes, because of a reduction of 7 per cent. in the wages of the iron-workers there; and riots of the striking employés of the blast furnaces in Ohio, who attempted to resist a reduction of 10 per cent. in their wages. And yet this is but a repetition of what has occurred frequently for many months past. It can not be said that these men are not among what our friends upon the other side call "protected" laborers.

But it must not be allowed to be said that the condition of these miners is all the evidence I have to submit to show that "protection" does not protect other workingmen and laborers as well as miners. In December last the following appeared among the daily Associated Press dispatches:

NEW YORK, *December* 5.

The Daily News, which claims to be the organ of the laboring classes, says: "It is estimated that there are fifty thousand skilled workers of both sexes out of employment in this city, and with the army of common laborers and men who do all sorts of odd jobs it is believed that the total number of persons who are willing to work, but can not obtain employment, is one hundred thousand."

Think of it! One hundred thousand workers out of employment in that city alone! Truly, great is protection!

But it may be said that the above dispatch requires corroboration. Well, here it is. The New York correspondent of the Philadelphia Ledger, the paper of that well-known Republican, George W. Childs, writing to that journal in the same month (last December), said:

The World and the Graphic, under the title of "The White Slaves of New York," for some time past have been gathering statistics and a mass of facts from actual observation and investigation on this subject, which reveal a state of things that should set every friend of humanity thinking.

Take the ready-made clothing trade for example, in which upwards of 10,000 persons, male and female, are employed, and what do we find? "In a room 10 by 12, with two begrimed windows looking out on Hester street, nine men were at work. Garments made and unmade crowded every available inch of space, and the fetid air was thick enough to cut. Behind this horrible workshop the eye and nostrils, growing accustomed, caught the sights and smells of and from an inner room not over 6 feet square. A red glare from a fire on an open brick hearth dimly lighted its darkness. Two women, half clad, were crouching away from the stranger's eyes, while here and there were children scrambling wherever the piled-up garments left them a breathing space. On every floor this scene was repeated. Even the corners of the passage-way were occupied by a presser's bench. Each of the four floors is divided into three tenements, but the whole space would not make over one large room. The average number of inmates was seven to twenty-one on each floor, eighty-four persons in all. Every tenement is a workshop. The prices which are paid to these people may well arrest attention also. Thus the usual rate for making an ordinary pair of men's trousers, such as are sold at about $3 a pair, is 25 cents each, or $2.50 per dozen. The pantaloon hands are, as a rule, the worst paid of all the men tailors. Vest hands are generally women and girls. Females are usually employed in Williamsburgh, where the greater portion of men's ready-made vests and boys' clothing are manufactured."

Columns of the Ledger might be filled with similar extracts, but these will do.

This correspondent adds:

It is not pleasant reading, but the well-to-do and the wealthy will make a great mistake if they shut their eyes to it instead of somehow endeavoring to abate the shocking evils which thus exist like a social cancer in the heart of the great city. It is not consistent with the peace or the safety or prosperity of any civilized community that human beings should thus be permitted to relapse to barbarism if there is any way to prevent it.

His words I commend to the serious consideration of all.

In the Minneapolis Star of the 28th of last month I find this item:

The conference between the sewing-girls' strike committee and the firm of Shotwell, Clerihew & Lothman this morning was without satisfactory results. The girls asked an increase of salary on all grades of work, which the firm refused to concede. The only concessions made were on three grades of pants, advancing rates 1 cent on two, and 2 cents on the third. The old prices were 8, 9, and 12. The firm agree to pay 10 each for the first two grades, and 13 for the last.

No table of figures can overcome such facts as I have stated and proved as to the condition of these laboring people.

Let me remark right here, for fear I might forget it, that the reason why such starvation wages are paid for making clothes and other articles of necessity, is because the proprietors of these industries have to pay more than they ought to for the material used and made up by these hard-worked and poorly-paid men, women, and children. Place the raw material needed on the free-list, and reduce the tariff on manufactured goods to about what is proposed by this bill, and the employers of these people can double their wages and make as much profit as they do now.

Mr. ALLEN, of Michigan. Will the gentleman tell us whether if the Mills bill passes the wages of those people that he has just been speaking about will be increased or diminished?

Mr. MACDONALD. They will be increased.

Mr. ALLEN, of Michigan. They will?

Mr. MACDONALD. There is no doubt about it; and I will tell you why. The people who employ them to make the clothing will be able to buy their material sufficiently cheaper than now to enable them to pay better wages.

EFFECT OF THE PROPOSED BILL.

Now, as to the bill under consideration. As a satisfactory explanation of the changes it will effect, I adopt the schedule prepared by the majority of the committee and attached to their report, and will append it to my remarks.

I have said the bill is not what I desired. But its sins are those of omission. Therefore, what there is of it is good. It has been assailed by every "protected" interest in the land—the "horse-leeches" that for years have been sucking the life-blood of our people, and that fact commends it to my judgment. Paraphrasing an expression that has become historical, "I like it for the enemies it has made."

I can not now take the time to discuss the necessity or show as fully as I would wish the justice of the reductions proposed to be made by it; but I will refer to a few of the most important.

In addition to the tables already given and referred to, this one will aid materially in understanding what will be the effect of this bill. It is a schedule of articles mostly used by a family, as an illustration, and the duty on them, and also showing the reduction proposed under the Mills bill.

	Value.	Duty.		Gain.
		Per cent.		
One cook-stove	$35.00	47=	$16.45	
By Mills bill		31=	10.85	5.60
One set crockery	12.00	55=	6.60	
By Mills bill		35=	4.20	2.40
One set cheap glass-ware	4.00	56=	2.24	
By Mills bill		41=	1.64	.60
One set cheap cutlery	2.00	50=	1.00	
By Mills bill		35=	.70	.30
Two carpets, $12 and $15	27.00	47=	12.69	
By Mills bill		30=	8.00	4.69
Sugar	20.00	60=	12.00	
By Mills bill		50=	10.00	2.00
Molasses	10.00	47=	4.70	
By Mills bill		35=	3.50	1.20
Salt	3.00	40=	1.20	
By Mills bill		Free-list.		1.20
Two suits each for father and two sons, six suits, $14	84.00	54=	45.36	
By Mills bill		45=	37.80	7.56
Two suits each for mother and two daughters, six suits, $14	84.00	82=	68.88	
By Mills bill		40=	33.60	35.28
Twelve pairs shoes, $2.50 each	30.00	30=	9.00	
By Mills bill		15=	4.50	4.50
Six wool hats, $1 each	6.00	73=	4.38	
By Mills bill		40=	2.40	1.98
Six fur hats, $2.50 each	15.00	52=	7.80	
By Mills bill		40=	6.20	1.60
Six ladies' hats, $3 each	18.00	70=	12.60	
By Mills bill		40=	7.20	5.40
Six bonnets for ladies, $3 each	18.00	70=	12.60	
By Mills bill		40=	7.20	5.40
Farming tools, including plows, gear, hand-saw, ax, draw-knife, chains, etc	60.00	47=	28.20	
By Mills bill		34=	13.60	14.60
Medicines	20.00	*48=	9.80	
By Mills bill		30=	6.00	3.80
Thread, needles, thimbles, scissors, etc	12.00	35=	4.20	
By Mills bill		20=	2.40	1.80
Four pairs blankets, $3 each	12.00	70=	8.40	
By Mills bill		40=	4.80	3.60
Two umbrellas, $2.50 each	5.00	40=	2.00	
By Mills bill		30=	1.50	.50
Cotton hosiery, undershirts, etc	8.00	45=	3.60	
By Mills bill		30=	2.40	1.20
Window-glass	2.00	60=	1.20	
By Mills bill		43=	.86	.34
Starch	4.00	94=	3.70	
By Mills bill		47=	1.88	1.82
Rice	10.00	113=	11.30	
By Mills bill		100=	10.00	1.30
Total cost under present tariff	501.00		189.27	
Under Mills bill			104.98	84.29

* Average.

THE TARIFF ON WOOL.

It is said that its enactment will be disastrous to the wool-growing interest. Facts and figures disprove this, and show that the wool-growing industry has not done as well under a high tariff as under a low one. The following figures, compiled from the United States census and reports of the Department of Agriculture, prove this:

1869—LOW TARIFF.

Sheep in Pennsylvania	1,631,540
Sheep in Ohio	3,546,767
Sheep in New York	2,617,855
Prices—fine	56 to 60 cents
Prices—medium	45 to 50 cents
Prices—coarse	40 to 42 cents

1887—HIGH TARIFF.

Sheep in Pennsylvania	1,694,323
Sheep in Ohio	4,562,913
Sheep in New York	1,579,866
Prices—fine	33 to 34 cents
Prices—medium	37 to 38 cents
Prices—coarse	33 to 35 cents

SOME OF THE RESULTS.

Decrease of sheep in three States after twenty years' high protection	559,060
Decrease in prices, fine wool	23 to 26 cents
Decrease in prices, medium wool	8 to 12 cents
Decrease in prices, coarse wool	7 cents

On the 14th of December last, the St. Paul Pioneer Press, the leading Republican paper of our State, in an article upon "The Wool Duty," said:

Once in a while we get at inside facts which tell exactly how certain items of the tariff bear upon our industries. Such a statement has been published with reference to the manufacture of woolen goods. The proprietor of an Eastern woolen mill, a gentleman who is a Republican in politics and voted for Mr. Blaine in 1884, makes, through the press, an exceedingly interesting presentation of the facts with which he is familiar. The lesson of them is that, in many directions, our outrageous duties on raw materials are completely perverting the assumed object of the tariff, and destroying the manufacturing industries which that was intended to foster and increase.

In the first place, heavy taxes are imposed on varieties of wool which are used largely and must be used by our manufacturers, but which are not produced in the United States at all. So heavy are these taxes that where there is a net product of woolens worth $400,000 only $100,000 of this cost of production represents labor, and the other $300,000 is the cost of raw material. A duty of 57 per cent. on the manufactured product is a poor offset to a duty which is estimated at nearly or quite 100 per cent. on the raw material that constitutes three-fourths of the cost of production. It is the tariff which is driving this industry to the wall.

In this connection I submit the following, which appeared in the Philadelphia Record of last Saturday:

The five Congressmen from Philadelphia whose hearts yearn for the interests of workingmen may find profitable reading in the resolutions adopted last week by Philadelphia workingmen, at a meeting called by workingmen, officered by workingmen, and managed by workingmen according to their own notions. These two resolutions are particularly noteworthy:

"*Resolved*, That we especially request that wool be made free in the interest of the 60,000 textile workers of our city, who with free wool would compete with the world and obtain the privilege of making the finer grades of goods, from which the present tariff excludes them.

"*Resolved*, That we emphatically protest against petitions to Congress that have been or are being signed in the mills and factories, either under the direction of the foreman or otherwise, being accepted as the free expression of the sentiments of workingmen, as the manner in which these signatures are procured is but a species of slavery."

LUMBER SHOULD BE FREE.

As to placing lumber upon the free-list, why should it not be done? While I have received circulars and appeals from the Pacific coast and California, where they charge that nearly all the Government lumber has been secured by questionable means, I am pleased to say that I have heard of no protest from the Northwest. The farmers are in competition with European labor, and prices are low, and it is our duty to relieve them of having to pay $16 to $20 of every $100 worth of lumber they purchase, as a tariff tax.

A few years ago they had a disastrous fire in Chicago, and recognizing the great injustice of requiring the people of that devastated city to pay duty on building material, Congress made Chicago a "free-trade" city for a year, as to all building materials, except lumber. The only reason that can be assigned for it not then putting lumber on the free-list is that the great lumber interests of the country were too powerful and influential to allow Chicago to get free lumber, even if it was a mass of blackened ruins and appealed to the sympathy of the world as well as our entire country.

Sir, there are to-day living upon the prairies of Minnesota and Dakota settlers who, struggling very hard to shelter their wives and children from the piercing winds and storms, are as much in need of free building material as nine-tenths of those who were burned out in Chicago.

THE TARIFF FOSTERS "TRUSTS."

There is one vicious result from this tariff which ought to condemn it with all. It has made possible the formation of those conspiracies against the welfare of our people—"trusts."

The following is a list of a few of the trusts, together with the amount of bounty the present tariff seeks to allow them to collect from the people, also their expense for labor, and the excess of tariff bounty over the amount they pay in wages. Not one of these trusts could live were it not for the war tariff.

Name of trust.	Protected by duties averaging per cent.—	Adjusted to guaranty a bounty in each $100 of product amounting to—	Their whole expense for labor in $100 worth of product being—
Salt trust	50	$33	$25
Earthenware trust	56	36	40
Bessemer-steel trust	84	46	9
Plow-steel trust	45	33	29
General steel trust	45	33	29
Nail trust	45	33	29
General iron trust	45	33	25
Copper trust	24	22	21
Zinc trust	52	28	25
Tin trust	23	24	21
Lead trust	74	43	65
Glass trust	55	36	45
Soap trust	26	19	8
Linseed-oil trust	54	35	5
Rubber-shoe trust	25	20	24
Envelope trust	25	20	11
Paper-bag trust	35	26	15
Cordage trust	25	20	12
Average		30	24

The above table, which is taken from a pamphlet entitled Tariff Chats, by Henry J. Philpot, of Des Moines, Iowa, well illustrates the glaring hypocrisy of the claim that the war tariff must be kept up so that these trusts and combines may receive protection against the labor of Europe.

There are several others. The Farm Machinery and Industrial Gazette, of February of the present year, thus tells of the formation and operations of a "trust" that has been organized to compel our farmers to pay more than they otherwise would, or honestly should, for their binding-twine. It said:

The Binder Twine Association is a strong one, and quite likely to hold prices right through the season. It began by a combination of four Eastern manufacturers, who "cornered" all the manilla and sisal in the country, and that to arrive, as fast as imported, and set a price on it which no manufacturer could pay and undersell them. As fast as small manufacturers were "convinced," they became members of the trust, and were taken in out of the cold. Of course, so long as each member is compelled, for want of other supply, to buy of the trust, and must account for its product, on which it pays a dividend when its percentage is exceeded and gets one when less than its percentage is made, there is no chance nor reason for cutting prices. Nearly all manufacturers have taken a hand, and the very nature of the compact indicates that it will hold at least for this season.

And yet this is but a repetition of the story that can be told of all the other "trusts." This "trust," aided by the high tariff, compels our farmers to pay several cents a pound more than they should for binding-twine.

PROTECTION NO LONGER NECESSARY.

I have already stated that the so-called protective tariff does not protect the parties it is claimed to benefit, namely, the laboring men. I now wish to add the statement that our American manufacturing industries do not need protection any longer, and that the claim made by them that protection is necessary to enable them to compete with foreign manufacturers is proven by their own conduct to be untrue. It is a notorious fact that American manufacturers—the very men who are now clamoring for a continuance of this protective tariff—are and have been engaged in shipping their surplus manufactures to European and other foreign markets and there competing with the so-called pauper labor of Europe. Last year the London Iron, a leading labor and trade journal, in discussing the question of the introduction of American manufactured tools into the European markets, said:

Our American contemporaries have every cause to be surprised at the astonishing fact that thousands of tons of scrap-iron are every year taken to the United States and there converted into the simplest of American manufactures, the sad or laundry iron, and then exported back to Europe at no small profit. There is no corner of Europe where American small cast hardware is not for sale. The tool-makers and the machinists of Europe—such as Krupp, of Germany; Whitworth & Armstrong, of London, and Hotchkiss, of France—with their vast resources, are unable to produce a monkey or screw wrench equal to the American wrenches, and consequently they have to import these tools from the States. It is stated that there are no less than 80,000 dozen of them exported to Europe alone every year.

It is interesting to note that Charles Monckey, the inventor of this screw-bar wrench, received only $2,000 for his patent, and is now living at Williamsburgh, Brooklyn, in a small cottage bought from the proceeds of this sale. In the matter of the common pocket boxwood rules also the American manufacturers so far excel all others that, if not all European nations, certainly all nations outside of Europe are supplied from America. The manufacturers there print on the rule whatever system of measurement is followed by the country for which the goods are intended. American augers and auger-bits are used the world over, no other nation being able to compete. The Americans, with such facts before them, may well be proud of their manufactures.

The gentleman from Maine [Mr. DINGLEY] was singularly unfortunate for the cause of protection when he told us yesterday that he re-

ceived a piece of cotton goods by mail from England, and that his wife found she could buy as good an article here in Washington as cheap as the sample was sold for in England.

This is what I have claimed. I go further and state that our manufacturers of cotton goods ship their wares to England and Europe, and, after paying freight, insurance, and other expenses, sell their goods as cheap to the people of those countries as they do to us. But what becomes of this claim that our manufactures could not compete with the pauper labor of Europe? This fact alone refutes that assertion.

The fact is, as was shown by the gentleman from West Virginia [Mr. WILSON] yesterday, the labor in our factories is as much pauper labor as that of any country in Europe.

And on November 2, 1887, the New York Herald published a special cablegram from its London correspondent, which read as follows:

I learn that a body of merchants here are about to form an association to work up the markets in China with more enterprise and assiduity than ever before. New concessions are expected from the emperor, owing to the influence exercised by the late Chinese embassador, who left a warm friend of England. This new movement is stimulated by the recent reports of the activity of the Americans in Chinese markets. Manufacturers and merchants here begin to feel that they must be up and doing to hold their own. Every department of trade is being depressed and showing the narrowest possible margin of profits in spite of all the rosy articles put forward by the board of trade officials. In these days English merchants seem satisfied to follow the lead instead of having it.

Pursuing my investigations further, as to the amount of manufactured articles that we export from the United States to foreign countries, I turn to the latest official report that I have (being the Treasury statement of imports and exports already mentioned by me) and I find that during the seven months ending January 31, 1888, there were exported articles of domestic manufacture from the United States to foreign countries, as follows:

Agricultural implements	$1,187,315
Manufactured cotton cloth	7,154,702
Earthen, stone, and china ware	138,094
Glass and glassware	510,295
Instruments and apparatus for scientific and electrical purposes	375,990
Manufactures of iron and steel, including cutlery, machinery, and tools	10,013,299
Leather and manufactures of	5,764,719
Paper and manufactures of	581,887
Sugar and molasses	1,836,375
Manufactures of tobacco	1,931,771
Manufactures of wool	280,116
Other manufactured articles	357,233
Total (for the seven months)	30,131,796

It will be seen in the above list of articles which I have selected labor enters much more extensively into the cost of production than does the raw material, and I submit that as these exports are limited to articles that were shipped during the last seven months it is a pretty good list of exports to be sent from a country in which it is said by our protectionist friends the cost of labor is too high to permit its manufacturers to contend against the competing with the so-called pauper labor of Europe. And yet it is a shame and disgrace to us that it is not thousands of millions.

After arriving in Washington I happened to be with a party of gentlemen who were discussing the tariff question, and as an evidence that our manufactures were sold in the European markets in competition with similar articles manufactured there I mentioned the fact that when canvassing I met a Scandinavian-American, who had recently returned from a visit to Norway, and who informed me that while there he discovered that American-made pitchforks and hoes and other agricultural implements of that class were sold at from 15 to 30 per cent. less than the same article manufactured by the same American works could be bought for in this country.

That statement was not intended for publication; but it happened that the gentleman who represents the Chicago Herald in this city was present and wrote up that "interview," stating the facts substantially as I had to those gentlemen; and the same was copied quite extensively into the papers of the State I have the honor in part to represent. This statement of mine has been attempted to be contradicted in different ways. And I wish now to reiterate it, and to state that not only was I correctly reported, but that since I made those statements I have investigated and become satisfied that what my Scandinavian friend informed me was literally true. In this connection I might say that my colleague (Mr. WILSON) informs me that he has in his district a Scandinavian constituent who also visited Europe, and upon his return to Minnesota reported that he had made the same discovery. All of what I have stated and quoted upon this branch of the subject ought to sufficiently establish the fact that American manufacturers do not need a protective tariff, and only use it to enable them to charge their American customers more than they sell their goods to foreigners for.

This need not be surprising.

In a letter written by Hon. William M. Evarts, then Secretary of State, and now a distinguished Senator from New York, dated May 17, 1879, transmitting the reports of American consuls on the state of labor in Europe, the honorable Secretary, in an enumeration of his conclusions drawn from these reports, on page 36, says:

9. That the average American workman performs from one and a half to twice as much work as the average European workman. This is so important a point in connection with our ability to compete with the cheap manufactures of Europe, and it seems on first thought so strange, that I will trouble you with somewhat lengthy quotations from the reports in support thereof.

Hon. James G. Blaine, when Secretary of State, and introductory to the report of consuls in Europe on the cotton-goods trade of the world, dated June 25, 1881, said, on page 95:

In commenting on the strikes then imminent in Manchester, Consul Shaw, in the report transmitting the foregoing table, says:

"The plea that the factory operatives are now receiving higher wages in proportion to the time they work than American operatives is urgently made by manufacturers here, and this, together with increasing financial distress among mill-owners, is gradually allaying the discontent among operatives."

Again the honorable Secretary says:

The hours of labor in the Lancashire mills are 56, in the Massachusetts mills 60 per week. The hours of labor in the mills in the other New England States, where the wages are generally less than in Massachsetts, are usually 66 to 69 per week.

Undoubtedly the inequalities in the wages of English and American operatives are more than equalized by the greater efficiency of the latter and their longer hours of labor. If this should prove to be a fact in practice, as it seems to be proven from official statistics, it would be a very important element in the establishment of our ability to compete with England for our share of the cotton-goods trade of the world.

In the two prime factors which may be said to form the basis of the cotton manufacturing industry, namely, raw material and labor, we hold the advantage over England in the first and stand upon an equality with her in the second.

Having the raw materials at our doors, it follows that we should be able to convert it into manufactures, all things else being equal, with more economy and facility than can be done by England, which imports our cotton and then manufactures it in her mills. The expense of handling, transportation, and commission must be an important item in this regard as compared with our turning in the fiber from the cotton-fields to our mills and shipping it in the advanced form of manufactured goods. Add to this the secondary fact that it costs us no more to handle and manufacture the same than it costs in England, and we stand on an undoubted equality thus far in the race of competition.

Again, the power of concentrated capital and machinery, and the influence of these factors over wages and competition, is illustrated in the difference in wages in the several States of our Union, as in Europe. Mr. David A. Wells on this subject says:

The difference in wages in the same industries in different sections of the United States is well illustrated in the following returns of wages in the iron industries of different States, made under the census of 1880: Unskilled labor in blast furnaces in Virginia, 82 cents per day; in Alabama, 98 cents; in Pennsylvania, $1.09, and in Missouri, $1.29. Skilled labor in iron rolling-mills in Alabama, $2.25 a day; in Massachusetts, $2.70; in Pennsylvania, $3.03; in Ohio, $3.87, and in Kentucky, $4.62. The yearly average wages in the aggregate iron industries of the different sections of the United States is reported as follows: Eastern States, $417; Western, $396; Pacific, $354; Southern, $304.

I will conclude this branch of my remarks by reading the eighteenth annual report of the bureau of statistics of labor of the State of Massachusetts, published in December, 1887. On page 294 it says:

As the essential result of this investigation, it may be stated, then, that out of a total of 816,479 persons employed in gainful occupations in this State 241,589, or 29.59 per cent., were unemployed at their principal occupation, on an average, 4.11 months during the census year, the average unemployment for persons engaged in manufactures, pure and simple, being 3.90 months; in short, that about one-third of the total persons engaged in remunerative labor were unemployed at their principal occupation for about one-third of the working time.

OUR NEGLECTED SOUTH AMERICAN MARKETS.

It is proper to say here, that if we had not by our protective tariff shut out South America from our markets, and compelled her to look to England, France, and Germany for a market for her exports—principally raw material—we would to-day be exporting to them millions of dollars' worth of our manufactured articles where we now do hundreds.

Although they are right at our doors, we have compelled them to go to the other side of the Atlantic for their goods. South America buys more than $250,000,000 worth of manufactured goods each year from England, France, and Germany. These goods are mostly cotton fabrics, manufactured from American cotton.

Why is this? It is because our high tariff upon what the South American has to find a foreign market for prevents him from selling to us. Could he bring his wool, hides, and other raw materials to our market he would in turn buy our manufactured cloth, agricultural implements, tools, machinery, and the thousand other articles that he needs and we have for sale.

Instead of opening up this market by what ought to be substantial reciprocity, we have, with blind devotion to the heresy of protection, deprived ourselves of this market, which should have been ours years ago.

The bill under consideration will go far to remedy this disastrous condition of things.

The cry of "free trade" now raised is a craven and false one. It is the last despairing groan of a pampered set of purse-proud monopolists, who have used the means we so generously bestowed upon them for years to secure further gains by "trust" and "pool" extortion.

ENGLAND NOT JUBILANT.

In keeping with this free-trade cry is the assertion that England is anxiously hoping that we will adopt free trade. The gentleman from Michigan [Mr. BURROWS] said that England was "on the tip-toe of expectation" as to this bill. If she is, it is because she does not wish us to pass it. Several newspaper extracts have been read in the hope that they would create the impression that this was so, but care was taken not to read the following from the London St. James Gazette, after it had given the outline of President Cleveland's message:

All the remark we shall make at present is this: The late Lord Overstone, whose judgment in such matters was in the highest degree authoritative, used

to say that the commerce of this country would receive its first great blow when free trade was adopted by the United States. He was a free-trader himself, of course. The competition of a free-trade America was what he seemed to most dread for this country.

This item from the St. James Gazette is but confirmatory of what I have already shown as to England's fear of our competition in European and other markets of the world.

But I am admonished that I should come to a close, and do so with an appeal to my friends upon the other side to cease their captious criticism of our efforts to reduce the surplus revenues.

THE COUNTRY DEMANDS ACTION.

I do not ask them to vote for this bill in its present or any other form. I have stated what I consider its faults, and I know there are many gentlemen here who honestly differ with me, who favor tariff reform and reduction.

I appeal to all such to cease regarding this bill as a purely partisan measure and join us in a patriotic effort to perfect it by amendment, or be consistent with their declaration of being in favor of tariff reduction by proposing such a bill as will contain what they think the law enacted should be.

If they will do this we can then see how far we are apart, and to what extent we will have to yield to each other to meet upon a basis of compromise. It is not the part of wisdom to pursue this policy of making speeches in favor of protection and against this bill and propose nothing. If a like bill had been proposed by the members of the Committee on Ways and Means upon the other side (as the representatives of the majority of this House) I would say to my Democratic colleagues: "If this bill does not meet with your approval propose one that does or hold your peace."

They have insisted upon having seventeen days' valuable time consumed in general debate. Debate upon what? Why, sir, upon a bill proposing that which the party they represent is pledged to support—revenue reduction and reform. This bill will secure that result which they are pledged to; hence the difference must be only as to details.

The country demands that we take early action upon this matter. The resolutions adopted by the New York Board of Transportation on the 14th of last month but express the sense of the people of the entire nation. They are as follows:

Whereas both political parties have promised in their platforms of 1884 to modify the tariff and reduce the internal revenue, and prevent the accumulation of the people's money in the Treasury; and

Whereas it is of the utmost importance to the commercial and industrial interests of the country that the tariff question should be decided at an early day, for the reason that suspense is even worse than a change which may be more or less detrimental: Therefore,

Resolved, That this board respectfully calls the attention of Congress to the great importance of enacting at the earliest possible moment whatever tariff legislation is to be enacted; and we further would respectfully call the attention of Congress to the absolute necessity for reducing our revenues so that an unnecessary surplus may not be constantly accumulating in the Treasury and withdrawing from the channels of trade the currency which constitutes its life-blood.

Resolved, That it is the duty of Congress to relieve the people from the dangers at the present session.

Resolved, That the Secretary be, and is hereby, instructed to transmit a copy of these resolutions to each member of Congress, and to such other persons as may seem advisable.

And I would remind my Republican friends that their conduct which I have been criticising does not meet with the unanimous approval of all Republicans.

As a specimen expression I quote what the Indianapolis News recently said, after calling upon the Republican members in Congress to present a tariff bill. It said:

The Republican party can rest assured if it does not do this, and so in good faith attempt to redeem its promises, that it will suffer for it. It has repeatedly and solemnly promised revision of the tariff, and the time has come for it; revision that will revise, too; no sham measure like RANDALL's, which strips away nearly the whole of the internal revenue and, reducing a little dab of tariff duties, increases some others. It must be a measure challenging the Mills measure in an honest appeal to the country as to which is the better of the two as a real revision of the tariff.

The St. Louis Globe-Democrat, on Wednesday of last week, said:

The Republican party throughout the country demand that their Representatives in Congress frame a wise measure to lower the Government's income, and use every honorable resource at their command to pass it. A policy of mere obstruction to the Mills bill will not do. RANDALL may or may not resort to such tactics this year, but if he does he must have no aid from the Republicans. In the opposition to the free-traders the Republicans must lead—not follow. A majority of Congress are friends of the protective policy. The Republican members of the House will secure the support of every Democratic protectionist in Congress if they frame such a bill as the exigencies of the situation demand. They have the ability and the experience requisite to the task, and if they fail to perform it their constituents will hold them to a rigid accountability.

The Minneapolis Journal copied this quotation from the Globe-Democrat with approval on Friday last, and said:

The Democrats are making their record. They have drawn up a bill which stands as an administration and party measure. It is impossible to say what would be the effect of such a bill.

The Republicans oppose this measure and expose its inconsistencies in a manner which would be very embarrassing to its framers if it were not purely a political venture. At the same time the country recognizes the fact that the Democracy have taken a stand in favor of a reduction of the tariff, and that is what the country wants.

The country has the evidence before it that the Democrats would at least try to afford the desired relief from unnecessary taxation if it only knew how and had full control of the Government. It might not do the right thing, but it would at least make an effort. So far as the Republicans are concerned, they are only making a record as opposed to the Democratic bill. They are not offering the country anything in its place. Everybody knows that it is one thing to find fault and another to suggest a substitute for the imperfect measure. The Republicans are making a serious mistake, and one which they can not conceal from the country, in not offering a tariff bill of their own.

The Republicanism of these papers will not, I apprehend, be questioned. The two last I know to be "stalwarts." Other papers have spoken with equal clearness to the same effect.

Mr. Chairman, we upon this side desire and even challenge our Republican friends (in the language of the Indianapolis News) to introduce "a measure challenging the Mills measure in an honest appeal to the country as to which is the better of the two as a real revision of the tariff. [Applause.]

Estimate of effect of proposed bill on revenues, based on importations of 1887.

Free-list.	Importations of 1887.		Average ad valorem under—	
	Values.	Duties.	Present.	Proposed.
			Per cent.	*Per cent.*
Wood, salt, hemp, chemicals, metals, etc	$61,672,120.42	$16,799,450.75	27.24	.....
Wool	18,206,987.97	5,390,054.73	29.60	.....
Total free list	79,879,108.39	22,189,505.48	27.78	.....

Schedules (dutiable).	Importations of 1887.		Estimated—			
	Values.	Duties.	Duties under proposed bill.	Amount of duties remitted.		
A. Chemicals	$5,050,325.28	$2,012,120.51	$1,133,846.78	$878,273.73	39.84	22.45
B. Earthenware and glassware	10,492,067.32	6,920,108.16	5,163,820.44	1,756,287.72	65.96	49.21
C. Metals	16,152,789.24	8,456,847.29	6,976,374.70	1,480,472.59	52.35	43.19
D. Wood and wooden ware	889,558.56	307,805.13	260,217.95	47,587.18	34.60	29.25
E. Sugar	768,897,102.27	56,515,601.67	45,223,513.73	11,292,087.94	82.04	65.64
F. Tobacco	26,441.00	21,567.09	10,064.60	11,502.49	81.57	38.06
G. Provisions	3,235,987.68	1,711,805.92	1,380,320.92	331,485.00	52.89	42.65
I. Cotton and cotton goods	2,423,585.23	1,233,599.57	955,989.28	277,610.29	50.90	40.00
J. Hemp, jute, and flax goods	17,434,514.05	6,228,310.41	4,185,954.62	2,042,355.79	35.72	24.01
K. Wool and woolens	42,448,127.04	29,256,442.90	16,925,861.70	12,330,581.20	68.92	39.87
M. Books, papers, etc	57,298.01	13,982.25	10,425.35	3,556.90	24.40	18.19
N. Sundries	11,221,253.04	4,984,936.33	3,905,795.33	1,079,141.00	44.42	34.79
Total dutiable	178,329,048.72	117,663,127.14	86,132,185.40	31,530,941.74	65.98	48.30
Total free-list	79,879,108.39	22,189,505.48	.....	22,189,505.48	27.78	.....
Total tariff reductions	258,208,157.11	139,852,632.62	86,132,185.40	53,720,447.22	54.16	33.36
Total internal-revenue reduction	.....	.....	.....	24,455,607.00	.....	.....
Total proposed reduction	.....	.....	.....	78,176,054.22	.....	.....

TREASURY DEPARTMENT, OFFICE OF INTERNAL REVENUE,
Washington, March 12, 1888.

Estimated reduction of internal taxation under the provisions of "A bill to repeal certain tobacco and other taxes, and to modify internal-revenue laws."

Total receipts from tobacco, fiscal year 1887		$30,108,067
Deduct cigars and cigarettes	$12,157,196	
Deduct special taxes manufacturers of cigars 18,570×$3=	55,710	
Deduct special taxes dealers in tobacco 514,000×$1=	514,000	
		12,726,906
Receipts from proposed repealed sources, fiscal year 1887		17,381,161
The increase in the receipts of that part of the tobacco tax which this bill proposes to repeal during the first seven months of the current fiscal year over the receipts for the corresponding period of the last fiscal year was $1,234,101, or 13 per cent. Assuming that this rate of increase will continue to the close of the fiscal year, the receipts from these objects of taxation would be increased		2,259,551
Special taxes retail liquor dealers, fiscal year 1887		4,587,268
Special taxes retail dealers in malt liquors, fiscal year 1887		177,148
Special taxes manufacturers of stills and stills manufactured, fiscal year 1887		3,721
Add for assessed penalties		41,758
Add for interest clause in section 10, say		5,000
Total estimated reduction		24,455,607

JOSEPH S. MILLER,
Commissioner.

Mr. GUENTHER. Mr. Chairman, my friend and colleague, Mr. HUDD, in his tariff speech the other day unqualifiedly indorsed the "Mills tariff bill." He swallowed the whole dose prepared by the Democratic majority of the Committee on Ways and Means, and seemed to relish it greatly, endeavoring at the same time, by all the political sophistry he is so capable of [laughter], to persuade the people of his district in particular, and of the State of Wisconsin in general, that it is a very palatable decoction, a great panacea; the cure of all cures [laughter]; the long-looked-for Democratic St. Jacob's Oil [renewed laughter and applause] that will heal all the evils the body-politic is afflicted with.

Knowing my genial and esteemed friend as I do, I was not surprised that he dealt severely with the Republican, and tenderly, lovingly, and with poetic eloquence sung the praises of the Democratic party. [Applause.] He even went so far as to begrudge us our very name, saying that we borrowed it from the Democrats and never returned it. [Laughter.] But my dear colleague, what's in a name? The name does not make the party, but the ideas it represents and the measures it advocates.

My friend takes the ground that because our income now exceeds our expenditures by about eighty millions the reduction must be made on custom duties alone, which he calls a war tax, leaving the internal revenues undisturbed. He arraigns the Republicans for favoring another method, a reduction of another war tax, the internal revenues, and certain reductions of customs duties, if necessary.

If I understand the temper of the Republican side of this House right, and I have reason to believe I do, I am safe in asserting that the Republicans generally are in favor of abolishing the entire tax on tobacco, amounting to thirty millions; also the tax on spirits used in the arts and manufactures, which would be about six millions.

Should further additional reductions be advisable, we propose to reduce the duty on sugar or putting it entirely on the free-list, and in order to foster and stimulate sugar production at home, pay a bounty to the producer amounting about to the present duty.

The latter course would result in an additional reduction of fifty millions, and would give the people free sugar, which would be a relief to everybody, and would not destroy or interfere with any established industry or prevent the extension of any of them. This would make a reduction of about eighty-five millions certain and absolute; not problematical, as the scheme proposed by the Democratic party, of which nobody can say just what, if any, reduction will follow. After we have reduced our revenues to the actual need of the Government, and I will state right here that the Republican party has always done that, for during the eleven years since 1866 when the Republican party had control of the House of Representatives, where, under our Constitution all bills to reduce the revenues must originate, it has reduced them $362,504,569, while during the eleven years since 1866 under Democratic control the reduction was only $6,368,935.

You have had control of this House again for the last five years. What reduction has the Democratic party made? What bill has it passed? My colleague makes a very cunning plea by manipulating figures and percentages, designed to mislead and prejudice his farmer constituents. He addresses his good friend, Farmer Goodman. He tells him that his wife has to pay a tax to the Government on the shawl she buys for winter wear of 86 cents on the dollar, which he figures out amounts to $3.87 cents on that article of wearing apparel, while the rich banker's wife only pays 20 per cent. on her sealskin sacque.

He never tells Farmer Goodman what that amounts to in dollars, because that would not suit him in his argument for the purpose of prejudicing him against the Republican protectionist. [Applause.] My colleague also does not confine himself to the facts in the case [laughter and applause], for I find that the duty on seal-skin sacques is 30 per cent. ad valorem, and not 20 per cent., and consequently Mrs. Banker pays a tax of $70 on her garment to the Government, against $3.87 on the farmer's wife's shawl, admitting that my friend's reasoning, that the price of every article is enhanced to the amount of the duty, a statement which has so often been shown to be utterly fallacious, is correct.

I append an extract from a speech delivered at the meeting of the Farmers' Congress at Chicago November 11, 1887, by Hon. Thomas H. Dudley, formerly United States consul at Liverpool, England:

By our present protective tariff on the lowest grades of unbleached cotton cloths there is a duty of 2½ cents per square yard; on bleached, 3½ cents; and on colored prints, 4½ cents, with a corresponding higher rate on the higher grades of cotton goods. Will any one assert that these duties have increased the price or in any way added one cent to the cost of cotton goods in the United States? In none of these cases has the duty increased the price; on the contrary, it has not only lowered the price, but it has also forced the English manufacturer to reduce his price as well—a step he would never have taken so long as he had the monopoly of our market and could fix his own price for his commodities. This reduction did not take place until our home competition came in and forced him to put down his prices.

Now let any American farmer reflect for one moment on the extent of the use of cotton goods in his house. All the underclothing of himself and the members of his family, and often the calico dresses his wife and children wear, the sheets between which he sleeps, the ticking on his bed, and, it may be, the cloth on his table, as well as the towels and napkins he uses, and the curtains at the windows, are all manufactured from cotton, and the manufacture of these goods gives employment to thousands of American workmen, who to a great extent form the farmer's home market.

Something over three years ago I attended the national agricultural exhibition of France. It was held in Paris, and a grand exhibition it was, quite worthy of the great nation it represented. I spent four days at the exhibition. There were 14 or 15 acres of ground covered with farming implements, tools, machinery, etc. All the exhibitors had their price-lists upon their exhibits, and I was careful to obtain copies of them. The lowest-priced horse-rake was 250 francs, or $50 of our money. You can buy one just as good in any town in the United States for $27. The lowest-priced mower was $102 in our money, and was no better than we sell for $60, if as good. The lowest-priced reaper, without the binder, was $185; no better than ours for $110. The plows, harrows, and cultivators were 20 per cent. above the price they are selling for in the United States. There was not a hoe, fork, shovel, spade, or rake on the ground but was dearer in price and inferior in quality to ours.

I therefore repeat what I have said before, that under our protective tariff the prices of all manufactured commodities instead of being enhanced have actually been reduced, and that nine-tenths of all manufactured commodities now used by our farmers and laboring people in the United States are as cheap as they are in England, and in many instances cheaper.

My friend exhibits great solicitude about the sick people, probably the sick Democrats [laughter], who, he says, are put under contribution for the good of the Republican party.

Castor-oil he quotes as carrying 102 per cent., Epsom salts 30 per cent. I see by the tariff law that it is 80 cents per gallon on castor-oil, but 102 per cent. sounds more formidable to a Democratic ear.

Mr. HUDD. It is 110 per cent. really.

Mr. GUENTHER. Very well, 110 per cent. But he omits to tell his friend Farmer Goodman that while he denounces a tax of 30 per cent. on Epsom salts he approves of that item in the Mills bill, which still leaves a duty of 40 cents per gallon on castor-oil, or 55 per cent. according to his way of figuring—according to his corrected figures. [Laughter.]

If 30 per cent. is outrageous on Republican Epsom salts, why is 55 per cent. any less so on Democratic castor-oil? [Laughter and applause on the Republican side.]

I leave the answer to this conundrum to any costive Democrat in my friend's own district. [Renewed laughter.]

But when we propose to my amiable friend, the champion of the sick Democracy, to abolish the internal tax on alcohol used in the arts and manufactures, an article which so largely enters into most every medicinal preparation and imposes upon the sick and needy a tax all the way from 25 to 450 per cent., he shakes his ambrosial locks and says: "Oh, no! because if we do that we will cut off at least six millions of revenue, and our ability to slash into that diabolical Republican tariff would be so much lessened, and we would be that much more remote from our mecca 'free trade.'" My friend quotes a little distich. The last stanza is:

We are taxed from the cradle plump into the grave.

The poet must have thought of the internal-revenue collector when he wrote it. [Laughter.] Hardly has the baby been ushered into this internal-tax ridden world and stands in need of a little paregoric or a few drops of essence of peppermint, or some other remedy [laughter] to soothe the griping in its little bowels, up steps the internal-revenue collector, clothed with all the powers of the General Government, with the Army and Navy at his back, and inexorably exacts from the little yelling infant 315 per cent. internal revenue on the paregoric, 425 per cent. on the essence of peppermint. It is pay or yell. [Great laughter.] Being a bright American child, with an eye to business, it takes the paregoric, because that bears the lowest tax, saving thereby 90 cents on the dollar [great laughter] and giving an object-lesson in "Economy is wealth." [Renewed laughter and applause.]

But soon the little one succumbs, and thereby at least thinks it escapes the constant demands of the revenue fiend. But oh, no! It is taxed even after it is dead. The sorrowing mother, in order to preserve the dear little features for a day or two, places a piece of cloth saturated with alcohol upon the pale face. There is that omnipresent revenue spy again and demands 450 per cent. for the benefit of the Government with a surplus of three hundred and thirty millions in the Treasury. [Laughter and applause.] That infernal internal tax we Republicans want to abolish. [Applause.] I take it for granted that my colleague has sent at least one copy of his speech to Wisconsin to his friend Farmer Goodman, in Kewaunee County. [Laughter.]

Old Mr. Goodman was a former constituent of mine, when I had the honor to represent Kewaunee County in the Forty-seventh Congress. I know him well. He is a nice old gentleman, unfortunately a great sufferer from rheumatism, as so many farmers are in that portion of my State, which is not noted for the mildness of its winters. [Laughter.] His wife is an amiable old lady, but also very rheumatic. [Renewed laughter.] I can see him before me now, sitting by the blazing pine-knot fire and taking great comfort in his pipe, Mrs. G. knitting by his side. He reads aloud the speech of my colleague. The further he proceeds the more indignant he becomes over the utter depravity of that party of highway robbers that even stole their name from the Democrats. [Great laughter.] He is shocked "at the many pernicious acts of tariff legislation."

When he comes to the 102 per cent. on castor-oil his indignation knows no bounds. His wife becomes almost hysterical, contemplating that she uses at least half a pint a year in the family. [Laughter.] Mrs. Goodman likes it better than Epsom salts, but she vows that hereafter she will use the latter, as she does not intend to pay the Government any longer 102 per cent. on castor-oil when she can have Epsom salts at 30 per cent. [Laughter.]

By that time the son has come home. He is a good-looking, intelligent fellow of about twenty-five years. He reads the papers, and keeps well posted on current political matters. He is the youngest son, the pride of his old parents, and their only regret is that he will vote the Republican ticket, while the old man is a Democrat. [Laughter and applause.] He has read my friend's speech the day before, but there is no wool over his eyes, though. [Laughter.] He figures out to his parents that the 102 per cent. on that half pint of castor-oil they use per year amounts to just 5 cents. [Laughter on the Republican side.]

"But," his mother says, "think of the robbers charging me 3.87 cents on that shawl I bought four years ago."

"Well, mother," he replies, "if you have really paid that much, and I know you have not, you must remember that this tax is due in a great measure to the tariff on wool, whereby we have received a much higher price for our crop. The difference is altogether in our favor." [Applause.] "And then this money went to the Government to pay its running expenses. We would have had to pay it in some other way. The Government needs a great deal of money; over eighty millions alone per year for pensions. They pay brother Charles's widow $12 a month and brother Tom $24 for his lost leg." [Applause on the Republican side.]

"But," says the father, a little more mellow by this time, "they collect more money than they need; why don't they lessen the taxes?"

Young Goodman explains to him the Republican programme. The abolition of the tobacco tax strikes the old man very favorably.

"But," says he, "the tax on alcohol used for manufacturing don't amount to much."

"We'll see about it," says the son. "I have to buy for both of you a pint of alcohol every three weeks to dissolve that gum of camphor in, to rub your aching limbs. That makes two gallons a year. The tax per gallon is $1.80. So you see that you have to pay the Government $3.60 every year as a tax on your rheumatism. [Laughter and applause.] Now, that new tariff bill leaves that as it is, and the Republicans want to strike it out altogether; but Mr. HUDD and the other Democrats will not do it. But they will give you cheaper castor-oil, so you will save 2½ cents per year on that. [Laughter and applause on the Republican side.] But listen to what Mr. HUDD says here," and the old gentleman reads:

> As I have already intimated, the capitalists or money kings, the favorites of fortune that can check on the banks, on the credulity as well as on the indulgence of the law-makers, may have their pearls, their diamonds, in fact all the precious stones to wear and the foreign champagne to drink, the adornments, as well as the gratification of the gilded clique, at an average of 10 per cent., together with other kinds and degrees of the ornamental that are classed as jewelry articles at 27 per cent., and other apparel luxuries on a still smaller scale.

The son smiles and says: "I see by the papers that the Mills tariff bill leaves the taxes on all these things at what they are now, and so I can't see what fault Mr. HUDD has to find with the Republicans. If he thinks the tariff on these articles is not high enough, why don't he say so. He is satisfied with every feature of the new bill, and has not one word of criticism to offer."

Old Mr. Goodman gives up the discussion by saying he will write Mr. HUDD a long letter and find out about it. [Laughter.]

My dear colleague, let me tell you that you can not convert the thinking, intelligent farmers over to your theory. Neither can you fool the intelligent citizens of foreign birth by trying to obscure this tariff discussion by dragging in the Prohibition issue. [Applause on the Republican side.]

You do not oppose the abolition of the internal revenue, as you want to make believe, because it would "graft a thorn of sumptuarism on the Federal tree."

That pretext is a little too thin even for a free-trade tariff reformer. I am as willing to reform the tariff as you are. All important economic laws need revision, require changes and amendments from time to time, so as to meet the constant fluctuations of our economic conditions.

But, Mr. Chairman, I want the tariff revised by its friends, not by its avowed enemies. [Applause on the Republican side.] I want it revised, not in the interest of free trade, but with a view of protecting American labor against degrading foreign competition, of which I personally have some knowledge. I want it revised with the object of building up new industries and maintaining those we have. I want to protect everything that is American. [Applause.] I want the standard of our wages kept up, not lowered. I do not want American labor reduced to the same miserable level of Europe or Asia. I want to encourage our own industries, not those of foreign countries. I want to reduce importations of everything that we can successfully produce, not to increase our imports. I want to give additional employment to our people, not to diminish it by allowing foreigners to supply for our consumption what we should raise or make ourselves. [Applause on the Republican side.]

I want inequalities in the tariff remedied. I am willing to have duties lowered where our industries can stand a reduction. I want the duties raised where they should be raised, in order to place our farmers and manufacturers at least on the same footing with foreigners, and I want to give our people a little the advantage. [Applause on the Republican side.]

I am in favor of restoring the wool tariff of 1867. [Great applause on the Republican side.] I am a firm believer in a tariff which not only supplies the means for the expenses of our National Government, but which at the same time also builds up and encourages our home manufactures, develops our splendid and almost inexhaustible resources, and gives employment to millions of our people.

If I am called upon to help frame the laws for our people I consider myself first, last, and all the time an American citizen. I deem it my highest duty to look at all laws from a practical American standpoint and support such measures as in my judgment will insure the greatest national progress and make us a powerful and independent nation, independent of other countries as far as at all possible.

While I deplore the condition of the working classes in the country where I was born and raised, as compared with ours, while I pity the condition of the laboring classes in England, Ireland, and everywhere, and fervently hope that better days may be in store for them, for the distressed of all nations, I however do not feel called upon as an American legislator, faithful to the country of my choice and adoption, to extend aid to them at the expense of the toiling masses of America. [Great applause on the Republican side.]

The gentleman from South Carolina [Mr. HEMPHILL] answers his own question, "Is the tariff for protection legal, just, wise?" in the negative, and every tariff-reform Democrat applauds him. What does this applause signify? It means that the Democratic party is wedded to a policy, opposed to protection to American industries. My colleague, Mr. HUDD, wants to strike out the duties "on the necessaries of daily life."

I wish to ask him whether he wants to strike out the duty of 20 per cent. on live animals, of 1 cent per pound on beef and pork, 2 cents on hams and bacon, 4 cents on cheese, 4 cents on butter and substitutes thereof, 2 cents on lard, 20 cents per bushel on wheat, 10 cents per bushel on rye and barley, 10 cents per bushel on Indian corn, 20 per cent on mutton, 15 cents per bushel on potatoes, 20 cents per gallon on honey, 1 cent per pound on tallow, $2 per ton on hay, etc.

The following are the agricultural products that this bill places on the free-list:

> All wools, linseed, garden seed, rape and other oil seed, hemp-seed, bulbs and roots, split peas, beans and peas, milk (fresh), meats, game and poultry, figs, plums and prunes, dates, currants (Zante), vegetables (fresh), barks, beans, etc., hemp, beeswax, flax, manilla, other vegetable substances.

I ask of my colleague now, are you willing to abolish the tax on all these articles? He does not answer. I want to call my friend's attention to the fact that the pea industry in the district that he represents is a very prosperous one, and I do not think the farmers in Manitowoc, Sheboygan, and the other lake-shore counties will approve of a tariff bill that puts peas on the free-list. Again I ask the gentleman if he is ready to put those articles on the free-list, and I am perfectly willing to yield now for his answer.

Mr. HUDD. You will get it in due time.

Mr. GUENTHER. Oh, my colleague answers me as he answered Mr. ALLEN, of Michigan, who asked him if he was in favor of putting wool on the free-list, and if so, whether that did not constitute him a free-trader. He answers me in the same way, by not answering at all. [Laughter and applause.]

Mr. CARUTH. Will the gentleman yield for a question?

Mr. GUENTHER. Yes, sir; with pleasure.

Mr. CARUTH. How are you as to the tax on empty bottles?

Mr. GUENTHER. I am all right. [Laughter.] I would like to know how you are as to the tax on full bottles? [Renewed laughter.]

Mr. CARUTH. I wish to ask the gentleman if he has changed his sentiments since he made a speech in the Forty-seventh Congress in favor of the reduction of taxation.

Mr. GUENTHER. If my friend will read my speech with intelligence he will see that I never advocated the lowering of the duty on glass bottles.

Mr. CARUTH. What ground did the gentleman take?

Mr. GUENTHER. I said that I wanted the tariff on glass bottles to remain as it was. The bill under consideration at that time proposed to raise the tariff to three times the then existing duty by a little process of manipulation, by substituting a specific duty for an ad valorem duty, thus raising the tariff from 35 per cent. ad valorem to 105 per cent. I opposed that, because I considered 35 per cent. sufficient; but I never in my life advocated the lowering of the then existing tariff on glass bottles. [Applause on the Republican side.]

Mr. CARUTH. I have the gentleman's speech here, and I ask him whether he did not at that time say what I am about to read?

In answer to the statement of my genial friend from Pennsylvania [Mr. BAYNE], whom I love so much and esteem so highly, I am sorry to see that his vision is so impaired by the smoky monopolist atmosphere of Pittsburgh and Allegheny City that he can not distinguish between protection to monopolists and protection to American labor. If the gentleman would only display as much zeal and courage in opposing the monstrous demands of these monopolist constituents of his as he always exhibits in his attitude toward the President of the United States, I would look up to him with admiration as the foremost champion of the labor producing masses of our country.

Mr. GUENTHER. That is a very good speech. [Laughter.] I wish I had time to have the whole speech read. It seems to me I have heard it before, and I certainly stand by it. [Renewed laughter.]

Furthermore, I wish to tell my friend that a few weeks ago a petition came in here for a reduction of the duty on glass bottles to a quarter of a cent per pound, and the company of which I am the president, the Bethesda Mineral Spring Company, signed that petition without my knowledge, but I remonstrated and put myself on record in the press of this country against such a reduction. I do not approve of any lowering of the duty on glass bottles below one-half cent per pound, which I deemed sufficient then and now, although my company uses a great many every year. I am willing to pay in order to let the glass-blowers earn fair wages. [Applause on the Republican side.]

But to return to my Wisconsin friend now. He claims that this is a bill in the interest of the farmer. You leave manufactured articles on the tariff-list; everything in that line the farmer has to buy. But you place almost everything he produces on the free-list. Is this just, equitable, wise? Is this friendly legislation for the farmer?

I find in the latest quarterly report of the Chief of the Bureau of Statistics that for the three months ending December 31, 1887, we imported the following articles:

Imports of merchandise during the three months ending December 31, 1887.

Articles.	Month ending October 31—		Month ending November 30—		Month ending December 31—		Three months ending December 31—		Three months ending December 31—	
	1887.		1887.		1887.		1887.		1886.	
	Quantities.	Values.	Quantities.	Values.	Quantities.	Values.	Quantities.	Values.	Quantities.	Values.
DUTIABLE.										
Breadstuffs:*										
Barley.....bushels..	2,188,993	$1,546,935	3,783,653	$3,005,915	1,384,862	$1,027,110	7,357,508	$5,579,960	6,521,793	$4,084,094
Corn.....do.....	4,243	1,996	3,928	2,266	2,457	1,344	10,628	5,606	15,096	7,559
Oats.....do.....	3,934	1,341	9,990	3,391	9,934	3,350	23,858	8,082	20,095	7,516
Oatmeal.....pounds...	61,706	2,139	109,303	3,857	89,393	3,296	260,402	9,292	364,347	14,626
Rye.....bushels...	10	5	.....	.....	14	6	24	11	1,465	1,458
Wheat.....do.....	60	41	250,807	187,964	215	148	251,082	188,153	102,683	78,620
Wheat flour.....barrels...	11	50	199	960	86	380	296	1,390	110	429
All other breadstuffs, and preparations of, used as food, not elsewhere stated.....	.....	14,795	.....	12,339	.....	10,557	.....	37,691	.....	32,566
Total.....	.....	1,567,302	.....	3,216,692	.....	1,046,191	.....	5,830,185	.....	4,246,339
Dairy products:†										
Butter.....pounds...	25,153	5,092	31,853	5,935	12,886	2,437	69,892	13,464	146,310	23,788
Cheese.....do.....	780,745	109,755	868,324	120,904	648,764	94,566	2,297,833	325,225	2,087,366	283,676
Milk, preserved or condensed.....	.....	10,092	.....	14,503	.....	26,001	.....	50,596	.....	175,939
Total.....	.....	162,109	.....	195,829	.....	216,423	.....	574,361	.....	666,300
Vegetables:‡										
Beans and peas.....bushels...	247,784	222,786	186,377	201,534	152,868	166,751	587,029	591,071	256,888	254,952
Potatoes.....do.....	254,159	93,214	773,151	231,730	987,723	371,979	2,015,033	696,923	541,064	115,356
Pickles and sauces.....	.....	47,112	.....	44,773	.....	33,224	.....	125,109	.....	90,287
All other—										
In their natural state, or in salt or brine.....	.....	53,117	.....	43,350	.....	35,163	.....	131,630	.....	99,856
Prepared or preserved.....	.....	34,820	.....	27,656	.....	19,728	.....	82,204	.....	79,000
Total.....	.....	451,049	.....	549,043	.....	626,845	.....	1,626,937	.....	646,051

* Nearly $6,000,000 breadstuffs imported in three months.
† Nearly $600,000 of dairy products in three months.
‡ $1,626,937 of vegetables in three months. Of hay, $262,472 in the same time.

Instead of lowering the tariff on these articles, or placing, as the Mills bill does, many entirely on the free-list, I would raise the tariff so as to protect the American farmer against foreign competition. I can see no good reason why our farmers should not control our markets. [Applause on the Republican side.] My friend from Michigan [Mr. FORD], in his speech last Friday, asks:

Why should not the great American hen be protected against the pauper hen of Europe?

[Laughter.]

I answer, most assuredly it should; and I now give notice that I will offer an amendment to the tariff bill, or vote for one, placing a duty of 3 or 4 cents per dozen on imported eggs. I do not see why the American farmer should not be able to supply our markets with all the eggs we consume. In the three months, October, November, and December, 1887, we imported 6,594,672 dozen eggs at a value of $1,115,728.

I do not want the Canadians, who pay no taxes here, who assume no duties of American citizenship, to come into our markets and reap the profits which should go to the American farmers. That is the kind of a tariff reformer I am. [Applause on the Republican side.]

I am supposing that you succeed in passing the Mills tariff bill or a similar measure. What will the result be on the farmers, who, as you always claim, derive no protection from the tariff?

I venture the assertion, and I think every unprejudiced thinking person will agree with me, that hundreds of thousands of men, now finding employment in manufacturing establishments, will lose it, because the articles now produced by them will be more profitably imported from abroad. These hundreds of thousands of people, heretofore consumers of flour, beef, potatoes, vegetables, etc., will be forced to till the soil as a last resort. They will become producers of these articles themselves. The demand for the farmer's products will be lessened and the supply increased, and as the price of everything is regulated by supply and demand, it is easily seen that the prices of all these products will go down, and the farmer will soon realize, to his sorrow, that the reduction of the tariff affects him seriously.

My friend from Wisconsin says in his speech that the reason why this tariff bill is proposed is, "What shall be done with the surplus in the Treasury?"

That surplus in the Treasury, willfully retained by a Democratic administration, furnishes the pretext for an assault upon our protective-tariff system, that system to which every political evil, real or imaginary, is charged by the Democratic party, that system which is stigmatized by Democratic orators as the very debauchery of government.

If the Democratic party is so anxious to relieve the surplus, why was it not used by your Democratic administration under the law that has been on the statute-books for seven years—act of March 3, 1881—which is as follows:

That the Secretary of the Treasury may, at any time, apply the surplus money in the Treasury not otherwise appropriated, or so much thereof as may be considered proper, to the purchase or redemption of United States bonds.

Why was it not done? Do you pretend to say that it is not good policy for the Government to use what surplus it may have to pay its debts and stop paying interest? It was not done because that would have deprived you of the pretext for a law to break down the protective tariff.

My friend at last comes to the lumber question, which is a very important one to the people of that section of my State wherein I live.

When I first glanced at the tariff bill reported from the Committee on Ways and Means, and read—

That on and after the 1st day of July, 1888, the following articles mentioned in this section, when imported, shall be exempt from duty:
Timber, hewn and sawed, and timber used for spars and in building wharves.
Timber, squared or sided.
Wood unmanufactured, not specially enumerated or provided for.
Sawed boards, planks, deals, and all other articles of sawed lumber.
Hubs for wheels, posts, last-blocks, wagon-blocks, oar-blocks, gun-blocks, heading-blocks, and all like blocks or sticks, rough, hewn, or sawed only.
Staves of wood.
Pickets and palings.
Laths.
Shingles.
Clapboards, pine or spruce.
Logs—

I felt like the fellow who was under sentence of death and was led to the gallows early Monday morning. Looking around him he said in a melancholy tone of voice, quite suitable to the occasion, "This is a mighty fine beginning of the week." [Laughter.]

My friend uses these words:

And I say boldly and knowingly now here in my place, that Wisconsin as a State nor the people thereof has received the slightest benefit from the tax on foreign lumber.

Mr. Chairman, in my opinion it does require a great deal of effrontery to make such an assertion and keep a sober face. [Laughter.]

I assert just as boldly and knowingly that the people of Wisconsin have derived great benefits from the tax on lumber in particular, and from the whole protective system in general.

The protective policy of the Republican party has built up the great manufacturing centers of the West and Northwest, Chicago, St. Louis, Milwaukee, and many others.

Mills, factories, furnaces sprung up like mushrooms, mines were opened, railroads built. Millions came to the West and Northwest, finding employment in the workshops, or, as farmers, a ready market for their products.

The tariff on lumber prevented the Canadians from competing in Chicago and other markets with Wisconsin and Michigan, and tens of thousands of people found remunerative employment in the woods and saw-mills of these two States. Their development has been wonderful. Had the Canadians been permitted to ship their lumber free to the United States, Canada would have witnessed that splendid prosperity and growth, in a great measure, that we have enjoyed, and not one-half of our people would have found employment in the lumber industries.

I pity the peculiarly constructed intellect that can not comprehend these self-evident facts. [Laughter.]

Why does Green Bay, the home of my colleague, offer a bounty to induce a lumber-manufacturing establishment to locate there? Strike out, as you propose, the duty on all manufactured lumber, and you will not induce anybody to accept your offer at double the bounty. The city of De Pere, in my friend's own county, is trying the same thing. The farmers everywhere appreciate the importance of new manufacturing establishments, because they create a home market and enhance the value of their lands, and raise the prices of their chickens, meats, vegetables, milk, butter, cheese, etc.

The lumber industry in the State of Wisconsin, fostered by the wise policy of the Republican party, has been a blessing to the poor immigrants who settled on farms in Wisconsin, and it is so still in the northern part. It is safe to say that there are thousands in my friend's district who go to the lumbering camps every winter and earn from $20 to $32.50 and their board per month, and that at a time when they would be compelled to be almost idle on their farms.

I object most decidedly to a policy which discriminates against the 20,000 people of my State who are making a living in this industry by withdrawing from them all protection, but leaving it upon most of the articles they consume. Why should they be singled out? Are they less deserving of recognition because the free-traders cry for free lumber?

Logs and round unmanufactured timber are on the free-list now. Is this not sufficient? Why will you place the manufactured articles also on the free-list, like shingles, laths, clapboards, etc.?

According to the census of 1880 there were about 8,500 people employed in the manufacture of lumber in my State. This number does not include the thousands working in the lumber camps, but only those in the mills.

These mills in 1880 numbered 704, with an estimated capital of $19,824,059, paying during 1880 in wages $2,257,218. The value of logs used in the mills amounted to $12,219,097.

It is estimated that at least 70 per cent. of the value of logs is labor, so that in the lumber industry in my State the sum of about eleven millions is annually expended for labor alone.

I do not plead here for the owners of pine lands or for the proprietors of mills. Capital can usually take care of itself. But I do plead most earnestly for the laboring people employed in this business, and for the farmers who sell their oats, their oxen, their horses, their butter, their hay, their eggs, their potatoes, and other produce to these people—for the many farmers and farmers' sons who every winter earn good wages in the lumber camps.

Before 1861, under free trade, farmers received from 10 to 25 cents for oats; now from 35 to 40 cents. For hay, about $6 to $8 per ton; now from $10 to $15. Butter, 10 to 12 cents per pound; now 18 to 25 cents. Extra horses, $100; now the same grade is $200. And so on throughout the whole list of what the farmer has for sale.

My friend says that the wages of the men, and he puts the number no far from thirty thousand, did not vary materially from $1 per day during all this time, whether under free lumber or under protection.

I will tell him, and he can verify it by anybody familiar with the facts, that before the protective policy was inaugurated the highest wages paid were on the average about $15 per month; now the average is $26.

Mr. BUCHANAN. You mean those are the wages exclusive of board and lodging?

Mr. GUENTHER. Yes, sir; they get board and lodging besides.

My colleague says that almost the entire valuable pine lands are owned or controlled by less than forty men or corporations.

Mr. Chairman, in my own city of Oshkosh alone are nearly, if not quite, that number of men who own valuable tracts of pine land.

And then what has that to do with manufactured lumber, as logs are already on the free-list? He says:

Those forty men have all grown rich, but the twenty thousand laborers are still workingmen, just as poor as when they swung the first ax.

Mr. Chairman, I personally know hundreds, and I know there are thousands—ay, tens of thousands—who now have a competency, own their own homes and farms, who formerly worked in the woods.

Most of the men who own pine lands and mills to-day came to Wisconsin twenty, thirty, forty years ago and were wage-workers.

It is no reproach but the highest praise for them that by hard work by steady industry, by frugality, economy, pluck, perseverance, and intelligence they have become wealthy in a legitimate way.

There is no better, no more liberal, no more free and kinder hearted, no more intelligent set of men on God's green earth than the lumbermen of my State, whether rich or poor. [Applause.] They have been the pioneers of Northern Wisconsin, and have done more for the development of her bountiful resources than any other agency.

If my friend is desirous of informing himself about the lumber industry, about the effect of the tariff upon it, and upon the general prosperity of the people of the State of Wisconsin, I advise him to interview our colleague from the Ninth district [Mr. STEPHENSON], or the senior Senator from our State [Mr. SAWYER], (who now does me the honor to listen to me), both of whom commenced their successful, honorable, and unblemished career working by the day in the woods of Northern Wisconsin. [Great applause.] For further information I refer him to the following article from the Northwestern Lumberman of March 24, 1888, which throws a good deal of light upon the question of wages and the prices of lumber:

A majority of the arguments in favor of free trade or against it are neither solid nor convincing.

Something approaching sound sense on the tariff question might be looked for in the columns of a paper of the standing of the New York Evening Post. Such a paper should let alone the tricks of the pot-house politicians and confine itself to facts, or, if facts can not be obtained, then certainly to good, logical arguments; but that paper, in an endeavor to make a point, discards both facts and logic. It recently said:

"The price of lumber has been rising in the United States as the forests have fallen beneath the woodman's ax. Have the wages of loggers and raftsmen risen in proportion? Of course not. Lumbermen's wages have been governed by the supply and demand of labor. The supply is as large as the working population of the country plus the immigration from Europe. The supply of white-pine lumber is restricted to a narrow belt fringing the St. Lawrence and the Great Lakes, and the profits of the owners are secured to them by a tariff of $2 per thousand, which we must not disturb, forsooth, because Canadians are not taxed."

As bearing on what the New York paper calls the advance in the price of lumber, we have gathered the cargo prices of No. 2 common boards and strips, and joists and scantlings in the Chicago market for a term of sixteen years. The price of each for every year was obtained for May, soon after the opening of navigation; for August, when the season was about half over; and for December, immediately preceding the close of navigation. In the table following the range of prices is given. The New York "free lumber" editorial writer is at liberty to understand that Chicago is the leading white-pine market of the Northwest; that it receives about a quarter of the output of the mills of the three white-pine producing States, and that therefore a similar range of prices would apply to other markets in this section.

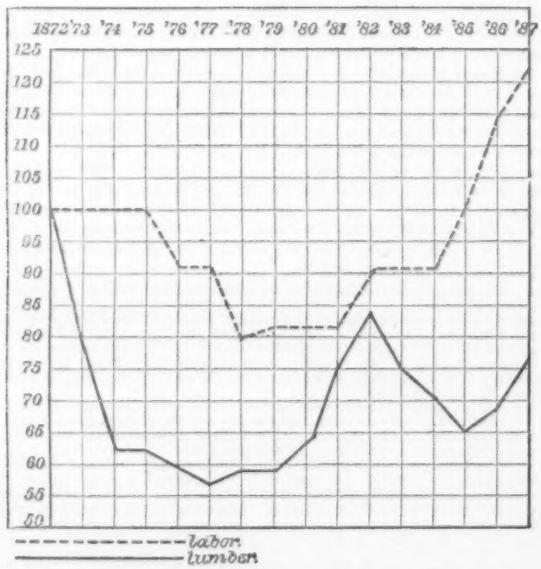
Years.	No. 2 common boards and strips.	Joist and scantling.
1872	$16.00 to $17.00	$11.75 to $13.00
1873	13.00	9.50 to 10.00
1874	10.00 to 10.50	8.25 to 9.25
1875	9.50 to 11.00	8.25 to 8.50
1876	9.00 to 11.00	7.25 to 8.00
1877	9.00 to 9.50	7.00 to 7.37½
1878	9.00 to 10.12½	7.00 to 8.37½
1879	8.00 to 11.00	6.37½ to 9.00
1880	11.00 to 12.00	8.50 to 9.00
1881	11.00 to 14.00	10.25 to 12.00
1882	13.00 to 15.00	10.75 to 13.50
1883	11.50 to 12.75	9.50 to 9.75
1884	10.25 to 12.00	8.63¾ to 9.25
1885	10.00 to 11.25	8.50 to 9.50
1886	11.00 to 11.50	9.25 to 10.00
1887	12.50 to 13.00	10.00 to 10 12½

If the editor who writes such absurd stuff as is quoted from the Evening Post can gain any consolation from the figures herewith printed nobody will begrudge it. If he had been to the pains to have talked five minutes with any New York lumberman of experience he would have learned that lumber has not been "rising." That, however, we fear, would not have answered the purpose. It is reasonable to suppose that but comparatively few of the readers of the Evening Post are lumbermen or acquainted with the history of the lumber market. The great majority of its readers are ignorant on the subject; therefore the false statement is given to them with the expectation that it will be swallowed whole.

"Have the wages of loggers and raftsmen risen in proportion? Of course not." Well, of course they have, and in greater proportion. The figures composing the table below are taken from the books of one of the largest manufacturing companies in Michigan—a company that for nearly ten years has cut from 50,000,000 to 75,000,000 feet of lumber yearly, and may therefore be considered representative:

Years.	Sawyers and teamsters.	Foremen.
1872	$20.00 to $26.00	$45.00 to $50.00
1873	20.00 to 26.00	45.00 to 50.00
1874	20.00 to 26.00	45.00 to 50.00
1875	20.00 to 26.00	45.00 to 50.00
1876	18.00 to 24.00	45.00
1877	18.00 to 24.00	45.00
1878	14.00 to 20.00	35.00 to 40.00
1879	16.00 to 22.00	40.00
1880	16.00 to 22.00	40.00
1881	16.00 to 22.00	40.00 to 45.00
1882	18.00 to 24.00	40.00 to 45.00
1883	18.00 to 24.00	40.00 to 45.00
1884	18.00 to 24.00	40.00 to 45.00
1885	20.00 to 26.00	45.00 to 50.00
1886	22.00 to 30.00	50.00 to 60.00
1887	20.00 to 32.50	52.00 to 65.00

In order to make the matter perfectly plain, the following diagram has been prepared from the above figures, which will show at a glance the relative rate in the decline and advance in the price of lumber and labor for sixteen years.



This diagram will be of interest to others than those discussing the tariff question. With 100 as a starting point for each, it will be seen that for two years, 1872 and 1873, the price of lumber was uninterruptedly downward, having declined during that period 35 per cent., while the price of labor did not change. In 1874 lumber held its own, and then both it and labor became cheaper, lumber reaching the lowest point in 1877 and labor the year following. From this time on the price of labor was onward and upward without a break. From 1879 to 1882 lumber advanced 25 per cent., during the next three years fell back 18 per cent., and in 1885 started up again, in which direction, in common with labor, it is still pointing. The price of labor during the sixteen years dropped but 21 per cent. below the point at which it started in 1872, and the price of lumber dropped about 43 per cent. Wages in the woods are now 23 per cent. higher than they were in 1872, while the price of lumber has never reached that of 1872 within 16 per cent.

There are many other industries in Wisconsin that would be seriously crippled should the bill which my friend so unreservedly advocates become law.

The State of Wisconsin is now the third State in the manufacture of paper. Were it not for this tariff agitation we would now have one or more large mills in progress of construction.

The manufacture of wood pulp has been a great boon for our farmers. Spruce, poplar, and small-pine lands, heretofore almost, if not wholly, worthless, have become valuable.

A great and prosperous future is before us in the manufacture of wood pulp, provided you retain that small tariff of 10 per cent. which this bill strikes out. The member from the Sixth district [Mr. CLARK], whose constituent I have the honor to be, pays $25,000 per month in wages alone in his paper-mills. He is another example of the possibilities of the wage-workers in our glorious country, where every man by industry and intelligence has a chance to climb to the top of the ladder. [Applause.]

Mr. Chairman, my colleague refers to the coming election in language eloquent and poetical. He speaks of "the policy that shall rule the land and guide and guard its citizens for weal or woe." Mr. Chairman, I say amen. [Applause.]

I have no fear of the result.

I am glad that the issue is squarely made. I will contentedly leave it to the jury of American voters to bring in a verdict in the case of "Protection *vs.* Free Trade or its synonyms." [Applause.]

I am going to stand, as I always did, by the party whose beneficent policy of protection has dignified and exalted free American labor; a policy that has kindled the fires of thousands of furnaces, mills, and factories; a policy that has opened the mines and brought to light the treasures hidden in the earth; a policy that has converted the wilds of the primeval forest into laughing fields; a policy that has changed the importer into a manufacturer; a policy that has made us independent in war and peace; a policy that has raised the wages of labor above those of any other country; a policy that has made us the most prosperous, the most envied of all the nations on earth. I am going to follow the party upon whose starry banner the golden words "Protection to American Industries" shine resplendent like the midday sun. [Applause.]

I welcome the issue forced upon us by a Democratic President. The party in favor of a protective policy will address itself to the practical sense, the high intelligence, the sound judgment of the American people. We will point out to them the glorious industrial achievements, the wonderful progress in every field of American enterprise and labor within the last twenty-seven years. We will show them the still greater possibilities yet in store for them under a continuance of that policy.

And while you will appeal to them with all the outbursts of your burning eloquence, wasted in a mistaken cause; while you will address yourselves, my free-trade friends, to their prejudices and to impractical theories, I feel confident that the patriotism of the American people, the people of the Northern States at least, that has always asserted itself in the gloomy days of threatened danger, will dictate a just verdict. That verdict will consign you to your proper place—among the stragglers—in our grand national procession of American industries. [Long-continued applause.]

[Mr. WHEELER withholds his remarks for revision. See APPENDIX.]

Mr. KERR. I move that the time of the gentleman from Alabama [Mr. WHEELER] be extended.

The CHAIRMAN. The hour fixed by order of the House for the recess has arrived.

Mr. BRECKINRIDGE, of Kentucky. In view of that fact, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the tariff bill, had come to no resolution thereon.

The SPEAKER *pro tempore*. The hour of 5 o'clock having arrived, the House, in accordance with its standing order in reference to Friday evening, takes a recess until 8 o'clock.

EVENING SESSION.

The recess having expired, the House at 8 o'clock p. m. was called to order by Mr. MCMILLIN, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES.
Washington, D. C., May 4, 1888.

I hereby designate Hon. BENTON MCMILLIN to preside as Speaker *pro tempore* at the session of the House this evening.

JNO. G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk House of Representatives.

Mr. MATSON. I move that the House resolve itself into Committee of the Whole House for the consideration of bills under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. DOCKERY in the chair.

The CHAIRMAN. The Clerk will read the title of the first bill.

The Clerk read as follows:

A bill (H. R. 5961) to increase the pension now paid to Mrs. D. P. Woodbury.

Mr. MATSON. Mr. Chairman, at the beginning of ths session the committee, so far as we control the matter, agreed that bills on the Calendar should be considered in the order in which they stood, but by some means that agreement has been more honored in the breach than in the observance. Members who have been present urin g these evening sessions have asked that bills shall be considered as they called them up. It is hard to resist the argument that those who come here shall be served first.

I now propose that bills on the Calendar shall be called in the order in which they appear on it, and unless some one is present to ask for the consideration of the bill it shall be passed over informally, not to lose its place on the Calendar.

Mr. McRAE. I object to that proposition, although I do not object to the bills being considered in their order if finally disposed of. Bills that are passed over to-night will, under the proposition made, come up the next night to be considered, and I do not get any nearer to my bill. I have only one bill, and that is for a worthy, brave, poor old soldier of the Indian war. He can not live long, is in needy circumstances, and I want his bill reached as soon as possible.

Mr. MATSON. I suggest for the benefit of the gentleman from Arkansas—a matter I have already suggested to him—that by unanimous consent we proceed with the Calendar to-night where we left off last Friday evening.

Mr. McRAE. That does not meet the case. Bills passed over to-night will still remain upon the Calendar and come up to be considered next Friday evening.

The CHAIRMAN. The Chair will state the request of the gentleman from Indiana; it is this: That bills on the Calendar be proceeded with, beginning where it was left off on last Friday night, and that bills be taken up in their regular order; and unless some members present ask for the consideration of the bill when called it shall be passed over informally, not to lose its place on the Calendar.

Mr. McRAE. I object. I have no objection to disposing of bills when they are called up so we may get rid of them as early as possible, but I do not want every Friday night to have the bills which are laid aside taken up and gone all over again.

Mr. WILLIAMS. I have been here night after night. Last Friday evening just as my bill was reached a gentleman was permitted by unanimous consent to take up a bill and I was prevented from getting my bill before the House. It is a meritorious bill (H. R. 6552) to increase the pension of James R. Porter, late colonel of the One hundred and thirty-fifth Regiment Pennsylvania Volunteer Infantry. That bill has now just been reached.

The CHAIRMAN. Unless some arrangement be reached the Calendar will be called in its regular order.

Mr. WADE. Let the agreement be that we shall proceed in order until half-past 9 o'clock, and that then the members present shall be permitted to call up bills.

Several members objected.

The CHAIRMAN. The bill (H. R. 5961) to increase the pension now paid to Mrs. D. P. Woodbury is before the committee, and will be read.

Mr. CHEADLE. I object to the consideration of that bill.

The CHAIRMAN. It can not be objected to.

Mr. CHEADLE. I announce my purpose to demand a constitutional quorum if these bills are attempted to be forced through.

Mr. McMILLIN. The gentleman gives notice that he will raise the point of no quorum on bills of that class.

Mr. CHEADLE. I have stated my position more than once on this question, and it is not necessary to repeat it. Where a bill is called up granting a pension in the case of a soldier or the widow of a soldier I shall not raise the point of no quorum, because the rate of pension in such cases is fixed by law and we know exactly what it is. Nor shall I object to the case of pension of a widow of an officer where the rate is fixed in accordance with existing law. But where bills are called up proposing to fix a rate beyond the law I shall demand the presence of a quorum.

Mr. BRYCE. Why so?

The CHAIRMAN. If there be no objection, the bill will be passed over informally, not to lose its place on the Calendar.

Mr. BRYCE. May I ask why?

The CHAIRMAN. For the reason the gentleman proposes to demand a quorum.

A MEMBER. And there is no quorum present.

Mr. BRYCE. I should like to know why this bill when called up should not be considered? Why should it be passed over?

The CHAIRMAN. The gentleman says he proposes to demand the presence of a quorum, and no quorum is present.

Mr. BRYCE. I did not hear that.

The CHAIRMAN. Is there objection to the request of the gentleman that the bill be laid aside informally, not to lose its place on the Calendar?

Mr. BRYCE objected, but afterward withdrew his objection.

There was no objection, and the bill was passed over informally, not to lose its place on the Calendar.

EDWARD DURANT.

The next business on the Private Calendar was the bill (S. 765) granting an increase of pension to Edward Durant, reported adversely from the Committee on Invalid Pensions.

Mr. PETERS. Mr. Chairman, this is an adverse report, and I suggest that it be laid aside and reported to the House with the recommendation that it be indefinitely postponed. I submit that motion.

The motion was agreed to.

HANNAH H. GRANT.

The next business on the Private Calendar was the bill (H. R. 7466) granting a pension to Hannah H. Grant.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Hannah H. Grant, mother of John Jordan, late of Company D, Second Regiment United States Sharpshooters.

The report (by Mr. GALLINGER) was read, as follows:

The fact that soldier contributed to the support of his mother before enlistment and during the war is undisputed. A special examination was made of the case and a favorable report submitted, but the Department was not fully satisfied as to dependence, and rejected the claim after a long period from the time it was filed. The Commissioner of Pensions, however, regarded the case as sufficiently meritorious to warrant the following communication:

"DEPARTMENT OF THE INTERIOR, PENSION OFFICE,
"*Washington, D. C., January 12, 1888.*

"SIR: I have the honor to submit herewith the papers in the pension claim above indicated, for transmittal through your office to the chairman of the Committee on Invalid Pensions, House of Representatives, that the attention of Congress may be invited to the facts in the case for such action in the premises, under the provisions of joint resolution approved May 29, 1830, as that honorable body may deem just and proper.

"This claim for dependent pension has been rejected by this bureau upon the ground that there did not exist at soldier's death that dependence contemplated by law for the allowance of pension to a dependent relative.

"It is proved in the claim that although the mother was not in a dependent condition at the date of the death of the son, yet such a condition did arise within a few years thereafter.

"The claimant lost two sons, killed in service, is now seventy-five years of age, and has been for many years quite destitute and an object of charity.

"The attention of Congress is also invited to this claim as illustrating the proposition in my annual report for 1887, that the law should be amended to grant pension to dependent parents whether the condition of dependence existed at the death of soldier or arose thereafter.

"Very respectfully,
"JOHN C. BLACK, *Commissioner.*

"The SECRETARY OF THE INTERIOR."

As the facts that claimant lost two sons in battle and is now in a condition of utter dependence are fully established, your committee report the bill back favorably with a recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ALPHEUS DYER.

The next business on the Private Calendar was the bill (H. R. 4891) granting a pension to Alpheus Dyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Alpheus Dyer, of Belfast, Me., late a private in the One hundredth Regiment of Illinois Volunteers.

The report (by Mr. GALLINGER) was read, as follows:

Alpheus Dyer was a private in the One hundredth Regiment of Illinois Volunteers, and became so completely broken down in the military service that he was discharged, the army surgeon certifying that he was suffering from *phthisis pulmonalis* (consumption). Evidently this was a mistake in diagnosis, as this so-called consumptive has continued to live for about a quarter of a century; but the fact that he was a complete physical wreck at the time of his discharge is fully established by numerous reliable witnesses, and he has continued so up to the present time. He applied for pension, alleging an injury to knee and spinal irritation incurred while in the service.

Four special examinations were had in this case, and for a long time the claimant had the best of it, every witness swearing to soundness of soldier at time of enlistment, and several testifying that they had personal knowledge of soldier's injury. Eventually, however, one witness was found who declined to give a sworn statement, but who said that the injury to claimant's knee resulted from a street quarrel a short time before soldier was mustered into service. It is significant that this witness declined to give a statement under oath, and the conclusion is irresistible that if he was not the party with whom soldier quarreled, if a quarrel actually took place, he was certainly a prejudiced witness. Upon the testimony of this one man the decision seemed to turn against the soldier and the case was rejected.

It is an indisputable fact that when soldier returned from the Army he was utterly broken in health. On this point the testimony is overwhelming, and among the witnesses is found the name of Hon. SETH L. MILLIKEN, of Maine, a member of this House. Putting aside all technicalities, it is impossible to otherwise conclude than that soldier received his injury in the service and in the line of duty.

Your committee report the bill favorably and recommend its passage.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

EPHRAIM REYNOLDS.

The next business on the Private Calendar was the bill (H. R. 809) granting a pension to Ephraim Reynolds.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ephraim Reynolds, of Monroe, Me., late a private in Company F, Twenty-sixth Regiment of Maine Volunteers.

The report (by Mr. GALLINGER) was read, as follows:

The sole question in this case is as to whether soldier was in line of duty when injured. The Pension Department was in so much doubt that the papers have been sent to Congress under the provisions of the joint resolution of May 29, 1830, which is as follows:

"That the heads of Departments who may severally be charged with the administration of the pension laws of the United States be, and they hereby are, respectively directed and required, as soon as may be after the opening of each session of Congress, to present to the Senate and House of Representatives a several list of such persons, whether revolutionary, invalid, or otherwise, as shall have made application for pension or an increase of pension, and as in

their opinion respectively ought to be placed on the pension-roll, or otherwise provided for, and for doing which they have no power or authority, with the names and residences of such persons, the capacity in which they served, the degree of relief proposed, and a brief statement of the grounds thereof, to the end that Congress may consider the same."

The statement from the Pension Office shows that this is a claim for pension on account of double inguinal hernia, alleged to have been received at Arlington Heights, Va., in November, 1862. It was rejected because the Pension Department was not satisfied that the injury was received in strict line of duty, but the fact that the Department sends it to Congress shows that there is a reasonable doubt on that point.

The Department found some slight conflicting testimony in the case, but the weight of evidence is so strongly in favor of the claimant that it is a matter of surprise that the claim was not adjudicated in his favor. The incurrence of the injury, caused by a log rolling on soldier, is fully proved, the facts being that while employed at Arlington Heights, assisting in building fortifications, he voluntarily assisted certain negroes in loading logs, and while doing so received the injury. His own positive statement is supported by his captain and other witnesses; his captain saying that he can recall that claimant was injured while on work at the fortifications at Arlington, but witness was not present, and can not remember the particulars. He further says, "I am of opinion that soldier was acting under my orders when he received the injury."

Certain comrades who were with him swear positively to the injury, one of them making an entry in his diary at the time as to the accident, and they also swear that he was on detail at the time. A special examination was had of this case, the witnesses are certified to as men of high character, and the special examiner reported in favor of the claim. As before remarked, this claim seems to have been rejected upon the most trifling discrepancies of statement. It seems conclusive (1) that soldier was in the service, (2) that he received an injury, and (3) that he was working for the Government at the time the injury was received. Under these circumstances it seems hardly dignified to split hairs in determining the question as to whether or not he was actually detailed to perform the particular work that he was doing for the Government when the accident happened.

The special examiner uses this language:

"I believe that in any event he was in the line of duty, whether the men he assisted were soldiers or teamsters, or whether claimant was on detail or happened by there. They were doing work for the Government, and he was justified in taking hold and assisting them as much as if he had been one of them. He was not foraging or exercising, or doing any act for pleasure or selfish ends, but acting in the interests and for the benefit of the Government.

"This claimant," the special examiner continues, "is a very poor, ignorant man, but said to be truthful. He couldn't invent a consistent lie if he tried to. He has been at the Soldiers' Home at Togus, and assisted by the town. I recommend admission in this case; I believe it too strong a case to be rejected, the probabilities being entirely in favor of its being a just claim."

This case illustrates the necessity for a legal tribunal of some kind to which such claims could be sent, and where arrears would be granted if claimant was successful. Your committee report the bill back favorably, with a recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. MCCREARY. I ask unanimous consent that each member present be permitted to call up a bill.

Mr. WILLIAMS. I object. [Cries of "Oh, no!"]

I would amend that by moving that bills be called up in their regular order on the Calendar, and unless some member asks the consideration of a bill that it be passed over.

The CHAIRMAN. That has been already objected to.

Mr. WARNER. I suggest, in order to remove any difficulty, that the gentleman from Ohio be permitted to call up the first bill.

Mr. SAWYER. I object.

The CHAIRMAN. The Chair will again submit the request of the gentleman from Kentucky. Is there objection?

Mr. WILLIAMS. I withdraw the objection.

MRS. THERESE GUELICH.

Mr. CONGER. I ask unanimous consent to call up the bill (H. R. 152) granting a pension to Mrs. Therese Guelich.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and is hereby, instructed and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Therese Guelich, a volunteer nurse in the late war, and pay her a pension of $12 per month from and after the passage of this act.

The report (by Mr. SPOONER) was read, as follows:

At the breaking out of the war in 1861 Mrs. Therese Guelich was a teacher of music and languages in Chicago. She immediately volunteered as an army nurse, being commissioned by Miss D. L. Dix. She served faithfully and efficiently in Missouri, Kentucky, and Tennessee, without pay, until the spring of 1862, when she was compelled by reason of severe sickness and resulting disability to relinquish her praiseworthy work and return to her home. Her disease was bronchitis, which became chronic, and from which she is still suffering. She is now sixty-five years of age, disqualified by age and disability from earning her livelihood, without means of support or relatives or friends from whom she can seek means for her maintenance.

These facts are established by testimony on file with your committee, which it is deemed unnecessary to recite in detail in this report, and present a case fully justifying the action proposed by said bill.

Your committee therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Several members addressed the Chair.

Mr. SAWYER. Regular order.

The CHAIRMAN. The Chair will state that members will be notified in advance by a page when they are to be recognized; there is, therefore, no necessity for a number of members rising at the same time and addressing the Chair for recognition.

Mr. CARUTH. I wish the Chair would send that page in this direction now. [Laughter.]

Mr. SAWYER. I would like to ask if a list of names for recognition has been prepared?

The CHAIRMAN. Not at this time.

Mr. SAWYER. Is it necessary for a man to get on the list before he can be recognized?

The CHAIRMAN. The Chair is of opinion that every member present can be reached to-night.

The Chair will request all members who desire to call up bills to secure the bills they propose to call up and send them to the desk when they are recognized, which will save considerable time.

CARTER W. TILLER.

Mr. CARUTH. I ask unanimous consent to take up for present consideration the bill (H. R. 3681) granting a pension to Carter W. Tiller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Carter W. Tiller, dependent father of G. W. Tiller, late a private in Company A, Twenty-eighth Kentucky Volunteer Infantry, on the pension-roll, subject to the provisions and limitations of the pension laws.

The Clerk proceeded to read the report.

Mr. CARUTH. Mr. Chairman, I ask unanimous consent that the further reading of the report be dispensed with, and that it be printed in the RECORD. It is quite lengthy.

The CHAIRMAN. The Chair is advised that the report is lengthy. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The report (by Mr. HUNTER) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3681) granting a pension to Carter W. Tiller, have carefully considered the same, and respectfully report:

A similar bill passed the Forty-ninth Congress, but was vetoed. Since then proof has accumulated which in the opinion of your committee removes the objections urged by the President.

Your committee do not doubt that Carter W. Tiller was greatly dependent upon his son, George W. Tiller, who was a Union soldier, contracted disease whilst in the service of his country, and died whilst a prisoner of war. Your committee report the bill favorably and recommend its passage.

For the information of the House your committee append hereto the report of the Committee on Invalid Pensions of the Forty-ninth Congress on the veto message of the President:

"[House Report No. 3200, Forty-ninth Congress, first session.]

"The Committee on Invalid Pensions, to whom was referred the veto message of the President of the United States on the bill (H. R. 4002) granting a pension to Carter W. Tiller, having considered the same, submit the following report, accompanied by said bill, and House report thereon (No. 682), and said message:

"There are but two points of objection to the bill raised by the veto message of the President, namely: (1) That of capture and subsequent death of soldier being due to and resulting from his military service in line of duty, and (2) that of dependence of the claimant, Carter W. Tiller, on the soldier for support.

"The first objection is based on the charge of desertion in the military history of the soldier; the second objection is based on the ability of claimant to provide a competent support, and contributions of soldier to support of his father prior to enlistment or during his military service.

"On the first ground of objection the committee find the following state of facts:

"On the muster-rolls of Company A, Twenty-eighth Regiment Kentucky Volunteers, for the months of September and October, 1863, dated October 31, 1863, and signed by William E. Benson as captain of said company, the following entry, namely, 'Deserted September 20, 1863.'

"The report of Adjutant-General shows company and regiment stationed at Stevenson, Ala., during September, October, and November, 1863.

"Report of Adjutant-General, United States Army, copy of which is hereto attached, shows that soldier died at Andersonville, Ga., while a prisoner of war, on 21st of July, 1864.

"Affidavits of William E. Benson, late captain of Company A, Twenty-eighth Regiment Kentucky Volunteers; J. A. Weatherford, late second lieutenant of same company and regiment; John Martin, late captain Company D, Twenty-eighth Regiment Kentucky Volunteers, and B. H. Bottger, late civil employé of same regiment, copies of which are hereto attached, show the fact and circumstances of capture of soldier.

"Whilst the date of the capture is not given the detail and fact are clearly set forth in such a manner as to leave in the mind of the committee no shadow of doubt that the soldier was captured while in line of duty on the 20th day of September, 1863, or soon thereafter, and that he was held as a prisoner of war until July 21, 1864, when he was committed to the hospital at Andersonville, Ga., where he died, as shown by the records of the prison hospital.

"The charge of desertion was doubtless entered on the muster-roll of the company because the captain at the time of making the roll had no official information as to the capture of the said soldier. He subsequently testifies that he had 'not a personal knowledge of the capture, but was so informed at the time by reliable persons, and has no doubt of the capture and death of said soldier;' and 'that said Tiller was sent out on some duty, when he was captured, but he does not now know what duty.'

"The Commissioner of Pensions seems to have arrived at this conclusion, as the application of the claimant for pension was rejected solely on the ground that claimant was not dependent on the soldier for support. The decision is here given, and is as follows:

"'Rejected on the ground that claimant was not dependent upon the soldier, as he has supported himself by the income from his occupation since prior to the soldier's death.'

"On the question of dependence of claimant upon soldier, attention is called to affidavits of Capt. William E. Benson, Lieut. J. A. Weatherford, Capt. John Martin, affidavits of claimant, Dr. J. C. Metcalfe, the official certificate of J. A. Krack, city assessor of Louisville, Ky., and the written statement of Hon. A. S. Willis, a member of the Forty-ninth Congress from Kentucky, copies of which are hereto attached.

"Your committee also submit herewith letters from Acting Adjutant-General United States Army, dated June 28, 1886, and July 1, 1886, respectively. Latter is addressed to Hon. W. P. TAULBEE, a member of the committee.

"Your committee recommend the passage of the bill, the President's veto to the contrary notwithstanding."

"[House Ex. Doc. No. 288, Forty-ninth Congress, first session.]

"Message from the President of the United States, returning, without his approval, House bill No. 4002, entitled 'An act to grant a pension to Carter W. Tiller.'

"*To the House of Representatives:*

"I return without my approval House bill No. 4002, entitled 'An act granting a pension to Carter W. Tiller.'

"The records of the War Department show that George W. Tiller, the son of the claimant, enlisted in a Kentucky regiment on the 8th day of October, 1861, and that he deserted on the 20th day of September, 1863; that he was captured by the Confederates afterwards, but the time and circumstances are not given. On the 21st day of July, 1864, he was admitted to the Andersonville hospital, and died the same day of scorbutus.

"The father filed his claim for a pension in 1887, alleging his dependence upon the deceased soldier. It is probably true that the son while in the Army sent money to the claimant, though he appears to have been employed as a policeman in the city of Louisville ever since his son's death, at a fair salary.

"The claim thus made was rejected by the Pension Bureau on the ground that the claimant was not dependent upon his son.

"I am entirely satisfied of the correctness of this determination, and if the records presented to me are reliable, I think the fact which appears therefrom, that the death of the soldier occurred ten months after desertion, and had no apparent relation to any service in the Union Army, is conclusive against the claim now made.

"GROVER CLEVELAND.

"EXECUTIVE MANSION, *June* 19, 1886."

"[House Report No. 682, Forty-ninth Congress, first session.]

"The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4002) granting a pension to Carter W. Tiller, having carefully considered the same, submit the following report:

"George W. Tiller enlisted as a private in Company A, Twenty-eighth Kentucky Volunteer Infantry, October 8, 1861; was captured while in line of duty near Bridgeport, Ala.; was confined at Andersonville, Ga., where he died July 21, 1864. He was sound at enlistment and capture, and is shown by records of War Department to have died of diarrhea. He never was married. His mother died in February, 1864. The claimant and beneficiary of this bill is his father, who filed claim for pension as dependent father December 31, 1877, which was rejected August 19, 1879, 'on the ground that claimant was not dependent on the soldier, as he has supported himself by the income from his occupation since prior to the soldier's death.'

"Claimant is shown by the record to have been a very poor man ever since prior to the enlistment of his son, and never at any time since his son's enlistment to have owned more than $250 in property or other things; that he was dependent on his son for support at enlistment, and that his said son did contribute to his father's support prior to enlistment and during his service in the Army. The father is also shown to have been a cripple and unable to perform manual labor since 1864, and is now more than sixty-five years old and in very destitute circumstances, and would doubtless have been driven to seeking aid from charity but for the fact that on account of his high character as a man and the esteem in which he was held by the city authorities of Louisville, Ky., he was given a position on the police force of that city, by which he has been able to make for himself a bare support. He is now old and badly afflicted, and your committee think it is the duty of Congress to place his name on the pension-roll.

"Your committee therefore recommend the passage of the bill."

"[H. R. 4002, in the House of Representatives, January 18, 1886.]

"A bill granting a pension to Carter W. Tiller.

"*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Carter W. Tiller, dependent father of G. W. Tiller, late a private in Company A, Twenty-eighth Kentucky Volunteer Infantry, on the pension-roll, subject to the provisions and limitations of the pension laws."

"ADJUTANT-GENERAL'S OFFICE,
"*Washington, D. C., January* 31, 1878.

"SIR: I have the honor to acknowledge the receipt from your office of application for pension No. 234784, and to return it herewith, with such information as is furnished by the files of this office. It appears from the rolls on file in this office that George W. Tiller was enrolled on the 8th day of October, 1861, at Louisville, Ky., in Company A, Twenty-eighth Regiment of Kentucky Volunteers, to serve three years, or during the war, and mustered into service as a private on the 10th day of October, 1861, at Louisville, Ky., in Company A, Twenty-eighth Regiment Kentucky Volunteers, to serve three years or during the war. On the muster-roll of Company A of that regiment, to August 31, 1863. He is reported present September and October, 1863. Private deserted September 20, 1863. Name not borne on subsequent rolls to April 30, 1865; May and June, 1865. Dropped as a deserter on muster and pay-rolls of October, 1863. Received official notice of his dying in prison at Andersonville, Ga., July 21, 1864. Muster-out roll of company makes similar report.

"Prisoner of war records show George W. Tillar, or Tiller, said company and regiment, admitted to hospital at Andersonville, Ga., July 21, 1864, and died same day of 'diarrhea;' capture not given. This report is accepted as referring to George W. Tillar, Company A, Twenty-eighth Kentucky Volunteers.

"I am, sir, very respectfully, your obedient servant,

"S. W. BENJAMIN,
"*Assistant Adjutant-General.*

"The COMMISSIONER OF PENSIONS,
"*Washington, D. C.*"

"ADJUTANT-GENERAL'S OFFICE,
"*Washington, D. C., March* 23, 1878.

"SIR: I have the honor to acknowledge the receipt from your office of application for pension No. 234784, and to return it herewith, with such information as is furnished by the files of this office.

"It appears from the rolls on file in this office that George W. Tiller was private in Company A, Twenty-eighth Regiment of Kentucky Volunteers. On the muster-roll of Company A of that regiment for the months of September and October 1863, he is reported, 'Private. Deserted September 20, 1863.' Regimental return for September, 1863, same report at Stevenson, Ala. (the station of the company).

"No evidence of company or regiment being in action on or about September 20, 1863, nor of command in which regiment served during that month. 'This man was captured near Bridgeport, Ala., date and circumstances under which captured not stated; was admitted to rebel hospital at Andersonville, Ga., July 21, 1864, and died same day of scorbutus.'

"I am, sir, very respectfully, your obedient servant,

"S. W. BENJAMIN,
"*Assistant Adjutant-General.*

"The COMMISSIONER OF PENSIONS,
"*Washington, D. C.*"

"STATE OF KENTUCKY, *County of Jefferson, ss:*

"William E. Benson, a resident of the county and State aforesaid, being duly sworn according to law, upon his oath declares that he is the identical W. E. Benson who was a captain of Company A, Twenty-eighth Regiment Kentucky Infantry Volunteers, and that George W. Tiller was a private of the aforesaid organization, and that on or about the 1st day of December, 1863, the said George W. Tiller, while in the line and discharge of duty, was captured by Wheeler's rebel cavalry, at Whiteside Station, Tennessee, and died in prison at Andersonville, Ga. Affiant has not a personal knowledge of the capture, but was so informed at the time by reliable persons, and has no doubt of the fact of the capture and death of said soldier. There is no commissioned officer who can testify from personal knowledge of the capture of said George W. Tiller, as no commissioned officer was with him at the time.

"Affiant was sent with his company to guard a wagon-train from Stevenson, Ala., to Point Rock, near Huntsville, Ala., and it was during his absence that George W. Tiller was captured. Said Tiller was left in camp and did not accompany him to Point Rock. He was legally excused from going, but he can not now remember the cause of his remaining behind. Affiant has a knowledge that George W. Tiller sent money to his father twice by Lieut. John A. Weatherford, of said Company A, Twenty-eighth Regiment Kentucky Volunteers, and he was a dutiful son to his father and a good soldier. Affiant learned when he came back from Point Rock that said Tiller was sent out on some duty when he was captured, but he does not now know what duty.

"Affiant has no interest in the matter.

"WILLIAM E. BENSON.

"Subscribed and sworn to before me this 26th day of June, 1879, and I certify that the party whose name appears signed to the foregoing affidavit is the person he represents himself to be, and a good and credible witness, and that the contents of the foregoing affidavit were duly read and fully made known to affiant before making oath to the same, and that I have no interest in this matter.

"WM. E. LORAN,
"*Clerk of Jefferson County Court.*"

"STATE OF KENTUCKY, *County of Jefferson, ss:*

"On this 27th day of December, 1877, before me, Ch. M. Thurston, clerk of the county court within and for the county and State aforesaid, personally came and appeared John A. Weatherford, aged forty-eight years, a resident of the city of Louisville, in the State of Kentucky, who, being by me duly sworn according to law, on oath declares that he was formerly second lieutenant of Company A, Twenty-eighth Regiment Kentucky Volunteer Infantry, that he was well and intimately acquainted with Carter W. Tiller, father of George W. Tiller, deceased, late private Company A, Twenty-eighth Regiment Kentucky Volunteer Infantry. Said George W. Tiller was captured near Stevenson, Ala., and died while a prisoner of war at Andersonville prison, Georgia, on or about July 21, 1864. That said George W. Tiller was in the habit of sending most of his pay home to his father, Carter W. Tiller, while he was in service. He sent twice by this affiant, $50 each time, and probably oftener, but he sent home to his father by this affiant as much as $100. Said George W. Tiller was a very dutiful son, and did all he could toward the support of his father, Carter W. Tiller.

"The mother of said George W. Tiller, deceased, namely, Mrs. Sophronia Tiller, is dead. She died in February, 1864, in Louisville, Ky., and this affiant was one of the pall-bearers at her funeral; that said Carter W. Tiller is a very poor man; did not own any real estate or other property on which he could derive an income at the date of his son's death, or at any time since up to the present time. Said Carter W. Tiller is now about sixty years old. This affiant has no interest in the claim of said Carter W. Tiller for a pension.

"J. A. WEATHERFORD,
"*Late Second Lieutenant Company A,*
"*Twenty-eighth Regiment Volunteers.*

"Sworn to and subscribed before me this 27th day of December, in the year 1877, and I hereby certify that the affiant is a respectable and credible person, and resides as stated; that I have no interest in this matter.

"I further certify that the foregoing affidavit was read over, fully explained to, and understood by the affiant before the signing and execution thereof, and also that the affiant is the identical party represented as making the affidavit.

"CH. M. THURSTON,
"*Clerk Jefferson County Court.*"

"CITY OF LOUISVILLE, ASSESSOR'S OFFICE,
"*Louisville, Ky., December* 27, 1877.

"This is to certify that Mr. C. W. Tiller is listed on the books of this office for the following property for the various years, to wit:

1863. Improvement S. Wal., Flo., and Prest. (value)	$200
1864. Improvement S. Wal., Flo., and Prest. (value)	150
1865. Improvement S. Wal., Flo., and Prest. (value)	200
1866. Improvement S. Wal., Flo., and Prest. (value)	250
1867. Improvement S. Wal., Flo., and Prest. (value)	250

"For the years 1868 to 1877, inclusive, I find no assessment against the said C. W. Tiller.

"J. A. KRACK, *City Assessor.*"

"STATE OF KENTUCKY, *County of Jefferson, ss:*

"On this 14th day of March, 1878, before me, Ch. H. Thurston, a county court clerk within and for the county and State aforesaid, personally came and appeared B. H. Bottger, aged thirty-five years, a resident of the city of Louisville and State of Kentucky, who, being by me duly sworn according to law, on oath declares that he was with the post baker at Stevenson, Ala., with wagon-train and sutler's wagon; he was in company with George W. Tiller (now deceased), private Company A, Twenty-eighth Regiment Kentucky Volunteer Infantry, and when they arrived at Whiteside's Station, Tennessee, on the Chattanooga Railroad, they were both captured by Wheeler's rebel cavalry; ten barrels of flour were left at Whiteside's Station, and he (affiant) and said George W. Tiller were left at Whiteside's Station, Tennessee, to guard said flour until the wagons came back to take it (said flour).

"The wagons were overloaded and the flour was left, for the reason that the wagons had to lighten up. Wheeler's cavalry captured both this affiant and George W. Tiller; affiant and Tiller were taken first to General Longstreet's headquarters, and from there, via Atlanta, Ga., on to Richmond; said George W. Tiller was taken to Libby prison, Richmond, Va., and this affiant to Castle Thunder, Richmond, Va.; affiant has no interest in the claim of Carter W. Tiller, father of said George W. Tiller, deceased, for pension.

"B. H. BOTTGER.

"Sworn to, etc., and certificate of credibility of witness by

"CH. M. THURSTON,
"*Clerk of Jefferson County Court.*"

"STATE OF KENTUCKY, *County of Jefferson, ss:*

"On this 28th day of June, 1879, before me, William E. Loran, clerk county court, within and for the county and State aforesaid, personally came and ap-

peared Dr. J. C. Metcalf, aged fifty-four years, a resident of the city of Louisville, in the State of Kentucky, who, being by me duly sworn according to law, on oath declares that his post-office address is southeast corner Preston and Market, Louisville, Ky., county of Jefferson, and he has no interest in this claim; that he was the family physician of Carter W. Tiller, father of George W. Tiller, deceased, late private Company A, Twenty-eighth Regiment Kentucky Volunteers, for twenty years, commencing about the year 1851 and ending about 1871; that said Carter W. Tiller was shot through the left arm near the shoulder, and said shot passed entirely through his body; said shot was received by him in 1864, or fifteen years ago; said wound has always (since he received it) been a source of great disability to him, said Tiller; he is also generally debilitated; he has been disqualified from doing manual labor by reason of said wound from 1864 to the present time; said Carter W. Tiller was a plasterer by occupation, and he has been a member of the police force of the city of Louisville, Ky., for the past twenty years; his average wages or earnings have been, from 1863 to the present time, as much as $60 per month.

"The present wages of a policeman in this city is $1.75 per day. Affiant knows that Sophronia Tiller, mother of the deceased soldier, is dead; she died in Louisville, Ky., as much as fifteen years ago, but this affiant can not fix the exact date, although he was the family physician at the time she died. Affiant knows that George W. Tiller, the deceased soldier, was never married. He knew George W. Tiller from his infancy, and knew he was the child of Carter W. Tiller and Sophronia Tiller; that said Carter W. Tiller has had no means of support other than pay for services as a policeman from 1863 to the present time. He has no property or anything from which he can derive an income. He lives in a rented house, for which he pays a rent of $10 per month.

"J. C. METCALFE, M. D.

"Sworn to and subscribed before me this 28th day of June, 1879, and I hereby certify that affiant is a respectable and credible person and worthy of full faith and credit.

"WM. E. LORAN,
"*Clerk Jefferson County Court.*"

[Single affidavit.]

"STATE OF KENTUCKY,
"*County of Jefferson, ss:*

"On this 27th day of December, A. D. 1877, before me, Ch. M. Thurston, clerk of the county court within and for the county and State aforesaid, personally came and appeared Carter W. Tiller, aged sixty years, a resident of the city of Louisville, in the State of Kentucky, who, being duly sworn according to law, on oath declares that he is the father of George W. Tiller, deceased, late private Company A, Twenty-eighth Regiment Kentucky Volunteer Infantry, and is the claimant for pension by reason of his said son's services and death while in service from starvation while in Andersonville, Ga., prison. He, affiant, was to a great extent dependent on his said son, who was a very smart, intelligent boy. That while his said son was in the Army he sent him all his pay with the exception of a little for personal use. The property mentioned in the certificate of Assessor Krack was a small, old, frame, three-room house, built on leased ground, and he sold said house in 1867 for $150; said house is all the property he had at the time of his son's death. He never had any income in his life from any source. His occupation has been that of a policeman in the city of Louisville, Ky.

"CARTER W. TILLER.

"Sworn to and subscribed before me this 27th day of December, in the year 1877, and I hereby certify that the affiant is a respectable and creditable person, and resides as stated; that I believe his statements are correct and worthy of full faith and credit; that I have no interest in this matter. I further certify that the foregoing affidavit was read over, fully explained to, and understood by the affiant before the signing and execution thereof, and also that the affiant is the identical party represented as making the affidavit.

"C. M. THURSTON,
"*Clerk Jefferson County Court.*"

"HOUSE OF REPRESENTATIVES UNITED STATES,
Washington, D. C., June 28, 1886.

"DEAR SIR: Responding to your inquiry of this day in regard to Carter W. Tiller, whose bill for pension has recently passed the House, I desire to say that I have been personally acquainted with Mr. Tiller for twenty years. He is recognized by our citizens generally as a man of probity, good demeanor, industrious, and worthy in every respect. He was for may years on the police force of Louisville, Ky., acting as a detective, and although quite aged, was retained there because of his valuable services in the past.

"As far as I know, and I think I am competent to speak advisedly of the fact, his reputation is beyond reproach both as a man and an officer. The municipal administration at Louisville was changed on January 1, 1885, and immediately thereafter Mr. Tiller's services were dispensed with. Since that time my information (which I deem perfectly reliable) is that he has had no occupation whatever, but has been supported by benevolent organizations of the city.

"Very truly, yours,

"ALBERT S. WILLIS.

"Hon. WILLIAM P. TAULBEE,
"*House of Representatives.*"

"ADJUTANT-GENERAL'S OFFICE, WAR DEPARTMENT,
"*June 28, 1886.*

"In the case of George W. Tiller, a private in Company A, Twenty-eighth Kentucky Volunteers, pension claim 234784, records of prisoners of war furnish no additional information other than that shown in report to honorable Commissioner of Pensions, dated March 23, 1878.

"In the case of B. H. Bottger, citizen, affiant in said case, prisoner-of-war records show B. Botcher, citizen of Prussia, B. H. Botcher, baker, field hospital, Reserve Corps, or in Major-General Granger's Corps, captured at Whiteside Station, Tenn., September 25, 1863; committed to Castle Thunder, Richmond, Va., October 10, 1863, by Captain Alexander; discharged by General Winder, Order No. 61; delivered to Major Turner March 11, 1864, to be treated as a prisoner of war; confined in Confederate States military prison, Richmond, Va., March 11, 1864; again committed to Castle Thunder, date not given, and discharged September 5, 1864, to be treated as a prisoner of war; confined in Confederate States prison same day, and paroled at Vienna, Va., September 24, 1864.

"Said records also show the following members of the Twenty-eighth Kentucky Volunteers captured at or near Stevenson, Ala., on or about September 20, 1863, namely:

"Frederick Boyer, Company E, Twenty-eighth Kentucky Volunteers, captured at Stevenson, Ala., October 10, 1863; confined at Richmond, Va., November 7, 1863; paroled at City Point, Va., March 7, 1864.

"Also show:

"Michael Mahan, Company H, Twenty-eighth Kentucky Volunteers, captured at Cowan's Station, Tenn., October 9, 1863; confined at Richmond, Va., November 7, 1863; paroled at City Point, Va., March 15, 1864.

"John W. B. Shirley, Company E, Twenty-eighth Kentucky Infantry, captured at Stevenson, Ala., October 10, 1863; confined at Richmond, Va., November 7, 1863; sent to Andersonville, Ga., March 23, 1864, where he was admitted to hospital May 10, 1864, and died June 14, 1864.

"Patrick Gallagher, Company H, Twenty-eighth Kentucky Volunteers, was captured at Cowan Station, Tennessee, October 9, 1863; confined at Richmond, Va., November 7, 1863; admitted to Hospital No. 21, Richmond, Va., November 25, 1863, and died there December 29, 1863.

"The company roll for September and October, 1863, reports George W. Tiller, Company A, Twenty-eighth Kentucky Volunteers, deserted September 20, 1863.

"J. C. KELTON,
"*Assistant Adjutant-General.*"

"WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
"*Washington, July 1, 1886.*

"SIR: In reply to your verbal inquiry, I have the honor to inform you that the records of this office show that Frederick Boyer, private Company E, Twenty-eighth Kentucky Infantry, is reported on company muster-roll dated Victoria, Tex., December 14, 1865, with remark:

"'Deserted January 25, 1863, Clarksville, Tenn.; returned September 28, 1863; restored to duty, date of order unknown; deserted October 9, 1863; returned April 7, 1864; restored to duty by S. O. No. 199, Headquarters Second Division, Fourth Army Corps; deserted December 9, 1864, at Nashville, Tenn.; returned January 7, 1865; tried by general court-martial; sentenced to be dishonorably discharged from service, with loss of all pay and allowances, and confined in military prison during war. Discharged by G. O. No. 8, M. D. Tennessee. Stoppages due United States for one Spencer rifle and accouterments complete, $35.50.'

"John W. Shirley, private, same company, is reported on company muster-out roll, dated Huntsville, Ala., January 26, 1865; 'deserted October 6, 1863; not apprehended; was captured at Stevenson, Ala., October 10, 1863; confined in rebel prison at Richmond, Va., November 7, 1863; sent to Andersonville, Ga., March 7, 1864; admitted to prison hospital, Andersonville, Ga., May 10, 1864, where he died June 14, 1864, of diarrhea.'

"Patrick Gallaher, Company H, Twenty-eighth Kentucky Infantry, is reported on roll for September and October, 1863, dated at Stevenson, Ala., October 31, 1863; 'captured by the enemy at Tunnel Hill, near Cowan Station, Tenn., October 9.' Records of events on said roll show 'company in action at Tunnel Hill October 9, 1863, and compelled to retreat to Cowan Station.'

"Company muster-out roll dated Nashville, Tenn., May 4, 1865, reports him 'died at Richmond, Va., December 24, 1863.'

"I am, very respectfully, your obedient servant,

"THOMAS WARD,
"*Assistant Adjutant-General.*

"Hon. W. P. TAULBEE,
"*House of Representatives, Washington, D. C.*"

Mr. MATSON. Mr. Chairman, this bill has had its day before in this House. It was passed in the last Congress and vetoed by the President, and it was attempted to be passed over the veto, but failed. I believed then that it was right and believe yet that it is right, but at the same time I want to say that I have opposed the passage of the bill in this Congress because I think it is calculated to impede the passage of other bills; not that I have changed my opinion about it, but perhaps because the opinion of one whose opinion is of much more importance than mine may not have been changed. For that reason I opposed the bill in committee, and for the same reason I oppose it now; not, I repeat, that I believe it is not a meritorious bill, but that possibly its passage is calculated to impede other pension legislation.

The CHAIRMAN. What request does the gentleman from Indiana make?

Mr. MATSON. I have no request to make. I only desired to state what I have said.

Mr. CARUTH. Mr. Chairman—— [Cries of "Vote!" "Vote!"] Well, if this is all right I do not want to make any remarks.

Mr. WALKER. I shall demand a quorum on that bill, and I am not willing that it should go over until to-morrow even.

Mr. CARUTH. I trust the gentleman will not make that demand. It is known to every member of the House of Representatives that this night is set apart for the consideration of pension bills, and it is as much the duty of a Representative to be present on Friday nights and attend to the business of his constituents as to be here at any other time. They have full notice from these calendars that these measures are to be taken up for consideration. Here is the chairman of the Committee on Invalid Pensions who has on three several occasions investigated the claim and says he knows it is just, and the only objection urged against it is that there is an apprehension somewhere that there may be a Presidential veto.

Mr. BAKER, of New York. Will the gentleman allow me to ask him a question?

Mr. CARUTH. Yes, sir.

Mr. BAKER, of New York. As I understand it, additional and new evidence was furnished?

Mr. CARUTH. Yes, sir; there was additional and new evidence.

Mr. BAKER, of New York. That ought to be satisfactory.

Mr. WALKER. I did not see any such evidence in the committee.

Mr. CARUTH. If the gentleman did not see that evidence it was because he did not examine the papers in that particular case. I know there are very many claims before that committee, and if the gentleman, who is a member of the committee, takes care of Missouri it is as much as he can do. Kentucky can take care of her own interests by her Representative there.

I trust the gentleman from Missouri, after this claim has been thrice considered by the Committee on Invalid Pensions and thrice favorably reported, will not throw any obstacle in the way of the passage of the bill, which only carries $8 a month.

A MEMBER. How much back pay?

Mr. CARUTH. Not a dollar.

Mr. WALKER. I desire to state——

Mr. SHERMAN. I rise to a question of order. This bill, as I understand, has already been ordered to be reported to the House with the recommendation that it do pass.

The CHAIRMAN. The point of order of the gentleman from New York must be overruled, because it is not in harmony with the facts.

Mr. SHERMAN. I understood the Chairman so to state.

The CHAIRMAN. The gentleman from Missouri [Mr. WALKER] is entitled to the floor.

Mr. STEWART, of Vermont. If the gentleman from Missouri will yield to me for a moment I wish to say that I understood from the report that some additional proof was presented to the committee. I would like the chairman of the committee to state whether the additional proof confirms the judgment he formed in the last Congress.

Mr. MATSON. I will state for the information of the House and the gentleman from Vermont that the proof furnished, so far as I recollect—and I am pretty clear about it—was proof that was filed here and considered in the House after the President vetoed that bill. But this proof was before the House when the attempt was made to pass the bill over the veto.

Mr. CARUTH. And there was a majority by a yea-and-nay vote in passing the bill over the veto.

Mr. STEWART, of Vermont. Was that proof submitted to the President?

Mr. MATSON. I believe not. I am familiar with the facts in this case, which occupied more of the time of the House than any other vetoed bill. It was at the President's instance that the Commissioner of Pensions sent a special commissioner to hunt up all the witnesses to determine the two questions, first, of the dependence of the father, and, second, whether the son was in the line of duty when taken prisoner and carried to Andersonville prison where he died. The judgment of the commissioner was against the claimant on the latter point. His finding of facts after a thorough investigation was that the son was not in the line of duty, but was absent at a station in Alabama without orders or permission, and that he was taken prisoner when not in the line of duty.

Mr. CARUTH. The record in the case shows that the man was captured, and his whereabouts being unknown, he was marked on the rolls as a deserter for some time; the fact being that he was made a prisoner, taken to Andersonville prison, and died of small-pox there some little time afterwards. It was under those circumstances that his name was entered on the rolls as a deserter; but that entry was removed when it was found that he had been captured.

Mr. WALKER. I believe I have the floor. I will state to the gentleman from Kentucky that I do not desire to defeat the will of the majority of this House. I simply want a quorum to vote on this case. If a majority of a quorum shall vote to pass the bill I will be satisfied. I also want a yea-and-nay vote.

Mr. CARUTH. The gentleman from Missouri, as I have said, is a member of the Committee on Invalid Pensions. This report is made by the Committee on Invalid Pensions, and the gentleman has never filed a minority report.

Mr. MATSON. He is not obliged to do so.

Mr. PERKINS. As I understand the gentleman from Missouri, he is willing the case shall go over to be voted on in a full House.

Mr. WALKER. Certainly.

Mr. PERKINS. Then let it take that course.

Mr. CARUTH. I do not see why this case should be treated differently from any other case.

Mr. PERKINS. We have done this repeatedly when a member desired it.

Mr. CARUTH. If we do this in one case why not in all?

Mr. MATSON. There is a good reason why this case should not be insisted on. It has had its day in court.

Mr. CARUTH. Yet you say it is a good claim.

Mr. MATSON. It has had a trial and the jury has decided against it.

Mr. CARUTH. The jury has not so decided; because when the case came up in the House on the question of passing the bill over the President's veto it received a majority of votes in its favor, although not the necessary two-thirds.

Mr. WARNER. As I understand it the verdict of the jury was in favor of the claim, but the judge set aside the verdict.

Mr. ALLEN, of Michigan. Is it not true that a new trial has been ordered and we have got a new jury? Try the case again and give the man a chance.

Mr. CARUTH. And we have additional testimony to put before the jury.

Mr. ALLEN, of Michigan. I think it is a scandal to the American people that a case of this kind should not be disposed of promptly, and disposed of in favor of the soldier, or rather of his heirs.

The CHAIRMAN. What is the proposition of the gentleman from Kentucky [Mr. CARUTH]?

Mr. CARUTH. I want to pass the bill. That is my proposition. [Laughter.] I move that this bill be laid aside to be reported to the House with the recommendation that it do pass.

The question was taken on the motion of Mr. CARUTH, and the Chairman declared that the ayes seemed to have it.

Mr. WALKER. I call for a division.

The committee divided, and there were—ayes 32, noes 4.

Mr. WALKER. No quorum.

The CHAIRMAN. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from Missouri, Mr. WALKER, and the gentleman from Kentucky, Mr. CARUTH.

Several MEMBERS (to Mr. CARUTH). Withdraw the bill.

Mr. CARUTH. I do not want to withdraw it. I want to have a vote upon this man's bill.

Mr. WARNER. Mr. Chairman, I desire to make a suggestion.

A MEMBER. Regular order.

The CHAIRMAN. The regular order is called for. The Chair has appointed to act as tellers the gentleman from Missouri, Mr. WALKER, and the gentleman from Kentucky, Mr. CARUTH.

Mr. HOUK. Mr. Chairman, I wish to make a suggestion. There is evidently no quorum here this evening, and therefore why waste time that ought to be devoted to business? If gentlemen are determined to persist in their opposition to this bill, I respectfully suggest to my friend from Kentucky [Mr. CARUTH] that the most prudent and the wisest and the fairest thing for him to do for the benefit of this claimant and of the members who are here this evening is to let the bill be laid aside for the present.

Mr. CARUTH. I am willing to have it laid aside to be reported favorably to the full House at any particular time that may be fixed, the previous question being ordered and fifteen minutes being allowed for discussion on each side.

The CHAIRMAN. What is the proposition of the gentleman from Kentucky? What time does he propose?

Mr. WALKER. Monday or Friday next would suit me.

Mr. CARUTH. I do not know when it can come up, with this tariff discussion occupying the whole time of the House.

The CHAIRMAN. The Chair wishes to hear some suggestion. This debate is out of order.

Mr. WALKER. I suggest Monday next.

Mr. CARUTH. For what date was the case of the gentleman from New York fixed?

The CHAIRMAN. If the gentleman will accept a suggestion, two other cases have been laid over until May 28, and the Chair would suggest that this one also might go over to that day.

Mr. CARUTH. I am willing to have the bill go over until that time upon the conditions I have named.

The CHAIRMAN. The gentleman from Kentucky [Mr. CARUTH] asks unanimous consent that the previous question be considered as ordered on this bill, and that its further consideration be postponed until May 28, immediately after the other two cases the consideration of which has been fixed for that day, fifteen minutes to be allowed on each side for debate.

There was no objection, and it was so ordered.

JAMES R. PORTER.

Mr. WILLIAMS, by unanimous consent, called up the bill (H. R. 6552) to increase the pension of James R. Porter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James R. Porter, late colonel of the One hundred and thirty-fifth Regiment Pennsylvania Volunteer Infantry, at the rate of $50 per month, in lieu of the pension he is now receiving.

The report (by Mr. YODER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6552) granting an increased pension to Col. James R. Porter, respectfully report:

That the committee have carefully considered this case and the evidence. It appears that the petitioner served in the late war of 1861–'65 as lieutenant-colonel of the Eleventh Pennsylvania Reserve Corps, as colonel of the Fifty-seventh and as colonel of the One hundred and thirty-fifth Regiments of Pennsylvania Volunteers, and also commanded for awhile the First Brigade, Third Division, First Army Corps.

While in command of the One hundred and thirty-fifth Regiment Pennsylvania Volunteers, on the 6th day of May, 1863, on the return of the Army from Chancellorsville, Va., he received injuries by the fall of his horse, while in the line of duty, which now affect his whole system internally, so as to create permanent soreness requiring artificial means to cause a discharge from his bowels, which has resulted successively in piles, fistula, and a painful, incurable hernia.

Colonel Porter is in poor circumstances, about sixty-three years of age, and has a wife and one child, and on account of his indigent circumstances and increasing disability has been compelled to ask admittance into the National Military Asylum near Dayton, Ohio; and from the testimony of James Hamilton, who has been detailed to wait upon him, and from other witnesses who are in the same ward with him, and from medical examination in 1884 by the examining surgeon, we find that Colonel Porter can neither dress nor undress without assistance, and that he can not arise from his bed without assistance.

From the report of the examining surgeon we learn that he is afflicted with "right scrotal hernia, only partially controlled by truss," and for which he receives a pension of $30 per month. He is deaf in his right ear, complains of pain in head, right side, shoulder, body, and leg, and that he is evidently suffering from disease of the spine, which, combined with hernia, render him totally disabled for mental and manual labor.

The committee therefore recommend the passage of the accompanying bill.

The bill was laid aside to be reported to the House with a recommendation that it do pass.

WILLIAM LEMONS.

Mr. GLASS, by unanimous consent, called up the bill (H. R. 2928) granting a pension to William Lemons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Lemons, late a drummer in the war of 1812, in Captain Owen's company, Colonel Lauderdale's regiment, of Tennessee.

The Clerk proceeded to read the report.

Mr. BAKER, of New York (before the conclusion of the reading). Mr. Chairman, I ask unanimous consent that the further reading of the report in this case be dispensed with.

Mr. BYNUM. I object.

The report was read in full, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 2928) granting a pension to William Lemons, having examined the same, submit the following report:

William Lemons, a colored man, now nearly ninety years of age, formerly a slave, removed with his master, John Lemons, from North Carolina to Williamson County, Tennessee, early in the present century. When about sixteen years old he was hired to Capt. Glen Owens, who carried him as a servant on a six months' campaign against the Indians, with the troops under General Andrew Jackson, and was present at the battles of Talladega, Horse Shoe, and Hickory Flats. On returning home he was made a drummer and returned to the Army with Captain Owens. William Lemons was then valued at $475, at Clover Bottom, Tenn., to be paid to his master, in the event the former should be killed. He then marched with his company to Fayetteville, Ala., where he joined the regiment of which James Lauderdale was lieutenant-colonel. The drum-major of the regiment having been killed at Fort Mimms, William Lemons was made drum-major and served in that capacity to the end of the campaign.

He marched with the regiment to Pensacola, and thence to Mobile, and thence to New Orleans. He participated in the engagement with the British near New Orleans on the 23d day of December, 1814, where he was shot through the right leg and was slightly wounded in the left temple. He saw Colonel Lauderdale killed. He was then sent to the hospital in New Orleans, and in a short time became convalescent and was an eye-witness to the battle of New Orleans, January 8, 1815. These facts are based upon the sworn testimony of the claimant, who bears an irreproachable character. He is now very old and dependent, and only asks for the small amount of $8 per month.

Your committee is satisfied that William Lemons has made a truthful statement, and recommend the passage of the bill with the following amendment: Strike out all of said bill after the word "twelve," in line 7.

The amendment recommended by the Committee on Pensions was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. SAWYER. Mr. Chairman, I desire to enter my protest against cases being taken up out of their order, and I want to state my reasons. There are on this Calendar cases which could be reached to-night in the regular order, among them bills introduced by Senators from the State of Wisconsin. There are ten cases upon which I have made reports, and there is not a single member present to-night from Wisconsin to take any interest in those cases or to call them up.

Mr. WILLIAMS. Regular order.

The CHAIRMAN. The gentleman from New York [Mr. SAWYER] is a member of the committee, and is stating his reasons for the suggestion which he desires to make.

Mr. WILLIAMS. There is nothing before the committee.

The CHAIRMAN. The Chair will indulge the gentleman.

Mr. SAWYER. I move to strike out the last word, or the first word, or some word, in order that I may have a chance to state my reasons. I am anxious that those cases shall be taken up in order, so that the Senators may not have an opportunity of doing what I know some members of that body are doing, objecting to the manner in which we do this business here, neglecting the bills which come from the Senate and failing to take them up in their regular order.

Members of the House, when bills have passed here, ask favors of members of the Senate in regard to having their bills taken up in that body; but we can not very well go to Senators and ask them to have our bills taken up if we refuse to consider their bills here in regular order.

Again, I have on this calendar a case which would have been reached to-night if we had proceeded in regular order; but if I must start on the run from that door to reach the Speaker's desk, in order to get ahead of other members and get my name placed on some list, I shall never be able to get a bill through this House. All I ask is that my bills shall come up in their order and be considered on their merits; but I am not willing to enter into a scramble——

Mr. CARUTH. I ask unanimous consent that the gentleman be permitted to call up his bill.

Mr. SAWYER. No, sir; I do not ask any favor.

Mr. CARUTH. But I want to give it to you.

Mr. SAWYER. I place myself on my right as a member of the House to have my bills considered in their order upon the Calendar. I know of more members than one who, by reason of superior agility in getting their names on the list, are enabled to have two of their bills put through where other members, depending upon the regular order, can not secure the passage of one. For this reason I object to the present proceeding.

The CHAIRMAN. The Chair will state to the gentleman that in no instance has the Chair deviated a hair's breadth from his list——

Mr. SAWYER. I want to be understood as not impugning in the least degree the fairness and good feeling of the Chair; no one has a higher opinion of the present occupant of the chair than I have. But my point is that a member, in order to get his name on the list, has to join in a rush or scramble; and the man who gets his name first on the list to-night can be the first on the list next Friday night; and so night after night may secure the consideration of his bills, while another member who has introduced his bills in good season, has secured early reports upon them, and had them upon the Calendar, may be compelled to see them remain there for months. Unless he has the agility to secure the placing of his name on the Chairman's list, he stands no chance of getting his bills passed.

SMITH V. CAMPBELL.

Mr. WARNER. I call up the bill (H. R. 5429) to place the name of Smith V. Campbell on the pension-roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, instructed to place the name of Smith V. Campbell, late assistant surgeon of Twenty-third Iowa Volunteer Infantry, on the pension-roll, subject to the limitations and provisions of the pension laws of the United States.

The report (by Mr. WALKER) was read, as follows:

Smith V. Campbell was mustered into the service as assistant surgeon Twenty-third Regiment Iowa Volunteers, and discharged upon tender of resignation, based upon disability, July 26, 1863.

He applied for pension on account of varicocele of both sides, caused by being thrown against the pommel of the saddle while traveling under orders, near Arcadia, Mo. The claim has been rejected by the Pension Bureau on the ground that there is no record and no reliable medical or other evidence showing the existence of the alleged disability while in service. This action was had after an exhaustive special examination.

The medical certificate for discharge mentions chronic diarrhea of three months' standing only.

The testimony obtained by special examiners is very voluminous, and, as is usually the case, somewhat conflicting as to time and place of the incurrence of the disability. It is claimed, and the testimony obtained sustains the allegation, that Campbell received two injuries to that part of the body, the first while he was en route from Patterson to Arcadia, Mo.; the second, and more serious one, some days later, while on the march near Current River, Missouri.

William Merrill, late a lieutenant in claimant's regiment, and who is reported by the special examiner as of excellent reputation, testifies that—

"While the regiment was stationed at Patterson, Mo., during the early part of the service, claimant and Colonel Kinsman went to Arcadia to inspect the hospital at that place. The colonel came back alone and said that claimant had injured his privates and staid at Arcadia. Several days after that, while on the march in the neighborhood of Current River, deponent heard that claimant had again been injured, and such was the general talk in the regiment."

Colonel Glasgow, of good repute, testifies that while in the vicinity of Current River it was reported to him that claimant had been injured by a fall from his horse. Claimant complained after that some, and during the Vicksburg campaign became unserviceable because of the injury received as above stated.

Dr. Henry Owens, of good repute, late hospital steward of the regiment, and who from his admission was not on the most friendly terms with claimant during their service, testifies in the most positive terms to claimant's alleged injury; and while he is not altogether positive as to the exact place, states that he was present and attended claimant for two or three days, when he went to St. Louis and remained absent from the command for some time. The record confirms the latter statement, as he is shown absent with leave from January 12 to February 15, 1863.

Surgeon Edwin May, upon whose certificate claimant based his resignation, admits that he did not strip him at the time of the examination. Found him suffering from chronic diarrhea, which required a change of climate, and was sufficient ground for resignation.

There is no question as to prior soundness, and again it is shown beyond a doubt that upon return home and resumption of his profession he was compelled to use a buggy instead of going horseback, as was his custom before entering the service.

It is a well-known fact that injuries of this character are not susceptible of such positive proof as is the case in gunshot wounds, in particular if the subject is a surgeon or physician, who can administer to himself instead of calling upon others for relief. But, notwithstanding the apparent discrepancies in the testimony and the negative statements of others, who, in the opinion of the special examiners, should have been in position to know positively whether claimant was injured or not in the service, your committee are of opinion that the evidence in the case points too strongly to the incurrence of the alleged disability in service and line of duty to ignore the claimant's request for relief, and therefore report favorably on the accompanying bill, and ask that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

LINNÆUS W. RISLEY.

Mr. NEAL. I call up the bill (H. R. 1074) granting a pension to Linnæus W. Risley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Linnæus W. Risley, late of Company D, Eighteenth Indiana Volunteers.

The report (by Mr. HUNTER) was read, as follows:

A bill for the relief of Linnæus W. Risley was before the Forty-ninth Congress, and a very full report made by Mr. TAULBEE, which was adopted by the committee. (See Report No. 2975, first session Forty-ninth Congress.) The report is as follows, which the committee adopt as its own, and recommend the passage of the bill:

"Claimant enlisted June 14, 1861, and was discharged January 21, 1863.

"Claimant alleges that August 19, 1862, he fell from the third story of hospital No. 1, at New Albany, Ind., where he had been confined sick. Said fall caused concussion, which resulted in vertigo and insanity. Also, while drilling State militia at Lawrenceburgh, Ind., August 28, 1862, he accidentally discharged a shotgun which he had in his hand, wounding himself in left foot. He was serving under orders of Colonel Spooner.

"Claim was rejected on the ground that said wound was not received in line of duty, and of no record in the War Department of alleged injury resulting in vertigo, and his inability to furnish satisfactory testimony showing origin of said injury in the service and line of duty.

"The records of the War Department do not show cause of detail.

"Certificate of disability shows him wounded in right foot while handling a shotgun.

"Surgeon Carpenter, of the United States medical director's office, Cincinnati, Ohio, who signed the certificate of disability, states in said certificate that claimant did not receive said wound in line of duty. Upon what grounds he bases this statement is not shown. It is fair to presume that it was not from personal knowledge, as he was a hospital surgeon at Cincinnati, Ohio, when claimant was brought to him.

"Martha M. Soper testifies that claimant shot himself in left foot while under an attack of hallucination, and she and Dr. Harding took claimant to hospital in Cincinnati, Ohio.

"Dr. Harding testifies that he treated claimant for vertigo in January, 1863, when claimant told him it was caused by a fall from a window of a hospital at New Albany, Ind.

"The report of the Surgeon-General, United States Army, shows him sick in hospital No. 1, New Albany, Ind., from August 18, 1862, to September 4, 1862.

"Captain Hutchison, late of Company D, Eighteenth Indiana Volunteers, in his affidavit of claimant's disability, says that claimant fell from the third story of hospital No. 1, at New Albany, Ind., the concussion of the fall causing insanity, which affected him until he was discharged. He further states that claimant was a brave soldier, and often led the skirmish, and that said fall was the cause of his affliction. Claimant states he was ordered to drill the State militia when he was wounded. If he was he ought to be considered in line of duty. He was not with his company any more after he was sent to the hospital at New Albany, Ind.

"There is nothing adverse to the merits of the claim except the statement of Surgeon Carpenter, and he locates the wound as being on right foot, while the hospital record testimony and medical examination show that it was the left foot. There may be a doubt as whether the wound was received in line of duty, but taking into consideration the circumstances of the case, your committee are of the opinion that the doubt should be given in favor of claimant, and therefore recommend the bill do pass."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JAMES W. POAG.

Mr. HUNTER. I desire to call up the bill (H. R. 9170) granting a pension to James W. Poag.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James W. Poag, late private Company M, Seventeenth Regiment Kentucky Volunteer Cavalry.

The report (by Mr. HUNTER) was read, as follows:

It appears from the records of the War Department that claimant was enrolled and mustered into the United States service at Louisville, Ky., on the 14th day of February, 1865, as a sergeant of Company M, Seventeenth Regiment of Kentucky Volunteer Cavalry, to serve one year, and was mustered out of the service at Louisville, Ky., with his command on the 29th day of September, 1865.

He filed an application for pension on the 4th day of September, 1866, and alleged in his declaration that on or about May 2, 1865, at Russellville, Ky., he was ordered by Lieut. William H. Roark, who had command of the post, to take a detachment of soldiers and disperse a crowd of drunken men who were threatening to destroy Government property, and that while executing this order he was shot in the right thigh by the accidental discharge of his own revolver.

In support of this allegation, claimant filed an affidavit from Lieut. William H. Roark, of Livermore, Ky., the officer referred to, who testified as follows:

"That on May 2, 1865, he was in command of the post at Russellville, Ky., and ordered claimant to take a detachment of soldiers and disperse a band of drunken rioters who were threatening the Government property in said post; and that while executing this order claimant was shot in the right thigh by the accidental discharge of a pistol. He was placed in the Gray Hotel, at Russellville, Ky., where affiant often visited him. Affiant knows that he was there treated for several weeks for pistol-shot wound in right thigh by Dr. William Randolph, regimental surgeon."

The Pension Office addressed an official letter of inquiry to Lieut. William H. Roark, and received the following reply:

"I was an eye-witness to the receipt of claimant's wound, on May 2, 1865, at Russellville, Ky. At that time Russellville was considered headquarters of our regiment, and Col. Samuel F. Johnson was usually present and in command, but frequently absent for a few days at a time. My recollection is that Colonel Johnson was absent at Louisville at the time of Poag's being accidentally shot in the thigh. The principal part of the regiment was absent on scouts and at different posts in the State, and that I was applied to for assistance in dispersing some drunken and rioting citizens who seemed beyond the control of the civil authorities. Hence the reason for the order to Sergeant Poag. I was, at the time of the accidental shot, standing at the window of the hotel, then known as Gray's Hotel, about 100 paces from Poag and the rioters, and saw Poag when the pistol fired."

Noah Vincent and William Hart, of Greenville, Ky., late comrades of claimant, testify as follows:

"That they were ordered by Lieutenant Roark to go with claimant on May 2, 1865, and help arrest and disperse the drunken men referred to, and while executing the order claimant was wounded by the accidental discharge of a pistol."

John Lee, of Greenville, Ky., late comrade of claimant, testifies as follows:

"That on May 2, 1865, claimant was accidentally shot by a pistol in his own hand while executing an order of Lieutenant Roark. Affiant was in regimental hospital at the time, and was standing in the door of the hospital, within 10 feet of the claimant, and saw him fall to the ground when shot. Furnished a handkerchief to tie up the wound, and saw it dressed. It was in right thigh."

David M. Martin, of Paradise, Ky., late comrade of claimant, testifies:

"That he was present at the date and place above set forth, when claimant was trying to arrest the drunken men heretofore mentioned, as ordered by Lieutenant Roark, and saw him wounded in the right thigh by the accidental discharge of a pistol in his own hands; also saw him taken from the street when the accident occurred, and carried to a hotel, where he was treated by Dr. Randolph."

Dr. T. H. Moore, United States examining surgeon at Madisonville, Hopkins County, Kentucky, made an official examination of claimant on the 2d day of December, 1880, and states:

"Applicant has a pistol-shot wound of the right thigh. The ball entered in front of middle of thigh, the direction being downward. The ball still remains in the limb, having gravitated to a position just below the inner side of knee-joint, in which position it can be felt, etc."

Dr. James A. Young, United States examining surgeon at Hopkinsville, Christian County, Kentucky, made an official examination of claimant on the 16th day of May, 1881, and states:

"The wound is located on upper third of thigh. The cicatrix is located 2 inches below apex of Scarpa's triangle. The ball lies in popliteal space, behind inner tuberosity of femur."

Dr. Ree Mann, of Greenville, Ky., testifies:

"That ever since his discharge claimant has been in feeble health, on account of wound in right thigh and rheumatism. Affiant has treated him for rheumatism of the knee, caused by said wound. He was in good health when he enlisted."

Notwithstanding the strong proof above cited, and which is a very small portion of the evidence on file in support of the case, the claim was rejected by the Pension Office on the ground that claimant did not receive the wound in line of duty.

Your committee is decidedly of the opinion that this is a meritorious claim. They therefore make this favorable report, and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

DAVID GIBBONS.

Mr. MATSON. I desire to call up the bill (H. R. 5756) granting a pension to David Gibbons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of David Gibbons, late a private in Company D, One hundred and forty-seventh Regiment Illinois Volunteers.

The report (by Mr. MATSON) was read, as follows:

Claimant was a private in Company D, One hundred and forty-seventh Regiment Illinois Volunteers, enlisting February 9, 1865, and was discharged January 20, 1866, by reason of expiration of service.

He filed his claim for pension May 10, 1882, alleging left inguinal hernia incurred in the service and line of duty at Savannah, Ga., January 1, 1866, from falling into a ditch while carrying tent-poles. The claim was rejected on the ground that there is no record and claimant having failed to establish incurrence of alleged disability while in service and line of duty.

Your committee having sifted the great amount of evidence in this case can not help but reach the conclusion that a great injustice has been done this soldier in the rejection of his claim at the Pension Office. The only question involved is whether he received the injury he alleges in the service and in the line of his duty. The papers on file disclose that several witnesses, near neighbors of claimant, testify to his prior soundness; that he was a healthy, able-bodied man when he enlisted, and his family physician, Dr. James C. Wells, who attended the family from 1859 to 1867, testifies he was sound and free from hernia when he entered the Army. There is no question as to prior soundness.

In support of the claimant's allegation as to the incurrence of hernia in service, David H. Lawrence testifies that he was present when claimant was ruptured at Savannah, Ga. Said claimant was out getting timber or poles to stretch his tent, and while jumping a ditch then and there was ruptured from getting a fall. He heard claimant complain of said rupture immediately, and he continued to complain of it at all times when they were in the Army together.

John Nagle and Benjamin Alberson testify that when claimant was on his way with his regiment to Springfield, Ill., to be mustered out, they saw him and he then showed them his rupture at the city of Indianapolis. Other testimony corroborates the above statement as to the existence of hernia immediately after discharge, and shows its continuance up to the present time. The medical board on October 18, 1882, examined the claimant and gave him a rating of one-half total for hernia.

The claim was referred to the special examination division to determine origin in service and line of duty. The witnesses, all of whom were certified to as of good reputation, testify to his soundness prior to his service. Eight of his comrades, who were present at the time and place where the injury was supposed to have occurred, testify they have no recollection of claimant's receiving any rupture at that time. Other witnesses, who knew claimant subsequent to the war, testify that they had no knowledge of the existence of the disability, and the claim was recommended for rejection on the ground that the claimant had failed to establish origin of hernia as due to his army service.

Your committee must dissent from the conclusions of the Pension Office. The proof is conclusive as to claimant's prior soundness, and the testimony of the claimant and David H. Lawrence establishes the incurrence of the hernia while in the service and in the line of duty. The proof shows it existed at the time of his discharge and continues to the present, while several of his comrades testify they have no recollection of claimant's having incurred the disability as he alleges, yet there is no testimony that the injury might not have occurred as he testifies that it did.

Your committee are clearly of the opinion that the claim is a just and meritorious one, and therefore report favorably and recommend the passage of the bill.

The CHAIRMAN. If there be no objection, this bill will be reported to the House with a favorable recommendation.

Mr. BELDEN. On that question I call for a division.

The question being taken, it was decided in the affirmative—ayes 35, noes none.

So the bill was laid aside to be reported to the House with the recommendation that it do pass.

ALBERT E. MAGOFFIN.

Mr. PETERS. I call up the bill (H. R. 9486) to increase the pension of Albert E. Magoffin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized to increase the pension of Albert E. Magoffin, late a member of the Eighty-ninth Ohio Veteran Volunteer Infantry, on the pension-roll, to $36 per month, the same to be in lieu of the pension he is now receiving.

The report (by Mr. MORRILL) was read, as follows:

That said applicant a number of years ago made application for a pension, setting forth as his disabilities chronic diarrhea and an injury to his ankle. He was granted a pension of $2 per month on the former disability, but the application was rejected as to the latter because the injury to the ankle existed at the time of his enlistment. The applicant himself stated to the Department that prior to his enlistment he strained his ankle while playing a game of ball. The evidence, however, shows that he enlisted on the 31st of July, 1862, in Company H, Eighty-ninth Ohio Volunteer Infantry; that he was thoroughly examined and found sound at date of enlistment; that he served with his com-

pany from the date of his enlistment until October, 1863, when he was discharged on account of general disability; that in April, 1863, on a forced march in Tennessee his ankle was severely sprained; that within a year after the injury it broke into a running sore and has been in that condition ever since, many times covering a surface of the leg equal to 4 inches in length; that he is compelled to go upon crutches part of the time.

The evidence further shows that from the time of enlistment until April, 1863, when the injury was received, his regiment was almost constantly on the march and that the applicant was with it on these marches. The fact of this long service during that period of the war, and that his regiment did a great deal of marching, is borne out by the history of the regiment, as well as by evidence in the case, and this is, in the minds of the committee, a conclusive proof that at the time of enlistment and up to the date of receiving the injury complained of the applicant's ankle must have been in good condition or else he could not have performed the service which the records of the company show him to have performed. If the ankle was seriously weakened by the sprain it received prior to enlistment it is hardly reasonable to suppose that the applicant would have been able to march at least 1,500 miles before it gave way. But even conceding that the ankle was weakened by the sprain received prior to enlistment, yet your committee think, as the hard marching necessarily tended to increase that weakness and did finally produce a running sore, which, in all probability, would not have been the result of the sprain had it not been for the severe army service, it is but right that applicant should receive a pension for this disability.

Your committee therefore recommend the passage of the bill with the following amendment: Strike out all after the words "pension-roll," in line 6, and insert the words "so as to include injury to leg as set forth in original application."

The amendment of the committee to strike out all after the word "pension-roll," in line 6, and insert the words "so as to include injury to leg as set forth in original application," was agreed to.

Mr. MATSON. It is questionable whether that bill in its present terms would not carry arrears. My impression is that, fairly interpreted, it would give this man arrears of pension, contrary to the well-fixed and thoroughly-determined policy of Congress.

Mr. PETERS. That was not the intention.

Mr. MATSON. I move to amend the bill by adding the words "said increase of pension to begin from and after the passage of this act."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

DOUGLAS CHAPMAN.

Mr. McRAE. I call up the bill (H. R. 4735) for the relief of Douglas Chapman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Douglas Chapman, of Hot Springs County, Arkansas, and late a private in Captain Wheeler's company (H) of the Third Regiment Infantry, United States Army, in the Seminole war of 1837, and that he be rated and receive such pension as is provided by the laws of the United States for persons engaged in the military service of the United States in the war of 1812.

The report (by Mr. BLISS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4735) for the relief of Douglas Chapman, would report as follows:

The records show that Douglas Chapman was enlisted as a private in Capt. Otis Wheeler's company (H), Third United States Infantry, February 24, 1837, for three years; was promoted corporal July 26, 1839, and was discharged the service February 24, 1840, at Fort Smith, Ark., by reason of expiration of term of service. He is now aged seventy-two years, and is in needy circumstances.

Your committee recommend the passage of the bill.

There was no objection, and the bill was laid aside to be reported to the House with the recommendation that it do pass.

ELLEN ST. CYR.

Mr. NELSON. I call up the bill (H. R. 2535) granting a pension to Ellen St. Cyr.

The bill was read, as follows

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension law, the name of Ellen St. Cyr, widow of Abner St. Cyr, late a first lieutenant in Company H of the Fourth Regiment of Maine Volunteers, and to pay her a pension from and after the passage of this act.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2535) granting a pension to Ellen St. Cyr, submit the following report:

The claimant in this case is the widow of Lieut. Abner St. Cyr, of Company G, Fourth Regiment of Minnesota Volunteers. Lieutenant St. Cyr was seriously crippled and lamed by a gunshot wound received in the leg while in the service in the late war for which at the time of his death he was receiving a pension of $17 per month.

On the 14th of April, 1886, St. Cyr was keeping a billiard hall near the center of the little village of Sauk Rapids, Minn., while his residence was a quarter of a mile away therefrom in the suburbs of the village. On this day a cyclone of an extraordinary character passed over and through the center of the village, leveling and destroying everything in its wake. The billiard hall of St. Cyr was completely wrecked, while his residence in the suburbs was unharmed. The approach of the cyclone was observed by St. Cyr and one Waltman, who was then with him. Both at once started in the direction of St. Cyr's residence to escape. Waltman being a sound man and in good health was able to and did effect his escape uninjured from the storm center, but St. Cyr, owing to the lame and crippled condition of his wounded leg, was able to make but slow progress, and in consequence was overtaken by the cyclone and so severely injured thereby that he died from his injuries the next day.

From the experience of Waltman it is evident that had St. Cyr not been crippled and lame, he could have effected his escape as Waltman did. While the cyclone was the immediate cause of death, that cause could have in this instance evidently been avoided had St. Cyr been in a sound condition.

These facts are all matters of common and well-known repute at Sauk Rapids, and are duly and fully verified by the affidavits of said Waltman and C. T. Carpenter, clerk of the district court, laid before your committee.

St. Cyr left a widow and six minor children in very destitute circumstances.

The bill should be amended in line 7 of the printed copy by striking out the letter "H" and inserting the letter "G," and by striking out the word "Maine" and inserting the word "Minnesota," and your committee recommend that when so amended the bill do pass.

The amendments of the committee were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

SAMUEL M'CLURE.

Mr. McCREARY. I call up the bill (H. R. 354) granting a pension to Samuel McClure.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitations and provisions of the pension laws, the name of Samuel McClure, late a private in Company B, Twelfth Regiment Kentucky Volunteer Infantry.

Mr. MATSON. I ask for the reading of the report.

The report (by Mr. HUNTER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 354) granting a pension to Samuel McClure, respectfully report:

Samuel McClure, private in Company B, Twelfth Regiment Kentucky Infantry Volunteers, was enrolled on the 12th day of October, 1861, in Pulaski County, Kentucky.

In January, 1862, he contracted fever, and after remaining in the hospital for about three weeks was taken home to Pulaski County, Kentucky, where he remained nearly four months, and on his return to his regiment was unable to perform duty—went on crutches for a long time, and was finally discharged.

After remaining at home for some months he re-enlisted as a veteran on the 1st day of January, 1864, and was made a corporal.

On February 20, 1865, at or near Wilmington, N. C., while the regiment was in action at Town Creek, N. C., he was wounded by a shell in the left hip, and was unable to perform service as a soldier up to July 11, 1865, when he was mustered out of the service.

His neighbors and comrades attest his good health and soundness prior to his enlistment. They also prove that he had a severe case of fever, which resulted in his discharge from the Army, and that he subsequently re-enlisted, and was wounded by a piece of a shell when the regiment was in action at Town Creek, near Wilmington, N. C.

Two physicians, Dr. J. J. Brown and Dr. W. H. Bentley, attest his suffering from lumbago and spinal irritation, and a number of witnesses state that he is not able now to perform half as much labor as when he enlisted.

The Adjutant-General's report on the military record of Samuel McClure corroborates the statements herein made.

Your committee believe that a continuous disability from the attack of fever and the shell wound is shown by the testimony and supported by the Adjutant-General's report, and they believe this is a meritorious case and recommend that the bill do pass, with the following amendment: After the word "Infantry," in seventh line, add "and grant him a pension of $8 per month."

The amendment of the committee was agreed to, and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

SALLY B. WILSON.

Mr. WADE. I call up the bill (H. R. 6583) granting a pension to Sally B. Wilson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sally B. Wilson, wife of Franklin Wilson, late a private in Company B, Seventy-second Regiment Enrolled Missouri Militia.

The report (by Mr. WALKER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6583) granting a pension to Sally B. Wilson, have had the same under consideration, and submit the following report:

Sally B. Wilson is the widow of Franklin Wilson, who was mortally wounded while engaged in a battle with rebel guerrillas about November 17, 1863, and died from the effects of said wounds March 25, 1864, as shown by the affidavit of Thomas Frazier, who says:

"On the night of November 17, 1863, he went with his wagon and hauled Franklin Wilson from the battle-field to his home, where he lingered till March, 1864, when he died from the wounds received November 17, 1863. He was badly wounded in the thigh and shoulder."

The certificate of the adjutant-general of Missouri shows that the said Franklin Wilson was duly enrolled as a private in Company B, Seventy-second Enrolled Missouri Militia, July 30, 1862, and served two hundred and twelve days.

Special Order No. 240, issued by Brigadier-General Sanborn, gives substantially the facts as related by Dr. Frazier. It is clear from the evidence before the committee that the soldier was in the service of the United States and in the line of duty when he received the injuries which resulted in his death, and that the relief asked for in the bill ought to be granted.

Your committee therefore submit a favorable report, and recommend the passage of the bill.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WARREN OHAVER.

Mr. BYNUM. I call up the bill (H. R. 2156) granting a pension to Warren Ohaver.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Warren Ohaver, late of Company A, Fifty-third Regiment Indiana Infantry.

The report (by Mr. MATSON) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2150) granting a pension to Warren Ohaver, have examined the papers in the case, and submit the following report:

The claimant enlisted July 22, 1861, in Company H, Twentieth Indiana Volunteers, and was discharged November 15, 1861, for disability incurred in service. Re-enlisted February 24, 1862, in Company A, Fifty-third Indiana Volunteers, and was discharged December 13, 1862, by reason of shell wound received at Hatchie, October 5, 1862. Certificate of disability for discharge shows hemi-

plegia of right side, the result of a severe concussion by a ball or shell received at battle of Hatchie, October 5, 1862; disability total. Claimant afterward served as a member of Company B, One hundred and seventeenth Indiana Volunteers, and was honorably discharged February 24, 1864. He filed declaration for pension December 7, 1870, alleging shell wound in right hip and knee at battle of Hatchie, October 5, 1862; claim was rejected on the ground that claimant is not disabled from causes originating in the service and that disability found was the result of a condition which existed prior to enlistment, and not of wounds.

An examination of the papers on file in the Pension Office discloses this fact, that the only question involved in this claim is whether this claimant was a sound, healthy man at the time of his enlistment, and whether he is now suffering from wounds received in the service and line of duty. It is admitted that two years prior to his enlistment he had the typhoid fever, but the testimony is somewhat conflicting as to whether he entirely recovered from the same. In the opinion of your committee a preponderance of the evidence sustains the fact that the claimant was physically a sound man prior to his entering the service.

Dr. Henry Cox, a regular practicing physician of thirty years' standing, testifies:

"He was well acquainted with Warren Ohaver, who is an applicant for an invalid pension, at the time of his enlistment, and further declares that the said Warren Ohaver at the time of his enlistment was a sound and able-bodied man. I was the family physician prior to his enlistment in the service of the United States."

A subsequent examination of Dr. Cox, by a special examiner, developed the fact that the claimant had a fever sore as the result of typhoid fever, but which in no way affected his soundness.

Col. Lawrence S. Shuler testifies that—

"In 1861 he raised a company for the twelve-months service by order of the adjutant-general of the State of Indiana. He states: I had those twelve-months men examined by Dr. Babbs, the examining surgeon, and I am pretty certain that every member was examined. Warren Ohaver was one of them. These men were stripped naked and a thorough examination given. If there had been anything the matter with Ohaver he would not have passed."

Other testimony equally as positive corroborates the above as to his condition prior to enlistment.

Hospital records show that the claimant was admitted to hospital steamer D. A. Jormory October 24, 1862, with gunshot wound, and to general hospital, Keokuk, Iowa, November 3, 1862, and was discharged from the service November 23, 1862, because of hemiplegia of right side, results of severe concussion from ball or shell; degree of disability total.

Claimant subsequently enlisted in Company B, One hundred and seventeenth Indiana Volunteers, and was honorably discharged February 23, 1864. In his application for pension he states that when he enlisted in the One hundred and seventeenth Indiana Volunteers it was with the expectation that he would have nothing to do but guard prisoners at Indianapolis; that he was not examined before enlisting, and was never able to march or do any kind of hard duty.

Medical examinations disclose that claimant is suffering with disabilities that disable him to the extent of second-grade rating. The examining surgeon, August 14, 1876, states that the most important cicatrix would seem likely to have resulted from the explosion of a shell, and rates him at one-half total. Medical examination December 1, 1880, finds that fragment of shell entered 3 inches to right of ensiform cartilage, passing downward, making exit through gluti muscles of right side; cicatrices nominal. Subsequent examination April 21, 1887, find him entitled to rating for disability second grade, but for varicose veins only.

In view of all the facts in this case your committee are inclined to believe this claim to be a meritorious one. Claimant was a brave and gallant soldier, and his hospital record shows that he bears the scars of honorable service. There are doubts as to his prior soundness at enlistment and the causes of his present disability, but your committee are of the opinion that his condition can safely be attributed to his army service, and therefore recommend the passage of the bill.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

HARRIET L. VAUGHAN.

Mr. SPOONER. I call up the bill (S. 1877) granting a pension to Harriet L. Vaughan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Harriet L. Vaughan, widow of Orsemus S. Vaughan, late sergeant of Company F, Fourth Regiment of Rhode Island Volunteers.

The report (by Mr. SPOONER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1877) granting a pension to Harriet L. Vaughan, respectfully report:

That they adopt the following Senate report upon said bill as their own, and recommend the passage of the bill.

"[Senate Report No. 823, Fiftieth Congress, first session.]

"Harriet L. Vaughan is widow of a deceased pensioner, Orsemus S. Vaughan, late of Company F, Fourth Rhode Island Volunteers. His disability arose from a gunshot wound in the groin, and his death from a malignant tumor near such wound. The application of the widow for pension was rejected 'because the testimony was considered incompetent,' in the language of the Commissioner of Pensions, 'to prove that the malignant tumor that caused the soldier's death was due to the wound of his right groin, as claimed.'

"All the medical evidence on file in this case is to the effect that the tumor was the result of the wound. Dr. E. H. Perry, the attending physician, testifies, April 22, 1887:

"'I attended Orsemus S. Vaughan during his last sickness. He died August 11, 1886. Cause of death, malignant tumor on thigh, below the scar of what had had evidently been a severe gunshot wound.'"

"In response to a request for a more definite statement of the case, Dr. Perry writes, June 15, 1887:

"'In explanation of my statement made and sworn to, I would say that, while I can not positively assert that any cause can be assigned for any malignant tumor, yet, in the case of Orsemus S. Vaughan, the fact that a tumor (malignant in nature and recurring after three careful operations for extirpation) formed a short distance below the scar of what had evidently been a very severe wound, naturally leads us to look to that wound as a probable cause, or at least an irritant to the parts adjacent, and thus might make a malignant tumor of what would otherwise be a harmless one, for this was originally a lipoma or fatty tumor.'"

"In response to a further request from the Pension Office, Dr. Perry states on the 15th of September, 1887:

"'In the case of Orsemus S. Vaughan, the tumor was first observed about one year prior to the first operation, which was performed May, 1885, and judging from its location and progress, Dr. Palmer (acting police surgeon of Providence, R. I.), who examined it carefully, pronounced it to be the result of the former wound. Vaughan was sergeant of police and Dr. Palmer, who is considered an expert, has charge of police examinations.'"

"These statements, covering the opinions of civil surgeons, not appearing satisfactory, recourse was had to an official pension examiner, who replied to a letter of the Commissioner of Patents of October 22, 1887, as follows:

"'PROVIDENCE, R. I., *November* 10, 1887.

"'SIR: I have the honor to report, in the case of pension claim 349206, of Harriet L. Vaughan, widow of Orsemus S. Vaughan, late Company F, Fourth Rhode Island Volunteers, that said Vaughan died of fungus hermatodes, of anterior aspect, upper third right thigh. In my opinion the disease was the result of wound of thigh, which said soldier received in the service, and for which he had been pensioned. I have personal knowledge of the above facts.

"'Very respectfully, your obedient servant,

"'GEORGE W. CARR,

"'*U. S. Examining Surgeon of Pensions.*

"'Hon. JOHN C. BLACK,

"'*Commissioner of Pensions, Washington, D. C.*'"

"A memorandum in the case by a medical referee shows that the pensioner, while drawing his pension, failed to receive that to which his disability entitled him. The referee states, September 23, 1887:

"'I find, looking through the papers, that the pensioner was inadequately rated. Not knowing whether anything should or can be done in the premises, yet it seems so plain that I can not help making a note of it.'"

"The above comprises the substance of the medical evidence in the case, and it appears to be conclusive of the fact that the pensioner's death was due to a disease resulting from the wound incurred in service, though why such was not the decision of the Pension Office is one of those mysterious problems which the lay mind is incompetent to solve, unless, indeed, attention having been called to an injustice visited upon the pensioner during his life time, consistency required that it should be continued to his posterity.

"The further facts in the case are, that the widow claimant is indigent, and that she has five children depending on her for support.

"The committee report the bill favorably, with a recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM WINANS.

Mr. TRACEY. I call up the bill (H. R. 4788) granting an increase of pension to William Winans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Winans, late corporal of Company B, First Regiment of New York Cavalry, at the rate of $30 per month, and such pension shall be in lieu of the $16 per month heretofore allowed him, and which he is now receiving.

The report (by Mr. CHIPMAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred a bill (H. R. 4788) to increase the pension of William Winans, late private Company B, First New York Cavalry, have considered the same, and report the bill favorably.

It is shown in this case that the pensioner is receiving a pension of $16 per month for a gunshot wound of left shoulder and injury to right index finger, and the testimony of Drs. Florence Donohue and D. W. Bliss, filed in the case, shows that he is wholly disabled for manual labor by reason of the wounds aforesaid.

It also appears that the claimant was employed in one of the Departments as a clerk, and was forced to resign his position by reason of inability to perform the duties of his office, such as handling books, by reason of his wound of shoulder.

For some reason, inexplicable to the committee, an increase has been denied to him by the Pension Office.

His personal appearance is that of a man greatly enfeebled. Dr. D. W. Bliss, who has had charge of him during the last eight years, explains his condition by the presence in the wound of pieces of the sabot of a shell made of mixed metal (some of which he has extracted), which produces a septic condition, inducing recurring abscesses.

There is no doubt that the present rating at the Pension Office is sufficient if the mere usual disability resulting from the wound in the shoulder and the injury to right index finger are alone considered, but that there is greater disability is abundantly proved, first, by the removal of pieces of the poisonous metal; and, second, by the septic condition evidenced by the frequent abscesses to which the claimant is subject.

Dr. Bliss's letter to the committee is annexed to this report. Besides this, his, Dr. Dougherty's, and other surgeons' affidavits are on file in the Pension Office.

We recommend that the bill do pass.

"WASHINGTON, D. C., *March* 19, 1888.

"DEAR SIR: Referring to our recent conversation relative to the case of William Winans, who is asking a special act of Congress increasing his pension, I have to state that I have had professional care of said Winans for some eight years past, and during that time he has been an invalid from a disability readily traceable to the shell wound in his left shoulder and its sequel; also from chronic constipation, quite frequent attacks of myalgia, and general malaise. The latter disabilities I believe to be largely due to exposure and the diet to which he was confined while a prisoner of war at Belle Isle, Virginia.

"During the past eight years, while he has been under my care, he has suffered with recurring abscesses in the region of the injured shoulder and furunculi or boils on different parts of the body, evidencing a general septic condition, entirely due, in my opinion, to the presence of fragments of the sabot of the shell, which was composed of mixed metal, and are deeply imbedded in the soft parts around the shoulder, and are beyond judicious surgical interference, unless they may be accidentally included in the field of an acute abscess.

"Something more than six years ago a similar condition obtained, and I removed two pieces of mixed metal, portions of sabot which had remained imbedded in the tissues about seventeen years.

"This man is entirely unable to perform any manual labor.

"Very respectfully,

"D. W. BLISS, M. D.

"Hon. J. LOGAN CHIPMAN."

Mr. MATSON. This bill, in my opinion, is establishing a very bad precedent. The question in the case is purely one of disability. It seems this soldier is receiving a pension of $16 a month. The proposition of the bill is to give him $30 a month. The pension he now draws has been fixed by a board of surgeons, sworn to do their duty, and accustomed to rate for disability of this kind. The proposition of the bill is to take the testimony of a private physician and override the judgment and opinion and sworn statement of officers of the Government.

I have no recollection of this bill; probably it was passed in my absence; but I am sure the precedent is wrong. It opens the door for bringing in a very large number of cases of men suffering from disability who believe the pensions they now receive are not adequate to the disability they labor under. That is almost the universal opinion of soldiers and is a natural one, and if this bill is passed those who now draw pensions which they consider inadequate will apply for increase of those pensions.

The rule has been in such cases to apply for remedy to the Pension Office. If the soldier has a disability entitling him to $30 a month, he can get it under the law at the Pension Office; or $18 more than this soldier is getting.

I believe this bill ought not to pass, as it is establishing a bad precedent, and that Congress can not afford to enter on this kind of legislation.

Mr. TRACEY. I would like to have the Clerk read the letter which accompanies the report again.

The CHAIRMAN. The Clerk will again read that portion of the report.

The latter part of the report was again read.

Mr. MATSON. Now, the plain proposition here is to take the letter, not an affidavit even, but the letter, evidently of the employed physician of this party, to override the sworn officers of the Government who fix the rate of all these pensions; and I think the bill ought not to pass. I feel so much impressed with the gravity of the matter that I shall insist upon having a quorum to vote upon the bill if it is proposed to pass it to-night.

Mr. TRACEY. Well, I do not desire to obstruct the business of the committee. If the bill can be laid aside and go over with the other bills to be considered on the 28th of May, I shall be satisfied. The bill, I will state, was handed to me by Mr. BACON to-day, who was obliged to leave this evening——

Mr. DOCKERY. In view of the statement the gentleman makes, would it not be better to ask that the bill be laid aside and retain its place on the Calendar until the return of the gentleman to whom he refers?

Mr. TRACEY. I would prefer its consideration now.

The CHAIRMAN (Mr. BYNUM in the chair). The question is on laying the bill aside, and report it to the House with a favorable recommendation.

The question was taken, and the Chair stated that the "noes" seemed to have it.

Mr. TRACEY. I rise to ask information of the Chair. What action was taken? My attention was called away temporarily.

The CHAIRMAN. In the opinion of the Chair the motion to lay the bill aside with a favorable recommendation was lost, and the bill will retain its place on the Calendar.

Mr. TRACEY. I ask unanimous consent that it be laid aside, retaining its place on the Calendar.

There was no objection.

MARTHA LINTEN.

Mr. RUSSELL, of Connecticut. I ask unanimous consent to consider the bill (H. R. 7721) granting a pension to Martha Linten.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, with arrears from her husband's death, the name of Martha Linten, widow of Benjamin Linten, late private in Company I, Eighteenth Regiment Connecticut Volunteers, at the rate of $12 per month.

The report (by Mr. FRENCH) was read, as follows:

Martha Linten is the widow of Benjamin Linten, late private of Company I, Eighteenth Connecticut Volunteers, who died of paralysis October 6, 1876. The claim of the widow has been rejected by the Pension Office on the ground that the fatal disease is not shown to be due to the soldier's military service.

It is shown by the records of the War Department that soldier enlisted August 2, 1862, and was discharged December 26, 1862, by reason of old age, which, according to the certificate, was forty years.

Capt. Samuel R. Knapp, of soldier's company, testifies that the latter was, to all appearances, a sound and healthy man at enlistment. In October or November, 1862, while the company was stationed at Black River, Maryland, in a low, marshy place, the soldier, and nearly half of the company, were taken sick with malaria and fevers.

A number of other reliable witnesses testify to the soldier's soundness at enlistment, including Charles M. Carleton, the surgeon of the regiment, who states that he examined the soldier at the time of his enlistment, and was at that time a sound and able-bodied man.

Dr. William Soule, formerly surgeon Twenty-first Regiment Connecticut Volunteers, testifies that—

"Soldier was under his medical care from March, 1863, until May, 1867, during which period he suffered very seriously from the effects of malarial poisoning, resulting in impaired use of the lower limbs. Every repeated attack of chills crippled him more and more, and finally resulted in total paralysis."

Dr. Elijah Dyer, a practitioner of fifty years' standing, came also in the case in December, 1867, and continued to treat soldier until death.

"Is unable to state just how the disease terminated in paralysis. The liver became diseased, and attacks of chills followed one upon another, until softening of the brain ensued. The soldier was correct in all his habits. Has no doubt that the fatal disease was directly connected with the service."

Dr. W. S. Perkins testifies that from the history of the case it is his opinion that the fatal paralysis was due to the malarial poisoning contracted in the service.

A number of lay witnesses also testify to the soldier's gradual decline from the effects of malaria, and the violence of the attacks of the same from discharge to death.

The cause of paralysis in any case must necessarily remain a matter of conjecture. In the absence of any other known cause your committee believe that the serious malarial troubles from which soldier is shown to have suffered from date of discharge until death can be accepted as the inciting cause, and therefore report favorably on the accompanying bill and ask that it do pass, amended, however, by striking out all between the words "pension-roll," in line 4, and "the," in line 5, and also by striking out all after the word "Volunteers," in line 7, and insert therein instead the words "subject to the provisions and limitations of the pension laws."

The amendments were agreed to.

The question recurred on laying the bill aside to be reported to the House with a favorable recommendation.

Mr. WASHINGTON. Mr. Chairman, I think the same objection is applicable to this bill as was made to the last bill which was passed over by the committee a few moments since. It appears to be identical in some respects. It is evident that this case has been before the examining surgeons, and was rejected by them, and here we are asked to pass the bill on the same character of testimony which the committee declined a few moments ago to consider in opposition to the surgeon's testimony—that is, the testimony of the private physician.

I shall object to laying the bill aside, and ask a direct vote upon the question because I do not believe it to be a meritorious case.

The question was taken, and was decided in the affirmative.

So the bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN GLENNING.

Mr. SHIVELY. I ask unanimous consent for the present consideration of the bill (H. R. 7688) granting a pension to John Glenning.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of John Glenning, late private Company B, Tenth Regiment Tennessee Volunteers, on the pension-roll, subject to the provisions and limitations of the pension laws.

The report (by Mr. MATSON) was read, as follows:

John Glenning was enrolled on the 19th day of April, 1862, and served in Company B, Tenth Regiment Tennessee Volunteers, and was honorably discharged at Nashville, Tenn., May 25, 1865. In his application for pension, filed September 14, 1882, he alleges that—

"He was kicked in the abdomen by a drunken, disorderly soldier whom he was disarming by order of his lieutenant, Sullivan, which produced a rupture. Also, while at Turn Bull Creek about the month of January, 1863, from severe exposure contracted, he became affected with rheumatism, which subsequently became chronic."

The application was rejected on the ground that there is no record of alleged rupture and rheumatism.

The examining surgeons, in their report, say:

"There is total deafness in the right ear. The membrana tympani is very opaque and retracted, showing evidence of chronic catarrhal disease. There is scrotal hernia of both sides, also evidence of chronic rheumatism. The left elbow is about one-tenth anchylosed, and also the left shoulder, and some of the fingers slightly deformed. Rated at three-fourths for double hernia, one-fourth for rheumatism. The hernial tumor on right side is about the size of the fist, descending into the scrotum. On this side he wears no truss, and says the tumor does not inconvenience him; it is reducible. On the left side is about half the size of the right one. He wears a truss on this side, which retains it perfectly."

James Diamond testifies as follows:

"I was a sentry on street duty in the city of Nashville, in the month of October, 1863 (but can not remember the exact date of the night of the occurrence); that I was called upon by Sergeant Joyce of our regiment to disarm and arrest a disorderly and drunken soldier, and that he resisted arrest by drawing his revolver upon me; that the sergeant then ordered me to go to the reserve for assistance, and that John Glenning, a private of Company B, Tenth Tennessee Infantry, was detailed with me; that when we reached the disorderly soldier Glenning gave me his gun to hold while he proceeded to disarm him; that a scuffle ensued in which both went to the ground, and that while the pistol was being wrenched from him, he fought and kicked in a furious manner. After securing his arms we placed him in the guard-house. The next I heard of Glenning he was laid up in the hospital."

Dr. L. I. Ham, of South Bend, testifies that he treated the soldier Glenning between 1866 and 1878 for rupture and rheumatism.

Dr. Cassiday testifies that he has treated the soldier since March 9, 1878, to the present time for chronic lumbar rheumatism, for deafness of one ear, for hernia and pain in chest, etc. During all this time he has never been able to perform the labor of a man in ordinary health, and much of the time he has been unable to perform any. To the best of his judgment this condition of the soldier would preclude the performance of more than one-fourth that of an ordinary man and only of the lighter kinds of work.

It is shown by competent testimony that the four leading officers who had personal knowledge of the infliction of the injury, and also Drs. Knapp, senior and junior, surgeons, are dead, and that it is impossible for him to secure the evidence within their knowledge.

Robert Allen, steward for the University of Notre Dame, testifies as follows:

"I am steward for the University of Notre Dame, Indiana. I took the aforesaid John Glenning into our employ in the year 1865, on his return from the Army, and kept him up to the present time; that owing to internal disabilities which he said he was afflicted with, but not being visible (rheumatism and rupture), he was incompetent to perform ordinary manual labor; that he was kept jobbing in the vegetable garden, such as weeding, etc.; that we never agreed to pay him, nor have we ever paid him, any stated wages, such as we pay ordinary laborers, only whatever it was our option to allow him for the services he rendered ever since he came here, he being part of the time entirely disabled to do any work; and that, to the best of my judgment and knowledge, he is totally disabled and unfit to perform an average man's work one day with another."

The regimental hospital records are not on file in the office of the Adjutant-General, and, owing to the death of the surgeon and assistant surgeon, it is impossible for the soldier to furnish the medical evidence required by the Pension Department. It is in evidence that the soldier was sound and healthy when he entered the service. In the opinion of the committee there is no reasonable doubt as to the soldier having incurred the disabilities for which he asks a pension in the Army and in line of duty, and that said disabilities have been continuous since the date of his discharge up to the present time, and have been of such a nature as to unfit him for manual labor only of the lighter kinds. He has almost ever since his discharge been taken care of and provided with a comfortable home by the charitable people of Notre Dame without the hope of reward. He was a good and faithful soldier, and is a man whose character is

without spot or blemish. He is now seventy-three years old, and it seems to the committee that the pension which has been refused should be granted.

We therefore submit a favorable report, and recommend the passage of the bill.

During the reading of the report,

Mr. SHERMAN said: I ask unanimous consent to dispense with the reading of the report.

Mr. MATSON. I object.

The Clerk resumed and concluded the reading of the report as above.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CATHARINE TIERNEY.

Mr. MOFFITT. I ask unanimous consent for the consideration of the bill (H. R. 5812) granting a pension to Catharine Tierney, which, with the accompanying report, I send to the desk.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place the name of Catharine Tierney, widow of Mark Tierney, late of Company I, First Regiment of United States Infantry, on the pension-roll, subject to the provisions and limitations of the pension laws.

The report (by Mr. BLISS) was read, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 5812) granting a pension to Catharine Tierney, have considered the same, and report as follows:

The facts of the case are correctly shown in a letter from the Pension Bureau to W. C. Watson, esq., Plattsburgh, N. Y., filed before your committee, which is as follows:

"DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,
"*Washington, D. C., January* 13, 1888.

"SIR: In the claim of Catharine Tierney the records show that soldier served in the regular Army from June, 1837, to March, 1839, and had his left hand frozen January 5, 1839, while serving on the frontier of New York. The soldier was allowed a pension for the injury to his hand in 1858 and he died April 2, 1886.

"The claim of the widow was rejected April 19, 1887, for the reason that injury to the hand and resulting paralysis, of which it is shown that soldier died, was incurred prior to March 4, 1861, during a time of peace and not while actually engaged in war.

"There is no law and never has been one allowing a pension to the widow of a regular Army soldier when the cause of death originated prior to March 4, 1861, otherwise than during a period of actual war.

"The former laws embodied in the Revised Statutes, section 4732, provide a pension for the widows of soldiers whose death occurred as a result of service during the various Indian wars that have occurred since 1790.

"The rejection of Mrs. Tierney's claim is not based on any section of a law, but in the absence of all law.

"The soldiers of the regular Army are pensioned without regard to service in time of peace or war for disabilities incurred in the line of duty.

"Very respectfully,

"JOS. J. BARTLETT,
"*Deputy Commissioner.*

"W. C. WATSON, Esq.,
"*Plattsburgh, N. Y.*"

Your committee are of the opinion, inasmuch as the death of the claimant's husband was due to his service in line of duty, and as the general law does not embrace the case, that this bill should pass, and they therefore recommend such action.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MISS CARRIE A. LUEY.

Mr. MCKINNEY. I ask the present consideration of the bill (H. R. 6770) granting a pension to Miss Carrie A. Luey.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Miss Carrie A. Luey, sister of William B. Luey, late of Company H, Thirteenth New Hampshire Volunteer Infantry.

The report (by Mr. GALLINGER) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6770) granting a pension to Miss Carrie A. Luey, having given the same consideration, report as follows:

William B. Lucy was a private in Company H, Thirteenth New Hampshire Volunteers. He was a good soldier, and received a gunshot wound in the right arm, for which he was pensioned, originally at $6 per month, but which was increased until it reached $14 per month. Soldier's health gradually gave way as a result of the wound, and after a painful and protracted illness he died in February, 1887.

Soldier was never married, and his sister, Carrie A. Luey, devoted her entire time to caring for him during his illness. Numerous affidavits are filed with the committee testifying to her devotion and unselfish efforts in her brother's behalf, which greatly impaired her own health. It appears also that the soldier and his sister had always lived together, mutually caring for each other; that they had a little home worth seven or eight hundred dollars, on which there was an incumbrance of $400, and that the soldier's pension money was used toward their joint support. It also appears that they were industrious, economical, and highly respected people.

The claimant remains unmarried. She is in delicate health, and is partly supported by the charity of the Grand Army of the Republic Post. She applies to Congress for pension, and her application is strongly indorsed by the best people of the town in which she lives.

Your committee are of the opinion that the case is a proper one for Congressional relief, and accordingly report the bill back with a recommendation that it be amended by inserting the word "dependent" before the word "sister" in the sixth line, and by adding to the bill the words "and pay her a pension at the rate of $12 per month," and as thus amended recommend its passage.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM IRVING.

Mr. BOOTHMAN. I ask the present consideration of the bill (S. 1912) granting an increase of pension to William Irving.

The bill is as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Irving, late lieutenant-colonel of the Thirty-eighth Ohio Veteran Volunteer Infantry, and pay him a pension of $50 per month, in lieu of the pension he is now receiving.

The Clerk proceeded to read the report.

Mr. PERKINS. Mr. Chairman, the claimant in this case is one of the doorkeepers of this House, and is known to all the members. I ask, therefore, that the further reading of the report be dispensed with, and that it be printed in the RECORD.

Mr. TRACEY. I object.

Mr. BOOTHMAN. Perhaps I can make a statement, with the consent of the gentlemen from New York, that will obviate any objections to the request of the gentleman from Kansas.

The CHAIRMAN. The Chair understands the gentleman from New York as insisting upon his objection to dispensing with the reading.

Mr. BOOTHMAN. I will inquire of the gentleman who makes the objection whether a statement concerning the facts in the case will not be sufficient, in order to save the time consumed in the reading of the report?

Mr. TRACEY. I have no objection to that.

Mr. BOOTHMAN. I am personally acquainted with this case. Colonel Irving was colonel of the regiment to which I belonged. I stood within ten feet of him when he received the wound on account of which one of his legs was amputated.

Mr. STEWART, of Vermont. Was it there that you lost your leg?

Mr. BOOTHMAN. No; I lost mine subsequently. Before that he had received a kick from a mule when in charge of a wagon train which got fast. As usual in such a case they took hold to help it out and he received a kick on the right leg. From that disability he has been suffering for several years, and it is now getting so as to make it probable that he will lose that leg also.

Mr. TRACEY. It seems to me this is a case similar to the one which I called up this evening, and to which the chairman of the Committee on Invalid Pensions objected on the ground that it was a case which could be again brought up in the Pension Office.

Mr. BOOTHMAN. This is an entirely different case. It is the case of a double disability, one leg lost and gone and the other injured by a kick.

Mr. MATSON. I think the bill is very similar to the one I objected to if it is to be passed for $50, because that rate of pension can be obtained in the Pension Office if it appears he has a disability which requires the regular aid and attendance of another person. That is what others get for that degree of disability.

Mr. BOOTHMAN. The committee recommend a pension of $50.

Mr. MATSON. The gentleman might move to amend by making the pension $45, or $48.

Mr. BOOTHMAN. We have a favorable report from the committee.

Mr. MATSON. I do not remember particularly the action of the committee. Without regard to that action I may say that I believe I have some acquaintance with the gentleman to whom it is sought to give this pension; but it is important that in such matters the House should be consistent with itself.

Mr. BOOTHMAN. I will agree to an amendment making the pension $49.

Mr. WASHINGTON. I wish to ask the gentleman why this claimant can not get a pension now at the Pension Office?

Mr. BOOTHMAN. Because there is no law granting a pension for a double disability.

Mr. MATSON. The gentleman is mistaken about that.

Mr. BOOTHMAN. There is no law that reaches this case. He has been reported frequently by examining boards as having this double disability.

Mr. MATSON. The reason why he can not get the pension at the Pension Office is because his rate of pension now is fixed by special act.

Mr. PERKINS. I move to amend the bill so as to make the pension $49.

The amendment was agreed to.

The CHAIRMAN. If there be no objection, the bill as amended will be laid aside to be reported to the House with the recommendation that it do pass.

Mr. WASHINGTON. I think I must object, unless it is agreed that it shall go over with the others until the 28th of May.

Mr. MCCREARY. I hope the gentleman from Tennessee will withdraw his objection. This seems to me a very meritorious case. It is the case of a man who has lost one leg in battle and been seriously injured in the other.

Mr. WASHINGTON. I withdraw the objection.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

The report (by Mr. MORRILL) in full is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1912) granting an increase of pension to William Irving, submit the following report:

The Senate Committee on Pensions submit the following report, which your committee adopt, and recommend the passage of the bill.

"[Senate Report No. 895, Fiftieth Congress, first session.]

"The Committee on Pensions, to whom was referred the bill (S. 1912) granting an increase of pension to William Irving, have examined the same, and report:

"Your committee find that Lieut. Col. William Irving is a pensioner by special act of Congress, approved July 5, 1884, at the rate of $40 per month. That he was pensioned originally at the rate of $25 per month, commencing July 12, 1865, for loss of left leg. That he also in his original declaration claimed pension 'for injury to right lower leg.' The incurrence of this disability in the service and line of duty is fully shown, as is also its continuance to the present time.

"We append herewith former report of the committee in this case:

"The committee find that claimant enlisted September 1, 1861, as captain of Company G, Thirty-eighth Regiment Ohio Volunteers. August 5, 1864, he was mustered as major, to date from June 1 of that year. July, 1865, he was mustered out, with rank of lieutenant-colonel. On the 10th of September, 1863, while in command of a wagon-train crossing the Cumberland Mountains, he was severely kicked in his right leg by a mule. Dr. James Haller, surgeon of the regiment, testifies:

"'That he treated claimant for the kick of a mule; same occurred in line of duty; location of injury, right tibia, lower third, anteriorly and slightly to outer side; injured September 10, 1867. Ulceration with necrosis of pericardium still continues (February 14, 1880). Claimant was almost constantly on his feet for next four months; was continuously on duty; was wounded at Eutaw Creek August 5, 1864, through lower part of upper third of left leg, fracturing both bones; affiant amputated his leg same day. Because of the debility and improper nourishment necrosis of the tibia, resulting from the kick, commenced, small sequestra being occasionally discharged ever since. Present condition such that it is impossible for him to be on his feet for any length of time without suffering intolerable pain, requiring him to sit down and elevate his leg.'

"The examining boards before whom he appeared April 7, 1880, and March 28, 1882, describe the wound of the right leg as an open ulcer, inflamed and discharging, and say the left leg has been amputated about 4 inches below the knee. Both boards decide that he is entitled to a pension of $37.50 per month. The Pension Office declines to allow for more than one disability, which has heretofore been $25 per month, and which he is now receiving.

"Your committee believe that he is entitled to a greater pension than the soldier simply suffering from the amputation of a leg below the knee, and, as he is now entitled for that disability to $30 per month, your committee recommend that the bill be amended by striking out 'forty-five,' in the eighth line, and inserting 'forty,' and that it be passed as amended."

The claimant in this case presented himself to the committee and stated:

"That he was suffering great pain from the wound in his right leg; that it had to be dressed twice daily; that it required almost constant attention from his wife, and that recently he has been obliged to have attention from his family physician, Dr. J. W. Bayne, of this city."

In answer to an inquiry from Senator PLUMB regarding the increased injury to the right leg, Dr. Bayne states as follows, namely:

"WASHINGTON, D. C., *April* 7, 1888.

"SIR: I have the honor to address you a few lines in behalf of Col. William Irving, late of the Thirty-eighth Ohio Volunteers, in hopes that a proper consideration may be given his case. As his medical adviser I have become cognizant of his condition. He lost his left leg in the war, and received a severe injury of the right, which at times causes him great suffering and completely disables him; this limb has discharged several pieces of bone, is inflamed and irritable, and has several large ulcers upon it.

"At times the leg becomes very much swollen, and the question of amputation becomes a serious one, and will probably have to be done in the future. The colonel is a very large man, and having lost one leg, the greater amount of his weight and pressure is brought to bear upon the right, thus all the while increasing his troubles. His sufferings are great, his condition serious, and his case is one that ought to appeal to the heart of every patriotic citizen.

"Respectfully,

"J. W. BAYNE, M. D.,
"*Late Acting Assistant Surgeon, United States Army.*

"Hon. P. B. PLUMB,
"*United States Senator.*"

Every examination made in this case, from date of application originally to the present time, the claimant has received always and uniformly a rating by the several boards of medical examiners "of one-half total for the disability to right leg." Taking into consideration the fact that the disability to right leg was claimed in his original declaration, its incurrence in the line of duty fully established, its continuance to the present time clearly shown, and that its amputation "becomes a serious question, and will probably have to be done in the future," your committee are of the opinion that the pension to Colonel Irving should be increased to $50 per month.

They therefore recommend that the bill be amended in line 8 by striking out the word "sixty" and inserting the word "fifty," and that after the word "month," in line 8, the words "in lieu of the pension he is now receiving" be inserted, and that all of section 2 be stricken out.

Thus amended they recommend the passage of the bill.

LEAH ROARK.

Mr. WALKER. I call up the bill (H. R. 6531) to pension Leah Roark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and required to place on the pension-roll, subject to the provisions and limitations of the pension laws, pension claim numbered 244005.

The Committee on Invalid Pensions recommended the following amendments:

In line 4 strike out the word "required" and insert "directed."

In lines 6 and 7 strike out the words "pension claim numbered 244005" and insert as follows: "The name of Leah Roork, widow of Yancy Roork, late a private of T. J. Babcock's company of Missouri Independent Militia."

Amend the title so as to read: "A bill to pension Leah Roark."

The CHAIRMAN. The Clerk will read the report.

Mr. HOLMES. As the time is limited, I suggest that the gentleman who calls up the bill shall make an explanation.

Mr. WALKER. I desire to state to the committee that this is a bill where the claimant can not, under the general law, obtain a pension, because she is the widow of a soldier who lost his life in battle when a member of the Missouri Enrolled Militia. There is no general law granting the soldiers of that organization a pension.

Mr. MATSON. With the statement of the gentleman from Missouri I ask that the report be printed in the RECORD, and that its reading be dispensed with.

There was no objection.

Mr. CARUTH. If I desired to indulge personal spite I might call a constitutional quorum on this bill, but as that would be at the expense of the widow of a soldier I will not.

Mr. WALKER. The gentleman has the right, and if he desires to do so he may.

The amendments were agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

The report (by Mr. MATSON) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6531) granting a pension to Leah Roark, widow of Yancy Roark, late a private in Capt. T. J. Babcock's company of Missouri Independent Militia, having had the same under consideration, submit the following report:

Claimant is the widow of Yancy Roark, who enlisted as a private in Capt. T. J. Babcock's company of Missouri Independent Militia, and who was killed by guerrillas on or about August 30, 1864.

Claimant filed an application for a pension, on account of the death of her husband, which was rejected on the ground that the soldier was not in the United States service.

The Adjutant-General, under date of January 21, 1885, states as follows:

"Yancy Roark was a member of Capt. T. J. Babcock's Provisional Company Enrolled Missouri Militia, organized under General Orders No. 107, June 25, 1864, Department of Missouri. The militia called out under the provisions of that order were not mustered into the United States service, and there are no rolls of said militia on file in this office.

"The records of the district of Central Missouri show that the capture and killing of Yancy Roark and others were officially investigated September 5, 1865, at Jefferson City, Mo., by Col. John S. Wolfe, One hundred and thirty-fifth Illinois Volunteers, commanding first sub-district of Central Missouri.

"That investigation shows that Captain Babcock's company was stationed at Mount Pleasant, Miller County, Missouri, on August 29, 1864, and that on said date he sent 1 lieutenant and 16 men on a scout to the Big Bend on the Osage River. On August 30, 1874, this detail crossed over to Fair Play Islands, where they were captured by guerrillas, who on the same date shot and killed seven of the detail, including Yancy Roark.

"From the foregoing it appears that Captain Babcock's company had been called into active service, and was co-operating in connection with United States troops on August 30, 1864."

Boyd S. Miller and Joseph N. Hicks testify that they were also members of said company and detail of scouts, and were taken prisoners on or about August 29, 1864, and that Yancy Roark was shot and killed by the enemy in their presence.

This case could not be allowed in the Pension Office because this soldier was in the militia service, and under the provisions of section 4693 cases of this kind must be proven before July 4, 1874.

Your committee are fully satisfied that this soldier lost his life in the military service of the United States, and therefore recommend the passage of the bill.

Mr. MATSON. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. NEAL having taken the chair as Speaker *pro tempore*, Mr. DOCKERY reported that the Committee of the Whole House had, according to order, had under consideration the Private Calendar, and had directed him to report to the House sundry bills with various recommendations.

Mr. SHERMAN. I ask unanimous consent that the time for the adjournment of the House be extended until 11 o'clock.

The SPEAKER *pro tempore*. That can not be done.

Mr. SHERMAN. Not by unanimous consent?

The SPEAKER *pro tempore*. No. The House is acting under a special order.

Mr. SHERMAN. I understood that the House could do anything by unanimous consent.

BILLS PASSED.

The following House bills, reported from the Committee of the Whole House without amendment, were severally ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 7466) granting a pension to Hannah H. Grant;
A bill (H. R. 4891) granting a pension to Alpheus Dyer;
A bill (H. R. 809) granting a pension to Ephraim Reynolds;
A bill (H. R. 152) granting a pension to Mrs. Therese Guelich;
A bill (H. R. 6562) to increase the pension of James R. Porter;
A bill (H. R. 5429) to place the name of Smith V. Campbell on the pension-roll;
A bill (H. R. 1074) granting a pension to Linnæus W. Risley.
A bill (H. R. 9170) granting a pension to James W. Poag;
A bill (H. R. 4735) for the relief of Douglas Chapman;
A bill (H. R. 6583) granting a pension to Sally B. Wilson;
A bill (H. R. 2156) granting a pension to Warren Ohaver;
A bill (H. R. 7688) granting a pension to John Glenning; and
A bill (H. R. 5812) granting a pension to Catherine Tierney.

The following House bills, reported from the Committee of the Whole House with amendments, were severally taken up and the amendments agreed to. The bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

A bill (H. R. 2928) granting a pension to William Lemons;
A bill (H. R. 8496) to increase the pension to Albert E. Magoffin;
A bill (H. R. 2535) granting a pension to Ellen St. Cyr;
A bill (H. R. 354) granting a pension to Samuel McClure;

A bill (H. R. 7721) granting a pension to Martha Linten;
A bill (H. R. 6770) granting a pension to Mrs. Carrie A. Luey.

LEAH ROARK.

The bill (H. R. 6531) to pension Leah Roork was reported from the Committee of the Whole House with the recommendation that it do pass with an amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill to pension Leah Roark."

HARRIET L. VAUGHAN.

The bill (S. 1877) granting a pension to Harriet L. Vaughan was reported from the Committee of the Whole House with the recommendation that it do pass, was ordered to a third reading; and it was accordingly read the third time, and passed.

WILLIAM IRWIN.

The bill (S. 1912) granting an increase of pension to William Irving was reported from the Committee of the Whole House with a recommendation that it do pass with an amendment.

The amendment was agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. SPOONER moved to reconsider the several votes by which the bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EDWARD DURANT.

The bill (S. 765) granting an increase of pension to Edward Durant was reported from the Committee of the Whole House with the recommendation that it be indefinitely postponed, and it was so ordered.

CARTER W. TILLER.

The bill (H. R. 3681) granting a pension to Carter W. Tiller was reported from the Committee of the Whole House with the recommendation that the previous question be ordered upon it, and that its further consideration be postponed until May 28, 1888; thirty minutes being allowed for debate, fifteen minutes on each side.

The recommendation was agreed to, and it was so ordered.

DAVID GIBBONS.

The bill (H. R. 5756) granting a pension to David Gibbons was reported from the Committee of the Whole House with the recommendation that it do pass.

The SPEAKER *pro tempore*. The question is upon ordering this bill to be engrossed and read a third time.

Mr. SHERMAN. Mr. Speaker, I propose to require a constitutional quorum upon that bill.

The question was taken upon ordering this bill to be engrossed and read a third time, and the Speaker *pro tempore* declared that the ayes seemed to have it.

Mr. SHERMAN. I demand a division.

The House divided; and there were—ayes 24, noes 1.

Mr. SHERMAN. No quorum.

Mr. BAKER, of New York. I ask unanimous consent that this bill go over until May 28.

Mr. MATSON. I object.

The SPEAKER *pro tempore*. The gentleman from New York [Mr. SHERMAN] has made the point that no quorum has voted. The Chair will therefore appoint to act as tellers the gentleman from New York [Mr. SHERMAN] and the gentleman from Indiana [Mr. MATSON].

Mr. BYNUM. I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 10 o'clock and 50 minutes p. m.) adjourned.

PRIVATE BILLS AND JOINT RESOLUTIONS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. ROGERS: A bill (H. R. 9816) to authorize the building of a railroad bridge at Fort Smith, Ark.—to the Committee on Commerce.

By Mr. CLEMENTS: A bill (H. R. 9817) granting a pension to William H. Reynolds—to the Committee on Invalid Pensions.

By Mr. BLISS: A bill (H. R. 9818) granting a pension to Erasmus L. Wentz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9819) granting a pension to Mary A. Crawford—to the Committee on Invalid Pensions.

By Mr. E. B. TAYLOR: A bill (H. R. 9820) to remove the charge of desertion from the record of John Cartner—to the Committee on Military Affairs.

By Mr. WARNER: A bill (H. R. 9821) to place the name of Henry Siegried on the pension-roll—to the Committee on Invalid Pensions.

By Mr. GEAR: A bill (H. R. 9822) for the relief of the College of Physicians and Surgeons at Keokuk, Iowa, etc.—to the Committee on War Claims.

By Mr. FLOOD (by request): A bill (H. R. 9823) granting a pension to Mrs. Margaret Kay—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 9824) for the relief of Albert Watson—to the Committee on Invalid Pensions.

By Mr. PETERS: A bill (H. R. 9825) for the relief of George Prescott—to the Committee on War Claims.

By Mr. T. D. JOHNSTON: A bill (H. R. 9826) to place the name of Elias M. Gibbs on the pension-roll—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. JEHU BAKER: Resolutions of Turkey Hill Grange No. 1370, of St. Clair County, Illinois, for reduction of postage on seeds, bulbs, plants, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. BLISS (by request): Petition of citizens of New York against the repeal of the internal-revenue tax on cigars and cheroots—to the Committee on Ways and Means.

By Mr. BLOUNT: Petition of the Board of Trade of Macon, Ga., for reduction of letter-postage to one cent per ounce—to the Committee on the Post-Office and Post-Roads.

Also, petition of John T. Toole, late postmaster at Guyton, Ga., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. T. H. B. BROWNE: Petition of Sophronia R. Stevens, of Gloucester County, Virginia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. BRYCE: Petition of 29 manufacturers of and dealers in macaroni in the United States, for relief—to the Committee on Ways and Means.

By Mr. BUTLER: Petition of William Moore, heir of Martin Moore, of Hamblen County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. BYNUM: Petition of George W. Stout and others, wholesale grocers of Indianapolis, Ind., in favor of a reduction of duties on rice—to the Committee on Ways and Means.

By Mr. COOPER: Petition of A. G. Contrell and others, citizens of Colorado, for increase of wool tariff—to the Committee on Ways and Means.

By Mr. COWLES: Petition of W. G. Boyle, for R. B. Boyle, deceased, late postmaster at Lenoir, N. C., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. COX: Memorial of Generals Schofield and Slocum and others, of the Society of the Army of the Potomac, at a meeting held at Saratoga in 1887, for a fraternal reunion on the twenty-fifth anniversary of the battle of Gettysburgh—to the Committee on Military Affairs.

Also, memorial of General Hiram Berdan, as to a monument at Gettysburgh where the United States sharpshooters performed their service—to the Committee on Military Affairs.

Also, memorial of the Maritime Association of the port of New York, for the removal of the obstructions placed in the Hudson River by the Poughkeepsie Bridge Company, etc.—to the Committee on Commerce.

By Mr. CRAIN: Petition of William Lucas Dubois, sr., of Refugio County, Texas, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GEAR: Petition of Des Moines County (Iowa) Temperance Alliance for the repeal of the internal-revenue law on liquor—to the Committee on Ways and Means.

By Mr. GIFFORD: Petition of the Grand Army of the Republic, of Dakota, for an appropriation of $200,000 to furnish head-stones for the graves of deceased Union soldiers—to the Committee on Military Affairs.

By Mr. T. J. HENDERSON: Petition of J. B. Kearns and other soldiers, members of Capt. A. F. Knight Post, No. 460, Grand Army of the Republic, of Albany, Ill., for the passage of House bill 5662—to the Committee on Invalid Pensions.

By Mr. HOLMES: Petition of E. B. Clay and 38 others, citizens of Calhoun County, Iowa, relative to homestead entries within railroad limits, etc.—to the Committee on the Public Lands.

By Mr. HOUK: Papers in the case of Jacob Henry for relief—to the Committee on War Claims.

Also, papers in the case of William Carter, for relief—to the Committee on Military Affairs.

By Mr. LEE: Petition of administrators of Robert Shackelford, of Culpeper County, Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. LONG: Petition of H. L. Davis, for better postal facilities—to the Committee on the Post-Office and Post-Roads.

By Mr. LYMAN: Petition of railway postal clerks of Council Bluffs, Iowa, in favor of House bill 8072—to the Committee on the Post-Office and Post-Roads.

By Mr. McCOMAS: Petition of Capt. Joseph Groff, of Frederick County, Maryland, for payment of his war claim—to the Committee on War Claims.

By Mr. MAHONEY: Resolutions of the memorial and executive committee of the Grand Army of the Republic, of Kings County, New York, for the immediate passage of the bill appropriating $50,000 for the erection of a suitable monument to the memory of the martyrs of the prison-ships—to the Committee on Military Affairs.

By Mr. NEAL: Petition of Harriet Ann Utter, widow of Edmund Blalock, of Jackson County, Alabama, now of Marion County, Tennessee, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. O'FERRALL: Petition of citizens of Dinwiddie County, Virginia, for a tariff on raw silk—to the Committee on Ways and Means.

By Mr. PENINGOTN: Petition of Acting Chaplain Samuel Kramer, to be retired—to the Committee on Naval Affairs.

By Mr. PERKINS: Petition of Samuel Sites and others, citizens of McCune, Kans., for the reissue of fractional currency—to the Committee on Banking and Currency.

Also, resolutions of the Grand Army of the Republic, of Kansas, for increased appropriations for the Western Branch National Home for Disabled Soldiers at Leavenworth, Kans.—to the Committee on Appropriations.

Also, petition of William Whiting, late postmaster at Altona, Ill., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. McCREARY: Petition of W. W. Clark, for an original pension—to the Committee on Invalid Pensions.

By Mr. RICHARDSON: Petition of Alexander Lyons, administrator of Thomas Lyons, and of F. A. Loughmiller, trustee of Robert Donnell, University of Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. HENRY SMITH: Memorial of the Merchants' Association of Milwaukee, against any legislation tending to cripple commercial facilities with Canada—to the Committee on Commerce.

By Mr. STEPHENSON: Resolutions of the Merchants' Association of Milwaukee, Wis., protesting against amendment to the interstate-commerce law—to the Committee on Commerce.

By Mr. J. W. STEWART: Petition of the railroad commissioners of Vermont, relative to the preservation of life or limb on railroads—to the Committee on Commerce.

By Mr. E. B. TAYLOR: Papers in the case of John Cartner, Company A, Fiftieth Regiment Ohio Volunteer Infantry, for relief—to the Committee on Military Affairs.

By Mr. WASHINGTON: Petition of William Jordan, of Davidson County; of James Burns, heir of J. W. Pennington, and of B. F. Wilkerson, administrator of Wiley Sanders, of Davidson County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. WHITTHORNE: Petition of James Johnson, by R. L. Johnson, administrator, of Williamson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. YOST: Petition of H. C. Barrett and others, of Amherst County, Virginia.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. FULLER: Of George H. Markley, of Lansing, Iowa.

By Mr. O'DONNELL: Of M. O. Rockwell, of Brown; of David B. Kilpatrick, of Woodlands, and of Foot & Jenks, of Jackson, Mich.

By Mr. O'FERRALL: Of citizens of Madison Court House, Va.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. BELMONT: Of citizens of Flushing, N. Y.

By Mr. CHARLES STEWART: Of citizens of Liberty County, Texas.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. REED: Of citizens of Washington, Me.

By Mr. A. C. THOMPSON: Of citizens of Stout's, Ohio.

By Mr. WICKHAM: Of citizens of Huron County, Ohio.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BUTLER: Of 48 ex-soldiers, of Cooke County, Tennessee.

By Mr. PATTON: Of 120 soldiers of Clinton County, Pennsylvania.

By Mr. STEPHENSON: Of A. R. McDonald and 46 others, citizens of Chippewa Falls, and of Henry Turner Post, Grand Army of the Republic, of New London, Wis.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. HALL: Of 77 citizens of Armstrong County, Pennsylvania.

By Mr. KEAN: Of 26 citizens of Middlesex County, New Jersey.

By Mr. McRAE: Of 165 citizens of Dallas and Nevada Counties, Arkansas.

By Mr. O'DONNELL: Of 133 citizens of Marquette and Menominee Counties, Michigan.

HOUSE OF REPRESENTATIVES.

SATURDAY, *May* 5, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

CORRECTION.

Mr. HOLMES. On the 13th of April I prepared and left at the desk a request for leave of absence for fifteen days on account of important business. I see that in the RECORD of the 14th the period of the leave is stated as "indefinite," and the reason for the leave is, by a clerical error, omitted. I desire the correction made, so as to show that the leave of absence was on account of important business and was for fifteen days.

The SPEAKER. The correction will be made.

HEATING APPARATUS FOR PUBLIC BUILDINGS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting letters from the Supervising Architect recommending immediate legislation amendatory of the sundry civil act of March 3, 1887, in respect to the provision of heating apparatus for public buildings; which was referred to the Committee on Appropriations, and ordered to be printed.

MATRONS AT INDIAN AGENCIES.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, transmitting an estimate and recommending an appropriation for the employment of five matrons at Indian agencies for the instruction of Indian women in domestic affairs; which was referred to the Committee on Indian Affairs, and ordered to be printed.

SARAH E. M'CALEB.

The SPEAKER. The bill (H. R. 6609) for the relief of Sarah E. McCaleb has been returned from the Senate with a verbal correction, striking out "Hebert" and inserting "Hurbert." If there be no objection, that amendment will be concurred in.

There being no objection it was ordered accordingly.

MRS. JEANNIE STONE.

The SPEAKER also laid before the House the bill (H. R. 401) granting a pension to Mrs. Jeannie Stone (returned from the Senate with an amendment). The bill, with the accompanying amendment, was referred to the Committee on Invalid Pensions.

QUARANTINE SERVICE.

The SPEAKER also laid before the House the bill (S. 2493) to perfect the quarantine service of the United States; which was read a first and second time, and referred to the Committee on Commerce.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. THOMAS, of Wisconsin, for ten days, on account of important business.

To Mr. BACON, indefinitely, on account of important business.

COMMITTEE APPOINTMENT.

The SPEAKER announced the appointment of Mr. SEYMOUR as a member of the Committee on Claims, to fill the vacancy occasioned by the resignation of Mr. CHEADLE.

BRIDGE ACROSS TENNESSEE RIVER.

The SPEAKER. House bill No. 6843 to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River, etc., should be laid on the table, the House having passed a Senate bill of similar purport. If there be no objection, the House bill will be laid on the table.

There being no objection it was ordered accordingly.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 3215) to authorize the construction of the Ohio Connecting Railway Company Bridge;

A bill (H. R. 130) granting a pension to John E. Smith;

A bill (H. R. 138) granting a pension to Joseph Perry;

A bill (H. R. 88) granting a pension to Sally A. Randall;

A bill (H. R. 404) for the relief of Mary McGrath;

A bill (H. R. 428) granting a pension to William B. Johnson;

A bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.;
A bill (H. R. 431) granting a pension to Hannah Varquison;
A bill (H. R. 680) granting a pension to Henry H. Stuttsman;
A bill (H. R. 879) granting a pension to Royal J. Hiar;
A bill (H. R. 2071) for the relief of Martha Gray;
A bill (H. R. 2282) to pension Mrs. Theodora M. Piatt;
A bill (H. R. 2664) for the relief of Francis Daniels;
A bill (H. R. 3158) increasing the pension to Howard S. Abbott;
A bill (H. R. 3180) granting a pension to John H. Sayers;
A bill (H. R. 3554) granting a pension to Catharine Black;
A bill (H. R. 3579) granting a pension to Ellen Shea;
A bill (H. R. 3727) for the relief of William P. Gorsuch;
A bill (H. R. 3735) granting a pension to Eliza Shreeve;
A bill (H. R. 3844) granting an increase of pension to Wilson C. Moles;
A bill (H. R. 4164) granting a pension to Mahala Dexter;
A bill (H. R. 4491) granting a pension to Rosanna Rohey;
A bill (H. R. 4519) granting a pension to William J. Miller;
A bill (H. R. 4579) granting a pension to Mary J. Crocker;
A bill (H. R. 4580) granting a pension to Farnaren Ball;
A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann;
A bill (H. R. 5195) granting a pension to David W. Seely;
A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;
A bill (H. R. 5237) granting a pension to Noah S. Cramer;
A bill (H. R. 5249) granting an increase of pension to Charles H. Smith;
A bill (H. R. 5311) granting a pension to Alonzo H. Gregory;
A bill (H. R. 5545) granting a pension to Nancy F. Jennings;
A bill (H. R. 5847) granting a pension to Elizabeth Twigg;
A bill (H. R. 7181) granting a pension to Aletus V. Quick;
A bill (H. R. 518) for the relief of T. J. Edwards, administrator of David Edwards, deceased;
A bill (H. R. 5966) granting a pension to Mrs. Lepha A. Osborn;
A bill (H. R. 6379) to increase the pension of David M. Rennoe;
A bill (H. R. 6576) for the relief of James M. McKeehan;
A bill (H. R. 6582) granting a pension to Elizabeth Ward;
A bill (H. R. 6971) to pension Peter Clark, jr.;
A bill (H. R. 7094) granting a pension to Nancy Van Dyne;
A bill (H. R. 7218) for the erection of a public building in the city of Duluth, State of Minnesota;
A bill (H. R. 7882) granting a pension to John Kinney;
A bill (H. R. 8164) granting a pension to William H. Hester;
A bill (H. R. 8185) granting a pension to David L. Partlow;
A bill (H. R. 8211) to pension Lafayette Lakin; and
A bill (H. R. 2699) for the relief of the heirs of the late Solomon Spitser.

J. R. STOTT.

Mr. HERBERT. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House from the further consideration of the bill (H. R. 5729) for the relief of J. R. Stott.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be authorized to pay John R. Stott, postmaster at Georgiana, Ala., $63.25, that being the amount of postal funds stolen by burglars from the post-office at Georgiana, Ala., and accounted for to the Government by said postmaster.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HERBERT. I will state that this is unanimously reported by the Committee on Claims.

There being no objection, the bill was considered, ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. HERBERT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

BRIDGE ACROSS TENNESSEE RIVER, KNOXVILLE.

Mr. HOUK. I ask unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of the bill (H. R. 7783) to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tenn.

The SPEAKER. The bill will be read, subject to objection.

The Clerk proceeded to read the bill.

Mr. BLOUNT. I ask unanimous consent that the further reading be dispensed with. This is a bridge bill in the ordinary form, and I understand is unanimously reported.

Mr. HOUK. It has been unanimously reported by the committee, and has the approval of the Secretary of War.

There being no objection, the further reading of the bill was dispensed with.

The SPEAKER. The question is on agreeing to the amendment proposed by the committee, which had better be read.

The Clerk read as follows:

In lines 13 and 14, section 2, strike out the words "and the United States shall have the right of way across said bridge for telegraphic purposes, and that;" and insert: "that equal advantages in the use of said bridge shall be granted to all the telegraph companies, and the United States shall have the right of way across said bridge and its approaches for postal telegraph purposes."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. HOUK moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MRS. ELVIRA L. JOHNSON.

Mr. DE LANO. I desire to submit a privileged report from a committee of conference.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing vote of the two Houses on the amendment of the House to the bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, the widow of Philip C. Johnson, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

JOHN S. HENDERSON,
JOHN C. RUSSELL,
MILTON DE LANO,
Managers on the part of the House.
PHILETUS SAWYER,
CHARLES J. FAULKNER,
H. W. BLAIR,
Managers on the part of the Senate.

The report was agreed to.

Mr. DE LANO moved to reconsider the vote by which the report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. BLAND. I demand the regular order.

The SPEAKER. The regular order is the call of committees for reports.

Mr. MILLS. I move to dispense with the call of committees for reports.

SANDY HOOK CHANNEL, NEW YORK.

Mr. SPINOLA. I ask, Mr. Speaker, that the resolution calling upon the Secretary of War for certain information, offered by myself, be recommitted to the Committee on Rivers and Harbors.

The SPEAKER. Without objection the House Calendar will be discharged from the further consideration of Miscellaneous Document No. 396 in reference to deepening Sandy Hook Channel, and the same will be recommitted to the Committee on Rivers and Harbors.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Texas [Mr. MILLS] moves to dispense with the morning hour for the call of committees.

Mr. LAWLER. I would ask the gentleman to give way for a moment to consider a most important measure which I hold in my hand.

The SPEAKER. The gentleman from Missouri has demanded the regular order.

Mr. LAWLER. I think he will not object when I make a brief statement. They are building a viaduct over the appraiser's building at Chicago——

Mr. BLAND. These unanimous consents can come in later in the afternoon.

The SPEAKER. The gentleman objects.

The question is on dispensing with the morning hour for the call of committees.

The motion was agreed to, two-thirds voting in favor thereof.

Mr. MILLS. I now ask unanimous consent that all gentlemen having reports to make from committees be permitted to present them at the Clerk's desk for reference to the proper Calendars.

There was no objection.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

CAPT. FRANCIS A. BEUTER.

Mr. HIESTAND, from the Committee on War Claims, reported back with amendment the bill (H. R. 4893) for the relief of Capt. Francis A. Beuter; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, FORT DODGE, IOWA.

Mr. POST, from the Committee on Public Buildings and Grounds, reported back with amendment the bill (H. R. 1369) for the erection

of a public building at Fort Dodge, Iowa; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

GEORGE O'DONNELL.

Mr. CROUSE, from the Committee on War Claims, reported back favorably the bill (H. R. 3453) for the relief of George O'Donnell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. THOMAS, of Wisconsin, from the Committee on Claims, reported back adversely the bill (H. R. 267) for the relief of John Ramsey; which was laid on the table, and the accompanying report ordered to be printed.

PETER AND ANSON B. NODINE.

Mr. THOMAS, of Wisconsin, also, from the Committee on Claims, reported back favorably the bill (H. R. 9828) for the relief of Peter and Anson B. Nodine; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WHARF AT FORTRESS MONROE.

Mr. GEAR, from the Committee on Military Affairs, reported back favorably the bill (S. 2624) to provide for the enlargement of the dimensions of the wharf at Fortress Monroe; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, HAVERHILL, MASS.

Mr. SOWDEN, from the Committee on Public Buildings and Grounds, reported back the bill (H. R. 7049) for the erection of a public building at Haverhill, Mass.; which was laid on the table.

He also, from the same committee, reported back, in the nature of a substitute for the foregoing, a bill (H. R. 9829) for the erection of a public building at Haverhill, Mass.; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

LACHLAN H. M'INTOSH.

Mr. CARLTON, from the Committee on Pensions, reported back the bill (H. R. 7504) for the relief of Lachlan H. McIntosh; which was laid on the table.

He also, from the same committee, reported back, in the nature of a substitute for the foregoing, a bill (H. R. 9830) for the relief of Lachlan H. McIntosh; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM C. DODGE.

Mr. VANCE, from the Committee on Patents, reported back with amendment the bill (H. R. 6199) for the relief of William C. Dodge; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. GEAR, from the Committee on War Claims, reported back adversely bills of the following titles; which were laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 6806) for the relief of Benjamin F. Salter; and

A bill (H. R. 3175) for the relief of Richard A. Neuert.

ROSALIE O. SULLIVAN.

Mr. BLISS, from the Committee on Pensions, reported back favorably the bill (H. R. 9358) to increase the pension of Rosalie O. Sullivan; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELIZA RUSSELL.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 24) for the relief of Eliza Russell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN C. WAGONER.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 2530) granting a pension to John C. Wagoner; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. MINERVA EAGLE.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 8988) to increase the pension of Mrs. Minerva Eagle; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

DELIA NEWMAN.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 7013) to place the name of Delia Newman on the pension-roll; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

HENRY T. BRIDGES.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 6545) to increase the pension of Henry T. Bridges; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CYNTHIA WITHERELL.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (H. R. 3868) granting a pension to Cynthia Witherell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

THOMAS CHAPMAN.

Mr. BLISS also, from the Committee on Pensions, reported back favorably the bill (S. 74) to increase the pension of Thomas Chapman; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

O. F. ADAMS.

Mr. BROWER, from the Committee on War Claims, reported back favorably the bill (H. R. 7286) for the relief of O. F. Adams; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

UNDERGROUND AND CONDUIT COMPANY, DISTRICT OF COLUMBIA.

Mr. HEMPHILL, by unanimous consent, introduced a bill (H. R. 9853) to incorporate the Underground and Conduit Company in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. CASWELL. Before the committee proceeds with the discussion this morning I want to say that on Thursday I announced my purpose to insist on the rule that every gentleman having the floor should be limited to his hour. I want to say further that there are five gentlemen to-day to whom the floor is assigned. As the one last upon the list has to leave the city not to return for some days it would be exceedingly unfair to him to have his time entirely consumed by extensions to other gentlemen. I give notice that while I am here I will insist upon the observance of the hour rule. I give this notice that gentlemen who have the floor may understand they should not permit interruptions if they desire to occupy their hour in the way they had proposed to do. I do this without disrespect to any gentleman, but I think it is a matter of fairness that that rule should be observed.

The CHAIRMAN. The gentleman from Alabama [Mr. WHEELER] has eight minutes of his time remaining.

[Mr. WHEELER withholds his remarks for revision. See APPENDIX.]

Mr. BLAND. Mr. Chairman, I send to the Clerk's desk to have read, as the foundation for the remarks I am about to make on the pending bill, an extract from Andrew Jackson's farewell address containing his parting kick to this tariff system.

The Clerk read as follows:

There is perhaps no one of the powers conferred on the Federal Government so liable to abuse as the taxing power. The most productive and convenient sources of revenue were necessarily given to it, that it might be able to perform the important duties imposed upon it; and the taxes which it lays upon commerce being concealed from the real payer in the price of the article, they do not so readily attract the attention of the people as smaller sums demanded from them directly by the tax-gatherer. But the tax imposed on goods enhances by so much the price of the commodity to the consumer, and as many of these duties are imposed on articles of necessity, which are daily used by the great body of the people, the money raised by these imposts is drawn from their pockets. Congress has no right, under the Constitution, to take money from the people unless it is required to execute some one of the specific powers intrusted to the Government; and if they raise more than is necessary for such purposes it is an abuse of the power of taxation, and unjust and oppressive. It may, indeed, happen that the revenue will sometimes exceed the amount anticipated when the taxes were laid. When, however, this is ascertained, it is easy to reduce them; and in such a case it is unquestionably the duty of the Government to reduce them, for no circumstances can justify it in assuming a power not given to it by the Constitution, nor in taking away the money of the people when it is not needed for the legitimate wants of the Government.

Mr. BLAND. The gentleman from Michigan [Mr. BURROWS] took occasion the other day to criticise somewhat sarcastically the majority of the Committee on Ways and Means for the manner in which they had

produced this bill. He even went so far as to say that it was a bantling without parentage. This comes with bad grace from the minority of the committee, who up to this hour have shown to the country that they are financial and tariff eunuchs, not having the virility or the manhood to present to this House a bantling of any character. [Laughter and applause on the Democratic side.]

Is it true, Mr. Chairman, that in this stage of our history we have reached a point where we have encumbered ourselves with a boomerang of a tariff, a system of taxation that can not be touched or interfered with without bringing disaster to the business interests of the country; while, on the other hand, it takes from the pockets of the people and piles up in the Treasury a surplus amounting, I assert to-day, to $300,000,000 that ought not to be there? If this is true, and if this system is to be continued, sooner or later it will absorb the whole circulation of the country, reducing enormously property values, and bringing bankruptcy and general financial disaster upon the people. Is it true, I ask, that if we touch the tariff we are to be bankrupted, and if we do not touch it we are still to be bankrupted—that we are to be damned if we do and be damned if we do not? [Laughter.]

I propose, Mr. Chairman, in discussing this question, to deal with it in a manner somewhat different from that in which it has been treated heretofore in this debate, and to show the effect that this surplus has upon the business interests of the country. As I have stated, there are $300,000,000 to-day in the Federal Treasury that ought not to be there, and if we laid not another dollar of tax upon the people of this country for the next twelve months, there is sufficient revenue already in the Treasury to meet every demand of the Government. If there was not a dollar in the Treasury except this surplus and we were compelled either to use that or to borrow money this Congress would not hesitate a moment to take that surplus out of the Treasury and put it into circulation, to use it in the payment of the regular demands upon the Government, to use it for the pension list and other appropriations, and for the payment of the public debt—I mean the sinking-fund.

What is our condition with regard to our currency system?

It is estimated (I am giving round numbers) that there are about six hundred millions of gold, three hundred millions of silver, full legal tender, seventy-five millions of subsidiary coin, three hundred and forty-six millions of legal-tender notes, and about two hundred millions of bank notes, making in all about $1,500,000,000. What is there locked up in the Treasury? The Secretary of the Treasury's latest estimate is that by the end of the current fiscal year there will be one hundred and seventy-five millions of surplus money derived from this protective-tariff system, and from the other taxes with which the people are saddled.

The Secretary estimates that by the 1st of next July there will be that much surplus over and above the needs of the Government. There are also twenty-five millions of this subsidiary coin, which, added to the one hundred and seventy-five millions, makes two hundred millions. There are to-day one hundred millions of lawful money in the Treasury for the redemption of the bank notes, and if it came to the worst, and if we were driven to the point, we could take fifty millions of the two hundred millions of gold reserve, and not in the least endanger the financial credit of the country, making $350,000,000, which I say could and would be used, were it necessary, to meet the ordinary expenditures of the Government, and which we would use before we would borrow another cent or issue a bond bearing interest. But I will put it in round numbers at $300,000,000, leaving the gold reserve where it is. That constitutes one-fifth of the whole monetary circulation, which is locked up unnecessarily in the Federal Treasury. Now, what effect does that have upon values throughout this country? When we talk about a surplus of $300,000,000, it seems and it is an enormous thing in itself, but when we come to see the effects of the locking up of this surplus upon the values of the country it is absolutely startling. All economic writers hold, and in fact it is a truism, that money measures the value of all commodities, and the amount of money in circulation fixes the value of the commodities. Commodities to-day are measured by the amount of money in circulation. Now, what will be the effect of $300,000,000 more in circulation in this country?

The census of 1880 shows we had about $43,000,000,000 of property values, all told. If you should add one-fifth to that, and also the increment of eight years, which would be the case if we put out the other one-fifth of our currency, what effect would it have? Gentlemen can make their own calculations. The aggregate would reach $60,000,000,000. The farm lands of the country, excluding farm products, amounted in value in 1880 to $10,000,000,000, and to-day, if we take into consideration the eight years that have since elapsed and estimate the value of both the farm products and the farm lands, including the improvements that have been made and the vast amount of capital that has been expended in that way, the aggregate will reach not less than $15,000,000,000.

What would be the effect of placing in circulation $300,000,000 more upon the farm values of this country? It would add one-fifth, or $3,000,000,000 to their value as compared with what it is to-day; and when we hear on this floor that the farms of this country are mortgaged to an amount estimated all the way from one billion to three billions of dollars, the lowest estimate being $1,000,000,000 and the highest $3,000,000,000—when we consider this we ought to remember that, taking those mortgages even at the highest estimate, $3,000,000,000, if we should turn this surplus out of the Treasury and put it in circulation the increase in farm values would more than pay off the whole three billions. In other words, it would increase the value of the property of the farmers of this country in such a ratio as to wipe out their debts.

On the other hand, who can gainsay the fact that the terrible contraction of the currency which has been created by excessive taxation and by locking up the surplus in the Treasury has plastered the farms of this country with mortgages, and that to turn loose the surplus would enable the farmers to wipe out those mortgages?

Mr. Chairman, the other day the gentleman from New Hampshire [Mr. GALLINGER], a Representative from New England, in discussing this tariff question entertained us with a very able speech, in which he gave statistics showing the great and unparalleled increase of wealth in New England as compared with other portions of the country, the enormous amount of money deposited in the savings-banks, etc. He attributed this to the enterprise, the industry, the genius, the thrift of the New England people; and alluding especially to my colleague [Mr. DOCKERY] and the gentleman from South Carolina [Mr. HEMPHILL], he recommended that the West and the South emulate the example of New England, and thus remove the ground for the complaint which had been made of the vast disparity between the West and the South on one side and New England on the other in reference to the increase of wealth. I quote from Mr. GALLINGER, as follows:

> In the entire country there are about two hundred and sixty thousand manufacturing establishments of all kinds, employing two million seven hundred and fifty thousand people. The total capital invested in 1880 was nearly three billions of dollars. The total value of all material used was about three and one-half billion dollars, while the aggregate annual value of the products thereof was over five and one-half billion dollars. The share that the six New England States, with less than one-thirteenth of the population of the country, take in this combined manufacturing industry of the Union is that of about thirty-five thousand manufactories, or over one-eighth of all, and they employ six hundred and fifty thousand people, more than one-fifth of all.
>
> Of the total capital invested they employ within their own borders over six hundred and fifty millions, more than one-fifth of all; of the total value of materials used they consume nearly seven hundred millions, over one-sixth of the whole; and they yield in products of manufacture nearly twelve hundred millions of dollars, about one-fifth of all. And yet it is coolly proposed by hostile legislation to strike down this great wealth-producing, tax-paying section of our country, the section from which came the money to bind the Eastern States to the Pacific Ocean with bands of iron, which out of her abundance has built Western railroads and Western cities, and which to-day stands with open hand and generous purse ready to help rehabilitate the South whenever in good faith she is invited so to do.

Again he says:

> In New England there is deposited in savings-banks over $120 for every man, woman, and child, while in the South, upon the basis of the figures of the Comptroller, there is just about one-fourth of a cent per capita. This immense fund, $575,000,000, represents to a large extent the earnings of the laboring classes (including the farmers) of New England, and is of itself the grandest possible tribute to their industry, thrift, and capacity. And when are added the millions of New England capital invested in loans, in property in Western cities, and in Western, Southern, and transcontinental railways, some idea can be formed of the prosperity of her people.

CONTRAST OF FARMERS AND MANUFACTURERS.

Mr. HEMPHILL, of South Carolina, in his able speeches quotes as follows from the census:

> By the census of 1850 the estimated value of farms in the United States was $3,271,575,426. In 1860 the value was estimated at $6,645,045,007, showing an increase value during the decade of $3,373,469,581, or more than 100 per cent. In 1870 the value of the farms was estimated at $9,262,803,861, showing an increase during the decade of $2,617,758,861, or less than 40 per cent. In 1880 the value of farms was estimated at $10,197,096,776, being an increase during the decade of $939,292,915, or only a fraction over 9 per cent. (See Compendium of the Census of 1880, page 658.)
>
> "The value of the live-stock in the United States in 1850 was estimated at $544,180,566. In 1860 it was valued at $1,089,329,915. The increase during the decade was $545,149,349, or over 100 per cent. In 1870 it was estimated at $1,525,276,547, being an increase during the decade of $435,946,542, or less than 40 per cent. In 1880 the live-stock was valued at $1,500,464,699, being a decrease during the decade of nearly $25,000,000, or more than 1½ per cent.
>
> "There seems every reason to believe that between 1850 and 1860 there was a very rapid increase in wealth. In the general prosperity of the country the great farming community appears to have fully participated. Then, as now, it comprised about half of all our people. Starting in 1850 with less than $4,000,000,000 they increased their wealth by more than an equal amount in ten years.
>
> "But since 1860, with far more than twice as much capital, and added millions of persons employed, they have scarcely been able, even by the highest estimates the census officers could possibly make, to add as much to their wealth in twenty years as they did in the preceding ten. In 1860 farmers owned half of the wealth of the country. In 1880 they owned but a quarter. By the census estimates the other half of the community between 1860 and 1880 increased their wealth by more than $23,000,000,000. But farmers starting with an equal capital increased their wealth during the same time only a little more than $4,000,000,000.

Mr. DAVIS. Does not the gentleman consider it extraordinary that the country should have done so well as that after all the waste of a disastrous war and at a time when money was dropping in value?

Mr. HEMPHILL. My answer is this: That a great war and the dropping of currency to a hard-money basis ought to affect everybody else as well as the farmers, whereas in the twenty years to which I have called attention the farmers did not make but one-sixth the progress of other people. Now, it is true the coming down of the currency affected all, but if it bore six times as hard upon the farmers as upon other people, and that seems to be the gentleman's theory, it seems they were the people who needed some protection. [Applause on the Democratic side.]

To complete this portion of the argument it is only necessary to say that during the ten years from 1850 to 1860, when the farmers increased their wealth 100 per cent., we were under the low-tariff laws of 1846 and 1857, the average duty under the former being about 26 per cent., and under the latter about 20 per

cent.; while from 1860 to 1880, a period of twenty years, during which the farmers, being one-half of the population and starting with one-half the wealth, gained only about one-sixth as much as the other half of the population, we were under the Morrill tariff of 1860 and its amendments, the average duty being over 42 per cent.

Under a low tariff, 1850 to 1860, the farmers increased their wealth 100 per cent.; in the next ten years, 1860 to 1870, with a tariff nearly twice as high, they increase only 39 per cent., and in the succeeding ten years, 1870 to 1880, under the same high tariff, they increase only 9 per cent.

Seeing what a wreck he has made of agriculture, how he has robbed the toiling millions who, through winter and summer must labor in the open fields, we might conceive how a protectionist could brace himself up to continue quietly and away from the public view to enjoy the fruits of his unjust and unfair exactions; but it would seem that nothing but inordinate vanity, born of undue self-esteem and long shielded by protection from the depressing effects of foreign competition, and especially from the "pauper modesty of Europe," could ever induce any such man to parade himself before an intelligent public in the sham character of the farmer's best customer. The thing would be absolutely ridiculous if it were not unfortunately so exceedingly expensive.

Mr. HOPKINS, of Illinois. In that you take in all the Confederate States, those that were claiming to be out of the Union?

Mr. HEMPHILL. Yes; from 1860 to 1870, as I have said, the comparison is not altogether satisfactory, because, of course, the labor was lost in the South, and other disturbing conditions prevailed, as I have said. Between 1850 and 1860 and between 1870 and 1880 there is a fair comparison.

But let us look at this question in another light; and I come to another proposition in this connection. We have been taunted with the question, "Why do you not, in the West and the South, go to manufacturing, if so much money is gained in that way?" Mr. Chairman, let us look at the history of this country for the last twenty-five years, and its legislation as affecting the West and the South on the one side and New England on the other. Before the war, as the census returns show (I have not time to read them, but will incorporate them in my remarks), under a low tariff manufactures prospered in New England. The great West and the South, having an agricultural people, were prosperous also; but all were prosperous in the same ratio, and were upon an equality, so that there was but little complaint. The people of the South and the West had all their capital invested in farms and farming.

But, sir, when the Morrill tariff law increasing the duties on imports was enacted New England was in a position to receive the benefit of that measure. Manufacturing had been her business; she had plant and capital engaged in it, while at the West capital was engaged in agriculture. What was the result, then, of the Morrill tariff? It immediately set in operation a process of transferring the wealth of the West into the lap of New England by a protective tariff. In manufacturing for the Army New England had a vast market and an enormous profit, for she sold products in greenbacks ranging all the way from 30 to 60 cents on the dollar, and received bonds paid for in greenbacks all the way from 40 to 60 cents on the dollar. New England was ready to take advantage of this legislation and did so.

What further? In 1869 Congress was called upon to further legislate upon that subject; and if I should recite the preamble of the act of 1869, which pledged the faith of this nation to the payment of those bonds in coin, it might read thus: Whereas bonds which were sold for 40 to 60 cents on the dollar are now held by the capitalists of New England, who have gathered them together under the protective tariff system, therefore the advantage shall be given to New England of making these bonds payable, both principal and interest, in coin. Of course this was not the preamble, but it was the effect of the law.

And, sir, as will be remembered, the revenues that this Government derived from duties on imports were made payable in coin for the purpose of paying the interest on this public debt; and finally the whole debt was made payable in coin. At that time there were $2,000,000,000 of public securities of the Government which had been purchased, as I have remarked, at from 40 to 60 cents on the dollar, which were thus made worth par in coin, thus nearly doubling the burden upon the people of the West and South. Not less than $800,000,000 was thus taken from the tax-payers of this country, and by this one act put into the lap of New England.

They were not satisfied even with that. They came here in 1873, and, demanding that gold only should be considered as coin, they secured the demonetization of one-half the money of the world for the purpose of doubling again the value of a debt that had already been doubled in their pockets.

O insatiable avarice, what will ye not compel mortal man to do?

For as Hood expresses it:

Gold! Gold! Gold! Gold!
Bright and yellow, hard and cold,
Molten, graven, hammer'd, and rolled;
Heavy to get, and light to hold;
Hoarded, barter'd, bought, and sold,
Stolen, borrow'd, squander'd, doled;
Spurn'd by the young, but hugg'd by the old
To the very verge of the churchyard mould;
Price of many a crime untold.
Gold! Gold! Gold! Gold!
Good or bad a thousand-fold!
How widely its agencies vary—
To save—to ruin—to curse—to bless—
As even its minted coins express,
Now stamped with the image of good Queen Bess,
And now of a bloody Mary.

It was these legislative acts on the part of Congress which threw the wealth of the country into the lap of New England and deprived the West and the South of their right to have the payment of the debt made in accordance with the original contract. I can thus see the reason why the West and the South have not recovered from the drain made upon them. They have not gone into manufacturing, because it was impossible under the circumstances to convert their farm capital into manufacturing capital.

But, Mr. Chairman, I want to devote a few moments to the question of the "home market." We have heard a great deal of discussion on the question of the "home market;" and we of the West especially have been assured that this protective-tariff system is a benefit to us from the fact that it gives us a "home market." Now, we all know that wheat is the great money crop of the West; and I want to give a few statistics in regard to wheat, its exportation, its consumption at home and abroad.

Referring to the report of the Commissioner of Agriculture we find that in the six years beginning in 1881 and ending in 1886, the total production of wheat in this country was 2,665,645,000 bushels; and of this the quantity consumed for food was estimated at 1,563,000,000 bushels (I simply give round numbers); for seed, 320,000,000 bushels; for exportation, 760,000,000 bushels.

In other words, for the six years the average production yearly was 439,000,000—260,000,000 bushels for food, 53,000,000 bushels for seed, 126,000,000 bushels for exportation.

Report No. 43, new series, 1887, of Statistician, page 362, is the following table relating to production and distribution of wheat:

Year.	Production.	For food.	For seed.	Exportation.	Total distribution.
	Bushels.	*Bushels.*	*Bushels.*	*Bushels.*	*Bushels.*
1881	383,280,000	235,249,812	55,215,573	121,892,389	412,357,774
1882	504,185,470	255,500,000	52,770,312	147,811,816	456,081,628
1883	421,086,160	259,500,000	54,683,389	111,534,182	425,717,571
1884	512,765,900	265,000,000	55,266,239	132,570,367	452,836,606
1885	357,112,000	271,000,000	51,474,906	94,595,794	417,070,700
1886	457,218,000	277,000,000	51,528,658	151,789,135	480,317,794
Total	2,635,645,620	1,563,249,812	320,939,077	760,163,184	2,644,352,073
Average	439,274,270	260,541,635	53,489,846	126,693,864	444,725,345

Now, who consumed this wheat? The census shows that about 44 per cent. of the population of this country are engaged in agriculture—farmers and those employed by them. So that portion of the population alone has consumed nearly one-half of the whole crop, and if you add to it seed-wheat they have consumed more than half. Where has the other gone? Seven hundred and sixty millions of bushels have been sent to foreign markets, 1,563,000,000 have been consumed at home; and who consumed it? Mr. Manning, in his report to the second session, Forty-ninth Congress, Executive Document No. 2, Part 2, page 17, shows, and shows very conclusively, that there are only about 5 per cent of our whole population engaged in pursuits which could be protected by the tariff, and they have consumed 5 per cent. of that, which would be about 19,000,000 of bushels annually.

We have exported how much? Our average of exportation has been 126,000,000 bushels in round numbers. The consumption of wheat by those engaged in protected industries amounts to 19,000,000 bushels, not more than one-third of what the farmers use annually for seed.

Now, Mr. Chairman, I have some more statistics on this subject. Before reading them I will state that this last fiscal year we imported, in round numbers, $692,000,000 worth of foreign goods. On that there was paid $217,000,000 of tariff duty. Assuming the farmer population of the country, who are consumers, consume one-half of that.

We have some $108,000,000 they have paid into the Federal Treasury by way of tariff taxation in one year. Is it true they have paid $100,000,000 into the Treasury for the purpose of selling to home consumers in protected industries, who consume 19,000,000 bushels of wheat annually? Is that the feast to which the farmers of this country are invited?

The home market, as far as those engaged in protective industries furnish it, consumes only 19,000,000 bushels of wheat annually, while the foreign market consumes an average of nearly 127,000,000 bushels annually. Wheat is only one item; of course, all other products exported bear the same relation, so far as protective industries are concerned. The home market of the farmer is confined almost wholly to the people who are not engaged in protective industries, for the very obvious reason that only 5 per cent. of our people are so employed.

I notice in the West there is a move to organize a farmers' trust—a confederation of farmers. For what? As I understand, sir, it is for the purpose of buying where they can buy the cheapest, and selling where they can sell for the largest price.

Mr. PETERS. Is that the declaration they made at their meeting at Topeka, Kans.?

Mr. BLAND. The gentleman asks me whether that was the declaration they made at Topeka, Kans. I inquire of him what the declaration was they did make.

Mr. PETERS. They made the declaration that the object of their association was to control the markets in accordance with the demand

which might be made for wheat, and not leave each farmer at the mercy of the wheat ring in Chicago or elsewhere.

Mr. BLAND. I am glad to have the explanation of the gentleman from Kansas, for it is better than I had put it myself. In other words, to get the most possible for it.

We know the difficulty of organizing farmers in this manner. They are at great disadvantage, for what they have to buy is protected by a tariff system, and what they have to sell is attempted to be confined to this market alone. But when the confederation of the farmers turn themselves to that question they will solve the whole difficulty in which they are involved.

Mr. Chairman, in order to put the federation of farmers upon the proper track in regard to obtaining the highest price for their products, I wish to call attention to the question of exports and imports of the products of agriculture for the purpose of showing that it is the foreign market which consumes the surplus products, and that notwithstanding we have been paying for the last twenty-five years from 45 to 60 per cent. as a tax or fine from the farmers of this country for exporting their produce, a tax levied upon the articles imported by them under the pretense of protecting home manufacturers in order to build up the home market of farmers. As I have before shown, there are only 5 per cent. of our whole population of 60,000,000 people who are engaged in industries protected by this tariff.

I furnish a table found in Executive Document No. 6, Fiftieth Congress, first session, from the Bureau of Statistics, beginning with 1860 up to 1887, in which it will be observed that, notwithstanding the enormous taxes farmers have had to pay under the promise of a home market, the percentage of consumption in the home market has not increased during the last twenty-five years. This table shows the exports of domestic merchandise to foreign countries during the years indicated, divided into the products of agriculture, manufactures, and mining, and it shows, also, that the percentage of exports of agriculture in 1860 was 81.14 per cent.; in 1870, 79.34 per cent.; in 1880, 83.25 per cent.; so that after twenty years, or nearly so, of protective tariff their percentage of exports was but little greater than in 1860. In 1880 to 1887 agricultural ranges from 82 to 74 per cent.

While, on the other hand, our protective industries have promised us that by protective tariff they would be enabled not only to compete with foreign products in our own country, but they would be enabled to export largely of their products, we find in 1860 the products of manufacture exported amounted to 14.43 per cent. of the whole export trade. In 1880, thirty years or nearly so after the protective tariff, it amounted to only 9.64 per cent., a falling off. There was a slight increase from that time or from the year 1884, when it reached as high as 15 per cent., and in 1887 19.45 per cent. of the whole exports of the country. This clearly proves that our agriculturists to-day furnish as large a percentage of exports at this time with only slight variations as to years as they did thirty years ago, and that the promise of a home market has not been verified. I here insert the table, which is found on page 40 of the report referred to.

EXPORTS OF PRODUCTS OF AGRICULTURE AND OF MANUFACTURE.

The following table shows the values of our exports of domestic merchandise to foreign countries during the years indicated, subdivided into products of agriculture, of manufacture, of mining, etc., and of the exports of specie for 1860, 1870, and from 1875 to 1887:

Year ending June 30—	Exports of domestic merchandise.							Exports of domestic gold and silver.
	Products of agriculture.		Products of manufacture.		Products of mining, forestry, fisheries, etc.		Total.	
	Value.	Per cent.	Value.	Per cent.	Value.	Per cent.		
	Dollars.		*Dollars.*		*Dollars.*		*Dollars.*	*Dollars.*
1860	256,560,972	81.14	45,658,873	14.43	14,022,588	4.43	316,242,423	56,946,851
1870	361,188,483	79.34	47,921,154	10.53	46,908,704	10.13	455,208,341	43,883,863
1875	433,306,570	76.98	75,755,432	13.55	53,175,636	9.50	559,237,638	83,857,129
1876	456,113,515	76.67	81,374,077	13.68	57,430,123	9.65	594,917,715	50,028,691
1877	459,734,148	72.63	88,007,773	13.91	85,238,933	13.46	632,980,854	43,134,738
1878	530,192,873	77.07	91,416,576	13.14	68,140,481	9.79	695,749,930	27,061,885
1879	543,476,703	78.12	89,117,215	12.74	63,944,824	9.14	699,538,742	17,555,035
1880	685,961,091	83.25	79,510,447	9.65	58,474,815	7.10	823,946,353	9,347,893
1881	730,394,943	82.63	89,219,380	10.10	64,211,624	7.27	883,925,946	14,226,944
1882	552,219,819	75.31	103,132,481	14.08	77,887,432	10.61	733,239,732	43,480,271
1883	619,239,449	77.00	111,890,001	13.91	73,054,182	9.09	804,223,632	21,623,181
1884	536,315,318	73.98	111,330,242	15.35	77,319,293	10.67	724,964,852	50,225,635
1885	530,172,966	72.96	117,259,810	16.14	79,250,170	10.90	726,682,946	24,376,110
1886	481,954,595	72.82	106,419,692	15.98	74,590,242	11.20	665,964,529	51,924,117
1887	523,073,798	74.41	136,735,105	19.45	43,214,020	6.14	703,022,923	22,710,340

In order to show this fact I will also produce from the same report, found on page 41, the following:

It will be observed, by reference to the following table, that our exports of the products of agriculture have consisted almost entirely of raw cotton, breadstuffs, provisions, including meats and dairy products, and leaf tobacco—these products during the fiscal year 1887 comprising 91 per cent. of the total value of the exports of all products of agriculture:

Value of exports of the leading products of domestic agriculture from the United States from 1860 to 1887.

Year ending June 30—	Cotton, raw.	Breadstuffs.	Leaf tobacco.	Provisions, comprising meat and dairy products.	Cattle, sheep, and hogs.	Total.
1860	$191,806,555	$24,422,310	$15,906,547	$16,934,303	$1,468,642	$250,533,418
1861	34,051,483	72,152,366	13,784,710	22,485,213	254,930	142,726,702
1862	1,180,113	84,185,754	12,325,356	37,108,672	235,181	135,143,076
1863	6,652,405	80,180,832	19,752,076	58,623,579	372,414	174,580,806
1864	9,895,854	63,400,606	22,845,925	51,379,501	243,665	147,765,862
1865	6,836,400	53,941,231	41,625,235	54,015,841	244,148	156,662,845
1866	281,385,223	41,249,054	29,456,145	29,693,799	426,305	382,770,457
1867	201,470,423	41,288,804	19,620,159	27,224,063	378,170	289,981,616
1868	152,820,753	69,024,059	22,808,823	31,078,598	432,566	276,254,779
1869	162,633,052	53,724,154	20,552,943	49,325,781	(a)	286,235,930
1870	227,027,624	72,250,963	21,109,420	30,962,305	724,933	352,096,245
1871	218,327,109	79,381,187	19,989,707	39,748,796	551,769	357,417,568
1872	180,684,505	84,546,273	24,126,166	64,306,139	1,193,464	354,906,637
1873	227,243,069	98,743,151	22,689,135	82,911,620	1,591,057	433,178,072
1874	211,223,580	161,198,864	20,399,181	83,511,275	2,936,429	480,269,329
1875	190,638,625	111,458,265	25,244,549	83,109,055	2,026,198	412,464,702
1876	192,659,262	131,181,535	22,737,393	92,225,308	1,951,846	440,855,354
1877	171,118,508	117,806,479	28,825,524	118,579,676	2,526,740	438,856,921
1878	180,031,484	181,777,841	24,903,165	124,845,167	4,497,570	515,955,203
1879	162,304,250	210,353,528	25,157,364	119,857,092	10,162,400	527,837,234
1880	211,535,905	288,030,853	16,379,107	132,488,201	14,657,931	663,207,579
1881	247,605,746	270,332,519	18,737,043	156,809,849	15,639,173	709,514,321
1882	199,812,644	182,670,528	19,067,731	122,020,533	8,943,656	532,485,079
1883	247,328,721	208,040,850	19,458,066	109,217,119	9,768,803	593,793,559
1884	197,015,204	162,544,715	17,765,760	114,353,788	19,333,121	511,012,588
1885	201,962,458	160,370,821	22,025,786	107,332,456	13,908,441	505,680,962
1886	205,085,642	125,846,558	27,158,457	90,625,216	11,963,666	469,678,968
1887	206,222,057	165,768,662	25,948,277	92,783,295	9,991,614	503,713,906

a Animals not separately stated.

In the year 1887 we exported of the products of domestic agriculture $500,713,906. On page 71 of the same document will be found the leading articles of imports entered for consumption during the year 1887, which amount to $683,418,980.70, which are dutiable under our present tariff and on which was collected $217,000,000 tariff taxes. As this may not be considered entirely fair, inasmuch as our whole importation of merchandise amounted to $726,042,878, which would include articles on the free-list, leaving about $43,000,000 that came in under the free-list. Now, if we take the whole $700,000,000 imported on which duties were paid to the amount of over $217,000,000, we find that about 30 per cent. in value of our foreign commerce was diverted from the pockets of the farmers by a tax or fine levied upon them for not selling their products at home, when, in reality, it was a surplus they had on hand for which there was no home market.

Our whole exports of merchandise for 1887 were $679,159,477. Subtract from this the whole amount of farm products leaves only about $178,000,000 of other exports. So it may be fairly assumed that the whole burden of tariff taxation, being a burden and tax on commerce itself, is a tax upon those who produce the commodities entering into and constituting nearly the whole of our commerce, to wit, the agriculturists. But to come at it exactly, and for the purpose of illustrating the matter, I will say to the agent of our federation of farmers that suppose in the next fiscal year we find that their surplus products exceed somewhat that of this past year, or should be $600,000,000, in round numbers, for which they have no market at home, unless they sell at a great sacrifice, and to dispose of which they are driven from necessity to foreign markets, and suppose the agent of that federation of farmers ships this $600,000,000 of farm produce to European countries, and there exchanges their produce for the products of those countries, products that are consumed by the farmers and their families, furnishing the farms, keeping up their stock, and supplying themselves with the necessaries of life.

We find from this 30 per cent. that was paid last year on importations they can buy those products 30 per cent. cheaper in foreign markets than here, and therefore their $600,000,000 of products in foreign markets will produce for them $780,000,000 of foreign products that enter into consumption and supplying their families and keeping up their farms. It will be readily seen that this agent of the federation of farmers has made a wise investment; that although his exports were only $600,000,000 his imports are $780,000,000, and while our protective tariff defenders would say that inasmuch as his imports had exceeded his exports, therefore the balance of trade was against us, it would be the reverse, because he had sold $600,000,000 worth of products for which he received $780,000,000, and instead of the balance of trade being against us we are the gainer of $180,000,000. So far the farmer has made a large profit. But when the commodities he has procured from abroad reach our ports the cargo is visited by a custom-house officer and 30 per cent. of the invoice cost of those articles, which would be $600,000,000, inasmuch as they are worth only $600,000,000 in the ports where they are exchanged for, but $800,000,000 here, 30 per cent. tax would be levied on the invoice price, and before the goods could be removed for the farmers to consume them, this tax of 30 per cent., or $180,000,000, must be paid, even before they can leave the custom-house.

This agent of the federation of farmers may well say, "Why is this exacted of us?" The custom-house officer could only reply that it

was to discourage this sort of thing, shipping goods abroad and buying goods abroad; that this fine or tax was levied for the purpose of compelling him to buy at home and build up home industries; that it was the policy of this Government to discourage foreign exports and foreign imports; that he should have traded at home and not taken his products abroad. So that the farmers find that what ought to have been a profit to them, and would have been a profit to them but for this high protective tariff, has been ruthlessly confiscated in their hands and they have lost all their profits, amounting to $180,000,000.

Now, our Republican friends in this House will not listen to the proposition that all these manufacturing industries have formed themselves into pools, trusts, and combines for the express purpose of keeping up the price of their manufactured products, and that this high protective tariff that finds the farmers and every one else who undertakes to escape from the exactions of these trusts, imposes on him taxes ranging from 30 to 40 per cent. every time he undertakes to trade with anybody but a trust or a monopolist. We do not wonder that the farmers are endeavoring to escape from the degradation of this law, and that they are forming, or attempting to form, combinations with which to fight combinations. But, of all the pools and all the trusts that ever cursed the farmers of this land, the high protective tariff pool and trust is the gigantic father; and it is against this trust of the protective tariff, the parent of the whole brood, that they must bend every energy and fight to the bitter death, or else they will go to the wall, for they are not in a condition to oppose these pools and trusts in any other manner than in lowering tariff rates and permitting fair competition the world over, so that when the pools and trusts at home undertake to put up prices, the products of other countries may come in and counteract them. A farmer who can not see this is certainly blind.

But the farmers alone are not suffering. All the industries not protected share more or less with them in this operation, and hence it is the interest of all that protective-tariff pools and trusts should be made to succumb, and there is no mode on earth to accomplish that except by reducing tariff taxation to such a point as will admit of this fair competition. This high protective tariff, intended to discourage farm exports and exchange for foreign commodities, heavy duties laid upon imports in exchange for his products, has discouraged exports; it has compelled the farmers and all others to purchase commodities at home at prices enhanced in value all the way from 30 to 40 per cent., made possible on account of the tariff that prohibits importation for less than that.

The consequence is that four-fifths at least of all articles they consume is purchased at home, on which they are required to pay to the manufacturer himself, and not to the custom-house or the Government, all the way from 30 to 40 per cent. on every hat, coat, all their apparel, their blankets, household goods and kitchen furniture, the iron and steel in their farm implement; in fact, everything that can be made, that can be consumed, and not of their own product and consumed at home. And if it be four-fifths, then it is four times the amount of the revenue paid to the Government, that amount being $217,000,000 multiplied by four, or $868,000,000, which is a fair and reasonable estimate of the amount of money the farmers and other people of this country not engaged in protective industries are annually contributing to the protected barons or monopolies, pools, and trusts. Paying to the manufacturers and these pools $800,000,000 and the Government $200,000,000, we have at least calculation, in round numbers, $1,000,000,000 annually extorted from the people of this Government who are not engaged in protected industries, and turned over to the capitalists, who are reveling in their wealth, counting millionaires by the thousand, while their laborers, for whose special benefit they pretend this enormous iniquity is exacted, are reduced to poverty and distress, for they are compelled to compete not only with one another here, but with the foreign pauper laborers, so called, who are constantly arriving on our shores, imported for the express purpose of reducing the wages of American laborers.

Mr. BURROWS, of Michigan, in his speech upon the tariff question, made the following observation:

> It is an interesting fact that during the period of a low tariff, from 1848 to 1860, inclusive, there was but one year in which the balance of trade was in our favor, and the net balance against us in these thirteen years was $396,216,161, drawn out of the country in gold to pay for foreign goods. Yet during the last thirteen years, under a protective tariff, only one year has the balance of trade been against us, while the aggregate in our favor has reached the magnificent sum of $1,612,659,755. [Applause.]

It will be noted in this extract that the gentleman from Michigan fails to go further back than the year 1848, and stops at the year 1860. Any one acquainted with the history of our country well knows that the discoveries in 1849 of the fabulous gold fields in California and on our Pacific coast, together with the silver products of this country, poured into the lap of the commercial world nearly $2,000,000,000, almost doubling in that short period the metallic currency of the world. It is not strange, therefore, that of this enormous gold and silver product a large portion necessarily found its way into all countries under the law of supply and demand for the metals. But money alone is not wealth. It is simply a medium of exchange of wealth. We did not send it abroad at a loss, for with it we purchased that which could either not be produced at home at all or which came to us much cheaper than we could produce it at home.

As well might the gentleman say, as I have before instanced, that should the farmers of this country export the next fiscal year $600,000,000 worth of products, which is as much wealth as money, and finding commodities in other countries 30 or 40 per cent. cheaper than they are here on account of the protective tariff, exchange that $600,000,000 worth of products for $800,000,000 worth of products in other countries, therefore, because the farmer's export was less by $200,000,000 than his import, the farmer had lost $200,000,000 in the transaction, when in truth and in fact, although the balance of trade apparently against him amounted to $200,000,000, or the balance of exports over imports, yet he had gained wealth to the amount of $200,000,000 and that wealth would go into his pockets were it not confiscated at the custom-house.

I have statistics here taken from Mr. Spofford's almanac of 1888—a table showing the value of the total imports and exports of merchandise into and from the United Kingdom. This table shows that beginning with the year 1872 up to and including the year 1887 the United Kingdom imported about $8,000,000,000 more than was exported. In other words, the imports of the United Kingdom exceeded their exports this enormous sum during the period of sixteen years, averaging about $500,000,000 a year of imports in excess of exports. In other words, according to the theory of the protectionists, the United Kingdom in that time lost in her trade $8,000,000,000. A greater fallacy never could be advanced than that the people who import more than they export should necessarily be the losers of the difference.

Value of the total imports and exports of merchandise into and from the United Kingdom.

Years.	Imports.		Exports.		Excess of imports.
	Total value.	Total value.	Total value.	Total value.	
1872	£354,693,624	$1,773,468,120	£314,588,834	$1,572,944,170	$200,523,950
1873	371,287,372	1,856,436,860	311,004,765	1,555,023,825	301,412,035
1874	370,082,701	1,850,413,505	297,650,464	1,488,252,320	362,161,185
1875	373,930,577	1,869,697,885	281,612,323	1,408,061,615	461,636,270
1876	375,154,703	1,875,773,515	250,776,002	1,253,880,010	621,893,505
1877	394,419,082	1,972,095,410	252,346,020	1,261,730,100	710,365,310
1878	368,770,742	1,843,853,710	245,483,858	1,227,419,290	616,434,420
1879	363,991,875	1,814,959,375	248,783,564	1,243,917,820	571,041,555
1880	411,220,565	2,056,147,825	286,414,466	1,432,072,330	624,075,495
1881	397,022,482	1,985,112,415	297,082,775	1,485,413,875	499,698,540
1882	413,019,608	2,065,098,040	306,660,714	1,533,303,570	531,794,470
1883	426,891,579	2,134,457,895	305,487,070	1,527,185,350	607,272,545
1884	390,018,569	1,950,092,845	295,967,583	1,479,837,915	470,254,930
1885	370,967,555	1,854,839,775	271,403,694	1,357,018,470	497,821,305
1886	349,893,472	1,749,317,360	268,667,017	1,343,335,085	405,982,275
1887	.....	1,749,317,360	.....	1,343,335,085	556,982,275
	Total.....	.....	.....	.....	8,849,272,117

The whole circulating medium of Great Britain is about $600,000,000, and yet the excess of her imports over her exports amount to $500,000,000 annually. If we are to believe the theory of the protectionist, then, of course, the United Kingdom would be drained every year of nearly the whole of her circulating medium to pay this balance of trade against her; yet everybody knows that this is not true, but, on the contrary, she has not lost a dollar in that way. The truth is, it only shows that Great Britain is drawing to herself, by her great commercial supremacy, the wealth of the world, and this $8,000,000,000 shows the profit of her trade and not the loss.

This may be explained in a great measure from the fact that Great Britain or the United Kingdom, whether because she is a free-trade country or otherwise is not now important to consider, but for whatever reason may be assigned, is the great commercial nation of the world—the clearing-house, so to speak, of the world; that instead of adopting a policy to discourage trade with other countries, her whole effort is to extend her trade with all nations and all people that she may gain from them wealth. This policy has enabled the United Kingdom to become the creditor nation of the world. What she brings from southern climes she distributes to northern climes; what she gathers from the east she sends to the west; everything can be had there, whether it be the product of the north, the south, the east or the west. Her sails are seen upon every sea, her merchantmen penetrate the icebergs of the north and the torrid zone of the south. If her provinces or other nations, for the purpose of internal improvement, constructing railroads, canals or any other enterprises for which money is demanded, call on her, the United Kingdom is ready to furnish the desired capital in whatever part of the world it is required.

Even in our own country we call upon the United Kingdom for money in building up our home enterprises, of railroad construction and the like. Now, we must remember that the United Kingdom has not the money in reality to supply all these demands, nor is it supplied by money. A company, for instance, desiring to construct a railroad in South America, visits London, negotiates a loan of $50,000,000, for which bonds are issued bearing, say, 6 per cent. interest, on the road. This borrowing of $50,000,000 simply means that the banker of London gives the company a letter of credit on the merchant of London, and upon this letter of credit, to secure which bonds are issued and held by the banker, the company goes to the merchant and ob-

tains $50,000,000 worth of merchandise, goods, implements, materials, all the essentials necessary to build the road. This is furnished in commodities and no money is handled, but there is the bond drawing interest, so that in reality the banker has furnished the merchant with the money, the company has furnished the banker with the bond as security for it, the merchant holds the money and furnishes the goods, the banker holds the bonds, and not a dollar goes out of the United Kingdom.

Now, this $50,000,000 of bonds, bearing 6 per cent. interest, requires the payment of $3,000,000 annually of interest. Now, this company in South America, to pay that interest, does not pay money. Commodities grown, produced in the country where this road is constructed, are taken to the United Kingdom, and there, by the exchange of these commodities, a mere matter of book-keeping, $3,000,000 worth of commodities has paid the banker his $3,000,000 of interest. So that we find the whole transaction is carried on without a dollar in actual cash probably having been used; and this is simply an instance to illustrate how it is that the United Kingdom has been enabled to import more than she exports.

These vast imports are commodities sent there to pay the debts the world owes to England on fixed securities on balance of trade; and this is proof of the fact that where statistics show a balance of trade, so to speak, according to the theory of the protectionist, is against the United States it does not by any means mean that the nation is a loser, but, on the contrary, in this instance at least, it is a gainer. The same thing ought to happen with this country. Our merchants ought to be enabled to supply, and but for a protective tariff would supply, our South American neighbors with what they consume. The South American company ought to have gone to New York and procured the goods and left the bonds, and that would have given us the benefit of the increment of the bonds. But a protective tariff that prevents other nations from coming to our ports without paying 30 to 40 per cent. on what they bring here has practically barred out commerce; has swept away our ships from the seas; sent us back to the barbarisms of the Asiatics who built walls around their countries for the express purpose of excluding trade and commerce with foreign countries.

And thus it is that the vast wealth of this country, especially in agriculture, and I might also say in its facilities for manufacture, its inventive genius, its industrious inhabitants, with all its vim and enterprise, willing and able to compete with any country on earth for the trade of the world, has fines and penalties imposed upon it for even daring to venture to exchange products with any other country, enslaved, fettered, and ground to the dust by the enactment of laws that are a disgrace to a civilized nation.

But for this protective humbug we would in a short period gain the world's commerce and become the masters of the seas. Do gentlemen in the debate upon the other side of this question who have so frequently called our attention to the fact that labor in Great Britain is not paid as well as it is here, and the further fact that Great Britain is a free-trade country, believe that a protective tariff would make Great Britain more prosperous than she is, or do they not know that a protective tariff would be an injury to that country? Unless they can show that the United Kingdom would be more prosperous under a protective tariff, and laborers in a better condition, then their argument falls. There is not an intelligent gentleman in the House who for one moment would rise in his seat and say that Great Britain would be more prosperous under a protective tariff than she is to-day, free trade.

When we come to Germany, where they have a protective tariff, we find labor in a much worse condition than in free-trade England or this country. Hence a protective tariff is shown to be the enemy of labor where conditions are similar, as they are in the over-populated districts of the United Kingdom and Germany. In this country salvation for labor is our extensive agricultural districts of the West, where the overcrowded cities and labor marts of the East find an outlet for the glut of labor; when labor comes in active competition and has reduced itself to distress in the manufacturing States they immediately begin the tramp to the West, and thousands of them every year go there thus to relieve the labor market of the East; and in this way, and by their labor organizations, keep up wages. It is not the tariff. But while all this is true, still we have great distress among wage-workers in this country, and while upon this point I send to the Clerk's desk to have read a circular issued by the master workman of the Knights of Labor, Mr. Powderly, vividly depicting the deplorable condition of wage-workers in that highly protected State of Pennsylvania.

The Clerk read as follows:

POWDERLY'S STIRRING APPEAL—CIRCULAR SETTING FORTH THE NEEDS OF THE STRIKING COAL MINERS.

The general executive board of the Knights of Labor has just issued a circular, to be read at the meetings of all the assemblies, appealing for contributions in aid of the striking anthracite miners. The circular recites a history of the trouble, and, to show that the miners are taking a proper course in the matter, speaks as follows:

"By the report of the bureau of statistics of Pennsylvania it is shown that the wages of the miner will not average more than $300 a year. In this calculation are included the wages of the sub contractor, under-bosses, and choice men, so that if the true average of the ordinary miners and mine laborers was taken the amount earned would not average more than $280 per year. The net amount received by each miner per ton for the coal he mines will not exceed from 9 to 15 cents. The advance in the price of coal to the consumer during the past year has been in many of the markets $1 per ton, or from six to ten times the amount received by the miner, who risked life and limb to bring it from the bosom of the earth.

"The advance which would be accepted would not add more than 2½ cents per ton to the cost of producing the coal. The employers are at the same time the landlords, who own the houses in which the miners live and the stores in which they are compelled to buy their daily food. The doctors that heal the sick, the undertakers that bury the dead, and the ministers who preach the funeral sermons, are the servants of the corporations. No question of recognition of the order is involved. It is simply a question of whether the men shall starve to death while at work or suffer a little extra privation for a short time in order to get means enough to keep body and soul together. No appeal for aid has been sent out from the general office more deserving of the prompt and generous action of the order."

Accompanying the circular is a personal appeal from General Master Workman Powderly. He says: "We read of the heart-rending scenes of eviction as practiced in Ireland. We are told of the terrible work of the crowbar brigade, which levels homes, severs broken, loving hearts forever, and drives dear ones from homes and kindred across the sea. None of these scenes can outrival the acts of cruelty that are practiced every day in the scourged, misery-clouded middle coal fields of Pennsylvania. In the most prosperous times the miner and his family live from hand to mouth, scarcely able to keep body and soul in unison.

"Notwithstanding all this, no law is broken, no offense of any kind is committed. A more honest, industrious, moral, or patriotic people does not inhabit any portion of our country; no more generous or manly men exist than our coal-miners. They have done everything, they have endured everything, and have sought every way to improve their condition, so as to lift it to the standard of American manhood and citizenship. Failing in that, they have continued a hopeless struggle to keep food in the mouths of loved ones while enduring every privation themselves.

"The last hope is gone, tired nature refuses to longer perform its functions, and in despair the miners have laid down their tools. They appeal to their fellow-citizens for the bread which their honest labor could not win. I unite my humble voice with theirs, and ask relief for them. Give quickly, give liberally; they deserve all that you can do. All contributions should be sent to Charles H. Litchman, box 885, Philadelphia, Pa."

Mr. BRUMM. Will the gentleman permit a question?

Mr. BLAND. Yes, sir.

Mr. BRUMM. Right in this connection, this having reference to anthracite coal; is it not true that anthracite coal is on the free-list, and that this bill does not propose to change the tariff on bituminous?

Mr. BLAND. Do I understand the gentleman to say that all coal is on the free-list?

Mr. BRUMM. Anthracite is, and this article has reference to that.

Mr. BLAND. Anthracite is; but all other is protected.

Mr. BUCHANAN. And this bill does not change it.

Mr. BLAND. And the gentleman would not vote for it if it did. But I will answer the gentleman's point in a moment.

Now suppose, for the purpose of enhancing the value of wheat in this country, you enacted a law shutting out the use of corn; and, for the purpose of enhancing the value of anthracite coal, we shut out by law all other coal. What would be the effect? What answer can gentlemen make if the wage-workers in Pennsylvania, the most protected of all protected States, are reduced to poverty and distress worse than we see in Ireland?

It is a shame, a disgrace to the protected capital of Pennsylvania that they do not come to the relief of these starving laborers and not leave them to the necessity of appealing to their fellow wage-workers for charity. If Congress has lavished its subsidies and its money upon the protected capital of Pennsylvania they have abused, outrageously abused, the confidence of Congress and the country when they refuse to divide with their wage-workers a fair share, a living profit of this subsidy. It only goes to show what we have always contended, that the subsidies given to capital go into the pockets of the capitalists, and not a dollar of it ever reaches the wage-worker except what is necessary barely to subsist him, and in this case subsist him in a worse state than existed in the worst days of Southern slavery.

Mr. BRUMM. Let me ask another question.

Mr. BLAND. I must decline to yield, as I shall only occupy an hour.

Mr. BRUMM. I will be very brief. I wish to ask whether what the gentleman has caused to be read is not from a protectionist, Mr. Powderly?

Mr. BLAND. I am very glad to know that the gentleman has brought that to my attention. Certainly if he is a protectionist the gentleman will not dispute the authenticity or correctness of his statement in which he characterizes Pennsylvania laborers as being in a worse condition than the evicted tenants in Ireland. While on this point I desire to have the Clerk read an extract from the History of British Commerce, by Leone Levy. We have had their condition paraded in this House and before the country as being the victims of free trade. Now let us see about it.

The Clerk read as follows:

One portion of the now United Kingdom was not in a position to derive any benefit from all these improvements, and that was Ireland, then as on many subsequent occasions in a turbulent and discontented spirit; nor was she altogether unjust in her complaints, for she was really suffering from the iniquitous commercial policy pursued against her.

By the old navigation laws no productions of Europe, and Ireland included, were allowed to be exported to the colonies unless shipped from England and Wales, the only relaxation from this prohibition from all direct Irish trade with the colonies being the permission to export to them white or gray linen cloth. By a later statute no colonial merchandise could be landed in Ireland unless first landed in England, and no manufacture of wool was to be exported from Ireland to any place except England.

She could import no East India produce except through England; and even if under the reign of George I some slight freedom was granted, care was taken that it should not interfere in any way with the substantial monopoly of England. A committee of the House of Commons sat in 1778 to find means to allay the discontent, but whilst the English merchants exhibited an unworthy spirit of exclusiveness, and the Dublin merchants were loud in their condemnation of

the anti-commercial policy of England, dictated as it was by the unjust, illiberal, and unpolitic opposition of self-interested people, no arrangement was possible.

Mr. BLAND. Now, Mr. Chairman, we have heard a good deal, as I said before, about the effects of free trade on Ireland. But any one acquainted with the history of that country, as shown by the extract which has just been read, knows it is the reverse of free trade that has brought Ireland to the feet of England, depopulated the Green Isle, and sent her children wanderers over the earth, one-half of them in the last half century, reducing the population from about eight millions forty years ago to about one-half of that now. It was the restrictive policy of the navigation laws, preventing Ireland from exporting her products to any ports other than those of England, that broke down her factories and subjugated her people, until to-day the landlords own nearly the whole of Ireland. Old England has her Ireland; shall New England also have an Ireland in the West?

It was the want of freedom of trade, it was the restrictions of her trade and commerce under the navigation laws that prevented her sending her products to any other ports save those of England, the inimical legislation on the part of England, that broke down her factories in the interest of the English manufacturers. These unequal and unjust laws imbued the spirit of rebellion in Ireland against the tyranny of England that has caused them for the century past to resist as best they could these injustices. They have demanded of England the right of free trade, the right of the liberty of the citizen, the right of free government.

And because these demands have not been acceded to, Ireland has been in a chronic state of war with England since the union. This chronic state of war and discontent has been answered by idiotic coercion acts in as many years, so that Ireland has not only suffered by these acts, but also by tyrannical military rule that has prostrated her in the dust, that has kept her people in constant strife to regain her liberties, and, although in recent years these restrictions may have been removed, yet it came too late, for comparative freedom of trade was offered her after she had been despoiled of her heritage, and her land owned by alien landlords and her substance mortgaged to the aristocracy of England. She has devoted the latter portion of her years to an effort to shake off the tyranny of England, and has had no profitable opportunity to engage in manufacture and agriculture.

Give Ireland self-government, the liberty of the citizen, the freedom of trade the whole world over, and the man who says she would not rise from her degradation and become one of the powerful nations of the earth, able to compete in trade and commerce and all that makes nations great, belies the history of that great people and slanders a noble, generous, and an industrious race. I have said this much because it has been the constant aid of protectionists on this floor to allude to Ireland as an example of the baneful effect of free trade, when the reverse is known to be true by every gentleman acquainted with the history of that people. To tell me free trade has reduced Ireland to this condition is to say that which I resent bitterly on the part of a people I know have been impoverished by other means, tyrannical and restrictive in the extreme.

But, Mr. Chairman, I leave this subject with this short allusion and come now to the question of trusts organized in this country, as I have before stated, for the purpose of controlling the markets in respect to the commodities they produce. I will print a table of these trusts, so far as I have gathered them, with my remarks.

The following is a list of a few of the trusts, together with the amount of bounty the present tariff seeks to allow them to collect fromthe people, also their expense for labor, and the excess of tariff bounty over the amount they pay in wages. Not one of these trusts could live were it not for the war tariff.

Name of trust.	Protected by duties averaging, per cent.	Adjusted to guaranty a bonus in each $100 of product amounting to—	Their whole expense for labor in $100 worth of product being—
Salt trust	50	$33	$25
Earthenware trust	56	36	40
Bessemer-steel trust	84	46	9
Plow-steel trust	45	33	29
General steel trust	45	33	29
Nail trust	45	33	32
General iron trust	45	33	25
Copper trust	24	22	32
Zinc trust	52	28	35
Tin trust	32	24	21
Lead trust	74	43	65
Glass trust	55	36	45
Soap trust	26	19	8
Linseed-oil trust	54	35	5
Rubber-shoe trust	25	20	24
Envelope trust	25	20	11
Paper-bag trust	35	26	15
Cordage trust	25	20	12
Average		30	24

Our attention is brought to the Standard Oil monopoly as an exception to the general rule in regard to these trusts. We know why the Standard Oil Company is enabled to organize its trusts. It is because there is no competition and can not be from abroad. The product is limited.

But, sir, I want to ask any gentleman on the other side this question: Suppose that to-morrow or next day, or any time in the future, there should be discovered in any country oil wells that would develop sufficiently to come into competition with our own oil, would you not put a tariff upon oil in order to protect labor engaged in the oil industry? If you did not you would belie your whole record on this subject.

On the other hand, suppose that this oil was to-day produced abroad and there was a tariff on it and the Standard Oil Trust existed, would you reduce the tariff so as to break down the Standard Oil monopoly? I pause for a reply and I dare the answer. I see gentlemen over there who have been trying to excuse this trust, this monopoly system, and they dare not answer; for if they answered they would put themselves before the country in an undisguised condition that they can not afford.

For here they are to-day with twenty-six monopolies organized in this country, protected by a tariff monopoly able to organize their trusts and their pools, because the high protective tariff prevents foreign competition. And yet you stand there defending them day in and day out, declaring that you will not give the people relief from these trusts by permitting competition to come in here in order to relieve the people of this country. Gentlemen can not escape the force of that argument and they know it. They can not answer it, and although I have appealed to them and paused for that purpose, no one raises his voice.

But we are told that this protective tariff has developed this country as it never was developed before. In listening to the arguments on this floor I would have supposed it was a protective tariff and not Morse that invented the telegraph; that it was a protective tariff and not Fulton that discovered the power of steam; that it was a protective tariff and not Watt that invented the steam-engine; that it was a protective tariff that built the McCormick reaper and mower, and that it was a protective tariff that sent the telegraph throughout this country and laid the cable under the sea so that even the words that I speak may be licked up by the tongue of fire and transmitted to the uttermost ends of the world before the breath of utterance has died upon the air.

It is the genius of invention that has made machinery produce equal to twenty or fifty men. Go to the West and ask the farmer if it is the protective tariff that plows his soil, sows his seed, and reaps his harvest, and he will tell you no, it is the genius of McCormick and those other great inventors who have invented the reaper, the mower, the thrasher, the hay-fork, which has made one man equal to twenty, and stimulated production. In spite of the tariff has this country progressed, and the tariff has added nothing, but detracted much from the progress of the West.

But we are told, on the other hand, that it is not the farmers, not the people of this country, not the consumers, that pay the tariff tax, that it is paid by foreigners and those who manufacture abroad; in other words, that the "pauper labor of Europe" is paying all the taxes derived by this Government from customs duties. Well, I suppose the same may be said of Germany, for she has a protective tariff, and also of France and of Austria.

Now is it a fact that the United States and all these other European countries are living off Great Britain, she being the only free-trade country; that she is paying for the expenses of the standing army of Germany and of France; that she is also paying the enormous tariff taxes of this Government, and yet prospering? Why, it is nonsense. I had supposed that the $300,000,000 in the Federal Treasury, or whatever proportion of that amount had been derived from the protective tariff, belonged to the American people. I had supposed that it was paid by them, and not by Great Britain or any other country.

But we are told that if we permit the importation of foreign manufactures the pauper labor of other countries will flood us with cheap goods. Mr. Chairman, we might carry that argument a little farther. Suppose they should furnish us with all our food and all our clothing and thus enable us to live without work? That would be a serious evil according to the logic of our protective friends, because it would break down all labor in the country and let us all quit work. And if the heavens should shower down to-day food and raiment sufficient to maintain us all, I suppose the other side of the Chamber would get down on their knees and pray the good Lord to deliver us from the pauper labor of the heavens. [Laughter on the Democratic side.]

And, Mr. Chairman, this brings my attention to a little discussion which occurred here the other day between the gentleman from New York [Mr. FARQUHAR] and the gentleman from Wisconsin [Mr. SMITH]. The gentleman from New York [Mr. FARQUHAR], whom I now see in his seat, and I call his attention to the matter, stated as follows. I give the debate here as it occurred:

I want here, Mr. Chairman, as a workingman myself, to say a word on this question. If the impairment of wages, if the slackening of work shall come by the importation of manufactured goods into this country, and the wages shall thereby go down, as they must, and work be scarce, possibly Pinkerton will have to enlarge his force, because I want to say also in connection with that that the men who are outside the gates of Edgar Thomson's works to-day will

win if it takes them twelve months, notwithstanding all the Pinkerton men and men who pay scab wages, whatever their politics may be. And my only dread is this, as it was shown to-day in this discussion in the case of our friend from Massachusetts [Mr. RUSSELL], that, instead of strikes being an outcome of good times, if we pass this bill, or a free-trade bill, which will only result in making the mechanics of America clothe the farmers for nothing, you will have more strikes on your hands than the Democratic party, or the Republican party either, can take care of in all time to come.

I warn gentlemen on this floor that they are walking on mighty thin ice when they strike one cent out of the American workman's wages or take one hour of the labor that goes to the support of his family, that feeds and clothes his children. For more than twenty years the mechanics of this country have been organizing, and within the last seven years there has risen up a line of organizations that even the oldest organizations stand almost in dread of, because they have the power to vindicate their rights, and a power that has been felt here on this floor more than once; and when they do they will regulate tariffs for themselves and not for any class.

Mr. SMITH, of Wisconsin. Will you tell me why they organize?

Mr. FARQUHAR. Why they organize? Of course, to take care of themselves. You may talk from now to doomsday for and against the tariff, but I beg to say that the American organizations of skilled labor and the Knights of Labor of America have kept the wages up to what they are to-day; and against any one that tries to beat them down they will hold these wages. [Applause.]

Mr. SMITH, of Wisconsin. I want, in a word or two, to answer the gentleman from New York. I speak as a laboring man. If the gentleman will lend his aid to remove from the labor of this country the curse of monopoly, and if we succeed in that effort, the mechanics and laboring men of America will more than hold their own with the balance of the world.

Mr. FARQUHAR. I am very glad to hear the gentleman say so. I know the monopoly he means; it is the monopoly of transportation; the monopoly that would control the shoemaking industries in Massachusetts and shut out the shoemakers of Chicago and Kansas City and St. Louis.

But the light of protection spreads itself a little wider than Massachusetts. I know very well why Massachusetts has slumped toward free trade after having had the benefits of protection. There are others that are going to get the same benefits, North and South.

As regards the monopoly the gentleman from the Milwaukee district speaks of, I know we did try to provide a remedy as far as we could by passing the interstate-commerce bill. And I am willing to go with the gentleman or with any mechanic to amend that act so as to make it a benefit for East and West alike.

Mr. SMITH, of Wisconsin. Who put these monopolies in the field? [Applause.]

Mr. FARQUHAR. If the gentleman is able to prove it he can go to the States of the West and find where the most of it went. It is there also he has to go for a remedy. Congress has done all it could in the matter of interstate-commerce legislation until the proper workings of the act can be found out and any amendment that is necessary can be made. If the farmers will provide a Western market for the men who make your shoes in Massachusetts and elsewhere they can sell their crops at a better price than at Liverpool. They want a home market for themselves.

The whole transportation problem is contained in the long and short haul clause of that bill. The whole battle we had in these two Congresses was with these transportation companies in the West. I do not make an exception for a single one. They put down the lowest rates for a long haul simply to dump the great East, and they will not make the short haul comport with the long haul when they can sell the product nearer home.

The gentleman from New York is mistaken when he says in this extract that the farmers desire the mechanics to furnish them clothing for nothing. What the farmers are asking is to co-operate with the laboring people everywhere, for the farmers are the most overworked people on earth, to bring down the commodities at the expense of the manufacturers and not at the expense of the wage-workers. The farmers believe, in fact they know, that capital has organized its pools and trusts and syndicates, has put up prices everywhere, and is robbing not only farmers but wage-workers.

It is to destroy these pools and syndicates that they demand a reduction of tariff duties so that when these trusts and monopolies exact an unfair and exorbitant rate in the interest of capital the capital of other countries may be so far permitted to compete with them as to sending commodities in competition with these trusts until they are satisfied with a fair compensation and a fair profit.

The gentleman from New York was quite willing to go with the gentleman from Wisconsin to reduce the tariffs of the railroads of this country; he was quite willing to join him in reducing the tax on transportation, and he attributed all the woes of the laboring men to that source. I will go with him to reduce that taxation. But what is to become of the laborers on the railroads? When you reduce the tariff rates of the railroads and the other transportation companies, will not they be compelled to reduce the wages of their laborers?

I say no gentleman can answer that question. When he claims that he is in favor of reducing the tariff on railroad transportation, and leaving the employés of the railroads, in their labor organizations, to keep up their wages, he is bound to admit that the same argument applies to the protective tariff, and more strongly, because it is kept up by Federal taxation.

But, Mr. Chairman, I say the railroad companies can reduce their tariff charges, and so can the protected millionaires. How? They can live a little less luxuriously than they do. Go into a manufacturing town and see the palatial mansions in which the owners of the capital live, and then watch the poor laborer, half starved, as Mr. Powderly claims, as he goes to his miserable hovel to lie down on his bed of straw, and then tell me who gets the benefit of this tariff.

If the millionaire himself and his family would stop dressing in broadcloths and fine silks and satins, and stop spending millions of dollars in Europe, if they would live in a little less imposing edifices, then they could devote the money they now squander upon themselves to paying their laborers better wages, and at the same time they could afford to sell their products cheaper.

So it is with the railroad companies, paying their officers from $25,000 to $50,000 a year, salaries which enable them to live in the greatest luxury, while their poor laborers are underpaid and the public is taxed. Let them get down a little from their high pinnacle and devote a part of the money which they squander upon themselves and their families in luxurious living and give it to their laborers, and they can at the same time reduce their charges.

We can reduce the tariff on railroad transportation and the protective tariff alike. I want gentlemen on the other side to meet this point, especially the gentleman from New York [Mr. FARQUHAR] who took that ground the other day. Let us squeeze the water out of the stocks of all these monopolists.

Mr. Chairman, it is not the protective tariff that keeps up wages, because the system shows that the laborer that is thrown out of employment in these manufacturing industries goes West, so that while there is a vast increase in population in Kansas and throughout the West there is, at the same time, larger increase of wealth in the East.

The statistics show the last decade the increase of wealth in Kansas to be $61 per capita, the increase in Rhode Island to be $135 per capita. While this certainly shows that the laws operate in the interest of the East as against the West in the distribution of wealth, the same statistics also show that the population in Kansas has increased much greater in proportion than in Rhode Island. While wealth per capita is accumulating in one section, population is accumulating in the other. In other words, as I have before stated, it shows that the lands of this country are the outlet for labor, and it is the great agricultural interest that prevents the competition in the labor market in this country that we find in older and more populous countries, and this accounts for higher wages.

A protective tariff does not raise wages one dollar, but it robs the wage-laborer of nearly one-half of his wage income by imposing on him the necessity of purchasing all his supplies in a protected market at prices from 40 to 60 per cent. greater than they ought to be. So that while he receives $1 a day nominally of wages, he is robbed of 40 per cent. of it when he purchases the necessaries of life. It is this that requires him to work twelve hours a day instead of eight—eight hours to support himself and family and four that goes into the pocket of protective monopolies. Even the wages now paid to wage-workers are maintained at great sacrifice on their part by strikes, lockouts, and constant war between labor and capital. We are told that there are also strikes and lockouts in free-trade countries, which is true.

Our protectionists on the other side of the House have constantly paraded that fact whenever we have alluded to strikes in this country. They are thus driven to the concession that wage-workers in this country are in no better condition in that regard than in free-trade England or protected Germany. The truth is, the world is the labor market. The man goes and comes as he pleases. With our constant communication every week, so to speak, with the overpopulated countries of Europe, with immigration free, wage-workers will come here whenever they find their condition can be bettered, and *vice versa*.

Labor having a commodity to sell, the laborer sells it on a free-trade basis; he sells it in competition with the labor of the civilized world, and at the lowest price this competition will impose upon him. He has no protection whatever. On the other hand, in this country capital is protected from competition with capital of other countries by a protective tariff. If capital here was compelled to compete with capital everywhere, as labor here is compelled to compete with labor everywhere, then capital and labor would be on an equality. This truth is self-evident. Hence we see that all the benefits derived from protecting our capitalists against the capitalists of other countries accrues to capital and not to labor.

The only way to protect labor in this country, or wage-workers, would be to reverse the system; that is to say, to let the cheap commodities that go into the consumption of life, manufactured by the pauper labor, so called, of other countries, come here and supply at cheap prices the laborer of this country. Thus laborers here would get the benefit of labor and capital abroad, and, on the other hand, to prohibit by law or by a tax all immigration or importation of any character of laborers from other countries to our shores to break down the labor market. This wage-workers in these protective industries are demanding at the hands of Congress in so far as to prohibit the importation of contract labor, but we know how easily this law may be evaded and secretly set at naught. Besides, immigration is free; people go and come as they choose, and this law is of no practical benefit.

So that this whole system has resulted in this state of affairs, namely, capital is demanding protection against the capital of other countries. Then labor, seeing the disadvantage at which it is placed, is demanding protection from immigration from other countries. If both these are to be accommodated, we have but one of two things to do. Either to build a Chinese wall around our country or else with a vast fleet and army to guard our coasts against the approach of every foreigner and all foreign importation. Indeed, so far as foreign importation is concerned, we have a practical blockade now.

It has always been considered a great calamity for any nation, even in times of war, to have its forts blockaded, to be secluded and cut off, isolated from all intercourse with the outer world. With us it would be synonymous with a declaration of war now, should any nation at-

tempt such a thing. The whole nation would be aroused to arms to repel the insults to her. We are in times of peace, when all countries are at peace with us, blockading our ports more effectively than armies could do, by acts of Congress imposing enormous fines and penalties and restrictions upon the importation of the wealth of the world. The intelligent people of America will not long sustain such an indefensible, unchristian, and uncivilized economic situation.

Mr. Chairman, I will print with my remarks, my time having expired, a table showing the duties paid on a number of articles, necessaries of life in this country, and also a list of trusts and a list of a number of strikes and lockouts:

Articles.	Tariff.
Lumber	$2 per thousand.
Nails	43 per cent.
Common window-glass	68 per cent. and upward.
Linseed-oil	54 per cent.
White lead	40 per cent.
Red lead	77 per cent.
Wall-paper	50 per cent.
Stoves	45 per cent.
Carpets	50 per cent.
Oil-cloth	40 per cent.
Books	25 per cent.
Glassware, cheapest kind	45 per cent.
Cooking utensils, pots and kettles	45 per cent.
Knives, forks, spoons, etc	35 per cent.
Common soap	20 per cent.
Plowshares, hoes, and forks	45 per cent.
Shingles	17 per cent.
Salt, in bags	39 per cent.
Salt, in bulk	79 per cent.
Needles	25 per cent.
Grindstones	14 per cent.
Garden seeds	20 per cent.
Castor-oil	19 per cent.
Earthenware	55 per cent.
Wool hats, not valued at over 80 cents per pound	66 per cent.
Knit goods, not valued at over 30 cents per pound	88 per cent.
Wool yarn	69 per cent.
Women's and children's dress goods, wholly or partly of wool	60 to 80 per cent.
Clothing, ready-made	54 per cent.
Cloaks, dolmans, jackets, etc	67 per cent.
India-rubber shoes	25 per cent.
Umbrellas	45 per cent.
Looking-glasses	78 per cent.
Round and sheet iron	40 to 50 per cent.
Cut nails and brads	35 per cent.
Wrought-iron spikes, nuts, washers, etc	54 per cent.
Horse or ox shoes	55 per cent.
Anvils, mill-irons, etc	68 per cent.
Iron or steel axles	62 per cent.
Horse-shoe nails, hobnails, etc	76 per cent.
Iron or steel chains	47 per cent.
Hand-saws and buck-saws	40 per cent.
Files	64 per cent.
Screws	60 per cent.
Hollow-ware, glazed or turned	47 per cent.
Pens	43 per cent.
Penknives	50 per cent.
Sugar	60 to 80 per cent.
Molasses	47 per cent.
Starch	25 per cent.
Rice	113 per cent.
Cotton thread	50 per cent.
Cotton cloth	50 to 75 per cent.
Bags and bagging	54 per cent.
Woolen cloth, not over 80 cents per pound	89 per cent.
Shawls, not over 80 cents per pound	88 per cent.
Flannels, not over 30 cents per pound	73 per cent.
Blankets, not over 30 cents per pound	79 per cent.

FORMER TARIFFS.

Average rate of duty under tariff of 1789, 8½ per cent.
Average rate of duty under tariff of 1792, 13½ per cent.
Average rate of duty under tariff of 1816, 30 per cent.
Average rate of duty under tariff of 1824, 37 per cent.
Average rate of duty under tariff of 1828, 41 per cent.
Average rate of duty under tariff of 1832, 33 per cent.
Average rate of duty under tariff of 1846 to 1861, 19 per cent.
Average rate of duty under tariff of 1862, 35 per cent.
Average rate before revision of 1883, 43½ per cent.
Average rate under the present tariff, 41 per cent.
Estimated average under this bill, 33 per cent.

Strikes.

Years.	Number.		Average establishments to a strike.	Employés striking and involved.
	Strikes.	Establishments.		
1881	471	2,928	6.2	129,521
1882	454	2,105	4.6	154,606
1883	478	2,799	5.8	149,763
1884	443	2,367	5.3	147,043
1885	645	2,284	3.5	242,705
1886	1,412	9,893	7.0	500,514
Total	3,903	22,336	5.7	1,324,152

Lockouts.

Years.	Number.		Average establishments to a lockout.	Employés thrown out of work.
	Lockouts.	Establishments.		
1881	6	9	1.5	655
1882	21	42	2.0	5,131
1883	28	117	4.2	50,382
1884	38	354	9.3	19,121
1885	52	183	3.5	15,441
1886	127	1,477	11.6	160,797
Total	272	2,182	8.0	255,518

Mr. Chairman, I alluded in the beginning of my remarks to the fact that the surplus now in the Treasury really amounted to $300,000,000. While I favor the payment of the public debt as rapidly as it may become due, and even before it is due, so long as we have a surplus beyond the necessities of the Government economically administered, yet in view of the fact that our interest-bearing debt consists of about $225,000,000, 4½ per cents, and at this time about $690,000,000 of 4 per cents, the 4½'s not being due till 1891, and now at a premium of 8 per cent. and the 4's not due till 1907 and at a premium of 26 per cent., it is not just to the tax-payer to continue to tax him for the immediate payment of these enormous premiums. The Government saves, counting premiums and interest, only about 1½ or 2 per cent. in the investments made in purchasing bonds. This money is worth in the pockets of the people from 6 to 10 per cent. It is not good economy to take this from them for an investment that yields only 2 per cent. to the Government. The sinking-fund law that requires the payment of nearly fifty millions of this debt annually will, with a proper execution of the silver-coinage act, pay off the whole of the debt before it matures.

If we could reduce taxes so as to drain the Treasury of its $300,000,000 surplus, and as I contend it can be drained of $350,000,000, this amount of money put in circulation and taxes reduced so as to keep it there will give an impetus to business not heretofore witnessed in this country. The people demand of us less taxes and more money. On this issue we are willing to abide the result.

THE WOOL TARIFF.

The Mills bill proposes to put wool on the free-list, and our friends in the East who expect support from the farmers because there is a duty on wool are endeavoring to bring the farmers of the West to the support of the protective system. This scheme will fail. The farmers of the West know that the tariff on wool is to them no adequate compensation for this unholy system. They are ready, to show their good faith in demanding a reduction of tariff taxes, to surrender wool.

The tariff on wool is about 26 per cent. On woolen goods the farmer has to pay 68 per cent. The bill takes off this tariff on woolen goods about 30 per cent., or nearly one-half, as an offset for free wool. This will be a gain to the farmers. The sheep has got in the wrong company. They have tried to make him the keystone of the protected arch. We propose to get him out, to remove the keystone and let the arch take care of itself.

This reminds me of the story of two brothers, John and Jim. Their father had died and left the two boys a handsome patrimony, including a large flock of sheep. John was a little brighter than Jim. Jim had always been somewhat stupid. John hit upon a plan to divide the sheep. There was a pet sheep in the herd named Bob. This pet and Jim were great friends. Jim had raised him and loved him fondly. John placed an equal number of the sheep in two different pens. But in one pen he put Bob, the pet sheep, and with Bob he placed all the old and scabby sheep. In the other pen he placed the pick of the flock. He told Jim he had divided the sheep, and that Jim could take his choice of pens, supposing that Jim's love for Bob would surely result in Jim's choosing the lot of which Bob was a part. Jim goes first to the pen where the best sheep were placed. He looks carefully through the pen, but did not see his pet. He then goes to the other pen and there his eyes rested on his dear pet Bob, but looking around and over the lot of shabby sheep with which Bob had been placed he commenced lamenting to Bob the dilemma in which he found himself. At last he exclaimed to Bob that he had always loved him, and liked him still, that he was loth to give him up; but he said to Bob, you are in such bad company they would have to part. To John's chagrin Jim took the other lot. So to the disappointment and surprise of our protectionists the farmers refuse to be seduced by them. The sheep is in bad company; we propose to cut him loose from the evil influence of his associates.

The sheep has helped the other members of the combine to swindle the farmers of not less than $1,000,000,000 annually; to blanket the West with farm mortgages, estimates of which I will append as part of my remarks.

The following table, taken from the able speech of the gentleman from Minnesota [Mr. MACDONALD] shows the per cent. of tariff in present law and the bill under consideration, in which it will be seen that the bill leaves the per cent. of duties greatly in excess of the per cent. of the cost of labor.

Table, compiled from Tenth Census, showing value of various manufactured products, per cent. of labor cost, rate of duty existing and proposed.

Industries.	Value of product.	Labor cost.	Percentage of labor.	Present tariff.	Proposed rate.
				Per ct.	Per ct.
Carpets	$31,792,802	$8,835,218	21.5	47	30
Cotton goods	210,950,383	45,614,419	21.6	50	40
Bolts, nuts, etc	10,073,330	1,981,300	19.7	59	35
Nails and spikes	5,629,240	1,255,171	22.3	43	34
Iron pipe, wrought	13,292,162	1,788,258	13.5	70	35
Oil, castor	653,900	44,714	6.8	194	97
Oil, linseed	15,393,812	681,677	4.4	54	21
Screws	2,184,532	456,542	20.9	50	35
Wool hats	8,516,569	1,893,215	22.2	54	40
Woolen goods	160,606,721	25,836,392	16.1	70	40
Worsted goods	33,549,942	5,683,027	16.9	68	40

It will thus be seen that while the labor in carpets, leaving off fractions, is 21 per cent. of the cost, the tariff is 47 per cent. In cotton goods the labor is the same and the tariff 50 per cent. In wrought-iron pipe labor is 13 per cent. and the tariff 70 per cent. In castor-oil, labor 6 per cent. and the tariff 194 per cent. In wool hats the labor is 22 per cent. and the tariff 54 per cent. In woolen goods labor is 10 per cent. and the tariff 70 per cent. In worsted goods labor is 16 per cent. and the tariff 68 per cent.

The following is a statement of farm mortgages first compiled by the Missouri Republican from agricultural journals and other sources, and widely circulated and indorsed by many of the leading papers of the country:

Ohio	$701,000,000
Indiana	398,000,000
Illinois	920,000,000
Wisconsin	250,000,000
Michigan	250,000,000
Minnesota	175,000,000
Iowa	351,000,000
Kansas	200,000,000
Missouri	237,000,000
Total farm mortgages in the ten States	3,422,000,000

The gentleman from Indiana [Mr. BROWNE] took exceptions to the estimate and gave the following as, in his opinion, the more accurate. Admitting the lowest estimate to be the most correct, it is simply appalling:

Ohio	$350,000,000
Indiana	175,000,000
Illinois	200,000,000
Wisconsin	100,000,000
Michigan	125,000,000
Minnesota	70,000,000
Iowa	100,000,000
Nebraska	25,000,000
Kansas	50,000,000
Missouri	100,000,000
Total	1,295,000,000

Mr. BROWNE's statement makes farm mortgages the enormous sum of $1,295,000,000. This is the lowest I have seen, and I believe the $2,000,000,000 would not liquidate the farm mortgages in this country.

The following is from the Missouri Republican of recent date:

WHO OWN THE WEST?

All the advocates of high protective tariff have one refrain to their songs speeches, magazine essays, and sermons—the vast wealth of the country. "We are the richest country on the globe," they assert, "and the protective tariff has made us so;" and then they present us with a bewildering array of figures towering up into the billions to show how prosperous the land has been under the protective policy of the last twenty-six years. In 1862 we had only 32,000 miles of railroad; now we have 150,000. In 1860 we had only $200,000,000 deposits in savings-banks; now we have $1,100,000,000. In 1859 we had 2,044,000 farms; in 1880 the number had increased to 4,008,000, and at the present time it can not be less than 5,000,000. All this they tell us has been brought about by the protective policy—as if the industry, enterprise, and patient hard work of the people had nothing to do with the matter.

It may be admitted that the country is rich, and growing more rapidly in wealth than any other country on the globe. But the people have made it so, not the tariff. It has thrived in spite of protection. That policy has drawn enormous wealth from the twenty-nine agricultural States and concentrated it in the nine favored industrial States; and it is in the latter the affluence that excites the admiration of the high-tariff advocates is most conspicuously illustrated.

But, they tell us, the agricultural States have grown rich, too. They also have prospered under protection. See how farms have multiplied in the West and Northwest, and see how railroads have been built in Illinois, Michigan, and Wisconsin and the States and Territories west of the Mississippi, even to the Pacific, and how this vast region has been subdued to settlement.

All true. But who owns these farms and railroads in the Western States? In one word, who owns the West? The people of the West, it might be answered. But the answer would not be true, as a few indisputable figures will sufficiently prove.

First, as to farms. In 1880 there were 138,500 farms in Kansas, 256,000 in Illinois, 194,000 in Indiana, 247,000 in Ohio, 985,300 in Iowa, 154,000 in Michigan, and 134,300 in Wisconsin—making a total of 1,301,100 in the seven States named. Recent statistics collected by granger associations and printed in farm journals make the following exhibit of farm mortgages in these same States:

Kansas	$235,000,000
Illinois	1,000,000,000
Indiana	635,000,000
Ohio	1,227,000,000
Iowa	567,000,000
Michigan	500,000,000
Wisconsin	357,000,000
Total	4,521,000,000

These figures are so startling in their enormity as to seem incredible. We do not vouch for their accuracy. They present the 1,301,100 farms in seven Western States as encumbered with an aggregate of four and a half billion mortgage indebtedness, or an average of over $3,400 for each. The assessed valuation of property in these States in 1885 was as follows:

Kansas	$275,500,000
Illinois	797,000,000
Indiana	753,000,000
Iowa	925,000,000
Michigan	850,000,000
Wisconsin	436,000,000
Ohio	1,671,000,000
Total	5,707,500,000

It will be seen that the reported mortgage debts cover about four-fifths the assessed value of the farms; and the bulk of these mortgages are held in the Eastern industrial States.

Next, as to railroads. In the seven Western States named there were, in 1885, 37,000 miles of railroad with a stock and bond account and net earnings as follows:

States.	Stocks and bonds.	Net earnings.
Kansas	$195,700,000	$9,440,000
Illinois	740,000,000	16,000,000
Indiana	320,000,000	5,760,000
Iowa	165,000,000	2,180,000
Michigan	274,000,000	5,000,000
Wisconsin	236,000,000	6,900,000
Ohio	767,000,000	12,300,000
Total	2,537,700,000	57,520,000

These 37,000 miles of railroads, having a nominal value of $2,537,000,000 (over two and a half billion dollars) and yielding annual net earnings of $57,520,000, are put down in the statistics of the day as part of the property of the States in which they lie. But it is a notorious fact that only a very small fraction of their values are owned in these States. The last report of the Iowa railroad commissioners states that only one out of forty stockholders in Iowa roads lives in the State, and only one-seventieth of the capital stock is held in the State. In Illinois a similar condition of things prevails. The official report of the railroad commissioners does not state what proportion of the aggregate capital stock of the Illinois roads is held in Illinois, but the location of the capital stock of the leading roads will assist us in forming an estimate. The Illinois Central has $20,000,000 capital stock, only $685,000, or less than 3 per cent., of which is owned in Illinois. Of the Chicago, Rock Island and Pacific, about 5 per cent. of the capital stock is owned in Illinois; of the Ohio and Mississippi stock, only one-half of 1 per cent.; of the St. Louis, Alton and Terre Haute, less than one-half of 1 per cent. Taking these figures as a guide we may safely estimate that of the 19,000 miles of railway in Illinois, valued in stock and bonds at $740,000,000, the people of Illinois own 5 per cent.; the other 95 per cent. is owned in the rich industrial States of the East.

As Illinois is called the most prosperous and one of the richest agricultural States of the West, it may be inferred that the other States are in no better condition than it in the matter of railroad ownership, and therefore it may be broadly asserted that practically all the railroads in the seven States named, valued at $2,537,700,000 (two and a half billion dollars and over), are owned in the industrial States. The industrial States are therefore drawing a pretty round sum of money for one thing and another from the seven Western States named every year. The items may be stated as follows:

In protective taxes	$150,000,000
In interest on mortgages	270,000,000
In railroad net earnings	57,000,000
Total	477,000,000

The Western States are, in fact, being bled to death. Western farmers are actually becoming poorer and poorer every year. As a body they do not make a living, and the convincing proof of this fact is that their farms are fast passing under mortgage to the money-lending manufacturing States of the East. Twenty-five years ago these mortgages were few in number and small in amount; now they number millions and cover an aggregate value of thousands of millions, and all bear 6 to 8 per cent. interest.

The West does not own itself. It is owned by the industrial States. Twenty-six years of the malign, sectional, and oppressive policy of high tariff has done the work and done it effectually. The industrial States of the East, enriched beyond estimate by the annual tribute of $300,000,000 exacted for a quarter of a century from the other States under the false pretense of building up home manufactures, own all Western railroads, telegraph lines, and bridges, and hold mortgages on nearly all farms, their cities, and towns.

Also the following, from same journal:

THE NINE RICH STATES.

Official statistics published from time to time show that the nine manufacturing States of the Northeast have grown, and are still growing, in wealth much faster than the twenty-nine agricultural States, notwithstanding the decided natural superiority which the latter possess in richer soil, larger rivers, and better climate. In some of the agricultural States, notably the Western and Northwestern, the increase of wealth has been very large—so large in the last two decades as to furnish cause for allowable boasting and patriotic self-congratulation.

There are rich, productive farms, great cities, thriving towns, and vast systems of railroads in Illinois, Iowa, Michigan, Wisconsin, Minnesota, Nebraska, Kansas, and Missouri, and we have a right to rejoice at the exhibitions of popular industry, enterprise, and power which they present. But even these surprising phenomena of growth and development are evidences of Eastern rather than of Western wealth.

These farms do not belong more than one-half—certainly not more than two-thirds—to the farmers who till them; they are mortgaged to Eastern money-lenders. These towering cities and populous towns do not belong to the populations that dwell in them; they, too, are largely mortgaged to Eastern creditors living 1,200 to 1,500 miles away. And as to the 38,000 miles of railroad in the States named, valued at $2,000,000,000, and yielding aggregate net earnings of $120,000,000 a year—they are owned almost entirely in the Eastern manufacturing States also.

The manufacturing States, therefore, not only own themselves, but have managed to possess a very large interest—nearly one-half, certainly one-third—of the Western States. How has this come about? By what process have the nine manufacturing States secured a mortgage interest worth $2,000,000,000 in

the farms and cities and towns of the growing West, and the almost absolute ownership of its enormous systems of railroads, valued at $2,000,000,000 more?

The answer is a twofold one: First, through the protective tariff in favor of the special manufacturing interests of the East; and, second, through control of the monetary and fiscal legislation of the last twenty-five years.

The protective tariff which averages about 50 per cent., forces the consumer to pay $1.50 for every $1 worth of protected goods he buys; it forces the whole people to pay $150 for every $100 worth of protected goods, $1,500 for every $1,000 worth, $1,500,000 for every $1,000,000 worth, $150,000,000 for every $1,000,000 worth; and as this unjust and oppressive exaction has been going on for over twenty-five years, some idea may be formed of the enormous drain of substance from all other parts of the land into the favored manufacturing section.

And this is only one-half of the answer. The other half is to be found in the selfish and pitiless control of the financial policy of the country and the cunning manipulation of its money. The statement will appear surprising to persons who have never reflected on the subject, but it is nevertheless true, and capable of demonstration, that the nine manufacturing States—which are also the creditor States, the banking States, the capital States, and the money-lending States—have, by their adroit dictation of monetary legislation, treasury practices, and the resumption movement, actually taken from the pockets of the people $2,000,000,000 and put it into their own—and it is this very money, unjustly taken from the people, which they subsequently lent to their victims and now hold as investments in Western farm mortgages.

During the war the Eastern creditor interests encouraged the Government to issue enormous amounts of bonds, and to intrust the sale of them to their favorites. These issues aggregated $3,000,000,000, and as soon as the war was over, the same interests set about limiting the volume of greenbacks—the only money in the country at the time—with the object of increasing the value which both the bonds and the greenbacks would have when resumption should come.

The bonds were sold at a gold value of 35 to 75 cents on the $1, the average being, probably, 50 cents, certainly not over 60 cents; and when resumption of specie payment was brought about in 1878, making every bond bought for $600 worth $1,000, the bondholders made a clean profit of 40 per cent. on the $3,000,000,000, or $1,200,000,000. And this was not all. It was not even half. The advance in the gold value of the United States bonds was extended to and over all debts contracted during and after the war—say, from 1863 to 1872—State, county, city, and town debts, railroad debts, and mortgage debts.

The aggregate of these was estimated at $5,000,000,000, and as it was contracted in greenbacks, worth on an average 60 cents on the $1, resumption of specie payment strained it up 40 per cent., and thereby imposed on the debtor States, counties, cities, railroads, and individuals, a new exaction of $2,000,000,000—and this, too, went into the pockets of the creditor classes. Debts never shrink. The property and products that pay them shrink, but not the debts. The Western farmer who contracts an obligation of $1,000 at a time when wheat is worth $1.25 a bushel, has his burden virtually doubled when wheat runs down to 62½ cents a bushel.

The act of 1869, to "strengthen the public credit," as it was falsely titled, was a signal example of the selfish and unfair control of legislation in the interests of the manufacturing creditor States at the cost of the people. That act made $1,700,000,000 greenback bonds payable in coin, although coin at the time commanded a premium of 38 cents on the $1. It was driven through Congress by the bondholders—Congress being composed at the time very largely of bondholders—it yielded a clean profit to them of $646,000,000, and it virtually increased the public debt that much.

Bearing in mind that the nine manufacturing States are the creditor States of the country, and the twenty-nine agricultural States are debtors, it will be seen that the former have reaped immense harvests of money from these manipulations—and it is these immense sums that form so important an item in their present wealth, enabling them to own all the railroads in the West and to hold mortgage liens on a large proportion of the property of the Western people. In 1880 five-sixths of all the registered United States bonds were held in the nine manufacturing States, and taking this as an indication of the ownership of the coupon bonds also, we have the following statement of the ownership of the whole public debt for that year:

Public debt in 1880, $2,120,000,000.
Held in the nine manufacturing States, $1,767,000,000.
Held in all the other States, $353,000,000.

As the payments for interest on the public debt in the last twenty-five years have been $2,150,000,000, and the payments on the principal have been $1,100,000,000 in the same period—making a total of $3,250,000,000—we may form some intelligent conjecture as to where these payments found a resting place. Portions of our national debt are held abroad, but of the much larger amount held in this country five-sixths are, and have ever been, held in these creditor States, and the payments on these five-sixths therefore went to those States.

The estimated population of the United States at the close of 1887 was 62,900,000. The following figures, then, can not be far from the truth:

Population at present, 63,000,000.
Of the nine manufacturing States, 16,400,000.
Of all the other States, 46,600,000.

The following figures, taken from the last report of the Comptroller of the Currency, show where the capital of and deposits in the national banks are held:

National banks: Total number of shares of par value of $100 each, $5,517,000.
Number of shares held in the nine manufacturing States, 3,298,000.
Number held in all other States, 2,219,000.
Total capital, $551,700,000.
Portion owned in the nine manufacturing States, $329,800,000.
Portion held in all other States, $221,906,000.
Total deposits, $1,250,000,000.
In the nine manufacturing States, $700,000,000.
In all other States, $550,000,000.

The subjoined figures show the deposits in savings-banks, and are taken from the report of the Bureau of Statistics at Washington:

Whole number of depositors, 3,071,000.
In the nine manufacturing States, 2,847,000.
In all other States, 224,000.
Savings deposits: Total for the whole country, $1,200,000,000.
For the nine manufacturing States, $1,111,000,000.
For all other States, $80,600,000.

These statistics show where the money power of the country is to be found and how effectively the manufacturing States have wielded their authority over national legislation in the last quarter of a century to concentrate wealth within their borders. They have less than one-fourth the population of the country, but they control the national banks through the ownership of three-fifths of their capital and seven-twelfths of their deposits. They show ten times as many depositors in the savings-banks as all the other twenty-nine States, and they have eleven-twelfths of all the savings deposits in the country.

What between the protective tariff maintained for a quarter of a century for the benefit of the manufacturing section and the unjust, not to say positively iniquitous, management of the monetary legislation by those States, the West is in danger of becoming a mere group of mortgaged provinces, with no right but that of paying interest on their debts.

Mr. WOODBURN. Mr. Chairman, before discussing the main question under consideration, I propose to reply briefly to a statement of some consequence which has been made on the other side and which has not yet been contradicted. The eloquent gentleman from Tennessee [Mr. McMILLIN], a member of the Committee on Ways and Means, has been pleased to claim that because a Democratic House not long ago passed two measures in the interest of labor (one of them known as the contract bill), which were signed by the President of the United States, therefore his party alone is entitled to be considered the friend of the laboring men of this country. If there be no other basis for this claim, I feel that the title of his party to that distinguished honor is not unassailable. If there be any other foundation for this claim except the shallow pretense that a low tariff makes high wages, I would like to know it. I say to the gentleman that every Republican on this side of the House voted for both those measures, and that they never could have gone to the hand of a Democratic President for signature except through the intervention of a Republican Senate. It will be a very difficult matter for the gentleman to convince the people that the legislative department of this Government consists solely of the House of Representatives.

Mr. Chairman, there was another labor bill passed in this Democratic House in the last Congress. It was known as the "arbitration or O'Neill bill;" and the other side is entitled to a monopoly of all the glory of the achievement. When that measure came up for debate upon its merits a distinguished Democratic member of the Labor Committee rose in his place and denounced it as a piece of unblushing demagoggery, and characterized its author as "a good constitutional lawyer among baseball players and a good baseball player among constitutional lawyers." [Laughter.]

Mr. Chairman, in 1875, when the Democratic party controlled this House by a majority of 70, one of its first acts in testimony of its devotion to the cause of labor was the reduction of the salary of every employé of this House, though those salaries had been fixed under the Democratic administration of Franklin Pierce when the price of living was 50 per cent. lower than at the time of the reduction. From that time to the present the policy then inaugurated has been rigidly enforced in every department of this Government. Why, sir, hardly had this Administration been installed in power when its Democratic Secretary of the Treasury, by a special order, cut down the pay of every laboring man in the custom-house at San Francisco from $920 a year to $720. Think of it! Two dollars a day for a laboring man in Government employ in the land of generous habits and high wages, the golden State of California. Your Democratic Secretary of the Navy found a rich subject at the Mare Island navy-yard for the exercise of the knife of Democratic economy. By another special order he cut down the pay of every hard-working hod-carrier from $3 a day to $2.10.

Your party came across the mountains into my State and found that the surveyor-general, a most important officer to my people, had been receiving under Republican rule $2,500 a year; and by Democratic economy you reduced his wages to the level of a skilled miner, notwithstanding the fact that he was obliged under the law to give bond for the faithful performance of his duties in the penal sum of $120,000. Why, sir, in the last Congress one of the leading members on the other side of this House, the gentleman from Missouri [Mr. BURNES], declared that the employés of this House, who had neither mileage nor passes, were no more entitled to an extra month's pay to go to their homes in the heat of summer for a little recreation than the veriest scavengers on Pennsylvania avenue. And only the other day, to my utter surprise, we heard the member from South Carolina [Mr. HEMPHILL] declaring that the policy of his party was for cheap labor. Carry that doctrine to its legitimate results and it means the substitution of Asiatic labor for American.

Mr. Chairman, it was not the Democratic but the Republican party that passed the anti-pauper immigration bill. It was not the Democratic but the Republican party that passed a bill prohibiting the importation of coolie laborers under contract. It was not the Democratic party that placed upon the statute-books of this nation that blessed law known as the homestead act. It was the Republican party that for the first time in the history of this country made labor free. I hold that the record of the Democratic party on this question ought to estop forever its leading members from posing in political contests in the attitude of the friends of the laboring men of this country.

Mr. Chairman, confining myself within the limit allowed me and paring down my remarks accordingly, I propose to reply to another statement made, not only in this Hall, but at the other end of the Capitol. Not long ago, in order to extricate his party from the dilemma in which it has been placed by the message of the President, the distinguished Senator from Indiana [Mr. VOORHEES] declared that his party was not for free trade; that free trade was a myth and a folly. That declaration has been echoed on this floor time and again since the opening of this debate. I propose now to disprove by clear and conclusive evidence the truth of that declaration.

I call attention to the fact that before the vote was taken in the last Congress upon the question of considering the Morrison bill, the deformity of which was so hideous that it was strangled by a Democratic House, desks of members were garnished with pyramids of British leaflets to enlighten the average Congressman upon the beauties of Morrison free trade.

Another piece of evidence tending to show the free-trade proclivities of the Democratic party is the favorable report of a measure known as the "shipping bill" by a Democratic House of Representatives. It provides that foreign-built ships shall be put on the American register free, and that every conceivable article that enters into the construction of a vessel, from the keel to the bow, from the hull to the mast-head, from the nail to the anchor, shall hereafter be imported free of duty.

This interesting free-trade production is now upon one of the House Calendars, ready perhaps for an enforced consideration. Its passage will close down every ship-yard in America; throw thousands out of employment, and American ship-building will be only a pleasing reminiscence of the past. I am certain it will not receive a single Republican vote. Republican Representatives, true to the doctrine of protection, are in favor of American ships, built by American hands, out of American material, and manned by American seamen.

As further evidence of the truth of the proposition I have undertaken to prove, the message of the President, the platform of the Democratic party, has the unqualified indorsement of every British newspaper. The London Spectator, the Saturday Review, the London Times, the Economist, the London Statist, the London Post, the London Standard, the London Globe, the London Daily News, the Glasgow Herald, the People's Journal, the Haddington Courier, the Scotchman, the London Iron, the London Ironmonger, the London Colliery, Guardian, the London Echo, and the London Coal Trade are among the number. [Applause on Republican side.]

The burden of their song is that the policy embodied in the message of the President means free trade, that it touches the pockets of every citizen of the United States, and that it has set rolling a stone that will never stop until it has broken the infamous idol of protection in pieces. They declare that his message reads like an extract from some old speech of John Bright; that it is good news for England and means an increased woolen and iron trade. They claim that the "Mills bill" will put into the British treasury an extra hundred million of dollars per annum and that its passage will insure the reduction of the Irish laborer's wages and cripple his financial ability to aid his countrymen in their struggle for parliamentary independence. The following is a recent dispatch to the New York Herald from a distinguished member of the British Parliament:

To convert the United States is indeed a triumph. The Cobden Club will henceforth set up a special shrine for the worship of President Cleveland and send him all its publications gratis. Cobden founded free trade; Cleveland saved it.

It is the first message of a President of this Republic that has received the universal sanction of the British press, British statesmen, and British manufacturers. The echo of their hosannas in its honor has not yet died away on the other side of the Atlantic. It is certain to reverberate on this side in the heat of the coming political contest. [Applause.]

If there is a gap in the testimony I have adduced to prove that Mr. Cleveland and the Democratic leaders of this country are free-traders, I propose to fill it up by documentary evidence the truth of which no man dare question.

The Cobden Club is an association of British manufacturers organized in 1866 for the avowed purpose of destroying the protective tariff system in America and to facilitate the introduction and sale of British goods in the American market. This organization, founded in London, has established agencies in New York and Chicago for the distribution of British free-trade documents in political contests in this country. Its secretary is a member of the British Parliament. His name is Thomas Bayley Potter, who at the annual dinner of the Cobden Club at Greenwich on the 10th day of July, 1880, said that the Cobden Club was now about to enter a contest with a foe worthy of its steel. Their eyes were now turned westward. They were going to encounter their friends in the United States, and he believed they would be ultimately victorious. Six days after this interesting free-trade love-feast the London Times said:

It is to the New World that the Cobden Club is chiefly looking as the most likely sphere for its vigorous foreign policy. It has done what it can in Europe, and is now turning its eyes westward and bracing itself for the struggle which is to come. It can not rest while the United States are unsubdued.

The following is a London cable dispatch, dated January 8, 1888:

The Cobden Club are trying to raise a large sum of money to be spent to further free-trade propaganda, especially in spreading broadcast pamphlets and other Cobden Club literature. Lord Brassby has given a thousand dollars, others less, and the hat is going round. It is long since the club has been so active. They are indeed doing more than the fair-trade movement in England appears to require. There can be little doubt that their surplus funds are intended as re-enforcements for Mr. Cleveland in his efforts to hand over the control of American markets to British traders.

A few years since the following paragraph appeared in the London Times:

A subscription was recently opened to raise funds to circulate free-trade tracts in foreign countries. About £40,000 ($200,000) was subscribed. Some of these tracts are to be printed in New York for circulation in the United States. In addition to the above, $47,000 was subscribed by foreign bankers and importers of this city whose names are in our possession.

More than two hundred members of the British Parliament and twelve out of fourteen British cabinet members are members of the Cobden Club. Upon its roll of membership appears an army of dukes, earls, marquises, lords, peers, counts, and princes. The annual assessment is three guineas. The report of its committee shows that in 1886 they issued eleven millions of free-trade leaflets and gives to the world the following interesting information:

Your committee are not unmindful of the probable effects of fiscal freedom in America upon the world's commerce. They foresee that free trade means cheap production in the United States.

The club awards a prize of £60 for the best essay on free trade. They permit Harvard, Yale, and Williams Colleges in the United States to compete for silver medals of the club for essays on the same subject. Last year the committee kindly consented to permit the University of Indiana to enter the ranks of competition. The bankers of the club are the London and Westminster Bank and the Westminster branch, St. James's Square, London, S. W., where subscriptions are paid on the 1st day of January in each year. Its balance-sheet shows that for the year 1885 it expended £5,744 9*s.* 3*d.* I now offer in evidence the record I hold in my hand which contains the list of the members of the Cobden Club, with dates of entrance, as corrected up to the 1st day of January, 1888. On the back of the record is the motto of the club, "Free trade, peace, good-will among nations. God save the Queen." I forgot to state that the club committee declare in their report that no man can be an honorary member of the organization unless he has rendered distinguished service in the cause of British free trade.

It is so exclusive in its character that no man who earns his bread by the sweat of his brow can be admitted to membership. The essential qualification is that the applicant must be a manufacturer or a nobleman.

I find in the corrected list of distinguished foreign and colonial noblemen who are members of the club, the following names and date of their admission: JAMES B. BECK, Lexington, Ky., elected in 1888.

I regret to see the name of the brilliant Senator upon the roll of an anti-American association. He sits high in the hearts of the people west of the Rocky Mountains. He is the determined foe of British monometalism. He does not believe that the capital of the nation that does not produce an ounce of silver ought to regulate the price of the American product. He does not believe that the Democratic Secretary of the Treasury should shape the financial policy of this country to meet the views of forty-six New York bankers and the money-changers of Wall street and London. His name on the club roll is more than an indication of the political sentiments of the great party that recognizes him as one of its most boasted leaders. [Applause.]

The Senate of the United States is also represented in this foreign institution by Hon. ZEBULON VANCE, of Charlotte, N. C., who was admitted in the fold in 1883.

William Endicott, jr., of Boston, Mass., a Cabinet officer of this Republic, its Secretary of War, was admitted in 1877. This ought to create no surprise, for, if common rumor reports him aright, he permits no visitor to escape without inflicting upon him an essay on the antiquity of his Anglo-Saxon ancestry and the peculiar aristocratic color of his puritanical blood. [Laughter and applause.]

Thomas F. Bayard, Delaware's favorite son, the Democratic Secretary of State, was admitted in 1883. It would be strange, indeed, if his name were not on the roll of American noblemen. Only a few days ago, at a public meeting at Birmingham, England, when Chamberlain mentioned the name of Bayard, the cheers of the multitude drowned the voice of the orator and almost set in motion the walls of the building. When in the Senate of the United States, he declared that the passage of a resolution putting wool on the free-list was the first firm step in the direction of free trade.

His diplomatic action on the Canadian fishery question, his release of three British vessels solemnly adjudged by a court of the United States to be forfeited and sold, together with their cargoes, for a violation of law in seal fishing in the Behring Sea, coupled with his cringing apology to the British foreign office for not releasing them sooner, eminently qualify him for membership in the Cobden Club. From his political acts and utterances, a stranger, unacquainted with our form of government, would be justified in concluding that he is acting in the dual capacity of an American Secretary of State and a British envoy extraordinary.

He had the honor of being elected the same day with his excellency Nuban Pasha G. C. B., G. C. M. G., and the Marquis Vilfredo Pareto. [Laughter and applause.]

David Dudley Field, a Democratic member of the Forty-fourth Congress, whose legal reputation extends beyond the limits of the Empire State, and whose party prominence is such that he was called upon by a committee of this House to dictate the names of the new States that are to be admitted after the election, joined the brotherhood in 1881. Henry George, the simon-pure free-trader, who, after being justly spurned by the labor party, allied his political fortunes with Mr. Cleveland on the principle that birds of a feather flock together, was elected the same year. W. Dorsheimer, whose recent death created a gap in the ranks of the Democratic party in the Empire State that can not be readily filled, was elected a member in 1878.

Manton Marble joined the club in 1872. This is the nobleman delegated by Grover Cleveland to bring about an international money conference in the interest of silver. The silver-producers are doubtless indebted to the President of the United States for the significant appoint-

ment of a man to such a position when he was a notorious member of a foreign institution, every British member of which is hostile to the coinage of the white metal.

W. R. Morrison, of Waterloo, Ill., was elected a member of the Cobden Club in 1876. Three times during his Cobden Club membership he was the Democratic chairman of the Committee on Ways and Means and had the control of the revenue legislation of the country. [Laughter and applause on the Republican side.]

Mr. BRUMM. Is that Horizontal Morrison?

Mr. WOODBURN. Yes.

Is it any wonder that he was continually tinkering at a tariff revision in the interest of Great Britain that resulted always in the stagnation of business, the timidity of capital, a dearth of employment for labor, that engendered strikes, begot violence, and deprived him of a seat in Congress?

In the memorable year of 1873 Sir George Balfour, K. C. B., was elected a member of the club. This is a name that must sound rather unmusical in the ears of the wretched, ragged, starving, persecuted tenantry of Ireland, made so by the propagation of the free-trade policy of this institution that put forth every effort to elect Grover Cleveland and that is created expressly to destroy American markets.

Mr. BAKER, of New York. Is the Secretary Balfour to whom the gentleman refers the same secretary who is now engaged in the Tory ministry, administering the policy of England towards the people of Ireland?

Mr. WOODBURN. Yes, he is precisely the same man.

Mr. O'NEILL, of Missouri. The same identical infamous scoundrel referred to. [Laughter and applause.]

Mr. WOODBURN. At the same time, to my utter astonishment, I find that one of the foremost men of the Democratic party, a distinguished author, a wit, a humorist, a representative of a cosmopolitan constituency in a cosmopolitan city, SAMUEL SULLIVAN COX, became a member of the noblemen's foreign association. [Laughter and applause.]

L. Q. C. Lamar, of Oxford, Miss., was elected a member in 1877. He deserves to be there. He has always had the courage to express his free-trade convictions in and out of Congress. Were he not a free-trader, he would never have been appointed a justice of the Supreme Bench of the United States.

Last but not least on the roll of the Cobden Club membership is that able and impartial parliamentarian who possesses the almost god-like power of shaping the legislation of this great country, the present Speaker of this House, JOHN GRIFFIN CARLISLE, of Covington, Ky. He is comparatively a young member, having been elected in 1883. [Applause.]

I find upon the roll of British, foreign, and American noblemen such distinguished names as the Duke of Argyle, K. T.; Sir Evelyn Baring, C. S. J. C. I. E.; Lord Brassey, of Bulkey; Right Hon. Joseph Chamberlain; His Excellency the Marquis De Casa Laiglesia, Maj. Gen. Sir William Crossman, K. C. M. G., M. P., [laughter]; Viscount de Figanieri; Frederick W. C. Gibbs, Q. C., C. B.; Lord Randolph Churchill; Viscount Hampden, G. C. B.; Marquis of Lansdowne; Sir John Lubcock, Bart.; Viscount de Moser, of Portugal; His Royal Highness Prince Jerome Napoleon, of France; Hon. Sir H. Parks, K. C. M. G.; Prince Carl Schurz; Marquis de Riscal; Chevalier Charles de Schezer; Hon. Frank H. Hurd, of Toledo, Ohio [laughter]; His Highness Prince Hassan, of Egypt; Hon. Randolph Tucker, of the Commonwealth of Virginia [laughter]; Baron von Stauffenberg Ristissen; Hon. Henry Watterson, of Louisville, Ky.; His Excellency Waldimir Weshniakoff, of St. Petersburg; Henry Ward Beecher; Baron W. K. Van Dedem; and John C. Calhoun, of New York [great laughter and applause]; J. S. Moore, known as the Parsee Merchant [laughter]; William M. Singerly, of the Philadelphia Record; David A. Wells, the free-trade writer.

Mr. BYNUM. Will the gentleman permit me to ask him a question?

Mr. WOODBURN. Certainly; if it is not taken out of my time.

Mr. BYNUM. Will the gentleman state when Mr. Garfield became a member of the Cobden Club, and also when Murat Halstead, of the Cincinnati Commercial, became a member of the club? Will the gentleman please answer?

Mr. WOODBURN. Yes; I will answer that question. The book which I hold in my hand is a corrected list of all the members, British, foreign, colonial, and American, up to January, 1888, and I say the name of Mr. Garfield does not appear anywhere upon it. [Applause and laughter on the Republican side.]

Mr. BYNUM. Was he not a member of the Cobden Club?

Mr. WOODBURN. Never, sir. I produce the authority to show that he was not. Now let the gentleman produce his authority to show that he was. [Applause on the Republican side.]

Mr. BYNUM. Was not Murat Halstead a member of it? Was not Senator SHERMAN a member of it?

Mr. WOODBURN. There is not a Republican in public life to-day on the list of the Cobden Club. [Applause on the Republican side.] This is a late publication, and was sent to Senator JONES, of my State, but got into the wrong hands. [Laughter and applause.]

Mr. BYNUM. Then these names have been removed, because they are members of the club.

Mr. BOUTELLE. Who removed them?

Mr. BYNUM. I do not know.

Mr. FARQUHAR. By what authority does the gentleman make that statement?

Mr. BYNUM. I make it upon the authority of members of the club that Mr. Halstead is a member. I have it directly from members of the club that they met him there.

Mr. BOUTELLE. Well, here is the official record of membership.

Mr. WOODBURN. I do not know what the gentleman bases his statement upon. I come here with the record, and you must produce contrary authority to overthrow it.

I only give the names of a few of the American members who have combined to conquer and subdue American energy and enterprise. They shine out on the British Cobden Club list like apples of gold in pictures of silver. They ought to be preserved as relics for the reverential inspection of the rising generation of American workingmen. It is strange that the roll of American noblemen does not contain the name of the Democratic Secretary of the Treasury, who, by a stroke of his pen, permits a Canadian railway, subsidized by a foreign government to the extent of $300,000,000, unsubjected to the jurisdiction of the Interstate Commerce Commission, to carry freight and passengers across American territory and compete with American subsidized lines, thereby crippling their ability to pay their just debts to this Government.

I am agreeably disappointed in not finding among the names of the American noblemen the distinguished gentleman from New York, Hon. TIMOTHY CAMPBELL, a Representative in part from the greatest manufacturing city of the United States. He was once a zealous protectionist, and in that trying and exciting moment when the Morrison bill came up for consideration in the last Congress voted twice with the Republican column. But his political conversion was almost as miraculous and sudden as that of Saul of Tarsus.

A bright light from the White House fell upon him and a new faith was born within him. He recanted his errors, supplicated for pardon, was baptized by Morrison in the waters of free trade, and at the end of the ceremony, with all the fervor of a new convert, he voted in stentorian tone the third time the other way. [Laughter.]

Mr. BAYNE. Will the gentleman allow me to ask him a question?

Mr. WOODBURN. Certainly.

Mr. BAYNE. Or rather, I merely wish to make a suggestion that the honorable gentleman from New York [Mr. TIMOTHY J. CAMPBELL], while he may be a "suspect," is not likely to be identified with the Cobden Club, because he is an Irishman.

Mr. WOODBURN. Oh, he is just as much of an Irishman as I am; he was born there. [Laughter.]

What I say here to-day may be as sounding brass and tinkling cymbals; but as an humble member of this illustrious body I am prompted by a stout sense of duty to submit this solemn question to the American people for their solemn answer: Is the Speakership of the American House of Representatives, chairmanship of the Committee on Ways and Means, membership of the House of Representatives, and the Cobden Club, that, in the language of the London Times, can never rest while the United States are unsubdued, consistent and compatible positions? [Applause on Republican side.]

I am anxious to know if the adopted citizens of Irish birth and their descendants will continue to perpetuate the political power of a party the leading members of which adorn the roll of an organization that bodes death not only to American but to Irish industries. Cobden free trade means that parliamentary independence in Ireland is utterly valueless. It has scattered them like the Israelites over every portion of God's footstool, robed them in rags, and made them hewers of wood and drawers of water. Can they knowingly support at the ballot-box for the high office of President of the United States a leader of that party, when they are informed by the London cable dispatches of the 18th day of January last that the surplus funds of the Cobden Club are intended as re-enforcements for Cleveland in his efforts to hand over the control of American markets to British traders?

Can they still cling to a party existing upon an empty but attractive sound, that points with pride to its prime minister, Thomas F. Bayard, and who holds out as a shining example of its confidence, patriotism, and liberality an ex-member of this House who basely apologized to the British minister at Washington for his contemptible duplicity in introducing a resolution of inquiry as to the legality of the trial of an American citizen condemned and executed by a British jury and a British court? I refer to Abram S. Hewitt, the Democratic mayor of the city of New York. If Mr. Cleveland stands by his letter of acceptance and refuses a renomination, no Democrat can represent the aims, objects, and principles of the Democratic party better than Abram S. Hewitt. Do they not know that it was the Republican and not the Democratic party that exploded the old British common-law doctrine of once a subject always a subject, and established the right of expatriation? Have they forgotten that it was a Republican Congress that, in 1868, sent forth its mandate to the nations of the earth that thereafter every American

citizen of foreign birth might roam over every portion of God's footstool free from hinderance and molestation; that every step he takes he is shadowed by the banner of the stars, and that the only ægis of protection he needs during the life of the Republican party is his certificate of American naturalization? [Applause.]

Are they blind to the fact that every act of consequence that is of universal application in the interest of labor that still lives on the statute-books of the nation is the emanation of Republican wisdom?

I will be disappointed if the honorable member from Massachusetts [Mr. COLLINS], the acknowledged representative of his race, fails to rise in his seat and denounce the pending measure that the London press declares means cheap labor here and increased British importations, in view of the fact that only six years ago he was president of an organization that issued a manifesto to his countrymen calling upon them to boycott every article of British manufacture. [Applause on the Republican side.]

Only a few days ago in the heat of debate the gentleman from Ohio, Judge TAYLOR, was catechized by the gentleman from Michigan [Mr. TARSNEY] for asserting that there were too many Irishmen in and out of Congress fighting England's battles for free trade. If the statement be true it is to be regretted, and it ought not to be so. It was refreshing to hear the genial gentleman from Michigan sneeringly mention the words "Too much tariff."

The warning voice of the history of the country that gave birth to mine and his ancestors constrains me to say that the destruction of its protective system means the destruction of prosperity here and the destruction of future hopes, and the inauguration of a condition which drove his ancestors from Ireland, made Michigan his birthplace from necessity, and a seat in the American parliament a possibility. [Applause.]

I am glad my distinguished friend can not be admitted to membership in the Cobden Club, however much he may desire it. He is barred out because he is neither a nobleman or a manufacturer. [Laughter.]

I feel that I have disproved the allegation of the Indiana Senator that the Democratic party is not for free trade. I have shown from the record that the executive, judicial, and legislative branches of the Government are represented in force in a foreign organization hostile to every American interest, that flaunts in the faces of our workingmen the truthful declaration that the passage of a measure reflecting the views of the President's message means cheap labor in America and increased production in Great Britain.

If I have read this country's history aright, the attempt to force free trade upon the colonies and nip their budding industries was the inspiring cause of the American revolution.

To enforce it Great Britain did not hesitate to hire foreign mercenaries at six pence a day, and arm and officer the merciless Indian. To maintain her commercial supremacy her soldiers burnt the nation's library at Washington and the interior of the two wings of the Capitol that shelters Representatives who are dignified with membership in a foreign club that boldly avows its purpose to obtain for England, by peaceful methods, through the agency of the Democratic party, what she failed to conquer by the sword.

From the dawn of American independence she has continually struggled to make this country the outlet for the manufactured products of her pauper labor. After the adoption of the Constitution, national protective enactments were passed to encourage home manufacture, give employment to labor, and make a home market for the farmer.

The trouble with the early tariff acts was that they did not protect enough, and they but little affected England's control of the American markets.

It was reserved for the Republican party, born to make labor free, to check England's career of commercial conquest in this country. It was its mission to devise a protective system that dwarfed into insignificance all its predecessors, and, judging from its results, must be classed among the many imperishable monuments of its genius. [Applause.]

Scarcely was it perfected when it gave almost miraculous stimulus to American energy and enterprise. It conjured into existence, as if by magic, a multitude of hitherto unknown industries, and threw around them the arm of protection until they became so full of strength and vigor that they defied British legislation and British competition to destroy them.

It placed the American laborer and mechanic upon a plane so elevated that it is an insult to common intelligence to institute a comparison of their condition with the white slaves of Europe.

It has made America the workingman's Paradise. Here he drinks in knowledge gratis from the sparkling fountains of education. To him lies open every avenue that leads to wealth and political station. He feels he is a man, a sovereign, an integral part of this Republic, one of the pillars on which it rests. He is so different in manner and dress from foreign workingmen that the myriads of foreign visitors to the Centennial Exposition looked in vain for the laborers of America.

It needs no statistical information to demonstrate that the price of labor is higher here than elsewhere. It is enough to know that England can buy raw cotton here, pay the cost of transportation, manufacture it into goods, ship them to this country to compete with the home product, and pay an ad valorem duty of about 40 per cent.

She can import steel rails, pay freight and a specific duty of $17 per ton, and compete with the American manufacture. Low wages alone enables her to do it.

I need no other evidence to prove this than the voice of the swelling tide of immigration that is ever surging on the American shore.

The history of the tariff system proves that a material reduction of the duty on foreign importations of the like and kind produced here swells our revenue, diminishes home production, stimulates foreign manufactures, and increases foreign importations. It proves that proper protection maintains high wages, and by virtue of healthy competition and diversification of industry, cheapens prices.

The chairman of the Committee on Ways and Means, in the opening speech of the tariff debate, proves this beyond all contradiction.

He cited an extract from a free-trade magazine to show that the wages of the shoemakers in Massachusetts was 129 per cent. higher than in England, and that English shoes were dearer than those in Massachusetts, because a Yankee workman could make thirty-five pairs a day while an Englishman can make but ten, and therefore tariff did not regulate wages.

The true solution of the question of higher wages and cheaper prices is that protection started into life myriads of shoe factories in New England that competed with each other as well as with foreign establishments.

There never was and never will be a stronger point urged in favor of the reduction of the tariff than that presented by Mr. MILLS to the farmers of the country. He tells them that if an English shoemaker makes as many shoes as an American he would get as much wages and be just as well off, and therefore the tariff has nothing to do with the price of labor. It is the most striking and convincing illustration of the gentleman's opening speech. It is regarded of so much importance that the gentleman from Indiana [Mr. BYNUM] dwelt upon it and emphasized it. It seems almost unanswerable, but party pride compels to attempt a refutation.

I read from an article that appears in the London Shoe and Leather Record in April, 1888, which has been investigating the sweating system in London. It is headed "An inquiry into the sweating system." The following is the record commissioner's report, accompanied by a wood-cut of a London shoemaker's home:

> The sweating system has once more been forced upon the attention of the public—this time with emphasis, and from an eminence that has drawn the inquiring gaze of the whole community. When the committee of the House of Lords presents its report—providing it goes to the heart of the matter—the press of Europe will have cause to wonder that in a land where the poets and the favored classes are never weary of boasting of liberty and wealth, there should exist a system of business which condemns men to a condition of slavery, at once degrading in its effects and inhuman in its operation." The analogy between the white slaves of the metropolis and the negro slaves of America is not distant. 'Tis true, no man can sell the former, yet circumstances compel them to sell themselves. Though no man dare place upon their limbs chains of iron, yet an inexorable system binds them in fetters as resistless as iron to the relentless taskmasters.

The following is a description of an English shoemaker's room he visited:

> Neither pen nor pencil can give any idea of what the room was like. It was a filthy and wretched den. Here we found (after midnight) five men and a little boy still hard at work finishing. We were quickly accommodated with stools and made welcome, though I can scarcely say that we felt at home. Besides the six workers there were in the room two women and two little girls. The latter appeared to be waiting for some fish that her mother was cooking for supper in the same room in the small hours of the morning. In baskets and on rails were grosses of boots and shoes, women's and children's, ranging in wage price from 1*s.* 6*d.* to 2*s.* 9*d.* per dozen. It is horrible and pitiful to think that men should wear out their lives in the manufacture of such wasteful products. Here are some of the prices:

		s.	*d.*
Girls' kid button, strip waist	per dozen	2	3
Women's kid shoes, strip waists	do	3	9
Mock kid shoes, black waists	do	2	6
Lasting S. S., paper heels	do	2	6
Children's leather lined	do	1	6

This wood-cut ought to be photographed and placed in the hands of every laboror in the land to show the character of the Democratic argument in favor of free trade. It ought to be a partial offset to the harrowing picture of the wretched Pennsylvania miners, drawn by the distinguished word-painter from Tennessee, Mr. MCMILLIN. [Laughter.]

If Mr. MILLS is sincere in his argument, it is certain that the evident purpose of the bill that bears his name is to put the shoemakers of New England upon the deplorable level of the shoemakers of London. If he succeeds, he will have acquired a claim to immortality akin to that of the gentleman that applied the torch to the Ephesian temple. [Applause.]

A general application of the rule he has invoked means that every time he runs the Democratic dagger into the tariff schedule and cuts off the duty on an article of foreign importation it strikes down an American industry that never can be revived, unless the artisans it employs are reduced to the pitiable level of his foreign shoemakers.

America, with her fruitful soil and diversified production, can compete with any nation on earth for the control of the markets of the

world, if her wage earners work the same hours, receive the same wages, and live in the same way as those of other countries the products of which come in competition with our own. She can compete with England only by paying English wages. She can compete with China by feeding her laborers on rice and paying them ten cents a day. This is the kind of competition advocated by the distinguished member from South Carolina [Mr. HEMPHILL], who voices the sentiment of his party in declaring for cheap labor that must necessarily result from the destruction of the tariff system.

Mr. HEMPHILL. Will the gentleman allow an interruption here?

Mr. WOODBURN. Certainly, if I can get leave to finish my speech.

The CHAIRMAN (Mr. CANNON in the chair). The time of the gentleman will expire in five minutes.

Mr. WOODBURN. Then I fear that I can not yield to the gentleman.

[Cries of "Go on!"]

Mr. HEMPHILL. I think the gentleman ought not to refuse to permit a correction. I am sure he does not wish to misrepresent. But I do not wish to interrupt the gentleman.

Mr. WOODBURN. The gentleman is not interrupting me. I am willing to be interrupted; I like it. But I have not time, as I shall not ask to extend my remarks beyond the hour in view of the fact that other gentlemen are to follow me.

What would be the necessity of excluding the Chinese from our shores if the fruits of their labor in China are permitted to come in competition with the fruits of American labor? What is to prevent Chinese shoemakers (and they are skilled artisans) from flooding our markets with hand-sewed shoes costing a few cents a pair and annihilating their manufacture in Newark and elsewhere, where the wholesale price is $5.50 per pair? The answer is, nothing but a high protective duty.

The seventy-eight millions of reduction contemplated by the Mills bill are taken from the American people and given to the foreign exporter. It means the destruction of the American factories unless their owners will put their employés on the labor level of Europe; and when they are extinct the price of foreign goods is sure to advance.

It is a direct assault on labor. At the proper time a motion should be made to amend its title by entitling it an "An act to destroy American industry, degrade labor, and to introduce the sweating system into the country, and for other purposes."

As far as I am concerned I believe I represent the sentiment of the people west of the Rocky Mountains in standing by every American industry of consequence. I will vote for the wool of Texas, the salt of Michigan, the lumber of Maine, the wool of Ohio, the sugar of Louisiana, and the productions of every farm. [Applause.] I hope for reciprocity when under the rule amendments are in order and will be made to preserve from the knife of the committee the silver, the lead, the wool, the borax, salt, and sulphur, the lumber, fruit, and wine of the Pacific coast.

The history of the past, the present condition of the country, compel me to stand by the protective-tariff system, because almost all it protects is labor. It has put a surplus into the Treasury that was empty and bankrupt at the time of its adoption. It knows no trust unless it be that of labor. It has been a potent factor in liquidating more than half of the national debt as well as liquidating national obligations to the pensioners of the country to the amount of more than $10,000,000,000. It has aided in the construction of three trans-continental railway lines from the Atlantic to the Pacific Ocean. It has stood the test of experience and is stamped with the approval of the most enlightened statesmen of this nation. It may be reverently regarded as the cloud by day and the pillar of fire by night that guided this young Republic through a wilderness of difficulties and placed it on the pinnacle of almost earthly glory. If the bill under consideration becomes a law, it will be forced upon the country against the solemn protest of the great majority of its farmers, laborers, and manufacturers. [Applause.]

No man ever wrote a poem who dedicated it to slavery. No intelligent American workingman ever knowingly appended his name to a petition for the passage of a measure to reduce himself to the level of a European or Asiatic slave. [Long-continued applause.]

Mr. MOORE was recognized.

Mr. BRYCE. Will the gentleman from Nevada, before he takes his seat, repeat the allegations which he made in the body of his remarks about Mr. Hewitt?

The CHAIRMAN. The gentleman's time has expired.

Mr. WOODBURN. My remarks will all be published in the RECORD.

Mr. BRYCE. I want the gentleman to repeat them now, because as I understood them I consider them as a misrepresentation of facts. If I remember correctly he used the expressions of base and contemptible in allusion to Mr. Hewitt.

Mr. WOODBURN. I will print them and send the gentleman from New York a copy. They will all appear in the RECORD.

Mr. BRYCE. I repeat they are a misrepresentation.

Mr. WOODBURN. I have said nothing but what I can prove, sir.

Mr. BRYCE. You should have undertaken to say it, then, in Mr. Hewitt's presence.

Mr. WOODBURN. I made the statement publicly, and have authority for it.

Mr. BRYCE. I ask the privilege of saying before this House that, as I understood the words the gentleman has refused to repeat, they put a false interpretation on the action of a man who never did anything mean or cowardly in his whole life; and I repudiate the insinuation against him with the scorn which it deserves.

Mr. BRUMM. But that does not disprove the fact.

Mr. GUENTHER. It is a matter of record, and the facts are easily established.

Mr. BRYCE. It is a misrepresentation, as I have said before.

Mr. KERR. Then that is simply your statement placed against that of another man.

Mr. DARLINGTON. You can not change history in that way.

Mr. BRUMM. Mr. Hewitt acknowledged on the floor of the House the fact, and apologized for it right here on the floor of the House.

Mr. BRYCE. What is the gentleman's statement? If I remember correctly, Mr. Hewitt explained—not apologized.

Mr. BRUMM. Mr. Hewitt apologized on the floor of the House for it. I offered the resolution to investigate that very matter myself, and when you say that this man states an untruth, you say that which is false. [Cries of "Order!"]

Mr. BRYCE. I say it is a misrepresentation, and I address myself to the gentleman from Nevada.

Mr. BRUMM. And I say it is not. That resolution was offered on the floor of this House.

Mr. BRYCE. And it is cowardly to interpret a man's action when he is not on hand to state the case exactly as it occurred.

Mr. BRUMM. The gentleman can not destroy the facts.

The CHAIRMAN. Gentlemen must come to order. The officers of the House will see that gentlemen are seated.

Mr. BRUMM. The gentleman from Nevada has only stated the facts.

Mr. BRYCE. I was not addressing my remarks to you, sir.

Mr. TIMOTHY J. CAMPBELL. Gentlemen, you are not in the Senate of the United States now. [Laughter.] [Cries of "Order!" "Order!"]

Mr. HOPKINS, of Illinois. Mr. Chairman, is this the Senate of the United States? [Renewed laughter.]

The CHAIRMAN. The officers of the House will see that the aisles are cleared and that gentlemen take their seats.

[Mr. MOORE withholds his remarks for revision. See APPENDIX.]

Mr. BYNUM. Mr. Chairman, the gentleman from Nevada [Mr. WOODBURN], addressing the House a few minutes ago, read a long list of members of the Cobden Club, to the great delight of gentlemen on the other side of the House. While he was upon the floor I propounded an interrogatory to him as to whether Mr. Garfield was not a member of the club during his life time, and also whether Mr. Murat Halstead, editor of the Cincinnati Commercial Gazette, was not a member; to which the gentleman from Nevada responded that their names were not upon the list, and that no Republicans now living were upon that list. I hold in my hand a list of the members of the Cobden Club published in 1888, a revised list, and I wish to call attention to some of the names. I am sorry that I do not see the gentleman from Nevada [Mr. WOODBURN] in his seat, but this is the only opportunity I have to make my statement.

Mr. BUCHANAN. But you did not repeat correctly the statement of the gentleman from Nevada. You no doubt intended to do so, but you failed. He said that no Republican of prominence was a member of that club.

Mr. BYNUM. The gentleman said "no Republican in public life." I hold in my hand a list of the members of the Cobden Club, upon which list appear the name of Murat Halstead, of Cincinnati, Ohio, admitted in 1880, and the name of Hugh McCulloch, ex-Secretary of the Treasury under a Republican administration——

[Laughter on the Republican side and cries of "Undoubtedly!" "Of course!"]

Mr. BYNUM. Also the name of Stanley Matthews, a member of the Supreme Court of the United States, admitted to the club in 1877, and appointed by President Garfield to the Supreme Court, no doubt, by reason and on account of his being a member of the Cobden Club.

Mr. BAYNE. He was not appointed by President Garfield at all.

Mr. MILLIKEN (to Mr. BYNUM). You are wrong in your history.

Mr. ROWELL. Stanley Matthews was a member of the convention that nominated Horace Greeley in 1872.

Mr. BYNUM. I find also on this list the name of Theodore Roosevelt, of New York; also the name of Cyrus W. Field, of New York; also the names of a number of other Republicans which I might read, but gentlemen on the other side would probably denounce them as "Mugwumps," so I stop at this point.

Mr. BAYNE. But you do not find Garfield's name.

Mr. BYNUM. Garfield's name is not here because the names of members who are dead have been taken off; but his name appears in the publication of 1871: "James A. Garfield, admitted in 1867." [Laughter and applause on the Democratic side.]

Mr. BAYNE. Mr. Garfield repudiated all connection with that club. The election was made without his consent.

Mr. PERKINS. Without his knowledge or consent.

Mr. CARUTH. So does Senator BECK repudiate any connection with that club.

Mr. BYNUM. Here is Garfield's name in 1876. It had not been repudiated by him at that time.

Mr. MACDONALD. We never heard anything of his repudiation of it until he became a candidate for the Presidency.

Mr. WEBER. The gentleman has read the name of Mr. Roosevelt. Mr. Roosevelt has since recanted. [Laughter.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. BOUTELLE. I want to ask the gentleman from Indiana [Mr. BYNUM] a question. As a matter of candor and frankness, is he not perfectly well aware, as every newspaper reader in this country and every person who is reasonably familiar with political matters in this country during the past dozen years is aware, that President Garfield publicly and repeatedly repudiated any connection with that club; that the putting of his name on the list was simply a compliment paid to him without his knowledge, and that he absolutely and unqualifiedly refused to become a member?

Mr. BYNUM. It was a compliment to him I have no doubt, as it was to every other man on the list—a compliment paid on account of the sentiments he entertained and expressed. [Laughter on the Democratic side.]

Mr. BOUTELLE. That is not a candid answer; but I suppose it is as candid an answer as a Democratic free-trader can afford to give.

Mr. BYNUM. Will the gentleman tell us when Mr. Garfield repudiated his connection with the club?

Mr. BOUTELLE. I will do so with great pleasure. He repudiated it repeatedly in public utterances.

Mr. BYNUM. Well, furnish them.

Mr. BOUTELLE. It will give me pleasure to do so.

Mr. BYNUM. Do it now.

Mr. BOUTELLE. I can do it in five minutes.

Mr. RUSSELL, of Connecticut. I would like to ask the gentleman from Indiana whether Mr. J. S. Moore, who the record shows is a member of the Cobden Club, and who is commonly known as the Parsee merchant, is not most commonly known as the author of the Mills bill? [Laughter on the Republican side.]

Mr. BYNUM. I will say to the gentleman from Connecticut that the authors of the Mills bill are the members of the Ways and Means Committee. [Applause on the Democratic side.]

Mr. RUSSELL, of Connecticut. Has not Mr. Moore been in constant consultation with the majority of the committee, and has he not been a controlling spirit in the framing of the bill?

Mr. BRECKINRIDGE, of Kentucky. Does the gentleman make the charge that Mr. Moore is the author of the bill? Does he make that charge on his responsibility and veracity?

Mr. BAYNE. Mr. Moore was with the committee all the time.

Mr. BRECKINRIDGE, of Kentucky (addressing Mr. BAYNE). Do you make that charge?

Mr. BAYNE. I do not make the charge, but I know that he was here all the time and in consultation with the gentlemen who form the majority of the Ways and Means Committee.

Mr. BRECKINRIDGE, of Kentucky. If the gentleman will take the responsibility of making it on his veracity, or upon that of any other gentleman, we can then make the issue.

Mr. BUCHANAN. Does the gentleman from Kentucky admit that the minority of the members of the Committee of Ways and Means were not admitted to the consultations held during the framing of the bill?

Mr. BRECKINRIDGE, of Kentucky. That the minority members of the committee were not admitted to the private consultations of the gentlemen of the majority?

Mr. BUCHANAN. Ah! it required private consultations, did it?

Mr. BRECKINRIDGE, of Kentucky. Of course, Mr. Chairman, the gentlemen of the minority of the committee were not admitted to the private consultations of the majority. Do you suppose that we ever expected that those gentlemen would agree with us to reduce taxation? [Laughter and applause on the Democratic side.]

Mr. BUCHANAN. I am glad the gentleman confesses to the secrecy of their movements.

Mr. McCORMICK. Mr. Chairman, in the brief hour allotted to me for the discussion of the pending bill it would be impossible, even if I were so disposed, to cover the broad field it traverses and attempt to show the effect upon all the different industries touched by it in case its provisions were to become law. Nor is it my intention to discuss generally the great questions of tariff and free trade.

I will consume no time in attempting to demonstrate that a protective tariff has protected American labor and American capital against foreign labor and foreign capital in the past, and, if maintained, will continue to do so in the future. All this has been done, and most ably done, by others.

It is rather my purpose to discuss the bill under consideration with special reference to its effect upon a single industry, with which I feel myself somewhat familiar. Our friends on the other side of this Chamber, conscious of the unpopularity of the doctrine, disclaim the idea of "free trade." They tell us that it is tariff revision they are after and not free trade.

We are informed by the President that—

> The question of free trade is absolutely irrelevant, and the persistent claim made in certain quarters that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free-traders, is mischievous, and far removed from any considerations for the public good.

I infer from this authoritative statement that the "scheme" of the majority of the Ways and Means Committee of this House is not a "free-trade" scheme at all. Well, what is it? Let us see. Lumber of all kinds is put by this bill upon the free-list. So is wool, and so are a large number of other items. If all imports were treated as are lumber and wool, would the President of the United States still tell us that the question of free-trade is wholly irrelevant? And yet no one will deny that as to those articles which are put upon the free-list this Administration has declared for free trade. No amount of talk about the question of free trade being absolutely irrelevant can blind the eyes of an intelligent people to the fact that the President of the United States and a majority of the Ways and Means Committee advocate the doctrine of free trade, pure and simple, as to all articles of merchandise which it is proposed to admit free of duty, and a modified free trade as to those articles upon which any duty is charged at all. Nowhere in the report of the committee accompanying this bill, nor in any of the numerous speeches made on this floor in support of it, are we given any reason why lumber should be admitted free of duty. I am not aware that any public sentiment has demanded it. It does not appear, so far as I am informed, that any citizen has petitioned for it. Upon what ground, then, will the committee defend its action?

We have been told, it is true, in general terms that we must by legislation arrest the growing surplus in the Treasury and relieve the people from the burdens of unnecessary taxation. But the putting of lumber upon the free-list will only decrease the income of the Government by the amount of the duties collected from lumber imported into the United States, and that amount is so small that it can not warrant the action of the committee.

For the fiscal year ending June 30, 1886, the total duties collected from those items in the "wood schedule" which it is now proposed to admit free of duty amounted only to the sum of $1,026,717.78, and for the fiscal year ending June 30, 1887, $1,039,737.57. To reduce the income of the Government in so trifling a degree will scarcely be considered wise even by those of this House who feel that they must do something, if it can be shown that the result of such action would be disaster and ruin to a great industry, to the capital employed in it, and to the vast numbers of our people who labor in it and get their living by it.

By the tariff act of 1842 on "boards, planks, etc., not planed or wrought into shape for use," a duty of 20 per cent. ad valorem was imposed. This duty remained from 1842 down to 1872, except that under the act of March 3, 1857, the duty was made 15 per cent. and continued until the act of March 3, 1861, restored the duty to 20 per cent. In 1872 the duty was changed from a 20 per cent. ad valorem to the present existing duty, namely, $1 per thousand feet board measure on "sawed boards, planks, deals, and other lumber of hemlock, sycamore, whitewood, and basswood," and $2 per thousand put on "all other sawed lumber."

The lumber imported during the years 1886 and 1887 paying the specific duty of $1 per thousand feet, when reduced to the ad valorem standard, paid a duty of only 11.73 per cent., and that paying a duty of $2 per thousand feet an ad valorem duty of 16.18 per cent. (See annual report of Bureau of Statistics, page 84.) So that it appears that the duty on hemlock and other low-priced lumber was reduced by the act of 1872 more than 8 per cent. ad valorem, and pine and the higher-priced lumber was reduced about 4 per cent. ad valorem.

It can not be seriously argued by any Representative on this floor that the existing tariff on lumber is high. I assert here and will undertake to prove that the existing duties are below the protective point, and that the difference in the wages of the labor in this industry in favor of our people engaged therein is greater than the duty upon lumber. For the purpose of illustration, the cost of producing lumber in Pennsylvania may be taken as a fair statement of its cost in all the great lumber-manufacturing sections of the country. Slight differences do exist in different parts of the country, but they are not great enough to impair the force of the illustration. It is a fact within my own knowledge, and abundantly proved by evidence in my possession, that from the time of the first ax-stroke into the tree standing in the forest until the lumber is taken from the saw and piled in the rough at the mill the labor cost alone is not less than $6 for each 1,000 feet.

The average monthly wages paid the laborer in the woods is about the sum of $30 and board, and the average daily pay of the laborer upon the saw-mills is about the sum of $2, he boarding himself. In Canada, including New Brunswick and Nova Scotia, our competitors in the lumber trade, the wages paid for the same work, average as nearly as may be one-half to two-thirds the sums paid in this country. The

cost, therefore, of producing 1,000 feet of lumber in Canada would be about $3 to $4, or one-half to two-thirds the cost in the United States. Allowing that the Canadian laborer is paid two-thirds as much as the laborer here, the labor cost in Canada is $4 per 1,000 feet; and the fact remains that the American laborer receives for the same work $2 per 1,000 feet more than the Canadian. Now the duty on pine, the highest priced lumber, in which there can be great competition between Canada and the United States, is $2 per 1,000 feet. It appears to be clear, then, that the difference in labor cost alone is as great as the duty, and the laborer gets it.

If we take into account further the natural and artificial advantages of the Canadian lumberman it becomes apparent that the existing duty does not reach the point of protection. By reason of such advantages the Canadian can afford to pay the duty and still be better off in the markets of the United States than our own lumbermen. The long winters there, with the ground constantly covered with snow, cheapens greatly the process of lumbering. In the matter of freights, too, the Canadian lumberman has an advantage, and upon this point I can not do better than to quote from a letter from the Gratwick, Smith & Fryer Lumber Company, of Tonawanda, N. Y., under date of March 7, 1888, in which they say:

> The Canadian lumber mills being situated nearer the Eastern States than the mills of the producing pine regions of the United States, they have an advantage in the item of freights of at least one-half of the present duty; and if such duty were removed it would give to the Canadians control of the markets of the Eastern States, whither their product is most largely imported, so that the present rate of duty is absolutely necessary in order that Western pine lumber may be shipped to Eastern markets.

But if the existing rate of duty does not fairly and fully protect pine and the higher grades of lumber, the case is much worse when we consider hemlock, whitewood, sycamore, and bass wood. The average labor cost of producing a thousand feet of hemlock lumber is, perhaps, 50 cents less than pine, but the duty is only $1 per 1,000 feet, being $1 less than the duty on pine.

When we consider that the entire duty collected on imported "hemlock, whitewood, sycamore, and bass wood" amounted only to the sum of $41,464.27 for the fiscal year ending June 30, 1886; and only $36,872.67 for the fiscal year ending June 30, 1887, it will scarcely do to tell the great hemlock industries of the country that the growing surplus in the Treasury must be curtailed by cutting off the $30,000 or $40,000 a year collected from imported lumber.

Nor can it be successfully argued that the removal of the duty is in the interest of the laboring classes. Nine-tenths of the people who use lumber do not belong to the laboring classes at all. In addition to that, it is rough lumber only proposed to be admitted free of duty, and it is a well-known fact that in the ordinary frame or wooden house such lumber constitutes less than 25 per cent. of the cost. Whom, therefore, will free lumber benefit? Nobody asks it, as far as I can learn. The resulting advantage to the farmer in maintaining this great industry is tenfold greater than any advantage that would accrue to him in the reduction of the price of lumber, even if it were reduced an amount equal to the entire duty.

But, Mr. Chairman and gentlemen, I call your attention to that large class of our people who are benefited by the duty on lumber. The district which I have the honor to represent embraces almost the entire hemlock belt of the country, being about 250 miles long by perhaps 50 miles wide. Reasonably accurate estimates fix the amount of hemlock in this region at 10,000,000,000 feet. Hemlock lumber is now being delivered in New York and Philadelphia at from $9 to $12 per thousand feet, and fully 90 per cent. of the prices received represent labor and nothing else. The amount of hemlock manufactured during the past three years in this section of Pennsylvania will probably average 500,000,000 feet per year, and the average labor cost of producing it is $5.50 per thousand feet, or in the aggregate $2,750,000 is paid annually as the wages of labor in this one industry alone in the limited district of which I have spoken.

But it may be asked, how will the people who labor in this business be hurt by admitting this sort of lumber free of duty? The answer is easily given. In Nova Scotia and New Brunswick there are vast forests of hemlock and spruce, and these countries are even now, notwithstanding the duty, competing with our hemlock in the New York market, and by reason of the extremely low duty now existing have kept the price of hemlock so low that its average value in the tree during the past eight years has not been more than 50 cents per thousand feet. Take the duty off as this bill proposes and it will be worth nothing.

But I do not speak for Pennsylvania alone. The removal of the duty upon hemlock lumber will affect, in equal if not greater degree, the lumbermen of Northern New York, with its 8,000,000,000 of feet of hemlock and spruce, and Maine, with its 5,000,000,000 of spruce. Nor will the damage stop here. Remove the duty from lumber and you immediately bring the hemlock and spruce and lower grades of pine of Nova Scotia and New Brunswick and the Canadas into direct and ruinous competition with the low grades of pine everywhere, used for the same purposes as the lemlock and spruce, and particularly with the pine of Virginia, the Carolinas, Georgia, and Florida. Following close upon such action the mills will close, the laborer and his family be thrown out of employment with all that that implies in the way of privation and suffering, and the investors of capital in expensive mills and plants will find them as valueless as the hemlock timber itself.

Mr. Chairman, a senseless, causeless, demagogic war has been declared by this Administration against the manufacturer. The President, in his message to Congress in December last, uses this language:

> So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged (in manufactures), that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.
>
> * * * * * * *
>
> Yet, when an attempt is made to justify a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers, quite beyond a reasonable demand for governmental regard, it suits the purposes of advocacy to call our manufactures infant industries, still needing the highest and greatest degree of favor and fostering care that can be wrung from Federal legislation.

Taking the cue from their chief, we have been regaled by our friends from the other side of the Chamber during this debate by hearing those of our citizens who have engaged in manufactures vilified and abused without stint. Nothing worse could be said of the highwayman or the burglar.

In due time they will discover that the attempt to curry favor with the workingman by abusing the man who furnishes him the work is an utter failure. I undertake to say here and now that what the President and his followers denominate a tax "for the benefit of our manufacturers" will be found in every instance to confer greater benefits upon the laborer; and the highly intelligent laboring people of this country would indorse what I have said if they had the opportunity.

Day after day during this debate we have heard it proclaimed from the other side of this House that duties upon imports are imposed for the benefit of the manufacturer, and that the laborer, instead of being benefited, is plundered and impoverished by this "robber tariff." I deny this in general and in particular. There is no country in the world and never has been in which people who labor receive as good wages, in which education is so widely diffused, in which all the people are so well fed, housed, and clothed as in the United States under the system of protection to American industries.

The attempt to win favor for "free trade" by calling the manufacturer by harsh names and arraying capital against labor will prove a boomerang to those who have used it. In this country the manufacturer of to-day was the laborer of yesterday, and the laborer of to-day will be the manufacturer of to-morrow. The majority of the Ways and Means Committee forget that the employer of labor does not own the laborer, and that in the last quarter of a century the world has moved apace.

The grime and smoke of the factory and the shrill shriek of the steam-whistle alarm those "who dwell in tents" in Texas, Arkansas, and Kentucky. But I beg to assure them that the ægis of protection is national in character, and broad enough and beneficent enough to allow our pastoral friends in those great States to get under it. Our system makes your sheep dear and your shotguns cheap, and why are you not happy? [Laughter and applause.]

Is it not true that as a party you care nothing for the great industries of the country? What has the Democratic party ever done to build them up and foster them? The stupendous advancement in manufactures and the arts which we of this generation have witnessed would not have been possible if the official declarations of your party had been enacted into law. Let us see. The Democratic platform adopted at Cincinnati June 6, 1856, and upon which the Democratic party went out of business for twenty-four years contained this significant plank:

> *Resolved*, That there are questions connected with the foreign policy of this country which are inferior to no domestic questions whatever. The time has come for the people of the United States to declare themselves in favor of free seas and progressive free trade throughout the world, and by solemn manifestations to place their moral influence at the side of their successful example.

In 1860 the platform of both wings of the Democratic party affirmed that of 1856, and by way of explanation the Charleston convention declared that "Democratic principles are unchangeable in their nature when applied to the same subject-matters."

In 1864 the party tried the truth of the proverb that "silence is golden," and said nothing.

In 1868 they declared for "a tariff for revenue with incidental protection." In 1872, tired and sick with "hope long deferred," they made this deliverance:

> Recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their Congressional districts and to the decision of the Congress thereon wholly free from executive interference or dictation.

In 1876 they used this language:

> We demand that all custom-house taxation shall be only for revenue.

And in 1880 they declared for "a tariff for revenue only." Six times from 1860 to 1880 did the people of this country put their seal of condemnation upon "progressive free trade" and "a tariff for revenue only."

In 1884, having after the lapse of twenty-four years, learned something of the trend of public opinion, our Democratic friends adopted a

tariff plank in their platform differing widely from any that had preceded it. They declared, amongst other things, that:

The necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

This official declaration of the party made to the people in 1884 saved it, "as by the skin of its teeth" it is true, but still saved it and enabled it after so many years to regain power. The Democratic party obtained the inheritance, however, by the same tactics by which Rebekah obtained the paternal blessing for Jacob. By masquerading through one campaign in the clothing of the Republican party, the people were made to believe that the Democratic party would favor protection to American industries, and although, like Jacob of old, they were aware that the voice was Jacob's, yet the hands were the hands of Esau, and so they were deceived.

But the practical question is, how is this last promise of the Democratic party being kept? Does the bill under consideration pay any attention to the protection of our manufacturing industries by retaining duties sufficiently high "to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country?" Not at all, for we are told by the distinguished chairman of the Ways and Means Committee that—

Wages are regulated by demand and supply and the capacity of the laborer to do the work for which he is employed.

This new theory has been repeated many times by the advocates of this measure assuming it to be sound because "he himself hath said it." The gentleman [Mr. MILLS] admits that our rate of wages is higher than anywhere else in the world, but declines to see that the duties upon imports are the efficient cause, or, indeed, that they have any relation to the subject.

He deals in generalizations. He asks, "What, then, is it that makes higher wages?" and he answers by telling us that "it is coal and steam and machinery," as though America possessed a monopoly of coal and steam and machinery. I answer his interrogatory that the duty upon an imported article has much to do with the wages of labor employed in manufacturing the same article in this country. No other cause can be assigned for it. Take the labor cost of manufacturing 1,000 feet of lumber. In Canada, across an imaginary line, the laborer is paid $4, and in the United States, perhaps not 50 miles away, he is paid $6. If the law of supply and demand governed, why are not the wages the same in both countries? Canadian laborers are free to come here, as ours are to go there. No barrier exists between the two countries. A day's walk or an hour's ride would in many instances take them from the camp of the Canadian lumberman to that of the American, or *vice versa*.

Not only is it claimed that the tariff and the rate of wages have no relation to each other, but our Democratic friends, as this debate has progressed, have thrown off the thin disguise of pretending to favor protection and have boldly declared themselves for free trade. A few days ago the gentleman from South Carolina [Mr. HEMPHILL] in discussing this bill, with a candor that I admire, distinctly informed this House that he was not only in favor of buying where he could buy cheapest, but was also in favor of hiring labor where he could hire it cheapest. I commend this doctrine to the laboring men of this country, who, as the same gentleman informs them, are robbed by the tariff. The same distinguished gentleman [Mr. HEMPHILL], as the Representative of the great State of South Carolina, with equal honesty has put himself upon record in the same speech upon the subject of developing new industries. He says:

As has been suggested by a writer on this subject, it may seem a little paradoxical to say so, but the greatest misfortune that can befall the tax-payers of this country is the establishment of a new industry by means of protection. For every time some crank of a citizen takes it into his head to make his living by some business that either does not pay at all or not as much as he thinks it ought to, the people of the country must be taxed to make good the deficiency. And every time a new metal or other marketable substance is discovered in the bowels of the earth, immediately a tax is levied upon the public for the benefit of the owner of this new wealth, and from that day it costs more labor and money to procure what we need of this substance than it did before the misfortune of this discovery befell the country. So that under this law what ought to be a national blessing becomes a national calamity. (See CONGRESSIONAL RECORD, page 3573.)

I do not quote this for any reason except to show the opinion held by the gentleman and those he represents upon the subject of making investments in new enterprises. It is a gem of rare value, which I am anxious to preserve. History repeats itself. John Randolph, of Virginia, made a speech in this House when the tariff bill of 1824 was under consideration. It was a violent arraignment of that bill and all who had to do with it. He insisted that all manufacturing should be done by England, and in giving his reasons he said:

It is in such a climate only that the human animal can bear without extirpation the corrupted air, the noisome exhalations, the incessant labor of these accursed manufactories. Yes, sir, accursed; for I say it is an accursed thing, which I will neither taste nor touch nor handle.

The majority who framed this bill appear to come honestly by their aversion to manufactures.

No, the promises of 1884 are not to be kept. The Democratic party proposes to be true to its history. It is now as it always has been in favor of "progressive free trade," and a "tariff for revenue only." The real difference, when reduced to its last analysis, between the advocates of and apologists for the measure under consideration, on the one hand, and those who oppose it on the other, is this: the one theorizes without regard to the especial interests of our own people, whilst the other speaks as an American citizen, after an experience under both systems.

It is gravely contended by the President and his followers in Congress that the duty imposed upon an imported article increases its cost to the consumer by the amount of the duty, and that, too, not only as to the imported article itself, but also the domestic product. It has been so often demonstrated upon this floor during this debate that the argument is not only fallacious, but the statement false in fact, that I will give but little time to it here. I say again the argument is fallacious. If in this whole Republic there were but one owner of timber land, one wool-grower, and one manufacturer of steel rails, it would be possible then that the price of lumber, wool, and steel rails might be kept to a point as high as the foreign article, plus the duty. But the argument fails for the reason that it does not take into account the sharp competition existing in the country in every protected industry. I say again that the doctrine is false in fact, because it has been shown to a demonstration that the amount of the duty constitutes no rule by which the cost to the consumer may be even approximately measured.

Mr. Chairman, I can not believe that the framers of this bill had any conception either of the extent of the forests of the United States or the magnitude of the lumber interests of the country. We are, unfortunately, without reliable statistics in all the States, but such as we have certainly show that we will never be dependent upon Canada for our lumber supply.

By the census of 1880 there was standing, of pine timber alone, in the States of Michigan, Wisconsin, and Minnesota, 84,170,000,000 feet; in Pennsylvania and New York, 2,120,000,000 feet, and in the States of Florida, Georgia, South Carolina, North Carolina, Arkansas, Texas, Louisiana, Mississippi, and Alabama, 237,041,500,000 feet. These figures, large as they are, be it observed, are from 10 to 25 per cent. too small, as we are informed by the census reporter, and include no other variety of standing timber except pine.

No estimates are given of the timber in Virginia, West Virginia, Missouri, Tennessee, and Kentucky, but the reporter tells us that they contain immense quantities of cypress, walnut, cherry, oak, hickory, and other hard woods, as well as pine, hemlock, and spruce; nor do the census reports give us any estimate of the standing timber in Washington Territory, Oregon, and California, but the quantity in that region, from the best information obtainable, is vastly greater than in the States of Michigan, Wisconsin, and Minnesota combined, before a tree had been felled there. The redwood in California alone is estimated by the census reporter at 25,825,000,000 feet. I have made no mention of the extensive and valuable forests of fir, pine, and larch in the Territories of Idaho and Montana, nor of those of New Mexico, where, we are told by the census reporter, there is—

More timber than will supply indefinitely all the population that will occupy this part of the United States.

Time will not permit me to show the peculiar injury which would be suffered by the people of California, Oregon, and Washington Territory if this bill were to become a law. Petitions signed by thousands of citizens of that section of the country, including not only mill-owners, but mill operatives as well, protesting against the removal of duty upon lumber, have been presented in this Congress and referred to the Committee on Ways and Means, but that committee has turned a deaf ear to their entreaties.

With the determination that the representatives of the people and the people of this country shall hear what they say, I quote from one of these petitions, signed very largely by citizens of California.

The forest growths of this State, Oregon, and Washington Territory, the smallest fraction of which has only been touched by the ax, offer to generations to come the fullest supply of their most lavish needs of lumber, and without the supplement of the extensive virgin tracts of Alaska. There is not and can not be any justification, on the score of scarcity or monopoly, in offering to adjacent British Columbia the trade this coast is abundantly able to supply. Further than this, the pine forests of Washington Territory and Oregon, as well as the redwood forests of California, are reproductive, a new and rapid growth of the same species of trees springing up immediately, in the place of those cut down for the market.

Admit to our State free of duty the lumber of British Columbia, produced by "Chinese labor," from exhaustless forests donated to its mills by a willing government, and all these industries will be throttled to their death; hosts of laboring men from mills and woods will be idle; skilled trades will lack employment; our ships will rot at decaying wharves, for the carrying trade of the principal product that now keeps our flag afloat will inevitably be by foreign bottoms, if the production of their cargoes be in foreign lands; vast milling plants will be made valueless and the capacity of our forest growths to add to the national wealth dwindle into insignificance.

Mr. BAYNE. If my colleague will allow me to interrupt him, I wish to ask whether he has any estimate of the amount of timber that goes to waste annually in this country.

Mr. MCCORMICK. I have not the figures here; but the amount is very large.

Mr. BAYNE. So that while there is this large waste of lumber which does not go into consumption, there can be no necessity for admitting lumber free?

Mr. McCORMICK. Not the slightest; and while on this subject, to which I am glad the gentleman has called my attention, I will make this observation: It is a fact, Mr. Chairman, that every year millions of feet of lumber, worth millions of dollars, are so injured by fires running through the woodlands, resulting from causes against which it is impossible to guard, that it becomes absolutely necessary in order to save the timber that it be immediately manufactured into lumber. If you admit Canadian lumber free of duty, you destroy absolutely this American lumber the protection on which is necessary in order that it may be manufactured and brought to market. Otherwise it would go to waste.

Mr. BRUMM. There is also a large loss by decay.

Mr. McCORMICK. Yes, sir.

Mr. BUCHANAN. But if it be a fact that some prominent statesmen on the other side are interested in Canadian forests, would not the admission of Canadian lumber to our markets free of duty be of substantial benefit to the aforesaid statesmen?

Mr. McCORMICK. Very decidedly; and I can not account for the provision of this bill putting lumber on the free-list upon any hypothesis except that the proposition is prompted by American citizens who own timber lands in Canada or is in the interest of Canadians themselves.

Mr. O'NEALL, of Indiana. Will the gentleman allow me a question?

Mr. McCORMICK. Certainly.

Mr. O'NEALL, of Indiana. I believe we never had a tariff on lumber until 1867, had we?

Mr. McCORMICK. Yes, sir; we have had a tariff on lumber from 1842 down to the present time.

Mr. O'NEALL, of Indiana. How long did the protection given to lumber by the tariff of 1842 continue?

Mr. McCORMICK. The duty imposed by the tariff of 1842, which was 20 per cent. ad valorem, continued until 1872, with the exception of only three years, from 1857 to 1860, during which period the duty was 15 per cent. ad valorem. By the act of 1872 there was imposed a specific rate of $2 per thousand feet on pine and $1 per thousand feet on hemlock and the cheaper grades of lumber.

Mr. BUCHANAN (to Mr. O'NEALL, of Indiana). Now tackle him on something else; he has got you there. [Laughter.]

Several MEMBERS (on the Republican side). Next!

Mr. RUSSELL, of Massachusetts. If the gentleman from Pennsylvania will allow me, I will be the "next." The gentleman has spoken of the duty on lumber as keeping out the Canadian lumber and in that way being an advantage to the lumbermen on this side. I will say to the gentleman that, as I understand, the advantage operates in this way: All along the Canadian border of New England, and possibly New York, the Canadian lumbermen are brought over to our side and employed at Canadian wages in cutting the lumber for which the gentleman from Pennsylvania is advocating protection.

Mr. McCORMICK. Does the gentleman speak for Maine?

Mr. RUSSELL, of Massachusetts. I speak especially in regard to the States of Maine, New Hampshire, Massachusetts——

Mr. NUTTING. Leave out New York, if you please.

Mr. RUSSELL, of Massachusetts. I will leave out New York and take in those three States. Scarcely an ax is swung to-day in a New England forest that is not swung by a Canadian, hired through the winter to take the place of a Yankee axman.

Mr. MOFFITT. And the Canadian gets the same wages as the American lumberman.

Mr. RUSSELL, of Massachusetts. I did not catch the remark of the gentleman from New York [Mr. MOFFITT].

Mr. McCORMICK. What inducement is there for the Canadian lumberman to cross the border and come upon our side unless the wages are higher?

Mr. RUSSELL, of Massachusetts. Wages are higher on our side, but when he comes over in that way he lowers them.

Mr. McCORMICK. My time is limited, but I think I have answered the gentleman from Massachusetts.

Mr. RUSSELL, of Massachusetts. I see it is. When the gentleman gets through I would like to ask him a question.

Mr. McCORMICK. You can do so.

Mr. PERKINS. Is the gentleman from Massachusetts [Mr. RUSSELL] in favor of legislation which would keep the Canadian from coming to this country?

Mr. RUSSELL, of Massachusetts. I have not said anything about that. I was only speaking of the advantage which certain lumber interests get under the existing tariff in procuring their labor from Canada.

Mr. McCORMICK. It so happens, Mr. Chairman, that in every State containing our valuable forests we find also great agricultural interests, and the products of the farm find ready consumers at remunerative prices. The value of this convenient home market furnished to the farmer by the great lumber manufactories throughout the country can not be estimated, but is well understood and fully appreciated by the farmers themselves.

The lumbering interests of the country are not local. Sugar, rice, and tobacco are profitably grown only in certain localities; and whilst I am in favor of protecting every American industry that would suffer by competition with foreign labor and foreign capital, the argument that it is a local interest, and that to protect it would be at the expense of other localities less favorably situated, would have much greater force if applied to sugar, rice, or tobacco than when applied to lumber.

The magnitude of this great industry was alluded to by Mr. J. A. Whittier, president of the Saginaw Board of Trade, in his testimony before the Tariff Commission in 1882 in the following language:

If we take in the whole lumber industry of the United States we shall find 90,000 men working in mills and 135,000 working in forests, with yearly wages of $80,000,000; capital invested in mills and apparatus, $180,000,000; a total yearly product of $230,000,000 in value; and the farmers in receipt of $30,000,000 yearly for food of men and animals.

The same intelligent witness, speaking of the advantages of the Canadian over the American lumberman, says:

A Canadian statement in 1872 puts the area of pine lands north of the St. Lawrence at 287,000 square miles. Not only does that government sell these land limits low, and run its own risk of fires, but it builds slides, booms, and bridges. A report of the minister of public works gives a list of seventy-one stations on the Ottawa River and its branches, where government has built 5,000 feet of canals, 7,000 feet of slides, 62,000 feet of booms, thousands of feet of bridges, houses for keepers, etc., spending large sums for the benefit of the lumbermen.

With such a competitor, so circumstanced, it is sought by the pending bill to put the lumberman of the United States into active competition.

I have listened to the debate upon this bill from its beginning until now, and whilst I have heard much talk about the beauties of free trade in general I have failed to hear any specific reason given why there should be "free trade" in lumber. Yet lumber is put upon the "free-list" by the first paragraph of the bill. I do not forget the allusion made to "lumber" a few days since by the gentleman from Wisconsin [Mr. HUDD] when I say that no reasons have been given for admitting lumber free of duty. I take it for granted that inasmuch as the gentleman represents a lumber State upon this floor he was put forward by the committee as the man of all others to give a reason for their action. Here is the argument. I quote from the RECORD, page 3585:

Wisconsin, that I have the honor to represent in part on this floor, is or has been one of the three great lumber-producing States of the Union, namely, Wisconsin, Michigan, and Minnesota; and I say boldly and knowingly now, here in my place, that Wisconsin as a State, not the people thereof, has received not the slightest benefit from the tax on foreign lumber, but has always and from the first been subject to a direct loss to the amount of that tax at least, and more, from the consequences flowing therefrom.

I pause here in the quotation to say that if I fully understand the gentleman from Wisconsin he makes the important announcement that Wisconsin "as a State" has received "not the slightest benefit from the tax." As the "people thereof" are expressly excluded in the gentleman's statement we are obliged to understand that they have been benefited.

Mr. HUDD. The gentleman will allow me to correct him. What I said was, that neither my State nor the people thereof have been benefited.

Mr. McCORMICK. I have corrected the gentleman right here, because I believed there was something wrong. [Laughter.] If on the other hand he meant to say that neither the State nor its people were benefited by the duty on lumber then he is at issue with his free-trade friends on the other side of this Chamber, for they tell us in every variety of the Queen's English that the duty does benefit the people who are engaged in the business of manufacturing the protected comodity, but that to do so they "rob" all the people who are not so engaged.

But I proceed with the quotation:

Thirty-five years ago pine lands were sold, or rather given away, by the Government to a few men or corporations at a dollar and twenty-five cents per acre, and stumpage could be purchased at fifty cents and a dollar per thousand, so that now almost the entire valuable pine lands are owned or controlled by less than forty men or corporations; stumpage and its equivalent acreage now held at $5 to $8 per thousand, or $75 per acre; the men who have labored, the workman in the woods and mills, and being not far from 30,000 in number annually, their wages not materially varied from an average of $1 per day during all that time, while lumber was free under the reciprocity treaty with Canada, while it bore, if it bore anything, the 20 per cent. ad valorem after the abrogation of the said treaty, and then in all the remaining years $2 impost per thousand. But the forty men have all grown rich, while a quarter of that number are millionaires to-day, the 20,000 laborers are still workingmen, just as poor as when they slung the first ax to fell the first tree for commerce, etc.

This, too, is somewhat involved, but I understand the gentleman to make the argument that because those who first bought or preempted these lands thirty-five years ago got them cheap, and because they have largely increased in value, the Government should get even with the present owners by reducing their value by taking off the duty. The same argument could with equal propriety be applied to those who were fortunate enough to become the purchasers of prairie lands in favored localities. The increase in value has been in many instances just as great, and the right thing for the Government to do according to this logic would be to make reprisals upon the present owners of such lands and recoup the damages suffered.

The reference made by the gentleman to the reciprocity treaty between Canada and the United State was unfortunate for his argument. Under that treaty the United States tried free trade in lumber for twelve years, namely, from 1854 to 1866, but that treaty was terminated by

this Government for the reason that the price of all commodities was kept down by Canadian competition, and the sufferer was the laborer, for he was obliged to submit to a reduction in wages in order to make competition possible.

The allegation that the 20,000 men who began as laborers thirty-five years ago are still at work and "just as poor as when they slung the first ax," I will not attempt to answer—that has been done as with a scalpel by his colleague [Mr. GUENTHER]—but I respectfully refer it to the same 20,000 men, and will await their reply early next November.

Mr. Chairman, as I took occasion to say at the commencement of these remarks, it is not my purpose to thresh over the antagonistic doctrines of protection and free trade. If it is said that there is a rapidly growing surplus which endangers the finances of the country, my answer is that there is no surplus; it is a misnomer. A Government in debt more than $1,000,000,000 has no surplus, even though she has $100,000,000 in her Treasury. Apply the moneys on hand to the payment of her debts, and the money will be returned to the channels of trade. She has the legal right to so use the money and has had ever since the passage of the act of March 3, 1881, and this House has with great unanimity so declared at this session of Congress. If it be asserted that the people are oppressed with taxation, my answer is that Federal taxes are nowhere felt, and the cry that excessive burdens are being laid upon the citizen is an attempt to throw dust in the eyes of the people, whilst the way is being paved for "free trade," "progressive free trade," or "a tariff for revenue only," all meaning in plain English one and the same thing.

I am a believer in protection, because I believe it to be for the best interests of the people of the United States, North, South, East, and West.

Is there anything in the conduct of England or the government of the Dominion of Canada in the past that can appeal successfully to a true American to furnish a market for their surplus commodities? Does the recent treatment of American fishermen by the Canadian Government have a tendency to foster and encourage reciprocal commercial relations between the two countries?

I am not enamored of England or English ideas, and I am not here to legislate for her. Even the Cobden Club, with its bright galaxy of American membership drawn from the leaders of the Democratic party in this country, has no attractions for me. It is no part of my duty as a Representative in the American Congress to surrender the limitless markets of this country, and then tell the laboring men of free America that as the price of such surrender they are to have the privilege of competing with the underfed, half-clothed, and pauperized laborers of England and Continental Europe, and the pagan hordes of Hindostan and China, for what the gentlemen upon the other side of this House, in honeyed phrase, are pleased to term "the markets of the world." [Applause.]

Mr. STOCKDALE obtained the floor.

Mr. RUSSELL, of Massachusetts. Now that the gentleman from Pennsylvania [Mr. MCCORMICK] has concluded, I would like to ask him a question.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired, and the gentleman from Mississippi [Mr. STOCKDALE] is entitled to the floor.

[Mr. STOCKDALE withholds his remarks for revision. See APPENDIX.]

Mr. MILLS. As the hour when the committee must rise is so near at hand, if the gentleman from Mississippi [Mr. STOCKDALE] would prefer to pause now and resume his remarks when the Committee of the Whole again takes up this subject, I will move that the committee rise.

The CHAIRMAN. The gentleman from Mississippi has thirteen minutes of his hour remaining.

Mr. STOCKDALE. I will yield for a motion that the committee rise, with the understanding that I shall be entitled to conclude my remarks when the Committee of the Whole resumes its session.

Mr. MILLS. I move that the committee rise.

Mr. BOUTELLE. Will not the gentleman from Texas yield to me for a moment? I desire to redeem a promise which I made upon the demand of several gentlemen.

Mr. MILLS. The gentleman can do that on next Tuesday; the hour is late now.

Mr. BOUTELLE. Very well. I want it understood I am ready to redeem my word, and to produce the evidence which I promised.

Mr. MILLS. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having resumed the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole on the state of the Union, having had under consideration the tariff bill, had come to no resolution thereon.

JOHN D. MUNNERLYN.

Mr. BARNES. I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the bill (H. R. 3480) for the relief of John D. Munnerlyn, and that it be now put on its passage.

The bill was read, as follows:

Be it enacted, etc., That the sum of $1,496.21 be, and the same is hereby, appropriated for the payment of the salary of John D. Munnerlyn, of the county of Burke, State of Georgia, for services as assistant assessor of internal revenue of the United States from December, 1865, to September, 1866, and for which he has never received the pay allowed by law for such services.

The SPEAKER *pro tempore*. Is there objection to the present consideration of this bill?

Mr. BURROWS. Has the bill been reported from any committee?

Mr. BARNES. It has been reported unanimously by the Committee on Claims in four different Congresses. The fact is clearly established that this man rendered the service and has never received his pay.

Mr. BURROWS. I observe that this claim dates back to 1865–'66. Why has it not been paid before?

Mr. BARNES. The facts are clearly stated in the report of the Committee on Claims which accompanies this bill. The assessor of internal revenue for the third collection district of Georgia being unable to find an efficient assistant who could take the test oath, Mr. Munnerlyn was retained as an assistant assessor, under instructions of the Commissioner of Internal Revenue, and being unable to take the test oath took a modified oath. An act allowing compensation to assistant assessors who could not take the test oath was passed July 5, 1870, but the evidence of the oath taken by Mr. Munnerlyn having been lost in its transmission to Washington, his name did not appear upon the records of the proper Department, and consequently his claim under that act was rejected.

Several MEMBERS. Vote! Vote!

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BARNES moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN D. THOMPSON.

Mr. COOPER. I ask unanimous consent for the present consideration of a bill which has been favorably reported by the Committee on Claims—the bill (H. R. 2746) for the relief of John D. Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any unappropriated money in the Treasury of the United States, to pay to John D. Thompson, postmaster at Mount Vernon, Ohio, the sum of $730.71, said sum being the amount of postal and money order funds stolen from the safe in said Mount Vernon, Ohio, post-office, on the 29th of October, A. D. 1886, without the fault of said Thompson.

There being no objection, the House proceeded to the consideration of the bill.

An amendment reported by the Committee on Claims, to strike out, in line 7, the words "$730.71" and insert in lieu thereof "621.71," was read and agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. COOPER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

JOHN FLETCHER.

Mr. MATSON. I move, by unanimous consent, to discharge the Committee of the Whole House on the Private Calendar from the further consideration of the bill (H. R. 128) for the relief of John Fletcher and put it on its passage at this time.

The SPEAKER *pro tempore*. The bill will be read, subject to objection.

The bill was read.

Mr. MATSON. That bill has been reported nine times, and has passed the Senate twice.

The SPEAKER *pro tempore*. By order of the House the session closes at 5 o'clock and 30 minutes p. m.; and that hour having arrived, in the opinion of the Chair it is incompetent for the House to do any further business. Therefore the Chair now declares the House adjourned until Monday next, at 12 o'clock m.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BURROWS: A bill (H. R. 9831) for the relief of Pauline S. Beach—to the Committee on Invalid Pensions.

By Mr. BYNUM: A bill (H. R. 9832) granting a pension to Mrs. Mary T. Barnes—to the Committee on Invalid Pensions.

By Mr. CLEMENTS: A bill (H. R. 9833) for the relief of W. F. Corbin—to the Committee on War Claims.

Also, a bill (H. R. 9834) for the relief of F. Vonborg—to the Committee on War Claims.

Also, a bill (H. R. 9835) for the relief of Richard Helton—to the Committee on War Claims.

Also, a bill (H. R. 9836) for the relief of J. B. Russell—to the Committee on War Claims.

Also, a bill (H. R. 9837) for the relief of the heirs of E. H. Richardson—to the Committee on War Claims.

Also, a bill (H. R. 9838) for the relief of James H. Burch—to the Committee on War Claims.

Also, a bill (H. R. 9839) for the relief of Joseph Bishop—to the Committee on War Claims.

Also, a bill (H. R. 9840) for the relief of I. C. King—to the Committee on War Claims.

Also, a bill (H. R. 9841) for the relief of W. J. Fuller—to the Committee on War Claims.

Also, a bill (H. R. 9842) for the relief of E. M. Carter—to the Committee on War Claims.

By Mr. HARE: A bill (H. R. 9843) for the relief of Matthew Clark—to the Select Committee on Indian Depredation Claims.

By Mr. HARMER: A bill (H. R. 9844) to remove the charge of desertion from the military record of Benjamin Winterbottom—to the Committee on Military Affairs.

By Mr. LAFFOON: A bill (H. R. 9845) for the relief of John R. Cargile—to the Committee on War Claims.

Also, a bill (H. R. 9846) for the relief of James Wallace—to the Committee on War Claims.

Also, a bill (H. R. 9847) granting a pension to Mary J. Adams—to the Committee on Invalid Pensions.

By Mr. PEEL: A bill (H. R. 9848) for the relief of James R. Berry to the Committee on Claims.

By Mr. SAYERS (by request): A bill (H. R. 9849) granting a pension to Mrs. Emily Solcher—to the Committee on Invalid Pensions.

By Mr. STONE, of Kentucky: A bill (H. R. 9850) for the relief of George W. Saunders—to the Committee on Invalid Pensions.

By Mr. BURROWS: A bill (H. R. 9851) for the relief of John A. Whitcomb—to the Committee on Pensions.

By Mr. PHELAN: A bill (H. R. 9852) for the relief of Collin Adams—to the Committee on War Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. JEHU BAKER: Resolution of the Board of Trade of Peoria, Ill., against the action proposed by the so-called Wilson bill, etc.—to the Committee on Commerce.

By Mr. BINGHAM: Petition of the Vessel-Owners and Captains' Association, of Philadelphia, Pa., against the Mills bill (H. R. 9051)—to the Committee on Ways and Means.

By Mr. W. C. P. BRECKINRIDGE: Petition of J. W. Woolums, late postmaster at Midway, Ky., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. BUNNELL: Petition of T. D. Estabrook, of Great Bend, Susquehanna County, Pennsylvania, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Petition of Thomas McDermott and 56 others, citizens of the First district, Tennessee, for prohibition in the District of Columbia—to the Select Committee on Alcoholic Liquor Traffic.

By Mr. BUTTERWORTH: Petition of 29 citizens of Knox County, and of 53 citizens of Coshocton County, Ohio, for pure food—to the Committee on Agriculture.

By Mr. CATCHINGS: Petition of William McIver, of Warren County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CONGER: Petition of G. G. Davisson, of Oswego, Warren County, Iowa, for relief—to the Committee on the Post-Office and Post-Roads.

Also, statement of services of Dr. A. P. Frick to accompany House bill 5023—to the Committee on Military Affairs.

Also, memorial of Dr. S. S. Turner, for legislation for relief of acting assistant surgeons of the United States Army—to the Committee on Military Affairs.

By Mr. GRANGER: Petition of the representative of David Bradley, deceased, late postmaster at Southport, Fairfield County, Connecticut, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. D. B. HENDERSON: Resolutions of the Grand Army of the Republic, Department of the Gulf, asking that $200,000 be appropriated for head-stones for deceased soldiers—to the Committee on Appropriations.

By Mr. HERMANN: Resolutions of the Chamber of Commerce of Astoria, Oregon, for appropriations for revenue-marine service—to the Committee on Appropriations.

Also, resolutions of the Knights of Labor of Junction City, Oregon, against national banks—to the Committee on Banking and Currency.

By Mr. JACKSON: Petition of Isaac Varnerman and 50 others, citizens of New Castle, Pa., against the reduction of the tariff on window-glass—to the Committee on Ways and Means.

By Mr. LAFFOON: Petition in the claim of A. Hilderbrand, to accompany House bill 3626—to the Committee on War Claims.

By Mr. LEE (by request): Petition of J. Y. Goode, of Mechum's River, Albemarle County, and of Samuel A. Gover, of Waterford, Loudoun County, Virginia, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. LODGE: Resolutions of the Boston Turnverein, in relation to the restriction of immigration—to the Committee on Foreign Affairs.

By Mr. LYMAN: Petition of John E. Motz, late postmaster at Guthrie Centre, Guthrie County, Iowa, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. MORGAN: Petition of William F. Siguin, of Marshall County, Mississippi, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. OWEN: Petition of J. C. Hutchinson, of Idaville, Ind., for relief—to the Committee on the Post-Office and Post-Roads.

Also, petition of S. S. Hopkinson and others, for the erection of a national soldiers' home in Indiana—to the Committee on Military Affairs.

By Mr. PHELAN: Petition of Henry E. Hilliard, surviving partner of Hartwell, Hilliard & Brother, for reference of his claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Collin Adams, of Shelby County, Tennessee, for payment of his war claim—to the Committee on War Claims.

By Mr. RANDALL: Petition of dealers in tobacco, urging prompt action on the revenue bill to abolish the entire tax on tobacco, as the delay is paralyzing their trade—to the Committee on Ways and Means.

By Mr. REED: Petition of T. B. Grant, of Ferry Village, Cumberland County, Maine, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. ROWELL: Petition of Philip H. Conrad and 25 others, citizens of the Fourteenth district of Illinois—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. SAYERS: Petition of Emily Salcher, of San Antonio, Tex., for a pension—to the Committee on Invalid Pensions.

By Mr. SENEY: Petition of W. E. Weber and 26 others, citizens of Wyandot County, Ohio, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. J. D. STEWART: Petition of Charles B. Love, of Margaret Wall, and of H. D. Moore, heir of Thomas Moore, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. STONE, of Kentucky: Petition of James Bridges, and of representative of J. E. Pannley, of Carrsville, Ky., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. TILLMAN: Petition of Jacob Delroch, for reference of his claim to the Court of Claims—to the Committee on War Claims.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. PATTON: Of druggists of the Twentieth district of Pennsylvania.

By Mr. PENINGTON: Of Henry M. How.

By Mr. ROWELL: Of druggists of Bloomington, and of Stanford, Ill.

By Mr. SENEY: Of S. D. Frey & Son, of Findlay, Ohio.

By Mr. J. R. WHITING: Of citizens of Port Huron, Mich.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. PATTON: Of 20 citizens of Clearfield, Pa.

By Mr. J. R. WHITING: Of citizens of Port Huron, Mich.

The following petitions for the more effectual protection of agriculture, by means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. BUNNELL: Of citizens of Hawley, Pa.

By Mr. WILLIAM WHITING: Of 27 citizens of Royalston, Worcester County, Massachusetts.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. LANDES: Of citizens of Edwards County, Illinois.

By Mr. TOWNSHEND: Of J. M. Asbury and others, ex-soldiers of New Haven, Ill.

By Mr. J. R. WHITING: Of ex-soldiers, sailors, and citizens of Marlette, Mich.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. ELLIOTT: Of citizens of the Seventh district of South Carolina.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. FISHER: Of 69 citizens of Clare County, Michigan.

By Mr. PERRY: Of M. Y. Garlington and others, citizens of South Carolina.

By Mr. ROWELL: Of 90 citizens of McLean County, Illinois.

SENATE.

MONDAY, *May* 7, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of the proceedings of Thursday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of April 9, 1888, reports of Special Agent Shackleford, touching lands in Klamath County, Oregon, claimed by the State of Oregon under the swamp-land grant; which, on motion of Mr. MITCHELL, was, with the accompanying papers, referred to the Committee on Public Lands, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a communication from the Commissioner of Indian Affairs, with draught of an item which he recommends for insertion in the Indian appropriation bill, providing for the employment of five matrons to reside at such agencies as the Department may designate; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the governor of Alaska on the operations of the Alaska Seal and Fur Company, as required by section 5 of the act of May 17, 1884; which, with the accompanying papers, was ordered to lie on the table and be printed.

He also presented a communication from the Secretary of the Treasury, transmitting a letter from the Supervising Architect of that Department, calling attention to former correspondence and urging an appropriation of $190,000 for heating apparatus for twenty-three new public buildings; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

CIRCULAR VALUES OF FOREIGN SILVER COINS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Director of the Mint, transmitting, in response to a resolution of April 30, 1888, statistics relative to the circular values of foreign silver coins; which, on motion of Mr. STEWART, was, with the accompanying papers, ordered to lie on the table and be printed.

COURT OF CLAIMS REPORT.

The PRESIDENT *pro tempore* presented a communication from the clerk of the Court of Claims, transmitting finding and conclusions of the Court of Claims in the matter of the Big Sally spoliation claim; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. TURPIE presented a petition of Joseph R. Gordon Post, No. 281, Grand Army of the Republic, at Indianapolis, Ind., praying for the establishment of a national soldiers' home in the State of Indiana; which was referred to the Committee on Military Affairs.

Mr. PASCO presented the petition of O. P. Rooks and 60 other citizens of Florida, praying that an appropriation be made for the improvement of the Ocklawaha River, in that State; which was referred to the Committee on Commerce.

Mr. COCKRELL presented the petition of Matt. C. Murdock, president; John L. Walker, vice-president; John W. Bryant, secretary, and R. H. Hesperman, treasurer, of the Seneca Gun Club, of Seneca, Newton County, Missouri, praying for the passage of Senate bill 283 to amend the Revised Statutes of the United States, setting apart a certain tract of land lying near the headwaters of the Yellowstone River as a public park; which was ordered to lie on the table.

Mr. STEWART presented a memorial of quicksilver manufacturers of California, remonstrating against the placing of quicksilver on the free-list; which was referred to the Committee on Finance.

Mr. CULLOM. I present a memorial of the Chamber of Commerce of Duluth, Minn., remonstrating against any restriction of the competition now existing between the Canadian and American railroads. As the Committee on Interstate Commerce has reported on that subject, I move that the memorial lie on the table.

The motion was agreed to.

Mr. CULLOM. I present a petition of 53 citizens of Englewood, Ill., praying that Utah may not be admitted as a State while the local civil power of the Territory remains in the hands of the Mormon priesthood and the people refuse obedience to the laws of Congress against polygamy. The memorial and constitution of that Territory heretofore presented have been reported back adversely. I therefore move that the petition lie on the table.

The motion was agreed to.

Mr. CULLOM presented a memorial of 37 members of the Powell Avenue Congregational Church, of Chicago, Ill., remonstrating against the admission of Utah as a State; which was ordered to lie on the table.

He also presented the petition of A. H. Clarke and 63 other citizens of the Eleventh and Fourteenth Congressional districts of Illinois, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of 52 ex-Union soldiers and sailors, citizens of Princeville, Peoria County, Illinois, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented the petition of Sarah J. Martin, of Paris, Ill., widow of Samuel Martin, late private Company H, Sixty-fourth Regiment Illinois Volunteers, praying to be allowed a pension; which was referred to the Committee on Pensions.

He also presented a petition of railway postal clerks at Kansas City, Mo., praying for the passage of House bill 8072, to increase the compensation of railway postal clerks; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. QUAY presented the petition of John Scott, late postmaster at Brookville, Pa., praying to be paid earnings, as computed under the act of 1854, in the office of the First Assistant Postmaster-General; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of dealers in tobacco, citizens of Philadelphia, Pa., praying for the repeal of the tobacco tax; which was referred to the Committee on Finance.

He also presented petitions of citizens of Marietta and Lock Haven, in the State of Pennsylvania, praying for the passage of the bill for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented a petition of the Chamber of Commerce of Pittsburgh, Pa., praying for the erection of a public building at Allegheny, Pa.; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of ex-Union soldiers and sailors, citizens of Susquehanna, Clinton, Huntingdon, Greene, Washington, and Fayette Counties, in the State of Pennsylvania, praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

He also presented a petition of the National Woman's Christian Temperance Union, signed by 204 citizens of Pennsylvania, praying for legislation prohibiting the running of interstate Sunday trains and mail trains, and against military drills on the Sabbath; which was referred to the Committee on Education and Labor.

He also presented a petition of citizens of Philadelphia, Pa.; a petition of Rev. B. F. Larrabee and 28 others, citizens of the Fifteenth Congressional district of Pennsylvania; and a petition of 48 citizens of the Sixth, Ninth, and Twenty-seventh Congressional districts of Pennsylvania, praying for prohibition in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented petitions of physicians and druggists, citizens of North East, Pittsburgh, Finleyville, Venango, Norristown, Chambersburgh, Hughesville, Mount Union, Rochester, Philadelphia, Kingston, and other places in Pennsylvania, praying for the repeal of the law classifying druggists as liquor dealers, etc.; which were referred to the Committee on Finance.

Mr. FARWELL presented the petition of John F. Ryon, late a private in Company I, One hundred and twenty-third Indiana Volunteers, praying to be allowed an increase of pension; which was referred to the Committee on Pensions.

He also presented a memorial of the directors of the Peoria (Ill.) Board of Trade, remonstrating against the passage of what is known as the Wilson bill, relating to competition of trunk lines and Canadian roads; which was referred to the Committee on Interstate Commerce.

Mr. MANDERSON presented a petition of citizens of Cedar Rapids, Nebr., praying for the repeal of that portion of the internal-revenue law classing druggists as liquor dealers, and for a reduction of the tax on spirits; which was referred to the Committee on Finances.

He also presented a petition of the Woman's Christian Temperance Union of Thayer County, Nebraska, and a petition of the Woman's Christian Temperance Union of Burt County, Nebraska, praying for the passage of a law fixing the age of consent of females in the District of Columbia at eighteen years; which were referred to the Committee on the District of Columbia.

He also presented a petition of citizens of Nebraska, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a petition of railway postal clerks of Kansas City, Mo., and a petition of railway postal clerks of Nebraska, praying for the passage of House bill 8072, to rectify and increase the pay of such clerks; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. PADDOCK presented a petition of the Woman's Christian Temperance Union of Burt County, Nebraska, officially signed, and a petition of the Woman's Christian Temperance Union of Thayer County, Nebraska, officially signed, praying for the passage of a bill to raise the age of protection for women and girls to eighteen years in the District of Columbia; which were referred to the Committee on the District of Columbia.

He also presented a petition of ex-Union soldiers and sailors, citizens of Nebraska, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. WALTHALL presented a memorial of citizens of Greenville, Miss., remonstrating against the passage of a bill to create a national bureau of harbors and water ways; which was referred to the Committee on Commerce.

Mr. MITCHELL presented a memorial numerously signed by citizens and residents of Alaska, remonstrating against the passage of the so-called Ford bill, creating a Territorial governor for Alaska; which was referred to the Committee on Territories.

He also presented a petition of citizens of Arlington, Oregon, praying for the passage of Senate bill 283, for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

He also presented a memorial of Pioneer Assembly No. 5394, Knights of Labor, of Junction City, Oregon, remonstrating against the passage of any law perpetuating the national banking system; which was referred to the Committee on Finance.

He also presented a petition of 83 citizens of Oregon, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of citizens of Lewis River Valley, Washington Territory, praying for the removal of obstructions to navigation in Lewis River in that Territory; which was referred to the Committee on Commerce.

Mr. HISCOCK presented the petition of Hiram Berdan, of New York, now residing in Washington, D. C., praying that an appropriation be made for the erection of a monument at Gettysburgh, to commemorate the services of the First and Second Regiments of United States Sharpshooters; which was referred to the Committee on the Library.

He also presented a petition of Archibald Robertson and 81 other members of McLean Post, Grand Army of the Republic, of Broadalbin, Fulton County, New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. STANFORD presented a petition of 95 citizens of the First and Sixth Congressional districts of California, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the passage of a free-ship bill; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the establishment of a general land surveying department for the State of California; which was referred to the Committee on Public Lands.

Mr. HOAR presented a petition of 76 citizens of the First, Ninth, and Eleventh Congressional districts of Massachusetts, praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a memorial of Charles E. Moody, Clarence P. Lovell, James Gammons, and 73 others, citizens of Boston, Mass., remonstrating against the passage of Senate bill 1448, for the establishment of a national bureau of harbors and water ways; which was referred to the Committee on Commerce.

Mr. DAVIS presented a memorial of the Chamber of Commerce of St. Paul, Minn., remonstrating against the passage of the House bill to protect free labor from the injurious effects of convict labor; which was referred to the Committee on Education and Labor.

He also presented a memorial of citizens of Renville, Minn., remonstrating against the passage of the Mills tariff bill; which was referred to the Committee on Finance.

He also presented a memorial of the Southwestern Minnesota Union ex-Prisoners of War Association, in favor of the passage of the bill to pension ex-prisoners of war; which was referred to the Committee on Pensions.

He also presented a petition of 240 citizens of Faribault, Rice County, Minnesota, praying for the passage of measures looking to the purchase of the island of Cuba; which was referred to the Committee on Foreign Relations.

Mr. SPOONER presented a petition of the members of the Stockbridge and Muncie tribe of Indians, of Wisconsin, praying for the passage of House bill 5043, for their relief, with an amendment; which was referred to the Committee on Indian Affairs.

Mr. SPOONER. I present a resolution of the Merchants' Association of Milwaukee, Wis., disapproving suggested amendment to the interstate-commerce act imposing duties on all goods entering the country from Canada, whether the shipment originated in the United States or otherwise, and declaring that the effect would be to abolish the bonded system and deprive the Western States of the benefits of competition in transportation by all the through railroad lines crossing any portion of Canadian Territory. I move that the resolution be referred to the Committee on Interstate Commerce.

Mr. CULLOM. I will state to the Senator that that subject has been disposed of by the committee and the committee has made no recommendation in the line of the petition.

Mr. SPOONER. Then I move that the petition lie on the table.

The motion was agreed to.

Mr. BROWN. I present the petition of Dr. B. M. Strickland, and Drs. Gray, Allgood, Wright, McCall, and others, of Cave Spring, Ga., praying for the repeal of that portion of the internal-revenue laws which classes druggists as liquor-dealers, and also the repeal of such portions of the internal-revenue laws as impose a tax on alcohol used in the arts or for medicinal purposes. I also present another petition of like import signed by numerous citizens of Georgia. I move that the petitions be referred to the Committee on Finance.

The motion was agreed to.

Mr. PAYNE presented a memorial of the Western Iron Ore Association, representing the iron-ore production of Michigan, Wisconsin, and Minnesota; a memorial of the Cleveland (Ohio) Vessel Owners' Association; and a memorial of the Cleveland (Ohio) Board of Trade, remonstrating against the construction of a bridge across the Detroit River; which were referred to the Committee on Commerce.

Mr. VEST presented a petition of James P. Smith and other ex-Union soldiers and sailors, citizens of Clark County, Missouri, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. SABIN presented a memoral of the St. Paul (Minn.) Chamber of Commerce, remonstrating against the passage of the bill now pending in the House of Representatives to protect free labor and the industries in which it is employed from the injurious effects of convict labor; which was referred to the Committee on Education and Labor.

Mr. COCKRELL presented a petition of the Board of Trade of Kansas City, Mo., praying for the construction of the Nicaragua Canal and the grant of the necessary powers and privileges by Congress to parties engaged therein; which was referred to the Committee on Foreign Relations.

Mr. EVARTS presented a petition of 40 ex-Union soldiers and sailors, citizens of Flushing, N. Y., and a petition of 135 ex-Union soldiers and sailors, citizens of Brooklyn, N. Y., praying for the passage of the per diem rated service-pension bill; which were referred to the Committee on Pensions.

REPORTS FROM COMMITTEES.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 4358) to increase the limit of cost for the public building in course of erection at Charleston, S. C.;

A bill (H. R. 1275) for the erection of a public building at Columbus, Ga., and appropriating money therefor; and

A bill (H. R. 1394) authorizing the Secretary of the Treasury to purchase additional ground for the accommodation of Government offices in Council Bluffs, Iowa.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom were referred the following bills, reported them severally with amendments:

A bill (S. 1322) providing for the erection of a public building at the city of Hastings, Nebr.; and

A bill (S. 385) to provide for the erection of a public building in the city of Nashua, in the State of New Hampshire.

Mr. SPOONER, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 658) for the erection of a public building at the city of Beatrice, Nebr., reported it with an amendment.

Mr. QUAY, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 129) for the erection of a public building at Chester, Pa., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1318) for the erection of a public building at Altoona, Pa., reported it with amendments, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 1245) for the relief of Nancy E. Day, administratrix of the estate of James L. Day, deceased, reported it without amendment, and submitted a report thereon.

Mr. PASCO. I am also directed by the Committee on Claims, to whom was referred the bill (S. 355) for the relief of John E. Fenimore, to report it adversely. I ask that the bill be placed on the Calendar with the adverse report, at the request of the parties interested, who desire to examine the report before final action is taken by the Senate upon it.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1632) to refund moneys collected from William

Schaus at the port of New York on an oil painting not subject to duty, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (S. 515) for the relief of the trustees of the Protestant Episcopal Theological Seminary and High School, in Virginia, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1807) to refund to the State of West Virginia the money paid to officers of the One hundred and thirty-third Regiment West Virginia Militia for services rendered during the rebellion, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 322) for the relief of B. M. Parish, reported it without amendment, and submitted a report thereon.

Mr. JONES, of Arkansas. I am directed by the Committee on Claims, to whom was referred the bill (S. 2849) for the relief of Collin Adams, to submit an adverse report thereon, and to move that the bill be indefinitely postponed.

Mr. HARRIS. I ask that the bill be placed on the Calendar with the adverse report.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (H. R. 331) for the relief of David Meriwether, reported it with amendments, and submitted a report thereon.

Mr. PADDOCK, from the Committee on Public Lands, to whom was referred the bill (S. 2026) to establish an additional land office at Springfield, in the State of Colorado, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 2040) to establish a land office at Folsom, in the Territory of New Mexico, reported it with an amendment.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2695) for the relief of Charles V. Mesler; and

A bill (H. R. 8965) to authorize the Postmaster-General to cancel mail contract on route No. 30100, and for other purposes.

Mr. HARRIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 1580) to amend an act entitled, "An act incorporating the Capitol, North O Street and South Washington Railway Company," reported it with amendments.

He also, from the same committee, to whom was referred the bill (S. 1434) to amend an act entitled "An act to incorporate the Capitol, North O Street and South Washington Railway Company," approved March 3, 1875, reported adversely thereon, and the bill was postponed indefinitely.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 152) granting a pension to Mrs. Therese Guelich;
A bill (H. R. 354) granting a pension to Samuel McClure;
A bill (H. R. 809) granting a pension to Ephraim Reynolds;
A bill (H. R. 1074) granting a pension to Linnæus W. Risley;
A bill (H. R. 2156) granting a pension to Warren Ohaver;
A bill (H. R. 2535) granting a pension to Ellen St. Cyr;
A bill (H. R. 2746) for the relief of John D. Thompson;
A bill (H. R. 2928) granting a pension to William Lemons;
A bill (H. R. 3480) for the relief of John D. Munnerlyn;
A bill (H. R. 4735) for the relief of Douglas Chapman;
A bill (H. R. 4891) granting a pension to Alpheus Dyer;
A bill (H. R. 5429) to place the name of Smith V. Campbell on the pension-roll;
A bill (H. R. 5729) for the relief of J. R. Stott;
A bill (H. R. 5812) granting a pension to Catherine Tierney;
A bill (H. R. 6440) to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Nebr.;
A bill (H. R. 6531) to pension Leah Roark;
A bill (H. R. 6552) to increase the pension of James R. Porter;
A bill (H. R. 6583) granting a pension to Sally B. Wilson;
A bill (H. R. 6770) granting a pension to Miss Carrie A. Luey;
A bill (H. R. 7466) granting a pension to Hannah H. Grant;
A bill (H. R. 7688) granting a pension to John Glenning;
A bill (H. R. 7721) granting a pension to Martha Linton;
A bill (H. R. 7783) to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tenn.;
A bill (H. R. 8496) to increase the pension of Albert E. Magoffin; and
A bill (H. R. 9170) granting a pension to James W. Poag.

The message further announced that the House had passed the following bills:

A bill (S. 109) for the relief of Thomas H. Norton and James McLean; and

A bill (S. 1877) granting a pension to Harriet L. Vaughan.

The message also announced that the House had passed the following bills and joint resolution with amendments; in which it requested the concurrence of the Senate:

A bill (S. 1889) to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem acceptable;

A bill (S. 1912) granting an increase of pension to William Irving; and

Joint resolution (S. R. 73) relating to the disposal of public lands in certain States.

The message further announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 3215) to authorize the construction of The Ohio Connecting Railway Company Bridge; and

A bill (H. R. 6609) for the relief of Sarah E. McCaleb.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the following bills:

A bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson; and

A bill (H. R. 7319) for the relief of Emory R. Seward.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President *pro tempore:*

A bill (H. R. 48) for the relief of Benjamin M. Simpson;
A bill (H. R. 88) granting a pension to Sally A. Randall;
A bill (H. R. 130) granting a pension to John E. Smith;
A bill (H. R. 138) granting a pension to Joseph Perry;
A bill (H. R. 404) for the relief of Mary McGrath;
A bill (H. R. 428) granting a pension to William B. Johnson;
A bill (H. R. 431) granting a pension to Hannah Varquison;
A bill (H. R. 518) for the relief of T. J. Edwards, administrator of David Edwards, deceased;
A bill (H. R. 680) granting a pension to Henry H. Stuttsman;
A bill (H. R. 879) granting a pension to Royal J. Hiar;
A bill (H. R. 1697) for the erection of a public building in the city of Asheville, N. C.;
A bill (H. R. 2071) for the relief of Martha Gray;
A bill (H. R. 2282) to pension Mrs. Theodora M. Piatt;
A bill (H. R. 2664) for the relief of Francis Daniels;
A bill (H. R. 2699) for the relief of the late Soloman Spitzer;
A bill (H. R. 3158) increasing the pension to Howard S. Abbott;
A bill (H. R. 3180) granting a pension to John H. Sayers;
A bill (H. R. 3215) to authorize the construction of the Ohio Connecting Railway Company Bridge;
A bill (H. R. 3554) granting a pension to Catharine Black;
A bill (H. R. 3579) granting a pension to Ellen Shea;
A bill (H. R. 3727) for the relief of William P. Gorsuch;
A bill (H. R. 3735) granting a pension to Eliza Shreeve;
A bill (H. R. 3844) granting an increase of pension to Wilson C. Moles;
A bill (H. R. 4104) granting a pension to Mahala Dexter;
A bill (H. R. 4491) granting a pension to Rosanna Robey;
A bill (H. R. 4519) granting a pension to William J. Miller;
A bill (H. R. 4579) granting a pension to Mary J. Crocker;
A bill (H. R. 4580) granting a pension to Farnaren Ball;
A bill (H. R. 4845) granting a pension to Wilhelmina Kuhlmann;
A bill (H. R. 5195) granting a pension to David W. Seely;
A bill (H. R. 5234) granting a pension to Cyrenius G. Stryker;
A bill (H. R. 5237) granting a pension to Noah S. Cramer;
A bill (H. R. 5249) granting an increase of pension to Charles H. Smith;
A bill (H. R. 5311) granting a pension to Alonzo H. Gregory;
A bill (H. R. 5545) granting a pension to Nancy F. Jennings;
A bill (H. R. 5847) granting a pension to Elizabeth Twigg;
A bill (H. R. 5966) granting a pension to Mrs. Lepha A. Osborn;
A bill (H. R. 6379) to increase the pension of David M. Rennoe;
A bill (H. R. 6576) for the relief of Thomas M. McKeehan;
A bill (H. R. 6582) granting a pension to Elizabeth Ward;
A bill (H. R. 6609) for the relief of Sarah E. McCaleb;
A bill (H. R. 6971) to pension Peter Clark, jr.;
A bill (H. R. 7094) granting a pension to Nancy Van Dyne;
A bill (H. R. 7181) granting a pension to Aletus V. Quick;
A bill (H. R. 7218) for the erection of a public building in the city of Duluth, State of Minnesota;
A bill (H. R. 7882) granting a pension to John Kinney;
A bill (H. R. 8164) granting a pension to William H. Hester;
A bill (H. R. 8185) granting a pension to David L. Partlow;
A bill (H. R. 8211) to pension Lafayette Lakin;
A bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning; and
Joint resolution (H. Res. 83) accepting the invitation of the French

Republic to take part in an international exposition to be held in Paris in 1889.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 2869) for the relief of William Welsh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 2870) to correct the military record of Capt. William Vincent; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2871) granting a pension to Mrs. Sarah J. Martin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2872) granting a pension to Thomas R. Sturman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 2873) for the relief of John Ainley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. MANDERSON introduced a bill (S. 2874) granting a pension to George W. Padgett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PADDOCK introduced a bill (S. 2875) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase-money, and commissions paid on void entries of public lands," approved June 16, 1880; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2876) for the relief of Clark S. Merriman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

Mr. TELLER introduced a bill (S. 2877) authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. COCKRELL introduced a bill (S. 2878) for the relief of L. W. Pritchett; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL. In connection with the bill I desire to present the petition of L. W. Pritchett, of Missouri, praying compensation for stores taken and used by the United States Army during the late war for army purposes, together with the affidavits of Arthur Strayhorn and T. J. Woodward, and I move that the petition and accompanying affidavits be referred to the Committee on Claims, to accompany the bill.

The motion was agreed to.

Mr. QUAY introduced a bill (S. 2879) increasing the pension of Sophia Schimmelfennig, widow of Alexander Schimmelfennig, late brigadier-general and major-general by brevet; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2880) granting an increase of pension to Adam Dennis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FARWELL introduced a bill (S. 2881) granting pensions to the survivors of Powell's Battalion Missouri Mounted Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. JONES, of Arkansas, introduced a bill (S. 2882) to pay Aaron Friedheim the rebate due him under the act of March 3, 1883; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2883) for the relief of S. H. Pearce; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENT TO A BILL.

Mr. FRYE submitted an amendment intended to be proposed by him to the Post-Office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. SPOONER, it was

Ordered, That the claimant Sallie Hardman have leave to withdraw her papers from the files of the Senate, no adverse report having been made.

GREENOUGH'S STATUE OF WASHINGTON.

Mr. VEST submitted the following resolution; which was read:

Resolved, That the Committee on the Library be instructed to inquire as to the expediency of removing Greenough's statue of Washington and its pedestal from their present location east of the Capitol to some other place on the grounds, and the protection of said statue by a suitable canopy or otherwise; and that they report by bill or otherwise.

Mr. VEST. In this connection I should like to call the attention of the Committee on the Library to several facts in relation to this statue. Its present location is well known to all of us; and as it stands now it is not only an impediment to carriages and other vehicles upon the eastern exposure of the Capitol, but the statue itself is being seriously injured. We have all heard a great deal of criticism about this statue of Greenough in connection with the drapery, but I have never heard the slightest criticism as to the work itself. As a full explanation of the whole matter, I ask the Secretary to read a brief communication from Mr. Spofford, the Librarian, which I send to the desk.

The PRESIDENT *pro tempore*. The communication will be read, if there be no objection.

The Chief Clerk read as follows:

LIBRARY OF CONGRESS, *Washington, May 7, 1888.*

DEAR SIR: Greenough's statue of Washington of colossal size, in marble, was ordered by Congress in 1832, for the sum of $20,000. The artist said it "was designed for the interior of a building, and not for the open air. Moreover, I modeled that figure without reference to an exposure to rain or frost. I think it would perish in the open air."

This statue was at first placed in the Rotunda of the Capitol, costing $5,000 for its removal from the navy-yard to that locality. The main door had to be cut away to admit it. After a year it was found so out of proportion to its location that it was removed to the open air. Total cost of transportation from Italy and removals, $24,000.

The statue, like all sculpture in marble in our climate, has suffered injury from prolonged exposure to the weather, especially in the finer lines of the work. If it were placed under a suitable canopy, in some part of the eastern Capitol park, most of the serious objections which excite criticism in its present location would be obviated.

Very respectfully,

A. R. SPOFFORD, *Librarian of Congress.*

Hon. G. G. VEST, *Senate.*

Mr. VEST. I ask that the letter of Mr. Spofford be referred to the Committee on the Library with the resolution, if it shall be adopted.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the resolution? The Chair hears none, and the question is on agreeing to the same.

The resolution was agreed to.

The PRESIDENT *pro tempore*. The accompanying letter will also be referred to the Committee on the Library.

REVENUE SERVICE IN MARYLAND.

Mr. MANDERSON submitted the following resolution; which was read:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to send to the Senate, at as early a date as is practicable, full information as to employés in the customs service at the port of Baltimore, in the offices of the collector, the naval officer, surveyor, and appraisers at said port, all of said information, as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888.

First. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.

Second. Number, names, and official designations of employés appointed since March 4, 1885, with dates of appointments.

Third. Number and designation of offices and official positions coming within the classified service, created since March 4, 1885.

Fourth. Number and designation of officers and official positions coming below or outside the classified service, created since March 4, 1885.

Fifth. Number and designation of officers and official positions coming within the classified service, abolished or left vacant since March 4, 1885.

Sixth. Number and designation of offices and official positions coming below or outside the classified service, abolished or left vacant since March 4, 1885.

Seventh. Total number of employés, with name and official designation of each, in the customs service March 4, 1885.

Eighth. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.

Ninth. Number, names, and official designations of heads of divisions in the customs service March 4, 1885.

Tenth. Number, names, and official designations of heads of divisions in the customs service removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.

Eleventh. Number, names, and official designation of heads of divisions in the customs service appointed since March 4, 1885.

Twelfth. Number, names, and official designations of temporary employés (excepting day laborers) appointed since March 4, 1885, with the date of appointment and term of service of each.

Also, to furnish the Senate with full information as to employés in the internal-revenue service in Maryland, in the office of the collector for the district of Maryland, all of the information as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888:

First. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.

Second. Number, names, and official designation of employés appointed since March 4, 1885, with dates of appointment.

Third. Total number of employés, with name and official designation of each, in the customs service March 4, 1885.

Fourth. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.

Mr. MANDERSON. I ask for the present consideration of the resolution.

Mr. HARRIS. Let it be printed and go over.

The PRESIDENT *pro tempore*. The resolution will lie over under the rule and be printed.

BALTIMORE POST-OFFICE EMPLOYÉS.

Mr. MANDERSON submitted the following resolution; which was read:

Resolved, That the Postmaster-General be, and he is hereby, directed to send to the Senate, at as early a date as practicable, full information as to employés in the post-office at Baltimore, all of said information, as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888:

First. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.

Second. Number, names, and official designations of employés appointed since March 4, 1885, with dates of appointments.

Third. Number and designation of offices and official positions coming within the classified service created since March 4, 1885.

Fourth. Number and designation of offices and official positions coming below or outside the classified service created since March 4, 1885.

Fifth. Number and designation of offices and official positions coming within the classified service abolished or left vacant since March 4, 1885.

Sixth. Number and designation of offices and official positions coming below or outside the classified service abolished or left vacant since March 4, 1885.

Seventh. Total number of employés, with names and official designation of each, in the post-office March 4, 1885.

Eighth. Total number of employés, with names and official designation of each, in the post-office April 30, 1888.

Ninth. Number, names, and official designations of heads of divisions in the post-office March 4, 1885.

Tenth. Number, names, and official designations of heads of divisions in the post-office removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.

Eleventh. Number, names, and official designations of heads of divisions in the post-office appointed since March 4, 1885.

Twelfth. Number, names, and official designations of temporary employés (excepting day laborers) appointed since March 4, 1885, with the date of appointment and term of service of each.

Mr. COCKRELL. Let the resolution be printed and lie over.

Mr. MANDERSON. I have no objection to that course.

The PRESIDENT *pro tempore*. The resolution will lie over under the rule and be printed.

RED RIVER BRIDGES.

Mr. VEST submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges at said city across the Red River, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

G. G. VEST,
PHILETUS SAWYER,
C. K. DAVIS,
Managers on the part of the Senate.
CHARLES F. CRISP,
JAMES PHELAN,
Managers on the part of the House.

The report was concurred in.

EMORY R. SEWARD.

Mr. MITCHELL submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7319) for the relief of Emory R. Seward, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows:

Strike out all after the word "*Provided*," in the said amendment, and insert in lieu thereof the words: "If in the judgment of the Chief of Engineers the necessities of commerce require the completion of said contract, or any portion of it, there shall, in making settlement with the said Emory R. Seward, be deducted from the above-named appropriation such an amount as, in his judgment, it will cost in excess of the sum of $625 to complete such contract in a manner to meet the necessities of commerce at that point."

JOHN H. MITCHELL,
JOHN C. SPOONER,
E. K. WILSON,
Managers on the part of the Senate.
T. J. CAMPBELL,
DANIEL KERR,
Managers on the part of the House.

The report was concurred in.

PUBLIC LANDS IN MISSISSIPPI, ETC.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the joint resolution (S. R. 73) relating to the disposal of public lands in certain States.

The first amendment was, in line 3, to strike out the word "entry" and insert the words "sale as offered lands;" so as to read:

That the public lands of the United States in the States of Mississippi, Arkansas, and Alabama now subject to private sale as offered lands shall be disposed of under and according to the provisions of the homestead laws, etc.

Mr. WALTHALL. I move that the amendment be concurred in.

The amendment was concurred in.

The next amendment was to add, at the end of line 6, the following proviso:

Provided, That any isolated or disconnected tracts or parcels of the public domain less than 160 acres may be ordered sold at private or public sale for not less than $1.25 per acre by the Commissioner of the General Land Office when in his judgment it would be proper to do so.

Mr. WALTHALL. I move that the Senate concur in that amendment.

The amendment was concurred in.

TENNESSEE RIVER BRIDGE.

The PRESIDENT *pro tempore* laid before the Senate the amendments of the House of Representatives to the bill (S. 1889) to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem proper.

The first amendment was, at the end of section 2, to add:

And equal privileges in the use of said bridge shall be granted to all telegraph companies; and the United States shall have the right of way across said bridge and its approaches for postal-telegraph purposes.

Mr. HARRIS. I ask the Senate to concur in that amendment.

The amendment was concurred in.

The next amendment was, after line 16, on page 3, to insert a new section, as follows:

SEC. 6. That all railroad companies desiring the use of said bridge shall have and be entitled to equal rights and privileges relative to the passage of railway trains or cars over the same, and over the approaches thereto, upon payment of a reasonable compensation for such use, and in case the owner or owners of said bridge and the several railroad companies, or any of them, desiring such use, shall fail to agree upon the sum or sums to be paid, and upon the rules and conditions to which each shall conform in using said bridge, all matters at issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

Mr. HARRIS. I ask concurrence in that and the other two, which are inconsequential amendments.

The PRESIDENT *pro tempore*. The Senator from Tennessee moves that the Senate concur in the amendment.

The amendment was concurred in.

The PRESIDENT *pro tempore*. The next amendment will be stated.

The CHIEF CLERK. Change the numbering of sections 7 and 8.

The PRESIDENT *pro tempore*. These amendments will be concurred in.

WILLIAM IRVING.

The PRESIDENT *pro tempore* laid before the Senate the amendment of the House of Representatives to the bill (S. 1912) granting an increase of pension to William Irving.

The amendment of the House of Representatives was, in line 5, to strike out the word "fifty" and insert "forty-nine."

Mr. PADDOCK. I move concurrence on the part of the Senate in that amendment.

The amendment was concurred in.

MRS. ELVIRA L. JOHNSON.

Mr. SAWYER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

PHILETUS SAWYER,
CHAS. J. FAULKNER,
H. W. BLAIR,
Managers on the part of the Senate.
JOHN S. HENDERSON,
JOHN E. RUSSELL,
MILTON DE LANO,
Managers on the part of the House.

The report was concurred in.

AMERICAN BARK CASHMERE.

Mr. SHERMAN. I desire to move that the Senate proceed to the consideration of House joint resolution 95. It will take but a moment of time.

Mr. BLAIR. I ask that the Senate resume consideration of the unfinished business of the morning hour, the land-forfeiture bill.

The PRESIDENT *pro tempore*. There is no unfinished business of the morning hour.

Mr. BLAIR. I move, then, that the Senate proceed to its consideration.

The PRESIDENT *pro tempore*. If there be no further business under the order of morning business, in pursuance of the previous order of the Senate the Chair lays before the Senate the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads and for other purposes.

Mr. SHERMAN. I ask the unanimous consent of the Senate to take up and pass a joint resolution sent to us by the House of Representatives, which only needs to be read to pass, and which is a mere act of courtesy to a foreign nation. It will take but a moment, and I ask for its passage.

The PRESIDENT *pro tempore*. The Senator from Ohio asks unanimous consent that the pending business be informally laid aside to enable him to move the consideration of the joint resolution (H. Res. 95) to enable the President of the United States to extend to certain inhabitants of Japan a suitable recognition of their humane treatment of the survivors of the crew of the American bark Cashmere. Is there objection?

Mr. BLAIR. I make no objection if it does not lead to discussion. If it should lead to discussion I must object.

Mr. SHERMAN. There will be no discussion about it.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It grants authority to the President of the United States to extend to the inhabitants of the island of Tanegashima, Japan, a suitable recognition of their kind and humane treatment of the survivors of the crew of the American bark Cashmere, lost off that coast in the year 1885, and to convey to the Government and people of Japan an expression of the high appreciation in which the Government and people of the United States hold such humane services.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BALTIMORE AND POTOMAC RAILROAD.

Mr. FARWELL. I ask unanimous consent to take up the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia, which was called up a few days ago and objected to. The objection having been removed I ask that the bill be considered now.

Mr. COCKRELL. I hope the Senator will not insist upon that bill being acted upon this morning. The Senator from Maryland [Mr. GORMAN] is not now in his seat, and it is quite an important measure.

Mr. FARWELL. I wish to say to the Senator from Missouri that the Senator from Maryland has prepared an amendment, which I propose to offer, which removes entirely his objection. There is no objection now to the bill from any quarter that I know of. I have his consent to call up the bill this morning.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of the bill?

Mr. VANCE. I object.

The PRESIDENT *pro tempore*. The Senator from North Carolina objects.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The PRESIDENT *pro tempore*. Senate bill 1430 will now be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the amendment proposed by Mr. PALMER to the amendment of Mr. SPOONER.

The PRESIDENT *pro tempore*. The amendment to the amendment will be read.

The CHIEF CLERK. It is proposed to add to the amendment the following:

And no sale or entries shall be hereby confirmed to the prejudice of any pre-emption or homestead claims now valid under existing decisions of the Secretary of the Interior, and which were existing on the 1st day of January, 1888.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment to the amendment.

Mr. PALMER. Mr. President, before the vote is taken I beg leave to submit a few remarks in defense of the homesteaders and settlers in the upper peninsula of the State of Michigan.

In the debate last Thursday the Senator from Wisconsin [Mr. SPOONER] opposed my amendment on the ground that it in some way confirms homestead claims, or ratifies a decision made in favor of such claims by the Secretary of the Interior. But my amendment does nothing of the kind. It simply excepts from the confirmation of cash entries proposed by the Senator from Wisconsin cases where both parties have been in litigation before the Department for years, and in which the Secretary has decided in favor of the settlers. If the cash entrymen want relief let them get it in the courts. When a patent is issued the opposing party may file a bill in equity to maintain any rights he may have. The Senator's amendment proposes to interfere with pending litigation in the Department by confirming the claim of the defeated party. I propose to leave these parties just as they are.

I take it that the Senate would look with abhorrence upon any proposition to step in between litigants over property rights in any forum and make a new law to decide the contest. Yet this is precisely what the rejection of my amendment would mean. These people have been for years in contest with each other in the Land Department. The Secretary has decided in favor of one side. The Senator from Wisconsin would now overturn that decision by confirming the title of the losing party. Independent of my amendment that would be the effect of his amendment. By rejecting my amendment he would render nugatory the decision of the Secretary of the Interior. That is all there is in it. I am asking no confirmation in favor of the settlers. They have themselves never asked any such thing. All they ask is to be let alone and have the protection of the law. The decisions of the courts and the Department invited them to make their homes there and they do not invoke legislation to protect them. My amendment leaves the parties just as they are. It simply declares that the Senate will not interfere in private litigation, particularly to help the losing party; in other words, that it will not pass a retroactive law to protect defeated claimants as against homesteaders and settlers.

What was said in debate on Thursday by the Senator from Wisconsin was misleading, unintentionally no doubt, on this point. It was evidently so to the Senator from Missouri [Mr. COCKRELL]. The impression conveyed was that my amendment was in the nature of a confirmation of the homestead claims. It is nothing of the kind. It simply says the homestead claims shall not be confirmed to the cash entrymen against the decision of the courts and the Department.

I will read both my amendments, which are amendments to the amendment of the Senator from Wisconsin [Mr. SPOONER]. My amendments are these:

That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States.

The second amendment reads thus:

And no sale or entries shall be hereby confirmed to the prejudice of any pre-emption or homestead claims now valid under existing decisions of the Secretary of the Interior, and which were existing on the 1st day of January, 1888.

The Senator from Wisconsin also said that my amendment prevented the confirmation of cash entries even where there were no conflicts against them. This also is a mistake. It is predicated entirely upon the existence of an adverse claim. It simply provides that no confirmation shall prejudice such an adverse claim, now valid under existing adjudications.

I have not, so far, been inclined to oppose the confirmation of cases where there are no conflicts; but before any confirmation is made the Senate ought to be fully advised of the situation. It is briefly stated:

1. The starting point is the undisputed fact that none of these lands, either odd or even sections, have ever been restored to market or re-offered at public sale since the joint resolution of 1862. This fact is undisputed, and was conceded by the Senator from Wisconsin on Thursday.

2. This condition of affairs removed them from the body of lands subject to private entry. They are not subject to private entry at all. This was the decision of the Supreme Court in Eldred *vs.* Sexton, 19 Wallace, 189, some fifteen years ago, a citation from which I send to the desk to have read. We might as well have the history of this litigation. I ask the Secretary to read the passages I have marked in brackets.

The Secretary read as follows:

It is a fundamental principle underlying the land system of this country that private entries are never permitted until after the lands have been exposed to public auction at the price for which they are afterwards subject to entry.

They are first surveyed, then a day is appointed for their sale by the President, which is to be kept open for two weeks. At this sale they are offered at a minimum price, and can not be sold for less, but may be sold for as much more as any one will give, and what remains unsold at the close of such sale is subject to entry at that price.

There is an obvious reason for requiring a public sale before leaving the lands open to private entry. It is to secure to all persons a fair and equal opportunity of purchasing them, and to obtain for the Government the benefit of competition in case the lands should be worth more than the price fixed by Congress.

* * * * * * *

Since that time the great body of the public domain has been brought into market, after proper notice, at this reduced price, and, unless Congress by special act ordered otherwise, private entries have never been allowed unless the land applied for had been previously offered at public sale to the highest bidder at the same price. This has been the established practice of the Land Office, sanctioned by the law officers of the Government, and recognized by this court as a leading feature in our system of land sales.

* * * * * * *

It is true the lands in question were once offered at public sale at $2.50 an acre, but the reason of the rule required that they should be again offered to the highest bidder, because their condition as to price had been changed, and there had been no opportunity for competition at the reduced price. Congress meant nothing more than to fix $1.25 as their minimum price, and to place them in the same category with other public lands not affected by land-grant legislation. When they were withdrawn from the operation of this legislation, and their exceptional status terminated, the general provisions of the land system attached to them, and they could not, therefore, be sold at private entry until all persons had the opportunity of bidding for them at public auction.

Mr. PALMER. 3. In violation of the law thus established cash entries were made upon these lands, both odd and even sections. The law was well known and when settlers began to penetrate that country conflicts naturally arose. Thus it happened that as early as October, 1882, a case was decided by the acting Secretary of the Interior, following that of the Supreme Court in Eldred *vs.* Sexton, holding that the cash entries were invalid and that these very lands were subject to pre-emption settlement. This was the case of Sipchen *vs.* Ross, 9 Copp's Land Owner, page 181.

I send to the desk the report, commencing at the right-hand bottom corner of page 19, reading that within brackets on that page and the next:

The Secretary read as follows:

[Acting Secretary Joslyn to Commissioner McFarland, October 30, 1881.]

It does not appear from the records of your office that since the joint resolution of 1862 (changing route of railroad) the land in question has been reoffered at public sale at the reduced rate of $1.25 per acre. It has therefore been unoffered land since that date, and hence, under the ruling of the Supreme Court in the case of Eldred *vs.* Sexton, 19 Wallace, 189 (from which I quote at length, because it so clearly settles the law of the present and like cases), the entry of Ross was unauthorized.

Like reasons apply to the case of Ross, and the tract not having been re-offered under its reduced price, his entry must be canceled.

Mr. PALMER. 4. Under these decisions, by the highest legal and executive branches of the Government, holding the lands to be open to homestead and pre-emption settlement, many settlers went in and made homes, and many contests arose and have been for years pending in the Land Department.

As to the even sections, it was finally held by Secretary Lamar that although the cash entries were illegal they might, in the absence of any specific requirement of the statute that the lands should be re-offered, be confirmed by the board of equitable adjudication. (Pecard *vs.* Camens *et al.*, 4 L. D., 153.) The cash entries on even sections were held to be voidable only because no provision of the statute required a reoffering, although it was required by departmental regulations, and that jurisdiction of the board was not ousted except where there was a prior adverse claim.

Under this decision patents were issued to the cash entrymen; and the pre-emption claimants, instead of applying to Congress for relief, commenced suits in equity in the Federal courts; and two such cases are now pending and ready for hearing at Marquette—Weimar *vs.* Ross, Murphy *vs.* Ross.

5. As to the odd sections, those covered by the pending forfeiture bill, the case was different. The act of 1862 expressly required a re-offering, and upon the 6th day of January, 1888, Secretary Lamar in a test case held and decided that the statute as to odd sections expressly required a reoffering; that the cash entries were therefore void,

were no appropriation of the land, and he admitted the claim of the contesting settlers. (Wakefield *vs.* Cutter *et al.*) The Secretary will please read the part within brackets in the matter I send to the desk.

The Secretary read as follows:

The odd-numbered sections along the old line of road had been selected by and certified to the State according to the terms of the grant. As to these lands the joint resolution provided that upon relinquishment being made by the State of all title and claim to such lands, the State would be entitled to equivalent lands along the new line, and then provided for the disposal of such lands as may be surrendered by the State, as follows:

"And it shall be the duty of the Commissioner of the General Land Office to reoffer for public sale in the usual manner the lands embraced in the surrendered lists aforesaid, when duly filed in his office as herein directed."

The case of Pecard *vs.* Camens (4 L. D., 152) involved the question as to the right to locate and make private cash entry of the even sections within the limits of the old line of the Marquette and State Line Railroad after the passage of the joint resolution of July 5, 1862 (12 Stats., 620).

In that case it was held that where the even sections had been once offered, then increased in price and again offered, and while in that condition declared by Congress to be subject to sale at the first price, and private entries were allowed therefor without further offerings, such entries are not void but voidable for the want of a restoration notice, and may be confirmed by the board of equitable adjudication.

The entries of the even sections were held to be not void because those sections had been once offered at public auction at the minimum price, being the price at which they were actually purchased, and had been continuously in the market from the first offering.

* * * * * * *

It is contended by counsel for appellant that the odd sections having been once subject to private cash entry at the minimum price occupied the same status as the even sections after the restoration of said lands to the public domain under the joint resolution of July 5, 1862, and that the ruling in the case of Pecard *vs.* Camens as to the even sections applies to the odd sections as well.

* * * * * * *

It is true that the odd sections had been once offered at the minimum price, and were subject to private cash entry at that price up to the time of the withdrawal of said lands for the benefit of the railroad, but the Government subsequently divested itself of the title to said lands by certifying them to the State of Michigan for the benefit of the Marquette and State Line Railroad. When the Government was afterwards reinvested with the title to said lands it was under an act that directed the Commissioner of the General Land Office to "reoffer for public sale in usual manner the lands embraced in the lists of the surrendered lands aforesaid."

When the Government certified these lands to the State of Michigan it parted with its right and title in them, and upon the restoration and certification of these lands to the United States by the State of Michigan the Government took them free from the conditions that had attached to them prior to the certification to the State, and hence they were lands that had never been offered at public sale under the present title of the Government.

* * * * * * *

Entries of the even sections were held to be voidable only for want of the restoration notice, a mere departmental regulation, and were held to be not void, because the condition-precedent to the right of private entry having been performed, the power of the officers of the land office to sell at private entry attached, and having once rightfully vested would continue unless Congress saw fit to fix some other condition by which the power would be divested.

As to the odd sections, Congress fixed a further condition upon the reacquisition of these lands by requiring them to be reoffered at public sale, and this reoffering at public auction was a condition-precedent to the rights of entry of said sections.

The ruling in the case of Pecard *vs.* Camens does not apply to the odd sections, but, on the contrary, the reason stated in said decision for sending the entries of the even sections to the board of equitable adjudication furnishes a sufficient reason for refusing the present application.

The applications of Cutter, Frank, and Laydon will be disposed of as decided by your decision of September 29, 1887, which is affirmed.

Mr. PALMER. Under this decision, and in execution thereof, the Commissioner of the General Land Office has allowed the claim of the settlers.

Other claims of like character are also now pending to be similarly disposed of.

6. The Senator from Wisconsin now desires to have these cash entries, thus decided to be void, and which he concedes to be void, confirmed by Congressional action. This, I insist, shall not be done in any case where there is a conflict with a settler whose claim is now valid under the decision of the Secretary.

I propose to apply the same rule to these rich and influential purchasers of odd sections that has of necessity been accepted by the settlers upon the even sections. When beaten in the Department they did no whining at the doors of Congress, but like men went to the courts for redress.

The cash entrymen on the odd sections who now happen to be beaten should be likewise left to such remedy as the law gives them. If they have rights the courts will protect them. If they have none Congress ought not now to give them any by new legislation.

7. Even where there are no conflicts the equitable rights of the cash entrymen are by no means clear.

It is certain that all entries on odd sections were made by the parties and allowed by the officers in direct violation of repeated orders of the Department.

Although this has been read hitherto by the Senator from Arkansas [Mr. BERRY], here it is in a consecutive form in the report made by Mr. Henley, from the Committee on Public Lands of the House of Representatives, March 5, 1884, and I send it to the desk and ask the Secretary to read the part between brackets.

The Secretary read as follows:

[Commissioner to register and receiver, July 5, 1865.]

"You will not forget that all odd-numbered sections in your district, north of township 40 and west of range 21 (including the lands in contest), were withdrawn from market by order of May 26, 1865, and hence not subject to entry, location, or claim until regularly restored to market."

[Commissioner to register and receiver, May 29, 1873.]

"It appears from your returns that you have already allowed a number of entries of these lands without authority from this office; these will be submitted to the board for equitable adjudication, but you will not permit any further entries until the date of restoration."

[Commissioner to register and receiver, March 1, 1879.]

"Under no circumstances will you permit any entries of any of these lands, or take any action further than herein directed, in relation thereto, until specially instructed by me."

[Commissioner to register and receiver, August 1, 1879.]

"In disregard of the above instructions, you continued to permit entries and locations to be made upon these lands, and now report them as being in conflict with tracts listed and held for restoration by my decision of 7th March last. As I am unable to account for your action in the premises, you will please report at once, giving in full the reasons for such seeming misconduct."

[Commissioner to register and receiver, October 12, 1880.]

"By said letter of 29th May, 1873, you were directed to 'permit no further entries until the date of restoration.' Your attention is invited to said letter, and you will promptly report by what authority you have allowed entries upon lands within the limits of the withdrawal made for said railroad."

No attention whatever was paid by the local officers to these repeated orders, who, as before stated, continued to dispose of these lands, and up to October 12, 1880, had permitted entries covering over 88,000 acres of land within the limits of the railroad grant alone.

During the argument of the matter before your committee it was asserted by counsel for homestead and pre-emption settlers that most of the applications to enter were filled out in the handwriting of the then register of the Marquette office, the officer to whom the various prohibitory orders were sent; that they were frequently made on top of subsisting pre-emption and homestead claims, and that the register who allowed the most of them is now a member of a "committee of land-owners," urging the passage of the confirmatory bill and signing circulars levying assessments to aid its passage, one of which was read to your committee. Some of these allegations seemed to be sustained by the proofs.

Your committee is unable to resist the conclusion, under all the facts of the case, that not only were these private entries invalid and illegal, but that certainly in some cases they must have been made fraudulently and by collusion with the officers of the local land office. They are accordingly of opinion that an act confirming them should not be passed.

3. SETTLERS' CLAIMS.

There also appeared before your committee another class of persons alleging rights in these lands, namely pre-emption and homestead settlers. They asked no remedial legislation. They rely upon the law as it stands to protect their rights, and simply desire to be left untrammeled to assert their claims in the Department and the courts. Since the decision of the Supreme Court in Eldred *vs.* Sexton, and subsequent action thereunder by the Interior Department, a large number of such settlers are alleged to have gone upon these lands and initiated claims. Several hundred of such claims are now pending in the General Land Office and the Interior Department, in various stages of adjudication, but their ultimate settlement is delayed and postponed by appeals to Congress on the part of the owners of the cash entries and canal selections, similar to that now under consideration. These petitioners use their applications to Congress to stop all adjudication in the Department.

We are of opinion that none of these private entries or canal selections should be confirmed, but that the whole matter should be entirely dismissed from Congress, and that the proper executive officers or courts having jurisdiction of these matters should proceed to dispose of them according to law.

We accordingly report back H. R. No. 180 amended to conform to these views, and recommend its passage.

Mr. PALMER. It is useless to attempt to avoid this fact by slurring at a majority report of the House committee. No one ever has denied or ever can deny the fact stated, namely, that the above are direct and positive orders from the Commissioner to the register and receiver prohibiting the sale of these odd sections. They were beyond all question sold in direct and known violation of these orders. Although there may have been some innocent purchasers, and probably were, I believe that the majority knew that they were gambling when they purchased these lands. All this was done after the removal of Edwards, the honest register, who refused to allow the illegal canal selections, and the appointment of Campbell, his successor. I send up to have read what there is marked on page 18. There is a natural sequence of the selections for the canal.

The Secretary read as follows:

This was accomplished by securing the removal of Edwards, the then register, who refused to correctly act as a tool of the company, and the appointment of Ambrose Campbell, who administered the office after his appointment entirely in their interest and in the interest of other corrupt combinations. John F. Driggs, then member of Congress from that district, was attempting to carry some 11,000 acres of land for his own benefit, without paying the Government for it. The lands had been marked to his name upon the plat-books. He was unable to raise the money, and made arrangements with the company by which the lands were to be marked off to them, and they were to carry them for the benefit of Driggs until such time as he could raise the requisite amount to complete the purchase.

Edwards refused to be a party to this arrangement. Driggs and Avery, president of the canal company, then conspired to secure his removal and the appointment of Campbell. This was accomplished. The canal company thereupon secured the approval of their illegal list; the 11,000 acres of land were marked up to the canal company, and were by them carried for Driggs for some three years—until 1871—when the money to complete their purchase was advanced by one Sage, to whom the certificates issued. Driggs realized some $40,000 out of the transaction, and the canal company secured a list of its illegal selections. The whole transaction, as above stated, is shown in the testimony (Runnels, 289 to 296; Frost, 310; Sage, 364, 365; Mullally, 315, 316, 365; Churchill, 307 to 309; Exhibit No. 26, page 419).

Mr. PALMER. To show how and under what circumstances some of these selections were made, I now present the testimony taken in the investigation reported in the Portage Lake and Lake Superior Ship Canal Company by the Committee on Public Lands in the Forty-eighth Congress. There is but very little of it, but it will give an insight into the way things were manipulated in that land office. There are four

selections marked on the three pages and inclosed in brackets, which I ask the Secretary to read from the book I send up to the desk.

The Secretary read as follows:

By Mr. MONTGOMERY:

Q. Where do you reside?
A. In Marinette, Wis.
Q. Across the river from Menominee, in Michigan?
A. Yes.
Q. How many years have you lived there?
A. About twenty-five years.
Q. What has been your employment for the past fifteen years?
A. For fifteen years I have been engaged in the lumber business.

* * * * * * *

Q. During the summer or fall of 1873 did you have an application from any source to make a purchase of any of the lands involved in this matter? I refer to the application of Mr. Selden?
A. Yes.
Q. Within what grant were those lands?
A. As I understand, they were within the grant of the Ontonagon and Brulé River line.

* * * * * * *

By Mr. MONTGOMERY:

Q. What did Selden say to you?
A. I can not give the conversation. I can only give you what I remember—the substance of it.
Q. Give us the substance of it.
A. He said that there was an old lapsed railroad grant, and that the lands could be entered. He thought there would be some mineral in them, and that it would be good policy to enter them. I told him that I would look the thing up; that I had heard of this old grant, but knew nothing personally about it. I found out afterward——
Mr. PAYSON. Tell what Selden and you said.
The WITNESS. I did not want to invest in it.

* * * * * * *

Q. Did you afterwards make a purchase within the same limits?
A. Yes.
Q. At what time, and through whose solicitation?
A. In April, 1870, through Mr. Selden's son.
Q. Did you have any talk with other parties living there, on the subject of those lands being reserved from the market?

* * * * * * *

Question repeated.
A. Yes.
Q. With whom?
A. It was a subject of general conversation.
Q. State to the committee whether or not it was generally known there among men dealing in the lands that these lands were within what was termed a lapsed railroad grant?
A. I think it was at that time.
Q. Afterwards you say that in 1880 you did buy some of the lands?
A. Yes, sir.
Q. At the solicitation of young Mr. Selden?
A. Yes.
Q. You bought them knowing the situation, did you?
A. Yes.

* * * * * * *

Q. Did you expect to hold that land?
A. I was willing to take my chances of it.
Q. If you lost it, you were willing to stand the loss?
A. Yes. I did not know anything about this railroad grant until 1878. I never entered any land in that vicinity until my attention was called to it.

Mr. PALMER. 11. If any of these private entries are to be confirmed, I insist that such confirmation should be clearly limited to cases where there is no conflict, and that Congress ought not, in any event, to attempt to undo and set aside the decision of the Department in any case therein pending.

There are undoubtedly some of these cash entries that should be confirmed. They were undoubtedly honestly made, and those that do not come in conflict with the settlers and homesteaders I am perfectly willing to have confirmed. Those that lost their lands will get their money back, and I should be willing to go as far as to pay them interest upon it. But to turn men out and off those lands who have gone there by the decision of the courts, and who had good reason to suppose that they had a right there, who have cleared up farms, I think would be an outrage unworthy not only of the American Senate, but even of a much less dignified body.

Now, to recapitulate, about twenty years ago, in the case of Schulenberg *vs.* Harriman, it was decided by the Supreme Court of the United States that railroad grants were not forfeited by the expiration of the time which the companies were given in which to build the roads. That was what first gave the animus and awakened the people up there to the condition of these lands on the Northern Peninsula.

Then in Eldred *vs.* Sexton, about fifteen years ago, it was decided that the lands were not subject to private entry until first offered at public sale, and even when once offered and then withdrawn from market were not again subject to private sale until another offering.

It was under this decision that a great influx of homesteaders went in upon that land. Then in the case in the Land Office of Sipchen *vs.* Ross in 1882, Secretary Teller decided that cash entries on these Michigan lands (it was an even section) were void under the doctrine of Eldred *vs.* Sexton, and were hence open to pre-emption and homestead settlers.

Then in case of Wakefield *vs.* Cutter, Secretary Lamar decided that cash entries on odd sections were absolutely void, because in the case of odd sections a reoffering was required by specific provision of the statute of 1862.

These poor men, these men seeking homes, have been invited on there by the decisions of the courts and the rulings of the Land Office. I think nothing should be done to militate against their interest. Where there is any conflict let it be fought out in the courts, and not have the Congress of the United States take sides.

I have just received a telegram of the following character, which will be very good reason for the course that I am now about to take, dated—

BEAR LAKE, *Mich.*, 6th.

To THOMAS W. PALMER:

Don't exclude pre-emption and homesteads taken since January 1. Hundreds of homes have been made since.

GEO. W. HOPKINS.

You can see, Mr. President, the way these men have been led on to these lands by the decisions of the courts and the Land Office.

I now withdraw my second amendment and submit this:

Provided, That nothing herein contained shall be construed to confirm any private entry of lands heretofore settled upon and now claimed under color of the homestead or pre-emption laws, but in all such cases the Commissioner of the General Land Office and the Secretary of the Interior shall hear and determine the claims of the parties respectively according to the provisions of existing law.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The question is on the amendment proposed by the Senator from Michigan [Mr. PALMER] to the amendment of the Senator from Wisconsin [Mr. SPOONER].

Mr. SPOONER. Mr. President, I do not often ask the attention of the Senate, and I do not intend to occupy the time more than ten minutes. I should be glad, therefore, to have the attention of Senators.

I am not willing to allow the Senator from Michigan or any other Senator to go beyond me in protecting the interests of any honest man who in good faith under laws of the United States settled upon these lands. My amendment is intended, accepting as I did that which he proposed, to protect all such settlers; and I ask the Senators who are here to give attention to the amendment suggested by the Senator from Michigan which I have accepted:

That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States.

The Senator from Texas [Mr. COKE] does me the honor to listen. That amendment, I willingly submit to him or to any other good lawyer, protects clearly and unqualifiedly every pre-emption or homestead claim down to January 1, 1888, which was an honest claim. No man in the Senate, or out of the Senate, has a right to invoke the protection of the laws of the United States for claims which are not honest. Under that amendment it is utterly impossible that this confirmation can be held operative to prejudice the right of any bona fide homesteader or pre-emption claimant.

Now, when it is asked that Congress shall go beyond that, I beg leave to say to the Senator from Michigan, with all due respect to him, that the proposition is subject to the just suspicion that it is the purpose to ask Congress to legislate, not on broad principles which shall fairly take in and protect all who ought to be protected, but under some specious guise or disguise to legislate for particular cases, the merits of which the Senate does not understand.

The amendment which the Senator now sends to the desk in lieu of the one which we have been debating is objectionable in two respects. In the first place, it eliminates from the subject the element of good faith and proposes to confirm to all who have settled, no matter if they have settled for hire, or in pursuance of a conspiracy, or for any other reason not in good faith under the laws of the United States, for the purpose of obtaining homes.

It goes further than that. It asks that up to the passage of this act, if it shall be passed and become a law, all men who settle or squat upon these lands shall be treated as settlers in good faith. On the 1st day of January, 1888, this controversy was known to the people of that country to be existing. This bill was pending. The matter in dispute is not a new one; and it is not just to the cash entrymen who live in different States that men, knowing this was a subject of legislation, knowing the controversy that there was about it, should be permitted to go upon these lands even while this discussion goes on and insist that their claims shall be protected by act of Congress.

Now I want to call the attention of the Senate to the fact, for I understand it to be a fact, that there are equities involved in the amendment which I offered, which is confirmatory in its nature, that are just as sacred as can be the equities of any homesteaders.

The Senator from Arkansas [Mr. BERRY] the other day read from a report made by Mr. Henley, as a member of the Committee on Public Lands of the other House. I want to read for the information of the Senate—and it will take but a moment—from a report made by Mr. PAYSON, also a member of that committee, signed by Mr. PAYSON, Mr. Van Eaton, Mr. Strait, Mr. Belford, of Colorado, and Mr. OATES, recommending relief to these cash entrymen.

I take it no one will question the general accuracy of Mr. PAYSON or his devotion to the interests of honest homestead settlers. There is no man in this country who has gone further or done more or spent more time than Mr. PAYSON in recovering from railroad companies lands

granted but not earned. This report enables me to answer one or two questions put to me by the Senator from Missouri [Mr. COCKRELL], which I was not at the time able to answer. Mr. PAYSON says:

Now, the parties entitled to relief may be classified as follows:

1. Those whose titles are endangered because the lands the Government sold them had not been reoffered at public sale after having been withdrawn for railroad purposes.

I do not care whether these entries are void or voidable. I plant myself on this broad proposition, that where citizens of the United States by an honest mistake, mutual as between them and the land officers of the Government, entered lands at the Government land offices which were held out to the public as open to entry, pay their money into the Treasury of the United States, receive the land officers' certificate, pay taxes for years upon the lands, mortgage them, sell them, and build upon them, no honest government can insist upon a mere technical defect in that title and afford to refuse them the protection of confirmation. I know of no different rule of morals or good faith or common honesty which is to govern the United States in its dealings with its citizens than that which prevails among honest citizens in their transactions with each other. Mr. PAYSON further says:

2. Those whose titles are endangered because the lands the Government sold them lay within the limits of the unforfeited Ontonagon and State Line grant.

Over twelve hundred citizens of the United States are interested in these titles. Of these 384 live in Michigan, 89 in Wisconsin, 37 in Illinois, 20 in Pennsylvania, 20 in New York, 17 in Ohio, 7 in Massachusetts, and 126 scattered through other States and Territories.

Twenty-one of the original purchasers are dead, and those who now claim protection are their widows and orphans.

It is certainly not a persuasive proposition to say that where these men entered lands at the Government land offices which were held by the Government agents open to entry, paid their money into the Treasury of the United States, received patents for the purchased lands, their widows and orphans, the purchases having been in good faith, shall not be protected. I do not ask that they even shall be protected against the claims of bona fide settlers, pre-emption claimants, and homesteaders inaugurated prior to January 1, 1888. I yield to all such claims. I would not vote for this confirmatory act if it did not protect the bona fide settlers; but I am not willing to go further than that, and I think the Senator from Michigan ought not to ask the Senate to go further than that.

Again I read from Mr. PAYSON'S report:

The claimants are neither all rich nor all poor. They represent all grades of wealth. There are over four hundred, each of whom owns 160 acres or less. Some own as low as 10 acres.

Most of the larger tracts claimed are owned by a number of persons, although they stand in the name of a single individual of a lumbering company. There are probably in all over 1,200 owners, including the villagers, at Stambaugh and Iron River.

The Land Department for a term of years treated the lands within these grants as "offered" public lands, and sold them exactly as it sold other public lands. According to the conditions of the granting act, the lands were to revert to the United States in 1866. All sales were made after that date. Most of the sales were made after the governors of Michigan had formally relinquished the grants in 1868 and 1870, and up to 1874.

I believe it was the general sentiment of the profession in the country up to 1874 that under these land grants, the time having expired with performance of the condition-subsequent, the title *ipso facto* reverted to the United States. I remember that the Attorney-General, Mr. Williams, delivered a very elaborate opinion, based upon what he thought were pertinent decisions, in which he declared that without any entry, legislative or otherwise, upon the part of the Government, the title reverted, and that was the judgment of the officers of the United States until the Supreme Court in 1874 decided otherwise in the case of Schulenberg *vs.* Harriman. Mr. PAYSON'S report continues:

The sales were made by the Government officers in good faith, and the purchases made in equally good faith.

There have been sold in the two grants more than 800,000 acres. Over a million of dollars have gone into the Treasury therefor.

And you hold that money to-day in the Treasury of the United States taken from the purchasers, and it has been used as the money of the Government all the years which have elapsed since these transactions occurred.

Patents have issued for upwards of 483,000 acres, and 337,000 acres are held on the ordinary certificates of entry.

What do Senators say to that? Patents for these lands have issued to the purchasers to the extent of 483,000 acres, and, as I said the other day, the purchasers during these years have paid taxes on them, mortgaged some of them, and they have been subject to sale on execution. They have been treated in all respects as the lands of purchasers. Any cloud upon such a title should be removed by Congress, if in its power.

There are one or two other facts which are pertinent and proper to be brought into the discussion. I ask the attention of Senators to this statement. Mr. PAYSON says—and this subject was pending before that committee for a long while and underwent an exhaustive investigation:

More than half of the present owners bought their lands at second and third hand on the faith of the Government patent or certificate. They paid an average price of nearly $8 per acre. Some of them paid as high as $100 per acre.

I suppose that was for lands in which mineral was discovered.

The aggregate paid by these second-hand owners is upwards of $1,283,000. Most of them reside in other States than Michigan, excepting the villagers, and during all these years have paid taxes to the State of Michigan.

There are two considerable villages within the limits of these grants, namely: Iron River and Stambaugh. The owner of every lot is in danger of losing his lands and improvements. These village owners are not included in the second-hand purchasers given above, nor do they form part of the 700 owners first mentioned.

In 1882 (we have no later information) 213 persons residing in Iron River owned 243 village lots. These had improvements consisting of houses, stores, banks, shops, etc., aggregating in value $309,800.

In Stambaugh at the same time there were 39 persons owning 44 lots with improvements, worth $41,800.

These villages have grown rapidly since, and now have churches, schoolhouses, and other public buildings.

Both villages are on even sections, within the six-mile limits, and the lands, not having been reoffered at public auction, fall under the decision of the General Land Office in Sipschen *vs.* Ross.

Without affirmative relief from Congress, these villagers are certain to be greatly distressed by harassing lawsuits, and will probably lose their lands and improvements.

Indeed at this time the section on which the village of Stambaugh is located is under nine different applications for entry (five of which are by scrip of some kind) by adverse parties, who are asserting the invalidity of the original title we are presenting, and one of which has been made by an enterprising real-estate dealer, since the committee declined to aid bona fide purchasers, as against mere technical defect in title, the curing of which defect could harm nobody.

It turns out here that for 480,000 acres the Government not only took the purchase-money from the purchasers, but the executive officers actually executed and delivered the patents, the highest evidence of title known to the law in this country.

I desire also to call to the attention of the Senate the following statement from the report:

The village of Iron River is also under four different adverse "filings," all made in 1882, the parties making them setting up, as we are advised, this same technical defect. Several of these "scrip filings," being on these villages, are represented by one of the attorneys who oppose validating any purchases before this committee. In like condition are several iron mines, developed at vast expense and now very valuable, "filed" upon by these sharks.

The relief proposed by the substitute has been invariably approved by the different Secretaries of the Interior since the question arose.

Secretary Schurz, in a letter to Hon. George L. Converse, chairman of the House Committee on the Public Lands, under date of January 7, 1881, declared that Congress should take prompt action for the protection of the best interests of all parties concerned in these old grants, and recommends a section to the then pending bill providing for the affirmation and protection of all private entries, homesteads, etc., "to the same extent and in the same manner as if no grant or reservation of said lands had ever been made."

Commissioner Williamson made a similar recommendation in a letter to the Secretary on the 5th January, 1881.

Secretary Teller, under date of February 13, 1884, in a letter to Mr. PAYSON for the use of the committee, as to these lands, after saying that the settlers should be protected, says, "I think all parties who made cash entries in good faith, having been misled by the officers of the local land offices, ought to be allowed to make title."

Now, my proposition is simply that the title of all these cash entrymen who shall be able first to satisfy the Secretary of the Interior that their entries were made without fraud and in the belief that they thereby acquired a valid title from the Government shall be confirmed except where that confirmation would conflict with the claim of some bona fide claimant under the pre-emption or homestead laws of the United States down to January 1, 1888.

If my friend from Michigan can think of stronger language for the protection of honest homestead or pre-emption claimants than he has embodied in the amendment which he offered, and which I accepted, I am quite willing to accept it. I think it covers the ground absolutely already, and it is not fair to ask the Senate of the United States to enact as a law any decision of the Secretary of the Interior. A number of them have been referred to. I doubt if there is a Senator on this floor who knows what they are.

I repeat this in regard to them. If they are right, if they are founded in a proper application of correct principles of law, the Senate may safely assume that they will stand. If they are not right in law, then any subsequent Secretary of the Interior whose duty it is made to investigate and pass upon them ought to be at liberty to declare the law as to them as he finds it to be.

There are some propositions that can not be made plainer by argument. One is that a purchaser in good faith from the United States ought to be protected in his title. The other is that a bona fide homesteader ought to be protected in his title under the circumstances here. This amendment, modified by the Senator from Michigan, covers both of these propositions. If the Senator [Mr. BLAIR] in charge of this bill to-day can make stronger in the interest of honest homestead claimants the amendment offered by the Senator from Michigan, I shall be willing to accept and adopt his suggestion.

Mr. BLAIR. I have the original amendment offered by the Senator from Michigan which I understand is now incorporated with the amendment offered by the Senator from Wisconsin.

Mr. SPOONER. Certainly, I accepted that.

Mr. BLAIR. I should like to ask the Senator what he understands to be the full force and effect of the words in the fourth and fifth lines "arising or asserted under color of the laws of the United States?" Would it suit him as well to have those words stricken from the amendment?

Mr. SPOONER. It would suit me as well to have those words stricken from the amendments, if it would serve the homestead settlers as well, but it would not.

Mr. PALMER. The Senator will permit me to answer. For many years the land office at Marquette evidently was run in the interest of

men who had money, and homesteaders' applications were rejected, and on that very account that language is used. They had no rights that the officers felt bound to respect, and therefore it is that that phraseology is used, "arising or asserted under color of the laws of the United States."

Mr. BLAIR. It struc's me that——

Mr. PALMER. Will the Senator allow me one word further? I do not think he need discuss the subject, as I have withdrawn the amendment.

Mr. BLAIR. Will the Senator permit me to say that if he will strike from that amendment, which is already incorporated, as I understand, in that of the Senator from Wisconsin, the word "arising," I think it would be much broader to effect this purpose.

Mr. PALMER. If it will make it broader I will cheerfully accept it.

Mr. SPOONER. I think, without imputing fraud to any citizens of Michigan——

Mr. PALMER. I do not impute fraud to anybody.

Mr. SPOONER. Without assuming that the land officers of Michigan were bought up, or that any large number of gentlemen who had dealings with the land office were guilty of bribery or corruption, the situation is such that the homesteaders need that language. As I understand it, they have settled in some cases upon lands which were at the time confessedly not open to settlement, lands withdrawn for railroad purposes.

Mr. BLAIR. Would the Senator object to striking out the words "arising or?"

Mr. SPOONER. I do not object to it, if the Senator from Michigan is willing, although I think the words are wisely used in that connection.

Mr. PALMER. Let me get the point.

Mr. SPOONER. I think these gentlemen——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business of the last day's session, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. BLAIR. The forfeiture bill has been under discussion a long time and I am not aware that there is further controversy when these points shall be disposed of. Unless some Senators indicate a desire to discuss the bill further, I would ask that it be continued to a vote. I think we can soon dispose of it.

Mr. MITCHELL. I think we can get a vote to-morrow. There are several amendments made as in Committee of the Whole since the last print.

Mr. PALMER. I think the bill should go over.

Mr. MITCHELL. I suggest to the Senator in charge that there be a reprint of the bill as amended in Committee of the Whole.

The PRESIDING OFFICER. The Chair understands such a reprint has been made.

Mr. MITCHELL. Not since the 17th of April. Amendments have been adopted since then.

The PRESIDING OFFICER. The Senator from Oregon [Mr. MITCHELL] asks that the land-forfeiture bill be reprinted.

Mr. MITCHELL. Including the amendments already adopted as in Committee of the Whole.

The PRESIDING OFFICER. The Chair hears no objection and that order will be made.

BUREAU OF ANIMAL INDUSTRY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes, the pending question being on the amendment offered by Mr. PALMER as a substitute for the bill.

Mr. COKE. I offer amendments to the pending pleuro-pneumonia bill to be printed. I desire that the amendments be read in the first place.

The PRESIDING OFFICER. As amendments to the pending bill?

Mr. COKE. Yes; the pleuro-pneumonia bill.

The PRESIDING OFFICER. The amendments will be read.

The CHIEF CLERK. It is proposed to amend the substitute for Senate bill 2083 as follows:

In section 1, line 12, strike out "President of the United States" and insert "Commissioner of Agriculture;" in line 14, strike out "by and with the advice and consent of the Senate;" in line 15, before the word "persons," strike out "four" and insert "two;" in line 19, before the word "practical," strike out "two" and insert "one;" in the same line, after the word "practical," strike out "cattle-growers" and insert "cattle-grower;" in line 20, after the word "said," strike out "four" and insert "two."

In section 2, line 21, strike out "destined" and insert "held;" and in line 26, strike out "destined" and insert "held."

Mr. COKE. I also offer an additional amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. It is proposed to add to section 7 of the substitute:

Provided, That the so-called splenetic or Texas fever shall not be considered a contagious, infectious, or communicable disease or disease-condition within the meaning of this act as to cattle being transported by rail to market for slaughter, when the same are unloaded only to be fed or watered in lots on the way thereto.

UINTAH VALLEY INDIAN RESERVATION.

Mr. JONES, of Arkansas. I wish to ask unanimous consent that the pending order be laid aside to take up House bill 7936, Calendar No. 1212, for the purpose of passing the bill.

Mr. REAGAN. If it will lead to no debate I will yield.

The PRESIDING OFFICER. Pending the regular order, the Senator from Arkansas asks unanimous consent that the bill referred to by him may be considered by the Senate. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 7936) to restore to the public domain a part of the Uintah Valley Indian reservation, in the Territory of Utah, and for other purposes.

The bill was reported from the Committee on Indian Affairs with amendments, in section 2, line 3, after the word "Interior" to insert "and upon his order;" and in line 6, after the word "cash," to strike out "entries;" so as to read:

SEC. 2. That said lands shall be disposed of at public or private sale in the discretion of the Secretary of the Interior, and upon his order, in quantities not exceeding one-quarter of a section to any one purchaser—the non-mineral land for not less than $1.25 per acre, and not otherwise than for cash.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. COCKRELL. I suggest that there be a conference on the bill.

Mr. JONES, of Arkansas. I move that the Senate insist on its amendments and ask for a conference with the House of Representatives thereon.

The motion was agreed to.

By unanimous consent, the Presiding Officer was authorized to appoint the conferees on the part of the Senate, and Mr. DAWES, Mr. JONES, of Arkansas, and Mr. BOWEN were appointed.

HOUSE BILLS REFERRED.

The following bills, from the House of Representatives, were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 152) granting a pension to Mrs. Therese Guelich;
A bill (H. R. 354) granting a pension to Samuel McClure;
A bill (H. R. 809) granting a pension to Ephraim Reynolds;
A bill (H. R. 1074) granting a pension to Linnæus W. Risley;
A bill (H. R. 2156) granting a pension to Warren Ohaver;
A bill (H. R. 2535) granting a pension to Ellen St. Cyr;
A bill (H. R. 2928) granting a pension to William Lemons;
A bill (H. R. 4735) for the relief of Douglas Chapman;
A bill (H. R. 4891) granting a pension to Alpheus Dyer;
A bill (H. R. 5429) to place the name of Smith V. Campbell on the pension-roll;
A bill (H. R. 5812) granting a pension to Catherine Tierney;
A bill (H. R. 6531) to pension Leah Roark;
A bill (H. R. 6552) to increase the pension of James R. Porter;
A bill (H. R. 6583) granting a pension to Sally B. Wilson;
A bill (H. R. 6770) granting a pension to Miss Carrie Lucy;
A bill (H. R. 7466) granting a pension to Hannah H. Grant;
A bill (H. R. 7688) granting a pension to John Glenning;
A bill (H. R. 7721) granting a pension to Martha Linton;
A bill (H. R. 8496) to increase the pension of Albert E. Magoffin; and
A bill (H. R. 9170) granting a pension to James W. Poag.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 6440) to authorize the construction of a bridge over the Missouri River at or near the city of Omaha, Nebr.; and
A bill (H. R. 7783) to authorize the construction of a bridge across the Tennessee River at or near Knoxville, Tenn.

The following bills were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (H. R. 2746) for the relief of John D. Thompson; and
A bill (H. R. 5729) for the relief of J. R. Stott.

The bill (H. R. 3480) for the relief of John D. Munnerlyn was read twice by its title, and referred to the Committee on Claims.

BUREAU OF ANIMAL INDUSTRY.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. REAGAN. Mr. President, I desire to submit some reasons why I shall not support the bill under consideration. In the first place, I re-

gard it as unwise and inexpedient to trammel any branch of the commerce of the country beyond what is actually necessary, or to place any considerable branch of commerce under the power and control of a few men. We have seen so much of the result of the formation of trusts and monopolies that it should warn us against putting large interests in the absolute control of a few persons wherever it can be avoided with safety to the public interests.

I object to this bill principally, however, because I regard it in many of its features as distinctly violative of the Constitution, and because it seems to me if we can pass a bill like this we may regard the Constitution as a dead letter, and we would be no longer under the influence of or governed by a written constitution. I will refer to the second section of this bill as the first point to which I wish to call attention:

SEC. 2. That it shall be the duty of the said board to investigate and report upon the condition of the domestic animals of the United States, their protection and use, and also inquire into and report the causes of contagious, infectious, and communicable diseases among them, or conditions likely to convey contagion, which for the purposes of this act shall be designated as "disease-conditions," and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country.

If the powers here conferred were limited to the Territories of the United States and to the District of Columbia, we should have authority to act as prescribed by this section; but this refers to an investigation of the condition of domestic animals in the United States. That means in every part of the United States. That means that the officers to be appointed under this act shall go into the States and take hold of mere local interests and investigate matters of a purely local character. It seems to me that this can not be done.

I know that the first section of the bill starts out with a provision—

That for the purpose of better promoting the exportation of cattle and the products of live-stock from the United States, and for the purpose of increasing, promoting, and facilitating the commerce in cattle and their products among the several States of this Union, and for the purpose of removing the obstructions to such commerce with foreign nations and among the States when occasioned by the existence of contagious, infectious, or communicable diseases among cattle and other live-stock, etc.

This I regard as a sort of preamble. Perhaps it is more in the nature of a stump speech inserted in the beginning of the bill. If the language of the bill, if the terms of the bill had been to carry out what I have just read, no constitutional objection could be made to it; but directly in the second section there is a total departure from the object laid down in this part of the first section, a total disregard of the distinction as to whether the action of the commissioners is to be in reference to stock held for transportation from State to State or to and from a foreign country or that which has merely a local relation.

Another clause of the second section is that the commissioners shall have power—

to examine and report upon the best means of treating, transporting, and caring for animals and the best means for the suppression of the diseases and disease-conditions of live-stock.

If it had used the words "transporting from State to State or to and from foreign countries" it would be all right, but the general term "transporting" is used, which would mean transportation wholly within a State, over which Congress has no earthly power.

Mr. BLAIR. Will the Senator allow me to ask whether he denies the power or the rightfulness or the propriety or the constitutionality of investigating with reference to diseases of animals within the States?

Mr. REAGAN. Certainly I do.

Mr. BLAIR. He will justify me, then, in calling his attention to the fact that the existing law confers that power, so that we have that same power now; that the whole power of the Agricultural Department is one of investigation and the dissemination of knowledge.

Mr. REAGAN. I will state to the Senator that I was well aware that the act of 1884 contains such a provision as he refers to, and I did all I could to try to prevent its passage in the House of Representatives.

Mr. BLAIR. Then the Senator's objection is to the existing legislation, so far as what he is speaking of is concerned, as well as to the bill which is presented by the committee.

Mr. REAGAN. I do not feel called upon to argue as to the propriety or impropriety of the existing law. That is not the question before the Senate. The bill that is before the Senate is all that is up now. The Senator from New Hampshire will remember that under the law of 1884, to which he refers, when these officers went into a State they had to have the consent of the State authorities.

Mr. BLAIR. No, not at all necessarily so far as the purposes of investigation were concerned or the obtaining of knowledge as to the condition of diseases. If there was an effort to lay the hand of power upon the animals, to actually invade or control any existing right of the owners, then the assent of the State authorities became necessary, but no one has ever questioned the power to exercise and do everything that has hitherto been done by the Department of Agriculture, or the Bureau of Education, or the census power of the Government. No one has ever objected to what has been done under these laws so far as I know until the Senator raises the question this morning.

Mr. REAGAN. Perhaps the Senator is right in limiting it. I would not say without looking at the statute what is the exact limitation upon the consent of the States, whether it is as to putting the hand of power upon domestic animals or to the mere investigation. But it is not important to the view I shall take now as to how that may be, and I did not mention the fact of the requirement of the States to give consent for the purpose of being understood as approving such an expression, for jurisdiction is not a question of consent, and no State can consent to the violation of the Constitution of the United States.

I regard the words in the act as it exists relative to the consent of the State, and in the bill before us where it calls for the consent of the State, as an attempt to acquire jurisdiction by consent of the State. A State can not consent to a violation of the Constitution of the United States.

Another clause of the second section is:

And to cause investigation to be made as to the existence of contagious pleuro-pneumonia, tuberculosis, foot-and-mouth disease, rinderpest, glanders in horses, swine plague, hog cholera, and other diseases or disease-conditions of live-stock.

There is no provision made, I believe, for slaughtering horses, hogs, and other live-stock except cattle, but I am not sure of that. This commission is to go about through the neighborhoods and investigate everybody's stock. If owners refuse to give their consent or obstruct the action of the commission in making the investigation, then they violate the provisions of the act and subject themselves to its penalties. It seems to me that you are extending the provisions of this act to so many things that it will enable this commission to materially obstruct the commerce and business of this country.

Another clause of the second section is:

The said board is hereby authorized to enter, either in person or by their duly authorized agents, any premises or places, including stock-yards, cars, and vessels on or in which are any animals in course of or destined for transportation from one State to another or to a foreign country, or to or from any Territory of the United States, or to or from the District of Columbia, or which premises, places, stock-yards, cars, and vessels are accustomed to be used for the keeping or in respect of such animals so in course of or destined for such transportation as aforesaid, in or at which they have reason to believe, and do believe, there exists any of such diseases, or disease-conditions, or any infectious matter or thing injurious to such animals, and to make search, investigation, and inquiry in regard to the existence thereof.

This clause contains some things that the commission might do lawfully, but when it authorizes them to enter into any "place or places" it means that they may go into any city, any county, any neighborhood and make these investigations, and it shows that that was intended to be so, because those are coupled with the words which might have been lawfully employed of entering into "stock-yards, cars, and vessels, on or in which are any animals in course of or destined for transportation from one State to another or to a foreign country," etc.

That they might do, but they must direct their investigations to the objects of interstate commerce or of foreign commerce. They can not direct their investigations to mere local commerce and take hold of the health of domestic animals in all of the States of this Union and take charge of all sorts of animals, as this bill provides for.

Mr. BLAIR. Does not the Senator understand that this language confines the powers to be exercised to such stock as is in course of or destined for interstate or foreign transportation? The language certainly has no reference to any action on the part of the board or these national agents except what is to be confined to animals in the course of or destined for interstate or foreign transportation; but it gives the right to seek those animals which the commission believe, or have reason to believe, to be diseased, if in the course of such transportation or destined for it, wherever they may be, but they must be in places where they are so destined and in the course of transportation. So it confers no right whatever to intermeddle with animals or do a thing with regard to any matter which is not in fact a part of interstate or foreign commerce.

Mr. REAGAN. I do not agree with the Senator.

Mr. BLAIR. If the Senator will read the language carefully he will see that it explicitly so provides.

Mr. REAGAN. I am always inclined to allow interruptions, but they confuse what I have to say when they are too long. If the Senator will answer me when I get through I shall be obliged. But to show to the Senator that I am not mistaken in the object of this bill, I will read from the twelfth section:

SEC. 12. That in order to promote the exportation of live-stock from the United States, the board shall cause to be made special investigation as to the existence of pleuro-pneumonia, or any contagious, infectious, or communicable disease of live-stock along the dividing lines between the United States and foreign countries.

That clearly points to going into States along the border lines; and the Senator, when coming to examine the language, will bear in mind that there are words here which will carry out the purpose he has in view, and there is other language broader than this which authorizes the commission, independently of transportation and independently of the question of interstate commerce, or commerce with foreign countries, to go into the States and neighborhoods and make such investigations as they choose as to the condition and diseases of live-stock; and that will appear more fully as I go on.

Mr. BLAIR. Just at this point I ask the Senator's attention to the section which he quotes, section 12, and if he will read it carefully, or even without much care, he will see that it is confined only to the purposes of the investigation, not to the interference with property or its control in any way. It only depends upon that undisputed right which has been exercised always as a part of the national authority to investigate.

Mr. REAGAN. That is exactly the point in controversy. I asserted that while it is to investigate diseases it is not in relation to the interstate transportation or foreign commerce.

Mr. BLAIR. The Senator, then, is certainly in error in all he says in regard to a restriction on private rights in the second section, for that is a section, the portion which he quotes, which contemplates the investigation of disease, the putting down of disease, and the twelfth section, the language of which he quotes, on the other hand is confined wholly to the matter of investigation.

Mr. REAGAN. Now I must ask to be permitted to go through with what I wish to say, and to be answered hereafter. I should like to submit my remarks in some connected order.

The PRESIDING OFFICER. The Senator from Texas is entitled to the floor.

Mr. REAGAN. I will not misstate the language or objects of the bill if I can avoid it. My object is to get at its terms and show what its meaning is. Another clause in the second section is:

Upon the discovery of the existence of any of the said diseases, or disease-conditions, or any such infectious matter or thing, the said board is hereby authorized to give notice, by publication, of the existence of such disease, diseases, or disease-conditions, or such infectious matter or thing, and the locality thereof, in such newspapers as they may select, and to notify, in writing, the officials or agents of any railroad, steam-boat, or other transportation company, or any individual or firm engaged in transportation business, in or through such infected locality, of the facts so ascertained.

This clause, if it means anything, means that these persons may go into the States and make the investigations which are proposed, and the investigations are not expressly made with a view to the transportation of interstate-commerce. It should limit the power of the commission to that stock or property which is to be so transported, and should not undertake to condemn by wholesale the stock or property of a whole community. As will be seen, if unfortunately we should get a commission under this act which might be disposed to act improperly and subject themselves to improper influences—and it will be remembered that mighty influences are always exerted to control the cattle trade of this country, as was so eloquently stated by the Senator from Kansas [Mr. PLUMB] on Thursday last—if it be the purpose to limit this investigation to property which is to be transported from State to State, the bill should so state, and should not give a roving commission the general power to condemn all the stock in a given community; nor should it contain a power, as I think I shall show directly, which would enable this commission to put the ban upon the transportation of the stock of any given portion of the country to promote the transportation and sale and marketing of the stock of another portion of the country.

Said board is hereby authorized and required to establish and maintain such quarantine of animals so in the course of or destined for such transportation as aforesaid, and such premises, places, stock-yards, cars—

That clause may not be subject to the objection which I have raised; but I read further on—

and also to cause the appraisal of any such animal or animals before described affected with, or that have been exposed to, any such disease or disease-conditions, and also to cause the same to be destroyed, except as hereinafter provided.

I shall call attention later on to that exercise of power.

They shall cause all such animals so about to be destroyed to be appraised by three competent and disinterested men under oath, at the value thereof at the time of the appraisement, and the amount of the appraisement shall be paid out of any money appropriated by Congress for the purposes of this act.

Remember, Mr. President, that the gentlemen who are to be appointed to this commission have no means of ascertaining the value prescribed by the act. They give no bond. They are left free to do whatever they please, whether arbitrarily or otherwise, and they are given, as it seems to me, most extraordinary powers.

In relation to one of the clauses of the second section, which I have read, I desire to call attention to the comments of Mr. Justice Story on the fourth amendment to the Constitution of the United States:

SEC. 1901. The next amendment is, "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized."

It is said by the commentator:

SEC. 1902. This provision seems indispensable to the full enjoyment of the rights of personal security, personal liberty, and private property. It is little more than the affirmance of a great constitutional doctrine of the common law.

Here the commissioners are authorized to go into a community, seize property, condemn it, and destroy it. It is true, they are to have it appraised and compensation paid, but it does not matter what its value is. There is no such thing as a proceeding under the Constitution and laws.

In section 1902 the commentator further says:

A warrant, and the complaint on which the same is founded, to be legal, must not only state the name of the party, but also the time and place and nature of the offense with reasonable certainty.

Now, referring to the second section of the bill, the fifth amendment to the Constitution contains, among other things, this:

No person shall "be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use without just compensation."

The object of this section of the bill is to secure just compensation, but there is nothing in this to show that the purpose is to condemn it by due process of law. The seventh amendment is that—

In suits at common law, where the value in controversy shall exceed $20, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any court of the United States than according to the rules of the common law.

In section 1768 the commentator says:

In suits at common law, where the value in controversy shall exceed $20, the right of a trial by jury shall be preserved.

Further on in the same section, it is said:

It is a most important and valuable amendment, and places upon the high ground of constitutional right the inestimable privilege of a trial by jury in civil cases, a privilege scarcely inferior to that in criminal cases, which is conceded by all to be essential to political and civil liberty.

And in the next section it is said:

It has always been an object of deep interest and solicitude, and every encroachment upon it has been watched with great jealousy.

Stock may be worth more than $20; it would be very rare that any stock would be killed that was not worth over $20; and yet the right to determine its value by a jury is not given. It is in the arbitrary power of the commission. It is a proceeding such as is indulged in under absolute governments. It is not such a proceeding as is known to our system of government, and upon this point I desire to make a general observation.

All this legislation which looks to breaking down the barriers of the Constitution and sending Federal officers into the States to interfere with local and domestic matters is at war with the whole theory of our Government. The theory of the monarchies of the world is that the Crown, by whatever name known, is the source of authority and the fountain of honor. The theory of our Government is that the people are the source of authority. The theory of the monarchial governments is that the people are incapable of self-government, and must be governed by a power superior to themselves.

The theory of our Government is that the people are capable of self-government, and that they delegate such of their power as pleases them to the Federal Government and delegate such of it as pleases them to the State government, and reserve certain powers or rights which they do not delegate to either State or Federal Government, and this reservation is made in virtue of their sovereign power, the Government-making power which they possess. It has been habitual for the last twenty years for Congress to assume that the people of the States are incapable of governing themselves; and it has often happened that laws have been passed which go upon the theory that the people of the States are not capable of self-government, and must be governed by a power superior to themselves and outside of themselves—that is, by Congress and by the Federal authorities.

Whenever we come to the conclusion that the people are no longer capable of self-government then we will have changed the character of our Government, and though we may call it a republic it becomes a despotism, and as much so as Rome was long after liberty was lost. Rome was a despotism, but still called a republic.

This is a principle that, it seems to me, can not be too often invoked and too carefully considered by those who enact the laws of Congress. We ought not to lose sight of the character of our Government. We ought not to lose sight of the sovereignty of the people, their capacity for self-government, and that capacity which qualifies them to legislate in the States upon all subjects of a merely local and domestic character. If we desire to preserve our Constitution and form of government and the liberties of the people, we can not too carefully keep the exercise of the powers of Congress within its delegated authority. If we overstep the bounds of the Constitution, if we usurp the rights of the States, if we trample upon the liberties of the people, we may do it in the name of patriotism, we may do it, as all liberty has been most generally lost, under some specious plea that the exercise of power was necessary for the public good.

This bill is one of the proposed measures that looks to the fact that the people of the States are not capable of managing their domestic affairs, are not capable of passing laws to secure the health and management of the stock within them, and it assumes that Congress must do what the people of the States are not capable of doing. I mean so much of this bill as relates to purely local investigation. Of course I do not mean those features of it which, if left by themselves, would relate to interstate and foreign commerce.

I will now call attention briefly to sections 3 and 4 of the bill. I will read a portion of section 3:

SEC. 3. That the said board is hereby authorized and required to make, and from time to time alter, and publish rules and regulations not inconsistent with law providing for and regulating the agencies, methods, and manner of conducting and making the investigations aforesaid regarding the existence of said contagious diseases or disease-conditions; for ascertaining, entering, and searching the premises, places, stock-yards, cars, or vessels, respectively, described in section 2 of this act, by ascertaining what animals are so diseased or have been exposed to any of such contagious diseases or disease-conditions.

Here you see they propose to make searches and seizures directly in the face of the amendment of the Constitution which I read, without affidavit, without lawful warrant, by men, as I said before, who are to be appointed under this act, if it should pass as it is, without limit to

the tenure of office, with no bond to be given, but they are to go there in the face of the Constitution and search premises and seize property.

Mr. GEORGE. Will the Senator allow me to interrupt him there?

Mr. REAGAN. Certainly.

Mr. GEORGE. There is a very serious objection to the clause giving authority to search which is not mentioned by the Senator. Persons are allowed to make the searches who are mere private parties, without any official authority whatever, and without any official character.

Mr. REAGAN. I thank the Senator for the suggestion.

Mr. BLAIR. I do not understand the Senator.

Mr. REAGAN. I ask the Senator to allow me to proceed.

Mr. BLAIR. You have the authority. It is the commission.

The PRESIDING OFFICER. The Senator from Texas declines to yield.

Mr. BLAIR. Will not the Senator be so kind as to point out the words he refers to? That certainly must be a proper inquiry.

Mr. REAGAN. The language is—

For ascertaining, entering, and searching the premises, places, etc.

Mr. BLAIR. Will the Senator tell me where he is reading?

Mr. REAGAN. I am reading from the top of the fifth page. It does not limit it to property to be transported, but the private property of any citizen may be seized under this provision; the premises of the citizen may be searched and his property seized.

Mr. PALMER. Will the Senator from Texas yield for a question?

Mr. BLAIR. The Senator from Texas certainly can not be thus disingenuous.

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. REAGAN. If for a question.

Mr. PALMER. I merely wanted to ask the Senator if he does not think the phrase "the investigations aforesaid" qualifies the character of the investigation. That relates to something that has gone before it, to the places which are destined for search.

Mr. REAGAN. Let us read it and see. I will read the whole of it:

SEC. 3. That the said board is hereby authorized and required to make, and from time to time alter, and publish rules and regulations not inconsistent with law providing for and regulating the agencies, methods, and manner of conducting and making the investigations aforesaid—

That is, the investigations provided for in section 2 that I have already commented upon—

regarding the existence of said contagious diseases or disease-conditions; for ascertaining, entering, and searching the premises, places——

Mr. BLAIR. If the Senator will go on he will see that he is entirely wrong. Just read on.

Mr. REAGAN. The Senator will have full time to show whether I am or not.

Mr. BLAIR. The Senator made——

The PRESIDING OFFICER. Senators will be kind enough to address the Chair. Does the Senator from Texas yield to the Senator from New Hampshire?

Mr. REAGAN. I will read on, after the word "places:"

Stock-yards, cars, or vessels, respectively, described in section 2 of this act——

Mr. BLAIR. "Described in section 2 of this act."

Mr. REAGAN. Yes—

for ascertaining, entering, and searching the premises, places—

If the words "premises" and "places" had been left out the rest would have been lawful—

stock-yards, cars, or vessels, respectively, described in section 2 of this act, for ascertaining what animals are so diseased or have been exposed to any of such contagious diseases or disease-conditions.

Then it goes on—I continue the reading:

All such rules and regulations, before they shall become operative, shall be approved by the President of the United States, and thereafter published in such manner as may be provided for in such regulations. Said board shall certify such rules and regulations as relate to the speedy and effectual suppression and extirpation of said diseases or conditions to the executive authority of each State and Territory, and invite said authorities to co-operate in the execution and enforcement of this act.

This is to invite them, but there is nothing to prevent them from going on and executing it and enforcing it without their consent. This will be observed by the reading of the section beginning in line 24:

Whenever the governor or other officer of a State or Territory, duly authorized by law, shall signify the assent of said State or Territory to such rules and regulations, or their readiness to co-operate for the extinction of any contagious, infectious, or communicable disease or disease-conditions.

I need not read the third section, however. It is the fourth and fifth sections I was intending to comment on. The fourth section provides:

That any person who shall knowingly and willfully refuse permission to the members of said board, or to either of them, or to any duly authorized agent of said board, to make, or who knowingly and willfully obstructs said board or any member thereof or any such agent, or either of them, in making all necessary examinations of or as respecting any such animal so described in section 2 of this act—

Limiting strictly the animal and the man within the State—

and suspected or believed by said board or any member thereof or any such agent to be diseased, or to have been exposed as aforesaid, or in lawfully destroying the same, or who knowingly and willfully prevents or attempts to prevent said board or any member thereof or any such agent, or either of them, from entering upon any of the premises, places, stock-yards, cars, or vessels so described in section 2 of this act as aforesaid, where any of such diseases or disease-conditions are by said board or any member thereof or any such agent thereof suspected or believed to exist, or who knowingly and willfully violates, or so attempts to violate, any quarantine established by said board under the authority of this act, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine not exceeding $500, or by imprisonment not exceeding three months, or by both fine and imprisonment, at the discretion of the court.

Then section 5 goes on to provide:

SEC. 5. That any person who being the owner of, or possessed of any interest in, or in possession of, any animal described in section 2 of this act affected with or which has been exposed to any of the diseases named in section 2 of this act, or any person who, as agent, common carrier, consignee, or otherwise, shall be charged with any duty in regard to any such animal so affected with or exposed to any of such diseases, or any officer or agent charged with any duties under the provisions of this act, who shall knowingly make any false representations to any person lawfully acting under the authority of this act concerning the existence of any case of any such disease, or disease-conditions, or the fact of the exposure of any animal described in section 2 of this act, to any such disease, or concerning the existence of any such disease-conditions in the premises, places, stock-yards, cars, or vessels described in section 2 of this act, or the location of any such case of disease or disease-conditions, or who shall knowingly transport, cause to be transported, or sell for transportation, as described in section 2 of this act, any animal known to be affected with, or to have been exposed to, or which he has reason to believe is affected with, or has been exposed to, any of the diseases or disease-conditions described in section 2 of this act, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, suffer the penalties mentioned in section 4 of this act.

I have read these two sections, and will not now undertake to characterize the monstrous character of some of their provisions; but I read them for the purpose of calling attention to the proposition that if the agents of the Government to be appointed under this act shall go into a neighborhood in one of the States and attempt to search the premises of a citizen having stock, or attempt to seize the property of a citizen, or attempt to slaughter the property of a citizen, without a trial by due course of law, if the property is worth more than $20, the man doing so may be indicted under the State authority and punished by the State laws by whatever penalty is prescribed, and if he should set up this law as his defense, I ask Senators if there is a court of respectability, Federal or State, that would not discharge him under the provisions of the act, if he is merely resisting interference with the local rights of citizens?

Mr. COKE. If my colleague will permit me, I will state that I read in a newspaper a few days ago that a court in, I think, Kings County, New York, at all events a county on or near the Hudson River in the State of New York, discharged a gentleman who with his gun ordered off the people who went upon his premises to inspect his cattle. He was indicted and tried for the violence offered and the court discharged him.

Mr. REAGAN. I am obliged to my colleague for the suggestion. It is what I would have expected from any court, State or Federal, which respected the law and the Constitution. I ask if there is a single Senator who believes that either of those sections can be enforced in the courts of the country? If they can not be enforced, they are mere *brutum fulmen;* why put them on the statute-book?

Mr. PALMER. Will the Senator permit me to make a remark?

Mr. REAGAN. Certainly.

Mr. PALMER. I think the case to which the Senator from Texas [Mr. COKE] refers has occurred under the co-operative law of the State of New York. They are in co-operation, and under the present Bureau of Animal Industry with the existing law the officers have no power, any more than they have, ever to enter upon private premises. I think that the Senator from Texas [Mr. REAGAN] is in error when he is suggesting that under this proposed law they may invade private premises. They can not do that without co-operation on the part of the State, and that is expressly stated.

Mr. COKE. I will state to the Senator that the action I referred to as having taken place in New York occurred a very few days ago, and was under the present animal industry law, the pleuro-pneumonia law.

Mr. PALMER. That is a fact.

Mr. BLAIR. And under a State law.

Mr. COKE. The people who were run off from this farmer's premises by him with his gun were sent there under the law now on the statute-book, which is a much more moderate, conservative, and reasonable enactment than the one embraced in the bill.

Mr. PADDOCK. Is the Senator able to state——

The PRESIDING OFFICER (Mr. CULLOM in the chair). The junior Senator from Texas [Mr. REAGAN] has the floor.

Mr. PADDOCK. Will the Senator allow me a moment?

Mr. REAGAN. Certainly.

Mr. PADDOCK. Is the Senator able to state that the transaction to which he refers occurred within the limits of an interstate transportation line? Was it within the right of way, for instance, of an interstate route of transportation?

Mr. COKE. I am not able to state that.

Mr. PADDOCK. That was probably not the case.

Mr. REAGAN. As to that——

Mr. PADDOCK. Every description to which the Senator from Texas [Mr. REAGAN] has referred in respect to premises and places, etc., relates back to the description in section 2, and that description confines investigations clearly and exactly to the limits of the right of way of the

interstate railroad route over which this commerce passes, and the language used permits of no other construction.

Mr. REAGAN. I know the construction which the Senator gives it, but I have expressed a different view in relation to it, and Senators will determine for themselves what the meaning of this language is. The fact that the stock may be on or near a transportation route makes no earthly difference. The fact that it is in process of transportation is another question. I would go far enough to admit that if it was taken to the depot or station for transportation, if it was in process of transportation anywhere from State to State or to or from a foreign country, then the law might reach it; but we can not go into the State to control private property not in process of transportation. It makes no odds if it was within 3 feet of a railroad track, we can not go into a State and seize property not in process of transportation and condemn the property of a citizen under the authority of such a law—that is, we can not do so in conformity with the Constitution.

Mr. GEORGE. Will the Senator from Texas allow me to say that the Senator from Nebraska [Mr. PADDOCK] is wholly mistaken in supposing that the places and premises mentioned in this bill, on which and into which these parties may enter and make search, are confined to a railroad or to any distance from a railroad? On the contrary, the language is broad; it covers all places within the limits of the United States in which cattle of this sort are kept destined for transportation.

Mr. REAGAN. That is the view I have of it.

Mr. PADDOCK. Mr. President——

Mr. BLAIR. Will the Senator allow me to interrupt him at that point?

Mr. PADDOCK. I should like to read the clause in section 2 to which the Senator refers, if he will allow me.

The PRESIDING OFFICER. To which Senator does the Senator from Texas yield?

Mr. BLAIR. I only wish to make a suggestion to the Senator from Mississippi.

Mr. REAGAN. I will yield to either Senator.

The PRESIDING OFFICER. The Senator from Nebraska has the floor.

Mr. PADDOCK. I wish to read——

Mr. GEORGE. What page are you reading from?

Mr. PADDOCK. Page 4, line 41.

Said board is hereby authorized and required to establish and maintain such quarantine of animals so in the course of or destined for such transportation as aforesaid, and such premises, places, stock-yards, cars, and vessels so accustomed to be used for or in respect of the keeping and transportation.

"So accustomed to be used" in transporting this kind of cattle from one State through another State into other States beyond.

Mr. REAGAN. The Senator will find——

Mr. GEORGE. Will the Senator from Texas just allow me one minute?

Mr. REAGAN. Certainly.

Mr. GEORGE. The Senator from Nebraska is wholly mistaken as to the point in dispute. He refers to that part of the bill and that part only which authorizes the establishment of a quarantine. I admit that under the bill only the places he mentions can be quarantined, but if he will turn——

Mr. PADDOCK. The description is all through section 2 exactly the same.

Mr. GEORGE. But if he will turn to page 3, the point on which the Senator from Texas was animadverting with reference to search and examination, he will find this language——

Mr. PADDOCK. In what line?

Mr. GEORGE. In line 17.

The said board is hereby authorized to enter, either in person or by their duly authorized agents, any premises or places, including stock-yards, cars, and vessels, on or in which are any animals in course of or destined for transportation.

Not only in the course of transportation, but which may be "destined for transportation."

Mr. PADDOCK. Go on and read the whole provision.

Mr. GEORGE—

Or destined for transportation from one State to another or to a foreign country, or to or from any Territory of the United States, or to or from the District of Columbia, or which premises, places, stock-yards, cars, and vessels are accustomed to be used for the keeping or in respect of such animals so in course of—

That would apply to stock-yards—

Or destined for such transportation, as aforesaid.

I will show to the Senator when I have time that the word "destined" is a very broad word, and includes every place in which animals are kept which the owner may have any intention to ship to another State or Territory.

Mr. PADDOCK. They are animals destined for transportation, but still they are animals which must be found in these places which are accustomed to be used for purposes of transportation.

Mr. REAGAN. If the Senator is through I will call attention to the very opening clause in section 2:

SEC. 2. That it shall be the duty of the said board to investigate and report upon the condition of the domestic animals of the United States—

That does not mean subject to transportation or anything about it—

their protection and use, and also inquire into and report the causes of contagious, infectious, and communicable diseases among them, or conditions likely to convey contagion, which for the purposes of this act shall be designated as "disease-conditions," and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country.

That is a very broad proposition. That is an independent clause of this second section, and the first one, and authorizes the commission to investigate the subjects named everywhere without reference to the question as to whether the animals are destined for commerce or not.

But, Mr. President, I have detained the Senate longer than I expected to do. I was partly induced to oppose the passage of this bill because of the receipt of a number of communications, resolutions, and letters, and because of the great number of memorials that have been presented to the Senate remonstrating against the passage of what is called the Palmer bill. I shall not attempt to read these letters, though there have been many letters read, nor will I read the resolutions coming from the cattle-growing associations, but I will simply refer to them.

At the twelfth annual meeting of the Northwest Texas Cattle Raisers' Association on the 13th of March, 1888, which met at Gainesville, Tex., being a large association of men engaged in stock-raising, they protested against the passage of the Palmer bill.

The Pecos Valley Stock Association, which met at Pecos City, Tex., March 15, 1888, protested against the passage of the Palmer bill, and the secretary of the association, in writing to me, states that that association alone represents 600,000 head of cattle.

The executive committee of the Texas Live Stock Association, March 23, 1888, protest against the passage of the Palmer bill.

The Cattle and Horse Growers' Association of New Mexico, April 7, 1888, protest against the passage of that bill; and at the annual meeting of the Consolidated Cattle Growers' Association of the United States, which met at Kansas City, Mo., in November last, they favored a "retention of the Bureau of Animal Industry as at present organized."

Senators will remember the great number of memorials that have been received from cattle-growing associations everywhere remonstrating against the passage of the bill, and practically for the continuance of the present law and organization. The papers that have come to us in substance declare their fears that the object of this movement is to place the cattle interests of this country under the control of a few men, such as have been controlling the cattle markets in Chicago for a good while past, such as were referred to by the Senator from Kansas [Mr. PLUMB] the other day so eloquently, such as will by the power which they may exercise enable their friends in the control of the cattle combination to reduce the price of cattle where they are in the hands of the men who raise them and pocket the millions lost by that reduction themselves, and reduce the price of beef where it is to be sold to feed the people of the East. The fear is that the purpose of this is to put this interest under the control of men who will reduce the value of live-stock to the people of the West, where cattle are mostly raised, and increase the cost of beef to the people of the East who are to be fed by those cattle, and pocket the millions they may filch from both the producers and the consumers of beef.

How much there is in this I do not pretend on personal knowledge to know. We all know, however, what has been done in the past by the association that has controlled the beef interest in Chicago. We may anticipate what may hereafter come, and it is manifest from the resolutions of these cattle associations that they have confidence in the integrity, in the fairness and justice of the Commissioner of Agriculture, and they believe he will deal fairly with all the interests of the country without being used for the purpose of sacrificing the interest of cattle-growers and those who consume cattle products.

As I said in my opening remarks, it has seemed to me that it is dangerous always, when it can be avoided, to place such great interests under the control of a few men; and in view of the combinations and pools, the trusts, the various sorts of organizations that monopolize branches of business, are we not warned continually to keep commerce as free as possible, and to keep all branches of commerce out of the control of small numbers of individuals?

It may be said in answer that we already have a law which enables the Commissioner of Agriculture with those of his appointment to control this subject. So, in my judgment, unfortunately we have; but while we have, and while I think the existence of that law unfortunate, the cattle-growers and beef consumers of this country have confidence in the Commissioner of Agriculture, and they look with fear to the creation of a commission which they assign reasons for believing is intended to sacrifice the interest of both the producers and the consumers of beef.

The Senator from Michigan [Mr. PALMER] told us of the great extent of this interest. The resolutions to which I have referred were passed by associations that own millions of cattle, and supply a great part of the beef that goes into the markets of the country.

Mr. PADDOCK. Mr. President——

The PRESIDING OFFICER (Mr. MANDERSON in the chair). Does the Senator from Texas yield to the Senator from Nebraska?

Mr. REAGAN. I am about through with what I have to say.

Mr. PADDOCK. But just at this point I wish to say that I think the remonstrances to which the Senator refers were addressed to the original Palmer bill. I know this was the case in my own State and in other parts of the West. That bill provided for the creation of an independent commission, a commission entirely outside of the jurisdiction and control of the Agricultural Department. It might be located at Chicago. That undoubtedly was the intention. It was assumed on the part of the committee that the commission would have its headquarters in the interior somewhere, probably in Chicago. The members of the committee who reported this bill generally were opposed to that system, that plan, that method, that scheme; and so the bill was reported providing for a commission which should be in the Agricultural Department and under the Commissioner of Agriculture, with the Commissioner of Agriculture himself chairman of the commission, absolutely controlling the whole plan, and scheme, and operation of the board. As against that plan, that method, which is provided for in the bill as it now stands before the Senate, there has been no remonstrance, in my judgment, from any part of the Union.

Mr. REAGAN. I do not know that I can point to them, but there is one set of resolutions here that speak of the Palmer bill as amended and reamended, and they still protest against it. I think the object of those who have amended the bill has been to obviate, at least to some extent, the objections which have been urged to it, but it is still open to the main objections to which I have called attention. It is open to the objection of going into the States and making investigations into the interests and business of private persons, seizing their property without warrant and without authority of law, condemning it to destruction without due process of law, in plain and palpable violation of the Constitution; and with the fourth and fifth sections standing in the bill, I venture to say there is not a lawyer in the Senate who will hold that it could be enforced in any court in the country.

I shall not trespass further on the time of the Senate, but yield the floor.

Mr. COKE obtained the floor.

Mr. GEORGE. Will the Senator from Texas allow me a moment?

Mr. COKE. Certainly.

Mr. GEORGE. The issue between the Senator from New Hampshire and myself dates from the statement I made in interrupting the Senator from Texas [Mr. REAGAN] in relation to the character of this bill. I stated that the bill authorized private persons, clothed with no official character, to enter upon the premises mentioned in the bill and make search. The Senator from New Hampshire disputed that proposition. Now, I will read from the bill in order to show that I am right and he is wrong.

Mr. BLAIR. Will the Senator state from what part of the bill he proposes to read?

Mr. GEORGE. I will read from page 3, beginning in line 17:

The said board is hereby authorized to enter, either in person—

That is, by the personal entrance of a member of the board or of all the members of the board—

or by their duly authorized agents.

It is clear that the entry may be made by the duly authorized agents of the board. If I make out that the duly authorized agents of the board are not officers I maintain my part of what is in dispute between the Senator from New Hampshire and myself.

They are not officers because they are not sworn. There is no provision for them to act under oath; and the Constitution of the United States requires that all officers of the United States shall be sworn. They are not officers because by section 11 they are not appointed by any authority recognized by the Constitution of the United States as competent to appoint officers. The Constitution is very simple upon that point; all officers of the United States must be appointed either by the President, by and with the advice and consent of the Senate, or, if Congress should so permit, the appointment of inferior officers may be vested in the President alone, in the courts of law, or in the heads of Departments.

There are but three agencies under our system which can make an officer of the United States. One is the President, another is the head of a Department, and the third is a court of law. These agents are nowhere designated in the bill as officers. Section 11 provides:

That the said board shall have power, and are hereby authorized, to employ—

Not appoint—

skilled veterinarians, and such other agents and employés as they may deem necessary to carry into effect the provisions of this act.

The persons thus employed are mere agents of the board, clothed with no official character whatever, acting under no oath, giving no bond, and utterly irresponsible as officials. That is all I desire to say on that point.

Mr. BLAIR. I should like to say——

The PRESIDING OFFICER. The Senator from Texas [Mr. COKE] is entitled to the floor. Does the Senator from Texas yield?

Mr. BLAIR. I suppose he will yield to me to make a suggestion just here.

The Senator from Mississippi [Mr. GEORGE] it seems to me, is supertechnical. I was aware of his great ability for keenness as a lawyer, but I must say that so far as I have read or heard, either as matter of fact in the text-books, or the traditions or the reminiscences of the special pleaders of the old time, I have never heard anything in the performances of Chillingworth or any of them that equals the hair-splitting which the Senator from Mississippi has exhibited on the floor of the Senate to-day. But with it all, I am of the impression that he has failed even upon this supertechnicality of his. He is wrong even under the perhaps loosely drawn provisions of the bill. What he said was that the bill authorizes a private person to enter upon the premises described in the bill—that is, premises dedicated to interstate commerce—and to seize and destroy the property of private citizens. He said that the bill authorized that to be done, and he reads in support of his propositions these words, and they are all that he can read in that direction:

The said board is hereby authorized to enter, either in person—

He says that is well enough, because the board is duly authorized to the extent of being made up of sworn officials, but he says that the administration of the oath is indispensable to the existence of the person who may do this as an official, and he quotes the Constitution, etc. Very well. It is right so far. Now come the words which he says sustain his position—

Or by their duly authorized agents.

Their duly authorized agents for what? The bill proceeds:

Their duly authorized agents, any premises or places, including stock-yards, cars, and vessels, on or in which are any animals in course of or destined for transportation from one State to another or to a foreign country.

I ask the Senator from Mississippi if this gives authority to anybody but duly authorized agents to enter upon the premises and do this work?

Mr. GEORGE. I admit that.

Mr. BLAIR. Very well; then if in order that they be duly authorized to perform this work an oath is necessary to due authorization, the bill requires that they shall be sworn. Is not that so? If in order to be duly authorized they must be sworn, does not the language of the bill cover the Senator's position; for if these be persons not duly authorized to do these acts they are not persons included in the eleventh section, and if the obligation of an oath be necessary in order that they may be duly authorized to perform these acts, then the bill requires the administration of the oath. If they have no such agents duly authorized, then they have no agents who have a right under the bill to enter the premises and destroy animals, and they must go in person, they being alone duly authorized or having the official oath administered to them.

Mr. GEORGE. Mr. President——

Mr. VEST. Will the Senator from Texas allow me to modify the amendment?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Mississippi?

Mr. COKE. Yes, sir; for a moment.

Mr. GEORGE. The point between the Senator from New Hampshire and myself is a very simple one. The board are authorized to employ agents. When they employ agents they are the duly authorized agents of the board. I make no point and made no point upon the authority of the board to employ agents duly authorized to execute whatever the board might lawfully authorize them to do. The point I made was that these persons were mere agents of the board, clothed with no official authority, and being thus private persons, with no official character, they were authorized by the section which I read to enter upon the premises and make search; and that remains true, because, for the reasons I have stated, if they were sworn it would make no difference, as they would be deficient at the very inception of their authority. They must receive their authority in order to be officers, in order to be entitled to be sworn as officers, from either the President of the United States, the courts of law, or the heads of Departments.

Mr. BLAIR. Then it would follow from what the Senator says that the agents whose appointment is provided for in section 11 could not be duly authorized to perform the acts specified in section 2; and unless they are duly authorized they are certainly not to perform the acts, for the section does not undertake to authorize any but those who have the legal power to enter upon the premises and destroy this property.

Mr. COKE. I understand the Senator from Missouri desires to modify his amendment.

Mr. VEST. I ask leave to modify the amendment which I offered the other day to the second section of the bill. I ask leave to modify the last portion of it, so as to read:

Provided, further, That said board, its agents and servants, shall have no authority to exercise any of the powers hereby granted within the limits of any State, except in the stock-yards, cars, and vessels hereinbefore specified, without first obtaining the consent and co-operation of the executive authority of said State.

The PRESIDING OFFICER. The Chief Clerk will read the amendment offered by the Senator from Missouri as modified.

The CHIEF CLERK. It is proposed to modify the amendment so as to make it read:

Provided, That the owner of such cattle or person having charge of the same shall have reasonable notice of the time and place where and when the appraisement will be made, and shall be permitted to make proof as to the value of such cattle: *And provided further*, That said board, its agents and servants, shall have no authority to exercise any of the powers hereby granted within the limits of

any State, except in the stock-yards, cars, and vessels hereinbefore specified, without first obtaining the consent and co-operation of the executive authority of said State.

Mr. EDMUNDS. Is that the pending amendment?

The PRESIDING OFFICER. That is the pending amendment offered by the Senator from Missouri to the substitute proposed by the Senator from Michigan.

Mr. PALMER. I understand that it is not under discussion now.

The PRESIDING OFFICER. It is the pending amendment.

Mr. VEST. It is the pending amendment.

Mr. PALMER. I ask the Senator from Missouri if he will not qualify that a little further, so as to make it follow the phraseology of the bill in section 2:

Any premises or places, including stock-yards, cars, and vessels, on or in which are any animals in course of or destined for transportation from one State to another or to a foreign country.

I ask the Senator to qualify it so as to make it consistent with the bill. Has the Senator from Missouri any objection to that modification?

Mr. VEST. That is the language of the bill as it now reads:

The said board is hereby authorized to enter, either in person or by their duly authorized agents, any premises or places, including stock-yards, cars, and vessels, on or in which are any animals in course of or destined for transportation.

The very object of my amendment is to get rid of the language "premises or places" in which are these cattle destined for transportation. That might be 50 miles off from an interstate railroad.

Mr. COKE. I have not much to say, but I prefer to go on now with what I have to say.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. COKE. We have a bill before us, Mr. President, "to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes." We have on our statute-book, passed in 1884, a law under the same title almost *verbatim*. In determining whether it is expedient to pass another law upon this subject it is legitimate to inquire into the operation of the already existing law. So far as the operation of that law is concerned, I refer to what is said of it by the Commissioner of Agriculture, the officer who is charged with the execution and enforcement of it, the head of the bureau to which the law pertains, and who is held responsible for its enforcement.

Mr. Colman, in a speech made by him before the National Cattle Growers' Association (which I happen to have here, having mislaid his report, but which is identical with his report on this subject, and I read from it to show the operation of the law we now have on the statute-book) says:

Immediately after the passage of this act—

That is, the act of 1884—

and in consultation with the Chief of the Bureau of Animal Industry, I prepared rules and regulations for the suppression of contagious pleuro-pneumonia, in accordance with section 3 of the act of Congress approved May 29, 1884; and these rules and regulations, by virtue of the authority contained in that section, became of equal force as if made by Congress itself. These rules I certified to the governors of all the States and Territories, and asked their co-operation in enforcing them. The governors of thirty-one States and Territories accepted these rules and regulations, and promised the assistance of the public officers of their respective States and Territories to secure their enforcement.

Thirty-one of the States and Territories have accepted the provisions of the law now on the statute-book and are assisting in its enforcement. The Commissioner proceeds:

I will now tell you what work has actually been done toward suppressing the disease.

That is, pleuro-pneumonia.

I placed in quarantine Cook County, Illinois, on the 24th day of May, 1887. On the same day I placed in quarantine the counties of Baltimore, Howard, Carroll, and Prince George's, in the State of Maryland, and the counties of New York, Westchester, Kings, Queens, Suffolk, and Richmond, in the State of New York. As Cook County, Illinois, was the point of greatest danger to the cattle industry, I placed in charge of the work there Professor James Law, professor of veterinary medicine in Cornell University and State veterinarian of the State of New York. In Maryland the work was in charge of Dr. Wray, and in New York in charge of Drs. McLean and Bell.

Again he says:

As a result of this work, carefully, thoroughly, and systematically performed, I am able to-day to state to you that pleuro-pneumonia has been successfully stamped out of Cook County, Illinois, and there is no longer any danger to be feared from that locality. The quarantine will be removed about the 1st of December, and the thanks of the cattle-men of the country are due to Dr. Salmon, Chief of the Bureau of Animal Industry; to Professor Law, and to the State board of Illinois for this successful termination of their work in Chicago.

Again he says:

In Maryland to-day we have the disease under control. The same system of quarantine that was enforced in Chicago is being established in Baltimore. Professor Law is at present reorganizing the work in that city, and it will be done as thoroughly as is possible. As the disease exists there to a greater extent than it did in Chicago, and as the contagion is, as I might say, "rooted in the soil," it will take a much longer time to effectually stamp it out.

I call the attention of Senators to what he says here:

I have thus, gentlemen, briefly sketched for you the work of the Bureau of Animal Industry for the year 1887. I might summarize it by saying that pleuro-pneumonia has been stamped out of Chicago, Ill., out of the counties of Delaware and Washington, State of New York, and the counties of Howard, Carroll, and Prince George's, in Maryland; and that it is under control in Baltimore, Md., and in the remaining infected districts in the State of New York.

The bureau at present has all the authority and law necessary for it to successfully handle the disease in the States where it exists, and the most important thing that remains to be done in the way of legislation is to obtain "the sinews of war" for next year in the shape of a sufficient appropriation that may be used for the same purposes as that given for the current year.

Mr. BLAIR. Will the Senator allow me to interrupt him at that point?

Mr. COKE. Yes, sir.

Mr. BLAIR. He has been reading from a letter of the Commissioner of Agriculture.

Mr. COKE. I have been reading from a speech of the Commissioner of Agriculture made before the National Cattle-Growers' Association at Kansas City, Mo., in November, 1887, and it is identical with his report. I happen to have the speech here and not the report.

Mr. BLAIR. It is just as well; but the Senator perhaps ought to be informed that since that speech, and since the annual report, the Commissioner has testified before the committee which reported this bill that the necessary power he alludes to comes by virtue of the assent of the State authorities, and at any time that that assent might be withdrawn he would be left paralyzed and without power.

Mr. COKE. But he already has the assent of thirty-one States and Territories——

Mr. BLAIR. But it is State power and not United States power.

Mr. COKE. And the assent is still coming in from the States which have not already assented.

Mr. BLAIR. Still it is a State law, not a United States law.

Mr. COKE. It does not make any difference under what power it is done, so that pleuro-pneumonia is being stamped out and the power for that purpose is ample.

Mr. BLAIR. Ah, but it makes a difference whether a United States officer states to us that he has the power, leaving us to infer that it is by virtue of his being a United States officer, or whether he testifies that the power he has comes from the State, and he is a State officer to the extent that the power is exercised by him.

Mr. COKE. This United States officer states distinctly and squarely that the bureau has at present all the authority and law necessary for it to successfully handle the disease wherever it exists, and the most important thing that remains to be done in the way of legislation is to obtain the sinews of war in the shape of a proper appropriation this year. That is the language of the Commissioner of Agriculture.

Mr. BLAIR. It was his language last November.

Mr. COKE. That is the language of the officer responsible for the enforcement and execution of the law, the man upon whom the blame must fall if the law is not enforced. He says, "I have all the authority I want; I do not want any more; all I want is the necessary amount of money."

Mr. BLAIR. The Senator——

Mr. COKE. I decline to be interrupted.

Mr. BLAIR. I do not say he has not the power. The Senator will permit——

The PRESIDING OFFICER. The Senator from Texas declines to yield.

Mr. BLAIR. I call attention to the fact that he is a United States officer.

The PRESIDING OFFICER. The Senator from New Hampshire will suspend.

Mr. BLAIR. I understood the Senator from Texas to assent to an interruption.

The PRESIDING OFFICER. Does the Senator from Texas yield?

Mr. COKE. Very well; let the Senator go on, if he will be brief.

Mr. BLAIR. I make no assertion. I only call attention to the fact, not that he has not the power, but to the fact that since he uttered those words he has testified that the power he exercises comes from the State itself, and he has no United States power at all.

Mr. COKE. But he has got the power; I do not care where it comes from. Even if it does come from the State, he has it.

Mr. BLAIR. Precisely; but——

Mr. COKE. The States have not withdrawn it; it is sufficient; and under it he has extirpated this dreaded disease in three-fourths of the localities where it was found when he commenced the work of stamping it out; and he is still going on successfully with the work.

Mr. BLAIR. He wants more money.

Mr. COKE. He wants more money; of course he does. He can not do the work without money, but with the money he can do it, and he will do it. He wants money and not power or additional authority.

Mr. PALMER. Will the Senator from Texas permit me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Michigan?

Mr. COKE. Certainly.

Mr. PALMER. I ask the Senator from Texas where the Commissioner gets his power, if he knows? I do not ask him by way of entrapping him at all, but I ask him to explain it, if he knows.

Mr. COKE. Where does the Commissioner get the power? He gets

it from Congress and from the resolutions and acts of thirty-one States and Territories that are co-operating with him.

Mr. PALMER. The Senator will permit me to say that I think he gets it from Congressional legislation in an appropriation act; at least, so he contends. I read from the appropriation act of 1887:

Salaries and expenses Bureau of Animal Industry: For carrying out the provisions of the act of May 29, 1884, establishing the Bureau of Animal Industry, $500,000; and the Commissioner of Agriculture is hereby authorized to use any part of this sum he may deem necessary or expedient, and in such manner as he may think best to prevent the spread of pleuro-pneumonia, and for this purpose to employ as many persons as he may deem necessary and to expend any part of this sum in the purchase and destruction of diseased or exposed animals and the quarantine of the same whenever in his judgment it is essential to prevent the spread of pleuro-pneumonia from one State into another, $100,000 of this sum or so much thereof as may be necessary to be immediately available.

Now, the object of this bill, if the Senator will permit me——

Mr. COKE. I have heard the Senator repeatedly on this point. I do not wish to yield further.

Mr. PALMER. Will the Senator let me quote the Commissioner of Agriculture?

Mr. COKE. Yes, sir.

Mr. PALMER. I read from his statement before the committee. He says:

As the power to do this work now being done by the Bureau of Animal Industry comes in a large measure from the appropriation act of March 3, 1887, it would be advisable that the organic act of the bureau should be so amended as to include this authority and thus make it permanent, and not dependent on temporary legislation from year to year. I would suggest, therefore, that certain amendments be made to the act of May 29, 1884.

Those amendments are incorporated in this bill; I do not know how fully, but I think the bill is in the line of the Commissioner's desire and his statement before the committee, only that he objects to the commission feature.

Mr. COKE. I have talked with the Commissioner; I have read his report, and I have here what is exactly the equal of his report, almost identical with his report, his speech, in which he uses the language I have read to the Senate. He is satisfied with the law as it now stands. Of course he would expect the appropriation to be accompanied with the same statement of authority given him in the last appropriation act. With that he is satisfied. He is opposed to this bill. He is utterly opposed to it. He believes that the bill ought not to pass. It is at war with his report; it is at war with his speech at the National Cattle-Growers' Association; it is at war with everything he states about the operation of the existing law. He does not desire its passage; and certainly we ought to give credence to a man who has been placed by the President, with the advice and consent of the Senate, at the head of that great Department. If we are to believe him he is doing well—well enough. It is not the want of power, it is not the want of authority, it is simply the want of money that makes him come before Congress now. He wants an appropriation to carry out and enable him to execute the power that he has.

Such, Mr. President, is the law we have. When we come to discuss the propriety and expediency of passing a law, we ought to ascertain first what the law is now, in order to see what sort of addition or amendment is needed to it, and if a new law is required what evils it is to remedy. When we come to inquire into the law now on the statute-book, we have the highest authority of the Government for saying that it subserves all the purposes for which such a law is sought to be passed now.

Mr. PADDOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Nebraska?

Mr. COKE. I had rather not.

Mr. PADDOCK. Just half a moment.

Mr. COKE. I had rather not.

Mr. PADDOCK. Under the most potential——

The PRESIDING OFFICER. The Senator from Texas declines to yield.

Mr. PADDOCK. I beg pardon.

Mr. COKE. Now, Mr. President, so much for the law as it stands. We ought not to pass another bill on the subject at all, because the highest authority of the Government charged with the enforcement of existing laws tells us that a new law is unnecessary. But taking the new bill as it stands before the Senate, my colleague [Mr. REAGAN] has discussed its provisions quite fully, and I shall not repeat what he has said. I have offered an amendment to it, in the twelfth line of section 1, to strike out "President of the United States" and insert "Commissioner of Agriculture." The purpose of that amendment is simply this, that the bill as it stands now institutes a commission. The amendment I propose to it does away with the commission feature. The substitute as it stands unamended makes it the duty of the President—

Immediately after the passage of this act, to appoint, by and with the advice and consent of the Senate, four persons, who, together with the Commissioner of Agriculture (who shall be *ex officio* chairman), shall constitute a bureau in the Department of Agriculture, to be known as the Board of Animal Industry. The board shall contain two practical cattle-growers of known executive ability and a competent veterinary surgeon. The salaries of said four members of said board, respectively, shall be $4,000 per annum.

The amendment I have proposed strikes out "President of the United States" and inserts "Commissioner of Agriculture." I also propose to strike out "by and with the advice and consent of the Senate," and to provide for appointment by the Commissioner of Agriculture of two persons instead of four, who, together with the Commissioner of Agriculture (who shall be *ex officio* chairman), shall constitute a bureau in the Department of Agriculture to be known as the Board of Animal Industry. This board shall contain not two, but one practical cattle-grower of known executive ability, and a competent veterinary surgeon, as I propose to amend it.

The reason for the amendment is that when you substitute a commission for the single authority of the Commissioner of Agriculture you divide the responsibility, you relieve the Commissioner of Agriculture of the *onus* that rests upon him under existing law, and that will rest upon him under this amendment, of properly executing the law. You propose to substitute a commission composed of the Commissioner of Agriculture and four persons, to be divided and distracted in their councils, neither of them to be responsible for the proper execution of the law.

With this commission there is no responsibility on anybody for the proper enforcement and execution of the law. Responsibility is so divided that it amounts to nothing. The Commissioner of Agriculture is no longer responsible. My amendment proposes to make the Commissioner of Agriculture the head of the bureau; to give him the appointment of his assistants; to hold him responsible for the enforcement of the law, and I must confess that one reason which prompted me to offer this amendment was what was said by the Senator from Kansas [Mr. PLUMB] two or three days ago in discussing this bill. He referred to the operation of the Chicago syndicate. He said that that syndicate had agents in the lobbies here now and that they had been here ever since this bill had been before the Senate; that they are here to advocate this bill, to lobby for this bill; and that fact is evidence to my mind that the Commissioner of Agriculture has been found not amenable to the power or the blandishments of that syndicate. I trust him because they do not want him. I desire the Commissioner of Agriculture, appointed by the President, a great bureau officer, responsible to the people of the United States, to the President of the United States, for the proper enforcement of this law. I desire no commission that can be approached through the want and absence of any responsibility, as many fear this commission will be if this bill should pass.

Why, Mr. President, I have letters from Texas, I have them from New Mexico, I have them from Arizona. I have letters from Massachusetts, I have letters from New York, and they all fear this commission. They say that if this commission is created it will be a surrender of the cattle-growers and of the consumers of beef to the syndicate in Chicago that now holds and crushes in its grasp the interests of the producers and consumers of beef.

I want a single responsibility, such a responsibility as will come from having the head of the Agricultural Bureau responsible to the country and to the President and to Congress for the proper enforcement and execution of the law, and not a scattering and diffusion and diversification of responsibilities, which, as they widen out, lose all force and efficiency. Executive force and vigor was never yet increased or promoted by a division of responsibility, while weakness and confusion always results from it.

The object of my amendment is to give force and vigor to the law by placing its execution in the hands of the Commissioner of Agriculture, who will choose his own assistants, and whose will in the execution of it will be supreme. I have great confidence in the honesty and intelligence of the present Commissioner of Agriculture. If he had been pliant he could have been easily influenced or bent to the purposes of others. If he could have been handled this bill would never have been introduced. So much for that amendment.

Mr. SHERMAN. Will the Senator give way to a motion to proceed to the consideration of executive business?

Mr. COKE. I will in a few minutes.

Mr. BLAIR. I wish to observe that so far as I know there is not a human being here who has been lobbying for this bill, and the Senator from Kansas [Mr. PLUMB], to whom the Senator from Texas alludes, is in favor of the passage of the bill.

Mr. COKE. The Senator from Kansas desires the commission feature to be stricken out of the bill. I know that, for he told me so, and the Senator from Kansas did say that lobbyists in the interest of the Chicago syndicate were and are here asking for this bill.

Mr. BLAIR. Does the Senator himself know that?

Mr. COKE. I do not.

Mr. BLAIR. Neither do I. The Senator might be justified in his remark, perhaps, with regard to the original bill and the original hearing before the committee; but this bill was reported for the very purpose of obviating any such relation, and it leaves large powers in the Commissioner of Agriculture.

Mr. COKE. The most obnoxious features of the original bill are still in this substitute, as I shall be able to show.

Now, Mr. President, I do not wish to stand in the way of the Senate if it has any business in executive session, and, as the Senator from Ohio requested just now, I am willing to defer the balance of my remarks until to-morrow.

Mr. SHERMAN. Will the Senator yield now for a motion to proceed to the consideration of executive business?

Mr. COKE. Yes, sir.

Mr. SHERMAN. I submit that motion.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 422) for the relief of William Gray;

A bill (H. R. 4423) relating to certain acts of the Twenty-seventh Legislative Assembly of the Territory of New Mexico; and

A bill (H. R. 8467) to further provide for an appraiser's warehouse at Chicago, Ill.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills:

A bill (S. 1064) for the relief of L. J. Worden;

A bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Va.;

A bill (S. 2428) to amend an act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east;

A bill (S. 2505) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine; and

A bill (S. 2614) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River in Arkansas.

HOUSE BILLS REFERRED.

The bill (H. R. 422) for the relief of William Gray was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 4423) relating to certain acts of the Twenty-seventh Legislative Assembly of the Territory of New Mexico was read twice by its title, and referred to the Committee on Territories.

The bill (H. R. 8467) to further provide for an appraiser's warehouse at Chicago, Ill., was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

EXECUTIVE SESSION.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The Senator from Ohio [Mr. SHERMAN] moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fifty-eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 8, 1888, at 12 o'clock m.

NOMINATION.

Executive nomination received by the Senate May 7, 1888.

UNITED STATES CONSUL.

Thomas Browne, of Montana Territory, to be consul of the United States at Paramaribo, to fill a vacancy.

HOUSE OF REPRESENTATIVES.

MONDAY, *May 7*, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Clerk proceeded to read the Journal of the proceedings of Saturday.

Mr. BREWER. I ask unanimous consent to dispense with the reading of so much of the Journal as relates to the introduction of reports from committees.

There was no objection.

The remainder of the Journal was read and approved.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BUNNELL, for one week, on account of important business.

To Mr. TAULBEE, indefinitely, on account of important business.

To Mr. CONGER, for ten days, on account of important business.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 48) for the relief of Benjamin M. Simpson;

A bill (H. R. 6609) for the relief of Sarah E. McCaleb; and

A bill (H. R. 9430) authorizing the Secretary of the Treasury to award a gold medal of the first class to Capt. Thomas Sampson, of New York City, for rescuing five boys from drowning.

APPRAISER'S WAREHOUSE, CHICAGO.

Mr. LAWLER. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 8467) to further provide for an appraiser's warehouse at Chicago, Ill., and put it upon its passage.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site suitable for the erection thereon of a commodious warehouse for the use of the United States appraiser of customs and other Government uses, in the city of Chicago, either by acquiring additional ground adjoining the site lately purchased at the corner of Harrison and Sherman streets, at an expenditure not exceeding the sum of $40,000, or by expending a sufficient sum, not exceeding $110,000, in the acquisition of another suitable site, of sufficient area to enable the Secretary of the Treasury to comply with the provisions of section 3 of an act of Congress entitled "An act to provide for the ascertainment of the market value of certain property in the city of Chicago, and to authorize the Secretary of the Treasury to sell and convey said property," approved May 27, 1886, in the erection of an appraiser's warehouse thereon. That after the acquisition of such site, the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected thereon a suitable and commodious warehouse of brick, without towers or needless ornamentation, but strictly fire-proof in construction, and specially planned and adapted as an appraiser's warehouse for the use of the United States appraiser at the city of Chicago. The said building, when completed, including heating apparatus, elevators, and approaches, upon plans and specifications to be made and to be previously approved by the Secretary of the Treasury, shall not exceed in cost the sum of $250,000, and no plan of said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the said sum of $250,000 for the said building; and there shall be an open space of at least 40 feet, including only lands owned by the United States and streets and alleys on every side of the said building when erected: *Provided*, That no part of the said sums shall be expended for site or building until a valid title to the site shall be vested in the United States, nor until the State of Illinois shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be and remain the owner thereof, for all purposes except the administration of the criminal laws of the said State and the service of civil process therein.

There being no objection, the bill was considered and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. LAWLER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WILLIAM GRAY.

Mr. BREWER. I ask by unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of the bill (H. R. 422) for the relief of William Gray, and put it upon its passage.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to issue to William Gray, late a private in Company F, Sixteenth Regiment of Michigan Volunteer Infantry, a certificate of honorable discharge, to bear date the day and year in which such regiment was mustered out of the military service.

There being no objection, the bill was considered and ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. BREWER moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TWENTY-SEVENTH LEGISLATIVE ASSEMBLY, NEW MEXICO.

Mr. JOSEPH. Mr. Speaker, I ask by unanimous consent to discharge the House Calendar from the further consideration of the bill (H. R. 4423) relating to certain acts of the Twenty-seventh Legislative Assembly of the Territory of New Mexico, and put it upon its passage.

The SPEAKER. The bill will be read, subject to objection.

The bill was read, as follows:

Be it enacted, etc., That the act of the Twenty-seventh Legislative Assembly of the Territory of New Mexico, entitled "An act to create a funded indebtedness of the Territory of New Mexico to pay and discharge certain claims for carpets, furniture, gas fixtures, gas, water, and fuel, and for shelving the vaults and library room, and for insurance and other incidental and contingent expenses, now accrued and to accrue during the ensuing two years," and approved February 14, 1887; and the act of the said Legislative Assembly entitled "An act to provide the means to enable the penitentiary authorities to employ the convicts in mining coal," approved February 23, 1887; and the act of the said Legislative Assembly, entitled "An act to provide for the payment of current expenses of the Territory until the tax income shall meet the same," approved February 24, 1887, be, and they are hereby, approved and declared valid acts of the said Legislative Assembly of the Territory of New Mexico, and the said Territory is and shall be bound by the terms of the said several acts, and shall be held to the payment of the respective sums stipulated to be paid in the bonds, the issuance of which is provided in the said acts respectively, and in the manner and form therein prescribed.

SEC. 2. That it shall be the duty of the Territorial auditor to make an estimate of the amount of taxes required to be levied in each county in the Territory, in order to raise a sufficient fund to pay all interest, together with a sinking fund for the payment of the principal, of all bonds issued under the provisions of the act to provide for the payment of current expenses of the Territory until the tax income will meet the same, hereinbefore recited, when the same shall become due and payable.

There being no objection, the bill was considered, the amendment proposed by the Committee on the Territories, to strike out in the first section the words—

And the act of the said Legislative Assembly, entitled "An act to provide the means to enable the penitentiary authorities to employ the convicts in mining coal," approved February 23, A. D. 1887,

was adopted, and the bill as amended ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. FORD moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

WILLIAM R. BLAKESLEE.

Mr. DARLINGTON. I ask by unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of the bill (H. R. 550) for the relief of William R. Blakeslee, and put it upon its passage.

The SPEAKER. The bill will be read subject to objection.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McMILLIN. Let the report be read, reserving the right to object.

The SPEAKER. The report will be read.

The report was read at length.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. McMILLIN. Mr. Speaker, I was unable to hear clearly certain points from the reading of the report. I will therefore object to the present consideration of the bill with a view to examining the report and see if there is reason for withdrawing the objection.

Mr. DARLINGTON. If the gentleman will read the report, which is quite short, he will see.

Mr. McMILLIN. I must object for the present, and demand the regular order.

The SPEAKER. The regular order being demanded cuts off the request for unanimous consent.

This being Monday, the regular order is the call of the States and Territories for the introduction and reference of bills and joint resolutions. Under this call, memorials from State and Territorial Legislatures are in order, and also resolutions of inquiry addressed to the heads of Departments.

Mr. BLANCHARD. I ask unanimous consent to dispense with the call of States and Territories for the introduction of bills.

Mr. ANDERSON, of Kansas. I object.

STATUE OF GENERAL HANCOCK.

Mr. TOWNSHEND introduced a joint resolution (H. Res. 162) making an appropriation for the erection of a statue in the city of Washington to the memory of Maj. Gen. Winfield Scott Hancock; which was read a first and second time.

The SPEAKER. This resolution will be referred to the Committee on the Library.

Mr. TOWNSHEND. Let it go to the Committee on Military Affairs.

The SPEAKER. Under the rules it goes to the Committee on the Library.

Mr. TOWNSHEND. Several bills of this character have been referred to the Committee on Military Affairs, and why can not this?

The SPEAKER. The gentleman can make a motion.

Mr. TOWNSHEND. Then I move its reference to the Committee on Military Affairs.

The motion was agreed to.

The joint resolution was accordingly referred to the Committee on Military Affairs, and ordered to be printed.

FORFEITURE OF CERTAIN OREGON LAND GRANTS.

Mr. HOLMAN introduced a bill (H. R. 9854) to forfeit certain lands granted to the State of Oregon in the construction of certain wagon roads, and for other purposes; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

SWAMP AND OVERFLOWED LANDS.

Mr. LYMAN presented a concurrent resolution of the General Assembly of the State of Iowa, in favor of the passage of House bill 6897; which was referred to the Committee on the Public Lands.

Mr. HOLMES presented a concurrent resolution of the Legislature of the State of Iowa, instructing its Senators and requesting its Representatives in Congress to support the legislative measure proposed by House bill 6897, relating to swamp lands; which was referred to the Committee on the Public Lands.

Mr. WEAVER presented a concurrent resolution of the General Assembly of the State of Iowa, in relation to swamp and overflowed lands; which was referred to the Committee on the Public Lands.

ACT OF MARCH 3, 1883.

Mr. MILLIKEN submitted a resolution relating to the act of March 3, 1883; which was referred to the Committee on the Judiciary.

CIVIL SERVICE.

Mr. BROWN, of Ohio, introduced a bill (H. R. 9855) limiting and modifying the civil-service laws; which was read a first and second time, referred to the Select Committee on Reform in the Civil Service, and ordered to be printed.

TREASURY OF THE CONFEDERATE STATES.

Mr. PHELAN introduced a joint resolution (H. Res. 163) authorizing the publication of an edition of The Treasury of the Confederate States; or Documentary History of the Financial, Fiscal, and Commercial Measures of the Confederate States, edited by Raphael P. Thian; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

DISALLOWED POSTMASTERS' CLAIMS.

Mr. YOST submitted a resolution asking information as to disallowed postmasters' claims; which was referred to the Committee on the Post-Office and Post-Roads.

WATER RESERVED LANDS.

Mr. STEPHENSON introduced a bill (H. R. 9856) declaring that certain water reserved lands in the State of Wisconsin are and have been subject to the provisions of the act of Congress entitled "An act granting to railroads the right of way through the public lands of the United States," approved March 3, 1875; which was read a first and second time, referred to the Committee on Rivers and Harbors, and ordered to be printed.

ORDER OF BUSINESS.

The SPEAKER *pro tempore* (Mr. HATCH in the chair). The call of States and Territories for the introduction of bills and joint resolutions is completed. The Chair will now recognize gentlemen who were not in their seats when their States were called.

PUBLIC BUILDING AT ROCHESTER, N. H.

Mr. McKINNEY introduced a bill (H. R. 9857) to provide for the erection of a public building in the town of Rochester, State of New Hampshire; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PUBLIC BUILDING AT GREAT FALLS, N. H.

Mr. McKINNEY also introduced a bill (H. R. 9858) to provide for the erection of a public building in Great Falls, town of Summersworth, State of New Hampshire; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

IRREGULARITIES IN COMPENSATION OF GOVERNMENT OFFICERS.

Mr. GAY introduced a joint resolution (H. Res. 164) for the appointment of a joint committee of both Houses of Congress to inquire into existing irregularities, if any, in the compensation of the officers and employés of the Executive Departments and bureaus of the Government; which was read a first and second time, referred to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

PURCHASE OF OUTSTANDING INTEREST-BEARING BONDS.

Mr. PLUMB introduced a joint resolution (H. Res. 165) to authorize the Secretary of the Treasury to purchase and cancel certain outstanding bonds; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. BLANCHARD. I move to suspend the rules and pass the bill known as the river and harbor bill.

The Clerk read the title of the bill, as follows:

A bill (H. R. 9050) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The SPEAKER. The Clerk will report the bill.

Mr. BLANCHARD. I ask, by unanimous consent, to dispense with the reading of the bill.

Mr. SOWDEN. I object.

The Clerk proceeded to read the bill.

Mr. ANDERSON, of Kansas (interrupting the reading). I desire to make a parliamentary inquiry.

The SPEAKER *pro tempore* (Mr. HATCH). The gentleman will state it.

Mr. ANDERSON, of Kansas. Has a second been demanded?

The SPEAKER *pro tempore*. The time to demand a second is after the bill has been read. The gentleman from Pennsylvania [Mr. SOWDEN] has demanded the reading of the bill.

Mr. ANDERSON, of Kansas. But an opportunity will be offered to demand a second?

The SPEAKER *pro tempore*. There will be after the bill has been read.

The Clerk continued the reading of the bill.

When the Clerk read the paragraph in lines 741 and 742, as follows:

Improving Choctawhatchie River in Florida and Alabama: Continuing improvement, $10,000.

Mr. OATES said: That ought to be Alabama and Florida. The language in the bill appears to make the river flow up stream.

The SPEAKER *pro tempore*. This is a motion to suspend the rules and pass the bill. An amendment is not in order.

Mr. OATES. I know that an amendment is not in order. What I suggest is not an amendment, but the correction of a mere clerical error.

Mr. BOUTELLE. If the bill is now open to amendment, I have a number to offer.

The Clerk continued and completed the reading of the bill, which is as follows:

A bill (H. R. 9859) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be immediately available, and to be expended under the direction of the Secretary of War, for the construction, completion, repair, and preservation of the public works hereinafter named:

Improving harbor at Rockland, Me.: Continuing improvement, $30,000.

Improving breakwater at the mouth of Saco River, Maine: Continuing improvements and repairs, $12,500.

Improving harbor at York, Me.: Continuing improvement, $10,000.

Improving harbor at Portland, Me.: Continuing improvement, $25,000.

Improving harbor at Camden, Me., $5,000.

Improving harbor at Back Cove, Maine: Continuing improvement, $15,000.

Improving harbor at Rockport, Me., $10,000.

Improving harbor at Portsmouth, N. H.: Continuing improvement, $15,000.

Improving harbor of refuge at Little Harbor, New Hampshire: Continuing improvement on the enlarged plan, $10,000.

Improving harbor at Burlington, Vt.: Continuing improvement, $25,000.

Improving harbor at Gordon's Landing, Lake Champlain, Vermont: Continuing improvement, $10,000.

Improving harbor at Boston, Mass.: Continuing improvements, $125,000; one-half of which shall be used in widening the main ship-channel at the "upper and lower middle."

Improving harbor at Lynn, Mass.: Continuing improvement, $10,000; a part of which may, in the discretion of the Secretary of War, be used at the Point of Pinesand in the western channel leading thereto, and a portion in the basin inclosed by the wharves of said city of Lynn.

Improving harbor at Nantucket, Mass.: Continuing improvement, $20,000.

Improving harbor at Newburyport, Mass.: Continuing improvement, $25,000.

Improving harbor at Plymouth, Mass.: Continuing improvement, $6,000; a part of which may, in the discretion of the Secretary of War, be applied to the improvement in said harbor of Goose Point Channel to the port of Kingston and North Plymouth.

Improving harbor at Provincetown, Mass.: To complete, $7,000.

Improving harbor at Scituate, Mass.: Continuing improvement, $5,000.

Improving harbor at Gloucester, Mass.: Dredging Harbor Cove and removing ledge and bowlders obstructing the approach to the wharves between Harbor Cove and Pew Wharf, $10,000.

Improving harbor at Wareham, Mass.: Continuing improvement, $4,000.

Improving harbor at New Bedford, Mass., $10,000.

Improving harbor at Hingham, Mass., Continuing improvement, $5,000; a part of which may, in the discretion of the Secretary of War, be applied to straighten the channel from the wharf to the end of Ragged Island.

Improving harbor at Winthrop, Mass.: For dredging, $1,000.

Improving harbor at Hyannis, Mass.: Continuing improvement, $10,000.

Improving harbor at Vineyard Haven, Mass.: For protection of Chops at the mouth of the harbor, $25,000.

Improving harbor at Wellfleet, Mass., $7,000.

Improving national harbor of refuge at Sandy Bay, Cape Ann, Mass.: Continuing improvement, $100,000.

Improving harbor at Manchester, Mass., $2,500.

Improving harbor at Block Island, Rhode Island: Continuing improvement, $10,000; of which sum $6,000 are for inner harbor and $4,000 for breakwater.

Improving harbor at Newport, R. I.: Continuing improvement, $12,000.

Improving harbor at Bridgeport, Conn.: Continuing improvement, $10,000; and the Secretary of War is authorized to expend such portion of said sum as he may deem advisable above the bridges across the stream entering into said harbor.

Improving breakwater at New Haven, Conn.: Continuing improvement, $75,000; and the Chief of Engineers may, if deemed necessary, relocate the western breakwater.

Improving harbor at New Haven, Conn.: Continuing improvement, $15,000.

Improving harbor at Norwalk, Conn.: Continuing improvement, $3,000.

Improving harbor at Stonington, Conn., $8,000.

Improving harbor at Stamford, Conn.: Continuing improvement, $5,000.

Improving harbor at Five Mile River, Conn., $5,000.

Improving harbor at Buffalo, N. Y.: Continuing improvement, $200,000.

Improving Buttermilk Channel, New York: Continuing improvement, $100,000.

Improving harbor at Sheepshead Bay, New York: Continuing improvement, $5,000.

Improving breakwater at Rouse's Point, New York: Continuing improvement, $13,500.

Improving harbor at Canarsie Bay, New York: Continuing improvement, $10,000.

Improving harbor at Charlotte, N. Y.: Continuing improvement and repairs, $25,000.

Improving harbor at Dunkirk, N. Y.: Continuing improvement, $15,000.

Improving harbor at Flushing Bay, New York: Continuing improvement, $15,000.

Improving channel at Gowanus Bay, New York: Continuing improvement, $20,000.

Improving harbor at Great Sodus Bay, New York: Continuing improvement, $24,000.

Improving harbor at Little Sodus Bay, New York: Continuing improvement, $16,000.

Improving harbor at Greenport, N. Y.: Continuing improvement, $5,000.

Improving harbor at Oak Orchard, N. Y.: Continuing improvement and repairs, $6,000.

Improving harbor at Ogdensburgh, N. Y., including the clearing out of the mouth of the Oswegatchie River: Continuing improvement, $15,000.

Improving harbor at Olcott, N. Y.: Continuing improvement, $5,000.

Improving harbor at Oswego, N. Y.: Continuing improvement and repairs, $100,000; of which $15,000 shall be used in removing the east breakwater at the mouth of the river.

Improving harbor at Plattsburgh, N. Y.: Continuing improvement, $5,000.

Improving harbor at Rondout, N. Y.: Continuing improvement, $5,000.

Improving harbor at Sackett's, N. Y.: Continuing improvement, $2,000.

Improving Tonawanda Harbor and Niagara River, New York, as per report of engineer in charge, dated December 29, 1887, $100,000.

Improving New York Harbor, New York: Continuing improvement, $380,000.

Improving harbor at Saugerties, N. Y.: Continuing improvement, $12,000.

Improving harbor at Wilson, N. Y.: Continuing improvement, $5,000.

Improving harbor at Port Chester, N. Y.: Continuing improvement, $5,000.

Improving harbor at Glen Cove, N. Y., $10,000.

Improving and completing breakwater at entrance to Jefferson Harbor, New York, $10,000.

Improving harbor at New Rochelle, N. Y.: Continuing improvement, the balance remaining on hand from former appropriations, to be expended in pursuance of the project adopted in 1881.

Improving channel between Staten Island and the New Jersey shore, New York and New Jersey: Continuing improvement, $15,000.

Improving harbor at Raritan Bay, New Jersey: Continuing improvement, $20,000.

Improving harbor at Erie, Pa.: Continuing improvement, $23,000.

For the preservation and protection of the peninsula of Presque Isle, Erie Harbor, Pennsylvania, as recommended by the Chief of Engineers January 13, 1885, and in accordance with such plans as the Secretary of War may prescribe, $60,000.

Improving the harbor of Philadelphia: For the removal of Smith's Island and Windmill Island, in the State of Pennsylvania, and Petty's Island, in the State of New Jersey, of such parts of them as may be required, and for the improvement of the harbor between the cities of Philadelphia, Pa., and Camden, N. J., $250,000: *Provided*, That no part of this sum shall be expended until the titles to the land forming said islands shall be acquired and vested in the United States without charge for the latter.

Improving ice-harbor at Marcus Hook, Pa.: Continuing improvement, $15,000.

Improving Delaware Breakwater, Delaware: Continuing improvement, $100,000.

Improving ice-harbor at New Castle, Del.: Continuing improvement, $7,500.

Improving harbor at Wilmington, Del.: Continuing improvement, $30,000.

Improving harbor at Baltimore, Md.: Continuing improvement, $250,000.

Improving harbor at Breton Bay, Maryland: Continuing improvement, $3,000.

Improving harbor at Cambridge, Md., $5,000.

Improving harbor at Norfolk and its approaches, Virginia: Continuing improvement, $50,000.

Improving approach to Norfolk Harbor and the United States navy-yard at Norfolk, Va.: Continuing improvement between Lambert's Point and Fort Norfolk, $10,000; and the balance of $108,000 of former appropriations made under this head and available July 1, 1887, is hereby authorized to be expended according to the modified plan of the engineer in charge.

Improving harbor at Beaufort, N. C.: Continuing improvement, $35,000.

Improving the inland water way between Beaufort and New River, North Carolina: Continuing improvement, $5,000.

Improving the inland water way between New Berne and Beaufort, N. C.: Continuing improvement, $15,000.

Improving harbor at Charleston, including Sullivan's Island, South Carolina: Continuing improvements, $350,000.

Improving harbor at Georgetown, S. C.: Continuing improvement, $7,500; of which $5,000 may be expended on Mount Pleasant shore of inner harbor of Charleston, S. C.

Improving Winyaw Bay, South Carolina: Continuing improvement, $100,000.

Improving harbor at Brunswick, Ga.: Continuing improvement, $25,000.

Improving Cumberland Sound, Georgia and Florida: Continuing improvement, $112,500.

Improving harbor at Savannah, Ga.: Continuing improvement, $90,000.

Improving harbor at St. Augustine, Fla., $35,000.

Improving harbor at Apalachicola Bay, Florida: Continuing improvement, $20,000.

Improving harbor at Cedar Keys, Fla.: Continuing improvement, $7,500.

Improving harbor at Pensacola, Fla.: Continuing improvement, $35,000; of which $5,000, or so much thereof as may be necessary, shall be used in completing the survey of the outer and inner bars in this harbor.

Improving harbor at Tampa Bay, Florida: Continuing improvement, $20,000.

Improving entrance to harbor at Key West, Fla., $25,000.

Improving harbor at Mobile, Ala.: Continuing improvement on enlarged project for securing a channel 23 feet deep and 280 feet wide $250,000.

Improving harbor at Biloxi Bay, Mississippi: Continuing improvement, $18,500.

Improving Aransas Pass and Bay up to Rockport and Corpus Christi, Tex.: Continuing improvement, $100,000.

Improving Brazos, Santiago Harbor, Texas: Continuing improvement, $25,000.

Improvement of entrance to Galveston Harbor, Texas: Continuing improvement, $500,000.

Improving Sabine Pass and Blue Buck Bar, Texas: Continuing improvement, $250,000.

Improving ship-channel in Galveston Bay, Texas, from Morgan's Cut to Bolivar Channel: Continuing improvement, $100,000.

Improving harbor at Ashtabula, Ohio: Continuing improvement, $30,000.

Improving harbor at mouth of Black River, Ohio: Continuing improvement, $10,000.

Improving harbor at Cleveland, Ohio: Continuing improvement on the last plan projected, $100,000.

Improving harbor at Fairport, Ohio: Continuing improvement, $10,000; of which so much as may be necessary may be expended in deepening the river.

Improving harbor at Huron, Ohio: Continuing improvement, $6,000.

Improving harbor at Vermillion, Ohio: For preservation of piers, $1,000.

For ice-harbor at the mouth of the Muskingum River, Ohio: To complete, $60,000.

Improving harbor at Port Clinton, Ohio: Continuing improvement, $5,000.

Improving harbor at Sandusky, Ohio: Continuing improvement by a straight channel from Sandusky City to the entrance of Sandusky Bay, pursuant to the last plan of the engineers, $40,000; of which $5,000, or so much as may be necessary, may be used, in the discretion of the Secretary of War, in improving the old channel.

Improving harbor at Toledo, Ohio: Continuing improvement of the Maumee River, by a straight channel, pursuant to the last plan of the engineer in charge, $150,000.

Improving harbor at Toledo, Ohio: For clearing the old channel, $5,000.

Improving outer harbor at Michigan City, Ind.: Continuing improvement, $90,000.

To complete inner harbor at Michigan City, $5,000.

Improving harbor at Calumet, Ill.: To complete improvement, $20,400.

Improving harbor at Chicago, Ill.: Continuing improvement, $200,000.

Improving harbor at Waukegan, Ill.: Continuing improvement, $25,000.

Improving harbor at Charlevoix and entrance to Pine Lake, Michigan, $12,500.

Improving harbor at Cheboygan, Mich.: Continuing improvement, $15,000.

Improving harbor at Frankfort, Mich.: Continuing improvement, $8,000.

Improving harbor at Grand Haven, Mich.: Continuing improvement, $25,000.

Improving harbor of refuge at Grand Marais, Mich.: Continuing improvement, $50,000.

Improving harbor of refuge at Ludington, Mich.: Continuing improvement, $60,000; and the Secretary of War is hereby authorized and directed to accept the deed tendered by the Pere Marquette Lumber Company, of Ludington, Mich., of 3.30 acres of land.

Improving harbor at Manistee, Mich.: Continuing improvement, $10,000.

Improving harbor at Black Lake, Mich.: Continuing improvement, $5,000.

Improving harbor at Monroe, Mich.: For repairs and for dredging at mouth of river, $5,000.

Improving harbor at Muskegon, Mich.: Continuing improvement, $45,000.
Improving harbor at Ontonagon, Mich.: Continuing improvement, $12,500.
Improving harbor at Pentwater, Mich.: Continuing improvement, $8,000.
Improving harbor of refuge at Portage Lake, Mich.: Continuing improvement, $10,000.
Improving harbor of refuge at Sand Beach, Mich.: Continuing improvement, $70,000.
Improving harbor at St. Joseph, Mich.: Continuing improvement, $10,000; $3,000 to be used in improving the water channel leading up to Benton Harbor.
Improving harbor of Saugatuck, Mich.: To repair and maintain, $5,000.
Improving harbor at South Haven, Mich.: Continuing improvement, $10,000; $3,000 of which shall be used in deepening the channel of Black River from the inner termini of the piers to the highway bridge.
Improving harbor at White River, Mich.: Continuing improvement, $10,000.
Improving harbor at Marquette, Mich.: Continuing improvement, $25,000: *Provided*, That no part of this appropriation shall be expended until the question of harbor limits has been settled to the satisfaction of the Secretary of War.
Improving harbor at Thunder Bay, Mich.: Continuing improvement, the balance available from former appropriations shall be expended in dredging the entrance channel from the bay into the river.
Improving harbor at Au Sable, Mich.: Continuing improvement, the balance available from former appropriations shall be expended in dredging the mouth of Au Sable River.
Improving harbor at Ahnapee, Wis.: Continuing improvement, $5,000; and so much of the act of August 5, 1886, for the improvement of rivers and harbors as relates to the harbor of Ahnapee is hereby amended by striking out the words "but no part of said sum is to be expended until the wharfage over the Government pier at that port shall be made free."
Improving harbor at Green Bay, Wis.: Continuing improvement, $10,000.
Improving harbor at Kenosha, Wis.: Continuing improvement, $7,500.
Improving harbor at Kewaunee, Wis.: Continuing improvement, $10,000.
Improving harbor at Manitowoc, Wis.: Continuing improvement, $8,000.
Improving harbor at Menomonee, Wis.: Continuing improvement, $9,000.
Improving harbor of refuge at Milwaukee, Wis.: Continuing improvement on bay and harbor, $70,000.
Improving harbor at Milwaukee, Wis.: Continuing improvement, $10,000.
Improving harbor at Oconto, Wis.: Continuing improvement, $2,000.
Improving harbor at Port Washington, Wis.: Continuing improvement, $5,000.
Improving harbor at Racine, Wis.: Continuing improvement, $10,000.
Improving harbor at Superior Bay and St. Louis Bay, Wisconsin: Continuing improvement, $50,000.
Improving harbor at Sheboygan, Wis.: Continuing improvement, $15,000.
Improving harbor at Ashland, Wis.: Continuing improvement on the enlarged project, $60,000.
Improving harbor at Two Rivers, Wis.: Continuing improvement, $2,500.
Improving harbor at Duluth, Minn.: Continuing improvement, $80,000; of which sum one-half shall be expended on the harbor basin and new channel east of Rice's Point, and in the preservation and maintenance of the canal and piers at the harbor entrance, and in the purchase of a steam-launch; and the other half of said sum shall be expended on the channel west of Rice's Point, and from thence along the northern shore of St. Louis Bay to Grassy Point; and the Government of the United States hereby accepts from the city of Duluth the grant and conveyance made by said city, by deed dated January 9, 1888, of the following-described real estate, to wit: All the tract or parcel of land lying and being in the county of St. Louis and State of Minnesota, described as follows, to wit: Lots 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, and 260 Minnesota avenue, Upper Duluth, the same being the ground on which is located the canal entrance and piers to the harbor of Duluth.
Improving harbor at Grand Marais, Minn.: Continuing improvement, $15,000.
Improving harbor at Agate Bay, Minn.: Continuing improvement, $15,000.
Improving harbor and bay at Humboldt, Cal.: Continuing improvement, $125,000: *Provided*, That no part of said sum shall be expended until the 12 acres of land necessary to said improvement shall have been conveyed to the United States free of expense, and such conveyance has been approved by the Secretary of War, after the Attorney-General of the United States shall have certified to the Secretary of War that the title is perfect.
Improving harbor at Oakland, Cal.: Continuing improvement, $200,000, which sum, or part thereof, may be used, in the discretion of the Secretary of War, on the training-walls and channel.
Improving harbor at Red Wood, Cal.: To complete, $7,400.
Improving harbor at Wilmington, Cal.: Continuing improvement, $90,000.
Improving harbor at San Diego, Cal.: For repairs, $1,000.
Improving harbor at San Luis Obispo, Cal., by the construction of a breakwater on the reef to the plane of mean low water, according to plan of W. H. Benyaurd, major of engineers, dated January 28, 1887, $25,000.
Improving entrance to harbor at Coos Bay, Oregon: Continuing improvement, $50,000.
Improving harbor at Yaquina Bay, Oregon: Continuing improvement, $120,000.
Improving Lubec Channel, Maine: Continuing improvement, $10,000.
Improving Penobscot River, Maine: Continuing improvement, $10,000.
Improving Narraguagus River, Maine: To complete, $10,000.
Improving Saco River, Maine: Continuing improvement, $10,000.
Improving Bagaduce River, Maine, $3,000.
Improving Kennebec River, Maine, $20,000.
Improving Cocheco River, New Hampshire: To complete, $9,000.
Improving Otter Creek, Vermont: Continuing improvement, $2,500.
Improving Ipswich River, Massachusetts, $2,500.
Improving Powow River, Massachusetts, for dredging, $3,000: *Provided*, That this sum shall not be expended until the towns of Amesbury and Salisbury, or either of them, shall have caused such a draw to be placed in the present bridge over said river as may be approved by the Secretary of War.
Improving Pawtucket River, Rhode Island: Continuing improvement, $25,000.
Improving Providence River and Narragansett Bay, Rhode Island: Continuing improvement, $40,000.
For removing Green Jacket Shoal, Providence River, Rhode Island: Continuing improvement, $20,000.
Improving Pawcatuck River, Rhode Island: Continuing improvement, $5,000.
Improving Connecticut River below Hartford, Conn.: Continuing improvement, $10,000.
Improving Housatonic River, Connecticut, $10,000.
Improving Thames River, Connecticut: Continuing improvement, $25,000.
Improving East Chester Creek, New York: Continuing improvement, $5,000.
Improving Hudson River, New York: Continuing improvement, $75,000; of which $10,000 may be used in dredging and otherwise deepening and improving the harbor of Peekskill.
Improving Newtown Creek and Bay, New York: Continuing improvement, $25,000, a portion of which may, in the direction of the Secretary of War, be applied to the improvement of the west branch of Newtown Creek.
Improving Ticonderoga River, New York: Continuing improvement, $2,500.
Improving Harlem River, New York, $70,000.
Improving East River and Hell Gate, New York: Removing obstructions, $250,000.
Improving Narrows at Lake Champlain, New York, from Benson, Vt., to canal locks at Whitehall, N. Y., $15,000.
Improving Grass River at Massena, N. Y., The Secretary of War is authorized and directed to expend the balance remaining on hand of the sum heretofore appropriated in dredging operations according to the original plan.
Improving Maurice River, New Jersey: Continuing improvement, $8,000.
Improving Passaic River, New Jersey: Continuing improvement, $30,000; of which $2,000 are to be used above Newark.
Improving Raritan River, New Jersey: Continuing improvement, $45,000.
Improving Shrewsbury River, New Jersey: Continuing improvement, $10,000.
Improving South River, New Jersey: Continuing improvement, $5,000.
Improving Allegheny River, Pennsylvania: Continuing improvement, $25,000.
Improving Schuylkill River, Pennsylvania: Continuing improvement, $25,000.
Improving Delaware River, Pennsylvania and New Jersey: Continuing improvement from Trenton to its mouth, $250,000; of which $10,000 is to be expended upon said river and its tidal tributaries between Cooper's Creek and Trenton.
For continuation of construction of the dam at Herr's Island, in the Allegheny River, near Pittsburgh, Pa., $35,000; and the Secretary of War is hereby authorized to purchase the lands required for said dam and its appurtenances, or, at his discretion, to cause suit to be instituted for the condemnation of such lands as may be necessary therefor; and the said sum of $35,000, or so much thereof as may be necessary, is hereby made available for paying for said lands, whether procured by purchase or by condemnation, as authorized by the act of the Legislature of Pennsylvania approved May 18, 1887.
Improving St. Jones River, Delaware: Continuing improvement, $15,000.
Improving Duck Creek, Delaware, by dredging, $10,000.
Improving Choptank River, Maryland: Continuing improvement, $7,500.
Improving Corsica River, Maryland: Continuing improvement, $10,000.
Improving Susquehanna River, Maryland and Pennsylvania: Continuing improvement, $10,000.
Improving Fairlee Creek or Inlet, Maryland, $5,000.
Improving Patuxent River, Maryland, $5,000.
Improving Appomattox River, Virginia: Continuing improvement, $15,000; and the Chief of Engineers is directed to cause to be examined and surveyed, and the cost estimated, for diverting the water of the river above the harbor at Petersburgh to the old North Channel, and report upon the same.
Improving Chickahominy River, Virginia: Continuing improvement, $2,500.
Improving James River, Virginia: Continuing improvement below Richmond, $225,000.
Improving Mattaponi River, Virginia: Continuing improvement, $3,000.
Improving channel at Mount Vernon: Continuing improvement, $6,000.
Improving Nomini Creek, Virginia: Continuing improvement, $5,000.
Improving Pamunky River, Virginia: Continuing improvement, $3,000.
Improving Rappahannock River, Virginia: Continuing improvement, $15,000; of which $3,000 may, in the discretion of the Secretary of War, be used in continuing the improvement of Urbana Creek, a tidal tributary thereof.
Improving Staunton River, Virginia: Continuing improvement, $5,000.
Improving York River, Virginia: Continuing improvement, $30,000.
Improving, by dredging and otherwise, the inland water way, from Chincoteague Bay, Virginia, to Delaware Bay, at or near Lewes, Del., to be used from Chincoteague Bay to Indian River Bay: Continuing improvement, $50,000.
Improving Nansemond River, Virginia, including the mouths of Bennett and Chuckatuck Creeks, $10,000.
Improving Big Sandy River, West Virginia and Kentucky: Continuing improvement, $31,500.
Improving Elk River, West Virginia: Continuing improvement, $1,500.
Improving Buckhannon River, West Virginia: Continuing improvement, $1,500.
Improving Great Kanawha River, West Virginia: Continuing improvement, $300,000.
Improving Guyandotte River, West Virginia: Continuing improvement, $2,000.
Improving Little Kanawha River, West Virginia: Continuing improvement, $25,000; but no toll shall be collected by any person or corporation for this improved navigation; and such right, if any exist, shall be relinquished in a manner satisfactory to the Secretary of War before the expenditure of any of the money herein appropriated for this work.
Improving Monongahela River, West Virginia: To complete dam No. 8, $35,000; and for continuing improvements:
The Secretary of War be, and he is hereby, authorized and directed to negotiate for and purchase, at a cost not to exceed $161,733.13, lock and dam No. 7, otherwise known as "the Upper Lock and Dam," and its appurtenances, of the Monongahela Navigation Company, a corporation organized under the laws of Pennsylvania, which lock and dam No. 7 and its appurtenances constitute a part of the improvements in water communication in the Monongahela River between Pittsburgh, in the State of Pennsylvania, and a point at or near Morgantown, in the State of West Virginia. And the sum of $161,733.13, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, for consummating said purchase, the same to be paid on the warrant of the Secretary of War, upon full and absolute conveyance to the United States of the said lock and dam No. 7, and its appurtenances of the said Monongahela Navigation Company.
In the event of the inability of the Secretary of War to make voluntary purchase of said lock and dam No. 7 and its appurtenances for said sum of $161,733.13, or a less sum, then the Secretary of War is hereby authorized and directed to institute and carry to completion proceedings for the condemnation of said lock and dam No. 7 and its appurtenances, said condemnation proceedings to be as prescribed and regulated by the provisions of the general railroad law of Pennsylvania, approved February 19, 1849, and its supplements, except that the United States shall not be required to give any bond, and except that jurisdiction of said proceedings is hereby given to the circuit court of the United States for the western district of Pennsylvania, with right of appeal by either party to the Supreme Court of the United States: *Provided*, That in estimating the sum to be paid by the United States the franchise of said corporation to collect tolls shall not be considered or estimated; and the sum of $5,000, or so much thereof as may be necessary, is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to pay the necessary costs of said condemnation proceedings; and upon final judgment being entered therein the Secretary of War is hereby authorized and directed to draw his warrant on the Treasury for the amount of said judgment and costs, and said amount for the payment thereof is hereby appropriated out of any moneys in the Treasury not otherwise appropriated. And when said lock and dam No. 7 and its appurtenances shall have been acquired by the United States, whether by purchase or condemnation, the Secretary of War shall take charge thereof, and the same shall thereafter be subject to the provisions of section 4 of an act entitled "An act making appropriations for the construction, repair, and preservation for certain public work on rivers and harbors, and for other purposes," approved July 5, 1884.
Improving Gauley River, West Virginia: For cleaning out channel, $3,000.
Improving New River, West Virginia: Continuing improvement from mouth of Wilson Creek to mouth of Greenbrier River, balance now available from former appropriations for improving New River, Virginia, is hereby directed to

be spent in improving said river between Ivanhoe Furnace, in Wythe County, and mouth of Wilson Creek.

Improving Cape Fear River, North Carolina, above Wilmington: Continuing improvement, $12,000.

Improving Cape Fear River below Wilmington, N. C., $100,000.

Improving Contentnia Creek, North Carolina: Continuing improvement, $5,000.

Improving Currituck Sound, Coanjok Bay, and North River Bar, North Carolina, $7,500.

Improving Neuse River, North Carolina: Continuing improvement, $15,000.

Improving New River, North Carolina: Continuing improvement, $3,000.

Improving Pamlico and Tar Rivers, North Carolina: Continuing improvement, $5,000.

Improving Trent River, North Carolina: Continuing improvement, $5,000.

Improving Roanoke River, North Carolina: Continuing improvement, $5,000.

Improving Edisto River, South Carolina: Continuing improvement, $5,000.

Improving Great Pee Dee River, South Carolina: Continuing improvement, $20,000.

Improving Salkehatchee River, South Carolina: Continuing improvement, $3,000.

Improving Santee River, South Carolina: Continuing improvement, $24,000; of which as much as may be necessary is hereby authorized to be expended in acquiring, by purchase or condemnation, the right of way for cut-offs along said river, pursuant to the plan and recommendation of the engineer in charge.

Improving Waccamaw River, North and South Carolina: Continuing improvement, $15,000.

Improving Wappoo Cut, South Carolina: Continuing improvement, $3,000.

Improving Wateree River, South Carolina: Continuing improvement, $12,000.

Improving Congaree River, South Carolina: Continuing improvement, $7,500.

Improving Mingo Creek or River, South Carolina, $5,000.

Improving Clark Creek or River, South Carolina, $2,500.

Improving Little Pee Dee River, South Carolina, $5,000.

Improving Altamaha River, Georgia: Continuing improvement, $10,000.

Improving Chattahoochee River, Georgia: Continuing improvement, $20,000.

Improving Coosa River, Georgia and Alabama: Continuing improvement, $60,000.

Improving Flint River, Georgia: Continuing improvement, $20,000; of which sum $5,000 are to be expended between Albany and Montezuma, and $15,000 below Albany.

Improving Ocmulgee River, Georgia: Continuing improvement, $15,000.

Improving Oconee River, Georgia: Continuing improvement, $12,500; a portion of which may be expended on said river between Skull Shoal and the railroad bridge.

Improving the Savannah River, Georgia, between the cities of Augusta and Savannah: Completing the present project and commencing the extended project contained in the report of engineer for year ending June 30, 1887, $21,000.

Improving Jekyl Creek, Georgia, $5,000.

Improving Apalachicola River, Florida: To maintain, $2,000.

Improving Caloosahatchie River, Florida: Continuing improvement, $4,000.

Improving Choctawhatchie River, Florida and Alabama: Continuing improvement, $10,000.

Improving Escambia and Conecuh Rivers, Florida and Alabama: Continuing improvement, $10,000.

Improving La Grange Bayou, Florida: To complete, $3,000.

Improving Manatee River, Florida: Continuing improvement, $5,000.

Improving channel over the bar at the mouth of St. John's River, Florida: Continuing improvement, $150,000.

Improving Suwanee River, Florida: Continuing improvement, $15,000, of which $10,000 is to be expended in the purchase or construction of a suitable steam snag-boat with dredging and pile-driving machinery, to be used on the rivers of the west coast of Florida.

Improving Volusia Bar, Florida: To maintain, $500.

Improving Withlacoochee River, Florida: Continuing improvement, $5,000.

Improving Alabama River, Alabama: Continuing improvement, $20,000.

Improving Black Warrior River, Alabama, from Tuscaloosa to Daniel's Creek: Continuing improvement, $100,000.

Improving Tallapoosa River, Alabama: Continuing improvement, $7,500.

Improving Warrior River below Tuscaloosa, Ala.: Continuing improvement, $18,000.

Improving Tombigbee River, Alabama, from Walker's Bridge to Fulton, $4,000.

Improving Tombigbee River, Alabama, from Fulton to Vienna: Continuing improvement, $6,500.

Improving Tombigbee River, Alabama, below Vienna: Continuing improvement, $6,000.

Improving Big Sunflower River, Mississippi: Continuing improvment, $5,000; of which $2,000 to be expended between Woodburn and Lehrton.

Improving Noxubee River, Mississippi: Continuing improvement, $5,000.

Improving Pascagoula River, Mississippi: Continuing improvement, $27,000, including bar at the mouth and from there to the mills at Moss Point.

Improving Pearl River, Mississippi, between Edinburgh and Carthage: Continuing improvement, $5,000.

Improving Pearl River, Mississippi, between Carthage and Jackson: Continuing improvement, $2,500.

Improving Pearl River, Mississippi, below Jackson, $15,000; of which $5,000 shall be used for dredging at the mouth.

Improving Steel's Bayou, Mississippi, including Washington Bayou: Continuing improvement, $2,500.

Improving Tallahatchie River, Mississippi: Continuing improvement, $5,000.

Improving Tchula Lake, Mississippi: Continuing improvement, $3,000.

Improving Yallabusha River, Mississippi: Continuing improvement, $3,000.

Improving Yazoo River, Mississippi: Continuing improvement, $32,000; of which $10,000 shall be used in repairing snag-boat Meigs, and $7 000 for constructing a pumping dredge-boat.

Improving Cassity Bayou, Mississippi, $2,500.

Improving Amite River, Louisiana: Continuing improvement, $5,000; of which $2,500 may be used in improving Bayou Manchac.

Improving Bœuf River, Louisiana: Continuing improvement and closure of outlets, $6,000.

Improving Bayou Bartholomew, Louisiana and Arkansas: Continuing improvement, $5 000.

Improving Bayou Courtableau, Louisiana: Continuing improvement, $5,000.

Improving Bayou D'Arbonne, Louisiana: Continuing improvement, $2,000.

Improving Bayou Terre Bonne, Louisiana: To complete, $3,000.

Improving Red River, Louisiana: For completion of survey from Fulton, Ark., to Atchafalaya River, $35,000.

Improving Tensas River and Bayou Macon, Louisiana: Continuing improvement, $5,000.

Improving Red River, Louisiana and Arkansas: Continuing improvement from Fulton, Ark., to Atchafalaya River, including completing the work at Alexandria, $65,000; of which $5,000, or so much thereof as may be necessary, to be used upon Cypress Bayou and the lakes between Shreveport, La., and Jefferson, Tex.; and $5,000, or so much thereof as may be necessary, upon Bayou Dorcheat.

Improving Ouachita River and Black River, Louisiana: Continuing improvement, $20,000; of which $4,500 is authorized to be expended for the construction or purchase of a crane-boat with steam power.

Improving Tickfaw River and its navigable tributaries, Louisiana: Continuing improvement, $1,000.

Improving Little River, Louisiana, $2,500.

Improving Bayous Rondeway and Vidal, Louisiana, by removing obstructions, $1,000.

Improving Calcasieu River and Passes, Louisiana: Continuing improvement at the entrance to said river and pass, $10,000.

Improving Bayou Plaquemine, Louisiana: For securing a navigable channel 60 feet wide and 6 feet in depth, from deep water up to the Plaquemine dike, and for securing the mouth of the bayou from further caving, $100,000, pursuant to plan recommended by the engineers.

Improving Bayou Lafourche, Louisiana, pursuant to the project of Lieut. G. T. Crosby, Corps of Engineers, dated June 11, 1886, $50,000, including immediate dredging to secure low-water navigation.

Improving Buffalo Bayou, Texas: Continuing improvement, $25,000.

Improving Trinity River, Texas: Continuing improvement, $12,500.

Improving Arkansas River, Arkansas: Continuing improvement, $150,000: *Provided*, That the Secretary of War shall expend the appropriation under this head with reference to the final improvement of this river as contemplated in the report of the Chief of Engineers for the year ending July 1, 1885, and as authorized in the bill for the improvement of rivers and harbors approved August 5, 1886, and in House Executive Document No. 50, Fifty-ninth Congress, first session; said methods to be applied, as the Secretary of War may direct, at such points between Wichita, Kans., and the navigable mouth of the Arkansas River, at its junction with the Mississippi River, as he may deem for the best interest of commerce. And all moneys now to the credit of different sections of the Arkansas River, other than appropriations for the operating of snag-boats, shall be available for use under this head; and in future the engineer in charge of this work and the Secretary of War shall make report upon the progress and needs of this work under this head, instead of reporting upon disconnected projects, as heretofore. Nothing herein contained shall be understood to prevent the Secretary of War from applying any part or all of the funds previously appropriated for use at Fort Smith, Dardanelle, in Pine Bluff Reach, or from expending not exceeding $4,000 to remove the bar in front of Van Buren, or from allotting not exceeding $8,000 as a contingent fund for the expenditure in Pine Bluff Reach.

Improving St. Francis River, Arkansas: Continuing improvement, $4,000.

Improving Arkansas River, Arkansas: For removing obstructions, $25,000; of which $10,000 is authorized to be used in constructing a new hull for the snag-boat Wichita, including capstans and the transfer of the upper works and $375 in completing survey and maps.

Improving Red River, Arkansas, above Fulton, $3,000.

Improving Black River, Arkansas and Missouri: Continuing improvements, $5,000.

Improving Little Red River, Arkansas: Continuing improvement, $5,000; a portion of which is authorized to be expended in the purchase or construction of a dredge-boat suitable for the work of the river.

Improving Petit Jean River, Arkansas: Continuing improvement below the iron bridge at the Rocky Crossing, $2,500.

Improving White River, Arkansas: Continuing improvement, $8,000.

Improving Ouachita River, Arkansas, above Camden, $5,000.

Improving Cache River, Arkansas, $7,000.

Improving Big Hatchee River, Tennessee: Continuing improvement, $5,000.

Improving Caney Fork River, Tennessee: Continuing improvement, $2,500.

Improving Clinch River, Tennessee: Continuing improvement, $5,000.

Improving Cumberland River, Tennessee and Kentucky: Continuing improvement above Nashville, $200,000; with a view to secure a uniform depth in the channel of 4 feet, commencing with the lock at or near the lower island at Nashville.

Improving Cumberland River, Tennessee and Kentucky, below Nashville: Continuing improvement, $10,000.

Improving French Broad River, Tennessee: Continuing improvement, $10,000.

Improving Hiawassee River, Tennessee: Continuing improvement, $1,000.

Improving Forked Deer River, Tennessee: Continuing improvement, $4,500 for the North Fork, below Dyersburgh; $2,500 for South Fork; and $2,500 for main river below.

Improving Tennessee River above Chattanooga, Tenn.: Continuing improvement, $15,000.

Improving Tennessee River below Chattanooga, Tenn.: Continuing improvement, $250,000; of which as much as may be necessary is authorized to be expended in acquiring by purchase or condemnation the land needed for the sites of the permanent buildings necessary in the management of the canals at the improved shoals.

Improving South Fork of Cumberland River, Kentucky: Continuing improvement, $5,000.

Improving Kentucky River, Kentucky: Continuing improvement, $180,000.

Improving Licking River, Kentucky, from Farmer's to West Liberty, $3,000.

Improving Tradewater River, Kentucky: Continuing improvement, $3,000.

Improving the Ohio River: Continuing improvement, $380,000; of which sum, $25,000, or so much thereof as may be necessary, shall be expended in removing the rock obstruction at the mouth of Licking River; also $7,500 in constructing an ice-pier pursuant to the present or prospective plan of the Chief of Engineers, at or near Portsmouth, Ohio: *Provided*, That the Secretary of War is hereby authorized and directed to obtain, if he can do so without cost to the United States, a perpetual lease or conveyance of the riparian rights of the property owners at said locality, in the event said ice-pier shall be located where there is no landing place: *And provided further*, That at said locality, if it be an improved landing, he shall first obtain a relinquishment of wharfage rights and dues in favor of water craft seeking protection from damage by ice; and no part of this appropriation shall be used for such purpose until the foregoing conditions are complied with; and $2,500 of said Ohio River appropriation may be used for improving the channel in the mouth of the Big Hocking River below the first dam therein; and $20,000 of said Ohio River appropriation may be used for harbor improvement at Madison, Ind., according to the plans heretofore submitted by Lieutenant-Colonel Merrill, Corps of Engineers; also out of said Ohio River appropriation the sum of $15,000 may be expended in completing the construction of the embankment on the south side of the Great Miami River near its junction with the Ohio, to confine the waters of the Great Miami in great floods to the general course of its channel at or near the Ohio, to the end that the formation of the bar in the Ohio now obstructing navigation may be arrested; also out of said Ohio River appropriation the sum of $15,000 may be expended in the construction, or aiding in the construction, of such an embankment at Shawneetown, Ill., as will confine the waters of the river in great floods to the general course of its channel and protect the harbor.

Improving the falls of the Ohio River: Continuing improvement, according to the last plan of the engineer in charge, $150,000; of which sum $25,000 shall be used in enlarging the canal basin near the locks at Louisville, Ky., as recommended in the Engineer's Report of 1885, page 1804.

Improving Indiana Chute Fall, Ohio River: Continuing improvement, $15,000.

Improving Muskingum River, Ohio: For the construction of a lock at Taylorsville and the reconstruction of the lock at Zanesville, pursuant to the report of the engineers, $102,000; and the Secretary of War is hereby authorized and

empowered to grant leases or licenses for the use of the water-powers on the Muskingum River at such rate and on such conditions and for such periods of time as may seem to him just, equitable, and expedient: *Provided*, That the leases or licenses shall be limited to the use of the surplus water not required for navigation. And he is also empowered to grant leases or licenses for the occupation of such lands belonging to the United States on said Muskingum River as may be required for mill-sites or for other purposes not inconsistent with the requirements of navigation; and all moneys received under such leases or licenses shall be turned into the Treasury of the United States, and the itemized statement thereof shall accompany the annual report of the Chief of Engineers.

But nothing in this act shall be construed to affect any vested right, if such there be, of any lessee of water-power on said river.

Improving Detroit River, Michigan: To complete, $130,500.

Improving Hay Lake Channel, Michigan: Continuing improvement, $500,000: *Provided*, That any portion, or all of this sum may, in the discretion of the Secretary of War, be used in the work at the falls of the St. Mary's River, in addition to the specific appropriation herein made for the latter.

Improving Saginaw River, Michigan: Continuing improvement, $65,000; of which $25,000 are to be used above Bay City, and $15,000 in improving the west channel along West Bay City.

Improving St. Clair Flats Ship Canal, Michigan: Continuing improvement, $50,000; a portion of which may, in the discretion of the engineer, be expended in dredging Grosse Pointe Channel.

Improving St. Mary's River, at the Falls, Michigan: Continuing improvement on new lock, dam, and approaches, $1,000,000.

Improving Clinton River, Michigan: Continuing improvement, $10,000; and the Secretary of War be, and is hereby, authorized to accept for the United States a conveyance of the parcel of land known as "Shoemaker's Bend," as per warranty deed from city of Mount Clements to United States, under date of December 29, 1887, amounting to 6¾ acres, for the purpose of straightening the channel of Clinton River.

Improving St. Joseph River, Michigan, from its mouth to Berrien Springs, $2,500.

Improving mouth of Black River, Michigan, $10,000.

Improving Rouge River, Michigan, at its junction with Detroit River, and up the river as far as the bridge of St. Louis and Wabash Railroad, $10,000.

Improving Chippewa River, including Yellow Banks, in said river, Wisconsin: Continuing improvement, $10,000.

Improving Fox River, Wisconsin, below Montello: Continuing improvement, $100,000.

Improving St. Croix River, Wisconsin and Minnesota: Continuing improvement, $7,500.

Improving Red River of the North, Minnesota: Continuing improvement, $20,000.

Improving Minnesota River, Minnesota; including protecting and holding the banks opposite the borough of Belle Plaine, so as to prevent the river from cutting the narrow neck of land at that point and thereby changing its channel and course, $10,000.

Improving Wabash River, Indiana and Illinois, above Vincennes: Continuing improvement, $5,000.

Improving Wabash River, Indiana and Illinois, below Vincennes: Continuing improvement, including the work at or near Grayville, $60,000.

Improving White River, Indiana: Continuing improvement, $5,000; no part of which is to be expended until the bridges are so changed as not to obstruct navigation.

Improving Calumet River, Illinois and Indiana: Continuing improvement, $50,000; of which $15,000 is to be used in improving the river above the Forks to one-half mile east of Hammond, and $35,000 for the improvement of the river between its mouth and One hundred and eighth street.

The amount heretofore appropriated for the improvement of said Calumet River from its mouth to its Forks, or so much thereof as may be necessary, shall be immediately available for the improvement between its mouth and One hundred and eighth street, anything in the act of July 5, 1884, and August 5, 1886, to the contrary notwithstanding.

Improving Illinois River, Illinois: Continuing improvement, $200,000.

For continuing operations upon the reservoirs at the headwaters of the Mississippi River, $12,000, to be expended in accordance with the recommendation of the Board of Engineers in their report to the Chief of Engineers, dated May 24, 1887. And it shall be the duty of the Secretary of War to prescribe such rules and regulations in respect to the use and administration of said reservoirs as in his judgment the public interest and necessity may require; which rules and regulations shall be posted in some conspicuous place or places for the information of the public. And any person knowingly and willfully violating such rules and regulations shall be liable to a fine not exceeding $500, or imprisonment, not exceeding six months, the same to be enforced by prosecution in any district court of the United States within whose territorial jurisdiction such offense may have been committed. And the Secretary of War shall cause such gaugings to be made at or near St. Paul during the annual operation of said reservoirs as shall determine accurately the discharge at that point, the cost of same to be paid out of the annual appropriation for gauging the waters of the Mississippi River and its tributaries.

For operating snag-boats and dredge-boats on the Upper Mississippi River, $25,000.

Improving the Mississippi River from the landings on the west bank below the Washington avenue bridge, Minneapolis, to the Des Moines Rapids, including work for the protection of the bank of the Mississippi River at Winona, Minn., on account of the erosion caused by dams erected above the city to improve the navigation of the river, and the examination and survey at the Rock Island Rapids in said river hereinafter mentioned: Continuing improvement, $650,000.

And inasmuch as the present channel of the Mississippi River at the Rock Island Rapids is said to be of insufficient width and depth, and dangerous to the navigation of said river, the Secretary of War is hereby authorized and directed to cause an examination and survey to be made at said rapids, with the view of determining the best and most economical mode of securing a safer channel of greater width and depth, sufficient to meet the necessities of the commerce and navigation of the river, either by the construction of a canal around said rapids on the Illinois side of said river, from the head of the rapids near Rapids City, Ill., on the most direct and feasible route to the main river, at the foot of said rapids, or by widening and deeping the present channel of the river at said rapids. And the Secretary of War shall cause a report of said examination and survey to be made to Congress at its next session, together with plans and estimates of the probable cost for the construction of such canal, or for the widening and deepening of the present navigable channel of the river, and, with such plans and estimates, shall submit his opinion as to the best and most economical plan of improving the river at said rapids in the interest of the commerce and navigation of the river, and for the purpose of such examination and survey, so much of the above appropriation of $650,000 as may be necessary is hereby authorized to be expended, not to exceed $15,000.

Improving the Mississippi River at Des Moines Rapids Canal, under the modified project, $35,000; and the Secretary of War is hereby authorized and directed to use so much of the money appropriated in the acts of July 5, 1884, and August 5, 1886, for the construction of a pier at the outer wall of the Des Moines Rapids Canal as may be necessary in the establishment of a floating boom, connecting said wall with the upper draw-rest of the bridge at Keokuk, if in his opinion such work would adequately and advantageously serve the interests of navigation; and the balance left over of said appropriations of 1884 and 1886, if any, to be used in continuing the improvement of the Des Moines Rapids under present project.

Improving Mississippi River from Des Moines Rapids to the mouth of Illinois River, $150,000, including the removal of bars at the mouth of Cedar Creek, in Quincy Bay, dredging in said bay, opening Willow Slough, and removing the bars at the mouth of Whipple Creek and Hamburgh Bay, if in the opinion of the Secretary of War the same is deemed advisable in the interest of commerce and navigation.

Improving dry-dock at Des Moines Rapids: To complete, $16,250.

Improving the Mississippi River from the mouth of the Illinois River to the mouth of the Ohio River, including the completion of the work at Alton, and at the discretion of the Secretary of War, the protection of the Illinois shore opposite the mouth of the Missouri River: Continuing improvement, $300,000.

Improving Mississippi River from Head of the Passes to the mouth of the Ohio River: Continuing improvement, $2,000,000; which sum shall be expended under the direction of the Secretary of War in accordance with the plans, specifications, and recommendations of the Mississippi River Commission: *Provided*, That no portion of this appropriation shall be expended to repair or build levees for the purpose of reclaiming lands or preventing injury to lands or private property by overflows: *Provided, however*, That the commission is authorized to repair and build levees if in their judgment it should be done as part of their plans to afford ease and safety to the navigation and commerce of the river and to deepen the channel. Of the foregoing sum $150,000, or so much thereof as shall be necessary, shall be expended in protecting the bank along the Lake Bolivar front by revetment.

Improving the Mississippi River above St. Anthony's Falls, $10,000.

For survey of the Mississippi River from the Head of the Passes to its headwaters: Continuing survey, $75,000.

For continuing the removal of snags, wrecks, and other obstructions in the Mississippi River, $100,000.

For work in accordance with the plans and specifications of the Mississippi River Commission—

At Columbus, Ky.: Continuing improvement, $25,000.

At Hickman, Ky.: Continuing improvement, $70,000.

At Greenville, Miss.: Continuing improvement, $75,000.

At Vicksburg, Miss.: Continuing improvement, $150,000.

At New Orleans, La.: Continuing improvement, $200,000.

At the head of the Atchafalaya and mouth of Red River, Louisiana, for rectification thereof, by preventing further enlargement of the Atchafalaya and restricting its outlet capacity, for turning the waters of the Red River into the north or upper channel around Turnbull's Island, and for keeping open a navigable channel through the mouth of Red or Old River into the Mississippi.

For gauging the waters of the Lower Mississippi River and its tributaries as provided for in joint resolution of 21st of February, 1871, $9,600: *Provided*, That $3,600 of same is authorized to be expended in paying the expenses of gauging the said waters during the fiscal year ending June 30, 1888.

For examinations and surveys at South Pass, mouth of Mississippi River, pursuant to act of March 3, 1875, $10,000.

Improving Gasconade River, Missouri: Continuing improvement, $5,000.

Improving Little River, Missouri, from Hornersville to its junction with the St. Francis River, $5,000.

Improving Osage River, Missouri: Continuing improvement, $5,000.

Improving St. Francis River, Missouri, from Greenville to the Arkansas State Line, $3,500.

Improving Missouri River from the mouth to Sioux City, to be expended under the direction of the Secretary of War in accordance with the plans and estimates of the Missouri River Commission: Continuing improvement, $550,000; and, at the discretion of the commission, so much of said sum as may be deemed necessary in the interest of the navigation of the river may be expended at Atchison and Fort Leavenworth; and the sum of $5,000 may be used between the southern limit of St. Joseph and the head of Lake Contrary, if in the judgment of the commission it be advisable.

Improving Missouri River from Sioux City to Fort Benton, including, at the discretion of the Secretary of War, such work as may be deemed necessary by him in the improvement of the river at Sioux City: Continuing improvement, $75,000.

For removing obstructions in the Missouri River $44,000.

For examination and survey of Missouri River: Continuing survey, examinations, and observations required in a thorough study of the river, $25,000; and the balance of $15,000 remaining on hand from a previous appropriation for a survey of the Missouri River above the Missouri River Falls, at Fort Benton, is hereby made available for the general survey of the river.

Improving Mokelumne River, California: Removing obstructions, $2,000.

Improving Sacramento and Feather Rivers, California: Continuing improvement, $20,000; to be expended for snagging and dredging operations.

Improving Napa River, California, $7,500.

Improving San Joaquin River, California: Continuing improvement, $25,000; a portion of which may be used, in the discretion of the engineer, in closing Laird's Slough and in making the partial closure of what is called "Paradise Cut."

Improving Petaluma Creek, California: Continuing improvement, $2,000.

Improving canal at the Cascades, Oregon: Continuing improvement, $175,000.

Improving Upper Columbia River, including Snake River, Oregon and Washington Territory: Continuing improvement, $1,000.

Improving the mouth of the Columbia River, Oregon: Continuing improvement, $350,000.

Improving Lower Willamette and Columbia Rivers below Portland, Oregon: Continuing improvement, $80,000.

Improving Willamette River above Portland, Oregon: Continuing improvement, $15,000.

Improving Coquille River, Oregon: Continuing improvement $22,000; of which $2,000 is authorized to be expended for snagging between Coquille City and Myrtle Point.

Improving Umpqua River, Oregon: To complete, $2,000.

Gauging waters of the Columbia River, Oregon, for fiscal years ending June 30, 1888, and June 30, 1889, $2,500.

Improving Chehalis River, Washington Territory: Continuing improvement, $2,000.

Improving Cowlitz River, Washington Territory: Continuing improvement, $2,500.

Improving Skagit, Stielaquamish, Nootsack, Snohomish, and Snoqualmie Rivers, Washington Territory: Continuing improvement, $15,000; of which $5,000 shall be used for a snag-boat and outfit.

The Secretary of War is hereby directed to establish and maintain public moorings for the protection of shipping in the open and exposed ports on the northern coast of California, one each at Fort Ross, Fish's Mill, Fish Rock, Shelter Cove, Trinidad, and other appropriate places, as may be deemed advisable by him; the cost thereof to be paid out of the unexpended balance appropriated March 3, 1879, for the establishment of a harbor of refuge on the Pacific coast.

SEC. 2. That whenever complaint shall be made to the Secretary of War that by reason of the placing in any navigable waters of the United States of any

bridge pier or abutment, the current of such waters has been so deflected from its natural course as to cause by producing caving of banks or otherwise serious damage or danger to property, it shall be his duty to make inquiry, and if it shall be ascertained that the complaint is well founded, he shall cause the owners or persons operating such bridge to repair such damage or prevent such danger to property by such means as he shall indicate and within such time as he may name, and in default thereof the owners or persons operating such bridge shall be liable in any court of competent jurisdiction to the persons injured in a sum double the amount of said injury: *Provided, however*, That nothing herein contained shall be construed so as to affect any rights of action which may exist at the time of the passage of this act.

SEC. 3. That it shall be the duty of the Secretary of War to apply the money herein and hereafter appropriated for improvements of rivers and harbors, other than surveys, estimates, and gauging, in carrying on the various works, by contract or otherwise, as may be most economical and advantageous to the Government. Where said works are done by contract, such contract shall be made after sufficient public advertisement for proposals, in such manner and form as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders, accompanied by such securities as the Secretary of War shall require, conditioned for the faithful prosecution and completion of the work according to such contract.

SEC. 4. That for the purpose of securing the uninterrupted examinations and surveys at the South Pass of the Mississippi River, as provided for in the act of March 3, 1875, the Secretary of War, upon the application of the Chief of Engineers, is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate for each year the amount appropriated in this act for such purpose: *Provided, however*, That an itemized statement of said expenditures shall accompany the annual report of the Chief of Engineers.

SEC. 5. That the Secretary of War be, and he is hereby, authorized to make such rules and regulations for the navigation of the South Pass of the Mississippi River as to him shall seem necessary or expedient for the purpose of preventing any obstruction to the channel through said South Pass and any injury to the works therein constructed. The term "South Pass," as herein employed, shall be construed as embracing the entire extent of channel between the upper ends of the works at the head of the pass and the outer or sea end of the jetties at the entrance from the Gulf of Mexico; and any person who shall willfully violate any rule or regulation made by the Secretary of War in pursuance of this act shall be guilty of a misdemeanor, and, on conviction thereof, shall pay a fine not exceeding $500 and undergo an imprisonment not exceeding six months, at the discretion of the court.

SEC. 6. That for the purpose of securing the uninterrupted gauging of the waters of the Lower Mississippi River and its tributaries, as provided for in joint resolution of the 21st of February, 1871, upon the application of the Chief of Engineers, the Secretary of War is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate for each year the amount appropriated in this act for such purpose: *Provided, however*, That an itemized statement of said expenses shall accompany the annual report of the Chief of Engineers.

SEC. 7. That for the purpose of securing the uninterrupted work of operating snag-boats on the Upper Mississippi River and of removing snags, wrecks, and other obstructions in the Mississippi River, the Secretary of War, upon the application of the Chief of Engineers, is hereby authorized to draw his warrant or requisition from time to time upon the Secretary of the Treasury for such sums as may be necessary to do such work, not to exceed in the aggregate for each year the amounts appropriated in this act for such purposes: *Provided, however*, That an itemized statement of said expenses shall accompany the annual report of the Chief of Engineers.

SEC. 8. That the Secretary of War shall cause the manuscript of the annual report of the Chief of Engineers and subordinate engineers, relating to the improvement of rivers and harbors, and the report of the Mississippi and Missouri River Commissions to be placed in the hands of the Public Printer on or before the 15th day of October in each year, and the Public Printer shall cause said reports to be printed, with an accurate and comprehensive index thereof, on or before the first Monday in December in each year, for the use of Congress.

SEC. 9. That whenever the Secretary of War shall have good reason to believe that any railroad or other bridge now constructed, or which may hereafter be constructed, over any of the navigable water ways of the United States is an obstruction to the free navigation of such waters, by reason of insufficient height, width of span, or otherwise, or where there is difficulty in passing the draw-opening or the raft-span of such bridge by rafts, steam-boats, or other water craft, it shall be the duty of the said Secretary to give notice to the persons or corporations owning or controlling such bridge to so alter the same as to render navigation through or under it free, easy, and unobstructed; and in giving such notice he shall prescribe in each case a reasonable time in which such alteration is to be made. If, at the end of such time, the alteration has not been made, the Secretary of War shall forthwith apprise the Attorney-General of the United States, whose duty it shall be to institute suit, in the name of the United States, without delay, in the circuit or district court of the United States for the circuit in which such bridge is located, which court is hereby invested with jurisdiction for this purpose, to recover from the owners or managers of such bridge the fines mentioned in the succeeding section of this act.

SEC. 10. That the owner or owners or manager or managers of any railroad or other bridge obstructing the free navigation of any navigable water way of the United States who shall willfully fail or refuse to remove the same, or to cause the necessary alterations to be made in the same so as to render navigation through or under it free, easy, and unobstructed to rafts, steam-boats, or other water craft, after receiving notice to that effect from the Secretary of War and within the time prescribed by him, shall be subject to a fine as penalty therefor of $500 per month for the time he or they are in default, and the amount so recovered shall be placed to the credit of the improvement fund of the waterway obstructed by such bridge.

SEC. 11. That the Secretary of War is hereby directed, at his discretion, to cause examinations or surveys, or both, to be made, and the cost of improvement to be estimated at the following localities, to wit: In the States of—

ARKANSAS.

Ouachita River, Louisiana and Arkansas, from its mouth to head of navigation, to determine the advisability and probable cost of its permanent improvement.

ALABAMA.

The Secretary of War is hereby authorized and directed to cause a survey to be made for the location of a channel in and along the Coosa River, in Alabama, from the rapids at Wetumka to connect with the improvements already completed on said river above the Ten Islands, and to direct the engineer making the survey to report as to the most feasible, economical, and suitable plan for making such improvement.

Warrior River, from Tuscaloosa to Demopolis, for deepening and widening the channel, with a view of the easy transportation of coal.

Sipsey River, from the Tombigbee River at Vienna to Texas, with a view of easy transportation of coal.

Choctawhatchee, for low-water navigation.

CALIFORNIA.

San Buenaventura Harbor.
Eel River, entrance and inside bars to head of navigation.
Klamath River, entrance and inside bars to head of navigation.
San Simeon Bay.

CONNECTICUT.

Mystic River.
New London Harbor.
Black Rock Harbor, for breakwater to Pentfield Reef and south from Fairweather Island.

ARIZONA.

Colorado River, between Camp Mojave and Eldorado Cañon.

DELAWARE.

Nanticoke River, from Seaford to Concord.
Mahon River.
Prime Hook Creek.

DAKOTA.

Ice-harbor at or near Bismarck, on the Upper Missouri River.

FLORIDA.

St. Andrew's Bay.
Chipola River, from its mouth to Marianna.
St. Mark's River and bar at its mouth.
Crystal River and bar at its mouth.
Alafia River and bar at its mouth.
Sarasota Bay.
The channel between Tampa Bay and Old Tampa Bay.

GEORGIA.

Flint River, rock reef at Albany and above.

INDIANA.

Grand Calumet River, beginning one-half mile east of Hammond, and thence eastward to Lake Michigan.

ILLINOIS.

Grand Calumet River.
Illinois and Des Plaines Rivers, from the city of La Salle to Lake Joliet, with a view to the improvement of said rivers.

IOWA.

Moline City Harbor.

LOUISIANA.

Bayou Teche, from mouth to St. Martinsville.
Atchafalaya River, from Berwick's Bay to Gulf of Mexico, to secure a channel of 20 feet depth.
Mouth and Passes of Calcasieu River.
Bayou Terrebonne, for continuing dredging 3 miles above Houma.
Harbor of Baton Rouge.
Tangipahoa River.
Bayou Dorcheat, from Lake Bisteneau to the Arkansas line.
Tchefuncta and Bogue Falia.
Bayou Chitta.
Bayou des Glaises, with a view of establishing locks.
Bayou St. John, from head of navigation to Lake Pontchartrain.
Bayou Lafourche, from Donaldsonville to Gulf.

MARYLAND.

Eastern Branch of the Potomac River.
Wicomico River.
North East River.
Manokin River.
Warwick River.
Wetypkin River.
Chester River, between Crumpton and Jones' Landing.
South East River.
La Trappe River.
Still Pond Harbor.
Tuckahoe River.
Sassafras River.
Elk River.

MASSACHUSETTS.

Taunton River.
Cohasset Harbor.
Weymouth River.
Goose Point Channel, Plymouth Harbor, to public wharf at Kingston.
Weir River.
Salem Harbor, including South River.
Beverly Harbor.
Cranes and Waters Rivers of Essex Branch.
Martha's Vineyard, inner and outer harbor at Edgarton.
Stage Harbor at Chatham.
West Branch of Westport River.

MISSISSIPPI.

Gulf Port Harbor, with a view to obtaining a 20-foot channel 200 feet wide to approach the shore as near as practicable.
Leaf River, from its mouth to the mouth of Bonnie River.
Chickasahay River, from its mouth to Enterprise.
Bluff Creek, from its mouth to the head of navigation.
Tombigbee, between Vienna and Cotton Gin, with a view of obtaining continuous navigation.
Bogue Phalia, especially the part known as the Narrows, with view to its improvement.

MINNESOTA.

Duluth.

MICHIGAN.

False Presque Isle Harbor, Lake Huron, for a harbor of refuge.
Au Gres River, to deepen channel to Village of Au Gres to 10 feet in depth.
Black River, Lake Superior, to deepen channel to depth of 16 feet and constructing a breakwater.
Detroit River, at Gross Point, to dredge channel now in use to depth of 20 feet.
Petoskey Harbor, for breakwater and harbor of refuge.
Thunder Bay River, for 16-foot channel from mouth to 1 mile above.
Au Sable River, at Au Sable, with view of 12-foot channel and breakwater.
Port Austin, for breakwater.
Lexington, for breakwater.
Forestville, for breakwater.
Black River, at Port Huron, to deepen channel from mouth to Grand Trunk Railroad bridge to depth of 18 feet.
Pine River, at St. Clair City, to deepen channel from mouth to Belknap's brick-yard to depth of 16 feet.
Quanicassee River, to deepen channel from mouth to village of Sebewaing to 12 feet.
Port Sanilac, for harbor of refuge.

Saugatuck Harbor, to obtain channel of navigable width, with a minimum depth of 15 feet and reconstructing piers.
Monroe Harbor, to deepen channel to 16 feet.
Grand River, from Grand Rapids to Lake Michigan: For channel of navigable width, minimum depth of 10 feet.
Algonac, on St. Clair River, with view of uniting north and south channels between Clark and Harsems Islands.

MAINE.

Belfast Harbor.
Union River.
Harrisseckett River.

MISSOURI.

Clarkesville Harbor.
St. Louis Harbor.
Grand River.

NEW MEXICO.

Rio Grande River from Embudo to El Paso, Tex.

NEW YORK.

Water way round Niagara Falls, of capacity and facilities sufficient to float merchant ships and ships of war of modern build, drawing 20 feet of water. said water way to commence in a navigable part of Niagara River, in Niagara County, at or near Tonawanda, and to end in the navigable waters of said river below said falls, or the navigable waters connected therewith. For the purposes hereof the Secretary of War, in his discretion, may take into consideration and revise the surveys and estimates of such a water way heretofore made by Bvt. Col. C. E. Blunt, of the United States Corps of Engineers, in compliance with a joint resolution of Congress approved March 22, 1867.
Plattsburgh: For extension of 300 feet on north end of the breakwater.
Fort Pond Harbor, Montauk.
East Rockaway Creek, Long Island.
Brown's Creek, Saysville.
Port Jefferson Inlet.
Wappinger's Creek, from Wappinger's Falls to its mouth.
Tarrytown Harbor.
East Rockaway Creek.
Salmon River, from railroad bridge at Fort Covington to the international line, with a view of deepening the channel to 7 feet.
Black River, from Brownville to Lake Ontario.
Cape Vincent Harbor, to establish a breakwater.
Shoals between the Sister Islands and the cross-over light in St. Lawrence.
Larchmont Harbor.
A ship channel between Jersey City and Ellis Island.
Harbor of refuge at Frontberg, on the south shore of Lake Ontario.
Genessee River, from a point south of the present harbor and above the village of Charlotte, extending southerly a distance about 3,000 feet.
Channel connecting Irondequoit Bay with Lake Ontario, for harbor of refuge at Irondequoit Bay.
Harbor at Troutberg.
Harbor, mouth of Salmon River, Lake Ontario.
Lake George, with view of placing buoys and improving channel.

NEW JERSEY.

Alloway Creek.
Little Salem Creek.
Hackensack River, from the lower bridge at the town of Hackensack to the Erie Railway bridge.

NORTH CAROLINA.

Trent River, from Trenton to upper free bridge.
Fishing Creek.
Shallotte River.
Swift Creek.
White Oak River.
North East River (Cape Fear).
Water way between New River and Swansborough.

OHIO.

Conneaut Harbor, for deepening and widening channel.
Cowles Creek or Geneva.
Mouth of Chagrin River, near Willoughby.
Muskingum River, from Zanesville to Dresden.

OREGON.

Siuslaw River and bar.
Tillamook Bay and bar.
Columbia River, between The Dalles and Celilo, with a view to a boat-railway to aid transportation.
Nehalem Bay and bar.
Young's River and its tributary, Klaskuine River.

TEXAS.

For removal of raft on Gaudaloupe River.
Mouth of Caney Creek, where it empties in Matagorda Bay.
Removal of bar at mouth of Cedar Bayou where it empties into Galveston Bay.

TENNESSEE.

Lower Cumberland River, from Nashville to mouth, to ascertain if necessary to establish locks and dams.

RHODE ISLAND.

Fishing Place Cove, near Seaconnet Point, with view to constructing a breakwater.
Cove near southeast extremity of Coaster's Harbor Island, and water way between said island and Rhode Island, with a view to deepening the water way and removing obstructions.
Entrance to Point Judith Pond, west of Point Judith, with a view of establishing a harbor of refuge.
Coast near life-saving station, East Point Judith, with a view of constructing a breakwater.
Greenwich Bay, to deepen water on the bar at Long Point.

VIRGINIA.

Quantico Creek.
Occoquan Creek.
Acquia Creek.
Chickahominy River.
Onancock Harbor.
Hampton Creek and bar.
For cutting of Hospital Point and giving a depth of 25 feet and an additional width of 200 feet.
Chuckatuck Creek.
Bennett's Creek.
Ware River.
Hull's Creek.
Occobannock.
Roanoke River, between Clarksville and Eaton Falls.

NEW YORK.

Great Chazy River from its mouth on Lake Champlain to Champlain Village.

WEST VIRGINIA.

Cheat River.
Monongahela River above upper dam.
Great Cacapan.

WASHINGTON TERRITORY.

Upper Columbia River, between Wallula and British line.

WISCONSIN.

Centerville Creek, Manitowoc County.
Racine Harbor: Enlarging and deepening the channel.
Kenosha Harbor: For refuge.
Aconto Harbor: Channel 15 feet deep and 75 feet wide from piers to front contour in river at Spies Slough.

SEC. 12. For examinations, surveys, and contingencies, and for incidental repairs, for which there is no special appropriation, for rivers and harbors, $75,000: *Provided* That no survey shall be made of any harbors or rivers until the Chief of Engineers shall have directed a preliminary examination of the same by the local engineer in charge of the district, or an engineer detailed for the purpose, and such local or detailed engineer shall report to said Chief of Engineers whether, in his opinion, said harbor or river is worthy of improvement, and shall state in said report fully and particularly the facts and reasons on which he bases such opinion, including the present and prospective demands of commerce; and it shall be the duty of the Chief of Engineers to direct the making of such survey if, in his opinion, the harbor or river proposed to be surveyed be worthy of improvement by the General Government; and he shall report to the Secretary of War the facts, and what public necessity or convenience may be subserved thereby, together with the full reports of the local engineer. Said reports of preliminary examinations and surveys shall be made to the House of Representatives, and are hereby ordered to be printed when so made.

The SPEAKER *pro tempore*. Is a second demanded?

Mr. SOWDEN. I demand a second.

The SPEAKER *pro tempore*. A second is demanded. The Chair will appoint to act as tellers the gentleman from Pennsylvania [Mr. SOWDEN] and the gentleman from Louisiana [Mr. BLANCHARD].

Mr. BLANCHARD. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. ANDERSON, of Kansas. I object.

The House divided; and the tellers reported—ayes 153, noes 14.

The SPEAKER *pro tempore*. A second is ordered. Fifteen minutes being allowed, under the rule, for debate on each side, the Chair will recognize the gentleman from Louisiana [Mr. BLANCHARD] to control the time in favor of the bill, and the gentleman from Pennsylvania [Mr. SOWDEN] to control the time in opposition to it.

Mr. BLANCHARD. Mr. Speaker, the bill which has just been read contains the amendments which the Committee of the Whole House voted in. They are two or three in number. I refer to the amendment offered by the gentleman from Pennsylvania [Mr. RANDALL], relating to the harbor of Philadelphia, and the amendment offered by the gentleman from Florida [Mr. DOUGHERTY], relating to the harbor of St. Augustine. Other than those two amendments there is no increase in the aggregate over the amount in the bill which was considered by the Committee of the Whole, except a single item, an addition to the appropriation for the harbor at Cleveland, Ohio. The House will remember that when we last considered the river and harbor bill in the regular way the gentleman from Ohio [Mr. FORAN] had offered an amendment increasing the amount for the harbor of Cleveland from $75,000 to $150,000. On a rising vote his amendment was adopted. I called for tellers, and while the vote was being taken by tellers, I offered to the gentleman from Ohio [Mr. FORAN] that if he would make his amendment $25,000 instead of $75,000, making the total appropriation for the harbor of Cleveland $100,000, instead of $150,000 as proposed by him, I would consent to it. The gentleman from Ohio has agreed to that, and the bill which is now offered for passage contains that additional $25,000 for the harbor of Cleveland. With that exception it does not contain one dollar more than the bill which was considered by the Committee of the Whole.

Mr. ANDERSON, of Kansas. Will the gentleman yield for a question for information?

Mr. BLANCHARD. Certainly.

Mr. ANDERSON, of Kansas. Did the gentleman from Ohio [Mr. FORAN] agree to that at the time, before the House adjourned, or has that agreement been made since?

Mr. BLANCHARD. The agreement has been made since then, but it was pending at the time when the House adjourned on that day in consequence of there being no quorum.

Mr. ANDERSON, of Kansas. Will the gentleman permit another question?

Mr. BLANCHARD. I will yield for one more, but I can not yield beyond that.

Mr. ANDERSON, of Kansas. I do not ask to be yielded to except for a question for information.

Mr. BLANCHARD. I yield.

Mr. ANDERSON, of Kansas. Is it not true, then, that so far as the Cleveland item is concerned, the bill upon which the House is called to vote to-day is neither the bill of the committee nor the one which was amended here? The committee's bill gave Cleveland $75,000. Cleveland asked for $150,000. And is it not true that since the House adjourned that day the appropriation for that harbor has been made $100,000 in this bill?

Mr. BLANCHARD. I repeat that the bill which is now offered to the House contains an increase of only $25,000 over the bill as it stood

when the House last considered it in Committee of the Whole. That is the only increase in the aggregate of the bill.

Mr. ANDERSON, of Kansas. But it is not exactly the same bill?

Mr. BLANCHARD. That is the only increase in the aggregate.

Mr. ANDERSON, of Kansas. I am not speaking about an increase in the aggregate. Is it precisely the same bill?

Mr. BLANCHARD. It has been changed, also, so far as New York Harbor is concerned, not in the amount, but in the distribution. The New York city members preferred to have a larger sum for the improvement of the Butter-milk Channel in that harbor and a less sum elsewhere, and at their request I have taken from one locality in New York Harbor and applied it to another locality.

Mr. ANDERSON, of Kansas. Who made those changes?

Mr. BLANCHARD. They were made upon the authorization of the Committee on Rivers and Harbors.

Mr. ANDERSON, of Kansas. Not by the House?

Mr. BLANCHARD. The change was made by the committee, but it does not increase the aggregate amount of the bill.

Mr. ANDERSON, of Kansas. That may be; but it was not made by the House?

Mr. BLANCHARD. I can not yield further to the gentleman. I now yield five minutes to the gentleman from Michigan [Mr. SEYMOUR].

Mr. SEYMOUR. Mr. Speaker, the urgency and importance of the passage of the river and harbor bill to the commerce of the Northwest, to the work already done on the construction of a new lock at Sault Ste. Marie, and to the national character of the improvements undertaken can not be overestimated. General Poe states that the appropriation contained in this bill should be made as speedily as possible. Two hundred and fifty thousand dollars were appropriated two years ago for the construction of a coffer-dam. The safety of that coffer-dam is continually hazarded by the lack of appropriations necessary for continuing the work in the construction of the new lock at Sault Ste. Marie. General Poe states that unless this river and harbor bill is passed before August the appropriation contained in it for the St. Mary's Canal and the Hay Lake Channel will not be practically available until the commencement of navigation in 1889. He further states that within two years the maximum capacity of the present lock will be reached. The cost of the new lock, with its appointments, will be about $4,750,000. The appropriation already made is $250,000. Therefore, at the rate of appropriation embodied at present in the river and harbor bill the completion of the work will take four or five seasons; two or three seasons at least beyond the time when General Poe states the maximum capacity of the present lock will be reached.

The business of the St. Mary's Falls Canal has increased during the six seasons since 1881, 350 per cent. on the business of that year, being an average annual increase of nearly 60 per cent. The House from this can readily see the importance of the appropriation for this great national Northwestern work.

The freight passages through that canal were over one-half more than the entire entries and clearances of the foreign trade in the port of the city of New York, and were equal to one-quarter of the entries and clearances of the foreign trade in all the seaports of the United States. With this increase the necessity of this work to the farmers and other producers of the Northwest must be obvious.

This appropriation should be made at once, so as to allow the work to be commenced promptly. The climatic conditions of that country are such that the work must be commenced in the summer or early fall; but if the passage of this bill is jeopardized by delay, if the appropriation should not be made until the 1st of August, then, as General Poe states, it will not be available for use until April, 1889, when navigation opens.

Mr. Speaker, the passages through the St. Mary's Falls Canal were in 1887 nearly equal to those through the Suez Canal during the season of 1886. The business on the latter canal, which saves the conveyance of products from India around the Cape of Good Hope, and of so great an advantage to European commerce, is nearly equaled by the passage of freight through this new canal. Since the completion of the Northern Pacific and Canadian Pacific roads the section of country known as the Northwest is being gridironed with railroads. Settlements are continually being made, production is continually increasing, thus compelling the necessity for a new lock in the St. Mary's Falls Canal. But if anything happens to the coffer-dam recently constructed or to the present lock, navigation will be delayed, and then the interchange of freight through this water way will be restricted or prohibited during the necessary time of proper repair. Every consideration of business and public interest in the growing region of the new Northwest requires the immediate passage of this bill.

[Here the hammer fell.]

Mr. BLANCHARD. I reserve the remainder of my time.

The SPEAKER *pro tempore*. The gentleman from Louisiana [Mr. BLANCHARD] has five minutes.

Mr. SOWDEN. Mr. Speaker, I have no disposition to make any factious opposition to the bill under consideration. It seems to me, however, that this side of the House should be slow to sanction the enormously large appropriations asked for in this measure. If it passes it will be the largest river and harbor bill that ever passed Congress. It appropriated originally, when it came to the House from the Committee on Rivers and Harbors, $19,494,783.13, and it has since been amended by the committee so as to include $250,000 for the removal of certain islands in the Delaware River at Philadelphia; $35,000 for the improvement of the harbor at St. Augustine, Fla.; $25,000 increase for the improvement of the harbor at Cleveland, Ohio, and several other propositions, increasing the appropriations contained in the bill so that it now carries an aggregate of nearly $20,000,000.

How can this side of the House justify the extraordinary appropriations in this bill? In the Forty-seventh Congress a similar bill, carrying an appropriation of $18,738,875, was passed and vetoed by the President, and by a two-thirds majority in each House it was passed over his veto. How many of those that voted to pass that bill over the veto of the President failed of re-election to the Forty-eighth Congress? Did not the passage of that extravagant and reckless piece of legislation defeat the Republican party at the polls in the subsequent election and change the political complexion of the House? Who will deny that fact? What will become of the majority in this body if it follows in the wake of the gentlemen on the other side in the Forty-seventh Congress, and passes this profligate and unjustifiable measure?

Twenty million dollars for a river and harbor bill under a Democratic administration! Will the President, who is pledged to an honest and economical administration of the Federal Government, approve this bill, even if it should pass the two Houses? In the last session of the Forty-ninth Congress a similar act was passed appropriating less than $10,000,000, which failed to become a law for want of the President's approval. Is it likely, then, that he will approve a river and harbor bill that appropriates more than twice as much? To be logical he must veto it.

Now, no patriotic citizen will object to a reasonable appropriation for the improvement of the more important harbors and great rivers and water ways of the country, but to spend millions of dollars upon the smaller and insignificant rivers and creeks in the different States and Territories of the Union seems to be such a waste of the public money and so opposed to good policy that every one must condemn it.

The bill under consideration appropriates $3,392,850 for the improvement of the Mississippi River from its mouth to its source, which includes $12,000 for the reservoirs at its headwaters, $9,600 for gauging its waters and those of its tributaries, and $10,000 for the examinations and surveys of the South Pass in pursuance of existing law. The sum total of this provision may be larger than the needs of these improvements may require, but against this improvement of this great water way in the interests of commerce and navigation no serious objection can be urged, nor do I oppose it. The other great rivers of the country have been more than amply provided for by an appropriation of $6,533,268.

The principal harbors of the country, leading off with that of New York, and including thirty-six in number, have also been taken care of by an appropriation of $5,517,500 for their betterment. It appears, therefore, that this bill carries the unprecedentedly large appropriations of $15,443,618 for the improvement of the most important rivers and harbors in the country, and $4,051,165.13 for those of minor importance, not including the amount covered by the amendments added by the committee since the bill was first reported to the House. The said sum includes, however, an appropriation of $75,000 for examinations, surveys, and contingencies, and for incidental repairs, for which there is no special appropriation, for the rivers and harbors.

Deduct the $75,000 appropriated for these examinations and surveys from the $4,051,165.13 and you have a balance of $3,976,165.13 to be dumped into the smaller rivers and creeks of the country, to which must be added the increased amount of the present bill in order to satisfy the political demands of the various Congressional districts which are made the beneficiaries of this unjust legislation, and from which commerce derives little or no advantage.

This bill contains forty-three new projects, the largest of which appropriates $162,000 for the purchase of lock No. 7 of the Monongahela Navigation Company, in Western Pennsylvania. One hundred and sixty-two thousand dollars of the people's money to be taken for the purchase of this lock and the enrichment of this private corporation at the expense of the public! Is that wise and economical legislation? Under this bill Duck Creek also gets $10,000, Fairlee Creek $5,000, Nomini Creek $5,000, Jekyl Creek $5,000, Mingo Creek $5,000, Clark Creek $2,500, and Little Pee Dee River $5,000.

Thus we might dissect the entire bill and ascertain where the money is to be wasted on unimportant rivers, creeks, and harbors, in the interest of certain gentlemen upon this floor, without any material aid being really afforded to commerce.

What important bearing can these creeks have upon the commerce of the country? Captain Bixby, the local engineer in charge, who made the preliminary examination of Mingo Creek, Clark Creek, and Little Pee Dee River, reported them as not worthy of improvement; and yet, in the face of his report, this Committee on Rivers and Harbors recommend appropriations for the improvement of those unimportant creeks amounting to $12,500. What does this mean, and

why this new departure? Who advised the committee to make these unwarranted appropriations? Why was Mosquito Creek overlooked by the committee, and Jekyl Creek given $5,000? [Laughter and applause.]

Did not Colonel Gillmore, the local engineer in charge, who made the preliminary survey of these creeks, report both to be worthy of improvement? By what principle or rule was the committee governed in determining that Jekyl Creek was more important than Mosquito Creek, and that it should have $5,000 and Mosquito Creek nothing? [Laughter.] Will our commerce not suffer seriously unless we appropriate $5,000 for the improvement of Mosquito Creek? [Laughter.] This is too important a matter to have escaped the attention of the committee.

Section 11 of this act appropriates $75,000 for the survey of one hundred and fifty-five rivers, creeks, and harbors in thirty-one of the States and Territories.

This is done in order to prepare the way for their participation in future river and harbor appropriations, and is the first step in that direction. Ingenious devices to catch votes, and squander the public money. Is it not high time to call a halt, and stop this reckless expenditure of the people's money without giving them an equivalent therefor? And another new feature contained in this bill is the proposition to make annual certain of these appropriations. Under the act of 1886 165 rivers were provided for, while this bill takes care of 198. Appropriations are made for 153 harbors, breakwaters, and ice-harbors as against 124 harbors, 5 channels, 2 ice-harbors, and 5 breakwaters provided for in the act of 1886. Why this numerical increase? Is there to be no limit to these items, and are we to go on increasing them until the end of time? This measure covering appropriations aggregating nearly $20,000,000 was almost forced through the House the other day under a suspension of the rules.

It would seem from the vote on April 21, by which the consideration of the bills reported from the Committee on the Public Lands was defeated, that a majority of the House favor the passage of this monstrous river and harbor bill, that carries so large and extravagant an appropriation, while it refuses to act on legislation providing for the forfeiture of millions of acres of unearned railroad land grants. Why is it that all the important appropriation bills on the Calendar are forced to give way to this exorbitant measure? Has the "pork" been so cunningly divided amongst the members of the House in this bill that its final passage is assured notwithstanding its unreasonable and needless appropriations? [Laughter.]

It is very evident that a majority of the members of this House have been tenderly cared for by the committee in the preparation of this omnibus bill. [Laughter.] Wise and sagacious committee! Singular, that nearly every member on this side of the House who so recently took such an active and prominent part in obstructing the passage of the direct-tax bill, which involved less than $16,000,000, should have voted to pass this bill involving nearly $20,000,000, under a suspension of the rules, and they are no doubt prepared to do the same thing again.

Mr. CANDLER. Will the gentleman allow me to correct him?

Mr. SOWDEN. No, sir; I can not yield.

Mr. CANDLER. I demand the right to correct the gentleman.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania declines to yield.

Mr. SOWDEN. This is a sad commentary upon consistency and considerate legislation. Where is my friend from Missouri who so gallantly opposed the passage of every public-building bill that has thus far been considered by the House? Where is this great protector of the people's money? What has silenced him in this attempted raid upon the Treasury? Why has not his eloquent voice been heard in opposition to this proposition to take out of the United States Treasury nearly $20,000,000, a large portion of which is to be wasted and uselessly expended upon the unimportant rivers, creeks, and harbors of the country? [Laughter and applause.]

Mr. BLAND. What has the gentleman to say about his Allentown public-building bill? [Laughter.]

Mr. SOWDEN. That is all right. My time is brief, and I can not yield for interruptions.

Do his constituents get any of the "pork," that he should be so silent? [Laughter.] It does not require a very careful examination of this measure to discover the favoritism with which some of its appropriations have been framed. It makes no provision for the continuation of the improvement of the Potomac River and flats, upon which so much money has already been expended, and which will be wholly lost unless the work so auspiciously begun is pushed to completion. Millions of dollars to be squandered upon the unimportant rivers, creeks, and harbors of the country and not one cent to complete these valuable improvements, all upon the plea that the title to some of the reclaimed land is in dispute. It is gravely suspected that where there are no votes there is no "pork." [Laughter.] The weakness and extravagance of this measure is made very clear by the committee itself when in its report it seeks to justify the immense sum it appropriates by stating that the failure of the last House to make any appropriation has thrown upon it the duty of combining two river and harbor bills in one.

[Here the hammer fell.]

Mr. SOWDEN. I ask indulgence for one moment more. [Cries of "Oh, no!"]

Mr. CANDLER. I object.

The SPEAKER *pro tempore*. The House will be in order. The time of the gentleman from Pennsylvania [Mr. SOWDEN] has expired.

Mr. BLANCHARD rose.

The SPEAKER *pro tempore*. The gentleman from Louisiana [Mr. BLANCHARD] is recognized.

Mr. BLANCHARD. I yield one minute to the gentleman from Georgia [Mr. CANDLER] to make any explanation he may desire.

Mr. CANDLER. Mr. Speaker, I desire to say, and I can say it in half a minute, that when the gentleman from Pennsylvania [Mr. SOWDEN] charged that every member on this side of the House who voted against the bill to refund the direct tax——

Mr. SOWDEN. "Nearly every one."

Mr. CANDLER. You said "every one."

Mr. SOWDEN. I beg the gentleman's pardon—"nearly every one."

Mr. CANDLER. I accept the gentleman's explanation. I understood him to say that every member who voted against the bill to refund the direct tax was in favor of the bill. I voted against refunding the direct tax, and I will do so again, but I never have voted for the passage of such a river and harbor bill as this.

Mr. SOWDEN (to Mr. CANDLER). Now give me one-half of your time. [Laughter.]

Mr. CANDLER assented.

Mr. SOWDEN. Mr. Speaker, the gentleman yields me the remainder of his time.

The SPEAKER *pro tempore*. The time of the gentleman from Georgia has expired. [Laughter.]

Mr. SOWDEN. I hope the gentleman from Louisiana [Mr. BLANCHARD] will give me one minute.

Mr. BLANCHARD. I yield two minutes to the gentleman from Kentucky [Mr. LAFFOON].

Mr. LAFFOON. Mr. Speaker, it was my original purpose to oppose the passage of this bill, because I believed that it failed to provide relief from the onerous burdens which rest upon the district that I have the honor to represent upon this floor. There is omitted from its provisions an appropriation in aid of the people who live along the Green and Barren Rivers, which, in my judgment, should have been inserted in manifest justice not only to my constituency, but to the general commerce of the country. It has been the chief desire of my whole Congressional life to relieve the oppression which an unscrupulous corporation who has control of these water ways has imposed on the wealth, industry, and commerce of my district. I had hoped for an appropriation that would have enabled the Government to break the shackles that bind my people and to rescue them from the clutches of a cormorant and pestiferous corporation, and to restore to the commerce of the country the rich resources of these rivers so long held in the grasp of an unscrupulous monopoly. I believe in the necessity of a river and harbor bill. I believe that the growth of our country demands that our rivers and harbors should be improved. But, sir, even to-day I would not be for this bill did I not have assurance from the other end of this Capitol that a provision would be attached to it giving full and entire relief to my people.

Mr. BLANCHARD. Mr. Speaker, the great argument against a suspension of the rules to pass this bill three weeks ago was that here was a bill involving an appropriation of a large sum of money which had no consideration before this House, no time for debate, and no time for scrutiny of the items making up the bill. That argument has been obviated because this bill has been under consideration by the House in Committee of the Whole House on the state of the Union for three and a half days. So now it is not a proposition involving a large appropriation of money not considered by the House.

It is a fact, Mr. Speaker, that in the three days' time when this bill was under consideration by the House not a single appropriation in the bill was stricken out, although many were called in question. Instead of the bill being decreased in amount, it is a fact known to every member here the aggregate of the bill was constantly increased.

Mr. BOUTELLE. I ask the gentleman from Louisiana to state the reasons which actuated the committee in incorporating into the present bill the additional items which it contains.

Mr. BLANCHARD. I will say, Mr. Speaker, that the changes in reference to New York Harbor the committee intended to make when that portion of the bill was reached in regular order.

Mr. BOUTELLE. I will save the time of the gentleman from Louisiana by putting the question in a different form.

The SPEAKER. The gentleman's time has expired.

Mr. BLANCHARD. I ask for a vote.

The SPEAKER. The question is on the suspension of the rules and passage of the bill.

Mr. ANDERSON, of Kansas. I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 161, nays 70, not voting 93; as follows:

YEAS—161.

Abbott,	Dibble,	Lawler,	Sawyer,
Allen, Mass.	Dougherty,	Lee,	Sayers,
Allen, Mich.	Dunn,	Lind,	Scott,
Anderson, Miss.	Elliott,	Lodge,	Seney,
Baker, N. Y.	Farquhar,	Macdonald,	Seymour,
Bankhead,	Felton,	Mansur,	Sherman,
Barnes,	Fisher,	Martin,	Shively,
Bayne,	Flood,	McClammy,	Simmons,
Biggs,	Foran,	McCreary,	Smith,
Bingham,	Ford,	McKenna,	Snyder,
Blanchard,	Forney,	McKinney,	Stephenson,
Boothman,	French,	McMillin,	Stewart, Tex.
Bowen,	Gay,	Mellae,	Stewart, Ga.
Breckinridge, Ark.	Gibson,	Milliken,	Stockdale,
Breckinridge, Ky.	Glass,	Mills,	Stone, Ky.
Brewer,	Goff,	Moffitt,	Tarsney,
Browne, T. H. B., Va.	Granger,	Moore,	Taylor, E. B., Ohio
Brown, Ohio.	Grimes,	Morgan,	Thomas, Ky.
Brown, J. R., Va.	Grosvenor,	Morrow,	Thompson, Ohio
Bryce,	Guenther,	Neal,	Thompson, Cal.
Burrows,	Hare,	Nelson,	Tillman,
Butler,	Harmer,	Newton,	Tracey,
Butterworth,	Haugen,	Nutting,	Townshend,
Carlton,	Heaphill,	Oates,	Turner, Ga.
Caruth,	Herbert,	O'Donnell,	Vandever,
Caswell,	Hermann,	O'Neill, Pa.	Walker,
Catchings,	Hooker,	O'Neill, Mo.	Warner,
Chipman,	Hopkins, Va.	Owen,	Washington,
Clardy,	Hopkins, N. Y.	Peel,	Weber,
Clark,	Houk,	Penington,	Wheeler,
Clements,	Hudd,	Phelan,	Whiting, Mich.
Cogswell,	Hunter,	Pugsley,	Wickham,
Cothran,	Jackson,	Randall,	Wilkinson,
Cox,	Jones,	Rayner,	Wilson, W. Va.
Crain,	Kelley,	Rice,	Wise,
Crouse,	Laffoon,	Robertson,	Woodburn,
Cutcheon,	Lagan,	Rogers,	Yoder,
Dargan,	Laidlaw,	Romeis,	Yost.
Davidson, Ala.	Landes,	Rowland,	
Davidson, Fla.	Lanham,	Russell, Conn.	
De Lano,	Latham,	Russell, Mass.	

NAYS—70.

Anderson, Iowa	Cooper,	Holmes,	Plumb,
Anderson, Kans.	Cowles,	Hopkins, Ill.	Post,
Arnold,	Dalzell,	Hovey,	Reed,
Atkinson,	Darlington,	Johnston, Ind.	Rockwell,
Baker, Ill.	Dingley,	Johnston, N. C.	Rowell,
Belden,	Ermentrout,	Kean,	Scull,
Bliss,	Fuller,	Kerr,	Sowden,
Blount,	Gear,	La Follette,	Spooner,
Boutelle,	Gest,	Laird,	Springer,
Brower,	Grout,	Lehlbach,	Steele,
Brumm,	Hall,	Lyman,	Stone, Mo.
Buchanan,	Heard,	Matson,	Taylor, J. D., Ohio
Buckalew,	Henderson, Iowa	McAdoo,	Whiting, Mass.
Bynum,	Henderson, N. C.	Merriman,	Whitthorne,
Campbell, T. J., N. Y.	Henderson, Ill.	Osborne,	Williams,
Candler,	Hiestand,	Perkins,	Yardley.
Cannon,	Hitt,	Peters,	
Cheadle,	Holman,	Phelps,	

NOT VOTING—93.

Adams,	Davis,	Lynch,	Rusk,
Allen, Miss.	Dockery,	Maffett,	Ryan,
Anderson, Ill.	Dorsey,	Mahoney,	Shaw,
Bacon,	Dunham,	Maish,	Spinola,
Barry,	Enloe,	Mason,	Stahlnecker,
Belmont,	Finley,	McComas,	Stewart, Vt.
Bland,	Fitch,	McCormick,	Struble,
Bound,	Funston,	McCullogh,	Symes,
Bowden,	Gaines,	McKinley,	Taulbee,
Browne, Ind.	Gallinger,	McShane,	Thomas, Ill.
Bunnell,	Glover,	Montgomery,	Thomas, Wis.
Burnes,	Greenman,	Morrill,	Turner, Kans.
Burnett,	Hatch,	Morse,	Vance,
Campbell, F., N. Y.	Hayden,	Nichols,	Wade,
Campbell, Ohio	Hayes,	Norwood,	Weaver,
Cobb,	Hires,	O'Ferrall,	West,
Cockran,	Hogg,	O'Neall, Ind.	White, Ind.
Collins,	Howard,	Outhwaite,	White, N. Y.
Compton,	Hutton,	Parker,	Wilber,
Conger,	Kennedy,	Patton,	Wilkins,
Crisp,	Ketcham,	Payson,	Wilson, Minn.
Culberson,	Kilgore,	Perry,	
Cummings,	Lane,	Pidcock,	
Davenport,	Long,	Richardson,	

So the motion to suspend the rules and pass the bill was agreed to.

During the roll-call,

Mr. SPRINGER. I ask unanimous consent to dispense with the reading of the names.

Mr. BUCHANAN. I object.

The Clerk then recapitulated the names of those voting.

Mr. KILGORE. I want the RECORD to show that I am paired with the gentleman from Georgia, Mr. NORWOOD, and that I would vote against this motion.

The SPEAKER. The Clerk will announce the pairs.

Mr. BLAND. I was paired with the gentleman from Mississippi, Mr. ALLEN. I did not vote when my name was called, being under the impression that the pair was still in existence. I understand now that it has expired, and not being paired, I ask to record my vote against this motion.

The SPEAKER. The Chair thinks that would be an extension of the rule beyond any point to which it has heretofore been carried. The gentleman, however, can state how he would have voted.

Mr. BLAND. The gentleman from Mississippi with whom I was paired is sick and unable to be here. I should vote against the bill.

Mr. DOCKERY. I am paired with the gentleman from Kansas, Mr. MORRILL. If he were present I should vote "no."

The SPEAKER. The Clerk will announce the pairs.

The following pairs were announced:

Mr. GAINES with Mr. VANCE, on all questions, and on the river and harbor bill. Mr. VANCE would vote against the bill, Mr. GAINES for it.

Mr. RICHARDSON with Mr. HOGG, on the river and harbor bill. Mr. RICHARDSON would vote against the bill, and Mr. HOGG for it.

Mr. DAVIS with Mr. SYMES, on the river and harbor bill. Mr. DAVIS, if present, would vote for the bill, Mr. SYMES against it.

Mr. BELMONT with Mr. PERRY, on the river and harbor bill. Mr. BELMONT would vote against the bill, Mr. PERRY would vote for it.

Mr. SPINOLA with Mr. KETCHAM, on the river and harbor bill. Mr. SPINOLA would vote for the bill, Mr. KETCHAM against it.

Mr. KILGORE with Mr. NORWOOD, on the river and harbor bill. Mr. KILGORE would vote against the bill, Mr. NORWOOD for it.

Mr. NICHOLS with Mr. THOMAS, of Wisconsin, on the river and harbor bill. Mr. NICHOLS would vote against the bill, Mr. THOMAS, of Wisconsin, for it.

Mr. WILBER with Mr. FINLEY, on the river and harbor bill. Mr. WILBER would vote for the bill, and Mr. FINLEY against it.

Mr. COBB with Mr. CONGER, on the river and harbor bill, and until further notice.

Mr. STEWART, of Vermont, with Mr. BOWDEN, on the river and harbor bill. Mr. STEWART, of Vermont, would vote against the bill, and Mr. BOWDEN would vote for it.

Mr. CULBERSON with Mr. BROWNE, of Indiana, on the river and harbor bill. Mr. CULBERSON would vote for the bill; Mr. BROWNE, of Indiana, against it.

Mr. O'FERRALL with Mr. DORSEY, on the river and harbor bill. Mr. O'FERRALL would vote for the bill; Mr. DORSEY, against it.

Mr. ALLEN, of Mississippi, with Mr. BLAND, on the river and harbor bill. Mr. ALLEN, of Mississippi, would vote for the bill; Mr. BLAND, against it.

The following were announced as being paired on all political questions until further notice:

Mr. ANDERSON, of Illinois, with Mr. MCCORMICK.

Mr. OUTHWAITE with Mr. PAYSON.

Mr. GLOVER with Mr. ADAMS.

Mr. GREENMAN with Mr. THOMAS, of Illinois.

Mr. DOCKERY with Mr. MORRILL.

Mr. COLLINS with Mr. DUNHAM.

Mr. BURNETT with Mr. HAYDEN.

Mr. WHITE, of New York, with Mr. COCKRAN.

Mr. PIDCOCK with Mr. WEST.

Mr. MCSHANE with Mr. MCCOMAS, on all questions and on the river and harbor bill. Mr. MCCOMAS would vote against the bill.

Mr. WILSON, of Minnesota, with Mr. GALLINGER, until further notice.

The following were announced as being paired on all questions for this day:

Mr. HATCH with Mr. PARKER.

Mr. ENLOE with Mr. HIRES.

Mr. TAULBEE with Mr. MCCULLOGH.

Mr. BACON with Mr. MASON.

Mr. WILKINS with Mr. BUNNELL.

Mr. STAHLNECKER with Mr. LONG.

Mr. HAYES with Mr. RYAN.

Mr. CRISP with Mr. DAVENPORT.

Mr. BURNES with Mr. STRUBLE.

Mr. RICHARDSON. Mr. Speaker, I notice that I am paired with Mr. HOGG. If he were present, he would vote in the affirmative, and I would vote in the negative on this motion. I withdraw my vote.

The result of the vote was then announced as above recorded. [Applause.]

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (S. 2506) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine;

A bill (S. 2614) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River in Arkansas;

A bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Virginia;

A bill (S. 2458) to amend an act entitled "An act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east; and

A bill (S. 1064) for the relief of L. J. Worden.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. PETERS, on account of sickness.

RIGHT OF WAY THROUGH CROW INDIAN RESERVATION.

Mr. BINGHAM. Mr. Speaker, I move to suspend the rules and pass the bill (S. 325) granting to the Billings, Clark's Fork and Cooke City Railroad Company the right of way through the Crow Indian reservation.

The bill was read, as follows:

That the right of way is hereby granted, as hereinafter set forth, to the Billings, Clark's Fork and Cooke City Railroad Company, a corporation organized and existing under the laws of the Territory of Montana, for the extension of its railroad through the lands in Montana Territory set apart for the use of the Crow Indians, commonly known as the Crow Indian reservation, beginning at a point on the northern line of said reserve at or near where Clark's Fork empties into the Yellowstone River, and thence following in a southerly direction to a point at or near where said Clark's Fork crosses the southern line of the said Crow reserve; also a branch line of railway to be constructed for a distance of ten miles up Bear Creek, and commencing from the point where said Bear Creek empties into said Clark's Fork, with the right to construct, use, and maintain tracks, turn-outs, and sidings.

SEC. 2. That the right of way hereby granted to said company shall be 75 feet in width on each side of the central line of said railroad as aforesaid; and said company shall also have the right to take from said lands adjacent to the line of said road material, stone, earth, and timber necessary for the construction of said railroad; also, ground adjacent to such right of way for station-buildings, depots, machine-shops, side-tracks, turn-outs, and water-stations, not to exceed in amount 300 feet in width and 3,000 feet in length for each station, to the extent of one station for each 10 miles of road.

SEC. 3. That it shall be the duty of the Secretary of the Interior to fix the amount of compensation to be paid the Indians for such right of way and material, and provide the time and manner for the payment thereof, and also to ascertain and fix the amount of compensation to be made individual members of the tribe for damages sustained by them by reason of the construction of said road; but no right of any kind shall vest in said railway company in or to any part of the right of way herein provided for until plats thereof, made upon actual survey for the definite location of such railroad, and including the points for station-buildings, depots, machine-shops, side-tracks, turn-outs, and water-stations, shall be filed with and approved by the Secretary of the Interior, which approval shall be made in writing and be open for the inspection of any party interested therein, and until the compensation aforesaid has been filed and paid; and the surveys, construction, and operation of such railroad shall be conducted with due regard for the rights of the Indians, and in accordance with such rules and regulations as the Secretary of the Interior may make to carry out this provision: *Provided*, That the President of the United States may, in his discretion, require that the consent of the Indians to said right of way shall be obtained by said railway company, in such manner as he may prescribe, before any right under this act shall accrue to said company.

SEC. 4. That said company shall not assign or transfer or mortgage this right of way for any purpose whatever until said road shall be completed: *Provided*, That the company may mortgage said franchise, together with the rolling-stock, for money to construct and complete said road: *And provided further*, That the right granted herein shall be lost and forfeited by said company unless the road is constructed and in running order within two years from the passage of this act: *And provided further*, That no part of said line shall touch any portion of the Yellowstone National Park.

SEC. 5. That said railway company shall accept this right of way upon the expressed condition, binding upon itself, its successors, and assigns, that they will neither aid, assist, nor advise in any effort looking towards the changing or extinguishing the present tenure of the Indians in their land, and will not attempt to secure from the Indian tribes any further grant of land or its occupancy than is heretofore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

SEC. 6. That Congress may at any time amend, add to, alter, or repeal this act. That this act shall be in force from its passage.

Mr. TOOLE. I desire to say that there is a minority report accompanying this bill, and I demand a second on the motion.

Mr. BINGHAM and Mr. TOOLE were appointed tellers.

The question was taken; and the tellers reported—ayes 103, noes 25.

Mr. NELSON and Mr. TOOLE. No quorum.

Mr. BINGHAM. There is evidently a quorum in the House, and I therefore ask for the yeas and nays on the motion.

The SPEAKER. The rule expressly provides that this vote is to be taken by tellers.

Mr. BLAND. I move that the House do now adjourn.

The question was taken; and there were—ayes 83, noes 41.

Mr. BINGHAM. I demand the yeas and nays.

On the question of ordering the yeas and nays there were—ayes 33, noes 74.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 62, nays 120, not voting 142; as follows:

YEAS—62.

Abbott,	Finley,	Kilgore,	Seymour,
Anderson, Iowa	Forney,	Laffoon,	Smith,
Baker, Ill.	Fuller,	Lagan,	Sowden,
Bankhead,	Gear,	Landes,	Spooner,
Barnes,	Grimes,	Lanham,	Springer,
Bland,	Hall,	Lind,	Stephenson,
Blount,	Hare,	Macdonald,	Tillman,
Boothman,	Hatch,	Martin,	Turner, Kans.
Bryce,	Haugen,	Matson,	Walker,
Caruth,	Hemphill,	Milliken,	Washington,
Caswell,	Henderson, Iowa,	Neal,	Whitthorne,
Clardy,	Holman,	Nelson,	Williams,
Clark,	Holmes,	Patton,	Wise,
Clements,	Hutton,	Perkins,	Yost.
Cooper,	Jones,	Rice,	
Cothran,	Kerr,	Richardson,	

NAYS—120.

Allen, Mich.	Belden,	Bowden,	Browne, T. H. B., Va.
Anderson, Kans.	Biggs,	Bowen,	Brown, Ohio
Atkinson,	Bingham,	Breckinridge, Ark.	Brown, J. R., Va.
Baker, N. Y	Blanchard,	Breckinridge, Ky.	Brumm,
Bayne,	Boutelle,	Brewer,	Burrows,
Butler,	Harmer,	McClammy,	Romeis,
Butterworth,	Hayes,	McCreary,	Rowell,
Bynum,	Henderson, N. C.	McKenna,	Rowland,
Candler,	Henderson, Ill.	McKae,	Russell, Mass.
Cannon,	Herbert,	Merriman,	Sayers,
Cheadle,	Hermann,	Mills,	Scull,
Chipman,	Hiestand,	Moffitt,	Seney,
Cowles,	Hitt,	Moore,	Sherman,
Crain,	Hooker,	Morgan,	Shively,
Dalzell,	Hopkins, Ill.	Morrow,	Snyder,
Dargan,	Hopkins, Va.	Nutting,	Steele,
Darlington,	Hopkins, N. Y.	Oates,	Stockdale,
Davidson, Fla.	Houk,	O'Donnell,	Stone, Ky.
Dingley,	Hudd,	O'Neill, Pa.	Tarsney,
Dockery,	Jackson,	O'Neill, Mo.	Taylor, J. D., Ohio,
Dunn,	Johnston, Ind.	Osborne,	Tracey,
Elliott,	Johnston, N. C.	Owen,	Townshend,
Ermentrout,	Kelley,	Peel,	Vandever,
Farquhar,	Ketcham,	Penington,	Warner,
Ford,	La Follette,	Plumb,	Weber,
Gay,	Laidlaw,	Pugsley,	Wheeler,
Gibson,	Lawler,	Rayner,	Whiting, Mass.
Glass,	Lee,	Robertson,	Wickham,
Grosvenor,	Lyman,	Rockwell,	Wilson, W. Va.
Guenther,	McAdoo,	Rogers,	Yardley.

NOT VOTING—142.

Adams,	Davidson, Ala.	Lodge,	Ryan,
Allen, Mass.	Davis,	Long,	Sawyer,
Allen, Miss.	De Lano,	Lynch,	Scott,
Anderson, Miss.	Dibble,	Maffett,	Shaw,
Anderson, Ill.	Dorsey,	Mahoney,	Simmons,
Arnold,	Dougherty,	Maish,	Spinola,
Bacon,	Dunham,	Mansur,	Stahlnecker,
Barry,	Enloe,	Mason,	Stewart, Tex.
Belmont,	Felton,	McComas,	Stewart, Ga.
Bliss,	Fisher,	McCormick,	Stewart, Vt.
Bound,	Fitch,	McCullogh,	Stone, Mo.
Brower,	Flood,	McKinley,	Struble,
Browne, Ind.	Foran,	McKinney,	Symes,
Buchanan,	French,	McMillin,	Taulbee,
Buckalew,	Funston,	McShane,	Taylor, E. B., Ohio,
Bunnell,	Gaines,	Montgomery,	Thomas, Ky.
Burnes,	Gallinger,	Morrill,	Thomas, Ill.
Burnett,	Gest,	Morse,	Thomas, Wis.
Campbell, F., N. Y.	Glover,	Newton,	Thompson, Ohio,
Campbell, Ohio	Goff,	Nichols,	Thompson, Cal.
Campbell, T. J., N. Y.	Granger,	Norwood,	Turner, Ga.
Carlton,	Greenman,	O'Ferrall,	Vance,
Catchings,	Grout,	O'Neall, Ind.	Wade,
Cobb,	Hayden,	Outhwaite,	Weaver,
Cockran,	Heard,	Parker,	West,
Cogswell,	Hires,	Payson,	White, Ind.
Collins,	Hogg,	Perry,	White, N. Y.
Compton,	Hovey,	Peters,	Whiting, Mich.
Conger,	Howard,	Phelan,	Wilber,
Cox,	Hunter,	Phelps,	Wilkins,
Crisp,	Kean,	Pidcock,	Wilkinson,
Crouse,	Kennedy,	Post,	Wilson, Minn.
Culberson,	Laird,	Randall,	Woodburn,
Cummings,	Lane,	Reed,	Yoder.
Cutcheon,	Latham,	Russell, Conn.	
Davenport,	Lehlbach,	Rusk,	

So the House refused to adjourn.

During the roll-call,

Mr. BINGHAM. I ask to dispense with the reading of the names.

Mr. NELSON. I object.

The names of members voting were read.

The following additional pairs were announced:

Mr. WADE with Mr. STONE, of Missouri, until further notice.

Mr. RANDALL with Mr. LAIRD, for the balance of the day.

Mr. MONTGOMERY with Mr. GEST, for the balance of the day.

Mr. GRANGER with Mr. ALLEN, of Massachusetts, for the remainder of the day.

Mr. BIGGS with Mr. RYAN, for the balance of the day.

The vote was then announced as above recorded.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its secretaries, informed the House that the Senate had agreed to the amendments of the House of Representatives to a joint resolution and bills of the following titles:

Joint resolution (S. R. 73) relating to the disposal of public lands in certain States;

A bill (S. 1912) granting an increase of pension to William Irving;

A bill (S. 1889) to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River at any point along the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem acceptable; and

A bill (S. 555) to establish an additional land district in the State of Oregon.

The message also announced that the Senate had passed with amendments the bill (H. R. 7936) to restore to the public domain a part of the Uintah Indian reservation in the Territory of Utah, and for other purposes, asked a conference on the the disagreeing votes of the two Houses thereon, and had appointed as conferees on the part of the Senate Mr. DAWES, Mr. JONES of Arkansas, and Mr. BOWEN.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two

Houses on the amendment of the Senate to the bill (H. R. 7319) for the relief of Emory R. Seward.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges across Red River.

VETO MESSAGE—NEW YORK INDIAN LANDS IN KANSAS.

The SPEAKER. The Chair lays before the House a message from the President of the United States.

The Clerk read the message, as follows:

To the House of Representatives:

I return without approval House bill No. 1406, entitled "An act to provide for the sale of certain New York Indian lands in Kansas."

Prior to the year 1838, a number of bands and tribes of New York Indians had obtained 500,000 acres of land in the State of Wisconsin, upon which they proposed to reside. In the year above named a treaty was entered into between the United States and these Indians, whereby they relinquished to the Government these Wisconsin lands. In consideration thereof, and, as the treaty declares, "in order to manifest the deep interest of the United States in the future peace and prosperity of the New York Indians," it was agreed there should be set apart as a permanent home for all the New York Indians then residing in the State of New York or in Wisconsin or elsewhere in the United States, who had no permanent home, a tract of land amounting to 1,824,000 acres, directly west of the State of Missouri and now included in the State of Kansas, being 320 acres for each Indian, as their number was then computed, "to have and to hold the same in fee-simple to the said tribes or nations of Indians by patent from the President of the United States."

Full power and authority was also given to said Indians "to divide said lands among the different tribes, nations, or bands in severalty," with the right to sell and convey to and from each other, under such rules and regulations as should be adopted by said Indians in their respective tribes, or in general council.

The treaty further provided that such of the tribes of these Indians as did not accept said treaty and agree to remove to the country set apart for their new homes, within five years or such other time as the President might from time to time appoint, should forfeit all interest in the land so set apart to the United States; and the Government guarantied to protect and defend them in the peaceable possession and enjoyment of their new homes.

I have no positive information that any considerable number of these Indians removed to the lands provided for them within the five years limited by the treaty. Their omission to do so may have been owing to the failure of the Government to appropriate the money to pay the expense of such removal, as it agreed to do in the treaty.

It is, however, stated in a letter of the Secretary of the Interior, dated April 6, 1878, contained in the report of the Senate committee, to whom the bill under consideration was referred, that in the year 1842 some of these Indians settled upon the lands described in the treaty; and it is further alleged in said report that in 1846 about two hundred more of them were removed to said lands.

The letter of the Secretary of the Interior above referred to contains the following statement concerning these Indian occupants:

"From death and the hostility of the settlers, who were drawn in that direction by the fertility of the soil and other advantages, all of the Indians gradually relinquished their selections, until of the Indians who had removed thither from the State of New York, only thirty-two remained in 1860."

And the following further statement is made:

"The files of the Indian Office show abundant proof that they did not voluntarily relinquish their occupation."

The proof thus referred to is indeed abundant, and is found in official reports and affidavits made as late as the year 1859. By these it appears that during that year, in repeated instances, Indian men and widows of deceased Indians, were driven from their homes by the threats of armed men; that in one case at least the habitation of an Indian woman was burned, and that the kind of outrages were resorted to which too often follow the cupidity of whites, and the possession of fertile lands by defenseless and unprotected Indians.

An agent, in an official letter dated August 9, 1859, after detailing the cruel treatment of these occupants of the lands, which the Government had given them, writes:

"Since these Indians have been placed under my charge, which was, I think, in 1855, I have endeavored to protect them; but complaint after complaint has reached me, and I have reported their situation again and again; and I hope that it will not be long when the Indians who are entitled to land under the decision of the Indian Office shall have it set apart to them."

The same agent, under date of January 18, 1860, referring to these Indians, declares:

"These Indians have been driven off their land and claims upon the New York tract by the whites, and they are now very much scattered and many of them are very destitute."

It was found in 1860 that of all the Indians who had prior to that date selected and occupied part of these lands but thirty-two remained, and it seems to have been deemed but justice to them to confirm their selections by some kind of governmental grant or declaration, though it does not appear that any of them had been able to maintain actual possession of all their selected lands against white intrusion. Thus certain special commissioners appointed to examine this subject, under date of May 29, 1860, make the following statement:

"In this connection it may be proper to remark that many of the tracts so selected were claimed by lawless men who had compelled the Indians to abandon them under threats of violence; but we are confident that no serious injury will be done to any one, as the improvements are of but little value."

On the 14th day of September, 1860, certificates were issued to the thirty-two Indians who had made selections of lands and who still survived, with a view of securing to them such selections and at the same time granting to them the number of acres which it was provided they should have by the treaty of 1838. These certificates were made by the Commissioner of Indian Affairs, and declared that in conformity with the provisions of the treaty of 1838 there had been assigned and allotted to the person named therein 320 acres of the land designated in said treaty, which land was particularly described in said certificates, which concluded as follows:

"And the selection of said tract for the exclusive use and benefit of said reserve, having been approved by the Secretary of the Interior, is not subject to be alienated in fee, leased, or otherwise disposed of, except to the United States."

In a letter dated September 13, 1860, from the Indian Commissioner to the agent in the neighborhood of these lands, reference is made to the conduct of white intruders upon the same and the following instructions were given to said agent:

"In view of these representations, and the fact that these white persons who are in possession of the land are intruders, I have to direct that you will visit the New York reserve in Kansas at your earliest convenience, accompanied by those Indians living among the Osages to whom said lands have been allotted, with a view to place them in possession of the lands to which they are entitled, and if you should meet with any forcible resistance from white settlers, you will report their names to this office, in order that appropriate action may be taken in the premises; and you will inform them that if they do not immediately abandon said lands they will be removed by force. When you shall have given the thirty-two Indians peaceable possession of their lands, or attempted to do so, and have been prevented by forcible resistance, you will make a report of your action to this bureau."

The records of the Indian Bureau do not disclose that any report was ever made by the agent to whom these instructions were given.

In 1861 and 1862 mention was made by the agents of the destitute condition of these Indians and of their being deprived of their lands, and in these years petitions were presented in their behalf, asking that justice be done them on account of the failure of the Government to provide them with homes.

In the mean time, and in December, 1860, the remainder of the reserve not allotted to the thirty-two survivors was thrown open to settlement by Executive proclamation. Of course this was followed by increased conflict between the settlers and the Indians. It is presumed that it became dangerous for those to whom lands had been allotted to attempt to gain possession of them. On the 4th day of December, 1865, Agent Snow returned twenty-seven of the certificates of allotment which had not been delivered, and wrote as follows to the Indian Bureau:

"A few of these Indians were at one time put in possession of their lands. They were driven off by the whites; one Indian was killed, others wounded, and their houses burned. White men at this time have possession of these lands and have valuable improvements on them. The Indians are deterred even asking for possession. I would earnestly ask, as agent for these wronged and destitute people, that some measure be adopted by the Government to give these Indians their rights."

An official report made to the Secretary of the Interior, dated February 16, 1871, gives the history of these lands, and concludes as follows:

"These lands are now all or nearly all occupied by white persons who have driven the Indians from their homes—in some instances with violence. There is great necessity that some relief should be afforded to them by legislation of Congress, authorizing the issue of patents to the allottees or giving them power to sell and convey.

"In this way they will be enabled to realize something from the land, and the occupants can secure titles for their homes."

Apparently in the line of this recommendation, and in an attempt to remedy the condition of affairs then existing, an act was passed on the 19th day of February, 1873, permitting heads of families and single persons over twenty-one years of age, who had made settlements and improvements upon and were bona fide claimants and occupants of the lands for which the thirty-two certificates of allotments were issued to enter and purchase at the proper land office, such lands so occupied by them, not exceeding 160 acres, upon paying therefor the appraised value of said tracts respectively, to be ascertained by three disinterested and competent appraisers, to be appointed by the Secretary of the Interior, who should report the value of such lands exclusive of improvements, but that no sale should be made under said act for less than $3.75 per acre.

It was further provided that the entries allowed should be made within twelve months after the promulgation by the Secretary of the Interior of regulations to carry said act into effect, and that the money arising upon such sales should be paid into the Treasury of the United States, in trust for, and to be paid to, the Indians respectively to whom such certificates of allotment had been issued, or to their heirs, upon satisfactory proof of their identity, at any time within five years from the passage of the act, and that in default of such proof the money should become a part of the public moneys of the United States.

It was also further provided that any Indian to whom any certificate of allotment had been issued, and who was then occupying the land allotted thereby, should be entitled to receive a patent therefor.

Pursuant to this statute these lands were appraised. The lowest value per acre fixed by the appraisers was $3.75, and the highest was $10—making the average for the whole $4.90 per acre.

It is reported that only eight pieces, containing 879.76 acres of land taken from six of these Indian allotments, were sold under this statute to the settlers thereon, producing the sum of $4,058.06, and that the price paid in no case was less than $4.50 per acre.

It is proposed by the bill under consideration to sell the remainder of this allotted land to those who failed to avail themselves of the law of 1873 for the sum of $2.50 per acre.

Whatever may be said of the effect of the action of the Indian Bureau in issuing certificates of allotment to individual Indians, as it relates to the title of the lands described therein, it was the only way that the Government could perform its treaty obligation to furnish homes for any number of Indians less than a tribe or band; and if these allotments did not vest a title in these individual Indians, they secure to them such rights to the lands as the Government was bound to protect, and which it could not refuse to confirm, if it became necessary, by the issuance of patents therefor.

These rights are fully recognized by the statute of 1873 as well as by the bill under consideration.

The right and power of the Government to divest these allottees of their interests under their certificates is so questionable that perhaps it could only be done under the plan proposed, through an estoppel arising from the acceptance of the price for which their allotted lands were sold.

But whatever the effect of a compliance with the provisions of this bill would be upon the title of the settlers to these lands, I can see no fairness or justice in permitting them to enter and purchase such lands at a sum much less than their appraised value in 1873, and for hardly one-half the price paid by their neighbors under the law passed in that year.

The occupancy upon these lands of the settlers seeking relief, and of their grantors, is based upon wrong, violence, and oppression. A continuation of the wrongful exclusion of these Indians from their lands should not inure to the benefit of the wrongdoers. The opportunities afforded by the law of 1873 were neglected, perhaps, in the hope and belief that death would remove the Indians, who, by their appeals for justice, annoyed those who had driven them from their homes, and perhaps in the expectation that the heedlessness of the Government concerning its obligations to the Indians would supply easier terms. The idea is too prevalent that, against those who by emigration and settlement upon our frontier extend our civilization and prosperity, the rights of the Indians are of but little consequence. But it must be absolutely true that no development is genuine or valuable based upon the violence and cruelty of individuals or the faithlessness of a Government.

While it might not result in exact justice or precisely rectify the wrongs committed, it may well be that in existing circumstances the interests of the allottees or their heirs demand an adjustment of the kind now proposed. But their lands certainly are worth much more than they were in 1873; and the settlers, if they are not subjected to a reappraisement, should at least pay the price at which the lands were appraised in that year.

If the holders of the interests of the allottees have such a title as will give them a standing in the courts of Kansas, I do not think they need fear defeat by being charged with improvements under the occupying claimants' act; for it has been decided in a case to be found in the 20th volume of Kansas Reports, at page 374, that—

"Neither the title nor possession of the Indian owner secured by treaty with the United States Government can be disturbed by State legislation; and the occupying claimants' act has no application in this case."

And yet the delay, uncertainty, and expense of legal contests should be considered.

I suggest that any bill which is passed to adjust the rights of these Indians by such a general plan as is embodied in the bill herewith returned should provide for the payment by the settlers within a reasonable time of an appraised value, and that in case the same is not paid by the respective occupants, that the lands be sold at public auction for a price not less than the appraisement.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May* 7, 1888.

Mr. PERKINS. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PERKINS. Would it be in order to ask, instead of a reference of this message, or of its present consideration, that it lie on the Speaker's table to be called up at some future time?

The SPEAKER. It would.

Mr. HOLMAN. Let it go to the Committee on Indian Affairs.

Mr. PERKINS. The bill has been carefully considered by the committee. I see no impropriety in referring the message to the committee; but that members may have an opportunity of reading it, I ask that it remain temporarily on the Speaker's table. This measure is important to settlers, not in my district, but in my State. I have no interest in the matter myself. But to a few settlers in Kansas it is important. I know that the Indians who are the beneficiaries are satisfied with this arrangement.

I claim that as a matter of justice to the settlers, as a matter of justice to the Indians, as a matter of equity to all, it ought to be passed by this House. And in order that the House may have an opportunity to examine the President's views before acting on the bill, I ask that the bill and message be allowed to remain temporarily on the Speaker's table.

Mr. MCADOO. Mr. Speaker, the Chief Executive of the country has sent here a very important message giving his reasons for not approving this measure. When the bill was before the House I took the liberty of opposing it as strongly as I could. It is the usual course for documents of this character to be referred to the committee from which the bill emanated, and respect for the Chief Executive demands that this message shall be referred in the usual manner. I therefore move that it be referred to the Committee on Indian Affairs and ordered to be printed, and on that I call for the previous question.

The House divided on the motion of Mr. MCADOO; and there were—ayes 51, noes 52.

Mr. MCADOO and Mr. NELSON. No quorum.

The SPEAKER. The point being made that no quorum has voted, the Chair will appoint to act as tellers the gentleman from New Jersey, Mr. MCADOO, and the gentleman from Kansas, Mr. PERKINS.

The House divided; and the tellers reported—ayes 60, noes 30.

The SPEAKER. No quorum has yet voted.

Mr. BLOUNT. I move that the House do now adjourn.

Mr. BINGHAM. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BINGHAM. Having been recognized by the Chair to move to proceed to the consideration of a Senate bill, I desire to be informed what the standing of that motion will be on suspension day four weeks hence?

The SPEAKER. In case the motion is not now disposed of, it will be the pending motion on the next day for the suspension of the rules.

Mr. BLOUNT. Mr. Speaker, I renew the motion that the House do now adjourn.

The SPEAKER. No business has intervened since the last motion to adjourn was made, but as no point of order is made against the motion, the Chair will entertain it.

The motion was agreed to; and the House accordingly (at 4 o'clock and 35 minutes p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. C. H. ALLEN: A bill (H. R. 9860) granting a pension to Adelia F. Homans, widow of Charles F. Homans—to the Committee on Invalid Pensions.

By Mr. ARNOLD: A bill (H. R. 9861) granting an increase of pension to Waitie F. Harris—to the Committee on Invalid Pensions.

By Mr. CAINE: A bill (H. R. 9862) granting a pension to Benjamin F. Bair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9863) granting a pension to Louis M. Smith—to the Committee on Invalid Pensions.

By Mr. CROUSE: A bill (H. R. 9864) for the relief of C. B. Chamberlain—to the Committee on War Claims.

By Mr. DINGLEY: A bill (H. R. 9865) granting a pension to Francis K. House—to the Committee on Invalid Pensions.

By Mr. HOLMAN: A bill (H. R. 9866) granting a pension to John B. Lynch—to the Committee on Invalid Pensions.

By Mr. LAIRD (by request): A bill (H. R. 9867) for the relief of Catherine Millen—to the Committee on Invalid Pensions.

By Mr. LEE: A bill (H. R. 9868) for the relief of John L. Moore—to the Committee on War Claims.

By Mr. MCCREARY: A bill (H. R. 9869) granting a pension to Agnes M. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9870) granting a pension to William Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9871) granting a pension to William Geer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9872) for the relief of John Baughman—to the Committee on War Claims.

Also, a bill (H. R. 9873) for the benefit of Levi Lambert—to the Committee on War Claims.

Also, a bill (H. R. 9874) for the relief of administrator of Alfred Alcorn—to the Committee on War Claims.

Also, a bill (H. R. 9875) for the relief of S. J. Brown—to the Committee on War Claims.

Also, a bill (H. R. 9876) for the relief of Jeremiah Davidson—to the Committee on War Claims.

Also, a bill (H. R. 9877) granting an increase of pension to Mary L. Cleveland—to the Committee on Pensions.

By Mr. MATSON: A bill (H. R. 9878) granting a pension to Moses T. Coffey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9879) granting a pension to Lucina Stotsenberg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9880) for the relief of James F. Fee—to the Committee on War Claims.

By Mr. CHARLES O'NEILL: A bill (H. R. 9881) for the relief of Henry and Angelo Myers—to the Committee on War Claims.

By Mr. PATTON: A bill (H. R. 9882) to refer the claims of Lewis Rothernel and Stephen H. Myers to the Court of Claims—to the Committee on War Claims.

By Mr. PERKINS: A bill (H. R. 9883) granting a pension to Cyrus E. Pruett—to the Committee on Invalid Pensions.

By Mr. ROGERS: A bill (H. R. 9884) for the relief of George W. Davis—to the Committee on War Claims.

By Mr. J. D. STEWART: A bill (H. R. 9885) granting a pension to Frank W. Tubbesing—to the Committee on Invalid Pensions.

By Mr. STONE, of Missouri: A bill (H. R. 9886) for the relief of Samuel Cones—to the Committee on War Claims.

By Mr. E. B. TAYLOR: A bill (H. R. 9887) granting a pension to Mrs. Tamer Slater, mother of Lewis K. White, deceased—to the Committee on Invalid Pensions.

By Mr. VOORHEES: A bill (H. R. 9888) for the relief of Maj. Gen. Robert H. Milroy—to the Committee on Military Affairs.

By Mr. WHEELER: A bill (H. R. 9889) to refer the claim against the United States of Mary E. Reed for stores and supplies to the Court of Claims—to the Committee on War Claims.

By Mr. WICKHAM: A bill (H. R. 9890) granting a pension to Catharine Baughman—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. S. BAKER: Petition of Belle S. Winslow and 23 other persons, of Henrietta, Monroe County, New York, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. BAYNE: Papers relating to bill for relief of Benjamin M. Clarke—to the Committee on Military Affairs.

By Mr. BLOUNT: Paper in the claim of Mary A. Washington—to the Committee on Private Land Claims.

By Mr. BOUTELLE: Petition of 91 citizens of Westfield, Me., for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. J. R. BROWN: Petition of the council of Danville, Va., for continuing the grading and paving of the street to national cemetery at Danville, Va.—to the Committee on Military Affairs.

By Mr. T. M. BROWNE: Memorial of Francis A. Field to accompany his bill—to the Committee on Military Affairs.

By Mr. CROUSE: Petition of quicksilver manufacturers of California, against putting quicksilver on the free-list—to the Committee on Ways and Means.

By Mr. ERMENTROUT: Memorial of C. T. Reynolds & Co. and others, favoring the amendment to the Mills bill to retain the duty on whiting and Paris white as it is now levied—to the Committee on Ways and Means.

Also, memorial of the quicksilver manufacturers of California, favoring a specific duty of 20 to 25 cents per pound on quicksilver—to the Committee on Ways and Means.

By Mr. FORNEY: Petition of William B. Taylor, and of William B. Taylor, administrator of John E. Taylor, of De Kalb County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. GIFFORD: Petition of Albion Thorn, late postmaster at Dell, Minnehaha County, Dakota Territory, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. GOFF: Petition of Erasmus L. Wentz, for a pension—to the Committee on Invalid Pensions.

By Mr. GUENTHER: Resolution of the Merchants' Association of

Milwaukee, Wis., against certain amendment of the interstate-commerce law—to the Committee on Commerce.

By Mr. HUNTER: Petition of members of Captain Hanway Post, No. 88, Grand Army of the Republic, of Bowling Green, Ky., for the passage of the private pension disability bill—to the Committee on Invalid Pensions.

By Mr. LA FOLLETTE: Petition of the Prairie Du Sac Grange, No. 175, asking that there be no further extension of charters to national banks, etc.—to the Committee on Banking and Currency.

Also, petition of W. D. Carleton and 110 others, citizens of Dane County, Wisconsin, in favor of the schedule of duties agreed upon by the wool-growers and woolen manufacturers at Washington, January 14, 1888—to the Committee on Ways and Means.

By Mr. LAIDLAW: Petition of citizens of Chautauqua, N. Y., for the protection of wool-growers—to the Committee on Ways and Means.

By Mr. McCREARY: Petition of Joseph Ballou, of Lincoln County, and of Mary Hope, by Ann Rupley, heir, of Boyle County, Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. McCORMICK: Petition of Rev. H. King and 32 others, citizens of the Sixteenth district of Pennsylvania, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. MILLIKEN: Petition of John A. Miller and others, for the passage of bills adjusting accounts of laborers under the eight-hour law, and giving workingmen the benefit of said law—to the Committee on Labor.

By Mr. O'DONNELL: Petition of 15 members of the Norvell (Mich.) Farmers' Club, praying for an increase of the duty on wool—to the Committee on Ways and Means.

Also, resolutions of Calhoun County (Michigan) Grange, No. 3, Patrons of Husbandry, for the creation of a department of agriculture, and for other purposes—to the Committee on Agriculture.

By Mr. CHARLES O'NEILL: Resolutions of the Vessel-Owners' and Captains' Association, urging that if the duty on sugar is reduced there should be a proportionate reduction on molasses—to the Committee on Ways and Means.

Also, memorial of the Pennsylvania Prison Society, on the subject of convict labor—to the Committee on Labor.

By Mr. PERKINS: Petition of A. T. Eggleston and 40 others, citizens of Sedgwick County, Kansas, for organizing the Territory of Oklahoma, etc.—to the Committee on the Territories.

By Mr. RAYNER: Petition of certain citizens of Baltimore, Md., in reference to the claim of Wesley Hartlove, deceased—to the Committee on War Claims.

By Mr. RICE: Resolutions of the Chamber of Commerce of St. Paul, Minn., in opposition to the passage of the bill to protect free labor from the injurious effects of convict labor, as tending to impose upon the former, and the industries in which it is employed, greater burdens than those hitherto borne—to the Committee on Labor.

By Mr. RICHARDSON: Petition of Sarah H. Morton, widow, and heirs of Josiah S. Morton, of Rutherford County, and of Samuel Sherrell, of Lincoln County, Tennessee, for reference of their claims to the Court of Claims—to the Committee on War Claims.

Also, petition of Charles Hickerson, of Coffee County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Papers in the claim of George W. Davis, of Sebastian County, Arkansas—to the Committee on War Claims.

Also, petition of George W. Davis, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. SENEY: Of L. H. Reisinger, of Galion, Ohio.

By Mr. SPOONER: Resolutions of the Board of Trade of Providence, R. I., for more ample accommodations for appraisement of goods at the port of New York—to the Committee on Ways and Means.

Also, resolutions of the Board of Trade of Providence, R. I., for the incorporation of the Maritime Canal Company of Nicaragua—to the Committee on Commerce.

By Mr. J. D. STEWART: Petition of Hannah Allen, of Clayton County, Georgia, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. E. B. TAYLOR: Petition of Mrs. Tamer Slater, mother of Lewis K. White, Company F, One hundred and fifteenth Ohio Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. TILLMAN (by request): Papers in the claim of Julia R. Speakes, of Pierson Peeples, of William Cook, of James Horton, of Jackson M. Hoover, of Samuel R. Ihly, of Henry J. Harter, of Isham Peeples, and of Nathaniel W. Ellis, of South Carolina—to the Committee on War Claims.

By Mr. TOWNSHEND: Petition of the representatives of J. W. Edwards, of Shawneetown, Gallatin County, Illinois, for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. WASHINGTON: Petition of James Groves, of Robertson County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. S. V. WHITE: Petition of Rev. A. L. Stinard and 29 others, residents of the Third district of New York, for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. W. L. WILSON: Petition of Amos Morrison, of Bunker Hill, Berkeley County, West Virginia, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. YOST: Petition of Robert Campbell, late postmaster at Lexington, Rockbridge County, Virginia—to the Committee on the Post-Office and Post-Roads.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. CLEMENTS: Of citizens of Floyd County, Georgia.

By Mr. S. T. HOPKINS: Of Washington Laycock, of Rondout, N. Y.

By Mr. JACKSON: Of physicians and druggists of Washington County, Pennsylvania.

By Mr. LODGE: Of John Lanabee, of Melrose, Mass.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. HOLMES: Petition of John G. Smith and 62 others, citizens of Kossuth, and of James A. Henderson, and 30 others, citizens of Green County, Iowa.

By Mr. LAIDLAW: Of citizens of Fredonia, N Y.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. S. T. HOPKINS: Of citizens of North Hebron, N. Y.

Also, of citizens of Union Grove, N. Y.

By Mr. HOVEY: Of citizens of Salem, Ind.

By Mr. LAIDLAW: Of citizens of West Valley, of Whitesville, and of Sheridan, N. Y.

By Mr. REED: Of citizens of Leeds, Me.

By Mr. RYAN: Of citizens of Halifax, Kans.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. BOOTHMAN: Of J. M. McEwan and 58 others, citizens and ex-soldiers of Holgate, Ohio.

By Mr. LAIDLAW: Of ex-soldiers of Chautauqua County, New York.

By Mr. RYAN: Of citizens of White City, Morris County, Kansas.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. GIFFORD: Of 118 citizens of Jerauld and Hutchinson Counties, Dakota.

Of Mr. GUENTHER: Of 37 citizens of Waukesha County, Wisconsin.

By Mr. HOUK: Of citizens of Blount County, Tennessee.

By Mr. LAIDLAW: Of 189 citizens of Chautauqua County, and of 87 citizens of Cattaraugus County, New York.

By Mr. SAYERS: Of 61 citizens of Comal, Gillespie, and Blanco Counties, Texas.

By Mr. STONE, of Missouri: Of 227 citizens of Cass and Cedar Counties, and of 92 citizens of St. Clair County, Missouri.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. ABBOTT: Of citizens of Cuba, Johnson County, Texas.

SENATE.

TUESDAY, *May* 8, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

ENROLLED BILLS SIGNED.

The PRESIDENT *pro tempore* announced his signature to the following enrolled bills, which had previously been signed by the Speaker of the House of Representatives:

A bill (S. 1064) for the relief of L. J. Worden;

A bill (S. 1828) to provide for a light-house at Newport News, Middle Ground, Va.;

A bill (S. 2458) to amend an act to authorize the construction of a bridge across the Eastern Branch of the Potomac River at the foot of Pennsylvania avenue east;

A bill (S. 2506) for the establishment of a light-house, fog-signal, and day beacon in the vicinity of Goose Rocks, Fox Island Thoroughfare, Maine; and

A bill (S. 2614) to authorize the Batesville and Brinkley Railroad to build a bridge across the Black River in Arkansas.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented the petition of John Pope Hodnett, of the District of Columbia, praying compensation for service rendered by him as counsel of the workingmen of the District of Columbia; which was referred to the Committee on Claims.

He also presented a petition of 100 citizens of Westfield, Kans., praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. MITCHELL presented the petition of Charles Gaskins and others, heirs of David Gaskins, late a citizen of Virginia, praying to be allowed compensation for losses sustained by him in consequence of the occupation of his farm by the Union Army in 1862, etc.; which was referred to the Committee on Claims.

Mr. McPHERSON presented a petition of citizens of New York City, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized; which was ordered to lie on the table.

Mr. DAVIS presented a memorial of the Chamber of Commerce of St. Paul, Minn., remonstrating against the proposed amendment to the interstate-commerce law prohibiting transportation of interstate commerce over Canadian railways in its transit between points of shipment and destination; which was ordered to lie on the table.

Mr. CHANDLER presented the petition of C. B. Palmer and 13 other citizens of Bremen, Me., praying that a pension be granted to Mary Johnston, widow of William Johnston, a soldier in the war of 1812; which was referred to the Committee on Pensions.

Mr. CHANDLER. I present the petition of N. E. Bowers, president, and R. P. Coop, secretary, of the Nashua (N. H.) Woman's Christian Temperance Union, and S. J. Frazier, Worthy Patriarch of the Sons of Temperance, and other citizens of Nashua, N. H., praying for legislation against the running of Sunday mail trains; I also present a petition of the same parties, praying for legislation forbidding interstate commerce on Sunday by railroad trains; and a petition of the same parties, praying for legislation against military drills on Sunday. I move the reference of these petitions to the Committee on Education and Labor.

The motion was agreed to.

Mr. HISCOCK. I present the petition of John Pope Hodnett, of the District of Columbia, praying compensation for services rendered by him as counsel for the workingmen of the District of Columbia.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Claims.

Mr. SPOONER. That matter at the last Congress was before the Committee on Claims. The claimant asks, I think, some $25,000 from the Government of the United States as compensation for services which he alleges he rendered as counsel for certain laboring men in this District. I think, perhaps, the petition ought to be referred to the Committee on the District of Columbia. I make that motion.

Mr. HISCOCK. I understand that there is a bill on the subject pending before the Committee on Claims.

The PRESIDENT *pro tempore*. A previous petition on the subject was referred to the Committee on Education and Labor, and reported back by that committee with a request that it be discharged and that the petition be referred to the Committee on Claims, which was done by order of the Senate.

Mr. SPOONER. Very well.

The PRESIDENT *pro tempore*. If there be no objection, the petition will be referred to the Committee on Claims.

Mr. HISCOCK presented a petition of ex-Union soldiers and sailors, citizens of Ontario, Steuben, and Yates Counties, in the State of New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented resolutions adopted at a mass meeting of farmers of Westchester County, New York, complaining of certain abuses now practiced under the authority of the Bureau of Animal Industry; which were referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

At a mass meeting of the farmers of Westchester County, New York, held at Mount Kisco, April 16, 1888, it was unanimously

Resolved, That the sense of this meeting is that the action of the officials of the Bureau of Animal Industry, acting under the orders of the governor of the State of New York, in quarantining the cattle of Westchester County is highly injurious to the interest of the farmers, and that the manner of conducting the quarantine has been unjust, partial, and unfair.

Resolved, That it is the opinion of this meeting that the manner of the appointments made under the governor's orders of the inspectors of cattle throughout the country have been made with a view of promoting the interest of the politician without regard to the wishes or interest of the farmers.

Resolved, That we deem it unnecessary to quarantine any herds but those affected with pleuro-pneumonia, and that the restraining of the moving of healthy cattle from one place to another is not only inconvenient but oppressive, and that we demand immediate relief from the necessity of obtaining a permit to buy, sell, or move healthy cattle.

Resolved, That a copy of these resolutions be forwarded to the governor of the State of New York and proper authorities at Washington, D. C., and we would respectfully ask the honorable Senate and House of Representatives to investigate the management of quarantined districts before making any further appropriation for the Bureau of Animal Industry.

JOSHUA B. WASHBURN, *Chairman*.
ARTHUR S. COME, *Secretary*.

Mr. BLAIR presented the petition of Hon. John J. Bell, Ex-Governor Charles H. Bell, and other citizens of Exeter, N. H., praying for the passage of a bill for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. ALDRICH presented a petition of the Providence (R. I.) Board of Trade, praying for increased accommodations for the appraisement of goods at the port of New York; which was referred to the Committee on Commerce.

Mr. HOAR. I present a memorial of the New England Conference of the Methodist Episcopal Church, composed of 250 ministers, representing 37,000 church members, who protest against the ratification of the treaty with China, lately pending, as it proposes to exclude all Chinese persons, except official representatives, merchants, teachers, and travelers. This body protests against any treaty which excludes Chinese ministers of the gospel from coming to this country, and which prevents Chinese delegates to their general conference from taking their places in that body as utterly un-American and un-Christian. I suppose, until we can appeal from the American people drunk to the American people sober, this question must be considered as settled. Under the rules I presume the memorial must lie on the table.

The PRESIDENT *pro tempore*. The memorial will lie on the table.

REPORTS OF COMMITTEES.

Mr. EDMUNDS. I am instructed by the Committee on the Judiciary to report an amendment to be proposed to the legislative, executive, and judicial appropriation bill when it shall be under consideration, concerning stenographers in the courts in Utah, when such courts are engaged in the trial of United States causes, as they may be called.

I move that the amendment be printed and referred to the Committee on Appropriations.

The motion was agreed to.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 2583) for the relief of Mrs. Julia W. Jones, widow of Lieut. Rowland M. Jones;

A bill (S. 2645) granting arrears of pension to Alden W. Trewogry; and

A bill (S. 2431) for the relief of Nathan Burnham.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the petition of Robert Hammond, of Cambridge, Ohio, praying to be allowed compensation, etc., for injury sustained in the amputation of his leg, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6575) for the relief of James L. Alsip;

A bill (H. R. 417) granting a pension to David Strunk;

A bill (H. R. 7913) granting a pension to Nellie Palfrey Goodwin;

A bill (H. R. 6520) granting an increase of pension to Charles F. Ward;

A bill (S. 2646) granting a pension to Danville A. Ricker;

A bill (S. 2459) granting a pension to Mary S. Maynard;

A bill (S. 2500) granting a pension to Gertrude K. Lyford;

A bill (S. 2451) placing the name of Elizabeth Domm on the pension-rolls; and

A bill (S. 2439) granting a pension to Charlotte T. Alderman.

Mr. BLODGETT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2705) granting a pension to Ellen Smith; and

A bill (S. 2728) to grant a pension to Indiana J. Nichols.

Mr. BLODGETT, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2694) granting a pension to Rev. Henry N. Greninger;

A bill (S. 2706) granting an increase of pension to Deborah C. Sayles; and

A bill (S. 2703) granting a pension to Anna A. Tallman.

Mr. BLAIR, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5522) for the relief of Elijah Martin;

A bill (H. R. 955) granting a pension to Mary M. Sweet;

A bill (H. R. 2167) for the relief of George E. Oliphant; and

A bill (H. R. 7490) for the relief of Sidney W. Whitelock.

Mr. DAVIS, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely;

A bill (S. 2649) granting a pension to William Doan;

A bill (S. 2699) granting a pension to George W. Francis;

A bill (S. 2679) granting a pension to Luman N. Judd;

A bill (S. 2698) granting a pension to Martha Allen and the minor children of Robert Allen; and

A bill (S. 2687) granting a pension to Joseph Blanchard.

Mr. DAVIS, from the Committee on Pensions, to whom was referred

the petition of Isaac N. Herald, praying to be allowed a pension, submitted an adverse report thereon, which was agreed to; and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the bill (S. 2690) granting a pension to John Gallagher, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2721) granting a pension to Jackson Chapman; and

A bill (S. 1162) for the relief of Susan E. Alger.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the petition of William S. Grow, praying to be allowed a pension, submitted a report thereon, accompanied by a bill (S. 2884) granting a pension to William S. Grow; which was read twice by its title.

He also, from the same committee, to whom was referred the petition of Henry A. Hawley, of Delma Junction, Iowa, late hospital steward, United States Army, praying to be allowed a pension, submitted a report thereon accompanied by a bill (S. 2885) granting a pension to Henry A. Hawley; which was read twice by its title.

Mr. FAULKNER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 488) granting a pension to Elizabeth Burr;

A bill (H. R. 3922) to place the name of Casper Seibel on the pension-roll;

A bill (H. R. 3959) granting a pension to Dolly Blazer;

A bill (H. R. 6845) granting a pension to John Witham; and

A bill (H. R. 8266) for the relief of Mrs. Clarissa G. Green.

Mr. QUAY, from the Committee on Pensions, to whom was referred the bill (H. R. 5844) to increase the pension of William Clark, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1340) granting a pension to Elizabeth Sirwell, reported adversely thereon; and the bill was postponed indefinitely.

Mr. PADDOCK, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (S. 1975) to increase the pension of the widow of the late Naval Constructor Edward Hartt;

A bill (S. 1047) to increase the pension of James A. Underwood; and

A bill (S. 2469) for the relief of Annie L. Langworthy.

Mr. PADDOCK. I am directed by the Committee on Pensions, to whom was referred the bill (S. 2549) for the relief of Belle R. Clements, to report it adversely; but I was requested to ask that the bill be placed on the Calendar.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The bill will be placed on the Calendar, with the adverse report of the committee.

Mr. PADDOCK, from the Committee on Pensions, to whom was referred the petition of citizens of New York and Illinois, praying that the name of Maria N. Abbey, a nurse during the war of the rebellion, be placed on the pension-roll, submitted an adverse report thereon; which was agreed to, and the committee were discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the bill (S. 2604) granting a pension to Mrs. Loanda Sherman, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 2647) regulating the practice in certain cases in the Post-Office Department, reported it with an amendment, and submitted a report thereon.

Mr. MITCHELL subsequently said: A few moments ago I reported a bill from the Committee on Post-Offices and Post-Roads. Since submitting that report I am in receipt of a communication from the Postmaster-General, and I think it is due him and the Department that his communication should be incorporated in the report. I ask leave, therefore, to withdraw the report for the purpose of amendment.

The PRESIDING OFFICER. Leave will be granted the Senator to withdraw the report for the purpose suggested, if there be no objection. It is so ordered.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2709) for the relief of Hugh O'Neil; and

A bill (S. 2708) granting a pension to Albertia Shipman.

Mr. TURPIE, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2657) granting an increase of pension to Emily J. Stannard;

A bill (S. 2710) granting a pension to the widow of John Shafer; and

A bill (S. 2595) to increase the pension of Seth F. Myers.

Mr. TURPIE, from the Committee on Pensions, to whom was referred the petition of Joseph B. Sellers, praying to be allowed an increase of pension, submitted a report thereon, accompanied by a bill (S. 2886) granting an increase of pension to Joseph B. Sellers; which was read twice by its title.

Mr. McPHERSON, from the Committee on Finance, to whom was referred the bill (H. R. 8464) for the relief of the Merchants' National Bank, of Poughkeepsie, N. Y., reported it without amendment, and submitted a report thereon.

Mr. VEST, from the Committee on Commerce, to whom was referred the bill (S. 2481) to authorize the construction of bridges across the Kentucky River and its tributaries, by the Louisville, Cincinnati and Virginia Railway Company, reported it with amendments.

Mr. STANFORD, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2789) for the erection of a public building at Reno, State of Nevada, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 785) to provide for an addition to the United States building at Jackson, Miss., reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 786) to provide a building for the use of the United States courts, post-office, custom-office, and internal-revenue office at Vicksburg, Miss., reported it with an amendment.

He also, from the same committee, to whom was referred the bill (H. R. 4467) for the erection of a public building at Bar Harbor, in Maine, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 7265) for the erection of a public building at Hoboken, N. J., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2788) for the erection of a public building at Virginia City, State of Nevada, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 2546) to appropriate $12,000 for the completion of the public building at Peoria, Ill., and increasing the limit of the cost of said building, reported it without amendment.

BILLS INTRODUCED.

Mr. BLODGETT introduced a bill (S. 2887) granting a pension to George H. Johnson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2888) for the relief of Charles Gaskins and others, heirs of David Gaskins, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WALTHALL (by request) introduced a bill (S. 2889) for the relief of Fannie Ricks Jones and Anne Ricks Willis, heirs of Benjamin S. Ricks, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. ALDRICH introduced a bill (S. 2890) granting a pension to Fannie A. Kimball; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WILSON, of Maryland, introduced a bill (S. 2891) granting a pension to Mrs. N. H. Lambdin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2892) to authorize the Territory of Idaho to aid the construction of a wagon-road between Northern and Southern Idaho; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Territories.

Mr. PADDOCK introduced a bill (S. 2893) to amend an act entitled "An act to amend an act entitled 'An act to encourage the growth of timber on the western prairies;'" which was read twice by its title, and referred to the Committee on Public Lands.

AMENDMENTS TO BILLS.

Mr. CHANDLER submitted an amendment intended to be proposed by him to the Army appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. STEWART and Mr. STANFORD submitted amendments intended to be proposed by them, respectively, to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. HAWLEY, it was

Ordered, That leave is hereby granted to withdraw from the files of the Senate the papers in the case of Charles G. Merriman, of Connecticut.

PERSONAL EXPLANATION.

Mr. VOORHEES. Mr. President, if it will not interfere with the business of the Senate, I desire to make a statement personal to myself, which I conceive to be due to the Senate.

It is well known that I have been seriously indisposed and confined to my room almost exclusively for the last week. I visited the Senate Chamber yesterday with the purpose of making the statement then which I shall make now. The opportunity, however, did not present itself until I was suffering so much pain that I withdrew from the Capitol and went home.

Referring to a discussion in which I participated last week, I desire to say to the Senate, that, however severe the provocation which was

given, yet I made use of language at that time contrary to parliamentary rules and to the rules and usages of this body and to the decorum of the Senate. I regret having used such language, and tender a proper apology to the Senate of the United States for having done so. My high respect for the dignity of this body, of which I have been for many years now a member, as well as my self-respect, induces me to make this statement.

REVENUE SERVICE IN MARYLAND.

The PRESIDING OFFICER. If there be no concurrent or other resolutions, the Chair lays before the Senate a resolution coming over under objection from a former day.

The Chief Clerk read the resolution submitted yesterday by Mr. MANDERSON, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to send to the Senate, at as early a date as is practicable, full information as to employés in the customs service at the port of Baltimore, in the offices of the collector, the naval officer, surveyor, and appraisers at said port; all of said information, as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888.

1. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal, when made for cause.
2. Number, names, and official designations of employés appointed since March 4, 1885, with dates of appointments.
3. Number and designation of offices and official positions coming within the classified service, created since March 4, 1885.
4. Number and designation of offices and official positions coming below or outside the classified service, created since March 4, 1885.
5. Number and designation of offices and official positions coming within the classified service, abolished or left vacant since March 4, 1885.
6. Number and designation of offices and official positions coming below or outside the classified service, abolished or left vacant since March 4, 1885.
7. Total number of employés, with names and official designation of each, in the customs service March 4, 1885.
8. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.
9. Number, names, and official designations of heads of divisions in the customs service March 4, 1885.
10. Number, names, and official designations of heads of divisions in the customs service removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.
11. Number, names, and official designations of heads of divisions in the customs service appointed since March 4, 1885.
12. Number, names, and official designations of temporary employés (excepting day laborers) appointed since March 4, 1885, with the date of appointment and term of service of each.

Also, to furnish the Senate with full information as to employés in the internal-revenue service in Maryland in the office of the collector for the district of Maryland, all of the information as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888.

1. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.
2. Number, names, and official designation of employés appointed since March 4, 1885, with dates of appointment.
3. Total number of employés, with name and official designation of each, in the customs service March 4, 1885.
4. Total number of employés, with name and official designation of each, in the customs service April 30, 1888.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolution.

Mr. GORMAN. I move to amend the seventh paragraph by adding at the end the words, "designating those who were appointed under the civil-service law and those who were appointed without examination."

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to amend the seventh paragraph, by adding:

Designating those who were appointed under the civil-service law and those who were appointed without examination.

So as to read:

Seventh. Total number of employés, with names and official designations of each, in the customs service March 4, 1885, designating those who were appointed under the civil-service law and those who were appointed without examination.

Mr. GORMAN. I have no objection in the world to the Senate having all the information that is asked for in these resolutions, but unless the amendment that I have offered be adopted the information that will come will be necessarily misleading.

Mr. MANDERSON. If I may interrupt the Senator, I certainly have no objection to the interpolation of the words suggested by him in the resolution. I think it is a very proper amendment to the resolution.

The PRESIDENT *pro tempore*. Is the Senator from Nebraska understood as accepting the modification?

Mr. MANDERSON. I have no objection to it if the Senate sees fit to interpolate it.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

BALTIMORE POST-OFFICE EMPLOYÉS.

Mr. MANDERSON. There is another resolution, coming over from a previous day, of a similar character.

The PRESIDENT *pro tempore*. The resolution will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. MANDERSON, as follows:

Resolved, That the Postmaster-General be, and he is hereby, directed to send to the Senate, at as early a date as practicable, full information as to employés in the post-office at Baltimore, all of said information, as hereinafter detailed, to cover the time between March 4, 1885, and April 30, 1888.

1. Number, names, and official designations of employés removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.
2. Number, names, and official designations of employés appointed since March 4, 1885, with dates of appointments.
3. Number and designation of offices and official positions coming within the classified service created since March 4, 1885.
4. Number and designation of offices and official positions coming below or outside the classified service created since March 4, 1885.
5. Number and designation of offices and official positions coming within the classified service abolished or left vacant since March 4, 1885.
6. Number and designation of offices and official positions coming below or outside the classified service abolished or left vacant since March 4, 1885.
7. Total number of employés, with name and official designation of each, in the post-office March 4, 1885.
8. Total number of employés, with name and official designation of each, in the post-office April 30, 1888.
9. Number, names, and official designations of heads of divisions in the post-office March 4, 1885.
10. Number, names, and official designations of heads of divisions in the post-office removed or resigned upon request since March 4, 1885, with dates of removal or resignation, and giving cause of removal when made for cause.
11. Number, names, and official designations of heads of divisions in the post-office appointed since March 4, 1885.
12. Number, names, and official designations of temporary employés (excepting day laborers) appointed since March 4, 1885, with the date of appointment and term of service of each.

Mr. GORMAN. I offer the same amendment to paragraph 7, the same language precisely, to come in at the end of the paragraph.

The PRESIDENT *pro tempore*. The amendment will be stated.

The CHIEF CLERK. It is proposed to add at the end of the seventh paragraph the words:

Designating those who were appointed under the civil-service law and those who were appointed without examination.

The PRESIDENT *pro tempore*. The amendment will be agreed to, if there be no objection; and the question recurs on the adoption of the resolution as amended.

The resolution as amended was agreed to.

BALTIMORE AND POTOMAC RAILROAD.

Mr. BLAIR. I move that the Senate proceed to the consideration of Senate bill 1430, being the land-grant forfeiture bill.

The PRESIDENT *pro tempore*. If there be no further morning business that order is closed, and the Senator from New Hampshire moves——

Mr. FARWELL. I ask unanimous consent to take up Senate bill 2615. I think there will be no objection to it.

The PRESIDENT *pro tempore*. If there be no further morning business, the Senator from New Hampshire is recognized to move the consideration of Senate bill 1430.

Mr. BLAIR. I ask the Senator from Illinois to wait until the land-forfeiture bill is taken up, and then it can be laid aside.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from New Hampshire to proceed to the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. FARWELL. I now ask unanimous consent to take up Senate bill 2615 for consideration at this time.

The PRESIDENT *pro tempore*. The Senator from Illinois asks unanimous consent that the pending business be informally laid aside for the purpose of enabling him to move the consideration of the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia, which has been read at length as in Committee of the Whole. Is there objection?

Mr. BLAIR. I have no objection, unless the bill shall lead to discussion.

Mr. FARWELL. It will lead to no discussion.

The PRESIDENT *pro tempore*. The Chair would hold that the Senator from New Hampshire would have the right to ask for a vote upon his motion if there should be any objection. Is there objection to the request of the Senator from Illinois?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia.

Mr. FARWELL. The bill has been previously read as in Committee of the Whole.

The PRESIDENT *pro tempore*. The Chair understood that an amendment had been or was to be proposed to the bill.

Mr. FARWELL. I will offer certain amendments now.

The PRESIDENT *pro tempore*. The bill having been read at length it is open to amendment, and the Senator from Illinois proposes amendments which will be stated.

The CHIEF CLERK. In section 2, line 3, strike out the words "of Maryland and" and insert the words "and west of;" and in the same line change the word "avenues" to "avenue;" and after "avenue" insert "and south of Maryland avenue and west of Sixth street west;" so that the clause will read:

That the said company is also hereby authorized to acquire for railway pur-

poses such additional property as may be needed south and west of Virginia avenue and south of Maryland avenue and west of Sixth street west.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Illinois.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The next amendment proposed by the Senator from Illinois will be stated.

The CHIEF CLERK. In section 2, line 5, after the word "it," insert "west of Sixth street west and south of Virginia avenue;" so as to read:

And to extend its tracks to its said properties, as well as those now owned by it west of Sixth street west and south of Virginia avenue.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The next amendment proposed by the Senator from Illinois will be stated.

The CHIEF CLERK. It is proposed to add at the end of section 2 the following proviso:

Provided, That the power of condemnation shall not be exercised west of Delaware avenue, beyond the limit of two squares in depth at right angles from the main track of the Baltimore and Potomac Railroad: *And provided further*, That no property used for church or school purposes shall be condemned under this act.

The amendment was agreed to.

Mr. SHERMAN. Mr. President, I wish to say a few words about this bill.

I am in favor of granting the Baltimore and Potomac Railroad Company reasonable facilities to acquire lands in this city for their purposes. I take it that this bill is a final settlement of the question of the removal of the railroad from the route granted to and now occupied by the Baltimore and Potomac Railroad. I suppose it is the end of any effort to remove the Baltimore and Potomac Railroad, and my own judgment, as a long sojourner here in this District, is that it is a wise settlement of that controversy. The Baltimore and Potomac Railroad have a right to their present location, and they should be encouraged to improve, to ornament, and to complete it, and this bill will enable them to take their cars from the streets and avenues of this city and to place them in grounds to be purchased by them and owned by them in severalty. So I consider that as settled.

What I wish to say is, that I think the Congress of the United States in neglecting to compel the Baltimore and Ohio Railroad to take their depot out of the unsightly place in which it is now situated, and running that railroad across some twenty different squares of the city of Washington and depreciating the value of property worth millions of dollars belonging to private citizens, preventing the improvement of a large section of the city, and one of the most beautiful sections of the city, a section equal in capacity and extent and beauty of location to the northwestern section of the city, is a hardship and injustice that ought to be put an end to. I wish now to announce my willingness to participate in requiring the Baltimore and Ohio Railroad to remove their tracks from their present location. I am told they are willing to remove them.

Mr. COCKRELL. Where should they be removed?

Mr. SHERMAN. Their depot should be removed, in my judgment, to an equally eligible and proper site alongside the Baltimore and Potomac Railroad depot. I would require them at once to remove five or six squares from their present location, say anywhere east of Seventh or Eighth street east, there to tunnel under one of the streets, to carry their road around and bring it in alongside of the Baltimore and Potomac south of Sixth street west. If Sixth street is to be thus devoted to railroad purposes, the Baltimore and Ohio should be given equal facilities with the Baltimore and Potomac. It is not possible to bring these two corporations together in a common depot, because they would quarrel with each other. I know that in Ohio we have several places where these roads are brought in contact, and they never could agree about anything. I would put them alongside of each other and give them equal facilities and equal privileges under sharp and equal competition, and require them to make equal improvements, bridges and embankments, so as to protect the park and make the crossing of the tracks easy and safe and reduce to a minimum the obstruction and disfigurement of the park.

I merely rose to express my desire that the Committee on the District of Columbia would at the present session, in conformity with the universal wish of the people of Washington without exception, report some bill that will relieve us from the nuisance which now lies in our sight. Here is the magnificent North Capitol street blocked up.

Mr. FARWELL. If the Senator will permit me, I will inform him that there is a subcommittee on that matter now which has it under consideration.

Mr. SHERMAN. That is all I desire; but while we are rendering additional facilities to one of these roads we ought to render equal accommodations to the other.

Mr. HOAR. Does the Senator from Ohio understand that this bill commits the Senate irrevocably and perpetually to the policy of keeping the Baltimore and Potomac Railroad on Sixth street and the park?

Mr. FARWELL. Not at all.

Mr. SHERMAN. I do not know what the Committee on the District of Columbia proposes; but the effect of the purchase of the property contemplated by the bill, the facilities extended to the Baltimore and Potomac Railroad, together with the general desire on the part of the business men of the city of Washington, to leave the depot where it stands, will, in my judgment, during our lifetime at least, and probably forever, keep the location of the Baltimore and Potomac depot where it is. I do not say that the committee desires it, but I say that is the effect of it.

Mr. VANCE. I desire to offer an amendment to come in at the end of section 2——

Mr. HOAR. Does a single objection send this bill over?

The PRESIDING OFFICER (Mr. SPOONER in the chair). The Chair so understands.

Mr. HOAR. I object.

Mr. BLAIR. I call for the regular order.

Mr. VANCE. Can my amendment be read, sir, and printed, if the bill goes over?

The PRESIDENT *pro tempore*. It can be read, if there be no objection.

The CHIEF CLERK. It is proposed to add to the proviso already adopted to section 2, the following:

Provided, That the Baltimore and Potomac Railroad Company shall be required to remove their track and depot from the public grounds which they now occupy and locate them upon the lands so acquired.

The PRESIDENT *pro tempore*. The Senator from New Hampshire [Mr. BLAIR] asks for the regular order.

JOHN C. GREEN.

Mr. HARRIS. I rose for the purpose of asking the indulgence of the Senator from New Hampshire for a single moment in order that I may ask the Senate to consider Order of Business 812, Senate bill 67, and if it leads to a minute's debate I will retire from the scene and not trespass upon the courtesy of the Senator from New Hampshire.

Mr. BLAIR. I can yield no further. If the Senator's bill does not require debate I shall not object.

Mr. HARRIS. If it leads to debate I shall not ask indulgence.

Mr. BLAIR. I give notice to the Senate that if another like request is made I shall object.

The PRESIDENT *pro tempore*. The Senator from Tennessee asks that the pending business be informally laid aside for the purpose of considering Senate bill 67.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 67) to perfect the military record of John C. Green, of Tennessee.

The Committee on Military Affairs reported an amendment, in line 12, before the words "of August," to strike out "first" and insert "twelfth day;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and required to enter on the rolls of Company I, Seventh Regiment Tennessee Volunteers, the name of John C. Green, as duly mustered into the service of the United States on the 20th day of December, A. D. 1863, and to complete his military record as follows: Captured by the enemy, while in the line of duty, at Union City, Tenn., March 24, A. D. 1864; died at Andersonville, Ga., on the 12th day of August, A. D. 1864, while being detained by the enemy as a prisoner of war.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

The PRESIDENT *pro tempore*. The pending question is on the amendment of the Senator from Michigan [Mr. PALMER] to the amendment of the Senator from Wisconsin [Mr. SPOONER].

Mr. BERRY. Mr. President, in the very briefest way possible I wish to reply to a few observations made yesterday by the Senator from Wisconsin [Mr. SPOONER]. The difference between the amendment of the Senator from Michigan and that of the Senator from Wisconsin I do not propose to discuss. I am opposed to the amendment of the Senator from Wisconsin, either with or without the amendment of the Senator from Michigan.

The Committee on Public Lands sought to forfeit all unearned lands, all lands opposite the uncompleted portions of the railways. That committee were of the opinion that they could not by legislative act settle the existing claims of the various claimants in the State of Michigan. They believed that any amendment of the character of this one would tend to defeat the forfeiture act. Therefore the committee said they would leave each of the parties there to seek his rights or his remedies before the Department or before the courts of the country, and so the bill stands to-day without this amendment.

I wish to call the attention of the Senate to the fact that the amendment of the Senator from Wisconsin not only confirms cash entries of lands proposed to be forfeited by this bill, but thousands of acres of other lands that were entered for cash, which lands are in no way connected with this bill and are not included in the forfeiture. From the

remarks of the Senator from Wisconsin yesterday the Senate would infer that these lands were agricultural lands and were covered all over with homes and farms. The facts are that the great body of this land is not agricultural land. It is timber land; it is mineral land; it is land of very great value; and if the land was put up and sold to the highest bidder, as the law requires should be done, it would bring into the Treasury of the United States a vast amount of money.

The Commissioner of the General Land Office knew that these lands were not subject to sales at private entry. From 1865 to 1880, for fifteen years, he called the attention of the local officers at Marquette to the fact that these lands were not subject to private entry until they should be first offered at public sale, so as to give every man an opportunity to bid. They continued to sell them at private sale from time to time in the face of repeated orders from the Department here not to do so.

The committee that investigated the matter reported that these lands were purchased by less than thirty corporations. They purchased them at private entry, and the House report says that the register of the local land office so disobeyed the orders of his superior that the greater part of these applications were made out in his handwriting. The committee furthermore says that the people who entered these lands at $1.25 an acre were the agents of corporations; and yet the Senator from Wisconsin I presume regards them as innocent purchasers, and he says that it would be dishonest on the part of the Government not to confirm these entries.

Mr. SPOONER. Do I understand the Senator to say that he presumes I am one of the innocent purchasers?

Mr. BERRY. No, sir. If the Senator so understood me he misunderstood me. I said nothing like it. I said that the Committee on Public Lands of the House had stated that the register of the land office was interested to-day in these lands, and I presumed that he was one of the innocent purchasers of whom the Senator from Wisconsin was speaking.

Now, Mr. President, these lands the law required should be sold to the highest bidder. They were entered by these companies at a dollar and a quarter an acre in the face of the law, and now they ask the Senate of the United States to come in and confirm to them an immense body of lands, some of which the Senator from Wisconsin said yesterday had sold at $100 per acre. If a man down in the hills of Arkansas or upon the plains of Wisconsin twenty years ago purchased 40 acres of land from the Government, and built his home upon it, and for some cause his title proves to be invalid, he can only come to the Government of the United States and get back his dollar and a quarter an acre; but these parties who the Senator says paid into the Treasury a million dollars can go there to-day and get their million dollars back, because that is the law, and if their entries were invalid they have a right to have the money back. I beg the Senator to tell me why Congress should take a man's land in Arkansas and give him back only one dollar and a quarter an acre without interest, and why he says it is dishonest on the part of this Government to refuse to confirm to these syndicates and these corporations 400,000 acres of land, 800,000 acres including the even sections, but 400,000, as was said yesterday, included within the odd sections.

If these lands are worth from ten to twenty or thirty dollars an acre, as is asserted, and will bring it at public sale, the law requiring them to be sold at public sale, I ask why it is that certain favored individuals can go and purchase them at a dollar and a quarter an acre in the face of the law and not give every other person an opportunity to purchase, and then ask the Congress of the United States to confirm their titles?

These are the objections I have to it. I know no party connected with it. The information I have is from the testimony taken before the House committee contained in the majority and minority reports made by that committee. It is open to every Senator here to examine that testimony. I assert that no one can read that testimony from beginning to end without coming to the conclusion that this register acted in a fraudulent way when he allowed the entry of these lands. I can not perceive that it is dishonest for the Senate of the United States to refuse to ratify such proceedings. The ideas of the Senator from Wisconsin and mine differ if he thinks it is dishonest for any man to refuse to vote for the confirmation of these titles when this testimony, as a majority of a committee of one branch of Congress has said, shows that they were procured in that way. It seems to me that it is unjust.

The Senator from Oregon [Mr. DOLPH] a few days ago delivered a long speech here tending to show that the party to which he belonged had been in favor of forfeiting all the unearned lands and that the difficulty was that the other branch of the Congress, a majority of whom belonged to a different party, had been the obstructionists; yet he is willing to-day to allow an amendment to go on this bill that has but one tendency, and that is to defeat the forfeiture of these unearned grants, when all parties have professed again and again that they were in favor of their forfeiture.

If this amendment is not adopted, if the several parties, the cash entrymen, the canal men, and all the other claimants have equities, let the parties come to Congress in a separate bill; but do not seek to load down this bill, which is a forfeiture bill pure and simple, with a matter which will tend to defeat the forfeiture bill and to defeat all legislation whatever.

Mr. President, I have talked on these amendments more frequently than I intended, but I am earnestly in favor of forfeiting the unearned land grants. I am earnestly in favor of the bill passing both Houses of Congress at the earliest day possible to accomplish that result. I believe that if this amendment is placed onto this bill the probabilities are that this Congress will do as the last one did—that is, that these forfeitures will not take place because of differences between the two Houses. Therefore I trust that neither the amendment of the Senator from Wisconsin nor that of the Senator from Michigan will be adopted, but that both will be laid on the table, and that the bill as it comes from the committee will be passed by the Senate of the United States.

Mr. SPOONER. Mr. President, I am in favor of the passage of this bill, for I am in favor of forfeiting every acre of unearned land granted to a State or to railway companies for the construction of railroads that there is in the United States; but this bill, general in its terms, operates throughout the United States, and it proposes to forfeit and throw open to settlement lands which have already been purchased from the United States. I think it is manifestly proper that in adopting general legislation of this character Congress should provide for the protection of those purchasers if they ought to be protected.

That they need protection no one denies. It is admitted that these Michigan entries are invalid for the reason that, notwithstanding the lands were held by the land officers to be open to entry, they had not been reoffered, as required by law. In the case put by the Senator from Arkansas as to the failure of title in his State, I should be willing to vote to confirm those titles if the purchases were in good faith. Anywhere in the United States, where a man has bought from the Government of the United States at the Government land office land, believing that it was open to entry, has paid his money, there being no fraud in the transaction, I would cheerfully vote to confirm his title, and I think nearly every Senator would cheerfully so vote.

The Senator from Arkansas can not successfully indict the integrity of all the owners of these lands by the means he adopts for that purpose. There are 1,200 of them as stated by Mr. PAYSON in his report. At least half the men interested to-day in these lands are men who have bought from the original entrymen, and hold under conveyance from them and their grantees. Certainly the Senator from Arkansas does not impute fraud to them. Some of these original entrymen, who I presume still hold the land which they bought, I happen to know, and they stand as well, and deservedly stand as well, in the community in which they live as the Senator from Arkansas can stand in the community in which he lives.

Mr. PALMER. Will the Senator from Wisconsin yield for a moment for a question?

Mr. SPOONER. Certainly.

Mr. PALMER. Will he tell me how those 1,200 owners are distributed?

Mr. SPOONER. Mr. PAYSON states that they are distributed in this way: that 384 live in Michigan, 89 in Wisconsin, 37 in Illinois, 20 in Pennsylvania, 20 in New York, 17 in Ohio, 7 in Massachusetts, and 126 are scattered.

Mr. PALMER. I meant as to their property, their holdings.

Mr. SPOONER. I do not know.

Mr. PALMER. They are mostly in two towns which are essentially out of this case. They are on the even sections, and the Department has decided in favor of the cash entries.

Mr. SPOONER. It is stated in this report that 400 of these people own tracts of land not exceeding 160 acres each, small tracts of land. Now we have their money; the Senator says let them come and take back their money with interest. I ask the Senate of the United States if that is any measure of protection or justice to these people. They have paid taxes on these lands for years; some of them have sold them in good faith and given warranty deeds of them. Others have made improvements upon them and it would be no fair adjudication of their claim simply to give them back the purchase-money which they paid into the Treasury.

I am utterly at a loss to understand how the Senator from Arkansas can reconcile his attitude as to this amendment with his attitude as to the bill itself which comes from his committee. I am only asking by this amendment that Congress shall protect the title of these men whom the Secretary of the Interior shall find to have purchased in good faith. Of course there is a defect in the title.

Mr. BERRY. Will the Senator allow me there?

Mr. SPOONER. Certainly.

Mr. BERRY. Does not the Senator know that so far as the provision in the amendment that the Secretary of the Interior shall confirm the title of those who he is satisfied entered in good faith is concerned, the decision would be on an *ex parte* hearing where the Government would not be represented and where these parties would only furnish evidence of good faith? So it would absolutely amount to a confirmation of that entire body of 800,000 acres of land. I care not how much fraud a register of the land office who disobeyed the orders of his superior and

in his own handwriting filled out applications to lands that he knew were not subject to private entry and then afterwards became the agent through whom these sales were made may have committed, evidence will no doubt be furnished to show good faith, especially where the Government is not represented on the other side.

Mr. SPOONER. I do not think the Senate of the United States will dispose of this question upon the assumption that the statements or suspicions presented by Mr. Henley in his report are to be taken as absolutely conclusive on the questions of fact. Mr. PAYSON and the gentlemen who joined with him in the minority report say there is no evidence of collusion or fraud in the transactions, that there is no evidence of fraudulent purpose on the part of the land officers, no evidence of fraudulent purpose on the part of the purchasers; and how the Senator can talk about the Government of the United States not being represented when the amendment provides that the very officer who must first be satisfied by satisfactory proof of the good faith of these parties is an officer of the United States, a Cabinet officer of the United States, the Secretary of the Interior, I can not understand. The Secretary is at liberty under this amendment to inaugurate any investigation he chooses. The evidence must be made satisfactory to him. He may demand such measure of testimony as he sees fit to be taken in such manner as he may indicate. So it seems to me there is nothing whatever in that objection.

But, Mr. President, the Senator seems to me, as I said, to be inconsistent. He would not confirm, no matter in whatever good faith the purchaser may have entered the land, one of these entries. Now this bill provides for forfeiting land on the ground that the railway companies never have earned it, and that therefore the Government of the United States has under all decisions the right to resume it; and this very bill which the Senator supports, in its second section provides—

That in all cases where persons are in possession of any of the lands affected by any such grant and hereby resumed by and restored to the United States, under deed, written contract with, or license from, the State or corporation to which such grant was made, or its assignees, executed in good faith prior to January 1, 1886, they shall be entitled to purchase the same from the United States, etc.

How purchase "from the United States?" They are to be entitled to purchase by paying the regular price. The land is not to be reoffered. They are entitled under this bill to protect their purchases in good faith by paying into the Treasury of the United States $1.25 or $2.50 an acre.

Mr. BERRY. One moment. The bill provides that they shall be allowed to purchase by paying $2.50 an acre. That has no reference whatever to lands entered at private entry. It applies to the railroad lands out West, and it does not confirm their title, but simply gives them a preference over others to purchase at the given price.

Mr. SPOONER. Exactly. Where they have not paid the Government, where the land is resumed on the ground that it belongs to the Government, the bill to which the Senator agrees protects the title obtained in good faith from the railway company. True, the company did not own the land, but this authorizes the purchaser from the railroad company as against every other man in the United States, any homestead settler under the laws of the United States, to go to the land office, and by paying $2.50 an acre, take the land; now why protect the titles of men who have purchased in good faith from a railroad company which confessedly had no title, and yet refuse to protect the title of men who have purchased in good faith from the very Government itself? They authorize these men who have not paid the Government to go to the land office and pay the United States. In the cases which I am endeavoring to protect by this amendment the parties have already gone to the land office of the United States and entered the land and paid the money.

Then I should like to know—for this appears to be satisfactory to the Senator from Arkansas—how can the question of good faith in the case of a purchaser from a railway company be determined fairly to his satisfaction, and yet the Senator be able reasonably to say that the Secretary of the Interior can not fairly determine the question of good faith under the amendment which I offered.

I do not intend to take up the time of the Senate any further in discussing the proposition.

Mr. MITCHELL. I wish to ask the Senator from Wisconsin a question. I desire to know why the amendment should be limited to the State of Michigan alone?

Mr. SPOONER. I limited it to the State of Michigan because these lands were all unearned in the State of Michigan, and I knew of no other instance in the country which would come within the purview of the provision. I thought it might be objected to if it were not so restricted. That is why I limited it.

Mr. MITCHELL. Mr. President, is an amendment in order at this time?

The PRESIDENT *pro tempore*. The bill is not now subject to amendment, an amendment in the second degree being pending.

Mr. MITCHELL. I shall at the proper time, unless I change my mind or see some good reason why I should not do so, move to amend the amendment of the Senator from Wisconsin by striking out, in line 4, the words "the State of Michigan" and inserting in lieu thereof "any State or Territory."

Mr. TELLER. Mr. President, the lands in controversy have been the subject-matter of discussion in the Interior Department for several years. I do not recollect the exact statements that have been made pro and con, and I have never read the report referred to by the Senator from Arkansas [Mr. BERRY] as made in the House of Representatives, but I am morally certain that it can not be alleged against any considerable portion of these cash entries that there was any corruption or any fraud. What may have been the conduct of some officials, whether they made an error or whether they acted willfully and knowingly for the purpose of securing this land to themselves, I think there has been practically no complaint that the entrymen themselves committed any fraud on the Government.

It was a question that baffled and annoyed the Department for some time as to the status of these entries, whether they were valid entries or whether they were not valid. As I understand now the proposition is simply to say to the men who bought in good faith, who were bona fide purchasers, supposing that under the law they had the right to take the land, that they shall be protected in their property. If any individual conveys property that he does not have a title to, under the pretense that he has, in equity and in law he is compelled to make it good. The United States had an absolute title to this land, and nobody denied it. It was within the power of the Government to make a good title; yet the officers who assumed to do it acted without the authority which might have been obtained from the legislative department; but supposing they had that authority they made the title. They have taken these people's money, and these holders for fifteen or eighteen years, and in some instances perhaps longer, have paid the State taxes, have held possession of the land, and have believed they were the owners of it.

About 1882 there was a contest raised as to the question whether this was valid or not, and it was generally understood that there was a technicality that might vitiate the title though the patents had issued. Thereupon in some instances settlers went upon these lands for the purpose of making homes, believing that they were bona fide entitled to do so, believing that they did not interfere with the real right of anybody. They made pre-emption and homestead claims on top of the lands which the Government had already issued a certificate for, and in many cases had issued a patent for.

I understand by the amendment accepted by the Senator from Wisconsin [Mr. SPOONER], and offered by the Senator from Michigan [Mr. PALMER], that that class of bona fide settlers are protected.

In addition to this there is not any question but what a large number of people went on these lands for the purpose of getting them for speculation, and not for the purpose of making homes. They did what other people had attempted to do—get the lands for the timber that was on them. That class of men are not entitled to any protection at the hands of the Government or any consideration whatever.

I shall vote for the amendment of the Senator from Wisconsin as amended by the acceptance of the amendment offered by the Senator from Michigan, which protects every bona fide settler.

Now, then, the question is simply this: Shall we protect the men who supposed that they had a right to take these titles, as the Government said it had a right to make them; who paid their money and took their receipts, and subsequently took their patents and sold to other men, who had the same right to believe in the title, at an advance price—whether these bona fide owners and holders are to be deprived of their lands for the simple purpose of allowing somebody else to come in here and get them—because the moment they are open they will be occupied by some other persons? The Government will derive no great benefit from this transaction, even if it was right and proper, which I deny.

The lands may sell for $25 or $30 an acre, it is said. I do not know exactly where they are. That has nothing to do with the question, in my judgment. If the Government has lured its citizens into buying these lands, they believing that they were entitled to do so, it is an act of injustice on the part of the Government, because it has the technical right, to say because the land has advanced in price that it shall not now be held by those people who, trusting the authorities appointed by law to make the final conveyance, received it. Because they trusted them and took their title, are they now to be despoiled and destroyed of their rights on a mere technicality?

Mr. President, recently under a decision of the Interior Department with reference to land in the vicinity of Denver overruling decisions of the Interior Department made in two cases carefully adjudicated in 1873 and 1874, after the people had been in possession of the land, after they had had a patent from the Government in some instances for fifteen years, the Government of the United States proceeds to institute suit to set aside the patent on the theory that the lands adjudicated by the Government to a certain railroad company had never been the property of the railroad company. The land is worth in some cases a thousand dollars an acre; and who is to be benefited by that thousand dollars an acre? Is it the Government?

Mr. BERRY. Will the Senator allow me?

Mr. TELLER. Not now. The Senator may speak when I get through this illustration.

Is it the Government that is to be benefited? Not at all. The mo-

ment it is declared that these are void entries, that moment the land is open under the settlement law, and Mr. Jones and Mr. Smith and everybody else jump on to it, and the man who had cultivated it for fifteen years and who put fences on it and houses on it and had made it a garden, who has held it and paid taxes on it, is deprived of his property that some saloon-keeper who hung around the town and did nothing may go upon it and receive the benefit of the enhanced value by the labor of the former occupant.

What I mean to say is, that when the Government has by its decisions misled its citizens and justified them in buying land of the Government or of a railroad company, the Government, while it is not in law, is in morals and in decency estopped from despoiling its citizens in that way.

Now, I will hear the Senator from Arkansas if he wishes to ask me a question.

Mr. BERRY. The Senator stated that some of this land was now worth a thousand dollars an acre.

Mr. TELLER. Not this land that is in controversy. I spoke of the Denver land.

Mr. BERRY. I want to say to the Senator that a very large portion of this land is not agricultural land; it has no houses and no ditches and no farms upon it. It is mineral land; it is iron land of great value. The Senator says that the Government would not be benefited. The law requires this land to be offered to the highest bidder. If it is offered to the highest bidder to-day it will bring from $25 to $30 an acre, it is said. If there is any reason why these men who purchased in fraud of the law, in the face of the instructions of the Commissioner of the General Land Office, shall be given by this Government the difference between a dollar and a quarter an acre and that which the land will bring at public sale to the highest bidder—if there is any reason why we should donate and contribute this to these corporations and these syndicates that do not occupy the land, I shall be glad if the Senator from Colorado would tell me what that reason is.

Mr. TELLER. I take issue with the honorable Senator. There is not any law that requires the land now in controversy in Michigan to be put up and sold at auction. It is discretionary with the Department. They may withdraw it from the operation of the settlement law and put it up. The Senator knows that upon pretty nearly every one of these pieces of land there are now four sticks laid out in the shape of a basement of a house. He knows that there is a little something done upon it by some speculator, and it is not a question whether the Government of the United States is to get what the value of the land is, but it is a question whether somebody else who has not had anything to do with this land up to the present time shall step in and have the enhanced value produced, perhaps not by the labor that these men have put upon it in Michigan, but by the holding of it until circumstances have made it valuable, upon which they have paid taxes for fifteen or eighteen years, and some man who has no claim at all upon the Government, who has never been misled by the action of its officials, who never has paid a dollar in State tax or anything else, or paid for the land, is to come in and take it as a homesteader or pre-emptioner if he sees fit.

Mr. BERRY. The Senator has just admitted that it was in the power of the Department to withdraw it from settlement and offer it to the highest bidder.

Mr. TELLER. So as to the men who bought the land in the vicinity of Denver, who bought it from a railroad company that had a patent to it, and after there had been two determinations in the Department that it was railroad land and not public land, it is in the power of the President of the United States to put up that land that has now enhanced in in value, having passed through the hands of half a dozen owners, and sell it for a thousand dollars an acre; but it would be downright robbery if he should do it; and there has not been any President who has ever sat in the chair of Washington who would have thought of doing it. The people of the United States are not so poverty-stricken and so poor that they want the Government of the United States to engage in robbing the citizens. They are willing that the Government should do what any individual would be compelled to do by the decent and respectable people of the community in which he lived, and that is, to make good his contracts and not to resort to technicalities of law. I say that the Government of the United States can not afford to take from anybody the land it has conveyed to him when the purchaser believed that he was getting a title from the Government, there being no fraud on his part.

If there was a mistake, what is the rule of equity? That the man who made it must suffer for it, and not the man who acted in good faith. If it was ignorance on the part of the Government officers, then the Government should suffer. If it was fraud on the part of the Government officers, then the Government should suffer and not the citizen, unless the citizen participated in the fraud; and it is only proposed here to treat with the bona fide people, those who acted in good faith.

Now, Mr. President, it may be that you could save fifteen or twenty or thirty thousand dollars of money by these proceedings; it may be that by resuming control of the land I have spoken of that is covered with houses in the city of Denver the Government of the United States can add to its overflowing Treasury; but does the Senator from Arkansas want that done? Does he believe that the constituents who stand behind him want it done? Does he believe the respectable people of this country want it done when it comes out of the pockets of some citizen of the United States who is himself without fault?

Mr. President, money of that kind would be a disgrace to us, and ought to bring misfortune to us as well as to be a disgrace. What we want to do is, if there has been an honest transaction on the part of the citizen with the Government, that that shall be maintained. No government in the world can afford to plead technicalities; no government can afford to say, "The law is against you; you did not know it; but in the mean time I sold you this land; I took your money; I put it in my treasury and have used it; but twenty years later I have discovered a technicality that will enable me to pay you back your money and sell the land to others at an enhanced price."

Mr. President, the very suggestion is abhorrent, it seems to me. If these people took in good faith, then the Government is bound to protect them and to make them a title if it can be made; and the only exception should be cases where there was fraud or collusion with those acting under the Government. Where the honest settler, the bona fide occupier, has gone upon the land and attempted to make title, he ought to be protected, because his interests are paramount to those of the capitalist who put his money in or of the party who has simply bought, because one or the other must be wrong. But where there is no question of occupation, where it was a fair transaction between the Government and the cash purchaser, there ought not to be any hesitation either in this case or in any other in dealing with the citizen; and that is why the committee provide in this bill that where a railroad company not having the title, not being possessed of the title to the land, attempted to sell the land and did sell it under the supposition that it belonged to the company, the citizen believing it as well as the railroad company, and then it turned out that the railroad company did not own it, the Government shall allow him, contrary to public policy now, to buy the land of the Government and not take it by pre-emption or homestead entry. It is because the Government allowed him to be misled by its conduct; and if the Government has directly misled him, then much stronger is the case that the Government should protect him.

Not only did the Government in these cases give the certificates, but years afterwards issued the patents. The Senator says that it was in violation of the instructions of the Commissioner of the General Land Office. Why did the Commissioner of the General Land Office subsequently, at a period varying from a few months to several years, issue patents for these lands? The truth was that the whole thing proceeded upon a misapprehension as to the law, and that is all there was of it—a misapprehension as to the law by the purchasers and a misapprehension of the law by the Department. Now, it is said that the Government should take advantage of this mistake of the law and deprive these people of what they supposed and had a right to suppose was their property for the last fifteen or twenty years.

Mr. BERRY. Mr. President, the Senator from Colorado is horrified at the idea that this Government should attempt to take lands because of a mere technicality, and he says the trouble arose from a mistake of the Government. I read six letters—I think there are six—from the Commissioner of the General Land Office at Washington to the local officers at Marquette, telling them again and again, "These lands are not subject to private sale;" and in subsequent letters, "You have disobeyed the orders, and I again remind you that they are not subject to private entry." In the face of that the officers at Marquette went on and sold 800,000 acres of these lands, three-fourths of which were sold to twenty corporations and syndicates, and the same register of the land office is now in partnership with the parties who purchased; and yet the Senator from Colorado says that is a mere technicality, and it would be robbery on the part of the Government to claim the lands. That may be called a technicality in the courts in which he has practiced, but in those in which I have appeared that would be called fraud, and any man who would doubt that these corporations had full knowledge of the fact that the Commissioner of the General Land Office was instructing the local land officers not to sell these lands at private entry—I say the man who would doubt that knows little of the operations of the corporations of this country.

Mr. President, the whole history of land grants to corporations of every character and description has been that in every instance almost the corporation has failed to comply with the conditions contained in the grant. The history of it is that wherever they have secured an advantage by the decision of any court over any poor settler, they have with merciless hand driven him from his home; and yet when they have made a mistake, when they thought they could purchase in the face of the law, when they knew they were violating the law, when this land would have brought thousands upon thousands of dollars if put up at public sale, when these favored individuals were permitted in the face of the law to take it up at $1.25 an acre and now come and make a pathetic appeal to Congress when they have possession of lands said to be worth to-day millions of dollars, the proposition that these men who paid $1.25 an acre for 800,000 acres of land should receive back only the money paid, the Senator from Colorado thinks would be a

great hardship, and he seeks to make an appeal to the Senate and to its sympathy in behalf of these syndicates.

I assert that no man can read the testimony taken before the House committee, no man can read the majority report, without coming to the conclusion that in nine cases out of ten these parties had knowledge of the fraud, and they knew they were gambling, they knew they were speculating, and they have no hold upon this land but that they have secured by paying a dollar and a quarter an acre, lands of immense value, and that their hold is uncertain, and the Department having decided against them they come here now and seek to foist it upon a bill known to be popular, a land-forfeiture bill forfeiting lands granted to railroads. They know they can not get their claim through on its own merits, and their only hope is to tack it onto a bill that the whole country is in favor of, and then they hope by that means to confirm a title which was conceived in fraud and which was known to be a fraud at the time it was done; and these lands, as I said, were sold directly in face of the orders of the Interior Department. If it is right to confirm them under the circumstances, then I have said all that I wish.

I repeat that my information comes from the report made to the Congress of the United States. If it is a false report, the men who made it are responsible for it. It comes from testimony taken week by week of witnesses who have sworn to these facts.

I insist that this land-forfeiture bill, which we all protest that we want to pass, ought not to be clogged and loaded down with amendments which will have a tendency to defeat it, and then Senators go before the country and say the Senate of the United States passed the land-forfeiture bill, but the House of Representatives did not agree to it, when they are placing amendments on it which they know that no man who understands that testimony can conscientiously agree to.

Mr. TELLER. I do not know what may be the rule in the courts in which the Senator pleads in Arkansas, but I know what is the rule in the courts in which I have practiced, and that is that there is no fraud to be charged on a party who does not participate in it. It certainly is not so in the higher courts of the United States. No man is chargeable with a fraud who does not participate in it. The Senator does not charge that these cash entrymen participated in fraud.

Mr. BERRY. I assert directly that that report said that three-fourths of this immense body of land was purchased, and that the committee were driven to the conclusion that it was purchased in fraud, and the purchasers must have known it.

Mr. TELLER. That was the impression of the committee without evidence, and my recollection is that there is no evidence which would justify that statement. But if that was true as to a few, what is to be done with the others? No man is chargeable with fraud, I repeat, who himself has not participated in it; and if the Government of the United States puts in a land office a scoundrel, as it frequently does, and that man proceeds to ignore the instructions of his superior, as is frequently the case, and a citizen is misled in putting his money into a purchase of land, is it any answer when he says, "I demand that the Government treat me as an individual would be compelled to treat another individual in any forum of the land," to allege that the land officer committed a fraud without any connection with the party who made the purchase of the land? There is the failure of the Senator's argument. He insists that the settler is responsible for the misconduct of the land officer and the subsequent misconduct (if he is correct) of the Commissioner who proceeded to issue a patent and the President who signed it. Was the President guilty of a fraud? Was the Commissioner guilty of a fraud?

The Senator knows, if he knows anything at all, that this whole proceeding arose from a misunderstanding of the law. There is not any question about it. If there were two men who knew that it was void they went in and bought with their own money a body of land on the supposition that some day the title would be confirmed. They must have been far-seeing men, for it has been a question in the Interior Department until within a very short time whether these were legal and valid entries. It was contended that they were valid most positively by some officers, and it has been only recently that the question has been finally settled.

The Senator from Arkansas can not obscure this question by saying that the amendment is put on here for the purpose of defeating the bill. Why, Mr. President, when did the Senator from Arkansas become the special champion of the people in respect to public lands? I do not want on a bill of this kind to go into a political discussion, but I say that there is, or ought to be, nothing of politics in this case. If there is I am quite prepared to show that the Senator need not throw any stones from that side of the Chamber when it comes to a question of fealty to the settler on the public lands on the part of the administration that preceded the war or the present and those that intervened. If he wants to open up the present administration of public affairs in reference to lands, I shall be quite prepared to meet him on any reasonable bill and at any reasonable time, and if I do not show him that this administration has done more to unsettle titles and disarrange business in the West than the value of the millions of money that he claims have been or are likely to be worth to the Government if it was recovered, I shall give up. There is no politics in this bill.

The Senator can not claim that he is more in favor of the repeal of the law that withholds these lands from settlement than I am. Years before I became charged with duty in another department of the Government, on this floor I advocated again and again a repeal of all the grants made to railroad companies that had not been complied with at that time. As an executive officer I submitted three separate reports to the President, in each of which I urged the legislative department of the Government to take immediate steps to free public land from the incubus of a supposed grant.

The Senator need not stand here, nor need any other Senator, and attempt to hurl at me the stigma that I am in the interest of wishing to give to railroad companies or anybody else the public lands, for upon that question I yield to nobody in this Chamber or elsewhere. Ten years ago in this Chamber I introduced a bill that if it had passed then would have saved the country from a great deal of scandal, from a great deal of trouble, and would have saved a great deal of land for settlers that they perhaps will never get. Not only did I put in bills as early as that to forfeit some of these grants, but a bill which would restrict settlement entirely to homestead settlers, more than ten years ago, and upon every occasion I have advocated the preservation of the public lands for the actual settlers. I did not learn that doctrine in a Democratic school, either, but I was brought up to believe not simply that honesty was the best policy, but that it was a duty; and I would no more by my legislative vote here rob a man of that which belonged to him than I would as a private citizen, and I would be ashamed of myself in the community in which I live if I sheltered myself from an engagement of mine under the statute of limitations or any technical plea. I believe in keeping and maintaining not only the spirit of honesty, but honesty itself. I say that the Government having given to these people a title which they believed to be good, it being now in the power of the Government to make good the title, it is absolute robbery, and would be a national disgrace if we did not make good the title to every man who acted in good faith, and that is the only class of men that we seek to protect by this amendment.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on the amendment proposed by the Senator from Michigan to the amendment of the Senator from Wisconsin.

Mr. BERRY. I move to lay on the table the amendment of the Senator from Michigan to the amendment of the Senator from Wisconsin.

The PRESIDING OFFICER. The Senator from Arkansas moves that the amendment to the amendment lie on the table.

Mr. BERRY called for the yeas and nays.

Mr. PALMER. Will the Senator from Arkansas withdraw his motion for a moment?

Mr. BERRY. I withdraw the motion.

The PRESIDING OFFICER. The motion is withdrawn.

Mr. PALMER. To my clouded intellect there seems to be a great deal of irrelevant talk. An outsider would hardly appreciate what we are talking about. I know that this discussion may take a very wide range upon the amendment of the Senator from Wisconsin; but what is under discussion now? It is my second amendment to the Senator's amendment, and it reads thus:

Provided, That nothing herein contained shall be construed to confirm any private entry for land heretofore settled upon and now claimed under color of the homestead or pre-emption laws; but in all such cases the Commissioner of the General Land Office and Secretary of the Interior shall hear and determine the claims of the parties respectively, according to the provisions of existing law.

It is one of the difficulties of my situation, Mr. President, that I was not trained in the law; and again, if I have a legal conviction, or a legal idea, I have not that technical phraseology and those sententious phrases that convince the groundlings (in which I include myself) and people who are not well versed in the law. I can not see why by reserving this right to the settlers and the homesteaders we are doing any injury to the cash-entry men, save taking away from them what is not legally theirs, and then we leave them the resort to the courts. I believe in confirming all these cash entries where there is no conflict. I will not say that there is any fraud in the entries among the purchasers. It is very evident, though, that a great many purchases were made with the conviction that they were buying into a pool; in other words, a gamble; and here is one of the evidences that I submitted yesterday from one of the parties who purchased, and it will speak for itself. This was Mr. A. C. Brown, a very respectable man.

Q. Did you have any talk with other parties living there, on the subject of those lands being reserved from the market?

* * * * * * *

Question repeated.
A. Yes.
Q. With whom?
A. It was a subject of general conversation.
Q. State to the committee whether or not it was generally known there among men dealing in the lands that these lands were within what was termed a lapsed railroad grant?
A. I think it was at that time.
Q. Afterwards you say that in 1880 you did buy some of the lands?
A. Yes, sir.
Q. At the solicitation of young Mr. Selden?
A. Yes.
Q. You bought them knowing the situation, did you?
A. Yes.

* * * * * * *

Q. Did you expect to hold that land?
A. I was willing to take my chances of it.

That is scandal, I have no doubt. I am not talking of the legality or the weight of this in a court. I am merely stating that these men, who all bought in good faith, are not idiots. There undoubtedly were some of them innocent purchasers; but most of them knew that they were buying into an uncertain thing, and they were willing to take the chances, just as Mr. Brown says. Now, I am willing to give my vote toward the confirmation of all lands where there is no conflict by bona fide settlers. But the settlers have fought this fight for the last eight years. They have got certain rulings in the Department, and they are suspicious of all these amendments. As I said in regard to the canal discussion, I fear—and here I merely repeat—the Greeks bearing gifts. I do not pretend to call my friend from Wisconsin [Mr. SPOONER] a Greek at all, but that is the way it phrases. If we can protect them by the most stringent amendment that we can adopt, I am in favor of doing it.

The Senator from Wisconsin said yesterday:

Now, when it is asked that Congress shall go beyond that—

That was my first amendment:

That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States.

The Senator said:

Now, when it is asked that Congress shall go beyond that, I beg leave to say to the Senator from Michigan, with all due respect to him, that the proposition is subject to the just suspicion that it is the purpose to ask Congress to legislate, not on broad principles which shall fairly take in and protect all who ought to be protected, but under some specious guise or disguise to legislate for particular cases, the merits of which the Senate does not understand.

That is what we are all the while suspecting on the other side.

Mr. BLAIR. Will the Senator allow me to ask him a question?

Mr. PALMER. Any number.

Mr. BLAIR. I should like the Senator to explain the difference between the amendment first read, and which the Senator from Wisconsin [Mr. SPOONER] was willing to have incorporated in his amendment, and the amendment the Senator from Michigan is now moving.

Mr. PALMER. Please repeat the question, I ask the Senator from New Hampshire.

Mr. BLAIR. The Senator moved this amendment, which was accepted by the Senator from Wisconsin:

That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States.

That was accepted by the Senator from Wisconsin. Now the Senator from Michigan moves this amendment:

Provided, That nothing herein contained shall be construed to confirm any private entry of lands heretofore settled upon and now claimed under color of the homestead or pre-emption laws, but in all such cases the Commissioner of the General Land Office and the Secretary of the Interior shall hear and determine the claims of the parties respectively according to the provisions of existing law.

Now, I wish to ask the Senator whether there be any distinction or difference between those two amendments save this, that in the last he leaves out the words "in good faith" or "bona fide," and also that he extends the time from the 1st of January, 1888, down to the passage of the act? Is there any other difference?

Mr. PALMER. I should think there was a very great difference. If the Senator will commence on the third line of the last amendment, at the words "but in all such cases," he will see quite a difference.

Mr. BLAIR. That is in the fourth line of the printed amendment.

Mr. PALMER. Where the words occur—

But in all such cases——

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. CULLOM. I rise to say a word in reference to the order of business.

Mr. BLAIR. Will the Senator permit me to ask unanimous consent——

Mr. CULLOM. What I desire to say by unanimous consent is this: There are three bills before the Senate which have been talked about from day to day for nearly a month. We get about so far on this bill and then stop and take up another. It seems to me that we are making very little progress, and while I am a friend to all three of the measures that have been before the Senate, I desire to suggest to those in charge of these several measures and to the Senate generally that by consent we proceed with the consideration of this bill until it is finished, and then by consent go on and finish the bill that comes next in order, so that these bills may be gotten out of the way.

We are making no progress. The bill before the Senate is debated over and over again from day to day; about the same speeches are made, and we get no vote, and it seems to me that it is trifling away very much time that is not necessary to be spent in the way we are doing. I only suggest this in the interest of progress in disposing of the business of the Senate.

Mr. PALMER. I would say so far as I am concerned that I am perfectly willing to continue with this forfeiture bill until we arrive at a conclusion.

Mr. BLAIR. I ask unanimous consent that the Senate proceed with the consideration of Senate bill 1430 until it is disposed of.

The PRESIDING OFFICER. Pending the consideration of the unfinished business the Senator from New Hampshire [Mr. BLAIR] asks the unanimous consent of the Senate that it be informally laid aside in order that the forfeiture land-grant bill may be continued.

Mr. COKE. I shall be compelled to object, unless unanimous consent is given that the animal-industry bill shall be taken up promptly at 2 o'clock to-morrow and proceeded with until it is disposed of.

Mr. CULLOM. I have no doubt this bill will be finished to-day if we go on with it.

Mr. COKE. I am entitled to the floor now, and I prefer not to take the floor after this bill has been disposed of, perhaps at 4 or 5 o'clock; but if I can get unanimous consent to have the unfinished business taken up to-morrow at 2 o'clock, I shall not object to this bill being continued to-day.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas?

Mr. CULLOM. I trust the request the Senator makes will be granted, and that we shall go on with the consideration of the forfeiture bill to-day and continue until it is completed.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Texas that unanimous consent be given that the unfinished business shall be taken up at 2 o'clock to-morrow and proceeded with? The Chair hears none.

Is there objection to the request of the Senator from New Hampshire that the unfinished business be informally laid aside in order that the Senate may proceed with the forfeiture land-grant bill? The Chair hears none, and the bill is before the Senate as in Committee of the Whole. The question is on the amendment of the Senator from Michigan [Mr. PALMER] to the amendment of the Senator from Wisconsin [Mr. SPOONER].

Mr. PALMER. Have I answered the Senator from New Hampshire?

Mr. BLAIR. The Senator's answer was that there was a difference, but he did not point it out.

Mr. PALMER. This is the vital part of the second amendment:

But in all such cases the Commissioner of the General Land Office and the Secretary of the Interior shall hear and determine the claims of the parties, respectively, according to the provisions of existing law.

I do not understand that that concludes any parties from appealing to the courts after they get through there if they are dissatisfied; but the point of it is that the homesteaders have fought their fight in the Department, and now they do not wish to have it all undone by the amendment, as it would be, of the Senator from Wisconsin. I, not being a lawyer, can not tell what the legal effect of that would be, but I know how lawyers can construe language. They do not want to be relegated to the commencement of that old fight, although I have no doubt that if they had money enough to keep it up they would succeed in the end. They want to have a chock put under the wheels, and not be put down to the foot of the hill again; they have got really to the top. That is the whole animus of my second amendment.

Mr. BLAIR. What is the reason that the words "bona fide," in the first amendment, or "in good faith" are omitted in the second? Why not insert in the third line of the second amendment after "claimed," the words "in good faith" or "bona fide claimed?" What objection could there be that the two amendments should be alike in that respect?

Mr. PALMER. How would the Senator introduce it?

Mr. BLAIR. Let the second amendment read in this wise:

That nothing herein contained shall be construed to confirm any private entry for land heretofore settled upon and now claimed in good faith under color of the homestead or pre-emption laws.

Mr. PALMER. I see no objection to that.

Mr. BLAIR. Then another point. The second amendment covers time down to the passage of the bill. The first amendment covers the time to the 1st of January last.

Mr. PALMER. I gave my reasons yesterday why I introduced the amendment with this change of phraseology which withdrew that element of limitation of time, and that was this: I received a telegram from Mr. Hopkins, who is a very respectable man, as follows:

BEAR LAKE, *Mich.*, *6th.*

To THOMAS W. PALMER:

Don't exclude pre-emption and homesteads taken since January 1. Hundreds of homes have been made since.

GEO. W. HOPKINS.

Those men have gone on under the decisions of the Department. They have had greater reason for going on than any cash entryman ever had for supposing that the lands were in the market. They have had continuous decisions and rulings of the Department, and I say that they should not be limited as to time.

Mr. BLAIR. In other words, the Senator claims that there have

been men who have homestead and pre-emption claims arising in good faith since the 1st of last January.

Mr. PALMER. Certainly. That limitation was withdrawn, because I got a telegram yesterday morning stating that the homesteaders were going on encouraged by the decision of the Land Office in Wakefield *vs.* Cutter, which ruled that "the cash entries on odd sections were absolutely void." I think that was on the 6th of last January. When we talk of these cash entrymen being invited to purchase these lands, even conceding it to be so, they have not had the encouragement to purchase these lands that the homesteaders have had to go and settle upon them. They have had not only decisions of the courts, but rulings of the Land Office.

Another thing in regard to the cash entrymen. They do not deserve the consideration that they should have if they had shown due diligence; but fifteen years ago, in the case of Eldred *vs.* Sexton, it was decided that their titles were not valid, and yet they have not taken any steps before Congress to have them validated except in some such way as this. That is all there is to the case.

Does the Senator from New Hampshire wish to ask any more questions?

Mr. BLAIR. Would not the Senator's entire purpose be obtained if the words "first of January" in the first amendment should be substituted by the "first of May?" Would not that cover everything that he desires?

Mr. PALMER. That would suit me. Just append that to my substitute. Do you mean my second amendment, for which this is a substitute, or my first amendment?

Mr. BLAIR. I think the first amendment. There seem to be two points of difference between the two amendments. The words "good faith" are left out of the second, and the second brings the time down to the present date, while the first stops at last January. If you introduce the element of good faith in the second amendment you already have it in the first——

Mr. PALMER. I admit that.

Mr. BLAIR. Then they are just alike. Now, if you make the first amendment cover the time down to the 1st of May, then it is just like the second one; each is like the other; and the Senator from Wisconsin in agreeing to say "the 1st of May" instead of "the 1st of January," accepts all that you ask substantially.

Mr. PALMER. That will necessitate the limitation of the 1st of May.

Mr. BLAIR. "Or the passage of the act." There would seem to be great propriety in fixing the 1st of May.

Mr. PALMER. The occupants would prefer the 1st of May to 1st of January, and I am willing to do that.

Mr. BLAIR. There can be no sort of question that amid all this turmoil and hullabaloo in the Senate and all over the country about this bill, as the amendment names the 1st of May this year these folks up there have heard about it, and if you should cover all who have made entries there in good faith down to the 1st of May you would cover everybody that would probably be there.

Mr. PALMER. Then the Senator would suggest the 1st day of May instead of the 1st day of January?

Mr. BLAIR. Yes, and making that the date in the first amendment. The last part, "arising or asserted under color of the laws of the United States," must include everything that is in the second amendment.

Mr. PALMER. Now the Senator will amend the second as he suggests. What is his suggestion, "in good faith?" Was it the proposition of the Senator that I should withdraw the second amendment?

Mr. BLAIR. The Senator from Wisconsin has accepted the first amendment of the Senator from Michigan, and if he will assent to change the date in the first amendment from January to May, and the Senator from Michigan is willing that only those shall be protected who are claimants in good faith, then the acceptance of this one change in the matter of date, and the adoption of the first amendment would, it seems to me, cover everything that the Senator from Michigan desires, and everything that either party in the controversy desires.

Mr. PALMER. Either the Senator from New Hampshire is confused or I am. The first amendment is the one that substituted "the 1st day of May" for "the 1st day of January." That is the first amendment accepted by the Senator from Wisconsin.

Mr. SPOONER. Now, the proposition of the Senator from New Hampshire, as I understand it, is to amend that amendment by striking out the word "January" and inserting in lieu of it the word "May," so that it shall provide that this confirmation shall not be operative to confirm any title that comes in conflict with a bona fide preemption made prior to the 1st day of May, 1888.

Mr. PALMER. That is my first amendment accepted by you.

Mr. SPOONER. Yes.

Mr. PALMER. That is all right. My second amendment is further up, on page 3979 of the RECORD:

Provided, That nothing herein contained shall be construed, etc.

Does the Senator from New Hampshire want to amend that?

Mr. BLAIR. I understand that the Senator from Wisconsin, as has been stated several times, adopted that first amendment.

Mr. PALMER. And he accepts it as amended.

Mr. BLAIR. Commencing—

That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888.

Now substitute for "January" "May."

Mr. PALMER. That was all finished, but that is not the amendment under discussion. That comes in by a side track. I insist on my amendment:

Provided, That nothing herein contained shall be construed to confirm any private entry for land heretofore settled upon and now claimed under color of the homestead or pre-emption laws; but in all such cases—

Here is the point of it—

the Commissioner of the General Land Office and Secretary of the Interior shall hear and determine the claims of the parties respectively, according to the provisions of existing law.

And my explanation is this: They do not want to have that fight to go over again. They have fought the good fight and I hope they have finished their course, but with that left out they will not feel so.

Mr. SPOONER. Now, while the Senator from Michigan talks a good deal about his not being a lawyer, I have very little sympathy for him in that respect, for I venture the assertion that he has presented no amendment to this bill that has not been drawn by a very good lawyer.

Mr. PALMER. Will the Senator permit me to interrupt him?

Mr. SPOONER. Certainly.

Mr. PALMER. The second amendment was neither instigated, suggested, nor reviewed by a lawyer—the one that I have substituted the last for. That was drawn by a horny-handed son of toil.

Mr. SPOONER. But how about this?

Mr. PALMER. It was drawn by a lawyer, I hope.

Mr. SPOONER. The Senator says it was drawn by a lawyer. I do not think any lawyer reading it would hesitate to come to that conclusion.

I only wish to make one remark in regard to this amendment, and then I shall have no more to say on this subject.

The amendment which I have accepted was correctly stated by the Senator from Colorado [Mr. TELLER] and the Senator from New Hampshire [Mr. BLAIR] as protecting adequately every bona fide settler or pre-emption claimant down to January 1, 1888. This amendment which is now offered, and which was drawn by some lawyer, leaves out the words "in good faith," and the effect of it is simply to exclude from this confirmation every claim on every tract of land upon which up to the time this act passes there shall be a squatter, whether he has squatted in good faith or in bad faith——

Mr. PALMER. Will the Senator permit me to interrupt him?——

Mr. SPOONER. Through fraud or otherwise.

Mr. PALMER. To show him my good faith.

Mr. SPOONER. I do not question your good faith.

Mr. PALMER. I accept the amendments to insert "good faith" and the limitation of time.

Mr. SPOONER. That is, "January" is changed to "May."

The PRESIDENT *pro tempore*. The proposed modifications to the amendment will be first reported at the desk to avoid confusion. The Chair understood that some modifications had been agreed upon and accepted by the Senator from Michigan.

Mr. PALMER. To facilitate business, I will say, for the information of the Secretary, that in my first amendment the "first day of January, 1888," is changed, by common consent, to the "first day of May."

The PRESIDENT *pro tempore*. Let that be reported.

Mr. SPOONER. I beg the Senator's pardon. I agreed to accept that amendment if the second amendment which he now proposes was withdrawn.

Mr. PALMER. Then that can be considered undone.

Mr. DOLPH. I move to lay the amendment of the Senator from Michigan to the amendment of the Senator from Wisconsin on the table.

The PRESIDENT *pro tempore*. The Senator from Oregon moves to lay upon the table the amendment proposed by the Senator from Michigan to the amendment offered by the Senator from Wisconsin.

Mr. PALMER. I should regret to have that done.

The PRESIDENT *pro tempore*. The Chair must remind the Senator from Michigan that the motion is not debatable.

Mr. PALMER. I would merely say that if the motion should be adopted I should have to vote against the Spooner amendment.

Mr. BLAIR. Am I to understand that this is a motion to lay the amendment of the Senator from Wisconsin on the table?

The PRESIDENT *pro tempore*. To lay the amendment proposed by the Senator from Michigan to the amendment proposed by the Senator from Wisconsin on the table.

Mr. PALMER. Will the Chair please state the question again?

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the amendment proposed by the Senator from Michigan to the amendment proposed by the Senator from Wisconsin be laid upon the table.

Mr. BLAIR. I should like to know what that amendment is.

The PRESIDENT *pro tempore*. It will be read by the Secretary, though that can be done only by unanimous consent, the motion not being debatable and the reading being in the nature of debate. The Chair hearing no objection, it will be read.

The SECRETARY. At the end of the proposed section 9, the amendment is to add:

Provided, That nothing herein contained shall be construed to confirm any private entry for land heretofore settled upon and now claimed under color of the homestead or pre-emption laws; but in all such cases the Commissioner of the General Land Office and Secretary of the Interior shall hear and determine the claims of the parties respectively, according to the provisions of existing law.

Mr. BLAIR. By unanimous consent I wish to say that that is not the amendment of the Senator from Michigan as I understand.

Mr. PALMER. The Senator from New Hampshire is mistaken. That is my amendment.

The PRESIDENT *pro tempore*. Debate is not in order. The amendment just read is the amendment offered by the Senator from Michigan, as the Chair understands and is informed by the Secretary.

Mr. SAWYER. I understand that the first amendment that was offered by the Senator from Michigan to the amendment of the Senator from Wisconsin was accepted and is part of my colleague's amendment. Is it not?

The PRESIDENT *pro tempore*. The Chair so understands.

Mr. PALMER. That is the status of the case.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Oregon to lay on the table the amendment proposed by the Senator from Michigan to the amendment of the Senator from Wisconsin.

Mr. PALMER called for the yeas and nays, and they were ordered.

Mr. EDMUNDS. Mr. President, I wish the Senators in charge of this disputed point would state exactly what the scheme of this bill is about these questions so that we may vote intelligently.

The PRESIDENT *pro tempore*. The motion is not debatable.

Mr. EDMUNDS. Is this a motion to lay on the table?

The PRESIDENT *pro tempore*. It is a motion to lay on the table. The roll-call will proceed.

The Secretary proceeded to call the roll.

Mr. HOAR (when the name of Mr. DAWES was called). My colleague [Mr. DAWES] is paired with the Senator from Maryland [Mr. WILSON].

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES].

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN], who is detained from the Chamber by sickness. I do not know how he would vote on this question.

Mr. BERRY (when Mr. VEST's name was called). The Senator from Missouri [Mr. VEST] is paired with the Senator from Pennsylvania [Mr. QUAY]. If the Senator from Missouri were here, he would vote "nay."

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

The roll-call was concluded.

Mr. CULLOM. The Senator from Connecticut [Mr. PLATT] is paired with the Senator from Virginia [Mr. DANIEL]. The Senator from Connecticut is away, sick.

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS]. I do not know how he would vote.

Mr. HAWLEY. The Senator from Tennessee [Mr. HARRIS], temporarily absent, requested me to announce his pair with the Senator from Vermont [Mr. MORRILL].

Mr. SPOONER (after having voted in the affirmative). I am paired generally with the Senator from Mississippi [Mr. WALTHALL]. I voted, not noticing that he was absent from the Chamber. I therefore withdraw my vote.

Mr. BERRY. My colleague [Mr. JONES, of Arkansas] is paired with the Senator from New York [Mr. HISCOCK]. If my colleague were here he would vote "nay."

The result was announced—yeas 21, nays 15; as follows:

YEAS—21.

Aldrich,	Evarts,	Jones of Nevada,	Stewart,
Brown,	Frye,	McPherson,	Stockbridge,
Chace,	Gibson,	Mitchell,	Teller.
Chandler,	Hawley,	Payne,	
Cullom,	Hoar,	Sawyer,	
Dolph,	Ingalls,	Stanford,	

NAYS—15.

Berry,	Davis,	Palmer,	Turpie,
Blodgett,	Edmunds,	Pasco,	Vance,
Cockrell,	Hampton,	Pugh,	Wilson of Iowa.
Coke,	Morgan,	Reagan,	

ABSENT—40.

Allison,	Daniel,	Hearst,	Ransom,
Bate,	Dawes,	Hiscock,	Riddleberger,
Beck,	Eustis,	Jones of Arkansas,	Sabin,
Blackburn,	Farwell,	Kenna,	Saulsbury,
Blair,	Faulkner,	Manderson,	Sherman,
Bowen,	George,	Morrill,	Spooner,
Butler,	Gorman,	Paddock,	Vest,
Call,	Gray,	Platt,	Voorhees,
Cameron,	Hale,	Plumb,	Walthall,
Colquitt,	Harris,	Quay,	Wilson of Md.

The PRESIDENT *pro tempore*. A quorum not having voted, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Dolph,	Hoar,	Sherman,
Bate,	Edmunds,	Ingalls,	Spooner,
Berry,	Evarts,	McPherson,	Stanford,
Blair,	Faulkner,	Manderson,	Stewart,
Blodgett,	Frye,	Mitchell,	Stockbridge,
Brown,	George,	Paddock,	Teller,
Chace,	Gorman,	Palmer,	Turpie,
Chandler,	Gray,	Pasco,	Vance,
Cockrell,	Hampton,	Payne,	Walthall,
Coke,	Harris,	Pugh,	Wilson of Iowa.
Cullom,	Hawley,	Reagan,	Wilson of Md.
Davis,	Hiscock,	Sawyer,	

Mr. EDMUNDS. I wish to say that my colleague [Mr. MORRILL] is absent on account of ill-health and may be for some days. I wish to make this announcement once for all as accounting for his not being present.

Mr. HAWLEY. My colleague [Mr. PLATT] is absent from the Chamber somewhat indisposed and compelled to take a few days for rest.

The PRESIDENT *pro tempore*. Forty-seven Senators having answered to their names, there is a quorum, and the roll-call will proceed on the pending motion.

Mr. EDMUNDS. Is it in order to make a motion now to indefinitely postpone this bill?

The PRESIDENT *pro tempore*. It is not.

Mr. EDMUNDS. My motive, if I may be allowed to say so, was simply to make a motion in order to ask my friend from Wisconsin to explain precisely the ground why this amendment ought not to be considered or adopted; but if it is not in order I will not press it.

The PRESIDENT *pro tempore*. The roll-call will proceed on the motion to lay on the table the amendment of the Senator from Michigan to the amendment of the Senator from Wisconsin.

The Secretary proceeded to call the roll.

Mr. FAULKNER (when Mr. DANIEL'S name was called). The Senator from Virginia [Mr. DANIEL] is paired with the Senator from Connecticut [Mr. PLATT].

Mr. HOAR (when the name of Mr. DAWES was called). My colleague [Mr. DAWES] is paired with the Senator from Maryland [Mr. WILSON]. If my colleague were present, he would vote "yea."

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. HARRIS (when his name was called). Upon this question, and indeed upon all questions, I am paired with the Senator from Vermont [Mr. MORRILL], who is necessarily absent from the Chamber.

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

The roll-call was concluded.

Mr. WILSON, of Maryland. I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. HAMPTON. My colleague [Mr. BUTLER] is paired with the Senator from Pennsylvania [Mr. CAMERON].

Mr. CULLOM. The Senator from Kansas [Mr. PLUMB] is paired with the Senator from North Carolina [Mr. RANSOM].

Mr. CHACE (after having voted in the affirmative). It had escaped my mind at the time I voted that I am paired with the Senator from Georgia [Mr. COLQUITT]. I therefore wish to withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Rhode Island withdraws his vote.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The result was announced—yeas 23, nays 18; as follows:

YEAS—23.

Aldrich,	Evarts,	Ingalls,	Stanford,
Blair,	Frye,	McPherson,	Stewart,
Brown,	George,	Mitchell,	Stockbridge,
Chandler,	Gray,	Payne,	Teller.
Cullom,	Hawley,	Sawyer,	Walthall.
Dolph,	Hoar,	Spooner,	

NAYS—18.

Bate,	Coke,	Palmer,	Turpie,
Berry,	Davis,	Pasco,	Vance,
Blodgett,	Edmunds,	Pugh,	Wilson of Iowa.
Call,	Gorman,	Reagan,	
Cockrell,	Hampton,	Sherman,	

ABSENT—35.

Allison,	Dawes,	Jones of Arkansas,	Quay,
Beck,	Eustis,	Jones of Nevada,	Ransom,
Blackburn,	Farwell,	Kenna,	Riddleberger,
Bowen,	Faulkner,	Manderson,	Sabin,
Butler,	Gibson,	Morgan,	Saulsbury,
Cameron,	Hale,	Morrill,	Vest,
Chace,	Harris,	Paddock,	Voorhees,
Colquitt,	Hearst,	Platt,	Wilson of Md.
Daniel,	Hiscock,	Plumb,	

So the amendment to the amendment was laid on the table.

The PRESIDENT *pro tempore*. The question recurs on the amendment proposed by the Senator from Wisconsin [Mr. SPOONER].

Mr. BERRY. I move to lay the amendment of the Senator from Wisconsin on the table.

The PRESIDENT *pro tempore*. The Senator from Arkansas moves to lay the amendment of the Senator from Wisconsin on the table.

Mr. BLAIR. Before that motion is put, I ask to have the amendment read as modified by agreement of the Senator from Wisconsin.

The PRESIDENT *pro tempore*. The amendment will be read as modified.

Mr. BLAIR. There was a change in the date.

The CHIEF CLERK. It is proposed to insert the following as a new section:

SEC. 9. That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States, by sales or entries, by cash warrants or scrip, under color of the public-land laws, and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided, however*, That where the original cash purchasers are the present owners this act shall be operative to confirm the title only of such said cash purchasers as the Secretary of the Interior shall be satisfied have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States. That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of January, 1888, arising or asserted under color of the laws of the United States.

Mr. SPOONER. If the Senator from Arkansas will permit me, I wish to accept an amendment to that amendment, fixing the limitation at the 1st day of May instead of the 1st day of January, so that it will save the right of any bona fide homesteader or pre-emption claimant down to the 1st day of May instead of the 1st day of January.

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent, the yeas and nays having been ordered, that the amendment may be modified as it will now be read.

The CHIEF CLERK. It is proposed to modify the amendment so as to make the last clause read:

That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States.

The PRESIDENT *pro tempore*. Is there objection to this modification? The Chair hears none.

Mr. MITCHELL. I ask the Senator from Wisconsin if he has any objection to an amendment striking out——

Mr. BERRY. I decline to yield further. I ask for the yeas and nays on my motion to lay the amendment on the table.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks that upon taking the question on the motion to lay the amendment on the table the yeas and nays be entered on the Journal.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CHACE (when his name was called). I desire to announce that I am paired with the Senator from Georgia [Mr. COLQUITT].

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN], whom I do not see in his seat, and therefore I can not vote.

Mr. FAULKNER (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. BERRY (when the name of Mr. JONES, of Arkansas, was called). My colleague [Mr. JONES, of Arkansas] is paired with the Senator from New York [Mr. HISCOCK]. If my colleague were present, he would vote "yea."

Mr. FAULKNER (when Mr. KENNA'S name was called). I wish to state that my colleague [Mr. KENNA] is paired with the Senator from Minnesota [Mr. SABIN].

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. VANCE (when Mr. RANSOM'S name was called). I wish to announce that my colleague [Mr. RANSOM] is paired with the Senator from Kansas [Mr. PLUMB].

Mr. BERRY (when Mr. VEST'S name was called). The Senator from Missouri [Mr. VEST] requested me to announce that he is paired with the Senator from Pennsylvania [Mr. QUAY].

The PRESIDENT *pro tempore*. The pair of the Senator from Pennsylvania [Mr. QUAY] with the Senator from West Virginia [Mr. FAULKNER] was announced.

Mr. FAULKNER. I am very willing to transfer my pair. I made a pair originally with the Senator from Pennsylvania, and did not know that a subsequent arrangement had been made; but as I am present, and the Senator from Pennsylvania [Mr. QUAY] and the Senator from Missouri [Mr. VEST] are absent, I am very glad to transfer my pair to the Senator from Missouri.

The PRESIDENT *pro tempore*. How does the Senator from West Virginia desire to be recorded on this vote?

Mr. FAULKNER. I vote "nay."

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

The roll-call was concluded,

Mr. MANDERSON. I announce my pair with the Senator from Kentucky [Mr. BLACKBURN].

The result was announced—yeas 15, nays 22; as follows:

YEAS—15.

Bate,	Cockrell,	Palmer,	Turpie,
Berry,	Coke,	Pasco,	Vance,
Blodgett,	Gorman,	Pugh,	Wilson of Iowa.
Call,	Ingalls,	Reagan,	

NAYS—22.

Blair,	Edmunds,	Mitchell,	Stewart,
Brown,	Faulkner,	Payne,	Stockbridge,
Chandler,	Frye,	Sawyer,	Teller,
Cullom,	George,	Sherman,	Walthall.
Davis,	Hawley,	Spooner,	
Dolph,	McPherson,	Stanford,	

ABSENT—39.

Aldrich,	Dawes,	Hiscock,	Plumb,
Allison,	Eustis,	Hoar,	Quay,
Beck,	Evarts,	Jones of Arkansas,	Ransom,
Blackburn,	Farwell,	Jones of Nevada,	Riddleberger,
Bowen,	Gibson,	Kenna,	Sabin,
Butler,	Gray,	Manderson,	Saulsbury,
Cameron,	Hale,	Morgan,	Vest,
Chace,	Hampton,	Morrill,	Voorhees,
Colquitt,	Harris,	Paddock,	Wilson of Md.
Daniel,	Hearst,	Platt,	

The PRESIDENT *pro tempore*. No quorum having voted, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Davis,	Hoar,	Sherman,
Bate,	Dolph,	Ingalls,	Stanford,
Berry,	Evarts,	McPherson,	Stewart,
Blair,	Faulkner,	Manderson,	Stockbridge,
Blodgett,	Frye,	Mitchell,	Teller,
Brown,	George,	Paddock,	Vance,
Call,	Gibson,	Palmer,	Walthall,
Chace,	Gorman,	Pasco,	Wilson of Iowa,
Chandler,	Hampton,	Payne,	Wilson of Md.
Cockrell,	Harris,	Pugh,	
Coke,	Hawley,	Reagan,	
Cullom,	Hiscock,	Sawyer,	

The PRESIDENT *pro tempore*. Forty-five Senators having answered to their names, a quorum being present, the roll-call will proceed on the motion of the Senator from Arkansas [Mr. BERRY] to lay the amendment of the Senator from Wisconsin [Mr. SPOONER] on the table.

The Secretary proceeded to call the roll.

Mr. CHACE (when Mr. ALDRICH'S name was called). My colleague [Mr. ALDRICH] having been called away, I have transferred my pair with the Senator from Georgia [Mr. COLQUITT] unto him.

Mr. EVARTS (when his name was called). I am paired with the Senator from Alabama [Mr. MORGAN], and therefore I can not vote.

Mr. FAULKNER (when his name was called). I desire to say that the reason for the vote I shall give, contrary to the vote that I gave previously upon this question, was based upon a reply I received to a question I propounded to the Senator from Arkansas——

The PRESIDENT *pro tempore*. The Chair would remind the Senator from West Virginia that debate is not in order pending a roll-call.

Mr. FAULKNER. I do not propose to debate the question. I vote "yea."

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES].

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. BERRY (when Mr. VEST'S name was called). The Senator from Missouri [Mr. VEST] requested me to announce that he is paired with the Senator from Pennsylvania [Mr. QUAY]. I will state that if present the Senator from Missouri would vote "yea."

The roll-call having been concluded, the result was announced—yeas 17, nays 22; as follows:

YEAS—17.

Bate,	Coke,	Palmer,	Vance,
Berry,	Faulkner,	Pasco,	Wilson of Iowa.
Blodgett,	Gorman,	Pugh,	
Call,	Hampton,	Reagan,	
Cockrell,	Ingalls,	Turpie,	

NAYS—22.

Allison,	Davis,	McPherson,	Stanford.
Blair,	Dolph,	Mitchell,	Stockbridge,
Brown,	Frye,	Payne,	Teller,
Chace,	George,	Sawyer,	Walthall.
Chandler,	Gibson,	Sherman,	
Cullom,	Hawley,	Spooner,	

ABSENT—37.

Aldrich,	Eustis,	Jones of Nevada,	Riddleberger,
Beck,	Evarts,	Kenna,	Sabin,
Blackburn,	Farwell,	Manderson,	Saulsbury,
Bowen,	Gray,	Morgan,	Stewart,
Butler,	Hale,	Morrill,	Vest,
Cameron,	Harris,	Paddock,	Voorhees,
Colquitt,	Hearst,	Platt,	Wilson of Md.
Daniel,	Hiscock,	Plumb,	
Dawes,	Hoar,	Quay,	
Edmunds,	Jones of Arkansas,	Ransom,	

So the Senate refused to lay the amendment on the table.

The PRESIDENT *pro tempore*. The question recurs on agreeing to the amendment of the Senator from Wisconsin [Mr. SPOONER].

Mr. BERRY. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. WILSON, of Maryland (when his name was called). I am paired with the Senator from Massachusetts [Mr. DAWES].

The roll-call was concluded.

Mr. CHACE. My colleague [Mr. ALDRICH] is paired with the Senator from Georgia [Mr. COLQUITT].

The result was announced—yeas 25, nays 16; as follows:

YEAS—25.

Blair,	George,	Mitchell,	Stewart,
Brown,	Gibson,	Palmer,	Stockbridge,
Chace,	Gray,	Payne,	Teller,
Chandler,	Hawley,	Sawyer,	Walthall.
Cullom,	Hoar,	Sherman,	
Dolph,	Ingalls,	Spooner,	
Frye,	McPherson,	Stanford,	

NAYS—16.

Bate,	Cockrell,	Hampton,	Saulsbury,
Berry,	Coke,	Pasco,	Turpie,
Blodgett,	Faulkner,	Pugh,	Vance,
Call,	Gorman,	Reagan,	Wilson of Iowa.

ABSENT—35.

Aldrich,	Davis,	Hiscock,	Plumb,
Allison,	Dawes,	Jones of Arkansas,	Quay,
Beck,	Edmunds,	Jones of Nevada,	Ransom,
Blackburn,	Eustis,	Kenna,	Riddleberger,
Bowen,	Evarts,	Manderson,	Sabin,
Butler,	Farwell,	Morgan,	Vest.
Cameron,	Hale,	Morrill,	Voorhees,
Colquitt,	Harris,	Paddock,	Wilson of Md.
Daniel,	Hearst,	Platt,	

So the amendment was agreed to.

Mr. PALMER. I have an amendment to offer.

The PRESIDENT *pro tempore*. The amendment will be read.

The SECRETARY. It is proposed to add at the end of section 1 the following additional proviso:

And provided further, That nothing herein contained shall be construed to except from forfeiture that portion of the grant made by "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," approved June 3, 1856, or acts amendatory thereof, conferred by the State of Michigan on the Marquette and Ontonagon Railroad Company, lying west of L'Anse, in said State.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Michigan [Mr. PALMER].

Mr. DOLPH. I am a member of the committee which reported this bill, but I do not understand the amendment. Before voting upon it I should like to hear some explanation of it.

Mr. PALMER. I will make the explanation, Mr. President, with the Senator's permission.

There was a grant at the same time with the carnival of grants in 1856 made to the Marquette, Houghton and Ontonagon road. That road has been completed. They have got their lands for the amount of road built up to L'Anse, at the foot of Keweenaw Bay on Lake Superior. There are 60 or 70 miles of that road, as marked out by the original grant, incomplete. There is no intention of completing it, but the Duluth, South Shore and Atlantic road have built within the indemnity limits, and they have built the road in such a way as to give rise to the suspicion that they intend to claim that they are the successors of the Marquette and Ontonagon road and their legatees in the matter of this grant.

The amendment is only to make assurance doubly sure. The road has not been built to accommodate the people that it was intended to accommodate, and it would have been built without the grant. This is to put a spike in this inclosure that will make that assurance sure.

Mr. DOLPH. I will ask the Senator, if he will permit me, if all these questions would not come up before the Departments and before the courts, and the rights of everybody be determined under this general bill which forfeits the lands in the case of all uncompleted roads?

Mr. PALMER. If the Senator will permit me, this amendment only declares that nothing in the bill shall be construed to exempt the forfeiture of the grant named.

Mr. DOLPH. Why should it? The bill is plain enough, in a single section forfeiting all these lands. Why should we interfere with all these grants? I move, if in order, to lay the amendment on the table.

Mr. PALMER. I call for the reading of the amendment.

The PRESIDENT *pro tempore*. The amendment will be again read.

The Secretary read the amendment of Mr. PALMER.

Mr. PALMER. The propriety of this amendment may be shown by the fact that this road was about 40 miles or over south of Ontonagon. Still it runs within the indemnity limits and it is suspected by a great many that that road, which has consolidated with the Marquette and Ontonagon road, will claim these lands. It seems to me that a declaration of this kind is very apt at this time and is essential and necessary, and therefore I hope the amendment will prevail.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment.

The question being put, there were on a division—ayes 12, noes 19; no quorum voting.

The PRESIDENT *pro tempore*. No quorum having voted——

Mr. EDMUNDS. I ask the Chair to state the question again. There is evidently a quorum present.

The PRESIDENT *pro tempore*. The question is upon agreeing to the amendment proposed by the Senator from Michigan [Mr. PALMER].

Mr. BERRY. The question is to lay it on the table—the motion of the Senator from Oregon [Mr. DOLPH].

The PRESIDENT *pro tempore*. The motion of the Senator from Oregon to lay on the table was not heard at the desk.

Mr. BERRY. I understood that motion to have been made.

Mr. SHERMAN. Let the question be put again.

Mr. EDMUNDS. Will the Chair please state the question?

The PRESIDENT *pro tempore*. The Chair understands the pending question to be upon agreeing to the amendment.

Mr. DOLPH. I suppose that my motion is in order. I moved to lay the amendment on the table.

The PRESIDENT *pro tempore*. The motion to lay on the table is in order. No such motion was heard by the Chair or by the clerks at the desk. The Senator from Oregon [Mr. DOLPH] moves that the amendment do lie on the table.

Mr. SAULSBURY. Mr. President——

The PRESIDENT *pro tempore*. The motion is not debatable.

Mr. SAULSBURY. I wish to make some remarks, if I may be allowed to proceed.

The PRESIDENT *pro tempore*. If the Senator from Delaware had risen before the Senator from Oregon made his motion the Chair would recognize him.

Mr. SAULSBURY. I wish simply to say, by consent of the Senator from Oregon——

The PRESIDENT *pro tempore*. Does the Senator from Oregon withdraw the motion for that purpose?

Mr. DOLPH. I will consent. Before doing that I wish to say that we have been see-sawing here morning after morning upon this bill and upon amendments that never were before the Committee on Public Lands, and which are not understood, and I thought it was time to cut off debate. I withdraw the motion to lay on the table for the present.

Mr. SAULSBURY. I simply wanted to give my understanding of the amendment, and if I am wrong I should like to be corrected.

I understand that the amendment simply provides that nothing in this proposed act shall be construed to exempt from the forfeiture declared certain lands granted to the State of Michigan in aid of the construction of certain railroads in that State.

Mr. EDMUNDS. We can not hear the Senator from Delaware.

The PRESIDENT *pro tempore*. The Senator from Delaware will pause for a moment. Complaint is made that on account of confusion in the Chamber the Senator from Delaware can not be heard.

Mr. SAULSBURY. I said that I rose simply to give what I understand to be the object of this amendment so that if I am in error about it some person who may have been giving more attention to this bill than I have might correct my misapprehension.

I understand that the amendment is simply to declare that certain lands granted to the State of Michigan to aid in the construction of a certain railroad shall not be exempt from the operations of the forfeiture declared by the bill. I understand that the railroad for which the grant was made was never built, but I understand from the Senator from Michigan that another railroad somewhere within the limitations which the other road was to run is now being built, which was not the original grantee of these lands, and he apprehends they may come in and claim the benefit of the lands unless there is an affirmative declaration that the lands shall not be exempted from the forfeiture declared by the bill. If that is the object of the amendment, I am in favor of it. I am not satisfied that any other company should come in and obtain the benefit of the grant which would be forfeited by the bill.

Mr. EDMUNDS. May I ask the Senator from Delaware a question? I agree with what the Senator has said, but I ask him whether there is not some danger, by inserting this provision, of raising an implication on the other hand in favor of some other contrivance up there that does not come within this description by excepting this particular grant?

Mr. SAULSBURY. There might be, perhaps, some inference from the declaration that this grant was particularly excepted and others were not. I will say to the Senator from Vermont that I confess I feel very great reluctance in dealing with any of these questions. The amendment of the Senator from Wisconsin was apparently very fair upon its face and right in itself; yet I understand that while it may relieve certain bona fide persons, who may be injured unless it is passed, there are, possibly, some persons who have no equitable or legal

claim to lands who, under the operation of that amendment, may come in and get the benefit of it. I confess that I feel great reluctance in dealing with any of these questions.

The suggestion made by the Senator from Vermont has great force. An affirmative declaration that certain lands shall not be exempted from the operation of this proposed act may leave an implication that other lands which are not specified are not treated in the same way. However, I think the amendment, so far as I understand it, and so far as it applies to the particular lands to which it refers, is right, and I shall vote for it.

Mr. DOLPH. I suppose upon the theory of this amendment that I ought to move that nothing in this bill shall be construed to prevent the forfeiture of the grant to the Northern Pacific Railroad from Wallula to Portland, and so we ought to go all around through the States and Territories.

The bill as it came from the committee is a very plain one. It is very easily understood. It was proposed by the committee to forfeit all the land grants adjacent to uncompleted road, and to stop there, and then to provide for the rights of persons who have gone unadvisedly into the possession of lands under the railroad companies, and who have made improvements upon their lands.

We have been discussing this measure morning after morning during the entire morning hour. Amendments have been offered and discussed, and withdrawn and reoffered; amendments have been drawn by outside parties affecting particular interests which never have been considered by the Committee on Public Lands; and now we have an amendment offered upon the theory that some other railroad may claim some land which is covered by the bill, or that there is something in the bill that would exclude from its operation the forfeiture of some lands that are adjacent to uncompleted road.

If we can not rest satisfied with the plain declaration of the bill that the lands adjacent to uncompleted road or road not completed and in operation are hereby forfeited, we can not rest on anything.

The amendment relates to a matter that I never heard of before, and I know nothing about it. I never happened to see the amendment; I did not anticipate that it would be offered. If there is another company that has built the road and is entitled to the land I suppose that it would not be lands adjacent to an uncompleted road, and the Secretary of the Interior would say so, and the Supreme Court——

Mr. PALMER. Will the Senator permit me to ask him a question?

Mr. DOLPH. Not at this moment. The Supreme Court would say so, and that would be the end of it. Would they not? If they are not entitled to the lands, the same power would determine that.

The first section of the bill provides for a forfeiture of all lands adjacent to uncompleted road. If that is not sufficient, and if we must strengthen it by inserting provisions that nothing shall be construed to exempt land adjacent to uncompleted roads in various States and Territories, not to be behind I suppose the Senators from Oregon should offer such an amendment as that in regard to the Northern Pacific Railroad grant.

Mr. EDMUNDS. I think I shall vote against this amendment upon the ground that I suggested to the Senator from Delaware [Mr. SAULSBURY]. The amendment appears to be perfectly correct on its face, and declares what appears to be in the bill, but I have observed in the course of rather a long experience here that every bill of this kind that we pass, amended and fixed up and so on, when it comes out in the Departments and in the Supreme Court of the United States does not appear to be the kind of a bill that we thought we were passing. I am very sorry for it, and therefore I shall vote against this amendment, unless I am better advised, upon the ground that it raises an implication, and I do not know how it will apply, although it does not appear to change the state of the law as it will be after the bill is passed.

While I am up I wish to say another thing about the bill and all bills of this kind, that more than six years ago a committee of this body, of which I had the honor to be a member, to whom was referred the subject of these forfeitures as legal subjects, reported a bill most carefully considered and drawn up by the then Senator from Ohio, Judge Thurman, which would have wound up, as the phrase is, and disposed of the whole of this question upon equitable and just principles, if we could at that time have persuaded the Senate that it was a good thing to do. Perhaps I have stated that too strongly, for I am not sure after this length of time but that it did pass the Senate. It certainly met with general approval here, but perhaps in the press of business it did not get acted upon.

But one thing we may be pretty sure of, and that is that under the present decisions, as they now stand, of the Supreme Court of the United States, which finally determine all these private rights, corporate and every other, as between the United States and the claimants, when Congress undertakes to say under the decisions of the Supreme Court as they have been, and are, and undoubtedly will be, that we are to forfeit grants on the sides of roads that have been completed before the passage of the law, in the general case of these lands—there may be exceptions—we are going beyond our constitutional power and are taking away from the grantees vested rights which they have attained, although beyond the period mentioned by Congress in the construction of the roads, and that can not be taken away.

So, in this bill, which brings these questions of the rights of homestead claimants and pre-emptors, scrip, and warrant people, and all that body of persons down to a time that will turn out in point of fact to be after the road has been built, we are inviting disaster upon the very citizens of the United States whom we wish to protect, because we are standing up on their side and saying that their titles shall be good when it will turn out that they will not be good. We are doing them an injury rather than a benefit by legislation of that character, and I am very sorry for it.

Mr. SAULSBURY. I do not know that there is a necessity for the amendment. I am not sure but that the bill itself sufficiently protects the lands that it proposes to declare forfeited against any claim which may be set up by the railroad, referred to by the Senator from Michigan, which is now being built within the limits of the land where the other road was to go But the amendment has been offered, and what will be the effect of a negative vote? If we vote down the amendment, does not the implication arise that there was no intention to exclude that road which is now being constructed from the operation of this forfeiture? It seems to me that we are placed just in this position: If we vote down the amendment the railroad company may infer from that vote that they have a claim to the land.

It is simply to cast my vote right that I desire the information which I rose before to obtain. With my view of it, the amendment having been offered by the Senator from Michigan, I shall not feel justified in withholding my vote from an affirmative declaration that the bill shall operate to exclude that railroad from any of the benefits under the grant made to the State of Michigan.

Mr. PALMER. The object of the amendment was, as I said, to make assurance doubly sure in this case. Here is a road that is built from the terminus of a partially-completed road. It runs within the indemnity limits of the grant, but at the same time it does not go to the point prescribed in the original act, nor does it accommodate the people for whom the original road was to be built.

Any one by looking at this map [exhibiting] can see the propriety of the amendment. The Marquette, Houghton and Ontonagon road, as I understand it, has been consolidated with the Duluth, South Shore and Atlantic, and the first thing that we shall know will be that they will claim the lands opposite the completed portion of that road, although it was not the road contemplated by the original grant, nor does it accommodate the people whom the original road was intended to benefit.

Mr. EDMUNDS. May I ask the Senator a question?

Mr. PALMER. Certainly.

Mr. EDMUNDS. Does the Senator think that under the bill, as it stands, without this amendment, the people to whom he is referring will have any claim at all under the present state of the law or under this bill?

Mr. PALMER. Whether they do or not I will say to the Senator from Vermont that I think this declaration would make it so positive that they never would beleaguer the Departments for the land on the continuation of the road from L'Anse.

Mr. EDMUNDS. But I will ask the Senator if he is willing to give his opinion as to the effect of the bill, as it stands, without this amendment, upon the question that he has now invited the attention of the Senate to?

Mr. PALMER. I am not a sufficiently good lawyer to determine on that. I have been mistaken so many times on points of law that I should hate to give a deliberate opinion to an august body like this, but I think that the declaration in the amendment is such that it makes that beyond cavil or peradventure.

Mr. EDMUNDS. Extend it to all other roads and I would be with you.

Mr. PALMER. I was going to say that I do not know of a parallel case in the country to this. My colleague agrees with me (and we disagree in a friendly way on many things) that there is danger of the Duluth, South Shore and Atlantic road putting in a claim as a successor of the Marquette, Houghton and Ontonagon road for the lands between L'Anse and Ontonagon.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Michigan [Mr. PALMER].

The question being put, there were on a division—ayes 16, noes 13; not a quorum voting.

Mr. HOAR. I move that the Senate do now adjourn. It is obvious that we shall not do any business here this afternoon. We have had a dozen votes which were unavailing.

Mr. BLAIR. Before the Senator presses his motion, I ask him to withdraw it for a moment. We had this afternoon set aside on purpose, if possible, to complete the bill. It does seem to me that when we are only struggling with the inadvertence at least, if not the fault, of the Senate itself, in so many absences, the bill ought not to be thus victimized by running off home early in the afternoon. I hope the Senator from Massachusetts will please withdraw his motion and let us attempt to complete the consideration of the bill.

Mr. HOAR. It is impossible to resist the siren voice of my honorable friend from New Hampshire. I withdraw the motion.

Mr. BLAIR. I wish it were still sweeter.

Mr. EDMUNDS. Mr. President——

The PRESIDENT *pro tempore*. The absence of a quorum having been disclosed by the last vote——

Mr. EDMUNDS. I ask the Chair to count the Senate to save time, so as to see whether there is a quorum present.

Mr. HOAR. That is contrary to the rule.

Mr. BLAIR. Let us have the yeas and nays. I think a call will develop the presence of a quorum.

Mr. EDMUNDS. But I wish to say something when we get a quorum.

The PRESIDENT *pro tempore*. The result of the vote not having been announced, the Senator from New Hampshire asks for the yeas and nays.

Mr. BLAIR. I withdraw the request in order that the Senator from Vermont may proceed.

Mr. EDMUNDS. I wish to make this motion——

The PRESIDENT *pro tempore*. The Chair will state that the absence of a quorum having been disclosed debate is not in order.

Mr. EDMUNDS. There being no quorum, the Chair then is to order the roll to be called, unless, as I think——

The PRESIDENT *pro tempore*. That is the duty of the Chair under the rule.

Mr. EDMUNDS. I think that finding the absence of a quorum we might so far depart from the rule as to authorize the Chair to count the Senate to save time so as to see if a quorum is present; and I submit that request, if it is in order.

Mr. HOAR. I submit that there can be no departure from the rule, even by unanimous consent, when there is no quorum. The Senator from Vermont is out of order in his suggestion.

The PRESIDENT *pro tempore*. The Senator from Massachusetts is obviously right under the rule technically.

Mr. HARRIS. Instead of a roll-call I ask consent that we take the vote on the pending amendment by yeas and nays.

Mr. EDMUNDS. No, the roll must be called first.

The PRESIDENT *pro tempore*. The roll-call will proceed.

Mr. EDMUNDS. I wish to make a motion before taking the question by yeas and nays.

The Secretary called the roll, and the following Senators answered to their names:

Bate,	Edmunds,	Ingalls,	Spooner,
Berry,	Evarts,	Manderson,	Stanford,
Blair,	Faulkner,	McPherson,	Stewart,
Blodgett,	Frye,	Mitchell,	Stockbridge,
Brown,	George,	Paddock,	Teller,
Call,	Gorman,	Palmer,	Turpie,
Chace,	Gray,	Pasco,	Vance,
Chandler,	Hampton,	Payne,	Walthall,
Cockrell,	Harris,	Reagan,	Wilson of Iowa,
Coke,	Hawley,	Saulsbury,	Wilson of Md.
Cullom,	Hiscock,	Sawyer,	
Dolph,	Hoar,	Sherman,	

The PRESIDENT *pro tempore*. Forty-six Senators having answered to their names, a quorum being present, the Senator from Vermont will proceed.

Mr. EDMUNDS. I wish now to move (and I do it under a sense of duty to the Senate and to the country and to the private persons who are concerned as settlers on these lands), to commit the bill again to the Committee on Public Lands, with instructions to report the same back again, amended as they may be advised, as soon as may be. In the course of amendments which have been adopted (the spirit of all of which so far as I understand I am for) I am very much afraid that we have been led into a statement of what is to be statute law that will not stand judicial investigation when these railways come to resist it; and if it does not, we are only misleading the people whom we are trying to help in getting them into lawsuits and difficulties that may bring distress upon them.

I wish, therefore, after all these discussions and all these amendments have been suggested, which present every possible phase of these controversies, that the committee may reframe the bill so as to keep it within the definite decisions of the Supreme Court, to protect every clear right of every citizen, or settler, or anybody else, and to wind up every unearned and unexecuted railway grant that has been made anywhere, and make an end of it. I think this can be much better and more safely done, after these discussions, by the committee than it can be done by the presentation of amendments in the Senate.

I hope, therefore, that the Senate will agree to recommit the bill in order to put it into a final shape that will meet the general views the Senate has expressed in its votes, so that it will stand as a clear protection of private rights which can not be properly assailed, and as a clear termination of all public grants to all these corporations that have not been earned, in such a way that we shall not be sorry in two or three or four years that we have been led into such legislation, as I am very much afraid the bill will be if it passes in its present shape of phraseology.

So I make the motion that the bill be recommitted to the Committee on Public Lands with instructions to report the same amended as soon as may be.

The PRESIDENT *pro tempore*. The question being on agreeing to the amendment proposed by the Senator from Michigan [Mr. PALMER], the Senator from Vermont moves to recommit the bill to the Committee on Public Lands.

Mr. BLAIR. I could have wished, as no doubt the committee would have desired, and the Senate, which has labored and struggled with this bill in debate now for nearly two weeks, that the suggestions of the honorable Senator who has just made the motion to recommit might have been available to the committee and to the Senate during the progress of the debate. I feel sure that if there be any difficulties of a legal character in the construction of the bill as it stands at this late day, and, as I had supposed, very near its conclusion, they would have been obviated and removed at a very early period if we had had the benefit of the Senator's criticism earlier upon this floor.

It does seem to me, with great respect to the chairman of the Committee on the Judiciary and our admitted leader here in the Senate, a little too much for him to ask, after all that has been done, the committee having considered the bill a long time and having done the best it knew how to do, the bill having been reported to the Senate, and the Senate having taken charge of it for two weeks, and having modified it very largely, so that it is not now much the bill that the committee came here with, for which the committee is largely responsible—it does, I say, seem to me a stretch of forbearance that the Senator should come in here and move to recommit to the committee itself this measure, which is the work of the Senate far more largely than it is of the Committee on Public Lands.

I do not mean by this to intimate that the Committee on Public Lands has not considered most of the points which the Senate has discussed, and which the Senate has seen fit to incorporate in this measure, and that it did not come here after due deliberation with a general bill covering, as it thought, the great leading features that it was necessary to embody in legislation touching the forfeiture of these unearned land grants. The committee thought it had considered the subject fully, and when it came here, as I have stated, with a general bill, when beyond the control of the committee, in the exercise of rights which individual members of the Senate have here on this floor, the bill has come to what it is.

I assure you, Mr. President, that it is my belief that if the bill goes back to the committee it will commence its labors again with no prospect or probability of returning the bill to the Senate in any better condition than it was in the first place.

If the bill is to go again to any committee, I think it would be a fair suggestion that it should go to some other committee, for I do not believe that the Committee on Public Lands will be able to reproduce to the Senate anything which will be more encouraging as the subject-matter whereon to commence another month of debate than that with which we came here in the first place, and I do hope that the Senator from Vermont will not insist on his motion.

Mr. EDMUNDS. I am sure the Senator from New Hampshire misunderstands me if he supposes that I implied any reflection upon the Committee on Public Lands. I made the motion in the spirit that I should have made it if the bill had been reported from the committee of which I have the honor to be chairman. In its present condition the short time that I have been able to be in the Senate during these discussions I have heard it stated more than once by gentlemen whom I believe to be members of that committee, that the amendments proposed had not been brought to the attention of the committee at all. Some of them have been agreed to, I understand.

Therefore it is proper and necessary, for the Senator himself says that the Senate has changed the aspect of the bill as it was reported from the committee, that the committee, yielding to the views of the Senate cheerfully, as it may, should take the general expression of the sentiment of the Senate in regard to the general policy and scope of the bill, and put it into a shape of phraseology and enactment that will make peace instead of inviting disputes on every side out of its present aspects and phraseology, if such disputes should arise.

It is not, therefore, in any sense of criticism or complaint of the committee, but exactly the reverse, that I desire, as one member of the Senate, before I vote finally upon this bill, that the committee shall again consider it in all its new aspects and put it into a shape to meet what is the general view and wish of the Senate as expressed in the substance of these amendments, and put it in a condition where we shall not invite trouble, and disaster, and litigation upon all sides growing out of the imperfect phraseology that necessarily arises from amendments on a difficult subject like those that are offered in the Senate.

That is my motive, Mr. President, and nothing else.

Mr. DOLPH. I hope the motion will not prevail. It is true that several amendments have been added in the Senate. Some of them, however, were considered by the Committee on Public Lands and reported by that committee in the print of the 7th instant. The main amendment that had not been considered and reported favorably by the committee is section 8, the amendment offered by the Senator from Florida [Mr. CALL]. To-day the Senate has adopted, as in Committee of the Whole, the amendment offered by the Senator from Wisconsin [Mr. SPOONER], which I think is a very proper amendment, but it did not go far enough. I think there have been slight amendments to some of the other sections which did not come from the committee. Prob-

ably the principal one is the amendment offered by my colleague [Mr. MITCHELL] granting the right of way over certain odd sections to the city of Portland for the purpose of laying pipes for conducting water, which is not a very serious matter.

This bill has been considered carefully by the Committee on Public Lands. That committee have had during several Congresses this question of land-grant forfeiture before them. In this bill an attempt is made to do precisely what the Senator from Vermont thinks should be done, and what I think we are all agreed upon doing, though some may desire to go further. It is attempted to forfeit the lands which are adjacent to uncompleted road.

It is not to be wondered at in a general bill which applies to all railroad grants that there should have been various amendments thought necessary by Senators, and that those amendments should have been pressed upon the consideration of the Senate. That would be the case again. If the bill should be re-referred to the Committee on Public Lands, and they should proceed to consider the matter and report a bill, that fact would not cut off amendments, and we should have this same discussion to go through with again, and we should have to pass upon the amendments pressed persistently again, as they have been during the discussion upon this bill by Senators from the several States.

I suppose we are now nearly at the close of this discussion. I know of but few other amendments to be offered. There does not seem to be any reason why we should not vote finally this afternoon upon the amendments and upon the bill, and pass it.

It ought not to be forgotten also that after the bill leaves the Senate it has to receive consideration in another branch of Congress, and finally, very likely, by a committee of conference, whose report will come up for consideration in both branches of Congress. So I think we shall be only losing ground and rendering it quite likely that no forfeiture of these land grants will be had at all at the present Congress, or at least at this session of Congress, if the bill in its present condition should go back to the Committee on Public Lands.

Mr. EDMUNDS. You can report it day after to-morrow.

Mr. DOLPH. The chairman of the committee is not present; we shall probably not have a meeting before Monday, and it would be a long time before it could be reported. Then it would take probably a long time to discuss it and dispose of it in the Senate, as we have been discussing it at the present time. I hope, therefore, the motion will not prevail.

Mr. CALL. Mr. President, I hope the motion to recommit will not be agreed to. This bill has caused the Senate a good deal of trouble and consumed a considerable portion of its time. There would be just as much difference of opinion in regard to the decisions of the Supreme Court and the constitutional authority that Congress has upon this subject after another report by the Committee on Public Lands as there is now.

There are some of us here, I for one, who do not think the Supreme Court has ever made any decision limiting the power of Congress to forfeit a railroad grant where the railroad company have not complied with the terms of the granting act. I do not believe it is competent for the Supreme Court to invade the constitutional prerogative of this body, either directly or indirectly, either by a decision of a case between parties where they have the power to make their opinion a finality, for that is judicial power, or by a direct decree that this body shall not exercise its constitutional powers.

It is true that judicial power authorizes a judge sitting as a court to make any decision, however absurd, however unreasonable, and to make it the law between the parties; but when that grows to be a public evil, and the public policy of the country is affected and set aside by either of the co-ordinate departments of the Government, then it would become a great public question for serious consideration as to what steps should be taken to effectuate the proper, the declared public policy of the country. But we shall not advance the progress of this bill by a reference of it again to the Committee on Public Lands.

This bill is a compromise on their part. They tried to avoid these questions and to forfeit that portion of the grant which is within the power of Congress without question or dispute. There have been various limitations and qualifications imposed upon this forfeiture; they may be right or they may be wrong; they may have been well considered; but surely the Senate is quite as competent as a whole to consider these questions as any portion of it. We have time, we have opportunity for discussion and consideration here as large, if not larger, than a committee has, and, so far as I am concerned, I prefer a bill settled in the progress of discussion and interchange of opinion in the open Senate rather than a bill formulated by one or two members of the body.

Now, especially in regard to these grants which are in the State of Florida, and with which I am perfectly conversant, the terms of any general forfeiture do require some qualification and some explanatory provisions in the bill which would limit them in respect to those cases that possess peculiar rights and equities so as to allow them to operate in the general protection of settlers and reserving the public domain not yet disposed of for homestead settlement; but this end might not be obtained without some qualifying provisions in the bill, and consequently, so far as that State is concerned, I am prepared to say that the amendments to the bill made in the Senate are of great value, both to those persons who, whether corporations or individuals, possess rights properly acquired, and to those who have settled upon the lands and have a right to have their titles confirmed to them.

For these reasons I hope the bill will be proceeded with and that it will not be recommitted.

The PRESIDENT *pro tempore*. The question is on the motion to recommit the bill.

The question being put, a division was called for, and the ayes were 9——

Mr. EDMUNDS. I give it up in order to save any question about a quorum.

The PRESIDENT *pro tempore*. No further count is demanded. The motion to recommit is not agreed to. The question recurs on the amendment proposed by the Senator from Michigan [Mr. PALMER].

The question being put, there were on a division—ayes 20, noes 11.

Mr. TELLER. I call for the yeas and nays.

The yeas and nays were ordered.

Mr. CULLOM. I should like to hear the amendment read.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. At the end of section 1 it is proposed to add:

And provided further, That nothing herein contained shall be construed to except from forfeiture that portion of the grant made by "An act making a grant of alternate sections of the public lands to the State of Michigan to aid in the construction of certain railroads in said State, and for other purposes," approved June 3, 1856, or acts amendatory thereof, conferred by the State of Michigan on the Marquette and Ontonagon Railroad Company, lying west of L'Anse, in said State.

The Secretary proceeded to call the roll.

Mr. CHACE (when Mr. ALDRICH'S name was called). My colleague [Mr. ALDRICH] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. HISCOCK (when his name was called). I am paired with the Senator from Arkansas [Mr. JONES].

Mr. MANDERSON (when his name was called). I am paired with the Senator from Kentucky [Mr. BLACKBURN].

The roll-call was concluded.

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN].

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS].

The result was announced—yeas 24, nays 16; as follows:

YEAS—24.

Allison,	Cullom,	Palmer,	Spooner,
Bate,	Faulkner,	Pasco,	Stockbridge,
Berry,	Frye,	Pugh,	Turpie,
Blair,	George,	Reagan,	Vance,
Call,	Gray,	Saulsbury,	Walthall,
Coke,	Hampton,	Sherman,	Wilson of Iowa.

NAYS—16.

Blodgett,	Cockrell,	Hoar,	Sawyer,
Brown,	Dolph,	McPherson,	Stanford,
Chace,	Edmunds,	Mitchell,	Stewart,
Chandler,	Hawley,	Payne,	Teller.

ABSENT—36.

Aldrich,	Dawes,	Hiscock,	Platt,
Beck,	Eustis,	Ingalls,	Plumb,
Blackburn,	Evarts,	Jones of Arkansas,	Quay,
Bowen,	Farwell,	Jones of Nevada,	Ransom,
Butler,	Gibson,	Kenna,	Riddleberger,
Cameron,	Gorman,	Manderson,	Sabin,
Colquitt,	Hale,	Morgan,	Vest,
Daniel,	Harris,	Morrill,	Voorhees,
Davis,	Hearst,	Paddock,	Wilson of Md.

So the amendment was agreed to.

Mr. ALLISON. I should like to have some member of the committee explain just what is proposed by section 7 of the bill relating to grants to the State of Iowa.

Mr. BLAIR. That amendment was adopted when I was not present. I respectfully turn the matter over to somebody who understands it.

Mr. DOLPH. Recently the Secretary of the Interior has revoked the orders of withdrawal of indemnity lands where the orders were made without express direction of an act of Congress. Where those withdrawals were made by the act itself, or rather where the Secretary of the Interior was directed by the act of Congress to withdraw the indemnity lands from entry under the land laws for sale, he held that he did not have the authority to revoke the orders of withdrawal. This section simply repeals so much of certain acts as contain a provision requiring the Secretary of the Interior to make withdrawals of indemnity lands as affected that question, and it is proposed that Congress shall do by this section in regard to those roads precisely what the Secretary of the Interior has done in regard to others.

Mr. ALLISON. That explanation, I suppose, is all right as far as it goes, but I do not understand that the Senator states the effect of this legislation on the land grants in Iowa. As to lands which have been purchased, what is the effect of it?

Mr. DOLPH. I have undertaken to make that statement. I would

much have preferred myself that the bill should have directed the Secretary of the Interior to revoke these orders of withdrawal of lands within the indemnity limits, but the committee thought it better to repeal so much of the acts of Congress as directed the Secretary of the Interior to withdraw lands from sale which were within indemnity limits. The matter was discussed when the amendment was adopted in the Senate, and it was stated by the chairman of the committee, and I agree in that construction, that the only effect will be to now open up to settlement the lands which have not already been selected by railroad companies which are within the indemnity limits of these roads, and leave the companies, if they have not selected all the lands to which they are entitled, to arrange with the homestead and pre-emption settlers.

Mr. ALLISON. I could not quite understand why this amendment only applied to the States of Iowa and Minnesota if it is in accordance with a general principle.

Mr. DOLPH. Because there are only three cases of land grants in which it was provided in express terms that the Secretary of the Interior should withdraw the lands from settlement.

Mr. ALLISON. I make no objection to the amendment.

Mr. DOLPH. These are the acts mentioned in the section.

Mr. SHERMAN. The word "act" should be inserted in the first line of section 7, on page 7.

Mr. MANDERSON. I think it will be found that in the copy of the bill at the Secretary's desk that omission does not occur. The copy which the Senator has is the last printed bill, and there is a manifest omission of a word.

Mr. ALLISON. On page 7, section 7, line 4, of the bill, the section to which the Senator from Oregon called attention, I notice a quotation from the statutes declaring—

That section 5 of an act entitled "An act for a grant of lands to the State of Iowa in alternate sections, to aid in the construction of a railroad in said State," approved May 17, 1864.

On examination of the statute referred to I find that it was approved May 12, 1864, so that there is a wrong citation. I move to amend in that particular.

Mr. SHERMAN. I am told that the defect I pointed out is not in the original bill, but it is in the last print.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from Iowa will be read.

Mr. ALLISON. It is in line 4 of section 7, after the word "May," to strike out "17th" and insert "12th;" so as to read "May 12th, 1864."

The SECRETARY. In line 6——

Mr. ALLISON. In line 4.

The PRESIDENT *pro tempore*. The difficulty occurs from the fact that the Senator from Iowa reads from one print of the bill and the Secretary from another.

Mr. ALLISON. I see that that also is a misprint. The section seems to be in the handwriting of the Senator from Kansas [Mr. PLUMB], and the date was intended to be "12th" instead of "17th." The print is "17th."

The PRESIDENT *pro tempore*. The Chair understands, then, that the Senator from Iowa does not move any amendment.

Mr. ALLISON. I will not if the Secretary will make a distinct "two" instead of "seven," so as to make the date "May 12th" instead of "May 17th."

Mr. PALMER. I offer the following amendment, to come in at the end of section 4:

And any lands that may have been found to have been earned by the past construction of the Ontonagon and Brulé River Railroad in the State of Michigan shall, upon such determination, be certified and patented to said company by the Secretary of the Interior.

Mr. DOLPH. I move to lay that amendment on the table.

Mr. PALMER. Will the Senator withdraw that motion so that I can explain the object of the amendment?

Mr. DOLPH. For that purpose I withdraw the motion.

The PRESIDENT *pro tempore*. The motion is withdrawn.

Mr. PALMER. I will state that I have no interest in this amendment save to give the people of Ontonagon and vicinity an outlet. The act which conferred the grant upon this road by the State of Michigan provided that they could get no land until the road was completed from Ontonagon to the Brulé River. They are cut off from the land grant by this bill. They are bankrupt as far as the road is concerned, and private parties will have to finish it. If they can get their land without the slow process of legislation through the Legislature of Michigan, they can go on, they think, and build down to the intersection of the Duluth, South Shore and Atlantic road, and thereby accommodate the people of the country and save something out of the wreck of the road. It is giving them nothing; it is only expediting the thing and giving them a credit that they otherwise can not get.

Mr. DOLPH. I renew my motion. I do not think the Senate wishes to confirm any grants.

The PRESIDENT *pro tempore*. It is moved to lay on the table an amendment of the Senator from Michigan [Mr. PALMER].

The motion was agreed to.

Mr. CALL. I offer the following amendment, to come in at the end of section 8:

Provided, That the title to the land described in the act entitled "An act granting lands to the States of Alabama and Florida to aid in the construction of certain lines of railway in said States," approved the 17th of May, 1856, which lies adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida entitled "An act to encourage a liberal system of internal improvements in the State of Florida," approved January 5, 1855, within the time limited in the granting act, and which were granted to any of the said companies by the Legislature of the State of Florida, and are held by purchase from said companies, made before the year 1856, are hereby confirmed to such purchasers: *Provided further*, That all the public lands within the State of Florida are hereby withdrawn from all entries except homestead entries until the pending legislation on the subject shall be disposed of, or until the present Congress shall terminate, and also except any sales of a quantity not more than 160 acres to one person, the head of a family; and the register and receiver shall have power to sell isolated tracts of land, whether offered or unoffered, when, in their discretion, it shall be thought best.

Mr. DOLPH rose.

Mr. CALL. I hope the Senator from Oregon will not move to lay this amendment upon the table. I think I can give very good reasons for it.

The grant to the State of Florida is a peculiar one. There was never any disposition made by the Legislature of the State to any railroad company of any of the lands contained in the grant of 1856. Therefore, as a mere legal question, it might be that persons would have derived by purchase from the State or railroad title to lands adjacent to the completed portions of the road which were built within the time specified in the granting act, but for the defect that the Legislature never made any disposition of the land to any of the companies which built the roads.

The internal improvement act of 1855 of the State of Florida contains a section which says that the State of Florida will hereafter grant to such railroad companies as shall build any part of the lines designated in this act any lands which may be granted by the United States to the State of Florida in aid of them, without any other legislation on the part of the State, the roads being built with lands donated from the swamp and overflowed land grant and by cash subscriptions. Without any other legislation referring to the grant of May 17, 1856, there was built within the State of Florida a line of railroad by different companies from Jacksonville, on the route towards Pensacola, being one of the lines designated by the State to be built, but terminating at the town of Quincy, some 175 miles, more or less, from Escambia Bay or Pensacola. So in the other part of the State a line of road was built from Fernandina to Cedar Keys, stopping there. These two lines of road were built within the time designated by the granting act.

Supposing this legislation of the State would become effectuated by some further provision, these lands were sold along the completed portion of the road. The holders and occupiers of these lands for these many years are in this condition, without a title, without an actual disposition of the land by the Legislature, and after these roads had failed and the charters had been taken away from them and the whole system terminated, the Legislature passed an act confirming, so far as the State had any authority to do it, the title of the persons who had acquired these lands from the railroad companies so far as they were built within the time designated in the granting act. So I think there is no objection whatever to making that title good, which this bill does in other cases where there was a grant by the Legislature.

Now, in regard to this other provision which is added to the bill, and is the same as that which has just passed the Senate in regard to Mississippi, withdrawing the lands from sale until the legislation now pending, making a permanent withdrawal and opening them to homestead entry and settlement, shall be disposed of, the law in Florida has been so altered by an act of Congress passed some years ago in regard to public lands that they have been restored to cash entry. Now, in order to allow every one to have an opportunity of acquiring a home, this amendment provides that these lands shall be withdrawn from all entry except pre-emption and homestead entries or cash entries, in quantities not greater than 160 acres to each head of a family. I apprehend there will be no difficulty in regard to that, inasmuch as it is only intended, as the Mississippi act which passed the Senate was, to await the result of the general legislation on this subject now pending, which it is believed will be accomplished.

For these reasons, in order that this amendment which has been added to the bill in regard to the State of Florida, and which was necessary, may be so qualified that it will embrace the class of persons whose title is a just title, and, although not strictly legal, has all the substantial rights attaching to it, because it is derived from the actual completion of the road within the time designated by the original act, and because the Legislature of the State never made any disposition of this land to the railroad company, but has passed an act confirming the right, so far as the State had any authority to do so, of all those persons who acquired any right from the railroad companies up to the point of the completion of the roads within the time designated in the original act.

Mr. DOLPH. I move that the amendment lie on the table.

The PRESIDENT *pro tempore*. The Senator from Oregon moves to lay the amendment proposed by the Senator from Florida on the table.

The question being put, there were ayes 20.

Mr. CALL. I ask that the question be put again. I do not think it was understood.

The PRESIDENT *pro tempore*. The Senator from Florida asks that the question be again submitted. The question is on the motion of the Senator from Oregon that the amendment of the Senator from Florida lie on the table.

The motion was agreed to—ayes 20, noes not counted.

The bill was reported to the Senate as amended.

Mr. HOAR. I desire to have the amendment adopted as in Committee of the Whole on the motion of the Senator from Wisconsin [Mr. SPOONER] reserved for a separate vote.

The PRESIDENT *pro tempore*. The amendments will be separately stated and voted upon.

Mr. BLAIR. I ask that all the amendments, with the exception of the one specified by the Senator from Massachusetts [Mr. HOAR], be voted on in gross.

The PRESIDENT *pro tempore*. That there may be no mistake the reserved amendment will be read by the Secretary.

The CHIEF CLERK. The Senate, as in Committee of the Whole, inserted, as section 9, the following:

That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad puposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States, by sales or entries, by cash warrants or scrip, under color of the public-land laws, and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided, however*, That where the original cash purchasers are the present owners this act shall be operative to confirm the title only of such said cash purchasers as the Secretary of the Interior shall be satisfied have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States.

That nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States.

The PRESIDENT *pro tempore*. If there be no objection the amendments made in Committee of the Whole, other than the one just read, are concurred in in the Senate. The question recurs on concurring in the amendment just read.

Mr. HOAR. I move to amend that amendment by striking out in the sixth line the words "by sales or entries, by cash warrants or scrip," and by inserting in the seventh line, after the word "laws," the words "or under State selections or."

The PRESIDENT *pro tempore*. The amendment of the Senator from Massachusetts will be stated.

The CHIEF CLERK. In the sixth line of the amendment it is proposed to strike out the words "by sales or entries, by cash warrants or scrip," and in line 7, after the word "laws," to insert "or under State selections or;" so as to read:

SEC. 9. That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States, under color of the public-land laws or under State selections or where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided, however*, That where the original cash purchasers are the present owners this act shall be operative to confirm the title only of such cash purchasers as the Secretary of the Interior shall be satisfied have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States.

Nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States.

Mr. HOAR. That extends the principle of the amendment to all cases, and only to those cases, where there have been purchases under the authority of an officer of the United States, and where the Secretary of the Interior finds that the purchase has been made without fraud and in good faith and the Government has received and retains the consideration.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Massachusetts to the amendment.

Mr. BERRY. I ask the Senator from Massachusetts whether, if his amendment shall be adopted, it will have the effect of confirming the canal selections, the lands selected by the canal company, and if it is not in effect the same amendment he moved in Committee of the Whole and which was laid on the table upon a former day?

Mr. HOAR. It will have the effect to confirm the lands held by the canal company or persons claiming under them, if it shall turn out that that land was conveyed to the canal company by an officer of the United States; further, that the United States received the consideration and now holds it; and, further, that the title was obtained in good faith and without fraud; and I am at a loss to conceive how any man born with a capacity for the sense of justice, undertaking to act in a legislative capacity in the interest of the whole people, can refuse to confirm a title which depends upon such facts.

Mr. BERRY. Mr. President, I am at a loss to conceive how any one born with a sense of justice and right can think that it is proper for a legislative body to undertake to confirm selections of lands, not only to the canal company but to cash purchasers, where the evidence taken shows, and a majority of the committee report, that the lands were selected in fraud; that these persons were parties to the fraud; that the purchases were without consideration, and that these parties have already received many times the value of the canal constructed.

The amendment of the Senator from Wisconsin says that it shall only apply to those lands which were selected without fraud. I assert again, as I asserted this morning, that the Secretary of the Interior will be the judge to determine this, but the evidence as to whether or not they were selected or purchased in good faith will be furnished only by the parties in interest, and it practically amounts to confirming to the canal company and to the cash purchasers an immense body of land. That is the reason why I do not agree to the proposition.

Mr. PALMER. I ask to hear the amendment read.

The PRESIDENT *pro tempore*. The amendment will be again read.

The Secretary read the amendment of Mr. HOAR to the amendment made as in Committee of the Whole.

Mr. PALMER. If that is what I think it is, I am astonished that the Senator should return to the attack again. This, I suppose, confirms the canal selections. It was a nefarious transaction—I will not say from beginning to end, because there may be some very respectable people in it collaterally—but the manipulations of the selections, the removal of an honest officer, the putting in of a pliant tool, the utter defiance of law, the misconstruction of law, the defiance of law in every respect—this is one of the cases where all those terms will apply. They have taken mineral lands when it was expressly declared that they should not take mineral lands. They were confined to the lands nearest the canal, and they left a hiatus of 100,000 acres, and there it is. It seems as if [pointing to a map of the upper peninsula] Providence had come to my relief. There [exhibiting] is the map displaying just the manipulation and maneuvering of that canal company. Here are concentric circles showing——

Mr. DOLPH. If the Senator from Michigan will permit me, I ask him if it is not true that the 15,000 acres in controversy here were part of the second grant, so that there is no question of the location of the land at issue at all?

Mr. PALMER. I do not think that is so material.

Mr. HOAR. What did you say it for?

Mr. PALMER. Because I wanted to pile Pelion upon Ossa. I was a little cumulative. Now the idea; after this has taken up two or three days of the time of the Senate, to throw and inject in the last day, in the afternoon, such a proposition, surprises me. If it was by any one else than the Senator from Massachusetts, or a Senator, I should feel as if I should characterize it in very strong terms. As it is now, I am confined to the assertion that that canal company should receive no favor, except at the hands of a court and in due process of law. Let them have what they can get, but do not let the United States Congress confirm a single acre which they have gotten surreptitiously.

Mr. HOAR. Mr. President, the Senator from Michigan concedes away his whole case. Here is an amendment which provides for the confirmation only of lands which were sold and selected by the officers of the United States, which were received in good faith and without fraud, and for which the United States has received and now retains the consideration. And he says that describes the selections of the canal company. If it does, his other statements are absolutely contradicted. And upon what do those other statements rest? They rest upon a report of a committee which was drawn and written, as a member of the Senate, the Senator's colleague [Mr. STOCKBRIDGE] knows, by a person whose fraudulent conduct has been exposed here over and over again, the person who got people to go onto the lands which belonged to this canal company (the only flaw upon their title being that they were selected on lands of an unearned railroad grant which had not been declared forfeited under the old law), lands selected with the approbation of the Secretary of the Interior and under the opinion of the Attorney-General.

This man got a number of persons to go on the lands and make fraudulent entries, and make contracts with his firm to give them an interest and then to swear that those contracts never had been made; and here in this debate the affidavits of those two partners were presented, one of them swearing that the letters were written in which it was said they would hold these men by their perjury to do their further bidding, but that they were written by his partner and not by him, and denying that the contracts were actually made, and the partner coming in with his affidavit and saying that the contracts were made, and he left the firm so as not to induce men to commit perjury; and that is the man who has been furnishing material to the Senator from Michigan nearly all through this debate, as I am credibly informed, and it is upon his authority and the authority of a report made by a divided committee in the House of Representatives that this act of gross injustice is sought to be carried through, that report being written by the very senior partner of that fraudulent firm.

Mr. PALMER. Nothing could more clearly betray the poverty of the case.

Mr. HOAR. I thought I was giving way for a question?

Mr. PALMER. The intention was to ask who furnished the briefs for the Senator's remarks?

Mr. HOAR. The information for my remarks, Mr. President, was furnished to me first by Hon. Benjamin Dean, of Boston, late a member

of the House of Representatives, and counsel for this canal company, a gentleman of high character and standing, a Democratic member of the House of Representatives, known probably to half the Democratic side of the House. More recently the statements were furnished by a gentleman by the name of MacGowan, who is the counsel for Mr. Malvern and a body of citizens of wealth, property, and character. Mr. MacGowan was formerly a member of the House, a gentleman of high standing and character in his profession, and the present owners of this canal company's rights are among some of the best known and most respectable people in the State of Massachusetts. My colleague [Mr. ALLEN] of the other House came to my seat this afternoon to tell me about his neighbors in the city of Lowell. They took the rights of this canal company when it had failed. They raised a million dollars of hard cash and completed the canal, and proceeded to perform all the conditions.

When this matter was first voted down it was voted down on the statement of the Senator from Michigan and of members of the committee that they would simply forfeit the lands and would not enter upon the question of confirming any of them. There was some sense in that. They would leave that to the future. They put in an amendment which I agreed to, leaving that and saying this bill should not touch it. But now you have an amendment confirming all the other titles you can think of in regard to which there are technical defects. You have confirmed the titles in the State of the Senator from Mississippi, the homesteaders; you are confirming by the amendment of my honorable friend from Wisconsin the homesteaders and cash entrymen for whose interests he has an especial concern; and now you are going to leave out of this bill and forfeit the rights of these people who, as I said, have earned their rights and have performed all the conditions imposed on them by law.

The Senator talks about fraud, and when asked what he means by fraud he says they selected mineral lands when they had no right to select mineral lands. That has been answered over and over again. They selected lands in which there were afterwards discovered iron mines, and the opinions of two Attorneys-General have been read in this debate showing that iron mines are not mineral lands within the meaning of our land laws.

Then the Senator said, and he has undertaken to repeat it now within two minutes when the Senator from Oregon put him the question, that they went away from the neighborhood of their canal. The answer to that is that there was a second act of Congress. Finding that there were not lands sufficient to build the canal under the first grant, there was a second act of Congress, giving them an additional 200,000 acres and authorizing them to go anywhere within the upper peninsula of Michigan; and the 15,000 acres here in controversy were selected under that, and that was done after the opinion of the Attorney-General was taken that they might go there, and under the direction of the Secretary of the Interior.

Now, how idle to keep up this parrot cry of "fraud!" "fraud!" "fraud!" The answer to the whole thing is that this amendment so carefully prepared by the honorable Senator from Wisconsin remits all these questions to the decision of the future:

> Shall be operative to confirm the title only of such said cash purchasers as the Secretary of the Interior shall be satisfied have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States.

And the former part of the amendment limits it only to the cases of lands of which the proper officers of the United States made disposition.

It may be that the Senate sits to perform these high acts of legislation; in my own State we call the highest legislative body of that State "the general court;" and it was the understanding of our ancestors that men charged with legislative functions have also the duty, the obligation, and the responsibility in dealing with the great interests of citizens that come before them which rest upon judicial officers; and I say it is a burning shame, it degrades the character of the Senate itself when citizens come here over and over again with a claim like that I have stated and the Senate turns its back on account of these demagogic cries which are attempted to be made, and especially when the Senate turns its back on them when the concoctors of these frauds are sitting in the gallery inspiring the attack.

The Congress of the United States granted 200,000 acres of land to pay the men who should build this canal, so essential to the commerce of that stormy and dangerous coast on that lake, and it was built; and by a second act it was declared that this land might be selected, as I have said, anywhere in the upper peninsula of Michigan; and it was said also that the land should be selected by an officer appointed by the Secretary of the Interior, and the selections should be confirmed by the Secretary; and in every single instance the facts upon which these titles depend were submitted to the Attorney-General of the United States by the Secretary of the Interior, and they had the approbation of both those high officers; and the only flaw, the only possible defect that the ingenuity of man can conjure up in the title of this canal company is that an old railroad grant had been made, the railroad never having earned the lands, it being supposed, until the Supreme Court decided otherwise, it being held by the Attorney-General of the United States and by the Land Office, that when the railroad company had forfeited its land by failing to complete its road those lands were open to selection by other grantees; and it turned out ten years afterwards that because this old sleeping railroad title was still there, never earned, giving no rightful property to the railroad company, therefore the selection of these lands were invalid.

Mr. GEORGE. May I be allowed to ask a question?

Mr. HOAR. Certainly.

Mr. GEORGE. Does the Senator wish to be understood as saying that the only reasonable objection to the validity of the grant to the canal company is that some of the lands are located upon lands which had been granted by an act of Congress to a railroad company and not earned by that railroad company?

Mr. HOAR. I do mean exactly that thing.

Mr. GEORGE. And that before the decision in Schulenberg *vs.* Harriman the land officers of the United States recognized the law to be that on the mere failure of the grantee, the railroad company, to comply with the conditions of the grant the grant was forfeited, and acting on that theory permitted the canal company to take up these lands? Is that the interpretation?

Mr. HOAR. I mean to say exactly that thing, and I mean to add to exactly that thing that the governor of Michigan, to which State this land had been granted for a railroad, made a release to the United States.

Mr. GEORGE. Has the canal company complied with all the conditions of the grant to it?

Mr. HOAR. The canal company complied with all the conditions, and the governor of Michigan so certified. Now, Mr. President, I undertake to say that there is not a member of this body who, having made a grant of land which had failed to his grantee by such a defect, would go home and look his neighbors in the face if he was not ready and eager to do everything that lay in him to confirm it; and is it true that this great, proud, strong, rich American people has a less keen sense of honor than that which dwells in the breast of the very humblest of its legislative servants?

Mr. GEORGE. Now I desire to ask the Senator from Massachusetts another question. Is the sole effect of the amendment which he has offered, and which is now pending before the Senate, to secure to this canal company the lands which I have referred to in the former colloquy I had with the Senator?

Mr. HOAR. That is the sole effect, and that is upon the condition expressed by the clear statement of the Senator from Wisconsin, that the Secretary of the Interior shall be satisfied that they "have heretofore been disposed of by the proper officers of the United States," and that the parties "have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States."

Mr. PALMER. I think nothing shows the poverty of the case of the honorable Senator from Massachusetts as much as the fact that he has got a phantom that he fights, and that phantom is some lawyer who is stuffing me with information. He does not controvert the facts; at the same time he concedes that attorneys are filling him with information. As a matter of course we have to get our information from somewhere; but in addition to the information I get from attorneys I bring in reports of the House of Representatives, and I was about to have them read the other day and I handed them to the Senator from Massachusetts.

Mr. HOAR. Will the Senator indulge me?

Mr. PALMER. Always.

Mr. HOAR. I should like to ask in the presence of the Senate the honorable Secretary of the Interior of the last administration, the Senator from Colorado [Mr. TELLER], if he does not know these facts that I have stated, if he does not know them on examination, thorough official examination, to be true?

Mr. PALMER. There were so many that the Senator should specify which one.

Mr. HOAR. The whole statement of the case.

Mr. PALMER. He would hardly like to commit himself to all of the Senator's statements.

Mr. TELLER. I have not had occasion to examine this canal question for some time. It has been very thoroughly examined from time to time, and was while I was in charge of the duties of Secretary of the Interior. I think the statement made by the Senator from Massachusetts is substantially correct. Those are the facts as I understand them and remember them.

Mr. PALMER. Will the Senator please recapitulate those facts concisely so that we shall know. There were so many facts stated.

Mr. TELLER. I will wait until the Senator gets through.

Mr. GEORGE. I desire to ask the Senator from Michigan a question.

Mr. PALMER. Certainly.

Mr. GEORGE. I desire to ask the Senator from Michigan whether he controverts the statements made by the Senator from Massachusetts, and if he does, to what extent does he differ with him on the facts?

Mr. PALMER. I can not say whether I can controvert them, but I will try. If I had the RECORD here to know exactly what the Senator said, I could talk more consecutively and more understandingly.

If he says that the only fault of the canal company was that they unintentionally took lands not thinking them to be mineral, and they afterwards turned out to be mineral, I shall not try to contradict him at all. I will merely read from the report of the Commissioner of the General Land Office. The best way is to be sustained by documents, and I am only sorry that I have not the current literature here to-day. I supposed the fight was off, and therefore I did not bring up four or five reports showing the nefarious character of this whole canal operation. I will say here, and I say it from——

Mr. GEORGE. "Nefarious," did the Senator say?

Mr. PALMER. N-e—nefarious. I will say that the canal never was completed within the specifications of the Department; that now those arms or piers which were to have afforded a harbor of refuge are not of such a character as to be anything but a damage to navigation, and we shall come before Congress and ask for $350,000 to get this canal out of the hands of that company so that we may make it of practical benefit to navigation on the Lakes. I do not think they have rendered an equivalent.

Mr. GEORGE. Was the canal built according to the terms of the act under which the lands were granted?

Mr. PALMER. I think I can say not with positive certainty, and I will have the literature to fortify me to-morrow morning.

Mr. HOAR. I ask the honorable Senator if he, his colleague, has not stated that that canal was completed, and that he went through it himself on the largest steamers?

Mr. PALMER. I think I have heard him say that, and I have heard the Senator from Massachusetts say so a great many times. I do not say they intentionally misrepresent, but I know that such is not the fact. I will place my word against both.

Mr. TELLER. I should like to ask the Senator a question. In the first place does the Senator claim because the land proved to be iron land that it was without the grant?

Mr. PALMER. No, sir. I claim that it was without the grant because it was designated as mineral land, and I can show the reports sustaining that.

Mr. TELLER. I do not think the Senator can sustain that from the Department.

Mr. PALMER. I am merely taking the Department's reports.

Mr. TELLER. That iron land is mineral land within the meaning of the grant?

Mr. PALMER. It was never supposed to be iron land until long after.

Mr. TELLER. If it had been iron land it would not have been excepted from the grant.

Mr. PALMER. Some of the finest copper mines in the world were developed on the margin of this grant.

Mr. CHACE. Right here will the Senator yield to me?

Mr. PALMER. Yes, sir.

Mr. CHACE. I want to ask the Senator from Michigan a question. I want to know distinctly whether he says that those copper mines are on this very property or not?

Mr. PALMER. Yes, sir.

Mr. CHACE. They are on this property?

Mr. PALMER. You mean the property that we are talking about?

Mr. CHACE. Yes.

Mr. PALMER. No; I think not.

Mr. CHACE. Then I ask the Senator if that bears on this question?

Mr. PALMER. Not at all.

Mr. GEORGE. Are the mineral lands involved in the amendment proposed by the Senator from Massachusetts?

Mr. PALMER. There is a large quantity of iron lands, but I understand from the former Secretary of the Interior that iron lands are not considered as mineral lands. I am perfectly willing to be fair. I do not want to obscure this question by a lot of collateral issues, as seems to be the desire of the other side. But what I say is that the Senate should not want to do anything or ought not to do anything towards confirming lands gotten in violation of law, even although the particular lands I speak of may not have been so gotten, and where they rendered no equivalent I say that we ought not to confirm their title.

Mr. GEORGE. What is the specific violation of law through which these lands were gotten?

Mr. PALMER. These lands that I speak of now?

Mr. GEORGE. The lands referred to in the amendment proposed by the Senator from Massachusetts. We are talking about them.

Mr. PALMER. I do not think that there is any particular violation of law about them.

Now, Mr. President, I hope that this amendment of the Senator from Massachusetts will not prevail. If you want to know anything more about the canal company—I dislike to use epithets; I do not want to hoist any red flag in the way of some agent who is pressing the canal claim in season and out of season—this canal company, not satisfied with having one or two lawyers, has had as many as seven ex-members of Congress who have had access to the floor. This canal company can take care of its own interests without coming here as a supplicant to ask us to confirm an irregular selection.

They knew they were violating the law. They have had able counsel all the time while they were going in upon this railroad reservation. To-morrow morning, if this shall be continued, I can give a little more history of the canal company.

I will say this now: That the canal has never been completed within the specifications; that, notwithstanding my colleague says that the largest vessels can be floated through it, I think I risk nothing in saying that he is mistaken, that he has not been through it within two or three years.

Mr. HOAR. The governor of Michigan has given his certificate.

Mr. PALMER. Which one?

Mr. HOAR. Governor Bagley.

Mr. PALMER. He has been dead several years.

Mr. HOAR. Now, my honorable friend will pardon me. I think this country is entitled to have each one of these facts understood. The Senator from Michigan says that this canal is not completed. My information is that it is completed. The Senator's colleague says that it is completed and he has been through it on the largest steamers. Now, I ask the Senator this question, whether the law did not make it the duty of the governor of his State to inspect the canal and certify whether it was complete, and whether he did not make that certificate—a governor of high character, Governor Bagley? The Senator answers and says he has been dead some years.

Mr. PALMER. I owe the Senator an apology. I thought he was asking in the present tense. He was speaking of the present condition of the canal, and I thought he was bringing to bear Governor Bagley's assertions on that point, and I was surprised when he said Governor Bagley. That was all. I did not mean to cover the thing with derision at all; but the canal has never been completed, notwithstanding the assertions of my very respected colleague, for whom I have the highest regard. I do not think he will reiterate, against my assertion, that the largest vessels can go through the canal.

Mr. STOCKBRIDGE. The Senator will excuse me. I asserted this, and I reassert it, that the Portage Lake Canal was built, according to the certificate of the governor of Michigan, in accordance with the act authorizing its construction. Governor Bagley, of Michigan (whose word was always good in Michigan, and the people of Michigan had the greatest confidence in him as a careful, conscientious man), took a competent person with him, visited the canal, inspected it, found it was completed in accordance with the act granting lands for its construction, and so certified. Now, I think I am right in saying that if he made a mistake and it was not exactly completed in accordance with the contract, that would be immaterial. It was not so; but if it had been, I think the certificate of the completion of the canal was conclusive upon that point.

That canal was built and completed and accepted, I will not say how many years ago, but twelve or fifteen, perhaps more, perhaps sixteen or seventeen years ago. The piers extending into the lake were built, like all the works, or nearly all the works on our Great Lakes, of wood. They were timber piers, such as were required by the contract. It may be possible, in fact I believe it is true, that those piers have gone somewhat to decay, that while those piers extended into Lake Superior to get sufficient depth of water, I think 13 feet, to comply with the requirements of the contract as certified to by the governor, in the course of years they have gone to decay, the sand has accumulated, as it does at the end of all piers constructed on the lakes, as any gentleman familiar with them knows, and from time to time it is necessary to change them. The fact that the canal is not in as good order now as it was and will not pass vessels drawing the same amount of water that it did when it was completed has no effect upon this question at this time. The canal was undoubtedly constructed in accordance with the contract; the certificate provided for was given by the governor, and as a matter of law is final.

I want to say further, while I am upon my feet—I did not propose to be drawn into this matter, and I dislike very much to differ with my honorable colleague on such a subject, and I am only led to do so when it seems to be absolutely necessary—I want to say that there never would have been any question as to the title to the lands which the amendment of the Senator from Massachusetts seeks to confirm, the 15,000 acres, had it not been that those lands were within the limits of an old railroad grant, and I desire to say only two or three words on that point.

The grant within the limits of which these lands are situated was made to the State of Michigan in 1856. The act granting these lands required that the railroad should be built in ten years or the land should revert to the General Government. The ten years expired in 1866. The Land Department construed that granting act to mean just what it said on the face of it; that if the road was not built in ten years the lands should revert to the General Government. Thereupon after 1866 the Department restored the lands to market. They were open for canal selections, and these lands were selected. They were open to cash entries, and sales were made for cash. They were open to homestead and pre-emption, and such locations were made. That state of things existed until 1874. From 1866 to December 1874, when the Schulenberg *vs.* Harriman decision was made, the lands were open to sale to anybody who would pay for them, open to homestead entry, open to selections of the character made by the canal company; and it

was only after that Schulenberg decision that the lands were withdrawn from market. These selections were made within that time.

My idea is that upon the passage of this bill, when the Government asserts a right of forfeiture which has existed since 1866, and the Government comes into the possession of these lands again by virtue of that forfeiture, Senators should keep in mind that these canal selections were certified by the governor of the State of Michigan for the benefit of the canal. Now the fact is that the legal title under the Schulenberg decision to these lands is in the State of Michigan, and the General Government can not convey title.

The same holds good in regard to the cash entries you have heard so much about for the last week or ten days. The Government undertook to sell lands between 1866 and 1874 which its officers supposed they had a right to sell, because the road was not built within ten years. They sold those lands; they selected the 15,000 acres for the canal company. The Supreme Court in the Schulenberg decision of 1874 decided that the Government was not in possession of a legal title to those lands, but the title was in the State of Michigan. I am no lawyer, neither am I a "horny-handed son of toil," as my colleague is.

Mr. PALMER. I think I have the floor.

Several SENATORS (to Mr. PALMER). Do not interrupt him now.

Mr. STOCKBRIDGE. I think the honest and honorable thing, and the thing which the Senate should do, is, if they pass this bill, thereby reinvesting the Government with the title to these lands, to make good what they attempted to do in years past. I think that view of the case should commend itself to every honest and honorable man. I did not mean to say anything about this matter, and I will not say more now. I was going to take up another branch of the subject, but I will not do it.

Mr. PALMER. Mr. President, my colleague has not met the point wherein he and I differed, and that was in regard to the capacity of the canal for floating the largest vessels on the Lakes. We might as well close——

Mr. STOCKBRIDGE. They were obliged by their contract to give 13 feet of water. They gave more.

Mr. PALMER. Will the Secretary please read what I send to the desk?

The CHIEF CLERK. "House of Representatives, Report No. 684, Forty-eighth Congress, first session."

Mr. PALMER. It is the report of Mr. Henley, from the Committee on Public Lands of the House of Representatives, in the Forty-eighth Congress.

Mr. TELLER. I think that report has been read here about half a dozen times.

Mr. PALMER. There have been statements in regard to the completion of the canal made which that contradicts. I do not myself like to contradict unless I have the authority for doing it.

Mr. TELLER. If there is any defect or any vice in this title it does not grow out of the fact that the canal was not completed. That is a new defect.

Mr. PALMER. Will the Senator permit me?

Mr. TELLER. Let me finish. I want to make my statement so that everybody can understand what I mean.

If there is a defect in this title it is because at the time, as the Senator from Michigan [Mr. STOCKBRIDGE], who has just taken his seat, said, the title was in the State of Michigan and not in the General Government when the certification was made. Now, whether the canal was completed or not, is not a question for us. That has passed beyond the domain of discussion. We said that the governor of Michigan should determine that question. He having determined it, if he made a mistake, everybody understands in law that that is conclusive upon us.

There is no evidence that he made any mistake. There never has been any respectable claim, I think, that he made any mistake. The whole defect, I repeat again, on which these people have been kept from receiving benefit from the land was because there was a misunderstanding in the Department at the time that the certification was made of the rights of the General Government with reference to lands included in that grant, of which there had been no re-entry by the Government, and up to the day of the Schulenberg *vs.* Harriman decision every act of the Government was in consonance with the act spoken of here.

The Government treated the land as its land and not as the land of the grantee mentioned in the act, whether it was the State or whether it was a company; and I say now whether or not the canal was built is not a question for discussion. The question simply is, whether the Government will now make good the title that it has given to these people or attempted to give them more than fifteen years ago, because the decision in the Harriman case was made in 1874 and the certification was before that. In 1872 I am told the certification was; I do not remember. That is all there is of it; and if we do not make the title good by an act, there is no other way they can get it. The executive department can not give it to them; it must be by legislative action.

As the Senator from Massachusetts has said, if anybody can show any reason why they should not have it, it must be because they did not complete the canal and because Mr. Bagley and they were guilty of fraud. That would vitiate it, and that alone, and nobody in Michigan or anywhere else has ever suggested that Governor Bagley did not certify to that which in his judgment was right.

If he made a mistake, I can say for the legal profession that it is beyond controversy to-day, that when a matter of that kind is left to a tribunal and it has decided it without the right of appeal expressly being claimed or reserved, that decision is final and can not be inquired into by any power, much less can it be inquired into by the United States in a case of this kind.

Mr. PALMER rose.

Mr. HOAR. Will the Senator before he proceeds allow me to modify my amendment? I wish to add a few words. I desire, with the leave of the Senator——

Mr. PALMER. If it does not involve any further remarks.

Mr. HOAR. No, sir. Where I say "under State selections" I wish to narrow it strictly "under State selections confirmed by the Secretary of the Interior."

The PRESIDENT *pro tempore*. The modification of the amendment to the amendment will be stated.

Mr. GEORGE. Does that limit the amendment?

Mr. HOAR. It limits it only to the State selections which the Secretary of the Interior approved.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. In line 7, after the word "laws," it is proposed to strike out the word "and" and to insert "or under State selections confirmed by the Secretary of the Interior."

Mr. PALMER. This is the most intangible, impalpable, illusory, misleading, nebulous fight that I ever was in. [Laughter.] Part of the time it is the equities, part of the time it is the equivalent, part of the time it is the law, but all the time on general principles "We want the land." [Laughter.] All I have to say is that from the very inception of the removal of the register at Marquette this thing has been open to very grave suspicion, and I contend that it can be shown very evidently, and so that it can not be controverted, that there was collusion at Marquette, and it is a well-known rule of law, I believe—so I have heard it stated in this Chamber—that no man or no corporation can take advantage of its own fraud. Now I would like to have the Secretary read that report.

The PRESIDENT *pro tempore*. The report will be read.

Several SENATORS. What is it?

Mr. PALMER. It is the report I have indicated.

The SECRETARY. "House Report No. 684, Forty-eighth Congress, first session."

Mr. DOLPH. Is that subject to objection?

Mr. PALMER. No, sir; it is part of my remarks.

The PRESIDENT *pro tempore*. The Chair thinks it is not subject to objection. The Senator from Oregon can object to its being read by the Secretary, but the Senator from Michigan can read it himself.

Mr. DOLPH. I do object, because it has been read over and over again.

Mr. PALMER. Nothing will give me greater pleasure than to read it myself.

The PRESIDENT *pro tempore*. It is not customary to object to the reading of papers by the Secretary.

Mr. DOLPH. I withdraw the objection at the suggestion of some Senators.

Mr. PALMER—

It will be observed—

The report goes on to say—

that under the two granting acts——

Mr. CALL. I ask the Senator to give way for an adjournment.

Mr. PALMER. Presently—

these lands were required to be selected in the tiers of sections nearest the canal, of unappropriated land, not mineral, not covered by pre-emption or homestead claims; and 200,000 acres (those included in the grant of 1865), beyond all controversy, were limited to lands subject to private entry. The selections were in fact made contrary to almost every one of these provisions of law. They were not in the tiers nearest the canal; they were made without reference to subsisting pre-emption or homestead claims; they were made of lands not subject to private entry, and over 15,000 acres were upon lands within this railroad grant and withdrawn for its benefit.

It is well known that this canal company knew that they were entering these lands in contravention of the law. They had able lawyers backing them up all the time who were interested in the company.

It will also be observed that the company was required by the granting act to construct a breakwater, harbor, and ship-canal at least 17 feet in depth, and that by section 5 of the act of 1865, if the work was not "completed" within two years (afterwards extended to December 1, 1873), the lands thereby granted should "revert to the United States."

It is satisfactorily shown to your committee that no sufficient harbor or breakwater has ever been constructed, and that all that has ever been done by the company or its successors to earn this grant was to build a canal about 2 miles in length, connecting Portage Lake with Lake Superior, and at one end thereof build two piers some 600 feet in length, extending into the lake. Even this work was not reported as having been done until June 25, 1875, over eighteen months after the right of forfeiture had accrued under the extending acts. (Governor's certificate, appendix to Canal History, pages 73, 74.)

It still further appears, from the official records of the office of the Chief of Engineers, in the War Department, that the said canal had not up to 1879 been completed in the manner required by the act, particularly as to the depth of water required, actual soundings in that year by the Government engineers

showing an average of much less than 13 feet. Your committee has no information that any work has been done upon the canal since that date.

December 16, 1879, Maj. Henry M. Robert, of the Engineer Corps, United States Army, reported as follows upon this subject:

"I do not think the entrance to the canal can be said to be completed until the piers are extended to a depth of water equal to that which is considered necessary at the harbors constructed directly by the United States. If this were done a great deal of the difficulty experienced in entering the canal would disappear. It is not to be expected that a vessel can be easily steered in rough water when its keel almost touches the bottom. This lack of depth of water at the head of the canal is, in my judgment, the greatest difficulty at this point, and the remedy is for the canal company to complete the work, to aid which the United States donated 400,000 acres of land."

From all the foregoing your committee find that these selections were mainly, if not wholly, made contrary to the provisions of law; that the company, during the period allowed before forfeiture, had not performed the work required; that it has never constructed any sufficient harbor or breakwater; that the canal itself, as finally finished, was not "completed," and never has been completed as prescribed by the granting act; and that the company has no equities entitling it to favorable consideration. Your committee are accordingly of opinion that no act confirming these selections should be passed.

Now, Mr. President, I move that the Senate adjourn.

JOHN FRUCHIER.

The PRESIDENT *pro tempore*. Pending the motion to adjourn, the Chair lays before the Senate a message from the President of the United States, which will be read.

The Chief Clerk read as follows:

To the Senate of the United States:

In answer to the resolution of the Senate of April 12, directing the Secretary of State to transmit to the Senate a copy of the correspondence in his Department in regard to the case of John Fruchier, an American citizen who has been impressed into the military service of France, I transmit herewith a report in relation thereto from the Secretary of State, together with the accompanying papers, not considering their communication to be incompatible with the public interests.

GROVER CLEVELAND.

EXECUTIVE MANSION,
Washington, May 8, 1888.

Mr. STEWART. The person to whom the message relates, who was impressed into the French army, has been released since the resolution was introduced. The correspondence it may be important to print or it may not. I presume the message will be referred to the Committee on Foreign Relations.

The PRESIDENT *pro tempore*. It will be so referred, without the order to print, if there be no objection.

Mr. GORMAN. I ask that the message and accompanying papers from the State Department, in relation to the imprisonment of this American citizen, may be printed. I do not think there will be any objection to it, and it is very desirable that they should be printed.

The PRESIDENT *pro tempore*. The order to print will be made, if there be no objection.

WITHDRAWAL OF PAPERS.

On motion of Mr. ALLISON, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of C. P. Eppert, no adverse report having been made thereon.

AMENDMENTS TO A BILL.

Mr. CULLOM submitted two amendments intended to be proposed by him to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The PRESIDENT *pro tempore*. The bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, is before the Senate.

Mr. BLAIR. It is now evident that we are approaching a final vote upon the bill. As the Senator from Michigan [Mr. PALMER] has made a motion to adjourn, and desires an adjournment, wishing to be heard further, I understand, and not having his documents all here, I ask unanimous consent that the consideration of the bill may be resumed to-morrow morning immediately after the conclusion of morning business, and that the vote be taken upon the bill and amendments at half past 1 o'clock.

Mr. CALL. I suggest to the Senator from New Hampshire to ask the Senate to agree to take the final vote during the day, some time during the session to-morrow.

Mr. PADDOCK. Say 2 o'clock.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent that at the conclusion of the formal morning business to-morrow the Senate resume the consideration of Senate bill 1430, and that the vote thereon and upon the amendments be taken at half past 1 o'clock.

Mr. CALL. I object.

The PRESIDENT *pro tempore*. The Senator from Florida objects.

Mr. BLAIR. Then I ask unanimous consent that the consideration of the bill be resumed to-morrow morning, immediately at the conclusion of the morning business, and that it be continued until the bill is disposed of.

The PRESIDENT *pro tempore*. The Senator from New Hampshire is reminded that a previous order of the Senate requires the resumption of the pleuro-pneumonia bill at 2 o'clock to-morrow.

Mr. BLAIR. I will modify my request. I ask unanimous consent that the consideration of the bill be resumed at the termination of the formal morning business to-morrow, and I give notice that I shall ask the Senate to continue its consideration until the bill is disposed of.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent that the consideration of Senate bill 1430 be resumed to-morrow morning at the close of the formal morning business. Is there objection?

Mr. EVARTS. I object.

The PRESIDENT *pro tempore*. The Senator from New York objects.

Mr. EVARTS. I object in the hope that we may go on and vote on the bill to-night.

The PRESIDENT *pro tempore*. The Senator from Michigan [Mr. PALMER] has moved that the Senate adjourn.

Mr. PALMER. I withdraw my motion if there is any chance of concluding the bill.

Mr. BLAIR. I think there is.

The PRESIDENT *pro tempore*. The motion to adjourn is withdrawn.

Mr. COCKRELL. We can not finish the bill to-night; it is simply impossible. There is a long speech to be made on it.

The PRESIDENT *pro tempore*. The Senator from Massachusetts moves to amend the amendment made as in Committee of the Whole as has been read by the Secretary. Is the Senate ready for the question?

Mr. CALL. I do not think the bill ought to be passed without a more mature consideration of the matter. I design to address some remarks myself upon the subject.

Mr. BLAIR. Does the Senator care to speak on the pending amendment?

Mr. CALL. I do, and I shall renew the motion to adjourn; I move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Senator from Florida moves that the Senate do now adjourn.

Mr. STEWART. I ask for the yeas and nays.

The PRESIDENT *pro tempore*. On the motion to adjourn the Senator from Nevada asks that the yeas and nays may be entered on the Journal.

Mr. STEWART. At the request of several Senators I withdraw the demand.

The PRESIDENT *pro tempore*. The request for the yeas and nays is withdrawn. The question recurs on the motion of the Senator from Florida that the Senate adjourn.

The question being put, there were on a division—ayes 21, noes 21.

Mr. CALL. I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 21, nays 21; as follows:

YEAS—21.

Bate,	Cullom,	Jones of Arkansas,	Turpie,
Blodgett,	Davis,	Pasco,	Vance,
Brown,	Faulkner,	Payne,	Wilson of Iowa.
Call,	Gorman,	Reagan,	
Cockrell,	Gray,	Sabin,	
Coke,	Hawley,	Saulsbury,	

NAYS—21.

Berry,	George,	Palmer,	Teller,
Blair,	Hiscock,	Pugh,	Walthall,
Chace,	Hoar,	Sawyer,	Wilson of Md.
Chandler,	McPherson,	Spooner,	
Dolph,	Mitchell,	Stewart,	
Evarts,	Paddock,	Stockbridge,	

ABSENT—34.

Aldrich,	Dawes,	Hearst,	Quay,
Allison,	Edmunds,	Ingalls,	Ransom,
Beck,	Eustis,	Jones of Nevada,	Riddleberger,
Blackburn,	Farwell,	Kenna,	Sherman,
Bowen,	Frye,	Manderson,	Stanford,
Butler,	Gibson,	Morgan,	Vest,
Cameron,	Hale,	Morrill,	Voorhees.
Colquitt,	Hampton,	Platt,	
Daniel,	Harris,	Plumb,	

So the Senate refused to adjourn.

Mr. CHACE. My colleague [Mr. ALDRICH] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. BLAIR. Now let us have a vote.

The PRESIDENT *pro tempore*. The question recurs on the amendment proposed by the Senator from Massachusetts [Mr. HOAR] to the amendment made as in Committee of the Whole.

Mr. CALL. Mr. President, I was in favor of an adjournment because I think that the Senate ought to consider somewhat carefully before it passes an amendment of this character. The Interior Department, it is well known by a complaint arising from all over the United States, has disposed of an empire of public lands without the authority of Congress, precisely upon the grounds upon which this amendment is based.

Mr. COKE. If the Senator from Florida will yield for the purpose, I will move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. Does the Senator from Florida yield for that purpose?

Mr. CALL. I do.

The PRESIDENT *pro tempore*. The Senator from Texas moves that the Senate proceed to the consideration of executive business.

Mr. HOAR. I ask for a division.

The PRESIDENT *pro tempore*. A division is called for.

Mr. HOAR. May I have unanimous consent to make a statement? I voted against a motion to adjourn, but it was lost by a bare tie. I think it is hardly worth while to ask one-half of the Senate to stay here against its will. I therefore will move that the Senate adjourn.

The PRESIDENT *pro tempore*. The Senator from Massachusetts withdraws his request for a division, and——

Mr. BLAIR. The Senator——

Mr. HOAR. If the Senator will allow me——

Mr. BLAIR. The Senator has disposed of the controversy on which we were going to help his amendment through. I ask unanimous consent that we resume the consideration of the bill to-morrow morning at the termination of the formal morning business.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent that at the conclusion of the morning business to-morrow morning the Senate resume the consideration of Senate bill 1430. Is there objection?

Mr. COKE. Unless it is understood that the bill gives way to the animal-industry bill at 2 o'clock, I object.

Mr. HOAR. That will be done.

Mr. CULLOM and Mr. SAWYER (to Mr. COKE). It can not interfere with you.

Mr. HOAR. I inquire of the Chair if the effect will not be as the Senator from Texas desires?

The PRESIDENT *pro tempore*. Before the adjournment of the Senate, the Chair will lay before the Senate as unfinished business the bill from the Committee on Agriculture and Forestry, known as the pleuro-pneumonia or animal-industry bill.

Mr. COKE. Then I make no objection, with that understanding.

Mr. BLAIR. It is the understanding that the Senator from Texas will have the floor at 2 o'clock to-morrow.

The PRESIDENT *pro tempore*. Then the agreement is that at the conclusion of the morning business to-morrow morning the Senate will resume the consideration of Senate bill 1430.

BUREAU OF ANIMAL INDUSTRY.

Several SENATORS. Let us adjourn.

The PRESIDENT *pro tempore*. The Chair first lays before the Senate the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

The Senator from Massachusetts [Mr. HOAR] moves that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, May 9, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *May* 8, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

NEW YORK INDIAN LANDS IN KANSAS.

The SPEAKER. The question before the House at the adjournment yesterday was a motion to refer the President's message to the Committee on Indian Affairs.

Mr. PERKINS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PERKINS. Will it be in order as a matter of privilege, if the message and bill go to the Committee on Indian Affairs, to move to discharge the committee from the further consideration of the bill and put it upon its passage?

The SPEAKER. It will be in order to move to bring it before the House for consideration. The matter does not lose its privilege at all by reason of its reference to a committee, and it is a matter of privilege to move to discharge the committee from its further consideration for the purpose of bringing it before the House, the same as in a case involving the right of a member to a seat on the floor. Is there further objection to the reference of the message?

Mr. PERKINS. I make no further objection.

The message and bill were referred to the Committee on Indian Affairs.

NATIONAL ARMORY, SPRINGFIELD, MASS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of an appropriation for shafting, fixtures, etc., for the new milling shop, National Armory, Springfield, Mass.; which was referred to the Committee on Appropriations, and ordered to be printed.

ROCK ISLAND ARSENAL.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting plans and an amended estimate of an appropriation for the further development of the water-power pool at the Rock Island, Ill., arsenal; which was referred to the Committee on Appropriations, and ordered to be printed.

UINTAH INDIAN RESERVATION.

The SPEAKER also laid before the House the bill (H. R. 7936) to restore to the public domain a part of the Uintah Indian reservation in the Territory of Utah, and for other purposes, with the amendments of the Senate thereto.

Mr. PEEL. Mr. Speaker, the amendments simply change the phraseology and do not alter the sense of the bill at all. I therefore ask unanimous consent that they be concurred in.

The SPEAKER. The amendments will be read.

The amendments were read, as follows:

Page 1, line 20, after the word "Interior," insert "and upon his order."
Page 2, line 1, after the word "cash," strike out "entries."

Mr. PEEL. The Committee on Indian Affairs have formally passed on the amendments this morning, and I now move that they be concurred in.

The amendments of the Senate were concurred in.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. STONE, of Missouri, until Saturday of next week.

To Mr. COBB, until the 16th instant, on account of important business.

WILLIAM R. BLAKESLEE.

The SPEAKER. The gentleman from Pennsylvania [Mr. DARLINGTON] had a matter pending before the House yesterday morning when the regular order was called. The gentleman from Tennessee [Mr. MCMILLIN] demanded the regular order, but the Chair is advised that he has since withdrawn his objection to the bill. The bill and report were read yesterday. The Clerk will again report the title of the bill.

The title of the bill was read, as follows:

A bill (H. R. 550) for the relief of William R. Blakeslee.

The bill is as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the record of "dismissal from the service on account of incompetency," now standing against the name of William R. Blakeslee, late surgeon of the One hundred and fifteenth Pennsylvania Volunteers, and instead thereof show him as being honorably discharged.

The report (by Mr. FORD) is as follows:

William R. Blakeslee resides in Coatesville, Chester County, Pennsylvania. On the 2d of October, 1861, he appeared before the State board of surgeons at Harrisburg, Pa., to undergo an examination for the position of surgeon of one of the Pennsylvania regiments then about to be organized and sent into the field for the defense of the Union. This board was composed of Henry H. Smith, surgeon-general of Pennsylvania, and three other eminent medical gentlemen. Having been examined by said board, he was notified on the 8th of October following that he had been reported to Andrew G. Curtin, governor of Pennsylvania, by the State board of surgeons as worthy of the appointment of surgeon. After receiving his commission he was mustered in the United States service, on the 29th of October following, assigned first to the Thirty-first Pennsylvania Volunteers, and soon after to the One hundred and fifteenth Pennsylvania Volunteers, then forming in the city of Philadelphia.

He continued with his regiment nearly two years, participating in various battles in which the regiment was engaged, receiving the approval of the medical officers in the corps and division under whom he served.

It appears from the testimony that he was not a favorite of the colonel of the regiment, and that he was required to undergo an examination in December, 1862. On the 23d of January, 1863, he was dismissed from the service for incompetency.

He was afterwards mustered into the service of the militia regiments of Pennsylvania, organized to repel the invasion of that State by the Confederate army, in whose service he continued for eleven months, performing the duties of surgeon to the satisfaction of State Surgeon-General King, of Pennsylvania, Surgeons John Campbell and Jonathan Getterman, of the United States Army.

Henry H. Smith, M. D., formerly surgeon-general of Pennsylvania, says:

"This application for modification of a record and restoration to rank seems to me, from my knowledge of Dr. Blakeslee, only justice to a worthy officer."

William Pepper, provost professor of the theory and practice of medicine of the University of Pennsylvania, uses the following language, under date of March 28, 1887:

"Having known William R. Blakeslee, of Coatesville, for years, and being acquainted with his good professional standing and with his excellent personal and medical qualifications, it gives me pleasure to indorse the above petition."

Dr. Hayes Agnew, professor of surgery in the University of Pennsylvania, says:

"I fully indorse the above."

William White, surgeon of the Philadelphia Hospital, says:

"I warmly indorse the above."

The committee recommend the passage of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. DARLINGTON moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INTERNATIONAL EXHIBITION IN BRUSSELS.

Mr. RUSSELL, of Massachusetts. Mr. Speaker, I ask unanimous consent to take from the Calendar the joint resolution (S. R. 70) and to put it on its passage.

The joint resolution was read, as follows:

Resolved, etc., That said invitation is accepted, and that there be, and there hereby is, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $30,000, or so much thereof as may be necessary to effect the purpose of this resolution, to be expended in the discretion of the Secretary of State for the purpose of such representation at said exhibition.

SEC. 2. That it shall be the duty of the Secretary of State to transmit to Congress a detailed statement of the expenditures which may have been incurred under the provisions of this resolution, together with any reports which may be made by the representatives of this country at said exhibition.

Mr. HOLMAN. Mr. Speaker, inasmuch as that exposition is to be held next month I believe, I should like to hear a statement from the gentleman from Massachusetts [Mr. RUSSELL] as to how the money is to be expended, and in what manner it is expected that the United States will be represented at the exhibition.

Mr. CHEADLE. Mr. Speaker, I object to the consideration of the resolution.

Mr. RUSSELL, of Massachusetts. I hope the gentleman from Indiana [Mr. CHEADLE] will withdraw his objection. This is not a private matter. It is a public matter, a matter of international courtesy, and this is the only opportunity we have to get it before the House. I ask the gentleman to remember that this Government is going to invite the whole world to participate in the celebration of the centennial of the discovery of America three or four years hence. This resolution is in the way of a return for the courtesies we have received from other nations, and I trust that the gentleman will withdraw his objection.

Mr. HOLMAN. I hope my colleague [Mr. CHEADLE] will at least allow a statement as to how the money is to be expended.

Mr. BURROWS. Let us have the regular order, Mr. Speaker.

PERSONAL EXPLANATION.

Mr. BRYCE. Mr. Speaker, I rise to a question of personal privilege.

On Saturday last the gentleman from Nevada made a statement in regard to Mr. Hewitt in his speech which I asked him at the time to repeat, as I was not quite certain of his exact language.

This he declined to do, and thereupon I made a denial of the gentleman's words as I understood them to be.

My denial was contradicted and I have accordingly awaited the appearance of the gentleman's speech in the RECORD in order that I might ascertain the exact language used by him in regard to Mr. Hewitt.

I find it to be as follows:

> Can they still cling to a party existing upon an empty but attractive sound, that points with pride to its prime minister, Thomas F. Bayard, and who holds out as a shining example of its confidence, patriotism, and liberality an ex-member of this House who *basely* apologized to the British minister at Washington for *his contemptible duplicity* in introducing a resolution of inquiry as to the legality of the trial of an American citizen condemned and executed by a British jury and a British court? I refer to Abram S. Hewitt, the Democratic mayor of the city of New York.

In vindication of my denial I ask that the Clerk may read the following telegram, received yesterday morning from Mr. Hewitt.

The Clerk was proceeding to read, when

Mr. BRUMM said: I do not object to the gentleman from New York [Mr. BRYCE] making any explanation as to anything that occurred on the floor of the House; but it strikes me that the reading of a telegraphic message from any person——

Mr. PERKINS. I would like to have the fact settled whether this involves a matter of privilege.

Mr. HOLMAN. It affects the veracity of a member.

Mr. BRYCE. My statement has been contradicted; and in proof of the statement, I now propose to have read——

The SPEAKER. The gentleman from New York will suspend a moment. The gentleman from Kansas [Mr. PERKINS] makes the point of order that no question of privilege is involved here.

Mr. COX. Under the rule anything is a question of privilege which involves the reputation and character of a member.

The SPEAKER. As a Representative only.

Mr. COX. As a Representative only. My colleague [Mr. BRYCE] was challenged here as to his veracity in making a certain statement. It seems to me clear this case comes within the category of the rule.

Mr. BRYCE. I am not here, as I understand, in any position except in my Representative capacity, and any statement made by me must be made in that capacity.

The SPEAKER. The Chair thinks that if the rule were carried to such an extent, a question of privilege would be presented whenever a member was accused on the floor of having made an erroneous statement as to a matter of fact. That would be an extension of the rule far beyond any construction which has heretofore been put upon it. Of course each case must stand upon its own circumstances, and it is sometimes very difficult to determine what is strictly a question of privilege within the terms of the rule. The Chair will cause the rule to be read.

Mr. COX. In order to save time, I ask unanimous consent that my colleague [Mr. BRYCE] may be allowed to proceed. It seems to me but justice that this vindication of the chief magistrate of the city of New York should be placed on record. That is all there is of it. I am sure my friend from Pennsylvania [Mr. BRUMM] will not object.

Mr. BRUMM. I will not object.

The SPEAKER. This may be a very proper matter for a personal explanation; but the Chair does not think it comes within the rule as a question of privilege.

Mr. BRYCE. I ask unanimous consent to make a statement on this subject.

The SPEAKER. The gentleman from New York asks unanimous consent to make a brief personal explanation. Is there objection? The Chair hears none.

Mr. BRYCE. I ask the Clerk to read the telegram which I have already sent to the desk.

The Clerk read as follows:

NEW YORK, *May 6, 1888.*

HON. L. S. BRYCE,
House of Representatives, Washington, D. C.:

Have just seen the reports in newspapers. WOODBURN's statements as reported are simply untrue. BRUMM's statement is probably due to forgetfulness. He is entirely wrong. I never made any statement whatever in the House on the O'Donnell business, and never made any apology there or elsewhere. There was nothing to explain or apologize for. The story that I apologized to the British minister was a lie which I contradicted at once in the newspapers in which it appeared. No charge was ever made in the House, and hence I never had occasion there to deny it. The newspaper charge was utterly false, and was contradicted by Mr. West as well as myself. You were quite right to interpose a flat contradiction, and I thank you for it. Will write more fully.

ABRAM S. HEWITT.

Mr. ALLEN, of Michigan (during the reading). I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ALLEN, of Michigan. My inquiry is whether this telegram can go into the RECORD. Some time ago I tried to get into the RECORD a telegram from the governor of the State of Michigan under very similar circumstances to the present, but I failed in my effort. If a telegram from the governor of Michigan is to be refused publication in the RECORD, I do not see why a telegram from the mayor of New York should receive greater consideration, because the State of Michigan far excels the city of New York. [Laughter.]

The SPEAKER. The case to which the gentleman from Michigan refers arose during a call of the House. At a time when there was no question for debate before the House, the gentleman from Michigan rose in his place and desired to have read a telegram. A point of order was made, and the Chair ruled that the telegram could not be read. In the present case the gentleman from New York [Mr. BRYCE] proposes to have a telegram read as part of his remarks, which are being made under the leave of the House just given.

Mr. ALLEN, of Michigan. I see and appreciate the difference. [Laughter.]

The Clerk resumed and concluded the reading of the telegram.

Mr. BRYCE. I now ask the Clerk to read a letter which I have received this morning from Mr. Hewitt.

The Clerk read as follows:

NEW YORK, *May 7, 1888.*

MY DEAR BRYCE: A lie once started never ceases to circulate, and every time it reappears it comes up with new additions. *Infama crescit eundo.* I telegraphed you last night that you were perfectly right in interposing a flat contradiction to the statements of WOODBURN and BRUMM, as they were reported in the newspapers. I have not seen the RECORD, and therefore do not know the exact form in which the charges finally stand.

But the facts are as follows: On the second Monday of the first session of the Forty-eighth Congress I introduced a resolution requesting the President to apply to the British Government for a suspension of the sentence of death against O'Donnell, who was to be executed in the course of the week. This resolution required unanimous consent, and was shown to the Speaker and the leading members on both sides, in order that there might be no objection. It passed, and owing to my efforts was presented to the President on the same night, and the request to the British Government made within twenty-four hours. This action was taken in good faith, and my part in it was never criticised by anybody until some one started the story that I had gone to the British minister to apologize for my action. This, of course, was an unmitigated lie; but it was true that I did see the British minister two days after the passage of the resolution, not for the purpose of discussing it, but in the course of the interview I urged upon him the importance of granting the request in the interests of international comity. No reference was ever made to this matter on the floor of the House; but the story which was circulated was promptly denied by me, not only to reporters, but specifically by a note addressed to the editor of the Irish World, who had made inquiry of me on the subject. Subsequently, in January, Mr. BRUMM introduced a resolution into the House, which you will find on page 477, part 1, volume 15, of the CONGRESSIONAL RECORD of the Forty-eighth Congress, namely:

"*Resolved*, That the Committee on Foreign Affairs be instructed to make inquiry whether any foreign minister accredited to the Government of the United States has endeavored to mollify the effects of a unanimous resolution of this House by representations reflecting on the honor and integrity of its members."

This resolution was referred to the Committee on Foreign Affairs, who towards the end of February following made the following report, which you will find on page 1431, volume 15, part 2, of the CONGRESSIONAL RECORD:

"The Committee on Foreign Affairs, to whom was referred resolution No. ——, to wit, resolution that the Committee on Foreign Affairs be instructed to make inquiry whether any foreign minister accredited to the Government of the United States has endeavored to mollify the effects of a unanimous resolution of this House, by representations reflecting on the honor and integrity of its members, beg leave respectfully to report that they have under the instructions of the resolution made inquiry and have obtained no information as to whether any foreign minister has endeavored to mollify the effects of a unanimous resolution of this House by representations reflecting on the honor and integrity of its members, and the committee ask to be excused from the further consideration of the resolution.

"Whereupon the committee were discharged from the further consideration of the subject."

Mr. BRUMM never offered any other resolution which could have any reference to the O'Donnell matter. My name was not used in connection with these resolutions, and I never made any statement upon the floor of the House upon

the subject. There was nothing to explain, either to the House or to anybody else, the allegation that I had in some way intervened with the British minister having been previously denied in the newspapers, where it was made. I am quite sure that when Mr. BRUMM recalls these facts he will withdraw the statements which he is represented to have made on the floor of the House, to the effect that I made an apology at any time, or anywhere, in reference to my connection with the O'Donnell business.

As to the main question, I inclose herewith, first, an interview which I had with a reporter of the Sun immediately after the occurrence; secondly, a letter which I addressed to the editor of the Irish World, narrating all the circumstances, and an editorial in which the editor exonerates me from the malicious charges which had been made; third, a letter from the British minister, in which he distinctly states that I not only made no apology to him, but that I urged favorable consideration for the resolution. I suppose that this statement disposes in full of the malicious slander of which I have been the victim, although I know it will continue to be repeated. If this letter and these documents can be inserted in the RECORD, there will at least be a complete and final official denial of the falsehood which has been many times repeated in the newspapers, but so far as I know has never before been uttered upon the floor of the House.

Yours, sincerely,

ABRAM S. HEWITT.

Hon. LLOYD S. BRYCE,
House of Representatives, Washington, D. C.

Mr. BRYCE. I send to the desk to be read a letter from the British minister to Mr. Hewitt.

The Clerk read as follows:

MR. HEWITT AND THE BRITISH MINISTER.

BRITISH LEGATION, *Washington, D. C., January* 14, 1884.

DEAR MR. HEWITT: In reply to your note of yesterday asking me whether in the course of a social visit you were kind enough to pay me some days ago you said or did anything which could be construed as an apology for your action in moving the resolution in the O'Donnell case, I have only to say I did not regard what you said to me in the light of an apology for the resolution, but an explanation of the peculiar circumstances which prompted it on your part in the interest of the friendly relations which exist between the countries.

This impression was moreover strengthened by your allusion to the moderate language, in your opinion, of the resolution which you gave as a reason why you thought the request for delay in execution of the sentence should be granted, and by your saying that other resolutions less considerate in form had been proposed to you, and, as you were informed, would have been offered if you had not framed one so satisfactory to both sides of the House as not to meet with a single objection, which would have defeated it. I may add that I could not presume there was any evidence, from what you said, of any want of sincerity on your part in moving the resolution in question.

Believe me, yours, very truly,

L. SACKVILLE WEST.

Mr. BRYCE. I think, Mr. Speaker——

Mr. ALLEN, of Michigan. I ask the gentleman in this connection whether he has the words that the British minister actually used? The gentleman has not stated at all what was the exact language of the minister or what the conversation was, except on one side.

Mr. BRYCE. I think, Mr. Speaker, that these documents fully justify my position in denying that there was anything base or contemptible on the part of Mr. Hewitt in the matter referred to. In short, they show conclusively that Mr. Hewitt never apologized to the British minister or to this House, as asserted.

It is plainly the purpose of the gentleman from Nevada to excite against Mr. Hewitt the feelings of a warm-hearted and generous people with whose struggles for liberty I heartily sympathize, as I have often heard Mr. Hewitt say he does himself. Now, Mr. Speaker, in conclusion, I can only state that I did not seek this controversy. It was thrust upon me, and I could not do otherwise than try to vindicate a gentleman closely connected with me by marriage, and for whom I have besides the highest esteem. This vindication I have made, and I now leave the matter to the calm sense of this House, without regard to partisanship, and to the sober judgment of the American people, which is always right.

I ask unanimous consent that the extracts referred to in Mr. Hewitt's letter be printed in the RECORD.

The SPEAKER. The gentleman asks unanimous consent that certain inclosures in a letter which has been read be printed in connection with his speech. Is there objection? The Chair hears none.

The extracts referred to are as follows:

[From the New York Sun.]

MR. HEWITT AND MINISTER WEST—WHAT MR. HEWITT THOUGHT AND SAID IN REGARD TO THE O'DONNELL RESOLUTION.

When the dispatches from Washington which charged Congressman Hewitt with duplicity in the matter of the O'Donnell resolution were shown to him yesterday he read them through with a smile. Then he said: "In regard to the statement that I called at once on the British minister and informed him that the resolution didn't mean anything and would amount to nothing, and in other terms belittled it, I have only to say that it is wholly untrue. It is true that after the passage of the resolution I called on Minister West, but my visit was simply a social one. He had called on me and I returned his call. My visit had nothing whatever to do with O'Donnell or the O'Donnell resolution."

"In the course of the conversation during your stay with Mr. West was any reference made to the O'Donnell resolution?"

"Yes; it was discussed by us. I took the position that an American citizen in a foreign country had been on trial for his life, and that as an American citizen he was entitled to a fair trial, and that it was the duty of the American Government to see that he had such a trial. Further, when an American citizen had been convicted of a crime and had been sentenced to die, and the time elapsing between the sentence and the execution was so short as to prohibit a proper examination of the record to ascertain if the trial had been fair, then it was the duty of the Government to ask for an extension of time."

"What did Mr. West say to that?"

"He said that O'Donnell had had a fair trial. I replied to him that that was precisely the point at issue, and the point on which our Government ought to be satisfied before the condemned man was executed."

"What led you to introduce the resolution?"

"Before the introduction of the resolution I had an interview with the Secretary of State, in which I took precisely the same position that I took before Minister West, but I had some doubt whether the Secretary would act in the matter. So I introduced the resolution to make sure that something would be done. In doing this I made no reference to the fact that O'Donnell was of Irish birth. To me his nativity made no difference. He was an American citizen and entitled to his rights as such. If one of those rights was to be hanged for a crime, he ought at least to be hanged according to law."

"It is further charged, Mr. Hewitt, that you went over to the Republican side and begged Republican members, one of them a Philadelphian, to object to its consideration, and that the request was indignantly denied."

"That is also wholly untrue. When I had prepared the resolution I did hand it to prominent members on both sides of the House. It was a matter that required unanimous consent, and I passed it around in order that members might know what it was. This was done to avoid objection, instead of to invite it."

"It is asserted that you said to Minister West that you had introduced the resolution deliberately to forestall one of more belligerent purport, which you said would surely have been introduced and passed had you not thrown yourself into the breach."

"This is untrue, like the rest. I said I had drawn the resolution with great care, in order that it might be within diplomatic usage, and that it might not contain any matter that would give any one in the House cause to object to it. I have been criticised in some quarters because I introduced the resolution at all. Such criticism arises from a misunderstanding of international law. I hold that it is the duty of the Government to see that American citizens in foreign countries are protected in their rights, and that even when guilty of crime they are entitled to a fair trial, and that where time is necessary to ascertain the facts the Government should insist that the time be granted. I think Great Britain has made a mistake in denying this request for time to make an examination. The time will come when she will regret her action. I made no apology to Mr. West, nor was it necessary to make one. I have not seen him since, and I do not know whether he made any representations to his Government concerning my position or not. My position was that of Marcy, Webster, and Seward in reference to the rights of American citizens abroad. I shall be sorry when our Government takes any other position."

[Irish World, March 29, 1884.]

THE HEWITT-WEST AFFAIR—MR. HEWITT'S OWN EXPLANATION OF HIS INTERVIEW ABOUT O'DONNELL.

HOUSE OF REPRESENTATIVES,
Washington, D. C., March 10, 1884.

Editor Irish World:

My attention has been called to an article in your paper of March 8th entitled "Mr. Hewitt and the O'Donnell resolution." I supposed that I had disposed of the calumny when I assured you, in reply to your note, that there was no truth in the allegation that I "had gone to the British minister immediately after having introduced the resolution, and had in effect assured him that the British Government need not be influenced by the action in the O'Donnell case, as it was only a piece of buncombe."

I now repeat that all these allegations are absolutely untrue, and I am surprised that after my uniform and reiterated denials any doubt should exist upon the subject. It certainly has not escaped your observation that not a particle of affirmative proof has been produced in support of the charge against me, and that in calling upon me to make further explanations you require me to prove a negative, which is neither reasonable nor often possible, although in this case, fortunately, I am able to do it by a simple statement of the facts as they occurred.

Before the O'Donnell resolution was offered, on the morning of December 10, I decided to call upon the Secretary of State in reference to the case, not because any human being had asked me to intervene, but from a sense of duty which I could not resist. I had seen it stated that Mr. Justice Denman had made a charge to the jury in regard to the evidence which, I was told by the lawyers, would be good for a new trial in this country. I had learned to my surprise that there was no right of appeal in a criminal trial at Old Bailey except to the clemency of the Crown. It was also known to me that a question of jurisdiction had been made as to whether O'Donnell should be tried at Cape Town, where the ship first reported, or in London, to which she was at once ordered.

The question in my mind was not whether O'Donnell was guilty or innocent, but whether, if he were an American citizen, his legal rights had been respected. In my interview with the Secretary of State, after learning that the Department had already decided O'Donnell to be a citizen of the United States, I called the attention of the Secretary to the questions involved, and urged him to consult with the Attorney-General as to O'Donnell's rights, adding that the American people would hold the administration responsible for their assertion and protection. The Secretary kindly said that he would give prompt attention to the subject, and I left the Department.

Later in the day my colleague, Hon. William E. Robinson, asked me to read the draught of a resolution which related to the O'Donnell case and give an opinion as to the propriety of offering it and the prospect of its passage in the House. After examination I told him that I did not regard it as proper in form and did not think that it could get the unanimous consent required for its introduction. He then asked me to go with him to the lobby to see some gentlemen who were interested in the case. Complying, I found a number of persons, for whom Captain Condon appeared to be the spokesman. They submitted draughts of other resolutions, which I thought objectionable. I tried to prepare one as we stood in the lobby, but finding it impossible I went with Condon to a committee-room, where, after several attempts, I framed the resolution which was finally adopted by the House, and which Condon said would be entirely satisfactory. In order to get it passed it was necessary to have unanimous consent and the recognition of the Speaker. Hence it was shown to him, and to leading members on both sides, some of whom approved and others said they would interpose no objection, which it was my object to avoid, and not to create, as has been absurdly asserted.

The resolution thus offered and passed unanimously went to the Clerk's office to be engrossed. I urged the engrossing clerk to prompt completion, and afterwards went to the office of the Clerk of the House to insure its immediate delivery to the President. General Clark had, however, left his office, but one of his subordinates agreed to deliver a note to him, which I hastily prepared, and which has since been found and returned to me by General Clark, as follows:

"MY DEAR GENERAL: I think that the O'Donnell resolution ought to be delivered to the President to-night, or to-morrow morning at latest, as it may save O'Donnell's life if promptly attended to.

"Yours, in haste,

"ABRAM S. HEWITT.

"General CLARK."

The next morning he assured me that the resolution had been delivered to the President on the night before in accordance with my request.

I have no personal knowledge of the action of the President, but I have no reason to doubt that the request was duly forwarded to the British Government and pressed in the same good faith which characterized its introduction and passage by the House.

Meanwhile a young English friend had come to make me a visit. On Wednesday morning, two days after the passage of the resolution, and when it was

no longer in my mind, he asked me to make a call with him on the British minister. That this suggestion was purely accidental is evident from the following extract from a private letter which I have since received from my young friend:

"Some one has forwarded me extracts from the American papers, in which they seem to have made capital for political purposes out of the visit you were unfortunate enough to have accompanied me in to Mr. West when I was with you in Washington. As you never would have gone to see Mr. West at all that day if it had not been for one of the embassy coming in to call on me, they must have drawn very considerably on imagination to invent the story I read of your purposely visiting our representative to explain your resolution about O'Donnell."

The fact is that Mr. West had recently left his card at my rooms, and, as we missed seeing each other the year before, I felt it important to take an early opportunity to return his visit according to the custom usual among gentlemen. The O'Donnell resolution was not in my mind, and I had not the slightest intention of referring to it in any way, but it was spoken of in the course of conversation, and I improved the occasion of a purely social visit to urge upon Mr. West the propriety of the request, and the desirability of acceding to it gracefully in the interest of the friendly relations between the two governments. Not the slightest reference was made to its being made for political effect.

The other less considerate resolutions were referred to, as Mr. West says in his letter, which you have already published, merely as an additional reason why the request should be granted. I do not know that I would have been derelict if I had neglected the opportunity thus afforded me to enforce the request, but how I come to be censured for having urged the propriety of the President's appeal for delay, and the good effects of granting it, passes my comprehension. Certainly, if I had made the visit expressly for this purpose, it would have been proper and commendable. How it could be less so, because the visit was accidental, I fail to see.

I forbear to make any comment upon the motives of those who have circulated malicious stories to my prejudice, but I deem it right to say that you have been misled by erroneous reports (made in violation of the injunction of secrecy) of the occurrences in the room of the Committee on Foreign Affairs, as you can readily ascertain from any member of the committee who was present on the occasion. Certainly I was not on the defensive, and no rebukes were addressed to me.

Finally, let me assure you that there is not the slightest foundation for any charge of bad faith against me; but that my motives, from first to last, were neither to gain nor lose popularity, but solely to perform my duty as a representative of the people by seeing that the rights of American citizens in foreign countries were duly guarded and protected. If my call on the British minister within two days after the passage of the resolution was an "unfortunate coincidence" I certainly turned it to good account by urging the granting of the request upon the representative of the British Government, in whose hands were "the issues of life and death" in O'Donnell's case.

Finally, let it always be remembered that moderation and courtesy afforded the only possible chance of securing a favorable response. I would have been guilty of gross folly if I had taken any other attitude in my intercourse with the British minister, with whom it is alike my duty and my privilege to preserve friendly relations.

Respectfully, yours,

A. S. HEWITT.

[An incident in a man's life, like a passage in a book, ought to be read in the light of the context. Mr. Hewitt's career has been clean and straightforward. His simple word respecting any question of fact that might be raised would have been sufficient for us. But Minister West's story of the "explanation not an apology," with a few delicate touches here and there, suggested to many minds that there was some sort of an entangling alliance in the affair. It looked like a distinction without a difference. Doubtless the English minister, whatever disguise of friendship he puts on, would like to see Mr. Hewitt punished for his action in the O'Donnell case, and doubtless, also, he does not feel a particle of sincere regret at the embarrassment that has been given to Mr. Hewitt.

England is thoroughly perfidious in her dealings with other nations. Those that she selects as her emissaries are men who are cold-blooded as they are suave. An episode in the life of Ben. Franklin is here called to mind. Lord Hillsborough, a member of the British Government, had expressed himself in private concerning Franklin in very angry terms, calling him an intermeddler, "a factious, mischievous fellow," and the like.

But to Franklin's face my Lord Hillsborough acted quite differently. He affected to be very liberal, wished well to Ireland, was particularly in love with America, and was very kind and attentive to old Ben., who was his guest for awhile. "He wished," writes Franklin, "that I would favor him with my sentiments. He seemed attentive to everything that might make my stay in his house agreeable to me, and put his eldest son, Lord Killwarling, into his phaeton with me to drive me a round of 40 miles that I might see the country, the seats, and manufactures, covering me with his own great-coat lest I should take cold. In short, he seemed extremely solicitous to impress me and the Americans through me with a good opinion of him (and, of course, ultimately with a good opinion of England through him). All which I could not but wonder at, knowing that he likes neither America nor me; and I thought it inexplicable but on the supposition that he apprehended an approaching storm. But I think all the plausible behavior I have described is meant only by patting and stroking the horse to make him more patient while the reins are drawn tighter and the spurs set deeper into his sides." These are the methods which men in England's interest always employ. Americans who "dearly love a lord" are caught in the snare. But Franklin's head was level as his heart was well disposed.

On a review of the whole affair seen in the light of Mr. Hewitt's long and unblemished course, we do not for a moment question that he acted in entire good faith with respect to the O'Donnell resolution; but he was unhappy in his subsequent policy, if the term may be used, which to some appeared a weakness, and which the Englishman's letter does not strengthen, but which Mr. Hewitt himself (and he certainly is the best exponent of his own intention) says was based solely on "moderation and courtesy" with a view to the "securing a favorable response." But here let the matter end. Generous remembrance of Mr. Hewitt's noble services in the past and a sense of justice in the present demand his vindication.—EDITOR IRISH WORLD.]

Mr. WOODBURN. Mr. Speaker——

Mr. BLOUNT. Before this debate goes any further I would like to have some understanding as to when it is to terminate.

Mr. WOODBURN. I desire to make a few remarks in vindication of myself.

Mr. BLOUNT. I do not object to that; but I think there ought to be some limitation.

Mr. WOODBURN. I shall occupy not more than two or three minutes.

Mr. Speaker, I have been three times a member of this august body, but I never have——

Mr. ROGERS Mr. Speaker, I rise to a point of order.

Mr: SPEAKER. The gentleman will state it.

Mr. ROGERS. If we are to have questions of order discussed here we want order preserved on the floor.

The SPEAKER. The point of order is well taken. Gentlemen will resume their seats, and public business will be suspended until order is restored on the floor.

Mr. WOODBURN. But I never have in my lifetime knowingly made a charge that I can not substantiate. I do not regard the denial of the British minister—or his letter—as a denial of the charge. In fact it is an admission that Mr. Hewitt did so say. It is no better authority than the gentleman's statement that he knows the facts to be otherwise because he is related by marriage to Abram S. Hewitt.

When I made this charge I was informed by a reputable gentleman in Washington, who was on the floor of the House when I did make it, that he was one of a committee of three representative Irishmen delegated by the Irish organizations of America to investigate the truth of this charge made against Mr. Hewitt; and that member of the committee stated to me, and said he could prove it, that the result of their investigation and deliberation was that Mr. Abram S. Hewitt was guilty. One of the committee is correspondent of the New York Irish World, and another is Mr. O'Meagher Condon; and taking their statements in addition to the current literature of the day, and with additional statements made by reputable members of the House, I made the charge, and do not take it back. I must have better authority than a letter over the signature of Mr. Abram S. Hewitt, the interested party, the defendant in the case, to warrant me in changing the assertion that I made.

Mr. BRUMM rose.

Mr. MILLS. I move to dispense with the morning hour.

The SPEAKER. The Chair understands the gentleman from Pennsylvania [Mr. BRUMM] desires to make a brief statement.

Mr. BRUMM. My friend from New York will bear me out in this statement, that after the controversy that occurred here a few days ago we had a conversation with each other, a friendly conversation; that we looked over the RECORD to see what had been said, and that I there and then agreed that the gentleman might either not publish anything in the RECORD with reference to it, or that he might strike out the word "apologize" and insert "explain," or fix it up in any way to satisfy himself consistently with the truth.

I stated that I had no disposition to hurt the feelings of anybody, and certainly no disposition to do injustice to Mr. Hewitt. The gentleman from New York [Mr. BRYCE] did fix up the RECORD. The record is not as it was. But I have no objection to make to the manner in which the gentleman saw fit to alter it from what actually was said. He fixed it up to suit himself, and I have no objection to make.

But, Mr. Speaker, when the charge is made that there was no explanation made by Mr. Hewitt, so much of that charge I still maintain is false, or at least not correct. The apology was made by Mr. Hewitt; and, according to my recollection, it was made on the floor of the House in a speech by Mr. Hewitt, and I shall take the trouble to examine the RECORD at leisure to see whether I am not correct in that recollection.

But, however it may be, whether made on the floor of the House or not, the explanation—and that is the mildest term I can use—was made by Mr. Hewitt before the Committee on Foreign Relations.

I asked to go before that committee, but I never was summoned before it. At my request I was permitted to make a statement before that committee, and I asked the committee to summon Mr. Hewitt as a witness. I also requested that they summon the British minister to be investigated and questioned, but no action was taken by the committee.

Mr. BRYCE. Why did they not?

Mr. COX. They had no power.

Mr. BRUMM. Well, I am not questioning now why they did not. I am only stating the facts to the House. Let the country judge as to why they did not; but they did not, at all events. There was certainly no harm at least in requesting the British minister to appear before the committee and submit himself to a cross-examination, and also request Mr. Hewitt to come before them and submit himself to examination and cross-examination. Neither was done.

A day or so after I appeared before the committee I was told that the committee had permitted Mr. Hewitt to come before them and make a statement, not in my presence, not with notice to me, but with no notice to anybody that was interested on the other side in that resolution, and without being subjected to cross-examination, and a short time after the resolution that was read was brought into this House.

Now, I submit, Mr. Speaker, that that was an explanation at least, if not an apology; if not, I do not know what you might call it. It was enough to convince the committee that they ought to accommodate Mr. Hewitt by going no further in the matter, for they did not make any investigation at all.

ORDER OF BUSINESS.

Mr. MILLS. I move to dispense with the morning hour for the call of committees.

The SPEAKER. That requires a two-thirds vote.

The motion was agreed to, two-thirds voting in favor thereof.

Mr. MILLS. I now ask unanimous consent that all gentlemen having reports to make from committees be permitted to present them at the Clerk's desk for reference to the appropriate Calendars.

There was no objection.

The following reports were filed by being handed in at the Clerk's desk:

JOHN CHASE.

Mr. FORD, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 8177) to remove the charge of desertion from John Chase; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARCUS H. M'COY.

Mr. TIMOTHY J. CAMPBELL, from the Committee on Claims, reported back favorably the bill (H. R. 884) for the relief of Marcus H. McCoy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CATHERINE HAYS.

Mr. YODER, from the Committee on Invalid Pensions, reported back with amendment the bill (H. R. 5398) granting a pension to Catherine Hays; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

WILLIAM C. SPENCER.

Mr. YODER also, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 2445) for the restoration of William C. Spencer to the Army; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BERTRAND AND GAUDIN COZES.

Mr. STONE, of Kentucky, from the Committee on War Claims, reported back with amendment the bill (H. R. 5537) for the relief of Bertrand and Gaudin Cozes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHANGE OF REFERENCE.

On motion of Mr. HEMPHILL, the Committee on the District of Columbia was discharged from the further consideration of the bill (H. R. 9068) to amend sections 1195, 1196, 1197, 1198, 1199, and 1200 of the Revised Statutes of the District of Columbia; and the same was referred to the Committee on the Militia.

DISTRICT INDUSTRIAL HOME SCHOOL.

Mr. HEMPHILL also, from the Committee on the District of Columbia, reported back with amendment the bill (H. R. 7083) to regulate the powers and duties of the board of trustees of the Industrial Home School of the District of Columbia, in respect to infant wards and scholars, and for other purposes; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORTS.

Mr. GEAR, from the Committee on Military Affairs, reported back adversely bills of the following titles; which were severally laid on the table, and the accompanying reports ordered to be printed:

A bill (H. R. 8258) for the relief of Caleb Aker; and

A bill (H. R. 7952) authorizing the Secretary of War to accept the resignation of Maj. D. H. David, of the Fourteenth Regiment of Kansas Cavalry Volunteers, and for other purposes.

HEIRS OF CHRISTOPHER COTT.

Mr. GEAR, from the Committee on Military Affairs, reported back favorably the bill (H. R. 956) for the relief of the heirs of Christopher Cott; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

INCREASE OF PENSIONS TO HELPLESS SOLDIERS AND SAILORS.

Mr. LYNCH, from the Committee on Invalid Pensions, reported back favorably the bill (S. 1000) to increase the pensions of certain soldiers and sailors who are utterly helpless from injuries received or diseases contracted while in the service of the United States; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, YOUNGSTOWN, OHIO.

Mr. NEAL, from the Committee on Public Buildings and Grounds, reported back with amendment the bill (S. 347) to provide for the erection of a public building in the city of Youngstown, Ohio; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, AKRON, OHIO.

Mr. NEAL also, from the Committee on Public Buildings and Grounds, reported back with amendment the bill (S. 349) for the erection of a public building at Akron, Ohio; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ROBERT C. MURPHY.

Mr. TIMOTHY J. CAMPBELL, from the Committee on Claims, reported back favorably the bill (S. 1533) for the relief of Robert C. Murphy or his legal representatives; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

BONDS OF DISBURSING OFFICER.

Mr. CUTCHEON, from the Committee on Military Affairs, reported back favorably the bill (H. R. 8873) in relation to bonds of disbursing officers and to monthly payments of the Army; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

MARY DICKINSON.

Mr. LAIDLAW, from the Committee on Claims, reported back favorably the bill (H. R. 8778) for the relief of Mary Dickinson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOSEPH S. HEARST.

Mr. LAIRD, from the Committee on Military Affairs, reported back favorably the bill (H. R. 7243) to relieve Joseph S. Hearst from the charge of desertion; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

EUNICE TRIPLER.

Mr. LAIRD also, from the Committee on Military Affairs, reported back favorably the bill (H. R. 2513) for the relief of Eunice Tripler, widow of Charles S. Tripler; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, informed the House that the Senate had passed a bill (S. 67) to perfect the military record of John C. Green, of Tennessee; in which the concurrence of the House was requested.

The message also announced that the Senate had passed without amendment joint resolution (H. Res. 95) to enable the President of the United States to extend to certain inhabitants of Japan a suitable recognition of their humane treatment of the survivors of the crew of the American bark Cashmere.

TARIFF.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the purpose of considering the bill the title of which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

The CHAIRMAN. The gentleman from Mississippi [Mr. STOCKDALE] is entitled to the floor; he has thirteen minutes of his time remaining.

Mr. STOCKDALE withholds his remarks for revision. See APPENDIX.]

Mr. HOPKINS, of Illinois. Mr. Chairman, it is said that when Burke, Pitt, and Fox contended in debate in the British Parliament they were so supremely masters that no one else dared to speak when they had spoken. Yet as time went on it was found that some members, on occasions when great questions were being discussed, would rise to their feet and in apparent forgetfulness give expression to their feelings on the pending measure. On one of these occasions the member who had spoken was approached by a brother member of Parliament and asked how he dared to speak after Fox had spoken. His reply was, "Because, sir, I am as much interested in that subject as he."

So, Mr. Chairman, my excuse, if indeed an excuse be necessary, for addressing the committee on the bill now under discussion is that my constituents are as much interested in the Mills bill as the people in any of the districts represented on this floor by the managers of this debate.

The questions presented are not new. The best manner of raising a revenue to support the Government and what measures should be adopted to relieve the recently politically emancipated colonies from the equally grinding and humiliating commercial superiority which England held over her late dependencies were questions which the fathers of the Republic were early called upon to meet and solve. It is said that it was the boast of the younger Pitt, during the period of our political exist-

ence under the "Articles of Confederation," that the united colonies had not only been reconquered as commercial dependencies, but that they were a surer source of revenue to England than before they had gained their political independence.

The history of that period furnishes us an instructive lesson. With no regular and uniform system of import duties, and no power under the Articles of Confederation to compel the several States to pay their proportion of the sums found necessary to support the Government and float the large debt incurred in the war for independence, the condition of our forefathers was deplorable indeed. They, however, were equal to the occasion, and the first step to insure a permanency of that liberty for which they had so long contended was in the framing and adoption of our Constitution.

The question that then met them is the one which is now before us, namely: The best method of deriving a revenue. An examination of the debates at that time will show as wide a range of opinions and quite as vehement declamation as have been indulged in in the discussion of the present proposed tariff measure.

The first Congress which assembled under our Constitution declared in favor of the wisdom of the policy which the Republican party has ever contended for, in the enactment of a law which affirmed that—

It is necessary for the support of Government, for the discharge of debts of the United States, and for the encouragement and protection of manufactories, that duties be laid on imported goods, wares, and merchandise.

Hamilton, in his celebrated report to the House of Representatives in 1790, demonstrated with a logic that was irresistible that if we were to become a recognized power among the nations of the earth, the protection of home manufactories of all classes and kinds was the most direct and surest method. Time has demonstrated the wisdom of his words and his far-seeing statesmanship. The bitterest opponents of what we denominate our protective system are compelled to admit that our periods of greatest national prosperity have been under well regulated and adjusted protective tariff laws, while our periods of greatest financial depression and distress have followed the repeal and readjustment of those laws under the leadership of the believers in free trade and the declaimers for that glittering generality that the "world's market" furnishes a place where you can buy your needed articles of consumption the cheapest and sell your surplus products the dearest.

Henry Clay, the founder of our "American system," in discussing this great economic question, stated, in a public address, that the most disastrous period he had ever witnessed to our financial, commercial, and industrial interests had been during the seven years preceding the tariff of 1824—a period when the Millses, Carlisles, and Breckinridges of that day had obtained control of our national affairs and ingrafted upon our statute laws their heresies of free trade—and that the period of greatest prosperity to all our commercial and industrial interests was during the seven years following that act of 1824.

The history of those times confirms the statement of that great friend of American industries, and had he lived to see the wondrous change wrought under the tariff laws of our country from 1860 to the present time well might he have accounted it among the most glorious monuments to his memory that during his long, useful, and brilliant public career he was ever the champion and friend of protected industries in this country.

Mr. Blaine, in his letter accepting the Republican nomination for the Presidency in 1884, brought before his countrymen in forceful language the results of this system in the following statement:

After 1860 the business of the country was encouraged and developed by a protective tariff. At the end of twenty years the total property of the United States, as returned by the census of 1880, amounted to the enormous aggregate of $44,000,000,000. This great result was attained notwithstanding the fact that countless millions had in the interval been wasted in the progress of a bloody war. It thus appears that while our population between 1860 and 1880 increased 66 per cent. the aggregate property of the country increased 214 per cent., showing a largely enhanced wealth per capita among the people. Thirty thousand million of dollars had been added during these twenty years to the permanent wealth of the nation—$1,500,000,000 per annum.

This marvelous showing of national prosperity has no parallel in the world's history. It is the wonder of all nations, and will forever remain a monument to the patriotism and statesmanship of the Republican party. It is at this wondrous prosperity and an overflowing National Treasury that the assaults of the Democratic patty are being directed. The President's message clearly defined the issue upon which the coming campaign is to be fought, and his note of alarm is taken as the slogan of his party. Disguise it as his more discreet followers may, the fact can not be kept from the American people in the campaign of 1888, that the Democratic party is committed fully, unequivocally, and irrevocably to the doctrine of free trade.

The Republican party in the campaign of 1884 called the attention of the public to the platform of the Democratic party, adopted at their convention in Chicago, and claimed that a change of administration meant a change in these economic principles which govern our revenue system and industrial interests; but like the responses of the double-dealing oracle at Delphos the Chicago platform was interpreted by the Democratic speakers and leaders to meet the requirements and wishes of all classes, trades, and callings.

In our industrial centers it was interpreted to mean protection to wage-workers; while in the blue-grass regions of Kentucky it was interpreted to mean trade as free as the air we breathe or the sunlight we absorb.

In other words, Mr. Chairman, your party came into power by practicing a system of false pretenses on the American people unequaled in the history of political parties. At the close of the late civil war the broken and disorganized fragments of the Democratic party were gathered together, tenderly nursed, and sought to be reorganized and united on abandoned issues of the Republican party in its march of progress and reform.

Learning nothing in each defeat, but gaining in audacity and power to dissimulate its real motives and present a seemingly patriotic exterior, while it harbored dark and murderous designs upon all the great manufacturing, agricultural, and material interests of our country, it nerved itself to a superhuman effort in 1884, and by various fraudulent and false charges against the party of the people, and the claim that an overflowing Treasury meant overtaxation and distress to the great laboring classes, it succeeded in being, after a quarter of a century, restored to national power.

As a matter of historical interest, Mr. Chairman, I call to your attention the position of the Democratic party in the State of New York. The Republican speakers, from one end to the other of that State, charged then, as is now demonstrated, that the success of the Democratic party meant the disturbance of the protective tariff laws of our country. That was denied, but by whom? Did you send your Speaker, Mr. CARLISLE, or the chairman of the Ways and Means Committee of this House, Mr. MILLS, to the State of New York to expound the Democratic doctrine and explain your Chicago platform? Did Mr. HEMPHILL, of South Carolina, and Mr. MCMILLIN, of Tennessee, go to that State and talk to the manufacturers and the mechanics their views on free trade and protection, as they have expressed them on the pending bill during this debate?

No, sir! The managers of your party during that campaign knew that the imperial State of New York, with its diversified interests, could never be carried on the political and party principles of these men. Whom did they look to? When your columns were wavering and defeat seemed inevitable, you all turned, Mr. Chairman, to the brainiest and safest man in your party. You called for Mr. RANDALL, of Pennsylvania, to come to the State of New York, and in a series of speeches well advertised and largely attended, he explained to the voters of that State that the tariff system of this country should not be disturbed in case of the success of the Democratic party, and that the plank in the Chicago platform upon that subject meant only a wise and judicious adjustment of the inequalities which we all acknowledge, and which we all contend should be remedied. His well-known record upon this question, his integrity and worth, all united to give weight to his utterances. And it could be his proud boast that his efforts in the State of New York in behalf of his party made it possible for Grover Cleveland to occupy the President's chair.

How have his efforts been repaid by your party? And how have his pledges on its behalf been kept? If Dame Rumor can be relied upon, Mr. RANDALL is no longer a welcome visitor at the White House. His counsels are no longer potent with his party, and his influence in his own State has been attempted to be crippled and curtailed by raising up a rival who basks in the sunshine of Presidential favors and whose unlimited control of Federal patronage has been liberally used to humiliate and disgrace this friend of American protection who was the once honored leader of his party in this House.

I stated, Mr. Chairman, that the issue presented is the issue of free trade as against protection, and in support of that charge I appeal to the message of the President which was sent to the two Houses of Congress at the beginning of this session. The logical conclusions to be drawn from that message lead inevitably to a re-establishment of free trade in this country. It has been so received and so interpreted, not only by unprejudiced minds on this side of the Atlantic, but has been hailed with shouts of delight in free-trade England.

I will quote but a single paragraph from the Glasgow Herald:

"It is a condition which confronts us, not a theory." Precisely so. Words almost identical with these have been used and with enormous effect in this country by Adam Smith, by Richard Cobden, and by Sir Robert Peel. President Cleveland may say to others, therefore, and think what he chooses, but he has precipitated the inevitable struggle between free trade and protection in the United States, and that is tantamount to saying that he is on the side of free trade.

I could multiply like statements from English journals and English public speakers regarding the President's message almost without number, had I the time. But I take it to be unnecessary, for there is no Democrat on this floor bold enough or audacious enough to claim that the President's message has not been interpreted in England as favoring the free-trade doctrines as taught by Richard Cobden.

But I will not stop here, Mr. Chairman. The Speakership of this House is an office in honor, dignity, and influence second only to that of the Presidency. I hold in my hand a paper which gives a list of the names of the American members of the Cobden Club and the dates of becoming members. In running my eye over that list, I find that JOHN G. CARLISLE, of Covington, Ky., became an American member of the Cobden Club in 1883. I would not knowingly do Mr. Speaker CARLISLE a personal injury or misstate his political position. The

sources from which I have derived this information have seemed to be authentic and reliable. But, sir, before commenting upon it I will pause for a denial of this charge, if one can be truthfully made.

Mr. TOWNSHEND. Will the gentleman yield to me?

Mr. HOPKINS, of Illinois. Yes; for a question.

Mr. TOWNSHEND. I desire to ask the gentleman if Mr. CARLISLE was a member of that club before General Garfield was a member of it or not?

Mr. HOPKINS, of Illinois. The gentleman knows that General Garfield repudiated his election to that club, while Hon. JOHN G. CARLISLE seems to be proud of it.

Mr. TOWNSHEND. When did General Garfield repudiate it?

Mr. HOPKINS, of Illinois. I can not go into a controversy about that. I have made the charge and thrown down the gauntlet for the Democratic party to deny that the Speaker of this House is a member of the Cobden Club. If any man can truthfully deny it let him step forward. If not, let him hold his peace.

What a spectacle does this exhibit to the manufacturers, business men, and laborers in New York, who were deluded into voting the Democratic ticket in 1884, under the promises and pledges of such speakers as Mr. RANDALL. What a spectacle, Mr. Chairman, does it exhibit to our industrial interests wherever they may be found. The follower of Richard Cobden, and a firm believer in his free-trade principles, by a solid Democratic vote is made the Speaker of this House—is elected to a position, Mr. Chairman, where he has almost autocratic powers in shaping the legislation of our country. He, and he alone, has the power of naming the Committee on Ways and Means, the committee which has exclusive jurisdiction of the revenue bills of the House. In that committee, so prepared by this disciple of Richard Cobden, do you, Mr. Chairman, find among the Democratic members of that committee a single man who agrees with Mr. RANDALL on this question of protecting American industries? Not one. They are firm believers in the principles of political economy as expounded by Mr. Speaker CARLISLE.

In other words, Mr. Chairman, the principles of the Cobden Club dominate the legislation of this House and stand sponsors for the bill now under consideration. The chairman of that committee in opening this debate gave expression to these sentiments with an abandon and freedom that is truly refreshing. And the praise that he has received from free-trade sources has been unstinted. I quote but a single paragraph from Henry George's paper—the Standard—under date of April 28:

POLITICS THAT MEAN SOMETHING.

Mr. MILLS's speech in opening the tariff debate, as printed in full in the CONGRESSIONAL RECORD, justifies the impression produced by the telegraphic reports. It is a manly, vigorous, and most effective free-trade speech, abounding with telling points that go to the very heart of protection. It ought to be largely circulated as a campaign document.

But, Mr. Chairman, to establish the charge I have made it is unnecessary to quote from free-trade journals, either at home or abroad. But a day or two ago one of the trusted leaders of your party delivered a speech upon this floor in support of this bill, and stated the principles of free trade with a precision and ability that would have done credit to Mr. Cobden himself. I refer to Mr. HEMPHILL, of South Carolina. In the course of his remarks, in speaking of the manufacturer asking for protection, he said:

But against what? Not against the "pauper labor," for they are not here, and not against the products of their toil, so long as these are not sold here, but the protection asked for is against allowing Americans to buy or exchange; *i. e.*, against the natural right of any free man to make his purchases where his taste inclines him, or his judgment or interest dictates; so that it is not against the pauper labor of Europe, or of any other country, but it is against the right of the American people to buy where and what they please that this protection is demanded.

* * * * * * *

Mr. PERKINS. Then, I will ask the gentleman a question. Do you believe in the doctrine that we should be permitted to buy where we can buy cheapest?

Mr. HEMPHILL. Yes, sir.

* * * * * * *

Mr. PERKINS. If we should be permitted to buy where we can buy cheapest, why should we not be permitted to hire where we can hire cheapest?

Mr. HEMPHILL. Exactly; I think that is right.

Here, Mr. Chairman, are the answers of a man who is too honest in his convictions in favor of absolute free trade to hesitate or dodge when the direful consequences of such a policy are so pointedly brought out. This doctrine, you will observe, it is found necessary to state in advocating the enactment into a law of this so-called Mills bill. Mr. HEMPHILL belongs to the dominant faction of the Democratic party. He is recognized as one of its leaders, and his counsels and those who are in political sympathy with him, as expressed in his speech, will control the administration of the Government so long as the Democratic party remains in power.

What does this doctrine that the manufacturers and the employers of this country "should be permitted to hire where they can hire cheapest" mean? It means, Mr. Chairman, that the owners and managers of the coal mines of Maryland and Illinois, and the coal and iron mines of Virginia and Alabama, Pennsylvania, and these other great States interested in these industries, can lock out their employés for any cause or pretense and fill their places with the contract labor of Europe. It means that the factories and furnaces in all of the great manufacturing States can be supplied by starving operatives from Belgium, England, and other overcrowded countries of the Old World. It means that the scenes of squalor, of poverty, and distress found among the laboring poor of Europe, which make the heart sick to contemplate, shall be the future lot and portion of the great laboring classes of America. Ay, Mr. Chairman, it means more than that. It means that the importation of Chinese coolies, which to-day, like a great cancer upon the body-politic in the Pacific Coast States, threatens their lives, shall be renewed and be unrestricted. The very contemplation of such results shocks the sensibilities of every friend of labor. I pray God that in my time the economic principles which lead directly to such results will never find sway or control in America.

But, Mr. Chairman, the condition of our National Treasury is pointed to as an excuse for the passage of this iniquitous bill.

In the language of the President, a "condition confronts us," namely, an overflowing and ever-increasing surplus in the Treasury. This is taken as an excuse for the framing and passage of the Mills bill by this Congress. Before giving some of the reasons which constrain me to oppose this bill, I desire to say that if the President and his advisers would use a little of the common sense which characterizes the conduct of a Western farmer, no trouble would be found in disposing advantageously to the Government of this surplus. An Illinois farmer with a well-filled wallet and a good bank account besides, would not become frightened or dismayed at the idea that his annual income from his farm exceeded the actual necessities of conducting the same and supporting his family, and especially so if he owed any large sums to his creditors, and his farm needed new fences to properly protect it, and improvements in the way of barns and other buildings to care for the stock and farm implements which he had gathered about him. As a sensible man he would liquidate his outstanding indebtedness with his surplus money, so far as he would be enabled to do so. What remained would be used in repairing his fences and building new, that his farm might not be overrun by his neighbor's stock, and in the construction of barns and sheds, that the horses, cattle, and other stock might be protected from the storms of winter.

The Secretary of the Treasury estimates that to meet the obligations of the Government during the fiscal year ending June 30, 1889, will require $326,000,530.

The yearly income of the Government from all sources aggregates $383,000,000.

The sources of this income are as follows:

Import duties	$228,000,000
Internal-revenue taxes	120,000,000
From sales of public lands	10,000,000
From national banks	2,000,000
From interest and sinking fund, Pacific Railroad	2,000,000
From customs fees, fines, penalties, etc	1,150,000
From fees consular, letters patent, and lands	3,500,000
From sales of public property	330,000
From profits on coinage, assay, etc	9,000,000
From deposits for surveying public lands	150,000
From revenues of District of Columbia	2,400,000
From miscellaneous sources	4,500,000

This aggregates $56,470,000 as an income of the Government in excess of its expenditures during the fiscal year ending June 30, 1889, under the estimates, as I have already stated, of the Secretary of the Treasury. If the expenditures are less than those estimated, the surplus at the end of the fiscal year will of course be correspondingly increased. This surplus can not exceed the Secretary's estimate more than ten or fifteen million dollars. Our outstanding indebtedness, as shown by the Treasury reports, is $1,706,833,377.17. Of this vast sum $228,054,600 4½ per cent. bonds mature in 1891. The law of March 3, 1881, empowered the Secretary of the Treasury to apply this surplus money in the Treasury, or so much thereof as he might consider proper, to the purchase or redemption of United States bonds. This law, Mr. Chairman, it seems, has been well understood by every person in this country, excepting, perhaps, the President and his Secretary of the Treasury, as authorizing the Secretary of the Treasury to use any surplus in the Treasury to purchase or redeem United States bonds. One of the purposes for which that law was enacted was to keep the money in circulation among the people and avoid financial distress.

The present Administration has studiously ignored the provisions of this law, and has permitted millions upon millions to accumulate in the Treasury, and now use this as a pretext for attacking our industrial interests. The remedy proposed by the President is to attack our protective-tariff system in the inequitable, illogical, and purely sectional bill now under consideration. That great Democratic leader, Samuel J. Tilden, who has now gone to his long rest, in a letter full of patriotism, and inspired by the true spirit of statesmanship, in the early part of the present Administration, called the attention of the President and his countrymen to the defenseless condition of our seacoast cities, to the thousands of miles of our unprotected seaboard, and advised that liberal appropriations be made from the Treasury for coast and harbor defenses. Why, Mr. Chairman, does not this Administration set in circulation some of these hoarded millions in the Treasury by appropriating them to such noble and patriotic purposes? Why sit idly by and send up the impotent cry that a crisis is imminent in the financial affairs of our country from this surplus in the Treasury when

it could be used to restore our Navy, now the derision of the world, to its old-time glory? Why not use some of these surplus millions in harbor improvements and in improving the great water ways that run to the sea?

The answer is plain to all thinking men. The free-trade faction of the Democratic party has obtained supreme control of the Government. They long for the day when the principles of political economy as taught by Richard Cobden shall control, not only the trade and commerce of this country, but our manufacturing and industrial interests as well.

By the methods which I have here hastily sketched they have sought to bring about this "condition" which the President in his message tells us "confronts us," and now pretend that they are seeking to allay the same by the remedies proposed in the Mills bill. This bill is presented under the seductive title "to reduce taxation and simplify the laws in relation to the collection of the revenue."

An examination of the bill, however, discloses a very different purpose. The framers of this bill fear the result of the exposure of their free-trade doctrine, and seek to cover their real purposes by pretending that they are not to interfere with the manufacturing and laboring interests of the country by an indiscriminate assault upon the tariff laws, but rather by a judicious and equitable revision of the same.

I said, Mr. Chairman, that this bill is sectional in character. I propose now to call the attention of the committee and the country to some of its provisions, in support of this charge. Wool is an agricultural product, and one in which the farmers of this country are extensively interested. In Vermont, New York, Pennsylvania, Ohio, and Michigan it is an important branch of husbandry. More or less attention is paid to sheep-raising, either for wool or for mutton, in all the Northern, Western, and Northwestern States and Territories. More than one million persons are engaged in this industry. The capital invested, at a low estimate, on the very highest authority aggregates $350,000,000. The number of sheep in this country aggregate 43,544,755, and the total clip of wool for the year 1887 was 269,000,000 pounds. The Democratic majority of the Committee on Ways and Means propose to "simplify the laws in relation to the collection of the revenue" by putting this vast industry on the free-list, and in their report to the House accompanying this bill they give as one of their excuses for putting it on the free-list that it is a "raw material."

I deny this, Mr. Chairman. Wool is no more a raw material than woolen cloth is a raw material. It is the finished product of the farmer. It requires months of care, labor, and the expenditure of capital to produce it. And when it is washed and clipped it is presented by the farmer as his finished product to the manufacturer to go through another process before it reaches the consumer. The woolen cloth furnished by the manufacturer holds the same relation to the person who takes it from him to cut and make it into clothing that wool does to the manufacturer. Each is the finished product of the one producing it. This illustration is sufficient to demonstrate the falsity of the excuse given by the Ways and Means Committee for putting this product upon the free-list.

Another excuse given is to reduce the price of woolen goods. If the Democratic members of that committee are not seeking to strike down this great industry, but believe, as they pretend, that putting articles on the free-list will reduce the price to the consumer, why did they not in this bill put all woolen goods on the free-list along with it? To reply in the style of argument in which they so freely indulge, they deprive the farmers engaged in this industry of all benefits of our protective-tariff system and still make him pay tribute in the purchase of his woolen goods to the already overprotected woolen manufacturer. Gentlemen, to be consistent you should have the courage of your convictions and put all articles in which wool is used on the free-list along with it. This is the test from which you shrink. You are afraid that the people of this country will not sustain you in the coming campaign in this attempt to interfere with our protective system, and hence seek to cover these attacks upon it by the specious arguments set forth in your report accompanying this bill. That this vast industry will be injured by being placed on the free-list is apparent to the most casual observer.

Under the stimulating effect of the protective-tariff laws of 1867 our flocks increased from 28,477,951 sheep in 1870 to 50,626,620 in 1884, an increase in that short space of time of more than 77 per cent., while under the reduction of the revision of the tariff of 1883, this vast number has decreased to 43,544,755 sheep in 1888, a loss to the industry of 14 per cent. in the number of sheep in the short space of four years. With a protective tariff which will properly protect this industry the time is not far distant when the American farmer will furnish all the wool consumed in this country. To put it on the free-list means its destruction.

In this connection, Mr. Chairman, I can not refrain from quoting the following from a speech delivered recently by Hon. George L. Converse, of Ohio:

The production at home of woods and woolens in quantities sufficient to supply the wants of the American people is necessary for our defense in war, and our independence and comfort in time of peace. Successful military campaigns can not be carried on without woolen clothes for the soldiers. More soldiers die from exposure than are killed in battle. Neither of these great industries once destroyed can be again restored within a short time. Their restoration would require many years, and the men who by legislation would knowingly destroy them here and remit them to the keeping of foreign nations can not be classed among the friends of the Union.

To illustrate the sectional character of this bill, I now call the attention of the committee and the country to the manner in which this Democratic majority of the Committee on Ways and Means have legislated on the subject of rice. This also is a farm product; and of the 110,131,373 pounds produced in the crop of 1879, as reported in the census of 1880, 100,635,513 pounds were produced by the Southern States of South Carolina, Georgia, and Louisiana, a Southern product, as you will see, and cultivated in Democratic States. During the three last years the amount of rice entered for consumption from foreign countries, and the duty paid thereon in the form of tax by consumers as our free-trade friends contend, is as follows:

Year.	Entered for consumption.	Duty.
	Pounds.	
1885	116,392,598	$1,619,576
1886	92,596,341	1,184,257
1887	95,585,490	972,614

Rice is a food product consumed largely by the laboring classes of this country. Why not furnish cheap food as well as cheap clothing, if the argument of the majority of the committee is to prevail, and put rice on the free-list? But instead of that, Mr. Chairman, we find that the tariff on rice is increased rather than diminished, and the importers of that food product have called the attention of the public to the fact that the duties now proposed in the Mills bill are actually higher than those which prevailed during the war, from 1861 to 1864. It is claimed by those who are conversant with the process and expense of rice culture that it can be grown and sold at 3 cents per pound, cleaned, pay all the charges of production, and leave a good margin of profit to the planter. And at 3 cents per pound cleaned, 44 bushels to the acre nets the planter $22 per acre. And at 80 bushels per acre, which it is claimed is not an unusual yield, a net profit to the planter of $48 per acre.

And yet, Mr. Chairman, this is an industry which it is claimed should be protected by a high duty on imported rice. A less number of persons are interested in this country in rice production than in the production of wool. The capital invested is less and the product is one which is used in every home. No argument can be used for placing wool on the free-list which will not be as forceful in placing rice on the free-list. It is easier, however, in this so-called revision of the tariff laws, to strike a blow at an industry cultivated in Republican States than to interfere with those which prosper in Democratic States.

Again, Mr. Chairman, why not place sugar on the free-list? Here is a product as universal in its consumption as tea or coffee. The quantity and value of sugar imported into the United States during the past five years, as shown by the official records of the Treasury Department, are as follows:

Year.	Pounds.	Value.
1883	2,133,956,284	$91,519,476
1884	2,756,416,896	98,262,907
1885	2,717,884,653	72,519,514
1886	2,689,881,765	80,773,744
1887	3,136,443,240	78,411,224

The amount entered for immediate consumption, with the duty paid on the same, during this period was:

Year.	Pounds.	Value.
1883	2,049,668,786	$44,665,647
1884	2,562,719,594	47,560,750
1885	2,748,646,118	50,885,916
1886	2,701,020,874	50,265,538
1887	2,999,450,481	56,567,466

Thus you see, Mr. Chairman, that the people of this country pay a tax annually on imported sugar of nearly $60,000,000. If the object of this bill is to reduce the revenues and furnish cheap food for the people, how better can that object be subserved than by placing sugar on the free-list? The whole sugar-producing interest in this country, on the most accurate and reliable authority, does not exceed in value $60,000,000. This interest is limited almost wholly to Louisiana. The sugar consumed by the rich and the poor during a period of less than eighteen months is taxed by import duties in an amount sufficient to pay for the entire capital invested in that interest in this country and leave many millions besides. And yet the friends of this Mills bill, for the alleged purpose of reducing the revenues of the country $5,390,054.73 duties on imported wool, are willing to imperil this great wool industry with its aggregate capital, as I have already shown, of $350,000,000. If wool or sugar must be placed on the free-list, which,

I ask, in the name of justice, will best subserve the interests of the people and at the same time contribute most to reduce this dangerous surplus in the Treasury? Nothing but the most partisan and sectional feeling could have prompted this bill which covers these two great farm products—the one protected and the other on the free-list.

Now, Mr. Chairman, I for one shall vote to put sugar on the free-list, and if my voice and my vote will have any influence in determining that question, the laboring people from my section of the country shall no longer pay a tribute to the planters of Louisiana in the way of an import duty on that product.

But, sir, when I say this I do not mean that I should place the sugar planter at the mercy of foreign competition. I believe that the production of sugar can in time be increased to meet the entire demands of the country and that it can be produced here sufficiently cheap to drive from the market the imported product. Until that time I would protect it by a bounty, as France and other countries have done in developing this wonderful industry. Many other products are placed on the free-list which come in direct competition with the products of the Canada farmer. This will undoubtedly prove eminently satisfactory to the Canada producer. He is protected by the laws of Canada from any competition with the American product, while his surplus products can be shipped to this country free of duty and put in competition with the products of the American farmer. Among those products are potatoes, beans, peas, fresh vegetables of all kinds, meats, game and poultry; plums, prunes, currants, dates, hemp, etc., and many other articles which I might name.

And still, Mr. Chairman, your party, which is committed to the support of this bill, has the audacity to pose as the friend of the farmer. During the debate almost every friend of the bill has denounced the manufacturer and claimed that what is paid on imported articles produced by him is robbed from the people by taxation. It is a charge easily made, but under a well adjusted revenue law incapable of proof. The tariff laws are, first and foremost, for raising a revenue to maintain the Government, and, secondary to this, to develop the varied and wonderful resources of this country and insure to the laborer a fair and just compensation for his services. That the system has worked well is apparent from the well-fed, well-clothed, and well-paid mechanics of this country.

I shall not stop to indulge in what the gentleman from Missouri [Mr. DOCKERY] characterized as a bewildering array of figures to establish this. Every intelligent man knows it. If there are individual exceptions, as claimed by the gentleman from Massachusetts [Mr. RUSSELL], they arise from exceptional causes not incident to the tariff laws, and, like all exceptions, prove the rule.

Our mechanics and laborers furnish a picture of contentment and prosperity that can not be duplicated among the laboring classes in any other country in the world. If anybody is interested in breaking down our tariff system it is the manufacturer. If he could have free trade in the hiring of his employés we would no longer find the intelligent and prosperous class of workingmen who are an honor to our country. The starving hordes of Europe would be shipped here to supplant them. Here is an interview with Judge Caton, of Illinois, one of the large manufacturers in our State, published in the Chicago Tribune shortly after the President's message was given to the country:

INTERVIEW.

Have you read the President's message?
It has been read to me.
What do you think of it?
It is a remarkable document, in view of what a message is supposed to be.
What will be the result of it?
The tariff question is now squarely brought before the country as a national, a political, and a Presidential issue. A notice has been served that the Treasury is sucking up the money which ought to be in circulation, and that the business and commercial prosperity of the country is at stake, and must be considered in preference to other questions.
You seem to be in favor of a reduction of the tariff?
I am at the present time.
Why?
Well, among other things, I am a manufacturer.
And as a manufacturer you believe that the tariff should be reduced?
I do; and for a reason which I think has not been advanced. The manufacturer is not making any money, and does not profit by the tariff. The skilled laborer gets the profit. Advance the tariff on the manufactured article, and the confederation of trades advances his wages often above the tariff advance.
You say you have had experience. In what direction?
As a glass manufacturer. I think we have in Ottawa the best glass-works in the country. We seem to be busy at all times. Up to date I have never received a dividend. On the contrary, in order to preserve our plant and the capital invested in it, I have advanced funds from time to time and the several works instead of paying me a profit are in debt to me perhaps a hundred thousand dollars or more. The high tariff imposed for our protection has all gone to the skilled laborer. The blower, lowest in the scale of usefulness, gets $4 per day, and the best men $8 per day. The blowers are like the iron puddlers at the blast-furnaces who get from $8 to $12 per day. I believe, if the tariff were abolished and our works shut down for a year, as they would have to be, the laborer would return to reason and allow our business to be conducted with some profit to the manufacturer. I am not alone in this view. I think you will find the sentiment growing among manufacturers that their invested money brings no return, but rather outlay, and that the only remedy is in the abolition of the tariff and a general suspension of manufacturing until the labor system shall be placed on a paying basis to capital.

In other words, Mr. Chairman, until the labor system of this country shall be like that of Belgium and free-trade England. This is the deliberate judgment of a man not only eminent in Illinois, but whose fame is not confined to the limits of his own country. This great glass industry which he mentions as being located at Ottawa, Ill., has not escaped the tariff tinkers who prepared the Mills bill. A large reduction has been made in the tariff on all kinds of imported glass of the character produced at this manufactory. In view of the deliberate judgment of Judge Caton, as expressed in the interview which I have just had read, I ask you, is this not a blow at the laborers engaged in that industry? As he well states in the interview, he does not stand alone in this view favoring the removal of our tariff laws. It is a feeling that is finding favor with the great capitalists and manufacturers everywhere in the country. It is not patriotic, not calculated to subserve the best interests of the country in developing our great and varied interests and resources. It is purely selfish, and if successful, by the adoption of free-trade principles in this country, can have but one result, that of degrading the American mechanic to the level of the European operative.

My time is too limited to take this bill up in detail and show all of its inconsistencies, its partisan and its sectional character. I will be pardoned, however, for calling to the attention of the committee a little incident which occurred during the address of Mr. MCMILLIN, of Tennessee, the other day in support of this bill, as illustrating its partisan character. It is important in the approaching campaign that the State of Virginia shall be continued in the list of States which furnish 153 solid electoral Democratic votes. In the earlier days of our Republic Virginia favored free trade because her labor was free. There was a consistency in the Virginia planter, who owned his laborers, demanding absolute free trade. But since the blighting curse of slavery has forever disappeared the people of that State have come to realize that Virginia can never recover her old time position in this Union of States without the development of all of the diversified interests which are found in such rich and abundant supplies within her borders. And learning wisdom from the example of such manufacturing States as Massachusetts and Pennsylvania, her citizens, instead of bending their energies to one product or industry in the State, like Moses of old, who smote the rock in Horeb and brought forth abundant supplies of water for the preservation of the children of Israel, have blasted the rocks in her mountains and brought forth rich iron ores in abundance; have mined the great coal fields which have slept for ages undisturbed, and have started on that new era which, if unimpaired by the substitution of free trade for our protective system of home industries, will restore Virginia to that exalted position she once held when she was known as the "Mother of Presidents."

The logic of this bill would place iron ore and coal upon the free-list; and had the same disregard for the great industries which flourish in Northern and Republican States, as I have already pointed out, been followed in the preparation of this bill those articles would have been placed there. And it is even claimed by many that such is the fact from the proper construction of the bill. The construction, however, was combated by Mr. MCMILLIN in his speech the other day, but his argument did not seem to satisfy the Virginia Representative [Mr. O'FERRALL].

The following clipping, however, from the Washington Critic of April 26 indicates that an understanding has been reached between these two gentlemen, who are willing to destroy the wool industry and jeopardize an invested capital of $350,000,000 by placing that farm product on the free-list.

Here it is:

THE IRON AND COAL TARIFF.

There was a little talk yesterday that the Ways and Means Committee would amend the tariff bill so as to include iron and coal on the free-list, but Mr. MCMILLIN has assured Colonel O'FERRALL, of Virginia, that nothing of the kind is contemplated, and what is more, the phraseology of the tariff bill will be changed so that all doubts on the point of free iron and coal will be removed. This will be interesting news to the people of Southwestern Virginia.

Aside from the argument that the necessities of the situation require that the State of Virginia shall give its electoral vote to the Democratic party this fall, no argument can be urged in favor of a duty on those products that will not be equally effective in protecting all the vast and varied industries of this country, many of which are being jeopardized by advocating the passage of this bill, and will be utterly destroyed if it becomes a law.

I can not sympathize with those who denounce protection of home industries as a species of robbery. The argument in favor of protection rests upon the great principle of the advantage of diversified production. Every industry is stimulated and benefited under a well-regulated tariff law. It keeps the currency in circulation among our people instead of draining our country of it and sending it abroad to purchase products manufactured in foreign countries and thus avoids financial distress. It brings the consumer and producer together and saves the cost of transportation. Fifty men composing a community all engaged in agriculture would each only have one consumer for his products. Diversify their interests by placing them in groups of ten, and each group of producers would have his home market increased fivefold. If each engaged in a separate industry, each would have fifty consumers for his product, and they together would become a self-sustaining and independent community. Sound economic principles require that so far as may be practicable, every section and locality in our country shall have

diversified interests, numerous enough to be self-sustaining. Economically considered, it is the development of that political idea which has made the New England township the model political organization of the world, a little republic in itself. And as the great Frenchman, De Tocqueville said, while it exists the Republic will flourish.

So while this protective theory is maintained our country will go on in its marvelous accumulation of wealth and prosperity.

Mr. Chairman, the gentleman from Missouri [Mr. DOCKERY], in his free-trade argument here the other day, in his attempt to establish what he characterizes as the iniquitous protective system, claimed that our tariff laws discriminate against the great West from which we both come, and took the States of Massachusetts and Illinois and contrasted their wealth per capita in 1860 and again in 1880, and drew what seemed to him a very pleasing picture to the detriment or disadvantage of the great State which I have the honor in part to represent on this floor. I had hoped that I should have the opportunity of perusing his remarks in the RECORD before making any answer to his unjust statements, but that privilege has been denied by his discreetly withholding the reporter's notes of his address.

Among his many claims was that the average per capita of wealth in Illinois in 1860 was $227, and that in the twenty years intervening from 1860 to 1880 the State progressed so slowly in the development of wealth that her per capita of wealth was but $255 in 1880, while the great manufacturing State of Massachusetts, with a per capita of wealth of $631 in 1860, by the development of her manufacturing industries had increased her per capita of wealth in 1880 to $888—an increased per capita in Illinois of $28, and in Massachusetts of $257. These figures, as I learn, are based upon the assessed valuation of the property of these two States at these two different periods. His conclusions are drawn from them without taking into consideration the fact that the assessed valuation of the property in Massachusetts is obtained upon an entirely different basis from that in Illinois. Of course his conclusion and argument drawn from such figures are utterly worthless. The total true valuation of the property in Massachusetts in 1860 was $815,237,433, and her total true per capita wealth at that time was $662. The total true valuation of the property in Illinois was $871,860,282, and her per capita wealth was $509. The total true valuation of the property in Massachusetts in 1880 was $2,623,000,000, and her per capita wealth $1,471. The total true valuation of the property in Illinois in 1880 was $3,210,000,000, and her average per capita of wealth was $1,043.

These figures indicate a very different showing for the great agricultural State of Illinois than the gentleman from Missouri sought to establish. And when you take into consideration the fact, Mr. Chairman, that during this period the percentage of increase of population was nearly double in Illinois to what it was in Massachusetts, instead of establishing that our tariff system is detrimental to the agricultural interests it proves just the reverse.

In 1860 Illinois had 143,310 farms only, while in 1880 they had increased to the number of 255,741, an increase in number of 77 per cent. in the twenty years. The value of farm lands in Illinois in 1860 aggregated $408,944,033, while in 1880 the aggregate value of farm lands in the State was $1,009,594,580, an increase to the farmers of that State in the value of their farms in the short period of twenty years of 146 per cent. What a magnificent showing for the farmers of Illinois!

And I will tell you, Mr. Chairman, the great cause of this increased wealth in our farm lands. It is because our citizens have not been content to have a foreign market for the products of their farms, but have sought to establish a home market by the encouragement of the investment of capital in manufactories within the limits of our State.

We believe in diversified interests, and that the nearer the produce consumer can be brought to the farm the better it is for the farmer. And as a result of that policy we have increased the number of manufacturing industries of our State under the tariff laws which have been in force since 1860, 240 per cent. And the capital invested in manufactories during the same period has increased 410 per cent. This is added to the permanent wealth of the State, while the number of persons who have been called to the State to work in our factories and furnaces and be fed by our farmers has increased 530 per cent.

Time will not permit me to dwell upon this great State. Her history for the last twenty years speaks for itself, and no better indorsement of the wisdom of the Republican party in insisting upon the protection of our home industries can be asked for than it affords.

The claim that is made that the Republicans are in favor of continuing war taxes is most happily met and refuted by Mr. MCKINLEY, in the following from the report of the minority of the Ways and Means Committee:

It is a striking fact that all of the reductions of taxation which have occurred since the conclusion of the war, with the exception of the trifling ones made by the acts of March 1, 1879, and of May 28, 1880, aggregating a little over $6,000,000, were accomplished while the party now in the minority was in the majority and in control of legislation.

A brief summary of what has been done in this regard will be both suggestive and instructive.

By the act of July 14, 1870, the reduction of the revenue from customs duties was:

Free-list	$2,403,000
Estimated reduction from dutiable list	23,651,748
Total	26,054,784

By the act of May 1, 1872, tea and coffee were placed upon the free-list, making a reduction of $15,893,847.

By the act of June 6, 1872, tariff duties were further reduced, and the reduction by the—

Free-list	$3,945,724
Estimated reduction from the dutiable list	11,933,191
Total	15,278,915

By the act of March 3, 1883, from tariff:

Free-list	$1,365,999
Estimated reduction from dutiable-list	19,489,800
Total	20,855,799

The foregoing estimates were made when the several bills were passed.

Of internal taxes the following have been the reductions made by the party now in the minority since the conclusion of the war:

By the acts of July 13, 1866, and March 2, 1867	$103,381,199
By the acts of March 31, 1868, and February 3, 1868	54,802,578
By the act of July 14, 1870	$35,315,321
By the act of December 21, 1871	14,436,862
By the act of June 6, 1872	15,807,618
By the act of March 3, 1883	40,677,682
Total	284,421,260

This we present as the result of Republican legislation from July 13, 1866, down to and including March 3, 1883.

The Republican party was in control of the House of Representatives from the first-named date to March 4, 1875. During that period it will be observed that taxation was reduced and revenue diminished in the aggregate sum of $284,421,260. On the 4th of March, 1875, the control of the House passed to the Democratic party and remained with it until the 4th day of March, 1881, a period of six years. During these years the internal revenue was reduced $9,388,935. On the 4th day of March, 1881, the Republican party was reinvested with control of the House of Representatives, holding it for two years, during which time it reduced taxation and revenues from custom sources in the estimated sum $20,855,799, and upon internal revenue $40,677,682, and a grand total of $61,432,481.

Since the 4th day of March, 1883, the House of Representatives has been dominated by the present majority party, a period of five years, and no taxes have been reduced and no curtailment of the revenues has taken place, although warned of a threatened surplus not only by the present Administration, but by the preceding one of President Arthur. It will be observed that from 1875 to 1888, a period of twenty-two years, the control of the House has been equally divided between the two political parties, each having eleven years.

During the eleven years of Republican control the revenues were reduced (estimated)	$362,504,569
During the eleven years of Democratic control the revenues were reduced	6,368,993
Difference in favor of the present minority party in the House of	356,135,654

Whatever inequalities may exist in our present tariff laws the Republicans are willing and anxious to remedy. This bill increases instead of diminishes the inequalities of the law. With its title it "keeps the word of promise to the ear, but breaks it to the hope." If it becomes a law in its present form widespread disaster will follow in its wake.

I should, as I feel regarding this bill, be false to my own convictions and to the best interests of the good people who honor me by sending me here to represent them, if I failed to enter my solemn protest against this unholy attempt to overthrow the great industrial interests of America. [Applause.]

Before Mr. HOPKINS, of Illinois, had concluded his remarks his hour expired.

Mr. GEAR. I ask unanimous consent that the time of the gentleman be extended for ten minutes.

Mr. HOPKINS, of Illinois. I do not desire to occupy more than five minutes longer.

Mr. CLEMENTS. I do not wish to be discourteous, but there are a number of gentlemen who will not be able to get even a half hour. I must object. The gentleman can print the remainder of his remarks as many gentlemen will be compelled to do.

Mr. DOCKERY. I hope the gentleman from Illinois will be allowed a few minutes longer.

The CHAIRMAN. Objection is heard.

Mr. MANSUR. Mr. Chairman, I begin by calling attention to the constitutional provisions for taxation. There are three:

First. Article I, section 2:

Direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers.

Stating how the numbers shall be determined.

Second. Article I, section 8:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises to pay the debts, and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

Third. Article I, section 9:

No capitation or other direct tax shall be laid unless in proportion to the census or enumeration hereinbefore directed to be taken. No tax or duty shall be laid on articles exported from any State.

WEBSTER DEFINES—

Duties as: tax, toll, impost, or customs; excises; any sum of money required by government to be paid on the importation, exportation, or consumption of goods.

Excise as: an inland duty or impost operating as an indirect tax on

the consumer, originally paid only on certain articles of home industry and consumption, and afterward levied also on imported articles; also levied on licenses—the right to deal in certain commodities.

Imposts as: impost, that which is imposed or levied; a tax, tribute, or duty, laid by government on goods imported into a country; an impost on land or other real estate and on the stock of farmers is not called a duty, but a direct tax.

Taxes generally: to subject to pay a tax, or taxes; to impose or assess upon; to lay a burden upon; especially to exact money from, for the support of government.

It will thus be seen duties, excises, and imposts are but other names and designations for taxes used in the generic sense.

Tariff. Whence came the word?

Appleton's Cyclopædia, says:

Tarifa, a town of Spain, situated in the narrowest part of the strait of Gibraltar, was named in honor of "Tarif, Ibu Malik," a Berber chief, who founded it, and during Moorish dominion stopped all vessels passing by, and compelled them to pay duties at fixed rates; whence the word tariff in English and other languages.

It is thus seen from the orignal derivation of the word it meant "a forced tribute;" something exacted without adequate compensation being rendered. And unfortunately, in a high protective tariff, the original meaning still prevails and is enforced; for deny it who may, when a duty as impost is laid so high that the Government gets but little or no revenue from its imposition, and the manufacturer has its benefit, it ceases to be a tax and becomes a tribute. In these constitutional provisions to the plain unsophisticated mind there lurks no taint of special privileges, no pretense for unequal laws, but the belief that all laws made pursuant thereto shall be uniform, just, and even-handed.

I freely admit that a government must have revenues adequate to its necessities, so that it may maintain itself on the one hand with dignity and upon the other with justice to its subjects. And yet in all its revenues, come from what source they may, an eye must be kept to a decent economy in the administration of public affairs to the end the people's substance be not squandered, extravagance engendered, or corruption fostered to blight and wither the public weal.

In the way of raising and exacting taxes the ingenuity of man has never devised one borne so cheerfully, with so little complaint, as the indirect method known as the tariff. Under this system abuses, wrongs, inequalities, and gross impositions have been and are daily done and perpetrated that under any other system of taxation could not last beyond a session of the legislative power authorized to remedy these evils.

Why is it so? Because the tax being paid at the custom-house upon the entry of the goods into this country is at once added to their value, and from thenceforward is incorporated into and clings to them as a part of the original value, through all successive purchasers and owners, whether importer, jobbing, wholesale, or retail dealers, finally to be paid and borne by the party who purchases for his own use or consumption.

If the idea of paying taxes was continuously present to the consumer at the time he purchased; if by law a great schedule of taxes was required to be publicly exposed in all stores, as if a great sign were displayed thus—

Woolen shawls	tax, 88 per cent.
Soap	tax, 15 cents per pound
Blankets	tax, 80 per cent.
Camphor	tax, 5 cents per pound
Brussels carpets	tax, 59 per cent.
Croton-oil	tax, 30 cents per pound
Clothing, ready made	tax, 68 per cent.
Blacksmith hammers	tax, 2½ cents per pound
Flannels	tax, 73 per cent.

And so on, through the nearly four thousand articles upon the tariff list, it would not be long ere the voice of the people compelled their Congressional servants to reduce taxation to the lowest point commensurate with the necessities of an honest and economical administration of the Government.

But the indirect mode of collecting taxes by the tariff method insidiously puts all thought of taxation in the background and out of sight. A man's necessity for coffee compels him to buy it. His comfort exacts the purchase of a blanket. His ease and quiet a cigar; his vanity, a silk hat; his pride, a broadcloth coat; and while he thinks he is sating his necessity, comfort, or pride, he little recks he is paying a tax of 1 cent, or $1 to his government, and three or more dollars tribute to some giant manufacturing industry, not to say monopoly.

Hence it is, I repeat, Mr. Chairman, that this indirect or tariff mode of collecting taxes is the favorite one with all rulers in civilized countries; for by appealing in four thousand ways to all the passions that excite or sway mankind, whether of pride, vanity, comfort, or necessity, the admitted inequalities of our present and remaining war taxes have been perpetuated to the present hour.

A tariff is, and always will be, a necessity to raise taxes in this country. The independent habits of our people, their freedom in all the past from inquisitorial visits and demands of the tax-gatherer, as well as the demands of the Federal Constitution, all compel its perpetuation.

Oh for a year of direct Federal taxation to the end that rings might be broken, monopolies exposed and taught a lesson, economy once more introduced into the hearts and souls of every one interested in good government, and the people made to rely upon themselves and their own efforts, and not look to Government for a thousand things they, the people, ought to do for themselves, and for every tub to stand upon its own bottom.

Some in the country may ask, why can not we have direct taxation, so that we may know exactly what we get, for what we pay? I answer, we can, but only at such rates of inequality as to be more glaring and unjust than even the ills we complain of in the present tariff.

The Constitution, the paramount law of the land, imposes the reverse of that which is imposed by all State constitutions, namely, that a direct tax shall be based and levied in proportion to population, and not upon values or property.

To illustrate:

By the census of 1880, Florida had a population of 269,493, and an assessed valuation of $30,938,319; Rhode Island a population of 276,531, and an assessed valuation of $252,536,673. Here the population is nearly equal, yet the man in Rhode Island with $8 in property to that of the man in Florida with $1, pays the same amount when levied by the Federal Government.

Again. New Hampshire had a population of 346,991 and an assessed valuation of $164,775,181, while Nebraska, with the larger population of 452,402, had an assessed valuation of only $90,585,784. Hence the man in New Hampshire with over $2 in value would pay no more than the man in Nebraska with less than $1.

Such inequalities in taxation are not to be borne; and whatever causes may have impelled our forefathers to favor direct taxation based upon population, sure it is, that by an almost universal assent, we in State taxation base it upon property. Think of a Vanderbilt or a Gould being taxed no more per head for his family than my genial friend from New York City, whose Irish wit so often enlivens the dull tediousness of a committee meeting.

In time of great pressure we have resorted to excises, internal taxation, or revenue and income duties; but the general verdict of the country has been that these were extraordinary or war taxes; and not to be continued after the crisis had passed that called them into existence, or war debts and obligations had ceased; to exact their imposition.

My own judgment is, and I believe nearly or quite in accord with the practice of the country, at all times even down to the present; namely, customs duties must furnish all ordinary demands to run the Government in times of peace. Excises proper, internal revenues, income taxes, and direct taxation, may and should all be resorted to in time of the nation's peril. And if I could have my own way and judgment, I should keep and maintain at all times a sufficient internal-revenue tax to pay all pensions and the remainder of our war debt, together with its annual interest, holding them to be obligations arising from the necessities of war, and not chargeable upon the revenues of the Government as incidents of a time of peace. And while I would especially retain taxes upon whisky and tobacco, I would remove all restrictions and inquisitorial features and personal examinations of books and papers that have done so much to make the tobacco tax odious before the country, and permit its free sale to any person who desired to purchase.

For several years past this nation has been confronted with the singular problem not of "how to raise taxes," as all other nations are, but the unique one of "how to lower them," and in this we apparently have more difficulty than England, France, Russia, Austria, or Germany have to fill their depleted treasuries, and we quarrel among ourselves like Kilkenny cats on what ought to be a loving duty in the interest of a long-burdened, sadly-taxed people. All, even the most rabid of our Republican friends, admit the urgent necessity of a reduction of our surplus taxes, yet they all demand, as do some of our own friends, that it be at the expense of their wives' kindred to the remotest generation, and that they can all be sacrificed upon the altar of economy; but no sacrifice upon themselves or upon their kindred is to be tolerated or borne for one moment.

For one I do not believe the tariff a sacred law, nor do I believe as the necessities for large revenue on the part of the Government disappear that there should be any more hesitancy on our part to an intelligent application of ourselves for its reduction to the standard of a sufficient amount only, and no more, to run the Government upon a basis of common honesty and economy consistent with a decent dignity for a Government so great and imperial in all its resources than there should be to a revision of our penal code if there was an intelligent general demand for such revision.

Prior to the war no such idea prevailed, for from 1789 to 1857, a period of sixty-eight years, no less than thirty-two tariff laws were passed, the last being approved March 3, 1857, under which the rates of duty imposed were exclusively ad valorem, arranged by schedules and ranged from 4 to 30 per cent., averaging about 18 per cent. as against 47 per cent. at present. It was an honest tax; it told its levy plainly. No pitfalls were in it, under the guise of specific duties, as in the present tariff, where the specific rate is alike upon West of England broadcloth,

worn by a Vanderbilt, or upon cotton-warp reversible cloth worn by a weaver. The specific duty is alike on both, 35 cents per pound; on the broadcloth, weighing 20 ounces per yard, it is only a tax of 37.2 per pound, and with its ad valorem of 40 per cent. on its cost make together a tax of $1.81.2, or 50.3 per cent. of the factory price, while in the weaver's covering, 35 cents per yard specific duty, and 30 per cent. ad valorem, make the enormous tax of 180.7 per cent. of the factory price.

Here the ad valorem tax is 5 per cent. lower in favor of the weaver over the Vanderbilt. The specific tax of 35 cents per yard is the same, yet the pitfall is dug for the poor man. His eyesight is blinded by the lower ad valorem, and not being an expert, he is deluded into silence. Away with the specific duty! Let us know openly what we pay; let the Government hide nothing, but boldly declare the rate of taxation in a manner to require no explanation nor an expert to calculate it. A high meed of honor should be given to the Mills bill because of its effort to bring this about. I believe this extract from the majority report to be superbly true:

The specific duty is the favorite of those who are to be benefited by high rates, who are protected by competition, and protected in combinations against the consumer of their products. There is a persistent pressure by manufacturers for the specific duty because it conceals from the people the amount of taxes they are compelled to pay to the manufacturer. The specific duty always discriminates in favor of the costly article and against the cheaper one, and therefore it imposes a heavier burden as it goes down from the highest-priced articles to the lowest. This discrimination is peculiarly oppressive in woolen and cotton goods, which are necessaries of life to all classes of people.

If the tariff is so great a blessing, surely all home manufacturers who believe in it ought to be willing to admit and boldly advocate the rate per cent. of taxation imposed, and not seek to cover it up.

Among the beauties, if not the very chief glories, of a tariff for protection are the assertions that it creates diversified and new manufacturing industries and will establish them throughout the length and breadth of the land, build up happy families, and give to more wage-workers and laborers homes, buildings of their own; make them freeholders and land-owners; also to sit in the shade of their own vine and fig-tree, with no cruel or avaricious landlord lying in wait to turn them out upon the cold charity of a selfish world, whether it be in the heats of summer or the sleet and ice of winter—than a tariff for revenue will create and give. And I presume that the advocates of a protective tariff on the other side of this Chamber not only assert this, but honestly claim a belief, if not a conviction, of its entire truth.

I seriously doubt that the effect of a protective system is either, first, to increase the number of manufacturing establishments (but I do believe, on the contrary, it fosters, with its hot-house influences, all the great and established existing factories, and enables them to eat up and absorb new and small ones, and to prevent in point of fact the creation and the scattering of new, small, and infant establishments throughout the country).

Second. It does not tend to either increase the number of families nor to increase the number of their dwellings; but on the contrary its influence is exerted in a contrary manner, and tends both to lessen the ratio of families in the land and the dwellings needed for separate homes for families.

Observe these figures taken from the census:

In 1870 there were 252,148 manufacturing establishments, with a capital of $2,118,208,269. In 1880 there were 253,852, with a capital of $2,790,272,506, an increase in establishments of 1,704, but an increase of capital of the enormous sum of $674,063,837, with an increase of employés of 678,599. If this is to continue for all time, and why should it not, when five men out of six contribute of their means to help the sixth man, when in the name of conscience and of justice will Missouri, and Kansas, and Iowa, and Nebraska, and the great agricultural States of the West get their share? An increase of 1,704 in ten years. Thirty-eight States, and ten years in a decade. This shows all around a little over four new establishments to a State per year. To satisfy Missouri, with her 3,000,000 people, the four should each be as large as Cramp & Son's establishment at Philadelphia, and that would not give Missouri the cramps either.

What has done this? Let me quote from the Census Compendium, page 926:

The fact that, in the face of a large increase in the number of hands employed in manufactures, of the amount of material consumed, and of the value of the products, the number of establishments shows hardly an appreciable gain from 1870 to 1880, notwithstanding an increase of 30 per cent. in population is amply accounted for by the well-known tendency to the concentration of labor and capital in large shops and factories. The establishments of 1870 showed 8 as the average number of hands, and $8,400 as the average amount of capital; those of 1880 showed 10.7 as the average number of hands and $10,992 as the average amount of capital.

What is the increase of hands? Six hundred and seventy-eight thousand five hundred and ninety-nine, and of this number we may fairly assert 277,795 were females and 241,338 were between ten and fifteen years of age.

The gainful lust of a high protective tariff, in its inordinate race for wealth, spares not the women and children; but as they can be more easily imposed upon and obtained often for a pittance when their labor will supply the place of a man, we find in the census reports this pitiful story (see page 1344, Compendium United States Census):

We see thus that if we compare the number of occupations returned in 1870, increased by the rate of increase which took place during the decade in the population over ten years of age, with the number of occupations actually returned in 1880, we find a deficiency in the agricultural class to the extent of 42,341; an excess in the class rendering professional and personal services of 577,832; in that engaged in trade and transportation of 258,907, and in that engaged in manufactures or mechanical and mining industries of 311,238, making a net excess in all classes of occupations of 1,105,636.

* * * * * * *

If we ask how the relative excess of occupations in 1880 over 1870 is distributed according to sex, we shall find that of the total excess, namely, 1,105,636, as stated, nearly one-quarter is of females, the number of females reported as pursuing gainful occupations having increased from 1870 to 1880 in a higher ratio than the number of males. Thus:

Number of females in gainful occupations in 1870	1,833,288
Increased by the ratio of increase in the female population since 1870, namely, 29.03 per cent	2,369,502
Actual number returned in 1880	2,647,157
Relative excess	277,795

Of this excess about two-thirds appear in the last of the four classes indicated, showing the effect upon the employment of women produced by the extension of the factory system.

If we inquire how the same excess is distributed according to age, we shall find that a disproportionate share falls in the class between ten and fifteen years of age, showing a further effect of the extension of the factory system in the increased employment of young children. Thus:

Number of persons of both sexes between ten and fifteen years of age reported in 1870 as in gainful occupations	759,161
Increased by 18.65 per cent., the ratio of increase in the population of this age from 1870 to 1880	877,018
Actual number reported	1,118,356
Relative excess	241,338

In the cruel decade from 1870 to 1880 we find the lustful demands of avarice extorting the services of 277,755 women in excess of the increase in same ratio as males. And when the total excess of 405,635 is divided up into classes upon age limits, we find in the class of children from ten to fifteen their relative excess over what it should be is 241,338.

The curse of a servitude until recently unknown is upon the women and children working ten or more hours per day in heated apartments. They day by day become more feeble and less fitted for future duties and functions in the married life.

Last Christmas week I journeyed through New England. I had better opportunities, it being the holidays, than ordinary to see the factory hands. They were out in holiday attire, but their pale countenances and haggard looks bespoke them old before their time; yet of the thousands I saw but few were Americans. Whence came they? From Canada, from Italy, and from Germany. On every hand—in the cars, at the depot, by the wayside—I heard the foreign tongues spoken, and various gentlemen assured me that American girls and American children were almost unknown in the mills. And this is another chapter in the history of a protective tariff! Oh, avarice, not liberty, what crimes are committed in thy name!

With all the burdens imposed upon our agricultural people, I thank Jehovah that the burden of selling and destroying their women and children for avarice has not yet fallen upon them, for it seems that they have saved from their little ones, or rather from the population over ten years of age, the number of 42,341 inside of their usual rate of increase as laborers.

Now let us look to its effects upon married life and to its housing: for be it known to you, a protective tariff is the universal great panacea, the one great solvent, that unfolds all the secrets in Nature's hidden *arcana*. It creates fortunes; it populates the wilderness, builds cities, tunnels mountains, and, I will add, builds monopolies, makes giant trusts, with anaconda folds, to embrace a whole country and sixty millions of people; also creates giant fortunes in a shorter era of time than ever before known in any country in any age or any era, and ought, of course, to make happy families also.

Aladdin's lamp pales its glory before the shining luster of a protective tariff, and the slave of that lamp stands ready to abdicate his mystic power because he can not serve the spirit of a protective tariff instead of his lamp.

In 1850 there were 3,598,240 families in this country who had 3,362,337 dwellings to live in; at that time only 235,903 families were apparently without separate homes for themselves. In 1860 there were 5,210,934 families, and they lived in 4,969,692 houses or dwellings. Thus 241,242 families were without separate homes in all the land. The families had increased 1,612,692 in numbers, and all of them had new homes but 5,339. Glory alleluiah! The millennium is at hand, and the protective tariff has done this surely. One million six hundred and twelve thousand six hundred and ninety-four new families in the past decade, and all but 5,339 possessed of new homes. All hail and glory to a protective tariff! But hold on! This period from 1850 to 1860 was the period of lowest tariffs this country ever knew or had.

From September 14, 1851, to March 3, 1857, it had enacted four tariff laws, the duties running lower and lower until the last only ranged from 4 to 30 per cent., averaging 18 per cent., instead of from 10 to 300 per cent. and averaging 48 per cent., as does our present tariff. What comfort in the land is expressed in the figures 1,612,694 new families in ten years, and all living in new houses except 5,339! Surely it must be a low or revenue tariff that did it. No discontent abroad in the land then! Tramps unknown; the word is not yet coined.

Now let us look at the decade from 1870 to 1880, a decade under the highest tariff this country has ever known; one claimed by its

friends to be a distinctly protective tariff. In 1870 there were 7,579,363 families living in 7,042,833 dwellings. During the decade from 1860 to 1870 the number of families without dwellings had increased to 536,510, an increase, not of 3 per cent., or 5,339 only, but an increase of 295,268 families without houses or dwellings, an increase of over 100 per cent.—yea, of 123 per cent.

But, observe, this is under a new era of a high protective tariff, imposed between 1860 and 1870. Yet what misery is involved in the figures 295,268 families unable to find a separate home or dwelling, either to buy, build, or rent to live in, as against 5,339 families in the decade from 1850 to 1860. But the opposition will say this is a consequence of the war period. Be patient and let us see what we will see.

We will now look to the decade from 1870 to 1880 for its story. In 1880, 9,945,916 families had 8,955,812 dwellings to live in or occupy. In this decade the families increased 2,366,553 in number, but the dwellings only increased 1,912,079, leaving a total of 990,108 families in the land without separate homes or dwellings.

Thus in this decade the 536,510 unhoused families of 1870 had become 990,108, an increase of 433,598 in ten years, an increase of almost 100 per cent. in the decade, as against 123 per cent. from 1860 to 1870, as against 3 per cent. from 1850 to 1860, of homeless and houseless families for Democratic times and a low tariff; as against 123 per cent. and nearly 100 per cent. for Republican rule and a protective tariff running through two decades.

Poor men of the land, choose ye which you like the best, and then, in November, 1888, do your duty at the polls like free men, who, knowing your power, dare assert it.

I now ask, who apparently got the "boodle" of the ten years from 1870 to 1880.

We see the manufacturers by their own reports, for they furnish the statistics that make the census reports, got an increase of capital of $674,063,837 at the discontent and misery of 453,598 homeless and unsheltered families in the same period. But I am not quite done with families and their dwellings. Between 1850 and 1860 the increase of families was 44.8 per cent. in numbers, and the increase of their dwellings was 32.4 per cent. This was in low-tariff times. Comparing now between 1870 and 1880, in high-tariff times, the increase in number of families was 31.2 per cent., while the increase in their dwellings was only 27 per cent. This shows an advantage for the first decade of 13.6 per cent. in families, and 5.4 per cent. in dwellings.

In this last decade, in 1873, with the greatest panic, came a new order of beings theretofore unknown in this country. Tramps. Five hundred thousand strong; tramps, tramping over the country. Skilled laborer, mechanic, agriculturist, all felt the baneful effect of the panic. A new era is ushered in; and since then strikes, lockouts, tramps, discontent, degradation and misery have appeared in such numbers and so universally over and throughout the country, and even still abide with us, as the recent commotion on Western railroads and in the Reading coal regions attest, as to all alike indicate that if capital is satisfied labor is discontented and day by day becomes more so. And all this in spite of a protective tariff. Can I not say it is the legitimate fruits of an unequal and unjust system of tribute that robs the poor to make the rich richer?

AMERICAN SHIPPING.

The tariff has destroyed our shipping, our merchant marine. Let us see. The tonnage of vessels built in the United States on the entire seaboard in 1857 was 285,453 tons. Thirty years afterward, in 1887, it was 83,061 tons.

The record of 1857 under a low tariff has only been exceeded twice, to wit, in 1864 it was 291,306, and in 1865 it was 310,421 tons—the two last years of the war, and then only under the impetus of a great national demand created by the war.

The record of 1887 is the lowest of all the thirty years save that of 1886, when it was 64,458 tons.

But it may be said, why take only the entire seaboard; why not include the vessels built upon the Great Lakes and upon the Mississippi River and its tributaries, built to accommodate our great and growing internal and domestic commerce, where the construction of foreign vessels can not come into competition with our home-built vessels, and the story may be different?

Let us see. Total tonnage built in all the United States in—

	Tons.
1857	378,805
1887	150,450

The year 1857 was only exceeded in two years, to wit:

In 1864	415,741
In 1865	394,523

Again, the record of 1887 is the lowest of all the thirty intervening years except 1886, which was 95,453 tons.

These figures show the same story as the seaboard tonnage. Under the stimulus of war times and a war demand, 1864 and 1865 are the years, and the only years, showing a larger tonnage of vessels of all kinds than in 1857, and they show further that in 1886 the lowest building ebb was reached. But now under Democratic rule we are apparently entering upon a new era, the increase in 1887 upon seaboard building being 25 per cent., and upon all vessels 60 per cent. May this new era spread on and on; under beneficent legislation and the fostering influence of Secretary Whitney may a new navy be built that shall be our pride and glory, to be manned by sailors who shall in zeal and devotion to country emulate the heroism of a Farragut in lashing himself to a mast, and to the world-wide renown of a dying Lawrence, shouting, as he is carried below decks to die, his last command: "Don't give up the ship."

The operation of a high tariff by increasing the price of all articles entering into the construction of vessels, coupled with the foolish policy that our citizens shall not buy abroad the vessels our carrying trade requires and register them in America as American ships, to be protected by American laws and the American flag, has practically destroyed our sea-going marine and made this nation contribute annually one hundred millions or more to the wealth of other nations.

I call attention to an article published in the Missouri Republican April 28, 1888:

FREE TRAVEL—BUT NO FREE TRADE.

On Monday last "eight big steam-ships started across the ocean from New York carrying nearly one thousand passengers," as we learn from the Eastern papers. These one thousand American tourists will pay out for passage money, going and returning, $200 each, or $200,000 in all, and every dollar of the money will go into the pockets of foreigners, for every one of the eight big steam-ships is a foreign vessel, most of them British. American tourists do not travel in American steamers for the very good reason that there are none. The moment an American traveler going to Europe or the West Indies or South America steps off the pier in New York or Boston harbor on the steam-ship that is to bear him to a foreign land he treads a British deck and pays his passage money to a British subject.

On the same day that these 1,000 tourists embarked for Europe, the incoming steam-ships landed at Castle Garden in New York harbor 3,500 immigrants. They paid for their passage $30 each, or $105,000, every dollar of which also went into foreign pockets, for the steam-ships that brought them were foreign-owned. Here was over $300,000 paid out in one day in New York for passage money from and to New York. And it is going on every day in the year. The number of American tourists carried abroad and brought back home this year will be about 125,000, and their passage money to and fro, at $200 each, will amount to $25,000,000. In the same time 700,000 new immigrants, it is estimated, will be brought over, whose passage money at $30 each will amount to $21,000,000. Here is $46,000,000 paid out in one year for passage money to foreign steamships, to say nothing of the $60,000,000 more which the 125,000 tourists will expend in traveling and sight-seeing, and for clothing, jewelry, books, relics, pictures, curiosities, and bric-a-brac in Europe.

Why is not this $46,000,000 paid to American steam-ships? The answer is there are no American steam-ships running abroad. Our tariff makes it impossible to build them as cheap as they can be built in foreign ship-yards of untaxed materials, and so the American lines of thirty years ago, under the Democratic régime, have been driven from the ocean. But why do we not impose a tariff on foreign travel, and encourage the building of American steamers? A tax of 50 per cent., or $50 on every person who goes aboard or returns in the cabin of other than an American steamer, and of $15 on every steerage passenger, would protect home ship-building and establish American lines to all parts of Europe.

Why is not this done? Because the wealthy manufacturing States are opposed to it. They do not believe in free trade, but they do believe in free travel. They say the American people shall not buy British, German, and French goods, but they themselves, all the while, are buying passage from British, German, and French steam-ship owners. The great army of American tourists is made up in the rich manufacturing States. The wealthy mill and factory owners of those States are large consumers of foreign travel. They like to go to the lands of pauper labor—"free-trade England," Germany, France, and Italy, learn foreign manners, and bring back trunks filled with cheap foreign clothing; and while they think foreign goods ought to be made dear by a high tariff, they want foreign travel kept cheap.

While on a visit to Groton, Mass., in the late holidays, I called upon Governor Boutwell at his home. In the course of a conversation I had with him he stated that in his opinion it was one of the crowning glories of Republican rule and statesmanship in this country that it had practically destroyed our shipping. Not understanding his reason for such belief, I asked him to please explain, when he stated that a high or protective tariff had done it by giving to American wage-workers on land higher wages than they could earn at sea; that they could be fed, clothed, and housed better on land than at sea, and their moral condition better cared for, and he thanked God it was so. I said, "Why not legislate so as to secure the greatest social and moral benefits for labor on sea as well as land?" To which, as I remember, no answer was made.

Direct taxes and internal revenues were the direct result of war necessities. They began in 1862 and practically disappeared from our revenues in 1873.

Internal revenues began in—

1863 with	$37,640,787.95
1864 with	109,741,134.10
1865 with	200,464,215.25
1866 with	309,226,813.42

A princely sum, and then began to diminish, for—

In 1867 it was only	$266,027,537.43
In 1868 it was only	191,057,589.41
In 1869 it was only	158,356,460.49

And all this reduction was on the imperial wealth of the country. Wealth demanded the reduction and wealth obtained it in the removal of the income tax, bank taxes, and decrease in internal-revenue taxes of $228,000,000. And this decrease was made year by year at the dictation of capital. See the following estimates:

By act of 1866	$65,000,000
By act of 1867	90,000,000
By act of 1868	23,000,000
By act of 1869	45,000,000
By act of 1870	55,000,000

All legislative sympathy and thought was for capital, none for labor, none for the farmer and his interests, and to this day the burdens exacted of them as war necessities and imposed by the war tariff still continue. This is well shown by the following article from the Washington Sentinel:

The minority report of the Ways and Means Committee, signed by WILLIAM D. KELLEY, THOMAS M. BROWNE, T. B. REED, WILLIAM MCKINLEY, Jr., and J. C. BURROWS, claims that the Republicans during eleven years of their control of the House of Representatives reduced the revenues $362,000,000 in round numbers.

Assuming this claim to be true, which it is not in some respects, let us see how these so-called reductions were made, for whose special benefit, and for whose injury. The exposures are to be found in Mr. MILLS's speech. The Republicans began their "war measures" by raising the tariff rates from 18 to more than 40 per cent. average. They created the internal-revenue system.

Among the items of the latter was a tax on home manufactures, which in 1866 brought in a revenue of $127,000,000. That was less than 5 per cent. on the value of the manufactured product of that year, which had an increased protection of 22 per cent. as against the former tariff.

There was also an income tax which produced $72,000,000 in the year 1866.

The official reports show that in a population of more than 35,000,000 at that time only 461,170 persons had incomes above the exemption, and they represented the enormous annual income of $707,000,000. The remaining thirty-four and a half millions of "plain people," as Mr. Lincoln called them, had only sufficient resources from their different forms of labor for a decent and too often a very pinched support.

Now these two internal taxes operating directly on prosperous manufacturers, then enriched by exorbitant gains, and on a class with great incomes, yielded together $200,000,000 every year to the Treasury, in round numbers. Had these taxes, falling on a wealthy class most able to bear them without the least strain, been continued for ten years, the public debt would have been extinguished.

Then there were the 3 per cent. taxes on railroad companies, insurance companies, and express companies, taxes on bank capital, deposits, and bank-checks to swell the aggregate of so-called "reduction of revenues" in the minority report.

All these taxes, which only touched wealth and great corporations, were abolished by Republican Congresses, while not a dime was removed from the burdens that bore hardest on the poor and afflicted, the workingman whose shoulders were forced to carry the load. And in 1883, when the tariff was revised by a bill which originated in the Senate, contrary to the Constitution, the Republicans repealed the tax on playing-cards and put 20 per cent. tax on the Bible.

Day by day this session each member has received circulars and letters begging, ay, demanding that the duties upon their special manufacture be let alone, stating if any reduction be made they are driven to bankruptcy. Ay, under the spirit of avarice they boldly demand some part of the burden incident to their business shall by law be lifted from their shoulders and put upon their fellows, confessing themselves bankrupt if left to their own unaided effort, skill, industry, and perseverance. In the name of our American race, the most inventive, energetic, industrious, thrifty people the world has produced, I deny it. Take away the hot-house manure of a protective tariff and put the country and industries upon the basis of a tariff for revenue only; admit raw materials not produced in this country, for the benefit of our many languishing industries; lower the taxes on necessaries of life; equalize them in the interest of the farmer and laborer, and all our manufacturing industries will have a healthy growth, become more diversified in numbers, and be scattered more uniformly over the land. The people will then pass from under the shadow of unequal laws, now breeding a great discontent, leading to strikes, lockouts, riots, anarchists, and socialism.

Let us go back to the wisdom of Jefferson, stated in his first inaugural address:

Still one thing more, fellow-citizens, is necessary to make us a happy and prosperous people—a wise and frugal government, which shall restrain men from injuring one another, shall leave them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities. * * *

Again:

Equal and exact justice to all men, of whatever state or persuasion, religious or political. * * * Economy in the public expense, that labor may be lightly burdened; encouragement of agriculture, and of commerce as its handmaid.

Observe, please, encouragement of agriculture is the principal; commerce is the handmaid. All manufacturing industries practically become the subjects of commerce; their products must be put into markets and sold. This is commerce, but the curse of the country is we have reversed this order. Commerce is the principal and agriculture the handmaid and servant, bearing the burdens of commerce as well as its own. Agriculture, holding in its ranks half the laborers of the land, finds all equality before the laws taken from it and special tributes given to commerce. Agriculture is burdened beyond its capacity. Besides paying tribute to commerce, it takes upon itself, having no surplus capital of its own at command, through its lands and farms, the furnishing of security by way of mortgages for the surplus millions of commerce. This is shown by the mortgaged and unhappy condition of all our Western agricultural States, until they stagger and groan like a whipped galley-slave under the burden.

It is estimated that the lands in the following States are mortgaged as follows:

Indiana	$175,000,000	Iowa	$120,000,000
Ohio	350,000,000	Nebraska	25,000,000
Michigan	125,000,000	Kansas	100,000,000
Wisconsin	100,000,000	Illinois	200,000,000
Missouri	100,000,000		
Minnesota	70,000,000	Total	1,363,000,000

I have said that I did not consider the tariff law sacred. I quote from the message sent to this Congress by the President:

By the last census it is made to appear that of the 17,392,099 of our population engaged in all kinds of industries, 7,670,493 are employed in agriculture, 4,074,238 in professional and personal service (2,934,876 of whom are domestic servants and laborers), while 1,810,256 are employed in trade and transportation, and 3,837,112 are classed as employed in manufacturing and mining.

For present purposes, however, the last number given should be considerably reduced. Without attempting to enumerate all, it will be considered that there should be deducted from those which it includes 375,143 carpenters and joiners, 285,401 milliners, dressmakers, and seamstresses, 172,726 blacksmiths, 133,756 tailors and tailoresses, 102,473 masons, 76,241 butchers, 41,309 bakers, 22,083 plasterers, and 4,891 engaged in manufacturing agricultural implements, amounting in the aggregate to 1,214,023, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

To these the appeal is made to save their employment and maintain their wages by resisting a change. There should be no disposition to answer such suggestions by the allegation that they are in a minority among those who labor, and therefore should forego an advantage, in the interest of low prices for the majority; their compensation, as it may be affected by the operation of tariff laws, should at all times be scrupulously kept in view; and yet with slight reflection they will not overlook the fact that they are consumers with the rest; that they, too, have their own wants and those of their families to supply from their earnings, and that the price of the necessaries of life, as well as the amount of their wages, will regulate the measure of their welfare and comfort.

I call attention to two points in this. First, that only 2,623,089 laborers in all the United States are protected, less than 18 per cent. To aid 18 men make a living 82 men must contribute to their prosperity without compensation. Second, the President says "there should be no disposition * * * to allege the protected are in the minority, among those who labor, and therefore should forego an advantage."

To accuse a man who is in favor of tariff reform, and a revenue tariff only, as a free-trader is common with our Republican friends. To-day in the attitude of parties on the issue of revenue reform it seems to stand with as much force as a term of obloquy, pity, and contempt as the words copperhead or traitor did during the war. To all such I can only say that I had rather be a free-trader in reality than a robber boodler who believes in maintaining unequal laws imposed upon the many for the benefit of a comparative few.

I am now, and long have been, astounded that the moral sense of New England does not rise against such unequal legislation; but, thank Providence, daylight is breaking, her moral conscience is aroused. [Laughter.]

Listen. The Missouri Republican, of May 2, 1888, has the following editorial:

The most ludicrous product of the tariff controversy is a labored editorial in a Boston high-tariff paper to show that protection is not stealing! William Lloyd Garrison, in a talk before the Young Men's Christian Association of Boston, had declared that a protective tariff is "anti-Christian," and F. W. Bird, a prominent citizen of Boston, had said: "If I can't get a living by paper-making without special favors from the Government, which legalizes stealing from my customers, I will do something else;" and thereupon the Boston Advertiser stumbles through a solemn argument to show that "the American manufacturer uses neither force nor fraud; therefore he does not steal." It is evident that the Massachusetts protectionists are growing ashamed of the twenty-five years' habit of forcing their customers to pay them $1.50 for $1 worth of goods when they find it necessary to show that it does not literally violate the decalogue.

As an abstract question of right, who is there who dares to say, with his hand upon his heart, looking to God, "I have not the right, the God-given, inalienable right, to buy what I may need or require wherever I can buy it most cheaply?" Not one. The taxing provisions of our Constitution and their limitations have all been cited in your hearing by me this day. They are the supreme law. In them is declared, "taxes shall be uniform throughout the United States." This word "uniform" is surely comprehensive enough to mean that Congress should deal out in the taxation laws even-handed justice to all its citizens. I admit that by a long series of laws, precedents of protection for protection's sake, and not for revenue, have been established, and it may be too firmly to be questioned as matter of law. Yet, nevertheless, the facts remain that there is no language in the Constitution to indicate authority for them, nor will the moral sense of a large portion of mankind ever fail to denounce the doctrine when it exceeds the demands of revenue. I am no free-trader; there can be none in this country. The provisions of the Constitution prescribe otherwise.

Revenues are and must continue to be raised by customs duties, and I am willing now to say on the record what I have often said on the stump, that within the limits of a tariff for revenue only, I am willing, yea, as an American citizen, prefer from patriotic motives, I trust, that the same should be so adjusted and placed, as to nurture, cherish, and "protect," if you will (I do not like the word "protect" just now very well), American industries, rather than that they should be so imposed as to be an incubus upon, and aid in tearing and dragging them down. I would have this, however, to be, in Democratic language, an incident, and not the purpose and object of the law. To this extent, and in this only would I go. Beyond this protection ceases its patriotic demands, and charity for the ones at home demands a cessation of tribute, as all taxation beyond the revenue limit surely is.

Millions for defense of government, if needs be, but not a cent for tribute beyond the revenue line, should be and will be our campaign

rallying cry. Again, who is there that dares say, as a question of morals, as a question of right, as a question of even-handed justice, that one citizen shall not stand before the law on the plane of equality with every other citizen; that his burdens shall be the same, no lighter nor heavier than any other man's, and that a tribute forced by law under any guise as a plea whatever against his assent, to aid in upbuilding the fortunes of another is tyranny, yea, confiscation under the forms of law?

What *quid pro quo* have the farmers, 7,670,493 strong? Almost one-half of the mighty army of laborers practically receive nothing. On the contrary, they are to-day mortgaged many hundred, ay, hundreds of millions of dollars to those who have in the past received the benefits of protection.

In the nine contiguous protected and manufacturing States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, and Pennsylvania is held nearly all the concentrated surplus wealth of the nation. The railroads of the State of Illinois are valued at $638,500,000. The report of the railroad commissioners of that State show that 95 per cent. of this vast sum is owned in the manufacturing States. The same is very nearly true of Missouri, and, I believe, of Kansas, Nebraska, Iowa, Colorado, and the Western Territories.

The census of 1880 shows fifty-nine life-insurance companies in the country, with ledger assets of $420,000,000. Of this number some thirty are in said nine States, but they have over $375,000,000 of the assets.

Mr. WARNER. Will my colleague allow me to ask him a question?

Mr. MANSUR. Yes, sir.

Mr. WARNER. Does the gentleman object to foreign capital being brought into our State?

Mr. MANSUR. I do not object to that. But I want to get some for ourselves. I do not want it all owned away from us.

Mr. WARNER. Do you not encourage foreign capital coming in to build our railroads?

Mr. MANSUR. I have been trying with you to get it.

Mr. WARNER. I knew it.

Mr. MANSUR. But we have been trying to get rid of a bad bargain. I will ask the gentleman, would you not rather have your own capital all owned in Kansas City than to have it come from abroad?

Mr. WARNER. As the gentleman speaks of Kansas City, I will say that that city has more prosperity than any other point in the State of Missouri, and one great reason is that we have invited the influx of foreign capital.

Mr. MANSUR. Have I not paid my tribute to the wonderful growth of that city?

Mr. GEAR. Will the gentleman from Missouri permit an inquiry?

Mr. MANSUR. Yes, sir.

Mr. GEAR. Could the people of Iowa have built their 8,000 miles of railroad or could the people of Missouri have built their 6,000 miles of railroad without foreign capital?

Mr. MANSUR. No, sir; they could not have done it; but I wish our State had got that capital under laws more equitable and more general in relation to a sense of justice.

Mr. GEAR. I will ask the gentleman further, what analogy is there between the tariff and the construction of railroads in those two States?

Mr. MANSUR. If there were only 1,740 factories established in the last ten years, while their capital has increased $700,000,000, it is evident we did not get our share of that in the West.

Again, these nine States have in their savings-banks, deposits aggregating $1,100,000,000, while in the other twenty-nine States there are less than thirty million deposits. Again, in the United States there were 73,114 holders of United States registered bonds. Of these 54,545 were in the nine States named. Again, the amount of registered United States bonds was $645,000,000. Of this, the banks, insurance companies, trust companies, etc., held $227,451,550, and these banks and other companies holding these bonds are practically owned in the said nine States, leaving 418,000,000 held by individuals, of which sum $329,563,500 was owned in said nine States.

Again, these nine States are unlike the Western States in this: They own their own railroads (and ours too); they practically own the manufacturing establishments of the nation, also. The sea-going shipping, the telegraph stock, the telephone stock, the stock of the great factories for making arms, sewing-machines, and other rich corporations of the land.

Official figures in the Almanac for 1888, by the Librarian of Congress, show the actual assessed value of the real and personal property of all the States to be $22,954,630,201, divided between the manufacturing and the other States as follows:

Nine manufacturing States	$10,137,612,665
Twenty-nine other States	12,817,017,586

That is to say, the 15,000,000 people in the nine manufacturing States own nearly as much of the assessed value of all the States together as is owned by the 45,000,000 of people who live in the twenty-nine agricultural States.

And now they are at last about to own the "brains" of the nation, according to the New York Herald.

"TRUSTS," AND THE PEOPLE.

Thus, in these times we see the ablest lawyers, the ablest chemists, the greatest inventors, the most ingenious mechanics, the most competent business managers in the pay of great corporations, combinations, and trusts, doing obediently the unscrupulous will of the aggregated and selfish capital which employs them. Thus we see more and more even our public men the servants of trusts and corporations.

Thus we see growing in this country a great, unscrupulous, powerful plutocracy, banded together more and more closely, resisting by the help of its hired agents every attempt to reform abuses and to re-establish liberty, crushing out opposition, more and more greedily grasping power, and bribing the best intellect of the country into its service.—*New York Herald.*

Thus, Mr. Chairman, I have tried to show while the operation of a protective tariff does build up manufactories into monopolies, does create great wealth, and will admit that all persons relatively, whether laborer or employer, who share in it, "as the fountain from which all blessings flow," live in better houses and possess more comforts and luxuries than those who live outside its charmed circle, yet to sum up I deny,

First. That its tendency is to create new industries, nor does it tend to scatter them abroad in the land.

Second. I deny that it tends to the growth of the number of families, the great bulwark of society, upon which all the moral prosperity and happiness of the nation depend.

Third. I deny that to the average laborer, including very many in protected industries as well as all those outside thereof, it operates to facilitate his securing a separate dwelling for his family, with all the moral and social benefits flowing from such condition of separate life.

Fourth. I deny that it is good for our merchant marine and shipping interest, but on the contrary has destroyed it.

Fifth. I deny that it is good, or tends to good, for the farmer and the agriculturist and those dependent upon him.

Sixth. I deny that the benefits, in the great aggregate, flowing from it are to be compared in extent with the gross wrongs, the burdens, and impositions it places upon labor in the aggregate.

Seventh. To meet its demands it robs the cradle, in taking small children into its employ by the thousands and thousands.

Eighth. It imposes too much work upon the females of the land, drafts too heavily on their numbers, saps their constitution, and unfits many of them to become happy and healthy mothers.

Ninth. It breeds indifference to human rights, and tends to educate men for selfish, avaricious motives, to argue, ask for, vote for, and maintain unequal laws of taxation with special privileges.

Tenth. The great wealth and corporations of the land are continually hiring and taking our strongest and most intellectual men into their employ, who, by their ability, are able to greatly aid in still further maintaining unjust laws, and perpetuating financial manacles upon labor and its interests.

This is the condition of affairs to-day in America, and it is still further aggravated by the condition of the finances, with $150,000,000 locked up in the Treasury, with an annual surplus of $100,000,000. A great, a national cry has for years gone up in the land, "Reduce our taxes!" Both parties have heard this cry; both parties for twelve years past have stood pledged to come to the rescue of the people. The Republicans would not when they could, and the Democrats could not when the great majority of them would. For all these years the Republican party, as it does to-day, stands in the attitude of obstructing all measures of reduction of taxation.

Let us see what in 1884 each party authoritatively declared in their national platforms:

The Democratic party is pledged to revise the tariff in a spirit of fairness to all interests.

Republican tariff plank:

We therefore demand the imposition of duties on foreign imports shall be made, not for "revenue only," but that, in raising the requisite revenues for the government, such duties shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer, to the end that active and intelligent labor, as well as capital, may have its just reward, and the laboring man his full share in the national prosperity.

ITS PLEDGE.

The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus.

I charge and believe the Republicans were and are now hypocritical in their platform pledge, and will now, as they ever have done, almost unitedly oppose any measure of reduction that applies to custom duties.

I believe a few Democrats in the Forty-eighth and Forty-ninth Congresses, by their defection from the ranks of the revenue reformers and alliance with the Republican party, were able to defeat temporarily just and wise measures of reduction On this point I cite from a speech delivered in the House by Mr. MCKINLEY as follows:

The Democratic majorities in the Forty-fourth, Forty-fifth, and Forty-sixth Congresses, although committed by party utterances and by platforms, as well as the pledges of leaders, to a reduction of duties to a revenue basis, were unable, with all their party machinery, and the free use of the party lash, to accomplish even a step in that direction.

Every proposition for a change was met with the almost solid opposition of this side of the House, which, with the assistance of a few Representatives on the other side from Pennsylvania and the New England States, was strong enough to insure, and did insure, the substantial defeat of every measure looking to a disturbance of the existing tariff rates.

Yet I believe further that the heart of the masses of the great body of the Democratic party beats in unison with its great head and leader, Grover Cleveland, and under his promptings, aided here and there by a patriotic Republican, will in the next ninety days achieve a glorious victory over the combined cohorts of the world, the flesh, and the devil, with their right bowers of monopolies and trusts thrown in. So mote it be! [Applause.]

And now in conclusion, Mr. Chairman, while I am not a prophet, nor the son of a prophet, let me invite attention to these final thoughts. That they will provoke criticism of a fierce order I believe; and yet I believe them true and worthy of the consideration of thoughtful men.

To quote:

The power of taxation is the one most liable to abuse.

* * * * * * *

Given a purpose or object for which it may be lawfully used and the exercise of it is unlimited.

* * * * * * *

It is, therefore, the most pervading of all the powers of government, reaching directly or indirectly to all classes of people; the power to tax is the power to destroy, and a striking instance of this truth is seen in the fact that the existing tax of 10 per cent. imposed by the United States on the circulation of all other banks than the national banks drove out of existence every State bank of circulation within a year or two after its passage.

* * * It can as readily be employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other. * * * To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less robbery because it is done under the form of law and is called taxation. This is not legislation. It is a decree under legislative forms.

So said Judge Miller, speaking for the Supreme Court of the United States in Loan Association *vs.* Topeka (20 Wallace, 663), and so to-day say the great Democratic masses of the country. Your protective-tariff law as it now exists is here well described. It is robbery, not taxation. It is a legislative decree confiscating in extorted tributes the property of toiling millions for the benefit of protected manufacturers and monopolists, who now have special privileges to accumulate wealth which are not granted to the many. And this is done by forms of law. These protected manufacturers and monopolists are the bulls of the law and the land, engaged in upholding the laws that grant these favors. They are first cousins, if not twin brothers, in theory with the socialist and anarchist of the land. These last are the bears of the laws and the land, who do not desire the power of the laws destroyed, but wish them exercised in a different way and manner and for different purposes.

To illustrate: Giant fortunes, springing up like mushrooms the land over, must be at the expense of the multitude, with a corresponding deprivation and misery among the masses going on to counterpoise the accumulated wealth of the few. This breeds a sense of wrong; a belief widespread that the laws are unequal and imposed for the benefit of the few. The laws thus tending to create giant fortunes are brought into contempt and breed socialism and anarchism. The law of taxation must be perpetuated. There is no escape from it. It is like fire—a great benefactor or a great tyrant and monster, as it is properly harnessed and controlled on the one hand, or, on the other hand, set loose to become a destroying demon.

Take the 60,000,000 of people in this land, arrange them like this: Place them all in one line, put at one end all the monopolists and protective-tariff men who believe in the doctrine of enforced tributes to build up their fortunes; in the center all those who believe in taxation for revenue only, and at the other end put all the socialists and anarchists who believe in the power of the law, the same law, as the monopolists and protective-tariff men, but demand a reverse use of it, who declare if the law can be perverted and used to build up fortunes it can also be legally used to tear down and destroy fortunes and divide them up among the multitude, and for the same reasons given by the monopolist and protective-tariff man for his use of the law, to wit, That it is for the good of society, for the benefit of the multitude.

One class appeals to the law power to build up fortunes and act as bulls in maintaining the law as it is; the other class appeals to the law power to tear down and destroy wealth, and act as bears in the use of this power to destroy and divide fortunes and wealth. Do they not as believers in a perverted taxing power become fairly amenable to the charge of being kindred under the law? In the use of the law of taxation there is no safety outside of its exercise for public purposes of revenue only. All exercise beyond that limit is surely dangerous.

Twenty years ago neither socialism nor anarchism was known in this country. Now their adherents and believers are in numbers unknown; but still as discontent spreads, and unequal laws and taxation prevail and are maintained, their numbers increase, and the time may come (I sincerely hope not) when the late uprising in the streets of Chicago by the anarchists shall be as child's play to greater riots and uprisings on the part of thousands, determined at all hazard to get rid of unequal laws, unjust taxation, and special tributes.

Then the monopolists, quaking in terror in their palatial homes, will have no protection against the vengeance of the mob, except in the superior numbers of the great conservative classes, who by the millions stand on the line indicated by me between these two kindred yet widely separated theories and people, and demand the return, as they now do, of the country to equal laws for all, even-handed justice for all even if the heavens fall, with special privileges for none, and who by their mighty numbers and conservative determination will and shall prevail.

Then again shall come a period in the land when all men before the law shall be equal, all men shall again be brethren and shall lie down together, and a little one shall lead them. [Applause.]

ADDENDA.

I am permitted by the kindness of Hon. WILLIAM M. SPRINGER to use this table, prepared by him for an article in the North American Review in June, 1883, which shows relatively the amount of taxes and of tribute for year 1882, under the tariff law, wherein is shown that on twelve classes of enumerated articles the Government, while raising by import duties $194,464,758, afford protection to home manufacturers on same twelve classes of articles, to enable them to exact on their products from their home customers a tribute of $556,9 8,657, or nearly three times as much as the Government tax:

Statement showing the amount of incidental taxes annually imposed on the people of the United States in the increased cost of home products by reason of discriminating duties on imported articles of like character, together with the value of such home products, the amount of wages paid and number of hands employed, and the imports and duties received thereon for the year 1882.

Articles affected by the tariff.	Merchandise imported during the fiscal year ended June 30, 1882.			Value of home products, census year 1880.	Average number of hands employed. Boys under 16 and girls under 15 counted as one-half a hand.	Total amount in wages during the year.	Estimated rate of increase ad valorem.	Incidental taxes added to cost of home products by reason of the tariff.
	Values.	Duty received.	Average ad valorem rate.					
			Per cent.				*Per cent.*	
Chemical products	$21,517,169	$6,718,561	31.32	$117,377,324	28,895	$11,840,704	20	$23,475,464
Earthenware and glassware	13,822,043	6,693,257	48.42	31,632,309	30,674	13,130,403	45	14,234,539
Metals—iron and steel and all metal manufactures	74,427,988	30,358,936	40.79	604,553,460	290,000	122,648,191	20	120,910,692
Wood and wooden wares	8,654,327	1,589,851	18.37	311,928,884	185,426	47,817,199	15	46,789,332
Sugar and molasses	94,540,269	49,210,573	52.05	(See note.)			40	4,846,714
Tobacco	8,216,132	6,000,961	73.03	118,665,366	81,809	25,041,257	25	29,660,341
Cotton and cotton goods	34,868,044	13,482,167	38.67	210,950,383	170,363	45,614,419	20	42,190,076
Hemp, jute, and flax goods	33,578,076	9,844,652	29.32	5,518,866	4,329	1,238,149	20	1,103,773
Wool and woolens	47,679,502	29,254,234	61.36	267,182,914	145,341	47,351,628	40	106,873,165
Silk and silk goods	38,535,475	22,632,490	58.73	41,033,045	28,554	9,146,705	50	20,516,522
Books, paper, etc	4,923,620	1,406,787	28.57	65,960,405	25,274	9,895,995	20	13,192,081
Sundries	62,410,690	17,372,269	27.68	665,699,693	337,216	129,881,399	20	133,139,958
Total	433,173,335	194,464,758		2,440,502,649	1,327,881	463,606,049		556,938,657

NOTE.—Planters' product for 1880 was: Sugar, 196,759,200 pounds; molasses, 16,573,273 gallons. Number and wages of laborers not stated.

Mr. JOSEPH D. TAYLOR. Mr. Chairman, the greatest infirmity of the American Congress, and the greatest calamity of the American people, is the constant agitation and discussion of questions that ought to have been buried out of sight and forgotten fifty years ago. Free trade is an exotic that never should have been permitted to take root on American soil. It was conceived in treason and born in treachery to human rights and human liberty. It made its first appearance as a political question amid the throes of nullification and secession in 1831, and became the sheet-anchor of American slavery from that time forward. John C. Calhoun and his followers, who had been the advo-

cates of protection before this, at once became the champions of free trade. The first blows which were struck by New England against American slavery were so diverted that they fell with increased force upon American protection. New England was not only the birth-place of abolitionism but she was the center and home of all our manufacturing industries. The South resolved to destroy protection in order to destroy New England and protect slavery.

If New England had never aimed her shot and shell at the institutions of slavery, the South never would have built her fortifications of State rights, secession, and free trade. And in order to perpetuate slavery and make it profitable to the slave-owners, it was thought necessary for the South to buy cheap clothing in Europe for themselves and their slaves, and cheap food in the North, where no industry was to have an existence except that of agriculture. The North was to furnish the South food and the South was to furnish Europe cotton, and under this arrangement the South was not only to be the masters of the slave, but they were to be our masters as well. This is simply the way in which free trade came into American politics. It had its origin in Southern hatred for New England abolitionism, and ought to have ceased when the barbarism of slavery ceased. Hence free trade is nothing more or less than a fragment of the rebellion, and is as dangerous to the business of the country in 1888 as secession was in 1861; and if successful it will be as hateful in the statutes of the country as it was in the Confederate constitution which the rebellion sought to vindicate. Free trade has no more right to supplant our protective system than the Confederate constitution has to supplant the Constitution of the United States.

The protection of American industries is not a mere policy, a mere business question; it is a question of patriotism, a question of loyalty to the American flag, to the American laborer, and to the American home. It is a choice between self-defense and self-development on the one hand, and self-annihilation and self-destruction on the other. Upon its success or defeat will depend whether our people shall be the skilled laborers, artisans, and mechanics of the world, or whether they shall be "hewers of wood and drawers of water." The protection of American labor, the building up of American industries, the protection of the American workshop, and the elevation of the American home is a national achievement, worthy the support of every American patriot. The protective system stands as a wall of fire between American laborers and the degraded, half-paid laborers of Europe.

THE SURPLUS HOBBY.

There has been in the United States Treasury, time and again since the war, as much surplus as there is now, and sometimes more, and yet this is the first time that any great ado has ever been made about it. Republican administrations simply paid it out, reduced the national debt and stopped the interest. President Cleveland could have done the same. He did pay out part of it, and refused to pay more on account of having some doubt about the validity of the law authorizing such payments. This law was passed as an amendment to an appropriation bill, and while this fact raised some doubts in his mind as to the propriety of such legislation, the law which increased his salary from $25,000 to $50,000 a year was passed in the same way, and I have never heard that he had any doubts about his right to draw the increase.

Mr. Chairman, this talk about the surplus deserves the contempt of all decent men. It is the merest sham, the hollowest pretext, the most contemptible subterfuge. This money was accumulated and held in the Treasury for a purpose. It is the result of a Democratic conspiracy to destroy our protective system. To this end the river and harbor bill of the last Congress was defeated, the dependent pension bill and a hundred other pension bills were vetoed. The appropriation bills of the last Congress were made $10,000,000 less than the actual expenses of the Government, the Blair educational bill, which had passed the Senate almost unanimously and which would have passed the House by a two-thirds vote, was throttled, in order to pile up money in the Treasury. And the men who did this point to the surplus as a peril to the country, and possibly meet in midnight conclave and laugh with ghoulish glee at the smoke and flame which their incendiary fires have created.

We all agree, Mr. Chairman, that the money ought not to be locked up in the Treasury; that it ought not to be withdrawn from the channels of trade; but we insist that there is no necessity for it being in the vaults of the Treasury; that it ought to have been applied to the payment of the national debt, and to the purposes of the General Government. Let us examine the extent of this surplus. The customs tax or tariff receipts last year amounted to $217,000,000, the internal revenue amounted to $118,000,000, and all other incomes to $35,000,000, aggregating $370,000,000. The Secretary of the Treasury estimates that the necessary expenses of the Government for the next year will amount to $326,000,000 (using round numbers), leaving an actual annual surplus of $44,000,000.

There is now in the Treasury a surplus of about $60,000,000, and hence a year from now the surplus will amount to about $100,000,000, unless the Treasury estimate is cut down by reduced appropriations. This is making no provision for the river and harbor bill which passed this House yesterday, which carries about $20,000,000; no provision for the dependent pension bill, for the Blair educational bill, nor for any other like appropriations. And yet President Cleveland, in order to alarm the country and foist upon the people his free-trade heresy, discarded the precedents of a century, ignored the obligations of the Constitution, and substituted a free-trade bulletin for a Presidential message. And the Ways and Means Committee, in order to carry out the decree of their master, did what no committee of Congress ever did before, excluded the Republican members of their own committee, the members of the House, the members of the Senate, the farmers, mechanics, manufacturers, miners, laborers, and business men, hundreds of whom came here to be heard, and some of them came thousands of miles, from any participation in the preparation of this bill. The Republican members, made a part of the committee by the Constitution and laws of the country, were not permitted the privilege of crossing a "t" or dotting an "i" in this remarkable bill, nor did the chairman have the courtesy to make to them a polite bow and say, "By your leave, gentlemen." This bill was framed by Southern men to subserve Southern interests, as I shall hereafter show.

NO SURPLUS IN FACT.

Mr. Chairman, I do not understand what the Ways and Means Committee mean when they propose to reduce the surplus $75,000,000 or $100,000,000.

The outstanding interest-bearing debt is $1,200,000,000. The present so-called surplus is only 5 per cent. of this sum, and if every dollar of it is held for this purpose it will not be sufficient to pay the 4½ per cent. bonds when they become due; and yet the country is thrown into a state of alarm and the destruction of the industries of the country is threatened because of this pretended surplus in the Treasury. We need every dollar that is now in the Treasury and all that we can collect from existing laws, if we make proper use of it.

Our fortifications are falling into decay, our seaport cities are unprotected, our merchant marine should be rebuilt, the dark pall of illiteracy that now hangs over the Republic should be removed, the 28,000 Indian children that are now hiding in the mountains and caves of the West need compulsory industrial education, and last, but not least, there is in our midst a great army of men who laid the idol of their youth, the sunshine of their home, the joy of their hearts upon the altar of their country for whom this Government has made no provision whatever. And there are thousands of widows, who waited and watched and wept while their husbands wrecked their fortunes, their business prospects, and their health in following their country's flag wherever a battle was to be fought or a victory to be won, whose pension claims are daily rejected by the Government.

Dependent fathers and mothers whose brave sons sleep where no flowers are ever strewn, are daily falling into graves where no Government aid can ever reach them. That tall shaft that casts its shadow across this National Capital ought to remind us that George Washington left a still more enduring monument when he declared that every soldier who risked his life, the ruin of his fortune, and the happiness of his home in saving the life of his country, was entitled to ample provision for himself and his family through all the declining years of his life. This was Washington's kind of patriotism, and I pray that the day is not far distant when we shall have a man in the White House whose patriotism and sympathy for the soldiers of the country will be akin to that which moved the great heart of Washington.

The Democratic party is not in harmony in regard to the disposition of the surplus. In this House we are considering a bill that proposes to reduce the surplus; but in Indiana the late Democratic State convention, which nominated the chairman of the Invalid Pension Committee as its candidate for governor, has declared not only in favor of liberal legislation on the pension question, but in favor of a service-pension law. The platform reads as follows:

> The Democratic party is the faithful friend of the soldiers, their widows and orphans, and in appreciation of the heroic and unselfish services of the Union soldiers and sailors, we declare in favor of liberal legislation in their behalf, including an enactment by Congress of a just and equitable service-pension law as a recognition of patriotism and a reward for honorable services rendered the Government.

I would like to inquire whether the other side of this House is in favor of a service pension, and if so whether all the surplus in the Treasury will not be needed for this purpose, and for the further purpose of equalizing bounties, paying arrears, paying prisoners of war, for paying the soldiers the difference between greenbacks and gold, and for such other liberal legislation as is comtemplated in this Indiana Democratic platform? I would like to know how many on the other side of this House propose to stand by this newly fledged Democratic idea? I will answer. This platform is only meant to catch votes. Gabriel will blow his horn before the Democratic party will ever favor such legislation. It is the same scheme that was perpetrated in Ohio in 1883, when the Democratic party promised in its platform to restore the duty on wool. This pledge was a success in Ohio. The Democratic party carried the State, elected the governor, the Legislature, and a United States Senator, but the duty on wool was never restored. I think the soldiers of Indiana will scarcely be caught in so flimsy a net as a Democratic resolution.

This is not the first time, Mr. Chairman, that President Cleveland

waked the echoes of the nation's danger by sounding an alarm. On the 24th day of February, 1885, eight days before his inauguration, he wrote a letter, addressed to a member of the House of Representatives, calling upon Congress to repeal the silver-coinage law, which required $2,000,000 of silver to be coined each month. He announced the startling fact that gold and silver were about to part company; that the time of this separation was perilously near; that gold was about to be displaced by the excessive coinage of silver.

He depicted financial ruin, the disappearance of gold as a circulating medium, and all the horrors of an unprecedented contraction, which he said would follow the use of the so-called silver dollar in case the coinage of silver was not immediately stopped. The law was not repealed, gold did not disappear, but has grown more plentiful from that time to this, and the fearful contraction he foresaw never came. His Democratic brethren paid no attention to that alarm, and some of them will pay no attention to this.

THE BALANCE OF TRADE.

Mr. Chairman, I would like to ask the President a question. I would like to ask him this question: If the accumulation and retention of $60,000,000 in the United States Treasury is a menace to trade and commerce, and liable at any moment to bring upon the country financial ruin, what effect would an annual drain of $50,000,000 or $60,000,000 have upon the country if the balance of trade were that much against us, as it most certainly will be if this bill should become a law? Or, in other words, is a surplus of this amount locked up in the United States Treasury any more completely withdrawn from the pockets of the people than it would be locked up in the treasuries of Europe? Not a particle. If it was a good thing for the President to sound the alarm of the nation's danger when this surplus was sleeping quietly in the vaults of the Treasury, how much more important is it just now for him to arouse the nation and call the attention of the country to the fact that a bill is now under consideration in the American Congress that threatens to so increase our imports that $50,000,000 or $60,000,000 a year will be permanently withdrawn from the United States. And should this bill pass, this annual drain of $50,000,000 or $60,000,000 will go on from year to year until the nation is stranded, as it was before the war, when all of the gold that we had dug from the mines of California was carried across the seas to pay for foreign goods, and we were left without money and without credit.

Then there is another fact to be considered. The excess of our imports over our exports, which must necessarily be paid in gold, will destroy the equilibrium between gold and silver, enhance the value of gold, withdraw it from circulation, and cause a contraction of the currency of the country, which can only result in panic and distress. Here is a danger a hundred-fold more imminent and more to be dreaded than the existence of a surplus twice as large as the one now complained of. To send money out of the country to buy anything we can produce at home just as well as it can be produced abroad is a national calamity. It is just so much money thrown away. Money is more than wealth or property. It is the circulating medium of the country. It is the measure of values and means of exchange. Before we had a high protective tariff we were constantly buying more than we sold, and the consequence was that other countries were enriched at our expense.

Since we have had a high protective tariff the order has been reversed; we have sold more than we bought, and the consequence is that gold and silver have flowed into our country, and we now have more gold and silver than any other country in the world. And this money that we absorb from other countries increases our capital, and is invested and reinvested, first in one enterprise and then in another, and the wealth and prosperity of the country will increase as long as this influx of money continues.

If the balance of trade should be against us, as it would be under this bill, long enough to reduce our stock of gold in the United States $200,000,000, the value of the property in the United States would shrink at least 25 to 50 per cent. This would be an inevitable result.

No one will dispute that the volume of our money is the measure of our values; and when a great shrinkage comes, as came in 1857 from this same cause, and in 1873, when we were passing from inflation to resumption, the destruction of values and the bankruptcy of individuals must follow. Gentlemen on the other side talk a great deal about mortgages, as though they indicated the near approach of poverty and bankruptcy. This is not true. In times of prosperity they are the best security in the country, and these loans are alike beneficial to the mortgagor and the mortgagee. But when our tariff duties are reduced, and our imports exceed our exports, and our money goes abroad for foreign goods, and our volume of money becomes too small to do the business of the country, then it is that a mortgage ruins a mortgagor, because the mortgaged property is so reduced in value by the inevitable shrinkage that always follows this condition of trade that it will only sell at one-half its former value. A farm worth $10,000 when our exports exceed our imports may only sell for $5,000 when the current of trade is turned against us. This is what tariff tinkering does for poor men and for men who are in debt. How many thousands of men have passed through this same experience? Hence it is that we pay too much for the whistle we buy abroad, no matter how low the price.

If any one has any doubt about the reduction of tariff duties increasing our imports, and carrying just this much more money out of the country, let him look at the past. Since the war we have placed on the free-list imports which had paid in duties to the Government $23,000,000 annually, and we reduced the duties on other articles $55,000,000, and to-day the revenue from duties on imports is greater than at the close of the war, for the simple reason that a reduction of duties increases imports, and consequently increases the revenue. This is a result that can not be avoided, and it is the rock upon which every free-trade ship has been wrecked. And this is just as true of a family as it is of a nation. If a family buys more than it sells it will come to bankruptcy as certainly as the sun shines, and it is only a matter of time when this will occur—and after all a nation is only a great big family. If there is a sincere desire to reduce the revenue there are but two ways to do it; one way is to increase the free-list and the other is to increase the tariff. I favor the latter method.

CONFISCATION MEASURE.

Mr. Chairman, the Mills bill ought to be styled a confiscation act. That is what it will accomplish. Manufacturing establishments that cost hundreds of millions of dollars will be worthless if this bill becomes a law. Establishments that gave employment to labor and added greatly to the wealth and prosperity of the country will no longer have any value. This is the reciprocity which the South returns for the magnanimity of the North at the close of the war. Confiscation then was regarded as barbarous and cruel; now it is statesmanship and wisdom. That confiscation applied to the South; this applies to the North. The men who led the armies of the rebellion are now in the councils of the nation, and, instead of appreciating the magnanimity that restored to them their property and their citizenship, they now conspire to confiscate the private property of the manufacturers of the country. The South hated New England because it gave birth to abolitionism. Does it hate the manufacturers of the North because they made the suppression of the rebellion possible?

But it will be discovered that the confiscation of property will not be confined to the North alone. I have a copy of a letter addressed to the chairman of the Ways and Means Committee from the Crystal Plate Glass Works at St. Louis, Mo. The stockholders of this company declare that they invested their money in this business upon the faith they had that the Government would not reduce the existing tariff on plate-glass. Under this belief they have invested $1,500,000 of capital, and at their works 30 miles below St. Louis, Crystal City has grown up, and is the home of their operatives. The stockholders, who are residents of Missouri, Ohio, Michigan, New York, and Connecticut, declare that if the reduction of the duty proposed in this bill is made they will be compelled to close their factory.

Although there are but four establishments in the United States manufacturing plate-glass, the price has been reduced one-half, and on some kinds fully two-thirds; and instead of a duty of $1 per square foot increasing the price this much, as the President suggests, it has resulted in reducing the price of plate-glass fully $1 per foot, and this has been the result in almost every instance where an American industry has been established.

These plate-glass factories which this bill is intended to destroy disburse in this country annually millions of dollars for labor and materials, every dollar of which remains in this country and goes to make a market alike for the farmer and the manufacturers, and prevents the importation of glass from abroad, which would carry many millions of dollars out of the country. What is this bill, then, but a measure of confiscation? The manufacturers of this country invested their money in these great enterprises, relying upon the integrity and good faith of the Government. Shall they be betrayed? Shall their property be destroyed?

ELEVATION OF THE MASSES.

Some gentlemen seem to think that the benefits of a protective tariff will cease when all countries adopt the same system. Great Britain is now almost the only free-trade country in the world, and yet she raises by a revenue tariff about $100,000,000 a year. Instead of this being a reason why we should abandon our protective system, it is a reason why we should preserve it. A high protective tariff accompanied with wise and just laws is a method by which a government can elevate its citizens to a higher plane of civilization. The United States is doing this now, but we can not lift the whole world up. We make laws for our own country, but we can not make laws for other countries. Charity begins at home, and our first duty is to protect American labor, increase its compensation as much as possible, protect the American market, patronize American manufactures, and keep at home American money.

Not only this, but a protective tariff is an element of national strength. The thrones and crowns of Europe are now facing the problem of taxation and debt as they never did before. The United States is the only government in the world that is reducing its national debt and its aggregate taxation. In ten years we reduced our aggregate taxation about 10 per cent. In the same period Europe increased her taxation over 25 per cent. In the same time France, Germany, Great Britain, and Russia increased their taxation an average of nearly 40 per cent.

In addition to increasing taxation, every country in Europe has been increasing its national debt, while under our protective system we are reducing our aggregate taxation, paying off our national debt, and have nothing to complain of but a surplus. But instead of guarding the welfare of the American Republic and watching the interests of the American people, we find this House engaged in an attempt to unfurl the British flag and open the American market to British free trade, and only about an hour ago it was charged on the floor of this House that Speaker CARLISLE is a member of the Cobden Club, and no Democrat dared deny it.

TIN-PLATES AND IRON ROOFING.

Mr. Chairman, if a duty of 2½ cents per pound were placed upon tin-plates, as was intended to be done by Congress a few years ago, sixty-six tin-plate works would be built in the United States and fifty thousand workmen would be at once employed in the manufacture of tin-plates in our own country. At present every tin pan, every tin bucket, and every tin kettle now used in the United States is made from tin-plates manufactured in Great Britain. If we were to have a war with England to settle the fishery dispute, or some other vexed question, we would have to go without tin buckets and tin pans until we could build our own works and manufacture our own tin-plates. Is it not a little humiliating that we must depend upon England for every sheet of tin-plate used in this country?

Since the first effort was made to protect this industry by adequate protection we have paid Great Britain $225,000,000 for tin-plates alone, which gave $180,000,000 of wages to English workmen. And we are to-day supporting in Great Britain, beneath the folds of the British flag, sixty-six tin-plate works and fifty thousand English workmen who devote their whole time in making tin-plates for American consumption. We import and consume the entire product of these sixty-six mills, which employ fifty thousand workmen. We purchase and import annually 70 per cent. of all the tin-plates made in England and Wales. Is this a wise policy? Is it right to send $20,000,000 annually to England for tin-plates which we can make in this country as well as they can be made any place in the world, provided the American manufacturer is protected against the cheaper labor of Europe?

The ad valorem duty on pig-iron is 43 per cent., on scrap-iron is 56 per cent., on galvanized iron 60 per cent., and on common sheet-iron 75 per cent., while the duty on tin-plates, the highest grade of any of these articles, is only 22 per cent.; and now the Mills tariff bill proposes to place tin-plates on the free-list and disappoint the last hope of saving this great industry to American workmen.

From 1873 to 1878 we erected in Ohio and Pennsylvania, at great cost, several tin-plate works and made as good tin-plate as ever came from any country; but these mills were crushed by the English manufacturers, who reduced the price of tin-plates from $14 to $5 per box, and the fires had scarcely gone out of the crippled tin-plate works in Ohio and Pennsylvania until the English importer put up the price of tin-plates to his own liking. This, Mr. Chairman, is free trade in tin-plates. It admits the product of cheap European labor into our markets at a low price until it destroys competition, and then the foreigner has a monopoly of the markets and gets his own price, and the money which rightfully belongs to the American manufacturer and to the American laborer goes to the European aristocrats who live on the blood of the hungry whose toil they steal and the tears of the down-trodden whose homes they blight.

The destruction of this great industry which would give employment to fifty thousand of our own people and support to nearly half a million more is not all that is embraced in this proposition to place tin-plates upon the free-list. It is intended by this reduction of duty on tin-plates to destroy the manufacture of sheet-iron and sheet-steel. There is couched in the Mills bill a secret stab at the manufacturers of sheet-iron and sheet-steel which does not appear on the surface. These products are apparently protected, while tin-plates, which are sheet-iron and sheet-steel coated with a thin film of tin, are placed on the free-list. There are now about 150,000 tons of sheet-iron made in the United States, while there are annually imported 280,000 tons of sheet-iron in the shape of tin-plates and terne-plates, which are sheet-iron covered with tin or a mixture of tin and lead. About one-third of the sheet-iron made in the United States is used for roofing and siding purposes, for which tin-plates can be substituted. What good will it do the manufacturer of sheet-iron or sheet-steel to have the highest protection on these products when tin-plates and terne-plates, which are composed of from 95 to 98 per cent. iron or steel and from 2 to 5 per cent. tin and lead, come in free? It seems to be the policy of this bill to slay not only the first-born of every American industry, but to take the life of the inmates of homes where the lintels and door-posts have been marked with the insignia of protection.

In Russia sheet-iron is used almost exclusively for roofing. The government buildings are all covered with iron roofing, and they are so made and so put on that they constitute the best roof in use, in the opinion of the Russian people and the Russian Government. The use of sheet-iron for roofing in this country is yet in its infancy, and yet there are many millions of dollars invested in it, and it already consumes and creates a demand for about one-third of the sheet-iron made in the sheet-iron mills of the country, an amount equal to the entire production of fifteen sheet-iron mills; and as timber and slate shall become more and more expensive this industry will demand a still greater product. But if tin-plates, which are 95 per cent. sheet-iron, are to come in free the effect will be not only to diminish the product of sheet-iron mills fully one-third, but it will destroy the sheet-iron and sheet-steel roofing business entirely.

This, Mr. Chairman, is what free tin-plates mean to the men engaged in iron and steel roofing, to the men engaged in the manufacture of sheet-iron and sheet-steel, and to the fifty thousand men who desire to make tin-plates on American soil and under the American flag. And the only reason why these industries are at the peril of foreign competition is that the foreign tin-plate workers are only paid about one-half the prices paid by the makers of tin-plates in this country. Is the aid of this great Government to be invoked to destroy these industries, or shall they have some sort of adequate protection?

FARMERS AND FARMING.

There is one branch of the tariff that I understand so thoroughly that it is not a matter of argument, but a matter of personal knowledge. I refer to the effect of a protective tariff upon a farming community. I was born on a farm in the Congressional district which I have the honor to represent, and I know by experience what farm life is and what the needs of the farmer are, and having lived all my life in this district, I have seen the difference between a revenue tariff and a protective tariff in its effect upon the farmers of my district. I have seen the hardships, the privations, the rigid economies, the poverty, the bankruptcy, and the distress which existed under a Democratic revenue tariff, and I have seen the marvelous growth and prosperity which was developed by our system of protection.

Under the revenue tariffs of the Democratic party the farmers sold their wheat at 37½ cents a bushel, their corn at 15 or 20 cents, their horses at $50 or $60 per head, their cows at $10 or $12, and their eggs at 4 cents a dozen. Turnips, potatoes, apples, peaches, and pears rotted in the field for want of a market, and I have seen the time when there was absolutely no market for anything. Laboring men worked for 37½ cents per day, except in harvest, when they got 50 cents, and there was no eight-hour law then; a day's work was measured by the sun. There was only one skilled mechanic recognized in that day, and he was the cradler who cradled the wheat and oats and rye, and he got a dollar per day; but the man who cut with the scythe or sickle or thrashed with the flail only got 50 cents and worked from sun to sun. The great struggle with the farmer at that time was to get money enough to pay his taxes. If he could do this he was content to get along the best he could in supplying his other wants. His store bill, if he had any, was paid in grain, or pork, or beef, or some other product of the farm, and the laborer was paid with an order to the store. And while everything that he sold was cheap everything he bought was dear. Cotton cloth, calico, salt, nails, iron, steel, edged tools, etc., were a great deal higher than now.

The farms were as good as any I have ever seen in any State of this Union, and yet the farmers at that time raised their own wool, spun their own yarn, wove their own cloth, and made their own clothing. More boys went barefooted than wore shoes, more men went without overcoats in mid-winter than went with them, more people walked to church than rode in carriages; there were then more flannel dresses than silk, more sun-bonnets than velvet, more bare floors than carpeted, more walls without paper and pictures than with them, and a hundred-fold more hard work than leisure. Under the protective system, which this bill seeks to destroy, our farming community has grown and prospered. The homes of the farmers and the homes of the laborers are full of comforts and luxuries. Farms have increased in value, good markets and good prices have come to the farmer's door, and he now gets more for his small fruits and vegetables than he then got for all the products of the farm and field.

The district I now represent earns more, buys more, and consumes more than half of the State of Ohio did under a revenue tariff, and I believe has more money. The day laborers have more money in their pockets, see more, handle more, and use more than the wealthiest farmers did then. This is what protection does for the farmer, and the half is not told. And yet these free-traders who learn their wisdom from the Cobden Club, or from the British free-trade press that so warmly greeted the President's message, tell us that protection is robbing the farmer. The chairman of the Ways and Means Committee may talk in that way to the beardless stripling who knows no better, but he need not repeat that stale story to the gray-headed farmers of my district, whether they be Democrats or Republicans.

WOOL AND WOOLENS.

In the Forty-eighth Congress I made a speech on the tariff in which I said so much about wool, and so little about anything else, that my friends called my speech a "wool speech." At that time I was almost the only one that discussed the wool question at any length, but in this Congress no speech is considered complete without an elaborate discussion of this question. My constituents are largely engaged in wool-growing and are deeply interested in the protection of this industry. I have presented to this House memorials and resolutions from wool-growing associations, hundreds of petitions, signed by thousands of wool-growers and farmers, asking for the restoration of the duty of 1867, and for the modifications of the tariff laws agreed upon here in Washington,

in January last, by the wool-growers and the woolen manufacturers; and I have been careful to have the body of these petitions and memorials printed in the RECORD, and I will say in addition, that these petitions and memorials represent the universal demand of the wool-growers and farmers of my district without reference to party or politics.

Mr. Chairman, I do not hesitate to say that the wool-growers and many of the wool manufacturers would feel very little interest in this bill if they thought its defeat would not be followed by certain other legislation which they have been heretofore demanding. These industries are already prostrate, and are almost beyond the reach of further injury. There is not a single woolen mill in the country that uses Ohio wool, or any good American wool of any kind, that has made a dollar this last year, unless it be some mill that is making some novelty or specialty, and most of these mills have lost money. Since the reduction of the duty in 1883 the number of sheep in this country has been reduced from 51,000,000 to 44,000,000; the annual wool product from 320,000,000 pounds to 260,000,000, and this reduction has extended to every State in the Union.

In 1882, the year before the duty was reduced, the amount of wool imported was 64,000,000 pounds; last year it amounted to 114,000,000 pounds.

The importations of woolen yarns during the year ending June 30, 1883, before the reduction took effect, amounted in value to $433,000; in 1886 they amounted to $2,283,000. Importations of worsted goods in 1883 amounted to $963,000; in 1886 to $5,295,000. The duties on these two items alone from 1883 to 1886 increased the surplus $6,568,000. The United States in 1860 only consumed 86,000,000 pounds of wool; in 1886 it consumed 400,000,000 pounds, a development largely attributable to the growth of the American wool industry, an industry which is as much an American industry as any other on the continent, and yet to-day it lies mangled and bleeding for want of necessary legislation. Mr. Washington Belt, in his little pamphlet on wool, states that the loss which wool-growers would incur if wool were placed on the free-list would be as follows:

Shrinkage in the value of—	
Lands	$280,000,000
Labor	25,000,000
Flocks	25,000,000
Wools	25,000,000
Total loss to the wool industry	355,000,000

And all this loss is to be inflicted upon the wool-growers to keep $6,000,000 out of the Treasury and to give manufacturers their raw material $25,000,000 cheaper; and it is now a question whether the wool-growers shall lose $355,000,000 or whether the manufacturers shall annually pay $25,000,000 more for their wool. Suppose manufacturers could save this sum by buying cheaper wool, who would be benefited? The manufacturers themselves declare against such a proposition. The signatures of 360 of the leading New England and Eastern manufacturers lie before me protesting against free raw materials. And I propose to quote from two of the most reliable New England manufacturers in proof of the fact that the woolen manufacturers are not asking for free raw material, but are protesting against it.

I will read an extract from some remarks made by Mr. Joseph P. Truitt, one of the best informed and one of the most conscientious manufacturers in New England:

I am opposed to that provision of the Mills tariff bill which admits wool free of duty, for the reason that free wool would be of no lasting benefit to the American manufacturer. It is stated as one of the principal reasons why this policy should be adopted that the manufacturer would obtain his wool so much cheaper.

If it is true that the abolition of wool duties would result in the cheapening of that article to the extent of the duty now paid, there is abundant reason for opposing it, for every pound of wool and every yard of goods now in the hands of dealers, merchants, and manufacturers would decline in value to a corresponding extent; and, as every sheep in the land must share in the depreciation, the immediate loss would be so great as to be almost incalculable. Every mill in the country would be compelled to stop: thousands of operatives now happily employed would be thrown upon the streets, and millions of yards of goods would be placed in the auction rooms for sale at prices that could only entail a fearful loss to the manufacturers; and while in this weakened condition the tide of foreign importation would come rushing in like some vast tidal wave, stifling and burying out of sight the industries of America, and years might elapse before they again recovered from the evil effects of this ill-advised measure.

Free raw material is the pioneer of free goods, for we can not expect that the wool-grower will consent to a policy of protection which embraces everything he buys and excludes every article which he produces and wants to sell.

The success of woolen manufacturing in this country is founded upon sheep husbandry at home, and the wool-grower is just as much entitled to protection upon the wool in which he invests his capital and which he exerts his skill to produce as the manufacturer who asks for a tariff in order that he may put it into goods; and I conceive that it is not only fair and honest, but that the very success of our business depends upon the support we give to the wool-grower. To admit wool free of duty means nothing more or less than the destruction of sheep-raising for wool in America.

We have seen the clip of this country grow under a protective tariff from 160,000,000 pounds in 1866 to about 320,000,000 in 1883, and we have also seen it decline under a badly constructed tariff to 265,000,000 at the present time. If it decreased at such a rapid rate when only a slight reduction was made, at what a frightful speed will it disappear when all protection is removed. Already the sheep are being killed off; wools costing 30 cents to raise are being sold at from 22 to 26 cents; the wool-grower is alarmed, and shows that he feels his loss by retiring from the business.

Without going into figures to show how certainly the clip is shrinking I will state that I am opposed to free wool for the reason, above all others, that it would inevitably destroy wool-growing in America, thus leaving us entirely dependent upon foreign markets for our supply. This would be no benefit to us, for instead of obtaining our wool cheaper than we do now we would have to pay more. At present we have our home clip to fall back on when we can not buy wool abroad, but then we would have but one market in which to buy and we would be compelled to compete with European buyers, who have many advantages over us. At present we only have to buy about 20,000,000 to 30,000,000 pounds of clothing and combing wool abroad, and then we would have to buy over 300,000,000 pounds, provided our mills were able to run at all. This does not include carpet wools.

If the price of wool in London is now 14 pence, it would unquestionably advance upon the appearance of American buyers for 300,000,000 pounds of wool. How much that advance would be no one can say, but it is generally believed it would be so great as to deprive us of all advantage that free wool might be supposed to bestow.

The only sheep that our farmers would probably be obliged to keep would be those known as mutton sheep, which grow medium and low-grade wools. Merino sheep would disappear entirely, so that all fine wools for delaines, fine worsted coatings, and knit-goods would have to be brought from abroad. So long as plenty of wool grows in Australia and South America this would be all right, but when some calamity happened reducing the clip, and wool consequently advanced, we would long for the wool clip of America which was so ruthlessly destroyed by this bill which is before us.

I believe, then, that all the promises of relief based upon free wool in this bill are a fraud and unreliable. It is not true that we would obtain our wool cheaper. It is true that we would lose our home wools. It would not give the citizen a suit of clothes one dollar cheaper, and it would reduce his wages more than by any means he could hope to gain. It would result in free-manufactured goods, for the farmer would never rest, if you made wool free, until he made goods free. I believe in the old motto, "United we stand, divided we fall." The wool-grower and manufacturer together can stand against all the assaults of politicians, and I am therefore in favor of protection from the lamb in the field to the clothes on our backs; and I desire now to enter my emphatic disapproval of free wool.

I desire also to read an extract from a statement made to the Boston Herald by Mr. James Phillips, a well-known and trustworthy manufacturer of Fitchburg, Mass. He says:

It has been clearly demonstrated by those who have studied the subject historically and statistically in all its details, that without protection the wool-growing industry of the United States will be destroyed; that under normal conditions a sufficiently high protective tariff will make the industry remunerative and prosperous; and that when under a protective tariff the prices of wool have been so low as to make wool-growing unremunerative, it has resulted not from the tariff, but from abnormal conditions, and but for the tariff the decline of the industry would have been much greater.

It is hardly possible to present the facts which point unmistakably to these conclusions in the present discussion, but in a general way it may be stated that precisely the same reason which makes it impossible for the woolen manufacturer in the United States to compete with woolen manufacturers in foreign countries, namely, the difference in cost of labor, enters into the problem of wool-growing. In other words, the cost of labor engaged in wool-growing in South America, in Australia, in Russia, and in other countries is much less than in the United States. Then, the cost of pasturage in those countries is less than in our own, to say nothing of climatic differences which make it necessary for us to feed and care for our sheep during the cold winter months. All these facts have been brought out in an unmistakable way by the

WOOL-GROWERS OF THE COUNTRY.

They have made as good a case in favor of protection as can possibly be made by any other industry. There can be no doubt of this. If this is admitted, and even free-traders must admit it, then I claim that it is impossible for any man who considers himself a protectionist, let alone any manufacturer who asks for protection for his goods, to discount his own arguments by denying the statistical evidence presented by the wool-growers of the United States. The history of the development of wool-growing in the United States is the same as that of any other protected industry. Its growth began when a tariff was enacted that enabled the American producer to compete with his foreign rival; that encouraged him to go ahead and improve the breed and quality of his sheep and increase the weight of its fleece. Like the other industries, the wool industry reduced when the protective barrier was lowered, and increased and developed rapidly when the tariff of 1867 secured for the American wool-grower the American market, until, in 1883, our flocks, stimulated by the tariff, reached over 50,000,000 sheep, and the product of the wool, in pounds, was 308,000,000.

Then came the fatal reduction in 1883, together with the importation abuses in the form of "ring waste" and "noils," and from that time to the present the number of sheep has declined, the wool product has decreased, and our native product has been supplanted by the foreign. These are simple facts which must be faced, and the point I wish to emphasize is, that these facts can not be construed one way for wool-growers and another way for wool manufacturers. As we now stand our annual consumption of foreign wool aggregates about 100,000,000 pounds. Of this, however, probably 80,000,000 pounds are carpet wools, largely of a kind not raised here. Our own product, which under adequate protection should be about 300,000,000 pounds, with about 20,000,000 pounds of imported wools of similar quality, supplies what we need at the present time for home manufactures of clothing and for other purposes.

Practically, therefore, our home supply of wool is nearly equal to the home demand for clothing purposes, and with adequate protection will undoubtedly continue to be so, and soon fully supply this demand. The value of the wool product is about $100,000,000 per annum, depending on the market prices. Wool is the sixth in order of value among the agricultural products, being exceeded only by corn, hay, wheat, cotton, and oats. Only one country in the world, Australia, excels us in the quantity of wool produced.

We who live in manufacturing States, which only produce 1,250,000 sheep, are apt to underestimate the importance and the ramifications of this great industry throughout the agricultural regions of the country. One hundred millions annually. What does that mean to the farmers of the United States? Well, suppose that by the passage of this free-trade bill this industry is seriously injured or destroyed, what will be the consequence to the farmer? Anything which impairs the prosperity of a country is damaging to the interests of that country, and

YOU CAN NOT INJURE A PART

of a country without the effects being felt in other parts, any more than you can develop and make prosperous a part of a country without that development and prosperity benefiting the country as a whole. The wool product, as I have shown, is one of the most important, and it furnishes to its producers the means for purchasing our manufactured articles.

Were this industry destroyed it would deprive them of the purchasing power, and the loss of this home market would depress the value of woolen products far in the excess of any advantage that would be gained by giving the manufacturer his wool at a lower price. The immediate effect of admitting wool free would undoubtedly be to depress its value, but as soon as this effect had been accomplished, and the wool industry of this country paralyzed or exterminated, the secondary effect would be a material advance in price, growing out of the absence of competition among American wool producers and the increase of the American demand for foreign wool. This effect would be felt for many years, and until the growth and production in barbarous countries had increased in proportion to the increase in the American demand. The final result would be that in place of an industry furnishing now $100,000,000 annually to our people

in cash, with which to purchase commodities manufactured at home, the growth and development of the wool industry in barbarous countries all over the world would have been encouraged to such an extent that it would be almost impossible ever again to develop the industry in this country except by the re-enactment and permanent establishment of a high protective tariff. Even then it would take a long series of years to bring the wool production of this country up to its present proportions.

Referring to the distribution of this industry, it is perhaps necessary to call attention to the fact that no one agricultural product is so widely and uniformly distributed as that of wool-growing. In 1886 New England produced about 1,250,000 sheep; the Middle States, 3,000,000 sheep; the Southern States, 11,000,000; the Western States, 15,000,000; the Pacific Coast, 10,000,000, and the Territories, 7,500,000; total, 47,750,000. The importance of the wool-growing industry and its advantages to the farmers of our whole country are apparent from the above figures. Nearly all the products of the small farmer, by far the most numerous class, are consumed by the farmers themselves and their families. They can not eat or wear the wool they raise, so they sell it, and it forms, among the majority of farmers, their principal cash resource for the purchase of clothing and all other manufactured articles.

I have quoted at length from these two gentlemen for the reason that they are experienced manufacturers and have a personal knowledge of the wool industry.

Mr. Chairman, the reduction of the duty on wool and woolens in 1883, a measure I voted against, and a measure which is now deplored by all protectionists, is not the only cause of the prostration of these industries. The shameless interpretations and constructions of the Treasury Department have reduced the price of wool more than the reduction of the duty itself. One great wrong was inflicted upon this industry in the refusal of the Treasury officials to hold that worsted goods are woolen goods. They are made entirely of wool, and are as much woolen goods as cloth made of cotton is cotton cloth. And this distinction between woolen and worsted goods let in millions of dollars' worth of so-called worsted goods at a reduced duty, and to this extent destroyed the demand for good wool. Another Treasury decision let in lap waste, a sample of which I have before me, at 10 cents per pound when the duty should be 30 cents, as it is the very highest grade of wool and thoroughly scoured. I received this sample from Justice, Bateman & Co., wool merchants of Philadelphia, Pa., and I shall read their letter in regard to it:

PHILADELPHIA, *April* 28, 1888.

DEAR SIR: We send you a sample received this day from Liverpool, marked No. 1, which is lap waste such as by the recent decision comes in at 10 cents per pound duty, instead of 30 cents. This wool is selling in England at 50 cents free on board, duty 10 cents per pound, while the wool from which it is made costs 11½ pence, or 23 cents in the grease. The shrinkage is 51 per cent., and the scoured cost 47 cents, so you see that waste is 3 cents per pound higher than scoured wool in Liverpool. This is made up of broken pieces of top. The Mills bill admits top free, therefore this article will be free, and as 90 per cent. of Ohio wool is used for worsted purposes and the first process is to make it into top, under the Mills bill tops being free, they will be made in Europe. Therefore what is to become of the 90 per cent. of Ohio wool which at present enters into the manufacture of such tops as are made in the United States?

Very truly yours,

JUSTICE, BATEMAN & CO.

Hon. JOS. D. TAYLOR,
Washington, D. C.

Here is another sample, called tops, which ought to be classified as a manufacture of wool, as it is thoroughly scoured and partly manufactured, and yet it is only charged a duty of 10 cents per pound, whereas scoured wool, under the law, pays 30 cents per pound, and there was as much of this brought in last year as the whole wool crop of Pennsylvania.

The importation of this lap waste and tops at 10 cents per pound has the same result as letting in fleece wool at 3½ cents per pound, as it takes 3 pounds of unwashed wool to make 1 pound of this, and even more, as this is the very best of the wool. Messrs. Justice, Bateman & Co. say in another letter that—

Ninety per cent. of the wool of Ohio enters into tops, and if the tops are to be made abroad, as they will be if on the free-list, it will be a very much more serious blow to Ohio wool-growers than the friends of the Mills bill ever contemplated.

The cause of low prices and dull sales in the wool market is found partly in the crippled condition of woolen manufacturies, partly in the discriminations against home productions, partly in the injustice of the law of 1883, which reduced the duty on woolen goods as well as on wool, partly in the use, by means of improved machinery, of carpet wools for clothing, but none of these, nor all of them put together are doing as much harm to the wool grower as the unfriendly and unjust rulings of the Treasury Department to which I have just called your attention.

Mr. Chairman, I have received a good many newspaper articles in relation to the magnanimity of the Texas people, which the chairman of the Ways and Means Committee professes to represent. It is said that Texas has more sheep than New York and New England both, and yet it is said that Texas is in favor of free wool. I have clipped from the New York Sun, a Democratic newspaper, the following article, containing resolutions adopted by the Cattlemen's Association of Western Texas, which I shall read:

MILLS ATTACKED AT HOME—THE RESOLUTIONS OF THE CATTLEMEN'S ASSOCIATION OF WESTERN TEXAS.

The spirited resolutions adopted by the Cattlemen's Association of Central Texas, at their convention at Waco, had better be kept from Hon. ROGER Q. MILLS for the present, unless the health of the statesman's nervous system has been pretty well re-established.

The preamble of the resolutions adopted by Mr. MILLS's constituents holds him responsible for a tariff measure which retains the duty on fencing wire while removing the duty from the flocks the fences inclose; which puts hides on the free-list, while retaining the duty on manufactured leather; which does not materially interfere with the duty on woolen goods, but wipes out the tariff on raw wool; and which, in short, would destroy the cattle and wool raisers' interests. The resolutions then go on to declare that Mr. MILLS "does not represent the Ninth district nor the State of Texas in his position, and that his course tends to destroy the material industries of his constituency." We quote further from the text of the resolutions adopted by Mr. MILLS's wool-raising constituents:

We deprecate the course of Mr. MILLS, and put ourselves on record in hearty condemnation of his conduct and his bill.

We consider his action in rendering protection to the powerful and pampered industries of the East and North, and withholding it from the struggling industries of his own constituency, undemocratic, unpatriotic, and unrepresentative.

We condemn the Providence speech of Mr. MILLS, wherein he guarantied protection to the Rhode Island people and agreed to rob the Texas people.

Forsaken by our Representative, we urge upon our Senators and Representatives in Congress to work against the Mills bill, and we call upon all good men from other States to protect Texas, if her own Representatives fail to do so.

Protection on raw wool is purely a protection to the producer, the farmer, as well as the sheep man, and should be maintained; and, finally,

If Mr. MILLS persists in and urges the proposed removal of the duty on wool and hides, it is the sense of this, a representative body of his constituency, that he abdicate his seat, and hereafter we will withhold our support at the ballot-box and elsewhere.

I have in my hand a circular of Justice, Bateman & Co. giving the present prices of wools and the prices at which the same wool will sell if placed on the free-list. I will only give the prices of four classes of unwashed and four classes of washed clothing wool.

Classes.	Average market price in Philadelphia, May, 1888, under tariff act of 1883.	Free wool prices for American fleeces on basis of scoured value of competing grades in London, May, 1888.
Unwashed clothing:		
Fine unmerchantable, XX and above, Ohio	32	13
Fine unmerchantable, X and above, Michigan	21	12
Fine unwashed clothing, XX and above, choice	20	13
Fine unwashed, X and above, average	19	12
Washed clothing:		
Ohio and Pennsylvania XX and above, choice	30	18
Ohio and Pennsylvania XX and above, average	29	17
Ohio and Pennsylvania X	29	17
Ohio and Pennsylvania medium, three-eighths to one-half blood	36	27

There is another cause for the depreciation of wool which I have discovered, and I do not think that the wool-growers have any appreciation of the extent of it. I refer to the use of carpet wools in the manufacture of clothing. Washed carpet wools which only pay 3 cents per pound duty can be used in the manufacture of many kinds of clothing, and clothing, too, that comes into competition with the products of woolen mills that use high-priced wool. I refer to this simply in proof of existing wrongs.

But, Mr. Chairman, I want to call the attention of the House to a discrepancy in the Democratic party. In Ohio the Democratic press is in favor of the Mills bill because they say that it will increase the price of wool to place it on the free-list, and in proof of this they refer to the depressed prices of wool after the passage of the law of 1867, while the Ways and Means Committee and the President's message declare that the object of placing wool on the free list is to enable the manufacturer to obtain cheap wool.

The answer to this is found in the fact that the prices of wool in London fix the prices of wool all over the world, including the United States. And when the prices of the world fell the prices of wool in the United States fell also, and the prices of wool in the United States would have fallen as low as the price in the markets of the world but for our tariff and the premium on gold. It was because wool declined in London that the American price of wool declined from 70 to 50 cents, and but for the tariff of 1867 and the premium on gold our wool would have gone down from 70 cents currency to 18 cents gold, as it did in London. It was not protection that reduced the price of wool, but the enormous increase of sheep in the Argentine Republic and in Australia, where sheep have increased from 40,000,000 in 1858 to 320,000,000 in 1887; and as this increase of wool progressed the price of wool in the markets of the world declined, the supply of wool rising and the price of wool falling, and in this way the price of wool all over the world, including the United States, was brought down, and but for the tariff and the premium on gold it would have gone still lower.

When wool the same in quality as our XX Ohio washed wool will sell in London at 18 or 20 cents a pound, American money, it is impossible for American wool-growers to compete in the markets of the

world. The Argentine Republic and Australia, where a league of land can be bought for a few hundred dollars, where labor is worth only a few pennies a day, and where sheep live on pasture all the year through, have advantages that we have not, and unless the wool-growers of this country are adequately protected the waste lands which can only be used for feeding sheep will be worthless, the American flocks will be destroyed, a million men will be robbed of their employment, several millions of people will lose their means of support, and $100,000,000 a year will be sent out of the country for wool.

MANUFACTURE OF STARCH.

There is another industry in which the farmers of this country are interested that this bill aims to destroy. I refer to the manufacture of starch, which furnishes to the farmer a market for his corn. The following figures can be depended upon as showing the importance and extent of this industry in the United States at the present time:

Number of corn-starch factories	24
Capital invested	$10,000,000
Daily capacity, bushels of corn	40,000
Annual capacity, bushels of corn	12,480,000
Acres of land required to raise corn, at 26 bushels per acre	480,000
Farmers necessary to raise corn, 3 men per 100 acres	14,400
Annual capacity, pounds of starch	261,920,000
Value of starch produced annually	$12,476,800
Laborers employed in factories	3,500
Amount of wages paid annually	$1,638,500
Average rate of wages per day	$1.50

The present duty on starch is 2 cents per pound, and this bill proposes to reduce the duty to 1 cent per pound, but does not propose to reduce the duty on corn, which is the starch-maker's raw material. Why should the duty on starch be reduced? There is no starch manufacturer in the United States to-day making 5 per cent. on his capital stock, and I know personally that many of them are losing money. The average sales of the manufacturers for the past year will not exceed 4 cents per pound, which is the average export price for the fiscal year ending June 30, 1887, and at this time is about the average cost of production. A bushel of corn will yield 28 pounds of starch, and when the corn costs 56 cents per bushel, the starch in the corn will cost 2 cents per pound. The labor and chemicals employed will cost 1¾ cents per pound. Insurance, transportation, taxes, and a very small profit will consume the other five-eighths of a cent.

If the duty on starch is reduced as proposed it will utterly destroy this industry. Who is complaining of the price of starch? It was never so cheap before in the world. The only object of reducing the duty is to let in potato starch from Germany, where the average wages in starch factories is 60 cents a day, as against $1.50 a day in this country. I hold in my hand a late German paper giving the present price of potato starch at Berlin and Hamburg, the two great centers of Europe for potato starch; and this selling quotation reduced to American money is $1.94 per hundred pounds. Adding freight from Berlin to New York City, 12 cents per hundred, would make the cost of European potato starch laid down in New York or Boston $2.06 per hundred, which is less than the cost of the corn at the present time, without taking into account the cost of manufacturing. Hence it is evident that this reduction of the duty on starch of 1 cent per pound will destroy this industry, increase imports, send our money abroad for starch, and greatly increase the surplus.

THE HOME MARKET.

The discussion of the tariff question resolves itself simply into this inquiry: Shall the alien or foreigner, to whom we are under no legal obligations, who neither fight our battles in time of war nor pay our taxes in time of peace, have access to our markets on the same terms as an American? This is what England wants; this is what the Cobden Club wants; this is what free-traders want.

As well might the Englishman ask to ride on our railways free of fare, or stay at our hotels free of charge. The privilege of selling in the American markets is a franchise of great value, and belongs as a matter of right only to Americans. There is no other such market beneath the circle of the sun. And why? Simply because our laboring people are better paid than the laboring people of any other country in the world. Go to any city or town or village and inquire why the people buy so much and the answer will be, because poor people are well paid. They will tell you that the market is not made good by the few rich men who live in it, but by the masses of poor people who labor for a living.

The chairman of the Committee on Ways and Means declared a great truth in his Texas speech when he stated that we consume more of the products of our own labor than the 200,000,000 people on the continent of Europe. That is true. There is no people in the world that buy as much, or eat as much, or wear as much, or live as well as Americans do, and what men earn is the measure of what they consume, and this is why the American market is the best in the world. The annual products of the farm are estimated at $8,000,000,000 and the manufacturers at $7,000,000,000—an aggregate of $15,000,000,000, and all this is consumed in this country except about 6 per cent.

Why should we surrender to the world a market like this with a prospect of getting others in return? We had better aim to occupy our own market as nearly as we can. There is now imported into this country $45,000,000 worth of woolen goods which we should manufacture at home, and out of our own wool. There is imported into this country annually about $300,000,000 of other articles that ought to be manufactured in this country. And if we could do this and keep this money at home, we would have very little need of a foreign market or of a foreign trade. But they tell us that this is narrow philanthropy; that broad statesmanship embraces the whole world, and not a little Republic like ours. But I remember that about two thousand years ago a free-trade scientist propounded this question, "Is it lawful to give tribute unto Cæsar or not?" The ringing answer has come down through the centuries, "Render unto Cæsar the things that are Cæsar's, and unto God the things that are God's." Two thousand years later we will make the same response; we will be just to all nations and all lands; we will render unto Cæsar the things which are Cæsar's and unto America the things that belong to America.

There is a way, Mr. Chairman, in which our export trade can be increased, and I would like to suggest it to the other side of this House. The way to build up an export trade is to build up a merchant marine, to place American ships on every sea, and to send American seamen into every port, until there will not be a harbor in the civilized world where our flag will not wave or where our wares will not be seen.

TRUSTS AND MONOPOLIES.

There is one thing, Mr. Chairman, that is not at all surprising, and that is that all the changes should be rung upon trusts, pools, combinations, monopolies, and strikes. This has been the stock in trade of the Democratic party so long that it has grown old and musty. The stench of it is offensive, and the sound of it disgusting. A trust may be a good thing or it may be a bad thing, depending altogether on its purpose, but neither trusts nor pools nor combinations nor strikes have been fostered by protection. They have afflicted free-trade England just as much as they have America. And experience has shown us that where a trust or combination is not destroyed by its own weight it is cured by competition, and if legislation is necessary to check any unjust combination I am ready to grant it.

But what has the tariff to do with trusts or strikes or monopolies? Did the tariff have anything to do with the whisky trust or the Standard Oil trust or with the cotton-seed oil trust? Not a particle. It certainly had nothing to do with the coffee trust, for coffee was on the free-list, and if the tariff has had anything to do with the sugar trust why does not this bill place sugar on the free-list, where it ought to be? The idea of a manufacturing establishment which every town and village in this broad land will welcome as a Godsend, with offers of land and money and exemption from taxes, being a monopoly when the business is open to every man alike, is too absurd for consideration. The man who has a patent-right has a monopoly of his invention for seventeen years. The man who has written a book has a monopoly of his copyright, but no manufacturing establishment is a monopoly. The business is open to all. The tendency of protection is right the other way.

The multiplicity of factories, their wide distribution over the country, and their close proximity and relationship to the consumer, make unreasonable combinations impossible; while articles manufactured abroad fall into the hands of a few importers who can very easily combine and fix their own prices, as they have done a thousand times already.

THE MYSTERY OF PROTECTION.

The argument against protection to which the demagogue usually resorts is ridicule. He wants to know how it is that protection will cheapen cloth and raise the price of wool? how it is that protection will cheapen hats and caps and raise the price of labor? I would say in reply that the object of a protective tariff is not for the purpose of cheapening anything. That is not its aim, though it often is the effect. The object of a protective tariff is to diversify labor, to equalize emoluments, to secure a just recognition of individual rights, and a fair distribution of accruing benefits. To accomplish this we must protect American labor. In doing this we bring the producer and the consumer together, get rid of middlemen, and save transportation. This gives to the farmer a market for his crops which are perishable, and saves the freights on those that are not. If we were to feed 3,000,000 operatives in Europe, they might pay there enormous prices for our agricultural products and yet the farmer here receive a mere pittance; but when we bring these manufacturers to our doors a lower price than they paid there will be a high price to the farmer here, and a benefit to both.

The cheapness of manufactured products comes largely from the use of machinery, the sharpness of competition, and the saving of transportation. And the wisdom of good wages to the laboring man and good prices to the farmer is found not only in the benefit to them, but in the benefit which accrues to the capitalist and to the country in the creation of a market which has no parallel in the world's history, for all classes become consumers and add to the common prosperity of rich and poor alike. It does not satisfy hunger to tell a man that bread is 4 cents a loaf if he has no 4 cents. It will not keep away the chill of winter to tell a family that blankets are $3 a pair if they have no means

of getting the $3. It is not a question whether we shall pay this price or that; but the question is, how shall we get the means with which to buy? How can we best provide for ourselves and our families? Under what system can we obtain the best home, the best food and raiment, and the most of this world's blessings? What plan has given the best results? Go to yonder immigrant, who is only one of a half-million who land on our shores every year, and ask him—look into the pale faces of his half-clad wife and children and ask them.

WHO PAYS THE DUTY?

The President in his message and the speakers on this floor declare that the consumer or purchaser of a dutiable article pays the amount of the duty in addition to the cost of production, no matter whether the article is imported or not; or, in other words, that the duty on the imported article raises the price of the American product of the same article an amount equal to the duty. If this is true, omitting freight, the price of the article here would always be obtained by adding the duty to the price in London or Liverpool. And the price in London or Liverpool would always be ascertained by subtracting the duty from the price here. This being admitted, let us test this theory. The price of a certain quality of cotton cloth is 8 cents a yard in London, and the duty is 5 cents a yard. These added together, according to the free-trade theory, would give us as the American price 13 cents a yard; but we find that we can buy the same quality of goods here as cheap as in London. Take the price here, 8 cents, subtract the duty, 5 cents, and it will give 3 cents as the price in London; but it can not be bought in London any less than 8 cents, the price here. Take corn-starch. The duty on it is 2 cents a pound. The wholesale price here is 4 cents a pound. Subtract the duty from the price here and it will give the price in London at 2 cents a pound; but corn-starch in London is 5 cents a pound. Take the London price of starch at 5 cents a pound and add 2 cents duty to it and this would make the price of corn-starch here 7 cents a pound, 3 cents too much.

The price of steel rails in this country is $31.50 a ton. The duty is $17 and the freight $2.50, making $19.50 tax on imported rails. This deducted from $31.50, according to the free-trade theory of the President, leaves $12 as the British price of steel rails; but instead of this the British price is $20 instead of $12.

The steel-rail industry owes its existence in this country to the high tariff of $28 per ton, under which the price came down and down until steel rails were sold at $27 per ton, $1 less than the duty. Take still another illustration. The duty on cut nails is $1.25 a keg and the American price is $2 a keg of 100 pounds. If the President's theory is right these nails ought to be bought in Europe at 75 cents a keg, but they can not be bought any place in the world for such figures. Cut nails have been sold in this country at $1.85 when the duty was $1.50 a keg. Chloroform sells for 35 cents a pound while the duty is 50 cents a pound; and there are many articles that sell for less than the duty. At the time a heavy duty is placed upon an import the price may go up, but when its manufacture is once firmly established in this country it will just as certainly come down, and when an article is placed upon the free-list the price may for the time go down, but as soon as American competition ceases it will just as certainly go up.

Take wool for an example. If it should be placed on the free-list the price will immediately go down about 10 cents a pound; but when the American wool industry shall have been destroyed, when the American wool-growers shall have gone into bankruptcy, when the world's product of wool shall be lessened by the destruction of the American crop, the price of wool will be higher than it has been in many years. And although we would then restore the duty it would take a great many years to build up the wool industry again and we would be left for a great while at the mercy of the importers. Take one hundred articles in common use in your home, in your family, and in your business, and compare the present prices under a protective tariff with the prices of any revenue period in the past, and the prices of ninety-five of these articles will be 100 per cent. lower than they were then, and some of them will be 500 per cent. lower, and a great deal better, while wages are higher than they have been during this century. The foreign manufacturer and the importer are compelled to pay these duties after competition has once gained a foothold in this country. America is the dumping-ground for foreign manufacturers, and they send their surplus here and sell it at any price they can get.

I want to say in conclusion, Mr. Chairman, that there are other industries in my district, such as glass, potteries, etc., seriously affected by this bill, and I shall have something to say of them when we come to consider the bill under the five-minute rule, when amendments will be in order. I want now to protest against this bill as being intensely sectional, offensively partisan, and grossly inconsistent. Why is it that an iron hoop that goes around a bale of cotton is placed upon the free-list and an iron hoop that goes around a bale of hay is made to pay a duty? Why is it that the duty on sugar is retained at a high rate while wool is placed on the free-list? Why is it that the rice of the South is given a high rate of protection while the lumber of the North is placed on the free-list? Why are the rice and sugar and cotton plantations of the South protected, while farms and forests of the North are turned over to the tender mercies of free trade?

And I desire also, Mr. Chairman, to protest against that feature of this bill which substitutes ad valorem for specific duties, a change which can only invite undervaluation, perjury, and fraud, and ultimately bring the whole protective system into contempt and failure; and I am willing to base my objections to this change upon the reasons given in Secretary Manning's report. But more than all, Mr. Chairman, I protest against the passage of this bill because of its effect upon the industries and the labor of the country. The effects of this bill would not be confined to manufacturing. While we are here to-day discussing this question, the mason with his trowel, the carpenter with his hatchet, the painter with his brush, the miner with his pick, and the laborer with his shovel, are no longer able to get employment because the improvements of the country have been paralyzed by this bill. And behind these brawny laborers stand anxious wives, with wrenched hands and tearful eyes, anxiously inquiring whether their food and raiment are going to be parceled out between the laborers of America and the paupers of Europe. In this bill they see, as they see the stars in the heavens above, the coming destruction of American industries and the desolation of the American home.

But I am glad of one thing, Mr. Chairman, and that is that we are not, in the approaching campaign, to have the usual Democratic straddle on the tariff question. The President has taken the party shackles into his own hands, and has fastened one end of the party chain to the foot of British free trade and has welded the other around the neck of the Democratic party. Wherever free trade leads the Democratic party will follow. The President's organ has announced that the Democratic protectionists will be taken from the head of the procession and sent to the rear to do hosital duty. Think of the men who have given to the Democratic party all the character it has had in twenty years bathing the foreheads, washing the feet, and paring the corns of the free-trade Democrats whom the President and the Speaker of this House have so recently made the leaders of the Democratic party!

Mr. Chairman, if Henry Clay could compare the seven years before the tariff of 1824 with the seven years that followed as a vindication of the wisdom of protection, the Republican party of to-day only needs to compare the twenty-four years that followed the tariff of 1861 with the twenty-four years preceding it. When this comparison is made the world listens, the thrones of Europe tremble, the downtrodden of every nation and kindred and tongue take courage. The sunshine and rain and dews of America have been fresher and sweeter than ever before. The hearts and hopes and homes of the poor have been lifted up. Bands of steel and bands of sympathy have bound sixty millions of people together as humanity was never interwoven before. The mountains of iron and coal and copper join hands with capital and toil and skill, and the sickly Republic which the Democrats deserted in 1861 is to-day the foremost nation in the world. America, in her gold, in her silver, in her agricultural products, in her manufactured products, in her railroads and telegraphs and telephones, in her colleges and schools and churches, in all that go to make a great nation and a great people, has outgrown all the empires and kingdoms and nations of the planet we inhabit.

The Republican party lifted the old starry flag from the mud into which the Democratic party had trodden it and placed it above all the flags of God's green earth. On sea and on land, at home and abroad, the Republic has won honor and respect. And when the world's great volume of national immortality is written, and when the political parties of the ages are assigned their places in the world's history, at the head of the column will stand the name and deeds and triumphs of the Republican party. [Applause.]

Mr. RICHARDSON. Mr. Chairman, the President of the United States in his annual message has pronounced the present tariff laws "vicious, inequitable, and illogical."

This charge, made as it is by the Chief Magistrate of the country, against the laws which raise the revenues for the Government is a grave one, but it is undeniably true. The Committee of Ways and Means insert in their report upon the pending bill a table to show the true nature of duties under the tariff laws. A slight study of this table will clearly demonstrate the distinction between a specific and ad valorem duty, and why the manufacturer clamors for the one and despises the other. The ad valorem duty means a charge or tax on the article according to its value, and is not like the specific duty which fixes arbitrarily the tariff, regardless of the value of the article taxed. The specific duty makes the poorer people pay the same tax for a yard of cloth worth 45 cents that the rich man pays for a yard of broadcloth that costs $3.66; but this fact the specific tariff conceals. Is it not fair to tax the article according to its value? A tax ad valorem, or according to value, on the yard of broadcloth above mentioned, which costs $3.66, would, at 40 per cent., make $1.44, while on the cloth which costs 45 cents per yard the tax would be 18 cents, and the duty would be fair to both. As it is, the tax is 180 per cent. on the cheap cloth the poor man buys, and is only 50 per cent. on the high-priced broadcloth.

I will use the table set out in the report of the committee, and to it ask special attention, for, as the committtee well say, it is worthy of careful study:

Price per yard of Leeds (England) woolen and mixed goods, duties, etc.

Name.	Description.		Price at factory.	Duty.						Cost in New York, not including packing, carriage to port, ocean freight, and insurance.
				Rate.		Amount.				
	Width (inches).	Weight (ounces).		Per pound.	Ad valorem (per cent.)	Per pound.	Ad valorem.	Total.	Per cent. of price at factory.	
West of England broadcloth	60	17	$3.60	$0.35	40	$0.372	$1.440	$1.812	50.3	$5.412
Fine worsted trousering	28	11	1.62	.35	40	.241	.648	.889	54.9	2.269
Imitation sealskin (mohair and cotton)	50	31	4.50	.35	40	.678	1.800	2.478	55.0	6.978
West of England beaver	58	25	3.36	.35	40	.547	1.344	1.891	56.3	5.251
West of England all-wool Moscow	58	29	3.60	.35	40	.634	1.440	2.074	57.6	5.674
Fine worsted coating	56	24	2.88	.35	40	.525	1.152	1.677	58.2	4.557
Fine worsted trousering	28	12	1.42	.35	40	.263	.568	.831	58.5	2.251
Indigo-blue Cheviot coating	58	28	2.40	.35	40	.612	.960	1.572	65.5	3.972
Low worsted coating (worsted face, woolen back, cotton warp)	50	24	.82	.18	35	.270	.287	.557	68.0	1.377
Low worsted trousering (woolen back)	28	11	.48	.24	35	.165	.168	.333	69.4	.813
Ottoman (worsted face, woolen back, cotton warp)	50	27	.82	.18	35	.304	.287	.591	72.0	1.411
Matelasse (worsted face, woolen back, cotton warp)	50	28	.84	.18	35	.315	.294	.609	72.5	1.449
Mantle cloth (worsted face, woolen back, cotton warp)	50	24	.68	.18	35	.270	.238	.508	74.7	1.188
Wool, fancy suiting	54	25	.94	.35	35	.547	.329	.876	93.2	1.816
Cotton-warp cloth	50	15	.54	.35	35	.328	.189	.517	95.7	1.057
Fancy coating	54	23	.78	.35	35	.503	.273	.776	99.5	1.556
Fancy cheviot	54	25	.82	.35	35	.547	.287	.834	101.7	1.654
Wool, fancy suiting	54	22	.70	.35	35	.481	.245	.726	103.7	1.426
Diagonal cheviot	54	25	.76	.35	35	.547	.266	.813	107.0	1.573
Common blue cheviot coating	52	25	.72	.35	35	.547	.252	.799	111.0	1.519
Cotton-warp Moscow	52	35	.96	.35	35	.706	.336	1.102	114.8	2.002
Cotton-warp cloth	52	25	.64	.35	35	.547	.224	.771	120.5	1.411
Cotton-warp twilled Melton	50	16	.42	.35	35	.361	.147	.508	121.0	.928
Cotton-warp Moscow	52	30	.74	.35	35	.656	.259	.915	123.6	1.655
Cotton-warp cloth	50	13	.32	.35	35	.284	.112	.396	123.7	.716
Fancy overcoating (cotton warp)	50	34	.82	.35	35	.744	.287	1.031	125.7	1.851
Cotton-warp reversible	50	31	.74	.35	35	.678	.259	.937	126.6	1.677
Fancy overcoating (cotton warp)	50	32	.76	.35	35	.700	.266	.966	127.0	1.726
Cotton-warp coating	50	17	.40	.35	35	.372	.140	.512	128.0	.912
Imitation sealskin (calf hair mixed with wool, cotton warp)	50	28	.56	.35	35	.612	.196	.808	144.3	1.368
Cotton-warp coating	50	25	.46	.35	35	.503	.161	.664	144.3	1.124
Cotton-warp Melton	50	13	.24	.35	35	.284	.084	.368	153.3	.608
Cotton-warp serge Melton	50	15	.26	.35	35	.339	.091	.430	165.4	.690
Reversible diagonal (cotton warp)	50	29	.48	.35	35	.634	.168	.802	167.1	1.282
Reversible nap (cotton warp)	50	29	.44	.35	35	.634	.154	.788	179.1	1.228
Cotton-warp reversible	50	30	.45	.35	35	.656	.157	.813	180.7	1.263

This table is well worthy of careful study. In examining the figures given in the column headed "Price at factory" and the column headed "Per cent. of price at factory," which the total duty amounts to, the startling inequalities in the rate of duty to be paid in this country becomes apparent. The highest-priced goods named in the table is West of England broadcloth, worth $3.60 per yard in Leeds, the specific duty being 35 cents per pound and the ad valorem duty 40 per cent., making a total duty of 50.3 per cent. on the value at the factory. This is on a high grade of goods. In looking at the bottom of the table the last entry is for cotton-warp reversible cloth, made in imitation of a bette kind. It is worth but 45 cents per yard at the factory. The specific duty is the same as on the West of England broadcloth, 35 cents per pound, the ad valorem duty is 35 per cent., but the specific duty and the ad valorem duty together make the rate on the price at the factory 180.7 per cent. That is to say, the cheaper the goods at the factory the greater is the proportional increment of duty. The column headed "Per cent. of price at factory," which shows the percentage that the duty is of the factory price, brings this out clearly.

The committee refer to the cotton goods schedule for further illustration of this idea, and call attention to the report of the Secretary of the Treasury on revision of tariff, February 16, 1886. They say:

It will be seen in his report by the tables sent to him by persons dealing in cotton goods imported into the United States from foreign countries, that cheap goods, costing 3.55 cents per yard pay 176 per cent. duty or tax, while those costing 8.12 cents per yard pay 77 per cent. duty; and goods that cost 4 cents per yard pay a duty of 94 per cent., while those that cost 2 cents per yard pay a duty of 208 per cent. These inequalities run throughout the whole system of specific duties. It is that feature that commends it to the manufacturer of the competing article. As these excessive rates are thought to be more hurtful in cotton and woolen goods than in the articles embraced in other schedules, the committee have substituted the ad valorem for the specific duties as to the articles in the woolen schedule, and in all except yarns in the cotton schedule.

I now quote these words from the platform of the Republican party of 1884:

The Republican party pledges itself to correct the inequalities of the tariff, and to reduce the surplus.

Then they admitted the inequalities and promised the people to correct them. This was four years ago. When and how, gentlemen, do you intend to redeem this pledge? It was solemnly given to the people of this country in 1884 in convention at Chicago when you were appealing for votes, and though only a few weeks will elapse before you are called upon to express yourselves upon this subject in a national platform, you have not kept the pledge already given. In view of your conduct and history for the past two Congresses since that solemn pledge was given to the people, how can you come before the country again and excuse yourselves for your failure? Have you even tried to keep it? Did you not, as one man, in the Forty-ninth Congress, on at least two occasions absolutely refuse to consider the question of correcting the irregularities of the tariff and the reduction of the surplus, which you had pledged yourselves to the people to do? Twice during that Congress the Democratic party said, let us take up the tariff question, revise it in a spirit of fairness to all interests, lower taxes, reduce the surplus, and relieve the people of the oppression upon them, but you responded with a unanimous no. You said by your votes, this matter does not deserve consideration at the hands of Congress.

The Democratic party was endeavoring to keep the pledge it made at Chicago "to revise the tariff in a spirit of fairness to all parties." This was right and proper. A party, as well as an individual, should faithfully keep and observe pledges. The highest sense of duty to the voters of the land demands this. Party platforms and pledges should mean something; and when a party in national convention in this country solemnly pledges itself to carry out any given policy on a great subject it should be held to a strict accountability.

In no other way can the intelligent voters of this land decide with which party they will affiliate. Shall it be said party platforms are only made to catch votes? Are our people to be educated to such a standard of political morals as this?

The Republicans have presented no bill to this House "for the purpose of reducing the surplus or correcting the irregularities of the tariff which they admit to exist." They content themselves simply by opposing the reasonable, fair, just, and conservative measure which is pending as the result of Democratic thought and action. It is not claimed that the pending bill is a perfect one. Upon the bill generally, or as a whole, the Committee of Ways and Means say:

The committee have determined to recommend a reduction of the revenues from both customs and internal taxes. They have given the whole subject a careful and painstaking examination, and in the revision of the schedules have endeavored to act with a spirit of fairness to all interests. They have carefully kept in view at all times the interests of the manufacturer, the laborer, the producer, and the consumer.

The bill herewith reported to the House is not offered as a perfect bill. Many articles are left subject to duty which might well be transferred to the free-list. Many articles are left subject to rates of duty which might well be lessened. In both respects the bill could be improved; but in its preparation the committee have not undertaken or felt authorized to construct a new and consistent system of tariff taxation. They have dealt with the existing system, seeking to free it of much of its injustice, to simplify its provisions, to diminish its complexity, and as far as practicable to lighten its pressure on the tax-payer and make it more contributory to our industrial prosperity and progress.

Furthermore, we have felt constrained to consult the opinions and give weight as far as possible to the views of our associates from different parts of the United States, always subordinate, however, to the paramount consideration of the welfare of the entire country. From the beginning of our Government tariff legislation has been based on the principles of mutual concession. The present bill does not depart from this precedent.

The Democratic party, in the effort to keep its pledge to the people, here and now attempts, as it has heretofore done, to revise the tariff in a spirit of fairness to all interests. Let us hope that when the vote is taken no Democrat will prove recreant to that pledge. [Applause.]

If the bill is not perfect, let him come forward in the proper spirit, ask for concessions, and keep the faith with the people.

Too much time has already been spent, and is yet being consumed,

by gentlemen on this floor arguing the theory of protection and free trade. However interesting these arguments are—and much learning has been displayed by gentlemen in their advocacy of one or the other theory—it is not, I respectfully submit now, a question of either protection or free trade.

As the President so aptly expressed it in his annual message to Congress, "it is a condition which confronts us, not a theory." He wisely added, "the question of free trade is absolutely irrelevant," and so, I add, is the question of protection in so far, I mean, as this bill affects that question.

Gentlemen may discourse upon the beauties of protection, and they have done so; but that is not the question to which we must, as intelligent legislators, address ourselves. It is to the condition in which we find the country, and not so much what brought about this condition, that demands our immediate attention. We have an overflowing Treasury. The laws under which taxes are collected are putting into the Treasury vast sums in excess of the necessities of the Government. Various expedients have been resorted to by the President and the Secretary of the Treasury for some time past to keep down this rapidly accumulating surplus. Large sums have been expended by the Treasury Department in the purchase of Government bonds not yet due for this purpose.

In some instances a premium of more than 24 per cent. has been paid out for these bonds—that is, for a hundred dollars of such bonds more than $124 has been paid. By such resorts as I have just mentioned the people have been relieved to some extent and immediate danger averted. The surplus, however, has continued to accumulate, so that by the 30th day of June, 1888, it is estimated that the surplus in the Treasury will amount to the enormous sum of $150,000,000. This sum is to be locked up in the vaults of the Treasury for no purpose whatever. It can not be used for any demands of the Government. The people will have paid it. If the Government does not need it, it should be returned to them? [Applause.]

This condition is not to stop with the 30th of June, but on and on and on each succeeding month will see from ten to twelve millions of dollars added to this enormous and unneeded surplus.

Shall we legislate so as to stop this drain upon the people's pockets, this hoarding up of their money? Or shall we till overcome by disaster debate the theory of protection and free trade? If the situation is not relieved by legislation at once, or at least at a very early date, it requires no prophetic ken to foretell that financial convulsion and widespread disaster will follow. This bill is not free trade, nor does it break down the system of so-called protection; but it will bring some relief to the country, and for this reason it should pass. It is to my mind a silly cry made by gentlemen opposing this bill, that its passage will bring ruin upon the country. When did the country ever have so high a tariff before? Never until the late war was there any such rate of tariff taxation as was then enacted; yet the country grew and prospered everywhere up to that date. The rate of taxation is now, on the average, over 47 per cent. The passage of the pending bill only reduces it a small sum. After its passage the rate will be higher than under the highest tariff passed during the late war, and this bill is more protective than the highest protective measure ever enacted before the war. It will leave it higher than the rate recommended by the Republican Tariff Commission of 1883.

This was a commission organized to recommend to Congress what the rate of taxation should be. They were so-called experts. They made their investigation and recommendation to Congress. This was in 1883; and the present bill, if it passes, will leave the rate of taxation higher than those Republican experts said it should be. Yet "there is ruin to come to the country if the bill is enacted into a law."

Gentlemen need not make such foolish and extravagant assertions, and expect the people of this land to be thereby deceived. This bill will add no more to the free-list, with the one exception of wool, than was recommended by President Arthur and his Secretary of the Treasury, Folger.

Lest I be accused of doing President Arthur injustice, I will quote his exact words from an annual message to Congress. He said:

> Without entering into minute detail, which under present circumstances is quite unnecessary, I recommend an enlargement of the free-list so as to include within it the numerous articles which yield inconsiderable revenue, a simplification of the complex and inconsistent schedule of duties upon certain manufactures, particularly those of cotton, iron, steel, and a substantial reduction of the duties upon those articles, and upon sugar, molasses, wool and woolen goods.

This is nearly all the pending bill does. The last Republican President recommended this; his Secretary of the Treasury went even further, and yet to do the very thing they recommended should be done will ruin the country if now done by Congress?

The idea of ruining a country by abolishing its needless and unnecessary taxes was never before heard of in the history of any people in the world. [Applause.]

Mr. Chairman, absolute free trade is not possible in this country now. To raise the enormous revenue required for the support of the Government a tariff is necessary, but Congress should be careful to raise on more revenue than just enough to support the Government. No matter how low the tariff is that raises this revenue some protection will thereby be afforded to our manufacturers. Just to what extent a tariff or revenue law shall be made protective is a question of vital interest to the people, and should be well understood by them. It is, as I shall show, susceptible to very great abuse.

It is gravely argued on this floor, and has been always asserted by the friends of protection, that protection raised the wages of labor. The time was when the rallying cry was "Protection to American industries," sometimes called infant industries, but now we only hear of protection to American labor. It is not meant by this that protection raises alone the wages of persons who are employed in special industries or manufactories protected by the tariff. To do this would be to admit that the benefits of protection are partial and not shared by all laborers, and protectionists will not do that. Can it be that laborers on a farm, or in an industry not protected by the tariff, are benefited by this so-called protection? Are their wages increased by it? What, let me ask, is the object of the protective tariff? It is to check the importations of foreign goods and thereby increase the price of American goods and articles that the manufacturer of such goods and articles in the United States may receive the larger profits.

How does the fact that the manufacturer gets more money for his goods insure the further result that his laborer gets larger wages? It is even denied that the manufacturer is thereby made the better able to pay larger wages; but are wages measured by the ability of the employer, or are they not rather measured by the demand for the labor and the supply at hand? Unless protection, by enabling the manufacturer to pay large wages, necessarily insures larger wages, and further, unless this protection to only some of the industries not only insures the larger wages to all labor, whether employed in protected industries or not, it must follow as inevitably as night the day that protection does not raise the wages of labor.

Who will insist that because a manufacturer or capitalist has the ability to pay more therefore he does pay higher wages than his fellow-manufacturer who has not so much ability to pay? This is absurd. A man who buys labor buys it like any other commodity, at the market price. This is true, even if the protected manufacturer has to send across the water to the old country and import his labor, and this imported labor, too, being the very labor which he is urging a high tariff in this country to protect the labor here against. If the object of his fatherly care is the protection of our people here who labor, why will he bring the people of the older countries and place them in competition with the laborers whom he pretends to regard so tenderly? The market price is fixed, not by the ability of the buyer, but by the demand and the supply. The richest banker or railroad magnate pays no more to his porter or blacksmith than a poor farmer does. He has the ability to pay more, but the market price is fixed, and he takes advantage of it.

A man in my town wishes to get built a block of store houses, a duplicate of a block already there which cost $20,000. He is rich, for that country. He already has many bonds, a number of buildings, and is obtaining large rents. His income is handsome. When he lets out his contract to erect these buildings is he governed by his ability to pay? We will imagine the poor day laborer who bids on this job saying to him: "Sir, you are rich and able to pay; therefore I will charge you $25,000 for this work." But the answer comes: "You built yonder block for $20,000, and I want it simply duplicated." "Ah," says the poor laborer who is living under a protective tariff, whose labor is protected, and where it is claimed men pay wages in proportion to their ability to do so, "sir, you are able to pay more than your neighbor who owns yonder block. That is all he has. You are rich. You must pay in proportion to your ability." This would end the controversy.

The merchant who hires his clerks does not grade their wages by his ability to pay them, but by the demand for them, the supply, and their efficiency.

Since the close of the late unhappy war our people in the South have not had the time to devote in politics to the study of the inequalities of the tariff, or indeed of any economic question of government. It has been with us more a matter of life and living, how to take care of rights dearer to us than mere questions of political economy.

That time, happily, has passed away. We find ourselves under the old flag with our rights unimpaired, I mean our political rights, and while we have submitted uncomplainingly to the onerous burden of Federal taxation, our people are now beginning to inquire into this question. In the two canvasses I made for a seat on this floor, my Republican competitors took decided ground in favor of the present high protective tariff. In each case I argued as best I could against protection and in favor of a tariff which would raise only the revenue necessary for the economical support of the Government. This is my present position. What, let me ask, is the tariff, which is but another name for tax, laid for? Is it not only to raise the funds whereby the Government may be administered? What power has Congress to lay a tariff except for the purpose I have indicated. This question has been settled by the Supreme Court of the United States, and I beg leave here to quote from that august tribunal.

In the celebrated Topeka, Kans., case, Justice Miller of the Supreme Court said:

Of all the powers conferred on the Government by the Constitution, that of taxation is the most liable to abuse.

And further:

This power can as readily be employed against one class of individuals and in favor of another so as to ruin the one class, and give unlimited wealth and prosperity to the other—if there is no implied limitation of the uses for which the power may be exercised. To lay, with one hand, the power of government on the property of the citizen, and with the other bestow it upon favored individuals to aid private enterprise and build up private fortunes, is none the less robbery because it is done under the form of law and is called taxation. Beyond a cavil, there can be no lawful taxation which is not laid for public purposes.

Again, I quote from Judge Cooley, formerly judge of the supreme court of Michigan (see Cooley's Constitutional Limitations):

Constitutionally a tax can have no other basis than the raising of revenues for public purposes, and whatever governmental exaction has not this basis is tyrannical and unlawful. A tax on imports, therefore, the purpose of which is not to raise revenue, but to discourage and indirectly prohibit some particular import for the benefit of some home manufacturer, may well be questioned as being merely colorable, and, therefore, not warranted by constitutional principles.

This being true, whence comes the power to tax the people to build up monopolies and make rich certain special interests by subsidy?

I remember, sir, one argument I have heretofore had to meet, and I have heard it repeated on this floor, that all high protective duties or taxes are paid by the foreigners who manufacture goods and bring them here to market. How is this? Recently I read this statement:

In 1881 the duty on the best plate-glass was 112 per cent. Glass of this kind selling in Belgium for $386,000 was imported here, and, at 112 per cent., duty or tariff was paid on it to the amount of $437,000. It was then sold here in the United States for $850,000. Now, who paid this duty? Did the Belgium manufacturer? If he did, then out of the $386,000, which was all he got for his glass, he paid $437,000 to our Government for the privilege of sending it here. In other words, he gave us his glass for nothing when he could have sold it at home for $386,000, and he gave us $51,000 more for leave to do so.

If this glass only sold for $386,000 in Belgium, when it was brought here and sold to our consumers for $850,000, of which $437,000 went into the Treasury as taxes, I want to know if the consumers here did not pay this tax? But for the high tariff of 112 per cent. on the glass our consumers here would have been able to buy it at $386,000, and the transportation added. There can be no answer to this argument. In many instances, however, the tariff is laid so high that it amounts to a total prohibition of the importation of the goods so taxed. Then what is the inevitable result? If the goods are not imported, you say of course the Treasury gets no tax or tariff. This is true; but while this is true, our people who have to buy these goods from American manufacturers, thus prohibited from importation by reason of high duty, pay the increased prices all the same. Not that it goes into the Treasury, for in this case it goes into the pockets of the American manufacturer in the shape of subsidy or increase in profits. Many of the cheapest of woolen goods are thus taxed so high they are not imported. The duty on them varies from 115 to 200 per cent., and they can not be brought here by foreign merchants and sold after paying this high rate of tariff duty. The American manufacturer, however, knowing this, charges from 75 to 150 per cent. more for these goods than the foreigner, and is secure against his competition.

Who pays this increased price to our manufacturers? Not the foreign importer, for we have seen he does not in this case import on account of the high duty, but it is all paid by the poor consumer in our country who is compelled to buy these cheap woolen goods. And even in cases where the foreigner imports his goods, if he pays duty upon them he is not at last the party who suffers most under this tariff for protection. The best statistics we have show that the proportion of American goods we use to foreign goods is about five to one; so that the tariff raises the price of goods to our people about five times where it places the tax once upon the foreigner who brings his goods here for sale. Therefore when $1 is paid into the Treasury for tariff our people have paid $5 to the American manufacturer in the shape of subsidy. As we raise every year about $200,000,000 by the tariff, it follows that to do this the people pay five times this sum, or ten hundred millions in subsidy. Such a law for taxation is not right and can not be defended on any just or equitable principle; yet any propositions which look to any reduction of taxes or the giving of any relief to the people are met by the cry of "free trade," and that an assault is being made upon the great American system of protection.

From what I have said, sir, it must be apparent to all that protectionists in making the law to collect the revenue for the administration of the Government do not look to revenue as the result of such law. I quote from an editorial in a leading Republican protective organ, the Ohio State Journal, of recent date, the following:

The principle of protection does not primarily look to revenue at all. Duties amounting in the aggregate to a million dollars may easily mean a hundred millions in benefits to home producers.

This is frank and candid, and I doubt if any protectionist on this floor will make the same confession or attempt its defense. What is this? The law made to raise revenue so framed as to raise one million of revenue, and in doing so give as a subsidy, as a benefit, a gift, a bonus, one hundred millions to some other citizens. This is the logic, this the confession. Whence, I ask again, comes the authority to Congress to lay any duty which does not look simply to raising revenue? Congress has no more authority under the Constitution to take money from me which it does not need for the Government, under the guise of a revenue law, with the view of aiding or benefiting some other citizen or class of citizens, than it has to take my horses, mules, sheep, or other property for a like purpose. [Applause.]

According to the logic of the argument I have quoted from the protection organ, Congress can levy a tax upon the people to raise $101,000,000, of which one million will go into the Treasury as taxes and the remaining one hundred millions will go into the pockets of a benefited class. Such a proposition, I submit, is monstrous. Who contends that the tariff is not a tax? I have heard that there are some who make this contention. Hear the great Western lawyer and orator, Mr. Storrs, on this point. He said:

Finally, what is a tariff? It is a tax. It is nothing less and nothing but a tax. It is a tax which we do not pay to the Government; for where protection begins revenue ceases. The consumer is impoverished, the Government is not aided.

This is an honest statement. A protective tariff laid upon four thousand articles of daily consumption by our people means a tax laid upon these articles, not for revenue, not for any purpose of government; for, as quoted above, "where protection begins revenue ceases." What does this phrase "protection to labor" as used mean? Does it mean that you must find employment for your neighbor, else he will go unemployed? Why not he find employment for you? Is it meant that you must find employment for yourself and neighbor also, while he must not find employment for himself? In this free country of ours it is best for every man to learn to take care of himself. No man should be expected to take care of himself and you, too; much less be made to do so by a tax law, so called. I have heard it gravely argued here and elsewhere that the high protective tariff reduced the price of every merchantable commodity, and that all profits are raised by this system. If this be true it opens up a new way for us all to get rich, and it is to be recommended as a popular panacea for poverty. [Laughter and applause.] We need only keep on piling up taxes, increase the protection, make the tariff altogether prohibitory, place restrictions upon trade until profits are carried up 300 or 400 per cent., and when all trade has ceased everybody's profits will be increased.

This again is absurd. Take the article of quinine which a few years ago was sold under a high duty. Our people paid $3.50 per ounce for it; the tariff was taken off, and did this "merchantable commodity" go higher as was predicted? On the other hand, it retails at 80 cents per ounce. When it was sold at $3.50 per ounce who paid it? The consumers among our people. Who got the benefit of the protection on it? Only two or three manufacturers in the United States. Who gets the benefits now of the reduction to 80 cents per ounce? The question answers itself.

Let us pursue this a little further. To the manufacturer the protectionist says, we give you a protective tariff, that you may get higher prices for your goods; that is the avowed object of it. To the consumer of these goods—the farmer, the lawyer, the mechanic, the doctor—he says, we will give you a protective tariff, that you may get goods you buy of the manufacturer cheaper. And to the labor he says, we give you protective tariff that you may get higher wages from the manufacturer. And the people believe him in each case. Let us suppose the object of the protective tariff was to enable lawyers to charge larger fees for their legal services, and as a lawyer I was to say to my clients, you ought to favor this law, for while it enables me to charge you larger fees it also enables you to get my services more cheaply. Let the miller say to his customers, you should favor this law, because it enables me to take more toll from you and at the same time give you more meal. So with the physician. So with the mechanic who builds your house. This argument would not work at all in any of these cases, but just apply it to the manufacturer and it acts like a charm. It is a wonderful antidote. [Laughter and applause.]

It seems to be a kind of medicine which stimulates the patient, yet reduces his fever; acts as a powerful laxative, yet produces constipation; feeds the system, yet depletes the patient; a fat, and yet an anti-fat [laughter]; a wine that may be taken for the stomach's sake when it is sick, yet a powerful emetic; it is a narcotic, and yet an atropine; it brings smiling happiness and solid comforts to those who toil in the workshops, and yet it is prolific of strikes and lock-outs; it richly rewards labor, yet fills the land with paupers and tramps. There is nothing in all nature like it. It is a centripetal, yet a centrifugal force. It contracts and expands under the same influence and condition. Administered to a Democrat in perfect health, in full doses, he begins forthwith to preach the gospel of Republicanism. It does these things, and is all this and more; it gives the men who make the goods higher prices, and the men who buy them cheaper goods. Surely there is nothing else like it on earth, or in the waters under the earth. Heaven alone, and I speak it not sacrilegiously, can produce such another panacea, a compound which will produce exactly the opposite effect upon similar subjects under like conditions. [Applause.]

This theory of raising the price of goods for the men who sell and lowering them for the men who buy, reverses every rule given us in nature by nature's God. With His rule in nature, we know how to apply remedies; the doctor can write his prescriptions; the farmer can

sow his grain, and expect like to produce like; he can propagate his stock with intelligence; the mariner can guide his vessel; the astronomer can calculate the coming eclipse; and old Probabilities can himself guess at the weather, it may be wide of the mark, but this new gospel of protection reverses all laws, and bids farewell to all the rules where the principle is engrafted. Better stick to nature and nature's law. Say, if you wish, protection benefits the manufacturer for the time being, that is, it temporarily benefits him, and none will controvert it, and the contention ends. The logic, so called, of the protectionist is thus reduced to absurdity. But from this let us turn to the good sense and sound reasoning of the Committee of Ways and Means. In their report upon the pending bill they say:

Duties are imposed to raise revenue, and they should be so imposed as to obtain the revenue with as little burden as possible to the tax-payer and as little disturbance as possible to the business of the country. This is accomplished by imposing the duty on the finished goods alone, and in no tariff, from the first to the last, have woolens, cottons, silks, or linens been placed on the free-list. We say to the manufacturer we have put wool on the free-list to enable him to obtain foreign wools cheaper, make his goods cheaper, and send them into foreign markets and successfully compete with the foreign manufacturer. We say to the laborer in the factory we have put wool on the free-list so that it may be imported and he may be employed to make the goods that are now made by foreign labor and imported into the United States. We say to the consumer we have put wool on the free-list that he may have woolen goods cheaper. We say to the domestic wool-grower we have put wool on the free-list to enable the manufacturer to import foreign wool to mix with his and thus enlarge his market and quicken the demand for the consumption of home wool while it lightens the burden of the tax-payer.

So it is absurd to contend that every merchantable commodity is sold more cheaply to our people by reason of the system of protection, so called.

I have not intended to go very largely into detail in what I have to say on the pending bill. To answer, however, further the contention that this protective tariff lessens the cost of living and cheapens goods to our people, I will insert here a table which shows the rate of tax laid upon some of the necessaries of life which enter into daily consumption by every family in the land, I care not how rich or poor they may be:

TARIFF ON CLOTHES AND OTHER ARTICLES.

	Per cent.
Men's suits of wool—on every dollar you invest in a suit the tariff takes	48
Woolen hosiery and undershirts	75
Cotton hosiery and undershirts	45
Woolen hats and caps	75
Your wife's silk dress, about	50
Gloves	60
Blankets	60
Alpaca dresses	63
Any other woolen dressing	70
Scissors	45
Brass pins	30
Hair-pins	45
Pen-knives	50
Needles	25
Steel pens	45
Paper	20
Razors	45
On your carpet, if made of druggets, for every dollar	74
Carpet, if made of tapestry	68
Furniture (ask G. R. dealers)	35
Wall-paper	25
Window-curtains	45
Looking-glass	60
Ornaments	35

TARIFF ON KITCHENS.

On every dollar's worth of iron in your stove there is a tariff of	45
Pots and kettles	58
Copper and brass utensils	45
Crockery of the commonest kind	55
Glassware, cheapest kind	45
Table cutlery and spoons	45
Pickled and salt fish	25
Salt	96
Sugar	48
Rice	1 23
Oranges and other fruit	10

If your woolen suit cost you $10, put it down that $4.80 of that cost is protective-tariff tax, and so with each article named in the table. So the laboring man, the farmer, the lawyer, the preacher, the physician, the mechanic, everybody, every day, everywhere in our land is paying this tribute under the present tariff laws. It is an insidious tax. It is an indirect tax. People pay it and imagine it is a part of the value of the goods bought, when if the proper modifications of the present law were made many of these goods could be bought for about one-half what they now cost, and still the Government would get all the revenue needed. If a tax-collector of the United States stood at the store door and levied and collected the tax upon every article set forth in the preceding table at the rate therein set forth, there would be an immediate outcry, and the gentlemen now on this floor who are defending with their might the present rate of taxation would change their position on this question or they would be retired by the people to the shades of private life. While this is true, the very people who would rather fight than pay such a tax as I have mentioned to a taxgatherer at the store door will uncomplainingly pay higher taxes when they are collected by the storekeeper in the shape of increased prices. I desire here to quote from the message of the President of the United States sent to us at the beginning of this Congress. The President said:

But our present tariff laws, the vicious, inequitable, and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty.

So it happens that while comparatively a few use the imported articles, millions of our people, who never use and never saw any of the foreign products, purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

It is not proposed to entirely relieve the country of this taxation. It must be extensively continued as the source of the Government's income, and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufacturers. It may be called protection, or any other name, but relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperiling the existence of our manufacturing interests.

But this existence should not mean a condition which, without regard to the public welfare or a national exigency, must always insure the realization of immense profits instead of moderately profitable returns. As the volume and diversity of our national activities increase, new recruits are added to those who desire a continuation of the advantages which they conceive the present system of tariff taxation directly affords them. So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged, that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.

The effect of the high protective tariff is to build up favored cities and sections at the expense of others less favored; to enrich one individual at the expense of another; to feed and foster monopolies and impoverish the agricultural districts. It is not diffusive in its blessings, if it blesses at all. Why, then, should we as law-makers enact such legislation? The end of government is the greatest good to the largest number; not special benefits and privileges to a class or section. Protection may make magnificent cities and stupendous fortunes for the few. It may make a section or even a country rich, and yet the masses be the poorer thereby. The advocates of protection should reflect upon the poetic truth in these lines:

Ye friends to truth, ye statesmen who survey
The rich man's joys increase, the poor's decay,
'Tis yours to judge how wide the limits stand
Between a splendid and happy land.

A studied effort has been made on this floor and elsewhere, and is still being made to show that the President is a free-trader, and is unfriendly to the workingmen of this country. I will be pardoned therefore if I quote rather extensively from his message in this connection and upon this point. He says:

We are in the midst of centennial celebrations, and with becoming pride we rejoice in American skill and ingenuity, in American energy and enterprise, and in the wonderful natural advantages and resources developed by a century's national growth. Yet when an attempt is made to justify a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers, quite beyond a reasonable demand for governmental regard, it suits the purposes of advocacy to call our manufactures infant industries, still needing the highest and greatest degree of favor and fostering care that can be wrung from Federal legislation.

It is also said that the increase in the price of domestic manufactures resulting from the present tariff is necessary in order that higher wages may be paid to our workingmen employed in manufactories, than are paid for what is called the pauper labor of Europe. All will acknowledge the force of an argument which involves the welfare and liberal compensation of our laboring people. Our labor is honorable in the eyes of every American citizen; and as it lies at the foundation of our development and progress, it is entitled, without affectation or hypocrisy, to the utmost regard. The standard of our laborers' life should not be measured by that of any other country less favored, and they are entitled to their full share of all our advantages.

By the last census it is made to appear that of the 17,392,099 of our population engaged in all kinds of industries 7,670,493 are employed in agriculture, 4,074,238 in professional and personal service (2,934,876 of whom are domestic servants and laborers), while 1,810,255 are employed in trade and transportation, and 3,837,112 are classed as employed in manufacturing and mining.

For present purposes, however, the last number given should be considerably reduced. Without attempting to enumerate all, it will be conceded that there should be deducted from those which it includes 375,143 carpenters and joiners, 285,401 milliners, dressmakers, and seamstresses, 172,726 blacksmiths, 133,756 tailors and tailoresses, 102,473 masons, 76,241 butchers, 41,309 bakers, 22,083 plasterers, and 4,891 engaged in manufacturing agricultural implements, amounting in the aggregate to 1,214,023, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

To these the appeal is made to save their employment and maintain their wages by resisting a change. There should be no disposition to answer such suggestions by the allegation that they are in a minority among those who labor, and therefore should forego an advantage in the interest of low prices for the majority; their compensation, as it may be affected by the operation of tariff laws, should at all times be scrupulously kept in view; and yet with slight reflection they will not overlook the fact that they are consumers with the rest; that they, too, have their own wants and those of their families to supply from their earnings, and that the price of the necessaries of life as well as the amount of their wages will regulate the measure of their welfare and comfort.

But the reduction of taxation demanded should be so measured as not to necessitate or justify either the loss of employment by the workingman nor the lessening of his wages; and the profits still remaining to the manufacturer, after a necessary readjustment, should furnish no excuse for the sacrifice of the interests of his employés either in their opportunity to work or in the diminution of their compensation. Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the

payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits the hard-earned compensation of many days of toil.

Again, he uses the following patriotic words:

The plain and simple duty which we owe to the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury through the perversion of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people, by cheapening their means of subsistence and increasing the measure of their comforts.

Let us cease wrangling with the subject and immediately reduce taxation to the very lowest limit possible for the economical operation of the Government, and hereafter reductions should be made from year to year as it shall appear safe to do so.

We should not mistake that which makes a happy and contented people. It is not half a hundred millionaires, a full Treasury, rich banks, gilded palaces, mighty corporations, a few fabulous fortunes, and accumulated wealth, but it is a—

Bold peasantry, a country's pride,
Which when once destroyed can never be supplied.

Mr. Chairman, I prefer to see prosperity widespread, reaching out into every village, portion, and hamlet of our common country. I do not wish the times so altered that—

Trade's unfeeling train—

shall—

Usurp the land and dispossess the swain.
Along the lawn, where scattered hamlets rose,
Unwieldly wealth and cumbrous pomp repose.
Those gentle hours that plenty bade to bloom,
Those calm desires that asked but little room,
Those healthful sports that graced the peaceful scene,
Lived in each look and brightened all the green;
These, far departing, seek a kinder shore,
And rural mirth and manners are no more.

The war afforded excuses for, indeed may have of necessity produced, vicious legislation; but now that peace reigns we should return to that policy which blesses most widely the country—a policy which builds up all sections and cities and does not produce two classes, the one millionaires, and the other paupers. The country needs a governmental policy which develops the well-to-do, contented man who realizes most fully that—

His best companions are innocence and health,
And his best riches ignorance of wealth.

I shall not detain the House with much speaking on the provisions of the bill which touch internal-revenue taxation. The internal-revenue law is a war measure. The inquiry is made, if this be true why not repeal it now that the war is over? While the war is over, its results abide with us. Its taxes are necessary to meet the expenses it brought about. We are paying $80,000,000 in pensions, and a very large amount of annual interest on the war debt, besides other expenses growing out of the war. If we had no such expenses upon us growing out of the war, I should say the internal-revenue tax might be repealed, though it is the easiest tax of all to pay. On this subject President Cleveland, in his annual message, says:

It must be conceded that none of the things subjected to internal-revenue taxation are, strictly speaking, necessaries; there appears to be no just complaint of this taxation by the consumers of these articles, and there seems to be nothing so well able to bear the burden without hardship to any portion of the people.

Both parties are pledged to the continuance for the present of this tax. Senator SHERMAN, who has always been recognized as good authority for his party, has said, when speaking of the internal-revenue taxes:

These taxes ought to be left as a part of our permanent system of taxation as long as any other taxes, internal or external, more oppressive, remain on the statute-books.

No consumer complains of these taxes. They know that whisky and tobacco are luxuries, and no complaint is made by those who use the articles that they are taxed. Internal taxes are not taxes on food, clothing, wool, shelter, and other articles of necessity to the consumer. The consumer of articles taxed by the internal-revenue law consumes them not from necessity but from choice. It is a cheap tax to collect. For the fiscal year 1887 the receipts of the United States Treasury from all sources were $371,403,277.66.

The sum realized from tariff duty was $217,286,893.13, and the sum from internal-revenue taxes was $118,823,391.22, this tax being upon distilled spirits, malt liquors, and tobacco. The latter tax goes directly into the Treasury, less a small per cent. (about 3 per cent.), which covers the cost of collection. It is a voluntary contribution to the Treasury by the consumers of the articles taxed. I would not be willing to see this tax entirely repealed. The people do not demand this as a measure of relief. There is complaint, and just complaint, at the method of enforcement of these internal-revenue laws. It is believed the pending bill gives relief in this direction. The bill will repeal the internal-revenue law which requires special taxes and privilege of taxes on retail liquor dealers. As well stated by the Committee of Ways and Means in their report, these taxes have been a fruitful source of the petty prosecutions which have crowded the Federal courts in some portions of the country. The bill will repeal all restrictions on the sale of tobacco by the producer, and all taxes on tobacco except on cigars, cigarettes, cheroots, and all privilege taxes except those for manufacturing and selling cigars, cigarettes, and cheroots.

The whole amount of reduction in taxes under the bill as it now stands is $78,176,054.22. The total of tariff reduction is $53,720,447.22, and of internal-revenue reduction is $24,455,607. The largest items of tariff reductions are on wool and woolens, $12,330,581.20, and on sugar $11,292,087.94. Having then, as I have shown, a large and growing surplus in the Treasury, which threatens the paralysis of all business and widespread disaster to the whole country, let us, as wise and patriotic lawmakers, address ourselves to the imminent, the overwhelming danger which confronts us. Let us deal with the condition, not the theory. Let us stop the flow of money from the pockets of the people, from the legitimate channels of trade and commerce, where it is so much needed and where it of right belongs, into the Federal Treasury where it is not needed at all. This can be done without peril to the protective system, and to do it by the passage of this measure will not be to commit any member to the theory or policy of free trade.

Speaking for myself, sir, I would be very far from favoring a policy which would break down the industries of my country. Gentlemen on the other side pay glorious tributes to the section of the country I have the honor, in part, to represent on this floor. They impute to us motives we have not and attribute results to our contemplated action which in my judgment can not follow. In the South we ask no special privileges not accorded to other sections and other States; all we want is to be let alone. Not by way of boasting, but as a matter of pride, I desire to submit some facts here which go to show the evidences of increasing prosperity in our section. These interesting facts I take from the Manufacturers' Record, of Baltimore, Md., recently published. I insert a table showing the assessed value of property in the Southern States in 1887 and 1880.

States.	1887.	1880.
Alabama	$124,925,869	$123,757,072
Arkansas	148,868,206	90,511,653
Florida	84,860,564	52,794,383
Georgia	341,504,921	251,424,651
Kentucky	482,491,690	350,563,971
Louisiana	211,925,741	177,096,459
Maryland	485,839,772	459,187,408
Mississippi	129,887,254	110,628,129
North Carolina	210,035,453	169,916,807
South Carolina	141,074,000	120,351,000
Tennessee	239,000,000	211,708,438
Texas	650,412,401	311,470,736
Virginia	339,342,723	324,955,980
West Virginia	177,341,263	146,991,740
Total	3,858,509,867	2,881,418,527

It is well known that assessments in the Southern States are far below the market value of property. This table shows an increase of $977,000,000 in seven years. Take the following table, which shows the comparative value of live-stock in the South in 1879 and in 1888:

Live-stock.	Value.	
	1888.	1879.
Horses	$191,659,208	$127,502,759
Mules	113,908,770	65,059,675
Milch cows	68,187,682	47,630,999
Oxen, other cattle	130,741,481	87,010,999
Sheep	15,278,829	10,262,888
Hogs	53,919,580	44,935,943
Total	573,695,550	391,412,254
Increase	182,283,296	

That is a pretty healthy increase in the value of live-stock between 1879 and 1888.

I also insert the following to show the total value of the chief agricultural products of the South (omitting sugar, rice, fruits, and vegetables, etc., the value of which is not given in the United States Agricultural Department's reports) for 1887 and 1879:

	1887.	1879.
Cotton	$310,000,000	$227,893,000
Corn	259,813,530	187,958,752
Wheat	42,297,810	65,573,276
Oats	34,955,720	20,193,011
Potatoes, barley, hay, tobacco, etc	95,000,000	69,478,315
Total	742,066,460	571,098,454
Increase	170,968,006	

If to these figures we add the increase in fruits and vegetables (Florida alone having developed her great orange and trucking business mainly since 1879), sugar, etc., the total gain in the value of agricultural products of the South in 1887 over 1879 was upwards of $200,000,000, while during the same time the increase in the value of live-stock was, as we have already shown, $182,283,000.

One further extract from the same source and I end it. This Journal says:

Now while the South has made this wonderful gain in agriculture, what has been done in manufactures and railroads?

The construction of railroads is an exponent of a country's progress, and by it we may measure the growth made. What has been the railroad construction of the South since 1880? The following figures show:

Mileage.

States.	January 1, 1888.	June 1, 1890.
Alabama	2,801	1,780
Arkansas	2,361	822
Florida	2,132	529
Georgia	3,505	2,433
Kentucky	2,237	1,560
Louisiana	1,458	522
Maryland	1,268	931
Mississippi	2,169	1,119
North Carolina	2,371	1,440
South Carolina	1,906	1,393
Tennessee	2,252	1,816
Texas	8,289	2,697
Virginia	2,791	1,697
West Virginia	1,196	692
Total	36,736	19,431

Here is an increase in the South's railroad mileage since June 1, 1880, of 17,305 miles, or a gain of 89 per cent., while the rate of increase in all the rest of the country was but 69 per cent. Including the road constructed since January 1, the South now has over 37,000 miles of railroad. Let us sum up a few points to contrast the South of 1888 and the South of the census year 1879-'80 (June to June). Surely these figures tell a tale of progress never surpassed by any other country in the world, and yet the South is just barely getting under way in its development. Here are the figures:

	1888.	1880.
Assessed value of property	$3,858,509,867	$2,881,418,527
Railroad mileage	36,736	19,431
Yield of cotton.....bales...	6,800,000	5,755,359
Grain, 1887.....bushels...	626,305,000	431,074,630
Number of farm animals	44,830,972	28,754,243
Value of live-stock	$573,695,550	$391,412,254
Value of chief agricultural products, 1887	$742,066,460	$571,098,454
Coal mined, 1887.....tons...	16,476,785	6,049,471
Pig-iron produced, 1887.....do...	929,436	397,301
Number of cotton mills	294	179
Number of spindles	1,495,145	713,989
Number of looms	34,006	15,222
Value of cotton goods produced	$43,000,000	$21,000,000
Number of cotton-seed oil mills	*160	40
Capital invested in cotton-seed oil mills	*$12,000,000	$3,504,000
Phosphate manufactured.....tons...	432,757	190,162

*About.

These facts and statistics show what we can do and are doing in the South, in spite of a protective tariff; and they further show that all the ways of our people are ways of peace.

We can and will work out our own destiny, if left to depend alone upon the natural blessings Heaven has so munificently bestowed upon us, coupled with our efforts, and we prefer not to depend upon the fatherly hand of the Federal Government to boom us. The God of nature has given our land and people more protection than any high tariff will yield us. The star of empire which hitherto has steadily taken its course to the Westward has turned to the South. With our cheap coal, cheap iron, cheap land, cheap living, unsurpassed climate and workingmen, giving us a large per centum of advantage over all competitors, we are in the fight for prosperity, not for to-day or to-morrow, but for all future time. If we have a high tariff we will live and prosper. If the tariff is lowered we shall do the same. If it be taken off altogether, and we must enter the race in a field of fair trade or free trade, we will be found with quickened gait keeping step to the onward march, and, putting aside the load which doth so beset other peoples, sections, and communities, will deserve and reap the rich reward of a brave, industrious, and frugal people. All we ask is that you take the heavy hand of Federal taxation from us. With our unrivaled climate and soil, our inexhaustible mineral resources, our navigable streams, our railroads, the capital we have and that which will inevitably come because it is profitable, we can rebuild our waste places, restore our happy homes, and have smiling contentment resting like a sweet benediction upon our land. A future is surely opening up before us whose possibilities are boundless and whose ending no man is wise enough to predict. Such are our hopes, and such our expectations, in the glad fruition of which we will see extinguished the last vestiges of desolation produced by our late unhappy war, when our people can and will realize in perfect truth that they are citizens of the freest and best government the world ever saw. [Great applause.]

Mr. McADOO. Mr. Chairman, I propose, as fully as the time will permit, to state my views and convictions as to the reduction and revision of the existing revenue laws. Whether they be right or wrong they are the result of my best reason and observation. They have been strengthened by the arguments intended to refute them and are not to be changed by interest or clamor, but are at all times open to facts and reason.

I speak as a Democrat proud of the history, principles, and traditions of this wonderful organization. My first vote was given for Democratic candidates upon a Democratic platform, and at a time when the political soldiers of fortune who are now assuming the rôle of allies and dictators were among the bitterest of our opponents and slanderers. I believe that I shall, if spared life, be found continuing to vote for and upholding Democratic principles and candidates when the whim of the hour has ceased to charm, when the fashions in political novelties change, and these gentlemen have temporary service under some new banner to which their selfish interests may attract them. They labor who wait.

I should not hesitate for myself to make any personal sacrifice to preserve intact and victorious the legions of Democracy, and if disaster were as inevitable as victory is assured, having shared an unwonted and undeserved share of the common glory from my young manhood up, I would have no compunctions to go down in the common ruin.

We are confronted with such a situation as is novel to most nations. We have a large surplus in the Treasury, variously stated and misstated, but too large for our good. We have in times of profound peace a system of internal taxation under which we collect some $118,000,000 a year. At the same time we have our immense collection of import duties upon foreign wares and merchandise.

Of the evils of the surplus I join in all that has been and will be said. It takes the people's money from the channels of trade and business where it belongs. It robs labor of a share of its pittance that it may tempt fraud and waste to filch it from the public Treasury. It creates a rich government and makes the people poor; it dams the waters that turn the wheels of industry and trade; it corrupts the current of legislation, begetting jobs and dishonest laws; it paralyzes individual effort and tempts the people to lean on government instead of on themselves, thus threatening alike our liberties and our prosperity. How shall we rid ourselves of this burden?

I will not insult your sense of honesty by arguing for profligate expenditures, venturesome enterprises, and unnecessary appropriations, which arise only by contemplating the growing Treasury. Our legitimate expenses for government and the necessary public works, naval defense, and the like are, of course, proper, and will always merit and receive sufficient to maintain them.

From reduction of the revenue, then, must come our relief, as, even were it advisable, difficulties are in the way of an immediate and rapid payment of the public debt.

Our revenues as all know are from two sources, internal taxes upon articles grown and manufactured in our own country and duties levied at the borders upon articles grown, produced, or manufactured in foreign countries. From one or both of these must the reduction be made. If reduction of the surplus revenue is the sole object sought, then of course we should take it from that source of revenue that will most surely give the result. The mere reduction of the import duties on foreign goods may, and in all probability will, only serve to increase importations and thus increase instead of diminish the revenues from that source. Enlargement of the free-list and the reduction or abolition of the internal taxes will surely reduce your income.

If this is a question of mere surplus reduction, then, speaking for myself, and opposed as I am to collecting any revenue save through the custom-houses upon foreign goods, I should go immediately to the internal taxes—the taxes unsuited to our people and our institutions, and threatening, in their rigorous execution, the rights of the States as well as the liberty and freedom of a great people unused to government espionage in their business and homes. If tobacco and liquors must come under governmental control, let their taxation add to the bankrupt treasuries of our States and municipalities. Why should the Federal Government tax tobacco, one of our great staples, any more than tax wheat? Why not tax corn meal as well as corn in any other form?

Your taxation does not lessen their use; your control but helps the powerful rings and trusts which manipulate their production and sale. Because the whisky king grows rich and omnipotent on our weakness or our vices, is he any less obnoxious and dangerous to free government than the coal baron who thrives on our necessities?

So far I have been speaking of the situation as one demanding simply a reduction of our redundant revenues. It would, however, be merely fencing with words to refrain from admitting that the most active alarmists of surplus dangers have two objects in view. Mere reduction of the revenues they make secondary to reduction, or revision, or reform of the tariff—in the plenitude of terms you can easily make a choice. We are therefore confronted with propositions that embody reduction and revision of both sources of national income, and I shall therefore, in a general way, address myself to the tariff aspect of the case.

The resolutions of the recent convention of New Jersey Democrats

state well the principles that should govern in a revision of the revenue and tariff laws. It reads as follows:

It readopts as its rule of political faith and practice, the resolutions of the last Democratic National Convention, promulgated by representatives from every section of the country, and affirmed by the people of the United States in the election of the Democratic candidates, as embodying all the doctrines and principles necessary for the proper conduct of national affairs demanded by the exigencies of the present time.

It urges upon representatives of the Democratic party in Congress the early fulfillment of the pledges and promises of those resolutions according to their letter and spirit, and more especially those wherein are demanded a reduction of the redundant revenues of the Government, and the revision of the tariff with due regard to the interests of the agricultural and manufacturing industries, and of labor and capital to be affected thereby.

This tariff so collected would have been limited in amount by the honest and necessary wants of the Government, or as the Democratic platform pertinently states, "the wants of the Government economically administered," and to be so levied and adjusted on foreign articles coming into competition with those made or produced here as to give to American labor the higher recompense it now obtains over that of other countries. Such a tariff is admirably suited to a country that has for empire nearly a continent, every variety of production, soil, and climate, battalions of skilled and intelligent artisans and workmen, millions of freehold farmers, and within whose own limits absolute free trade prevails as nowhere else on the earth.

For such a tariff, as against free trade of the Cobden school or the existing British tariff, I am here to witness. It is not only wise, but is constitutional and backed by unbroken precedent, and defended by such Democrats as Madison, Jefferson, and Jackson. In the field of theological controversy resource is had to the early fathers of the church as the correct interpreters of the sacred message, and across the field of contention pass the sacred shades of Jerome, Origen, Alexander, Augustine, and Clement. May I not, to correctly interpret the charter of our rights, the Constitution of our country, cite the evidences of the founders of our Government, the framers of the instrument?

Andrew Jackson was a grand, undeviating Democrat and a man of hard practical sense. In his second annual message to Congress, December 7, 1830, he said:

The power to impose duties on imports originally belonged to the several States. The right to adjust those duties, with a view to the encouragement of domestic branches of industry, is so completely identical with that power that it is difficult to suppose the existence of the one without the other. The States have delegated their whole authority over imports to the General Government, without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the States, the right to exercise it for the purpose of protection does not exist in them; and consequently, if it be not possessed by the General Government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely can not be the case; this indispensable power, thus surrendered by the States, must be within the scope of the authority on the subject expressly delegated to Congress.

In this conclusion I am confirmed as well by the opinions of Presidents Washington, Jefferson, Madison, and Monroe, who have each repeatedly recommended the exercise of this right under the Constitution, as by the uniform practice of Congress, the continued acquiescence of the States, and the general understanding of the people.

In opposition to later-day lights listen to James Madison, President and sound Democrat:

The States that are most advanced in population, and ripe for manufactures, ought to have their particular interests attended to in some degree. While these States retained the power of making regulations of trade they had the power to protect and cherish such institutions. By adopting the present Constitution they have thrown the exercise of this power into other hands. They must have done this with an expectation that those interests would not be neglected here.—*Gales and Seaton's Debates*, old series, vol. I, page 116.

Hear this address signed "Jerseyman" in November, 1787, to the citizens of New Jersey on the new Constitution. Hear him, one of the people, appealing to the people with the open book in his hand, speaking in the language of the people—hear him on the clause which you are attempting to interpret:

The great advantages (American Museum, volume 2, page 437) which would be the result of the adoption of the proposed Constitution, are almost innumerable. I will mention a few among the many. In the first place, the proper regulation of our commerce would be insured—the imposts on all foreign merchandise imported into America would still effectually aid our continental treasury. This power has been heretofore held back by some States on narrow and mistaken principles. The amount of the duties since the peace would probably, by this time, have nearly paid our national debt. By the proper regulation of our commerce our own manufactures would be also much promoted and encouraged. Heavy duties would discourage the consumption of articles of foreign growth. This would induce us more to work up our raw materials, and prevent European manufacturers from dragging them from us in order to bestow upon them their own labor and a high price before they are returned into our hands.

I might fill up my hour with citations from men whose Democracy was never questioned.

The First Congress affirmed it in the memorable preamble to the first tariff law, which read:

Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties shall be laid on goods, wares, and merchandise imported—

SECTION 1. *Be it enacted, etc.*, That from and after the 1st day of August next ensuing the several duties hereinafter mentioned shall be laid on the following goods, wares, and merchandise imported into the United States from any foreign port or place, that is to say.

Then follows a schedule of articles with the respective amounts of duty imposed.

The tariff thus levied was indeed small, as has been said, but was really more protective than our existing tariff, because in that day of sails and months of voyaging to cross the Atlantic distance was of itself great protection.

For this declaration all hail to the wise and patriotic men of the First Congress. Their names may not be on the honor-roll of the Cobden Club or its Anglo-American allies, but they are imperishably engraven in the hearts of their countrymen. If they lived in our day Professor Wells and the free-trade Sanhedrim of Boston, New York, and Chicago would deride them, but posterity would cherish their names as wise men loving their country and their kind. [Applause.] We read with quickened pulse of how the English flag went down on Monmouth's field and Bunker Hill before the tempestuous sweep of our patriotic sires, but beats our heart as fast at this giant blow of the First Congress for American commercial freedom from enslavement to British trade and greed that feeds the beasts of prey with hecatombs of human victims on India's plains and Ireland's hills. [Applause.]

England has long since filled up the gaps in her decimated ranks made from Lexington to Yorktown, but she has never recovered from this staggering blow of the First Congress of the United States of America. [Applause.]

While I am happy to state that no proposition before the House makes a distinct issue between protection and free trade, I think it well to examine and meet some of the exuberant and hysterical statements of those who deride all tariffs. These gentlemen are probably elated by the proposition of the Ways and Means Committee to abolish the internal-revenue tax on tobacco. And right here let us remind the House and the country that we are going to vote on distinct propositions and not upon speeches and editorials in which free pinion is given to a fancy that loses itself in space. For myself, I do not propose by this horn-blowing around the walls of the tariff Jericho to be diverted from our pledged duty to reduce the surplus and revise the tariff in the interest of the whole people of our common country. To this end I shall facilitate by voice and vote all legitimate efforts in that direction.

We hear much in these days from free-traders about the brotherhood of man and universal peace, but I do not fail to notice that, lovable and much to be desired as are these things, the one is preached to us by evangelists of hate and the other by those most heavily armed. The autonomy, supremacy, and individuality of nations is as necessary to the welfare and civilization of the race as demonstrations for universal fraternity of peoples unequal in every respect. [Loud applause.]

The brotherhood of man—I glory in the sentiment, but I can not but reflect upon the words of the true French republican, who, passing in the death tumbrel on to the guillotine through the streets of Paris, chaffed with the legend "the brotherhood of man," exclaimed:

Alas! my friends is not this the brotherhood of Cain?

The brotherhood of man and free trade and universal peace and the millennium will come on this earth when each of us and all of us has for himself, without attempting to reform our neighbors, evicted from our own heart the brotherhood of Cain, and enthroned therein the spirit of peace, justice, and truth.

Against the transparent fallacies of free trade now so persistently and insidiously urged upon our country by organized foreign influence and native selfishness I might warn my countrymen at great length did time permit. Nothing so exposes the unreliability of its conclusion as the falsehood of its promises. Mr. Henry George, the most ardent and unequivocal free-trader, in a book which he presented me with through the generosity of a gentleman resident in England, opens his first chapter on "Protection *vs.* Free Trade" as follows:

Near the window by which I write a great bull is tethered by a ring in his nose. Grazing round and round, he has wound his rope about the stake until now he stands a close prisoner, tantalized by rich grass he can not reach, unable even to toss his head to rid him of the flies that cluster on his shoulders. Now and again he struggles vainly, and then, after pitiful bellowing, relapses into silent misery.

Pausing to say that a bigger fool bull I never read of, I deny the accuracy of the figure as applied to the United States. The very opposite is the situation. Our bull has the greatest area of the very best pasturage in the world, through which, fat, sleek, and contented, switching occasionally with his flowing muscular tail the miserable little free-trade gnats off his powerful, towering shoulders [applause], he goes free and untethered, his only annoyance the lean and hungry nomadic kine of Europe and Asia, cadaverous as those of Pharaoh's dream that come mooing and bellowing and trying to overturn the bars that they may come in and get a mouthful of our rich, sappy, home-market grass. [Laughter and applause.]

In connection with this great subject we have ever dinned in our ears the teachings of the British school of political economists. I know of no greater evil from which we suffer than the adoption by American schools of these theories. England, a small island, with a teeming population, was obliged to live at the expense of other people; and from Adam Smith to John Stuart Mill and Richard Cobden there arose for her apologists of her doctrine of international commerce. To my mind this political economy, so called, is nothing more than a defense

of piracy, an attempt to make larceny respectable, a promulgation of the gospel of "freebootery" under the guise of cant and hypocrisy, and uttered with proverbial British assumption of superior wisdom and virtue.

Some of these writers have reduced all the relations of man to man to a savage and barbaric one, thus supplanting religion by a cold, unsympathetic chop logic materialism founded on selfishness and dirt. The divine injunction that says that he is worse than an infidel who does not provide for his own, and that we are to protect and succor the weak, they replace with cruel and un-Christian doctrines about the survival of the fittest. Their demands for free trade and cheap labor run parallel with the unholy teachings of Malthus that maternity is a crime and that infanticide is necessary to decrease population and beget prosperity. They reduce man to savagery here and to a nonentity hereafter, and all this in the name of Christianity and the Cobden Club. Their whole structure is a tower of Babel that must end in confusion and disaster. [Applause.]

We are told that free-trade England prospers more than protection Germany and France. I do not admit this in the light of her overcrowded poor-houses and emigrant ships hurrying their thousands to our tariff protected shores; but supposing it to be true for the sake of argument, then in reply, coupled with her less expensive armies, she has thriven upon the loot of her conquests, upon the blood of her victims in India, Ireland, and the wretched debtors to her financial schemes in Turkey and Egypt. England would never have adopted a purely revenue tariff if Cobden and his kind had not believed that we and others would have been deceived into giving free port to English goods. Fortunately the world saw through their hypocrisy, and to-day the protective system is well-nigh universal. Adam Smith and Cobden have piped but we have not danced.

How this unnatural free-trade mother treated her dependent colonies and conquested countries the story is almost trite from its repetition. Says a recent writer:

> The first attempt at manufacturing any species of cloth in the North American provinces produced a resolution on the part of the House of Commons (1710) that the erecting of manufactories in the colonies had a tendency to lessen their dependence on Great Britain. Soon afterward complaints were made to Parliament that the colonists were establishing manufactories for themselves, and the House of Commons ordered the Board of Trade to report on the subject, which was done at great length.
>
> In 1732 the exportation of hats from province to province was prohibited, and the number of apprentices to be taken by hatters was limited. In 1750 the erection of any mill or other engine for splitting or rolling iron was prohibited; but pig-iron was allowed to be imported into England duty free, that it might be there manufactured and sent back again. At a later period Lord Chatham declared that he would not permit the colonists to make even a hobnail for themselves; and his views were then and subsequently carried into effect by the absolute prohibition, in 1765, of the export of artisans; in 1781 of woolen machinery; in 1782 of cotton machinery and artificers in cotton; in 1785 of iron and steel making machinery and workmen in those departments of trade; and in 1799 by the prohibition of the export of colliers, lest other countries should acquire the art of mining coal.
>
> Thomas Jefferson, commenting on the parliamentary legislation repressive of colonial industry and intended to aggrandize Great Britain at the expense of her dependencies, expressed himself boldly and emphatically thus:
>
> "That to heighten still the idea of parliamentary justice, and to show with what moderation they are likely to exercise power where themselves are to feel no part of its weight, we take leave to mention to his Majesty certain other acts of the British Parliament by which we were prohibited from manufacturing for our own use the articles we raise on our own lands with our own labor. By an act passed in the fifth year of the reign of his late Majesty King George II, an American subject is forbidden to make a hat for himself of the fur which he has taken, perhaps, on his own soil, an instance of despotism to which no parallel can be produced in the most arbitrary ages of British history.
>
> By one other act, passed in the twenty-third year of the same reign, the iron which we make we are forbidden to manufacture; and heavy as that article is, and necessary in every branch of husbandry, besides commission and insurance, we are to pay freight for it to Great Britain and freight for it back again, for the purpose of supporting not men but machines in the island of Great Britain.

Under the black flag of her commercial supremacy the Indian victims, who fall annually under her famine-creating laws outnumber those, by far, who fell beneath the devastating sword of Hyder Ali, India's patriot defender. Her mock hosannah to free-trade can not drown the wail of the hunger-stricken Irish peasants on the bleak and wintry Connemah, where the wild surges of the North Atlantic break against the wilder hills, and mortal man makes superhuman struggles for a bare existence, only to see his wife and children yield the ghost to gaunt famine under the red folds of England's free-trade flag. But turn, ye preachers of her example, to a recent occurrence within the shadow of her Parliament House. Then you might have stood within the shadow of the open and welcome portals of the Cobden Club House and have seen before you, around the base of mighty Nelson's pillar, thousands of ragged, hungry, and, in part, homeless, desperate, and disinherited English artisans, mechanics, and laborers, clamoring for the opportunity to work. The outside free-traders who are presumed to be on good terms with her "most gracious majesty," should call his mother-in-law's attention to the Marquis of Lorne who some time ago in the North American Review defended protection in Canada.

These Campbells were always the shrewdest and most far-sighted of the Scottish clans. If free trade is a national blessing and a universal panacea for every ill, how is it that the colonizing Englishman invariably turns protectionist as soon as he gets out of sight of Land's End? Why is he not a free-trader in Canada? Why is that Englishmen have, and I am sorry to say it, gotten possession of probably 30,000,000 acres of land in this tariff-ridden and "blarsted" country? Why are all the people of the earth so blind? Why is it that England spends millions on her army and navy for no other purpose than to steal and possess great patches of the globe, and make compulsory customers of their inhabitants? If India were free, how long would the ryots of Hindostan work for 8 cents a day and open their ports to England? How long, under national freedom, would the wretched fellahs of Egypt be enslaved to her money power?

She makes foreign markets at the point of the bayonet, and holds them open with her guns. And the day our statute-book is desecrated with a free-trade enactment bonfires of rejoicing will light the darkness of the night on British hills from John O'Groats to the chalky cliffs of Dover, and its author will be received with open arms by the now distracted English nobility and manufacturers. But, aside from England, can our workmen compete with the landless, ambitionless, hopeless, and degraded laborers of Europe? I have said that free commercial intercourse can not exist between countries socially, politically, and physically different without bringing all to a common level. Can we compete with these people? Can we make them in our own market our commercial equals? Here is an official picture from the records of the workers in a part of Europe:

> WASHINGTON, *January* 9, 1886.
>
> Consul Dithmar, at Breslau, Germany, has made a report to the Department of State relative to agricultural labor. He states that the laborer usually lives upon the estate and is employed upon it the year round. The working hours are in summer from 6 a. m. to 7 p. m., and in winter from sunrise to sunset. He is given free lodging and free fuel, and it is customary also to allow his family the use of 100 square rods of land for raising vegetables. As direct wages he receives per annum $19 to $23.80 in cash and 24 bushels of rye, 3 bushels of peas, and 1½ bushels of wheat.
>
> THE LABORER'S WIFE
>
> is bound to work in the field whenever required, and receives for a day's work in summer 12 to 14 cents, and in winter 10 to 12 cents. Of tea, meat, tobacco, and schnapps the farm laborer gets but little. If he smokes a pipe it is but seldom, and his tobacco is unmanufactured leaf. In harvest time he is treated to schnapps to encourage him in his work. The government tax is no longer paid by farm laborers, but the commercial-income tax amounts to 50 or 75 cents a year. A writer on economic subjects figures that a laborer's family, consisting of himself, wife, and five children under twelve years of age, can subsist on $1.09½ a week, or
>
> SEVENTY-FIVE DOLLARS A YEAR.
>
> Consul Dithmar also gives a tabular statement of the wages paid to miners and mine laborers, showing that they receive daily 52½ cents (which is paid to foremen, engineers, and carpenters), to 18½ and 15 cents paid to women and minors. The average cost of the substance of a miner's family, including rent, clothing, and taxes, amounts to $122.80 per annum. The rents paid by the miners range from 36 cents to $1.19 per month.
>
> The rate of wages paid to agricultural labor depends upon the locality where such labor is employed, being considerably higher in the level than in the mountain districts. In the former the wages of a man and wife aggregate $194.25 per annum, while in the mountainous districts a man and his wife, assisted by a child, earns but $184.92. In the district of Wolfenbuttel the laborers receive a cash wage of 35 cents per day, summer and winter; working time, 5 to 11 a. m. and 1 to 6 p. m. Women are paid 19 cents for the same time. A man will earn from 59½ to 71 cents per diem mowing, and a woman from 29 to 35 cents for gathering behind the scythe. Men and women both earn from 35 to 47 cents hoeing, and from 47 to 59 cents gathering beets. In this latter work children are also employed to cut off the leaves, and a child from seven to twelve years old will earn in a period of three or four weeks 24 cents daily.

Why is England so anxious for free trade in America? I will tell you. Some time ago the home secretary for Great Britain sent out to all her manufacturers some questions, asking what in their opinion was the cause of the existing depression, and in nearly every instance, among other reasons given, was, "the American tariff system."

Is free trade a cardinal principle of the Democratic party? is a question to which there can be but one answer. While it is true that the Democratic party, being a strict guardian of the Constitution, has never advocated protection for the sake of protection, yet I might spend my hour reading Democratic authority for the incidentally protective features of the tariff.

If this claim is ever made there is certainly nothing in the whole history of the organization to sustain it. This historic and venerable party, the most vital and enduring organized defense of human rights and constitutional liberty yet devised by man, is coequal with the Government itself. To its storm and battle beaten but unsurrendered battlement, like the tenacious and evergreen ivy, cling the traditions of our past, and in the shelter of its stout walls flourish our hopes for the future. Its magnificent, enduring, and well-poised superstructure rests upon no narrow foundations of ill-developed theories or crumbling ledge of self or sectional issues. Protected from undue foreign influence or interference, it aims to develop the individuality of the citizen, preserve the autonomy and freedom of the community and the State, and watch zealously against the use of paternal government or centralized despotism. It came into being at the instance of the fathers to sentinel the temple they had reared. It is true that, like Augustine said of the early Christian church, with "unity in essentials, liberty in non-essentials, and toleration in all things," many men of many minds have worshiped at its altars, but with some few brilliant but erratic exceptions, its teachers in the study, its professors in the forum, and its great leaders in the field, from Jefferson the prophet to Jackson the partisan and soldier, all have upheld the doctrine of incidental protection to American labor against foreign wiles or open aggression.

It is an inspiring duty to battle steadfastly and at any amount of

personal sacrifice against allowing this great organization to be prostituted to the aims of fanatical theorists or designing men for selfish and unpatriotic purposes.

Mr. Speaker, I am nerved to the contest; my heart expands to meet the issue. It is no crime to differ with men within my party on the questions of the hour. Better men and nobler souls have faced these fires in graver crises of our history. I am unworthy of the presence of these august shades. Stephen A. Douglas and Silas Wright have passed away, but their memory is green in the hearts of millions of freemen and true Democrats.

This great constitutional party has resumed the control of the Government it helped to form and preserve, and has, in my opinion, with wise direction entered upon a series of splendid victories that will benefit the whole people by giving them wise, honest, conservative, economic, constitutional home-rule government. The difference between it and its opponents will always remain, to its credit, plain and distinct, and that without regard to passing and ephemeral distractions. The Democratic party, having revised the tariff, will find its life-work but begun. Jefferson did not found a great party to split hairs with Adam Smith.

TARIFF REVISION.

I believe in revising the tariff law because it has need of revision in the interest of all the people, because we are pledged to such a course as a party, and because I think the preservation of the protective principle can only be served by denouncing and destroying the selfish schemes of those who have prostituted these laws for inordinate gain, to the injury of the people. The shield of tariff protection must not unduly cover those who have abused its principles.

The greedy schemers who imperil the safety of the whole structure must be unearthed and driven forth. Protection to honest labor is not a mask for dishonest monopolists. The incongruities and inequalities of the laws should be remedied. Administrative reform is a crying necessity. Duties too high and above a labor line should be reduced. Exotics must face the open air. Greed must stay its hand. [Applause.] But raise or lower, the dead-line must always be the difference in wages between this and other countries.

The protective effects of the tariff are intended for labor. A great and admitted difference in wages does exist between this and other countries. This fact cannot be, and is not, denied. I could take up many pages with tables, but I am merciful. Undue reduction of the tariff must lower the cost of the product to meet European competition. Home cost is in many articles over 80 per cent. wages, hence wages will first be reduced. Low tariffs in the United States—low wages. Fine spun theories are advanced against this statement, but they can not convince.

They say the cost of the unit of production has decreased and wages have increased; that one man on a machine can make many more cotton shirts than one man by hand, and get more wages for his time and skill. Granted. This will apply to all countries—Europe as well as America; but wages have in no wise advanced in Europe as they have in America for the same skill, with the same appliances, working the same time.

A great thread mill has just moved its whole establishment from Leeds, England, to a town in my Congressional district, but they pay here, using the same machine and in some instances the same skill, over two times more wages than they did in England. The cost of the unit of production has increased here because wages are higher; labor costs more. That tells the whole story. Cut down wages and I grant you the tariff is not needed. Increase the tariff beyond this wage difference, and you are robbing the consumer in the name of the artisan. Adjust it to the wage difference and you benefit all concerned. Well paid laborer is the best customer, client, or patient of the consumer.

It is a mere abuse of that father of his, the arithmetic, to say that labor bears a small proportion to the value of almost any selected article. A finished product represents almost entirely human labor and skill. The product of two guileless Texan Democratic sheep represents the raw material that, made into clothes, will annually well clothe a man. All the rest is labor and skill. Thousands of our fellow-citizens are engaged in making these clothes. We hear a great deal about sheep, whisky, and dear clothes.

This style of argument is supposed to be crushing. It takes its place among a collection of antique fables about the "poor man's blanket" and the "rich man's diamond," and means, when you come to analyze it, just as much as the cachinnation of the laughing jackasses of the Australian forests. [Laughter.] Editors who know less about the tariff than they do about the dodo, keep this as standing matter in their columns, and young debating clubs, dropping the conventional subject of controversy as to whether it is more conducive to virtue to live in the country than in the city, give forth oracular utterances to political parties as to this subject.

Now, let us see. You tax whisky and collect it with an armed battalion of officers and spies, and as a result you enrich its monopolistic manufacturers and do not, in my opinion, increase nor decrease, by what the late Artemus Ward would call "a grown man's dose," the consumption of the entire liquor output. You only lower the quality. You collect tariff duty on clothes, and thus give employment to hundreds of thousands of American men and women, beget home competition, and compel the foreigner to lower his price.

The very last public utterance of that great Englishman, Matthew Arnold, in the Nineteenth Century Magazine, in the course of a scathing review of our country and her people, April number, page 484, was to this effect:

Luxuries are, as I have said, very dear—above all, European luxuries; but a workingman's clothing is nearly as cheap as in England, and plain food is on the whole cheaper.

Mr. Arnold did not like us but he was candid. How amusing in the light of this statement—and it goes to the point—by this eminent Englishman is the cry of dear clothing. Dear clothing! Cheap whisky! Indeed!

It is said that wages have increased in England under free trade as in America under protection. If free trade is best, should they not increase more? If they have increased as much, why do English laborers and artisans flock to protection countries and colonies? And this emigration I admit will ultimately become a factor in the case. Now, in all this I want it understood that I am not claiming that the sun shines, the grass grows, and the water runs, and universal prosperity reigns, and everybody is prosperous and happy and contented because of protection, any more than I believe that poverty and original sin, headaches, corns, Congressional dead-locks, and farm mortgages will disappear under free trade or a strictly revenue tariff.

I join with the extremists of neither school. I know how selfish and false are the cries that surround this question. But I assert my belief that a judiciously levied tariff for revenue, with incidental protection to American labor, has done and will yet do much for our people and our country. It will diversify industry, make us independent of other countries, and to the great and rising Southern States, under non-sectional Democratic government, prove the source of manifold blessings. I do not believe the tariff question will settle the tremendous contest between labor and capital.

Labor is making an organized effort for its just share of the joint production, and that will go on regardless of tariffs or no tariffs. Of course, under free trade the employer would have the world open to him for a place for manufacture, and confronted with fair demands in America would move to a cheaper labor market. The contest might, indeed, then cease here, because there would be nothing left to contend about.

Radical changes in the tariff must always therefore fall first on labor. Capital can take care of itself. I am not concerned for it. It is noticeable in the United States that the leading free-trade advocates are men of wealth and settled income or those interested with them. As soon as a man becomes wealthy he looks for cheap labor. "The world's mine oyster," he says to himself. "If I can not make money manufacturing in America I can sell foreign-made goods, or invest in foreign manufactories, or speculate on the necessities of my countrymen."

It seems a cruel thing to say, but it is true, that there are men in this country to-day who for remorseless greed for their own profit would import to supplant their own race and kind in our labor market with the barbaric hordes of semi-civilized Asia. In what I have said about wages in America and other countries, I have gone into no statistics or offered, as I might, official statements, because the case is practically admitted.

It is a patent fact that in all branches of industry in America wages are higher than in Europe. Carpenters, masons, doctors, lawyers, and other callings not directly protected by tariff laws get the full benefit of these increased payments, and hence have higher remuneration than in competing countries. Raising the wages of a large portion of the labor and skill of the country raises all. For instance, the farm laborer will not work for proportionately less than the mill hand. Much is said about some local causes making differences in the rates of wages paid in different States of the Union. This may be so, but the differences are minor, and even where they reach the lowest they are still much higher than anywhere outside our own country, and the standard is very even and general, all things considered, throughout the United States.

THE TARIFF CONSIDERED SOLELY AS A TAX.

It has been alleged that the price of the imported article is in all cases increased the full amount of the duty levied. That is, if an article costs $1 in Europe and you pay 50 cents on it as duty at the New York custom-house, the consumer pays the 50 cents as tax over and above the value of the article. In other words, that its usual and ordinary price is increased 50 cents. I will not rest my denial of this sweeping assertion on anything that I might say myself, but will cite the great English free-trade writer, J. R. McCullough, in his work on Taxation, London, 1845, page 154. He says:

It is not, however, by any means, a necessary consequence that the prices of articles on which a duty has been laid will be raised proportionally to its amount, or, indeed, that they will be raised at all, and in the latter case the distribution of capital will not be affected.

Provided the duty be not oppressive, its influence in stimulating those engaged in the production of the taxed articles to new efforts of industry and economy may enable them to sell the commodities at their old price, or at one but little higher. And supposing it were otherwise, and that prices were raised proportionally to the tax, the effect would be confined to the home market, inasmuch as the granting of an equivalent drawback, or the remitting of the duties on the articles when exported, hinders the foreign market from being affected by the tax.

This plainly says that the European producer meets the 50 cents tariff tax by reducing his price that amount or more at home; and so the American consumer does not pay it, but the foreigner pays it directly into our Treasury and we gain the whole. This is demonstrated as to many articles in our market. When European pottery had no American rivals, and our tariff was very low, pottery was about twice as dear as it is to-day under the existing tariff with home potteries. Behind the tariff bar grew up our home industry; and the foreigner was compelled to lower his prices. It is the same with glass. One factory making a certain kind of glass here in the United States was burned down. This destroyed competition in this market against foreign goods of that kind. The price of the foreign article immediately advanced. It is a well-known fact that the export price of foreign goods is often lower than their home selling price.

When the tariff is wisely and honestly adjusted a healthy competition, both foreign and domestic, ensues. If you do away with home manufactures who will insure us against the foreign trust and combination? The modern trust is, in my eyes, just as far from being either honest or just as the ancient pirate or highwayman, and they should be sternly repressed; but I am not willing to admit that the protective features of the tariff are solely and wholly responsible for these latter-day developments. It is noticeable that the towering trust giants, oil, whisky, etc., do not defend nor are they affected by the tariff. We need not burn down the house to get a few rats out of the cellar; other remedies are at hand.

It seems to me the climax of brazen effrontery for these monstrous conspiracies against the welfare of the people to inveigh as they do against organized labor. It was the foul confederacy of soulless capital that compelled labor to organize in self-defense, and at its door should be laid the excesses, if any, that may ensue. Harmony between labor and capital will be restored when faith comes again to a forsaken earth and the golden rule again reigns.

CHEAP MARKETS.

How much we hear about cheap markets and the purchasing power of the dollar. Now, the purchasing power of the dollar is all important if you have the dollar. Of what use is the cheap market to the man who can not get his dollar? Suppose you close his workshops and send him out into the world, where will the workman get his dollar to go into your cheap markets? Suppose you reduce his dollar one-half, how will that raise the price of your wheat? India and Russia compete with us in breadstuffs in the British market, and will so continue until more diversified industry gets a foothold in those countries. Advancing civilization in Russia and freedom for India are to be desired. When India is free from British rule she will eat her own wheat, and the horrible annual famines amid plenty will cease. But as it is now the best market for Texan and Kentucky farmers is up in New York and New Jersey.

Close the industries now prevailing there and our great industrial army—their best customers—will, I suppose, join them in purely agricultural pursuits, and all enter competition in foreign markets against Russian serfs, Egyptian fellahs, and Indian ryots. The tariff will not trouble us then. We will all lie down in peace and kick our heels in the daisies, or join in chasing a lonely coyote for a winter overcoat in his skin. Our people thoroughly understand this. In no country are the workmen so intelligent and well organized. They have, besides, the quick, acute, sharp sense that is characteristic of those reared in our dry, stimulating air.

These people are not represented in the parlor conventions of free-traders, where cheap-labor millionaires, importers, selfish politicians, and speculative philosophers elbow each other in a singular jumble. These workmen have no affiliation with gentlemen of infinite leisure, unbounded wealth, and great admiration for all things foreign. No; they are rugged, whole-souled, unwavering Americans in principle and practice.

THE FOREIGN MARKET.

Universal depression in agriculture prevails. In Great Britain agricultural distress is terrible. In France the whole nation is troubled by seeing the very foundation of that country—the small landholder—suffering unwonted hardship. It is so throughout all Europe. Agricultural depression is felt here to some degree, but in no country in the world to-day so little as in the United States. The British, French, and German farmers would gladly exchange places with ours. In fact they do come here in multitudes every hour. Even as I speak they are crowding the steam-ship wharves in my Congressional district. Now this depression has given room for much talk of the foreign market.

We must, forsooth, get a great foreign market by act of Congress. I would like to have this wonderful foreign market more clearly defined. Is it in Europe? Europe is doing her own manufacturing and striving hard to raise her own bread for her own artisans. Scarcity in England. For myself I have great hopes of extending our market in the South Americas. English ports are now open to us, but unless we reduce wages we can not beard the lion in his den. She is our great and sleepless rival. But soon, very soon, we will take from her the commercial primacy of the world. Her own writers see this coming and are sounding alarms to their countrymen. A well-regulated American tariff will surely sap away her commercial supremacy and make us master in the newer countries where trade is yet to be won. This young Republic of unlimited possibilities and with its intelligent labor will eventually dominate trade and commerce in all American countries.

Let us proceed carefully and on true reciprocal grounds to extend our American market. When our people bend all their energies to it, when shipbuilding becomes as popular as railroad building, when our merchants and manufacturers train for it, then our laws will shape it, and our foreign market will be established. When the pressure for a foreign market becomes very great we can safely trust the genius, industry, and pluck of our people to find one. In the mean time let us remember that the home market first and last is our sheet-anchor.

In the mean time do not let us delude ourselves with vague talk about foreign markets that do not exist or are passing away. Let me read some extracts from a recent paper by Kropotkin in the London Nineteenth Century, April number. The writer has a wide reputation. He writes to prove that the home market is now the only market left for nearly all countries. He insists that each nation is rapidly approaching the point when it will raise its own bread, make its clothes, and build its own machines, and live within itself. The article is entitled "Our Industrial System." Hear this keen-eyed observer of universal events:

Each nation her own agriculturist and manufacturer; each individual working in the field and in some industrial art; each individual combining scientific knowledge with the knowledge of a handicraft—such is, we affirm, the present tendency of civilized nations. The following pages are intended to prove the first of these three assertions.

Gaze on this picture of the world's progress and see the changing conditions of nations and men.

Let us turn seventy years back. France lies bleeding at the end of the Napoleonic wars. Her young industry, which had begun to grow by the end of the last century, is crushed down. Germany, Italy, are powerless on the industrial field. The armies of the great Republic have struck a mortal blow to serfdom on the continent; but the return of reaction tries to revive the decaying institution, and serfdom means no industry worth speaking of. The terrible wars between France and this country, which wars are often explained by merely political causes, had a much deeper meaning—an economical meaning. They were wars for the supremacy on the world-market, wars against French commerce and industry; and Britain won the battle. She became supreme on the seas. Bordeaux was no more a rival to London, and the French industries seemed to be killed in the bud. And, favored by the powerful impulse given to natural sciences and technology by the great area of inventions; finding no serious competitors in Europe, Britain began to develop her manufactures. To produce on a large scale in immense quantities became the watchword. The necessary human forces were at hand in the peasantry, partly driven by force from the land, partly attracted to the cities by high wages. The necessary machinery was created, and the British production of manufactured goods went on at a gigantic pace. In the course of less than seventy years—from 1810 to 1878—the output of coal grew from ten to one hundred and thirty-three millions of tons; the imports of raw materials rose from thirty to three hundred and eighty millions of tons; and the exports of manufactured ware from forty-six to two hundred million pounds. The tonnage of the commercial fleet was nearly trebled. Fifteen thousand miles of railways were built.

It is useless to repeat at what a cost the above results were achieved. The terrible revelations of the parliamentary commissions of 1840-'42 as to the atrocious condition of the manufacturing classes; the tales of "cleared estates" and those of Indian "mutiny" are still fresh in the memory. They will remain standing monuments for showing by what means the great industry was implanted in this country. But the accumulation of wealth in the hands of the privileged classes was going on at a speed never dreamed of before. The incredible riches which now astonish the foreigner in the private houses of this country were accumulated during that period; the exceedingly expensive standard of life which makes a person considered rich on the continent appear as only of modest means in this country, was introduced during that time. The taxed property alone doubled during the last thirty years of the above period, while during the same years (1810 to 1878) no less than £1,112,000,000 was invested by English capitalists either in foreign industries or in foreign loans.

But the monopoly of industrial production could not remain with this country forever. Neither industrial knowledge nor enterprise could be kept forever as a privilege of these islands. Necessarily, fatally, they began to cross the channel and spread over the continent. The great revolution had created in France a numerous class of peasant proprietors who enjoyed nearly half a century of a comparative well-being, or, at least, of a guaranteed labor. The ranks of the town *prolétariat*—a necessary condition now for growing industries—were therefore increasing slowly. But the middle-class revolution of 1789–1793 had already made a distinction between the peasant householders and the village *prolétaires*, and, by favoring the former to the detriment of the latter, it compelled the laborers who had no household nor land to abandon their villages, and thus to form the first nucleus of working classes given up to the mercy of manufacturers. Moreover, the peasant-proprietors themselves, after having enjoyed a period of undeniable prosperity, began in their turn to feel the pressure of bad times, and were compelled to look for employment in manufactures. Wars and revolution had checked the growth of industry; but it began to grow again during the second half of our century; it developed, it improved; and now, notwithstanding the loss of Alsace, France is no longer the tributary to England for manufactured produce which she was thirty years ago. To-day her exports of manufactured ware are valued a nearly one-half of those of Great Britain, and two-thirds of them are textile goods.

Germany follows the same lines. During the last twenty-five years, and especially since the last war, her industry has undergone a thorough reorganization. Her machinery has been thoroughly improved, and her new-born manufactures are supplied with a machinery which mostly represents the last word of technical progress.

A superior technical and scientific education; and in her army of learned chemists, physicists, and engineers, who find no employment with the state, industry has a most powerfully intelligent aid. As a whole, Germany offers now the spectacle of a nation in a period of *Aufschwung*, with all the forces of a new start in every domain of life. Thirty years ago she was a customer to England. Now she is already a terrible competitor in the markets of the south and east, and at the present speedy rate of growth of her industries, her competition will be soon yet more terrible than it is.

The wave of industrial production, after having had its origin in the northwest of Europe, spreads towards the east and southeast, always covering a wider circle. And, in proportion as it advances east, and penetrates into younger countries, it implants there all the improvements due to a century of mechanical and chemical inventions; it borrows from science all the help it can give to industry; and it

finds populations eager to grasp the last results of modern knowledge. The new manufactures of Germany begin where Manchester arrived after a century of experiments and gropings; and Russia begins where Manchester and Saxony have now reached. Russia, in her turn, tries to emancipate herself from her dependency upon Western Europe, and rapidly begins to manufacture all those goods she formerly used to import, either from Britain or from Germany. Protective duties may sometimes help the birth of new industries, and sometimes check the improvement of those which already exist; but the decentralization of manufactures goes on with or without protective duties—I should even say, notwithstanding the protective duties. Austria, Hungary, and Italy follow the same lines; they develop their home industries; and even Spain is going to join the family of manufacturing nations. Nay, even India, even Brazil and Mexico, supported by English and German capital and knowledge, begin to start home industries on their respective soils. Finally, a terrible competitor to all European manufacturing countries has grown up of late in the United States. In proportion as their immense territory is more and more appropriated by the few, and free land of any value becomes as difficult to get as it is in Europe, manufacturers *must* grow in the States; and they are growing at such a speed—an American speed—that in a very few years the now neutral markets will be invaded by American goods. The monopoly of the first-comers on the industrial field has ceased to exist. And it will exist no more, whatever may be the spasmodic efforts made to return to a state of things already belonging to the domain of history. New ways, new issues, must be searched: the past *has* lived, and it will live no more.

Before going further, let me illustrate the march of industries towards the east by a few figures. And, to begin with, let me take the example of Russia. Not because I know it better, or that our industrial statistics, although slow to appear, are fuller than those of Austria or of Italy, but because Russia is the latest comer on the industrial field. Thirty years ago she was considered as the ideal of an agricultural nation, doomed by nature itself to supply other nations with food, and to draw her manufactured goods from the west. So it was, indeed, thirty years ago; but it is so no more. Elisée Reclus has given, in his *Géographie Universelle*, a curve intended to show the growth of Russian industries since 1859, and this modest curve is worth whole pages, as it tells at once to the eye the sudden increase of Russian manufactures a few years after the emancipation of serfs. In 1861—the year of the emancipation—Russia, together with Poland, had only 14,060 manufactories, which produced every year the value of two hundred and ninety-six millions of rubles (about £36,000,000). Twenty years later the number of establishments rose to 35,160, and their yearly production became nearly four times the above—*i. e.*, thirteen hundred and five millions (about £131,600,000); and in 1884, although the census left the smaller manufactures out of account, the aggregate production reached already fifteen hundred and fifty-six millions—*i.e.*, £155,000,000. The most noteworthy feature of Russian industry is, that while the number of workmen employed in the manufactories has not even doubled since 1861 (it has remained almost stationary since 1879), the production per workman has more than doubled; it has trebled in the leading industries. The average was less than £70 per annum in 1861; it reaches now £163. The increase of production is thus chiefly due to the improvement of machinery, especially since 1870. If we take, however, separate branches, and especially the textile industries and the machinery works, the progress appears still more striking.

"If we consider only the years which preceded 1879—when the import duties were increased by nearly 30 per cent., and a protective policy was definitely adopted—we still find the following progress in the cotton industries: The number of workmen employed increases only by 25 per cent.; but the production increases by 300 per cent.; the yearly production per workman employed grows from £45 to £117. The unanimous opinion of the experts at the exhibition of 1882 was, that a considerable improvement had been realized of late in the Russian cotton manufactures; and everybody can confirm the accuracy of the statement by the cheapness and the good taste of the cottons now manufactured in Russia. The same is true, although to a smaller extent, with regard to the woolens industries, and fully with regard to the silks (compare Stieda's monographs in the Russische Revue). As to the machinery works, it would not be fair to make any comparison between 1884 and 1861, or even 1870; the whole has grown up during the last ten years; and Professor Kirpitcheff points out that the progress realized can be best judged by the high perfection attained in the building of the most perfect types of big steam-engines, locomotives, and in the manufacture of water-pipes, notwithstanding the competition of Glasgow. Russia needs no longer to import any part of her railway plant, thanks to the progress made under the leadership of English and partly German engineers. As to the home-made agricultural machinery, both the Times correspondent and Russian reports agree in recognizing that it successfully competes even with American machinery, although the latter is much cheaper and more appropriate to the Russian prairies than the English."

* * * * * * *

A country which manufactures chiefly for export, and therefore lives chiefly on the profits derived from her foreign trade, stands very much in the same position as Switzerland, which lives to a great extent on the profits derived from the foreigners who visit her lakes and glaciers. A good "season" means an influx of from £1,600,000 to £2,000,000 of money imported by the tourists, and a bad "season" has the effects of a bad crop in an agricultural country; a general impoverishment follows. So it is also with a country which manufactures for export. If the season is bad and the exported goods can not be sold abroad for twice their value at home, the country which lives chiefly on these bargains suffers. Low profits for the innkeepers of the Alps mean narrowed circumstances in large parts of Switzerland. Low profits for the Lancashire and Birmingham manufacturers mean narrowed circumstances in this country. The cause is the same in both cases.

For many decades past we have not seen such a cheapness of wheat and manufactured goods as we see now, and yet we are suffering from a crisis. People say its cause is overproduction. But overproduction is a word utterly devoid of sense if it does not mean that those who are in need of all kinds of produce have not the means for buying them with their low salaries. Nobody would dare to affirm that there is too much furniture in the crippled cottages, too many bedsteads and bed-clothes in the workmen's dwellings, too many lamps burning in the huts, and too much cloth on the shoulders not only of those who used to sleep in Trafalgar Square between two newspapers, but even in those households where a silk hat makes a part of the Sunday dress. And nobody will dare to affirm that there is too much food in the homes of those agricultural laborers who earn 10s. a week, and pay for their meat 9d. a pound, or of those who earn from 5d. to 6d. a day in the clothing trade or in the small industries which swarm in the outskirts of all great cities. Overproduction means merely and simply a want of purchasing power amidst the workers. With their wages they can not buy the goods they have produced themselves, because the prices of those goods, however low, include the profits of the employers and the middlemen.

The same want of purchasing powers of the workers is felt everywhere on the continent. But it is obvious that it must be felt more in this country, which has been accustomed to pump bargains out of her foreign customers and now sees her exterior trade decline. The exports of manufactured goods from this country have declined by one hundred and sixty-one millions in the three years ending 1880 when compared with the year 1872, said Mr. Gladstone at Leeds. Even those who will not admit that there is a notable decline in the exports willingly admit that the prices are so low in comparison with those of 1873 that in order to reach the same money value England ought to export four pieces of cotton cloth instead of three and eight or ten tons of metal instead of six. "The aggregate of our foreign trade in the year 1883, if valued at the prices of ten years previously, would have amounted to £861,000,000, instead of £667,000,000," we are told by the commission on trade depression.

The home markets are overstocked; the foreign markets are escaping; and in the neutral markets Britain is being undersold. Such is the conclusion which every observer must arrive at if he examines the development of manufactures all over the world. Great hopes are laid now in Australia; but Australia, with her ever-growing numbers of unemployed, will soon do what Canada does. She will manufacture; and the last colonial exhibition, by showing to the "colonists" what they are able to do, and how they must do, will only have accelerated the day when each colony *farà da sè* in her turn. Canada already imposes protective duties on British goods. New demands for a further increase of duties are continually being pressed on the Canadian government. As to the much-spoken-of markets on the Congo, and Mr. Stanley's calculations and promises of a trade amounting to £26,000,000 a year if the Lancashire people supply the Africans with loin-clothes, such promises belong to the same category of fancies as the famous nightcaps of the Chinese which were to enrich this country. The Chinese prefer their own home-made nightcaps; and, as to the Congo people, four countries at least are already competing for supplying them with their poor dress—Britain, Germany, the United States, and, last but not least, India.

There was a time when this country had almost the monopoly of the trade in manufactured ware. But now, if only the six chief manufacturing countries of Europe and the United States be taken into account, Britain, although still keeping the first rank, commands less than one-half of the aggregate exports of manufactured goods. Two-thirds of them are textiles and more than one-third are cottons. But while thirty years ago, Britain took the lead in the cotton industries, about 1880 she had only a little more than one-half the spindles at work in Europe, the United States, and India (40,000,000 out of 72,000,000), and a little more than one-half of the looms (550,000 out of 972,000). She was steadily losing ground, while the others were winning. And the fact is quite natural; it might have been foreseen. There is no reason why Britain should always be the great cotton manufactory of the world when raw cotton has to be imported. It was quite natural that France, Germany, Italy, Russia, India, and even Mexico and Brazil, should spin their own yarns and weave their own cotton-stuffs. But the appearance of the cotton-industry in a country, or, in fact, of any textile industry, unavoidably becomes the starting-point for the growth of a series of other industries. Chemical and mechanical works, metallurgy and mining, feel at once the impetus given by a new want. The whole of the home industries, as also technical education altogether, *must* improve in order to satisfy it as soon as it has been felt.

What has happened with regard to cottons is going on also with regard to other industries. Britain and Belgium have no longer the monopoly of the woolen manufacture. The immense factories at Verviers are silent; the Belgian weavers are misery-stricken, while Germany yearly increases her production of woolens and exports nine times more woolens than Belgium. Austria has her own woolens and exports them; Riga, Lodz, and Moscow supply Russia with finest woolen cloths, and the growth of the woolen industry in each of the last-named countries calls into existence hundreds of connected trades.

For many years France has had the monopoly of the silk trade. Silkworms being reared in Southern France, it was quite natural that Lyons should grow into a center for the manufacture of silks. Spinning, domestic weaving, and dyeing works developed to a great extent. But eventually the industry took such a development that home supplies of raw silk became insufficient, and raw silk was imported from Italy, Spain, and South Austria, Asia Minor, the Caucasus, and Japan, to the amount of from 9,000,000 to 11,000,000 pounds in 1875 and 1876, while France disposed only of 800,000 pounds of her own silk. Thousands of peasant boys and girls were attracted by high wages to Lyons and the neighboring district; the industry was prosperous. However, by and by new centers of silk trade grew up at Basel and in the peasant houses around Zurich. French emigrants imported the trade, and it developed, especially after the civil war of 1871. The Caucasus administration invited French workmen and women from Lyons and Marseilles to teach the Georgians and the Russians the best means of rearing the silkworm and the whole of the silk trade, and Stavropol became a new center for silk-weaving. Austria and the United States did the same; and what are now the results? During the years 1872 to 1881 Switzerland more than doubled the produce of her silk industry; Italy and Germany increased it by one-third; and the Lyons region, which formerly manufactured to the value of 454,000,000 francs a year, shows now a return of only 378,000,000. The exports of Lyons silks, which reached an average of 425,000,000 francs in 1855-'59, and 460,000,000 in 1870-'74, have fallen down to 233,000,000. And it is reckoned by French specialists that at present no less than one-third of the silk-stuffs used in France are imported from Zurich, Crefeld, and Barmen. Nay, even Italy, which had 2,000,000 spindles and 30,000 looms in 1880 (as against 14,000 in 1870), sends her silks to France (3,300,000 francs in 1881), and competes with Lyons. The French manufacturers may cry as loudly as they like for protection, or resort to the production of cheaper goods of lower quality; they may sell 3,250,000 kilograms of silk-stuffs at the same price as they sold 2,500,000 in 1855-'59. They will never regain the position they occupied before. Italy, Switzerland, Germany, the United States, and Russia have their own silk manufactories and will import from Lyons only the highest qualities of stuffs; as to the lower sorts a foulard has become a common attire with the St. Petersburg housemaids, because the North Caucasian domestic trades supply them at a price which would starve the Lyons weavers. And they do starve. The misery at Lyons was so great in 1884 that the poorly-fed soldiers of the Lyons garrison shared their food with the weavers and spared their coppers in order to alleviate the misery. But neither charities nor public works at the fortifications will help. The trade has irremediably gone away; it has been decentralized; and Lyons will never become again the center for silk trade it was thirty years ago.

Like examples could be produced by the score. Greenock no longer supplies Russia with sugar, because Russia has plenty of her own at the same price as it sells at in England. The watch trade is no more a specialty of Switzerland, and I saw skilled *guillocheurs* earning a miserable existence by carding wool and the like. India extracts from her ninety collieries two-thirds of her annual consumption of coal. The chemical trade which grew up on the banks of the Clyde and Tyne, owing to the special advantages offered for the import of Spanish pyrites, and the agglomeration of such a variety of industries along the two estuaries, is now in decay. Spain, with the help of English capital, is beginning to utilize her own pyrites for herself. Germany extracted them to the amount of 158,410 tons in 1882, and manufactured no less than 358,150 tons of sulphuric acid, and 115,000 tons of soda, as against 42,500 in 1877—nay, she already complains about over-production, and indeed the prices have fallen from 23 marks to 14 and 12 marks the hundred kilograms.

But enough. I have before me so many figures, all telling the same tale, that examples could be multiplied at will. It is time to conclude, and, for every unprejudiced mind, the conclusion is self-evident. Industries of all kinds are decentralized and scattered all over the globe, and everywhere a variety, an integrated variety, of trades grows, instead of specialization. Such are the prominent features of the times we live in. Each nation becomes in its turn a manufacturing nation: and the time is not far off when each nation of Europe, as well as the United States, and even the most backward nations of Asia and America, will themselves manufacture nearly everything they are in need of. Wars and several accidental causes may check for some time the scattering of industries; they will not stop it; it is unavoidable. For each new-comer the first steps only are difficult. But, as soon as any industry has taken firm root, it calls into existence hundreds of other trades; and as soon as the first steps have been made, and the first obstacles have been overcome, the growth of industries goes on at an accelerated rate.

The fact is so well felt, if not understood, that the race for colonies has become the distinctive feature of the last twenty years. Each nation will have her own colonies. But colonies will not help. There is not a second India in the world, and the old conditions will be repeated no more. Nay, some of the British colonies already threaten to become serious competitors with their mother country; others, like Australia, will not fail to follow the same lines. As to the yet neutral markets, China and Japan will never be serious customers to Europe—they can produce cheaper at home; and when they begin to feel a need for goods of European patterns, they will produce them themselves. Woe to Europe if, the day that the steam-engine invades China, she is still relying on foreign customers. As to the African half-savages, their misery is no foundation for the well being of a civilized nation.

Progress is in another direction. It is in producing for home use. The customers for the Lancashire cottons and the Sheffield cutlery, the Lyons silks, and the Hungarian flour-mills are not in India nor in Africa. They are amidst the home producers. No use to send floating shops to New Guinea with German or British millinery when there are plenty would-be customers for British millinery in these very islands, and for German ware in Germany. And instead of worrying our brains by schemes for getting customers abroad, it would be better to try to answer the following plain questions: Why the British worker, whose industrial capacities are so highly praised in political speeches; why the Scotch crofter and the Irish peasant, whose obstinate labors in creating new productive soil out of peat-bogs are so much spoken of now, are no customers to the Lancashire weavers, the Sheffield cutlers, and the Northumbrian and Welsh pitmen? Why the Lyons weavers not only do not wear silk, but have no food in their *mansardes*? Why the Russian peasants sell their corn, and for four, six, and sometimes eight months every year are compelled to mix bark and auroch-grass to a handfull of flour for baking their bread?

The Russian fabric inspectors' reports, the reports of the Planen Handelskammer, and the Italian inquiries are full of the same revelations as the reports of the Parliamentary commissions of 1840 to 1842, or the modern revelations with regard to the "sweating system" at Whitechapel and Glasgow, and London pauperism. The capital and labor problem is thus universalized; but, at the same time, it is also simplified. To return to a state of affairs where corn is grown and manufactured goods are fabricated for the use of those very people who grow and produce them—such will be, no doubt, the problem to be solved during the next-coming years of European history. Each region will become its own producer and its own consumer of manufactured goods. But that unavoidably implies that, at the same time, it will be its own producer and consumer of agricultural produce; and that is precisely what I shall discuss next.

P. KROPOTKIN.

Let me add to the picture drawn by this eminent student of economic facts by pointing to Ireland as the result of suppression by law of this diversified industry.

Mr. Chairman, it is possible that external circumstances may have influenced my opinion on this great question. I was born in a land that had that much lauded boon, commercial freedom. My infant eyes first saw the light of heaven under the sunshine and shadow of an Irish sky. In my better moods I hope I preserve the reflection. The haunts of poverty were more than filled; her custom-houses were almost tenantless.

I saw a brave, chivalrous, and generous people, with keen, acute intellects, bright and industrious, invaded by constantly recurring famines, driven to exile or death. In that "island of sorrows," that Niobe of nations, her magnificent natural harbors floated little or no commerce, and with idle hands and ingenious minds, under free-trade laws the smoke of the factory cast no shadows on the landscape. All this under free-trade laws. There the name of Peel was execrated, and the great Cobden had no place in her Pantheon.

RAW MATERIALS.

Much has been said about free raw materials. There is nothing made ready for use but has had some labor bestowed upon it; hence raw material, so called, represents more or less human labor. There are, however, natural products upon which little labor has been bestowed, but which are prime necessities of life or enter largely into the manufacture of other articles, and these should be as cheap as the labor engaged in making them ready for use can stand. Give abundant raw material to our factories and you will increase their number and output and make a market for our raw products, and thus increase them. Natural products which are not found, or which can not be readily raised in our own country, and which are of prime necessity to our industries may well be admitted free of duty so that we may have our full share of the world's product of such articles.

But the freeing of a natural product from duty should not be followed by a more than proportionate reduction of the tariff on the manufactured article. In some manufactured articles the raw material—full cost—is not over 1 per cent.

Speaking only for myself and on my own responsibility, as a guaranty of the good faith of my desire for full and fair revision of the tariff list in such a way as to secure benefit to the whole people and real reduction of the revenues, I append what I consider a fair and just basis for the passage of a bill:

ADDITIONS TO FREE-LIST.

Wools of class 2, or carpet wools, unscoured.
(All other wools 25 per centum ad valorem.)
Hair of the alpaca, goat, and other like animals.
Coal, bituminous, and shale, and coal slack or culm.
Salt.
Jute, jute butts, manila, sisal grass, and all other vegetable fibers, except flax and hemp.
Logs, and timber, hewn, squared, or sided; hubs for wheels, posts, lasts, oar blocks, etc., and staves in the rough.
Baryta, sulphate of, or barytes, unmanufactured.
Beeswax.
Borax, crude, and borate of lime.
Bristles, unmanufactured.
Currants, Zante, or other.
Coal-tar, and products and preparations of, not dyes or colors.
Egg yelks, unmanufactured.
Feathers of all kinds, not dressed, colored, or manufactured.
Grease and oils, for soap-making, dressing leather, etc.
Glycerine, crude or unrefined.
Human hair, raw or uncleaned, and not drawn.
Meats, game and poultry, dressed, but not otherwise prepared.
Mineral waters, of all kinds, not otherwise provided for.
Potash, crude, carbonate of, caustic or hydrate of, nitrate of, or saltpeter, crude, sulphate of, and chlorate of.
Soda, sulphate of, or salt cake, and Glauber salt.
Turpentine, and tar or pitch of wood.
Bulbs and bulbous roots, and various seeds.
Tallow.
Sponges.
Freestone, granite, and other building or monumental stone (except marble), in the rough.
Clays or earths, unwrought or unmanufactured.
Opium, crude, containing 9 per cent. or over of morphia.

SCHEDULE K.—WOOL, WOOLENS, ETC.

All wools of the sheep shall be divided, for the purpose of fixing the duties to be charged thereon, into the two following classes:

CLASS 1. That is to say, merino, mestiza, metz, or metis wools or other wools of merino blood, immediate or remote: Leicester, Cotswold, Lincolnshire, Down clothing or combing wools, or other like wools of English blood, and usually known by the terms herein used; Canada long wools, and wools of like character with any of the preceding, including such as have been heretofore usually imported into the United States from Buenos Ayres, New Zealand, Australia, Cape of Good Hope, Russia, Great Britain, Canada, and elsewhere; and also including all wools not hereinafter described or designated in class 2.

CLASS 2. That is to say, Donskoi, native South American, Cordova, Valparaiso, native Smyrna, and including all such wools of like character as have been heretofore usually imported into the United States from Turkey, Greece, Egypt, Syria, and elsewhere.

Wools of the first class, 25 per cent. ad valorem.

Wools of the second class, if scoured, 10 per cent. ad valorem.

Wools on the skin, the same rates as other wools, the quantity to be ascertained under such rules as the Secretary of the Treasury may prescribe.

Wools advanced from the second state by carding or combing, and ring waste, top waste, yarn waste, thread waste, garnetted waste, and all other similar products of wool, not herein otherwise specially provided for, 30 per cent. ad valorem.

Woolen rags, shoddy, mungo, flocks, and waste or refuse wool, not herein otherwise provided for, 3 cents per pound and 10 per cent. ad valorem.

Woolen or worsted cloths and shawls, and other manufactures of every description, made wholly or in part of wool or the hair of the goat or other animals, not specially enumerated or provided for in this act, valued at not exceeding 40 cents per pound, 12 cents per pound and 15 per cent. ad valorem; valued at above 40 cents per pound and not exceeding 60 cents per pound, 18 cents per pound and 25 per cent. ad valorem; valued at above 60 cents per pound and not exceeding 80 cents per pound, 24 cents per pound and 30 per cent. ad valorem; valued at above 80 cents per pound, 30 cents per pound and 35 per cent. ad valorem.

Flannels, blankets, hats, balmorals, yarns, and knit hosiery and underwear, composed wholly or in part of wool or the hair of the goat or other animals, valued at not exceeding 40 cents per pound, 12 cents per pound and 15 per cent. ad valorem; valued at above 40 cents per pound and not exceeding 60 cents per pound, 18 cents per pound and 20 per cent. ad valorem; valued at above 60 cents per pound and not exceeding 80 cents per pound, 24 cents per pound and 25 per cent. ad valorem; valued at above 80 cents per pound, 30 cents per pound and 35 per cent. ad valorem.

Women's and children's dress-goods, Italian cloths, lastings, bunting, and similar goods, composed wholly or in part of wool or hair of the goat or other animals, valued at not exceeding 16 cents per square yard, 5 cents per square yard and 20 per cent. ad valorem; valued at above 16 cents and not above 26 cents per square yard, 7 cents per square yard and 25 per cent. ad valorem; valued above 26 cents per square yard, 10 cents per square yard and 30 per cent. ad valorem: *Provided*, That all goods of the character enumerated in this paragraph weighing over 4 ounces per square yard shall pay a duty of 30 cents per pound and 35 per cent. ad valorem.

Clothing, ready-made, and articles of wearing-apparel of every description, not specially enumerated or provided for in this act, composed wholly or in part of wool or the hair of the goat or other animals, made up or manufactured wholly or in part by the tailor, seamstress, or manufacturer, 40 cents per pound and 35 per cent. ad valorem.

Elastic or non-elastic webbings, gorings, suspenders, braces, beltings, bindings, braids, galloons, fringes, gimps, cords, cords and tassels, trimmings, headnets, buttons, or barrel buttons, or buttons of other forms for tassels or ornaments, made wholly or in part of wool or of the hair of the goat or other animals, 30 cents per pound and 40 per cent. ad valorem.

Aubusson, Axminster, Moquette and chenille carpets, and carpets woven whole for rooms, 50 cents per square yard and 20 per cent. ad valorem.

Saxony, Wilton, and Tournay velvet carpets, 40 cents per square yard and 20 per cent. ad valorem.

Brussels carpets, 20 cents per square yard and 20 per cent. ad valorem.

Patent velvet and tapestry velvet carpets, printed on the warp or otherwise, 20 cents per square yard and 20 per cent. ad valorem.

Tapestry Brussels carpets, printed on the warp or otherwise, 15 cents per square yard and 20 per cent. ad valorem.

Treble ingrain, three-ply, and worsted chain Venetian carpets, 15 cents per square yard and 20 per cent. ad valorem.

Yarn Venetian and two-ply ingrain carpets, 9 cents per square yard and 20 per cent. ad valorem.

Druggets and bockings, printed, colored, or otherwise, 6 cents per square yard and 20 per cent. ad valorem.

The duty on mats, rugs, screens, covers, hassocks, bedsides, and other portions of carpets or carpetings, shall be the same as is herein imposed on carpets or carpeting of like character or description; and the duty on all other mats, rugs, screens, hassocks, and carpets and carpetings, of whatever material composed (except silk), not specially enumerated or provided for in this act, shall be 40 per cent. ad valorem.

Endless belts or felts for paper or printing machines, 15 cents per pound and 20 per cent. ad valorem.

This, of course, is not a full bill or complete revision, but is the basis of such a measure. The tobacco tax should be repealed. If this is done only in part it were better, in my opinion, to reduce the whole internal revenue by a cut of two-thirds or one-half. As to what I think of this tax, I have already stated. There is a difficulty about defining tin-plate so as to preserve our sheet-iron industry. If free, they should be confined to such plates as are used for domestic or canning purposes. This list can be amply defended. Carpet wools are nearly all foreign. Anthracite coal is already free. Salt employs but little labor and is a

great human necessity. The exporters now have it free—why not the farmers and the people? On the proper occasion I will have more to say on this subject.

Mr. Chairman, it is well, in conclusion, for those who deride all tariffs and glorify free trade to remember that the logic of the situation is with Mr. Henry George, that clever writer, who rightfully argues that with the abolition of custom-houses the single land tax comes within the domain of practical politics. While giving no sanction to the radical features of his teachings concerning the law, I am in perfect accord with him when he contends that tariff agitation is but a ripple on the surface, an air-bubble on the stream of deep and powerful currents that now give direction to the great ocean of human thought.

Mr. Chairman, I claim to be an honest revenue reformer. I would carefully revise the present tariff, reduce the revenue, and abolish the surplus, for which revision both political parties have declared, and for practical and honest effort so to do both will have to account to a watchful and intelligent people. I am aware that the business of the country suffer greatly from the continuance of an agitation largely fostered for political advantage. I am willing to make all reasonable concessions to settle this disturbing question; but, sir, I am proud to say that I would scorn to sacrifice the labor and industries of the Republic to noisy declaration which mingles self-eulogy with threats against its opponents.

To this House has been committed a fearful responsibility to unburden the overladen Treasury, to reduce the revenues, and at the same time neither disturb nor injure the material welfare of the people. It is a task that calls for wisdom and prudence and high and unselfish aims. It is not a mere game to be played on the checker-board of infinitesimal politics, but an honorable and open contest on the higher plateau of supreme patriotism. As President Cleveland said in his last annual message, "The question thus imperatively presented for solution should be approached in a spirit higher than partisanship, and considered in the light of that regard for patriotic duty which should characterize the action of those intrusted with the weal of a confiding people. [Applause on the Democratic side.]

The time for quibble and dispute has passed, the time for action is imminent. Let us individually and collectively act wisely and well in the formulation and passage of a conservative and efficient measure, and the memory of the Fiftieth Congress will long survive in the annals of a grateful people, who, in the language of the motto of my State emblazoned in this Hall, are in the full enjoyment of "Liberty and Prosperity." [Great applause.]

During the delivery of the foregoing speech the following proceedings took place:

Mr. BLAND. Does not the gentleman attribute the difficulties of Ireland to the tyrannical rule of England keeping her in political commotion so that she could not have the benefit of free trade, free agriculture, or free anything?

Mr. MCADOO. I will say this, that at the time of the passage of the free-trade laws in England the soul and life had been ground out of Ireland by penal laws and barbarous restricting acts, so that they were immaterial to her. They only aggravated her sufferings. That is England's policy. Having sucked the life-blood out of her victim, she then offers her the empty boon, if boon it be, of free trade. It is rank cant and hypocrisy for British authors to talk of Ireland being unable to get the benefits of Cobden's agitation.

Mr. BLAND. When it is too late.

[Mr. MORROW addressed the committee in remarks which will be published hereafter.]

Before he had concluded,

The CHAIRMAN said: Under the order of the House, the committee must rise at this time.

Mr. MORROW. It is understood that I retain my right to the floor.

The CHAIRMAN. The gentleman will be entitled to the remainder of his time when this subject is resumed to-morrow morning.

The committee rose; and Mr. MCMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole on the state of the Union had had under consideration the tariff bill, and had come to no resolution thereon.

And then, under the order of the House (the hour of half past 5 o'clock having arrived), the House took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m., and was called to order by Mr. MCMILLIN as Speaker *pro tempore*, who directed the Clerk to read the following:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,
Washington, D. C., May 8, 1888.

Hon. BENTON MCMILLIN, of Tennessee, is designated to preside as Speaker *pro tempore* at the session of the House of Representatives this evening.

JOHN G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk House Representatives.

Mr. BYNUM. I move that the House resolve itself into Committee of the Whole for the further consideration of revenue bills.

The motion was agreed so.

TARIFF.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. SPRINGER in the chair) and resumed the consideration of the bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. STONE, of Missouri. Mr. Chairman, I begin with the enunciation made by the President of an old economic truth, that the cost of any article subject to a tariff tax or duty is increased to the consumer by the amount of the duty. The tax paid by the importer is added to the cost of the article in his hands, and the man who buys the article for use repays the tax to the importer. There is, for example, both a specific and ad valorem tax on woolen hats. The ad valorem tax is 40 per cent., while the specific tax varies from 10 cents to 35 cents per pound. An importer who pays $1 for a hat in England, ships it to the United States, and at the port of entry pays to the collector of customs 60 cents as a tariff tax on that hat, and adds the tax to the cost of the hat, and so the man who buys the hat for use pays the tax. If instead of buying an imported hat the consumer should buy a hat of similar quality of domestic manufacture he would be compelled to pay the same price. The two hats compete in the same market and bring the same price.

If the tax on the imported hat had been 30 cents instead of 60 cents, the hat would have cost the importer 30 cents less, and he could have sold it to the consumer for that amount less. And if the imported hat decreases in price, the domestic hat must do likewise in order to compete. On the other hand, if the tax on the imported hat should be increased from 60 cents to 90 cents, it would cost the importer 30 cents more (without taking into consideration any account for interest on the larger investment), and the consumer would have to pay 30 cents more. And whenever the imported hat advances in price by reason of the higher tax, the price of the domestic hat will likewise increase in order to reap the benefit of a larger profit.

The difference is simple. If the hat is imported, the consumer, through the importer, pays the tax to the Government; if it is a domestic hat he pays an amount equal to the tax to the manufacturer. If this be true, as it surely is, it would seem to follow as a logical and inevitable conclusion that if the tax should be reduced or removed on a given article, the conditions remaining otherwise the same, the cost of that article ought to be reduced in an equal ratio to the consumer. Now, as nearly everything we use in this country—the cradle in which our babes are crooned to sleep; the lumber, nails, glass, and all materials out of which the houses sheltering us are constructed; the blankets upon our beds; every article of furniture, whether useful or ornamental, in our houses, including the Bible on the center stand; the clothing we wear; the salt and sugar on our tables; the implements of our industries; the coffins in which we bury our dead; the marble slab we raise to their memory; in short, as everything from the cradle to the grave is burdened with this species of taxation, it would seem also, to follow that it would advance the interests of the consumers, who comprise the bulk of our population, as contradistinguished from manufacturers and dealers, to reduce taxation, thereby reducing the cost of living.

I believe these postulates, like the great truths of the Declaration, are self-evident. It seems so to me. However, there are those who profess to believe and do maintain with great vigor that low taxation does not ultimately result in cheaper prices to the consumer, but quite the contrary. In support of that notion they point to the fact that most articles of commercial and domestic use in this country were higher before we adopted the protective theory than since, and insist that all staple articles have steadily declined under the tariff and as a result of the tariff. To illustrate: The gentleman from Indiana [Mr. BROWNE] said in his speech a few days ago:

> In the Saginaw Valley to-day a barrel of good salt, the barrel included, can be bought for 58 cents. Salt was never cheaper than now. I can buy this day at my Indiana home salt for less than it cost to carry it from the wholesale dealer to that place on the day it was first made subject to a protective duty.

Again he said:

> The currency price for a ton of steel rails in 1867 was $166; to-day it commands but $31.50.

On the day previous the distinguished gentleman from Michigan [Mr. BURROWS] gave this illustration, among many others. He said:

> Previous to 1884 there was not a pound of soda-ash manufactured in the United States. We consume annually 175,000 tons in the manufacture of glass and other American products. Previous to 1884 we imported every pound of it, at an average cost of $48 a ton. A duty of $5 was imposed and the Solvay Process Company was organized at Syracuse, the only one on this hemisphere, at a cost of $1,500,000, with a capacity of 50,000 tons annually. It commenced manufacturing soda-ash in January, 1884. How has it affected the price of this commodity? Was the duty of $5 added to the $48, so as to advance the cost to $53 a ton? On the contrary, it fell in the American market as low as $28 a ton in three years, a saving to the people annually of $20 a ton on the entire consumption, or $3,500,000.

These examples, quoted at random from these two distinguished advocates of protective taxation, are sufficient to illustrate their contention that the cost of an article to the consumer is not increased by the amount of the tax, but that the cost is greatly diminished as a result of the tax. Without stopping to discuss other causes not related to the tariff, which at least have contributed to a depression in the price of

salt, and to a reduction of the price of steel rails from $166 in 1867 to $106.75 in 1870, when the duty of $28 per ton was imposed, and to a lower price since, I desire to meet the main question at once, and treat it candidly and fairly. It may stand admitted that prices, taken as a whole, have declined during the last twenty years, and during the supremacy of the protective policy; but it does not follow that the fall in prices is altogether, or largely, due to the fact of protection, nor that it is necessary to continue high taxation in order to maintain low prices; nor does it contravene that law in economics, as fixed as the law of gravitation, that the price of an article upon which a tariff tax has been imposed is increased by the sum of the tax.

I will take the soda-ash example furnished with so much detail by the gentleman from Michigan, without investigating the sources of his information or the accuracy of his statements, with which to illustrate my argument. When I say, or when the President said, that the price to the consumer is increased by the amount of the tax, I am, as he was, literally correct. By the statement it is not meant that any particular price at any particular time must be maintained and the increase be predicated on that; but, generally, that the current price, whatever it may be, at any time, is increased by the sum of the tax. If the market price of soda-ash was $48 per ton at the time the $5 tax was imposed, and there had been no reduction in the current price, brought about by any cause, then the $5 would have been added to the $48, and the price to the consumer would have been $53. If $48 had been the lowest price at which the English manufacturer could have sold soda-ash on our markets, he could not then have paid the $5 tax without advancing the price. The cost to the consumer, therefore, would have been inevitably increased, at least as to so much of the consumption as the home manufacturer could not supply; and he could supply only 50,000 tons out of 175,000 tons, according to the gentleman's own statement.

It may be said that there would not have been necessarily any advance in the price of the domestic product. But I think I am safe in saying if 125,000 tons had been imported and sold at $53, the Salvoy Process Company would not have gone on selling its annual output of 50,000 tons at $48 in the same market. But the price did not remain at $48, at which it was selling before the tariff was imposed. Why? Because the manufacturers, foreign and domestic, can afford to sell it for less, and competition in the same markets has forced the price down.

It is selling now at $28. The Syracuse concern is selling 50,000 tons, and 125,000 are being imported. On each of those 125,000 tons a tax of $5 is paid by the importer to the collector of customs, and goes into the Treasury of the United States. Is not that added to the price by the importer? If you subtract the $5 from the $28 the remaining $23 will be the net sum received by the importer. The $5 simply reimburses him on account of the tax paid by him in the first instance.

But the Syracuse manufacturer sells his 50,000 tons at $28 without having paid any tax, and hence he gets the benefit of it. If I should to-day buy 50,000 tons of imported soda-ash I would pay $250,000 in the way of taxes to the Government; and if I should at the same time buy 50,000 tons from the Syracuse concern I would pay into its private coffers an equal amount in the nature of a tax. If I buy the imported article I pay the tax to the Government; if I buy the domestic article I pay the tax to a private manufacturing corporation. I am not now discussing whether this is the wiser or better thing to do. I will come to that later on. I am now simply stating a fact and illustrating the truth of an economic principle—that the cost of any article is enhanced by the amount of the duty imposed upon it.

The decline in price was not the result of the tariff. That is to say, the mere fact that a tariff tax is imposed does not in and of itself occasion a fall in prices, but the contrary. It may be answered that if there had been no tax imposed there would have been no reduction in price. That may or may not be. As long as England had a monopoly of our soda-ash trade high prices prevailed, as they do always where a monopoly exists. Overproduction, financial disasters, and perhaps other accidental causes, may conspire to impair prices. But, generally speaking, exorbitant prices are reduced or prevented, and a healthful commerce is preserved by the leveling power of competition. If any establishment, or any combination of establishments, has an absolute monopoly of our market, prices are sure to be exorbitant. But if capable competition comes in and struggles for the mastery, prices will be forced down to a legitimate basis by the inevitable laws of trade. I repeat, prices have been reduced, not by reason of a tariff *per se*, but by reason of commercial competition. Now, whether competition is stimulated by the tariff, or whether there would be any competition at all, except for the tariff, is another question, to which I will address myself at the proper place in the course of my argument.

So far my purpose has been to develop and emphasize the one fact that the cost of any article in general use subject to a duty is enhanced thereby, and that taxation increases the expense of living. The average of the tariff duties now in force is over 47 per cent. The man, therefore, who spends $500 a year for the support of his family, and for machinery and implements to be used in his business, pays, approximately, 47 per cent. of the original cost, or $160, in the way of taxes. In other words, except for the duty paid by the importer, he could have sold the goods for less—for as much less as the tax amounted to; and if the tax paid on the goods purchased by the consumer at a cost of $500 amounts to $160, then the price at which the consumer could otherwise have purchased was increased by the sum of the tax. I say if there had been no tax on the goods the importer could have decreased the price to the consumer to an amount equal to the tax.

It may be answered that he could, but he would not. Of course I can not tell about that. It may be taken for granted that he would not reduce the price if he could pocket the tax himself in the way of increased profits. But if the tax was removed, and competition and all the conditions of trade remained the same, a reduction in price equal to the reduction in tax would certainly follow. Another thing is very sure: If imported goods are being now sold at the lowest prices compatible with reasonable profits, a reduction on that class of goods is impossible while the tax remains. And it may be safely assumed that goods of domestic manufacture will not be reduced in price as long as the prevailing price on the imported and competing product is maintained.

If, then, we are collecting from the people more taxes than the Government needs, thereby taking money from the pockets of labor and incurring all the evils flowing from an enormous idle surplus in the public Treasury, and if the necessaries of life and the cost of living are increased by that taxation for which there is no public or governmental need, we certainly ought not to hesitate to reduce taxation, unless thereby we incur the risk of results pregnant with other and greater evils and dangers than those incident to a State of redundant taxation. Would we run that risk by a reduction of the tariff tax? Would we run that risk by passing the Mills bill, which proposes to reduce the average tax from 47 to 40 per cent.? The protectionists say we would. They say that any substantial reduction of the tariff, or any material interference with existing conditions, would stop the wheels of progress in this country, and that one of two things would happen. First, that all our great manufacturing industries would be prostrated and destroyed, entailing widespread and irreparable disaster and ruin because of their inability, by reason of cheaper labor abroad, to compete on equal terms with foreign establishments; or, secondly, to avoid that result it would compel such a reduction in the wages paid for labor in this country as to impoverish and pauperize millions of brave and honest men who live by their daily earnings. As a consequence of these evil prognostications we are assured, with an air of authority, that competition would be destroyed and that Europe, or, more properly speaking, free-trade England, would soon plant the black standard of monopoly on the rhins of our now prosperous industries, and that salt would treble in price, and that soda-ash would go back to $48, and steel rails to $166 per ton, and that prices of all kinds would advance in like measure.

If these alarming prophecies are anything more than grim phantoms, invoked by selfish and ravenous fancy, with which to affright the souls of adversaries that greed may continue to thrive unmolested on the sweat of honest men; if there is a reasonable or logical probability that they are founded in fact, then it would be the part of wisdom to make haste slowly in this direction. Hamlet said we had—

> rather bear those ills we have
> Than fly to others that we know not of.

I, at least, had rather bear the ills we have, however burdensome, than to attempt a new departure, if by so doing I incur the certainty of worse ones. I had rather bear the ills we have than the greater ones so darkly portrayed by the prophets of protection. That is but to play the stupid part of common prudence. But are these doleful prognostications worthy of belief? Ought they to excite any real, intelligent apprehension? Are they candid or honest or sensible? Are they justified by any known economic truths or principles? Is the threat of danger real?

What is the proposition? That our manufacturing industries can not compete with those of England without protection. Why? Let me put it differently. Why can not our people compete with the English people, not only for our home trade, but for the commerce of the world? It can not be, or ought not to be, in the cost of raw materials. American manufacturers ought to be able to buy raw materials as cheaply as the English manufacturer under the same commercial conditions. What is there produced in England that is not produced in this country in greater abundance? What comes from the farms, or the forests, or the mines of England that are not derived in larger quantities from our farms, and forests, and mines? What raw material is produced at the home of the English manufacturer, or any European manufacturer, that is not produced at the home of the American manufacturer? Certainly none of any great importance. On the contrary, we produce much in this country that is not produced in England or in Europe.

For instance, we are the great cotton-producing nation of the world. Our manufacturers of cotton fabrics have the raw material grown at their very doors, while England must send across the Atlantic to buy from us. So far as the home market for the purchase of raw material is concerned, the English manufacturer has no advantage in quality or quantity over the American. And if both are compelled to go abroad to buy, can not the American go into the same markets and buy as cheaply as his English competitor? Of course, under existing laws,

the Englishman could lay his material down at his factory cheaper than the American, for, although they may have purchased in the same market at the same price, the American would have to pay a large tariff duty on his material when he landed at his home port, thereby greatly increasing the cost of his raw material over the cost of similar material to his English competitor. As a rule (to which, of course, there are some exceptions) the English manufacturer procures his raw material cheaper now than the American; but that is due almost solely to our high-tariff laws. If they were put upon equal terms and given equal opportunities there would then be no reason for any difference in that respect.

Our alleged inability, therefore, to contend against English competition can not be fairly or justly predicated on the higher cost of raw material to the American manufacturer, since whatever difference exists in that regard is the result of the very tariff laws which he insists on retaining and continuing—a difference which would disappear with a proper modification of the laws from which it springs.

I repeat, why is it that the American people can not compete with the English people upon equal terms? Not because of any inferiority in the character or capacity of our artisans. It has been our boast that the American workmen and operatives are the most intelligent, expert, and skillful in the world. It can not be because our manufacturing establishments are inferior to those of England or any country.

They are no longer puling infants in need of guardians or wet-nurses, but they stand erect, rich, athletic, powerful in all the conscious strength of fresh maturity—superior in wealth and productive capacity to any rivals in the world. We hold the first rank as a manufacturing people, our products in 1880 having exceeded even those of Great Britain by $650,000,000.

It can not be because our home market is in any possible respect inferior to that of England. Our population is vastly greater, our people are equally as intelligent, and the home demand to be supplied by the products of the shop and factory is larger here than there. This is the growing country of the world. Our population and wealth are increasing with marvelous rapidity and home consumption and home demand are multiplying in an equal ratio. Our inability to compete can not be attributed to anything of that sort.

Why, Mr. Chairman, reflect what a marvelous country we have and what extraordinary advantages we enjoy! Combine Great Britain and Ireland, France, Germany, Austria, Italy, Spain, Portugal, Switzerland, Denmark, and Greece, and they would equal but one-third of our territory west of the Hudson River. I wish in this connection to read some extracts from a recent work, entitled "Our Country; its Possible Future and its Present Crisis," by Josiah Strong, D. D., general secretary of the Evangelical Alliance for the United States, and carefully revised by Professor Austin Phelps, D. D. He says:

We are told that east of the Rocky Mountains we have a river-flow of more than 40,000 miles, counting no stream less than 100 miles in length; while Europe in a larger space has but 17,000 miles. It is estimated that the Mississippi, with its affluents, affords 35,000 miles of navigation. A steam-boat may pass up the Mississippi and Missouri 3,900 miles from the Gulf—"as far as from New York to Constantinople." Thus a vast system of natural canals carries our seaboard into the very heart of the continent. Excluding Alaska, which is capable of producing great wealth, the area of the United States, according to the census of 1880, is 2,970,000 square miles. According to the smallest estimate I have ever seen, and doubtless too small, we have 1,500,000 square miles of arable land.

China proper, which according to her last census, supports a population of 360,000,000, has an area of 1,348,870 square miles, or considerably less than one-half of ours, not including Alaska. The Chinese could hardly be called a manufacturing people; and when their last census was taken (1812,) their foreign commerce was inconsiderable. That vast population, therefore, drew its support from the soil. The mountains of China occupy an area of more than 300,000 square miles, and some of her plains are barren. It would seem, then, that our arable lands, taking the lowest estimate, are in excess of those of China, by some hundreds of thousands of square miles. The fact, therefore, that Chinese agriculture, with its rude implements, feeds hundreds of millions ought, certainly, to be suggestive to Americans.

The crops of 1879, after feeding our 50,000,000 inhabitants, furnished more than 283,000,000 bushels of grain for export. The corn, wheat, oats, barley, rye, buckwheat, and potatoes—that is, the food crops—were that year produced on 105,097,750 acres, or 164,215 square miles. But that is less than one-ninth of the smallest estimate of our arable lands. If, therefore, it were all brought under the plow it would feed 450,000,000 and afford 2,554,000,000 bushels of grain for export. But this is not all. So excellent an authority as Mr. Edward Atkinson says that where we now support 50,000,000, "100,000,000 could be sustained without increasing the area of a single farm, or adding one to the number, by merely bringing our product up to an average standard of reasonably good agriculture; and then there might remain for export twice the quantity we now send abroad to feed the hungry in foreign lands. If this be true (and it will hardly be questioned by any one widely acquainted with our wasteful American farming), 1,500,000 square miles of cultivated land—less than one-half of our entire area this side of Alaska—are capable of feeding a population of 900,000,000, and of producing an excess of 5,100,000,000 bushels of grain for exportation; or, if the crops were all consumed at home, it would feed a population one-eighth larger, namely, 1,012,000,000. This corresponds very nearly with results obtained by an entirely different process from data afforded by the best scientific authority (Encyclopedia Britannica, volume I, page 717). It need not, therefore, make a severe draught on credulity to say that our agricultural resources, if fully developed, would sustain a thousand million souls.

But we have wonderful wealth under the soil as well as in it. From 1870 to 1880 we produced $732,000,000 of the precious metals. The United States now raises one-half the gold and silver of the world's supply. Iron ore is to-day mined in twenty-three of our States. A number of them could singly supply the world's demand. Our coal measures are simply inexhaustible. English coal pits, already deep, are being deepened, so that the cost of coal-mining in Great Britain is constantly increasing, while we have coal enough near the surface to supply us for centuries. When storing away the fuel for the ages God knew the place and work to do which he had appointed us, and gave us twenty times as much of this concrete power as to all the peoples of Europe. Our mineral products (of all kinds) are of equal richness and variety. The remarkable increase from 1870 to 1880 places us at the head of nations. Our mining industries exceed those of Great Britain 3 per cent., and are greater than those of all continental Europe, Asia, Africa, South America, Mexico, and the British colonies collectively, and as yet we have hardly begun to develop these resources.

Let us glance at our manufactures, present and prospective. Our first great advantage is found in our superabounding coal. The second lies in the fact that we have our raw material at hand. England must go at least 3,000 miles for every cotton ball she spins; we raise our own. We produce also the wool, the woods, the hides, the metals of every sort—all that is required for nearly every variety of manufacture. The remaining advantage which crowns our opportunity is the quality of our labor, American operatives being, as a class, the most ingenious and intelligent in the world. Inventiveness has come to be a national trait. The Mechanical World, of London, says that the United States has the best machinery and tools in the world; and Mr. Lourdelot, who was recently sent over here by the French minister of commerce, says that the superiority of tools used here, and the attention to details too often neglected in Europe, are elements of danger to European industries.

Herbert Spencer testified that "beyond question, in respect of mechanical appliances, the Americans are ahead of all nations." The fact of superior tools would alone give us no small advantage, but the possession of the best machinery implies much more; namely, that we have also the best mechanics in the world. In close competition any one of the three advantages enumerated ought to insure ultimate supremacy. Already our products in 1880 exceeded those of Great Britain by $650,000,000. * * * And it is interesting to note not only our position, but our rate of progress. While the manufactures of France, from 1870 to 1880, increased $250,000,000, those of Germany $450,000,000, and those of Great Britain $589,000,000, those of the United States increased $1,030,000,000. Moreover, the marked advantages which we now enjoy are to be enhanced. While England's coal is growing dearer, ours will be growing cheaper. The development of our vast resources will greatly increase, and hence cheapen raw materials.

The superior ingenuity and intelligence of our mechanics and operatives will continue to give us better machinery, while our rapidly-increasing population will cheapen labor. Even now, with cheap labor against us, we can lay down our steels in Sheffield, our lower grades of cotton in Manchester, our electroplate in Birmingham, and our watches in Geneva, and undersell European manufacturers on their own doorsills.

Again the same author says:

The wealth of the United States is phenomenal. In 1880 it was valued at $43,642,000,000; more than enough to buy the Russian and Turkish empires, the kingdoms of Sweden and Norway, Denmark and Italy, together with Australia, South Africa, and all South America—lands, mines, cities, palaces, factories, ships, flocks, herds, jewels, moneys, thrones, scepters, diadems, and all—the entire possessions of 177,000,000 people. Great Britain is, by far, the richest nation of the Old World, and our wealth exceeds hers by $276,000,000.

Mr. Chairman, right in the midst of all this wealth and opportunity our manufacturers sit clamoring for a wall around them to protect them from the aggressions of weaker powers. Oh, Shame, where is thy blush! Oh, Self-abasement, where is thy sting!

Again, Mr. Chairman, I ask, why can not our American people compete with the English people upon equal terms? Driven by the pitiless logic of incontestable facts from every other reply with which they have been wont to fortify themselves the protectionists retreat to their final, and what has heretofore been considered their most formidable, stronghold, that is, the question of labor-wages. Here they take their stand and shout back their answer. They say: "It is true we have the advantage of cheaper fuel, and could have of cheaper raw material; we have the advantage of better machinery, of better mechanics and operatives; but labor costs so much more here than in England that open competition is impossible."

That is the reply, the one sole reply, which the protectionists make to my question. In that last ditch, heretofore a bulwark of safety, they take their stand, and shout back in chorus "How can we pay 40 or 50 per cent. more for labor here than England and compete in the same markets upon equal terms? How can we cross swords with England upon equal terms without reducing the price of our labor to an equality with the price of English labor?" That is the answer they make. This is the rock upon which they build their defense. These are the questions they put, and put them with such an air of foreboding evil as to alarm the workingman of the country. Here, Mr. Chairman, the issue is joined, and we should meet it face to face, fairly, frankly, and candidly.

There are some collateral, though important, views of this question which might be considered in this connection. For instance, less than 10 per cent. of our industrial population are engaged in industries which practically, or at least directly, receive any of the supposed benefits of the protective tariff. And, in any view of the question, it may be well doubted whether it is fair or just or wise to tax over 90 per cent. of our laboring people for the benefit of less than 10 per cent. It may be well doubted whether it is fair or just or wise to tax the farmer 47 per cent, on everything he buys in order that the wages of some other man, not a whit more deserving, may be increased; and it is poor consolation to the farmer whose house is mortgaged and whose wheat goes a-begging for a market at 50 cents per bushel, to be assured by that other man that he is indirectly benefited by the tariff affording him a better (?) home market than he would otherwise have.

But I do not propose to go into those phases of the question. I want to meet the issue point blank. I asked, Why can not we compete on equal terms with England? and I am answered, Because labor costs us more. Now, is that true? Does labor cost the American manufacturer more than it costs his English competitor? Unfortunately the statistics by which this question could be definitely settled are very incomplete and unsatisfactory. It is greatly to be hoped that the bill which recently passed the House to afford our accomplished Commissioner of

Labor ample opportunities to extend his investigations at home and abroad and gather necessary data for the settlement of this question beyond dispute may become a law. As it now is, I say, the data is incomplete and unsatisfactory. Still, many material facts have been ascertained, and they justify me in saying that there is no truth in the claim of the American manufacturer that he pays more for labor than his English competitor.

There are two ways of stating the proposition. The protectionist's way of stating it is, that the American workman receives higher wages and gets more money during a week or a month or a year than the English workman. But my way of stating it is, that the American manufacturer does not pay more for his labor than the English manufacturer. I hope to make the distinction clear as I advance. I am not now inquiring whether the American or English workman is the better off. I am not now inquiring which receives the most money in a month or a year, nor as to the purchasing power of their wages in their respective countries. Those things belong to other phases of the question. The point I now make is that the cost of labor to the American manufacturer is less than to the English manufacturer, or, in other words, the labor cost to the American manufacturer on the products of his factories is less than the labor cost to the English manufacturer on similar products.

Every completed article which a manufacturer sends out from his shops or mills has cost him a certain sum. He paid so much for the raw material out of which the completed fabric was made. He has money invested in the machinery used in making the article, upon which he calculates interest, and for the wear and tear of his plant; and he pays so much for the labor employed in the work of construction. All these and other items of expense enter into the cost of production. A certain part of the cost of production is charged to labor. Now, is that labor cost on the manufactured products of America greater or less than the labor cost on similar products in England? That is the question. The American protectionist says he can not hold out against English competition, because wages are higher here than there.

But that is an evasion. It does not meet the real point at issue. I agree that ordinarily the American operative will earn more in a week or a month than the English operative in the same industry. I will admit that daily wages are higher here than there. The most reliable authorities agree that the average wages in America are about 50 per cent. higher than the average in England; that is, where an English operative would earn $8 in a week the American operative would earn $12. But how does that concern the manufacturer who employs this labor if, notwithstanding these larger earnings, he gets his fabrics made, completed, and ready for market at a less labor cost on the product itself than his English competitor? Naturally it may be asked how it is possible for the American manufacturer to obtain his goods at a less labor cost than his English competitor when the operative he employs to do the work receives $12 for a week's work—that is, from Monday morning to Saturday night—while the English operative receives but $8. Evidently to reach that result the American operative must work more hours during the week or turn out more or better work in the same period of time.

In point of fact he does all those things. He works more hours in the week, and does more work and better work in the same length of time. There is the key to this whole contention. First, I say, if the American operative earns more money in a week or a year than the English operative, he also works more hours; and secondly, he does more work, by reason of superior skill and ingenuity, in the same length of time.

In 1882, Mr. Carroll D. Wright, then chief of the Massachusetts bureau of labor statistics, made some comparisons between wages received by certain classes of wage-earners in Great Britain and in Massachusetts, and also as to the cost of living. Here is one case put by Mr. Wright. I quote from him:

Each family is supposed to consist of a four-loom cotton weaver, with wife and three children, two of the children working in the mill. In neither case is the wife supposed to work. The English weaver is a Lancashire operative, working fifty-six hours per week, and his two working children are half-timers. The Massachusetts weaver works sixty hours per week, and his two working children are employed thirty-two weeks in the year.

The Massachusetts weaver earns per week	$5.64	
Two children in weave-room each average per week $2.33	4.66	
Total income per week of the family		$10.30
The Lancashire weaver earns per week	5.28	
Two children in weave-room, half-timers, each per week $0.84	1.68	
Total income per week of the family		6.96
Excess of weekly income in Massachusetts		3.34

He also gives a comparison between cotton spinners in England and Massachusetts, from which it appears that the Massachusetts spinner and his two children earn per week $13.79, and the English spinner and his two children earn $9.72, or a difference of $4.07 per week in favor of the Massachusetts spinner. But it will be observed that the Massachusetts weaver and spinner each worked sixty hours, while the English weaver and spinner each worked only fifty-six hours, which is a difference of four hours per week in favor of the English operative. Four hours per week is equal to two hundred and eight hours per year, and two hundred and eight hours are equal to twenty-six working days of eight hours each, or a full month. The comparative difference in the time worked by the children is still more striking. The children are called half-timers; that is, work half the time. In England they worked two weeks over the half year, or twenty-eight weeks; but in Massachusetts the time they worked amounted to thirty-two weeks, or an excess over the English children of four weeks in a half year.

And so it runs through the whole list. The aggregate annual earnings of the American operatives are much larger than of the English operatives—the average being, as I have stated, about 50 per cent. larger; but the American operative invariably works longer in order to make a larger aggregate of earnings. I do not mean to say that American operatives do not absolutely receive more for the same length of time than English operatives, for they do receive more. For instance, in the case of a Massachusetts cotton spinner, given by Mr. Wright, he received $10.09 for sixty hours' work, or about 17 cents per hour; while the English spinner received $7.80 for 56 hours' work, or a little less than 14 cents per hour; and the difference in many lines of industry is still more marked. However, the difference in time does in part explain the difference in earnings. That is all I mean to say upon that point, and that much I do mean to say and insist upon.

Now, as to the second proposition. I affirm that the American operative, by reason of superior intelligence and skill, and by reason of the superior machinery he uses, does more work in the same length of time than the English operative. Man's productive capacity, on account of the improved machinery he uses, has multiplied to an almost incomprehensible extent. In a Report on the Factory System of the United States, issued in 1884, as a sort of appendix to the census, I find some interesting comparisons between what a man could do in the old days and now. For instance, a single average hand-loom weaver could weave from 42 to 48 yards of cotton shirting per week; while now the six power-looms which a single weaver in a factory can attend will produce 1,500 yards. On a hand-wheel a spinner could turn off 8 ounces of No. 10 cloth-yarn in ten hours, or 3 pounds per week, the mule spinner about 3,000 pounds in the same length of time. In the same connection it is stated that the machinery of 1884 had a productive power of at least 20 per cent. over the same class of machinery in use ten years before. This shows with what marvelous facility and rapidity our machinery is improved.

Now, this ought to be clear: that the price of labor may increase and at the same time the labor cost of the product decrease. If the hand-loom weaver who turned off 48 yards per week received $3 for his work, the 48 yards cost more for labor than the 1,500 yards turned off by machinery attended by a single weaver who received five times as much for his week's work. In this same census appendix of 1884 I find this statement: "The ratio of cost per pound for labor of common cotton cloth for the years 1828 and 1880 was as 6.77 to 3.31; wages being as 2.62 to 4.84."

In other words, while the labor cost of production decreased over 100 per cent. in fifty-two years, the wages of labor increased nearly 100 per cent.

Another thing ought to be clear, since it is the same thing differently stated: If the American manufacturer pays 50 per cent. more for labor than his English competitor, but at the same time gets 50 per cent. larger returns from that labor, then the labor cost of his production does not exceed that of his competitor. Now, what are the facts? In this connection I beg to quote somewhat extensively from the recent able speech of Mr. MILLS, who has utilized the available statistics upon this point, and has stated the case stronger than I would be able to do. He said:

Mr. Chairman, I want to call the attention of the committee to a statement found in the report of the United States Census. This is the report in reference to the wages in the manufacturing industries of the country, and I call special attention to a report of an ax-manufacturing establishment in Connecticut on page 158. This gentleman who makes the report compares the operations of his house from his books in 1840 with 1880. In steel fitting, in ax making, each operative turned out 600 pieces per day in 1840. In 1880 each operative turned out 1,250 pieces per day. Each operative received in 1840 24 cents per hundred pieces, and received in 1880 20 cents per hundred pieces. He earned in 1840 $1.44 a day, and in 1880, though he received less for each piece, he earned $2.50 per day.

Now, was the increase of the daily wages of these operatives due to the tariff? Let the manufacturer answer. He says: "The following table shows the results of labor-saving machinery, together with the increase in the efficiency of labor in the manufacture of axes, from 1840 to 1880." When I saw these tables, proving the principle so clearly presented and so strongly enforced by Mr. Atkinson, I went to our very able and efficient chief of labor, Hon. Carroll D. Wright, and asked him to have a table like this in the census report prepared, and to send an intelligent agent into some of the oldest houses in the country and get a statement from their books and send it to me, that I might see if there was a different result in other establishments. I now give you the testimony of those houses to add to the others.

There are here seven establishments. The first one is in Massachusetts. A comparison is instituted between 1849 and 1884, and the industry is cotton print cloth. Each operative made in 1849 in this factory 44¼ yards per day; in 1884 he made 98.2 yards, an increase of productive power of 120 per cent. What wages did he get? The average daily earnings of the laborer in 1849 were 65 cents, and in 1884 $1. His wages increased 50 per cent. The labor cost of the product decreased 32 per cent.

In that same establishment in 1849 the wages of weavers were 65 cents a day, and each man turned out 113 yards of cloth. In 1884 the wages had risen to $1.06, and each weaver turned out 273 yards of cloth.

In the second house, also in Massachusetts, manufacturing printed cloths, each laborer in 1850 produced 42 yards; in 1884 he produced 102 yards, an increase of 142 per cent. His earnings were 65 cents a day in 1850 and $1.05 in 1884. The increase in wages was 61 per cent. The decrease in the labor cost of the article was 33 per cent.

The third house, manufacturing sheeting, in Massachusetts, showed that each laborer in 1852 produced 41 yards, and in 1886 73 yards of cloth. His productive efficiency increased 77 per cent. His wages increased 49 per cent. The labor cost of the cloth decreased 15 per cent.

In the fourth house, in New Hampshire, manufacturing print cloth, each laborer in 1852 produced 42.5 yards, and in 1886 103 yards. The increase in productive capacity was 142 per cent. The increase in wages was 56.7 per cent., and the labor cost per yard decreased 35 per cent.

Without going all through these figures the facts as to each one of these houses show in every instance that the productive efficiency of the laborer had increased, and that corresponding with that the wages had increased and the cost of the product had decreased.

Now, then, the tariff had nothing to do with any of these results. During this time we had high tariffs and low tariffs, but whether high tariff or low tariff, or no tariff, the productive efficiency continued to increase, the multiplication of production by the power of machinery continued to increase, and wages rose with it, and the cost of the product sunk. So that the tariff conferred no benefit on the laborer; none whatever.

But now let us see what effect a reduction of the duties will have by letting in the goods of England and other foreign countries into our markets to compete with our people and to endanger the laborers of our country, as it is charged it will do. I say the same proposition for which I have been contending is demonstrated again when we compare the laborer of this country with the laborer of England. We produce cheaper than in England because a high rate of wages means low cost of product, and a higher rate of wages means lower cost of product, and the highest rate of wages means lowest cost of product.

Mr. Wright, Chief of the Labor Bureau, instituted a most painstaking examination into the rates of labor in England and Massachusetts a few years ago, and showed the rates of labor higher in this country than in England; 12 per cent. higher in cotton manufacture; 25 per cent. in the manufacture of woolens; 26 per cent. in iron and steel; 128 per cent. in boots and shoes. That would seem to indicate, according to the philosophy which has been taught in this country by protectionists for many years, that we are on the road to ruin because our rate of labor is higher than in England and other countries. But the reverse of that proposition is true, and the fact that the rate of wages is higher here than in England shows that England is distanced in the great industrial contest into which she has entered.

Now let me give you an instance here in boots and shoes. If we pay so much higher wages in producing boots and shoes, if the proposition we hear on the other side be true, we can not enter into any contest with Great Britain when we pay 128 per cent. higher wages than she does. Yet we import no boots and shoes at 30 per cent. duty from England. We make the cheapest boots and shoes and the finest made in the world. In that England can not contest with us; and the fact that the rate of wages is so much higher here than in England shows that she is far behind in the race.

Let us see. Here is a gentleman writing in Harper's Magazine in 1885, a very able article entitled "A pair of shoes." He takes the history of the hide from the cow and follows it through all its mutations into the finest products of manufacture.

Mr. Howard Newhall is the writer. He says:

"American ladies' shoes wholesaling at $1.50 per pair, cost for labor of making 25 cents. English ladies' shoes wholesaling at $1.50 per pair, cost for labor of making 34 cents. American men's shoes wholesaling at $2.60 per pair, cost for labor of making 33 cents. English men's shoes wholesaling at $2.60 per pair, cost for labor of making 50 cents. In the report of the Massachusetts bureau of statistics for 1884 the general average weekly wage in Massachusetts is given as 128.9 per cent. higher than in Great Britain. The general average weekly wage in Massachusetts is given as $11.63 per week, and in Great Britain $5.08."

Now, what is the solution of all this? What does it mean? In Massachusetts wages are 128.9 per cent. higher than they are in Great Britain, but the labor cost of a pair of ladies' shoes in Massachusetts is less than the labor cost of a like pair of shoes in Great Britain. The cost is 25 cents in Massachusetts against 34 cents in England. The labor cost of men's shoes in Massachusetts is 33 cents per pair; the labor cost of men's shoes in England is 50 cents. If our people are to be injured by the importation of English shoes into this country the English shoe must be produced at a lower cost than the American shoe; otherwise it can not take the market.

It is not the rates of wages in England and America respectively, $5.08 against $11.63, that we have to consider, but it is the labor cost of the pair of shoes. Now, the man holds the market who can sell his goods cheapest, and the man can sell cheapest who gets his goods at the lowest cost, and that is the man in Massachusetts. What, then, does this difference of wages mean, $11.63 per week in Massachusetts against $5.08 in England? It simply means increased productive efficiency; it means that the productive efficiency of the American workman engaged in this industry is greater than that of the British workman by 128.9 per cent.

A few years ago, in 1879, our English friends across the water took alarm about the growth and development of our cotton industry in the United States, and they sent an expert—a gentleman thoroughly conversant with the cotton business of England—to the United States to make a thorough and searching investigation into the whole business of cotton manufacture in this country, and to report to them whether their industry was imperiled by that of the United States. That gentleman went to New England, the seat of the cotton industry in this country. He made a thorough and searching investigation, and in every instance he showed that we could produce cotton goods at a lower labor cost than they could be produced at any point in Great Britain. I have here the tabular statement that he gave to his people when he returned.

The following are the rates of wages for weaving and spinning cloths in some of the principal districts of England and America, as shown by his report:

A piece 28 inches, 56 reeds, 14 picks (?), 60 by 56.58 yards, costs at Ashton-under Lyne, in England, 24.68 cents to weave; in Rhode Island it costs 16.82 cents. At Blackburn, in England, it costs 23.4 cents; at Providence, R. I., it costs 17.26 cents; at Stockport, England, 23.4 cents; at Fall River, 19.96 cents; at Hyde, England, 25.28 cents; at Lowell, 19.96 cents. In every instance the labor cost of the production of the cotton goods is lower here than in England. Now let us turn to the summary. At Fall River the wages in a pound of print cloth, about 7 yards, is 6.907 cents; at Lowell it is 6.882 cents; in Rhode Island it is 6.422; in Pennsylvania, 6.44; in England, 6.96 cents. In every place in the United States, in Pennsylvania, Massachusetts, and Rhode Island, the labor cost of producing a pound of print cloth was lower than at any point in England.

I hope my distinguished friend from Texas will pardon me for reading so much of his speech. The point I want to make is so well elaborated by him that when I begin to read it I hardly know when to stop.

Now, Mr. Chairman, if it be true that the labor cost of our manufactured products is less than the labor cost of similar products in England, notwithstanding higher wages here, why would a reduction in tariff taxation necessitate a reduction in wages? If English wages should continue the same, the labor cost of English manufactures would continue the same; and if American wages continued the same, the labor cost of American manufactures would continue the same. A reduction in the tariff would not affect the efficiency or productive capacity of our labor. We could go on paying the same wages and getting the same results. We could go on paying higher wages and getting our products at a less labor cost. There would be no absolutely necessary or probable reduction in anything, except in the cost of raw materials, and in the enormous profits which the protective tax enables the home manufacturer to squeeze out of the home consumer. That is the whole of it; that is the end of the chapter. If the protectionist can not make his labor argument good, if it is without foundation in fact, then he has no solid ground under his feet.

Mr. Chairman, how does the matter now stand? What are the relative advantages and disadvantages of the American and English manufacturers? Let us see. The American has cheaper fuel, better mechanics, better machinery, a better home market, and gets the products of his factories completed and prepared for market at a less labor cost. The Englishman has but one advantage, he gets cheaper raw material. But that advantage he has over us by reason of these very protective tariff laws. Modify your laws so as to equalize us in that respect, and every advantage would be upon our side.

Mr. Chairman, again, and for the last time, I ask, why can not we compete with England upon equal terms? Why not reduce taxation since, confessedly, the Government does not need the money, and thereby avert the manifold evils of a redundant Treasury, leave the surplus in the pockets of the people who earned it and who need it, and, at the same time, cheapen the cost of consumption and lessen the expense of living? Sir, I marvel why it is that all the world stands in awe of free-trade England. We build a wall around our land, professedly to protect us against the cheaper labor of England; while France and Germany build a similar wall to protect them from the dearer labor of England. England seems to be a sort of commercial monster—the Old Man of the Sea—in whose presence all the world trembles. Her European neighbors have thrown protective tariffs in her pathway; notwithstanding, it is everywhere admitted the English artisan and mechanic are the best paid of any in all the great commercial countries of Europe.

But why is it that the brave, enterprising, matchless people of this great Republic should tremble with servile fear and whine in the presence or shrink dwarfish before the haughty glance of England? The gentleman from Michigan unblushingly compares us to Holland and England to the mighty sea. He says we had as well say to the Hollander, "Why not take down the dikes, the sea has not come in for a hundred years," as to say to the American people, "Why not take off your tariff, England has not mastered you for thirty years?" He says the Hollander would reply, "The sea has not come in because of the dikes," and he answers that England has not come in because of the tariff.

It is pitiful that we have sunk to such depths of pusillanimity. Why should we, who are greater in all things, be afraid of England? Who has taught us this lesson in cowardice? The American manufacturers, who rob the American consumers under the false pretense of protecting labor, and cover us with this humiliation that thrift may follow shame.

Mr. Chairman, I am rejoiced that this agitation before the people has assumed a form so positive and aggressive. The eyes of the people are opening to the truth. The farmers are beginning to learn that they are paying enormous taxes not required for any public purpose, and bearing burdens that do not even inure to the benefit of that labor on whose account it is said to be imposed, but goes to swell the princely fortunes of manufacturers.

The laborers in the protected industries are also beginning to learn that the tariff is not the anchor of their hope, that it is not an unstinted blessing. A well-founded suspicion is beginning to creep in upon them that may be, after all the pretensions put forth from year to year by the protectionists with an ever-increasing grandiloquence of flourish, the tariff may be an unmitigated evil in cunning disguise. They are beginning to learn that wages do not depend upon the tariff, but upon other causes in no sense connected with the tariff—causes I hope to find an opportunity to discuss before the close of this session.

The tariff regulates wages! Why, sir, if that were true wages in the same industries ought to be relatively the same in all the States of the Union; but, as was shown the other day by the eloquent gentleman from West Virginia [Mr. WILSON], who gave a large number of illustrations drawn from official sources, wages in exactly the same industries vary in adjoining States from 10 to 60 per cent. There is another significant fact that while the tendency of the tariff has been upward the tendency of wages has been downward. Since the war the tariff has advanced from 40 to over 47 per cent., but wages have not increased, although the tariff was raised ostensibly for the benefit of labor. On the contrary, I repeat, the wages of labor have depreciated. This fact will be made manifest by the most casual examination of the twentieth volume of the Tenth Census, where the wages paid the different

classes of employés during each year from 1870 to 1880 are given. For instance, I find that a certain rolling-mill establishment in Pennsylvania, given at page 223, has furnished the following table:

Classes of employés.	Unit of payment.	Dates.								
		1880.	1879.	1878.	1877.	1876.	1875.	1874.	1873.	1872.
FORGE DEPARTMENT.										
Pig-stocker	Day...	$1.27	$1.21	$1.21	$1.21	$1.30	$1.60	$1.80	$2.00	$2.25
Puddler	Turn.	4.15	3.65	3.49	3.49	3.40	3.69	4.49	5.09	5.43
Roller	...do ...	4.90	4.25	4.25	4.25	4.25	4.50	4.00	6.00	7.22
BAR AND GUIDE DEPARTMENT.										
Piler	Day...	.50	.50	.50	.50	.50	.60	.60	.75	.75
Shearer	...do ...	1.45	1.43	1.43	1.43	1.55	1.55	1.67	1.80	2.00
Heater	Turn.	5.12	5.12	5.12	5.12	5.12	6.40	6.00	7.06	8.83
Guide-roller	...do ...	6.35	6.35	6.35	6.35	6.35	6.35	7.05	8.80	11.00
HOOP DEPARTMENT.										
Roller	Day...	5.25	5.25	5.25	5.25	5.25	5.25	5.83	7.28	9.10
SHEET DEPARTMENT.										
Roller	Day...	5.80	7.20	8.00	8.00	8.00	8.00	8.90	9.90	9.90
Rougher	...do ...	2.52	2.52	2.52	2.52	2.52	2.72	3.16	3.20	3.75
Shearer	...do ...	3.43	4.28	4.75	4.75	4.75	4.75	5.27	5.86	5.86
GENERAL DEPARTMENT.										
Roll-turner	Day...	5.40	8.25	8.25	8.25	8.90	12.50	12.50	10.25	7.35
Engineer	...do ...	2.02	2.37	2.37	2.37	2.37	2.37	2.37	2.50	2.85
Fireman	...do ...	1.75	1.75	1.75	1.75	1.75	2.00	2.00	2.00	2.00
Blacksmith	...do ...	2.45	2.45	2.45	2.45	2.45	2.75	3.30	3.30	3.75
Carpenter	...do ...	2.12	1.75	1.75	1.83	1.83	2.55	2.65	2.50	2.75
Watchman	...do ...	1.40	1.40	1.40	1.40	1.50	1.75	2.05	2.25	2.25
Teamster	...do ...	1.40	1.40	1.40	1.40	1.50	1.50	1.60	1.75	2.00
Laborer	...do ...	.60	.60	.60	.60	.70	.75	.75	.75	1.10

This table might be repeated *ad infinitum* in regard to almost every class of manufactures. I give it as a fair sample of the whole. Compare the wages therein given between the years 1872 and 1880, and it will be found that there is a large decrease, no matter whether the wages are for the day or for the turn. You may run all through these census tables and you will find that it makes no difference whether the wages are given for the day, week, month, year, ton, piece, or job, the same prevailing rule of decrease obtains.

There is another thing that labor must learn. If it be true that the tariff, taken as a whole, increases the cost of raw material, then labor must bear the burden of that additional cost. Let me illustrate. A manufacturer in England and a manufacturer in Massachusetts are competitors in the same business. Let us suppose that fuel cost them the same, that they have the same amount invested in their plants, and that the labor cost of their productions are the same; but let us also suppose that raw material cost the Massachusetts manufacturer 50 per cent. or 100 per cent. more than the English manufacturer. Now, the Massachusetts manufacturer can not take his more costly product to South America, or elsewhere, and compete with the English manufacturer in the same market. To do that he must in some way reduce the cost of production to him. But he can not reduce the cost of fuel, because he does not control that; he buys that from the operator in coal-mines. He can not reduce the amount he has invested, nor the wear and tear of his machinery. There is but one other thing to do. He must reduce the price of labor so as to make good the difference in the higher cost of material. Again: Here is an article manufactured in Massachusetts. The raw material out of which it was made cost the manufacturer $2. He also paid $2 for the labor he employed in its construction. The combined cost to the manufacturer for labor and material was $4. Suppose the tariff on the material to be 100 per cent., then half the cost of material was paid in the way of taxes. Take the tax off, and the material could be laid down at the factory for $1 instead of $2. Let the same labor be employed at the same price in converting the material into the manufactured article, and it would cost completed $3 instead of $4. The extra dollar could be given to labor without increasing the total cost of production; or it could be divided between the laborer and consumer, thus increasing the wages of labor and reducing the cost of consumption; or, in this way, the Massachusetts manufacturer could meet the English manufacturer in foreign markets as an equal competitor without requiring labor to surrender any of its earnings.

There is another important lesson the laborers are beginning to learn, that the tariff increases the cost of living to them as well as to other people, and that if they earn more money in a week it costs them more to live. I have before me some illustrations furnished by Mr. Carroll D. Wright. I will take the example of the cotton-spinner, which I used some time ago, to illustrate the difference in wages received in England and Massachusetts. Mr. Wright also made a careful, though partial, estimate of the cost of living in the two countries. Here is his estimate:

Each family is supposed to consume the following, the same being the weekly subsistence of an English operative's family of the size under consideration, presented in the Progress of Manchester by D. Chadwick, of the British Association, revised by Dr. Watts, and quoted by Leone Levi in Work and Pay (London, 1877), page 129. The English prices are based upon rates current in Lancashire from the report of Consul Shaw, before alluded to, December, 1881, and from other official sources. The Massachusetts prices are average rates current in said State January 1, 1882.

Prices and quantities consumed per week.	Retail cost at Blackburn, England.	Retail cost in Massachusetts.
Bread, 8 four-pound loaves	$1.20	$1.28
Corn-meal, ¼ peck	.22	.22
Flour, 6 pounds	.26	.27
Fresh meat, 5 pounds	.95	.80
Bacon, 2 pounds	.36	.40
Potatoes, 40 pounds	.40	.84
Milk, 7 quarts	.42	.42
Vegetables	.12	.12
Coffee, Java, ¼ pound	.16	.16
Tea, ¼ pound	.12½	.15
Sugar, 3 pounds	.24	.30
Rice, 2 pounds	.08	.20
Butter, 1 pound	.30	.33
Molasses, 1 quart	.12	.16
Soap, 1¼ pounds	.10	.10
Coal	.36	.62½
Oil	.12	.10
Rent, five rooms	1.20	1.50
Total, per week	6.73½	7.99½

That is to say, it would cost the family in Blackburn to live, not including sundries and clothing, $6.73½; while the family in Massachusetts, consuming the same things and the same quantities, would expend $7.99½; extra expense in Massachusetts per week, $1.26. I have previously shown the excess of weekly income in Massachusetts to be $1.07; net excess after deducting $1.26, the extra weekly expenditure of the family in Massachusetts, $2.81. The family of the Blackburn spinner would have for sundries and clothing, after providing for the items specified in previous table, $2.98½, while the Massachusetts family would have for the same purpose, $5.79½. I believe this statement to be as fair and as just as it is possible to make it.

That is to say, at the end of a week, after paying rents and grocery-bills, the English operative would have $2.98½, and the Massachusetts operative $5.79½, with which to buy clothing and pay other expenses. The difference would be $2.81 per week, or $146.12 per year. That is a considerable item to the workingman. But then we know that all the medium and better grades of clothing are much higher here than in England. I have talked with many gentlemen who have had suits made in London for $25 that would cost them $45 here. Here are some comparative prices of goods marked "medium high," in Massachusetts and Great Britain:

Articles.	Massachusetts.	Great Britain.
Muslins:		
Swiss, yard	$0.50	$0.42
Dress goods:		
French all wool beiges, do	1.00	.25
French all wool serges, do	1.25	.41
Fast pile velveteen, do	1.38	.91
Mourning goods:		
Crapes, do	3.38	1.74
Black French cashmeres, do	2.13	.85
Black French merinoes, do	1.38	.85
Alpacas, do	.75	.49
Ladies' underwear:		
Night dresses, each	4.00	3.71
Chemises, do	2.38	2.34
Drawers, do	1.46	1.34
White skirts, do	2.50	1.58
Men's merino underwear:		
Shirts and drawers, do	3.50	1.82
Gloves:		
Gentlemen's, pair	1.62	.85
Ladies', do	1.89	1.08

Of course the difference in prices will vary according to the quality of the goods. The very cheapest qualities are frequently lower here than in England; but "medium," "medium high," and "high" are invariably much more expensive here than there.

In the fifteenth annual report of the Massachusetts bureau of labor statistics the total family expenses in Massachusetts are estimated to be 48.41 per cent. greater than in Great Britain. So that when we come to look at all the phases of this question, the workmen of America have no such advantages as need to excite them into a state of ecstasy. Somebody is growing rich, and is still growing richer, out of the tariff; but it is not the industrial classes. Sir, I have heard a great deal said

about the prosperous and happy condition of our workmen under the protective tariff. Capital, I grant, has been prosperous; but has labor? A manufacturing enterprise is a joint undertaking, a sort of partnership between employer and employé. The employer puts in his capital, the employé his labor. How have the profits of the enterprise been divided?

Has labor or capital received the benefit of the tariff? Turn to page 15 of the second volume of the Census for 1880, and you will find this statement: "Number of manufacturing establishments, 251,104; capital invested, $2,775,412,345; number of hands employed, 2,718,805; total amount of wages paid, $941,325,925; value of all materials used, $3,381,701,277; value of the manufactured products, $5,341,838,890."

Now, Mr. Chairman, let us analyze this a little. The total value of the manufactured product was $5,341,838,890. The raw material cost $3,381,701,277. Subtract the raw material from the value of the manufactured product, and it will leave $1,960,137,613 to be divided between labor and capital. How was it divided? Labor got $941,325,925, and capital got $1,018,811,688, or $77,485,763 more than labor.

If you will divide the $941,325,925 among the 2,718,805 employés (which embraces all hands, men, women, and children) you will find that it will average $346.25. That is what labor received. But the $2,775,412,345 invested by the employers of that labor received $1,018,811,688, which is nearly 37 per cent. on the investment. What other legitimate investments in this country reap any such magnificent returns? And yet all this is done in the name of labor! What does the farmer think of it, whose land is depreciating in value, and whose investment, labor hard as he may with brawn and brain, will not pay him 6 per cent.?

What do the laborers in the shops think of it, whose names are used to bolster up this robbery? What do the operatives of Massachusetts and the artisans of Illinois think of it, who are compelled to take their children from the school-room and their wives from their homes to aid in earning a bare subsistence? If you will turn to the tables given on page 464 of the fifteenth annual report of the Massachusetts bureau of statistics, made in 1884, you will find that the average expenses of workingmen's families in that State were $754.42, while the earnings of workmen who were heads of families averaged $558.68, or nearly $200 less than their expenses. To make up the deficit the workman is compelled to take his wife from home and his children from school to aid in earning a meager support. Accordingly we find that at that time there were engaged in the manufactures and mechanical industries of that State 28,714 children under sixteen years of age, and that nearly 33 per cent. of the support of the workingman's family fell on the mother and children.

The census of 1880 discloses the fact that at that date there were 1,118,356 children, fifteen years of age and under, employed in various occupations in the United States. In a recent report of the Illinois commissioners of labor statistics they say that their table of wages and cost of living are representative only of intelligent workingmen who make the most of their advantages, and do not reach—

> the confines of that world of helpless ignorance and destitution in which multitudes in all large cities continually live, and whose only statistics are those of epidemics, pauperism, and crime.

Nevertheless, they go on to say, an examination of these tables will demonstrate that one-half of these intelligent workingmen of Illinois—

> are not even able to earn enough for their daily bread, and have to depend upon the labor of women and children to eke out their miserable existence.

Similar statistics exhibit similar conditions in other States. I was recently appointed by the Speaker as one of a committee sent up into the coal-mines of Pennsylvania to investigate the labor troubles there. Tens of thousands of men were out of employment because they could not get living wages. The coal barons have amassed enormous fortunes, some estimated as high as $50,000,000, while the fifty thousand men whose labor created those fortunes were pinched with hunger and shivering with cold. The general superintendent of one of the largest mining corporations operating there, employing ten thousand men, said under oath to the committee that the strike was about ended; that the men would be compelled to return to work in a short time. When asked what would compel them, he naively responded, "Their necessities."

Mr. Chairman, I hope to find an opportunity to tell the House and the country something about what I saw in Pennsylvania before this Congress adjourns, and to make some suggestions for the relief of those wretched and destitute people. The venerable gentleman from Pennsylvania [Mr. KELLEY] is perpetually and eternally harping about negro slavery in the South twenty-five years ago. Sir, that is ancient history. He had as well declaim against the butchery of the Roman amphitheater or the pompous brutality of the Roman conquerors in dragging their prisoners through the streets of their capital; he had as well inveigh against the coarse barbarity of the feudal system, or any other antiquated event. It does no good, and comes with ill grace from a man whose own State tolerates the most degrading and hopeless slavery known in this country.

Why, sir, to hear these advocates of protection one is almost persuaded that our laboring people are as prosperous and as happy as mortals need to be. But when I turn from their glowing pictures to the unadorned facts gathered by the patient industry of the statistician, and go personally from the farm to the mine, and from the mine to the shop, instead of finding light hearts and happy smiles, I find the lips drawn tight as if to suppress the storm whose coming is masked by the frown upon the brow; and instead of hearing the jocund song of prosperous content I hear the complaining voice of discontent and deep-breathed mutterings that menace the public peace.

Sir, while capital invested in manufactures is earning 37 per cent. under the tariff, labor is sinking lower and lower in want, wretchedness, degradation, and squalor. We have prospered, they say, under the tariff. Yes, in the aggregate we have grown dangerously rich. We are the youngest nation and the richest in the world. But our wealth has not been a blessing. Our whole economic system is wrong. We run wild over the amazing and bewildering figures which are given us as representing our national growth in the aggregate, without stopping to reflect that under the operation of our economic policies this new created wealth, instead of being scattered and disseminated among the millions who created it, is being concentrated in comparatively a few hands, thus building up thousands of the largest private fortunes ever known to the history of the world.

There is no lack of wealth, but there is a woful lack of just distribution. I saw a recent well-authenticated statement that in the city of New York there are thirty men whose aggregate annual income is estimated at $150,000,000. That is to say, of the wealth created in this Republic each year, thirty men in one city absorb $150,000,000. Now, there is a law of that State applicable to the city of New York, which requires that a man must be worth $250 in real or personal property before he is eligible to serve as a juror in that city. A recent report of the jury commissioner reveals the startling fact that there are seventy thousand voters in the city of New York ineligible for jury duty under the property qualification to which I have referred. If these voters are heads of families, then there are seventy thousand families averaging, say, five members, with less than $250 each, and that in a city where thirty other voters are receiving an annual income from the productive industries of the country of $150,000,000. One thousand dollars will support an ordinary family with tolerable comfort for a year. We have already seen that that is nearly twice the average earnings of workmen who are the heads of families in Massachusetts. One hundred and fifty million dollars would supply $1,000 to each of one hundred and fifty thousand families of five persons, and thus comfortably support seven hundred and fifty thousand people. Any industrial system which creates such conditions and makes such results as these possible, is radically and fatally defective.

Mr. Chairman, I fear I have already extended my observations beyond all reasonable limit, and certainly far beyond what I at first intended. I started out to show—

1. That the cost of any article upon which a tariff tax is levied is increased thereby to the consumer.

2. That under the present law we are annually collecting millions from the people which the Government does not need, thereby congesting the circulating medium in the Federal Treasury, bringing disorder into our whole commercial system, and inciting the public authorities to schemes of extravagance and corruption.

3. That the American manufacturers have no just reason to fear competition from the manufacturers of any other nation on earth.

4. That the tariff does not advance wages to our workmen, but on the contrary imposes burdens for which it affords no compensating advantage.

5. That the protective tariff, as the chief factor of a vicious economic system, results in concentrating the wealth of the nation in comparatively a few hands, thereby creating a merciless moneyed aristocracy with enormous and dangerous powers, while the masses of the people, poor and discontented, are compelled to wage a hard battle for shelter, food, and clothing, and to earn enough to pay their tribute to the privileged lords of the factory.

I believe, sir, I have accomplished my purpose, and now, with one additional observation, I will have concluded my contribution to this discussion.

Mr. Chairman, defeated on every fair field of argument, the protectionist invariably begs the question. He asserts, what everybody admits, that, taken as a whole, the Republic has prospered in a remarkable degree during the last twenty years and during the dominance of the protective policy—that is to say, the aggregate increase of wealth has been phenomenal. He points to the fact that in 1860 our total wealth was valued at $16,159,616,068, while in 1880 it had increased to $43,642,000,000. With great grandiloquence of assertion he claims all this as the natural and legitimate fruit of protection, and congratulates the country that while we were eighty years, up to 1860, accumulating $16,159,616,068, we added to that in twenty years, from 1860 to 1880, $27,482,383,932, making the total of $43,642,000,000, and thereupon he warns the country against new experiments. It is a sort of *ad captandum* argument, which is not true in its deductions, and would mean nothing if it was.

To say we would not have grown enormously in wealth in the same period under a purely revenue tariff would be foolish. No sensible man would say that. To say our growth would have been more or less

under the one system or the other would be to say something which would rest entirely in mere assertion. The truth is, the per cent. of our increase was larger from 1850 to 1860 than during any other decade of our history. An examination of the census tables shows that the increase from 1850 to 1860 was 126 per cent.; from 1860 to 1870, 93 per cent.; from 1870 to 1880, 45 per cent. The aggregate increase from 1850 to 1860 was less, but the per cent. was greater.

This growth is not confined to the protected industries. Since 1860 our population has nearly doubled, although the per cent. of increase was no greater than from 1850 to 1860. The eyes of all mankind have been turned upon our country. Its wonderful natural advantages have become known. We have a free people and a stable government—a country blessed with individual liberty and immense opportunity. Millions have come to us from the crowded populations of the old world and brought with them their wealth and willing hands. Great cities have sprung up as if by magic. The spirit of enterprise has gone out in search of wealth, and mines of all kinds and of inestimable value have been discovered and developed in all sections of the country. Railroads and telegraph lines have been built in every neighborhood. Machinery has increased the productive capacity of agriculture, and the industry of agriculture itself has increased in volume, multiplying the number of farms and extending their area almost beyond conception.

New States have been born in the midst of barbarous solitudes and grown to great commonwealths since 1860. New industries, demanded by the necessities and exigencies of our social, commercial, and industrial conditions, have been founded and have added their contributions to the general wealth. Sir, we have grown with magical rapidity, and we will continue to grow for many years to come. According to recent figures there is in France a population of 180.88 to the square mile; in Germany 216.62; in England and Wales, 428.67; in Belgium, 481.71; in the United States, excluding Alaska, 16.88. Dr. Strong estimates that if our population were as dense as that of France we would have, this side of Alaska, 527,000,000; if as dense as Germany, 643,000,000; if as dense as that of England and Wales, 1,173,000,000; if as dense as that of Belgium, 1,430,000,000. We could put the 50,000,000 inhabitants we had according to the census of 1880 all in Texas and the population would not be as dense as that now in Germany. Put them in Dakota and the population would not be as dense as that of England and Wales. Place them in New Mexico and the density of population would not be as great as that of Belgium.

It is also calculated that those 50,000,000 might all be comfortably sustained in Texas. After allowing, say, 50,000 square miles for "desert," Texas could have produced all our food crops in 1879—grown, as we have seen, on 164,214 square miles of land—could have raised the world's supply of cotton, 12,000,000 bales, at 1 bale to the acre, on 19,000 square miles, and then have had remaining for a cattle range a territory larger than the State of New York. With such a startling array of known facts, and with such bewildering possibilities, who can say what we might have achieved except for the obstructing incubus of a protective tariff! Of one thing I do feel assured: that whether we had gathered more or less in the aggregate, our increase in wealth, whatever it may have been, would have been more universally distributed among the people except for the protective tariff and its associate economic evils, and the result would have been a greater diversification of prosperity and a larger number of happy homes.

Many plausible arguments can be urged in support of the notion that protection has really retarded our growth. But, however that may be, certain it is that no considerable proportion of it can be justly attributed to protection. The United States has not been the only prosperous nation during these same eventful years. Free-trade England, and all the world, for that matter, have kept step to the same music of industrial progress. Mr. Gladstone, the great English statesman, recently made this astounding declaration: That in the first fifty years of this century as much was added to the wealth of the world as was added to it in the whole of the Christian era preceding, covering eighteen centuries full of great events; and that an equal amount was produced in the twenty years from 1850 to 1870. He estimates that the manufacturing power of the world is doubled by reason of the increased productive capacity of machinery in every period of seven years. In Ralph Waldo Emerson's work entitled English Traits I find this statement:

> The power of machinery in Great Britain, in mills, has been computed to be equal to 600,000,000 of men, one man being able, by the aid of steam, to do the work which required 250 men to accomplish fifty years ago.

That is to say, the machinery of Great Britain alone has a productive capacity equal to that of the entire adult population of all the earth.

An English work by Dr. P. Gaskell, entitled "Artizans and Machinery," discussing the advance of physico-mechanical science in Great Britain, says:

> Machines have been invented which enable one man to produce as much yarn as 250, or 300 even, could have produced seventy years ago—which enables one man and one boy to print as many goods as a hundred men and a hundred boys could have printed formerly. The 150,000 in the spinning mills produce as much as could have been produced by 40,000,000 with the one-thread wheel.

According to the same basis of calculation the machinery of Massachusetts alone has a productive capacity equal to 100,000,000 of men, or twice as many men as we had of total population in 1880.

The ratio of consumption has kept pace with the increased power of production. Dr. Gaskell in his work says:

> When this new career (adaptation of mechanism) commenced, about the year 1770, the annual consumption of cotton in English manufactures was under 4,000,000 of pounds' weight, and that of the whole of Christendom was probably not more than 10,000,000. Last year the consumption in Great Britain and Ireland was about 270,000,000 pounds.

Mr. Chairman, the most casual examination into the line of thought which I have here suggested will expose the utter fallacy of the pretension that the marvelous expansion and development of our resources, and the consequent accumulation of wealth, are the result of a protective tariff; or that the same results would not have occurred if there had been no tariff. The pretense is too transparent. It is the poorest species of begging. It is utterly ridiculous.

We are upon the verge of the most important political contest of the century. The privileged classes will employ every possible artifice to mislead, and will strain every nerve to the utmost tension to wrest victory from the common people that they may continue to thrive at public expense and exact tribute from the hard hand of honest toil. What the result may be no man can tell.

The pending bill is a moderate measure. If it should pass the tax remaining would average 40 per cent. Violent or radical changes should not be suddenly made. For twenty-five years the business of the country has been adjusted on the basis of protection. The Democratic party does not propose any radical disturbance of existing conditions. There is no reason for any uneasiness. We simply propose to assert the right of the people who pay the taxes to levy them, and then gradually to make such modifications of the tariff as will be just to all interests and reduce the volume of taxation to the needs of the Government.

Against this reasonable demand the Republican party makes war in the interest of the manufacturer. The President, speaking for the taxpayers, has challenged the forces of monopoly and privilege to battle upon this issue. His message was the bravest bugle blast that has been blown for many years. It rang out like the inspiring call of a great chieftain when liberty is in peril. Already there is terrific thundering in the index. A month hence the storm will break and rage with increasing fury until truth and right shall triumph in November or be beaten down by the victorious arms of an aristocracy made omnipotent by the power of money.

Mr. CHIPMAN. Mr. Chairman, I do not intend to deliver a lecture on political economy.

Nor, sir, will I glorify the potency of free trade or of high protection. The man who makes an idol of either the one or the other falls into a mistake, as all men do who wander after strange gods.

There is only one true faith, and that is the happiness of the American people.

If the highest of tariffs will make them happier, I am for the highest tariffs. If the broadest free trade will make them happier, I am for the broadest free trade. I will vote for either one or the other, according to the exigency of the hour, when the hour comes. But this is not the hour of free trade. No man proposes free trade. No party will vote for it, no party desires it.

In my judgment the bill now under consideration is not a free-trade bill. I do not say it is the best bill which could be drawn. I do not pledge myself in advance to vote for it. I shall have some amendments to offer to it. I shall watch the stages of its perfection with proper interest and with proper conscientiousness. I admit that I shall watch them in a friendly spirit, because I believe the bill is an honest endeavor to meet a public necessity.

Sir, we are not here to legislate in the interest of fortunes, but in the interest of men. If annihilation of every millionaire in the land would save a workingman one drop of sweat or add one comfort to the farmer's hearth, I would vote for that annihilation. If their continued existence would make better wages, better homes, better citizens, I would vote against the annihilation.

Millionaires are the luxuries of society. We must not gorge the body-politic with them. A very few of them are enough. What a man produces should not be greater than the man himself; yet the precise danger in our modern civilization is that lands and machines, bonds and stocks, bank-bills and coin, instead of being servants, are the masters.

Now, sir, this is an occasion when the point is sharply raised, what shall we do for the labor of the country?

The great fortunes are in no danger. Even your wicked fortunes are safe. Your Goulds still scourge the world. Your anthracite miners still transmute their sweat-soaked grime into diamond drops for their masters. Every toiler in the workshop, every laborer on the street, in the sewers, on the railways, every son of honest toil who fights against poverty, is underpaid. The farmers North and South, with their wheat and their cotton, still supply the surplus in our foreign trade, and wait with a patience almost divine for the day when they shall cease to "hew wood and draw water" for the enrichment of men already too rich for the peace of their souls and the good of their country. Strike

follows after strike, lockout after lockout, boycott after boycott, black-list after black-list. Sir, we have been in a sort of civil war; a battle between labor and capital; a war which may lull for a time, but its fires are only banked.

I do not exaggerate. I do not even draw the picture of social discontent in its naked proportions. I accuse no one of being the author of it. I only say it is here—a living, portentous fact. It bursts forth in riot. It evolves the shameful spectacle of military force arrayed against our own flesh and blood. It blossoms in the fruit of the gallows at Chicago. It cries aloud in the wreck and riot of Pittsburgh. It moans with covered head by the cold hearths of the anthracite miners.

It is all-pervading—a menace to peace, an apostle of anarchism, communism, and irreligion.

Sir, the labor of the country feels that it is in a death struggle. The laboring men know that they are losing caste socially, and they have organized for business and political protection.

Are they fools? Are they mere agitators? Is all the wisdom of the world in the heads of men who know the tricks of the stock market, or who have the uncanny gift of outwitting every man with whom they deal, the very gift of the devil?

The laboring people are sore pressed and the devil's dance of extravagance and fashion we see around us here daily; of imported airs, of "rings and things," of footmen and liveries, and of all of aristocracy which is mean, and of rank which is ridiculous, is filling their hearts with honest rage.

If fine paternal words could assuage their discontent we would soon have peace and slavery; but who are to speak those words? The rich men lately from the spade and pick, they and their women, do not appear to the poor folks as gods and goddesses. They throng every capital of Europe to be sneered at and plundered. They swarm in our own land like the rack-renters of Ireland. They enter these halls and their servants are ready to do their bidding.

I am not inveighing against wealth. I respect the enterprise and thrift which raise men to comfort. It may be that colossal fortunes are economic necessities, evils to be endured for the sake of some greater good, evils which may be curbed by wise legislation inimical to their perpetuity, or by the profligacy or inanity of heirs, who can neither make nor hold. That which a man hath honestly earned, let him honestly keep and honestly use, but let him earn, keep, and use it by his own force, his own goodness, and not by special legislation, by the highway robbery of the stock-exchange, by the grinding of the face of labor, by high tariffs for transportation on farmers' products, by trusts, combines, and forestalling, and by unearned profits.

I know, sir, there are too many millionaires in the land and too few men of modest competency. I know that the Chinaman, with his abomination, cheapens labor on the Pacific coast; that non-resident Canadian aliens swarm on our northern frontier and eat the bread of a country they will not defend in war; that the stripes of the convict, the social beast of prey, have become the passport to competition with honest labor. I know that corporations govern some States, are insolent in all States, and that nearly every industry, save that of the laborer and the farmer, assumes the form of corporate charters, the form which knows no comfort save dollars and cents; no sentiment save unconscionable interest.

I know that there is no longer the wheelwright, the blacksmith, and the cobbler on the four corners. I know that machinery is taking the place of handicraft; that cities, the ulcers of civilization, are increasing in size and number throughout the land; I know that we are breeding, by forced processes, a dangerous class, and that to-day, at the end of our first century, we are face to face with every problem which other nations have inherited as part of their decay.

I ask gentlemen on both sides of the House, how long can this last?

Remember, our workingmen are voting men. They are rulers in the land. The property of every Crœsus depends upon their intelligence. You can not strip them of the franchise and rule them with a standing army. That would be the end of free government, the outcome of a tempest, which would wither fortune and life, confiscate property, crush corporations, throttle all opposition, and spend itself in a slavery which would engulf all men in despotism.

Gentlemen who sneer at this mistake the age. It has been the misfortune, sometimes the vice, of rulers that they could not see. The profligacy, the poverty, the oppression which preceded the French Revolution only called forth from Sybarites the utterance that "it would last their time."

But the condition of affairs in this country would not last the time of any of us if the working people had not hope from the ballot.

Well, sir, have I exaggerated the condition of affairs? No man whose heart and eyes are open will say that I have. How are you to meet it? With long tables which an unlearned man can not calculate, proving that high tariff or free trade is the panacea?

You can not by sums in arithmetic make a man believe he is comfortable when he is starving. You may scatter these tables broadcast, but they will be ointment for no sore.

The voice of labor will still shout forth its complaint—still clamor its needs, still thunder that mathematics do not answer its demand. Something is wrong in this land of ours. The laboring men tell us so. They ought to know their own necessity.

Whether, sir, high tariff or free trade will be the corrective, is a problem, varying with the factors which enter it. It changes its aspects with the seasons. What may be beneficial in the spring may be hurtful in the fall. England founded her greatness in protection. She has maintained it by free trade. On every question, save one, she has been practical, wise, and that is her treatment of Ireland. For years she protected her industries by invidious restrictions on the industries of Ireland; but with Ireland free, with the United States mistress of the sea, when our factories shall run full time, she may again erect a wall around her coast.

Sir, the conditions under which our present system of tariff grew up do not exist to day. The South was then our customer; she is now our rival. She will demand a share of whatever prosperity may be derived from the system. How can you say no to her? Her industries will be largely like ours, and compared to ours they will be "infant industries." The emancipation of the slaves added millions to the ranks of labor. They must be cared for, protected, employed. The mass of them will join the ranks of discontent unless constant employment at decent wages is afforded them. Their very number forces them to be an important element in the labor question.

What are we to do with all these working people, white and black? They can not live on tariff speeches. They can not be independent, useful citizens if they do not earn a decent living.

Sir, we are not legislating for to-day. We are discounting the future. The centuries of a nation's history are only one life; our pride, our reason, our patriotism, the solicitude which flows from man even to his remote descendants, bid us to be wise and unselfish. I will receive no measure from any committee on faith. I am glad, very glad, that in the great freedom of the Democratic party no such faith is a partisan test.

What is proposed here is not free trade. It is reduction of taxation, but, sir, protection still remains. The free-list is enlarged, but duties enough are left on most other articles to protect them. If those duties are not high enough, if the free-list is too great or too small, we will ascertain it when we come to amend the bill.

The great benefit claimed from a high tariff is that it enhances wages. Have we not had such a tariff? Does it not exist now? Why is labor discontented; why is its chief complaint low wages? According to the protection theory our workingmen should be the happiest in the world, yet, sir, I observe that the best that can be said for them is that they are better paid than laborers in Europe—better paid than "pauper labor."

I observe, too, on all sides of this House, that the law of supply and demand is applied as ruthlessly to these beings with souls as to dumb brutes—as if the great necessity of men is not their manhood, as if that is not always a factor in the question of their earnings; but, sir, under this law of supply and demand, the voice of their manhood cries to us. "Supply and demand does not satisfy our needs; your supply and demand is bottomed on some false basis. It is not a supply and demand which gives us and our children the comforts of life. It is the sort of supply and demand which will do for people who go without meat or are content to live on black bread, or rats." If they are right, if this is so, what kind of a supply and demand have we? Do our mills run every working day in the year? Do our people produce all that they can produce—make all the money which full time represents?

What is the trouble? Is our tariff too high or too low? Frankly, it would seem to a common mind that we have had protection enough to bring about an industrial millennium, but I hardly think any millennium will be characterized by people crying for higher wages. Is it not barely possible that the day of high protection is gone and that the infant, grown to manhood, can walk alone?

But, sir, the bill of the committee does not break down protection. It essays to meet an abnormal condition of the national Treasury. We have too much money there; more than we need; more than is wholesome; so much that men are racking their brains what to spend it for. Will any one pretend that this is a desirable condition of affairs? Both the great political parties have said it is not desirable; both have pledged themselves to revenue reduction as the means of stopping this accretion of barren money in the Federal vaults.

And, sir, there is no other way of doing it. Taxes must be cut off in some direction. I know that this is a difficult thing to do. So many interests are involved that it is hard to say where to begin, where to end. Some gentlemen demand the repeal of internal taxation. Yet large classes who pay that tax object. Our people on the northern frontier want free lumber and building stone, free bituminous coal, free rice, free ship-building materials. The druggists wish the retail liquor-dealers' tax taken off. I speak now for the people of my own district. Some of them say that the bill lowers the duty on glass, on rails, and other articles too much; that it destroys the linseed-oil industry. It is plain that there is a great difference of opinion. The fine-cut tobacco men in my district deem the repeal of the tax on their production injurious; yet gentlemen from Kentucky think it right.

Our South Carolina friends wish to keep the duty on rice, but the brewers of the Northwest wish it taken off. I suppose my New Eng-

land friends object to free building-stone; but the workingmen of my district demand it; and the dairymen instruct me to vote for free salt, yet there is great opposition to free salt. The great need, then, is to so reduce taxation that no industry shall be destroyed and no State or section be forced to bear too much of the burden of reduction.

Now, sir, what are we to do? We have no minority bill before us. The gentlemen on the other side from Minnesota and Pennsylvania have not come to an agreement. They leave us in the dark.

But, sir, the country demands action; both political parties have promised action, and the Democratic majority of the committee are trying to fulfill the promise their party made to the country. If they have made mistakes, let us correct them. I have no doubt that many a political sun will sink before this matter is determined; but what of that? There are old and young on this floor, but what are their lives compared to the life of the nation? I know how strong the zeal of party is, but I hope that every man here yearns to do his duty patriotically. I am not one of those who have no patience with their opponents. I would burn with shame if I believed that any gentleman is not conscientious. We love our common mother; her dignity, her strength, her prosperity, are the sacred objects of our endeavor. High, high, among the nations, beneficent, great, free, she stands, and our eyes kindle and hearts throb when we gaze on her serene majesty. Whatever the result of this day's doing we will be her true sons so long as our lives last, and so may our children and their children's children arise and call us blessed. [Applause.]

[Mr. MARTIN withholds his remarks for revision. See APPENDIX.]

Mr. MCMILLIN. Mr. Chairman, as no other gentleman present seems to wish to speak this evening, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MCMILLIN having resumed the chair as Speaker *pro tempore*, Mr. SPRINGER, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenue, and had come to no resolution thereon.

Mr. MACDONALD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and the House accordingly (at 9 o'clock and 25 minutes p. m.) adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. FINLEY: A bill (H. R. 9891) for the benefit of Adam Cullip—to the Committee on War Claims.

By Mr. GAY: A bill (H. R. 9892) for the relief of the estate of O. L. Blanchard—to the Committee on War Claims.

By Mr. MILLIKEN: A bill (H. R. 9893) providing for the payment of certain employés in the War Department for extra services—to the Committee on Claims.

By Mr. ROMEIS: A bill (H. R. 9894) granting a pension to Myron Teacharet—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 9895) for the relief of Augustin Holland—to the Select Committee on Indian Depredation Claims.

By Mr. STONE, of Kentucky: A bill (H. R. 9896) for the relief of A. R. Lang—to the Committee on War Claims.

By Mr. WALKER: A bill (H. R. 9897) for the relief of Lindsay Murdock—to the Committee on Claims.

By Mr. WADE: A bill (H. R. 9898) for the relief of John H. Miller—to the Committee on War Claims.

Also, a bill (H. R. 9899) for the relief of Mrs. Margaret G. Reid—to the Committee on War Claims.

Also, a bill (H. R. 9900) granting an increase of pension to Joshua H. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9901) for the relief of James S. Johnson—to the Committee on Claims.

Also, a bill (H. R. 9902) for the relief of Sarah L. Eversol—to the Committee on War Claims.

By Mr. BLAND: A bill (H. R. 9903) for the relief of Mrs. Parthena Chaney—to the Committee on War Claims.

By Mr. PEEL: A bill (H. R. 9904) for the relief of Peter McCormick—to the Committee on War Claims.

By Mr. T. J. CAMPBELL: A bill (H. R. 9905) granting a pension to Marcus Davis—to the Committee on Pensions.

By Mr. RAYNER: A bill (H. R. 9906) for the relief of the heirs of Wesley Hartlove—to the Committee on War Claims.

Change in the reference of a bill improperly referred was made in the following case, namely:

A bill (H. R. 3557) for the relief of C. C. Roberts—from the Committee on Military Affairs to the Committee on Claims.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. JEHU BAKER: Memorial of the Pennsylvania Prison Society, on convict labor—to the Committee on Labor.

By Mr. BLAND: Petition of Mrs. Parthena Chaney, for reference of her claim to the Court of Claims—to the Committee on War Claims.

By Mr. BURNETT: Petition for improved railway mail service in New England—to the Committee on the Post-Office and Post-Roads.

By Mr. BYNUM: Petition of O. R. Meanen and 84 others, citizens of Indianapolis, Ind., and of George H. Thomas Post Women's Relief Corps, for the establishment of a soldiers' home at Indianapolis, Ind.—to the Committee on Military Affairs.

By Mr. T. J. CAMPBELL: Petition of Marcus Davis for a pension—to the Committee on Pensions.

By Mr. CRAIN: Protest of citizens of Galveston, Tex., against the employment of the contract system on public works at Galveston, Tex.—to the Committee on Labor.

By Mr. CROUSE: Protest of the Paris white and whiting manufacturers of the United States against any reduction of duties on their goods—to the Committee on Ways and Means.

Also, remonstrance from the producers and manufacturers of salt against placing the same on the free-list—to the Committee on Ways and Means.

By Mr. FINLEY: Petition of Robert V. Vaughn, of Green County, Kentucky, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GAY: Petition of the Board of Underwriters of New Orleans, La., for an international marine conference—to the Committee on Foreign Affairs.

By Mr. GIFFORD: Petition of the Grand Army of the Republic of Dakota, for an appropriation of $25,000 to be added to any amount that may be appropriated by the Legislature of Dakota towards establishing and maintaining a soldiers' home in Dakota—to the Committee on Military Affairs.

By Mr. LAIDLAW: Petition of 90 citizens of the Thirty-fourth district of New York for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. LEE (by request): Petition of the Washington Night Lodging Association for an appropriation of $2,500—to the Committee on Appropriations.

By Mr. CHARLES O'NEILL: Petition of citizens of the Second and Sixth districts of Pennsylvania for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. PEEL: Petition of Peter McCormick for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. RICHARDSON: Petition of Charles R. Holmes, administrator of Joseph Watkins, of Rutherford County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. J. E. RUSSELL: Petition of J. W. Hastings and others, citizens of Warren, Mass., for the abolition of the internal-revenue taxes—to the Committee on Ways and Means.

By Mr. WHEELER: Petition of A. J. Underwood, of W. J. Thompson, of Thomas Good, son and heir of William Good; of Margaret M. Ogden, administratrix of James Gaston, and of F. M. Hurn, of Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. BREWER: Of druggists of the Sixth district of Michigan.

By Mr. CATCHINGS: Of R. T. Portwood, of Sunny Side, Miss.

By Mr. SEYMOUR: Of G. B. Kirkwood, of Negaunee; of H. C. Vilas, of Stoneburgh, and of Joseph Stafford and others, of Newbury, Mich.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. DINGLEY: Of C. A. Packard and others, of Bath, Me.

By Mr. MORSE: Of citizens of Cambridge, Mass.

By Mr. SAWYER: Of 33 citizens of New York.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. JACKSON: Of George C. Stoolfier and 100 others, citizens of Washington County, Pennsylvania.

By Mr. LAIDLAW: Of citizens of Fredonia, N. Y.

By Mr. ROMEIS: Of citizens of Millersville, and of Catawba Island, Ohio.

By Mr. SAWYER: Of citizens of Ridgeway, and of Carlton, N. Y.

By Mr. WARNER: Of citizens of Herndon, Mo.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. A. R. ANDERSON: Of P. M. Phillipps and 93 others, members of Grand Army of the Republic Post of Allenton, Iowa.

By Mr. FULLER: Petition of 16 ex-soldiers of Howard County, Iowa.

By Mr. GIFFORD: Of Geo. L. Harris and 33 others, ex-soldiers, of Lawrence County, Dakota.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. BIGGS: Of 187 citizens of San Joaquin County, California.

By Mr. MCKINNEY: Of 110 citizens of Rockingham, Merrimack, and Stafford Counties, New Hampshire.

By Mr. SAWYER: Of 157 citizens of Genesee County, New York.

SENATE.

WEDNESDAY, *May* 9, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

THE JOURNAL.

The Secretary read the Journal of yesterday's proceedings.

Mr. QUAY. I move to correct the Journal in as far as it relates to the report from the Committee on Pensions made by me on the bill to pension Elizabeth Sirwell.

The PRESIDENT *pro tempore*. The Secretary will read the Journal entry as it stands.

The Secretary read as follows:

Mr. QUAY, from the Committee on Pensions, to whom was referred the bill (S. 1340) granting a pension to Elizabeth Sir well, reported adversely thereon.

Ordered, That it be postponed indefinitely.

Mr. QUAY. The Journal states that I reported the bill adversely. The fact was that by direction of the Committee on Pensions I reported the bill with a recommendation that the committee be discharged from its further consideration, the applicant for the pension having died some days ago. There was not an adverse report, and there was no question as to the merit of the application. I move that the Journal be corrected accordingly.

The PRESIDENT *pro tempore*. If there be no objection the Journal will be amended as suggested by the Senator from Pennsylvania; and if there be no further motion to correct or amend the Journal it will stand approved.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a petition adopted by the Twenty-second Annual Encampment of the Grand Army of the Republic, Department of Wisconsin, praying for certain legislation on the subject of pensions; which was referred to the Committee on Pensions.

Mr. CAMERON presented a petition of citizens of Philadelphia, Pa., praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers, and for the reduction of the tax on spirits; which was referred to the Committee on Finance.

He also presented a petition of ex-Union soldiers and sailors, citizens of Castile, Greene County, Pennsylvania, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented a memorial of the Pennsylvania Prison Society, remonstrating against the passage of the bill to protect free labor from the products of convict labor; which was referred to the Committee on Education and Labor.

Mr. BATE. I present a petition of citizens and voters of Stewart, Houston County, Tennessee, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized; that the law establishing the bureau be strengthened without changing the plan of work now in operation; that the Bureau of Animal Industry be allowed to remain in the Department of Agriculture, with a chief who shall be a competent veterinary surgeon, and who shall report to the Commissioner of Agriculture; and that no board or commission shall be given any authority or control over that bureau or the work which it is now performing. I move that the petition lie on the table.

The motion was agreed to.

Mr. FAULKNER. I present the following memorials remonstrating against changing the Bureau of Animal Industry as at present constituted, and favoring a pure-food bill and the repeal of the tobacco tax:

Memorials of—

E. J. Dragoo and 16 citizens of Berrien County, Michigan.
C. T. Gregg and 55 citizens of Manistee County, Michigan.
James Wells and 18 citizens of Huron County, Michigan.
Hugh Fuller and 39 citizens of St. Clair County, Michigan.
John J. Murdock and 29 citizens of Huron County, Michigan.
William Mead and 34 citizens of Montana Territory.
W. A. Hall and 14 citizens of Idaho Territory.
R. Davey and 22 citizens of Ingram County, Michigan.
Thomas T. Arnold and 18 citizens of King George County, Virginia.

I move that the memorials lie on the table.

The motion was agreed to.

Mr. FAULKNER presented the petition of R. Davey and 25 citizens of Ingram County, Michigan; the petition of H. Baldwin and 48 citizens of Washtenaw County, Michigan; and the petition of W. D. Brooks and 18 citizens of Franklin County, Virginia, praying Congress to adopt police regulations to prevent the manufacture and sale of adulterated articles and the use of misleading brands of food, medicines, and liquors, for exportation from the country or from one State to another; which were referred to the Committee on Agriculture and Forestry.

Mr. HISCOCK presented a petition of members of the United Labor League of America, praying that the bill for the relief of John Pope Hodnett be passed; which was referred to the Committee on Claims.

Mr. STOCKBRIDGE presented a petition of ex-Union soldiers and sailors, citizens of Ingham County, Michigan, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. SAWYER presented a petition of W. H. Dean and 46 other citizens of Center, Rock County, Wisconsin, praying that the Bureau of Animal Industry remain as at present constituted under the Department of Agriculture, for the passage of a pure-food bill, and the repeal of the tobacco tax; which was ordered to lie on the table.

Mr. WILSON, of Maryland, presented the memorial of Edward Shipley and 28 other citizens of Carroll County, Maryland, remonstrating against the passage of the bill to establish a Bureau of Animal Industry, and for other purposes; which was ordered to lie on the table.

Mr. REAGAN. I present a petition of citizens of Mason County, in the State of Texas, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized; that the law establishing that bureau be strengthened without changing the plan of work now in operation; that the Bureau of Animal Industry shall be allowed to remain in the Department of Agriculture, with a chief who shall be a competent veterinary surgeon, and who shall report to the Commissioner of Agriculture, and that no board or commission shall be given any authority or control over that bureau or the work which it is now performing.

I present a similar petition of citizens of Houston County, a similar petition of citizens of Johnson County, a similar petition of citizens of San Saba County, a similar petition of citizens of Fayette County, a similar petition of citizens of Angeline County, a similar petition of citizens of Erath County, a similar petition of citizens of Comanche County, and a similar petition of citizens of Grimes County, all in the State of Texas. I move that these petitions lie on the table, the bill on the subject being now under consideration.

The motion was agreed to.

Mr. RANSOM. I present a petition of citizens of Farmville, Pitt County, North Carolina, similar to those presented by the Senator from Texas [Mr. REAGAN], and move that it lie on the table.

The motion was agreed to.

Mr. GIBSON presented a memorial of citizens of the parish of Vermillion, State of Louisiana, remonstrating against the passage of the so-called Palmer bill, signed by J. D. Morgan, R. P. Fleming, R. Pickett, sr., P. H. Ramsey, A. Ramsey, W. C. Ramsey, James B. Ramsey, and others; which was ordered to lie on the table.

Mr. BLAIR. I present the memorial of Louis Schmid & Sons, of Washington, D. C., remonstrating against competition between the productions of the Reform School here in this District and their own manufactures, that of "all kinds of paper boxes," which they explain; they state that their business is being wholly ruined. As it is a matter in the District, I move that the memorial be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. BLAIR presented a petition of citizens of Arizona Territory, praying for the passage of a bill to authorize citizens of the United States to return their estray cattle from the Republic of Mexico into the United States without the payment of duties; which was referred to the Committee on Finance.

Mr. QUAY. I present a memorial of the Pennsylvania Prison Society, remonstrating against the passage of the bill confining the sale of wares manufactured by convict labor to the States in which they are produced. I do not sympathize with the purpose of this petition, but present it by request. I move that it be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. QUAY presented a petition of physicians and druggists, citizens of Cannonsburgh, Pa., praying for the repeal of the law classing druggists as liquor dealers, etc.; which was referred to the Committee on Finance.

Mr. MITCHELL presented a petition of Multnomah Typographical Union No. 58, of Portland, Oregon, praying for the passage of the so-called Chace bill, providing for an international copyright; which was ordered to lie on the table.

He also presented a petition of citizens of Deadwood, Dak., and a petition of citizens of Spearfish, Dak., praying Congress to make provision for the payment of Indian depredation claims reported favorably by the Department of the Interior; which were referred to the Committee on Claims.

He also presented a petition of Martin Wing and other citizens of

Wamic, Oregon, praying for the passage of the so-called Palmer bill for the eradication of pleuro-pneumonia and other contagious cattle diseases; which was ordered to lie on the table.

Mr. ALLISON presented the petition of Mary M. Shattuck, of Cedar Rapids, Iowa, praying that she be allowed a widow's pension; which was referred to the Committee on Pensions.

He also presented a petition of a large number of citizens of Algona, Iowa, praying for legislation for the better protection of the Yellowstone National Park; which was ordered to lie on the table.

Mr. BROWN presented the petition of M. F. Wood and other citizens of Cartersville, Ga., praying for the repeal of that portion of the internal-revenue law which classes druggists as liquor dealers and requires them to take out a license and pay annually the sum of $25 therefor; also praying that the tax on alcohol, which is used largely in the arts and medicine, may be reduced; which was referred to the Committee on Finance.

He also presented a petition of citizens of Wayne County, Georgia, praying that the work of the eradication of pleuro-pneumonia be continued under the Bureau of Animal Industry as at present organized, etc.; which was ordered to lie on the table.

Mr. EVARTS presented a petition of 58 surviving soldiers and sailors of the Union Army and Navy, residents of Naples, Ontario County, New York, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. McPHERSON presented a petition of citizens of Camden County, New Jersey, who enlisted under the first call for troops in 1861, praying for the passage of a law authorizing a medal to be struck of captured cannon or bronze, with suitable inscription, to be presented to each surviving officer and private; which was referred to the Committee on Military Affairs.

Mr. COCKRELL presented the memorial of R. S. McKer and 76 citizens of Kahoke, Clark County, Missouri; a memorial of John W. Mullinix and 23 others, citizens of Scotland County, Missouri, and a memorial of Alva Calvert and 3 others, citizens of Ste. Genevieve County, Missouri, remonstrating against the passage of the Palmer bill for the suppression of pleuro-pneumonia and other contagious cattle diseases; which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. CHANDLER, from the Committee on Naval Affairs, to whom was referred the joint resolution (S. R. 8) providing for the appointment of a commission to select a site for a naval station on the Pacific coast, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. 2487) to transfer the survey of the coasts of the United States to the Navy Department, and for other purposes, reported it without amendment.

Mr. HOAR, from the Committee on Claims, to whom was referred the bill (S. 205) for the relief of the State National Bank of Louisiana, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 339) for the relief of J. E. Pilcher, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Public Buildings and Grounds, to whom was referred the bill (H. R. 7938) to enlarge, improve, and make repairs upon the United States court-house and post-office building in Atlanta, Ga., and to appropriate money therefor, reported it without amendment, and submitted a report thereon.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 2718) granting a pension to David May; and

A bill (S. 2473) granting a pension to D. P. McDonald.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the petition of Minerva Tillery, of North Carolina, praying to be allowed a pension for services in the Florida war, submitted an adverse report thereon, and asked that the committee be discharged from its further consideration.

Mr. VANCE. I ask that the report be placed on the Calendar.

The PRESIDENT *pro tempore*. There is no method under the rules by which a petition with an adverse report can be placed on the Calendar in the order of business. No action can be taken by the Senate on a petition without the report of a committee.

Mr. HARRIS. A bill may be introduced and that can be put on the Calendar.

Mr. VANCE. I ask, then, that the petition lie on the table.

The PRESIDENT *pro tempore*. The petition will lie on the table.

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2716) granting a pension to Carl M. Schwantes;

A bill (S. 2707) granting a pension to Samuel Miller;

A bill (S. 2717) granting a pension to John K. Evans; and

A bill (S. 2720) granting a pension to John B. Ross.

Mr. BLAIR, from the Committee on Pensions, to whom was referred the bill (S. 2866) granting a pension to Abel G. Rankin, reported it without amendment, and submitted a report thereon.

Mr. FAULKNER, from the Committee on Claims, to whom was referred the bill (S. 960) for the relief of William S. McKnight and James W. Richardson, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. JONES, of Arkansas, from the Committee on Claims, to whom was referred the bill (S. 1576) for the relief of the heirs of Joseph Anderson, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. QUAY, from the Committee on Claims, to whom was referred the bill (H. R. 611) for the relief of Mrs. P. L. Ward, widow and executrix of William Ward, deceased, reported it without amendment, and submitted a report thereon.

Mr. CULLOM. I am instructed by the Committee on Interstate Commerce to report an additional amendment to the interstate-commerce act, being an amendment to the sixteenth section of the act. The amendment itself shows that portion which is new in italics, and I ask that it be printed in that way, just as the former bill was printed, and laid on the table.

The PRESIDENT *pro tempore*. The amendment will be so printed, and laid on the table.

Mr. MITCHELL, from the Committee on Claims, to whom was referred the bill (S. 2013) for the relief of Forman Mathews and David Stont Parker, reported it without amendment, and submitted a report thereon.

CONSIDERATION OF THE FISHERIES TREATY.

Mr. SHERMAN. I am directed by the Committee on Foreign Relations, to whom was referred the resolution submitted by the Senator from Massachusetts [Mr. HOAR] relative to the consideration of the treaty with Great Britain, to report it back adversely. I ask that it be placed on the Calendar.

The PRESIDENT *pro tempore*. The title of the resolution will be stated.

The CHIEF CLERK. A resolution by Mr. HOAR relative to the consideration of the treaty with Great Britain.

Mr. SHERMAN. Let the resolution be placed on the Calendar with the adverse report. There is another adverse report in regard to open sessions, which is also on the Calendar, and this question will come up at the same time.

The PRESIDENT *pro tempore*. The resolution will be placed on the Calendar with the adverse report of the committee.

Mr. TURPIE. Does the resolution relate to the treaty itself or to its consideration?

The PRESIDENT *pro tempore*. The Secretary will read the resolution.

The Chief Clerk read the resolution submitted by Mr. HOAR April 19, 1888, as follows:

Resolved, That when the proposed treaty with Great Britain shall be under consideration, the Stenographic Reporter shall be admitted and shall report the debates and proceedings, which may thereafter be made public if a majority of the Senate shall so order, except such portions thereof as it shall determine that the public interest requires shall be kept secret. So much of the third clause of Rule XXXVI as conflicts with the resolution is suspended so far as necessary in order that the same shall take effect.

The PRESIDENT *pro tempore*. The resolution will be placed on the Calendar with the adverse report of the committee.

Mr. HOAR. I understand that the resolution which I offered and also one offered by the Senator from Virginia [Mr. RIDDLEBERGER] providing that the debate on the treaty shall be conducted in open session are both now upon the Calendar, and I think it would be convenient for the Senate to have it understood that at some early day those resolutions will be acted upon by the Senate. I hope the chairman of the Committee on Foreign Relations will fix a time and see that the matter is brought up and settled by the Senate.

Mr. SHERMAN. I think that as early as to-morrow the matter ought to be determined. The question as to whether the treaty shall be considered in open session will no doubt control to some extent the action of Senators in preparing themselves for the debate, and the Senator from Vermont [Mr. EDMUNDS], having charge of the treaty, gave notice he would desire to call it up next Tuesday. I propose, therefore, that this resolution shall be called up to-morrow during the morning hour and determined one way or the other if possible.

Mr. BLAIR. I should like to ask the Senator from Ohio, the chairman of the Committee on Foreign Relations, if it is his purpose or if it is the understanding that the discussion upon this resolution shall be public or in executive session.

Mr. SHERMAN. That is entirely a question for the Senate itself to determine. Both the resolutions were introduced in open session, but upon the suggestion of any Senator that it involves a matter that ought not to be debated openly, the Senate will resolve itself into close legislative session.

Mr. BLAIR. I think that the action of other Senators with reference to this same subject-matter has been guided by the understanding which has been quite rigidly insisted upon by the Committee on Foreign Relations hitherto, or those who have acted for it, that this matter

was wholly one for consideration in executive session; and, for my own part, I wish to say that it was with a great deal of surprise that I heard these resolutions thus offered in public.

Mr. MORGAN. I have an amendment in the nature of a substitute for the resolution of the Senator from Massachusetts, which I ask may be printed in the hope that he will accept it after he looks it over.

Mr. ALLISON. Let it be read.

Mr. HOAR. Let it be read for the information of the Senate.

The PRESIDENT *pro tempore*. The proposed substitute will be read for information.

The Chief Clerk read as follows:

Resolved, That Dennis F. Murphy, the Official Reporter of the Senate, and three assistants, to be appointed by the President *pro tempore* of the Senate, shall be, when duly sworn, executive officers of the Senate to take down the proceedings and debates upon the fisheries treaty with Great Britain now pending in the Senate. And when said treaty is under consideration they shall be admitted to the executive sessions of the Senate.

The debates on said treaty and the proceedings relating to the same shall be taken down by said reporters and printed in confidence for the use of the Senate from day to day during such discussion, and shall be filed in the secret archives of the Senate, subject to its order.

The PRESIDENT *pro tempore*. The proposed substitute will be printed.

EULOGIES ON REPRESENTATIVE MOFFATT.

Mr. MANDERSON. I am instructed by the Committee on Printing, to whom was referred the joint resolution (H. Res. 148) to print 12,500 copies of the eulogies on Seth C. Moffatt, late a Representative in Congress, to report it without amendment, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA N. ABBEY.

Mr. PADDOCK. Yesterday I reported from the Committee on Pensions adversely a petition of citizens of Chicago, Ill., and Brooklyn, N. Y., praying that the name of Maria N. Abbey, a nurse during the war of the rebellion, be placed on the pension-roll, and the committee were discharged from its further consideration. On an examination of the record I find that a bill relating to the same subject is pending before the Committee on Military Affairs. The petition was undoubtedly presented with a view to a reference to that committee. Therefore I ask leave to withdraw the report of the Committee on Pensions, and that the petition be referred to the Committee on Military Affairs.

The PRESIDENT *pro tempore*. By unanimous consent the adverse report of the Committee on Pensions will be reconsidered, and the petition will be referred to the Committee on Military Affairs. It is so ordered.

BILLS INTRODUCED.

Mr. PALMER (by request) introduced a bill (S. 2894) granting a pension to Elizabeth B. Sailer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 2895) granting a pension to W. J. Sawyer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (2896) granting a pension to Joseph H. Welty; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2897) for the relief of the College of Physicians and Surgeons at Keokuk, Iowa, and to compensate it for loss of college and hospital buildings by fire while used by the United States during the rebellion; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 2898) granting a pension to Sarah E. Boulter; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. SAWYER introduced a bill (S. 2899) granting a pension to Harriet Welch; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2900) for the relief of Lindsay Murdock; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

Mr. SPOONER introduced a bill (S. 2901) granting to the Milwaukee, Lake Shore and Western Railway Company the right of way through the Lac de Flambeau Indian reservation, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2902) to amend section 1 of the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved August 5, 1886; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TELLER introduced a joint resolution (S. R. 79) permitting the public building authorized by act of Congress approved May 8, 1882, at Denver, Colo., to be located not less than 16 feet from any other building, instead of 40 feet, as provided in said act; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Building and Grounds.

COLUMBIA RIVER BOAT-RAILWAY.

Mr. MITCHELL. Last Wednesday I gave notice that this morning, immediately at the conclusion of the morning business, I should ask the Senate to proceed to the consideration of the bill (S. 566) making an appropriation for a final survey and estimates for and the commencement of the construction of a boat-railway around the obstructions to navigation at The Dalles and Celilo Falls, in the Columbia River. Inasmuch as the forfeiture bill has the right of way in the morning hour, and also other bills pending here have the right of way after that is disposed of, which I do not wish to interfere with, I will make the request, in the first instance, for the unanimous consent of the Senate that on Wednesday next, one week from to-day, the 16th instant, immediately at the conclusion of the morning business, the Senate will proceed to the consideration of this bill.

The PRESIDENT *pro tempore*. The Senator from Oregon asks unanimous consent that on Wednesday next, the 16th instant, at the conclusion of the morning business, the Senate will proceed to the consideration of the bill (S. 566) making an appropriation for a final survey and estimates for and the commencement of the construction of a boat-railway around the obstructions to navigation at The Dalles and Celilo Falls, in the Columbia River. Is there objection? The Chair hears none, and it is so ordered.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. BLAIR. Mr. President——

The PRESIDENT *pro tempore*. If there are no concurrent or other resolutions the order of morning business is closed, and the Chair lays before the Senate, pursuant to its order, Senate bill 1430.

The Senate resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the amendment proposed by Mr. HOAR to the amendment made as in Committee of the Whole as section 9.

The PRESIDENT *pro tempore*. The pending amendment of the Senator from Massachusetts [Mr. HOAR] will be read.

The CHIEF CLERK. In line 6 of the amendment, after the word "States," it is proposed to strike out the words "by sales or entries, by cash warrants or scrip," and in line 7, after the word "laws," to insert "or under State selections or confirmed by the Secretary of the Interior;" so as to read:

SEC. 9. That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States, under color of the public-land laws or under State selections confirmed by the Secretary of the Interior, where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed: *Provided, however*, That where the original cash purchasers are the present owners this act shall be operative to confirm the title only of such cash purchasers as the Secretary of the Interior shall be satisfied have purchased without fraud and in the belief that they were thereby obtaining valid title from the United States.

Nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States.

Mr. MCPHERSON. Mr. President, I wish to say a few words in addition to what I have already said on the pending measure. I favor the amendment offered by the Senator from Massachusetts [Mr HOAR].

I was somewhat surprised on yesterday afternoon to find that the Senator from Michigan [Mr. PALMER], as a last resort, appeared to depend entirely upon a report of a committee of the Forty-eighth Congress as his justification for opposing this legislation. I supposed that the act of Congress itself in 1865 and 1866, taken together with the act of the Legislature of the State of Michigan, which made it incumbent upon the governor of that State to certify the completion of the canal, and upon that certification that certificates might be issued, when it was approved by the Secretary of the Interior, and when it could be made apparent that the proceedings had been formal and regular on the part of all these officers, that that itself would be much better authority to go to than the report of a committee of the Forty-eighth Congress.

Let me review for a single moment the title, as I understand it, of this property. It appears by the act of the Michigan Legislature of March 18, 1865, that the governor of the State was to appoint an engineer to first describe the lines, to make the plans for the construction of the canal, to report proceedings during its construction, etc. It was further enacted in the law of March 18, 1865—I read now from the act itself—

Whenever the governor shall determine that the said canal and harbor has been constructed by the said company as required by said act of Congress, and in conformity with the said plan and specification, he shall certify the same to said company and deposit a copy therof in the office of the secretary of state, and another copy thereof in the said office of the register of deeds in and for said county of Houghton, and which certificate, as well as any certified copy thereof under the seal of the State or made by said register, shall be evidence of the facts therein set forth; and when the governor shall make such certificate and deliver the same to said company, the said company shall stand seized and pos-

sessed of the said lands as fully as the State can convey the same, and free of any tax for the term of four years, if so long held by said company; and the said company may, after having received said certificate, sell and dispose of said lands as the absolute owner thereof.

Now what was done? The engineer appointed by the then governor of the State of Michigan made the following report:

HOUGHTON, *October* 18, 1873.

I hereby certify that the Portage Lake and Lake Superior Ship-Canal is completed according to law; that the plans and specifications approved by Governor Crapo have been substantially complied with; that the modifications made by the State engineer in charge, and approved by Governor Baldwin and your Excellency, have been of great benefit to the works, and that the canal and breakwater, in extent and solidity, in depth of water, in width of channel-ways, in length of piles, and extent of sheet piling, are much in excess of the requirements of the official specifications. I therefore accept the canal.

Most respectfully,

JOHN H. FORSTER,
Engineer for State.

To his Excellency Governor JOHN J. BAGLEY,
Detroit, Mich.

Thereupon, as required by the same act, the governor made a personal examination, and that will be found in Executive Document of November 29, 1873, in which the governor states:

And whereas I have made a personal examination of said canal and harbor, and have found the same to be constructed and completed, so far as the building of said canal and harbor is concerned by said company, as required by said act of Congress and in conformity with said plans and specifications.

But the governor did find a defect in the title to the lands upon which the canal was built. Therefore he did not order the issuance of the certificate, but in a subsequent decree, of June 25, 1865, he ordered the certificate to be issued to the canal company that the canal had been completed in accordance with the contract and specifications, and as reported by the engineer, even in excess of the requirements of the act of Congress or the act of the Michigan Legislature.

That is the state of the case against which the honorable Senator from Michigan simply presents a report, whether a majority or a minority report I do not know, of a committee of the Forty-eighth Congress, denying in substance that the canal had been completed in accordance with the contract and specifications, when the certificates of the engineer and of the governor are here to contradict both statements.

What further was done? The lands were turned over to the canal company in accordance with the act by the certificate of the governor. The lands were selected and they went into the possession of the company engaged in the construction of the canal. The original canal company failed and a new company was organized to complete the work and make the canal what it was intended to be by the original act. A decree of foreclosure was entered by the United States court in Michigan, and all matters and things herein involved, even the land itself, the whole 400,000 acres, were disposed of by the decree of that court. Let me read from the decree of the court:

The said decree finds that full lists and descriptions of said 400,000 acres of lands were approved by the Secretary of the Interior and certified to said State according to law. That all of the mortgages hereinbefore mentioned, and all the receiver's certificates—

The canal company went into the hands of a receiver and the court ordered the receiver to issue certificates, which were made a prior lien, and of course they were protected in the decree.

And all the receiver's certificates are liens in the order of preferences hereinbefore set forth on said 400,000 acres of land. The court thereupon renders a decree of foreclosure, in the usual form, ordering that in default of payment the canal and said 400,000 acres of lands be sold to satisfy the decree.

This decree was affirmed by the Supreme Court of the United States in the case of Jerome *vs.* McCarter (94 U. S., 734).

We have a report of the filing of articles of association of this company under the act of the Michigan Legislature. We have the certificate of the governor granting to the canal company the lands; we have the insolvency of the original canal company, the decree of foreclosure of the canal, with all the property owned by the canal company and the 400,000 acres of land expressly included in the decree. The Supreme Court of the United States affirmed the decree. The new company was organized. They then took the effects of the old company, with the $3,000,000 of bonds issued, including the receiver's certificates. They assessed the bondholders to the extent of $1,000,000 more for the purpose of completing the canal. The canal has been completed and is in operation; and if there is any title in the world to public land, or private land, if you please, anywhere in this broad Republic that is perfect and complete, it seems to me that these lands are in that position.

Another question is raised by the honorable Senator from Michigan, that because of the fact that the canal company did not locate their lands nearest their canal—I speak now of the first 200,000 acres—it was a violation of the act of Congress, and therefore invalid. If the Senator from Michigan will look in the Land Office he will find large amounts of these lands classed as mineral lands; that there was a great deal of excitement in that part of the country in respect to copper mines. Large copper developments had been found; large amounts of the public lands were in market and were considered mineral lands. If they had been simply iron lands they would not be considered as mineral lands; but they were marked as "mineral lands," and many of them had been subject to private entry; and the canal company did, as I understand, locate the first 200,000 acres as near the line of the canal as was possible to avoid the mineral lands. So there is nothing in that.

Mr. PALMER. What was the last remark of the Senator—that they located the 200,000 acres as near as possible to the line of the canal?

Mr. McPHERSON. I am informed by responsible authority that as to the 200,000 acres of land—I speak now of the original 200,000, the first location—they could not locate them nearer the canal by reason of the fact that the lands near the canal had been marked as mineral lands, and they were supposed to be copper lands. Further than that, a great many of them had been subject to private entry, and therefore they could not take them for that reason. They were lands already sold by the Government; and as the canal lands could not be selected until the canal was finished, other parties came in and took the lands the canal would have chosen had they enjoyed such option.

Mr. PALMER. I will state, if the Senator will permit me, that the committee who had this in charge in the House of Representatives found that there were 100,000 acres subject to entry in that first grant nearer to the canal than the second 100,000 that they entered. But that is not so material.

Mr. McPHERSON. If the lands had been marked as supposed to be copper lands or mineral lands, and afterwards it was found that they were not mineral lands, I presume then the charge could easily be made that certain lands were so designated as mineral lands because of the excitement in that section of country. Copper was found all over that northern country. But in any event, let me say to the Senator from Michigan that the Secretary of the Interior did acknowledge the fact that these lands had been properly located by giving the certificate of his assent thereto, and it having become a matter of judicial investigation in which all the matters were brought up before the courts of Michigan, and afterwards argued before the Supreme Court of the United States, which affirmed the decision of the lower court, that these lands were held justly, legally, and properly, and that bonds for $3,000,000 and the receiver's certificates had a lien on the lands which were part of the consideration.

Mr. President, all I wished was simply to respond to the testimony presented by the Senator from Michigan with respect to that particular point, and it does seem to me that the Senator from Michigan himself should find this evidence to be conclusive.

Mr. PALMER. Mr. President, there is a new phase of this case this morning. The Senator from New Jersey seems to be talking as if he was on the defense. I supposed that they were making an attack. There is no proposition to invalidate the title to any of these lands by legislative action on this bill.

The Senator goes through with the long process by which these lands were gotten, leaving out those things that are to the discredit of the company, forgetting all the time that by coming in and asking for the validation of this title the case is reopened. The whole thing is reopened by that very request, and we can go back and look into the equities and the processes by which the company got hold of this land.

Mr. McPHERSON. Will the Senator yield for a question?

Mr. PALMER. Certainly.

Mr. McPHERSON. The Senator speaks of the discredit that attaches to the company. Does he mean to convey the idea that any discredit attaches to the present company, who are simply the receivers, so to speak; in other words, they are the inheritors of a large number of bonds, a large amount of debt from the old company. They paid in their money. They are the innocent holders of these bonds and this property covering the land. Is there any discredit that attaches to them for trying to defend their own interests?

Mr. PALMER. I promised this morning to furnish some literature. I am going to do it, and I think it will appear that the stockholders at the present time are the stockholders who got hold of this stock by very questionable methods. That we shall come to later.

Now, Mr. President, in regard to the construction of this canal, I send up a report which has been sneered at a good deal because of the fact that it has been used a good deal—a report made by Mr. Henley, of California. It seems to me he made some very good points. He declared, I think, in that report that the canal had not been constructed. He based that report upon this testimony. This was testimony taken in the Forty-eighth Congress before the House Committee on Public Lands. Charles D. Blanchard is inspector of hulls for the Superior district. This was April 2, 1884, when his examination took place.

Q. Where do you reside?
A. Marquette, Mich.
Q. How long have you lived there?
A. Since 1874.
Q. Did you once live in Boston, Mass.?
A. Yes.
Q. Did you sail from there when a boy?
A. Yes.
Q. When did you commence a seafaring life?
A. In 1851 or 1852.
Q. Have you had experience as a sailor on the Great Lakes about Michigan and Wisconsin?
A. Yes.
Q. When did you commence your experience as a sailor upon those lakes?
A. In 1855.
Q. How long did you continue to sail on those lakes?
A. From 1855 to 1878, with the exception of one season.
Q. What position did you occupy when you commenced to sail on those lakes?
A. That of a sailor.

* * * * * * *

Q. What have you been doing since 1876 or 1877?
A. I have been in the Government employment.
Q. In what capacity?
A. As local inspector of steam-vessels for the district of Superior.
Q. With your home at Marquette?
A. Yes.
Q. Your headquarters are there?
A. Yes.
Q. What are your duties as such inspector?
A. To inspect the hulls and life-saving appliances of all steamers within that district, in conjunction with my associate in office, who is inspector of boilers.

* * * * * * *

Q. Do you know anything about the canal in controversy—the Portage Lake Canal?
A. Yes.
Q. You know where it is located?
A. Yes.
Q. Do you know about the Lake Superior mouth of it?
A. Yes.
Q. Is there a breakwater there.
A. Not within the proper meaning of the word as I would term a breakwater.

* * * * * * *

Q. Do you know what depth the old Sault Ste. Marie Canal was?
A. The old Sault Ste. Marie Canal had 12 feet of water over the miter sill.

The Senate will remember that this canal was to be 13 feet deep. I am sorry the Senator from New Jersey [Mr. MCPHERSON] has disappeared. This was for his information as much as that of any one.

Q. Do you know what depth the old Sault Ste. Marie Canal was?
A. The old Sault Ste. Marie Canal had 12 feet of water over the miter sill.
Q. Tell the committee what was the habit of deep-draught vessels when they loaded in Buffalo or Cleveland and for Lake Superior; how they were loaded and trimmed, and for what purpose.
A. This will be hearsay. I inquire, and do every spring, from the masters of vessels about how they get through the canal, and what draught of water there is in the canal, and they have informed me, I think, every season since I have been inspector, and probably prior to that, that they load their boats with a view of discharging some of the cargo at Sault Ste. Marie, Marquette, Houghton, and Hancock, in order to enable them to go out through the Portage Lake Canal.
Q. Was that true before the construction of the new Sault Ste. Marie Canal; was it true when they had to pass through the old canal?
A. Yes.
Q. When it had only 12 feet of water?
A. Yes.
Q. Tell the committee what that means, loading with respect to unloading at these ports.
A. It would be in this manner: If a vessel with a capacity of 1,200 tons had 1,100 or 1,200 tons of freight for Buffalo or for Duluth, and had also freight for these other points, the probability is that they would only put on 600 or 700 tons for Buffalo and Duluth, and would fill up with the freight for these other points so that they could land this freight at Houghton, Hancock, and Marquette, and be able to pass through the canal.

* * * * * * *

Q. Tell us what there is about vessels that come through the Sault Ste. Marie Canal and make the trips to Houghton and Hancock, going back to Portage Entry and going round the point. Tell us whether they do that or not, and whether they have done it for years.
A. I know that some of them have been compelled to do so.
Q. For what reason?
A. Owing to lack of water in the canal to get through.
Q. After they had passed through the Sault Ste. Marie Canal?
A. Yes.
Q. And after they had lightened some at Houghton and Hancock?
A. Yes.

* * * * * * *

Q. Suppose a vessel is coming from Lake Superior bound east or south, and suppose she encounters a storm of some severity (a vessel drawing 11 or 12 feet of water), would it be possible for her to enter that canal?
A. It might be possible.
Q. Would it be probable that she could do it?
A. No, sir.
Q. Is not that the purpose of a harbor?
A. That would be my opinion of a harbor—yes.
Q. Tell the committee what the usual custom of vessels of this description, and of that draught, is when they encounter a storm of reasonable severity, as they approach the mouth of Portage Lake Canal—whether they attempt to enter the canal.
A. The general rule is to shun it.

That shows the way the canal was completed. Vessels drawing only 12 feet have to load and unload with reference to passing through the canal. It is probable that but for a very short time was there ever 13 feet there, although there might have been certificates to that effect from the governor or from the engineer. That was a State engineer. The Government engineer declared that the canal was never completed. Here is a little more of this testimony. Lyman Hunt, one of the oldest captains on the lakes:

Q. Where do you live?
A. Buffalo, N. Y.
Q. You are a lake captain, I believe?
A. Yes.
Q. How long have you been on the lakes?
A. Most of the time for the last thirty-two or thirty-three years.
Q. How long have you been engaged in the Lake Superior trade?
A. Seven to eight years—not successive years.
Q. When did you first commence the Lake Superior trade?
A. In 1871.

* * * * * * *

Q. State when you first went through this canal.
A. From my memory it was in July or August, 1874.
Q. How did you find it—what was its condition?
A. With a little trimming at that time we passed through without any particular difficulty.
Q. What was the draught of your vessel?
A. The trims that we ordinarily passed through with were at that time 9½ feet.
Q. Was she fully loaded?
A. No; I say with partial loads—trimmed.

They had to exercise great care when they loaded, drawing only nine and a half feet of water.

Q. When there was a sea on you had either to wait outside or to stay inside?
A. Yes, sir.
Q. Why did you have to remain inside or to refrain from trying to get inside?
A. On account of the shoalness of the water between the piers.

* * * * * * *

Q. Has there ever been anything at the mouth of that canal which answers the purpose of a harbor of refuge?
A. There never has been anything of that kind. It is merely a thing of fancy.
Q. What is a harbor of refuge?
A. A place where we can approach and enter in any stress of weather (it matters not what it is) with perfect safety.
Q. And you could not do that in this canal, you say?
A. We can not. It would be like running a vessel ashore if she were loaded, or partially loaded.

* * * * * * *

Q. Has it ever happened, in your experience as a navigator, that you were compelled to go around Keweenaw Point on account of the condition of the canal?
A. Yes.
Q. How often has that happened to you?
A. I have not had much experience in that way for the reason that I wait for the weather to become proper to enable me to pass through there.

It is a very long detour to go around Keweenaw Point I will say, and on that account they would wait a day or two for the weather to abate.

A. I have not had much experience in that way for the reason that I wait for the weather to become proper to enable me to pass through there. There is some shelter ninety or a hundred miles to the west of that.
Q. At what place?
A. At Bayfield or some of the island shelters.
Q. Does it happen frequently that you stay there?
A. It is a very frequent occurrence in the general trade up there.
Q. That is if, you wish to undertake the passage of the canal, and if the water is rough you have to wait until the sea subsides?
A. Yes; very commonly.

* * * * * * *

Q. State whether or not it is customary and habitual for navigators to load their vessels and to trim their cargoes with special reference to getting through this canal.
A. Yes: that has been the history of the canal navigation ever since it has been opened. There is one thing that I wish to say here. Take the Transit Line from Buffalo. A certain portion of the boats is partitioned off to take a partial cargo and to run directly through from Duluth to Marquette on account of the inability of the boats to pass through this canal. Another portion of the boats takes a certain portion of cargo to Duluth and comes down into Portage Lake, Hancock, and Houghton (the copper district) to finish their cargo as much as possible with copper. So that the trade has to be adjusted according to these things. There are worlds of evidence of it. It is a living thing all through that trade and country—just what I speak.

By Mr. REDINGTON:

Q. Suppose you were to load a cargo for Duluth and propose to go through this canal, to what depth of water would you load your boat; that is, how much would you load her to draw?
A. That would depend upon the time of the year. It is almost invariably the case in the spring of the year that it is sometimes impossible to get in or out of the canal; and then, again, with trimming and at the risk of straining the vessel, and all that sort of thing, some of us manage to get through there, while some of us are not able to get through at all. That has been the experience of all of us mostly every spring of the year.
Q. Suppose at the opening of spring navigation your first load was a load of through freight to be carried through to Duluth, how deep would you load your boat with an expectation of getting through this canal?
A. Nine and a half feet I suppose would be the prudent thing, and it would be questionable whether we would get through then or not. Of course we could not know what the water would be until we took soundings. Sometimes the depth is 9½ feet and sometimes 10 feet.

So much for the construction of the canal. I now ask the Secretary to read what I have marked in brackets, being from the report of the Engineer of the United States.

The Secretary read as follows:

I do not think the entrance to the canal can be said to be completed until the piers are extended to a depth of water equal to that which is considered necessary at the harbors constructed directly by the United States. If this were done a great deal of the difficulty experienced in entering the canal would disappear. It is not to be expected that a vessel can be easily steered in rough water when its keel almost touches bottom. This lack of depth of water at the head of the canal is, in my judgment, the greatest difficulty at this point, and the remedy is for the canal company to complete the work, to aid which the United States donated 400,000 acres of land.

Mr. PALMER. Much has been said about the good faith with which all the affairs of this canal company have been conducted. I will now send up a part of the literature of which I spoke yesterday, and I ask the attention of Senators to it. It is dramatic and exceedingly good reading. It sounds to me a good deal like Rinaldo Rinaldino. It is the report of Mr. Buckner from the Committee on Banking and Currency in the Forty-sixth Congress, May 19, 1880, signed by eight out of ten members of the committee, and the two dissenting are Mr. William W. Crapo and Mr. S. B. Chittenden, who do not dissent as to the facts, but as to the imputation of bad faith and corrupt dealing. The Secretary will please read the part between brackets on page 2.

The Secretary read as follows:

It seems that the Ocean National was one of numerous State banks converted under the provisions of the national banking act into a national bank. Its management for some years prior to 1870 had not been successful, when it was robbed of a large amount of its assets and deposits, which affected its credit and resources to such an extent that a committee of the New York clearing-house, of which it was then a member, made an examination of its condition and pronounced it to be in "a perfectly insolvent and rotten condition." At that time it was owing the clearing-house a large amount, for which indebtedness it had deposited as security its bills receivable and other collaterals, and on the day after this report was made the doors of the bank were closed. Mr. Theodore

M. Davis had been engaged as an attorney of the bank in some of its legal business, and had some acquaintance with its affairs from this business connection, and early in December, 1871, he was appointed by the then Comptroller of the Currency (Mr. Hurlburd) receiver, and very soon entered upon the discharge of his duties.

* * * * * * *

Among the assets of the bank at the time of its failure, and which went into the hands of Receiver Davis, were sundry debts of stockholders and others secured by the bonds and stock of the Portage Lake and Lake Superior Ship-Canal Company, a corporation organized under the laws of Michigan.

It appears that the chief value of the Portage Lake and Superior Canal Company bonds consisted in its ownership of 400,000 acres of iron and pine lands in the upper peninsula of Michigan, granted by Congress to the State of Michigan to aid in constructing a canal between Portage Lake and Lake Superior, by two several acts of Congress of March 3, 1865, and July 3, 1866.

* * * * * * *

These lands (increased to 450,000 acres by a subsequent purchase) were variously estimated to be worth from three and a half to ten millions of dollars, with the completion of the canal and a good title, and when the receiver was appointed a competent engineer had reported that $150,000 would complete the canal, on which a large amount of work had been done, according to the requirements of the act of the Legislature of Michigan.

It will thus be seen that the absolute title to these lands was granted to this canal company, subject to be defeated by the failure to complete the canal within the time prescribed. The act of Michigan transferring its title to this corporation authorized the hypothecation of the lands conveyed, and the canal company had mortgaged both grants, as well as the canal franchise, and issued first, second, and third mortgage bonds, in order to complete the canal. Congress had not declared the lands forfeited or taken any action in that direction, but, on the contrary, had frequently extended the time for the completion of the canal; and in the mean time the first and second mortgage bonds had been disposed of to the banks and capitalists of the East at from 50 to 80 per cent. of their face value, and the canal company had obtained the opinion of eminent attorneys as to their title to the lands and the safety of the securities sold.

When Mr. Davis entered upon the receivership of the Ocean Bank he came to the conclusion that these bonds were absolutely worthless, because the canal company had failed to complete the canal, and finding that Ayer & Co., of Lowell, Mass., and J. Boorman, Johnston & Co., of New York, were large holders of these bonds, he lost no time in conferring with them, and greatly surprised them by the expression of his opinion as to the worthlessness of his and their security. And in order to satisfy them that the lawyers on whose opinions they had relied when they invested their money in these canal bonds were mistaken, he induced them to take the opinion of other eminent counsel, who confirmed his opinion that the bonds held by them were worth nothing, the canal not having been finished, or until the canal was finished.

Without expressing an opinion on this legal question at this time, but assuming that the receiver was thoroughly satisfied that the securities held by him belonging to the Ocean Bank were absolutely worthless and that the title to the lands would revert to the United States, the company having failed to complete the canal in the time prescribed, your committee can not approve the conduct of the receiver in thus depreciating the value of these bonds by proclaiming that they were worth nothing, and that the debt of the bank was wholly insecure.

* * * * * * *

But it appears to your committee that this obvious departure from a faithful discharge of his duties to the creditors and owners of the bank was the inception of a plan, well matured and skillfully executed, by which the receiver would ultimately obtain control and ownership of the property and franchises of the canal company for himself and his friends, under the false disguise of devotion to the interests of the bank and a desire to appreciate its assets. Within two or three months after his appointment (Judge Birdseye's testimony, 1874, page 162) the evidence shows that Mr. Davis said, in a conference with the witness, that he had made up "his party" to control the lands of the company; that the company and the members of the company were embarrassed; that the "Averys" (which was the general way he spoke of the members of the canal company) were all thoroughly bankrupt; that judgments were recovered or about being recovered against them for a large amount; that they could not carry the property of the company which they had; that it must go into other hands, and that he had made up his party to control that property; that he could carry out his plans against their opposition, but would prefer their co-operation to their opposition; and he said that the debts of himself and his party, or syndicate, amounted then to about $1,300,000, and that they wanted $1,000,000 for administering the property and paying the debts, making $2,300,000, and out of the balance the "Averys" should have $500,000, or an equal one-fourth of the surplus over $2,300,000, the other three-fourths to go to his friends, or the syndicate which he had formed, and a proposition to this effect this witness was authorized to make to the Averys.

This testimony, unlike much of the oral testimony given before the two committees, is not only not contradicted, or attempted to be contradicted, but is corroborated in many particulars by other facts and admissions of Mr. Davis. A syndicate, or combination, was formed at the instigation of the receiver early in the year 1872, composed of the Ocean Bank, J. C. Ayer & Co., J. Boorman Johnston & Co., and which was managed and controlled by Mr. Davis, and has resulted in the absolute control and ownership of the valuable property of the canal company by this syndicate and a few of their friends, as will be shown hereafter.

The exact terms of the agreement between these parties is not known to your committee, was not made known to the committee of 1874; and after the lapse of eight years, and this syndicate has obtained the control of the property of the canal company, we have not been able to learn the contents of this secret agreement between these parties from an inspection of it. All testimony concerning its contents was excluded from the Record of 1874, because it might affect pending litigation adverse to the interests of the bank; and now that the litigation has ended, the "Averys" and the company been put into bankruptcy, the property of the company sold, and a new company, with Mr. Davis as its president, has been organized, and is owner and in possession of the canal and the 450,000 acres of land, your committee has not been permitted to see this contract, because "there is a litigation going on now in Michigan about the canal company" (page 210, testimony, Forty-sixth Congress), a fact that it seems was unknown to the late secretary of the new company (Deveboise, page 42, testimony, Forty-sixth Congress).

This agreement, as stated by the receiver (page 209, testimony, Forty-sixth Congress), was that he (Davis) should take the laboring oar in the matter, select the proper counsel, take the general management of the business for them, provided they would agree that when we got the canal finished and the title perfected, and the mortgages foreclosed, when they bought the property in, if it did not sell for enough to pay our debts, they should after repaying themselves for legal expenses and for the certificates they might buy, or somebody else might buy, the other proceeds should be divided among Boorman Johnston & Co., Ayer & Co., and the Ocean Bank, in proportion to their several debts; and if there was any profit over and above that, it should belong to them, and not the Ocean Bank. Ayer & Co. and J. Boorman Johnston & Co. were to pay all expenses, and in consideration thereof Davis was to do all the work he could in the matter.

* * * * * * *

Your committee propose now to consider the question as to the authority of the receiver to make the stockholders and depositors of this unfortunate bank a party to an agreement to wreck the canal company.

* * * * * * *

We might dismiss this branch of the inquiry by the assertion that if the combination of the receiver with Ayer & Knox, even with the laudable purpose of saving a bad debt, finds no warrant in law, his conduct in this particular is without excuse or justification.

In thus commenting upon this latter transaction, modifying the original syndicate contract, we do not overlook the fact that the syndicate had procured a decree of foreclosure of the canal franchise and land grants, and that one of the syndicate (Isaac H. Knox, of J. Boorman Johnston & Co.) had been appointed receiver of the canal company, with authority to issue certificates, which were made a paramount lien on the lands and canal; and that Knox and his partners, J. Boorman Johnston & Co. and J. C. Ayer & Co., had furnished much the largest portion of the money with which to purchase these certificates, amounting to about $624,000.

* * * * * * *

At a sale of the mortgaged lands and franchise of the canal company under the decree of foreclosure of the Federal court of Michigan—the canal having been finished from the proceeds of the certificates issued under the order of the court—Messrs. Man, of New York, and Wilson, of Washington, became the purchasers, as trustees for the syndicate and others, at a price less than the amount of certificates and interest and expenses of sale. This result was no doubt foreseen from the time the secret syndicate agreement was entered into, the members of the syndicate having obtained a controlling interest both in the lien created by the order of the court as well as the first and second mortgage bonds issued by the canal company.

By the same agreement of the syndicate by which Man & Wilson purchased the property the lands, franchises, etc., sold by order of the court were capitalized at two and one-half times the assumed cost to the syndicate, and stock authorized to be issued to the amount of $4,000,000, after the trustees, Man & Wilson, had conveyed the property and franchise of the old canal company to a newly-organized corporation, of which Mr. Davis, receiver of the Ocean Bank, was chosen president, with a salary, after the first year, of $5,000 per annum.

The shares of stock assigned to the bank under the several modified agreements of the syndicate amounted to 5,315, which was sold to the Ayer estate at $20 per share at public auction in 1879, the Comptroller of the Currency being present at the sale at the request of the receiver. The property which was to realize to the bank $560,000, and which Ayer & Knox had agreed to pay, produces a net sum of less than $110,000 after years of "terrible" litigation in State and Federal courts and in Michigan and New York, coupled with the expenses of that litigation and large accumulations of interest on the balance of the debt due the depositors from 1872 to 1879.

Your committee are of the opinion that if the receiver had obeyed the plain injunctions of the law, and had not subordinated the interests of the bank to his own purposes, quite as much or more might have been realized on the bad and doubtful debts of the bank, much less interest would have accumulated against the bank, and the stockholders would have escaped with little or no assessment. Making proper allowance for the general depression of business and the shrinkage of value of all kinds of unproductive property, it should be borne in mind that the receiver had nearly two years from his appointment to the panic of 1873 within which to sell or compromise the bad and doubtful debts that came to his hands, and it was evidently the conviction of the owners of the canal company that it was the purpose of the receiver to use his position not only to crush them financially but to despoil them of their property for his individual gain that caused them to throw every obstacle that legal ingenuity and the desperation of their fortunes could invent in the way of a successful result to his schemes. Hence the "enormous net-work" of litigation, delay in closing out the assets, accumulation of interest, and assessments on the stockholders to pay the debts of the depositors.

* * * * * * *

In the organization of the company, of which the receiver is president, it had been agreed between the syndicate, when efforts were about being made to sell the property to an English party, that the stock of the new company should be issued in the name of Nathaniel Wilson (co-trustee of Mr. Man in the purchase under the decree of foreclosure); and after issuing to Mr. Davis, as receiver, 5,315 shares, the equivalent of $250,000—to Davis, in his own right, 265 shares, and to the other members of the syndicate their proportionate share of stock—3,950 shares were left in the hands of the trustee (Wilson), out of which Mr. Davis was to receive $100,000 in stock, and other parties smaller sums.

* * * * * * *

This matter is referred to as affording additional evidence that the members of the syndicate have made distribution of the property of the canal company, as represented by the stock in the new company, in total disregard of the original syndicate contract, and of the rights of the stockholders and creditors of the Ocean Bank, and that the receiver has been or will be amply compensated for the services, legal and otherwise, rendered to the syndicate.

* * * * * * *

The officer who violates the commands of the law, enacted to direct and control him and to protect the rights of others, can not complain that all reasonable and fair presumptions are made against his official acts. If he undertakes to discharge the duties imposed upon him by law, "in his own way," and not in the way pointed out by that law, he assumes responsibilities which are not to be evaded, although the motives of his action may appear to have been far more creditable than those which seem to have controlled the receiver of the Ocean National Bank.

Mr. PALMER. The former Secretary of the Interior, the Senator from Colorado [Mr. TELLER], yesterday thought that there had been no departmental expression on this case. I will send the annual report of the Commissioner of the General Land Office to the desk, and ask the Secretary to read what is there marked on page 35.

Mr. DOLPH. What year?

Mr. PALMER. The report for 1886.

The Chief Clerk read as follows:

Lands which had been designated by the United States as "mineral" prior to March 3, 1865, were excluded from the grant of lands made by act of Congress of that date for the Portage Lake and Lake Superior Ship-Canal. Notwithstanding this express exception in the granting act upward of 68,000 acres which had been designated by the United States as mineral before March 3, 1865, including some of the most valuable lands in the copper range of the upper peninsula of Michigan, were certified and approved by this department for the benefit of the ship-canal company. Suit was recommended by this office June 9, 1886, to recover said mineral lands to the United States.

Mr. TELLER. As the Senator says that I stated there had been no departmental action, I wish to say and the RECORD will show that I did not make any such statement at all.

Mr. PALMER. I withdraw it, if it is not in the RECORD. I so understood the Senator.

Mr. TELLER. The RECORD is exactly what I said.

Mr. PALMER. Then I misunderstood the Senator yesterday.

On page 323 of the same volume I should like to have the Secretary read the selections within brackets from a letter addressed to Hon. L. Q. C. Lamar, Secretary of the Interior, by Mr. Sparks, the Commissioner, as a report on Senate bill 1507, "to reclaim to the United States certain lands improperly and illegally listed to the State of Michigan for the Portage Lake and Lake Superior Ship-Canal Company."

Mr. BLAIR. Will it answer the Senator's purpose just as well to print these extracts without their being read?

Mr. PALMER. No, sir; because I wish to make my case and let the Senate—what there is of it here—vote understandingly. After they had voted if they should read the extracts to-morrow they might regret their action of to-day.

The Secretary read as follows:

The lands embraced in said offering are noted upon the tract-books of this office as "offered October 27, 1851," but no reference is made to the fact that they were offered as mineral.

The ship-canal company selected 68,647.47 acres which were embraced in said offering, and it not appearing from an examination of the tract-books that the same had been offered as mineral, they were approved to the State for its benefit.

Recapitulating the result of the adjustment of the grant of 1865, it appears:

First. That the company did not select any lands but such as were subject to private entry.

Second. That, taking all the lands selected and approved, it selected 93,712.77 acres which were not at date of selection the vacant lands nearest the location of the canal.

Third. That it selected 68,647.47 acres which had been proclaimed and offered as mineral prior to the passage of the granting act.

Fourth. That it selected 56,916.57 acres of non-mineral lands which were not at date of selection the vacant lands nearest the location of the canal.

In giving my views upon the bill under consideration I will first refer to the lands embraced in the offering of 1851.

The act of 1865 excluded from the grant made thereby all lands designated by the United States as "mineral" before the passage of said act.

Whether or not the lands selected under the grant actually contained mineral was not material. If they had been designated by the United States as mineral prior to the passage of the granting act they were not subject to selection.

After the passage of the act of 1847 this office, with the concurrence of the Secretary of the Treasury, decided to treat as mineral the lands covered by leases, permits, or titles of occupancy—those which the legal officers should be satisfied from any source were of that character, and those which might be reported by the mineral agent or geologist.

The act of September 26, 1850, made the mineral lands subject to sale and entry in the same manner and at the same minimum price as other public lands, but the distinction between the mineral and non-mineral lands was maintained by this office. The lands supposed to contain mineral were offered as such in 1851. The unoffered non-mineral lands were offered in 1853. The letter transmitting to the local officers a list of the lands embraced in the offering of 1853 distinctly states that such lands were not offered in 1851 because they were not mineral lands according to the reports. The offering of 1851, according to the proclamation, embraced lands formerly covered by mineral leases and permits, and lands which had been reported as mineral by the geologist.

The proclaiming and offering of these lands at public sale as mineral lands, taken in connection with the instructions in the premises, was clearly a designation by the United States as mineral. Having been so designated, they were not subject to selection under the canal grant.

According to the sworn testimony of its president, the Lake Superior Ship-Canal, Railway, and Iron Company, successor to the Portage Lake and Lake Superior Ship-Canal Company, does, or did in 1884, still own the lands in question, and, in my opinion, a suit should be instituted against said company to vacate and set aside the certification made to the State in 1868, so far as the same includes lands embraced in the offering of 1851, amounting to 68,647.47 acres.

Mr. PALMER. Mr. President, the Senator from Massachusetts [Mr. HOAR] yesterday, when I said that this was tainted with fraud from beginning to end, unintentionally, I think, misexpressed my position when he said that when I was asked what the fraud was I declared that they had taken mineral lands when they were expressly excluded from doing so by the terms of the act. That is only one small portion.

Mr. TELLER. They did not take mineral lands.

Mr. PALMER. If the Senator will permit me, I think I can make it plain. They did not take mineral lands according to subsequent developments, but the act excluded from the grant all lands designated as mineral lands—not mineral lands, but lands designated as mineral lands. That was in the act.

Mr. TELLER. The Senator misstates a fact unintentionally. It has been repeatedly held that those lands were not mineral lands, although they contained iron.

Mr. PALMER, I have not said that they were. I said lands "designated as mineral lands." Here is a very material point which the Senate should understand. These lands which they got in contravention of law were designated as mineral lands because they were known to contain copper, and, as I said in my remarks a few days ago, the Minnesota mine, one of the greatest mines in the world before the discovery of the Calumet and Hecla, was developed on the margin of this grant. I want to be exact. I am not speaking and stating facts that I can not prove by documents. I am confining myself to the current literature and the facts, and what I know. The great difficulty in this discussion is that gentlemen imagine a great many things, and they really believe they are facts.

Mr. HOAR. Will the Senator inform me what is his point about mineral lands? At first I understood him to say that there was a point about the iron.

Mr. PALMER. Not from me.

Mr. HOAR. When the Senator is brought to the point he says there are copper mines on the margin of these lands. They are not on the lands selected, but on the other side. What is that, however, more than a copper mine a thousand miles off?

Mr. PALMER. If the Senator will only listen I will make it perfectly plain. Right on to the west of this great copper mine is the Porcupine Mountain, and I hope it will prove true to name before they get through. They received lands there which had been designated as mineral lands. They were supposed to be copper lands. That is the point.

They violated the law in going on to these lands, but they went on intentionally because they supposed that there was copper there. I brought in that illustration of the Minnesota mine to show the animus of this company. They supposed there was great hidden mineral wealth in the Porcupine Mountain, and they went outside of their grant and violated the law on purpose to get control of these mineral rights. It afterwards turned out that with the copper there was an immense amount of iron, and they have got that in contravention of law.

I do not propose to assail the title of the Portage Lake Canal Company. They have got their swag, to speak vulgarly, and I suppose they will keep most of it; but I am decidedly opposed, now that the case is reopened, to making a new grant to them. They, as the evidence shows, procured the dismissal of an honest receiver because he would not be their tool, and put in a man who would do their behest, and right on that removal hangs all the trouble that comes in about the cash entries in the State of Michigan. After the procurement of these lands by this canal company it was known throughout the country that the cash entrymen supposed they could do it. They did do it, some honestly and some knowing that they were taking part in a gamble, and, as I showed by testimony yesterday, they were buying a chance, and they did not suppose they were getting a perfect title.

Now, in regard to the amount of money, the wealth—I believe the Senator from Massachusetts makes it "the men of wealth, property, and character." He puts "character" last, unintentionally, I have no doubt. But the difficulty is that the wealth, Plutus, stands out more in this discussion than anything else. When I came back to the Senator yesterday, when he accused me of being filled by an attorney in this city, and when I asked him who supplied him with material he very innocently says one member of Congress from Massachusetts or Boston, I do not know where, right in the vicinity of these stockholders, who had come over from the House of Representatives and talked to him. He then spoke of Mr. MacGowan, a very respectable gentleman, but he is an attorney for this canal company. He supplies the Senator with information, and he supplies him unintentionally, no doubt, or else the Senator misconceives him, with some information that is not very reliable.

For instance, the Senator said yesterday that a certain party (a Mr. Hill) had made an affidavit that he had dissolved partnership with Mr. Redington because he would not accede to a request of Mr. Redington to commit perjury, or substantially that. Is that so?

Mr. HOAR. The Senator will pardon me. After the first day's debate a Mr. Hill, mentioned in documents introduced by the Senator, met me and handed me a statement. I had no opportunity to converse with him, and I told him I had no time to converse with him, but he presented me the paper which I read before the Senate. That paper was Mr. Hill's affidavit in response to Redington's statement already made, that he had found on investigation that there was no controversy between the homesteaders and individuals interested.

Hill's statement was that Redington wanted him to make oath that there was not any such contract as was discovered, and he would not do it, because that would be perjury, and thereupon the partnership was dissolved.

Mr. PALMER. The Senator said that was an affidavit, did he not?

Mr. HOAR. A statement of Mr. Hill.

Mr. PALMER. An affidavit. I refer to this merely to clear the skirts of Mr. Redington. I do not know that I have anything further to say except to justify Mr. Redington. He says, and my friend from Massachusetts says now that it is a statement, although yesterday he declared in debate that it was an affidavit——

Mr. HOAR. It is on file.

Mr. PALMER. It is nothing but a letter. Mr. Hill dare not make an affidavit to the statements contained in that letter, and therefore it has no more validity than any other man's remarks.

Mr. BLAIR. I should like to ask the Senator a question. I should like to know whether it is undisputed that the lands selected by the canal company were designated at the time of the selection as mineral lands?

Mr. PALMER. A great many of them were—not those that are under discussion as to their title in this amendment.

Mr. BLAIR. Then the lands that were concerned or involved in the amendment offered by the Senator from Massachusetts were those designated as mineral lands at the time of their selection?

Mr. PALMER. They were not, but they were taken in violation of law, and I say if they come here and ask for relief they reopen their case, and we have a right to go over the whole of it and to act according to the good faith that they have manifested in the whole transaction, and I think that the bad faith is manifest from beginning to end.

There was so much noise in the Chamber that I do not know whether gentlemen heard all the testimony taken before the Committee on Banking and Currency, but it was enough to cover with confusion every man whose name is mentioned as taking part in the transaction. I understand that the stockholders are the same substantially to-day that they were then, and my friend from Massachusetts makes a good point on the raising of a million of dollars to finish the canal, and you are asked here to validate as far as you can, subject to the amendments submitted by me, the title of the canal company to these lands.

They are covered with homesteaders who knew that the canal company had no right in law to those lands, and the canal company is a very rich corporation. Their property represents all the way from twenty to eighty million dollars. Those homesteaders can be harrassed, they can be dragged from their homes, they can be made to contribute to the last farthing to defend their little holdings, and all for the sake of confirming the property rights of this canal company, which never should be confirmed. In asking this they have reopened the whole case, and we are allowed to go into the equities of it, and they deserve no relief at the hands of Congress.

Mr. President, I have done.

Mr. BLAIR. But does not the subsequent part of the amendment save the pre-emptors and homesteaders from such controversy?

Mr. PALMER. I just said subject to that amendment. But it gives them a hold to worry with their immense capital these men of limited means and no means at all, men with very little money who have got to defend their cases in the Land Office or in the courts, and I say that as far as we can reach and protect those men, as long as the company has no equitable right to these lands, we ought not to confirm it under any circumstances.

Mr. HOAR. The proof of good faith is to be made to the Secretary of the Interior.

Mr. PALMER. The Secretary of the Interior will hear the case *ex parte;* these men will have the ablest lawyers in the country, they will be down here besieging the Department, the atmosphere around them will be all in favor of this wealthy corporation, and what can the poor homesteader up in Michigan do to defend himself against such a conglomeration?

Mr. CALL. Mr. President, the pending amendment involves some questions which are very foreign to the question of good faith on an innocent purchase by those who may be in the possession of the land. If we had the evidence before us as to who the people were who owned these lands, how they acquired an interest, and the full testimony, we might determine whether or not in individual cases there was a claim of good faith and equity arising from the circumstances. We have not, however, that testimony, and this amendment proposes to do—what? It proposes to give to the Secretary of the Interior the power vested in Congress of disposing of these lands. It is by that very fault in legislation, permitted by Congresses of the United States, that a vast empire of the public land has been disposed of in violation of the laws enacted by Congress.

It is the universal complaint all over this country that the people have been deprived of their heritage, of their rights in the public domain by the administration of the laws by the Interior Department of this Government, by the discretion vested in the executive officers not to dispose of the public domain but to execute the law; and we are now repeating this experience in the face of all the charges made by the Senator from Michigan in the evidence that he has read here of charges of fraud, flagrant fraud in the selection of these lands, in the approval of these lands, in the sale of these lands and the charge that the very officer who thus violated the law is now personally the recipient of the fraudulent and illegal title said to have been acquired.

Now, that is the point. Is it true, or is it not true? If it is true there is neither justice nor the shadow of law to sustain the proposition that equity to an innocent purchaser requires the confirmation of this fraudulent title. Why, what do we hear maintained by those who advocate this amendment? A selection of lands by a State as conferring the incipiency of a right, and an approval by an executive officer completing it! Is that the exercise of the power of legislation by Congress? Is that the execution of an act of Congress? The selection by a State the origin of a right to the land of the United States, of what significance is that? If that be true, and the selections were without the authority of Congress, the State might select the capital and the whole public domain, and acquire a title merely by selecting it.

But manifestly there is nothing in that, except the assumption that the selection was made by virtue of the authority conferred by Congress, and that is specifically denied; denied in the report of the Land Office, denied in the testimony which has been read, denied in the report made by the committees of Congress, and, on the contrary, facts are presented by a committee of the other House showing that not only were the selections made without authority of law, but in violation of law.

This may or may not be so. I should be very glad, if it is not true, to concur in the views of my friend from Wisconsin [Mr. SPOONER], and would with pleasure vote to confirm their title in every individual where he had been induced to expend his money without knowledge of fraud and without being put on his guard; but how shall I determine? Not because a State selection has been made, not because an approval has been had. I know some States in which a vast body of the public lands has been selected in express violation of the acts of Congress and approved without any authority of law whatevor.

The Senator from New Jersey [Mr. MCPHERSON] read the decree of a court to which the United States were not parties. Such a decree as that for the sale of whatever rights were in the defendant it is claimed decided the question of what those rights were as against other persons not parties to the suit. If the insolvency of a company, or of a defendant, could create title or remedy any defect in title, then the decree would be pertinent, but that decree is no foundation for any action by this Congress. It binds no one but those who were parties to it, and it is no affirmation of the validity of the original title. That could not be before the court in that case.

But it seems from the testimony presented here that the decree itself was obtained in fraud, and that the beneficiaries of the decree were parties to the fraud, and that it is a part of a vast system of fraud to which I have called the attention of the Senate in other cases in which the United States courts and United States judges seem to have participated. I have called attention to the statement of an associate justice of the Supreme Court of the United States of conspicuous ability, that the courts of the United States have been parties to and agents in the commission of this species of fraud, titles created by proceedings in court instituted for the purpose of vesting fraudulent titles by the decrees of courts curing all frauds.

Now, Mr. President, I am unwilling by my vote to delegate the power of this body to any Secretary, to any executive officer, to decide whether or not there has been good faith, and whether there has been a compliance with the act of Congress.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Senate, as in Committee of the Whole, resumes the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. CULLOM. I am informed by the Senator from Texas [Mr. COKE], who is entitled to the floor at this hour on the bill just announced, that he is willing that the bill should be postponed until to-morrow at 2 o'clock, with a view of getting the forfeiture bill out of the way. I hope that the Senate will continue the consideration of the bill which has been under consideration this morning until it is completed to-day.

Mr. COKE. If the Senate desires to continue the consideration of the forfeiture bill and have a final vote to-day, I am not willing to stand in the way, and I am perfectly willing that the animal industry bill shall be postponed until 2 o'clock to-morrow.

Mr. PALMER. I hope that Senate bill 2083, the regular order, may be laid aside so that we may get through with this forfeiture bill. It is owing to these constant interruptions that legislation becomes interminable. I think if we keep postponing this bill day after day Senators will get refilled with fresh arguments and speeches that we shall never get through with it.

The PRESIDENT *pro tempore*. Is the understanding proposed that the consideration of Senate bill 1430 shall continue until disposed of, and that Senate bill 2083 shall then be taken up, or that Senate bill 2083 shall be postponed until to-morrow at 2 o'clock, at which time the Senator from Texas [Mr. COKE] shall take the floor?

Mr. CULLOM. I hope that unanimous consent will be given that the Senate will remain here to-day until the bill which has been under consideration shall be finished.

Mr. BLAIR. I take occasion, being in charge of the bill, to say that I am obliged to the Senator from Illinois for making the suggestion, which is quite satisfactory to those who desire to go on and conclude the bill.

The PRESIDENT *pro tempore*. The Chair desires to obtain the sense of the Senate whether Senate bill 2083 is to be resumed at the conclusion of Senate bill 1430, or is to be postponed until to-morrow at 2 o'clock.

Mr. CULLOM. I understand that the Senator from Texas prefers not to take the floor until to-morrow at 2 o'clock on that bill.

Mr. COKE. I consent to the postponement until 2 o'clock to-morrow.

The PRESIDENT *pro tempore*. The Senator from Texas asks unanimous consent that Senate bill 2083 be postponed until 2 o'clock to-morrow. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 9859) making appropriations for the construction, re-

pair, and preservation of certain public works on rivers and harbors, and for other purposes;

A bill (H. R. 7222) to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862," and of the acts supplementary thereto; and

A bill (H. R. 550) for the relief of William R. Blakeslee.

The message also announced that the House had passed the joint resolution (S. R. 70) appropriating $30,000 for the International Exhibition in Brussels, Belgium.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7936) to restore to the public domain a part of the Uintah Valley Indian reservation, in the Territory of Utah, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges across Red River.

The message further announced that the House requested the Senate to furnish that body with an engrossed copy of the bill (S. 1198) for the relief of William H. Robertson and Edward L. Hedden, late collectors of customs for the district of the city of New York, the copy thereof heretofore sent to the House having been mislaid.

WEST POINT VISITORS.

Mr. JONES, of Arkansas. A few days since I was appointed by the Presiding Officer a visitor to the West Point Academy. At that time I supposed my engagements would be of such a nature as to permit me to discharge the duties of that appointment. I find, however, that it will be utterly impossible for me to attend at that time, and I beg leave respectfully to decline the appointment.

The PRESIDENT *pro tempore*. The Senator from Arkansas will be excused from further service upon the Board of Visitors, if there be no objection, and the Presiding Officer will designate the Senator from Texas [Mr. REAGAN] to act in his place.

HOUSE BILLS REFERRED.

The bill (H. R. 9859) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 7222) to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto," was read twice by its title, and referred to the Committee on Agriculture and Forestry.

The bill (H. R. 550) for the relief of William R. Blakeslee was read twice by its title, and referred to the Committee on Military Affairs.

WILLIAM H. ROBERTSON AND EDWARD L. HEDDEN.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the message of the House of Representatives requesting the Senate to furnish the House with an engrossed copy of the bill (S. 1198) for the relief of William H. Robertson and Edward L. Hedden, late collectors of customs for the district of the city of New York, the copy thereof sent to the House having been mislaid. The request of the House of Representatives will be complied with if there be no objection. The Chair hears none, and it is so ordered.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The Senate resumed the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. CALL. Mr. President, the amendment proposed is that the sales of lands with the allowance and approval of the officers of the United States, or the selection by any State approved by the Commissioner of the General Land Office and the Secretary of the Interior shall be confirmed where they are along the line of any grant for any public work. That is what we are affirming. If it is meant to say that these acts are in pursuance of the authority of Congress, of the law, then we must disprove the allegations which have been made, we must show that these selections were made in pursuance of the terms of the act. We must show that there has been a completion of this canal, not a certificate of its completion, which might under some circumstances be very serious reason for accrediting of that fact by the grantee and his assigns and might create an equity; but it is not conclusive on the Congress of the United States when there has been an unlawful selection by an executive officer, or by a State officer, and an unlawful approval by an executive officer of the United States. The fact of the certificate by the governor has no legal or logical significance for this purpose in such a case.

We are dealing here with the power of appropriating this land to the purposes described in that act or forfeiting it. You are inquiring as to a compliance with the requirements of the act. You are not asking whether some person has honestly invested his money upon a certificate given by an officer designated in that act, because the allegation here has been that this was a fraud; that the receiver who was appointed himself perpetrated this fraud; that it was a conspiracy to assert facts which did not exist, where no completion has ever been made, and no compliance with the act of Congress.

If these facts can be brought here in a proper form to prove a compliance with the donating act and to show clearly that this money was honestly invested (and I do not say it was not; I am only speaking of the case here presented), then I would vote to confirm the title of that purchaser or investor, be the consequences what they might to the people who may have located upon that land or who it is desirable should have the right now to locate there. If the good faith of the Government and sound policy of recognizing honest, equitable rights requires it, I should be disposed to follow out that idea.

But we are without the means to decide upon these facts, and therefore I have suggested, and for myself I should prefer that these grants were excepted out of this forfeiture bill, with a requirement that the Secretary of the Interior should investigate, take evidence in proper form, let the parties appear before some United States officer and let that testimony be reported to Congress that Congress may decide and not the Secretary of the Interior as to the rights in good faith and equity of these parties. I think a member of Congress, whether in the Senate or in the other House, ought to assert the jurisdiction of the legislative department. We seem to abdicate our own functions. We vest a discretion in Department officers to do what Congress should do. The power of Congress, and its rightful assertion of jurisdiction, is beginning to be a little felt and a little recognized throughout the country, especially in regard to this matter of the public lands.

Mr. President, I presented the other day a question similar to this. I presented an amendment for the protection of innocent purchasers and actual settlers under color of title where there was no question of the completion of a railroad and compliance with the terms of the grant within the period of time designated in the act; where there was no question of the recognition by the State who was the grantee of the rights of these people, and this was the extent to which the amendment went in that direction, and it was rejected, laid on the table without consideration; but I find here a case where the title is impeached, where two committees of the Senate and of the House have reported against it, where a charge is made of fraudulent practices in the officers of the Government and in the courts and in the parties claiming these lands, by committees of two Houses of Congress, and affirmed as being probably true by a Senator in this body, and this amendment confirming this title thus attacked and thus assailed will be adopted by this body.

An amendment protecting poor people who are innocent purchasers, and nobody alleges the contrary, who have been in possession for years under a grant which is not impeached and under color of title is rejected without consideration. Well, there is a difference. The one is composed of poor people who have no means of asserting their rights. They are not a great and wealthy body as the Senator from Michigan states the claimants to be who are to be benefited by this amendment, but they are poor and humble people. The difference between the cases: The only difference is that in their case there is no impeachment whatever, there is no charge of fraud, there is no question of compliance with the terms of the granting act literally, and within the period of time required by the act. But these people are to be set aside, left unprotected, while in this case the confirmation is insisted upon.

Mr. President, for these reasons I object to this amendment. While I am willing to vote for an amendment excepting the Portage Lake Canal Company from the operation of this act, and also the Ontonagon and Brulé River Railroad Company, and requiring the present status of the lands to remain unchanged until a full investigation and report of the facts can be made to Congress, and an intelligent and deliberate consideration had by this body—when that shall be done I shall vote to confirm every title in every individual who is not a party to nor charged with knowledge of a conspiracy to perpetrate a fraud upon the Government, every innocent purchaser whom the evidence shall show has invested his money without reasonable notice of the fraud that is charged to have been committed and without notice of the circumstances attending this case.

That is the full extent to which we ought to go. There can be no further step taken properly in a case of this kind until all the facts are presented to us, and presented to us in a form in which they can not be asserted on the one side and denied on the other.

The PRESIDING OFFICER (Mr. BERRY in the chair). The question is on the amendment of the Senator from Massachusetts [Mr. HOAR] to the amendment made as in Committee of the Whole.

Mr. GEORGE. Mr. President, I have no feeling in this matter except to do exactly what is right. I desire to call the attention of the Senator from Massachusetts [Mr. HOAR] to what I am about to say.

Under the explanation made by the Senator from Massachusetts yesterday and the failure of the Senator from Michigan [Mr. PALMER] to controvert or dispute in any way the explanation made by the Senator from Massachusetts, I am inclined to believe it my duty to vote

for a confirmation of the land grant to the canal company, but with this reservation (and that is the point to which I desire to call the attention of the Senator from Massachusetts) that in doing that I think it is my duty to preserve the rights of pre-emption claimants and homestead claimants. If I am satisfied that those rights are sufficiently protected, then I shall vote for the amendment offered by the Senator from Massachusetts. Unless I am so satisfied, I shall not be able to vote for it.

I therefore wish to call the attention of the Senator from Massachusetts to the point whether the language of the amendment is sufficient to protect the rights of pre-emptors and homesteaders on the land which his amendment proposes to confirm to the canal company.

Mr. HOAR. The language on that particular point was drawn by the Senator from Wisconsin.

Mr. SPOONER. No; the amendment was drawn by the Senator from Michigan [Mr. PALMER]. It was offered by him, and I accepted it.

Mr. HOAR. The language is this:

Nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States.

I suppose that covers and protects that class of rights which the Senator from Mississippi refers to, and that the foregoing confirmation does not operate as against them. That is the way I understand it.

Mr. GEORGE. The trouble I have about it is that the confirmation to the canal company is neither a sale nor an entry, but it is a grant, and I fear that under the language used the claims of the homesteaders and pre-emption men will not be sustained.

I suggest, if the Senator from Massachusetts is in accord with me in the purpose to save the rights of the homesteaders and pre-emption claimants, that we add at the end of the clause which we are now considering, the proposition of the Senator from Michigan which has been adopted, the words:

And all such pre-emption and homestead claims are hereby confirmed.

With that addition I should be willing to support the amendment of the Senator from Massachusetts.

Mr. SPOONER. It seems to me that the point made by the Senator from Mississippi is perhaps well taken. In other words, I think while the proviso as to the confirmations which would be brought about by my amendment, if adopted, is not so drawn as to embrace the case of bona fide homesteaders and settlers as against the State selections, I suggest to the Senator that if he would add the words "or State selections" after the words "entries of lands" he would cover the ground.

Mr. GEORGE. It would then read:

Nothing herein contained shall be construed to confirm any sales or entries of lands or State selections.

Mr. HOAR. I have no objection to that.

Mr. SPOONER. I think the point made by the Senator from Mississippi is well taken.

Mr. HOAR. I will so modify my amendment, with the leave of the Senator from Mississippi.

Mr. GEORGE. Then what is the objection to adding the words I have suggested, to remove all doubt, that all such bona fide pre-emptions mentioned before, and homestead claims, are hereby confirmed? What is the objection to that? That removes all doubt.

Mr. TELLER. I should like to suggest to the Senator from Mississippi that we do not confirm any of those titles. All we want to do is to leave the parties with the rights they now have and let the Department deal with them. There will be a contest between different entrymen, and if we should confirm one we might cut another one out. If we simply leave it so that the bill will have no effect whatever upon their claims, and they are bona fide settlers, then the Department will act.

Mr. GEORGE. I do not think that is sufficient.

Mr. HOAR. Suppose there were three or four bona fide claimants to the same tract of land. Of course, their titles require confirmation to be effective, but they are bona fide claimants.

Mr. GEORGE. They can not all be bona fide.

Mr. HOAR. Certainly; there can be half a dozen bona fide claimants to the same tract.

Mr. TELLER. Three or four settlers might be on the same quarter-section, having in good faith attempted to make an entry.

Mr. GEORGE. I will fix it now.

Mr. DOLPH. The first portion of the amendment of the Senator from Wisconsin confirms all the entries in general terms.

Mr. GEORGE. I suggest to add to line 5 of the amendment which was proposed by the Senator from Michigan [Mr. PALMER] the words:

And all such pre-emption and homestead claims are hereby exempted from the operations of this act.

What I want to do is to make it certain that the bona fide pre-emptors and settlers on this land shall not be deprived of their rights as they exist now.

Mr. DOLPH. If the Senator from Mississippi will allow me to make a suggestion to him, he will see that his amendment is in direct conflict with the other portion of the amendment of the Senator from Wisconsin. The amendment of the Senator from Wisconsin reads:

That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States, under color of the public-land laws, and where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed.

Everybody, pre-emption claimants, homestead entrymen, cash sales, all disposals are hereby confirmed. Then, in order that these confirmations of cash entries and of selections shall not cut out conflicting homestead and pre-emption entries, the last clause of the amendment comes in:

That nothing herein contained shall be construed to confirm any sales or entries of land upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States.

The amendment, as it stands now, without the amendment proposed by the Senator from Mississippi, would leave the claims of these pre-emption and homestead entrymen to be confirmed; but now comes in the Senator with an amendment which says that this proposed act shall not cover them; that whenever any of these lands are settled upon by homestead and pre-emption claims the act shall not cover them, and the claims of cash entrymen and others shall not be confirmed where there is no conflict. I think that is in contradiction with the first part of the amendment.

Mr. GEORGE. Why not let it stand, then, as I originally drew it? I first proposed to add:

And all such pre-emption and homestead claims are hereby confirmed.

Mr. DOLPH. Because they are confirmed, if the Senator will turn back to line 10 of the printed amendment.

Mr. GEORGE. Then it is only an objection to the style. Certainly the idea is, and I understand that to be the sense of the Senate, that we ought to provide in this bill that the claims of bona fide homesteaders and pre-emptors shall be confirmed. That is all I want to have done.

Mr. DOLPH. The claim of a pre-emption claimant can not be confirmed until he has paid the money and it has been received by the Government.

Mr. GEORGE. A claim can be confirmed.

Mr. DOLPH. A homesteader must live five years on his land and conform to the requirement of the statute, and then he gets his title.

Mr. GEORGE. That is correct. The claim is only confirmed; the claim is made good; that is all. The court will consider that; but I wish simply to provide that nothing herein shall prevent the claimant from going on regularly under the laws of the United States and perfecting his pre-emption or homestead claim.

Mr. DOLPH. By the first portion of the amendment it is proposed to confirm all dispositions of the land forfeited by this act, but for fear that the confirmation of cash entries and State selections will cut out certain homestead and pre-emption claimants, it is provided that—

Nothing herein contained shall be construed to confirm any sales or entries of lands.

That means cash entries; and now it has been amended so as to read:

Or State selections.

Mr. SPOONER. It has not been so amended yet.

Mr. DOLPH. I thought that was accepted by the Senator. It has not been amended, but is a part of the pending amendment.

The PRESIDING OFFICER. That amendment is pending.

Mr. DOLPH. It is a part of the pending amendment of the Senator from Massachusetts. It will be the amendment, if that is adopted:

Upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888.

But any bona fide pre-emption or homestead claims are covered by the first portion of the amendment. You may insert the word "cash" before "entries."

Mr. GEORGE. I am afraid that will not answer; and therefore I shall insist, in order to remove all doubt on the subject, and it can do no harm, that the words be added:

And all such pre-emption and homestead claims are hereby confirmed.

Mr. SPOONER. What would the Senator do in cases where there are contests between pre-emptors?

Mr. GEORGE. They must be decided according to the one who has the right to the land.

Mr. SPOONER. I would say to the Senator——

Mr. GEORGE. The answer to that is this: it is not the wrong claim that is confirmed. The one who has a superior claim will have his claim confirmed, and the one who has an inferior claim or a bad claim will not have it confirmed.

Mr. SPOONER. Does not the Senator think that the laws of the United States, as they now exist, are ample to protect bona fide homestead and pre-emption claimants, if it is clearly and expressly declared that nothing in the act shall operate to their prejudice?

Mr. GEORGE. It is not so declared.

Mr. SPOONER. It is so declared, I think; it was intended to be so declared. The main proposition was to confirm certain cash entries.

Mr. GEORGE. Point out in the bill where their claims are confirmed.

Mr. SPOONER. I will undertake to do it.

Mr. GEORGE. That is all I want to have done.

Mr. HOAR. While the Senator is looking for that, I should like to make a modification of my amendment by putting in, after the words "State selections," the words "in Michigan." I understand that to be the meaning of the amendment as it now stands; that it refers to grants heretofore made to the State of Michigan; but some question has been raised whether it would not extend to other States which have not been discussed. I therefore modify my amendment.

The PRESIDING OFFICER. The Secretary will state the proposed modification.

The CHIEF CLERK. In line 7 strike out the word "and" and insert the words "or under State selections in Michigan confirmed by the Secretary of the Interior."

The PRESIDING OFFICER. If there be no objection the amendment will be so modified.

Mr. CALL. Mr. President, I should like to ask the Senator from Mississippi if the selection of these lands was made and approved to the canal company, how is it that a homestead settler or anybody else, not holding under that company, can rightfully have a title or an interest in the land confirmed to him; and upon what theory the amendment can be sustained, except that there is no title now existing in the canal company or persons holding under them, and that a title is now at this time created by Congress either under the homestead or pre-emption law?

Mr. GEORGE. The answer to that is a very plain one, Mr. President. The explanation made by the Senator from Massachusetts [Mr. HOAR] yesterday showed this state of facts, that owing only to the circumstance that there had been an old grant which had never been complied with of these lands to a railroad company, the location of these lands by the canal company was not valid. I have made up my mind that in the interest of justice and fairness the old claim of the railroad company which is forfeited by this bill, which has nothing but an ideal and nebulous existence, should not stand in the way of the grant to the canal company upon conditions which I understand have been fully complied with.

I am willing to make that confirmation in general terms, but as we must have a confirming act, in the interest of the homesteaders and pre-emptors, I propose to withhold from the confirming act these claims, so that nothing will be done here which will prejudice in any way whatever the interest of that very meritorious class of our citizens.

I hope that is an answer to the Senator from Florida.

Mr. SPOONER. I have from the outset stated that I had no desire whatever nor even a willingness to participate in the passage or favor the passage of any proposition which would confirm the title of any one to the detriment of a bona fide homestead or pre-emption claimant. If the language proposed by the Senator from Mississippi strengthens the protection, and I am inclined to think it does, which the original amendment offered by the Senator from Michigan throws around the homestead and pre-emption claimants, I am entirely willing, so far as I am concerned, to support it, and I shall vote for it.

The PRESIDING OFFICER. The amendment of the Senator from Mississippi is not now in order.

Mr. GEORGE. Are any of these lands in the State of Wisconsin?

Mr. SPOONER. Not one acre.

Mr. GEORGE. They are wholly in the State of Michigan?

Mr. PALMER. Yes, sir.

Mr. GEORGE. I will be satisfied that any language shall be used to preserve the rights of these homesteaders which the Senator from Michigan [Mr. PALMER], the State in which these claims exist, will declare is satisfactory to him.

Mr. SPOONER. I said what I did because it was an amendment to my amendment.

Mr. PALMER. I thought it was an amendment to my amendment.

Mr. SPOONER. I had accepted the amendment of the Senator from Michigan, and it then became a part of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Massachusetts [Mr. HOAR] to the amendment of the Senator from Wisconsin [Mr. SPOONER], which was adopted as in Committee of the Whole.

Mr. PALMER. It ask that it be read.

Mr. HOAR. I will accept the amendment of the Senator from Mississippi [Mr. GEORGE] if I am at liberty to do so.

The PRESIDING OFFICER. The Secretary informs the Chair that that amendment comes in at a different point, and that it can not be accepted in that way.

Mr. HOAR. Very well. I do not understand that there is any objection to the amendment of the Senator from Mississippi.

Mr. PALMER. I wish to hear it read first.

Mr. HOAR. I ask leave, then, if there be no objection, that the vote be first taken on the amendment of the Senator from Mississippi.

Mr. PALMER. Let it be read.

Mr. GEORGE. I understood the Senator from Massachusetts to accept my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Mississippi is not now in order under the rules, because it is an amendment to another part of the amendment made as in Committee of the Whole.

Mr. HOAR. It is in order by unanimous consent, and I ask unanimous consent that the question be put upon that amendment first. It is not an amendment in the third degree. It is only an amendment in another place in the matter to be amended, so that it is just as much in order as my amendment is in order, except that ordinarily the question would be put on mine first, as I happened to offer it first. I merely ask unanimous consent that the question may be taken on the amendment of the Senator from Mississippi before it is taken on mine.

The PRESIDING OFFICER. The Senator from Michigan [Mr. PALMER] has asked to have the amendment read. It will be read.

The CHIEF CLERK. At the end of line 5 of the "amendment intended to be proposed by Mr. PALMER," after the word "States," add the words:

And all such pre-emption and homestead claims are hereby confirmed.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. HOAR] asks unanimous consent that the vote be taken on the amendment proposed by the Senator from Mississippi before the vote is taken on the amendment offered by him. Is there objection? The Chair hears none; and the vote will be so taken.

Mr. PALMER. I should like to have the amendment read so as to show how the clause will appear consecutively.

The PRESIDING OFFICER. The Secretary will read the amendment as requested.

The CHIEF CLERK. At the end of line 5, after the word "States," add the words:

And all such pre-emption and homestead claims are hereby confirmed.

So as to read:

Nothing herein contained shall be construed to confirm any sales or entries of lands upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States; and all such pre-emption and homestead claims are hereby confirmed.

Mr. CALL. Mr. President, the Senator from Mississippi says that he is in favor of protecting and confirming the rights of persons who have gone upon this land and made application for homestead or pre-emption settlement, because it was within the limits of a railroad grant which, under the decision of the Supreme Court in Schulenberg *vs.* Harriman, was supposed to be alive at the time the selection was made; and that the granting act to the canal company having been complied with in all respects, this was a mere technical error. I do not think that fact would invalidate the title, for I have myself no doubt that a grant which Congress commands is to terminate by force of law at a particular time, if it be a law, must execute itself.

I have no doubt that if the Ontonagon and Brulé Railroad was not completed according to the requirements of the act of Congress, and the grant was made dependent by the law upon that completion, the selection was a good one. The proposition of the Senator from Mississippi is entirely correct that a valid grant complied with in its terms would give an equitable right to the thing granted, although there was some mere technical error, and that this amendment gives it validity as a matter of law; but that reason is just as good for the whole as for any part of the grant. It is just as obligatory upon the conscience of the Senator from Mississippi to vote the land occupied by the homesteader or any other intruder upon a valid grant as it is upon that unoccupied, and the right of the man who wishes to homestead, who now desires to go upon the land, is just as great, so far as the right is concerned, as the man who is upon it, except that in the latter case he has expended time and effort in his improvement.

But as I understand the case here, there is on one side a certificate of the governor showing compliance with the terms, and on the other there is a declaration of the receiver of the court that there had been no compliance. There is an acquisition of the property by a fraudulent declaration that this grant had not been complied with, and that these lands were not the property of the company. I understand the allegation to be that the present claim of right or title rests upon that fact, and that the same parties are now the owners who were the owners then.

I do not undertake to say that this is true. I say that is the allegation here, and it is made by two committees of Congress, and against it only is the single fact of a certificate by a governor of a compliance with the terms. That I understand to be the case here, so that it can not be put upon the ground that there has been proved here a compliance with the terms of the grant. The Senator from Michigan has had read this morning document after document, the statements of witness after witness, and the report of two committees of Congress, in express denial of that allegation.

I say that notwithstanding that statement, if it be evidenced here that there has been any honest investment in good faith by an innocent purchaser of his money without reasonable notice, and the facts should be proved, I should vote for it; but that fact is not proved. It is not made clear. It may be true. I do not undertake to say that it

is not true, but the evidence is to the contrary; but I say that there is no proof at this time as against the evidence of non-compliance to establish the fact of compliance with this grant.

Therefore the proper course for us to pursue would be to instruct the Secretary of the Interior, after excepting this grant from the operation of this act, to take testimony upon that subject, and when it shall come here to protect by positive legislation every man who is an investor, without notice making his investment by either the permissive neglect of the Government in asserting its right or otherwise; and that we should protect him in his rights. Then, if there is a remainder not covered by such cases, let us open the land to settlement by the people of the country.

Mr. BLAIR. I hope we may now have a vote.

Mr. SPOONER. I wish to make a suggestion to the Senator from Massachusetts. His amendment is to confirm, I understand, if adopted, all State selections approved by the Secretary of the Interior.

Mr. HOAR. In Michigan.

Mr. SPOONER. Has it been so amended?

Mr. BLAIR. It has been so amended, and besides it is not the question before the Senate. I ask for a vote on the question before the Senate.

The PRESIDENT *pro tempore*. The pending amendment will be stated.

The CHIEF CLERK. In line 5, after the word "States," it is proposed to add the words:

And all such pre-emption and homestead claims are hereby confirmed.

The PRESIDENT *pro tempore*. By unanimous consent the question on the amendment of the Senator from Massachusetts is laid aside for the consideration of the amendment just reported, proposed by the Senator from Mississippi. Is the Senate ready for the question?

The amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question now recurs on the amendment proposed by the Senator from Massachusetts to the amendment made as in Committee of the Whole. It will be again read if desired.

Mr. PALMER. Let it be read.

The CHIEF CLERK. In line 6 of the proposed amendment, after the word "States," strike out the words "by sales or entries, by cash warrants or scrip;" and in line 7, after the word "laws," strike out the word "and" and insert "or under State selections in Michigan confirmed by the Secretary of the Interior;" so as to read:

That in all cases when any of the lands forfeited by the first section of this act, or when any lands relinquished to, or for any cause resumed by, the United States from grants for railroad purposes, heretofore made to the State of Michigan, have heretofore been disposed of by the proper officers of the United States, under color of the public-land laws or under State selections in Michigan confirmed by the Secretary of the Interior, where the consideration received therefor is still retained by the Government, the right and title of all persons holding or claiming under such disposals shall be, and is hereby, confirmed.

Mr. PALMER. I hope that amendment will not prevail. As is very evident from what I said this morning it proposes to confirm a grant that is invalid and which the equities of the case, in my opinion, demand should not be confirmed. I shall not weary the Senate any further with any remarks, but it confirms the canal grant, which is the thing about which we have had the contest.

Mr. HOAR. It will be observed that the amendment proposed by the Senator from Wisconsin does not confirm the grant unless the Secretary of the Interior finds that the title was acquired in good faith for a valuable consideration, which consideration has been received and retained by the Government. All the matters which the Senator has debated have to be passed on by the officers of the Government.

Mr. PALMER. I will say that I should hate to delegate that power to any Secretary of the Interior. I prefer to have it decided here, and I know, if the Senate understood the amendment thoroughly, it would not get ten votes in the Senate.

The PRESIDENT *pro tempore*. Is the Senate ready for the question on agreeing to the amendment of the Senator from Massachusetts [Mr. HOAR] to the amendment made as in Committee of the Whole?

Mr. BERRY. I ask for the yeas and nays.

Mr. PALMER. Yes, let us have the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. SABIN (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA]. I am not advised as to how he would vote if present. If I were not paired, I should vote "nay."

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON], but as this is not a party question I will vote. I vote "yea."

The roll-call was concluded.

Mr. GRAY. I have been requested to announce that the senior Senator from Kentucky [Mr. BECK] is paired with the Senator from Maine [Mr. HALE], and that the junior Senator from Kentucky [Mr. BLACKBURN] and the Senator from Nebraska [Mr. MANDERSON] are paired.

Mr. BATE. My colleague [Mr. HARRIS] is paired with the Senator from Vermont [Mr. MORRILL].

Mr. VANCE. I wish to announce that the Senator from Missouri [Mr. VEST] is paired with the Senator from Kansas [Mr. PLUMB].

Mr. BLODGETT. I am paired with my colleague [Mr. MCPHERSON]. If my colleague were present, he would vote "yea" and I should vote "nay."

Mr. CHACE. I have transferred my pair with the Senator from Georgia [Mr. COLQUITT] to my colleague [Mr. ALDRICH], and I therefore vote "yea."

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN].

Mr. FRYE. My colleague [Mr. HALE] is necessarily detained from the Senate, and is paired with the Senator from Kentucky [Mr. BECK].

Mr. CULLOM. I desire to announce the pair of the Senator from Connecticut [Mr. PLATT] with the Senator from Virginia [Mr. DANIEL].

Mr. EVARTS. I am paired with the Senator from Alabama [Mr. MORGAN]. I am not advised how he would vote. I should vote "yea" if I were not paired.

The result was announced—yeas 27, nays 14; as follows:

YEAS—27.

Allison,	Davis,	Hawley,	Sherman,
Blair,	Dolph,	Hiscock,	Stewart,
Brown,	Farwell,	Hoar,	Stockbridge,
Cameron,	Frye,	Mitchell,	Teller,
Chace,	George,	Pugh,	Walthall,
Chandler,	Gray,	Quay,	Wilson of Iowa.
Cullom,	Hampton,	Sawyer,	

NAYS—14.

Bate,	Cockrell,	Palmer,	Turpie,
Berry,	Coke,	Pasco,	Vance.
Butler,	Faulkner,	Reagan,	
Call,	Jones of Arkansas,	Saulsbury,	

ABSENT—35.

Aldrich,	Eustis,	Kenna,	Ransom,
Beck,	Evarts,	McPherson,	Riddleberger,
Blackburn,	Gibson,	Manderson,	Sabin,
Blodgett,	Gorman,	Morgan,	Spooner,
Bowen,	Hale,	Morrill,	Stanford,
Colquitt,	Harris,	Paddock,	Vest,
Daniel,	Hearst,	Payne,	Voorhees,
Dawes,	Ingalls,	Platt,	Wilson of Md.
Edmunds,	Jones of Nevada,	Plumb,	

So the amendment to the amendment was agreed to.

The PRESIDENT *pro tempore*. The question now is, Will the Senate concur in the amendment made as in Committee of the Whole as amended?

The amendment as amended was concurred in.

Mr. WILSON, of Iowa. I desire to submit an amendment to section 2, by adding thereto the following additional proviso:

And provided further, That the provisions of this section shall not apply to any lands situate in the State of Iowa on which any person in good faith has made or asserted the right to make a pre-emption or homestead settlement.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Iowa [Mr. WILSON].

Mr. WILSON, of Iowa. Mr. President, I am not disposed to interfere with this section of the bill, or with the bill itself, in respect of the interests of other States; but in order to avoid a great deal of confusion and contention in the State of Iowa I hope the Senate will adopt this amendment. I have expressly confined it in its operation to the State of Iowa, and unless it shall be adopted by the Senate all that has been done toward the settlement of the controversies growing out of land grants that were made for the purpose of railroads which have not been completed will be undone. The Senator from Oregon [Mr. DOLPH] shakes his head and announces a negative thereby, but I am not mistaken in my opinion of the effect of the second section of the bill so far as it relates to Iowa.

Mr. DOLPH. Will the Senator permit me to interrupt him as the best way I have to get to an understanding of the matter?

Mr. WILSON, of Iowa. Certainly.

Mr. DOLPH. I suppose the Senator from Iowa must understand that this section would prevent persons in possession from taking the lands under the homestead and pre-emption laws.

Mr. WILSON, of Iowa. It will confirm rights in persons who have not now completed rights, and who are in antagonism with others, if the other parties are permitted to take their own course, and will not be able to hold the right that this section would confer upon them without an opportunity to appear in court.

I am not endeavoring to establish any new condition in the State of Iowa. I am simply asking that we shall not have new conditions forced on us, and in order to avoid any conflict with the interests in other States, I have confined the amendment in terms to the State of Iowa.

Mr. DOLPH. I do not understand the section as the Senator from Iowa understands it. The only object of the section is to provide for a class of persons who are in possession of railroad lands which are forfeited by the first section of the bill, who are not entitled to take the lands under the homestead and pre-emption laws of the United States, and who must therefore lose their lands or be permitted to purchase

them from the United States. As to such persons it is provided that they may purchase them for two dollars and a half an acre.

The necessity for such a provision in the bill grows out of the fact that under the decisions of the courts a grant of lands to a State or to a railroad company for the purpose of aiding in the construction of a railroad is held to be a grant *in præsenti*. The title is in the company. It is upon condition-subsequent that the road shall be completed. The United States is proposing to take advantage of the condition to do what is equivalent to an entry at common law for a breach of condition, and to resume title to the land. Certain of these companies, notably the Northern Pacific (I do not know so well about others), have passed resolutions of their boards to the effect that when they had earned the lands they would recognize the persons in possession of them.

Mr. WILSON, of Iowa. Will the Senator from Oregon allow me to interrupt him?

Mr. DOLPH. Let me finish my statement.

Mr. WILSON, of Iowa. Certainly.

Mr. DOLPH. The company stated that they would recognize persons in possession of the land as having the first right to purchase, and they advertised to that effect. They sent their circulars out and invited settlement upon the lands in advance of the construction of the road. People went upon those lands and made improvements. They are now farmed, and valuable. This provision is intended to enable them to procure title in cases where they can not obtain title to their lands under the homestead and pre-emption laws. It is not intended to cut off the right of parties in possession of those lands under the railroad company to take them now under the homestead and pre-emption laws, if they have not exhausted their right to such claims; but if they have it is intended to secure to them their possession by allowing them to purchase directly from the United States, upon making the proper proof, at two dollars and a half an acre.

If the amendment of the Senator from Iowa proceeds upon the idea that persons who have gone into possession of railroad lands under the railroad company by deed or license, would be compelled to purchase of the United States at two dollars and a half an acre, and could not enter their lands under the homestead and pre-emption laws, then I think it is proceeding under a mistaken construction of the section; but if there is any other condition of facts that requires such an amendment I should be very glad to know it.

Mr. WILSON, of Iowa. As I have already stated, I am not undertaking to determine, and I do not ask the Senate to determine, any rule for Oregon, or for Dakota, or Montana, or Washington, or any State or Territory except the State of Iowa.

Mr. DOLPH. I know; but if the rule is necessary for Iowa it may be necessary for some other section of the country, and I want to know what the occasion for the amendment is.

Mr. WILSON, of Iowa. I understand there are conflicts in the State of Iowa of this character. On some of the land not covered by completed road there are homestead settlers, there are pre-emptors. The same is also the case in some disputed tracts within indemnity limits, which is a question affected by the seventh section of the bill. The lands on which these homesteaders are located are covered in some instances by conveyances from the railroad company of lands within the indemnity limits, in which there have been selections by the State. I want to save to these pre-emptors and homesteaders the rights which they have now, without any interference by the second section of the bill.

Mr. DOLPH. Let the amendment be read.

Mr. WILSON, of Iowa. I do not know whether there are any other such cases in other States and Territories. I leave that for Senators representing such States and those who may have knowledge of the Territories to determine their own action in regard to the facts; but for the State of Iowa, understanding the conditions there existing, I want no such disturbance cast upon the people of that State as would come from the adoption of the second section of the bill without this amendment.

Mr. DOLPH. The Senator assumes that the section would be a disturbance to these titles. If I understand it, it would not. The parties who are entitled to purchase of the United States are parties in possession, who are claiming under deeds or contracts from railroad companies and who have made improvements upon their lands. It does not cut off their right to enter the lands under the homestead and pre-emption laws, if they are entitled to do so, if they have not exhausted their right; but if they have exhausted their right to take a homestead or pre-emption claim, then they must lose their claims which they have made valuable by improvements, or there must be some provision made for their purchasing the lands. If that is the contention made in regard to this section I am not willing to admit it, because I am just as anxious to preserve the rights of these people to enter their lands under the homestead and pre-emption laws as the Senator from Iowa.

Mr. WILSON, of Iowa. I am quite content that the Senator from Oregon shall have his own opinion concerning the character of the second section and the effect which would spring from it. I am not asking him to surrender that; but I say there is a condition of affairs existing in Iowa under which persons would be injured, and unjustly so, by the second section of the bill without this amendment. All I ask is that he may entertain his opinion concerning the bill, and let me put in this safeguard with respect to those people in Iowa who have made or attempted to make their pre-emption entries and their homestead claims.

Mr. DOLPH. Let the amendment be read again.

The PRESIDENT *pro tempore*. It will be again read.

The SECRETARY. At the end of section 2 add the following additional proviso:

And provided further, That the provisions of this section shall not apply to any lands situate in the State of Iowa on which any person in good faith has made or asserted the right to make a pre-emption or homestead settlement.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Iowa [Mr. WILSON].

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, and it was read the third time, and passed.

Mr. DOLPH. I ask unanimous consent that the bill may be printed as it has passed before it leaves the possession of the Senate.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

BRIDGES IN NORTH CAROLINA.

Mr. RANSOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2345) authorizing the construction of bridges across the Cape Fear River, Black River, and the Northeast River, in the State of North Carolina, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1 and agree to the same with an amendment as follows: In line 61 of said amendment strike out the word "thereof" and insert the words "of the approval of this act;" and the House agree to the same.

M. W. RANSOM,
G. G. VEST,
PHILETUS SAWYER,
Managers on the part of the Senate.
A. R. ANDERSON,
JAMES PHELAN,
Managers on the part of the House.

The report was concurred in.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 9711) making an appropriation to enable the several Executive Departments of the Government and the Bureau of Agriculture and the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, to participate in the centennial exposition of the Ohio Valley and Central States, to be held at Cincinnati, Ohio, from July 4 to October 27, 1888; in which it requested the concurrence of the Senate.

AMENDMENTS TO BILLS.

Mr. GEORGE submitted an amendment intended to be proposed by him to the bill (H. R. 2952) for the allowance of certain claims for stores and supplies taken and used by the United States Army, as reported by the Court of Claims, under the provisions of the act of March 3, 1883, known as the Bowman act; which was referred to the Committee on Claims, and ordered to be printed.

Mr. BOWEN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Improvement of the Mississippi River, and ordered to be printed.

INTERNATIONAL COPYRIGHT.

The PRESIDENT *pro tempore*. The special order, which has been heretofore partially considered, is Senate bill 554. Does the Senator from Rhode Island [Mr. CHACE] desire to have the Senate proceed with that bill?

Mr. CHACE. I think we had better do so.

Mr. PADDOCK. Will not that disturb the pleuro-pneumonia bill, which is the unfinished business?

Mr. SAWYER. That is to be taken up to-morrow at 2 o'clock.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 544) to amend Title LX, chapter 3, of the Revised Statutes of the United States, the pending question being on the amendment proposed by Mr. JONES, of Arkansas, to strike out from the beginning of line 22 of section 2 to the end of the section, as follows:

During the existence of such copyright the importation into the United States of any book or other article so copyrighted shall be, and it hereby is, prohibited, except in the cases specified in section 2505 of the Revised Statutes of the United States, and except in the case of persons purchasing for use and not for sale, who import not more than two copies at any one time, in each of which cases the written consent of the proprietor of the copyright, signed in the presence of two witnesses, shall be furnished with each importation: *And provided*, That any publisher of a newspaper or magazine may, without such consent, import for his own use, but not for sale, not more than two copies of any newspaper or magazine published in a foreign country. All officers of customs and postmasters are hereby required to seize and destroy all copies of such prohibited articles as shall be entered at the custom-house or otherwise brought into the United States, or transmitted to the mails of the United States. In the case of books in foreign languages, of which only translations in English are copyrighted, the prohibition of importation shall apply only to the translation of the same, and the importation of the books in the original language shall be permitted.

The PRESIDENT *pro tempore*. The yeas and nays were ordered on

the pending amendment of the Senator from Arkansas, and having been taken on a previous occasion the want of a quorum was developed.

Mr. CHACE. As I understand, the Senate was in the midst of a roll-call on the amendment at the time of adjournment when the bill was last under consideration.

The PRESIDENT *pro tempore*. The calling of the roll disclosed the absence of a quorum. The roll-call will proceed on agreeing to the amendment.

The Secretary proceeded to call the roll.

Mr. CHACE (when Mr. ALDRICH's name was called). My colleague [Mr. ALDRICH] is paired with the Senator from Georgia [Mr. COLQUITT] on most questions, but not on this bill.

If I may be permitted, as there seem to be several Senators who either were not present or who do not understand the scope of this proposed amendment, I ask unanimous consent to simply make a statement, without any argument, as to the effect of it.

Mr. FRYE and others. It will be replied to.

Mr. CHACE. Very well; I will let the roll-call proceed.

Mr. BUTLER. I should be very much obliged to the Senator from Rhode Island, so far as I am concerned, if unanimous consent would be given for that purpose. I really do not understand the amendment, and I trust he will be allowed to make a statement.

The PRESIDENT *pro tempore*. By unanimous consent the calling of the roll will be considered as not having commenced.

Mr. BUTLER. I hope that may be done.

The PRESIDENT *pro tempore*. The Senator from Rhode Island is recognized.

Mr. CHACE. I do not desire to speak if it is going to precipitate any discussion. I would rather take the question and let the vote go on.

Mr. BROWN (to Mr. CHACE). You had better explain the amendment.

Mr. CHACE. I will simply say for the information of the Senate that this is the amendment offered by the Senator from Arkansas [Mr. JONES], striking out a certain portion of section 2 of the bill. It is intended to affect, and it will affect, what is called the manufacturing clause, also the right of translation, and also the power of the Government through the collectors and postmasters to prevent the importation of copyrighted books.

I simply wish to make the statement that if the clause is stricken out it takes away from the customs officers and postmasters the right to prevent the importation of any imported books; that it changes the entire operation both of the domestic copyright law as it now exists and of this proposed alteration of the law.

Mr. JONES, of Arkansas. Mr. President, I would like to be permitted to respond to the explanation.

The part of section 2 of the bill which is proposed to be stricken out upon my motion provides simply that, after a foreign author has been permitted to come to the United States and copyright a book, no American shall thereafter import an edition of that book printed abroad, not even by paying the ordinary tariff duties which are now imposed upon books. I propose to strike out that feature and leave the law stand exactly as it is on that question, and not to extend the right of foreigners to prevent the importation of books by securing copyrights in the United States.

The PRESIDENT *pro tempore*. The Secretary will call the roll on agreeing to the amendment of the Senator from Arkansas [Mr. JONES].

The Secretary proceeded to call the roll.

Mr. COKE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were here, I would vote "yea."

Mr. GEORGE (having voted in the affirmative)——

Mr. CHACE. I understood that the Senator from Mississippi [Mr. GEORGE] was paired with the Senator from Kentucky [Mr. BLACKBURN] on this bill. Am I mistaken? I should like to ask the Senator from Mississippi if he is paired with the Senator from Kentucky?

Mr. GEORGE. Yes, I agreed to pair with him when he should be absent. I saw him here this morning. I shall not vote if the Senator from Rhode Island understands me to be paired with the Senator from Kentucky.

Mr. CHACE. I so understood.

Mr. GEORGE. I withdraw my vote.

The PRESIDENT *pro tempore*. The Senator from Mississippi withdraws his vote.

Mr. GEORGE. I desire to have it recorded, however, that I am in favor of the amendment.

The PRESIDENT *pro tempore*. The roll-call will proceed.

The Secretary resumed the call of the roll.

Mr. BATE (when the name of Mr. HARRIS was called). I wish to announce the pair of my colleague [Mr. HARRIS] with the Senator from Vermont [Mr. MORRILL].

Mr. SABIN (when his name was called). I am paired with the Senator from West Virginia [Mr. KENNA]. I am not advised as to how he would vote.

Mr. FAULKNER. I will state to the Senator from Minnesota that the Senator from West Virginia, with whom he is paired, would vote "nay" on this proposition.

Mr. SABIN. Then I will vote. I vote "nay."

The roll-call was concluded.

Mr. WILSON, of Maryland. I am paired with the Senator from Massachusetts [Mr. DAWES].

Mr. CHACE. I can inform the Senator from Maryland that if the Senator from Massachusetts [Mr. DAWES] were here he would vote "nay" on the pending amendment.

Mr. HAWLEY. My colleague [Mr. PLATT] is necessarily absent. He would vote "nay" if he were here. He is paired with the Senator from Virginia [Mr. DANIEL].

The result was announced—yeas 11, nays 26; as follows:

YEAS—11.

Bate,	Gray,	Pugh,	Vance,
Berry,	Jones of Arkansas,	Reagan,	Walthall.
Cockrell,	Pasco,	Saulsbury,	

NAYS—26.

Allison,	Cullom,	Hampton,	Spooner,
Blair,	Davis,	Hawley,	Stewart,
Blodgett,	Edmunds,	Hiscock,	Teller,
Brown,	Evarts,	Hoar,	Turpie,
Butler,	Farwell,	Ingalls,	Wilson of Iowa.
Chace,	Faulkner,	Quay,	
Chandler,	Frye,	Sabin,	

ABSENT—39.

Aldrich,	Dolph,	McPherson,	Ransom,
Beck,	Eustis,	Manderson,	Riddleberger,
Blackburn,	George,	Mitchell,	Sawyer,
Bowen,	Gibson,	Morgan,	Sherman,
Call,	Gorman,	Morrill,	Stanford,
Cameron,	Hale,	Paddock,	Stockbridge,
Coke,	Harris,	Palmer,	Vest,
Colquitt,	Hearst,	Payne,	Voorhees,
Daniel,	Jones of Nevada,	Platt,	Wilson of Md.
Dawes,	Kenna,	Plumb,	

The PRESIDENT *pro tempore*. A quorum not having voted, the Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

Allison,	Coke,	Hiscock,	Saulsbury,
Bate,	Cullom,	Hoar,	Sawyer,
Berry,	Davis,	Ingalls,	Sherman,
Blackburn,	Dolph,	Jones of Arkansas,	Spooner,
Blair,	Edmunds,	Manderson,	Stewart,
Blodgett,	Evarts,	Paddock,	Teller,
Bowen,	Faulkner,	Palmer,	Turpie,
Brown,	Frye,	Pasco,	Vance,
Butler,	George,	Pugh,	Walthall,
Chace,	Gray,	Quay,	Wilson of Iowa,
Chandler,	Hampton,	Reagan,	Wilson of Md.
Cockrell,	Hawley,	Sabin,	

The PRESIDENT *pro tempore*. Forty-seven Senators are present—a quorum.

Mr. JONES, of Arkansas. As it is clear that the difficulty about this vote is owing to the fact that a large number of Senators are paired, though a quorum of Senators is present, and I have no desire to obstruct the business of the Senate, I will withdraw the amendment I offered.

The PRESIDENT *pro tempore*. The Senator from Arkansas asks unanimous consent to withdraw his amendment. It can only be done by unanimous consent, the yeas and nays having been ordered. Is there objection? The Chair hears none, and the amendment is withdrawn. A quorum of the Senate have answered to their names.

Mr. CHACE. I move that the vote be taken now on all the amendments adopted as in Committee of the Whole. They are all *pro forma* amendments, merely verbal.

The PRESIDENT *pro tempore*. The bill is still in Committee of the Whole and open to amendment.

Mr. VANCE. The last vote taken on an amendment showing that there was not a quorum present, I wish to inquire what becomes of the vote on that amendment?

The PRESIDENT *pro tempore*. The want of a quorum being disclosed, by calling the yeas and nays pursuant to the rule, the Chair ordered the Secretary to call the roll of the Senate, which was done, and 47 Senators answered to their names, showing that a quorum was present. Thereupon the Senator from Arkansas asked unanimous consent to withdraw his amendment, which was given, and the bill is now open to amendment in Committee of the Whole.

Mr. VANCE. I have been absent during some of the proceedings, but before I left the city, when this bill was last under discussion preceding my departure, I offered an amendment. I ask leave now to call up that amendment.

The PRESIDENT *pro tempore*. The amendment proposed by the Senator from North Carolina was not in order at the time when it was suggested. It is now in order if the Senator desires to submit it.

Mr. VANCE. Then I now offer it.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. On page 6, in section 4, line 4, after the word "effect," it is proposed to strike out down to and including the word "and," in line 6, as follows:

And each number of a periodical shall be considered an independent publication, subject to the form of copyrighting as above; and.

And to insert in lieu thereof:

Provided, That newspapers, magazines, and periodicals shall not be entitled to copyright as herein provided.

Mr. VANCE. Mr. President, the proposed measure of copyright is intended to create a monopoly and enhance the price of the product, making literature and knowledge dear to the people. Almost all nations, I believe, grant a national copyright on the supposition that the disadvantage of monopoly, bad as it is, would be compensated to some extent by the benefit arising from the encouragement of literature and the stimulation of those who write for the people. An international copyright is simply a monopoly. It is a monopoly between America and the chief nations of civilization and the principal authors and sources of knowledge, and as such it becomes doubly objectionable. It will enhance the price of knowledge to all people in this country, as it will to all people in Great Britain. Yielding as far as may be to the necessity or supposed necessity of an international copyright on books proper, I desire to contend as far as I can for cheap literature in the simpler forms of newspapers, magazines, and periodicals, which are most conveniently and cheaply used for the information of the great mass of the people.

Of course we have the ancient and venerable chestnut brought up, which is always made to do duty in behalf of any proposition to put money into individuals' pockets, that this copyright law would operate to cheapen literature. Life is too short to waste time in arguing that as an abstract proposition. If it did not increase the price of literature there would be no demand for it here. It could not possibly stimulate the genius of a man to write and publish books and matter in magazines unless the price of that matter was increased to him. The inclusion of the kind of literature of which I am speaking by this bill will operate, I think, not only to the damage of our own people, but equally to the damage of the reading portion of the civilized world, at least that portion of it which does read literature in the English language.

I wish to read to the Senate the opinion of one of the principal publishers of London, and that we know is the headquarters of the literature of this age and this world. The publication called The Publishers' Circular, a general record of British and foreign literature, is issued bi-monthly in London, and one of the leading publishers expresses his opinion as follows in that publication:

To the Editor of the Publishers' Circular:

SIR: The more one considers the various effects of such a copyright bill as that now before the American Legislature the more obvious it appears that it is not a copyright bill in an international sense at all. It is a bill calculated wholly and solely to throw additional business into the hands of American printers and paper-makers. It should be entitled "A bill to increase the business of printers and paper-makers." It is dead against the interests alike of English and American authors and the American public. On the whole it may be considered to leave American publishers and English publishers in much the same place as they are now. American authors and publishers, anxious for a real copyright, have been obliged to yield, step by step, to more powerful influences till, in despair, they have been compelled to accept a thing which has nothing of copyright in it but the name.

1. It is against the interests of the American public, because it will necessarily make English reprints much dearer than they would be if only once set up instead of twice.

2. It is against the interests of American authors, because it will call for reciprocal treatment of them on this side.

3. It is practically useless for English authors (nine-tenths of them), whose interest is the sole reason for its existence, because it insists on regulations impossible for them to perform.

4. English and American publishers may derive some benefit from it, because both can make such arrangements as will enable them to set up all English books and print them in America for America, and have plates sent to England to print English editions from. The competition between English and American publishers will probably neutralize the decided advantage which either one might derive from this American type-setting clause.

5. The drift of the bill is, therefore, clearly to send all type-setting, English and American, to America. English printers will have to content themselves with presswork from American-made electrotypes. They will clearly be the main sufferers.

6. It seems to me that remonstrance to the American promoters of this bill would only provoke its certain passage in its present form or its total rejection.

7. The only thing to be done is to let it alone. Let the Americans pass it and call it an American international copyright act. Then, in the interests of British manufacturers it will be absolutely necessary that steps should be taken to make this valuable act reciprocal, which would simply mean to prohibit absolutely the importation of American-made stereotype or electrotype plates, and compel the type-setting here of both English and American copyrights.

AN ENGLISH PUBLISHER.

This I give as the opinion of a practical publisher in the city of London, who knows more about it than I do, and the effect, he says, will be clearly to make the British law reciprocal or conform to the American law, and therefore no American author can publish and copyright his productions in Great Britain without having the type set up and the copyrighted book in whole published in London or everywhere else on the day it is copyrighted.

The whole scheme is evidently one whose basis is what is known as protection, or taxing the people to make a few persons rich. That is the object of the whole thing and that underlies it. It is an effort to extend monopoly extra-territorially beyond the jurisdiction of the laws of our country by a grand international conspiracy between publishers, printers, and book-makers everywhere in the civilized world to make literature and knowledge for the people dear.

It is not worth while for any Senator, as I have known some to do in the course of this debate, to go off into grand heroic and literary eloquence about the glories and blessings of literature and the importance of encouraging that divine afflatus which we call genius, for the benefit of mankind, etc., for no odds how high they soar they become much like Mr. Boffin's secretary with the wooden leg, who professionally "rose and fell," and as a friend "dropped into poetry."

However high they soar in the grand heroics of literary eloquence, professionally, as thrifty protectionists, they drop into filthy lucre. That is at the bottom of it as sure as we live, and in opposing the extension of this interdiction on the acquisition of knowledge by the common people by means of the newspapers, the periodicals, and the magazines of the day, I claim to be a better friend to the grand things which emanate from the human mind and a greater admirer of them than those who undertake to make money out of them by placing them out of the reach of the poor.

Why, sir, how long would it be until the commonest newspaper would be copyrighted? How long would it be until every daily edition by which we are informed of the events of the past twenty-four hours would be copyrighted and the price increased to the people if we do not make some exception?

It seems to me that there can be no excuse for carrying this restriction upon human knowledge so far as this bill would carry it. It seems to me that there is no reason assignable why the source of all our knowledge, why the very fountain of all our civilization and advancement, should be made more costly and more inaccessible to the great mass of our people; and I do trust that there is enough sense of justice left in the Senate to vote for this amendment; and if we are determined to extend the copyright monopoly to all literature in book form proper, to extend at least as cheap a literature as possible to the great mass of our people who have not the means to supply themselves with the more costly books.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from North Carolina [Mr. VANCE].

Mr. VANCE. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. TELLER. I should like to hear the amendment read.

The PRESIDENT *pro tempore*. The amendment will be again read.

The Secretary read the amendment of Mr. VANCE.

The PRESIDENT *pro tempore*. The roll will be called.

The Secretary proceeded to call the roll.

Mr. COKE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were here, I should vote "yea."

Mr. GEORGE (when his name was called). On this bill I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "yea."

Mr. PAYNE (when his name was called). I am paired with the Senator from Nevada [Mr. JONES].

Mr. TELLER (when his name was called). On this bill I am paired with the Senator from Delaware [Mr. GRAY]. He is in favor of the bill, and I presume would vote against this amendment if he were present. I should vote for the amendment if he were present.

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB]. If he were present, I should vote "yea."

The roll-call was concluded.

Mr. COCKRELL. I am paired with the Senator from Nebraska [Mr. MANDERSON]. If he were present, he would vote "nay" and I should vote "yea."

Mr. PADDOCK. I am paired with the Senator from Louisiana [Mr. EUSTIS].

The result was announced—yeas 12, nays 28; as follows:

YEAS—12.

Bate,	Edmunds,	Pugh,	Turpie,
Berry,	Mitchell,	Reagan,	Vance,
Call,	Morgan,	Saulsbury,	Walthall.

NAYS—28.

Allison,	Chandler,	Frye,	Quay,
Blair,	Cullom,	Hampton,	Sawyer,
Blodgett,	Davis,	Hawley,	Sherman,
Bowen,	Dolph,	Hiscock,	Stewart,
Brown,	Evarts,	Hoar,	Stockbridge,
Butler,	Farwell,	Jones of Arkansas,	Wilson of Iowa,
Chace,	Faulkner,	Pasco,	Wilson of Md.

ABSENT—36.

Aldrich,	Eustis,	Jones of Nevada,	Plumb,
Beck,	George,	Kenna,	Ransom,
Blackburn,	Gibson,	McPherson,	Riddleberger,
Cameron,	Gorman,	Manderson,	Sabin,
Cockrell,	Gray,	Morrill,	Spooner,
Coke,	Hale,	Paddock,	Stanford,
Colquitt,	Harris,	Palmer,	Teller,
Daniel,	Hearst,	Payne,	Vest,
Dawes,	Ingalls,	Platt,	Voorhees.

So the amendment was rejected.

Mr. TELLER. I move to add the following as a new section:

This act shall continue in force for the period of five years, and no longer.

The PRESIDENT *pro tempore*. The amendment will be stated from the desk.

The SECRETARY. It is proposed to add as a new section:

This act shall continue in force for the period of five years, and no longer.

Mr. CHACE. This bill is an amendment to the present copyright law, as I understand it, and the effect of the amendment would be to shorten all copyrights, both domestic and foreign, to five years. I may be mistaken, but that is the effect of it, as I understand.

Mr. TELLER. This bill, it is true, is an amendment to the Revised Statutes. If the amendment were adopted as it is, the original law would be in force thereafter, after the five years, without this bill.

I am not myself in favor of this bill, though I do not find the objections to it that the Senator from North Carolina [Mr. VANCE] does. If foreign authors were to have the benefit of American copyright and the American market, I do not myself think it is any hardship on them to say that they shall come here and publish their works here.

I have other objections to this measure. I do not care at this time, after the lengthy discussion of the bill, when the Senate is somewhat tired of it, to enter into a general discussion of the question of international copyright. I believe, however, it will have a tendency, not injurious to American literature particularly, but to increase the price of all literature in this country; and, not believing there is any commensurate benefit for the injury the reading public will receive, I am opposed to the bill. I am in favor of limiting it to a short time, if it is to become a law, until we can see what its practical effect will be.

The PRESIDENT *pro tempore*. The question is on the amendment proposed by the Senator from Colorado [Mr. TELLER].

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

Mr. BLAIR. I desire to say a word before the question is taken on the passage of the bill. I expect to vote for the passage of this bill, but I desire to say that, as far as I am able to understand the subject, it is not such a bill as I believe should be provided for the exigencies of the case. I think that a simple bill, providing a percentage or a royalty upon the sales of books of foreign authors that may be published or circulated in our country, with suitable restraints and provisions for the protection of the interests of the author in his work, would be much better than the present, as I think, complicated measure. But as this has been a matter of controversy for so many years, and it is exceedingly desirable that there should be some legislation on the subject, and as any legislation which is obtained must necessarily be somewhat tentative and dependent upon experiments in the future as to whether it be really remedial and reaching the purpose or not, I am disposed to vote for this bill as probably the only bill that is likely to be enacted at all.

I rose simply to say this, and to indicate the line of legislation that I think should be pursued to protect the only interest that ought to be protected; that is to give a fair compensation to the author for the production of his mind, for his intellectual work, without at the same time tending to jeopardize the interests of the general public in the direction of cheap knowledge, by building up other interests of a purely material nature—those of the publishers and those interested in the mechanical prosecution of the work.

As I stated before, the bill is not framed on that theory. Some legislation, as I think, is required by justice, and we have before us the whole future wherein to perfect this and any other legislation, so that ultimately we may have legislation which, while it shall protect and do justice to authors, will not at the same time tend in the direction of increasing the expense of ordinary and useful knowledge.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDENT *pro tempore*. The question is, Shall the bill pass?

Mr. GEORGE. Mr. President, I am constrained to vote against this bill, and I desire to state briefly the reasons.

The power given by the Constitution is "to promote the progress of science and useful arts by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries." I do not believe this bill promotes science. I believe it obstructs science. I believe it is unjust to a large number of American citizens who have a taste for reading and who have a desire for improvement. I believe that as to them it will do a great injury by raising the price of good books and good literature.

I am opposed to it for other reasons. The foreign author, as the law now exists in this country, has no right to the exclusive printing and publishing of his work here. This bill grants him a right that he has not got, grants a right to a foreigner at the expense of the rights and of the interests of the great mass of the American people.

For these reasons, sir, I would cast my vote, if I were not paired, against the bill.

Mr. SAULSBURY. Mr. President, I shall vote against this bill, because I believe it will tend to increase the price of works by which knowledge is acquired by the mass of the people. Not only does the bill apply to books, but it includes newspapers, periodicals, magazines. Now our papers may copy valuable articles from foreign magazines, conveying desirable knowledge and information.

We have carried our own domestic copyright law to a very great extent. Now an article is copyrighted and no newspaper has a right, without the consent of its author, to make any quotations from it. Recently a member of this body published a pamphlet containing a bill introduced by him and the reports upon it and the debates upon it, and copyrighted that, as if to prevent any one using any part of the matter there contained.

Mr. BLAIR. I assure the Senator that I have paid out thousands of dollars to get this country informed in regard to the matters contained in that publication, and never received one single cent in return. I desire to put that on record for the satisfaction of the Senator and any other Senator who may be curious in this matter. I had it copyrighted for this reason: I made myself poor in the effort to give information on this subject to the people of the country who called for it, and I published a large edition of that document, hoping to sell enough so that I might pay for it with a portion and circulate the rest gratuitously. I found the result to be this: The moment I did that I was accused of endeavoring to make gain out of the matter, and as a final result of the whole I paid my bills and gave away the whole edition.

Mr. SAULSBURY. I have no doubt that is so.

Mr. BLAIR. I only object to the insult. That is all.

Mr. SAULSBURY. I only referred to this to illustrate the fact that we are carrying our own copyright to a very great extent. I certainly meant no offense to the Senator.

Mr. BLAIR. Does the Senator understand that that was carried to any unusual or improper extent? Let him learn that there is any impropriety before he alludes to it or charges it, and let other Senators do the same.

Mr. SAULSBURY. I only referred to that as an illustration of the extent to which our copyright law is carried.

Mr. BLAIR. It is singular no other illustration could be cited.

Mr. SAULSBURY. I have no desire to question the copyright of that book. Would the Senator desire to prevent its publication by any person who wished to quote from that book? It illustrates the extent to which we are carrying our copyright system. My idea is that any information that a newspaper publisher or a periodical publisher might desire to lay before his patrons would, under the operations of this bill, be entirely protected. A very large portion of the people of this country are people of not very great means; they can not have select libraries, and they are dependent for their information largely upon periodicals and newspapers. If these periodicals and newspapers shall, after the passage of this bill, publish extracts from any English work or periodical, they will be held liable to prosecution for it, and the people will be necessarily cut off from obtaining that information. The remarks of the Senator from North Carolina [Mr. VANCE] on that subject were very pertinent in my opinion.

I shall vote against the bill because I think it is a limitation on the information which the people of this country ought to be allowed to possess.

Mr. VANCE. Mr. President, I rise for two reasons: first to call for the yeas and nays on the passage of the bill, so as to have them spread upon the record, and the other is simply to make a philosophical observation as to the queer constitution of human nature. There has been sent over from the House of Representatives a biennial appropriation bill, appropriating about $22,000,000 for the purpose of opening our harbors and their approaches to foreign commerce, whilst we have standing on the statute-book, with a desperate determination to resist any change therein, tariff duties that prohibit the coming of that foreign commerce for which we are preparing the way at so much expense.

It was but a few short and momentous weeks since that this Senate, with my help, under the lead of the gallant and philanthropic and benevolent Senator from New Hampshire [Mr. BLAIR], passed a bill appropriating $78,000,000 to educate the poor and ignorant children of this country and teach them how to read; and now this same Senate, under the lead of the same benevolent Senator, has just passed a bill increasing the price of books to those poor people and placing reading matter out of their reach. And so we go: a bundle of contradictions, with nothing but the natural and inherent and instinctive greatness of our people and of our country to prevent us from becoming supremely ridiculous in the eyes of the civilized world; and that remark is not copyrighted. [Laughter.]

Mr. BLAIR. I wish to correct the Senator from North Carolina in one of his remarks. He speaks of the passage of the bill increasing the price of books. Does he refer to the copyright bill?

Mr. VANCE. That is the benevolence of the Senator from New Hampshire.

The PRESIDENT *pro tempore*. The question is on the passage of the bill.

Mr. VANCE. I have asked for the yeas and nays on that question.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. COKE (when his name was called). I am paired with the Senator from Georgia [Mr. COLQUITT]. If he were here, I should vote "nay."

Mr. GEORGE (when his name was called). On the passage of this bill I am paired with the Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "nay."

Mr. BATE (when the name of Mr. HARRIS was called). My colleague [Mr. HARRIS] is paired with the Senator from Vermont [Mr. MORRILL].

Mr. PAYNE (when his name was called). I am paired with the Senator from Nevada [Mr. JONES]. I understand from his colleague that if he were here he would vote for this bill. So I vote "yea."

Mr. TELLER (when his name was called). I am paired on political questions with the Senator from Louisiana [Mr. GIBSON]. On this question I am paired with the Senator from Delaware [Mr. GRAY]. If he were present, he would vote for the bill and I should vote against it.

The roll-call was concluded.

Mr. FAULKNER. I desire to state that my colleague [Mr. KENNA] is paired with the Senator from Minnesota [Mr. SABIN].

Mr. GEORGE. I desire to state that the Senator from Kentucky [Mr. BECK] is absent, paired with the Senator from Maine [Mr. HALE]. The Senator from Kentucky, if here, would vote "nay."

Mr. FAULKNER. The Senator from Virginia [Mr. DANIEL] is paired with the Senator from Connecticut [Mr. PLATT]. If he were present, the Senator from Virginia would vote "nay" on the passage of the bill.

Mr. COCKRELL. The Senator from Nebraska [Mr. MANDERSON] is paired with me on the passage of this bill. If present, he would vote "yea" and I should vote "nay."

Mr. VEST. I am paired with the Senator from Kansas [Mr. PLUMB].

Mr. HOAR. My colleague [Mr. DAWES] is paired with the Senator from Maryland [Mr. WILSON].

The PRESIDENT *pro tempore*. The Senator from Maryland has voted.

Mr. HOAR. My colleague, if present, would vote the same way as the Senator from Maryland.

The result was announced—yeas 34, nays 10; as follows:

YEAS—34.

Allison,	Cullom,	Hawley,	Payne,
Bate,	Davis,	Hiscock,	Quay,
Blair,	Dolph,	Hoar,	Sawyer,
Blodgett,	Edmunds,	Ingalls,	Spooner,
Bowen,	Evarts,	Mitchell,	Stockbridge,
Brown,	Farwell,	Morgan,	Turpie,
Butler,	Faulkner,	Paddock,	Wilson of Iowa,
Chace,	Frye,	Pasco,	Wilson of Md.
Chandler,	Hampton,		

NAYS—10.

Berry,	Pugh,	Vance,	Walthall.
Call,	Ransom,		
Eustis,	Reagan,		
Jones of Arkansas,	Saulsbury,		

ABSENT—32.

Aldrich,	Dawes,	Jones of Nevada,	Riddleberger,
Beck,	George,	Kenna,	Sabin,
Blackburn,	Gibson,	Manderson,	Sherman,
Cameron,	Gorman,	McPherson,	Stanford,
Cockrell,	Gray,	Morrill,	Stewart,
Coke,	Hale,	Palmer,	Teller,
Colquitt,	Harris,	Platt,	Vest,
Daniel,	Hearst,	Plumb,	Voorhees.

So the bill was passed.

HOUSE BILL REFERRED.

The bill (H. R. 9711) making an appropriation to enable the several Executive Departments of the Government and the Bureau of Agriculture and the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, to participate in the centennial exposition of the Ohio Valley and Central States, to be held at Cincinnati, Ohio, from July 4 to October 27, 1888, was read twice by its title, and referred to the Committee on Appropriations.

LIFE-SAVING STATIONS.

Mr. SPOONER. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 1923) providing for the establishment of a life-saving station at the harbor of Kewaunee, Wis.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Commerce with an amendment, to add:

That the Secretary of the Treasury be, and he is hereby, authorized to establish additional life-saving stations upon the seacoast of the United States as follows: One near the entrance to Yaquina Bay, Oregon; one at or near the mouth of the Umpqua River, Oregon; one between McKenzie's Head and Peterson's Point, near Loomis Place onto the Head, Washington Territory; one on Peterson's Point, at the entrance to Gray's Harbor, Washington Territory, as the General Superintendent of the Life-Saving Service may recommend.

That the Secretary of the Treasury be, and he is hereby, authorized to establish a life-saving station on the coast of Delaware or Maryland, at such point between Indian River Inlet, Delaware, and Ocean City, Maryland, as the General Superintendent of the Life-Saving Service may recommend.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDENT *pro tempore*. It will be necessary for the Senator from Wisconsin to prepare an amendment to the title, unless he adds "and at other places herein named."

Mr. SPOONER. I move that amendment to the title.

The amendment was agreed to.

The title as amended was agreed to.

Mr. FRYE. I move that the Senate insist on its amendments to the bill and ask for a conference.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. FARWELL, Mr. DOLPH, and Mr. GIBSON were appointed.

FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. CALL. I ask unanimous consent that the Senate allow me to make a motion for the reconsideration of the vote on the passage of the land-forfeiture bill, and I desire to state that I merely wish to offer an amendment similar to the one offered by the Senator from Iowa [Mr. WILSON] and which passed the Senate.

The PRESIDENT *pro tempore*. Unanimous consent is not required. The Senator has a right to move to reconsider the vote by which the bill was passed. The Chair understands the motion to reconsider to be entered.

Mr. FARWELL. I ask unanimous consent to call up Order of Business 938, being the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia.

Mr. CALL. I ask the Senator from Illinois to allow me to make the motion to reconsider the vote by which the forfeiture bill was passed.

Mr. FARWELL. Certainly.

The PRESIDENT *pro tempore*. The motion has been entered.

Mr. CALL. I would like to have the question submitted to the Senate and the amendment offered at this time.

The PRESIDENT *pro tempore*. The Senator from Florida moves that the vote by which the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, was passed be reconsidered.

Mr. DOLPH. I move that the motion to reconsider lie on the table.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the motion to reconsider do lie on the table.

Mr. CALL. I ask the Senator to withdraw that motion for a moment.

Mr. DOLPH. I should like to inquire, for information, whether, if the motion to reconsider is laid on the table, that disposes of the motion without affecting the passage of the bill?

The PRESIDENT *pro tempore*. It is a final disposition of the motion.

Mr. DOLPH. I understand the amendment to be the one that was discussed in Committee of the Whole and laid upon the table, and I can not yield.

Mr. CALL. Will not the Senator allow me to make a remark? I merely desire to say that my amendment is precisely similar to the text placed in the bill on motion of the Senator from Iowa, in regard to Iowa. It is necessary to qualify and explain clearly, beyond mistake, an amendment already in the bill, relating to grants in the State of Florida. It is to confirm the settlers in possession. I hope the motion to lay the motion to reconsider on the table will not prevail.

Mr. BLAIR. Before the question is put, I ask unanimous consent to say that the Senator from Florida stated to me his desire to reconsider the vote by which the bill was passed. I inquired of him what was the amendment he desired to move, and he said it was substantially the same amendment that he moved yesterday, and which was discussed, and by a vote of the Senate laid on the table; and under the circumstances I do not think the Senator is entitled to make this motion. The bill has to go to the other House and be amended there and perhaps go to a committee of conference. I think, under the circumstances, I can not assent to a motion to reconsider. The Senate can take the responsibility, however.

Mr. CALL. I ask unanimous consent to say that there can be no reason why the State of Florida shall be discriminated against when the same amendment substantially has been put on for other States. It is no objection to say that the other House may or may not put on the amendment. I only ask it because since my amendment was voted upon the Senator from Iowa has had an amendment put on the bill effecting substantially the same object.

Mr. DOLPH. I take issue with the Senator there. It is not the same amendment.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the motion to reconsider the vote by which the bill was passed be laid on the table.

Mr. CALL. I ask for the yeas and nays on that motion.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON].

Mr. VEST (when his name was called). I am paired with the Senator from Kansas [Mr. PLUMB].

The roll-call was concluded.

Mr. EUSTIS (after having voted in the negative). I am paired with the Senator from Nebraska [Mr. PADDOCK], and withdraw my vote.

Mr. BATE. My colleague [Mr. HARRIS] is paired with the Senator from Vermont [Mr. MORRILL].

Mr. TELLER. Fearing there may not be a quorum, I vote "nay."

The result was announced—yeas 15, nays 26; as follows:

YEAS—15.

Blair,	Cullom,	Hiscock,	Sawyer,
Bowen,	Dolph,	Hoar,	Stewart,
Chace,	Farwell,	Mitchell,	Wilson of Iowa.
Chandler,	Frye,	Palmer,	

NAYS—26.

Allison,	Evarts,	Pasco,	Teller,
Bate,	Faulkner,	Pugh,	Turpie,
Berry,	George,	Quay,	Vance,
Brown,	Gray,	Ransom,	Walthall,
Butler,	Hampton,	Reagan,	Wilson of Md.
Call,	Jones of Arkansas,	Saulsbury,	
Coke,	Morgan,	Spooner,	

ABSENT—35.

Aldrich,	Dawes,	Ingalls,	Plumb,
Beck,	Edmunds,	Jones of Nevada,	Riddleberger,
Blackburn,	Eustis,	Kenna,	Sabin,
Blodgett,	Gibson,	McPherson,	Sherman,
Cameron,	Gorman,	Manderson,	Stanford,
Cockrell,	Hale,	Morrill,	Stockbridge,
Colquitt,	Harris,	Paddock,	Vest,
Daniel,	Hawley,	Payne,	Voorhees.
Davis,	Hearst,	Platt,	

So the Senate refused to lay the motion to reconsider on the table.

The PRESIDENT *pro tempore*. The question recurs on the motion to reconsider the vote by which the bill was passed.

Mr. DOLPH. Is that motion debatable?

The PRESIDENT *pro tempore*. The motion is debatable.

Mr. DOLPH. Mr. President——

Mr. CALL. As I am occupying the floor by consent of the Senator from Illinois [Mr. FARWELL], who asked for the consideration of a bill, I do not feel at liberty, if this motion is to be discussed, to displace him.

Mr. DOLPH. I will inform the Senator that I am not occupying his time, and I am not asking any concession from him in regard to the matter.

The PRESIDENT *pro tempore*. The Chair will state the position of the question. The Senator from Florida [Mr. CALL] made his motion, as he had a right to do, and it is now before the Senate for consideration.

Mr. DOLPH. Mr. President, I understood the Senator from Florida to state that his object in making this motion was in order that he might offer in the Senate an amendment which he offered in Committee of the Whole, which was laid upon the table. That amendment is found printed on pages 4021 and 4022 of to-day's RECORD, and is as follows:

Provided, That the title to the land described in the act entitled "An act granting lands to the States of Alabama and Florida to aid in the construction of certain lines of railway in said States," approved the 17th of May, 1856, which lies adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida entitled "An act to encourage a liberal system of internal improvements in the State of Florida," approved January 5, 1855, within the time limited in the granting act, and which were granted to any of the said companies by the Legislature of the State of Florida, and are held by purchase from said companies made before the year 1866, are hereby confirmed to such purchasers: *Provided further*, That all the public lands within the State of Florida are hereby withdrawn from all entries except homestead entries until the pending legislation on the subject shall be disposed of, or until the present Congress shall terminate, and also accept any sales of a quantity not more than 160 acres to one person, the head of a family; and the register and receiver shall have power to sell isolated tracts of land, whether offered or unoffered, when, in their discretion, it shall be thought best.

It will be seen that there are several propositions involved in this amendment. One proposition is to make a different rule for Florida in regard to lands which have been settled upon and sold by the railroad companies than that which is made for every other State and Territory in the Union. By section 2 of the bill which we have passed it is provided—

That in all cases where persons are in possession of any of the lands affected by any such grant and hereby resumed by and restored to the United States, under deed, written contract with, or license from, the State or corporation to which such grant was made, or its assignees, executed in good faith prior to January 1, 1886, they shall be entitled to purchase the same from the United States, in quantities not exceeding 320 acres to any one such person, at the rate of $2.50 per acre.

What does the Senator from Florida propose by the amendment which he offered in Committee of the Whole? He gets up in the Senate and states that these lands have not been earned, that they are lands which will be forfeited by this act, and then he proposes by the first clause of his amendment to give to the purchasers from the railroad company—and the term "purchasers" includes mortgagees, because that is a qualified purchase—title without payment, while every person in possession of such land in any other of the States or Territories of the Union must pay two dollars and a half an acre.

Besides, it is not safe for the Senate of the United States to legislate on a single statement of a Senator, made in the Senate upon the passage of a bill, that the lands referred to will be forfeited. I know what the Senator's statement is in regard to those lands.

By the act of 1856 there was granted to the State of Florida land for the purpose of constructing three different lines of railroad. By an act of the same year the State of Florida granted all those lands to three trustees for the purpose of aiding in the construction of railroads, and provided that any railroad company chartered under the laws of Florida which should construct a railroad on any of those lines should be entitled to the grant for the road they constructed, and the Senator stated recently, before a subcommittee of the Committee on Public Lands, that there was a controversy whether these lands had been earned or not, that certain railroad companies are claiming these lands, while, according to his theory of the case, they have not been earned.

Mr. CALL. Let me interrupt the Senator. The Senator is entirely mistaken. There is not a human being on the face of the earth that denies the right of the settlers covered by the amendment. The only question is that they can not, in the opinion of many lawyers, myself among them, go into the courts because of a technical defect in the title, which I have explained.

It refers only to the completed parts of the line, completed within the time limited in the original granting act.

Mr. DOLPH. The Senator was before a subcommittee of the Committee on Public Lands only Friday last, and in answer to a question put by me as to whether these lands were claimed by railroad companies as earned lands he said of course they were claimed.

So I say, not only does the Senator from Florida propose a different rule in regard to the persons who have purchased of the railroad companies in Florida from that which this bill adopts as to other States of the Union, but he wants us to legislate in regard to lands the title to which is controverted and which are claimed by the railroad companies to have been earned. What reason is there why the citizens of Oregon should pay $2.50 an acre and every person who has purchased of railroad companies the unearned land now, according to the theory of the Senator from Florida, shall get his land free in Florida? Why should the man who has gone upon 320 acres in Eastern Oregon, of the Northern Pacific grant, and made it valuable, pay $2.50 an acre for his land to the General Government, while the mortgagees of the railroads in Florida shall have their titles confirmed by the amendment of the Senator from Florida? That is the effect of it.

Mr. CALL. I will say to the Senator that there is no corporation on the face of the earth in Florida that would derive any title or interest under this amendment. It refers to settlers and purchasers from the railroad companies where the road was completed within the time required by the granting act.

Mr. DOLPH. Very well. I do not myself place much importance upon the question as to whether the road was completed within a certain time——

Mr. GEORGE. I desire to call the attention of the Senator from Oregon to the words of the amendment. He seems to misconstrue the whole effect of it.

Mr. DOLPH. I think not.

Mr. GEORGE. It only applies to lands opposite the finished portion of the road when the road was finished within the time fixed in the act of Congress granting the land. That is all. It applies to no other land.

Mr. DOLPH. The Senator from Florida has stood up in his place on more than one occasion here and insisted that these lands were not earned, and on that proposition and on that statement of fact he secured an amendment to the bill as it has passed, authorizing pre-emption and homestead entrymen who had gone on these lands before a certain date to perfect their titles, stating in open Senate that the land had not been earned. Now I understand the Senator from Florida to still take that position that while a road was completed adjacent to these lands the State had never made any designation to the company to receive the grant, the grant had never been transferred to the company; and it is a similar case exactly if he is correct to that in Michigan which we had under consideration yesterday where the Senate adopted an amendment to the bill which undertook to forfeit only lands adjacent to uncompleted road, the amendment saying that it should not prevent the forfeiture of lands in Michigan lying west of a certain point, and the reason given for it by the Senator from Michigan was that another company had built a line within the limits of the indemnity lands of the grant which might claim the land, and he was fearful that under the act as it stood the lands would not be forfeited, but could be claimed by that other company.

That is a similar case exactly to the case of Florida if it is true that the railroad company who built the road were not authorized to build it, were not authorized to earn the grant, had never been designated to receive the grant. I think myself that these lands adjacent to completed road have been earned. I think it will turn out so, and that the Senator from Florida is mistaken. But are we going, where there is a disputed question of fact, where the title to the lands is disputed, and when we have heard upon every bill that has been discussed in the Senate the Senator from Florida declaiming on what he called a confirmation of lands which had not been earned by the construction of the roads—are we going to turn around now and adopt an amendment offered by the Senator to confirm all the sales (and I say a mortgage is a sale) made by these companies of these lands?

This amendment goes further, and proposes to amend the general land laws and withdraw in the State of Florida all public lands—

from all entries except homestead entries until the pending legislation on the subject shall be disposed of, or until the present Congress shall terminate, and also except any sales of a quantity not more than 160 acres to one person, the head of a family—

And here is a general provision regulating the duties of the register and receiver of the land office—

and the register and receiver shall have power to sell isolated tracts of land, whether offered to unoffered, when, in their discretion, it shall be thought best.

It seems to me that the Senator's two amendments, the one which has been adopted in the bill and the amendment now proposed, do not harmonize. If I understand what he believes he has accomplished by his amendments, in the one he proposes to go back of the question whether these lands were earned and forfeit them to the extent that there are homestead and pre-emption claims upon them. That has been adopted by the Senate and is part of the bill. Now, he comes in and proposes a wholesale confirmation of all persons claiming land under the railroad companies, admitting himself in the Senate that the lands have not been earned. The Senator from Florida shakes his head. Do I understand him now to state that these lands have been earned?

Mr. CALL. Mr. President, the purpose is a clear one. The granting act of May 17, 1856, required the entire line of road to be completed within ten years. The entire line of road was not completed within ten years. If, therefore, that technical construction is to be had, as some persons and some courts affirm, then no part of the land was earned, but I certainly have never claimed that where the roads were built, or any portion of them, within the ten years, that substantially, if not technically, they were not earned, and those who bought from the companies ought to have their title confirmed. That is all there is in it.

Mr. DOLPH. Then I ask the Senator what earthly use there is of his amendment, if the road was constructed within the time limited and this act does not undertake to forfeit lands except adjacent to uncompleted road? What is the object of his amendment except to do that which he has denounced in every other bill that has been before the Senate, to go back and by an affirmative act of Congress confirm the title of the railroad company and the grantees of the railroad company to lands adjacent to uncompleted road?

Mr. CALL. I will answer the Senator. The act required a disposal by the Legislature of the State. The Legislature of the State of Florida never made any disposal of this grant, but in the internal-improvement act of the State they did declare that they would give the land which the United States might thereafter grant to the State in aid of these roads to such railroad companies authorized under the internal-improvement act as should construct any part of the line.

It has been held very properly that the State of Florida could not and did not give lands which she had no title or right to, but the Legislature of the State after the expiration of this grant to these railroad companies while under the internal-improvement act had built parts of the lines in conformity with that act, gave to them the land for each 10 miles. Long after the grant expired the Legislature of the State granted to the purchasers from the railroad companies whatever rights the State might have. Therefore, while you have no strict legal title which these persons can enforce in the courts, you have all the substantial rights that the law intended to confer, you have the building of the road by the company designated in the internal-improvement act, you have the recognition by the State of the right of these companies to the land and of the purchasers from them so far as the completed lines are concerned, but you have no legal title which can be enforced in an action of ejectment in the opinion of many good lawyers and the courts.

Mr. DOLPH. The grant of 1856 to the State of Florida was a grant *in præsenti*. The title is in the State and will remain there until a forfeiture is had by this bill or by some other act of Congress so far as a forfeiture can be had. It is entirely competent for the State of Florida to-day to make a disposition of these lands for the purpose for which the grant was made, and it is immaterial whether it made it in 1856 or made it afterwards. So far as the road has been built and the State has disposed of the land, there is no necessity whatever for the amendment.

Mr. CALL. What harm is there in it?

Mr. DOLPH. Because it involves a question of fact. It does not leave the railroad companies in Florida to contend for their rights under the act like every other railroad company affected by this bill. We assume that the facts as stated are correct; there is no dispute about them. If the road has been built and the State has designated the company to receive the lands and has transferred the lands to it, that is the end of the matter and the conveyances by the railroad company are good.

Mr. CALL. I ask the Senator, does he say that all the lawyers accept his opinion on that subject? Does he mean to say that because he entertains one opinion of the law it is impossible that the courts and other lawyers may entertain a different one, and that that being the case, legislation shall not be had to make that clear which may be doubtful?

Mr. DOLPH. No; I mean to say that some attention ought to be paid to the report of the Committee on Public Lands in regard to such a bill as this, and that such an amendment as this proposed by the Senator from Florida, which was not considered by the Committee on Public Lands, which was laid upon the table by the Senate in Committee of the Whole, should not now be offered, or at least the vote on the passage of the bill ought not now to be reconsidered to bring the bill back from the House in order that it may be still open for amendment and that we shall renew the discussion upon it.

Mr. SPOONER. I ask the Senator from Oregon if the proposed amendment is the one laid on the table?

Mr. DOLPH. The Senator from Wisconsin inquires if the amendment proposed by the Senator from Florida is the amendment on which the Senate has already acted. I say to him that I understand it to be the amendment which was laid upon the table by the Senate in Committee of the Whole.

Mr. CALL. But I will say to the Senator that that was done before the vote on the amendment of the Senator from Iowa, by which the bill was amended in substantially the same respect.

Mr. DOLPH. The Senator has repeated that over and over again. There is no more similarity between the amendment offered by the Senator from Iowa and the amendment proposed by the Senator from Florida than there is between a mouse and an elephant, only they are both amendments and so a mouse and an elephant are both animals. What was the amendment of the Senator from Iowa? It was an amendment to section 2, which provides that persons in possession of lands under a railroad company under deed or contract from the railroad company shall be entitled to purchase from the United States. The Senator from Iowa, supposing that there might be a contest about lands in the State of Iowa between persons claiming under the railroad companies and persons in possession of the lands under the pre-emption and homestead laws, simply provided that this section 2 should not apply to lands in the State of Iowa upon which there were settlements under the homestead and pre-emption laws.

Mr. CALL. Now let me ask the Senator a question. What was the object of that amendment? What was the purpose, what effect did it have? To protect settlers; to protect occupants on the lands of the railroad companies? Answer me that question, and then tell me what this amendment is for.

Mr. DOLPH. Section 2 of this bill as it passed applies to the forfeited lands of every railroaad company in the United States that comes within the purview of this bill.

Mr. CALL. I ask whether the effect of the amendment of the Senator from Iowa was not to protect actual settlers upon the granted lands under color of purchase or otherwise from the railroad companies?

Mr. DOLPH. It was not. It was to prefer persons who were on these lands under the homestead and pre-emption laws as against persons who were on them under the corporations. So it was an amendment dissimilar from that offered by the Senator from Florida in that respect. The amendment proposed by the Senator from Florida is to confirm all sales in Florida made by the railroad companies. Now, if they are earned lands it is not necessary, because they are not disturbed by this bill. If they are unearned lands that this amendment refers to, then the Senator proposes a different rule for Florida from that which exists for Oregon and the other States of the Union.

Mr. BUTLER. Will the Senator permit me to ask a question?

Mr. DOLPH. Certainly.

Mr. BUTLER. Will the Senator yield to a motion to adjourn?

Mr. DOLPH. No; I think we had better settle this.

Mr. BUTLER. I should like to know exactly what there is before the Senate. Is there a motion to reconsider pending, or is the bill itself under discussion?

The PRESIDENT *pro tempore*. The motion is to reconsider the vote by which Senate bill 1430 was passed.

Mr. BUTLER. The bill has been passed, and I do not see how it can be discussed after it has been passed.

The PRESIDENT *pro tempore*. The motion to reconsider is debatable.

Mr. BUTLER. If the Senator will yield, I will move an adjournment.

Mr. BLAIR. I hope, before the Senator presses that motion——

Mr. BUTLER. I will not press it unless the Senator from Oregon yields.

Mr. BLAIR. I should like to know where the bill is.

Mr. FRYE. If the Senate adjourns with this motion pending it will be here for the next three days.

Mr. BUTLER. I would rather be here for three days than be here at this time of the evening. Of course, I will not press the motion if the Senator from Oregon does not yield.

Mr. DOLPH. I am through. I have said all I desire to say.

Mr. BUTLER. Very well. Then I move that the Senate adjourn.

Mr. BLAIR. I ask unanimous consent that the pending motion be taken up and disposed of to-morrow morning, immediately on the termination of morning business.

The PRESIDENT *pro tempore*. The Senator from New Hampshire

asks unanimous consent that at the close of morning business to-morrow the Senate resume the consideration of the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes. Is there objection?

Mr. BUTLER. I will not interpose an objection if we can have a vote by 2 o'clock; if not, I shall object.

The PRESIDENT *pro tempore*. It is so ordered.

Mr. BUTLER. I move that the Senate adjourn.

BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT *pro tempore*. Before submitting that motion the Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a bureau of animal industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

The Senator from South Carolina moves that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 53 minutes p. m.) the Senate adjourned until to-morrow, Thursday, May 10, 1888, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *May* 9, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

On motion of Mr. RICHARDSON, by unanimous consent, the reading of so much of the Journal of the proceedings of yesterday as relates to the reports of committees was dispensed with. The remainder of the Journal was read and approved.

CONTINGENT EXPENSES TREASURY DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, submitting an estimate of an appropriation to supply deficiencies for contingent expenses of the Treasury Department for the fiscal year 1888; which was referred to the Committee on Appropriations, and ordered to be printed.

JOHN C. GREEN.

The SPEAKER also laid before the House a bill (S. 67) to perfect the military record of John C. Green, of Tennessee; which was referred to the Committee on Military Affairs.

WILLIAM H. ROBERTSON AND E. L. HEDDEN.

The SPEAKER. The gentleman from Texas [Mr. LANHAM], chairman of the Committee on Claims, asks to have an order entered, which the Clerk will read.

The Clerk read as follows:

Resolved, That the Clerk of the House be directed to request the Senate to furnish the House with an engrossed copy of the bill (S. 1198) for the relief of William H. Robertson and Edward L. Hedden, late collectors of customs for the district of the city of New York, the copy thereof heretofore sent to the House having been mislaid.

The order was made.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BLANCHARD, for ten days from May 9, on account of important business.

To Mr. BUTLER, for eight days, commencing with to-day.

INTERNATIONAL EXHIBITION, BRUSSELS.

Mr. RUSSELL, of Massachusetts. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from further consideration of the joint resolution (S. R. 70) appropriating $30,000 for the international exhibition at Brussels, Belgium.

The joint resolution was read.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. RUSSELL, of Massachusetts, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

CENTENNIAL EXPOSITION OF THE OHIO VALLEY.

Mr. BUTTERWORTH. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill (H. R. 9711) making an appropriation to enable the several Executive Departments of the Government and the Bureau of Agriculture and the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, to participate in the centennial exposition of the Ohio Valley and Central States, to be held at Cincinnati, Ohio, from July 4 to October 27, 1888, and that the same be put on its passage.

The Clerk proceeded to read the bill.

Mr. BUTTERWORTH. Mr. Speaker, I can state in a moment what the bill contains, and with the consent of the House I will do so. The States of the Northwest and of the Mississippi Valley have arranged for an exposition in commemoration of the formation of civil government in the Northwest Territory. For that purpose they have already provided buildings, which they have paid for, costing over a million dollars, and have provided a fund beyond that of over a million dollars more. They ask no aid whatever. They simply ask that the Executive Departments may participate in the exposition. The request is made by every State west of the Alleghanies and assented to by the States east of the Alleghanies, and those States have all taken part in the preparations for the exposition.

Mr. GROSVENOR. I have an amendment which should be added to this bill before it is passed.

Mr. BUTTERWORTH. An amendment has been prepared to which there is no objection, providing that certain historical archives may, at the discretion of the committee, be taken to Marietta and remain there during three days on the occasion of the celebration of the early settlement at that place and the establishment of civil government in the Northwest Territory.

Mr. GROSVENOR. I presume the amendment need not be read. The statement of my colleague [Mr. BUTTERWORTH] covers the substance of the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 22 insert the following:

"*Provided*, That said committee may, in the exercise of its discretion, allow such documents and exhibits as relate to the early settlement at Marietta, Ohio, and the establishment of civil government in the territory northwest of the Ohio River, to be taken to Marietta and exhibited during the time from July 15 to 19, 1888, inclusive, under such restrictions and custody as said committee may provide."

Mr. BLAND. Who is to pay the expense of transportation?

Mr. BUTTERWORTH. The Government pays the expense of its own participation; that is all. No Government aid is asked.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time.

Mr. HOLMAN. As the bill is now before the House for consideration, I think it should be read.

The bill was read, as follows:

Whereas the States which comprise the Northwest Territory and the adjacent States will hold at Cincinnati, Ohio, from July 4 to October 27, 1888, a centennial exposition commemorative of the organization of the Northwest Territory, under the ordinance of 1787, in which exposition all the States and Territories of the United States and the General Government have been invited to participate, the object being in said exposition to present a panorama of the nation's resources and present state of progressive development by an exhibition of the products of agriculture, of the various industries, and fine arts; also the results of advancement made in the sciences; the whole illustrating the opportunities secured to and the possibilities which wait upon the citizens of this Republic; and

Whereas the citizens of the Ohio Valley and the several States adjacent thereto have made suitable and adequate preparation and arrangements for holding said exposition, and are desirous—and it being fit and proper—that the several Executive Departments of the Government, the Department of Agriculture, the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, should participate in said exhibition: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the head of each of the several Executive Departments of the Government, the Commissioner of Agriculture, and the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, be, and they are hereby, authorized and directed to prepare and make suitable exhibits at the said Centennial Exposition of the Ohio Valley and Central States, to be held at Cincinnati, beginning on the 4th of July and closing October 27, 1888.

That there shall be appointed a committee of Congress composed of nine members, three to be appointed by the President of the Senate and six by the Speaker of the House of Representatives. Said committee shall constitute an advisory board to confer with the managers of said exposition and the heads of the several Executive Departments and bureaus in reference to the character, extent, and conduct of the Governmental exhibits provided for herein. Said advisory board is authorized and directed to visit said exposition and make such report to Congress in that behalf as they may deem needful and proper.

That to enable the several Executive Departments of the Government, the Department of Agriculture and the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, to participate in said exposition, to be held as aforesaid, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, $150,250, apportioned as follows:

For the War Department, $7,150.
For the Navy Department, $15,000.
For the State Department, $2,500.
For the Treasury Department, $7,500.
For the Interior Department, $36,100.
For the Department of Agriculture, $20,000.
For the Post-Office Department, $5,000.
For the Department of Justice, $2,000.
For the Smithsonian Institution, including the Commission of Fish and Fisheries, $50,000.
For expenses of advisory board, $5,000.

That the said advisory board may, if in their judgment it shall be deemed necessary and expedient in order to secure the best results with greatest economy, transfer a part of the fund hereby apportioned to one Department or bureau to another Department or bureau. The term bureau wherever used herein shall be construed to include the Agricultural Department and the Smithsonian Institution.

That the President of the United States is hereby authorized and requested to detail an officer of the Pay Department of the Army or Navy to disburse the fund appropriated by this act.

That payments on account of expenses incurred in the carrying out and into effect of the provisions hereof shall be made on itemized vouchers approved by the representative of the Department incurring the liability, and a board of audit composed of not less than three persons, one of whom shall be appointed by the committee of Congress: *Provided, however*, That payment of the expenses incurred by the advisory board shall be made on vouchers approved by the president of said board.

That the head of each of said Executive Departments and of the Department of Agriculture and Smithsonian Institution shall, from among the officers or employés thereof, appoint a suitable person to act as representative of such Department or bureau, and said representative shall, under the direction and control of the head of the Department or bureau, supervise the preparation and conduct of the exhibits herein provided for.

That no officer or employé appointed as aforesaid shall be paid extra or additional compensation by reason of services rendered in virtue of such employment; but nothing herein shall be so construed as to prevent the payment of the just and reasonable expenses of any committee, officer, or employé appointed or employed under and by virtue of the provisions of this act.

That all articles imported from the Republic of Mexico or the Dominion of Canada for the purpose of being exhibited at said exposition shall be admitted free of duty, subject, however, to such conditions and regulations as the Secretary of the Treasury may impose and prescribe.

Mr. BLAND rose.

Mr. BUTTERWORTH. I call for the previous question.

Mr. BLAND. I hope the previous question will not be ordered. This bill seems to carry an appropriation of about $200,000, and I think it ought not to be run through in this way.

Mr. BUTTERWORTH. After the previous question has been ordered I will yield to my friend from Missouri whatever time he may want.

The SPEAKER. If the previous question should be ordered, as there has been thus far no debate on the bill, there would be thirty minutes allowed for debate under the rules.

The previous question was ordered.

Mr. BLAND rose.

The SPEAKER. There are now thirty minutes for debate, fifteen minutes on each side.

Mr. MILLS. I hope the gentleman from Missouri will not occupy all that time.

Mr. BLAND. I do not desire to occupy any considerable time in discussing the bill; but it is before the House by unanimous consent, and I do not think members have been paying much attention to it. Yet it is a bill which, if I understand, carries an appropriation of some one hundred and fifty to two hundred thousand dollars.

Mr. MILLS. I hope the gentleman from Ohio [Mr. BUTTERWORTH] will explain the bill briefly, and let us vote upon it.

Mr. BLAND. I do not think the Government ought to go into this exhibition business at its own expense, transporting the exhibits of these Departments in this way.

The SPEAKER. The question is on the passage of the bill.

Mr. BLAND. On that question I call for a division.

The question being taken, there were—ayes 76, noes 14.

Mr. BLAND. I will not take up the time of the House by calling for a quorum; but it does seem to me that a measure of this kind ought to receive more deliberate consideration.

The SPEAKER. On the question, Shall the bill pass, the ayes are 76, the noes 14. [A pause.] The bill is passed.

Mr. BUTTERWORTH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

AGRICULTURAL EXPERIMENT STATIONS.

Mr. BLOUNT. I ask unanimous consent to have taken from the Calendar and passed House bill 7222. I will say to the gentleman from Texas [Mr. MILLS] that if the measure elicits any debate I will withdraw it.

The bill with the amendments of the Committee on Agriculture was read, as follows:

A bill (H. R. 7222) to amend an act entitled "An act to establish agricultural stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the grant of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be effected thereby; and that such installments of the appropriations as may be now due or may hereafter become due, and the Legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he will cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the Legislature of such State or Territory.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. MILLS. Does the bill make any appropriation?

Mr. BLOUNT. None whatever. It simply provides that when the Legislature of any State or Territory is not in session the governor may, on behalf of the State, accept the appropriations under the act of Congress to which the bill is amendatory. The passage of the bill is made necessary by a ruling which has been made on the subject by the Comptroller, and will remove a difference of construction which has arisen.

There being no objection, the House proceeded to the consideration of the bill.

The amendments reported by the Committee on Agriculture were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, was accordingly read the third time, and passed.

Mr. BLOUNT moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

DEFICIENCY APPROPRIATION BILL.

Mr. SAYERS. I ask unanimous consent to discharge the Committee of the Whole on the state of the Union and take up for present consideration the bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes.

Mr. MILLS. I object, and call for the regular order.

CONVICT LABOR.

Mr. O'NEILL, of Pennsylvania. Before the gentleman from Texas insists upon the regular order, I wish he would permit me to present, in compliance with a request of the officers of the Pennsylvania Prison Society, their memorial against the anti-convict-labor bill. They have asked that their memorial be read to the House; but in order to save time I will merely request that it be printed in the RECORD.

Mr. RANDALL. The request of the gentleman from Texas [Mr. SAYERS] having been refused, I must object to any further request for unanimous consent.

Mr. BLAND. Let us have the regular order.

PERSONAL EXPLANATION.

Mr. COGSWELL. I desire to correct a statement which I find in the RECORD; I shall not occupy more than a moment.

The SPEAKER. The gentleman from Massachusetts [Mr. COGSWELL] asks unanimous consent to occupy a moment in correcting a statement in the RECORD.

Mr. McMILLIN. I suppose it is the gentleman's right to make the correction.

The SPEAKER. The Chair does not know what is the nature of the correction which the gentleman desires to make.

Mr. COGSWELL. Mr. Speaker, the gentleman from Nevada [Mr. WOODBURN] the other day made a statement in regard to the Secretary of War, which will take me about a minute to correct. I ask unanimous consent to be permitted to make a brief statement.

The SPEAKER. The gentleman will proceed in the absence of objection.

Mr. COGSWELL. The gentleman from Nevada in his remarks on the tariff bill said, as I find his language reported in the RECORD of the 8th instant, on page 4001:

William Endicott, jr., of Boston, Mass., a Cabinet officer of this Republic, its Secretary of War, was admitted in 1877—

meaning admitted to membership in the Cobden Club. William Endicott, jr., of Boston, a gentleman well known to me, is not a Cabinet officer in this Republic; is not its Secretary of War. He is a gentleman of prominence, and is, or has been, a member of a large importing firm, and an occasional writer upon economic questions. He may possibly be a member of the Cobden Club——

Mr. MILLS. Mr. Speaker——

Mr. COGSWELL. But William C. Endicott, the Secretary of War——

Mr. MILLS. Mr. Speaker, if this is to take up any further time I shall be compelled to interpose an objection.

Mr. COGSWELL. I had nearly finished my statement. [Cries of "Regular order!"] It was in regard to the gentleman's own Secretary of War that I desired to make a correction.

Mr. BLAND. If we are to have tariff speeches let them come in in the regular way. I call for the regular order.

Mr. COGSWELL. You allowed a statement in the case of Mr. Hewitt. This refers to a statement made in reference to your own Secretary of War, which I desired to correct.

The SPEAKER. But the regular order is demanded.

BRIDGES, GRAND FORKS, DAK.

Mr. PHELAN. Mr. Speaker, I rise to submit a privileged report.

The SPEAKER. The gentleman will send it to the desk.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges at said city across the Red River, having met, after full and free conference have agreed to recommend and do recommend as follows: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

JAMES PHELAN,
CHAS. F. CRISP,
Managers on the part of the House.
G. G. VEST,
PHILETUS SAWYER,
C. K. DAVIS,
Managers on the part of the Senate.

The conference committee submit the following statement in explanation of the amendment:

Report of managers on the part of the House upon the disagreement between the two Houses concerning Senate amendment to House bill No. 7348.

The managers appointed on the part of the House upon the disagreement be-

tween the two Houses concerning Senate amendment to House bill No. 7348 respectfully report:

That the only effect of the Senate amendment is to authorize the city of Grand Forks, Dak., to issue bonds in the sum of $50,000, to construct the two free bridges authorized in the bill.

The act approved July 30, 1886, restricting special legislation in the Territories, prevents the city from bonding itself for the purpose of constructing these bridges without authority from Congress. The bridges connecting Grand Forks with East Grand Forks have been swept away, and the people are very anxious to reconstruct them, and for the authority to do so. This legislation is necessary to enable the people to reconstruct the bridges, and your committee recommend concurrence in the Senate amendment.

CHAS. F. CRISP,
JAMES PHELAN,
Managers on the part of the House.

The conference report was agreed to.

Mr. PHELAN moved to reconsider the vote by which the conference report was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The question is on the motion of the gentleman from Texas to dispense with the morning hour for the call of committees for reports.

Mr. TOWNSHEND. With the understanding that reports may be filed with the Clerk.

Mr. MILLS. I ask unanimous consent that gentlemen having reports to make from committees be permitted to file them for proper reference with the Clerk.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RICHARDSON. I wish to make a parliamentary inquiry in this connection. I desire to submit an adverse report and ask to have the matter reported upon placed upon the Calendar.

The SPEAKER. The gentleman can send the report to the desk, and the reference will be made accordingly. Is there objection to the request of the gentleman from Texas?

There was no objection.

The motion of Mr. MILLS was then agreed to.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

BUSINESS ENVELOPE.

Mr. RICHARDSON, from the Committee on Printing, reported back adversely the petition and resolution in relation to a business envelope; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MONUMENT AT NEWBURGH, N. Y.

Mr. STAHLNECKER, from the Committee on the Library, reported back favorably the following resolution which was referred to the House Calendar, and ordered to be printed:

Resolved, That the Secretary of War be, and he hereby is, requested to transmit to this House copies of all reports made to him by the engineers of the War Department or others relating to the present condition of the work on the monument at Washington's headquarters, in the city of Newburgh, State of New York, and any other information relating to the same in possession of his Department, together with any recommendation he may deem proper to make in relation to the completeness thereof, according to the plans adopted therefor by the joint committee of the Senate of the United States and this House.

ANCIENT AND HONORABLE ARTILLERY COMPANY.

Mr. TOWNSHEND, from the Committee on Military Affairs, reported back with amendment the bill (H. R. 9793) authorizing a loan of arms and equipments to the Ancient and Honorable Artillery Company; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

SIGNAL CORPS.

Mr. TOWNSHEND also, from the Committee on Military Affairs, reported a bill (H. R. 9907) to make enlisted men of the signal corps responsible for public property; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PAY OF DISTRICT ATTORNEYS, DEPUTY MARSHALS, ETC.

Mr. COWLES, from the Committee on Expenditures in the Department of Justice, reported back bills of the following titles; which were severally laid on the table:

A bill (H. R. 4308) to abolish fees and perquisites of United States district attorneys, marshals, clerks, commissioners, and deputy marshals, and provide salaries for the same;

A bill (H. R. 3270) to regulate the payment of compensation due to deputy marshals;

A bill (H. R. 1174) relating to the compensation and duties of the United States attorneys;

A bill (H. R. 7844) to fix a salary in lieu of fees for the clerks of the circuit and district courts at Paduca, Ky.; and

A bill (H. R. 1278) relating to the compensation and duties of United States attorneys, marshals, and other court officers, and for other purposes.

He also, from the same committee, reported, in lieu of the foregoing bills, a bill (H. R. 9908) relating to the compensation of United States district attorneys, marshals, deputy marshals, circuit and district court clerks, and commissioners; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ALLOTMENT OF LANDS IN SEVERALTY.

Mr. HUDD, from the Committee on Indian Affairs, reported in the nature of a substitute for the bill H. R. 6695 a bill (H. R. 9909) to provide for the allotment of lands in severalty to the Indians upon the Oneida Reservation in Wisconsin, and granting patents therefor, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

The bill (H. R. 6695) of the same title was ordered to be laid upon the table.

TARIFF.

Mr. MILLS. I now move that the House resolve itself into the Committee of the Whole House for the further consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill, the title of which the Clerk will report.

The Clerk read as follows.

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

Mr. MORROW. Mr. Chairman, the revenue received into the national Treasury has been in excess of the ordinary expenses of the Government for every year since the year 1865.

This excess has varied, from time to time, as the expenses were increased or decreased, or as the rate of internal-revenue taxes or customs duties have fluctuated in a descending scale.

For the year 1874 the excess was only $2,344,882.30.

In the year 1882 it reached the large sum of $145,543,810.71.

For the year ending June 30, 1887, it was $55,567,849.54, not including the amount appropriated to the sinking fund.

For the twenty-two years ending June 30, 1887, the total excess was $1,491,845,953.12, or an average of nearly sixty-eight millions, annually. This excess is what is known as the surplus revenues of the Government. There is, therefore, nothing new or strange in the fact that there is a surplus of revenue coming into the Treasury.

But the people of this country having determined that a national debt is not desirable, and that our obligations should be promptly met at maturity, have directed that this constantly accruing surplus should be applied to the payment of the national indebtedness.

The result is that the principal of the interest-bearing public debt has been reduced from $2,381,530,294.96 on the 31st day of August, 1865, to $1,038,199,762 on the 1st day of May, 1888.

During this time the annual interest charge has been reduced from $4.29 per capita of population to 67 cents.

The wisdom of a policy that has produced such splendid results is not now a matter of discussion.

It is conceded on all sides that next to the victories that made us a nation was the success of that financial policy that made us independent and respected among the nations of the earth.

That we should continue in this course and discharge every farthing of our indebtedness requires no argument; but we are told that we have reached a point where the funded debt of the Government is not subject to payment on call, and that if the surplus continues to flow into the Treasury, it can not now flow out. I do not think we are confronted with any such condition of affairs.

In the debate had not long ago on the bill providing for the purchase of United States bonds by the Secretary of the Treasury, I thought it was very clearly shown by the gentleman from Ohio [Mr. MCKINLEY] that the Secretary of the Treasury has had, and now has, full power and authority under the provisions of section 2 of the act of March 3, 1881, making appropriations for the sundry civil expenses of the Government, to apply the surplus money in the Treasury to the purchase and redemption of United States bonds, and the recent action of both Houses of Congress on a similar measure amounts to a legislative declaration that this view of the Secretary's authority is correct.

It may not be wise, however, that the Secretary should be restricted to this course only. But Congress should not be driven into any hasty or ill-considered legislation respecting the tariff while the Secretary has this authority to dispose of the surplus in a legitimate and proper way.

We are not going far wrong when we are paying our debts. Many business men have anticipated their notes at bank and paid their debts before they came due.

The only difficulty in the matter is that the Government of the United States has become so good a creditor under twenty-four years of Republican administration that its bonds drawing 4 and 4½ per cent. interest per annum are at a considerable premium.

If our credit were not so good and these bonds were down to par, there would be no difficulty whatever in the situation.

When the Democratic party went out of power in 1861, leaving an

empty Treasury, and 6 per cent. Government bonds at 12 per cent. below par, there was no such problem as this presented for solution. The question now is, what better course can be pursued with reference to this surplus than applying it to the purchase of United States bonds?

I am in favor of an economical administration of the affairs of the Government. I do not think we should indulge in any extravagant expenditures simply because we have the money, but I do think that Congress should observe the requirements of the Constitution, and "provide," as directed, "for the common defense and general welfare of the United States."

I hope we may never have another war. I look forward to the time when national differences may be settled by arbitration; but that time has not yet come, and a defenseless condition will not hasten it.

The coast-line of the United States is absolutely unprotected against foreign assault, and nearly all our large cities are so exposed as to be at the mercy of the first invader.

The city of San Francisco alone has two hundred and fifty millions of property exposed to destruction if, unhappily, we should have trouble with any foreign power.

I think the part of wisdom requires that we should provide for the proper defense of our large cities on the seaboard, and a small part of the surplus might with propriety be applied in this direction.

An economical administration of public affairs requires also that we should provide suitable accommodations for the convenient transaction of public business.

What economy, I would like to know, is there in refusing appropriations for the construction of proper buildings for Government purposes? No business enterprise in the country, of any value or permanence, is so poorly provided with accommodations in this respect as the General Government is in many places.

There has been some talk about the farmers of the country and the necessity for providing for their interests. I hope we may turn our attention in that direction and give their claims careful consideration. And particularly should we listen to the appeals of those hardy pioneers who, facing dangers and trials, have conquered the territory of an immense empire for American civilization.

The men who go into the far West, and, blazing their way into a great wilderness, build up homes and establish States, are entitled to be heard.

What do they say? They have presented numerous petitions here and at the General Land Office showing that there are thousands of people seeking homes in the West who can not obtain them because the lands have not been surveyed by the Government.

Read the last report of the Commissioner of the General Land Office, and learn how widespread this complaint has become.

In California alone these unsurveyed lands amount to about 33,000,000 acres. Thousands of settlers have already gone upon these lands, expecting that the Government would perform its duty in making surveys so that they might obtain their homes; but Congress, under a mistaken policy of economy, refuses to make the necessary appropriation. Here is a practical way of serving some of the farmers, where every dollar expended will be for their benefit.

I might go on and multiply illustrations showing how, in our domestic postal and foreign mail service; in extending our foreign commerce; in creating a merchant marine service; in increasing the efficiency of our consular service, and in building a navy, the Government could with propriety discharge its duty to the people by applying some of the surplus revenue in performing its legitimate and necessary functions as a government. As was said by the gentleman from Michigan [Mr. BURROWS], "It costs something to maintain a Government for sixty millions of people."

The bill under consideration has no such liberal purpose in view. Instead of building up the country it will restrict its legitimate operations and retard its growth.

The new industries in process of development are to be destroyed, our home market handed over to the foreign importer, and a new and important mercantile marine service on the Pacific coast strangled in its infancy.

How is this to be done? By so reducing the revenue as to destroy the protective features of the present tariff with respect to many industries.

It is proposed by this bill to reduce the revenues of the Government in the estimated sum of $78,176,054.22, as follows:

Internal revenue	$24,455,607.00
Free-list (customs)	22,189,505.48
Reduction on dutiable articles (customs)	31,530,941.74
Total	78,176,054.22

A reduction of the internnal-revenue taxes is proper, but if it shall be determined to discontinue for the present the payment of the national debt and continue the policy of restricting the expenditures of the Government to objects of absolute necessity, then the proposed reduction of internal-revenue taxes is not sufficient.

The whole reduction, whatever it may be, should be taken from the internal revenue, and the customs duties so adjusted as to afford a fair and reasonable protection to our own industries.

The remission or reduction of customs duties without regard to the question of protection is vicious in the extreme, but such an unwise and unpatriotic course would be particularly destructive on the Pacific coast, where we have some knowledge of the effect of cheap labor and its products, and the necessity for protection to our own labor.

The Chinaman is the best example of cheap labor in the world, but we know from actual experience that his labor does not contribute to the general prosperity of the country; and we have been compelled in self-defense to seek protection against his invasion of our territory by treaty stipulations and Congressional legislation.

We have asked that this Chinese labor be excluded from the country, because we know that its continuance would degrade our own labor and be destructive of the best interests of the whole people.

There is a reciprocity in the affairs of civilized men that suffers when you introduce the element of cheapness as the objective point in the employment of labor.

Cheap labor anywhere means a lower scale of existence for the majority of the people where it prevails. It means more than that; it means a lowering of the scale wherever the product of cheap labor is carried into competition with that which is better paid.

Hence it is that the exclusion of the Chinaman from this country will be of little value as a measure of protection to our laboring classes if the product of Chinese labor is to be admitted through the custom-house free of duty to compete with our own productions.

We have just negotiated a new treaty with China, the purpose of which is to protect American labor by absolutely excluding Chinese laborers from the country, but can any one tell me the value of such a treaty if we are going to have free trade with China and no protection against her productions?

But the friends of the bill under consideration deny that it is a free-trade measure, because it does not abolish the custom-houses altogether. This is simply an evasion. It is not necessary that the bill should go that far to cease to be a measure of protection.

The question is, what is the purpose of this bill? To reduce taxation? Not entirely, for if this had been its sole purpose a better method could have been devised. It has another and more serious object in view, which is to open the markets of this country, where labor is the best paid in the world, to the foreign importer, that he may sell the products of cheap labor in competition with our own. Indeed, this appears to be the main object of the bill as declared by some of its friends.

The gentleman from South Carolina [Mr. HEMPHILL], in his speech the other day in support of this bill, stated the proposition candidly and pointedly.

I quote from the CONGRESSIONAL RECORD of April 27, as follows:

Mr. PERKINS. Our friend from South Carolina [Mr. HEMPHILL] seems to be good natured about submitting to interrogatories.
Mr. HEMPHILL. Yes, sir.
Mr. PERKINS. Then I will ask the gentleman a question. Do you believe in the doctrine that we should be permitted to buy where we can buy cheapest?
Mr. HEMPHILL. Yes, sir.
Mr. PERKINS. Then you believe in the doctrine that we should be permitted to hire where we can hire cheapest?
Mr. HEMPHILL. Who said so?
Mr. PERKINS. Does it not necessarily follow?
Mr. HEMPHILL. Well, I think so.
Mr. PERKINS. If we should be permitted to buy where we can buy cheapest, why should we not be permitted to hire where we can hire cheapest?
Mr. HEMPHILL. Exactly. I think that is right.

Subsequently, in referring to the importation of contract labor, the gentleman adhered to the logic of his position as follows:

Mr. PERKINS. Do I understand that the gentleman from South Carolina is in favor of prohibiting the immigration of contract labor?
Mr. HEMPHILL. No, sir; I believe in freedom all around.

The gentleman from South Carolina is chairman of the Committee on the District of Columbia, and, by virtue of his ability and position, one of the leaders on the Democratic side of this House. His declarations are therefore important as indicating the views of the majority.

The purpose of this bill, then, is the inauguration of a policy that will enable us to buy where we can buy the cheapest, hire where we can hire the cheapest, and with such general "freedom all around" as to admit the contract laborer from China, Canada, Mexico, or Europe. Against any such doctrine as this I desire to enter my solemn protest.

Located midway between Europe and Asia, we have but to open our ports to these two immense reservoirs of cheap labor to have our laboring people overwhelmed and swept out of existence. This danger is nearer and more clearly defined to the people of the Pacific coast than elsewhere, because we are confronting a nation of nearly four hundred millions of people, where the compensation of labor has been reduced to the very lowest point. We have, therefore, considered this question in all its bearings and in all its relations to our industrial system, and while we have had and now have but one opinion upon the subject our earnest demand for protection against the evils of cheap labor has often been treated with indifference, because it was looked upon as merely the cry of the "Sand Lot." But gradually the country is becoming aware of the dangers of the situation and thoughtful people have come to appreciate the correctness of our position. As evidence of this better information upon this important subject I shall read a portion of an article on the Chinese question by the Rev. J. H. Allen, published in the Unitarian Review of Boston, in December, 1885, as follows:

The Chinese laborer—absolutely destitute at home, born very possibly on a raft and having never set foot on shore—is imported by contract, like cattle, at a rate of fifteen or twenty dollars a head, by some one of the six companies to

which all Chinese in this country are amenable. (It is needless to say that this does not include those few who may come over independently, or those who may work themselves free afterwards.) The company provides the cost of his passage and outfit, and he remains the company's bondman till that debt is paid. He can not escape it, as an Irish servant most likely will if you try the rash experiment of advancing her passage money from the old country; for there is an invisible tribunal he must respect, with the alternative of a knife-blow in the dark or some other penalty equally sharp and cogent. It is the company's interest that he shall keep his share of the bargain with his employer, and it may be taken for granted that he will fairly do it. To do him justice, he will be equally faithful when he works on his own account; what we may call the industrial *morale* of the Chinaman is admirable. All transactions on a larger scale between employer and employed are made through the agents of the company.

A gang of fifteen or fifty or a thousand men can be ordered like so much machinery or so many cattle to be delivered on such a spot at such an hour. There are no disputes about the terms, which have been settled beforehand with the company. There are no misunderstandings with the men, since a foreman, with sufficient knowledge of English, representing the company, settles the wages of each man by a method of their own, receives the pay in a lump at the end of the week, gives each laborer his "penny a day" to live on, paying over the rest till his account with the company is settled, and is the general interpreter, arbiter, and umpire of the contract (so far as his men are concerned) in all of its details. What could be more blissfully complete in the view of the economist? Yet, strange to say, this serene and utopian view does not in the least propitiate the Knight of Labor, or go ever so little way to soothe his animosity, representing, as he does, a more formidable element in the situation. For he sees with a vague and unreasoning terror, the more clearly in proportion to his intelligence, that the hundred and fifty thousand, more or less, already here are only the first driblets of a flood, immeasurable and irresistible, that is held in check just now by dikes of law and general opinion, which certain idealists and economists are doing their best to undermine. There is no extravagance in saying that there are at any given time, among the hundreds of millions of the Chinese Empire, as many as fifty millions of the male working class, of emigrating age, to whom it would be vast gain to come to America for such poor chances as Chinamen here enjoy; and there is no obvious difficulty, granting time and motive for preparation, why a million a year should not be landed in this paradise of their hope, without in the least relieving the misery at home or diminishing the pressure of the supply. This thing, it is true, looms vaguely like a cloud, of which we are not bound to calculate the bulk and density very closely. The dread of it is felt, not reasoned.

But we need not wonder very much at the rage and despair that impel the laboring class blindly against the possibilities of this monstrous invasion. Not that a sudden avalanche of Asiatic hordes is any way likely; not that the acts of blind wrath that have been perpetrated are not shocking, unpardonable, to be energetically put down. Such acts are inexcusable, mainly because (as I said at first) the problem in its present stage is not at all a formidable one, and we are in an experimental or waiting period. Still if all repressive legislation should be abolished and if the floodgates should be thrown wide open, we may take it as the challenge to a conflict in the not very far-off future, which will as much outrun the restraints of our placid every-day ethics as the abnormal, demonic, yet historically justifiable passion of the Crusades or of the French revolution.

This humanitarian and believer in the great principles of the moral law points significantly to this practical issue in the impending controversy, which he says can not be disposed of by resorting to any stale maxims about the right of every man to get a living where he can or hire his labor in the cheapest market.

To invite China and Europe to meet in free competition in this country in the sale of cheap labor or its products is to set in operation forces that would destroy American industries and undermine the very foundations of our social and industrial system.

But let me say to you gentlemen on the other side of the House that no fine-spun theories concerning the advantages of free trade, disguised in the form of a tariff for revenue only, can prevail against the great practical fact that this country has been dedicated by the people to American enterprise and the maintenance of American institutions.

The supposed tax on the poor man's blanket, introduced so vehemently into this debate, is a false issue, both theoretically and practically.

The real laboring men of this country know the difference and value of the physical protection afforded by a cheap foreign-made blanket as compared with the substantial economical protection of the American flag under our present system.

This not an appeal to sentiment, but to the symbol of a living fact.

It is not cheap labor, or cheap blankets, or cheap things generally that our people so much require as good wages and the simple protection that will enable them to develop the resources within their reach, and through home demand and fair competition have a home market better and more certain than all the other markets of the world.

If Great Britain, with free trade, has the market of the world for her manufactures, and is therefore prosperous, as you gentlemen claim, why is this prosperity not general among the laboring classes, and why are they coming to this country by thousands, where their blankets, according to the statement of the revenue reformers, will be taxed in such an outrageous manner?

During the year ending June 30, 1887, the immigration into the United States from Great Britain reached the large number of 161,748, and for the ten years ending on that date the immigration from the same source was 1,237,256.

These people certainly came here to better their condition. Had the advantages in favor of labor been greater there than here, the immigration would have been the other way.

The fact is, as every one knows, that labor is better paid and wage-workers better fed here than elsewhere.

The gentleman from Ohio [Mr. BUTTERWORTH], in his able speech delivered in Boston on the 25th of March last, before the Tariff Reform League and the Home Market Club, in favor of protection, furnished interesting statistics concerning wages here and in Europe. The statement showing the rate of wages paid in certain industries in England and in the United States, which he says was carefully prepared from reliable information and authority, is worthy of careful study at this time. The statement shows the rate of wages paid weekly, unless it is otherwise stated. It is as follows:

	England.	United States.
Book-binders	$6.00	$15.00 to $18.00
Brush-makers	6.00	15.00 to 20.00
Boiler-makers	7.75	16.50
Brick-makers	3.54	11.86
Brick-layers	8.00	21.00
Blacksmiths	6.00	13.30
Butchers	6.00	12.00
Bakers	6.25	12.75
Blast-furnace keepers	10.00	18.00
Blast-furnace fillers	7.50	14.00
Bolt-makers	6.50	16.50
Bolt-cutters	3.00	10.00
Coal-miners	5.88	13.00
Cotton-mill hands	4.60	6.72
Carpenters	7.50	15.00
Coopers	6.00	13.25
Carriage-makers	6.75	13.00 to 25.00
Cutlery	6.00	12.00 to 20.00
Chemicals	$4.00 to 6.00	13.00 to 16.00
Clock-makers	7.00	18.00
Cabinet-makers	7.00	18.00
Farm hands	3.00	7.50 to 9.00
Glass-blowers	6.00 to 9.00	25.00 to 30.00
Glass (partly skilled)	6.00 to 7.00	12.00 to 15.00
Glass (unskilled)	2.00 to 4.00	7.00 to 10.00
Glove-makers (girls)	2.00	6.00 to 9.00
Glove-makers (men)	4.50	10.00 to 30.00
Hatters	6.00	12.00 to 24.00
Iron-ore miners	5.50	12.00
Iron molders	7.50	15.00
Iron, per ton (finished)	2.00 to 3.00	5.31 to 8.71
Heaters and rollers	10.00 to 12.00	20.00 to 30.00
Instrument-makers	7.00	18.00 to 20.00
Laborers	4.10	8.00
Longshoremen	8.00	15.00
Linen and thread (men)	5.00	7.50
Linen and thread (women)	2.35	5.22
Machinists	8.50	18.00
Masons	8.00	21.00
Printers (1,000 ems)	.20	.40
Printers, week hands	6.65	13.40
Pattern-makers	7.50	18.00
Painters	7.50	15.00
Plumbers	8.00	18.00
Plasterers	7.50	21.00
Potters	8.67	18.30
Polishers	7.00	18.00
Paper-makers	5.20	12.00 to 21.00
Puddlers, per week	8.00 to 10.00	18.00 to 20.00
Quarrymen	6.00	12.00 to 15.00
Rope-makers	5.25	9.00 to 12.00
Railroad engineers	10.00	21.00
Railroad firemen	5.00	12.00
Shipbuilding—		
Boiler-makers	7.00	14.00
Machinists	7.00	14.15
Coppersmiths	6.50	16.50
Platers	8.00	18.00
Drillers	6.00	12.00
Riveters	8.00	17.40
Riggers	5.50	11.00
Pattern-makers	8.00	24.00
Salt-makers	6.00	9.00 to 10.50
Silk (men)	5.00	10.00
Silk (women)	2.50	6.00
Scarf-makers	1.50 to 2.25	6.00 to 9.00
Servants (month)	5.00	15.00
Shoe-makers	6.00	12.00
Stationary engineers	7.50	15.00 to 18.00
Soap-makers	5.00	10.50
Tanners	5.00	8.00 to 10.00
Teamsters	5.25	12.00 to 15.00
Upholsterers	8.10	18.00
Watch-makers	8.00	18.00
Wire-drawers	11.00	22.00

Mr. Mulhall, whose statistics are regarded as authority by some free-traders, furnishes a table of average wages paid in various countries, together with the relation between wages and cost of food.

From this table I obtain the following comparative statement for the United States and Great Britain:

Country.	Average per week.			Ratio.		
	Wages.	Food.	Surplus.	Wages.	Food.	Surplus.
United States	$11.66	$3.88	$7.78	100	33	67
Great Britain	7.53	3.40	4.13	100	45	55

It will be seen that while the American workingman pays more for his food he gets far better wages than his brother across the sea, and at the end of the day comes out ahead, not only with a much larger surplus than the Englishman, but with 22 per cent. more of his own higher wages saved than the other has of his lower wages.

It is also a fact that our laboring classes consume a larger quantity

and a better quality of food than the laboring people of any other country, and in any view the protective system secures to our laboring men more ease and comfort than they can possibly obtain elsewhere.

But it is said that the protective tariff is the cause of pauperism, and the poor "tramp" is pointed out as one of the products of the "robber system."

Let us examine the official statistics and see what information we obtain of this point. We will take the year 1880 for comparison, so that we may have the census of that year for authority. The returns are as follows:

Country.	Population.	Whole number of persons relieved.	Ratio of paupers to population.
United Kingdom	34,622,930	1,037,404	1 to 33
United States	50,155,783	88,665	1 to 565

It must be remembered, in this connection, that by the poor law of Great Britain, 4 and 5 William IV, chapter 76, as amended by act of 12 and 13 Victoria, chapter 103, it is provided that the guardians of the English parishes may expend money to assist poor people in their emigration out of the country to the extent of £10, or $50 to each person so assisted.

This large bounty has necessarily resulted in the deportation of a large number of worthless people to our shores since the cost of transportation from Liverpool to New York has been reduced to less than one-sixth of that sum.

This plan of assisting paupers to leave the country has been found a cheap and effective way of transferring the burden of supporting these people from the tax-payers of England to the tax-payers of the United States, and our customs and consular reports show that the plan has been adopted and carried out with success. It will be found, therefore, on careful investigation that a large number of our tramps and paupers are alien immigrants and the products of foreign industrial systems, and not our own.

As long as humanity continues imperfect there will always be poor and dependent people under the most favorable circumstances.

There is no evidence, however, that a protective tariff is responsible for the presence of these unfortunate people in this country, while, on the other hand, the fact that there are so many more paupers in Great Britain than there are in the United States, according to the population, indicates that the industrial system of that country is responsible for the excess.

In further support of this view, I beg leave to call your attention to the following extract from a letter of Mr. Howard Vincint, M. P., to the London Times, concerning the condition of industrial affairs in Great Britain at this time, under the free-trade system prevailing there. He says:

No national party could possibly ignore the serious state of affairs now prevailing. It is detailed from day to day in your columns. Land worth from 25 to 75 per cent. less than forty years ago and almost unsalable; arable land thrown into pasture, yet fewer animals in the fields; agricultural distress very similar to that described by Lord Shaftesbury as prevailing about 1814; in the towns hundreds starving, owing to the factories being closed or working only half time; deputations to local authorities praying for relief works; in the metropolis hungry men at every corner; pauperism increasing; discontent rising; employment everywhere scarcer, while the population is rapidly multiplying.

There is no class, no profession, no avocation, no calling unaffected in some degree. Distress must always be felt more in some places and in some communities than in others. But the general fact is undeniable. The commissioner of police of the metropolis, the vestries, the guardians of the poor, as well as philanthropic societies and statesmen, may open registers for the unemployed, but that will not provide the employment, for little or none is to be found in town or country. Temporary remedies may be applied, but they will not be more effectual than palliatives to a malignant cancer.

Fifty-two chambers of commerce have officially declared that "foreign tariffs and bounties and foreign competition" are "most injurious to British trade," and "at the bottom of all our troubles." The royal commission on the depression of trade and industry indorsed this declaration. Take the bills of lading at any port in the kingdom, stand with the unemployed at the gates of any railway station, and the fact is apparent.

In view of these facts, Mr. Chairman, I submit that any disturbance of the protective features of our tariff will immediately be followed by distress and disaster.

I am in favor of reducing taxes where we can with safety and without destroying our present industries, but, in my judgment, the present bill will not accomplish that purpose.

I would vote to modify the tariff so as to relieve the poor man of his taxes, wherever such a reduction would be a benefit to him, but I do not propose to favor any measure that will deprive him of a fair reward for his labor in competition with the underpaid labor of other countries.

The injustice of this bill in its effect upon the various industries of the country will be disclosed when we come to consider it in detail; but I deem it appropriate at this time to refer to an incident connected with the consideration of this bill by the Committee on Ways and Means, which has been made the subject of comment by a member of the committee [Mr. BYNUM].

In his speech the other day the gentleman, in defending the committee against the charge that it had refused a hearing to representatives of industries affected by the proposed tariff revision, said:

Amongst the number that came arrogantly knocking at the doors of the committee demanding to be heard were the pine lumber dealers of the Pacific Slope. In the New York Tribune of March 18 last, on page 3, is contained a copy of a petition which, it was said, was to be presented to the Committee on Ways and Means by some of the representatives of California, protesting against the destruction of the lumber and shipping industries of the Pacific coast, and denouncing the committee for having refused a hearing to the parties. The destruction of these interests which is to follow the passage of this bill is graphically described in this memorial. I quote the following:

"British Columbia would have more saw-mills than are now in California, Oregon, and Washington Territory, supplying lumber to our people. Foreign houses will establish branches at each coast port, and the entire manufacturing and hauling trade will be in alien hands, leaving the American citizens who pay taxes nothing but the privilege of paying cost and profit to the alien who does not. In other words the Mills tariff bill gives to foreigners, without cost, the markets which our own people have created and our own people are able to supply, to the utter destruction on this coast of American interests in lumber, coal, and especially in shipping."

What a picture of destruction! What an appeal to our patriotism! The hypocrisy of this claim and pretext, however, is found in the very same issue of the paper. Turning over to page 11, I find, in a dispatch from San Francisco dated March 17, the following:

"The pine lumber pool has succeeded during the past year in advancing the prices of lumber $12 to $15 per thousand, on the ground of high shipping rates and increased wages. The grounds for the advance are trivial, as the wages of the men are only $5 more per month and the running expenses of the vessels are no greater. The pool, which has adopted all the methods of newly-invented trusts, has simply made the people of California pay about one and a half millions into its pocket. It controls ships and mills, and regulates the prices of pine lumber to suit itself."

It is remarkable that with this condition of affairs no representative of the people came rapping at the door of the committee. The only demand to be heard was in behalf of the trust which had plundered them of a million and a half of dollars and was anxious to retain its grasp.

Mr. Chairman, the lumber interest on the Pacific coast is important, not only by reason of the fact that it supplies the building material required by a rapidly increasing population, but it furnishes employment for over four hundred American vessels, of an aggregate tonnage of 175,000 tons, and employs over thirty-five thousand people in remunerative labor.

The Representatives in Congress from the Pacific coast have received numerous petitions during the present session, asking that no change be made in the tariff on lumber. These petitions were signed by the citizens, generally, in the communities from which they came, and set forth briefly but forcibly the reasons why the duty should not be removed.

These petitions were presented to the House in the usual way, and referred to the Committee on Ways and Means.

I find that I presented, and had so referred, a petition signed by 189 citizens of Port Townsend and Jefferson County, Washington Territory.

A petition signed by 613 citizens of Tacoma, Wash.

A petition signed by 98 citizens of Gray's Harbor and Sheal-Water Bay, Washington Territory.

A petition signed by 198 mill-owners and citizens of Oregon and Washington Territory.

A petition signed by 179 citizens of Seattle, Wash.

A petition signed by 64 citizens and mill-owners of California and Oregon.

A petition signed by 1,037 citizens of Port Gamble and Port Ludlow, Wash.

On the 14th of March the delegation received a telegram, signed by the leading business men of San Francisco, upon the subject. It was understood that this bill was then under consideration by the committee. We thought the character and standing of the people who signed the telegram, the urgency of the appeal, and the importance of the subject warranted us in presenting the matter to the Committee on Ways and Means. There was no lobby here to "log-roll" with the members of the majority of the committee in even so appropriate a business as lumber. In fact, no one representing or claiming to represent the lumber interest of the Pacific coast had been in Washington during the session. Whether wisely or not, the whole matter had been left to such action as might be taken by the Delegate from Washington Territory and the Representatives from Oregon and California.

We accordingly addressed a communication to the chairman of the committee [Mr. MILLS], setting forth in respectful language our desire to appear before the committee and present the petition, with an explanation of the character and importance of the industries represented and the value of the lumber trade of California, Oregon, and Washington Territory in the growing commerce of the Pacific.

It must be remembered that no representative from the Pacific coast is a member of that committee. The nearest approach we make in that direction is in the person of either the gentleman from Texas [Mr. MILLS] or the gentleman from Arkansas [Mr. BRECKINRIDGE], and I apprehend that neither of these gentlemen claim any personal knowledge of the trade and commerce of the Pacific coast.

Our application to be heard was refused. It was not the application of the pine-lumber dealers, as stated by the gentleman from Indiana [Mr. BYNUM], but the application of the Delegate from Washington Territory, Mr. VOORHEES; the Representative from Oregon, Mr. HERMANN, and my colleagues, Mr. MCKENNA, Mr. FELTON, and Mr. VANDEVER, and myself, from California, asking to present to the com-

mittee, not a petition from the lumber-dealers, but a petition from the business men of San Francisco, with such other facts as might be deemed appropriate for the consideration of the committee in dealing with this subject.

I submit, Mr. Chairman, that there was no arrogance in this appeal. We were but performing our duty as Representatives, and I ask now that this petition may be read, that the House may be informed as to the value and importance of an industry which the bill under consideration would injure if not destroy.

SAN FRANCISCO, *March* 12, 1888.

To Hon. W. W. MORROW, M. C., and PACIFIC COAST DELEGATION,
Washington, D. C.:

The attention of the undersigned ship-owners and merchants on the Pacific coast and all persons engaged in and dependent upon our commercial marine for a livelihood, regardless of party affiliation, has been rudely called to a sense of imminent danger impending from one feature of the so-called Mills tariff bill about to be submitted for the consideration of Congress.

At the present time, of ships flying the American flag there are engaged in the carrying trade of American ports on this coast over four hundred vessels, with a gross tonnage of, say, 175,000 tons. Most of these are sailing-vessels, although within the last two years a new class of vessels, using steam as an auxiliary power, has been built in the harbor of San Francisco. Thirty of these vessels have been recently constructed and others now building, giving work to our foundries and skilled workmen and sale for great quantities of material used in such construction.

If this new and promising branch of ship-building is not stranded by adverse legislation, it is safe to predict that within five years over two hundred of such vessels will ply in waters of the Pacific, and create on this side of the continent, at least, a beginning to the rebuilding of our lost mercantile marine.

Added to this, a large number of sailing vessels have been built within the past year, and others are now building; while many ships, driven from the Atlantic by foreign competition, have sought and found sale on this coast; all of which, new and old, find remunerative employment.

What is the trade and what is the interest that has called into existence and supports this large number of vessels flying the American flag and owned on this coast, that has led to this recent and rapid building of vessels, and reviving on this coast, at least, the fast waning industry of ship-building?

To this there is but one answer: These vessels are for the most part engaged in carrying lumber from our northern ports to ports in the State of California; a trade in which, under existing conditions, foreign vessels can not engage.

Now, the Mills tariff bill proposes to place lumber on the free-list, and thus throw wide open all our ports to the manufacturers of lumber in British Columbia. What would be the immediate effect of this? Great injury, it is true, to the manufacturers of lumber within our own borders; but the great, the vital injury would be the blow it would give to our shipping interest. At once British and other foreign vessels would enter into the trade and bring lumber from British Columbia in competition with our American vessels to ports in California.

With lower rates of interest, with ships built by low-priced labor and cheaper material—hence costing much less than our home-built vessels—and with ships manned by sailors content to receive much lower wages than are paid to our own seamen, who can doubt the result of such a competition? In fact, the result would be the same as heretofore on the Atlantic under similar circumstances, namely, the stagnation of the carrying trade and the absolute stoppage of further ship-building for years.

British Columbia would have more saw-mills than are now in California, Oregon and Washington Territory, supplying lumber to our own people. Mills owned by foreign capitalists and producing lumber freighted in foreign ships, thus destroying the present prosperous coasting trade in American bottoms. Foreign houses will establish branches at each coast port, and the entire manufacturing, carrying, and handling of the trade will be in alien hands, leaving to the American citizens who pay taxes nothing but the privilege of paying cost and profit to the alien who does not.

In other words, the Mills tariff bill gives to foreigners without cost the markets our own people have created and our own people are able to supply, to the utter destruction on this coast of American interests in lumber and coal, and especially in shipping.

Other nations are doing what they can to build up a mercantile marine, even paying premiums and subsidies to accomplish this result. Is our folly so great that we even legislate to break down and destroy the most promising effort now being made in this country to build up such a marine without Government aid or subsidy?

This petition is signed by eighty-six of the leading citizens of San Francisco. It represents the employment of thousands of people, and a commerce extending to all parts of the world.

In addition to the facts presented in the petition, it was our purpose to present to the committee, as I do now to the House, the further facts that the labor engaged in the manufacture of lumber on the Pacific coast, and kindred employments, the outgrowth of that industry, is exclusively the well-paid labor of our own people; that the placing of lumber on the free-list will open our market to the ruinous competition of manufacturers in British Columbia, where the business is largely carried on by Chinese labor; that the destruction of our own industry will build up a British monopoly, free from competition and able to hold the market and increase the price of lumber to all consumers.

I am reminded, however, in this connection, that the gentleman from Indiana [Mr. BYNUM], on the authority of a dispatch which he found in the New York Tribune, charges that the pine-lumber dealers of the Pacific Slope have formed a pool and advanced the price of lumber.

In reply to that charge I desire to read two telegrams on the subject received from the Pacific Pine Lumber Company of San Francisco. This company is one of the largest manufacturers of lumber on the coast, and is in a position to know whether any pool or trust exists in this business there or not.

The first telegram which I shall read was doubtless sent under the impression that the gentleman from Indiana in his remarks referred particularly to this company, which it appears he did not; but the statements contained in the telegram are pertinent to the general charge as well.

SAN FRANCISCO, *April* 25, 1888.

Hon WM. W. MORROW,
House of Representatives, Washington, D. C.:

The Pacific Pine Lumber Company distinctly and specifically denies that it is a pool, a trust, a combination, or any other than a private corporation engaged in the legitimate business of manufacturing and selling lumber. It distinctly and specifically denies that it is a monopoly in any sense, and cites the fact that there are more mills independent of it than connected with it.

It distinctly and specifically denies that it has illegitimately advanced the price of lumber; that to do so is simply impossible, with the present competition. Its opposition to free lumber is because of the close proximity of English forests, with palpable English advantages, and the consequent virtual diversion of our coasting trade to English bottoms, all of which would be inimical to the American lumber trade on this coast, and result in the withdrawal of all investments in that connection.

The charge that these views are opposed by the people of this coast is best met by the petitions signed by the many widely known mercantile houses, whose absolute disconnection with the lumber trade is known to none better than yourself.

PACIFIC PINE LUMBER COMPANY.

The second telegram is as follows, and refers particularly to the charge that the price of lumber had been advanced and the people plundered of a million and a half of dollars:

SAN FRANCISCO, *April* 26, 1888.

Hon. WM. W. MORROW,
House of Representatives, Washington, D. C.:

The cargo price of pine lumber two years ago was $14 per thousand, now $17.

The comparison of cost is as follows: Logs, then five to five fifty, now seven to seven fifty. Freights, then four fifty to five, now five fifty to six. Labor, then eleven and one half hours per day, now ten hours per day at same daily wages.

Position of the Pacific Pine Lumber Company voices simply the entire lumber and shipping interests of the coast, and it is not a special pleader in its own behalf.

PACIFIC PINE LUMBER COMPANY.

It will be observed that there has been an increase in two years of $2 per thousand in logs, and $1 per thousand in freights, which accounts for the increase of $3 per thousand in the price of pine lumber. The mill-owners have not been benefited by this advance, but on the contrary they have lost something in the increased cost of labor, by reason of the reduction of the hours of labor from eleven hours and one-half per day to ten hours per day.

It must be remembered also that there has been a rapid increase in population on the Pacific Slope, and a corresponding increase in the demand for building material. The presence of an active competition is therefore apparent.

I think, Mr. Chairman, in view of these facts, instead of being denied a hearing by the Committee on Ways and Means, and afterwards criticised for asking to appear before it, the committee should have carefully investigated the situation and considered all the facts bearing upon the subject.

There is already a free-wood schedule that includes logs and round unmanufactured timber.

What may be termed raw material in timber is therefore admitted free, under the present law, but it is proposed by this bill to go a step further and remove the duty from the manufactured article; that is to say, from sawed boards, planks, deals, and all other articles of sawed lumber. This proposition is clearly not in the interest of the consumer in this country, but for the benefit of the English manufacturer, English vessels, and cheap labor.

The necessity for diversified industry in every community is nowhere better illustrated than in California. The discovery of gold there in 1849 was the opening of a new era of prosperity in the history of the world; but while the new State poured forth her marvelous wealth to enrich mankind, her single stream of fortune was first distributed in fruitful fields elsewhere. It was not until we began the development of our other resources that we were able to retain our gold at home and lay the foundations of a prosperous community.

Even our early agriculture was too restricted, and our immense wheat fields failed to furnish a sufficient distribution of the industry of the people. It was required that we should engage in the cereal productions generally; plant vineyards and fruit orchards, raise wool, develop our mineral resources, build ships and railroads, engage in commerce, and establish manufacturing industries. These things we have done, because we saw that our permanent prosperity lay in that direction; but some of our industries are in competition with foreign products and are only profitable, with our higher priced labor, under the moderate protection of the present tariff.

Our fruit industry may be said to be in its infancy, yet the product of last year was sufficiently large to indicate its future importance. The raisin crop was 16,000,000 pounds, or 800,000 twenty-pound boxes. It was sold in competition with a foreign importation of about 40,000,000 pounds, which paid a duty of 2 cents per pound, or 40 cents per box; but the foreign article had the advantage in a freight charge of only 8 cents per box from Malaga, Spain, to New York, while the California product was compelled to pay a freight charge of 35 cents per box from California to the Eastern market. In this industry we also encounter the competition of cheap labor. In Spain the cost of preparing a box of raisins for the market is but a fraction of the cost in California; but notwithstanding these reasonable grounds for protection, it is proposed in this bill to reduce the tariff duty on raisins one-half cent per pound, or 10 cents per box. That such a reduction will seriously cripple if not destroy this new and growing industry must be apparent from the facts stated.

The following report of raisins produced in California from 1873 to

1888 will show the beneficial effect of the protective feature of the present tariff on this industry:

RAISIN PRODUCT OF CALIFORNIA FROM 1873 TO 1888.

	Boxes.		Boxes.
1873	6,000	1881	90,000
1874	9,000	1882	115,000
1875	11,000	1883	140,000
1876	19,000	1884	175,000
1877	32,000	1885	500,000
1878	48,000	1886	703,000
1879	65,000	1887	800,000
1880	75,000	1888 (estimated)	1,000,000

The estimated amount of capital invested in the raisin vineyards of California is now about $6,000,000, to be increased largely every year, unless this bill should unfortunately become a law.

The production of French prunes in California last year amounted to 1,750,000 pounds. This year the product is estimated at 3,500,000 pounds.

The present duty on prunes is 1 cent per pound; but it is proposed to place this fruit on the free-list and hand the market over to the foreign importer.

If it be true, as has been recently stated on this floor, that the Western farms are heavily mortgaged, let me say to the advocates of this bill that this condition of affairs, so far as it exists in California, has grown out of the necessities incident to the establishment of these new industries I have mentioned, and that this bill, instead of relieving the difficulty will serve rather as a notice to the banks to foreclose their mortgages and turn adrift the industrious and enterprising people who have given years of toil and the accumulations of other pursuits to the development of the resources of a new country.

Perhaps one of the best illustrations of the beneficial effect of a protective tariff will be found in the development of the borax industry of California and Nevada.

For many years the market for this salt was entirely in the hands of the foreign importers, when the price ranged from 28 to 50 cents per pound.

In 1872 important discoveries were made of borax deposits on the Pacific coast. For ten years prior to that time the duty had been as follows:

	Cents.
Borate of lime, per pound	5
Borax, crude or tincal, do	5
Borax, refined, do	10
Boracic acid, do	5

These duties encouraged the development of these discoveries, and in 1873 our producers placed on the market 2,000,000 pounds of borax; but the foreign importers did not desire this competition, and Congress was asked then, as now, to relieve the poor man of the burden of "war taxes." Accordingly we find that, in 1874 Congress, doubtless not knowing of the Pacific coast industry, placed borate of lime, crude borax, and boracic acid on the free-list.

It was feared that this favor to the importers would dispose of the domestic producers, and it came very nearly accomplishing that purpose, but our people struggled along as best they could until 1883, when Congress, being informed of the situation, imposed the following duties by the Act of March 3, of that year:

	Cents.
Boracic acid (pure), per pound	5
Boracic acid (commercial), do	4
Borate of lime, do	3
Borax, crude, do	3
Borax, refined, do	5

Now, what was the result? The domestic product for 1883 was 5,600,000 pounds, and for 1887 it was 10,182,000 pounds. In 1872, when our producers came into the market, the price of borax was 35 cents per pound. It is now reduced to 6½ cents per pound, and as a consequence its uses have been multiplied and made cheap enough for all the purposes for which it is adapted.

This bill proposes to place borax, in all its forms, on the free-list. For what purpose; to cheapen the price? No; for if you crush out the domestic producer the importer will raise the price. It can only be for the benefit of the foreign importer.

I will let General Rosecrans, who is thoroughly familiar with this subject, explain the situation, and I quote from a letter addressed by him on April 14, 1888, to the gentleman from Arkansas [Mr. BRECKINRIDGE], a member of the Committee on Ways and Means. He says:

TREASURY DEPARTMENT, REGISTER'S OFFICE,
Washington, D. C., April 14, 1888.

MY DEAR SIR: I see that the committee's tariff bill proposes to put all borax products on the free-list. It involves no great sum of money, and I believe that if the committee had been as familiar with the subject as circumstances have compelled me to be, they would have refrained from putting these products on the free-list.

The production of borax from the desert alkali lands of California, Nevada, and Colorado has become quite an industry, and employs a good many people, scattered all over the country. Only in the new States and Territories, however, can the raw material be found. It seems desirable, therefore, to show as much favor as possible to this industry. It is especially incumbent upon the Democratic party.

But that is the least of the reasons why the business should not be meddled with. The history of the importation of borax into the United States, and of the various tariffs thereon, shows that legislation in favor of a single person or single house has been the constant rule since 1842, or at the latest since 1845. I had occasion to thoroughly examine and verify the accuracy of this statement, and in 1882 I earnestly urged on the members of the House Committee on Ways and Means, whose attention I could get, at least to do something for our own home industries, instead of building up the wealthy monopoly to which I have alluded, and which slyly procured legislation in its favor all these past years. This combination had placed and kept boracic acid on the free-list, until in 1882, when the tariff discussion revealed the game, and then only the inadequate tariff of 4 cents was imposed. The last change procured was to have boracic acid put on the free-list.

* * * * * * *

We had no relief until our borax producers began to compete with them. If this combination be permitted to do as it has been doing in the past since the tariff of 1882 it will destroy competition, and then go back to its old ways, our own producers will be ruined, and our consumers will then be worse off than under the present tariff.

* * * * * * *

W. S. ROSECRANS.

Hon. CLIFTON R. BRECKINRIDGE,
House of Representatives.

Mr. Chairman, the effect of this bill on the borax industry of the Pacific coast is already apparent. I hold in my hand a press dispatch from San Francisco, announcing the failure of the large and enterprising firm of William T. Coleman & Co. because a considerable part of the property of the firm had come under the shadow of this proposed revision of the tariff. The firm owns extensive borax fields in the desert regions of California and Nevada. This barren country, worthless except for the borax deposits, was bought from the Government at the rate paid for mineral lands containing gold and silver, and the money thus paid has gone into the Treasury and become a part of the surplus about which we are so much troubled. This bill would destroy this property and bankrupt those who have purchased these lands in good faith.

I must not trespass further upon the time of the committee in discussing the details of this bill. I thought, however, that the vice of the proposed revision might be made to appear if, in the course of this general discussion, we would consider the effect of the measure on particular industries, as I have done.

I do not think a careful examination has been made of all the facts connected with this subject. The gentleman from Indiana [Mr. BYNUM], in discussing the merits of this bill the other day, claimed that the protective tariff had injured our foreign commerce, and cited our trade with Australasia as an example of the ruinous traffic in which we are engaged with foreign countries. His statement of the condition of this trade illustrates the character of the examination given to the business of the country by the Committee on Ways and Means. He said:

Here we find a country with an annual trade of about $500,000,000. During the last ten years this country has imported products to the value of $2,643,850,151, and of this sum we only supplied $27,224,067, a fraction over 1 per cent. While we sold to her people only about twenty-seven millions' worth of our products, we purchased of them directly over eighty millions. Instead of exchanging our machines, furniture, and agricultural implements for wool, we paid over money to the extent of $50,000,000.

Now, I suppose if the gentleman should be convinced that if, instead of supplying Australasia with our productions to the extent of $27,224,067 in ten years, we in fact supplied that country to the extent of $81,381,045 during that period, and if, instead of paying over $50,000,000 to the people of Australasia in balance of that trade, that sum was in fact paid to us, he will admit, I take it, that the illustration is favorable to the principle of protection and against his theory of free trade.

Well, the fact is as I have indicated. The gentleman has reversed his statistics, and it makes all the difference in the world. What he takes for exports to Australasia are imports from that country into the United States, and what he takes for imports into the United States are exports to Australasia.

We do send our machines, furniture, and agricultural implements to Australasia, and while we imported from that country last year wool to the value of $931,630, we exported in return woolen manufactures to the value of $1,440,596, leaving a balance in our favor of $508,966 in this exchange, and a total balance of $4,235,547 on the whole trade for the year.

The following statement of our commerce with Australasia during the last year, from the Bureau of Statistics, will prove interesting in this connection:

Statement showing the imports and exports of the United States from and to Australasia during the year ending June 30, 1887.

IMPORTS.

Articles.	Quantities.	Values.
FREE OF DUTY.		
Chemicals, drugs, and dyes, n. e. s.:		
Gums, pounds	7,538,964	$827,283
Furs and fur-skins, undressed		57,535
Hides and skins, other than fur-skins		237,700
Tin, bars, blocks, or pigs, grain or granulated, pounds	3,595,963	801,021
All other free articles		66,373
Total free of duty		1,989,512

Statement showing the imports and exports, etc.—Continued.

IMPORTS.

Articles.	Quantities.	Values.
SUBJECT TO DUTY.		
Chemicals, drugs, dyes, and medicines, n. e. s.:		
Opium.....pounds...	60,885	$544,400
Coal, bituminous.....tons...	321,654	921,866
Wool, raw:		
Clothing wools.....pounds...	4,368,242	895,843
Combing wools.....do....	132,820	30,924
Carpet and other similar wools.....do....	21,525	4,853
All other dutiable articles		23,701
Total dutiable		2,421,697
Total merchandise		4,411,119
Total coin and bullion		1,021,769
Total imports		5,432,888

EXPORTS.

Agricultural implements		$299,490
Books, maps, engravings, etc		107,796
Breadstuffs		180,757
Carriages, horse-cars, steam-cars, etc		358,692
Chemicals, drugs, dyes, and medicines		334,837
Clocks and watches		127,236
Fish		*378,218
Fruits		110,246
Iron and steel, manufactures of		1,532,920
Leather, and manufactures of		251,340
Malt liquors:		
In bottles.....dozen...	108,187	185,016
Not in bottles.....gallons...	5,110	1,017
Oils, mineral.....do.....	4,586,878	592,036
Paper, and manufactures of		120,288
Provisions, comprising meat and dairy products		34,722
Sugar, refined.....pounds...	13,265,535	793,633
Tobacco:		
Leaf.....do.....	885,353	141,706
Manufactures of		1,287,056
Wool, and manufactures of		1,440,596
All other articles		1,265,812
Total domestic merchandise		9,543,474
Total foreign merchandise		124,961
Total exports*		9,668,435

*No specie.

WM. F. SWITZLER, *Chief of Bureau.*

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
January 16, 1888.

The value of our commerce with Australasia since 1870 is shown by the following statement:

Value of merchandise exported from and imported into the United States into and from Australasia.

Year ending June 30—	Exports.		Total exports.	Imports.	Total imports and exports.
	Domestic.	Foreign.			
1870	$3,419,973	$46,602	$3,466,575	$278,964	$3,745,539
1871	2,369,346	54,380	2,423,726	285,011	2,708,737
1872	2,899,603	50,413	2,950,016	3,736,107	6,686,123
1873	3,917,477	62,789	3,980,266	3,142,418	7,122,684
1874	3,785,908	58,380	3,844,288	1,750,177	5,594,465
1875	3,505,435	76,180	3,581,615	3,730,976	7,312,591
1876	3,878,866	77,089	3,955,955	1,455,649	5,411,604
1877	5,780,278	105,189	5,885,467	1,476,238	7,361,705
1878	6,479,193	292,102	6,771,295	1,185,905	7,957,200
1879	7,012,875	128,940	7,171,816	785,773	7,957,589
1880	4,687,223	61,367	4,748,590	2,920,812	7,669,402
1881	6,636,130	92,375	6,728,505	2,088,302	8,816,807
1882	8,982,974	126,915	9,109,889	3,689,424	12,799,313
1883	9,638,997	156,659	9,795,656	4,021,395	13,817,051
1884	9,225,459	161,867	9,387,326	4,373,465	13,760,791
1885	10,534,138	114,054	10,648,192	2,823,393	13,471,585
1886	10,981,915	152,386	11,134,301	3,859,360	14,993,661
1887	9,543,474	124,961	9,668,435	4,411,119	14,079,554
Total	113,309,264	1,942,649	115,251,913	46,014,488	161,266,401

Balance of trade in favor of the United States since 1870, $69,237,425.

I commend these interesting statistics to the attention of the Committee on Ways and Means for consideration when it comes to the preparation of the second revised edition of the tariff bill.

Mr. FELTON. In this connection will my colleague also state that this profitable trade between the United States and Australia has been developed and maintained by a line of American steamers subsidized by Australia?

Mr. MORROW. Yes; subsidized by New Zealand.

Mr. FELTON. By New Zealand and New South Wales paying $150,000 per annum.

Mr. MORROW. That is so.

The principle of protection to our home industries does not depend, however, for its success upon a foreign market. What we seek is first to build up a home market.

The foreign is, of course, desirable for our surplus productions, but it should not be the sole aim of our industrial effort.

The proposition is a simple one. Is it not better to have a consumer for a product at our own door rather than be compelled to send it several thousands of miles at a heavy expense for insurance and transportation to find one?

And again, is it not better to save the cost of insurance and transportation of our products to a foreign market and divide that sum between the producer and consumer of our own country, and to that extent increase the wealth of the community?

The answer must be obvious to any one who will give the question a fair consideration. I could show by statistics, if time permitted, that our farmers derive more profit as a rule from the production of such articles as are entirely consumed at home than they do from those articles they are compelled to send abroad for a market.

The protective tariff may not be the only cause of our prosperity for the last twenty years, but it has certainly contributed much in that direction.

Mulhall estimates the annual accumulation of wealth of the four great nations as follows:

United States	$825,000,000
France	375,000,000
Great Britain	325,000,000
Germany	200,000,000

He then says:

Every day that the sun rises upon the American people it sees an addition of two and one-half million dollars to the accumulated wealth of the Republic, which is equal to one-third of the daily accumulations of mankind.

But the revenue reformer will probably claim that this enormous annual increase of wealth in the United States is in great part the profits of capital invested in railroads, banks, telegraphs, and like property, and that the farmers and wage-workers do not share in this wonderful prosperity.

The comparison of wages paid to mechanics and other laborers in the United States with the wages paid to persons engaged in like pursuits in Great Britain, France, and Germany ought to satisfy any one that the wage-workers of this country do participate in this accumulation of wealth; but if further evidence is required on this point, it will be found in the reports of the savings-banks of the country. It is the habit of the laboring classes in many cities of the United States to deposit their surplus earnings in the savings-banks. It is a convenient and safe accumulation for persons of small incomes; hence the business of these banks is a fair indication of the condition of this class of people.

In the last annual report of the Comptroller of the Currency is a statement embracing returns from six hundred and eighty-four savings-banks in nineteen States of the Union, from which it appears that in 1885–'86 these banks had 3,158,950 depositors and had deposits amounting to $1,141,530,578. In 1886–'87 there were 3,418,013 depositors and the deposits amounted to $1,235,247,371. Here is an increase in one year of 259,063 depositors and an increase of deposits of $93,716,793. What a splendid showing this is for the workingmen of this country!

There is undoubtedly poverty and distress in many places. As I said before, there are poor people everywhere. The laws are not all that they should be with respect to the rights of the laboring classes. The corporations are insolent and overbearing and capital exacting and tyrannical; but where in this wide world do the working people make such a showing of their accumulations as we find here in the return of six hundred and eighty-four savings-banks located in probably not more than five hundred communities.

What these small savings amount to in the thousands of other communities throughout the United States where there are no savings-banks or where savings are otherwise invested can of course only be a matter of conjecture. But this evidence, as far as it goes, tends to show that the laboring classes are sharing the benefits of the protective system, and that our prosperity is the splendid growth and development of the whole country.

I have not the time to consider the position of the farmer or discuss the advantages derived by him from the protective system, except to say that here, as everywhere else, the prosperity of the farmer is to be found in the value and extent of his home market, always developed and enlarged by manufacturing industries under the protective system.

With this evidence before me I can not vote for a measure that would imperil these conditions and destroy the most productive industries of this country.

The wisdom of those who laid the foundations of the Republic has secured to us the wealth of marvelous resources in the independence we gained as a people. Let us preserve that independence, and walking in the light of our own history, push forward in the way we were going as the first among the nations of the world.

During the delivery of the foregoing remarks the hammer fell.

Mr. FELTON. I ask unanimous consent that the time of my colleague be extended for a few minutes longer.

Mr. CLEMENTS. I must insist upon the regular order.

Mr. FELTON. It has been the usual course during the whole of this tariff discussion.

Mr. MORROW. I shall not ask more than five minutes.

Mr. CLEMENTS. I have objected in other cases, and there are a great many gentlemen desiring to speak on this question.

Mr. HOPKINS, of Illinois. I shall not feel bad if the gentleman withdraws his objection.

Mr. HOOKER. I hope the time will be extended.

Mr. FELTON. It has been almost invariably the practice.

Mr. CLEMENTS. It is only a simple act of justice to others who can not be recognized at all, or, if at all, for a very few minutes, and I must insist upon the regular order.

Mr. HOOKER was recognized.

Mr. COGSWELL. Mr. Chairman, I desire to make a correction of a statement which appears in the RECORD.

The CHAIRMAN. But the gentleman from Mississippi [Mr. HOOKER] is entitled to the floor.

Mr. CLEMENTS. I ask the regular order.

The CHAIRMAN. The correction the gentleman refers to is in the nature of debate, and some time during the progress of the discussion the Chair will recognize the gentleman for that purpose.

Mr. HOOKER. Mr. Chairman, the power of taxation is the most tyrannical power of all those granted in the Constitution to the legislative department of the Government, and in the opinion of Chief-Justice Marshall in that memorable case decided early in the history of the country (of McCullough *vs.* State of Maryland, 4 Wheaton, Supreme Court Reports) "it may be used to destroy." The odious and oppressive navigation laws of the mother country, which forbade the colonies to import a pound of tea to America from China unless it was first carried into British ports and reshipped in British vessels and brought to the American colonies, and that tax imposed upon it, led to the assembling of that band of patriots in Boston harbor who threw the tea overboard. It was the first act of rebellion, Mr. Chairman, against the unjust laws of taxation which lost to the mother country that magnificent domain, the American colonies.

Our fathers assembled in the Hall of Independence in Philadelphia and made that memorable declaration that these colonies are, and of right ought to be, free and independent States. The Declaration thundered over the continent, was caught up by the long swell of the Atlatic and wafted to the ears of the crowned monarch of the then mother country. Men sprang to arms to maintain the Declaration, and they made it good through the trials and the hardships and the bloodshed of the seven years of the war of the Revolution.

Our great historian, Mr. Bancroft, whom I am glad to see still spared in his green old age and his honored manhood to breathe the fresh air and to enjoy the bright sunshine of that country whose history he has written with an immortal pen—Mr. Bancroft, in speaking of the causes of that revolution, says:

> That American independence, like the great rivers of the continent, had many sources, but the head spring which colored all the stream was the navigation act of the mother country.

It was then emphatically, Mr. Chairman, a war for the purpose of ridding our ancestors of unjust and iniquitous taxation. Emerging from the Revolution with fresh and vivid memories of the tyranny of unjust and odious tax laws, it is not a cause of wonder that when the representatives of the original thirteen States met to adopt a government of their own, they should have denied to that very government of their own creation the power "to levy taxes" and the power "to regulate commerce." That first government, known as the Government of the Confederation, existed from 1781 to 1789. They found that thirteen different legislatures passing upon questions of taxation could not make them uniform, and they found that thirteen different legislatures could not pass laws which would operate equally to regulate commerce between themselves. And the result was the meeting first at Annapolis of Alexander Hamilton, the representative from the great State of New York, and others. Finding that no quorum had assembled and that the resolution under which they met of the Confederate Congress did not clothe them with the power to make a new Constitution, but simply clothed them with the power to amend the old, and finding that they would have to go back to Congress for a new grant of power, they did so, and the resolution passed the Confederate Congress which called the convention which assembled in 1787 in Philadelphia, and which led to the formation of the existing Constitution.

After prolonged deliberation in the convention of 1787, and still more prolonged and anxious discussion in the conventions of the several States on the question of considering and adopting or rejecting that Constitution, our fathers reluctantly parted with the power to the Federal Government to tax, and also parted with the power to the Federal Government to regulate commerce, coupling it with such restrictions as they thought would forever prevent the abuse of that power on the part of the Government to whom it was granted. And especially apprehensive that a domestic government established by their own consent might resort to a system of taxation as oppressive as that for which they fought the Revolution to free the country from, they provided safeguards, as they imagined, a protection against the abuses of this taxing power.

They enacted in section 8, Article I of the Constitution of the United States, that—

> The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defense and general welfare of the United States; but all duties, imposts, and excises shall be uniform throughout the United States.

They provide further, in section 9, paragraph 4, first article of the Constitution, that—

> No capitation, or other direct, tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

Paragraph 5, section 9, Article I, provides—

> No tax or duty shall be laid on articles exported from any State.

And paragraph 6, section 9 of the same first article of the Constitution, provided that—

> No preference shall be given by any regulation of commerce—

I call attention to the language of this provision—

> No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels, bound to, or from, one State, be obliged to enter, clear, or pay duties in another.

These were the safeguards which the framers of the Constitution imagined they had thrown around this extraordinary power granted to the Federal Government, for the first time under this Constitution, to lay taxes, duties, imposts, and excises, and under the powers thus carefully guarded granted to the Federal Government. The first tariff or tax-law was enacted in 1789. Alexander Hamilton was the then Secretary of the Treasury; and this first tariff or tax-law bears the impress of his great mind. The rates of duties so fixed had for their object the equal distribution of taxes throughout the thirteen original States, and the people thereof looking to the production of the needed revenue for the support of the Government, and carrying along with them whatever incident of protection they might to like articles produced and manufactured in our own country.

This tariff lasted for twenty-five years, with here and there slight modifications. In the original bill framed in this first tariff act it will be remarked how low were the rates imposed immediately after the war of the Revolution when its debt had to be met and liquidated. Cotton goods were charged only 5 per cent., iron goods 7½ per cent., and woolen goods 5 per cent., and as at that time the great cormorant of "pig-iron" had not come into existence there was no duty at all on that. Under this tariff act, this first tax act—for, as was well remarked by my distinguished friend from Kentucky who sits immediately on my left [Mr. CABELL], the word "tariff" means a tax, and derives its name from the little town, Tarifa, on the southern coast of Spain, where was first established a custom-house to collect taxes. It is only another name for a tax. This first tax act, then, how did it operate, Mr. Chairman? From 1790 to 1808 it was in operation, and from 1791, when it yielded $4,000,000 of revenue, the amount increased until in 1808 the yield of revenue was sixteen millions. The embargo was laid in 1808, which, of course, stopped all revenue from that source. Until 1808, under the tariff law of 1789, the rates of duty averaged 11$\frac{17}{88}$ per cent. This was the first tariff law enacted under the Constitution, and, as I have said, it continued in existence for twenty-four years. The second tariff act was passed in 1816, immediately after we had fought the war of 1812, a war which also, it will be remembered, grew out of the exactions imposed on our commerce and our seamen by the no longer mother country, transformed now into a bitter and hostile enemy.

We emerged from that conflict with the then greatest land and naval power on the globe covered with the garlands of victory won by the valor of our tars on the ocean and of our soldiers on the land. It is memorable, therefore, that this "second war of independence," as it has been termed, was also designed and intended to protect us from the odious navigation acts and commercial restrictions imposed by those who were opposed to the interests and the welfare and the development of our country. The tariff tax of 1816 had at least this excuse for protection: that then our industries were indeed in their infancy, and by that tariff act the duties were increased on an average 42 per cent. The articles of import on which the law operated were divided into three classes:

1. Those of which a full domestic supply could be produced;
2. Those of which a domestic supply could be but partially produced; and
3. Articles only slightly or not at all produced in this country.

On articles of the first class there was a duty of 35 per cent. ad valorem; on articles of the second class, 25 per cent., to be reduced to 20 per cent. after three years. On articles of the third class duties were imposed with a view to revenue. The average duties under this tariff of 1816, which operated until 1824, were 24½ per cent.

The third tariff act was that of 1824, of which Mr. Clay was the eloquent advocate, and it is a singular fact in the history of the country that Mr. Webster opposed the tariff of 1816 and also the tariff of 1824. The grounds of his opposition to it have never been answered even by himself, for it has been well said, Mr. Chairman, that the greatest rival of a great man is himself or his own former utterances. In 1820, in Faneuil Hall, Boston, Mr. Webster made a speech in opposition to the policy which is vaunted here by gentlemen on the other side, and espe-

cially by my friend from Michigan [Mr. BURROWS], the principle of protection for protection's sake. Mr. Webster made that speech in Faneuil Hall in Boston on the then pending tariff question, and the meeting adopted a series of resolutions expressive of the sentiments which Mr. Webster had just uttered. Those resolutions I now send to the Clerk's desk to be read in order that the views entertained by the men of Massachuetts of that day and its great leading intellect may be made known to this House and to the country.

The Clerk read the resolutions, as follows:

Resolved, That no objection ought ever to be made to any amount of taxes equally apportioned and imposed for the purpose of raising revenue necessary for the support of the Government; but that taxes imposed on the people for the sole benefit of any class of men are equally inconsistent with the principles of our Constitution and with sound judgment.

Resolved, That the supposition that until the supposed tariff, or some similar measure, be adopted, we are and shall be dependent on foreigners for the means of subsistence and defense is, in our opinion, altogether fallacious, fanciful, and derogatory to the character of the nation.

Resolved, That high bounties on such domestic manufactures as are principally benefited by that tariff favor great capitalists rather than personal industries or the owners of small capital, and therefore that we do not perceive its tendency to promote national industries.

Resolved, That we are equally incapable of discovering its beneficial effects on agriculture, since the obvious consequence of its adoption would be that the farmer must give more than he now does for all he buys and receive less for all he sells.

Resolved, That in our opinion the proposed tariff and the principles on which it is avowedly formed would, if adopted, have a tendency, however different may be the motives of those who recommend them, to diminish the industry, impede the prosperity, and corrupt the morals of the people.

Mr. HOOKER. It will thus be seen that at that time the great leading mind of the State of Massachusetts and the people of that State did not give their assent to the doctrine which has been uttered by my distinguished friend from Michigan [Mr. BURROWS] with so much eloquence, and reiterated by the gentleman from Maine [Mr. DINGLEY], that in laying a tariff we must lay it not for the purposes of revenue; that this extraordinary taxing power of the Government must be laid not for the purpose of raising revenue to defray the expenses of the Government, but with the primary object of protecting some particular industry. At that day the argument was made, as we have heard it reiterated by these distinguished gentleman now, that to oppose the doctrine of protection was to be in favor of foreign governments rather than our own; that if you did not assent to the doctrine of protection you were in favor of the maintenance and support of foreign industries rather than our own. Two giant minds of this country exploded that idea nearly half a century ago; and they were the intellect of Webster, with his wonderful power of argument, and the sharp, keen, incisive logic of Mr. Calhoun, who never touched any subject that he did not cut to the kernel, and who spoke for the truth in every speech that he made while he ornamented this House or the Senate with his presence. Those master intellects united in showing that in demanding an extended market there was no opposition in the American mind to the encouragement of legitimate commerce, manufactures, agriculture, and navigation of our own country. It has been asserted, Mr. Chairman, by these gentlemen, who hold this doctrine of protection for protection's sake (and I know no man on this side of the Chamber claiming to be a Democrat who holds that doctrine) that they are American in their ideas and conceptions. I deny it; I take issue with the gentlemen on that point.

I have said there is no gentleman on this side of the House who holds to the doctrine of protection for protection's sake under the taxing power of this Government. If there is such a one, I have yet to hear him speak on this question. The distinguished gentleman from Pennsylvania [Mr. RANDALL], whom I regret I do not see in his seat, and who is supposed to have gone further than any other man on the Democratic side in favor of high protective tariffs, stands committed by the solemn record of two speeches made on this floor, in which he says, in distinct terms, "I am opposed to the doctrine of protection for protection's sake."

This doctrine is of modern growth. It was never asserted in the adoption of the original tariff act of 1789 or that of 1816. It had its origin in the passage of what Mr. Calhoun appropriately denominated the "tariff act of abominations," the act of 1828. Then it was that the doctrine was first proclaimed that there existed somewhere in this Government under the forms of the Constitution a power to lay taxation not for the purpose of collecting revenue to defray the expenses of the Government, but to protect one or two particular classes of industries. And I want to refer very briefly to a decision of the Supreme Court of the United States, delivered by one of the present learned justices, and having reference to this question of taxation. I refer to the case of the Loan Association *vs.* Topeka, 20 Wallace. Speaking of the power of Government to tax, that most momentous of all powers, Justice Miller, delivering the opinion of the court, says:

> The power to tax is therefore the strongest, the most pervading of all the powers of government, reaching directly or indirectly to all classes of the people. It was said by Chief-Justice Marshall, in the case of McCulloch *vs.* The State of Maryland, that the power to tax is the power to destroy. A striking instance of the truth of the proposition is seen in the fact that the existing tax of 10 per cent. imposed by the United States on the circulation of all other banks than the national banks drove out of existence every State bank of circulation within a year or two after its passage. This power can as readily be employed against one class of individuals and in favor of another, so as to ruin the one class and give unlimited wealth and prosperity to the other, if there is no implied limitation of the uses for which the power may be exercised.

Again he says:

> To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation.

Mr. BRUMM. What was the issue involved in that case?

Mr. HOOKER. The question was, as appears by the terms of this decision, the power to lay taxes. If the gentleman listens to the language of the court he can not fail to understand.

> To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprises and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation. This is not legislation. It is a decree under legislative forms. Nor is it taxation. A "tax," says Webster's Dictionary, "is a rate or sum of money assessed on the person or property of a citizen by Government for the use of the nation or State." Taxes are burdens or charges imposed by the Legislature upon persons or property to raise money for public purposes.
>
> * * * * * * * *
>
> We have established, we think, beyond cavil that there can be no lawful tax which is not laid for a public purpose.
>
> * * * * * * *
>
> If it be said that a benefit results to the local public of a town by establishing manufactures, the same may be said of any other business or pursuit which employs capital or labor. The merchant, the mechanic, the inn-keeper, the banker, the builder, the steam-boat owner, are equally promoters of the public good, and equally deserving the aid of the citizens by forced contributions. No line can be drawn in favor of the manufacturer which would not open the coffers of the public treasury to the importunities of two-thirds of the business men of the city or town.

This is the opinion of the Supreme Court upon this subject of the power of taxation. Now, allow me to say a word to honorable gentlemen on the other side. I want to ask my distinguished friend from Michigan [Mr. BURROWS] and the distinguished gentleman from Maine [Mr. DINGLEY], who have announced as the doctrine of their party protection for protection's sake, whether they would dare to get up in the Legislatures of their own States and propose that as a principle of taxation for State legislation? If not, why not?

Mr. DINGLEY. What did I understand the gentleman to say?

Mr. HOOKER. I ask whether you would apply to the imposition of taxes in your own State the principle you seek to apply in the tariff legislation of the General Government.

Mr. DINGLEY. Does the gentleman say that I asserted I would use the taxing power of the Government for protection's sake alone?

Mr. HOOKER. Yes, I so understood you.

Mr. DINGLEY. I asserted nothing of the kind.

Mr. HOOKER. I so understood you, and also the gentleman from Michigan. Your platform certainly takes that position.

Mr. DINGLEY and others. Not at all.

Mr. HOOKER. It does. I will read the language in a moment if gentlemen will be quiet. Your platform asserts that you do not lay taxes for revenue only, but lay them for another purpose. Now, I am asking the question whether you would apply that principle in State legislation, and if not, why not? Would my distinguished friend from Michigan, who spoke so eloquently the other day, or would the gentleman from Maine apply in State legislation the principle that taxes shall be laid so as to operate upon the farming interests for the benefit of the manufacturing interests, or operate upon the manufacturing interests for the benefit of the farming interests? If you should announce such a doctrine you would hear from every one of the thirty-eight States of this Union a voice of condemnation declaring that such a method of taxation, intended to benefit one citizen at the expense of another, is unjust and oppressive.

But how is that principle any better when applied to the tariff legislation of the General Government? Under the Constitution you are denied the power of laying a tariff on exports. My honorable friend from Michigan when stating the other day the amount of the commerce of this country was very careful to eliminate from consideration the cotton and the tobacco raised here, cotton being the largest exportation that we make and the great agricultural products of the West being the next. As has been well stated long ago, and I but repeat an argument founded upon the rock of ages so far as its truth is concerned, when you impose unjust taxes upon imports you, by construction, impose unjust taxes upon the exports which bring in the imports.

You evade the Constitution when you enact this law by which the superabundant products of your country are subjected to this high rate of taxation upon imports, because there can be no imports unless there are exports. I say, therefore, if the principle be a just one why not apply it to the States? Would you apply it to the people of the States? No. Why? Because there is no reason why it should be applied to one and not to the other.

The argument is made by gentlemen that the rate of tariff taxation should not be diminished as proposed in the bill of the Committee on Ways and Means, now pending, although that bill levies an enormous taxation for the purpose of providing revenue for the support of the Government. They say, however, that the present tariff taxation should not be diminished because they wish to protect the labor of the laboring man and keep his wages up to the high standard they are now. That is the reason they say to the committee you must not touch the existing tariff at all. Why? Is it not enough? You yourselves have said it is high enough. Your own Tariff Commission, sent by a Repub-

lican Congress throughout the country, recommended a diminution of 20 per cent., but when a bill was introduced in the House of Representatives for that purpose you struck out the enacting clause and defeated it. So you stand committed to the doctrine of reduction of tariff taxation just as much as the Democratic party is, although I do not think you were as sincere in your professions in that regard as the Democratic party. [Applause.]

My honorable friend from Michigan [Mr. BURROWS] said in his remarks, with something of a sneer of sarcasm, "I remind the President it is a condition we confront, and not a theory." Yet the gentleman's own party was in power for twenty-five years, and during all that time you left the tariff at the war standard. There was no amendment proposed for the reduction of those war taxes either then or now, when, for the first time, an effort is being made in Congress under the recommendation of President Cleveland to enact into law the bill reported from the Committee on Ways and Means proposing to diminish the present rate of tariff taxation. Yet you say on the other side of this House that this rate of taxation shall not be touched at all; that if it is it will destroy the great industries of the country.

Now, Mr. Chairman, I deny the proposition. The bubble of protection for protection's sake when touched by the spear of Ithuriel will expose its vagaries to the light of day and they disappear into thin air. [Applause.]

If my friend from Michigan [Mr. BURROWS] or my friend from Maine [Mr. DINGLEY] should go into their own or my district and come upon the humblest boy plowing and tell him that the plow-handles which he held and everything in the nature of steel and iron about that plow were not taxed for the purpose of protecting the manufacturers engaged in the iron and steel trade the boy would immediately ask: "Why, then, should I be compelled to pay a duty upon iron and steel? Why not let me have it at a cheaper rate if the taxation is not necessary for the protection of the iron and steel trade?" And that is the complete answer to the argument in favor of protection for protection's sake.

The exercise of this power of taxation is fully illustrated in the tariff acts of 1816, 1820, the compromise tariff of 1833, and the tariff of 1846.

I wish to say one word in reference to that revenue tariff of 1846. It was laid when Robert J. Walker was at the head of the Treasury Department, and his report in maintenance of that tariff act has never been answered and never can be answered. I will embody in my remarks what he has said on that subject, but I have not time now to refer to the particular passages and have them read at the Clerk's desk.

What was the result? You received such an enormous amount of revenue under the tariff of 1846 you had to pass the tariff of 1857, because you then had a redundant and overflowing Treasury.

It was said by the gentleman from Michigan, and by the gentleman from Maine, and those who have been contending that high duties are necessary in order to protect the labor of the country, that these high rates of duties do protect the labor of the country.

Mr. KERR. Does the gentleman from Mississippi say that any man on this side of the House would levy duties for protection for protection's sake alone?

Mr. HOOKER. No, sir; but for revenue with something more than revenue attached. Now, I deny that you have the power under the Constitution to do that.

Mr. KERR. Does not the gentleman understand that we favor the apportionment of the duties so as to afford incidental protection, and that——

Mr. HOOKER. I can not yield further time. I understand the position of the gentleman and that of his party. I understand thoroughly the argument you make. But what right have you to protect labor? Who are you that undertakes to say that you have that right? Where do you get the money from to protect it? Mr. Chairman, it came from the tax-payers of this land. It has been wrung from them by onerous taxes, and has gone into the overflowing vaults of your Treasury, already gorged with a hundred millions surplus every year, gathered from the laborers of the country. And yet you undertake to say that you have the right to protect that labor! Sir the laborers of the country scorn your protection. The laborer is no mendicant. I deny in his name and manhood that he is a mendicant. He is a free, independent American citizen, who made you and made the Government, and gave you all that money that now lies bursting the coffers of your Treasury. Where do you get the money from with which you propose to grant your protection, as well as the money which now overflows the Treasury? It comes from the laborer. I repeat he is no mendicant. He does not want your protection. He is a proud American citizen, and, Mr. Chairman, the assertions that you are going to "protect American labor" is something extraordinary to me.

Gentlemen talk of protecting the laborer. How? What from? From unjust taxes? I want to protect him from that. But how are you going to protect him? Is his wealth and property threatened? Ah, gentlemen, your protection is for the manufacturers, and how do you propose to get it? You can only get it by making the laborer and all of us pay higher taxes. There is no other way.

Now, sir, we are a very great people. We have a very large area of territory, stretching from where the swell of the Atlantic breaks upon the rock-bound coast of our eastern shore to where the softer waves of the Pacific roll upon the golden shores of California. We have a country not only vast in area, but with 60,000,000 of population.

We have vast wealth in mines and minerals, and in our soil; and yet gentlemen point you to these various tariffs and say, "Behold; high tariff did all this!" I deny it. I say no, it did not; I say that neither a high tariff nor a low tariff did it. You can not make money by the legerdemain of legislation. You can not pay taxes by the cunning devices of the law. [Applause.]

It is labor that makes money. It is the thews, and the muscles, and the sinews, and the blood, and the bone, and brain of the laboring man, whether it be labor of the head or hand that does it and makes money.

Mr. BAYNE rose.

Mr. HOOKER. I do not yield to the gentleman; I can not be interrupted. I know the shoe pinches whenever we touch upon this subject.

Mr. Chairman, I repeat that the laborer of this country is no mendicant. He is a strong, sturdy American citizen, a man of muscle, thews, sinew, and brains, developed in the factory or in the field or in the mine, able to protect himself. The humblest laborer in the land, if you go to him and say "I am going to protect you," will turn with amazement and ask you how? If you reply, "I am going to protect you by taking money from the pockets of some other laborer and put it into yours by the cunning device known as the tariff law," you would find that, though poor, he is proud. His spirit would revolt at such indignity. He would repel with scorn your protection. No, he would say, "I am poor; my home is not luxurious; I have many wants; but I am independent, and I am an American citizen; I receive protection from the country, the protection which the Constitution guaranties me of life, liberty, and property. Beyond that I do not ask any protection." That would be the answer of a laboring man. He is not, I repeat, a mendicant.

But the idea that gentlemen have developed in their argument during the progress of this discussion is that by some peculiar machinery, some extraordinary operation of the law, some mysterious device of legislation, you are going to give protection to labor. Are you going to give it all over the land? Is it to be uniform in its operation and its results, and are its fruits to fall benevolently upon all alike? Mr. Chairman, I want to illustrate the character of your proposed protection by taking a single article, salt.

Many years ago Mr. Jefferson said it ought to have been placed upon the free-list. It is an article in so general use that you can not make a meal, a breakfast, dinner, or supper without it; so common, that you can not cure a ham or a side of bacon without it; so common that no citizen can be without it in his humble home; and long ago Jefferson said of the Government tax that it ought to be taken off salt.

Mr. MILLIKEN. Why not off of sugar, too?

Mr. HOOKER. Robert J. Walker, in his report on the tariff, said, in that magnificent document which has never been answered, "Salt ought to be as free from taxation as air and water."

Sir, the power of taxation is an onerous and tyrannical one. It is something that has a species of terror to the citizen where it is invoked directly. He dreads it in his own town, in his own municipality, in his own county, when he sees it in the shape of a tax-collector, who hands out his tax-list and says: "Here, pay it, or I will sell you out." Taxes come to all. They are like death in the illustration of the old Latin poet when speaking of death:

Pallida mors æquo pulsat pede, pauperum tabernas
Regumque turres.

There is no man who can escape from death or taxes. With impartial foot they knock at the cottage of the poor and the palace of the rich.

I say, therefore, that when you profess that you are going to protect the laborer his response will be, "I am able to protect myself if you will take off your taxes. All I ask is that you keep your hands out of my pocket and let me enjoy what I have earned by the fruits of my labor." That is all the protection labor wants.

My honorable friend from Michigan said the other day, sneeringly, that he would remind the President it was a condition that we confronted, and not a theory. But what is your condition? For what are you accountable? Let us see.

You have been in possession of the Government since the war closed. You had it during all the period of the civil war. You imposed tariff and internal taxes until your laws are now piling up useless revenue at the rate of over a hundred millions each year, and when we met at Chicago we made a declaration in the name of the Democratic party that we intended to afford the people relief by a reduction of taxation. We charged that you had accumulated over a hundred millions, had crippled the industries of the country, had paralyzed its business, and denied to the laboring people the just reward for their labor by taking from the circulation of the country these millions of money and locking them up in the Treasury.

These things we charged upon you. We made an issue before the grand tribune of the people, before the tribunal of the American Republic. We went before it and convicted you and elected Grover Cleveland and his Cabinet to the exalted positions which they now adorn

and where they stand pledged to reform the laws and to reduce taxation. And yet whenever a measure has been brought forward by this Administration which looked to reducing the duty on protected articles, we were met by the proposition, "You must not do this or you will destroy the laborers of America."

The judgment of the people pronounced against you. And I say now that the Democratic party in serried column—he who stands at its head down to the humblest soldier in its ranks—will march in November next to the accomplishment of their purpose and to the fulfillment of the pledges they have made to the people, and no power can stop them. Neither the man who holds to the impracticable doctrine of free trade nor the man who holds to the unconstitutional doctrine of protection for protection's sake can be permitted to stand in the way of the march of the grand army of the people in demanding a reduction of taxation and a diminution of the surplus in the vaults of the Treasury. [Applause.]

I have said, sir, I would illustrate by one single article which the Committee on Ways and Means have ventured to put at last on the free-list. It is the article of salt, so essential, as I have said, in all the departments of industry, on the farm and in the curing of everything. On that article you have permitted a tax to be levied from the time salt first became an object of taxation to secure a revenue. Now it bears a duty of 12 per cent. on salt imported in bags and packages and 8 per cent. on salt bought in bulk, except that you took the precaution to exempt from taxation the fish-curer on the coast of New England, which is the home of the protective tariff system. To him you give a rebate of duty on this great necessity which should have been as free as the air or the water.

I took occasion to consult recent statistics in regard to this article, and addressed a letter to Mr. Switzler, the present intelligent Statistician of the Treasury Department, asking him to give me the statistics. I will publish his letter with my remarks. It shows that the capital invested in the manufacture of salt is $8,225,740; that the number of the people employed in the manufacture are as follows: Males, 4,125; females, 20; children, 144; total, 4,289. In all there are produced of salt in the United States 29,805,298 bushels. The product of the capital invested amounts to $4,829,566—about one-half of the capital invested.

I will print also with my remarks a table showing the amount that is paid for salt, made, as I have said, by 4,289 persons engaged in the manufacture of an article so absolutely necessary. The poorest as well as the richest citizen of this land can not make a meal without it. And yet you make the sixty millions of people of this country pay tribute to the 4,289 people who are engaged in this pursuit.

What justice is there in that, any more than if you were by an enactment to say, "We will impose a tax on houses, so much tax on each house without reference to the question of its value?" You have sixty millions of people who are required to pay a tribute to 4,289 people engaged in the manufacture of this article. As was well said by the distinguished South Carolinian while discussing this subject, "You do not dare to say you want it as a tribute; you will put it on a tariff act but it will come to be seen that it is a tribute."

So this is a tribute on the part of the whole population of this country to the 4,000 people who are engaged in that manufacture.

So it is with regard to every other thing that is taxed. The principle of taxation contended for on the other side is that they possess the power to levy a tax for revenue so as also to give protection. They say they do not lay it for that purpose directly, but for another. Some time ago gentlemen were disposed to question a little what their own platform said. I will read it to see how far they are committed to the doctrine which they now advocate. But before I do that I should be permitted to remark that this Hall was flooded and every desk was covered by appeals from persons to put on more taxes and to increase taxation. Can you convince the American people that you can add to their prosperity by laying on them an additional burden? No, sir. The man who has to pay that tax can not be deceived. Who is he? Not the man who signs his name to the thousand and one petitions which come to Congress requesting it not to touch this tariff, because it is a tariff to protect American labor. You have received thousands of such petitions declaring that you must not touch this tariff because it protects American labor.

Now, I want to say that you must not so revise the revenue laws that the tax shall be paid by one class and not by another; you must not so revise the laws that one class shall pay tribute to another. What power under the Constitution or in accordance with the principles of equity and justice have you to do that?

The gentleman from California [Mr. MORROW] this morning read an appeal from the people of California that Congress should not take the tax off lumber; because they were entitled to so much stumpage, $2 a thousand, and so much on the boards; and he said it would be the grossest act of injustice to those people, to the employés and to the men who owned the lumber, to take the tax off.

Now, I want to say that that is strikingly illustrated in a little production which I chanced to find the other day in a Philadelphia paper, and another in an Eastern Maryland paper. One of the gentlemen whose views are set forth here is talking on the subject of the tax on lumber, and I may remark in passing that no people in the country are more interested in that question than the people of Mississippi, because we have in that State the grandest pineries in the world. While those in Michigan and the other Northwestern States have been used up by manufacture and destroyed by prairie fires, we have in Mississippi pine forests almost inexhaustible in quantity and in a virgin state, yet we are not going to quarrel with the bill of the Committee on Ways and Means because it happens to touch upon that industry of our people. That, however, is the ground upon which the gentleman from California [Mr. MORROW] opposes the bill—that it would take off a portion of the tax on lumber.

Mr. ALLEN, of Michigan. The people of Michigan are buying up those Mississippi timber lands.

Mr. HOOKER. I know it, but we have just stopped you by resolution. You have got enough of the public lands. [Laughter.]

Mr. KERR. Will the gentleman yield for a question?

Mr. HOOKER. I have not the time now. I have read the views of this gentleman who is named here as Mr. Blanchard, of Chicago.

THE TARIFF IN A NUTSHELL.

Mr. Blanchard, of Chicago, in a short speech a few days ago, said more to show up the evils of a high-tariff system than others have done in labored speeches and ponderous volumes. Mr. Blanchard is a refreshing sample of a protected operator who is willing to tell the truth and shame his demoniac majesty, and furnishes a beautiful illustration of the utter selfishness that governs the beneficiaries of a high protective tariff. He says: "I am high tariff on lumber, but low tariff on copper, iron, wool, cotton, leather, glass, etc. I will tell you why. I own timber lands and sell stumpage; besides, I operate largely myself, and this tariff puts money into my pocket. I get $2 per 1,000 feet for my stumpage, and $2 per 1,000 for my boards. I have just sold 5,000,000 feet of lumber. Now, $2 per 1,000 on 5,000,000 feet is just $10,000. That is the difference to me between high tariff and free lumber. I am high tariff on lumber, I am. The blessed tariff, they tell us, is all for the benefit of the American laborer. What do you suppose I did with the $10,000? Divide it among my workmen? Not a bit of it. I put it right into this calfskin wallet, I did.

[Laughter.]

Of all my workmen I am the only protected American laborer. Wages depend upon supply and demand, my friends, and not upon taxes.

[Applause on the Democratic side.]

When you see two men after one boss wages are low; when you see two bosses after one man wages are high; and that is the whole of it—the theory, principle and practice."—*From the Easton (Md.) Ledger.*

I read now an extract from the Philadelphia Telegraph, entitled—

THE TRUTH ON THE QUININE TARIFF.

To those who think that whatever is is right, and therefore should not be disturbed, and that the tariff is a thing existent and therefore not to be altered in any manner whatsoever, we heartily commend the history of the duty on quinine, which six years ago was virtually prohibitory. It will be remembered that a hard fight had to be fought to secure the repeal of the duty upon this important medicinal agent. At the time of the repeal of the duty there were five firms manufacturing quinine in this country. Three of them were in this city, and all declared through the columns of the Evening Telegraph, either by their own letters or in interviews with reporters, that if the bill of repeal passed they would be compelled to discontinue the manufacture of quinine. The price of the article was then $3.50 per ounce, or $2 95 less than when the duty was on.

Neither of the five great firms which previously manufactured quinine has since discontinued its manufacture, and all are, it is fairly to be assumed, making satisfactory profits from its manufacture under the reduced price. The making of quinine in this country six years ago was a monopoly, from which individual fortunes represented by millions of dollars were realized. It is but just to say, however, that there has been a large increase in the growth in the cinchona bark from which the medicine is made, and the added supply of raw material has helped to lessen the price of the product.

There are other great monopolies to-day in the country which could and should be destroyed by the reduction of the excessive duties on their manufactures. The worst of them all is the sugar trust, a monopoly which oppresses every consumer in the land. The quinine experiment should be tried upon it.

But, Mr. Chairman, I am advised that my time is very short.

The CHAIRMAN. The gentleman has five minutes of his time remaining.

Mr. MORROW. Mr. Chairman, I ask the gentleman to yield to me for a moment.

Mr. HOOKER. I have not time.

Mr. MORROW. I want to say only a word.

Mr. HOOKER. Please say it in your own time, then, for mine is nearly exhausted.

Mr. MORROW. Mine is all exhausted. [Laughter.]

Mr. HOOKER. Now, Mr. Chairman, when the Democratic party is insisting on the reduction of taxation; now, when we have gone farther even than the President has recommended—for we have not only gone in the direction of his recommendations as to the tariff, but we have undertaken to reduce the internal-revenue taxes—now, I say, when the Democratic party insists upon reducing taxation the gentleman from Michigan [Mr. BURROWS] tells us that the internal-revenue tax ought never to have existed a year beyond the time when the necessity for it ceased. Such a tax was laid during the war of the Revolution and was swept away in 1801 by Jefferson. Again in 1812 an internal-revenue tax was imposed, and again it was repealed. But the gentleman's party was in power here from the close of the civil war until 1875; why, then, did they not take off these internal-revenue taxes? They cherished them carefully, and now they hold them up as a bar against touching the sacred principle of protection for protection's sake, and refuse to comply with the pledges which they made

to the people and upon which they profess to stand. What were those pledges? I read from the Republican platform of 1884:

We therefore demand [you speak like masters, but you are talking to your masters] that the imposition of duties on foreign imports shall be made not for "revenue only," but that, in raising the requisite revenues for the Government, such duties shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer; to the end that active and intelligent labor, as well as capital, may have its just reward, and the laboring man his full share in the national prosperity.

* * * * * * *

The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus, not by the vicious and indiscriminate process of horizontal reduction, but by such methods as will relieve the tax-payer without injuring the laborer or the great productive interests of the country.

Mr. Chairman, I am gratified to know that there is at least one distinguished gentleman on the other side of the House who breaks down the barrier behind which the Republican party have solidly arrayed themselves. I refer to the distinguished gentleman from Minnesota [Mr. NELSON].

This bill does not go as far as I would have it go, but shall I, therefore, quarrel with it? It affects seriously my own constituents in one direction—the tax on lumber; but shall I, therefore, quarrel with it? No, sir. We have in Mississippi, 60 miles below our State capital, a manufactory of cotton and woolen goods, where they are now erecting another building, so as to employ a double number of hands, and the distinguished gentleman who is at the head of that establishment says that he wants no tariff tax to enable him to go into the markets of Baltimore and Philadelphia and New York and compete there with better goods than any that can be made elsewhere in the country. And, sir, we are not confined to cotton, although that is our great staple.

I speak, Mr. Chairman, a word in behalf of the humble laboring class from the midst of whom I come, and of whom I am the representative here. I speak in behalf of the farmer who has borne for years and years, from the establishment of the tariff of abominations in 1828 all along the line down to the present time (except during the tariff of 1846, which was a tariff for revenue)—I speak, I say, for the farmer who has borne the brunt of the taxation of this Government uncomplainingly; I speak for the farmer who goes out in the morning and holds the plow handles until dewy eve; I speak for the women who in my part of the country attend to the matters of the farm. I ask in the name of the people, not of any one section alone, but of every section of our common country, that we shall go back to the primitive principle of our fathers and lay a tariff (which means only a tax) for revenue, letting it carry with it such incidental protection as it may. I stand where the party stood when they elected Buchanan. I stand where they stood when they elected Pierce and Polk. I stand, I say, where the party stood, on the firm middle ground of a tariff for revenue, carrying with it whatever incidental protection it may—when Jackson, iron-handed and iron-hearted Jackson, was nominated and elected President of the United States. [Applause.] There is where I stand. There is where we must stand, if we are to redeem the pledges which we made at Chicago. To reduce taxation and diminish the surplus is the duty which now rests upon the legislative department of the Government, and if there is any failure the responsibility will rest there, too.

Sir, I would have every laborer in this land prosperous. We have brought into this country thirteen millions of laborers from 1820 up to 1887, and we have incorporated them into the great body of our American people. They go out all over this country, on the farms, in the forests, in the factories, in the mines, and under the influence of the very soil which they tread and the air which they breathe they lose their distinct nationalities and become Americans.

> To one strong race all races here incline;
> Tongues melt in hers;
> Hereditary foemen forget sword and slogan,
> Kith and clan.
> 'Twas glory once to be a Roman;
> She makes it glory now to be a man.

I append the following letters and documents referred to in the body of my remarks:

DUTY ON SALT.

TREASURY DEPARTMENT, BUREAU OF STATISTICS,
Washington, D. C., April 27, 1888.

SIR: In response to your letter of the 26th instant, I send to you herewith a statement showing the quantity and value of imported salt entered for consumption in the United States, with the rates and amounts of duty collected thereon during each year from 1862 to 1887 inclusive.

The following data are taken from the United States census of 1880:

SALT.

Establishments in United States		298
Capital invested		$8,223,740
Average number of hands employed:		
Males		4,125
Females		20
Children		144
Total		4,289
Product	bushels	29,805,298
Value		$4,829,566

I also send to you a mutilated copy (I have not a complete copy to spare) of my Report on Wool and the Manufactures of Wool, in which you will find the following statements:

1. Statement showing the quantities and values of imported goods, etc., which entered for consumption in the United States, and the rates of duty thereon from 1867 to 1886, inclusive.

2. Statement showing the quantities of wool produced, imported, and exported from 1839 to 1886, inclusive.

3. Statement showing, by countries of production and of immediate shipment, the quantities and kinds of raw wool imported into New York, Boston, and Philadelphia, from 1882 to 1887, inclusive.

4. Statement showing the number of sheep in each State and Territory in the United States from 1875 to 1887, inclusive.

5. Statement showing the prices of different kinds of wool at Boston for each month from January, 1882, to December, 1886, inclusive, with the average prices of the same for each six and twelve months ending December 31, 1882 to 1886, inclusive.

Respectfully,

WM. F. SWITZLER,
Chief of Bureau.

Hon. CHAS. E. HOOKER, M. C.,
House of Representatives, Washington, D. C.

CONSUMPTION OF IMPORTED SALT.

No. 32.—*Statement showing the quantity and value of imported salt entered for consumption in the United States, with rates and amounts of duty collected thereon during each year from 1862 to 1887, inclusive.*

Fiscal year ended June 30—	Quantity.	Value.	Rate of duty.	Amount of duty received.	Additional and discriminating duty.	Total duty.
IN BAGS, SACKS, BARRELS, OR OTHER PACKAGES.						
1862	bushels 856,426		6 cents per bushel	$51,385.55		$373,782.41
	pounds 179,109,370		18 cents per 100 pounds	322,396.86		
1863	do 38,961,802		do	70,131.23		444,681.31
	do 156,062,535		24 cents per 100 pounds	374,550.08		
1864	do 138,523,660		do	332,456.77		332,456.77
1865	do 122,109,133		do	293,061.92		293,061.92
1866	do 329,897,938		do	791,755.12		791,755.12
1867	do 254,470,862	$696,570.15	do	610,730.07		610,730.07
1868	do 308,446,080	915,546.51	do	740,270.59		740,270.59
1869	do 297,382,750	895,272.13	do	713,718.60		713,718.60
IN BAGS, SACKS, BARRELS, OR OTHER PACKAGES.						
1870	pounds 288,479,287	797,194.08	24 cents per 100 pounds	692,350.31	2.04	692,352.35
1871	do 283,993,799	800,454.49	do	681,585.16	256.00	681,840.16
1872	do 258,232,807	788,893.38	do	619,758.77	2,295.95	622,054.72
1873	do 5,028,432	16,022.40	do	12,068.23	19.20	12,087.43
	do 334,465,685	1,238,795.27	12 cents per 100 pounds	401,358.72	56.80	401,415.52
1874	do 358,375,496	1,452,160.74	do	430,050.49	115.81	430,166.30
1875	do 318,673,091	1,200,541.36	do	382,407.65	139.51	382,547.16
1876	do 331,266,140	1,153,479.80	do	397,519.23	250.32	397,769.55
1877	do 359,005,742	1,059,941.12	do	430,806.79	5.15	430,811.94
1878	do 352,109,963	1,062,995.47	do	422,531.98	14.06	422,546.04
1879	do 375,286,472	1,150,018.49	do	450,343.74	284.69	450,628.43
1880	do 400,970,531	1,180,082.42	do	481,164.55	30.59	481,195.14
1881	do 412,442,291	1,242,542.55	do	494,930.73		494,930.73
1882	do 329,969,309	1,086,931.62	do	395,963.07	317.81	396,280.88
1883	do 312,911,360	1,035,945.61	do	375,493.57		375,493.57
1884	do 340,759,010	1,093,628.21	do	408,910.80	14.26	408,925.06
1885	do 351,276,969	1,030,028.72	do	421,532.39	65.80	421,598.19
1886	do 322,227,674	982,350.50	do	386,673.16		386,673.16
1887	do 357,379,530	999,504.78	do	392,855.44	20.00	392,875.44

CONSUMPTION OF IMPORTED SALT—Continued.

No. 32.—*Statement showing the quantity and value of imported salt entered for consumption in the United States, with rates and amounts of duty collected thereon during each year from 1862 to 1887, inclusive*—Continued.

Fiscal year ended June 30—	Quantity.	Value.	Rate of duty.	Amount of duty received.	Additional and discriminating duty.	Total duty.
IN BULK.						
1862 { bushels	1,377,814		4 cents per bushel	$63,112.56		$511,760.46
1862 { pounds	232,206,610		12 cents per 100 pounds	278,647.93		
1863 { do	61,694,825		do	74,033.79		559,918.69
1863 { do	275,491,612		18 cents per 100 pounds	495,884.90		
1864 do	323,650,300		do	582,570.54		582,570.54
1865 do	263,223,699		do	473,802.66		473,802.66
1866 do	265,745,171		do	478,341.29		478,341.29
1867 do	229,304,323	$536,301.46	do	412,747.78		412,747.78
1868 do	219,975,096	365,457.66	do	395,955.17		395,955.17
1869 do	256,765,240	351,167.72	do	462,177.43	$612.83	462,790.26
1870 do	349,776,439	507,873.85	do	629,597.48	77.58	629,675.06
1871 do	274,730,573	355,318.07	do	494,515.01	482.64	494,997.65
1872 do	257,637,230	312,569.56	do	463,747.03	712.15	464,459.18
1873 { do	18,103,215	20,516.10	do	32,585.77	7.62	32,593.39
1873 { do	369,908,917	505,068.00	8 cents per 100 pounds	295,927.08	371.91	296,298.99
1874 do	427,294,209	649,837.96	do	341,835.22	203.30	342,038.52
1875 do	401,270,315	549,110.67	do	321,016.22	403.86	321,420.08
1876 do	379,478,218	462,105.79	do	303,582.44	189.58	303,772.02
1877 do	444,044,370	532,830.68	do	355,235.41	275.03	355,510.44
1878 do	414,813,516	483,908.52	do	331,850.76	241.67	332,092.43
1879 do	434,760,132	532,705.90	do	347,808.06	97.77	347,905.83
1880 do	449,743,872	548,425.24	do	359,795.12	357.94	360,153.06
1881 do	529,361,042	658,067.64	do	423,488.77	18.28	423,507.05
1882 do	399,100,228	474,200.12	do	319,280.06	60.74	319,340.80
1883 do	417,938,686	451,000.82	do	330,350.91	51.86	330,402.77
1884 do	441,613,517	433,826.97	do	353,260.78	59.98	353,350.76
1885 do	412,322,341	386,796.85	do	329,857.85	321.07	330,178.92
1886 do	399,563,989	385,147.67	do	319,651.18	25.45	319,676.63
1887 do	353,012,544	356,442.18	do	284,010.06	96.42	284,106.48
USED IN CURING FISH.*						
1870 pounds	68,597,023	87,048.25				
1871 do	64,671,139	66,007.73				
1872 do	57,830,929	60,155.05				
1873 do	86,756,628	86,193.23				
1874 do	105,613,913	126,895.72				
1875 do	110,249,440	119,607.29				
1876 do	118,760,638	126,276.00				
1877 do	132,433,972	140,787.34				
1878 do	100,794,611	96,898.00	Free of duty	Free of duty...	Free of duty...	Free of duty.
1879 do	94,060,114	95,841.00				
1880 do	109,024,446	119,667.00				
1881 do	133,395,065	144,347.00				
1882 do	134,777,569	147,058.00				
1883 do	142,065,557	154,671.00				
1884 do	126,606,276	122,463.00				
1885 do	140,067,018	121,429.00				
1886 do	129,641,792	126,899.00				
1887 do	104,642,806	99,438.22				

* By act of July 28, 1866, salt withdrawn from bond and actually used in curing fish was exempted from duty. No data as to salt so withdrawn can be given for the fiscal years 1867, 1868, and 1869.

DUTIES ON COTTON GOODS.

NEW YORK, *January* 17, 1888.

Hon. CHARLES E. HOOKER, M. C.:

As there seems to be a possibility that some action will be taken by Congress this session looking to a revision of our tariff laws, we desire to call attention to some provisions contained in the present cotton schedule which certainly would seem to call for changes that will make the duty on these goods approach in a measure what is just and fair. We inclose you herewith sample cuttings of some of the main lines that we import, and below we give you a table showing, first, description of goods and their uses; second, width; third, value in American money; fourth, duty per yard; and, fifth, equivalent of same in ad valorem duty.

From an examination of this table you will see that all inferior grades of cotton pay a duty equal to an ad valorem duty of from 93 to 65 per cent. In all these different kinds of cotton goods the duty runs on through a series of qualities and values until it reaches in the better and best goods its minimum of 40 per cent. In other words, the laboring man who uses the lowest grades of goods, pays a duty or protection of 93 to 65 per cent., whilst his employer, using the better grades, pays only 40 per cent. Further than this, these high rates of duty are wholly unnecessary for the protection of the home manufacturer, as is evidenced by the fact that amongst the most successful imitators of foreign cotton goods that we find are the cotton-quilt manufacturers, who are and have been protected by a duty of only 35 per cent.

In fact, these inconsistencies of the last tariff are the result of error on the part of the lawmakers more than intention, and the law should have been freed from them long since, entirely independent of the question as to the relative advantages of a high or low tariff. Hoping that you may find it possible to make some changes that will correct the errors of the present schedule, and assuring you of our willingness to supply you at any time with any information we may possess,

We remain, yours, very respectfully,

SHERMAN, CECIL & CO.

Table.

Names of goods and their uses.	Width.	Cost per yard abroad.	Value in American money.	Amount of duty per yard.	Equals ad valorem rate duty.
	Inches.	*Pence.*	*Cents.*	*Cents.*	*Per cent.*
1. White India linen for dresses	30	1½	3.80	3.33	87
2. Nainsook checks for dresses, aprons, etc	31	2.12	4.31	3.44	80

Table—Continued.

Names of goods and their uses.	Width.	Cost per yard abroad.	Value in American money.	Amount of duty per yard.	Equals ad valorem rate duty.
	Inches.	*Pence.*	*Cents.*	*Cents.*	*Per cent.*
3. Swiss mull for dresses, millinery, etc	28	1.75	3.55	2.73	77
4. Colored tarlatan, decorations, etc	53	*Centimes.* 13.11	2.53	6.62	261
5. Victoria lawns, dresses	32	*Pence.* 1.87	3.80	3.55	93
6. Nainsook plaids, dresses, children's wear	30	2.50	5.07	3.33	65
7. Nainsook stripes, dresses, children's wear	30	2.00	4.06	3.33	82
8. Soft cambric, ladies' and children's underwear	36	2.37	4.82	4.00	83
9. Plain Nainsook, ladies' and children's underwear	30	2.12	4.31	3.33	77

EXTRACTS FROM THE PRESIDENT'S MESSAGE.

While the expedients thus employed, to release to the people the money lying idle in the Treasury, served to avert immediate danger, our surplus revenues have continued to accumulate, the excess for the present year amounting on the 1st day of December to $55,258,701.19, and estimated to reach the sum of $113,000,000 on the 30th of June next, at which date it is expected that this sum, added to prior accumulations, will swell the surplus in the Treasury to $140,000,000. * * *

And while the functions of our national Treasury should be few and simple, and while its best condition would be reached, I believe, by its entire disconnection with private business interests, yet when, by a perversion of its purposes, it idly holds money uselessly subtracted from the channels of trade, there seems to be reason for the claim that some legitimate means should be devised by the Government to restore in an emergency, without waste or extravagance, such money to its place among the people.

* * * * * * *

The proposition to deposit the money held by the Government in banks throughout the country, for use by the people, is, it seems to me, exceedingly objectionable in principle, as establishing too close a relationship between the operations of the Government Treasury and the business of the country, and

too extensive a commingling of their money, thus fostering an unnatural reliance in private business upon public funds. If this scheme should be adopted it should only be done as a temporary expedient to meet an urgent necessity. Legislative and executive effort should generally be in the opposite direction, and should have a tendency to divorce, as much and as fast as can safely be done, the Treasury Department from private enterprise.

* * * * * * *

So stubbornly have all efforts to reform the present condition been resisted by those of our fellow-citizens thus engaged that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.

* * * * * * *

By the last census it is made to appear that of the 17,392,099 of our population engaged in all kinds of industries 7,670,493 are employed in agriculture, 4,074,238 in professional and personal service (2,934,876 of whom are domestic servants and laborers), while 1,810,256 are employed in trade and transportation, and 3,857,112 are classed as employed in manufacturing and mining.

For present purposes, however, the last number given should be considerably reduced. Without attempting to enumerate all, it will be conceded that there should be deducted from those which it includes 375,143 carpenters and joiners, 285,401 milliners, dressmakers, and seamstresses, 172,726 blacksmiths, 133,756 tailors and tailoresses, 102,473 masons, 76,241 butchers, 41,309 bakers, 22,083 plasterers, and 4,891 engaged in manufacturing agricultural implements, amounting in the aggregate to 1,214,023, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

EXHIBIT C.

[Excerpts from Mr. Walker's report on the tariff of 1846.]

In suggesting improvements in the revenue laws the following principles have been adopted:

1. That no more money should be collected than is necessary for the wants of the Government economically administered.
2. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.
3. That below such rate discrimination may be made, descending in the scale of duties; or, for imperative reasons, the article may be placed in the list of those free from all duty.
4. That the maximum rate of duty should be imposed on luxuries.
5. That all minimums, and all specific duties, should be abolished and ad valorem duties substituted in their place. Care being taken to guard against fraudulent invoices and undervaluation, and to assess the duty upon the actual market value.
6. That the duty should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

* * * * * * *

In one of his annual messages Mr. Jefferson recommended to Congress "the suppression of the duties on salt." A large portion of this duty is exhausted in heavy expenses of measuring salt, and in large sums paid for fishing bounties and allowances in lieu of the drawback of the duty, both which expenditures would fall with a repeal of the duty; which repeal, therefore, can cause no considerable reduction of the revenue. Salt is a necessary of life, and should be as free from tax as air and water. It is used in large quantities by the farmer and planter; and to the poor this tax operates most oppressively not only in the use of the article itself, but as combined with salted provisions. The salt made abroad by solar evaporation is also most pure and wholesome, and, as conservative of health, should be exempt from taxation.

* * * * * * *

The whole power to collect taxes, whether direct or indirect, is conferred by the same clause of the Constitution. The words are: "The Congress shall have power to lay and collect taxes, duties, imposts and excises." A direct tax or excise, not for revenue but for protection, clearly would not be within the legitimate object of taxation, and yet it would be as much so as a duty imposed for a similar purpose. The power is "to lay and collect taxes, duties, imposts and excises." A duty must be laid only that it may be collected; and if it is so imposed that it can not be collected in whole or in part it violates the declared object of the granted power. To lay all duties so high that none of them could be collected would be a prohibitory tariff. To lay a duty on any one article so high that it could not be collected would be a prohibitory tariff upon that article.

If a duty of 100 per cent. were imposed upon all or upon a number of articles, so as to diminish the revenue upon all or any of them it would operate as a partial prohibition. A partial and a total prohibition are alike in violation of the true object of the taxing power. They only differ in degree, and not in principle. If the revenue limit may be exceeded by 1 per cent., it may be exceeded by 100. If it may be exceeded upon any one article, it may be exceeded on all; and there is no escape from this conclusion, but in contending that Congress may lay duties on all articles so high as to collect no revenue and operate as a total prohibition. The Constitution declares that "all bills for raising revenue shall originate in the House of Representatives." A tariff bill, it is conceded, can only originate in the House, because it is a bill for raising revenue. That is the only proper object of such a bill. A tariff is a bill to "lay and collect taxes." It is a bill for "raising revenue;" and whenever it departs from that object, in whole or in part, either by total or partial prohibition, it violates the purpose of the granted power.

* * * * * * *

A protective tariff is a question regarding the enhancement of the profits of capital. That is its object, and not to augment the wages of labor, which would reduce those profits. It is a question of percentage, and is to decide whether money invested in our manufactures shall, by special legislation, yield a profit of 10, 20, or 30 per cent., or whether it shall remain satisfied with a dividend equal to that accruing from the same capital invested in agriculture, commerce, or navigation.

The present tariff is unjust, and unequal as well in its details as in the principles upon which it is founded. On some articles the duties are entirely prohibitory, and on others there is a partial prohibition. It discriminates in favor of manufactures, and against agriculture, by imposing many higher duties upon the manufactured fabric than upon the agricultural product out of which it is made. It discriminates in favor of the manufacturer, and against the merchant, by injurious restrictions upon trade and commerce, and against the ship-building and navigating interest by heavy duties on almost every article used in building or navigating vessels. It discriminates in favor of manufactures, and against exports, which are as truly the product of American industry as manufactures. It discriminates in favor of the rich and against the poor, by high duties upon nearly all the necessaries of life, and by minimum and specific duties, rendering the tax upon the real value much higher on the cheaper than upon the finer article.

* * * * * * *

If the marshal were sent by the Federal Government to collect a direct tax from the whole people, to be paid over to manufacturing capitalists to enable them to sustain their business or realize a larger profit, it would be the same in effect as the protective duty, which, when analyzed in its simplest elements and reduced to actual results, is a mere substraction of so much money from the people to increase the resources of the protected classes. Legislation for classes is against the doctrine of equal rights, repugnant to the spirit of our free institutions, and, it is apprehended by many, may become but another form for privileged orders under the name of protection, instead of privilege—indicated here not by rank or title, but by profits and dividends extracted from the many, by taxes upon them, for the benefit of the few.

Mr. HOUK. Mr. Chairman, by participating in this debate I do not expect to contribute anything new or anything calculated particularly to enlighten this House or the country upon the question of the tariff. But representing the constituency I do, I feel it my duty to enter and emphasize the solemn protest of my people against the wreck of the material prosperity proposed by this bill which is now just beginning to dawn upon the "new South."

I know, Mr. Chairman, that there are those who disclaim that there is any such thing as the "new South;" perhaps in the cotton belt that is true; but with that I do not propose to deal. In the central Southern States there is a "new South;" there is there the beginning, absolutely amazing in character, of the development of the resources of our belt of country. The city of Knoxville, in which I reside, lingering along under a Democratic policy for a hundred years, had in 1880 a few more than 9,000 people. But under the impetus of the Republican policy of protection, the policy of developing and building up the resources of the country, that town to-day numbers more than 43,000 people; and in the name of the industries and the interests of the people I represent I desire to enter a solemn protest against perpetrating this monstrosity of free trade by enacting the President's message into law.

It seems to me, Mr. Chairman, that the bill under consideration is very much in the nature of a plea of confession on the part of the Democratic party that they are incapable of reducing the surplus in the Treasury except by destroying the material prosperity of the people. This country has had two periods, two experiences, two occasions, when the English policy, in contradistinction to the American policy, has been triumphant.

I desire to call attention very briefly, as the gentleman from Mississippi [Mr. HOOKER] has done, to some of the historical incidents connected with the tariff legislation of this country; but going back beyond that, I am for a protective tariff on the same principle on which the English Government enacted laws previous to the Revolution to inhibit manufacturing in this country. All of us who have read the history of our country know that while the colonies were dependencies of Great Britain, Parliament, by enactment and by resolution, adopted measures forbidding the colonies to manufacture the simplest article of commerce. As Mr. Jefferson said (and I suppose his statement will be good authority on the other side of the House), our fathers were forbidden even to manufacture into a hat the fur of animals captured on their own soil.

Every manufactured article that was in use among the colonies was by force of the laws of Great Britain required to be manufactured in England and brought to this country—why? For the purpose of giving employment to the English laborers, building up English manufactures, giving prosperity to the people of England by enabling them to manufacture for this country, and abstracting our money and withdrawing it from among our people and taking it there to build up the interests of England as against the people of America.

These are historical facts. Why, sir, under the English laws just previous to the Revolution and the Declaration of Independence, a man in Virginia could not have tanned a coon-skin to make himself a pair of boots without being indicted and punished under English law. This condition of things, as every reader of our history knows, had reduced the colonies to an extreme condition of destitution. It was not that little tea episode at Boston that brought on the Revolution; it was this repressive and oppressive legislation of Great Britain against the interests of the colonies that caused our fathers to rebel. And when they did so, what was the effect? What results followed? We will see in a moment.

The gentleman from Mississippi [Mr. HOOKER] has recited several historical incidents, but he drew no inference from them. I propose to take the same historical incidents and draw an inference founded upon the history of the country, and to inquire whether that inference does not support the Republican theory on this question of a protective tariff.

When our fathers rebelled because of the oppression of the mother country the mere fact of organizing armies and placing them in the field operated, how?

It not only stopped, but finally repealed this oppressive legislation of the English Government and made our colonies free, and enabled our people to establish for themselves manufactories in their midst, which relieved them from the necessity of depending upon the importation of the cheap products of pauper labor in Europe.

What was the result? Why, Mr. Chairman, even during the Revolution the armies of George Washington, composed of our forefathers, operated as a protective tariff to this country. The people of the colonies, as I have already said, established manufactories for themselves. Every reader of history knows that at the close of the war manufacturing establishments had sprung up to such an extent that labor had

been given employment, that the farmer had found a market at his doors, and that the people were in fact more prosperous than when the war begun, notwithstanding it had lasted seven years. That is a historical fact to which I invite the attention of my friends on the other side of the House.

But, sir, when the war ended and peace was declared, our fathers, either unwittingly or otherwise, did just what the Democrats insist we have now under the Constitution. They organized the old confederate government under the Articles of Confederation, and they made it a States rights government. There is no doubt about that. It was not a union; it was a States rights government. A sort of joint-snake confederacy.

But we had not progressed very far under that new government, upon which the hopes and fears and aspirations of our fathers were fixed, when it was realized that instead of going upward and onward we were lapsing rapidly into our old position of dependence upon England and her cheap products. There was no power under the old confederation whereby Congress could control the commerce between the States and foreign countries. Some States had no law on the subject, and other States adopted free trade, while still others enacted oppressive navigation laws.

From 1783 to 1787 we had free trade. What was the result? We had a constant influx of pauper products, and the manufactures and commerce of the United States went down before the cheap labor which was brought into competition with the free labor of our own country. Our Government was reduced to even a worse condition than before the Revolutionary war.

And here is a fact I wish to call particular attention to, and I want you to mark it: Under that condition of affairs, beginning with Virginia and followed up by Massachusetts and the other States, the people of our country made an earnest appeal to Congress—for what? Did they ask for a tariff for revenue only? No, sir; not a bit of it. Did they ask to have a tariff for free trade? Not a word of it. Did they ask to have a tariff only for the purpose of paying the running expenses of the Government? No, sir. But the resolutions of 1786 of Virginia and Massachusetts and Maryland and the petitions sent up to Congress were to the effect that some action should be taken whereby an end should be put to the influx of the pauper products of Europe. And for what purpose? Why, sir, for the purpose of affording protection to our own labor and industries.

When the new Constitution was framed a clause was inserted in it whereby Congress was authorized to regulate trade and commerce between the States and with foreign countries. All the debates of that convention show conclusively and overwhelmingly that there was not a man in that body, not a single man in the convention of 1787, who did not insist that section 8 of Article I of the Constitution, giving Congress the power to regulate trade with foreign countries, should be placed there upon the distinct understanding that it was to enable Congress to pass a protective-tariff law. What for? Why, sir, for the purpose of excluding the cheap products of the pauper labor of the Old World. It was for the purpose of giving American labor a chance against foreign labor.

Now, the first law passed under the Constitution of 1789 was a protective-tariff law, which was signed by George Washington. What was the result of the united and universal demand of the people of the several States? It saved our people from the further influx of the products of cheap labor of the Old World. It stopped the importation of foreign goods and gave home manufactures a chance. And, sir, from the passage of that tariff act, from 1789 down to 1816, this country bounded forward, upward, and onward in material prosperity. But in 1816 tariff-tinkering began, and that tariff-tinkering, Mr. Chairman, has been disastrous to the country every time it has been attempted. We begin to hear the rumbling of bankruptcy even now because of the tariff-tinkering which has been going on for the last few years.

But, as I have said, this tariff-tinkering began in 1816, and in that year the protective idea was somewhat modified; but from that year down to 1824 we went down rapidly in finances and in manufacturing industry, and in everything which makes a country great. In the year 1824, however, the protective idea became dominant again in Congress, and it was strengthened in the tariff of 1828.

From 1824, moving on down under the protective tariffs of 1824 and 1828, this country was prosperous until 1832, when John C. Calhoun, an original protectionist—talk about Daniel Webster being a free-trader!—John C. Calhoun, an original protectionist, only changed front on the subject in the interest of slavery and the production of cotton. And right here, Mr. Chairman, let me say that he was right from his standpoint. I say here that if slavery was in existence and I could believe it to be right I would be in favor of free trade myself. Why do I say this? Simply because it was a beautiful system—the English and foreign aristocracy maintained by pauper and cheap labor of the Old World, manufacturing their articles for consumption in this country, shiping them here, and exchanging them for cotton produced by the slave labor of the South. A beautiful system; the negro aristocracy of the South and the pauper aristocracy of the Old World, the two dovetailing precisely together. And Mr. Calhoun understood this condition of things. He foresaw that if he could destroy the protective system and produce cotton by the cheap labor of the South—the labor extorted from the slave—and exchange it for the products of the cheap labor of Europe, he would have two aristocracies, one abroad and one here. But in that controversy in 1832 Mr. Clay, the great champion of American interests, simply and purely to avert war, consented to a reduction, not of 20 per cent., but to a reduction of 10 per cent.; and what was the result?

Who that has studied the history of this country but knows that from 1833, when the Calhoun tariff went into operation, this country simply stumbled along? Industries languished, the furnace-fires had begun to die out, the laboring man ceased to find employment, the American farmer took whatever he could get for his produce, and the flood-tide of disaster went on until 1837, when the full fruition all of the Democratic free-traders could possibly have desired was realized in the climax that came in the collapse of all the business interests of the country, from one end of the Union to the other. And it is an historical fact that under the free-trade tariff of 1832 three-fourths of the manufacturing establishments in this country not only closed out, but two-thirds of them were actually sold out under the sheriff's hammer; and yet they tell us free-trade is a good thing. [Applause on the Republican side.]

But the whirligig of politics in 1842 placed the protectionists in power again, and what is the result? They reincorporated the protective ideas in the laws of this country, and from 1842 onward the country commenced going up on the pathway of prosperity. The condition of the people was improved everywhere. Labor found employment. The farmer again had a market, and the manufacturing industries revived and competition was again beginning to give cheap manufactured fabrics.

There are abundant statistics to demonstrate these facts, but a single fact will suffice to show it. The tariff of 1842 became so popular with the people; it accomplished so much in every workshop in the land, every farmer prospered, every man engaged in commerce and business throughout the country was prosperous, until it had become so universally popular that James K. Polk, the Tennesseian, and the best Democrat I ever read of in my life, was compelled in his celebrated Kane letter to declare in favor of the tariff of 1842, and pledged himself, if elected, to carry out and maintain intact its provisions.

That same year, Mr. Chairman, the Democratic party carried Pennsylvania, a protective State, by inscribing upon their banners, incorporating in their speeches, adopting as their watchword, and proclaiming in their public utterances, "Polk, Dallas, and the tariff of 1842." And yet free-trade Democracy, the synonym of all that is evil and vicious in politics—free-trade Democracy is so uncertain that notwithstanding its promises and pledges, no sooner was the Democratic party inaugurated in power than the Walker tariff of 1846 was formulated and pushed through Congress. George M. Dallas, the Democratic Vice-President, disregarding the pledges of his principal to maintain the tariff of 1842, gave the casting vote in the United States Senate to inaugurate free trade. The Senate being otherwise equally divided, he disregarded the pledges of Mr. Polk and the Democratic party and voted for the repeal of the tariff of 1842.

Mr. DARLINGTON. The gentleman is correct in that.

Mr. HOUK. I know I am correct. That is history.

What was the effect of the tariff of 1846? We hear gentlemen talking of prosperous times under the tariff of 1846. Ah, gentlemen, they were comparatively so; but how? Every student of history knows that under the tariff of 1846 this country had started down hill, but through the providential discovery of gold in California, by which more than a billion and one hundred millions of dollars in gold coin was added to the currency of the country, the great tide of industrial depression and commercial disaster was averted, and the country was freed from the evils that threatened under that tariff.

I said that was a providential discovery—gold in California. That is true. Providence came to the rescue of the country then to relieve it from the Democracy. If it had not been for the discovery of gold the country would have been financially ruined under the tariff of 1846. And so it is to-day. It takes Providence and the Republican party, or rather, it takes the Republican party, as an instrument in the hands of Divine Providence, all it can do to keep the free-trade Democracy from ruining the country in 1888. [Applause on the Republican side.]

What else? The war then came. The present rascally Republican protective policy was inaugurated and what is the result? I have not time to talk at length about it, as I see my hour is passing very rapidly. But behold the wonders, the magic, the absolute and seemingly miraculous, the upbuilding, the developments that have gone on under this Republican protective policy since 1861, notwithstanding the calamities of the war.

Why, some gentleman the other day obtruded into this debate something about land grants. He said the Republican party had given away so much land, and delivered quite a lamentation over it. It is true the Republicans enacted several land grants, but did the gentleman forget that the land-grant system began with the Democratic party? They gave 46,000,000 acres of more valuable land than the Republicans ever gave away in all their land-grant gifts. But yet, suppose we had no precedent for it whatever? The land grants of the Republican party have converted a wilderness into an empire.

There was all this vast territory in the West, with the Indian and the buffalo in possession, comprising what under the rule of the great Democracy was the great American desert. There was no development; there were no towns, no cities, no railroads. That vast territory was a great Democratic briar-patch. But the Republican party coming on and supplementing this grand policy of protection with internal improvements built these railroads. Cities and towns were built. The result is that all that Western country is to-day the pride of every American citizen, whereas if the Democracy had remained in power it would be known still as the Great American Desert.

But now I want to call attention to another fact in this connection very briefly. Every time we have had a protective policy in this country without one single exception the manufactured article has gone down in price and the farm product and the laborer's wages have gone up in price. No, sir; there is not a single exception to the rule anywhere, if the history of the country is correctly written, and every time we have approached free trade the manufactured article has gone up in price and the product of the farm and the laborer's wages have gone down in price.

In a speech I made in 1884 at London, Tenn., in my district—my friend from the Chattanooga district will know the gentleman I am going to refer to—I was trying to argue this question of protection. I looked over to one side of the room and discovered in the crowd Capt. Jack Hall, a prominent Democrat, who owned a good river farm, raised splendid crops, and kept fine horses, sheep, cattle, and everything else that goes to the adornment of a modern farm. What I said to him was taken down in short-hand at the time and was published in the Philadelphia Press and other papers; and I want to read as part of my remarks that dialogue between me and Jack. I said:

Q. 1. How much did you get for your corn under the Walker tariff of 1846?
A. From 10 to 12½ cents per bushel.
2. How much do you get for the same kind of corn, raised on the same farm and delivered at the same place, under the present Republican protective policy?
A. Sixty cents per bushel at the heap.
3. How much did you get for an average pony horse in those days?
A. From $40 to $60.
4. How much do you get now under the present policy for the same kind of a horse?
A. From $100 to $125.
5. How much did you get under the Walker tariff for your wheat per bushel?
A. From 25 cents to 35 cents.
6. How much do you get for the same kind of wheat under this present Republican policy?
A. From 80 cents to $1.25 per bushel, owing to the demand.
7. How much did you get in those days for a good cow?
A. From $8 to $12.
8. How much do you get for the same kind of a cow now under the present policy?
A. From $25 to $45.
9. How much did you get per hundred for flour under the Walker tariff of 1846?
A. From $1 to $1.50.
10. How much do you get for the same kind of flour now?
A. From $4 to $6 per hundred.
11. How much did you get for a good sheep in those days, Jack?
A. Fifty cents for a good one.
12. How much do you get for the same kind of a sheep now, under this Republican policy?
A. From $1.50 to $2 (a voice in the crowd, "Yes, $2.50 for a good one").
13. How much did you get per hundred for your hogs under the Walker tariff of 1846?
A. From $2.50 to $3.
14. How much do you get under the present "rascally Republican protective policy?"
A. From $5 to $7 per hundred.
15. Jack, did you make butter for sale in those days?
A. We made butter, but there was little sale, for there was nobody to buy.
16. Well, when you sold any what did you get for it?
17. Sometimes as high as 6 pence per pound.
A. Do you make and sell much butter now, Jack?
A. Yes; a good deal.
18. How much do you get per pound now, under this rascally Republican protective policy?
A. I have a standing contract now in London, with the employés engaged in the manufacturing establishments here, at 25 cents per pound the year round.
19. Jack, you raise a great many chickens on your farm, don't you?
A. Yes; a great many.
20. Well, if you sold any under the Walker tariff of '46, how much did you get for them?
A. There was not much of a market, and but few sales, but occasionally we could sell a real good fat chicken for as much as a sixpence.
21. How is it now, Jack, about the price of chickens, under this Republican protective policy?
A. We can sell all the chickens we raise at from 20 cents to 30 cents apiece.
22. Well, Jack, did you sell any eggs under the Walker tariff of '46?
A. Yes; occasionally we sold a few dozen.
23. How much did you get for them, Jack?
A. From 2 cents to 3 cents per dozen.
24. Do you sell any eggs now, Jack?
A. Yes; the old woman sells a great many.
25. What does she get for them, Jack?
A. Never less than 25 cents per dozen.
26. Jack, how do you account for the difference in prices under the Walker tariff of 1846 and the present Republican protective policy?
A. We had no manufacturing establishments here at London then, and there were but few people, but now you see there are a great many laborers employed in these establishments here, and they give us a market for all our surplus truck, and we sell a great deal of stuff and get the money for it that we use to throw away, because there was nobody to consume it.
27. Well, Jack, what did you have to pay under the Walker tariff per yard for calico to dress up the "old woman" for Sunday?
A. From a shilling to 25 cents per yard.
28. What can you get the same kind of calico for now, Jack?
A. From 4½ cents to 8 cents per yard.
29. What did you have to pay for a good Sunday wool hat in those days, Jack?
A. From $2.50 to $4.
30. What do you have to pay for the same kind of a hat now, Jack?
A. From 50 cents to $1.25.
31. What did farmers have to pay for trace-chains in those days?
A. Two dollars for anything like good ones.
32. What do you pay for the same kind of chains now?
A. For real good ones 60 cents per pair.
33. What about boots and shoes in those days, Jack?
A. An ordinary pair of rough shoes cost $3, while the most common pair of brogan boots cost not less than $5.
34. What will the same kind of goods cost now, Jack?
A. About two-thirds of the old price.
34½. What about a suit of store clothes in those days, Jack?
A. Well, they were so very costly that the common people never bought any.

Every one knows that this is the truth—that under the free-trade Walker tariff "store clothes" were so costly that the common people did not pretend to buy them.

35. How is it now under this Republican protective policy?
A. Well, a few dollars will neatly clothe a whole family.

I was making a speech soon after that time in another part of the country to an immense crowd of farmers. I was making about the same sort of a speech that I am making to-day. I happened to refer, as I well remember, to the time when corn sold at 10 cents a bushel. At that point a prominent old farmer in the crowd whom I had known all my life—he was much older than myself, but we had been in the army together and I knew him very well—called out, "Hold on a moment! Under the Democratic tariff of 1846 I hauled 50 bushels of corn right across the river there and put it in Emmet Munday's corn-crib for one pair of boots, the price being $5 for the boots and 10 cents a bushel for the corn." I then said, "Jake"—for down in my country I call people by their first names—"how many people will 50 bushels of corn shoe now under this rascally Republican policy of protection?" "By George! it would shoe a family of a dozen for at least two years." [Laughter and applause.] That is a fair illustration.

Now, Mr. Chairman, as bearing on this question of tariff and protection, I wish to have read at the Clerk's desk certain paragraphs which I have marked in a speech which I had the honor to make in the capitol of my native State a few years age. These paragraphs have a direct bearing upon the present subject.

The Clerk read as follows:

This brings us up to the war and the protective policy it forced upon the country, and croakers and would-be prophets have never ceased to predict ruin from the effects of high tariff, or, in other words, "protective-tariff laws." They have denounced a protective tariff as heaping burdens upon and weighing the people down with poverty and want. Free-traders have depicted the glories and blessings of their policy, and predicted the ruinous effects of the "policy of protection;" they have assumed to speak for labor, and, as it were, have wept tears of sorrow over the distress to befall the laboring and producing classes, while under the policy of protection these people have moved forward accumulating and to accumulate property and homes, and even wealth, by increased prices for labor and its products.

Free-traders have kept on prophesying evil from protection, while the people on whom these evils were to fall have been improving in all the elements of a real prosperity.

Statistics are abundant with which to illustrate and enforce the beneficial effects of the "protective policy" of the Republican party. Nowhere are the evidences of the good results of wholesome protection laws more plainly to be seen and felt than right here in Tennessee, where, in spite of the repressive and obstructive policy of your Democratic State government, the people are reasonably prosperous, and, with anything like wise home management, ready to bound onward to even greatness itself. I would here remind you that Tennessee is being made a great State by the sound national policy of the Republican party, in spite of her own narrow-minded policy as a State, in point of wealth and material development.

And here I would ask the middle-aged and older men present to go back to their earliest recollection and contrast the then condition of the country and people with the present prosperity by which they are surrounded. Then we had no railroads, no manufacturing establishments; none of our coal banks were opened, no iron mills had been built, and in fact we had scarcely entered upon a career of self-support, except after the most rugged order, and that only made possible through constant struggle and toil.

Go back in your recollection and call to mind the then condition of your markets for labor and products, and contrast prices then and now, and seek a reason for the great change? Then, as I have said, we had no manufacturing establishments. Our coal fields had not been opened up, and our coal banks had not commenced to supply the demand; indeed, the demand itself had not been created. We had no market for any surplus convenient to the place of production. We had no establishments demanding labor and paying wages. And if the free-trade doctrine of "tariff for revenue only" of the Democratic party had continued to prevail, we never would have had our coal, iron, copper, zinc, and other resources developed.

The Democratic party had governed the country three-fourths of its existence before the outbreak of the war, and while it had failed to establish its free trade, "tariff for revenue only" policy permanently in the administration of the Government, it had been so constantly in power that it was able to prevent the friends of protection from establishing a stable and reliable protective system. As we have seen, every time it had the opportunity it began to force the country in the direction of free trade.

Being generally the successful party at the polls, and always arraying itself as a party against the policy of protection, it intimidated capital, prevented investments, and retarded the development of the country until, as I have already stated, the necessities of the war forced the adoption of such a rate of tariff duties as amounted to protection and proved the wisdom of the policy. And now that it has been established, we are beginning to reap some of its beneficial effects. We have seen our coal fields opened up and our iron banks dug down. We have seen manufacturing establishments springing up and iron mills erected all around us. And, as we have witnessed all this, we have seen immigrants coming in and capital making itself felt for good in turning our whole land into the channels of trade and commerce, based upon the mining and manufacturing resources which we so abundantly possess.

We have seen Nashville, your beautiful and rapidly growing capital; Chattanooga, with its push and struggle, and Knoxville, with its vast resources, wealth, and enterprise, and other great manufacturing centers, blooming and "booming" with their thousands of rat- ating towns clothed in prosperity by

the busy pick and shove the blazing furnace and whizzing spindle. We see these cities and towns to-day all life and bustle. We see every class of labor and every phase of enterprise. We see all manner of manufactured products being turned out, and a ready market for them all. And while wages have been increased, and labor dignified and made honorable, by reason of better pay and more work for all, both skilled and unskilled, the farmer and his interests have not been forgotten nor neglected.

And just here I wish to combat the idea of free-traders, who, while they concede that the manufacturer and mechanic is greatly benefited by protection, insist that the farmer and unskilled laborer, on whose products all real prosperity must depend, is as greatly injured by the increased price on those articles which they are compelled to buy, caused by what they are pleased to call a high protective tax or tariff.

You will observe that I put their statement fairly and strongly, so as to do entire justice to the free-trade argument. And I say now, that I am a Republican, among other things, because, as I understand the party creed, Republicanism is for "protection because it protects." And in this connection I want to talk a little for the consideration of the farmers of the country. In my opinion they receive the first fruits and greatest blessing—the highest reward from a protective tariff. And I can not better illustrate this fact than by calling attention to my own personal observations and experience, and I apprehend these will be corroborated by the experience and observations of most intelligent lookers-on at passing events.

Remember the condition of your country under the administration of the free-trade ("for revenue only") Democracy. Remember, you had no coal fields opened, no iron furnaces built, no manufacturing establishments, no rapid influx of population, no rapidly growing cities, no new towns springing up as at present. Whatever of these you then had were by gradual and slow secretions.

Then in the absence of these elements of prosperity you had no markets for surplus products and no stimulus to induce you to the effort to make a surplus for trade and commerce.

Now, as I have said, your State has cities as centers of manufacturing and other business enterprises, with their young and prosperous towns revolving around them with industrious and busy inhabitants making the world better and richer.

These populations have to be supplied, and as a consequence a market is furnished for every surplus product which the farmer may have plucked from the soil.

Before protection had induced the investment of capital in manufacturing and other kindred employments here in Tennessee you might have traveled for a whole week through some portions of the State without seeing a wagon, and a covered wagon was as great a sight then, in some localities, as a railroad train is now to the most remote backwoodsman. But how changed the condition of affairs! How different are things to-day from what they were in yesterday of the past! And how different they are destined to be in the to-morrow of the future to what they are in the to-day of the present!

Mr. HOUK. Mr. Chairman, in this connection I wish to call attention to another argument used in connection with this bill, which seems to me to be entirely fallacious. There is no man on this floor, of any party, who is not ready at all times and under all circumstances to use his vote, and voice, and influence against the importation of pauper labor. Now I want to put the question, why exclude the pauper laborer and yet enact here a bill which allows him, while staying on the other side, to send his manufactured product here to compete with the labor of the men with whom he would come into competition if permitted to come here.

Every man everywhere is ready to use his influence to exclude pauper laborers from this country; yet we have the great Democratic party coming here with a bill which proposes to house those foreign laborers on foreign soil and admit their fabrics into this country free. Would it not be better to let the pauper laborer come here and do his work in this country? We would gain at least this much good out of him; he would be fed by us, and we would dispose of that much of our surplus products by reason of the greater demand in the home market.

Do not misunderstand me. I am not in favor of the importation of pauper labor or contract labor, but here is the Democratic party which undertakes to oppose the importation of pauper labor and yet proposes to admit, in competition with American products, the products of foreign pauper labor. I say there is neither logic nor statesmanship nor sound policy at the bottom of any scheme which permits the products of pauper labor to be shipped to this country free, while refusing to admit the pauper laborer himself upon our soil. The Democratic policy is to let the pauper remain abroad and consume English supplies in his living, but to admit free all the products he can manufacture under the shadow of the English flag.

What good does it do to exclude the pauper and still let his handiwork blot the prosperity of American industry by coming in competition with our laboring class.

Mr. Chairman, we have heard a great deal said about "war taxes." Now, the Democratic party in my part of the country—and my friends on the other side know that I tell the truth—have screamed themselves hoarse in opposing the internal-revenue laws. There was not a Democratic member on this floor for ten years from our section of country who was not elected by making speeches against the internal-revenue system.

Gentlemen from my part of the Union know this to be the truth, and will not deny it. Every Democratic member of Congress from Tennessee for ten years came here pledged to do all he could to secure the repeal of the internal-revenue laws. But now Grover Cleveland has cracked his whip; and here they come skedaddling behind the curtain and saying: "Oh, it is the best thing in the world to retain internal-revenue taxes." I will except the gentleman from the Chattanooga district from this inconsistency, as he still has the courage of his convictions and will vote to repeal the internal-revenue laws.

But gentlemen speak of "war taxes." Why, Mr. Chairman, let us talk sensibly about this thing. Duties on imports are not in the nature of "war taxes." They are the common taxes of the Constitution—the taxes which have existed since 1789. But the internal-revenue taxes are "war taxes." Every man on this floor knows that but for the war the internal-revenue laws never would have been passed. Yet you come here demanding the repeal of "war taxes" while you dodge the real question of war taxation, and propose to lay your hands injuriously on the industries of the country.

This is the first time I ever knew the Democratic party to be troubled about reducing the surplus. They have been adepts at that business. Every time that party has had to deal with a surplus it soon dissipated it. But now, as the result of Republican administration and legislation, we have so great a surplus that even the Democratic party does not know what to do with it. Well now, we are not going to help you to dispose of it. If you will turn things over to us we can dispose of this whole question in a week. We will repeal the tobacco tax; that will be a considerable reduction. We will repeal the internal revenue on all spirits used in the arts; that will add something more to the reduction. We will pass the Blair bill, carrying the bread of life to the hungering and thirsting souls of the children of the South. We will pass the dependent pension bill, doing justice to the brave men who upheld the flag during all the struggles of the war, and who revere it still.

But my friend from Mississippi [Mr. HOOKER], on the other side of the House, said that we had been tried and convicted. Perhaps that was so. But, thank God, sir, under the rules of the court, we have entered a motion for a new trial. [Laughter and applause.] We are just now impaneling a jury, summoning witnesses, putting in the argument, calling the attention of the country, and it will not be our side the next time that will be convicted, but it will be yours on account of your fraudulent conduct and unparalleled duplicity in the administration of our national affairs. It is so, gentlemen, in my country, and I suppose it is so everywhere. [Laughter and applause.]

But I must hurry on, as I have but little time and must use it as well as I can. Now, you know the Democratic platform has two ends to it; one the protection end and the other the free-trade end. [Laughter.] Heretofore the distinguished gentleman from Pennsylvania [Mr. RANDALL] has ridden safely on the protection end of that platform, while Morrison, CARLISLE, and all the rest have ridden on the free-trade end of it. [Laughter and applause.] So they have gone up and down like a see-saw plank through a farm fence, the protection end up one day and down the next, and the free-trade end now down and then up. [Laughter and applause.]

But it seems that they have cut off or propose to cut off the protection end this time at the instigation of the President. Well, let them do it. Heretofore in protection States they have said, "Here is our platform in favor of protection," showing them the protection end; but when they came to the cotton belt they said, "Here is the Democratic platform in favor of free trade," showing them the free-trade end. But if they cut off the protection end and nothing is left but the free-trade end we will have a very easy time during the election down in my State. They will be no longer dodging the issue, but they will have to stand right square up to the free-trade platform. They can no longer sing the old song, and they can no longer follow the action indicated, of double-dealing, professing one thing here and another there. They have

> Wired in and wired out,
> And left the nation still in doubt
> Whether the snake that made the track
> Was going south or coming back.

[Laughter and applause.]

As I have said, if they go before the people during the coming election with nothing but the free-trade end of their platform, with the protection end cut off, it will make it very easy sailing for us in Tennessee. There is not a single Congressional district in my State, not one, sir, if the pure and simple and naked question of free trade or protection is presented between the Republican and Democratic parties, but would give a majority for protection. But you, gentlemen, know how you put it. You obscure the issue in every possible way. When we come to a Confederate soldier and ask him to vote as he shot during the war; that is, for himself and his own interest; that is, for the interest of himself, his family, and his country, gentlemen on the other side raise the cry of bloody-shirt, and, like the cuttle-fish, they darken the water and hide themselves from view and conceal their purposes.

Now, in conclusion let me say, Mr. Chairman, if this Mills tariff bill be passed it will put out the fires in every furnace in the State of Tennessee and it will close every marble quarry—and there are forty of them alone in my county—while it will ultimately destroy the coal and timber interest, and to-day lumber is shipped from my district direct to Liverpool. It will, in a word, destroy the most vital interests of the Middle and Central Southern States, which to-day constitute the "new South." Its blighting and disastrous effects will fall with most killing effect upon the interests of those States which to-day are the hope and the glory of the Southwest. God grant that a result so ruinous and unfortunate may be averted not only from the Southwest but from the South and from the North. [Great applause.]

[Here the hammer fell.]

[Mr. WISE withholds his remarks for revision. See APPENDIX.]

MESSAGE FROM THE PRESIDENT.

The committee informally rose, and Mr. MCADOO having taken the chair as Speaker *pro tempore*,

A message from the President, in writing, was communicated to the House by Mr. PRUDEN, one of his secretaries.

The message further announced the approval of the bill (H. R. 807) for the relief of Horatio R. Maryman.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, furnished to the House, in compliance with its request, an engrossed copy of the bill (S. 1198) for the relief of William H. Robertson and Edward L. Hedden, late collectors of customs for the city of New York.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 2365) authorizing the construction of bridges across the Cape Fear River, the Black River, and the Northeast River, in the State of North Carolina.

The message also announced that the Senate had passed without amendment the joint resolution (H. Res. 148) to print 12,500 copies of the eulogies on Seth C. Moffatt, late a Representative in Congress.

ENROLLED BILL SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill of the following title; when the Speaker signed the same, namely:

A bill (H. R. 7319) for the relief of Emory R. Seward.

THE TARIFF.

The Committee of the Whole resumed its session.

Mr. KENNEDY. Mr. Chairman, before proceeding with my remarks, I desire to yield two minutes to the gentleman from Massachusetts [Mr. COGSWELL].

Mr. COGSWELL. Mr. Chairman, this morning, before the House proceeded to the consideration of the tariff bill, I sought the floor for the purpose of making a correction in the remarks of the gentleman from Nevada [Mr. WOODBURN], as published in the RECORD of yesterday; but before concluding the explanation which I thought proper to make objection was made from the other side. The gentleman from Ohio now kindly yields me a portion of his time to make this correction.

The gentleman from Nevada [Mr. WOODBURN], in his remarks the other day on this bill, as appears by the RECORD of yesterday, page 4001, said:

William Endicott, jr., of Boston, Mass., a Cabinet officer of this Republic, its Secretary of War, was admitted in 1877—

meaning admitted to the Cobden Club.

Now I desire to correct this statement by saying that William Endicott, jr., of Boston, a gentleman I know well, is not "a Cabinet officer of this Republic," is not "its Secretary of War." He is a gentleman of prominence, is or was a member of a large importing firm, and an occasional writer on economic questions, and may be, possibly, a member of the Cobden Club. I do not know, however. While William C. Endicott, of Salem, Mass., is "a Cabinet officer of this Republic," is "its Secretary of War," and is not and never has been a member of the Cobden Club. And it looks as if my friend from Nevada had, in the language of Pinafore, "mixed those children up." I have waited for the other side or the gentleman himself to make this correction, but it has not been done—the gentleman from Texas [Mr. MILLS] even refusing me unanimous consent so to do this morning, though I had granted him a similar request the moment before.

And the Secretary of War, being not only a constituent but a townsman and neighbor of mine, and knowing the facts myself, it seemed to me to be my privilege and my duty to make the correction which I have. And now the statement of the gentleman from Nevada falling, it would seem that his personal comments immediately following ought to fall with it.

Mr. KENNEDY. Mr. Chairman, the organization of this House was evidently with a purpose. That purpose was the presentation to the people through this organization of a system of tariff legislation which should approach as nearly as possible to free trade. The President of the United States, an open and avowed free-trader; the Speaker of this assembly, elected to preside over its deliberations because of his well-known predilections in favor of free trade; the chairman of the Committee on Ways and Means, selected for that most important and responsible position, not for any special fitness, but because he was an open, avowed, and notorious free-trader; the Committee on Ways and Means itself packed in the interest of that principle which these leading lights of the Democratic party had determined should prevail in the deliberations of this House. Is it wonderful, therefore, Mr. Chairman, that the Committee on Ways and Means should have presented to this House a bill for the destruction of the protective interests of the country, and should have not only attempted to assail them but to destroy them?

I said, sir, that the chairman of the Committee on Ways and Means was an open and avowed free-trader, and he asks us to join with him in his passage, to get in his boat without rudder, without compass, and without sail. And not only the chairman of the Committee on Ways and Means, but the members of the Democratic side of this House have almost without exception placed themselves upon the Democratic platform of free trade.

DEMOCRATIC PARTY FREE-TRADERS.

The history of the Democratic party has been a history of free trade. Their organization has been pledged to the principles of free trade for half a century. Whenever they came into power they assailed the doctrines of protection in America. When they had possession of this Government or its organization, they made war upon the protected interests of the country. Whenever they had the opportunity they struck down the protection system of this great country of ours. The Republican party, upon the other hand, is a protection party. It has stood side by side with the protection principles of this country. Whenever it has been in power it has defended and upheld them. It maintained them and, if possible, so arranged and modified them that they should protect every interest throughout the length and breadth of the land.

DEMOCRATS SELFISH PROTECTIONISTS.

Now, sir, I said that the Democratic party was a free-trade party, but I qualify it by saying this: There is scarcely a Democrat on that side of the Chamber, avowed free-trader though he may be, who is not a selfish protectionist—from Mr. BRECKINRIDGE, of Kentucky, who demands that the hemp and cement of Kentucky shall be defended against foreign invasion, and that whisky shall be protected; from the gentlemen who come from Louisiana asking for free wool in Ohio, but protected sugar and rice in Louisiana; from the gentlemen from Mississippi who ask for the freedom of commerce, but want the rice and cotton of their own State protected. So I say, sir, they are not only free-traders but they are selfish protectionists. The Republican party on the contrary is a party of protection from principle.

Mr. ALLEN, of Mississippi. Will the gentleman allow me——

Mr. KENNEDY. Not a half minute.

Mr. ALLEN, of Mississippi. It is not the fact that Mississippians are asking to have rice and cotton protected.

REPUBLICANS PROTECTIONISTS FROM PRINCIPLE.

Mr. KENNEDY. I repeat the Republican party is a party of protection from principle. It sees no State lines. It asks that Mississippi's cotton shall be protected; it asks that the interest of the people of every portion of this country shall be protected in whatever section of this land they may be situated. It strikes at no man's interest. It does not seek to destroy any man's producing system in this country, but desires to uphold and defend it.

HOW SHALL REVENUE BE COLLECTED.

Now, sir, we must have a revenue. If it does not come from a tariff it must come from a direct tax from the people. The tariff system of this country has not only produced the necessary revenues of the country, but it has performed the other important duty of protecting our industries. It lays the burden upon such commodities as enter into competition with home manufactures, and thus not only gives us the means for paying the just debts of the Government and the well-earned bounties and pensions to our soldiers, their widows, and orphans, but it so guards the manufacturing and producing interests of the land that labor obtains the highest possible reward, and the country has become powerful and independent.

The only question, therefore, is how that revenue shall be collected; how it shall be placed in the Treasury of the United States. I have said that if it is not collected by tariff then it must be collected by tax—a tax levied upon the property and homes of the people and collected directly from them as revenue or as the taxes of the county and State are now collected. I venture the assertion that of $300,000,000 collected annually and paid into the Treasury of the United States scarcely a man or woman in all America can tell how much of this vast sum they contribute towards the public revenue.

Nearly every civilized nation upon the face of the earth has a tariff. In Russia there is practical prohibition. Austria has duties of from 24 to 67 per cent. Germany has thrown around her the wall of national protection. Sweden has caught the inspiration of the hour, and Switzerland is growing stronger and more independent of the outside world because of the protection she gives to her industries. But while nearly every nation upon the face of the earth is building around the borders of her dominions the walls of national protection, we are asked by the free-traders to open ours in order that other nations may pour into our glutted markets the products of the world.

MONOPOLIES.

But the gentlemen on the other side of the Chamber tell us that we are building up monopolies. M. Thiers, the great Frenchman, once said to the Chamber of Deputies when he was accused of building up a monopoly, "ay; it is true;" he answered—

There is a monopoly, but it is not in France; it is abroad; and the monopoly you accord to French industries destroys the monopoly of foreign industries.

So I say, sir, while we have monopoly, in the language of the Frenchman, it is the monopoly that protects the labor and the industry of every American throughout the length and breadth of this land.

COMPETITION WILL REGULATE PRICES.

Alexander Hamilton said, nearly one hundred years ago, that if you would protect the industries of this country until they were on a firm basis, then competition at home would regulate the price of every commodity and you would buy cheaper under the system of American pro-

tection than you could possibly buy under any free trade in the world. The philosophy of Alexander Hamilton has become an established fact. And I ask my Democratic friends what single article is there they buy, what one do they purchase, from the hat on their heads to the shoes on their feet, that they do not buy cheaper under the protective system of America than they ever bought under any free trade in the world? I might stop to tell you what America has done in the one hundred years of its progress if every school-boy was not familiar with it. We bought our iron from England at $100 a ton. The first railway in Ohio was built through my town; and every ton of the iron used came from England and cost $100 a ton.

Now you are buying better iron, made in America, regulated in price by American competition, and selling at from $20 to $25 a ton. Under the tariff of 1846 they brought iron from England and destroyed the iron industry of America. What was the result? We had no longer English cheap iron, for after they had destroyed the American iron manufactures they put the price of their English iron up and sold it, not at $40 and $50 a ton, but at $75 a ton, took sixty millions of American gold to Europe, and pocketed twenty millions of American money in profits. We learned the lesson of Democratic free trade under the tariff of 1846.

Before 1867 we made no steel rails in America. We paid $167 a ton in gold for them, equal to $200 in currency. To-day you can buy steel rails at $37.13 a ton, rails made in America, from American ores, by American labor, and the price regulated by home competition.

Before 1860 we made no plate-glass worth speaking of in America, and we paid the Englishman and the Frenchman and the German $2.50 a square foot for it. Then the plate-glass industry sprang up in America, and now we buy American plate-glass, 10 square feet, at 75 cents per square foot, and the price is regulated down for smaller glass until it reaches 31 cents per square foot; $2.50 under Democratic free trade; 75 cents under American protection! And, Mr. Chairman, I wish to pause long enough upon this point to say that almost every particle of the cost of a piece of plate-glass consists in labor, the labor of the mines, the labor that loads, transports, unloads, and uses the coal, and the lime, and the lime-stone, and the fire-clay that are used in the manufacture. Nearly every penny that goes into that product is labor, the labor of American workingmen.

We used to buy calicos at 25 cents a yard—"English prints" as they were called. Now you can buy American calico in any market in this country for 5 cents a yard. We bought English hoes, pot-metal hoes at that, and paid $9 a dozen for them. Now you can buy hoes made of American steel at $4 a dozen.

We used to buy foreign-made saws and we paid $15, $19, and even $20 a dozen for them. Now you can buy American saws, better than any ever made before on the face of the earth, at $8 and $9 a dozen.

We bought foreign axes and the forests in my State and in the other Western States were felled with English axes which cost from $2 to $4 a piece. Now we buy the axes of Mr. Collins, made from American steel, from American ores, with American labor, at from $8 to $9 a dozen, or 75 cents each.

We bought salt at $5 a barrel, and the gentleman from Indiana [Mr. BROWNE] told us the other day that the price of salt now is 59 cents a barrel.

We bought nails in 1828 at from 7 to 9 cents a pound, in 1850 at from 6 to 7 cents a pound, in 1865 at 6 cents a pound, in 1887 at from 2½ to 3 cents a pound, or by the keg at 2 cents a pound.

So I might go on, Mr. Chairman, and speak of almost every other industry in the country. I repeat, therefore, that there is not an article of trade or commerce manufactured in this country that can not be bought cheaper to-day under the system of American protection than it ever could be bought under the system of Democratic free trade.

WOOL INDUSTRY.

Now, I want to speak of another industry, and I speak of it because the people of my part of the United States are peculiarly interested in it. I mean the wool industry. And first I desire to say that it has no war to make upon any other industry in this country. It believes in protection, but it believes in protecting all other industries as well as itself, and the men who are standing here to defend that industry believe in defending all the other industries of America. We have 1,150,000 flock-masters in America. We have invested in the United States $119,000,000 in sheep. That is the amount invested in sheep alone. In the land used for the sustenance and care of the flocks we have $408,000,000 invested, making $527,000,000 invested in the wool industry in this country. The value of the wool and the sheep sold last year was $95,000,000; the amount paid for labor was $79,000,000; the amount of profit was $16,000,000, a little less than 3 per cent. on the total amount invested in the industry. And let me say, here, Mr. Chairman, that there is no "water" in this great stock industry of ours.

We raise about one-half the wool that is consumed in America—260,000,000 pounds last year. We buy of imported wool and woolen goods 264,000,000 pounds. In short, we raise one-half and import one-half of what we consume. I would have the American hills covered with flocks until that industry of ours should supply the people of America entirely, and make them independent of all other portions of the world. In 1862 we had 22,000,000 sheep; in 1870 we had 31,000,000; in 1880 we had 41,000,000; in 1883 we had 50,627,000. Then came the low tariff of 1883, which almost destroyed the wool industry of this country; and from that time until this we have lost nearly 6,000,000 of sheep. Had they gone on increasing up to this time in the ratio of the increase between 1860 and 1880, before the year 1900 there would have been 120,000,000 of sheep in this country, and we would be producing the entire wool supply of the United States of America. But our Democratic friends tell us that we must have free trade in wool. I say to them that by such legislation they can build up the empire of Australia, but they will destroy the empire of America. They have put back the wool industry already more than a quarter of a century by the legislation of 1883 on this question.

Another thing. We lowered the tariff in 1883, and instead of cutting down revenue we increased it; and I say to my Democratic friends that if they really desire to cut down the revenue from this source they must do it as Mr. MILLS proposes to do it, strike off the duty on wool altogether, because a low tariff on wool simply increases the revenue.

RAW MATERIAL.

They tell us that it should come in free because it is raw material. What is raw material? Is wool raw material? No more than the cloth is raw material before it is manufactured into clothes. Wool is what my friend from West Virginia [Mr. GOFF] the other day called the finished product of the farmer. It has cost him a year of toil, the investment in his farm, his barns, his crops. He has given a year of his labor, he has tilled his fields to produce food for his flocks during the storms and snows of winter. He has sheltered them and cared for them and fed them, and when the spring comes he has washed them and sheared them, and finally he has prepared his crop for market—the fleece of wool which has required a year of toil and labor, and the investment in lands and buildings; and then the Democratic free-trader calls it raw material. Everything he had has been invested, and after a year of toil he produces the finished product of his farm—the wool crop—and offers it for sale. So the cloth-maker finishes his product and presents it for sale. It is the finished product; it is no longer raw material.

I can not understand how the people shall continue to be deceived by this special plea for raw material. Raw material is something to which labor has not been attached. So soon as labor is added to it, it is no longer raw material, but it is the material with the value of the labor attached thereto, and every stroke of the pick, every blow of the hammer, and every newly-added form given it, removes it that much farther from raw material.

Nor is iron ore raw material. A short time ago I stood at the foot of a mine and I said to one of the workmen, "What is that red stuff?" He said, "That is iron ore." I said, "Where does it come from?" "From the hillside." "What is it worth?" "About $2.40 a ton." I said, "I do not understand how it can be worth $2.40 a ton, because I have been in the mine and seen them digging it out, hauling it down here and dumping it; that is all you have got to do to get it here, and how can it be worth $2.40 a ton?" He said to me, "Sir, if you will take off your coat, go into that mine, dig the ore out and haul it down here, you will find out exactly how that ore comes to be worth $2.40 a ton; it is the labor that has gone into it." This workman sounded the key-note of the whole protective system. It is simply the labor that has gone into it. So when the ore through one process and another has advanced to the steel, when it has been manufactured into articles of trade or commerce, when, for instance, it has become a screw in your watch, so fine that it can scarcely be seen without the aid of a powerful glass, and worth more than its weight in gold, it is nothing but the iron ore to which the labor of the American workman has been added, making it costly and valuable. It is not raw material.

AMERICA AND AUSTRALIA.

Now, I am for America rather than for Australia in this great question. Australia pays no taxes in America, builds no school-houses, dedicates no churches, constructs no railways or public roads; in short, has no interest in America except to unload upon us its productions. I say to the gentleman from Texas [Mr. MILLS], and to others on his side of the Chamber, that if his idea should prevail his State of Texas will become a waste place, her fields will be barren, her people in want.

Australia has 100,000,000 sheep; she is ready to increase her flocks to 150,000,000 so soon as the door-ways of America are opened to wools of her production free of duty.

South America produces 300,000,000 pounds of wool, and can add to them almost without limit so soon as the market can be found. Against these flood-tides of destruction stand alone the barriers of protection.

If the farmer is driven from the wool industry he must of necessity turn his fields and his farm into other channels of production. Instead of raising wool he begins raising wheat and corn in competition with his neighbor, and thus crowds and clogs the very industry he should assist.

If you remove the tariff from wool and permit the wools of Australia and South America to come in duty free it requires no great amount of wisdom to know that the American wool-growers must sell in competition with these countries or not sell at all. His price in competi-

tion will be regulated by the price of the Australasian and the South American production as valued at home with the price of a cheap water transportation added. That price, by the fair rules of deduction, will not much exceed one-half the price now controlling the American market.

No American wool-grower can raise and sell wool at one-half of its present price, and the natural consequence follows that buyers and manufacturers buy where they can buy the cheapest, and the foreign wools drive the home wools from the market and destroy the industry. Once destroyed, and without American competition, the price of the foreign producer is advanced and Americans pay, not their own prices, but the prices demanded by the foreign producer.

Can it be possible our people will be so short-sighted as to open the gateways for such a destruction and permit this worse than Trojan horse to enter without question and without our determined and persistent objection?

I would see the flocks increased, not destroyed. I would have them grazing on every hillside until America produced its entire supply of wools and was independent of the outside world. Such a course alone will give us the surest and the safest protection and bring to the producer and the consumer the greatest prosperity and security.

DIVERSIFY OUR INDUSTRIES.

I would diversify the industries of this country. Beside the smoking furnaces, I would have the farms producing for consumption all that they may require; beside the teeming factories, the wool and the cattle industries to feed and clothe them; beside the mills, the products of our people, to give in barter and exchange for their manufactures. Otherwise, destroyed by the competition of foreign products and manufactures, our people will be overcrowded competitors with each other, and thus destroy themselves. Free trade brings competition with pauper labor; it brings necessarily reduction of wages; it brings disaster and closed shops. You do not make an article which you can buy cheaper from an importer. He does not continue to sell to you cheaper after he has destroyed your competition. Experience teaches us that all protected industries thrive, and that all industries which are not protected are destroyed and driven from the face of the earth. One prosperous manufacturer means prosperous workmen; one successful establishment means a hundred successful laborers. Agriculture and manufacture are twin sisters; they should stand side by side with each other, one producing and the other consuming. He who would antagonize them is therefore the enemy of both.

WHY ENGLAND IS FOR FREE TRADE.

England is a free-trade country; and why? Simply because she consumes only 37 per cent. of what she produces or manufactures, and is compelled to find a market for the remaining 63 per cent. of all her productions. In other words, when a British manufacturer makes three articles, he can sell only one of them at home, and is compelled to find a foreign market for the other two; otherwise his factory must close.

What is the result? England is for free trade. She would send her manufactured commodities abroad so that her manufacturing establishments can keep their doors open and their men at work.

When an English manufacturer no longer finds sale abroad for two out of three of his products he must of necessity produce only one or close his doors, and his workmen are thrown out of employment; hence we have the London labor riots and the labor troubles of Birmingham, Sheffield, and of Manchester. Hence we have the meetings in Trafalgar Square, and people demanding bread, not stones.

America consumes 92 per cent. of what she produces, and sends only 8 per cent. abroad. Therefore, if America should sell nothing abroad, only one man out of every twelve would be thrown out of employment. We would not have a repetition of the mobs of London, Sheffield, Birmingham, and Manchester.

But we are told the cost of living in England is cheaper than it is in America. I have here a statement of Mr. Carroll Wright, who has been quoted considerably by the other side of the House. Here is the table he prepared, stating that the cost of living one week in Lancashire, England, is $6.73 for a family, while in America it is $7.90. In other words, there is but a difference of $1.26, equal to 18 cents a day, in favor of the English family and against the American family.

But in England the laborer gets only one-half of the wages of the American laborer, while in Germany the laborer only gets one-fourth. Yet these gentlemen would strike off the higher wages of the American laborer in order to save this 18 cents a day.

You tell me the wages will go down with equal conditions in America, and stand upon the same level of the wages in England; then I would put off the day to the last generation when the labor of our manufacturing establishments will be brought down to the same level with the pauper labor of England. [Applause.]

England waits with undisguised impatience for the adoption of free trade in this country.

Joseph Hume said:

If England would maintain her supremacy, she must throttle the manufacturers of the world in their cradles.

And from that hour to this that same England has been endeavoring to throttle the manufactures of America so that the open doorways and the markets of the American people would give her the prosperity and the wealth which should be evidenced by the smoking chimneys and the busy marts of trade and commerce and the whitened sails that should command the empire of the seas.

But America has moved steadily forward from weakness to strength, and bearing the hopes of a great people and mindful of her destiny, has preserved the institutions of our fathers and added to the greatness and the grandeur of the Republic.

CANADA AND AUSTRALIA PROTECTIONISTS.

We may learn from our adversary a lesson—England preaches to us free trade; but just across our border we have the Canadian provinces, a part of the British Empire. But a short time since they were neither prosperous nor independent.

They saw their wharves rotting down, their cities and villages going to decay; there was neither evidence of prosperity nor hope for future greatness. The same sun shone down upon them as upon the other side the great St. Lawrence, and the same rains and dews descended, and yet they saw on our side wealth and independence, on theirs poverty and want; on our side hundreds of smoking chimneys sent up their blackened incense to heaven, on theirs the silence of their sleeping cities and the quiet of their villages' undisturbed repose.

They asked themselves the question, why all this prosperity and wealth to them and all this poverty and want to us, and some one suggested that the protective system was building up America and adding to its growth and greatness; and they asked again, if good for them why not good for us?

They demanded of the home government parliamentary powers and independence, and secured them; and then, following in the footsteps of the Americans, adopted their protective system, and put up the barriers against British free trade. They copied almost entire the protective schedule of the Americans. Now a British vessel coming into Canadian waters is met at the wharf by an officer of customs and pays the same duty substantially as if she came into American waters and to an American wharf. As a consequence Canada is growing great and strong, manufacturing establishments are springing up all over the land, no longer rotting wharves, no longer dying cities and villages, but thrift and independence, and strength, and the promise of future great advancement.

Australia has followed the lead of the protective system, and another English province has closed its doors and guarded its wharves against English free trade.

Shall Americans be less wise than these dependencies? Shall it be said of them that they were not able to preserve the rich inheritance and the patrimony of their fathers?

England waits with undisguised impatience the adoption of free trade in America.

After the defeat of the Morrison tariff bill, in the Forty-ninth Congress, the London Daily Telegraph, an ultra Crown paper, had the following:

"A bill to establish in America what the English call free trade has just been defeated in the House by the narrow majority of four. The measure was of enormous importance for English manufacturers, as it would have enabled them to export goods to the States without the crushing tariff now imposed, and its fate was watched with intense interest by Englishmen. Were it passed it would have been worth $100,000,000 per annum to British manufacturers."

Of whom would the British manufacturers make $100,000,000 but from the Americans?

I do not doubt they are waiting now, for England depends upon outside markets for life.

If I was an Englishman I would be a free-trader, and would labor with all earnestness for the opening of the markets of the world to the wares and the products of British manufactures, so that the smoke might go up from all her chimneys and the fires be kept burning in all her furnaces, so that employment might be found for all her workmen, and the wolf be driven from the doors of her starving poor; but I can not comprehend the reason, nor can I commend the judgment of the American who is not able to read these lessons of the hour, and who, without the bitter experiences of the English people, is ready to open the doorways of his country to this great flood-tide of the world's products, and permit them to sweep like the waves of a storm-tossed ocean over the industries and above the hearth-stones of his people.

A QUESTION OF PROTECTING LABOR.

Aside from the question of raising the necessary revenue for the Government, there is nothing in this question but a question of labor and the protection of the industry and the just reward of the laborer.

Whenever the American mechanic, the farmer, the producer, and the workman, in whatever department of labor, is ready and willing to live as this same class lives in Europe, and is ready and willing to work for the same wages commanded and received for a like production on the other side, then there will be no further trouble about this question of the tariff. With labor correspondingly cheap, the American with his genius, his skill, his improved and marvelous machinery can make and undersell in every market of the world.

But we are not yet ready to drag our laborers down to the level of the pauper wages of Europe; we are not yet ready to rob our people of the rich inheritance which has been given us beyond the other peoples of the earth, with a people better clothed, better fed, with school-

houses upon every hand, the church door standing open, and the road to advancement neither blocked nor obstructed, there is no height to which he can not aspire, and no place to which his children can not ascend.

There is no conflict in America between capital and labor, and there should be none: they must go hand in hand. Without capital the laborer obtains no reward for his toil. When capital is abundant and secure then labor gathers the richest rewards.

The prosperous employer means prosperous workmen, the abundance of capital meaning abundance of labor. The prudent and skillful workman of to-day becomes the employer of to-morrow.

MR. MILLS AND HIS ERRORS.

It is the purpose of the Democratic party to destroy the tariff.

Mr. HEMPHILL, of South Carolina, the other day avowed himself an open free-trader.

Mr. MILLS is an open, outspoken, and notorious free-trader. Nearly every member who has spoken upon that side of the House has indorsed the President and his free-trade message and committed himself to this doctrine of Democratic free trade.

Mr. MILLS, the leader of that side of the House, says:

We must make a departure. Instead of laying on the burdens of taxation upon the necessaries of life, instead of destroying our foreign commerce, we should encourage it as we would encourage our home commerce. We should remove every unnecessary burden. We should lay taxes to obtain revenue, but not restrict importation. We should place every material of manufacture on the free-list, start up our fires, put our wheels in motion, and put all our people to work at good wages.

But, sir, for whom would we work? From whom would we obtain good wages?

You take away his substance and bid him rejoice. You cut off one leg and bid him thank God you did not cut off two. [Laughter and applause.]

Now, sir, we have constantly heard on this floor encomiums as to the honesty of the chairman of the Ways and Means Committee, but I can not reconcile such statements as these with the oft-repeated declarations of honesty, save by a presumption of an ignorance that is neither complimentary nor charitable, and the further expectation of ignorance on behalf of his readers that is preposterous and presumptuous.

Mr. MILLS says again, with additional emphasis:

None of these tariff rates go to the laborer. The road is blocked up. They can not pass the pocket of the manufacturer. This "great American system" that is intended to secure high wages for our laborers is so perverted that all its beneficence intended for the poor workman stops in the pocket of his employer, and the laborer only gets what he can command in the open market for his work.

Could a statement be farther from the truth?

Again, and finally, he says:

Now, Mr. Chairman, I have gone through with a number of articles taken from these official reports made by the manufacturers themselves, and I have shown that the tariff was not framed for the benefit of the laborer, or that if it was so intended by those who framed it the benefit never reaches the laborer, not a dollar of it. The working people are hired in the market at the lowest rates at which their services can be had, and all the "boodle" that has been granted by these tariff bills goes into the pockets of the manufacturers. It builds up palaces; it concentrates wealth; it makes great and powerful magnates; but it distributes none of its beneficence in the homes of our laboring poor.

Is it not humiliating to know that the person who makes these reckless and unfounded statements is the so-called leader of this House and the chairman of its most important committee—Ways and Means?

Mr. MILLS says again:

This will show, and I ask your attention to it, that the tariff is not intended to and does not benefit labor. It will show that the benefit of the tariff never passes beyond the pocket of the manufacturer, and to the pockets of his workmen.

I permit him to stand beside his record, and I invite the attention of the people of America to the statements he has made, and ask them in all candor will they follow the leadership of one whose assurance is only equaled by his presumption and ignorance?

I commend to him and to his followers this clipping from the London (England) Morning Post, the leading conservative paper of Great Britain. It says:

For years past the whole orthodox school of free-traders have been denouncing the blindness of America. Some times the accent was that of reproach, some times of pathetic regret, some times of scornful jeer; but America meanwhile paid off the national debt and built up manufacturing industries which for the excellence of their goods are renowned throughout the world.

Mr. MILLS gave us some free-trade statistics the other day, very evidently compiled for the purpose of deceiving either himself or the readers of his address.

Now, sir, I desire to take up briefly Mr. MILLS's statistics and show you not only their fallacy, but their falseness.

Mr. MILLS gives us this example of the operation of the tariff. He says:

I find in this report one pair of 5-pound blankets. The whole cost as stated by the manufacturer is $2.51. The labor cost he paid for making them is 35 cents. The present tariff is $1.90. Now, here is $1.55 in this tariff over and above the entire labor cost of these blankets.

If such a statement means anything, it means that the cost of labor, 35 cents only, goes to the workman, and that the $1.55 is a clear profit to be put into the pocket of the manufacturer by reason of the tariff, but, as if to relieve us of any doubt as to his meaning, he says:

Why did not that manufacturer go and give that money to the laborer? He is able to do it. Here is a tariff that gives him $1.90 on that pair of blankets for the benefit of his laborer, but notwithstanding that the tariff was imposed for the benefit of American labor and to preserve high wages, every dollar of that tariff went into the manufacturer's pocket. The poor fellow who made the blankets got 35 cents and the manufacturer kept the $1.90.

Such a statement will admit of but one construction.

But as if to emphasize and to make it so plain that no mistake can be made, he again says:

Take another pair of 5-pound blankets. The total cost is $2.70. The labor cost is 70 cents. The tariff is $1.98. Now, how strange it is that none of these sums that were intended for the laborer ever get beyond the pocket of the manufacturer. Why is it, when the American Congress enacted this legislation for the benefit of our labor, that every dollar of this aid intended for labor stops in the pockets of the manufacturer, who goes into the highways and hedges and hires his laborer at the lowest price for which he can get him in the market and then pockets the tariff benefits that we are told every day is intended for the laborer alone—for the benefit of labor?

In other words he would tell us that the 70-cent labor alone goes into the pockets of the laborers, and the $1.98 tariff goes into the pockets of the manufacturer.

I have a statement here from a woolen manufacturer, which I will append to my remarks. It shows that 50 per cent. of the whole cost goes to the workmen engaged in this branch of manufacture, and 50 per cent. for materials.

He says:

Mr. MILLS is undoubtedly in error, for as nearly as I can calculate it costs in labor about 25 cents a pound on the finished goods, which would make at least $1.25 a pair for labor cost, and the labor cost is about one-half the whole cost, the other 50 per cent. being for materials.

Again he says:

There is another answer to Mr. MILLS, if the manufacturers put in their pocket such large profits on their blankets, how is it that so many of the blanket mills have failed, and all that can have gone out of the business into something else.

One-half of it for labor and one-half of it for material. Now, what is the material? The wool, etc., which enters into the blankets; and every penny of this wool and material is nothing but labor; it is simply the labor of the producer of the material, and it represents his toil and his product.

There is not a penny that enters into a pair of blankets that is not labor; and the profit to the manufacturer has been so small that bankruptcy and ruin has been his, driving him from the trade.

Again Mr. MILLS says:

One yard of cassimere weighing 16 ounces costs $1.38; the labor cost is 29 cents; the tariff duty is 80 cents.

He implies that 80 cents is clear profit to the manufacturer, while only 29 cents goes to laborers.

I have a statement of the cost of 1 yard of cassimere prepared for me by a manufacturer, every item of which shows Mr. MILLS's ignorance of the matter he was attempting to discuss. It is as follows:

One yard of cassimere, 16 ounces to the yard; 2½ pounds Ohio wool, 20 cents. Wool will shrink in scouring, etc., 50 per cent.; in working, 15 per cent.

	Cents.
Two and eighty-three one-hundredths pounds of wool to make 1 yard, costs	75.32
Mr. MILLS's cost of labor	29.00
Color, supplies, coal, etc	8.00
	112.32
3 per cent. commission, 3 per cent. guaranty, 1 per cent. insurance, 3 per cent. for four and six months' time, 5 per cent. off for cash, in all 15 per cent	20.70
Total cost	133.02
MILLS's cost	138.00
Cost of manufacture and sale	133.02
Leaving a profit to manufacturer of	4.98

Mr. Chairman, this shows conclusively the ignorance of the chairman of the Committee on Ways and Means with the subject with which he wishes to deal; because there must also be added to this total cost the boxing, drayage, warehouse transportation, office expenses, pay of engineer, firemen, and the thousand and one expenses incident to a factory that will carry the total cost beyond the figures given, and the nominal profit of the manufacturer is correspondingly reduced.

Mr. MILLS says further, in reference to pig-iron:

One ton of foundry pig-iron costs $11; the labor costs $1.64; the tariff is $6.72.

I want to give the wages of laborers and cost of a ton of pig-iron, compiled by Mr. John Griffin, formerly of Phœnix (Pa.) Iron-Works, now deceased, one of the most capable and painstaking iron-masters, it is said, in America:

Wages earned in mining enough ore for 1 ton pig-iron	$5.13
Wages earned in mining enough limestone for 1 ton pig-iron	.53
Wages earned in mining enough coal for 1 ton pig-iron	1.71
Wages earned in mining enough coke for 1 ton pig-iron	.28
Wages earned in transporting ore	.56
Wages earned in transporting limestone	.06
Wages earned in transporting coal	.45
Wages earned in transporting coke	.22
Wages earned by furnace-hands making 1 ton pig-iron	2.75
	11.54
Add taxes, insurance, interest, freight, etc	5.20
Total	16.74

Here is a total of $16.74 for a ton, as against Mr. MILLS's assertion

that it costs but $11, and sells in the markets at from $17.50 to $20 per ton.

I have here a table showing the prices of pig-iron from 1842 to 1887, and I find the lowest price was $16.50 per ton in November, 1878. Now the price ranges from $17.50 to $20 per ton, according to standard and quality. Where, then, is the $6.72 profit that Mr. MILLS says goes into the pockets of the manufacturer because of this infamous tariff?

But I have another statement here. He gives an instance of the cost of a car-wheel, and uses the following language:

Here is a car-wheel weighing 500 pounds; cost, $13; labor cost, 85 cents; tariff rate is 2½ cents per pound, equivalent to $12.50, to cover a labor cost of 85 cents! [Laughter.] Why, Mr. Chairman, these laborers of ours ought to get immensely rich if they could get all that Congress votes to them, if the manufacturers did not stop the bounties intended by the Government to reach the pockets of the workingmen.

Now here is not only an implication from him, but a direct statement that the balance of the cost, over and above 85 cents for the labor, goes into the manufacturers' pockets. There could not be a statement more preposterous, and when you think that such a statement as that comes from the chairman of the Committee on Ways and Means, the head of the Democratic party on that side of the House, it is beyond credence. I have three statements here made by manufacturers of cast-iron car-wheels in America, and I find here that the cost, instead of being $13, as Mr. MILLS says, ranges from $7.50 to $8.25. One manufacturer says:

THE JACKSON & WOODIN MANUFACTURING COMPANY,
Berwick, Columbia County, Pennsylvania, May 4, 1888.

DEAR SIR: Yours of the 28th ultimo received. We regret the delay in answering. We notice Mr. MILLS's extravagant statement and are glad to give you the information you desire.

The cost of car-wheels is nearly all made up of labor, as follows: Cutting wood, burning charcoal, and furnace labor on iron sufficient to make one wheel, $6.25; digging coal to melt iron in cupola, 10 cents; labor getting sand for molding, 10 cents; molding and handling the wheel in foundry, 95 cents; total, $7.40. This, of course, allows nothing for the interest, insurance, and office labor, which would be fully 40 cents, or a total of $7.80. The only item in the wheel cost that is not labor would be the royalty on the ore of 25 cents on a wheel. A 500-pound wheel to-day is freely offered for from $7.50 to $8.25, according to quality. We should like to have an order for a very large number of wheels at the latter price, and will agree to make as good a wheel as can be made in this or any other country, and we think our reputation in this line is equal to the best. It might be well for you to suggest to friend MILLS that we should like to have some of his orders at $13.50 apiece, and we would be glad to pay him a commission. He could probably make more money this way than he could in the House. Shall be glad to give you any further information you want.

Yours, truly,

C. H. ZEHNDER,
Secretary.

ROBERT P. KENNEDY, M. C.,
House of Representatives, Washington, D. C.

I have a statement from another car-wheel manufacturer who puts the price at $7.50, and says the cost is made up entirely of labor and iron. He says:

A. WHITNEY & SONS' CAR-WHEEL WORKS,
Philadelphia, May 1, 1888.

DEAR SIR: Our neighbors, Messrs. Burnham, Parry, Williams & Co., and Messrs. William Sellers & Co., have referred to us your letters of inquiry of 28th ultimo.

In reply, we have to say that the cost of labor on a car-wheel weighing 500 pounds, from the time the pig-metal reaches the foundery until the wheel is finished and ready for use, is about $1.35.

The average selling price of such wheels would be about $7.50. The difference between $7.50 and $1.35, $6.15, represents the cost of the pig-iron (which is several dollars per ton more than ordinary irons), coal, sand, and other materials, tools, power, superintendence, interest on equipment, and, last and least, profit.

You can use this statement as coming from practical authority, but we prefer not to have our names used unless necessary.

Cast-iron car-wheels, which are those in question, are not made abroad for importation into this country, nor is the kind of pig-iron of which they are made imported.

Yours truly,

A. WHITNEY & SONS.

Hon. ROBERT P. KENNEDY,
House of Representatives, Washington, D. C.

Another letter is as follows:

Mr. JAMES M. SWANK,
General Manager American Iron and Steel Association,
261 *South Fourth Street, Philadelphia:*

DEAR SIR: In reply to your favor of this date, we have to say that the cost of labor on a car-wheel weighing 500 pounds, "from the time the pig-metal reaches the foundery until the wheel is finished and ready for use," is about $1.35.

We beg to add that Mr. MILLS's statement of the selling price of the wheel is somewhat idealistic. Instead of being $13, the average price is about $7.50. The difference between $7.50 and $1.35, $6.15, represents the cost of the pig-iron (which is several dollars per ton more than ordinary iron), coal, sand, and other materials, tools, power, superintendence, interest on equipment, and, last and least, profit. Cast-iron car-wheels are not made abroad for importation into this country, nor is the kind of pig-iron of which they are made imported.

Now, sir, what shall we say of a political leader whose fancy and prejudice runs away with his facts and his figures? Instead of putting almost the entire sum of the selling price into his pocket, the manufacturer pays almost the entire amount for labor and material, and the material is nothing but the product of labor, every cent of it, and the profit which goes to the manufacturer for interest and gain is the very smallest part of the sum. Mr. MILLS'S statistics were evidently prepared without opportunity for information, or with a view to deceiving and misleading those to whom they should be presented through the medium of ink and type. One need not be a "scientist" to detect their fallacy and falseness, as they contradict and confute themselves.

Here is another statement. Mr. MILLS tells us of the cost of a suit of clothes, and says:

Here is a coarse wool suit of clothes such as our working people wear in their daily toil in the shop and field. The whole cost is $12. The labor cost is $2. The tariff duty is 40 cents per pound and 35 per cent. ad valorem. As the weight of the suit is not given, we can not get the exact tariff, but the duty on woolen clothes imported last year averaged 54 per cent., and at that rate the tariff stands $6.48 to cover $2 of labor cost.

I have, in response to that statement, the exact cost of a suit of clothes made of identically the same material to which he refers, giving the cost of the material; which is as follows:

7 yards of material, at 75 cents per yard	$5.25
Trimming, which Mr. MILLS omits	1.50
Making, according to Mr. MILLS	2.00
Showing a total cost of	8.75

In addition to this must be added the boxing, drayage, railroad freights, commissions, and the thousand and one additional expenses, which result in leaving very little profit to the manufacturer and retail dealer.

Mr. MILLS forgets that nearly every item that enters into the completed article is an item of labor and the product of the American workman's toil.

The wool to which the farmer has given a year of care and labor, the linen which makes the thread, the cotton which lines the coat and sleeves, the buttons which fasten it together, the silk that forms the twist, the buckles, and in short the thousand and one items of toil gathered together to make and to form the completed whole, coming from every department of toil and from every section of the land, the result of the labor of a thousand workmen, the product of a thousand hands, scattering its gathered rewards like the very dews of heaven into thousands of homes and firesides throughout the land.

I commend Mr. MILLS and his followers to the careful study of the questions of tariff legislation, and must beg of him to give his attention to those items of trade and commerce which will not advertise his want of knowledge, and will enable him to be at least consistent with himself.

Here is a letter addressed by the secretary of the Workman's Association for the defense of British Industry to the Home Market Club of Boston, which I present and commend to the kind and careful consideration of the gentlemen upon the other side of this House:

To the Secretary of the Home Market Club, 56 Bedford street, Boston:

DEAR SIR: Thanks for the papers you have sent me. I was in America for about two months last summer, sent over by our association to see for myself whether the working classes of your country were better off under protection than we are under free trade, and the conclusion I came to was this:

That any person who has to earn a living in America as a producer must first become crazy before he becomes a free-trader, and the farmers must be the craziest of the whole lot to think of such a thing. Before any of your workingmen, either engaged in manufacturing or agriculture, talk about free trade, let them send one of their number over here to see what it is doing for this country; let him walk about for six months looking for a job until his coat gets ragged and his shoes get thin, and he gets the thinnest of all, and everywhere he asks for work he will be told that the Germans and Belgians are doing the work cheaper than he can do it; then let them send for him home again and hear what he says about free trade.

If it is the surplus revenue that is causing the trouble, send it to some free-trade country. You never knew them to have a surplus; or, if you don't like to do that, take it out to sea and sink it, or bury it, or burn it, or do anything in fact rather than adopt free trade, that is to say, if you do not want foreign competition to ruin your manufacturing industries, and by so doing ruin your farmers by robbing them of their home market.

Yours, truly,

H. J. PETTIFER,
Electro-Plate Worker, Secretary Workman's Association for Defense of British Industry, 184 Waterloo Road, London, England.

MARCH 28, 1888.

FREE TRADE A RELIC OF SLAVERY.

A word now upon the subject of free trade. This, Mr. Chairman, is a relic of the old days of slavery. It comes to us by inheritance from the past. It is a part of the days of slavery, the days when they required coarse clothes for their slaves, and cheap food, and the markets of the world for their cotton.

Never before in the world's history has there been so inexorable a master as was this tyrant of human slavery. It demanded the abject worship of every living thing; States and Territories were made and unmade to feed its greed and its love of gain; the politician was made to bow in abject servility; the church, the mentor of God's word on earth, was with blasphemous tongue and pen compelled to declare the divinity of this most infamous crime against God and man.

The world stood appalled at its exactions and its demands, and love of greed and pelf excused its infamies and its wrongs. It invaded homes and with cruel and heartless hands dragged its victims to the blackened holds of slavers and then sold them from the block, until at last outraged Christendom could no longer endure its infamies and arose and swept its black flag from the seas.

The Democratic party was its most servile tool, and came and went at its beck and call. No demand was too infamous, no command too menial, and the whip of the slave-driver drove no poor struggling slave in the field with more unerring certainty than the lash of his master drove the Democratic party to do his bidding and to execute his commands.

The days of slavery are ended. Its exorbitant exactions and its seeming determination to be controlled neither by law nor by reason at last caused it to lift up its hydra head in rebellion, and outraged humanity struck it down and trampled it out forever, and the immortal hand of Abraham Lincoln signed the warrant for its eternal death.

Slavery is dead, but its spirit still stalks through this Chamber and I see the Democratic party on that side of the House bowing to the beck and nod of the slave-drivers to-day just as they did a quarter of a century ago.

The days of slavery are gone, but its power and prejudice remain; but they are giving way before the Knoxvilles, the Atlantas, the Chattanoogas, and the Birminghams of the new South. God speed the hour when the sun will shine upon a country knowing the worth and the value of universal liberty.

Mr. Chairman, I saw that side of the Chamber bow at the beck and bend its neck to the yoke in the ranks of that party less than three weeks ago, just as the old slave-master used to whip his captured runaway slaves after they had been lashed back into their kennels. It was humiliating, but it was a fitting acknowledgment of their continued servility and the absolute rule of the old slave power. So I saw that side whipped back into the ranks of the Democratic party less than three weeks ago. I repeat that this doctrine of free trade is a relic of the days of slavery.

REDUCTION OF SURPLUS.

Now, sir, the surplus can be reduced by taking the tax off tobacco, by paying the national debt, by building up a respectable navy, by paying proper pensions to our soldiers and their widows, by paying a service pension of 1 cent a day, and by pensioning every survivor or the widow or children of every man who died in the prison-pens, the hell-holes, Andersonville, Libby, and Belle Isle, and when this is done there will be no great accumulation in the Treasury to excite and alarm the people, no uncounted millions taken from the avenues of trade, but a Treasury reduced by wise and fair appropriations, to the end that justice and honesty may prevail.

MR. BRECKINRIDGE, OF KENTUCKY.

I wish to refer for a few moments to the distinguished gentleman from Kentucky [Mr. BRECKINRIDGE], and I regret that my time is so limited. Mr. BRECKINRIDGE, of Kentucky, said the other day:

> The difference between 2½ or 3 per cent., the rate at which we could borrow money, and the 4 and 4½ per cent. that we are paying on those bonds, a sum easily calculable, is the precise sum that the American people are annually paying for the glorious privilege of having had Mr. SHERMAN as Secretary of the Treasury during the interregnum of Mr. Hayes.

Mr. Chairman, I thank God that JOHN SHERMAN was the Secretary of the Treasury under Mr. Hayes. While the gentleman from Kentucky was wearing the Confederate gray and attempting to tear down and destroy the Union, JOHN SHERMAN, of Ohio, and the loyal men of this Government were attempting to preserve it, and by the grace of God, and Abraham Lincoln, and the loyal soldiers of the Government, they did preserve it and brought it back safe and secure. [Applause on the Republican side.] I have no reflections to make upon Kentucky. She has a grand old history in the past, in her days of Crittendens, Marshalls, and Clays, and Guthries. But I must say to her, that on her side of the river where the sun falls as it falls upon Ohio, and the rain falls just as it falls upon the Ohio shore, where the same dew freshens them into flowers and fragance alike; every acre of land in my State of Ohio is worth two dollars to one in Kentucky. Why is this so? It is, Mr. Chairman, because we have a different condition of things. We have free schools there. We have free speech, free thought, free men, while they have too much of the civilization of Rowan and Breathitt in Kentucky.

The district which the gentleman from Kentucky represents sends him here with 4,791 votes, being only 1 in every 8 of the voters entitled to vote in that district in Kentucky. But, Mr. Chairman, when I speak of these grand men coming from Kentucky I must not forget one of her grandest names, one to whom I bow now with admiration, that splendid old Kentuckian whose loyalty never faltered and whose faith in the Union was never shaken. I mean Robert J. Breckinridge, of Kentucky. [Applause on the Republican side.] He, through all the dark struggles, ay, through the darkest days, stood by the National Government and upheld the hands of the loyal men against those who were attempting to destroy it. It was said that on one occasion a young man who was going to join the rebel army was seen by him, and he called to him and said:

> I understand you are going to join the rebel army. Your father brought you to me in his arms, a struggling infant, and asked that I might baptize and dedicate you to the service of Almighty God; but had I known at that hour that you would have ever betrayed your country and joined the ranks of those who were attempting to destroy it, I could have found it in my heart to have strangled you at the baptismal font.

Ay, Mr. Chairman, I stand here to do honor to that grand old loyalist of Kentucky.

The gentleman from Kentucky might with equal truth have charged the responsibility for that great debt upon the Republican party. It came into power to find a bankrupt treasury, and the credit of the Government so low that its bonds were only worth 89 cents on the dollar; it turned over a Government whose credit was not equaled by any other nation on the face of the earth.

The Republican party lived to preserve and maintain not only its credit, but its life. When the nation was in the midst of the throes of civil war, and the Democratic party in these Chambers and at home were decrying this Government and denouncing its finances; when they stood like prophets of evil predicting the hour when a basketful of its currency would not buy a dinner, and its value would not equal the paper upon which it was printed; when rebel victories in the field drove it down, down, until in the darkness of despair it seemed as if the light would never come. But the God of justice and the God of battles at last permitted the light of the dawn of promise to burst upon them. The credit of the Government had sunken so low that it took $2.50 to buy a single dollar of gold. But a good people stood behind it, an honest people, and they set about to find a way to redeem their promise to pay, and one of their ablest statesmen stood at the door of its Treasury until at last, through the guidance of this grandest financier since the days of Alexander Hamilton, JOHN SHERMAN, of Ohio, the doors of the Treasury were thrown wide open and the bonds and the currency of the land were made equal to the glittering gold and the shimmering silver; and now the credit of my Government—not by the aid of the Democratic party, but in spite of it, stands higher in every market of the world than any other nation upon the face of the earth.

Who are these gentlemen with armless sleeves and legless pantaloons who come back from rebel battle-fields to teach us lessons in finance and to tell us how to run a Government they failed to destroy?

DEMOCRATS HERE AS FREE-TRADERS BY UNFAIR ELECTIONS.

Now, I want to say more. The Democratic party are here as free-traders by reason of unfair elections of members upon that side of the House. If the people of these United States were permitted to put their ballots into the boxes and have them honestly counted, to-day there would be no danger of free trade in this Congress. When Mr. CRISP, of Georgia, comes here with 1,702 votes; when Mr. BLOUNT, of Georgia, comes here with 1,724 votes, and when I come here representing 37,422 voters, this proves that one man in twenty votes in the South, while every man votes in Ohio. That is the reason why these gentlemen are here in behalf of free trade. The ten districts of Georgia elect ten representatives to this Chamber, and the entire ten districts cast nearly 13,000 votes less than are cast in the one district I have the honor to represent, and yet you have the assurance to tell me it is a matter which does not concern the people of Ohio and the North.

Our friend from Georgia [Mr. CRISP] says the Republican party is played out down there, and that the colored people are voting the Democratic ticket. If the colored people there vote the Democratic ticket, then I want to know where in the name of God the white people vote down there. Mr. EUSTIS, of Louisiana, in the Senate the other day, asked whose business it was. "What business is it of yours?" he said. It is precisely as much business of ours if the fraud is committed in Louisiana, in Georgia, or in South Carolina as if it were committed in Ohio. The man who sits on that side of the Chamber makes laws for you, and for me, and for every citizen of the United States, and the fraud that is perpetrated in Georgia and Louisiana is perpetrated on the people of Michigan and the people of Ohio alike. That is what business it is of ours.

And I say to these gentlemen I know that the ruling class in the South, the Confederate element, is determined to submit to no state of affairs that does not leave them in absolute control, and they are ready to go to any length necessary to keep possession of that section of the country and will not stop at any measure necessary to retain power and ascendancy over that part of the Union.

That flag, sir, whose stripes we borrowed from the rainbow of promise and whose welkin we illumined by the starlight of God protects Americans everywhere but at home.

There are no seas so wide, no oceans so deep, no lands so distant, no place on the earth so obscure, none so powerful but that that flag will go in sunshine and storm, through darkness and danger to the aid and protection of a citizen of America, native or naturalized. But at home, here almost beneath the shadows of the dome of the Capitol, it is powerless to protect and to defend.

Anarchy runs riot, madness reigns supreme, the rights of the citizen are assailed, and there seems to be no power to defend.

And here I want to say this, that so long as I occupy a seat on this floor no man shall be permitted to take a seat in this Chamber, nor shall any man be permitted to retain a seat by my vote who comes here elected by a minority that has driven the majority away from the polls, or has prohibited them by violence and outrages from expressing their opinions and convictions at the ballot-box, a right guarantied to them by the Constitution of the United States.

They will learn that the sense of fair play, which is a part of every honest man's nature, will condemn them and drive them to a just consideration of the rights of all the people. They must learn that the ballot, the only means pointed out by the Constitution, by the exercise of which the freeman's will can be made known, must be made as sacred and secure in one part of the nation as in the other, for without it there can be neither security nor peace. They must learn that outrage and violence bring neither prosperity nor wealth; but that a free

ballot and a free people and a free land are the sure harbingers of national prosperity and domestic peace.

But, sir, they will learn sooner or later that outraged justice will not permit them always to trample upon the rights and liberties of the people. They will learn that the fundamental principle upon which our Government is based, the right of the majority to rule, can not be forever disregarded and trampled under foot.

This question will not down at the bidding of any class nor at the demand of any section. There will be no end to this conflict until the ballot-boxes are no longer trampled under foot, until the rights of all are recognized, and until the elections are as fair and free in Georgia and South Carolina, as in Ohio, Michigan, and Illinois. And the Southern people and their leaders may as well learn first as last that the sectional cry, behind which they seek to hide these infamies and outrages, will no longer deceive and mislead the people of this country, but that they demand and will accept nothing less than free elections and honest ballot-boxes. [Loud applause.]

THE LATE UNFORTUNATE CONTROVERSY.

If one dares to mention, from a Union standpoint, the late unfortunate controversy between the sections of this country, he is at once hailed as a disturber of national harmony, and is likely to throw into a political spasm the Democratic members upon that side of the House.

It is, however, rather interesting to notice with what serene composure they can listen to the disloyal platitudes of the late so-called Confederates, and retain their self-possession in the midst of utterances that would not be tolerated in any other nation upon the face of the earth.

One would almost be inclined to believe that men who are so continually protesting their new-born loyalty and their full conversion to the doctrine of an indissoluble Union would be willing themselves to forget the unfortunate struggle which deluged a nation in blood and poured out from the hard earnings of the people $3,000,000,000 and piled up the mountain of debt which the nation still bears as a burden.

And yet, sir, when we hear such sentiments as these expressed, not by any of the common herd, but by those who are supposed to represent the better element of that Confederate cause which went down before the glittering bayonets of the loyal soldiers of the Union armies, we may stop to inquire if the cause which went down at Appomattox is dead or only sleeping.

WADE HAMPTON the other day at Baltimore flaunted the Confederate bloody shirt. This is an extract from his speech:

I want all to remember that I did only what my duty demanded. I could have taken no other course with honor [applause], and if we had to do it over again would do precisely what I did. I have no apology to make for the part we took in the war [applause] and wish my tongue may cleave to the roof of my mouth before I would say my dead brothers were traitors. We tried to do our duty bravely. When we failed another duty was before us. It was evident that the fate of war had decided against us. We then had but one country, and had all been brought together. I said then, and I say now, it is the duty of every patriot, every surviving Confederate, to try to make that country fit for free men to live in for all time to come. [Loud applause.]

What does he mean by that, Mr. Chairman—"fit for free men to live in?" Does he simply mean that it is to be especially fitted for ex-Confederate free men to live in? or would he have us imply that he has under the inspiration of his new-born zeal for liberty, been inspired with new and lofty patriotism, which would include within his kindred of citizenship every man who is by the Constitution and the laws entitled to be recognized as a citizen and a free man in a country which has promised to accord equal and exact justice to all?

I commend him to the people of South Carolina, and present him a field broad enough for the greatest exactions upon his statesmanship, and crude enough in its understanding of the term liberty to be a fit subject for this most ambitious teacher of men. Let him enlighten them until all shall come to know that liberty means universal liberty, not the liberty of a favored and privileged few.

And again, another United States Senator, one who represents the people of one of the States of the Union on the floor of that Senate, where Clay and Webster and Crittenden and Fessenden and Morton once sat, and who is himself a living example of the forgiveness, greatness, and generosity of the grandest Government that ever existed beneath the canopy of God, speaks in no uncertain words when he says:

I say, gentlemen and comrades, we were never wrong, and I stand by my convictions to-day firmly and strongly. We fought for the right, were right, and can not surrender our opinions because our arms are stacked and we are conquered. (Senator BERRY, of Arkansas, at rebel reunion at Little Rock, August 10.)

And yet my Democratic friends who occupy that side of the Chamber are neither ruffled nor disturbed by this uncalled-for and infamous proclamation of disloyalty by one who has accepted the generosity of the Government and been restored to the full measure of its citizenship and its power.

THOSE WHO NOW CONTROL.

When I look around this Chamber, Mr. Chairman, and mark its composition and note the fact that those who are not only in constructive but in actual control of its organization and machinery are in large part the men who were but a short time since attempting its destruction, I am constrained, even at the risk of offending the oversensitive feelings of my Democratic friends, to stop long enough to inquire which side won in that great struggle?

I had been vain enough to believe, sir, that the great army to which I had given the strength and service of my younger manhood had been victorious, and that the outpouring of national treasure and the sacrifice of loyal blood had not been in vain.

But when I see this House handed over to the control of those whose boastful disloyalty finds its way into the records of my country, and whose most conspicuous and distinguished services have been rendered in attempting to destroy the liberty of my people and the unity of my Government, and who now seem determined to obtain by insidious legislation that which they failed to accomplish by force of arms, I am compelled to admit, sir, that the victories gained were but an idle boast, and that the sacrifices of life and treasure were without avail.

I trust I may be pardoned, sir, for daring to look into the organization of this House and taking from the records made by the members themselves so much of their personal histories as will enable me to enlighten my countrymen concerning the composition of the body that is to frame not only their laws, but to enact for their Government that system of tariff legislation that is to be for the weal or the woe of the people of these United States.

When I look into the record of the two Houses of Congress I am constrained to acknowledge, sir, that the timidity which seems to seize upon a Democrat every time you refer to the late unfortunate controversy between the sections of the Union has not inspired those who now ask that it may be forgotten and remain forever buried in oblivion to abstain from intruding into that record, the history of their disloyalty and treason to a Government whose only crime was the assertion of the fundamental principle upon which that Government was founded—the right of the "majority to rule."

With some considerable care I have prepared a list of those whose boastful disloyalty forms a disgraceful part of the record of these two Houses, and I append it here so that my countrymen may be advised of the fact that although it may be unwise for one who proved his loyalty to his country by faithful service in the field and camp to remind the distinguished Confederate soldier of his disloyalty and his treason, but that it is a part of the eternal fitness of things that the distinguished Confederate himself may put into the records of his country and print at the expense of the Government the history of services rendered in attempting to destroy that Government and to overthrow that country and its liberty.

The following list, taken from the CONGRESSIONAL RECORD of the Fiftieth Congress, may be of interest to those who are not entirely familiar with the present condition of affairs, and who may be desirous of studying the complexion of the two bodies charged with the enactment of laws for the government of the people and the protection of the State, showing those who served in the Confederate armies, and are boastful and defiant in obtruding their disloyalty in that RECORD:

ALABAMA.

Senators—JOHN T. MORGAN, JAMES L. PUGH.
Representatives—JAMES T. JONES, HILARY A. HERBERT, WILLIAM C. OATES, JAMES E. COBB, JOHN H. BANKHEAD, WILLIAM H. FORNEY, JOSEPH WHEELER.

ARKANSAS.

Senators—JAMES K. JONES, JAMES H. BERRY.
Representatives—POINDEXTER DUNN, CLIFTON R. BRECKINRIDGE, JOHN H. ROGERS, SAMUEL W. PEEL.

FLORIDA.

Senators—SAMUEL PASCO.
Representatives—ROBERT M. H. DAVIDSON.

GEORGIA.

Senators—JOSEPH E. BROWN, ALFRED H. COLQUITT.
Representatives—CHARLES F. CRISP, THOMAS W. GRIMES, JOHN D. STEWART, JAMES H. BLOUNT, HENRY H. CARLTON, ALLEN D. CANDLER.

KENTUCKY.

Senators—JOS. C. S. BLACKBURN.
Representatives—WM. J. STONE, POLK LAFFOON, JAMES B. MCCREARY.

LOUISIANA.

Senators—RANDALL L. GIBSON, JAMES B. EUSTIS.

MISSISSIPPI.

Senators—JAMES L. GEORGE, EDWARD C. WALTHALL.
Representatives—JOHN M. ALLEN, JAMES B. MORGAN, THOMAS C. CATCHINGS, F. G. BARRY, C. L. ANDERSON, THOMAS R. STOCKDALE, CHARLES E. HOOKER.

MISSOURI.

Senators—FRANCIS M. COCKRELL, GEORGE G. VEST.
Representatives—WM. H. HATCH.

NORTH CAROLINA.

Senators—MATT W. RANSOM, ZEBULON B. VANCE.
Representatives—LOUIS C. LATHAM, CHARLES W. MCCLAMMY, ALFRED ROWLAND, JOHN S. HENDERSON, W. H. H. COWLES, THOMAS D. JOHNSTON.

SOUTH CAROLINA.

Senators—MATTHEW C. BUTLER, WADE HAMPTON.
Representatives—SAMUEL DIBBLE, GEORGE D. TILLMAN, JAMES S. COTHRAN, WILLIAM H. PERRY, WILLIAM ELLIOTT.

TENNESSEE.

Senators—ISHAM G. HARRIS, WILLIAM B. BATE.
Representatives—RODERICK K. BUTLER, JOHN R. NEAL, JAMES D. RICHARDSON, W. C. WHITTHORNE, PRESLEY T. GLASS.

TEXAS.

Senators—RICHARD COKE, JOHN H. REAGAN.
Representatives—WILLIAM H. MARTIN, C. B. KILGORE, DAVID B. CULBERSON, SILAS HARE, JOSEPH ABBOTT, S. W. MOORE, JOSEPH D. SAYERS, SAMUEL W. T. LANHAM.

VIRGINIA.

Senators—HARRISON RIDDLEBERGER, JOHN W. DANIEL.
Representatives—THOMAS H. B. BROWNE, GEORGE D. WISE, WILLIAM E. GAINES, JOHN R. BROWN, SAMUEL I. HOPKINS, CHARLES T. O'FERRALL, W. H. F. LEE.

WEST VIRGINIA.

Senators—JOHN E. KENNA, CHARLES J. FAULKNER.
Representative—WILLIAM L. WILSON.

Senators	24
Representatives	63
	87

These eighty-seven names make a list of which the country may well take heed. But, sir, I may add with some sense of fairness that I understand that some fifteen or twenty others might be added to this list, whose personal modesty or whose just sense of the impropriety of putting the records of their disloyalty into the archives of the Government has made the history of these two Houses incomplete.

AMERICAN PEOPLE PATIENT AND LONG SUFFERING.

The American people are a patient and long-suffering people. How patient and long-suffering, I beg of you to consider, Mr. Chairman, when I tell you they have borne with almost uncomplaining patience the rule of the Democratic party and its attacks upon the labor, the manufacturing, and the producing interests of this land.

They have seen this House organized for the destruction of the protective system of the people.

They have witnessed the spectacle of one selected to preside over the deliberations of this body, aided by a Committee on Elections, denying the right of 4,000 voters to inquire into an election protested by them to be fraudulent and void.

They have seen the committees of this House headed by those whose early prejudices have been schooled in the doctrine of free trade—organized by premeditation and foresight for the purpose of making vigorous and determined war upon the industries of the nation.

They have seen an ex-Confederate placed at the head of the committee empowered to judge and report upon the election and qualifications of every member of this House, whose seat in this Chamber is challenged by every sense of justice, and whose returns show that he has received not one vote out of every twenty entitled to be cast in that district.

They have seen heading the Agricultural Committee another Confederate whose chief distinction was gained in acting as a commissioner of exchange for the men who were confined in the prisons and hell-holes of Andersonville, Belle Isle, and Libby.

They have seen standing at the head of naval affairs one whose qualification comes from his service in the Confederate army rather than in the Confederate navy.

They have seen at the head of War Claims one whose distinction was gained on fields contending for the destruction of his country and whose faithful service was witnessed by his blood; and I must stop here, Mr. Chairman, to pay him the personal tribute of my admiration for the fearless, determined, and manly courage with which he discharges every duty and the new-born spirit of patriotism that seems to be inspiring his every act.

I scarcely need stop, sir, to speak of that distinguished Confederate whom it was my fortune to meet on many a field, who is now intrusted with that most important duty of supervising the expenditures of our Treasury Department, and whose experience gained on so many battle-fields no doubt qualifies him beyond these Democratic civilians for that important trust.

I need not speak of them further, Mr. Chairman, but will add them here as a list of those distinguished Confederates who preside over the deliberations of the committees of this House:

Ways and Means	MILLS, Texas.
Elections	CRISP, Georgia.
Judiciary	CULBERSON, Texas.
Agriculture	HATCH, Missouri.
Naval Affairs	HERBERT, Alabama.
Post-Office and Post-Roads	BLOUNT, Georgia.
Indian Affairs	PEEL, Arkansas.
Railways and Canals	DAVIDSON, Florida.
Mines and Mining	O'FERRALL, Virginia.
Public Buildings and Grounds	DIBBLE, South Carolina.
Levees and Improvement of the Mississippi River	CATCHINGS, Mississippi.
Education	CANDLER, Georgia.
Claims	LANHAM, Texas.
War Claims	STONE, Kentucky.
Private Land Claims	McCREARY, Kentucky.
Revision of the Laws	OATES, Alabama.
Expenditures of Treasury Department	WHEELER, Alabama.
Expenditures of War Department	LAFFOON, Kentucky.
Expenditures of Department of Justice	COWLES, North Carolina.
Mileage	ROGERS, Arkansas.
Printing	RICHARDSON, Tennessee.
Indian Depredation Claims	WHITTHORNE, Tennessee.

Need I speak of the patience of the people of this country who have witnessed the ballot-box in a large part of eleven States of this Union brought into disrepute and contempt?

Need I speak of the patience of that people who see themselves and their fellow-citizens misrepresented on the floor of this House, and without power to remedy the evil by a just and fair appeal to the ballot-boxes of the land?

Need I speak of the patience of that people who have seen a President elected by themselves putting his hand to the pen to veto the pensions of the poor widows of Union soldiers whose claims have been recognized and approved by the two Houses of Congress, and sending them starving out upon the charities of the world, and the same pen signing the commission of one to be a justice of the Supreme Court whose only distinguished service was rendered in attempting to destroy the Government whose laws he is now to administer?

Am I wrong, Mr. Chairman, when I say that the people of this country are a patient and long-suffering people? But, sir, the limit of endurance has, I believe, been reached at last, and they will enter their judgments in characters so bold and in ballots so numerous that even the Democratic party will be able to understand them. And I say to my Democratic friends—

> Brief is the time in which ye have to do
> Your work on earth, and plume your souls for flight;
> Ye have no time to lose in useless work,
> Much less to use in doing deeds of wrong,
> Which some day, sadly, must be all undone.

A BILL TO REMOVE GRAVE DOUBTS.

But a few days since, Mr. Chairman, we were called upon to pass a bill to remove the grave doubts of the President of the United States and to enable him to apply a part of the accumulated surplus of the Treasury to the purchase of Government bonds, and thus to pay the indebtedness of the nation, and to relieve the people by putting into circulation a part of the surplus from an already overburdened treasury.

No member upon this floor, Democrat or Republican, had any doubts of the power already conferred by law to do what the President then asked to be authorized to do by the action of this body. No one save the President himself had any grave doubts upon the subject.

It seems to me, Mr. Chairman, that he who now occupies the Presidential chair has had more grave doubts than any other who ever occupied it before—one hundred and nine of them in a single term of Congress—thrust between the loyal soldiers of this country and the generous actions of the two Houses of Congress.

Is it wonderful that the people of the United States are now beginning to entertain grave doubts of the capacity of the Democratic party to manage the affairs of the National Government, and to handle the question of national finance? Is it wonderful that they are beginning to entertain grave doubts as to the propriety of intrusting it with power for another four years? I believe, sir, they will express these doubts at the ballot-boxes in November next—doubts of the faithfulness of the Democratic party to the trust confided in it; doubts of the character and capacity of the present incumbent to dignify the great office with which he has been intrusted; doubts of his fitness to occupy the chair filled with such distinguished ability by those great Republican leaders in the past; doubts of his fitness to occupy the chair which was adorned by the martyred Garfield; which was elevated by the heroic Grant; which was forever glorified by the immortal Lincoln; which was made illustrious by the patriot Washington.

Mr. Chairman, in this beautiful city, with its great avenues, its hand some public grounds and parks, its magnificent public buildings, and its costly private palaces of luxury and wealth, I may be pardoned, if, with the just pride of an American, I should call it the most splendid city upon the face of the earth.

Here and there through its avenues and streets, bursting upon you like dreams of oriental splendor, you see its green spots, clothed in all the luxuriance of the tropics, and standing in their midst like guardians of the public peace and watchmen upon the outer walls, splendid monuments and statues, which a patriotic and loving people have erected to commemorate the lives and deeds of their illustrious dead.

Yonder, standing with lips firm set, is the hero who lashed to the mast-head went to battle and to victory.

There upon his splendid charger is McPherson, the Bayard of our armies, the soldier without fear and without reproach. Here is the old hero, who from his cotton bales defied the British cannon and taught them the power of American freemen defending home and fireside.

Yonder with its uplifted peak, piercing the sky as though it would kiss the stars, is the eternal witness which American patriotism has erected to the first of all Americans; and it will stand as a tribute to his greatness and worth, and a testimony to the triumph of American skill and the genius of American labor.

Here, beautiful in the magnificence of its conception and splendid in the triumph of the artist's finished work, is that grand old Virginian, who knew no boundary lines but those which encircled his country; whose heroism at Nashville drove back and destroyed the invading hosts; who stood like a rock at Chickamauga, against which the waves and the storms of secession beat and dashed themselves into fury in vain. But while these all win our approbation, there is another monument, not so pretentious in proportion, but one which touches every heart, and before which I stand in reverent admiration.

In the park just east of the Capitol is a bronze statue of Abraham Lincoln, represented in the act of freeing the enslaved and oppressed.

It was erected by contributions from the slaves made free by the proclamation of emancipation to commemorate this great event. The multitudes which gathered around it and looked with tearful eyes when it was first given to the sunlight were those who had been in bondage. The eloquent lips which spoke the words of dedication were those of an emancipated slave.

I stood beside it a few days since and saw an old colored woman, formerly a slave, with hair gray with age and face furrowed by years, leading by the hand a little grand-child, and standing before the statue she bid the little one read the inscription upon its side. The cruel days of slavery had left her in the darkness of ignorance; the new dawn had poured a flood of light in upon the child of the slave, and as the little one climbed upon the base, and with an intelligence beyond her years read to the listening ears of the old slave-woman the inscription which told that this monument was erected solely by contributions of those made free by the proclamation of Abraham Lincoln, and that the "first contribution was made by Charlotte Scott, an emancipated slave of Virginia, and was her first earnings in freedom," and when she had finished, with tears streaming down her wrinkled face, I heard the devout old woman say, "God bless him, honey;" and I uncovered in the presence of the illustrious dead.

I do not know, Mr. Chairman, whether it is a great work of art. I do not know whether those competent to pronounce upon its merits would call it a triumph of genius, and the perfection of a master's skill. I do not know whether the hand which chiseled it and the master who molded it are among the world's most famous men, but I do know that it touches my heart and appeals to my love and admiration as no other work of art in this great city can.

There it stands, an heroic figure of Abraham Lincoln, with the kindly, benevolent face, and the love and tenderness that was a part of his great nature; at his feet an emancipated slave, with hair curled and crisp, black as though burned by the suns of Ethiop, the broken chains, the manacles rent asunder. On the other side I read this inscription:

Upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

Would you tear it down? Would you see in its stead the master and the crouching slave? Would you hear the cry of the bondman, rather than the shout of the free? God forbid; but grant that the liberty given by the immortal hand of Abraham Lincoln may remain a blessing in all the centuries to come.

And to this end let us dedicate ourselves anew to the liberty for which our brothers died, and to the preservation of the institutions of our country, that they may be transmitted to the generations to come.

For the right that needs assistance,
For the wrong that needs resistance,
For the future in the distance,
And the good that we may do.

Mr, MILLS. I move that the committee rise.

The motion was agreed to—ayes 29, noes 13.

The committee accordingly rose; and Mr. MCMILLIN having resumed the chair as Speaker *pro tempore*, Mr. SPRINGER, from the Committee of the Whole, reported that they had had under consideration a bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of revenue, and had come to no resolution thereon.

Mr. MILLS. I yield ten minutes to the gentleman from Maine [Mr BOUTELLE].

MEMBERSHIP OF COBDEN CLUB.

Mr. BOUTELLE. The gentleman from Ohio [Mr. KENNEDY], who has just addressed the House, and who kindly afforded to the gentleman from Massachusetts [Mr. COGSWELL] an opportunity to relieve the present Secretary of War, Mr. Endicott, from the charge of having belonged to the Cobden Club, was unable to grant me any time to vindicate General Garfield from the imputation of sympathy with the free-trade doctrines of that organization; but I take great pleasure in expressing my thanks to the chairman of the Committee on Ways and Means [Mr. MILLS] and to the gentleman from Louisiana [Mr. WILKINSON], who is next entitled to the floor, for their courtesy in enabling me to occupy the attention of the House for that purpose.

A few days ago, as will be recollected, when the gentleman from Nevada [Mr. WOODBURN] read a list of names of prominent members of the Democratic party who are connected with the Cobden Club of London, by honorary membership, the gentleman from Indiana [Mr. BYNUM] cited the names of some Republicans who, he said, were or had been honorary members of that club, including General Garfield. I stated at the time that it was a matter of current knowledge and political notoriety that General Garfield had repudiated all sympathy with the free-trade doctrines or purposes of the Cobden Club, and had repeatedly explained the circumstances of his having been complimented by an honorary membership. I desire now simply to vindicate my statement on that occasion by showing that the evidence is cumulative in establishing what I then said.

In Bundy's Life of Garfield, page 117, he refers to the origin of this Cobden Club criticism as follows:

In spite of the well-known consistency of his (Garfield's) record on the tariff it has been his fortune, as it has been that of other great statesmen, to be the victim of gross misapprehensions as to particular declarations of his views, or as to his declarations in Congress. For instance, at a time when Secretary Boutwell regarded it as of the utmost importance to our credit abroad that the English statesmen and people should understand the nature of the fight which our soundest statesmen were making on behalf of an honest currency, he sent to Mr. Gladstone and to Mr. Bright a copy of Garfield's then recent speech on the currency question, which the Secretary regarded as highly creditable to American statesmanship.

In recognition of the ability and soundness of this argument Mr. Gladstone and Mr. Bright had General Garfield elected an honorary member of the Cobden Club, an honor rarely conferred except in recognition of distinguished statesmanship or ability in treating economic subjects. From this simple fact it was hastily assumed that General Garfield had won the favor of a club identified with the propagandism of free trade by his position on the tariff, while in fact the thing which obtained for him this unexpected compliment was a speech in which there was not the least reference to the tariff question.

Mr. BYNUM. What was the date of that speech?

Mr. BOUTELLE. It is referred to in Bundy's Life of Garfield, page 117. I think the speech was made in 1868.

I will state further that in 1880, after General Garfield's nomination for the Presidency, when the question of his attitude on the tariff was discussed, that very well known and very pronounced protection organ, the Iron and Steel Bulletin, spoke of him as follows:

Such is General Garfield's tariff record, and as we have already stated, it is entirely satisfactory to protectionists. He has been charged with being a member of the British free-trade Cobden Club, but he has repeatedly declared over his own signature that the use of his name by the Cobden Club was wholly unauthorized by him, and that its free-trade doctrines did not meet with his approval. If the club thought by the conferring of an empty compliment to entrap him into an expression of sympathy with its philosophy of selfishness and greed, it failed signally.

General Garfield is a candidate for the Presidency. With that we have nothing to do. Our readers will vote for or against him as they please. But General Garfield has rendered great service to the cause of home industry during his public career, and we would have been untrue to ourselves and to every individual member of this association if we had not testified, as we have done, to the excellence and fullness of that service, now that his tariff record has been misrepresented.

I cite further in this connection from General James S. Brisbin's "Life of General Garfield" a reference to the fact that this charge had been repeatedly made in public against General Garfield at a time when it was well known that he had become a great and powerful champion of protection, and that the charge never made any impression upon the public because of his well-known position on the subject, and also because of a letter which he wrote in April, 1877, I think, in reply to some criticism by Hon. Russell Errett, of Pittsburgh. In that letter, as cited on page 283 of Brisbin's work, General Garfield said:

In 1868 I made a speech in favor of the resumption of specie payments, in which I discussed elaborately the doctrines of money and the obligation of the nation to pay its debt. The Secretary of the Treasury sent some copies of that speech to our minister in London, believing that it would strengthen our credit abroad. John Bright received a copy, and was so pleased with it that he had me elected an honorary member of the Cobden Club. I had never before heard of this club, and up to that time Charles Sumner was the only member of Congress who had ever been thus complimented. Some years after that I learned that the Cobden Club believed in free trade, as nearly all Englishmen do; but of course I was in no way responsible for their belief.

It is only necessary to say, Mr. Chairman, in that connection, that while General Garfield in the early stages of his career, like many other college professors, had some inclination toward the abstract doctrine of free trade, he very soon got rid of such notions, and even in his college days he appreciated fully the peculiar conditions which render free trade inapplicable to this country. It is stated in Mr. Bundy's biography that when Professor Perry, after having pursued their studies in Wayland, asked Garfield what impression had been made on his mind by these economic treatises, he made this reply:

As an abstract theory, the doctrine of free trade seems to be universally true, but as a question of practicability under a Government like ours, the protective system seems to be indispensable.

And that was the guide and the practice of his life. In 1870 General Garfield made a speech in this House from which some disconnected quotations have been made by the opponents of the tariff in this debate, in which he again recognized the fact that a great many of the scholars and *doctrinaires* of the world were advocating the abstract doctrine of free trade; but in that same speech, and as its main purpose, he presented unanswerable arguments in favor of protecting home industries, and made these remarkably cogent statements, which dispose absolutely of the "raw-material" theory that forms the basis of the free-trade doctrine in this country to-day:

American industry is labor in any form which gives value to the raw materials or elements of nature, either by extracting them from the earth, the air, or the sea, or by modifying their forms or transporting them through the channels of trade to the markets of the world, or in any way rendering them better fitted for the use of man. All these are parts of American industry, and deserve the careful and earnest attention of the Legislature of the nation. Wherever a ship plows the sea, or a plow furrows the field; wherever a mine yields its treasure; wherever a ship or a railroad train carries freight to market; wherever the smoke of the furnace rises or the clang of the loom resounds; even in the lonely garret where the seamstress plies her busy needle, there is industry.

No more eloquent tribute, no more earnest and effective plea for the protection of American industry in every form and at every stage has ever been made in the forum of American discussion.

Again in 1878, at a time when free trade made its most fierce assault upon the industries of this country under the guise of the Fernando Wood tariff-reduction bill, Mr. Garfield closed a masterly speech with these words:

Let it be remembered that 22 per cent. of all the laboring people of this country are artisans engaged in manufactures. Their culture has been fostered by

our tariff laws. It is their pursuits and the skill which they have developed that produced the glory of our centennial exhibition. To them the country owes the splendor of the position it holds before the world more than to any other equal number of our citizens. If this bill becomes a law it strikes down their occupation, and throws into the keenest distress the brightest and best elements of our population.

When the first paragraph has been read, I will propose to strike out the enacting clause. If the committee will do that, we can kill the bill to-day.

The enacting clause was stricken out, and that Democratic assault upon American industries was summarily killed.

Still later, Mr. Speaker, at the most important period of his public life, when presented as a candidate for the suffrages of the American people for the great office of President of the United States, James A. Garfield again and most emphatically declared his faith in the great American doctrine of protection in his letter of acceptance in these words:

In reference to our customs laws a policy should be pursued which will bring revenues to the Treasury, and will enable the labor and capital employed in our great industries to compete fairly in our own markets with the labor and capital of foreign producers. We legislate for the people of the United States, not for the whole world, and it is our glory that the American laborer is more intelligent and better paid than his foreign competitor.

Our country can not be independent unless its people, with their abundant natural resources, possess the requisite skill at any time to clothe, arm, and equip themselves for war, and in time of peace to produce all the necessary implements of labor. It was the manifest intention of the founders of the Government to provide for the common defense, not by standing armies alone, but by raising among the people a greater army of artisans, whose intelligence and skill should powerfully contribute to the safety and glory of the nation.

While these words are remembered the fame of Garfield as a great champion of the development of American industry and protection to American labor will not fail to be cherished by his countrymen.

[Here the hammer fell.]

Mr. BOUTELLE. I desire only a few minutes more.

Mr. MILLS. The gentleman from Indiana [Mr. BYNUM] desires ten minutes.

Mr. BYNUM. I have no objection to the gentleman from Maine going on, if the session can be continued by unanimous consent.

Mr. MILLS. I ask, then, that the session be continued until thirty-five minutes after 5 o'clock.

The SPEAKER *pro tempore* (Mr. MCMILLIN): Is there objection to the request of the gentleman from Texas [Mr. MILLS]? The Chair hears none.

Mr. BOUTELLE. But, Mr. Speaker, I might have said the other day that General Garfield's former and nominal connection with the Cobden Club was a matter of less moment to the people of this country to-day than the membership of those who are now living and active factors in our politics. General Garfield is dead; he has passed to his account; his record is made up; and that record shows him to have been one of the great masters of economic science and one of the most able and potent champions of American industry this country has ever produced.

The gentleman from Indiana cited the name of another prominent Republican, one who is not dead, a gentleman who is still alive, Mr. Halstead, the brilliant editor of the Cincinnati Commercial-Gazette. I called Mr. Halstead's attention to this charge made against him in open court and asked him to plead to the indictment. This is his prompt and most pertinent reply:

CINCINNATI, *May* 5.

Hon. C. A. BOUTELLE,
House of Representatives:

The story that I am a member of the Cobden Club is correct. One night in London with Cyrus Field, a personal friend of Cobden, I boarded a small steamboat at Westminster and was carried to Greenwich. There we had a white bait dinner, twelve courses of fish, and as good cold champagne as was ever drank in Maine. It was a lovely dinner. There was a distinguished man in the chair and a toast-master who whooped things up and made them lively. I made a speech about the white wings of commerce on the ocean and the large rivers in America, and the distance Cincinnati was from salt water, and the indifference of her people on the tariff question, and the London Times said the humorous party from the Ohio River ought to have told something about the Reciprocity Treaty with Canada, but did not seem to know much about it, and that was true.

It was for my services in making this Greenwich speech that I was made an honorary member of the Cobden Club, and I have ever since received marked copies of the publications of that energetic organization, and many marked copies of newspapers and pamphlets, indeed, loads of the most serious and dull information ever misapplied to human affairs. I would rather at any time read the essays of my old friend J. S. Moore, the parsee merchant who resides on the limited express between Washington and New York. This literature shook my faith in the application of free trade to our country, that is, of selecting our country to begin with. Then the price of news print is less than half of what it was before the war, and I told Frank Hurd and Henry Watterson about that, and that I was afraid protection had caused more paper mills and paper materials and had knocked down the price of the one article of merchandise that I did know something about, and when Hurd and Watterson couldn't explain it Cobden-club fashion, I could not.

In London some years after the white bait dinner, I was troubled for hours trying to get a trifling article through the custom-house, for there is such a place even in London. It was a case of small bottles of cologne-water, and when I was exhausted I told them I was an honorary member of the Cobden Club, and the experience was liable to make me a high protectionist; the inspector was greatly disgusted in appearance and slammed down my case of cologne-water at once. This was the instance of the greatest utility to me of the Cobden Club membership.

The policy of M. Thiers in France, and Prince Bismarck in Germany, after their war, both of these great statesmen relying upon the protective system for strength in the time of trial, has been to me a more striking chapter of history than any I have found in my Cobden Club volumes.

I do not think the Democratic party has a tariff policy that it can apply to business, or that its methods would be trustworthy if it had a policy. If President Cleveland had been a member of the Cobden Club as long as I have, he would have known better than to have written his message of December last.

M. HALSTEAD.

In conclusion, Mr. Speaker——

Mr. MILLS. There are now barely ten minutes remaining for the gentleman from Indiana [Mr. BYNUM].

Mr. BYNUM. If the House will extend the session so as to allow me time to reply to the gentleman from Maine, I have no objection to his going on.

Mr. SPRINGER. I ask unanimous consent that the order for the recess be vacated, and that this session continue until we adjourn.

The SPEAKER *pro tempore*. Is there objection to the request of the gentleman from Illinois? The Chair hears none; and it is so ordered.

Mr. BOUTELLE. Leaving the answer of Mr. Halstead to speak for itself, I now desire to make a few remarks about the New York Free-Trade Club, to show that some of these gentlemen whose claim that they are not members of the Cobden Club, of London, are members of the New York Free-Trade Club—an organization in this country devoted to the dissemination of the principles of free trade.

The charge of the gentleman from Nevada [Mr. WOODBURN], as I understand it, was that the leaders of the Democratic party are in actual sympathy with free trade to-day; and the gentleman from Indiana [Mr. BYNUM], and those who pleaded that some Republicans had been affiliated with the Cobden Club, were endeavoring to break the force of that statement. Now, I hold in my hand a copy of the constitution and by-laws, with a list of the officers and committees, of "The New York Free Trade Club."

That is a living institution in this country, and I find among its resident members the following distinguished gentlemen of the Democratic faith: SAMUEL S. COX, of New York; George William Curtis, of Harper's Weekly; Abram S. Hewitt, mayor of New York; Manton Marble, who rang the "fire-bell in night" in 1876; Joseph S. Moore, the "Parsee Merchant;" Carl Schurz, and Samuel J. Tilden, who is dead. Among the non-resident members I find Thomas F. Bayard, the present Democratic Secretary of State; Charles S. Fairchild, the present Democratic Secretary of the Treasury; Henry George, the land communist; RANDALL GIBSON, Senator from Louisiana; Frank Hurd, late a member of this House; J. Randolph Tucker, formerly a member of this House; ZEBULON B. VANCE, now a Senator from North Carolina; Henry Watterson, the great apostle of the Kentucky Democracy, and Walter Stilson Hutchins, of the Washington Post, of this city.

Now, there can not be any mistake about the fact that these gentlemen are members of this club, or the reason why they are members. Here are leading Democratic members of the House of Representatives, leading Democratic members of the Senate, and leading members of the Democratic Cabinet members of the New York Free Trade Club. And the New York Free Trade Club in this volume unequivocally states its platform as follows:

Article III.—Platform:

The New York Free Trade Club holds:

1. That the only commercial policy which is in its nature permanent and unchangeable, and which therefore assures stability in all kinds of business, is free trade between nations as between the States of the Union.

And there, Mr. Speaker, I think I may safely leave this matter. [Applause.]

Mr. BYNUM. Mr. Speaker, when this question was brought up on Saturday last by the gentleman from Nevada [Mr. WOODBURN], not having direct information as to who were members of the Cobden Club, and having heard that General Garfield during his lifetime was a member, and having heard also that Mr. Murat Halstead was now a member, I propounded to the gentleman from Nevada, who then occupied the floor, the question I did simply for the purpose of eliciting the information and placing before the country the fact that prominent members of the Republican party had been and were yet members of that club.

In order that there may be no mistake as to what took place on that occasion I quote from the RECORD what was said.

Mr. BYNUM. Will the gentleman permit me to ask him a question?

Mr. WOODBURN. Certainly; if it is not taken out of my time.

Mr. BYNUM. Will the gentleman state when Mr. Garfield became a member of the Cobden Club, and also when Murat Halstead, of the Cincinnati Commercial, became a member of the club?

Mr. WOODBURN. Yes; I will answer that question. The book which I hold in my hand is a corrected list of all the members, British, foreign, colonial, and American, up to January, 1888, and I say the name of Mr. Garfield does not appear anywhere upon it. [Applause and laughter on the Republican side.]

Mr. BYNUM. Was he not a member of the Cobden Club?

Mr. WOODBURN. Never, sir. I produce the authority to show that he was not. Now let the gentleman produce his authority to show that he was. [Applause on the Republican side.]

Mr. BYNUM. Was not Murat Halstead a member of it? Was not Senator SHERMAN a member of it?

Mr. WOODBURN. There is not a Republican in public life to-day on the list of the Cobden Club. [Applause on the Republican side.] This is a late publication, and was sent to Senator JONES, of my State, but got into the wrong hands. [Laughter and applause.]

Mr. BYNUM. Then these names have been removed, because they are members of the club.

Mr. BOUTELLE. Who removed them?

Mr. BYNUM. I do not know.

Mr. FARQUHAR. By what authority does the gentleman make that statement?

Mr. BYNUM. I make it upon the authority of members of the club that Mr. Halstead is a member. I have it directly from members of the club that they met him there.

Mr. BOUTELLE. Well, here is the official record of membership.

Mr. WOODBURN. I do not know what the gentleman bases his statement upon. I come here with the record, and you must produce contrary authority to overthrow it.

I did not propound the question, "Was not Senator SHERMAN a member of it?" The question I did propound in which his name was used was this: "Is not Murat Halstead, who is a warm supporter of Senator SHERMAN as a candidate for the Presidency, a member of it?" I make this explanation and correction not so much in justice to Senator SHERMAN as to the Cobden Club. [Laughter.] To that question the gentleman from Nevada responded:

There is not a Republican in public life to-day on the list of the Cobden Club.

Which lead me to believe, and no doubt the whole committee, that Mr. Halstead's name was not on the list; and yet on the list from which the gentleman was reading Mr. Halstead's name appeared as having been admitted to membership in 1880.

In regard to the record of General Garfield as a member of that club, I showed from the list of membership that he was a member in 1871 and in 1876. I stated that his membership, no doubt, was brought about by the sentiments which he had expressed on the question of free trade.

In that statement I think I am fully sustained by the public declarations of that able and distinguished man. In 1866 General Garfield made a speech in the House, in which he used the following language:

If Congress pursues this line of policy steadily we shall, year by year, approach more nearly to the basis of free trade, because we shall be more nearly able to compete with other nations on equal terms. I am for a protection which leads to ultimate free trade. I am for that free trade which can only be achieved through a reasonable protection.

Again, General Garfield, on July 10, 1866, in the Thirty-ninth Congress, said:

I am willing as a compromise to favor the reduction of the proposed duty on railroad iron, and I presume the Committee on Railroads will agree with me in this. I think we should also reduce the proposed duty on salt, and I have no doubt in several other particulars we will reduce the rate of duty.

Mr. Thaddeus Stevens replied as follows:

Why not come out honestly and accept the proposition of the gentleman from Iowa [Mr. WILSON, who favored a tariff for revenue only], which is a much more ingenuous one?

To which General Garfield responded that—

Against the abstract doctrine of free trade as such very little can be said. As a theory there is much to commend it. But it can never be applied to values, except in time of peace.

Mr. BOUTELLE. I did not read that part of it.

Mr. BYNUM. No; the gentleman did not read that sentence through to the end.

Mr. BOUTELLE. I did not read any part of it.

Mr. BYNUM. That is substantially the sentiment the gentleman read a few moments ago, but he omitted to read the last sentence.

Mr. BOUTELLE. I did not read any part of it.

Mr. BYNUM. It may have been from another speech from which the gentleman from Maine read, but the sentiments were substantially the same.

On April 1, 1870, in a debate which took place between General Garfield and Mr. KELLEY, of Pennsylvania, Mr. Garfield said:

As an abstract theory of political economy free trade has many advocates and much can be said in its favor, nor will it be denied that the scholarship of modern times is largely on that side; that a large majority of the great thinkers of the present day are leading in the direction of what is called free trade.

Mr. BOUTELLE. That is the speech of April 1, 1870?

Mr. BYNUM, Yes, sir.

Mr. BOUTELLE. Now let the gentleman read the quotation I made from that same speech.

Mr. BYNUM. I have read from the same speech.

Mr. BOUTELLE. But the quotation to which I refer.

Mr. BYNUM. You have read it and it will be in the RECORD. Once is enough.

Mr. Speaker, I read from a speech delivered on June 4, 1878, by Mr. Garfield, and I must say that I find nothing in the quotation from which I read to which I dissent. I certainly think there is much to commend and but little, if any, to condemn in the sentiments expressed by him. If the sentiments he then expressed as to the ultimate result of a reasonable tariff should prove as accurate as the prediction of the result of high protection, I think we can well calculate what will be the result if the present bill is defeated. He says:

Fortunately or unfortunately, on this question I have long occupied a position between two extremes of opinion. I have long believed, and I still believe, that the worst evil which has afflicted the interests of American artisans and manufacturers has been the tendency to extremes in our tariff legislation. Our history for the last fifty years has been a repetition of the same mistake. One party comes into power, and believing that a protective tariff is a good thing, establishes a fair rate of duty. Not content with that, they say, "This works well, let us have more of it." And they raise the rates still higher, and perhaps go beyond the limits of national interest.

Every additional step in that direction increases the opposition and threatens the stability of the whole system.

I will say to gentlemen on the other side of the House that if you are not willing to accept the present moderate bill, you will drive the people of this country to a much more extreme measure. In my judgment, if this very conservative measure is not accepted, the next House that comes here from the people will come instructed and ready to make a much more radical reduction than we now propose. The people are in earnest, and the longer the matter is delayed the more sweeping will be their demands. Continuing, Mr. Garfield says:

When the policy of increase is pushed beyond a certain point the popular reaction sets in; the opposite party gets into power and cuts down the high rates. Not content with reducing the rates that are unreasonable, they attack and destroy the whole protective system. Then follows a deficit in the Treasury, the destruction of manufacturing interests, until the reaction again sets in, the free-traders are overthrown, and a protective system is again established. In not less than four distinct periods during the last fifty years has this sort of revolution taken place in our industrial system. Our great national industries have thus been tossed up and down between two extremes of opinion.

During my term of service in this House I have resisted the effort to increase the rates of duty whenever I thought an increase would be dangerous to the stability of our manufacturing interests, and by doing so I have sometimes been thought unfriendly to the policy of protecting American industry. When the necessity of the revenues and the safety of our manufactures warranted I have favored a reduction of rates, and these reductions have aided to preserve the stability of the system. In one year, soon after the close of the war, we raised $212,000,000 of revenue from customs.

In 1870 we reduced the customs duties by the sum of twenty-nine and one-half millions of dollars. In 1872 they were again reduced by the sum of forty-four and one-half millions. Those two reductions were in the main wise and judicious; and although I did not vote for them all, yet they have put the fair-minded men of this country in a position where they can justly resist any considerable reduction below the present rates.

My view of the danger of extreme positions on the questions of tariff rates may be illustrated by a remark made by Horace Greeley in the last conversation I ever had with that distinguished man. Said he:

"My fault with you is that you are not sufficiently high protective in your views."

I replied:

"What would you advise?"

He said:

"If I had my way—if I were king of this country—I would put a duty of $100 a ton on pig-iron and a proportionate duty on everything else that can be produced in America. The result would be that our people would be obliged to supply their own wants; manufactures would spring up; competition would finally reduce prices; and we should live wholly within ourselves."

I replied that the fatal objection to his theory was that no man is king of this country, with power to make his policy permanent. But as all our policies depend upon popular support, the extreme measure proposed would beget an opposite extreme, and our industries would suffer from violent reactions. For this reason I believe that we ought to seek that point of stable equilibrium somewhere between a prohibitory tariff on the one hand and a tariff that gives no protection on the other. What is that point of stable equilibrium? In my judgment, it is this: A rate so high that foreign producers can not flood our markets and break down our home manufacturers, but not so high as to keep them altogether out, enabling our manufacturers to combine and raise the prices, nor so high as to stimulate an unnatural and unhealthy growth of manufactures.

In other words, I would have the duty so adjusted that every great American industry can fairly live and make fair profits; and yet so low that if our manufacturers attempted to put up prices unreasonably, the competition from abroad would come in and bring down prices to a fair rate. Such a tariff I believe will be supported by the great majority of Americans.

Mr. Speaker, I commend the words and sentiments of General Garfield to the other side of this House. He would not have a tariff so high as to "enable our manufactures to combine and raise the prices." This is just what has taken place under the present rates of duty.

It is a matter to be deplored that his voice can not be heard in this Hall to-day, denouncing the trusts and combinations which have grown up under the present law, and which are extorting from the great masses of the people millions of dollars annually. Whatever might have been his sentiments on the question of free trade, there can be no doubt that if he were a member of this House to-day the Republican party would not be led by him to certain defeat upon this issue in November. [Applause.]

Mr. BOUTELLE. What was the subject of debate at that time?

Mr. BYNUM. The tariff.

Mr. BOUTELLE. What was the pending measure?

Mr. BYNUM. I do not now remember the particular measure.

Mr. BOUTELLE. I will state for the gentleman's information that it was on the Wood tariff bill, to which he was opposed, and proposed to strike out the enacting clause.

Mr. BYNUM. I do not know whether he was for it or against it, but his sentiments are expressed here, and it is of no consequence whether he favored or opposed the then pending measure.

Now, the gentleman from Maine [Mr. BOUTELLE] promised to show that Mr. Garfield had renounced his allegiance to the Cobden Club. With all due deference to what he has said, I do not think he has done so.

Mr. BOUTELLE. I read Mr. Garfield's letter.

Mr. BYNUM. Garfield's letter?

Mr. BOUTELLE. Certainly; the gentleman did not listen.

Mr. BYNUM. The gentleman did read a letter from Mr. Garfield which he says was written in April, 1877. Mr. Garfield, in the letter read, says he was elected a member of the club, not on account of his sentiments in favor of free trade, which I have shown he had prior to his election repeatedly expressed, but by reason of the position he took in favor of resumption; that at the time of his election he did not know that the club favored free trade, and only learned so afterwards. But the nowhere, as I now recall, said that after learning what the purposes of the club were, he withdrew from the same. If this letter of Gen-

eral Garfield, which the gentleman has read, and says was written in April, 1877, was accepted by his party as a renunciation of his adhesion to the principles of the Cobden Club and of his membership in the same, the action of the Republican members of Congress from Pennsylvania in refusing to support him for the Speakership in the Forty-fifth and Forty-sixth Congresses was very strange. Long after the gentleman says Mr. Garfield renounced his connection with the club, we find a Republican member of Congress from Pennsylvania defending the action of himself and his colleagues for withholding from him their support.

They were censured in Pennsylvania for refusing to give him their votes, and Mr. Killinger addressed a letter to the editor of the Philadelphia Times, dated October 17, 1877, giving the reasons why the members from that State withheld their support, which I desire to read.

To the Editor of the Philadelphia Times:

In reply to the inquiry, I will say that in the vote for Speaker we chose the lesser of the two evils. We could not elect the Speaker, and the only significance our action had was its indication of expression of confidence in the nominee on the great and vital question of protection to our industries, and employment for our laborers.

In my judgment all questions are subordinate to this. When, therefore, the caucus determined to compliment Mr. Garfield in this way I had to choose between sanctioning by my vote such an action or to express my dissent by withholding it. Mr. Garfield's record on this question is well known to the country, and some of it has come under my own observation. I could not, therefore, pass it by as insignificant or unimportant. Without meaning any disrespect to him I am compelled to say that his status has been equivocal, if not actually hostile, to the opinions we hold in Pennsylvania.

I have never found him to stand squarely for protection. He would not be accepted by the Republicans of my district as an exponent of their views, and I could not compliment him with their vote for the Speakership without manifest inconsistency and doing violence to all my convictions of duty and principle. No friend of American system of revenue and finance has ever been complimented with honorary membership in the British free-trade leagues. The object of these leagues is well known to be the strengthening of British influence in foreign countries. They aim to secure markets here for British manufactures, and to that end are hostile to our home industries.

In common with William C. Bryant, Samuel S. Cox, and D. A. Wells, notorious free-traders, Mr. Garfield stands in connection with such a league. So long as he retains such connections and does not disavow its pernicious heresies, I do not see how to acquit him of holding the opinions of British co-laborers. It needed some resolution to express our dissent from the conclusions reached by the caucus. The Republican organization should be maintained by the party's representatives, especially at this juncture when we are threatened with disintegration in high quarters. But unless we can at the same time maintain the principles which gave value and vitality to the organization, party ties will weaken and our early dissolution is certain. So I chose the lesser of the two evils in withholding the vote of the Fourteenth district from a nominee who fails to be in accord with its people on the greatest question before the country.

J. W. KILLINGER.

WASHINGTON, D. C., *October* 17, 1877.

Mr. BOUTELLE. What letter is that?

Mr. BYNUM. A letter from J. W. Killinger, a member of the Forty-fifth Congress from Pennsylvania, to the editor of the Philadelphia Times.

Mr. BOUTELLE. For what purpose is it introduced here?

Mr. BYNUM. To show that Mr. Garfield was a member of the Cobden Club and had not up to that time renounced his membership. Seven of the members of the Pennsylvania delegation, including the gentlemen from Pennsylvania, Mr. BAYNE and Mr. KELLEY, who are members of the present House, refused to support him because of his membership.

Mr. BOUTELLE. I suppose the gentleman understood me to say that Mr. Garfield had never been assailed on that ground or had his attention called to it until this discussion arose in Pennsylvania. At that time, in reply to some questions of Mr. Errett, of Pittsburgh, he wrote a letter, to which I have already referred.

Mr. BYNUM. It was two years after that time that the gentleman from Pennsylvania [Mr. KELLEY], in the Forty-sixth Congress, still refused to vote for him for Speaker, as will be found by reference to volume 44, page 4446, of the CONGRESSIONAL RECORD. The gentleman from Pennsylvania gave as a reason at the time that he was not satisfied with Mr. Garfield's sentiments on the tariff.

Mr. BOUTELLE. The gentleman from Indiana knows perfectly well that between Mr. KELLEY and Mr. Garfield the strongest antagonism existed for years upon other subjects.

Mr. BYNUM. I do not know as to any antagonisms between them upon other subjects, but upon the tariff question they were continually at war.

Now I read from a letter, dated April 23, 1888, from David A. Wells, which fully and explicitly explains Mr. Garfield's connection with the Cobden Club:

NORWICH, CONN., *April* 23, 1888.

DEAR SIR: In response to your question as to the connection of General Garfield with the Cobden Club, I would say that he was proposed and elected a member of the club in 1869, at the same time and in company with Edward Atkinson, Ralph Waldo Emerson, E. P. Whipple, John Quincy Adams, William Lloyd Garrison, of Massachusetts, and William Cullen Bryant, Henry Ward Beecher, and David Dudley Field, of New York. He acknowledged the compliment and accepted the membership in a letter to the secretary of the club, and his membership continued without any revocation on his part until the day of his death.

The statement that eminent men are, or have been, "frequently elected as honorary members of the Cobden Club simply as a recognition of their scholarship" is not correct. No man is ever elected unless his consent has been previously obtained, either directly from himself or indirectly through friends who propose his name for election, and who does not understand that an election to membership of the club involves an indorsement of its principles. The motto of the club, which appears in all its publications and correspondence, namely, "Free trade, peace, and good-will among nations," obviously does not allow of any individual self-deception, certainly not in the case of a man like General Garfield.

It is also worthy of note that the men who founded the Cobden Club, like John Bright, Thomas B. Potter, Milner Gibson, and others, were men who through the darkest hours of the rebellion stood up in Parliament and out of Parliament for the Union, and did more than any or all others in preventing Lord Palmerston and his cabinet from uniting with Louis Napoleon in recognizing the Southern Confederacy and breaking the blockade, which in time meant calamity if not ruin to the Northern cause. And yet it now suits the extreme protectionists to revile these men as the relentless foes of the American laborer.

I will further add that, of my own certain knowledge, General Garfield was a believer in the principles of free trade down to a period as late as a year prior to his nomination for the Presidency, and that it was in no small part through intercourse and discussion with him in 1867 and 1868 I abandoned my original belief in the doctrines of protection and subsequently (1870) accepted membership in the Cobden Club.

In making these statements I prefer no accusation of disingenuousness or hypocrisy against General Garfield, and neither do I think him open to a suspicion of such conduct. He probably accepted the definition of Canning that true statesmanship consists in finding the line of safe change; and while accepting the principles of free trade and looking forward to the day when they will constitute the basis of commercial intercourse between all nations, he at the same time held that such a result in this country could be best and most speedily attained through gradual and tentative reforms; and that in the then temper of the American people the advocacy of radical measures was both inexpedient and useless.

I am, yours, respectfully,

DAVID A. WELLS.

CHAS. E. ALLEN, Esq.

Now, Mr. Speaker, in addition to the gentlemen named as members of the Cobden Club, I read the following names:

George Bancroft, Washington, D. C.; General Roelift Brinkerhoff, Ohio, 1886; Jacob D. Cox, Cincinnati, Ohio, 1872; William Lloyd Garrison, Boston, Mass., 1877; B. F. Gue, Des Moines, Iowa, 1883.

Mr. WEAVER. Another Republican.

Mr. BYNUM. These are all Republicans. Then follow the names of Hugh McCulloch, Washington, D. C., 1871; Stanley Matthews, Washington, D. C., 1877; Theodore Roosevelt, New York, 1883; C. E. Russell, Davenport, Iowa, 1883; Dr. W. R. Smith, Sioux City, Iowa, 1880; General Francis A. Walker, Boston, Mass., 1872.

When reference was made on Saturday to the name of Justice Matthews I stated at the time that he was appointed an associate justice by President Garfield. I was corrected by the gentleman from Pennsylvania [Mr. BAYNE] who said the appointment was made by President Arthur——

Mr. BOUTELLE. By President Hayes.

Mr. BYNUM. And by a number of gentlemen on the other side who said I had better get posted.

Justice Matthews was appointed by President Hayes, but was not confirmed during his administration; he was reappointed on May 21, 1881, by President Garfield, and was subsequently confirmed.

Mr. Speaker, the gentleman from Nevada [Mr. WOODBURN] in concluding his speech made an earnest appeal to his brother Irish-Americans to vote against President Cleveland in the coming contest. I do not know whether he has received any response to the same as yet, but I have; and for fear that he may not realize the full effect of his eloquent words, I take the responsibility of publishing a private letter received by me to-day, and which I commend to the careful consideration not only of the gentleman from Nevada but to the careful consideration and attention of the Irish-American voters throughout the whole country.

GALESBURGH, ILL., *May* 7, 1888.

DEAR SIR: In the discussion on the tariff bill last Saturday a Mr. WOODBURN, of Nevada, asks "if citizens of Irish birth could knowingly support for the high office of President of the United States Grover Cleveland, when they are informed by the London cable dispatches that the surplus funds of the Cobden Club was intended as a re-enforcement for him in his efforts to control American markets and hand them over to British traitors. What he means by British traitors I do not understand, but I can inform Mr. WOODBURN that every true Irish-American will support Grover Cleveland, as I propose to do, and these are my reasons: The time was when England did with Ireland just what her spawn, New England and Pennsylvania, are trying to do with the West; that is, she compelled every article introduced to or exported from Ireland to pass through an Englishman's hands in an English port. Goods for Ireland from America had to pass Queenstown, Ireland, and be landed in Liverpool, there to be reshipped to Ireland. This crying outrage is mentioned in an old Irish ballad:

"Such misery mid luxury
Is more than I can understand;
'Tis because they took free trade
From that glorious isle called Paddy's Land."

Irish-Americans as a class are not so purblind as to hate a thing the cable dispatches say England loves. The devil can admire a good thing, why not England? (Of course a Republican can not.) Mr. WOODBURN'S attempt to lay stress that the London cable tells us that the Cobden Club is re-enforcing Mr. Cleveland to control American markets is truly laughable. Eastern manufacturers are howling for protection from England at the expense of the Western farmer. I ask Mr. WOODBURN what controls the market of every Western product if it is not that London telegram each morning? Irish-Americans are not blind to the fact that every law in force in this Union against their interest is in a Republican State, and Republican supremacy means its continuous attempts to fill us with wind. But Irish-Americans are not so easily inflated.

Respectfully,

W. F. STANTON.

Hon. Mr. BYNUM, M. C.

Mr. Speaker, it was not my intention to occupy so much time of the House in presenting this matter, and my only apology for doing so is that I desired all the facts to go before the country. In conclusion I

wish to say that while I do not favor absolute free trade, I have always had the greatest admiration for the abilities of General Garfield, and taking his statements to the methods by and through which he expected to arrive at free trade, I do not think his connection with the Cobden Club discreditable to his public life or to his memory.

Mr. BOUTELLE. Inasmuch as it is a matter of veracity between General Garfield and Mr. Wells——

The SPEAKER *pro tempore*. The Chair desires to lay before the House a message from the President.

Mr. BOUTELLE. Very well.

VETO MESSAGE—PUBLIC BUILDING AT ALLENTOWN, PA.

The SPEAKER *pro tempore* laid before the House the following message from the President of the United States; which was read and, on motion of Mr. MILLS, referred to the Committee on Public Buildings and Grounds, and, with the bill, ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 4357 entitled "An act to erect a public building at Allentown, Pa."

The accommodation of the postal business is the only public purpose for which the Government can be called on to provide, which is suggested as a pretext for the erection of this building. It is proposed to expend $100,000 for a structure to be used as a post-office. It is said that a deputy collector of internal revenue and a board of pension examiners are located at Allentown, but I do not understand that the Government is obliged to provide quarters for these officers.

The usual statement is made in support of this bill setting forth the growth of the city where it is proposed to locate the building and the amount and variety of the business which is there transacted. And the postmaster, in stereotyped phrase, represents the desirability of increased accommodation for the transaction of the business under his charge.

But I am thoroughly convinced that there is no present necessity for the expenditure of $100,000 for any purpose connected with the public business at this place.

The annual rent now paid for the post-office is $1,300.

The interest at 3 per cent. upon the amount now asked for this new building is $3,000. As soon as it is undertaken the pay of a superintendent of its construction will begin; and, after its completion, the compensation of janitors and other expenses of its maintenance will follow.

The plan now pursued for the erection of public buildings is, in my opinion, very objectionable. They are often built where they are not needed, of dimensions and at a cost entirely disproportionate to any public use to which they can be applied, and as a consequence they frequently serve more to demonstrate the activity and pertinacity of those who represent localities desiring this kind of decoration at public expense than to meet any necessity of the Government.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May* 9, 1888.

And then, on motion of Mr. MILLS (at 5 o'clock and 55 minutes p. m.), the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. CARUTH: A bill (H. R. 9910) increasing the pension of William J. Heady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9911) granting a pension to Mrs. Maria Hulse—to the Committee on Pensions.

By Mr. HUNTER: A bill (H. R. 9912) granting a pension to Charles A. McCue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9913) granting a pension to William D. H. Groce—to the Committee on Invalid Pensions.

By Mr. SHAW: A bill (H. R. 9914) granting a pension to Margaret Baublitz—to the Committee on Invalid Pensions.

By Mr. J. W. STEWART: A bill (H. R. 9915) granting an increase of pension to Charles N. Lapham—to the Committee on Invalid Pensions.

By Mr. HUDD: A bill (H. R. 9916) for the relief of William Griese—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. C. S. BAKER: Petition of B. S. Winslow and others, of Henrietta, N. Y., for prohibition in the District of Columbia—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. JEHU BAKER: Statement on behalf of the cocoa, mat, and matting industry relative to coolie labor, etc.—to the Committee on Ways and Means.

By Mr. BLAND: Petition of William F. Lambeth, for relief—to the Committee on War Claims.

By Mr. CAREY: Memorial of citizens of Wyoming Territory, praying that wool be protected—to the Committee on Ways and Means.

Also, memorial of the Board of Trade of Cheyenne, Wyo., in reference to arid lands in said Territory—to the Committee on the Public Lands.

Also, memorial of the Legislative Assembly of Wyoming Territory, relative to the reclamation of desert lands—to the Committee on the Public Lands.

By Mr. CASWELL: Petition of Caroline Strong, widow of Henry Strong, of Palmyra, Wis., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. DUNN: Petition of heir of Elizabeth M. Van Dyke, of Henry County, Tennessee, for reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. FARQUHAR: Protest of photographers of Brooklyn, N. Y., against the passage of House bill 8151—to the Committee on the Judiciary.

By Mr. GIFFORD: Petition of W. W. Bradley and 19 others, of Spearfish, and of G. C. Moody, and 15 others, of Deadwood, Dak., that provision be made for paying Indian depredation claims approved by the Interior Department—to the Select Committee on Indian Depredation Claims.

By Mr. HARMER: Memorial of employés of the Frankford arsenal, Philadelphia, relative to bills for the payment for over time in excess of eight hours per day under the law of June 25, 1868—to the Committee on Labor.

By Mr. S. I. HOPKINS: Petition of the curled-hair manufacturers, against placing curled hair on the free-list—to the Committee on Ways and Means.

By Mr. HUNTER: Petition of George W. Hoy, of Anthony Drane, of Dr. W. S. Souther, of J. W. Denton, of Elizabeth Nunn, of James T. Arhinhurst, of Robert N. Vaughn, of William Wilson, of Eliza Schooling, widow of James Schooling, and of B. S. Broier, of Kentucky, for reference of their claims to the Court of Claims—to the Committee on War Claims.

By Mr. JACKSON: Petition of city councils and business men for the passage of the bill granting certain lands to the city of Colorado Springs, Colo.—to the Committee on the Public Lands.

By Mr. LIND: Memorial of the Southwestern Minnesota Union of ex-Prisoners of War for the passage of the bill granting pensions to ex-prisoners, and other relief—to the Committee on Invalid Pensions.

By Mr. MORROW: Petition of maccaroni and vermicelli makers of the United States for a duty upon maccaroni and vermicelli—to the Committee on Ways and Means.

By Mr. NEAL: Papers in the claim of John Reid—to the Committee on War Claims.

By Mr. J. H. O'NEALL: Petition of John Goodman and others, of Wm. Lankford and others, and of Captain F. L. Simpson and others, for the establishment of a soldiers' home in Indiana—to the Committee on Military Affairs.

By Mr. PERRY: Petition of the representative of T. D. Oxner, of Winnsborough, S. C., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. RICE: Petition of wholsale grocers of Minneapolis, Minn., in regard to the duty on rice—to the Committee on Ways and Means.

Also, memorial of the Chamber of Commerce of St. Paul, Minn., in opposition to the proposed amendment to the interstate-commerce law in regard to transportation over Canadian lines of railway—to the Committee on Commerce.

By Mr. SOWDEN: Petition of M. M. Landis, of Coopersburgh, Pa., for relief—to the Committee on Appropriations.

By Mr. J. W. STEWART: Statement to accompany House bill for increase of pension to Charles N. Lapham—to the Committee on Invalid Pensions.

By Mr. WHITTHORNE: Petition of John H. Birdsong, of Giles County, Tennessee, for payment of his war claim—to the Committee on War Claims.

The following petition for the repeal or modification of the internal-revenue tax of $25 levied on druggists was received and referred to the Committee on Ways and Means:

By Mr. CLEMENTS: Of druggists and physicians of Bartow County, Georgia.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. DAVENPORT: Of soldiers of Naples, N. Y.

By Mr. LANDES: Of ex-soldiers of Westfield, Clark County, Illinois.

By Mr. TARSNEY: Of citizens of Saginaw, Mich.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. W. C. P. BRECKINRIDGE: Of 50 citizens of Harrison County, Kentucky.

By Mr. FORD: Of 87 citizens of Ionia County, Michigan.

By Mr. NICHOLS: Of 47 citizens of Orange County, North Carolina.

By Mr. TILLMAN: Of 102 citizens of Barnwell County, South Carolina.

The following petition for an increase of compensation of fourth-class postmasters was referred to the Committee on the Post-Office and Post-Roads:

By Mr. ELLIOTT: Of citizens of Kingsville, S. C.

SENATE.

THURSDAY, *May* 10, 1888.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. CAMERON presented a memorial of the Vessel-Owners and Captains' Association of Philadelphia, Pa., remonstrating against the change in the sugar schedule as proposed by the Mills tariff bill, unless a proportionate change is made in the duty on molasses; which was referred to the Committee on Finance.

Mr. DAWES presented a petition of 33 citizens of Woburn, Mass., praying for prohibition in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. HOAR. I present a petition of the General Court of Massachusetts, praying for more stringent laws against the immigration of paupers, idiots, and insane and thriftless persons. This is a petition of considerable length. I believe the courtesy usually extended by the Senate to the Legislatures of the States requires that such petition should be read, but I suppose the purpose would be as entirely accomplished by printing it in the RECORD as if it had been read.

The PRESIDENT *pro tempore*. That is the usual custom. The petition will be printed in the RECORD, and referred to the Committee on Foreign Relations.

Mr. HOAR. I do not know whether it should go to the Committee on Foreign Relations or the Committee on Commerce.

The PRESIDENT *pro tempore*. It will be referred to the Committee on Commerce, if the Senator prefers.

Mr. HOAR. Let it go to the Committee on Commerce.

The PRESIDENT *pro tempore*. It will be so referred.

Mr. HOAR. I am informed by the chairman of the Committee on Foreign Relations [Mr. SHERMAN], who has just come into the Chamber, that the subject of limiting the immigration of paupers, etc., is now before that committee. Therefore, with the leave of the Chair, I will have the reference of the petition changed.

The petition was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Memorial.

To the honorable Senate and House of Representatives in Congress assembled:

The senate and house of representatives of the Commonwealth of Massachusetts in general court assembled present this memorial:

The act of Congress regulating immigration, passed 1882 and amended 1884, forbids the landing of convicts, lunatics, idiots, or any other person liable to become a public charge, and provides for the return of all convicts arriving at any port of the United States, except those convicted of political offenses, to the countries from which they came.

From testimony submitted to a committee of this Legislature it is evident that, notwithstanding these enactments, convicts are released from penal institutions in Great Britain and Germany, before the expiration of their terms of sentence, upon the condition of their accepting a passage ticket to this country or to Canada; that persons who have received relief from public charity, or who are likely to ask for such relief, are also sent to this country; that a few, through the vigilance of the immigration officers, are detected and returned; but that by falsehood, subterfuge, assistance of interested parties, and by being in possession of prepaid tickets to some interior town or city, large numbers succeed in evading the law, especially when the immigrant is accompanied by a relative or volunteer friend who has once been in the United States, and who is ready to vouch for the good character and the ability of the immigrant to earn a livelihood.

It is plain that any examination, conducted with the utmost vigilance on the part of the immigration officer, of one thousand or more passengers at the gangway of a steam ship, at the best can only be superficial, and that convicts, who by their vocation of crime have habituated themselves to evade the law and deceive detectives, in many instances are able to effect a landing.

It is an indisputable and well-established fact that convicts are not only released from prison, but that they are transported to this country either at the expense of foreign governments or by associations acting in concert with the officials, who, in disregard of international comity, violate the laws of the United States, thus imposing their burdens upon the people of this country—a procedure which should awaken the just indignation of every American citizen, and which calls for remedial legislation.

The reports of the public institutions of this Commonwealth show a marked disproportion between the native and foreign born inmates—the foreign born receiving public charity being 60 per cent., a very large proportion of whom have arrived in this country at a comparatively recent date. In other States, especially those that have received large accessions from Great Britain, the increase of foreign born in the charitable institutions is equally disproportionate to the native born.

In one of the reputable literary reviews for the month of March, 1888, it is stated that nearly every pauper from Great Britain was assisted to this country either by governmental aid or by so-called philanthropic associations.

The transportation of the improvident and thriftless classes to other countries is openly advocated as a measure of philanthropy in an article published in a reputable literary review in London, January, 1888:

"There is no wider field of work for the philanthropist than this: Let each benevolent person take up one thriftless family as a special charge, and assist emigration. Care must be taken to provide a friend on the other side, for the thriftless do not lose their thriftlessness on the voyage, and a good start in the new home is invaluable."

In 1882 and again in 1883, by acts of Parliament, $1,000,000 was appropriated to assist emigration from Great Britain; coincident with that legislation, and with assistance by philanthropic effort in that country, is a marked increase in the disproportion between those of native and foreign birth in the prisons, almshouses, and asylums for the insane throughout the United States.

Of paupers in the almshouses of the United States in 1880 there was 1 in 986 of the native-born inhabitants to 1 in 291 of the foreign-born. Of the criminals in prisons and workhouses, there was 1 in 938 of the native-born inhabitants of the country to 1 in 518 of foreign birth. Of the inmates of insane asylums there was 1 in 662 of the native-born population to 1 in 254 of the foreign-born.

From an examination of the reports of the public institutions in several of the States the evidence seems to be conclusive that the disproportion between the native and foreign born inmates of those institutions is much greater than that reported by the census of 1880.

To the end, therefore, that the people of this Republic may be protected from the evils and burdens resulting from the importation of convicts, paupers, idiots, insane, and the thriftless of other countries, the Commonwealth of Massachusetts, with this memorial, asks for such amendment of existing laws as shall effectually exclude these classes of immigrants.

HALSEY J. BOARDMAN,
President of the Senate.
CHAS. J. NOYES,
Speaker of the House of Representatives.

SECRETARY'S DEPARTMENT, *Boston, May* 3, 1888.

A true copy.
Attest:

HENRY B. PEIRCE,
Secretary of the Commonwealth.

COMMONWEALTH OF MASSACHUSETTS, IN THE YEAR 1888.

Resolution relative to the immigration and importation into the United States of convicts, lunatics, idiots, and other persons liable to become a public charge.

Whereas his excellency the governor, in a message to the senate and house of representatives, for good and sufficient reasons has requested that Congress be memorialized for a modification of existing laws, which will more effectually prevent the immigration and importation into the United States of convicts, lunatics, idiots, and other persons liable to become a public charge:

Resolved, That the accompanying memorial, addressed to the honorable Senate and House of Representatives in Congress assembled, be signed by the president of the senate and speaker of the house of representatives, and that the secretary of the Commonwealth is hereby instructed to transmit copies to the presiding officers of both Houses of Congress, to the Senators and Members of Congress from this Commonwealth, and to the governors of the several States of the Republic.

IN SENATE, *April* 20, 1888.

Adopted: Sent down for concurrence.

E. HERBERT CLAPP, *Clerk.*

IN HOUSE OF REPRESENTATIVES, *April* 26, 1888.

Adopted in concurrence.

EDWARD A. MCLAUGHLIN, *Clerk.*

Mr. PASCO. I present the petition of W. H. Reed and 13 other residents of Canaveral, Fla., praying for the better protection of the Yellowstone National Park and securing an adequate form of government therefor, by the passage of Senate bill 283, for that purpose. As that bill has passed the Senate, I move that the petition lie on the table.

The motion was agreed to.

Mr. SHERMAN presented a petition of ex-Union soldiers and sailors, citizens of the State of Ohio, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

Mr. CULLOM presented a petition of 36 citizens of Mercer County, Illinois, praying for the passage of the per diem rated service-pension bill; which was referred to the Committee on Pensions.

He also presented the petition of Dennis P. Brophy, late postmaster at Nokomis, Ill., praying to be paid earnings under the act of 1854, in the office of the First Assistant Postmaster-General; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BLAIR presented a petition of the Woman's Christian Temperance Union of Washington, D. C., praying for the passage of a joint resolution proposing to the States a prohibitory constitutional amendment; which was referred to the Committee on Education and Labor.

He also presented two petitions of citizens of New Market, N. H., praying that the New England States be placed in as favorable position in regard to quick mail transit and distribution of mail matter as other sections of the country; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. REAGAN presented the memorial of T. M. Houghton and 16 citizens of Williamson County, Texas, and the memorial of A. S. Dewees and 17 citizens, and the Cow Prairie Alliance of Van Zandt County, Texas, remonstrating against any change in the Bureau of Animal Industry; which were ordered to lie on the table.

Mr. PAYNE presented petitions of the Detroit (Mich.) Board of Trade; the Vessel-Owners' Mutual Association of Chicago, Ill.; the Chicago (Ill.) Vessel-Owners' Association; the Milwaukee (Wis.) Chamber of Commerce; the Sandusky (Ohio) Business Association; the Vessel-Owners' Association of Milwaukee, Wis.; the Toledo (Ohio) Produce Exchange; the Chicago (Ill.) Board of Marine Underwriters; the Chicago (Ill.) Board of Trade; and the Chamber of Commerce of Duluth, Minn., praying that liberal appropriations be made for the improvement of the Great Lakes; which were referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (S. 231) to provide that where any railroad property is taken into the possession of any United States court, and such railroad shall not have been completed, the net earnings of said railroad be applied to the completion of the same, reported adversely thereon.

Mr. CALL. I ask that the bill be placed on the Calendar.

The PRESIDENT *pro tempore*. The bill will be placed on the Calendar with the adverse report of the committee.

Mr. PUGH, from the Committee on the Judiciary, to whom was referred the bill (S. 285) to prevent the issue of passes to official persons,

and for other purposes, reported adversely thereon; and the bill was postponed indefinitely.

Mr. DAVIS, from the Committee on Pensions, to whom was referred the bill (S. 979) for the relief of Benjamin D. Lakin, asked to be discharged from its further consideration, and that it be referred to the Committee on Military Affairs; which was agreed to.

He also, from the same committee, to whom was recommitted the bill (S. 2260) restoring the name of Wilhelmina Hosband to the pension-roll, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2151) for the relief of Joseph B. Burton, reported it without amendment, and submitted a report thereon.

Mr. PASCO, from the Committee on Claims, to whom was referred the bill (S. 594) for the relief of Alexander J. Mueller, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. BATE, from the Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 1844) to promote agriculture, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Military Affairs, to whom was referred the bill (S. 2691) to provide for the settlement of accounts with certain railway companies, asked to be discharged from its further consideration, and that it be referred to the Committee on Railroads; which was agreed to.

Mr. WILSON, of Maryland, from the Committee on Claims, to whom was referred the bill (S. 2160) for the relief of Peter A. Allendorf, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. ALLISON, from the Committee on Appropriations, to whom was referred the bill (H. R. 5445) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1889, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 9711) making an appropriation to enable the several Executive Departments of the Government and the Bureau of Agriculture and the Smithsonian Institution, including the National Museum and Commission of Fish and Fisheries, to participate in the centennial exposition of the Ohio Valley and Central States, to be held at Cincinnati, Ohio, from July 4 to October 27, 1888, reported it with amendments.

Mr. ALLISON. I give notice now that on Monday next I shall ask the Senate to consider both these bills.

Mr. BLAIR, from the Committee on Education and Labor, to whom was referred the bill (H. R. 8724) to prevent the employment of alien labor upon public buildings or other public works and in the various Departments of the Government, and so forth, reported it without amendment.

Mr. SAWYER, from the Committee on Post-Offices and Post-Roads, to whom was referred the amendment submitted by Mr. FRYE on the 7th instant, providing for more efficient mail service between the United States and Central and South America and the West Indies, intended to be proposed to the Post-Office appropriation bill, reported it favorably, and moved its reference to the Committee on Appropriations; which was agreed to.

BILLS INTRODUCED.

Mr. SHERMAN introduced a bill (S. 2903) to remove the charges of desertion against Edward Whitehouse; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. DOLPH introduced a bill (S. 2904) granting a pension to James H. Preston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 2905) for the relief of W. H. H. Rader; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2906) prohibiting combinations for the control of patented articles; which was read twice by its title, and referred to the Committee on Patents.

Mr. SAWYER introduced a bill (S. 2907) for the relief of employés and late employés in the Post-Office Department; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. QUAY introduced a bill (S. 2908) to provide for placing the electric wires used by the District of Columbia under ground; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2909) to provide for placing the electric wires connecting the several Departments of the Government at Washington City, D. C., under ground; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2910) to increase the pension now paid to Elizabeth B. Smith, widow of Bvt. Maj. Gen. Thomas Kilby Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 2911) authorizing the construction of a bridge over the Tennessee River at or near Guntersville, Ala., and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 2912) providing for the appointment of police matrons for the District of Columbia, defining their duties, and for other purposes; which was read twice by its title.

Mr. PLUMB. In connection with the bill I present a petition signed by a large number of citizens of the District of Columbia favoring its passage. I move that the bill and petition be referred to the Committee on the District of Columbia.

The motion was agreed to.

Mr. PLUMB introduced a bill (S. 2913) granting a pension to Mary Sturgess; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2914) for the relief of August Thieman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 2915) granting a pension to John B. Moineau; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLAIR introduced a bill (S. 2916) granting a pension to Mary A. Fletcher; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 2917) to withdraw the public lands in the State of Florida from all entry except homestead entry and settlement; which was read twice by its title, and referred to the Committee on Public Lands.

AMENDMENTS TO BILLS.

Mr. TELLER submitted an amendment intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. QUAY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. ALLISON and Mr. DAWES submitted amendments intended to be proposed by them, respectively, to the Indian appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. BERRY. I submit an amendment intended to be proposed by me to the river and harbor appropriation bill, appropriating $75,000 for improving and protecting the harbor and preventing the caving of the river bank at Helena, Ark., in accordance with the recommendation made by the engineer April 7, 1888. I move that the amendment, together with the report of the engineer, be referred to the Committee on Commerce and printed.

The motion was agreed to.

Mr. MORGAN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolutions; and they were thereupon signed by the President *pro tempore:*

A bill (S. 109) for the relief of Thomas H. Norton and James McLean;

A bill (S. 555) to establish an additional land district in the State of Oregon;

A bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip C. Johnson;

A bill (S. 1877) granting a pension to Harriet L. Vaughan;

A bill (S. 1889) to authorize the Tennessee Midland Railway Company to construct a bridge across the Tennessee River at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem acceptable;

A bill (S. 1912) granting an increase of pension to William Irving;

A bill (S. 2198) to authorize the building of a railroad bridge at Little Rock, Ark.;

A bill (H. R. 7319) for the relief of Emory R. Seward;

A bill (H. R. 7936) to restore to the public domain a part of the Uintah Valley Indian reservation, in the Territory of Utah, and for other purposes;

Joint resolution (S. R. 68) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point José Andrés Urtecho, of Nicaragua;

Joint resolution (S. R. 70) appropriating $30,000 for the International Exhibition in Brussels, Belgium;

Joint resolution (S. R. 73) relating to the disposal of public lands in certain States; and

Joint resolution (H. Res. 95) to enable the President of the United States to extend to certain inhabitants of Japan a suitable recognition

of their humane treatment of the survivors of the crew of the American bark Cashmere.

FORFEITURE OF UNEARNED RAILROAD LANDS.

The PRESIDENT *pro tempore*. Are there resolutions concurrent or other? If there is no further morning business——

Mr. FARWELL. I desire to call up Order of Business 938, being the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia.

The PRESIDENT *pro tempore*. Is there further morning business? If there be none, it is the duty of the Chair, under the order of the Senate, to submit the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes, the pending question being on the motion of the Senator from Florida [Mr. CALL] to reconsider the vote by which the Senate passed the same.

Mr. FARWELL. I ask the Senate to proceed to the consideration of Order of Business 938.

The PRESIDENT *pro tempore*. The Secretary will read the bill by title for information.

Mr. COCKRELL. I call for the regular order.

The PRESIDENT *pro tempore*. The Secretary will state the regular order.

The CHIEF CLERK. A bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

Mr. SHERMAN. Mr. President——

The PRESIDENT *pro tempore*. Unanimous consent was given yesterday that the motion to reconsider the vote by which the land-forfeiture bill was passed should be taken up at the conclusion of morning business this morning.

Mr. SHERMAN. I do not want to violate what in the opinion of any Senator is in the nature of a promise, or agreement made in my absence, but I have a matter in charge in the nature of morning business which I think it very important to determine now, and which I should like to take the judgment of the Senate upon at once. It is the resolution reported by me adversely yesterday in regard to the mode of considering the fisheries treaty. It ought to be determined to-day; and I was about to move, if it is not a violation of the understanding, that we proceed to the consideration of that resolution.

Mr. BLAIR. The Senator from Kansas [Mr. PLUMB], who has charge of the land-forfeiture bill, has returned. I only wish to say, so that there may be no misunderstanding, that if anything is to be done with the other matter this morning it seems to me that the informal laying aside of the land bill until the resolution to which the Senator from Ohio refers is disposed of would be better.

Mr. SHERMAN. Very well.

Mr. PLUMB. I presume there is nothing to do except to vote on the motion to reconsider. I understand that the land bill has the right of way, and that the amendment of the Senator from Florida has been proposed and spoken to in such a way that all he would desire to have the Senate do is to vote on the question of reconsideration, he having given notice of the purpose of his motion to reconsider.

The PRESIDENT *pro tempore*. The question recurs on the motion of the Senator from Florida, to reconsider the vote by which Senate bill 1430 was passed.

Mr. PALMER. I hope that the vote may be reconsidered. There was a very grave error committed yesterday in adopting the amendment of the Senator from Mississippi [Mr. GEORGE]. The phraseology n my amendment to the amendment of the Senator from Wisconsin [Mr. SPOONER] is different from the phraseology in the amendment itself of the Senator from Wisconsin, and it does not accomplish the object that the Senator from Mississippi intended to accomplish by his amendment.

Mr. HOAR. The Senator from Mississippi offered a certain amendment to my amendment, which I accepted. I stated that I did not design to prevent the accomplishment of the object which the Senator from Mississippi had in view. I understand that in the haste of drawing that amendment the Senator from Mississippi did not quite accomplish what he intended. Certainly I have no desire to take any snap judgment or to get any advantage by a misunderstanding of the Senator who drew the amendment which I accepted, and therefore I shall feel bound in honor to agree to the reconsideration; but I suppose, of course, the Senators on the other side would feel equally bound, if a reconsideration was made, not to reopen the whole controversy, but simply to have the modification made in accordance with the desire of the Senator from Mississippi.

Mr. PALMER. I made no imputation of bad faith on the part of the Senator from Massachusetts. I have no doubt that the error yesterday was as unconscious to him as to any one. I do not wish to make any agreement as to any further amendment. As far as I am concerned I may want to make one that will be merely explanatory; that is all. I shall make no further contest.

Mr. SHERMAN. As it is manifest this matter will be debated, I submit a motion——

Mr. PLUMB. I move to lay on the table the motion to reconsider.

The PRESIDENT *pro tempore*. The Senator from Kansas moves to lay upon the table the motion to reconsider the vote by which Senate bill 1430 was passed.

Mr. CALL. That motion was made yesterday and was voted on, I will say to the Senator from Kansas, and the Senate refused to lay the motion to reconsider on the table.

Mr. PLUMB. It is plainly evident that unless that is done we shall reopen the flood-gates of talk on the bill and never get through.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Kansas to lay the motion to reconsider on the table.

Mr. PALMER. I call for the yeas and nays.

Mr. CALL. What is the motion?

The PRESIDENT *pro tempore*. To lay on the table the motion to reconsider.

Mr. CALL. I submit that the motion is not in order.

The PRESIDENT *pro tempore*. It is in order.

Mr. CALL. It was the last motion we voted on.

The PRESIDENT *pro tempore*. Other business has intervened.

Mr. CALL. No business has intervened, I think, on this bill.

The PRESIDENT *pro tempore*. The Chair holds the motion to be in order.

The yeas and nays were ordered.

Mr. SPOONER. I am as weary——

Mr. SHERMAN and others. Debate is not in order.

The PRESIDENT *pro tempore*. The roll-call will proceed.

The Secretary proceeded to call the roll, and Mr. ALLISON answered to his name.

Mr. CHACE. My colleague [Mr. ALDRICH] is paired with the Senator from Georgia [Mr. COLQUITT].

Mr. SPOONER. I ask unanimous consent to make an explanation of the point suggested by the Senator from Michigan [Mr. PALMER].

The PRESIDENT *pro tempore*. The roll-call having commenced and a response having been made, the Senator from Wisconsin [Mr. SPOONER] asks the unanimous consent of the Senate to make an explanation. Is there objection? The Chair hears none.

Mr. SPOONER. I am as reluctant as any Senator on this floor to open again the discussion of any of these amendments, or of any proposition connected with the bill. I understand from the Senator from Michigan that if the bill is corrected in this one single respect he has no desire to offer further amendments under the circumstances.

I desire to explain to the Senate in a word why I think the vote should be reconsidered and the change made in the bill. Yesterday afternoon, the Senator from Mississippi [Mr. GEORGE] seemed to be under the impression that the rights of homestead and pre-emption claimants were not adequately protected by the bill, and he offered an amendment which was intended to protect them, but which I think for want of a further amendment fails of accomplishing his purpose. The amendment which I offered simply provided for the confirmation of cash entries, and the proviso protecting the rights of homestead claimants was limited to cash entries. Afterwards upon the motion of the Senator from Massachusetts [Mr. HOAR] the Senate embodied in the amendment certain "State selections" so that the amendment should be operative to confirm cash entries and State selections, but the Senator from Mississippi omitted to do what I understood he had done, to insert in the proviso, saving the rights of homesteaders, the words "State selections;" so that as it stands now, as I read it, it protects only the rights of bona fide homesteaders and pre-emption claimants against the cash entrymen, but does not protect such right as against these "State selections" of the canal company. I think, in order to carry out the manifest purpose of the Senator——

Mr. GEORGE. Allow me to say that my only object was to protect the homesteaders and pre-emptors, and if the amendment I offered fails to effect that object I shall be very glad to have the Senator perfect it.

Mr. SPOONER. I suggested to the Senator at the time that he add in the proviso the words "State selections," and he wrote it down in his copy of the amendment, and I supposed he had offered it; but I find it is not in the bill, so that the amendment which I shall offer, if the vote is reconsidered, will be simply to insert in the proviso the words "or any tract in any such State selection," and the proviso would then read:

Provided, That nothing herein contained shall be construed to confirm any sales or entries of lands on any tract in any such State selection upon which there were bona fide pre-emption or homestead claims, etc.

Mr. GEORGE. If the bill is reconsidered, I hope the Senator will have that amendment made.

Mr. SPOONER. Certainly. I was only giving the reason why, in my opinion, the vote should be reconsidered.

Mr. PLUMB. If there is unanimous consent to that change, it can be made, I take it, at this time, the pending question to the contrary notwithstanding.

Mr. SPOONER. Then I ask unanimous consent, if it be in order, that the words be inserted in the proviso.

The PRESIDENT *pro tempore*. Anything can be done by unanimous consent.

Mr. GEORGE. I want the bill reconsidered for the benefit of my friend from Florida [Mr. CALL], and I object to unanimous consent on that ground, and that alone.

The PRESIDENT *pro tempore*. The question then recurs on the motion to lay the motion to reconsider on the table, on which the yeas and nays have been ordered. The roll-call will proceed.

The Secretary resumed the calling of the roll.

Mr. HARRIS (when his name was called). I have a general pair with the Senator from Vermont [Mr. MORRILL], who is absent from the city. If he were present, I should vote "nay" upon this motion.

Mr. PADDOCK (when his name was called). I am paired with the Senator from Louisiana [Mr. EUSTIS].

Mr. TELLER (when his name was called). I am paired with the Senator from Louisiana [Mr. GIBSON], and therefore I will refrain from voting.

The roll-call was concluded.

Mr. PLUMB (after having voted in the affirmative). I am paired generally with the Senator from Missouri [Mr. VEST], who is absent from the Chamber, and I withdraw my vote.

Mr. COCKRELL. I had just risen to announce that my colleague [Mr. VEST] is unavoidably detained from the Senate to-day and is paired with the Senator from Kansas [Mr. PLUMB]. I do not know how he would vote on this question if present.

Mr. SABIN. I am paired with the Senator from West Virginia [Mr. KENNA] generally, but on this question I feel at liberty to vote, under the circumstances, and I desire to be recorded as voting "nay."

The result was announced—yeas 22, nays 34; as follows:

YEAS—22.

Allison,	Davis,	Hoar,	Sawyer,
Bowen,	Dolph,	Ingalls,	Sherman,
Cameron,	Edmunds,	Jones of Nevada,	Stewart,
Chace,	Farwell,	McPherson,	Stockbridge.
Chandler,	Frye,	Mitchell,	
Cullom,	Hiscock,	Riddleberger,	

NAYS—34.

Bate,	Evarts,	Palmer,	Spooner,
Berry,	Faulkner,	Pasco,	Turpie,
Blackburn,	George,	Payne,	Vance,
Blair,	Gray,	Pugh,	Voorhees,
Butler,	Hampton,	Quay,	Walthall,
Call,	Hawley,	Ransom,	Wilson of Iowa,
Cockrell,	Jones of Arkansas,	Reagan,	Wilson of Md.
Coke,	Manderson,	Sabin.	
Dawes,	Morgan,	Saulsbury,	

ABSENT—20.

Aldrich,	Daniel,	Harris,	Platt,
Beck,	Eustis,	Hearst,	Plumb,
Blodgett,	Gibson,	Kenna,	Stanford,
Brown,	Gorman,	Morrill,	Teller,
Colquitt,	Hale,	Paddock,	Vest.

So the Senate refused to lay the motion to reconsider on the table.

The PRESIDENT *pro tempore*. The question recurs on the motion of the Senator from Florida [Mr. CALL] to reconsider the vote by which the bill was passed.

The motion to reconsider was agreed to.

The PRESIDENT *pro tempore*. By unanimous consent the Chair supposes that the vote by which the bill was ordered to a third reading will also be reconsidered.

Mr. SPOONER. Is the bill now open to amendment?

The PRESIDENT *pro tempore*. It is open to amendment in the Senate.

Mr. SPOONER. I move the amendment which I send to the desk.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. In line 2 of the proviso to the section inserted as section 9, after the word "lands," it is moved to insert "or any tract in any such State selection;" so as to read:

That nothing herein contained shall be construed to confirm any sales or entries of lands or any tract in any such State selection upon which there were bona fide pre-emption or homestead claims on the 1st day of May, 1888, arising or asserted under color of the laws of the United States; and all such pre-emption and homestead claims are hereby confirmed.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Wisconsin [Mr. SPOONER].

The amendment was agreed to.

Mr. PALMER. I was about to propose another amendment, but I feel in honor bound not to do so. However, I will take this occasion to make an explanation. I received a paper from home this morning in which I find this statement:

The reason why the bill is assumed—

Speaking of the land-grant forfeiture bill—

to be a defeat of the homesteaders is that they hold that in all cases where they take claims up on top of cash entrymen's claims they are beaten.

I was about to offer an amendment to cure any ambiguity of that kind, but I feel in honor that I have no right to do it, as some friends on this side voted to reconsider who otherwise would not have done so. I merely wish to get that statement on the record. I was about to propose this amendment:

And the existence of a prior private entry shall not be construed as evidence of bad faith on the part of a homestead or pre-emption claimant.

I take the advice of the Senator from Wisconsin [Mr. SPOONER] on my left, who says that it is not material. I should like to have that in, but I can not offer it. I wish to keep myself right on the record as the friend of the homesteaders and as one who has attempted to protect their rights in this matter, but I have the word of the Senator from Wisconsin that this would be merely explanatory and is not material.

Mr. SPOONER. I do not wish to be put upon the record as giving any advice which is to influence the Senator. I stated to the Senator from Michigan that, in my opinion, the bill clearly recognized the fact that there might be a bona fide homestead claim or pre-emption claim upon these cash entries. The bill clearly provides that, because it declares that there shall be no confirmation as to such entries against bona fide claims under the homestead and pre-emption laws.

Mr. CALL. I move to add to section 8 the following proviso:

Provided, That the titles to the lands described in the act entitled "An act granting lands to the States of Alabama and Florida to aid in the construction of certain lines of railway in said States," approved the 17th of May, 1856, which lie adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida entitled "An act to encourage a liberal system of internal improvements in the State of Florida," approved January 5, 1855, within the time limited in the granting act, and which were granted to any of the said companies by the Legislature of the State of Florida, and are held by purchase from said companies made before the year 1866, are hereby confirmed to such purchasers.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. CALL].

Mr. PLUMB. The amendment which the Senator from Florida has proposed is exceedingly broad in its character. I do not care to comment on it to the extent of saying that it seems to me he is reversing in this amendment the position he has assumed for the last two or three years on the subject of land grants in Florida, but so far as it is a useful provision at all it is amply covered by the act of 1887 known as the land-grant adjustment act.

It will be noted that this amendment confirms lands which have been sold by the railroad companies which may not have been granted to them by the United States Government at all. The Senator from Mississippi [Mr. GEORGE] shakes his head. That simply indicates that he has not carefully read the amendment. The only muniment of title which the railroad companies are required to have is a conveyance from the State of Florida, and the State of Florida may have conveyed lands to those companies which the United States never had conveyed to the State.

The amendment does not contain the provision which I think it ought to contain, found in the law of 1887, that these conveyances should have been made to citizens of the United States. It does not contain a reservation in favor of the rights of settlers who may have been upon the lands at the date of the grant. It is as complete a give-away (if I may use that term without reproach) to the railroad companies and to the railroad idea as could possibly be framed.

Mr. CALL. Will the Senator allow me to interrupt him?

Mr. PLUMB. I will.

Mr. CALL. I will consent to the insertion of both those terms in the amendment if the Senator from Kansas thinks it proper to so qualify it.

Mr. PLUMB. The act of 1887, which was a carefully digested act, one to which the Senator from Florida, I believe, has since objected because it was too broad, goes, I think, as far as legislation ought to go in confirming titles to lands which were not definitely granted and earned. The amendment only applies to lands which have been sold by the railroad companies. The Senator from Florida has lifted up his voice for years against the acts of railroad companies in selling lands to which they were not entitled. He now proposes that after they have sold any of those lands the title to the purchaser shall be confirmed. Of course I can not say that in these cases injustice would result, but I say that the provision is too broad; it does not contain proper safeguards; it is going further than any legislation has ever before proposed, and it is in the very teeth, I think, of what the Senator himself has heretofore said.

The act of 1887 provides, in section 4:

That as to all lands, except those mentioned in the foregoing section—

That is to say, the section foregoing, containing the reservation in favor of settlers—

which have been so erroneously certified or patented as aforesaid, and which have been sold by the grantee company to citizens of the United States, or to persons who have declared their intention to become such citizens, the person or persons so purchasing in good faith, his heirs or assigns, shall be entitled to the land so purchased, upon making proof of the fact of such purchase at the proper land office, etc.

In this case there is no evidence of bona fide sale. A collusive sale by a railroad company is confirmed just as perfectly as a valid sale is. There is not the reservation which is contained in the act of 1887 in favor of persons who settled upon the lands prior to the time of the taking effect of the grant.

Mr. GEORGE. Will the Senator allow me to call his attention to the point in this amendment? It is only as to Florida. The whole amendment applies to lands that have been earned by the railroad companies in Florida by the building of the roads within the time limited by the act of Congress. If the Senator will examine it he will see that no other lands are referred to than lands which lie adjacent to the

completed parts of the railroad, which parts were completed within the time limited by the act of Congress.

Mr. PLUMB. I understand the Senator's statement perfectly, that that is no portion of what is the real point in this amendment—

Provided, That the titles to the lands described in the act entitled "An act granting lands to the States of Alabama and Florida to aid in the construction of certain lines of railway in said States," approved the 17th of May, 1856, which lie adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida—

Not the act of the United States—

entitled "An act to encourage a liberal system of internal improvements in the State of Florida," approved January 5, 1855, within the time limited in the granting act—

Mr. GEORGE. That is the act of Congress.

Mr. PLUMB. Yes—

and which were granted to any of the said companies by the Legislature of the State of Florida—

That is what it is—

and are held by purchase from said companies made before the year 1866, are hereby confirmed to such purchasers.

That refers to the act of the Legislature to lands granted by the State of Florida, not lands granted by the United States, without any reference to the question as to whether the act of the State of Florida was in accordance with the act of Congress at all, and with no requirement about bona fides and with no protection for actual settlers.

Mr. GEORGE. Mr. President, this seemed to me prior to the remarks made by the Senator from Kansas a proposition so plain as to the meaning of it that I did not see how any dispute or doubt could arise about it, and really an argument to show the plain meaning of this amendment is very much like an argument that two and two make four. But still, as the Senator from Kansas understands it differently, I will read and comment a little upon the provisions of the amendment:

That the titles to the lands described in the act entitled "An act granting lands to the States of Alabama and Florida to aid in the construction of certain lines of railway in said States," approved the 17th of May, 1856—

That is an act of Congress, and it is title only to the lands mentioned in the act of Congress that is affected. Now what else?

which lie adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida entitled "An act to encourage a liberal system of internal improvements in the State of Florida," approved January 5, 1855, within the time limited in the granting act.

The Senator objects that the amendment refers to railroads built under the act of Florida; and yet, Mr. President, the railroad could not have been built except under the act of Florida. The grant was to the State of Florida for the purpose of building certain railroads. The title was to go to the State of Florida and was to be disposed of by the State of Florida. The charters were to be granted by the State of Florida. Congress in making the grant left it to the State of Florida to provide means and agencies by which the railroads must be built and in accordance with which the lands were to go.

Mr. PLUMB. Let me ask a question right there. If this amendment is exactly as the Senator says, or if it should be made so, wherein does it do anything that is not already done by existing law? If the roads were built within the time named in the granting act, and this amendment only grants title to lands adjacent to completed portions of road built within the time, what is the necessity for it?

Mr. GEORGE. That is a very proper question for the Senator to ask me, and it is a question which I asked the Senator from Florida before I gave my consent to support his amendment. The answer to that was given by the Senator from Florida. The whole line of the road was not built within the time prescribed by the act of Congress, and I understand the whole line of the road probably has not been built yet, but the portion of the road to which these lands apply was built within the time, and the Senator from Florida says that it is doubtful and disputed by lawyers and courts in the State of Florida whether, there having been a failure to complete the whole road within the time, there does not remain a forfeiture of that part which was completed.

Mr. DOLPH. Will the Senator allow me?

Mr. GEORGE. I do not know whether that is the law or not, but the Senator from Florida says that matter is disputed in the State of Florida, disputed by lawyers, and different opinions are held about it by the courts.

Mr. TELLER. What courts?

Mr. GEORGE. I do not know.

Mr. TELLER. Will the Senator state a single court of the United States that ever held that doctrine?

Mr. GEORGE. It is a matter of doubt.

Mr. TELLER. No, it is not a matter of doubt.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Mississippi is entitled to the floor.

Mr. GEORGE. The Senator from Florida is better authority on that subject than the Senator from Colorado as to whether in fact a doubt does exist. Now, the Senator from Colorado, who is a fine lawyer, may be able to interpret this act and say there is no doubt about it, but there are people in Florida and probably some in Colorado who are not lawyers, who feel that their title to their land is in dispute, and they feel and their Senator for them asks that that doubt be removed.

Now, Mr. President, I want to say that it is one of the most beneficent objects of legislation to remove a doubt from title. There is nothing which so harasses and so obstructs the progress and improvement of a community as the mere fact that doubts exist as to titles to real estate; and the whole effect of the amendment of the Senator from Florida is to remove a doubt. The Senator from Colorado says there is no doubt. Certainly there is none in his mind; but all the people in Florida who have to deal with these titles, who have to consider the question whether they be the true owners of these lands, are not as well posted on the law as the Senator from Colorado. Suppose the Senator from Colorado is right, that there is no doubt about it, then the amendment certainly is innocuous and does no harm. But suppose the Senator from Florida is right and that doubt does exist in the minds of large numbers of people of his State as to the validity of these titles, then the failure to make the amendment operates very disastrously.

So, Mr. President, I do hope——

Mr. PLUMB. Let me call the attention of the Senator to the language of this amendment. I am not disputing now the general purpose the Senator has in view, but he will notice that this amendment does not accomplish his purpose unless it accomplishes a great deal more. The amendment speaks of two granting acts. Which one does it refer to when it says "within the time limited in the granting act?"

Mr. GEORGE. It only speaks of one granting act of Congress, and that is the only one.

Mr. PLUMB. But then it speaks of a granting act without referring to the act of Congress. It speaks of two grants, a grant by act of Congress and a grant by the State of Florida, and leaves it open to inference as to which one of them is to be complied with.

Mr. WILSON, of Iowa. I ask the Senator from Mississippi to yield to me for a moment for a suggestion, and that is that this difference of opinion may be settled by amending the amendment by inserting after the word "limited," where it occurs, the words "by Congress," so as to read, "within the time limited by Congress in the granting act."

Mr. GEORGE. That will do.

Mr. CALL. I am willing to accept that.

Mr. GEORGE. I want to appeal to the Senator from Colorado not to decline to pass an act which will remove the doubt.

Mr. PLUMB. The modification now suggested covers one of the points.

The PRESIDENT *pro tempore*. The amendment to the proposed amendment will be read.

The CHIEF CLERK. In line 7 of the amendment of Mr. CALL, after the word "limited," it is proposed to insert "by Congress."

Mr. PLUMB. The word "Florida" there ought to be followed by the words "in accordance with the act of Congress." We are confirming here an act of the Legislature of Florida about which we know nothing.

Mr. CALL. I accept that.

The PRESIDENT *pro tempore*. The modification will be reported.

Mr. PLUMB. After the word "Florida" insert "in accordance with said act of Congress."

The PRESIDENT *pro tempore*. The modification will be stated.

The SECRETARY. After the word "Florida," in line 8, it is proposed to insert:

In accordance with said act of Congress.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Florida to offer his amendment in the form in which it has been read with the suggestions of the Senator from Iowa [Mr. WILSON] and the Senator from Kansas [Mr. PLUMB] incorporated.

Mr. CALL. Yes, sir.

Mr. TELLER. I am quite as anxious as anybody to remove any real doubt which may exist as to the validity of titles, and I would do it for Florida; but when the Senator says on this floor that any reputable court of the United States has held that it was necessary that the road should be completed within the time fixed by law in order to make a good title to lands adjacent to that portion of the road which was completed within the time, I challenge him to produce any such authority.

Further than that, I challenge him to produce the authority of any reputable members of the profession. I do not believe he can do that. I do not believe the Senator himself would stand here and say that in his mind there is any doubt about it. It is one of the things which are regarded as settled. But if it is not settled, if we are to remove a doubt in Florida, why not remove the same doubt in Oregon, in California, and in other sections where the roads were not completed within the time prescribed? All along the line of the Northern Pacific this question could arise. There were thousands and thousands of purchasers from the railroad companies, and if we are to remove any doubts then we should remove them all.

I do not think this is a very dangerous amendment, but it looks to me like asserting that there was doubt upon a question when there is not any, and if it is necessary to pass a law of this kind for Florida, we shall then have to say that it is necessary to have it for Dakota, Montana, Idaho, Washington, Minnesota, and other sections of the country that do not have any such law, and therefore we are casting doubts on all that class of titles. If there is any necessity for this, the necessity is general. There is no necessity for this amendment what-

ever. If there was a respectable doubt, a respectable question that was impairing the value of these lands, I should be willing to say this should be the law, and if this was a general law applying to all such lands everywhere, I certainly should not object. While I should say there was no necessity for it, and that it was doing more than we are required to do, yet if it gave security and certainty it would be all right.

I do not see any necessity for it. It seems to me when we pass this bill with this amendment other sections of the country will say that they need something of the kind, and if they do not get it their titles will be in doubt.

Mr. GEORGE. I have not examined this statute, and I have not said there was any doubt about it.

Mr. TELLER. I know the Senator did not say it.

Mr. GEORGE. I have said that the Senator from Florida [Mr. CALL], who has examined the matter, and who represents the people affected by it, has stated that doubt exists in his State. Now I would say to the Senator from Colorado if he would come here stating so as to his State, that doubt existed in his State about the titles, and that the result of that doubt was that improvement and settlement were impeded and that there was uneasiness among the people of Colorado, notwithstanding I might think there was no real ground for a doubt, I would feel bound to accept the statement of the Senator from Colorado and would vote for an act to remove the doubt.

Mr. HOAR. I wish to put a question to the Senator from Mississippi. If there be no considerable doubt now, and you pass an act making this enactment with reference to Florida, does not that at once create a doubt on the title through the whole of the rest of the country?

Mr. TELLER. Similarly situated?

Mr. HOAR. Similarly situated, of course.

Mr. GEORGE. Oh, no; that does not result from it. This only applies to the state of affairs there.

Mr. HOAR. *Expressio unius est exclusio alterius.*

Mr. GEORGE. It removes doubts as to lands in the State of Florida, and does not apply to any other State.

Mr. HOAR. We declare that in the future the law shall be so and so as to Florida. It therefore is an expression of the intent of Congress that it shall not be so elsewhere.

Mr. CALL. I think I can satisfy the Senator from Colorado and the Senator from Massachusetts in regard to it. I think this is a matter so perfectly plain that if Senators will give their attention to it for a moment they will perceive that the amendment is not only harmless, but that it is clearly demanded. Let us see. The State of Florida never made any disposition of these lands to anybody during the life of the grant. Bear in mind that proposition. The granting act required that they should be disposed of by the Legislature. That is one trouble.

Mr. TELLER. Like all grants made to States. Was there anything peculiar about it?

Mr. CALL. It required legislative disposal. Whether it is like or unlike, the Senator will acknowledge, is not a very pertinent consideration. It required a legislative disposal both to give any person an interest in the land granted and for lines of road designated in the act of Congress. In addition to this the granting act of Congress required a building of the road, and in addition to this a building of the whole line, and in addition to this a completion within a limited time.

Mr. PLUMB. May I ask the Senator a question?

Mr. CALL. Yes.

Mr. PLUMB. Has the Legislature of Florida ever disposed of this land?

Mr. CALL. I was just about to answer that, to state how far and in what way it was done.

Mr. BLAIR. Is the legislation the Senator asks for in order to make up some defect of title arising out of the action or non-action of the State of Florida, or is it necessary in order to preclude some right which is supposed to be in the United States?

Mr. CALL. Not at all. It is not proposed to preclude anybody's rights.

Mr. BLAIR. But I want to know——

Mr. CALL. I can answer much better if you will let me state the facts.

Mr. BLAIR. I shall be glad to hear them.

Mr. CALL. Just listen, and I think everybody will understand very plainly.

The State of Florida, in 1855, previous to the passage of the granting act of Congress, enacted a law entitled "An act to encourage a liberal system of internal improvements in the State." In one section of that act it was provided that if Congress should thereafter grant to the State of Florida any lands to aid in the construction of the lines of railroad described in that internal-improvement act, the companies who should build in conformity with that act should have the benefit of that land.

In 1856 Congress did grant the lands contained in the grant to which this amendment refers to the State of Florida to aid in the construction of lines of road. This act of course was not operative to convey any right which the State did not have, and it was clearly, in the opinion of many lawyers, and I think myself that it is very clear, that it was only a declaration of public policy by the State to be effectuated by subsequent legislation. That act provided that as the railroad company should build 10 miles the title to the land granted to them in that act should vest in the railroad company.

The governor of the State interpreted the act of Congress to mean that the whole line should be completed before any part of the grant of May 17, 1856, vested in the companies. There were two railroad companies that gave notice under that act of their intention to build the line of road of which I am now speaking from Jacksonville to the Escambia River. Here were two parties claiming under an act of the State of Florida to construct the line of road designated in the granting act of Congress with a right to build such parts of the line as they saw fit, and with an act making the grant dependent upon the completion of the whole line, and they did build the lines of road designated in the act of Congress and by the State Legislature in part, but did not complete the line of road within the time provided in the granting act.

After the granting act had expired through its limitation in 1874, the State of Florida confirmed, so far as it had any right or power to do so, the right of the railroad companies that had constructed the parts of the line of road within the time provided in the act. You will perceive that there is no direct legal title though there has been a substantial compliance with the act.

I do not know of a single person on this land who is denying the title of these people to the land sold and purchased before the year 1866, but I do know that doubts are entertained, and I think very reasonable and proper doubts exist whether an ejectment suit can be maintained upon the title of these parties without some legislation such as this amendment will provide.

Here comes the defect in the legislation of the State of Florida, which was enacted in 1874, after the time for constructing the line of road in the granting act of Congress had expired. There is the case. Here are these people who have bought and settled upon these lands before 1860, under color of title, who have made improvements. I am willing to insert in the amendment "the citizens of the United States," and saving the rights of all settlers who were upon that ground at the time of the granting act and up to the time of purchase, before 1866. I have no objection to both those amendments, my object being to confirm by positive enactment rights which have been under a substantial performance of the conditions claimed imposed by the granting act of Congress. Far more than this has been insisted upon frequently by the Senator from Kansas and other Senators here, and it is only a small part of what they have continually insisted upon was right that I am asking now to settle the title to these lands in the State of Florida, which were substantially earned by building parts of the line within the time required by the act of Congress.

The Senator will now understand that the defects in the title which require an act of confirmation by Congress are a failure of the Legislature to dispose of the grant; a failure to locate any line of road or to authorize any company to make a definite location; a failure, therefore, of any legal right to the grant of 1856 to vest in any company, and, on the other hand, a substantial compliance by the actual building of parts of the line within the time limited, a sale and purchase and a possession of many years in good faith, and a confirmation by the State Legislature in 1874 of the right and title of these persons by the investiture in them of any right which the State possessed at that time.

All this is irregular and confers no title at law, and technically and strictly is not in compliance with the act of Congress; but it is very clear it was a substantial compliance, and the title of these persons to this extent should be confirmed.

Mr. TELLER. I understand the chairman of the committee who has the bill in charge proposes to move some amendments to this proposition. They may obviate the objection I have and I will not say anything until the amendments are made. I wish, however, to ask the Senator from Florida whether the State has got any certification of this land. I understand a large portion of this land has been certified to the State already, and therefore it is a matter of which the State has the absolute control. Is not that the fact?

Mr. CALL. I think there is grave doubt about that.

Mr. TELLER. Has any large amount of land been certified to the State?

Mr. CALL. No.

Mr. TELLER. Some of it?

Mr. CALL. I will state exactly how it is.

Mr. PLUMB. Let me move the amendments I desire to make. I move to insert before the word "purchase" the words "bona fide."

Mr. CALL. That is right. I accept it.

The PRESIDENT *pro tempore*. The amendment will be stated at the desk.

The CHIEF CLERK. After the words "held by" and before the word "purchase" it is proposed to insert "bona fide;" so as to read:

And which were granted to any of the said companies by the Legislature of the State of Florida and are held by bona fide purchase from said companies made before the year 1866, etc.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Florida to accept this amendment to his amendment.

Mr. CALL. I do.

Mr. PLUMB. The Senator from Massachusetts [Mr. DAWES] suggests the insertion of the words "in good faith" in place of "bona fide." I am willing to accept that.

The PRESIDENT *pro tempore*. The Senator desires to have it expressed in English rather than Latin.

Mr. DAWES. We do not belong to the dead languages. [Laughter.]

The PRESIDENT *pro tempore*. The language proposed to be inserted will be stated.

The CHIEF CLERK. After the words "held by" and before the word "purchase" it is proposed to insert the words "in good faith;" so as to read:

And held by in good faith.

Mr. PLUMB. That should be "purchase in good faith."

The PRESIDENT *pro tempore*. The amendment will be again stated.

The CHIEF CLERK. After the word "purchase" it is proposed to insert "in good faith;" so as to read:

And are held by purchase in good faith from said companies.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Florida to accept the amendment.

Mr. CALL. Yes, sir.

Mr. PLUMB. I now move to add a proviso at the close of the amendment—

Provided, That a mortgage or pledge of said lands by any of said companies shall not be considered as a sale for the purposes of this act.

Mr. CALL. I accept that.

The PRESIDENT *pro tempore*. The modification will be read.

The CHIEF CLERK. It is proposed to add to the amendment—

Provided, That a mortgage or pledge of said lands by any of said companies shall not be considered as a sale for the purposes of this act.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Florida to modify his amendment by accepting this suggestion.

Mr. CALL. Yes, sir.

Mr. DOLPH. I am opposed to this amendment, and I desire briefly to state my reasons for my opposition.

During the last Congress several bills were passed by the Senate for the forfeiture of land grants. Among others a bill was reported from the Committee on Public Lands to forfeit a certain portion of the unearned land grant of the Northern Pacific Railroad Company. As reported by the committee, it excepted from the operation of the bill the unearned portion of the grant for the Cascade branch, about seventy-five and a half miles through the Cascade Mountains.

There was strenuous opposition to this on the other side of the Chamber, if my recollection serves me, and I think I can state with positiveness that the Senator from Mississippi [Mr. GEORGE] and the Senator from Florida [Mr. CALL] were two of the most prominent Senators who opposed not only the exception of unearned lands in the Cascade branch, but stood in their places and asserted that the bill would be a confirmation of the lands which had been earned; and the senior Senator from Kentucky [Mr. BECK] offered an amendment that left the power with Congress to forfeit all the remainder of the grant—that which had been earned by the construction of the road within the time limited in the grant as well as that which had not been earned by the construction of the road after the time limited in the grant. The Senator from Mississippi stood in his place and argued the proposition, I was going to say hour after hour, that because there was a condition that the whole road should be completed within a given time that condition went to every portion of the grant, and left the whole grant from Lake Superior to Puget Sound open to forfeiture by the General Government.

The amendment offered by the Senator from Kentucky was accepted by me, and adopted without a division of the Senate. In deference to that action of the Senate the Committee on Public Lands in reporting this bill reported the following section:

SEC. 4. That nothing in this act shall be construed to waive or release in any way any right of the United States to have any other lands granted by them, as recited in the first section, forfeited for any failure, past or future, to comply with the conditions of the grant, or as forfeiting any lands that have been heretofore earned by the construction of any portion of a railroad under any act of Congress making a grant of public lands.

This section leaves it open for Congress hereafter to pass on the question of whether there has been any breach of the condition on which a grant of land has been made to aid in the construction of any road. Now, what does the Senator from Florida do, and what does the Senator from Mississippi advocate—the Senators who stood up here hour after hour and discussed these propositions, and almost made the discussion personal to a man who dared stand up and say that there ought to be given time for the further construction of any of this road, or that there was not power in Congress to forfeit the entire grant? What I say in regard to the personal part of the discussion will be borne out by the record of that debate.

Now the Senator from Florida turns around and so does the Senator from Mississippi, and each advocates an amendment which confirms the title of all purchasers to lands in Florida, under all the grants ever made to Florida for railroads. As far as I am concerned, if this were general and this amendment proposed a confirmation of all lands earned by the completion of road, I should be glad to have it.

Mr. CALL rose.

Mr. DOLPH. No; I will not yield, because I want my say now. The Senator did not yield to me.

Mr. CALL. I did.

Mr. DOLPH. I propose to finish my part of the discussion.

I should be glad to support such an amendment as would close the books, would confirm title to every person claiming lands adjacent to any completed road, whether the completion was within the time limited in the grant or not. But we can not get it; the Senate will not consent to it; but the Senator from Florida asks that we shall exempt Florida from the operation of this general bill, and that we shall leave the grants in every other State and Territory of the Union open for forfeiture for any breach, past or future, which Congress may determine, if Congress has the power to do that, but as to lands in his State the books shall be closed and the power of forfeiture shall be cut off. That is one thing that I object to.

I do not believe there is any question about the title to these lands in the State of Florida. I do not believe there is any question about the title to any lands which have been earned by the construction of a road, whether within the time limited by the grant or not. I do not believe that it is within the power of Congress to make such a forfeiture, and I do not wish to be a party to an amendment which would throw doubt upon this question and leave the courts to understand that the Senate of the United States had a doubt upon the question and found it necessary to confirm lands which were adjacent to completed road in the State of Florida, and therefore throw a doubt on the title of everybody claiming under railroad corporations in every other State and Territory of the Union.

Further, I am against the amendment because before this bill becomes a law it must be passed through the House of Representatives; it must pass another branch of Congress. We already have a provision in it that certain railroads shall be excepted until the 1st of January next from the operation of the act in order that the lands may be earned. That is a foolish provision; but the object of the amendment is to give these the right to earn these lands and obtain the title to the lands by the construction of the road; and now we propose to lumber it up with a provision to confirm title to earned land in the State of Florida, to load the bill down with that provision, and send it to the other House in that shape. Equality is equity, and I do not see any reason for the provision, for, as was so well stated by the chairman of the Committee on Public Lands, after the Senator from Florida has taken the position he has here year after year and Congress after Congress, I do not see why we should now except all lands in his State and leave the lands in the other States unconfirmed.

Mr. CALL. Mr. President, I really do not understand what is the object of the Senator from Oregon in his opposition to this amendment. Certainly he has given no reason for it. Is it that he wants to punish me and the Senator from Mississippi [Mr. GEORGE] for some ideas that he supposes we had in regard to the Northern Pacific grant? That certainly is the effect of the proposition made by the Senator. There is no reason whatever why the people in Florida should be punished because we happen to entertain right or wrong opinions. But it is very singular that the Senator from Oregon should make this statement here when he knows that in the other House of Congress other bills have been reported in regard to the Northern Pacific Railroad, and other considerations had been suggested in respect to that grant, where it was supposed vast profits had accrued to some persons by not complying with the terms of the act, even when extension after extension had been granted, and he knows that these considerations which entered into that question, so far as the Northern Pacific Railroad Company's grant was concerned, were entirely different from those which pertain to a substantial compliance with the terms of the granting act by actually building a part of the line within the time limited by the grantingact. Surely the Senator knows these facts and understands that to be an entirely different case, and that his remarks have nothing to sustain them.

In this case there was a substantial compliance in every respect with the act of Congress and only technical defects in the action of the State of Florida, so far as relates to the parts of the line actually built before 1866. For that reason, manifestly a good reason, we ask that the people who have settled upon these lands under color of titie, who have improved them, and from whom they have been transmitted to divers other persons for many years, shall have the doubts, whether they are well founded or ill founded, removed by this confirmatory act. The Senator from Oregon for days has been urging the confirmation of the title of the men claiming under the Portage Lake Canal Company, which has been assailed for fraud, and the assertion has been made here and evidence read that the very officers of the company who perpetrated the fraud are now the owners of the land, and are seeking by the amendment which the Senator has so persistently urged to obtain the benefit of their own wrong. For days he has been persistently urging this for a great, wealthy corporation, while I am here asking in behalf of the poor people, whose property is worth little or nothing, that doubts which arise out of technical difficulties, where there was a substantial

compliance with the terms of the granting act, and where their title rests upon that substantial compliance, shall be confirmed, and I did it because the Senate confirmed the title of the holders under the Portage Lake Canal Company, and I then introduced the amendment in behalf of these people.

That is all I care to say.

The PRESIDENT *pro tempore*. The amendment having been several times modified it will be read as it now stands.

The CHIEF CLERK. It is proposed to add to section 8:

Provided, That the titles to the lands described in the act entitled "An act granting lands to the States of Alabama and Florida to aid in the construction of certain lines of railway in said States," approved the 17th of May, 1856, which lie adjacent to the part of the lines of railroad built under and in pursuance of the act of the State of Florida, entitled "An act to encourage a liberal system of internal improvements in the State of Florida," approved January 5, 1855, within the time limited by Congress in the granting act, and which were granted to any of the said companies by the Legislature of the State of Florida in accordance with said act of Congress, and are held by purchase in good faith from said companies made before the year 1866, are hereby confirmed to such purchasers: *Provided*, That a mortgage or pledge of said lands by any of said companies shall not be considered as a sale for the purposes of this act.

The PRESIDENT *pro tempore*. The question is on agreeing to this amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PLUMB. I ask that the bill may be printed as passed.

The PRESIDENT *pro tempore*. It will be so ordered, if there be no objection.

ADJOURNMENT TO MONDAY.

Mr. CAMERON. I move that when the Senate adjourn to-day it be to meet on Monday next.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

COMMITTEE ON COMMERCE.

On motion of Mr. FRYE, it was

Ordered, That the Committee on Commerce have leave to sit during the sessions of the Senate while considering the river and harbor bill.

ADMISSION OF WASHINGTON.

Mr. STEWART. I desire to give notice that immediately after the disposition of the pleuro-pneumonia bill I shall call up the bill for the admission of Washington Territory as a State.

BALTIMORE AND POTOMAC RAILROAD.

Mr. FARWELL. I desire to call up for consideration at this time Order of Business 938, being the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia.

Mr. FAULKNER. I will say to the Senator from Illinois that the Senator from North Carolina [Mr. VANCE] asked me to state that he received this morning a telegram from Senator MORRILL, of Vermont, asking him to see the Senator and request him to postpone calling up this bill until next week, when he will be here. He wants to be present when it is considered. That was stated to me this morning by the Senator from North Carolina.

Mr. FARWELL. I do not feel like yielding at this time. This bill has been on the Calendar for six weeks, and the feature which the Senator from Vermont objects to is the bridge across Sixth street. This bill does not disturb anything north of Maryland avenue.

The PRESIDENT *pro tempore*. The merits of the bill are not subject to discussion while a motion to take up is under consideration.

Mr. FARWELL. I do not feel like yielding to the request. I insist on my motion.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Illinois.

Mr. HOAR. I do not think the Senator from Illinois could have heard the request made by the Senator from West Virginia. The Senator from Vermont is absent from the city and is ill. He asks to have the bill postponed until next week, when he will be here.

Mr. FARWELL. Very well; if that is the desire I will defer calling up the bill until Monday.

The PRESIDENT *pro tempore*. The Chair understands the Senator from Illinois to withdraw his motion.

Mr. FARWELL. Yes, sir.

PUBLIC BUILDING AT CHESTER, PA.

Mr. CAMERON. I ask the Senate to consider Order of Business 1234, being Senate bill 129.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves that the Senate proceed to consider the bill named by him, the Calendar under Rule VIII being in order.

The motion was agreed to; and the bill (S. 129) for the erection of a public building at Chester, Pa., was considered as in Committee of the Whole.

Mr. CAMERON. I move an amendment as a substitute, which is a House bill on the same subject.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania moves to amend in the manner which will be stated.

The CHIEF CLERK. It is proposed to strike out all after the enacting clause of the bill, and in lieu thereof to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase, acquire by condemnation, or otherwise provide a site, and cause to be erected thereon a substantial and commodious building, with fire-proof vaults, for the use and accommodation of the post-office and for other Government uses at Chester, Pa. The site and building thereon, when completed upon plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed in cost the sum of $75,000; nor shall any site be purchased until estimates for the erection of a building which will furnish sufficient accommodations for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury; and no purchase of site nor plan for said building shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of $75,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by an open space of at least 40 feet, including streets and alleys: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, nor until the State of Pennsylvania shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State and the service of civil process therein.

Mr. COCKRELL. Do I understand that this is a different bill from the Senate bill?

Mr. CAMERON. That is the bill as reported from the House committee. It is different somewhat from the Senate bill.

Mr. COCKRELL. What is the difference between them?

Mr. CAMERON. Mainly in regard to the space, I think.

Mr. COCKRELL. Is there any difference in the appropriation?

Mr. CAMERON. No.

Mr. EDMUNDS. How large is the town of Chester?

Mr. CAMERON. It has about 30,000 people.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH FRANCIS.

Mr. EVARTS. Mr. President, I ask the attention of the Senate to Order of Business 686, being the joint resolution (S. R. 62) in recognition of the services of Joseph Francis. This resolution only covers the preparation of a medal to be presented to Mr. Francis. I believe there is no objection felt in any quarter to its passage. The joint resolution which was passed at the last session covered not only this, but the thanks of Congress. It failed to receive the attention of the President during the last few days of the session.

There being no objection, the joint resolution (S. R. 62) in recognition of the services of Joseph Francis was considered as in Committee of the Whole.

In view of the life-long services to humanity and to his country of the now venerable Joseph Francis, in the construction and perfection of life-saving appliances by which many thousands of lives have been saved, the Director of the Mint is required by the resolution to strike a gold medal, with a suitable device and inscription, prepared under the direction of the Joint Committee on the Library, to be presented by the President of the United States to Mr. Francis in recognition of his eminent services.

The joint resolution was reported to the Senate.

Mr. COCKRELL. I simply want to enter my protest against the passage of any such measure. There is neither merit nor justice nor right in it.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN S. FILLMORE.

Mr. TELLER. I ask the Senate now to take up a bill which is Order of Business 947.

Mr. RIDDLEBERGER. Is this by unanimous consent, Mr. President?

The PRESIDENT *pro tempore*. The Calendar under Rule VIII being in order, the Senator from Colorado moves, as he has a right under the rules to do, to take up a bill.

Mr. RIDDLEBERGER. I beg the Senator to allow me to address the Chair a moment without offering an objection, except to say that to-morrow morning I shall begin to object to every proposition to take up the morning hour with any business except morning-hour business.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Colorado.

The motion was agreed to, and the bill (H. R. 671) for the relief of the heirs of John S. Fillmore, deceased, was considered as in Committee of the Whole.

The preamble recites that on the 14th of December, 1864, John S. Fillmore, then of Denver, Colo., since deceased, conveyed to the United States of America lots numbered 28 and 29, in block numbered 46, in Denver city (east division), per survey of E. D. Boyd, in the then Territory of Colorado, for the purpose and upon the condition that the same should be occupied as a post-office site, which condition has never been in any part performed. The bill proposes to relinquish all the

interests which the United States acquired by, through, or under the deed named to the persons who, by the laws of Colorado, would have been entitled thereto at the date of the death of Fillmore had the deed never been made, and to their heirs and assigns forever.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

J. E. PILCHER.

Mr. HOAR. I move to take up Order of Business 1281, House bill 339. Let the bill be read in full for information. The bill passed the Senate at the last session. It is the bill (H. R. 339) for the relief of J. E. Pilcher.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to authorize the Secretary of the Treasury, out of the Texas indemnity fund, to pay to J. E. Pilcher $905, being the amount of one bond of $100 and $805 in paper money of the Republic of Texas, if he shall find that these claims are within the class of claims heretofore paid by the United States out of the fund named.

Mr. EDMUNDS. Is there a report about that, Mr. President?

The PRESIDENT *pro tempore*. There is a report.

Mr. EDMUNDS. I should like to hear the report read.

The PRESIDENT *pro tempore*. The Chair is informed that the report has not come in from the Printer.

Mr. HOAR. It is very brief and I can state its substance in two minutes. This bill passed the Senate on a full statement at the last session, but did not get through the other House.

This man is a citizen of Kentucky, well known to the Senators from that State and to Members of the House, who have certified to his high character. He is the son of a very distinguished citizen of that State. He found among his father's papers a Texas bond and this amount of Texas money, amounting to less than a thousand dollars in all. The Texas indemnity fund is not exhausted, but all the claims against it have long since been paid except this; there is no other claim. This bill only provides for this being paid out of the Texas indemnity fund. The possession of the property is abundantly proved; indeed, it is proved to the satisfaction of the Treasury.

Mr. COKE. The Senator from Massachusetts will allow me to suggest that I was out of the Chamber when he commenced.

Mr. HOAR. The Senate is considering the Pilcher case, which the Senator from Texas will recollect passed the Senate at the last session. The Senator interposed an objection, and examined the case, and then waived his objection. It is the case of a gentleman in Louisville, Ky., who discovered among his father's property a Texan bond and some Texan money, which the United States made an appropriation long ago to pay, and this gentleman discovered these among the assets of his father's estate. This bill is for paying therefor out of the Texas indemnity fund.

Mr. COKE. That fund, I believe, has not yet been exhausted.

Mr. HOAR. This is in pursuance of an arrangement with Texas when she was admitted.

I will state that all the facts are abundantly proved to the satisfaction of the committee, except that we require proof that the property came to the man in good faith from his father, and that he had not acquired it as a speculator, and on that we took his affidavit, accompanied by certificate of Mr. Willis and Mr. BRECKINRIDGE, of the House of the Representatives, and Mr. BECK, of the Senate, that they were personally acquainted with the man, who is a man of very high standing and character. That being so, we took his affidavit as evidence that he did not acquire the papers as a speculator. Of course the mere possession of a sum of money would ordinarily be evidence of ownership.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONSIDERATION OF THE FISHERIES TREATY.

Mr. JONES, of Arkansas. I move to proceed to the consideration of Order of Business 1053, being Senate bill 269.

Mr. SHERMAN. I do not want to interfere with the Senator, but I wish to get up a privileged matter and settle it now in regard to the fisheries treaty. Will the Senator withhold his motion? I feel it my duty to press this question because it is the desire of Senators.

Mr. JONES, of Arkansas. This is a bill to provide for granting a right of way through the Indian Territory, and one that the Department is very anxious to have passed. It will only take the time necessary to read the bill. If the Senator will allow it to pass, I shall be gratified.

Mr. SHERMAN. I can not withhold further. I move the Senate proceed to the consideration of the resolution I have indicated. I will not interfere with the Senator at any other time.

Mr. JONES, of Arkansas. Does that motion have precedence over the one I have made?

The PRESIDENT *pro tempore*. The Chair thinks it would not have precedence.

Mr. HARRIS. Not unless it be a privileged matter. We do not know what the resolution is; it has not been read.

The PRESIDENT *pro tempore*. The resolution will be read for information.

The Chief Clerk read the resolution submitted by Mr. HOAR April 19, 1888, as follows:

Resolved, That when the proposed treaty with Great Britain shall be under consideration, the stenographic reporter shall be admitted and shall report the debates and proceedings, which may thereafter be made public if a majority of the Senate shall so order, except such portions thereof as it shall determine that the public interest requires shall be kept secret. So much of the third clause of Rule XXXVI as conflicts with the resolution is suspended so far as necessary in order that the same shall take effect.

Mr. JONES, of Arkansas. If this is not a privileged motion, I insist upon a vote on my motion.

The PRESIDENT *pro tempore*. The Chair will hear the Senator from Ohio [Mr. SHERMAN] on the point.

Mr. SHERMAN. When that bill is taken up I will move to take this up, because I feel compelled to do so by the nature of the business.

The PRESIDENT *pro tempore*. The Chair would hold that the resolution did not present a question of privilege in the parliamentary sense. The question recurs on the motion of the Senator from Arkansas.

Mr. EDMUNDS. Let the title of the bill be read.

The PRESIDENT *pro tempore*. It will be read.

The CHIEF CLERK. A bill (S. 269) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory, and for other purposes.

Mr. SHERMAN. I hope the Senate will not agree to the motion. That is all.

The PRESIDENT *pro tempore*. The question is on the motion that the Senate proceed to the consideration of this bill.

Mr. EDMUNDS. I appeal to the Senator from Arkansas—he will get the floor at the next moment we go on with legislative business—and let us have this matter, which affects the convenience of all Senators, disposed of.

Mr. JONES, of Arkansas. I am not so influential a Senator as the distinguished Senator from Ohio, and this is the only opportunity I have had for a week to call this bill up. I hope the Senate will allow the bill to be considered and passed.

Mr. EDMUNDS. The Senator may feel certain, I am sure, through the courtesy of the Senate all around, that the very first time we go on with legislative business again he will be recognized and will get his bill up without the slightest doubt.

Mr. HARRIS. I would suggest to the Senator from Arkansas that the hour of 2 o'clock will be upon us in a few moments, and his bill will necessarily have to yield to the unfinished business, and therefore I suggest to him that he let it go over for the present in the assurance that it will be taken up as soon as possible.

Several SENATORS. Regular order.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. SHERMAN. Pending that bill I move that the Senate proceed to the consideration of the resolution I have indicated.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senate do now proceed to the consideration of the resolution which has been read.

Mr. MCPHERSON. Let the resolution be again read.

The PRESIDENT *pro tempore*. It will be read.

The Chief Clerk read the resolution of Mr. HOAR.

The PRESIDENT *pro tempore*. The Senator from Alabama [Mr. MORGAN] has proposed an amendment.

Mr. EDMUNDS. The question is on taking up the resolution.

Mr. HOAR. I should like to make a suggestion to the Senate by unanimous consent; and that is that it seems to me the most orderly way would be to take up the resolution of the Senator from Virginia [Mr. RIDDLEBERGER], which covers the whole question.

Mr. SHERMAN. When either resolution is taken up it involves the whole question.

The PRESIDENT *pro tempore*. The question recurs on the motion of the Senator from Ohio to proceed to the consideration of the resolution.

Mr. COKE. The Senator from Michigan [Mr. PALMER] has charge of the animal industry bill, which, by unanimous consent of the Senate, was to be taken up at 2 o'clock to-day, and on which I have the floor. The Senator from Michigan having charge of the bill, I can take no course with reference to it. I am perfectly willing to abide the pleasure of the Senate so far as my right to the floor is concerned.

Mr. PALMER. I am perfectly willing to yield, subject to the rights of the Senator from Texas [Mr. COKE].

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Ohio [Mr. SHERMAN].

The motion was agreed to.

The PRESIDENT *pro tempore*. The resolution is before the Senate.

Mr. EDMUNDS. In the consideration of this resolution I move that the doors be closed.

The PRESIDENT *pro tempore*. Is there a second?

Mr. HARRIS. I second it.

The PRESIDENT *pro tempore*. The Chair directs the Sergeant-at-Arms to clear the galleries and close the doors of the Senate.

The Senate with closed doors proceeded to consider the resolution.

After one hour and forty-eight minutes the doors were reopened.

AMENDMENTS TO BILLS.

Mr. CALL, Mr. GRAY, Mr. PASCO, Mr. PAYNE, and Mr. SAULSBURY submitted amendments intended to be proposed by them respectively to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

Mr. FAULKNER submitted an amendment intended to be proposed by him to the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes; which was ordered to lie on the table, and be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 9th instant approved and signed the following acts:

An act (S. 1413) to increase the pension of James Coey; and

An act (S. 1483) for the registry of the barges Albert M. Condor, and Adelante.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4856) for the relief of D. M. Sprague and William Tilton; and

A bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6831) to detach the county of Audrain, in the State of Missouri, from the eastern and attach it to the western judicial district of said State.

BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT *pro tempore*. The Senate resumes the consideration of the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-pneumonia and other diseases among domestic animals, and for other purposes.

Mr. JONES, of Arkansas. I ask unanimous consent that the pending measure may be laid aside for the purpose of taking up Senate bill 269.

Mr. SPOONER. I ask the Senator from Arkansas to yield to me to enable me to offer some amendments to be printed.

Mr. JONES, of Arkansas. Certainly.

Mr. COKE. I do not desire that the pleuro-pneumonia bill shall lose its place as the unfinished business.

The PRESIDENT *pro tempore*. It will be resumed at the conclusion of the session to-day as the unfinished business for Monday.

HOUSE BILLS REFERRED.

The bill (H. R. 4856) for the relief of D. M. Sprague and William Tilton, was read twice by its title, and referred to the Committee on Claims.

The bill (H. R. 9788) making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

BALTIMORE AND POTOMAC RAILROAD.

Mr. SPOONER. I send to the Secretary's desk eleven amendments which I intend to offer to the bill (S. 2615) to authorize the Baltimore and Potomac Railroad Company to acquire and use real estate for railway purposes in the District of Columbia, and I ask that they may be printed.

The PRESIDENT *pro tempore*. The amendments will be printed.

FORT SMITH AND EL PASO RAILWAY.

Mr. JONES, of Arkansas. I ask the Senate to proceed to the consideration of the bill (S. 269) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory, and for other purposes.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was reported from the Committee on Indian Affairs with amendments.

The first amendment was in section 1, line 8, after the word "Territory," to strike out the words "as may be hereinafter designated in this act;" so as to read:

That the Fort Smith and El Paso Railway Company, a corporation created under and by virtue of the laws of the State of Arkansas, be, and the same is hereby, invested and empowered with the right of locating, constructing, owning, equipping, operating, using, and maintaining a railway, telegraph, and telephone line through the Indian Territory.

The amendment was agreed to.

The next amendment was, after the word "Arkansas," in section 1, line 11, to strike out the words:

Running thence by the most practicable route through the Choctaw and Chickasaw Nations or tribes of Indians, continuing thence westwardly through the country or reservations now occupied by the Kiowa, Comanche, and Apache Indians, to a point on the eastern boundary of the "Pan Handle" of the State of Texas.

And in lieu thereof to insert:

Running thence by the most practical route to a crossing of the Missouri, Kansas and Texas Railroad at a point at or near the town of Savannah, in the Choctaw Nation; thence in a westerly direction to a point at or near Cherokee town, in the Chickasaw Nation; and thence westerly to a point at or near the southwest corner of the Indian Territory.

So as to read:

Said line to begin at a point at or near the city of Fort Smith, on the western boundary of the State of Arkansas, running thence by the most practicable route, etc.

The amendment was agreed to.

The next amendment was, in section 1, line 26, after the word "upon," to strike out the words "and in connection with;" so as to read:

With the right to construct, use, and maintain such tracks, turnouts, sidings, and extensions hereinafter mentioned as such company may deem necessary and to their interest to construct along upon the right of way hereby granted; said line to be located in sections of 25 miles each, as working sections; and before work is begun on any such section the definite line and location thereof is to be submitted to and approved by the Secretary of the Interior.

The amendment was agreed to.

Mr. JONES, of Arkansas. There are a number of sections following section 1 in the original bill as introduced which were stricken out by the committee, and a proposed substitute inserted. I suggest that the sections proposed to be stricken out be not read, and that the sections to be inserted be read as one amendment.

The PRESIDENT *pro tempore*. That course will be pursued if there be no objection.

The CHIEF CLERK. The committee report to strike out sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13, and in lieu thereof to insert:

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway, and for no other purpose, a right of way 100 feet in width through said Indian Territory, and to take and use a strip of land 200 feet in width, with a length of 3,000 feet, in addition to right of way, for stations for every 10 miles of road, with the right to use such additional ground where there are heavy cuts or fills as may be necessary for the construction and maintenance of the road-bed, not exceeding 100 feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no more than said addition of land shall be taken for any one station: *Provided further*, That no part of the lands herein authorized to be taken shall be leased or sold by the company, and they shall not be used except in such manner and for such purposes only as shall be necessary for the construction and convenient operation of said railroad, telegraph, and telephone lines; and when any portion thereof shall cease to be so used, such portion shall revert to the nation or tribe of Indians from which the same shall have been taken.

SEC. 3. That before said railway shall be constructed through any lands held by individual occupants according to the laws, customs, and usages of any of the Indian nations or tribes through which it may be constructed, full compensation shall be made to such occupants for all property to be taken or damage done by reason of the construction of such railway. In case of failure to make amicable settlement with any occupant, such compensation shall be determined by the appraisement of three disinterested referees, to be appointed, one (who shall act as chairman) by the President of the United States, one by the chief of the nation to which said occupant belongs, and one by said railroad company, who, before entering upon the duties of their appointment, shall take and subscribe, before a district judge, clerk of a district court, or United States commissioner, an oath that they will faithfully and impartially discharge the duties of their appointment, which oath, duly certified, shall be returned with their award to and filed with the Secretary of the Interior within sixty days from the completion thereof; and a majority of said referees shall be competent to act in case of the absence of a member, after due notice. And upon the failure of either party to make such appointment within thirty days after the appointment made by the President, the vacancy shall be filled by the district judge of the court held at Fort Smith, Ark., or at the district court for the northern district of Texas, or at the district court of Kansas upon the application of the other party. The chairman of said board shall appoint the time and place for all hearings within the nation to which such occupant belongs. Each of said referees shall receive for his services the sum of $4 per day for each day they are engaged in the trial of any case submitted to them under this act, with mileage at 5 cents per mile. Witnesses shall receive the usual fees allowed by the courts of said nations. Costs, including compensation of the referees, shall be made a part of the award, and be paid by such railroad company. In case the referees can not agree, then any two of them are authorized to make the award. Either party being dissatisfied with the finding of the referees shall have the right, within ninety days after the making of the award and notice of the same, to appeal by original petition to the district court held at Fort Smith, Ark., or the district court for the northern district of Texas, or the district court of Kansas, which court shall have the jurisdiction to hear and determine the subject-matter of said petition, according to the laws of the State in which the same be heard provided for determining the damage when property is taken for railroad purposes. If upon the hearing of said appeal the judgment of the court shall be for a larger sum than the award of the referees, the costs of said appeal shall be adjudged against the railroad company. If the judgment of the court shall be for the same sum as the award of the referees, then the costs shall be adjudged against the appellant. If the judgment of the court shall be for a smaller sum than the award of the referees, then the costs shall be adjudged against the party claiming damages. When proceedings have been commenced in court, the railway company shall pay double the amount of the award into court to abide the judgment thereof, and then have the right to enter upon the property sought to be condemned and proceed with the construction of the railroad.

SEC. 4. That said railroad company shall not charge the inhabitants of said Territory a greater rate of freight than the rate authorized by the laws of the State of Texas and Arkansas for services or transportation of the same kind: *Provided*, That passenger rates on said railway shall not exceed 3 cents per mile. Congress hereby reserves the right to regulate the charges for freight and passengers on said railway and messages on said telegraph and telephone lines, until a State government or governments shall exist in said Territory within the limits of which said railway, or a part thereof, shall be located; and then such State government or governments shall be authorized to fix and regulate the cost of transportation of persons and freights within their respective limits by said railway; but Congress expressly reserves the right to fix and regulate at all times the cost of such transportation by said railway or said company whenever such transportation shall extend from one State into another, or shall extend into more than one State: *Provided, however*, That the rate of such transportation of passengers, local or interstate, shall not exceed the rate above expressed: *And provided further*, That said railway company shall carry the mail at such prices as Congress may by law provide; and until such rate is fixed by law the Postmaster-General may fix the rate of compensation.

SEC. 5. That said railway company shall pay to the Secretary of the Interior, for the benefit of the particular nations or tribes through whose lands said line may be located, the sum of $50, in addition to compensation provided for in this act for property taken and damages done to individual occupants by the construction of the railway, for each mile of railway that it may construct in said Territory, said payments to be made in installments of $1,250 as each working section of 25 miles of road is graded: *Provided*, That if the general council of either of the nations or tribes through whose land said railway may be located shall, within four months after the filing of maps of definite location as set forth in section 6 of this act, dissent from the allowances provided for in this section, and shall certify the same to the Secretary of the Interior, then all compensation to be paid to such dissenting nation or tribe under the provisions of this act shall be determined as provided in section 3 for the determination of the compensation to be paid to the individual occupant of lands, with the right of appeal to the courts upon the same terms, conditions, and requirements as therein provided: *Provided further*, That the amount awarded or adjudged to be paid by said railway company for said dissenting nation or tribe shall be in lieu of the compensation that said nation or tribe would be entitled to receive under the foregoing provision. Said company shall also pay, so long as said Territory is owned and occupied by the Indians, to the Secretary of the Interior, the sum of $15 per annum for each mile of railway it shall construct in the said Territory. The money paid to the Secretary of the Interior under the provisions of this act shall be apportioned by him, in accordance with the laws and treaties now in force among the different nations and tribes, according to the number of miles of railway that may be constructed by said railway company through their lands: *Provided*, That Congress shall have the right, so long as said lands are occupied and possessed by said nations and tribes, to impose such additional taxes upon said railroad as it may deem just and proper for their benefit; and any Territory or State hereafter formed through which said railway shall have been established may exercise the like power as to such part of said railway as may lie within its limits. Said railway company shall have the right to survey and locate its railway immediately after the passage of this act.

SEC. 6. That said company shall cause maps showing the route of its located line through said Territory to be filed in the office of the Secretary of the Interior, and also to be filed in the office of the principal chief of each of the nations or tribes through whose lands said railway may be located; and after the filing of said maps no claim for a subsequent settlement and improvement upon the right of way shown by said maps shall be valid as against said company: *Provided*, That when a map showing any portion of said railway company's located line is filed as herein provided for said company shall commence grading said located line within six months thereafter, or such location shall be void; and said location shall be approved by the Secretary of the Interior in sections of 25 miles before construction of any such section shall be begun.

SEC. 7. That the officers, servants, and employés of said company necessary to the construction and management of said road shall be allowed to reside, while so engaged, upon such right of way, but subject to the provisions of the Indian intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior in accordance with said intercourse laws.

SEC. 8. That the United States circuit and district courts for the northern district of Texas, the western district of Arkansas, and the district of Kansas, and such other courts as may be authorized by Congress, shall have, without reference to the amount in controversy, concurrent jurisdiction over all controversies arising between said Denison and Washita Valley Railway Company and the nations and tribes through whose territory said railway shall be constructed. Said courts shall have like jurisdiction, without reference to the amount in controversy, over all controversies arising between the inhabitants of said nations or tribes and said railway company; and the civil jurisdiction of said courts is hereby extended within the limits of said Indian Territory, without distinction as to citizenship of the parties, so far as may be necessary to carry out the provisions of this act.

SEC. 9. That said railway company shall build at least four sections, of 25 miles each, of its railway in said Territory within three years after the passage of this act, or the rights herein granted shall be forfeited as to that portion not built; that said railroad company shall construct and maintain continually all fences, road, and highway crossings and necessary bridges over said railway wherever said roads and highways do now or may hereafter cross said railway's right of way, or may be by the proper authorities laid out across the same.

SEC. 10. That the said Fort Smith and El Paso Railway Company shall accept this right of way upon the express condition, binding upon itself, its successors and assigns, that they will never aid, advise, nor assist in any effort looking towards the changing or extinguishing the present tenure of the Indians in their land, and will not attempt to secure from the Indian nations any further grant of land, or its occupancy, than is hereinbefore provided: *Provided*, That any violation of the condition mentioned in this section shall operate as a forfeiture of all the rights and privileges of said railway company under this act.

SEC. 11. That all mortgages executed by said railway company conveying any portion of its railroad, with its franchises, that may be constructed in said Indian Territory, shall be recorded in the Department of the Interior, and the record thereof shall be evidence and notice of their execution, and shall convey all rights and property of said company as therein expressed.

SEC. 12. That Congress may at any time amend, add to, alter, or repeal this act; and the right of way herein and hereby granted shall not be assigned or transferred in any form whatever, prior to the construction and completion of the road, except as to mortgages or other liens that may be given or secured thereon to aid in the construction thereof.

Mr. JONES, of Arkansas. In section 3 of the proposed amendment I move to strike out all after the word "purposes," in line 47, down to the word "damages," in line 55, in the following words:

If upon the hearing of said appeal the judgment of the court shall be for a larger sum than the award of the referees, the costs of said appeal shall be adjudged against the railroad company. If the judgment of the court shall be for the same sum as the award of the referees, then the costs shall be adjudged against the appellant. If the judgment of the court shall be for a smaller sum than the award of the referees, then the costs shall be adjudged against the party claiming damages.

The amendment to the amendment was agreed to.

Mr. JONES, of Arkansas. In line 6 of section 8 of the proposed amendment, before the words "Railway Company," I move to strike out the words "Denison and Washita Valley" and insert "Fort Smith and El Paso."

The amendment to the amendment was agreed to.

Mr. DAWES. I call the attention of the Senator from Arkansas to the fourth line of the ninth section. It is provided that a part of the road shall be built "within three years after the passage of this act," but there is no limitation upon the time for completing the remainder of the road. There should be some reasonable time fixed.

Mr. JONES, of Arkansas. That seems to be an omission. I intended to have a limitation put in. I am perfectly willing to insert any limitation that the Senator suggests.

Mr. DAWES. Let any limitation that the Senator thinks under the circumstances reasonable be inserted.

Mr. JONES, of Arkansas. I think the entire road should be completed within five years.

Mr. DAWES. Then insert the words "and the remainder thereof within five years."

The PRESIDENT *pro tempore*. At what point in the section?

Mr. JONES, of Arkansas. In line 4, after the word "act."

The PRESIDENT *pro tempore*. The proposed amendment to the amendment will be stated.

The CHIEF CLERK. In section 9, line 4, after the word "act," insert "and the remainder thereof within five years;" so as to read:

That said railway company shall build at least four sections, of twenty-five miles each, of its railway in said Territory within three years after the passage of this act, and the remainder thereof within five years, or the rights herein granted shall be forfeited as to that portion not built; that said railroad company shall construct and maintain continually all fences, road and highway crossings, and necessary bridges over said railway wherever said roads and highways do now or may hereafter cross said railway's right of way or may be by the proper authorities laid out across the same.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. SAULSBURY. I should like to ask the Senator from Arkansas what is the width of the right of way through that country?

Mr. JONES, of Arkansas. It is 100 feet on each side of the road, I think.

Mr. SAULSBURY. That makes 200 feet. I believe that ought to be limited, whether it is a barren country or not. We do not know what that country will be worth at some future time. I see no reason why we should give to the railroad company 200 feet.

Mr. SPOONER. That is the amount fixed in the general law.

Mr. CULLOM. It is the general law already.

Mr. SAULSBURY. Then the general law is wrong. We are now making a special law. I move to amend by making it 50 feet on each side of the line. We ought not to be giving away 200 feet as a right of way for any railroad through any portion of this country.

Mr. DAWES. I suggest to the Senator from Delaware that we are not giving this away, but the railroad company is to pay the Indians for it.

Mr. SAULSBURY. We do not know how that will be.

The PRESIDENT *pro tempore*. If there be no further amendments in the Senate, the question is, Shall the bill be engrossed for a third reading?

The bill was ordered to be engrossed for a third reading; and it was read the third time, and passed.

MONUMENT TO GENERAL KNOX.

Mr. FRYE. I ask the Senate to take up the bill (S. 449) for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to appropriate $25,000 for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me., and for grading and inclosing with stone curbing and iron fencing the lot upon which the monument shall be erected, to be expended under the direction of the Secretary of War, or such officer as he may designate.

Mr. FRYE. I simply desire to say that the Senator from Arkansas [Mr. BERRY] when this bill was called up a few days ago expressed a desire to make some remarks against it. Two or three days ago he came to me and informed me that he had reconsidered his purpose and should make no remarks, and that the bill might be called up at any time so far as he was concerned, but that if he were present he would vote against it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and it was read the third time.

The PRESIDENT *pro tempore*. The question is, Shall the bill pass?

Mr. BERRY. Mr. President, I have no disposition to debate the bill, and I so stated to the Senator from Maine. I simply wish to say, however, that I am opposed to building any monuments outside of the District of Columbia and the Territories which are under the jurisdiction of Congress. I am not more particularly opposed to this bill than

to a number of others. If any monuments are to be built by the Government, I think they should be built in the District of Columbia and not scattered over the various States. That is the ground of my objection. I simply wish it understood that I am opposed to the bill.

The bill was passed.

MISSISSIPPI RIVER BRIDGE AT CLARKSVILLE, MO.

Mr. CULLOM. I move that the Senate proceed to the consideration of Senate bill 2024, Calendar number 700, a bridge bill reported from the Committee on Commerce by the Senator from Missouri, [Mr. VEST].

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2024) to authorize the construction of a bridge over the Mississippi River, at or near Clarksville, Mo., and for other purposes.

The bill was reported from the Committee on Commerce with amendments.

The first amendment was, in section 3, line 2, after the word "spans," to strike out the words:

The spans thereof shall not be less than 300 feet in length in the clear, and the main span shall be over the main channel of the river. The lowest part of the superstructure of said bridge shall be at least 50 feet above high-water mark, as understood at the point of location.

And in lieu thereof to insert:

It shall have one or more channel-spans, each having not less than 350 feet clear channel-way, and not less than 55 feet clear head-room above high-water mark, and the clear head-room under other than channel-spans may be less than 55 feet: *Provided*, That no part of the superstructure of such spans shall give a less head-room than 10 feet above high-water mark: *And provided further*, That the interests of navigation be not injured by such reduction in height.

So as to make the section read:

SEC. 3. That if said bridge shall be made of unbroken and continuous spans it shall have one or more channel-spans, each having not less than 350 feet clear channel-way and not less than 55 feet clear head-room above high-water mark, and the clear head-room under other than channel-spans may be less than 55 feet: *Provided*, That no part of the superstructure of such spans shall give a less head-room than 10 feet above high-water mark: *And provided further*, That the interests of navigation be not injured by such reduction in height, and the bridge shall be at right angles to and its piers parallel with the current of the river.

The amendment was agreed to.

The next amendment was, in section 3, line 17, after the word "draw-bridge," to strike out the following clause:

The draw or pivot pier shall be at or near that shore nearest the channel of the river where, in the opinion of the Secretary of War, the passage through the draw at that point can be consistently maintained; if not so constructed, then the draw pier to be in the main channel, and the opening or passage way to be so protected that water craft can be worked through it by lines when not safe to pass otherwise; and the span shall not be less than 200 feet in length in the clear, with two side spans of 300 feet each, and the piers of said bridge shall be parallel with and the bridge itself at right angles to the current of the river, and the spans shall not be less than 10 feet above high-water mark, as understood at the point of location, to the lowest part of the superstructure of said bridge.

And in lieu thereof to insert:

It shall have two or more draw openings, each having not less than 200 feet clear channel-way, and, in addition to said draw-openings, shall have one or more fixed channel-spans, each having not less than 350 feet clear channel-way; and every part of the superstructure of said low bridge shall have a clear head-room of not less than 10 feet above high-water mark: *Provided*, That all spans of both high and low bridges shall be so located as to afford the greatest possible accommodation to the river traffic, and a draw-opening of low bridges shall, if practicable, be located next or near shore: *Provided, also*, That in case of a low bridge, if the physical characteristics of the locality so require and the interests of navigation be not injured thereby, the lengths of the fixed spans or the number of draw-openings may be reduced: *Provided, also*, That for any two adjacent draw-openings of 200 feet each one draw-opening of 300 feet may be substituted, if the interests of navigation be not injured thereby.

Mr. CULLOM. I believe those are all the amendments there are except the last section, and I have consulted with one of the members of the subcommittee about that. The last provision is that the bridge shall be commenced within one year and finished in three years. I think the time is a little short in view of the fact that the plans have to be approved by the Secretary of War, and I move to strike out "one year" and insert "two years" in the third line, and strike out "three" and insert "four" in the same line.

The PRESIDENT *pro tempore*. The amendment of the committee will be first read.

The CHIEF CLERK. In line 3 of the proposed new section it is proposed to strike out "one year" and insert "two years," and, in the same line, to strike out "three" and insert "four;" so as to make the amendment read:

SEC. 7. That this act shall be null and void if actual construction of the bridge herein authorized be not actually commenced within two years and completed wi hin four years from the date thereof.

The amendments to the amendment were agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONFERENCE WITH SOUTH AMERICAN COUNTRIES.

Mr. PADDOCK. I move to proceed to the consideration of Order of Business 1219, Senate bill 658.

Mr. FRYE. Will the Senator yield to me? It is important, as the Senate has agreed to adjourn over, as I understand, until Monday, that a conference report should be agreed to or disagreed to.

The PRESIDENT *pro tempore*. A conference report is in order at any time.

Mr. FRYE. It will take but a very few moments if the Senator from Nebraska will allow me.

Mr. PADDOCK. I yield.

The PRESIDENT *pro tempore*. The conference report submitted by the Senator from Maine will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with amendments as follows:

In line 37 of the Senate amendment, after the word "States," add the words "which are hereby invited to participate in said conference."

In line 38 of the Senate amendment, in lieu of the sum proposed insert "$75,000."

Strike out all of lines 48, 49, and 50, down to the word "and" in line 51 of the Senate amendment.

In line 56 of the Senate amendment, after the word "clerks," insert the words "and other assistants."

Strike out all after the word "publication" in line 58 of the Senate amendment down to the semicolon after the word "languages" in line 60, and insert the words "by the Public Printer in the English, Spanish, and Portuguese languages of so much of the proceedings of the conference as it shall determine."

In line 61 of the Senate amendment strike out the word "full."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same.

WM. P. FRYE,
J. N. DOLPH,
JOSEPH E. BROWN,
Managers on the part of the Senate.
JAMES B. McCREARY,
JOHN E. RUSSELL,
WM. W. MORROW,
Managers on the part of the House.

The report was concurred in.

PUBLIC BUILDING AT BEATRICE, NEBR.

Mr. PADDOCK. I move that the Senate proceed to the consideration of Senate bill 658.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 658) for the erection of a public building at the city of Beatrice, Nebr.

The Committee on Public Buildings and Grounds reported an amendment, in line 4, after the word "procure," to insert "by purchase or condemnation proceedings;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to procure, by purchase or condemnation proceedings, a proper site, and cause to be erected thereon a suitable building, with fire-proof vaults, in the city of Beatrice, Nebr., for the exclusive use and accommodation of the post-office, at a cost not to exceed $40,000, including cost of site.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VANS MURRAY PAPERS.

Mr. EVARTS. I ask to take up Order of Business 690, being the bill (S. 1929) to authorize the purchase of five manuscript volumes (being letter-books) of William Vans Murray, formerly minister at The Hague and at Paris, which was reported by the Committee on the Library.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. I should like to hear an explanation of why we want those books.

Mr. EVARTS. The short report that was made in the other House at the last session explains the case.

Mr. COCKRELL. Let the report be read. The Senator from New York says there is a House report.

The Chief Clerk read the following report, submitted by Mr. Singleton in the House of Representatives July 17, 1886:

The Joint Committee on the Library, to whom was referred Senate bill 1084, entitled "A bill to authorize the purchase of five manuscript volumes (being letter-books) of William Vans Murray, formerly minister at The Hague and Paris," have had the same under consideration, and after a careful inspection of same, and consultation with Librarian Spofford, to whom t ey were referred for examination and report, have reached the conclusion that the Senate bill ought to pass, and hence report the same back with a favorable recommendation.

There is much in those volumes relating to an important part of our early history, which has never been given to the public, and which can not fail to prove valuable to the Government.

The sum proposed by the bill to be paid for the same we consider altogether reasonable, being but one-half the amount demanded by the owner.

Mr. COCKRELL. Does this bill appropriate the same sum?

Mr. EVARTS. The same sum.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN HOSTILITIES IN NEVADA.

Mr. STEWART. I move that the Senate proceed to the consideration of Senate bill 2542, Order of Business 1006.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2542) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada; which was reported from the Committee on Claims with an amendment, to strike out all after the enacting clause and insert a substitute.

Mr. STEWART. It is only necessary to read the substitute.

The CHIEF CLERK. It is proposed by the committee to strike out all after the enacting clause and insert:

That the persons hereinafter named, or their heirs at law, be paid, out of any money in the Treasury not otherwise appropriated, the several sums respectively set opposite their names, in full satisfaction for services rendered, moneys expended, indebtedness incurred, and supplies and necessaries furnished in repelling invasions and suppressing Indian outbreaks and hostilities within the territorial limits of the present State of Nevada, namely:

Kate Miot, $150.
Ellen E. Adams, $740.
William H. Naleigh, $385.
John T. Little, $219.
A. G. Turner, $979.
Oscar C. Steele, $286.
Samuel Turner, $307.
J. H. Mathewson, $350.
Charles Shad, $277.
Theodore Winters, $1,540.
J. F. Holliday, $95.
Franklin Bricker, $152.
George Seitz, $120.
B. F. Small, $110.
Purd Henry, $157.
Andrew Lawson, $266.
Louis B. Epstein, $269.
John Q. A. Moore, $580.
Lucy Ann Hetrick, $355.
Charles C. Brooks, $152.
Lizzie J. Donnell, heir of Maj. William M. Ormsby, $1,825.
J. M. Gatewood, $984.
Seymour Pixley, $305.
J. D. Roberts, $3,231.
H. P. Phillips, $269.
J. M. Horton, $95.
George Hickox Cady, $168.
James H. Sturtevant, $513.
Gould and Curry Mining Company, $1,000.
John H. Tilton, $519.
R. G. Watkins, $290.
J. L. Blackburn, $763.
John O. Earl, $750.
L. M. Pearlman, $3,430.
Robert Lyon, $1,694.
Thomas Marsh, $150.
Abraham Jones, $260.
A. McDonald, $750.
G. H. Berry, $130.
Robert M. Baker, $171.
P. S. Corbett, $95.
John S. Child, $505.
Benjamin F. Green, $225.
Alexander Crow, $95.
Mary Curry, widow of Abe Curry, $500.
Warren Wasson, $499.
Michael Tierney, $145.
Samuel T. Curtis, $590.
J. Harvey Cole, $202.
Isaac P. Lebo, $334.
E. Penrod, $664.
J. B. Preusch, $95.
Wellington Stewart, $400.

Mr. COCKRELL. I should like to hear a part of the report read. It is a very long report, but I want to hear only part of it.

The Secretary proceeded to read the report, submitted by Mr. STEWART, from the Committee on Claims, April 16, 1888, and read as follows:

The Committee on Claims, to whom was referred the bill (S. 2542) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the present Territorial limits of the State of Nevada, submit the following report:

The claims to be paid under the provisions of this bill are fifty-three in number, and aggregate in amount to $29,144. The persons named in the bill furnished money, supplies, and services in the Indian war in 1860 in what was then Western Utah, now Nevada.

The Comstock lode was discovered in 1859. During the winter of 1859-'60 a large number of miners crossed the Sierra Nevada Mountains from California, attracted by the new mineral discoveries. The country previous to that time was very sparsely settled by farmers and stock-raisers. The Pah-Ute (or Piute) Indians, who occupied this region, were numerous and warlike. In the latter part of April, 1860, these Indians commenced hostilities against the whites by an attack on a neighborhood of settlers and stockmen residing on the Carson River, about 30 miles east of Virginia City, Nev. They killed several persons and drove off a large amount of stock.

Previous to the outbreak threats had been made by the Indians to massacre all the whites on the east side of the Sierra Nevada Mountains. At the time of the outbreak the snow on the mountains was very deep, averaging from 10 to 20 feet, and at that season of the year was soft and impassable for teams. To protect the inhabitants and repel these Indians a company was organized in Carson City, consisting of one hundred and twenty-five men, under the command of Maj. William Ormsby. They were joined by a small company from the neighboring town of Genoa and another from Virginia City. They proceeded to the place of the massacre, known as William's Ranch, and from there pursued the Indians to Truckee River, near Pyramid Lake, where a battle ensued, in which about sixty of the whites were killed, among whom were Major Ormsby, Henry Meredith, the law-partner of the writer of this report, and other prominent citizens. Others were wounded, and those that escaped with their lives returned to the settlements destitute of horses and in a pitiable condition.

Immediately after this event home guards were formed and a regular force of volunteers were enrolled and placed under command of Col. John C. Hays. These volunteers were composed of soldiers who enlisted in Nevada and several volunteer companies who crossed the mountains from California. A small company of United States soldiers, under command of Captain Stewart, of the regular Army, also crossed the mountains and co-operated with the forces under Colonel Hays. The combined force consisted of several hundred men, who were supplied with horses, provisions, etc., by the inhabitants of Nevada, assisted by contributions from California. This force moved against the Indians, but the Indians refused to give regular battle against so formidable an army; but after considerable irregular fighting and skirmishing for several days, in which a number of white men and a few Indians were killed, the Indians sued for peace, which was granted and has ever since been observed. The whites have had no trouble with these particular Indians since that time, but they have lived in peace together.

Mr. COCKRELL. That will do. This report seems to be a very familiar one, and I see that a number of the documents referred to in it were referred to also in a bill which was before the Committee on Military Affairs, wherein there were three or four or five hundred thousand dollars involved. I see a number of the same provisions here. I ask the Senator from Nevada, does this include the same thing and is it for the same amount that was involved in the bill that was before the Committee on Military Affairs, and, I believe, ordered to be reported this morning?

Mr. STEWART. Not at all.

Mr. COCKRELL. Why were they not all included in one bill?

Mr. STEWART. This is a different proposition altogether. In 1860 there was an Indian war in Nevada, and the Indians killed a great many people. Volunteers went out and had a battle with them, and about two-thirds of those who went out were killed, among them several prominent citizens. The people then organized a volunteer force to guard the inhabitants, for the Indians threatened to kill them all, and Col. Jack Hays came over and took command of the volunteers. Captain Stewart, of the regular Army, had a few soldiers and came, too. They made an organization then and pursued and overcame the Indians, and made peace, which has prevailed ever since.

There was contributed for this war I suppose from three to five hundred thousand dollars by citizens in Nevada and California. It was a very serious matter. There have been memorials and bills presented from time to time here to pay the individual citizens who contributed their money and served under Hays in connection with the United States forces. Finally the State appointed a commission to examine the individual claims and transmit to Congress the evidence upon which they were based.

Mr. COCKRELL. When was that commission appointed?

Mr. STEWART. Three or four years ago. It is stated in the report. They sent up the evidence on which each claim was based. Your committee have examined it in each case. We allow no interest, but these people are poor people and should be compensated. I contributed a thousand dollars to that expedition and never asked anything for it, and a great many others did the same. But this list of fifty-three persons is composed mostly of poor people. There is one company in. Why that was put in I do not know, but these men came forward and proved up their claims before the commission, and the testimony was taken and transmitted here.

The claims allowed reach some $30,000. They are much less than they would be if they were examined by Congress, for the commission that investigated them was a very exacting commission. It was called our board of examiners, consisting of the governor, the secretary of state, and the attorney-general, and all the claims in Nevada had to be examined by this commission. This particular duty was assigned to it by an act of the Legislature, and the claims have been thoroughly examined, and the committee are all satisfied that the claims were thoroughly examined by this commission, and no man was allowed more than was justly due under the proof.

As to the first expedition we allowed nothing for services, but as to the next expedition, organized in connection with United States forces, following the precedent in Montana, we allowed those who have applied here—of course, only a small portion have applied—for the time they actually served, according to the rolls; and it is all without interest.

The supplies had to be got there on the ground. There was snow on the mountains at the time and no teams could cross; but men came over, and Colonel Hays, who was accustomed to Indian fighting, came over and took charge of the command. This is for the relief of poor people who contributed to that expedition. There are abundance of precedents for it in Montana, Oregon, Minnesota, and other places, where such things have been paid for.

Mr. COCKRELL. I have not had time to look over the report entirely, but I ask if there is included in this list the claim of Mary M. Symes for $3,450.

Mr. STEWART. No.

Mr. COCKRELL. That is not in?

Mr. STEWART. That was for boarding officers, was it not?

Mr. COCKRELL. Yes, sir.

Mr. STEWART. That is not in.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RIGHT OF WAY THROUGH NEZ PERCÉ RESERVATION.

Mr. DOLPH. I move to take up for present consideration Senate bill 2536, Order of Business 1212.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2536) granting to the Oregon Railway and Navigation Company the right of way through the Nez Percé Indian reservation.

The bill was reported from the Committee on Indian Affairs with an amendment in section 1, line 11, after the word "generally," to insert "southerly and;" so as to read:

That the right of way is hereby granted, as hereinafter set forth, to the Oregon Railway and Navigation Company, a corporation organized and existing under the laws of the State of Oregon, for the extension of its railroad through the Nez Percé Indian reservation, from a point on the western boundary of said reservation on the Clearwater River, in Idaho Territory, in an easterly direction, following the valley of said Clearwater River and the south fork of said river and branches of the same in a generally southerly and easterly direction to the eastern boundary of said reservation.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT HASTINGS, NEBR.

Mr. MANDERSON. I move that the Senate consider Order of Business 1220, being Senate bill 1322.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1322) providing for the erection of a public building at the city of Hastings, Nebr.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, in line 4, after the word "purchase," to insert "or acquire by condemnation proceedings;" and in line 13, before the word "thousand," to strike out "one hundred" and insert "seventy-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase, or acquire by condemnation proceedings, a site, and to cause to be erected at the city of Hastings, in the State of Nebraska, a suitable building for the use and accommodation of United States court to be located there, the post-office, and other Government offices in said city, with fire-proof vaults extending to each story; the site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, not to exceed the cost of $75,000; and the sum of $75,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of said site and the completion of said building: *Provided*, That there shall be an open space of not less than 50 feet upon every side of said building, including streets and alleys, and that no part of said sum shall be expended until a valid title to said site shall be vested in the United States, and the State of Nebraska shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owners thereof, for all purposes except the administration of the criminal laws of said State and the service of any civil process therein.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN B. HOPKINS.

Mr. PASCO. I move to take up Senate bill 1813, Order of Business 1014.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1813) for the relief of Susan B. Hopkins, widow of Arvah Hopkins, late of Tallahassee, Fla., deceased. It provides for the payment to Susan B. Hopkins, widow of Arvah Hopkins, of $392.50 in full for rent of houses used for offices and storing purposes situated in Tallahassee, Fla.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF LEWIS W. WASHINGTON.

Mr. FAULKNER. I move to take up Order of Business 1057, Senate bill 1725.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1725) for the relief of the legal representatives of Lewis W. Washington, deceased.

The Committee on Claims reported an amendment, in line 7, after the words "sum of," to strike out "$1,736" and insert "$1,454.20;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury of the United States be, and he is hereby, authorized and instructed, out of any money in the Treasury not otherwise appropriated, to pay to the legal representatives of Lewis W. Washington, deceased, late of Jefferson County, West Virginia, the sum of $1,454.20, in full satisfaction for hay and other quartermaster's stores furnished the United States Army.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UTAH TERRITORIAL COURTS.

Mr. WILSON, of Iowa. I move to proceed to the consideration of Order of Business 1077, Senate bill 1507.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1507) providing for an additional associate justice of the supreme court of the Territory of Utah, and for other purposes.

The bill was reported from the Committee on the Judiciary with amendments.

The first amendment was, in section 1, line 5, after the word "any," to strike out "two" and insert "three;" so as to make the section read:

That hereafter the supreme court of the Territory of Utah shall consist of a chief-justice and three associate justices, any three of whom shall constitute a quorum; but no justice shall act as a member of the supreme court in any action or proceeding brought to such court by writ of error, bill of exceptions, or appeal from a decision, judgment, or decree rendered by him as a judge of a district court.

The amendment was agreed to.

The next amendment was in section 2, line 1, after the word "President," to insert "by and with the advice and consent of the Senate;" and in line 3, after the word "court," to strike out "in manner now provided by law;" so as to make the section read:

SEC. 2. That it shall be the duty of the President, by and with the advice and consent of the Senate, to appoint one additional associate justice of said supreme court, who shall hold his office for the term of four years, and until his successor is appointed and qualified.

The amendment was agreed to.

The next amendment was in section 3, line 3, before the word "judicial," to strike out "first" and insert "third;" and in line 4, after the word "Utah," to insert:

As an associate of the judge already assigned to said district; and each of said judges may hold separate hearings and trials, or sit and act together for the expedition of the business of said district, as they may deem expedient.

So as to make the section read:

SEC. 3. That temporarily, and until otherwise ordered by law, the additional associate justice to be appointed under this act is hereby assigned to the third judicial district in said Territory of Utah, as an associate of the judge already assigned to said district; and each of said judges may hold separate hearings and trials, or sit and act together for the expedition of the business of said district, as they may deem expedient, and the times and places as now fixed by the statutes of said Territory for holding court therein shall remain until changed by law.

The amendment was agreed to.

The next amendment was to strike out section 4, as follows:

SEC. 4. That all offenses committed before the passage of this act shall be prosecuted, tried, and determined in the same manner and with the same effect (except as to the number of judges) as if this act had not been passed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MERCHANTS' NATIONAL BANK OF POUGHKEEPSIE.

Mr. HISCOCK. I move to take up House bill 8464, Order of Business 1269.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8464) for the relief of Merchants' National Bank of Poughkeepsie, N. Y. It provides for the issue of a duplicate 4 per cent. registered bond for the sum of $10,000 to the Merchants' National Bank of Poughkeepsie, N. Y., in lieu of bond numbered 10307, for $10,000, act of July 14, 1870, consols of 1907, inscribed in the name of the Dutchess County Mutual Insurance Company, and assigned in blank, and lost or destroyed about the 24th of July, 1880.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THE FISHERIES TREATY.

On motion of Mr. SHERMAN, it was

Ordered, That the injunction of secrecy be removed from the report made by Mr. EDMUNDS on the 7th of May, 1888, from the Committee on Foreign Relations, on the treaty between the United States and Great Britain, concerning the interpretation of the convention of October 20, 1818, signed at Washington February 15, 1888, together with the views of the minority on the same subject, submitted by Mr. MORGAN, and that they be printed in document form for the use of the Senate.

LETTER-CARRIERS.

Mr. BLAIR. I move that the Senate proceed to the consideration of the bill (H. R. 1645) to limit the hours that letter-carriers in cities shall be employed per day.

Mr. COCKRELL. Pending that motion I move that the Senate adjourn.

BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the unfinished business, being the bill (S. 2083) to provide for the establishment of a Bureau of Animal Industry, and to facilitate the exportation of live-stock and their products, to extirpate contagious pleuro-

pneumonia and other diseases among domestic animals, and for other purposes.

The Senator from Missouri [Mr. COCKRELL] moves that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until Monday, May 14, 1888, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate May 10, 1888.

POLICE COURT JUDGE.

Thomas F. Miller, of the District of Columbia, to be United States judge of the police court of the District of Columbia, in the place of William B. Snell, whose term will expire May 16, 1888.

POSTMASTERS.

Joseph D. Lopez, to be postmaster at St. Augustine, St. John's County, Florida, *vice* Henry Gilland, resigned.

John Engle, to be postmaster at Hackensack, Bergen County, New Jersey, *vice* John H. Winant, resigned.

James S. Mellick, to be postmaster at Dover, Morris County, New Jersey, *vice* Guido C. Hinchman, whose commission expired April 8, 1888.

CONFIRMATIONS.

Executive nominations confirmed by the Senate May 10, 1888.

POSTMASTERS.

N. H. Sixby, to be postmaster at Horseheads, Chemung County, New York.

James B. Keeler, to be postmaster at Ellenville, Ulster County, New York.

Howard H. Edwards, to be postmaster at Fayetteville, Onondaga County, New York.

John Wetzel, to be postmaster at Little Falls, in the county of Morrison, and State of Minnesota.

William T. Griffin, to be postmaster at Moscow, in the county of Nez Perces and Territory of Idaho.

Oliver S. Glenn, to be postmaster at Bellevue, in the county of Alturas and Territory of Idaho.

Jacob E. Ziebach, to be postmaster at Scotland, in the county of Bon Homme and Territory of Dakota.

John B. Prendergast, to be postmaster at Webster, in the county of Day and Territory of Dakota.

Daniel P. McLaurin, to be postmaster at Grand Forks, in the county of Grand Forks and Territory of Dakota.

Harry C. Briley, to be postmaster at Dell Rapids, in the county of Minnehaha and Territory of Dakota.

Robert E. Tener, to be postmaster at Orange, in the county of Los Angeles and State of California.

Lynn Boyd, to be postmaster at National City, in the county of San Diego and State of California.

Edwin Phillips, to be postmaster at Newport News, in the county of Warwick and State of Virginia.

Augustus Kelly, to be postmaster at Port Byron, in the county of Cayuga and State of New York.

Josiah D. Richards, to be postmaster at North Attleborough, in the county of Bristol and State of Massachusetts.

Henry C. Norton, to be postmaster at Cottage City, in the county of Dukes and State of Massachusetts.

James M. Custard, to be postmaster at Hayward, in the county of Sawyer and State of Wisconsin.

William H. Clark, jr., to be postmaster at Florence, in the county of Florence and State of Wisconsin.

James G. Lummis, to be postmaster at Middletown, in the county of Butler and State of Ohio.

Stephen Cramer, to be postmaster at Batavia, in the county of Clermont and State of Ohio.

Robert White, to be postmaster at East Tawas, in the county of Iosco and State of Michigan.

James Rutherford, to be postmaster at Milford, in the county of Oakland and State of Michigan.

Enoch T. Mugford, to be postmaster at Hart, in the county of Oceana and State of Michigan.

Arthur A. Metcalf, to be postmaster at Crystal Falls, in the county of Iron and State of Michigan.

John Maguire, to be postmaster at Republic, in the county of Marquette and State of Michigan.

Marshall B. Franklin, to be postmaster at Fremont, in the county of Newaygo and State of Michigan.

Frank L. Bond, to be postmaster at Iron River, in the county of Iron and State of Michigan.

Daniel F. Bommerscheim, to be postmaster at Three Oaks, in the county of Berrien and State of Michigan.

Mary Thomas, to be postmaster at Garrett, in the county of De Kalb and State of Indiana.

Alfred Kelley, to be postmaster at Waterloo, in the county of De Kalb and State of Indiana.

John D. Alvis, to be postmaster at Salem, in the county of Washington and State of Indiana.

Fletcher A. Tronsdale, to be postmaster at Metropolis City, in the county of Massac and State of Illinois.

Thomas Terry, to be postmaster at Spring Valley, in the county of Bureau and State of Illinois.

Charles E. Hallock, to be postmaster at Pecatonica, in the county of Winnebago and State of Illinois.

George M. Smith, to be postmaster at Mobeetie, in the county of Wheeler and State of Texas.

William A. Proctor, to be postmaster at Ballinger, in the county of Runnels and State of Texas.

William B. Norman, to be postmaster at Alvarado, in the county of Johnson and State of Texas.

Louis Weishar, to be postmaster at Edina, in the county of Knox and State of Missouri.

George S. Stafford, to be postmaster at Kahoka, in the county of Clarke and State of Missouri.

Joel H. Shelly, to be postmaster at Princeton, in the county of Mercer and State of Missouri.

K. F. Peddicord, to be postmaster at Palmyra, in the county of Marion and State of Missouri.

Otho J. Hurley, to be postmaster at Savannah, in the county of Andrew and State of Missouri.

Christopher M. Heltibrand, to be postmaster at Poplar Bluff, in the county of Butler and State of Missouri.

Patrick Carroll, to be postmaster at Lonaconing, in the county of Alleghany and State of Maryland.

Jerry D. Adkins, to be postmaster at Williamsburgh, in the county of Whitley and State of Kentucky.

Frank M. Eastman, to be postmaster at Butler, in the county of Butler and State of Pennsylvania.

Clark Wilson, to be postmaster at Smethport, McKean County, Pennsylvania.

PROMOTIONS IN THE ARMY.

James S. Jouett, late first lieutenant Tenth Cavalry, to be first lieutenant in the Tenth Cavalry.

Third Regiment of Artillery.

Capt. Wallace F. Randolph, of the Fifth Artillery, to be major.

Fourth Regiment of Artillery.

Lieut. Col. Henry W. Closson, of the Fifth Artillery, to be colonel.

Fifth Regiment of Artillery.

Maj. Richard Lodor, of the Third Artillery, to be lieutenant-colonel.
First Lieut. Benjamin K. Roberts, to be captain.
Second Lieut. Harvey C. Carbaugh, to be first lieutenant.

Second Regiment of Infantry.

Second Lieut. John S. Mallory, to be first lieutenant.

Third Regiment of Infantry.

Lieut. Col. Edwin C. Mason, of the Fourth Infantry, to be colonel.

Fourth Regiment of Infantry.

Maj. Frederick Mears, of the Twenty-fifth Infantry, to be lieutenant-colonel.

Twenty-first Regiment of Infantry.

First Lieut. Joseph W. Duncan, regimental adjutant, to be captain.

Twenty-fifth Regiment of Infantry.

Capt. Evan Miles, of the Twenty-first Infantry, to be major.

UNITED STATES CONSULS.

David N. Burke, of New York, now consul at Puerto Cabello, to be consul of the United States at Bahia.

Charles Storck, of Texas, to be consul of the United States at Monterey.

Henry C. Borstel, of Rockland, Me., to be consul of the United States at Pernambuco.

George F. Hollis, of Arlington, Mass., to be consul of the United States at Cape Town.

INDIAN AGENT.

Daniel W. Butler, of Wasco County, Oregon, to be agent for the Indians of the Warm Springs agency in Oregon.

REGISTER OF LAND OFFICE.

James M. Corbet, of Grand Forks, Dak., to be register of the land office at Grand Forks, Dak.

ASSISTANT APPRAISER OF MERCHANDISE.

Francis Gross, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

PROMOTION IN THE NAVY.

Passed Assistant Surgeon George E. H. Harmon, a resident of Maryland, to be a surgeon in the Navy.

COLLECTORS OF CUSTOMS.

Thomas L. Harrison, of New York, to be collector of customs for the district of Oswegatchie, in the State of New York.

Eli H. Reynolds, of New Jersey, to be collector of customs for the district of Newark, N. J.

Henry H. Kain, of Mississippi, to be collector of the district of Vicksburg, Miss.

APPOINTMENTS IN THE REVENUE SERVICE.

Herbert W. York, of New York, to be a second assistant engineer in the revenue service of the United States.

John B. Coyle, of Maine, to be a second assistant engineer in the revenue service of the United States.

HOUSE OF REPRESENTATIVES.

THURSDAY, *May* 10, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of the proceedings of yesterday was read and approved.

POINT ISABEL LIGHT, TEXAS.

The SPEAKER laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Light-House Board of an appropriation for the re-establishment of the Point Isabel light; which was referred to the Committee on Commerce, and ordered to be printed.

PUNTA GORDA LIGHT, CALIFORNIA.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Light-House Board of an appropriation for the establishment of a light and fog-signal at Punta Gorda, California; which was referred to the Committee on Commerce, and ordered to be printed.

CONTINGENT EXPENSES, TREASURY DEPARTMENT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, with inclosure, recommending that the item of appropriation for contingent expenses of the Treasury Department for the fiscal year 1889 in the pending legislative, executive, and judicial appropriation bill be increased in accordance with recent estimates; which was referred to the Committee on Appropriations, and ordered to be printed.

THOROUGHFARE BETWEEN CAPE MAY AND GREAT BAY, N. J.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports of the examination and survey of the thoroughfare running from Cape May to the Great Bay north of Atlantic City, N. J.; which was referred to the Committee on Rivers and Harbors, and ordered to be printed.

THE BRIG SALLY.

The SPEAKER also laid before the House a letter from the assistant clerk of the Court of Claims, transmitting conclusions of law and findings of fact in the matter of the brig Sally, Cassius F. Lee, administrator, etc.; which was referred to the Committee on Appropriations, and ordered to be printed.

WILLIAM H. ROBERTSON AND E. L. HEDDEN.

The SPEAKER also laid before the House a bill (S. 1198) for the relief of William H. Robertson and Edward L. Hedden, late collector of customs district of the city of New York; which was referred to the Committee on Commerce.

LEAVE OF ABSENCE.

Mr. HOUK, by unanimous consent, obtained leave of absence until the 19th instant.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

Joint resolution (S. R. 73) relating to the disposal of public lands in certain States;

A bill (S. 109) for the relief of Thomas H. Norton and James McLean;

A bill (S. 1877) granting a pension to Harriet L. Vaughan;

A bill (S. 555) to establish an additional land district in the State of Oregon;

A bill (S. 1912) granting an increase of pension to William Irving;

A bill (S. 2195) to authorize the building of a railroad bridge at Little Rock, Ark.;

A bill (S. 1889) to authorize the Tennessee and Midland Railroad Company to construct a bridge across the Tennessee River at any point on the line between the counties of Decatur and Perry, in the State of Tennessee, it may deem acceptable;

A bill (S. 68) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point José Andrés Urtecho, of Nicaragua;

A bill (S. 752) to grant a pension to Mrs. Elvira L. Johnson, widow of Commodore Philip T. Johnson;

Joint resolution (H. Res. 95) to enable the President of the United States to extend to certain inhabitants of Japan a suitable recognition of their humane treatment of the survivors of the American bark Cashmere;

A bill (H. R. 7936) to restore to the public domain a part of the Uintah Valley Indian reservation in the Territory of Utah, and for other purposes;

A bill (H. R. 7319) for the relief of Emory R. Seward; and

Joint resolution (S. R. 70) appropriating $30,000 for the international exhibition at Brussels, Belgium.

AMERICAN INTERNATIONAL CONFERENCE.

Mr. MCCREARY. I rise to present a privileged report, which I send to the desk.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with amendments as follows: In line 37 of the Senate amendment, after the word "States," add the words, "which are hereby invited to participate in said conference;" in line 38 of the Senate amendment, in lieu of the sum proposed, insert "75,000;" strike out all of lines 48, 49, and 50, down to the word "and" in line 51 of the Senate amendment; in line 56 of the Senate amendment, after the word "clerks," insert the words, "and other assistants;" strike out all after the word "publication," in line 58 of the Senate amendment, down to the semicolon after the word "languages," in line 60, and insert the words, "by the Public Printer, in the English, Spanish, and Portuguese languages, of so much of the proceedings of the conference as it shall determine;" in line 61 of the Senate amendment strike out the word "full;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same.

JAMES B. MCCREARY,
JOHN E. RUSSELL,
WM. W. MORROW,
Managers on the part of the House.

WM. P. FRYE,
J. N. DOLPH,
JOSEPH E. BROWN,
Managers on the part of the Senate.

The statement of the House conferees accompanying the report was read, as follows:

Statement of the managers on the part of the House.

The managers of the House appointed on the conference ordered on the disagreeing votes of the two Houses on the amendments of the Senate to the bill H. R. 1473, being "A bill authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration, and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil," herewith submit the joint report of the managers on the part of the House and the managers on the part of the Senate, which was unanimously agreed to, and in explanation of amendments made and their effect submit the following statement, and ask the adoption of the report:

No change is made in the amendments to the bill heretofore adopted by the House, or to the report heretofore adopted by the House, except that instead of declaring in the bill that six delegates to said conference shall be appointed by the President of the United States, by and with the advice and consent of the Senate, two by the President of the Senate, and two by the Speaker of the House of Representatives, who shall be members of their respective Houses, the bill is so amended that all the ten delegates to said conference are authorized to be appointed by the President of the United States, by and with the advice and consent of the Senate.

JAMES B. MCCREARY.
JOHN E. RUSSELL.
WM. W. MORROW.

The report of the committee of conference was adopted.

Mr. MCCREARY moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MCCREARY. I will state, Mr. Speaker, that this is the first measure of this kind which has ever been introduced and passed in this House, and I believe good results will follow.

SALE OF CONVICT-MADE GOODS.

The SPEAKER. The gentleman from Illinois [Mr. PLUMB], a member of the Committee on Labor, asks leave to file and have printed the views of a minority of that committee on the bill (H. R. 8716) to protect free labor and the industries in which it is employed from the injurious effects of convict labor by confining the sale of the goods, wares, and merchandise manufactured by convict labor to the State in which they are produced. In the absence of objection, the leave requested will be granted.

There being no objection, it was so ordered.

D. M. SPRAGUE AND WILLIAM TILTON.

Mr. GROSVENOR. I ask unanimous consent that the Committee of the Whole House be discharged from the further consideration of the

bill (H. R. 4856) for the relief of D. M. Sprague and William Tilton, and that the House consider the bill now.

The bill was read, as follows:

Be it enacted, etc., That the claim of D. M. Sprague and William Tilton for the sum of $943, for damages accruing to them in 1865 by reason of the failure of the Quartermaster's Department to comply with its contract, be allowed by the Second Auditor of the Treasury, and paid as similar claims are paid by the Treasury Department.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. GROSVENOR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. MILLS. I move to dispense with the morning hour for the presentation of reports from committees.

Mr. OATES. I hope consent may be given that reports be filed with the Clerk.

The SPEAKER. That consent is usually asked after the order dispensing with the morning hour has been made.

The motion of Mr. MILLS was agreed to.

Mr. MILLS obtained the floor and said: I yield for a moment to my colleague [Mr. SAYERS].

SPECIAL DEFICIENCY BILL.

Mr. SAYERS. I ask unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the further consideration of House bill No. 9788, and that the bill be now considered in the House. It is a bill making an appropriation to supply a deficiency in the appropriation for expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. SAYERS]?

Mr. ROGERS. I ask that the bill be read, the right to object being reserved. We would like to know what the bill is.

The bill was read, as follows:

Be it enacted, etc., That to defray the expenses of collecting the revenue from customs for the fiscal year ending June 30, 1888, in addition to the amount heretofore appropriated, the sum of $450,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by, or under the direction of, the Secretary of the Treasury, who is authorized to cause to be paid therefrom the full compensation which the employés in the customs-revenue service would have been entitled to receive had no order been made reducing their compensation in consequence of an estimated deficiency in the appropriation.

That section 3687 of the Revised Statutes, appropriating, out of any money in the Treasury not otherwise appropriated, the sum of $2,750,000 for the expenses of collecting the revenue from customs for each half year in addition to such sums as may be received from fines, penalties, and forfeitures connected with the customs, and from fees paid into the Treasury by customs officers, and from storage, cartage, drayage, labor, and services, be, and the same is hereby, repealed, to take effect from and after June 30, 1889.

The SPEAKER. Is there objection to discharging the Committee of the Whole House on the state of the Union from the further consideration of this bill and considering it now in the House?

Mr. ROGERS. I do not object.

The SPEAKER. The Chair hears no objection, and it is so ordered. The House proceeded to the consideration of the bill.

Mr. SAYERS. I am directed by the Committee on Appropriations to offer the amendment which I send to the desk.

The Clerk read as follows:

After line 26, on page 2, insert as a separate section the following:

"SEC. 2. For Army and Navy pensions as follows: For invalids, widows, minor children, and dependent relatives, and survivors and widows of the war of 1812, $3,500,000, to supply a deficiency on account of the fiscal year ending June 30, 1888: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund so far as the same may be sufficient for that purpose: *And provided further*, That the amount expended under each of the above items shall be accounted for separately."

The amendment was agreed to.

Mr. SAYERS. I am directed by the Committee on Appropriations to offer another amendment.

The Clerk read as follows:

After the amendment just adopted insert as a new section the following:

"SEC. 3. That the appropriation of $190,000 made by the act approved March 3, 1887, for heating apparatus to be furnished before June 30, 1888, for the following new public buildings, namely, Aberdeen, Miss.; Augusta, Me.; Clarksburgh, W. Va.; Columbus, Ohio; Concord, N. H.; Council Bluffs, Iowa; Dallas, Tex.; Erie, Pa.; Hannibal, Mo.; Jefferson City, Mo.; Leavenworth, Kan.; Lynchburgh, Va.; Macon, Ga.; New Albany, Ind.; Pensacola, Fla.; Peoria, Ill.; Quincy, Ill.; Shreveport, La.; Syracuse, N. Y.; Terre Haute, Ind.; Toledo, Ohio: Tyler, Tex.; and Waco, Tex., shall continue available to enable the Secretary of the Treasury to fulfill contracts entered into therefor prior to June 30, 1888."

The amendment was agreed to.

Mr. SAYERS. I demand the previous question on ordering the bill as amended to be engrossed and read the third time.

Mr. DINGLEY. Before that is done I wish the gentleman from Texas would explain the effect of the original bill with reference to the change in the collection of the customs.

Mr. SAYERS. The effect will be to change the appropriation from a permanent to an annual one. It is in accordance with the previous recommendations of Secretaries of the Treasury, and meets the unanimous judgment of the Committee on Appropriations.

I renew the demand for the previous question.

The previous question was ordered, under the operation of which the bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. SAYERS moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MILLS. I ask unanimous consent that gentlemen having reports from committees may present them at the desk.

JUDICIAL DISTRICTS, MISSOURI.

Mr. HENDERSON, of North Carolina. Mr. Speaker, I hope the gentleman from Texas will yield a moment, as I wish to submit a report from the Committee on the Judiciary for present consideration. I am instructed by the committee to report back the Senate amendment to the bill (H. R. 6831) to detach the county of Audrain, in the State of Missouri, from the eastern and attach it to the western judicial district of said State, with the recommendation that the House concur in the Senate amendment.

The SPEAKER. The Senate amendment will be read.

The amendment was read at length, and concurred in.

Mr. HENDERSON, of North Carolina, moved to reconsider the vote by which the Senate amendment was concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

SPECIAL DEFICIENCY APPROPRIATION.

Mr. REED. Mr. Speaker, has the motion to reconsider been made in reference to the bill H. R. 9788? If not, I desire to enter that motion now.

The SPEAKER. The Chair is advised that the motion was made and laid on the table.

Mr. REED. My objection to this bill is to the last clause, and I made an inquiry with reference to the point before the bill was considered. I understood that it was not in the bill. I did not understand that this provision was embodied as I now find it, for I intended to make opposition to the clause. It is a very serious matter, and has been passed without the slightest consideration. I think there should be some little time given to a matter of that importance.

Mr. MILLS rose.

Mr. CANNON. Will the gentleman allow me a moment?

Mr. MILLS. I must demand the regular order.

Mr. CANNON. I think I am entitled as a privileged matter to make this statement.

Mr. MILLS. But we want to proceed with the debate on the tariff.

Mr. CANNON. I do not think that the House will want to cut me off without allowing an opportunity for a brief explanation.

The gentleman from Maine did inquire of me if there was a clause embodied in this bill repealing the permanent appropriations for the collection of the customs. I was busy about something else at the time, and, indeed, was not quite sure about the provision myself, and told him I thought not; that the provision had been agreed upon by the Committee on Appropriations and was soon to follow the introduction of this bill, but that it was not on this bill.

I notice now that it is on the bill; and the gentleman from Maine stating that owing to that information which I had erroneously given him, and which I gave in good faith, I may be permitted to say he did not examine the bill with care, and did not offer the opposition to the clause of the bill which he had designed to offer. Now I think it would be but fair, I will say to my colleague from Texas, that under these circumstances or by common consent that matter may be considered as opened.

Mr. MILLS. I shall object to reopening a question now which is likely to consume any considerable time of the House.

Mr. REED. Mr. Speaker, this is a matter of very considerable seriousness. We ought not to change our whole policy in regard to the collection of the customs without at least some consideration or discussion. This matter has been brought up before the House at a time when it was expected that no business would be transacted except such matters as related to the tariff bill under discussion. Hence nobody was on the alert to look after it, and I myself was misled by the response made to me, as has been stated.

The SPEAKER. The Chair understands the gentleman from Texas to object unless this is to be considered at some future time.

Mr. REED. I have no objection to that whatever. I only wanted to be fairly understood by the House before it is enacted into law. I think it altogether possible that the House may change its conclusion after a full consideration of the matter.

Mr. RANDALL. That would delay the appropriation to an indefinite period, and I object to that.

Mr. CANNON. Permit me just here for a moment. While I am in

favor of the provision embodied in this bill, yet the gentleman will understand that his objection to considering the question at some future time places me in rather an embarrassing position, the gentleman from Maine having asked me, and I not giving him the full answer which perhaps I ought to have been able to give him and should have given him, and which answer, I am satisfied now from what he says, misled him. I should prefer, therefore, that either to-morrow or at some future time this matter may be opened and may be considered as far as relates to the last clause of the bill.

Mr. MILLS. I am not willing that the business in which the House has been engaged shall be postponed or hampered in any manner by a lengthy consideration of an appropriation bill like this.

Mr. REED. It seems the gentleman yielded to take up this bill.

Mr. RANDALL. The question was put distinctly by the gentleman from Maine [Mr. DINGLEY], and the answer of the gentleman from Texas was made.

Mr. REED. Not on that point.

Mr. SAYERS. Yes; I explained the matter in response to an inquiry of the gentleman from Maine.

Mr. RANDALL. And when the bill was presented the gentleman from Arkansas [Mr. ROGERS] reserved the point of order.

Mr. MILLS. Regular order.

The SPEAKER. The regular order is the call of committees for reports.

ORDER OF BUSINESS.

Mr. MILLS. I now renew the request that members having reports from committees may be permitted to hand them in at the Clerk's desk.

There was no objection, and it was so ordered.

ENROLLED BILLS SIGNED.

Mr. FISHER, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill and joint resolution of the following titles; when the Speaker signed the same, namely:

A bill (H. R. 7348) granting to the city of Grand Forks, Dak., the right to build two free bridges across Red River; and

Joint resolution (H. Res. 148) to print twelve thousand five hundred copies of the eulogies on Seth C. Moffatt, late a Representative in Congress.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

CRUELTY TO DOMESTIC ANIMALS.

Mr. OATES, from the Committee on the Judiciary, reported back with amendment the bill (H. R. 8344) to prevent cruelty to domestic animals; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

ROAD FROM LITTLE ROCK, ARK., TO THE NATIONAL CEMETERY.

Mr. MAISH, from the Committee on Military Affairs, reported back the bill (H. R. 6096) to construct a road from Little Rock, Ark., to the national cemetery adjacent thereto; which was laid on the table.

He also, from the same committee, reported, as a substitute for the foregoing, a bill (H. R. 9917) to construct a road from Little Rock, Ark., to the national cemetery adjacent thereto; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

FRANKLIN LEE AND CHARLES F. DUNBAR.

Mr. LAIDLAW, from the Committee on Claims, reported back favorably the bill (H. R. 8462) for the relief of Franklin Lee and Charles F. Dunbar; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHAPLAIN C. M. BLAKE, U. S. A.

Mr. HOOKER, from the Committee on Military Affairs, reported back favorably the bill (H. R. 640) to restore Chaplain C. M. Blake to rank and pay; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE PRESIDENT.

The committee rose informally, and Mr. RICHARDSON having taken the chair as Speaker *pro tempore*, a message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries.

The message further announced the approval of bills of the following titles:

An act (H. R. 6453) granting a pension to George P. Stone;

An act (H. R. 1788) for the erection of a public building at Lancaster, Pa.;

An act (H. R. 3617) for the relief of John C. Adams, administrator of Joseph Adams, deceased;

An act (H. R. 3333) to authorize the city of Chicago to erect a crib in Lake Michigan for water-works purposes;

An act (H. R. 4082) for the relief of the Agricultural and Mechanical College of Alabama;

An act (H. R. 1438) to authorize the Kansas Valley Railroad Company to construct and operate a railway through the Fort Riley military reservation in Kansas, and for other purposes;

An act (H. R. 1158) to amend an act entitled "An act authorizing the Postmaster-General to adjust certain claims of postmasters for losses by burglary, fire, or other unavoidable casualty," approved March 17, 1882;

An act (H. R. 1070) for the relief of J. A. Wilson; and

An act (H. R. 112) granting a pension to George Schneider.

ORDER OF BUSINESS.

Mr. MILLS. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the purpose of further considering revenue bills.

Mr. HATCH. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HATCH. The Speaker will remember that May 10 was set apart under a special order of the House for the consideration of bills reported by the Committee on Agriculture, not to interfere with revenue or appropriation bills. I ask the Speaker what position that order will be left in if the House goes on to-day with the tariff bill.

The SPEAKER. According to the present recollection of the Chair it was to be a continuing order until at least two days had been occupied by the Committee on Agriculture.

Mr. HATCH. That is my recollection.

The SPEAKER. The order embraces this language:

The order assigning a day to the Committee on Agriculture shall be a continuing one until at least two days have been occupied in the consideration of bills reported by it.

Mr. HATCH. I am content with that statement.

TARIFF.

The motion of Mr. MILLS was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and simplify the laws in relation to the collection of the revenue.

[Mr. TURNER, of Georgia, withholds his remarks for revision. See APPENDIX.]

Mr. CANNON. Mr. Chairman, under existing legislation and administration of the Government all will admit the propriety of an amendment to the revenue laws which will reduce the revenue. I am constrained to say, however, that with just and in the long run economical legislation a part of the money in the Treasury should have been used in keeping the promises that were made to the soldiers of the late war. The last Congress, and so far this Congress, has failed to do them justice. The veto by the President of the dependent pension bill deprives a large number of the soldiers of the late war who are dependent upon their labor for support, who are disabled and can not make the technical proofs required, of pensions justly due them.

MEXICAN PENSION BILL.

The President, however, did sign the Mexican pension bill, which grants a pension to every soldier of that war who is disabled from any cause, and to every one of the age of 62, whether disabled or not, whether rich or poor; also to the widows of such soldiers. Mr. Chairman, to-day soldiers of that war who fought in the Confederate army, and widows of soldiers of that war are upon the pension rolls whose husbands were killed in battle upon the Confederate side, while the widows of soldiers who fought against them in the Union Army are denied a pension because they can not make the full technical proof—tie all the knots and adjust all the ribbons—tracing the death of their husbands to injury strictly from service in the Army. More than that, Mr. Chairman, in many cases where Congress passes special acts, placing widows of such soldiers on the pension-roll, the President makes haste to veto them. Legislation ought to be had at least placing soldiers of the late war and their widows upon an equality with the soldiers of the Mexican war. Such legislation would properly take a part of the idle money in the Treasury.

APPLICATION OF SURPLUS.

In the absence of such legislation the President under the law should have applied the surplus in the Treasury to the payment and purchase of the indebtedness of the Government. True, he elected to say he had no authority so to do, but without any additional legislation he is now taking in the bonds of the United States which he could have heretofore done from time to time, buying the bonds at a less price then than now and saving from one to two years' interest thereon. In addition to this, I want to say that the placing by the President of $60,000,000 now on deposit with three hundred national banks, without interest, instead of having applied the same to the liquidation of the Government debt, deserves the censure of Congress, and should receive the condemnation of the people.

The policy of the Administration from its commencement to the present time has been to pile up money in the Treasury and prevent proper legislation for the expenditure of money, so it could point to the over-

flowing coffers of the Treasury and demand legislation looking towards a tariff for revenue only. Sir, no man in the House or the country will more heartily support an economical expenditure of the public money than I, but true economy consists in paying the debts of the Government and keeping faith with its defenders, who did so much to preserve it.

Mr. Chairman, after payment of the ordinary expenses of the Government for the year 1887 there was a surplus, in round numbers, of $55,000,000; the estimate by the Department is a surplus for the year 1888 of $66,000,000, which estimate is probably too low; for year 1887 from customs (tariff) the receipts were $217,000,000; for year 1887 from internal taxes, $119,000,000, and from other sources sufficient to make in the aggregate $371,000,000. The majority of the Ways and Means Committee estimate that we can safely so amend the revenue laws as to reduce the annual income $78,000,000. They have reported a bill placing articles on the free-list, imported to the amount of $22,000 000, and reducing duties on other articles, which they claim will further reduce the revenues $32,000,000, making a total tariff reduction of $54,000,000. They also recommend the repeal of internal taxes as follows: On tobacco, $17,000,000; special taxes for licenses retail liquor-dealers and special taxes on malt liquor-dealers, $7,000,000, making, as they estimate, a total reduction of $78,000,000. In the claim as to the articles placed by the bill on the free-list, $22,000,000, and reduction of internal taxes, $24,000,000, making $46,000,000 reduction, the committee is no doubt correct.

As to the claim that the reduction in tariff on the other articles will reduce the revenues $32,000,000, I have to say, instead of reducing the revenues, such reduction would no doubt so stimulate importation of these articles that there would be an increase of revenue from customs instead of a decrease.

The bill as a whole is "vicious, inequitable, and illogical." Its bare introduction and favorable recommendation with the threat of enactment has filled the manufacturing business and labor interests of the country, including the agriculturists, with fear and alarm.

Mr. Chairman, there is a conflict of opinion in this country, and always has been, touching the principle upon which

FEDERAL TAXATION

should rest. The motto of the Democratic party has been and is "to buy in the cheapest and sell in the dearest market," and this, too, without reference to the place of production or the diversification of industries in our own country. That party would tax such articles as can not be produced in the United States upon their being imported into this country and let such articles as are or can be produced in the United States be imported from abroad free. This bill is constructed with that principle in view, and journeys in that direction. The Republican party would let articles imported into the United States which can not be produced in our borders come free of taxation, and would raise the revenues by taxing such articles imported as are or can be produced in this country in sufficient quantity to supply our own people, the object of such taxation being twofold.

First. To raise sufficient revenue to carry on the Government.

Second. The diversification of our own industries without decreasing the wages of labor, so that those engaged in agriculture and those engaged in other pursuits shall be found scattered throughout the country side by side, ready to exchange their commodities at the least possible cost for transportation and commission. The highest order of statesmanship dictates a policy that will in the shortest time possible so diversify our industries that the product of each industry in the country will be sufficient to supply the wants of those engaged in all other industries. Such a policy cheapens the product and makes us an independent, self-supporting people in war and in peace. So far as we approximate this condition we approximate prosperity; so far as we journey in the opposite direction we approximate disaster.

The position of the Republican and Democratic parties touching protection was tersely stated by Hon. Walter Q. Gresham in a speech made in New York in 1884, as follows:

It must not be forgotten that this (the Democratic) party would have involved us in untold embarrassment if its leaders had been permitted to carry out their unsound financial views, not to say heresies. In revising our tariff laws and reducing our customs revenues, home interests should not be neglected. Indeed, protection to our manufacturers and laborers can and should be afforded by taxing only such imports as come into real competition with them and admitting others free. No one disputes that the Republican party is in favor of thus affording protection to our domestic industries.

Revenue laws should be enacted with reference to our local conditions and wants. We should legislate in the interest of our own people rather than in the interest of mankind. Not until we are able to control the markets of the world can we afford to adopt free trade. No intelligent man need be told that the weight of opinion in the Democratic party is decidedly opposed to protective principles, but that, if in full possession of the Government, it would refuse to enact or maintain protective-tariff laws.

[Applause.]

Mr. Chairman, the contest between the two parties is of long standing, dating back for a generation before the war; it was a contest between two systems of labor,

SLAVE LABOR AND FREE LABOR.

The South, before the war, as now, dominated the Democratic party. Her civilization was built upon cheap labor—slave labor. That labor did not vote, was not educated. A peck of corn-meal and six pounds of salt pork would subsist a laborer South for a week. A cheap suit of clothes would last for a year. That labor produced cotton; great value in little bulk. The South did not desire diversification of industry. Its statesmen believed it to be good policy to exchange its products for the products of cheap labor on the other side of the sea: hence their mottoes, "Buy in the cheapest and sell in the dearest markets." "Free trade." "A tariff for revenue only."

Under this policy the waters of her rivers turned no machinery. Her mineral wealth remained without development. Cotton was king. The civilization of the North rested upon free labor; every man was a citizen, a sovereign. Each had his family to maintain, his taxes to pay, his children to educate. The exercise of citizenship required a little leisure, a surplus for the book and the paper and the home. The products of the agriculturist of the North, unlike cotton, were bulky and of far less value. They would not bear transportation to foreign markets like cotton; therefore the citizen of the North believed it to be indispensable for individual and national prosperity to diversify our industries so that there could be a mutual exchange of products upon our own soil. They were without capital, without skilled labor.

They had to come in competition with foreign capital that had been accumulating for hundreds of years and foreign labor which was so cheap that its reward barely sufficed to afford the laborer a mere subsistence from the cradle to the grave. The North demanded a protective tariff, protection against their cheap labor and capital. The conflict led to nullification in South Carolina in 1832. One compromise after another was made, yet the antagonistic forces underlying the two systems of labor were ever present, and one compromise only demonstrated the necessity for another. Finally the inevitable came. The Southern Confederacy was formed; her chief corner-stone was her system of labor, and to make sure that no contest touching labor and industries should in the future interfere with her peculiar system, in the formation of the Confederate constitution, article 2, section 8, it was provided—

That no bounties shall be granted from the treasury, nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry.

The South believed in that doctrine, wrote it in her constitution, fought for it. The Southern Confederacy failed, slavery is prohibited by the Constitution of the United States, our Southern friends are in the Union; they are here, they dominate the Democratic party, and that party believes to-day, as it believed in 1856, when it declared for free trade and free ships, as it believed during the war, as it believed in 1876, when it declared for a tariff for revenue only. In short, from its standpoint, a sound economic policy constrains it to declare—

nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry.

The Mills bill is a step in the direction of and in harmony with that principle. Do I misstate the position of the gentlemen who framed the Mills bill? If so I pause and ask to be corrected. What says the gentleman from Texas [Mr. MILLS], the gentleman from Kentucky [Mr. BRECKINRIDGE], and all the Democratic members of the Ways and Means Committee? No answer is heard. I have stated the positions of the two parties correctly.

THE MILLS BILL.

Mr. Chairman, in the short time that I have for general debate I can not criticise the Mills bill in detail, but will seek to do so when the bill comes up for consideration item by item. The bill is subject to criticism for many sins of omission and commission, one of the principal of which sins is the placing of wool on the free-list. The wool industry is one of the principal industries of the country and has been wisely fostered by the Government. Let us inquire about it a minute. In 1859 the product of wool in the United States was 60,000,000 pounds. In 1884 the product was 308,000,000 pounds. The legislation in 1883 reducing the tariff on wool caused it to run down until in 1886 the production was only 285,000,000 pounds as against 60,000,000 pounds in 1859. The average weight of the fleece has increased from 2.4 pounds in 1860 to 5 pounds in 1885, showing what a wise system of protection has done for the development of this industry, not only in the increased production of wool, but also in the increased number of sheep and the increased weight of fleece.

The product of wool in 1886 in the United States was a little under three-fourths of the amount necessary to answer our purposes; the other one-fourth was imported. The largest producer of wool in the world is Australasia. With 78,000,000 sheep she produces 435,000,000 pounds annually. Next comes the United States with 44,000,000 sheep (a little over one-half the number that Australasia has), producing 285,000,000 pounds. Next comes the Argentine Republic with 75,000,000 sheep (nearly double as many as we have); she produces 283,000,000 pounds, which is less than we produce. The quality of our sheep is much better. Next comes Russia with 47,000,000 sheep; she produces 262,000,000 pounds of wool annually.

Mr. Chairman, if we place our great wool interest in competition with the cheap land and labor of Australasia and South America we shall destroy it, and then prices will increase and we shall be at the mercy of the foreign wool-grower.

But again, in the bill reported by Mr. MILLS it is proposed to reduce

the duty upon woolens. First, wool itself is to be placed upon the free-list, and then the duty is to be reduced upon woolen goods. Let us inquire about the manufacture of woolens. In 1850 the total value of all woolens manufactured in this country was $43,000,000. In 1860 it was $66,000,000. The imports in 1860 were $43,000,000. In 1870 the manufacture had jumped, under the influence of the protective policy of the Republican party, from $66,000,000 to $177,000,000. In 1880, under the continuation of that policy, it had increased to $267,000,000. In 1886, according to the best information I can obtain, the value of the wool manufactures in the United States had increased to $350,000,000, and we imported $44,000,000 worth. That means that our consumption of woolens in 1886 was, in round numbers, $400,000,000. How much did we consume in 1860? Why, in 1860 we produced $66,000,000 and imported $43,000,000; so that we consumed a little over $100,000,000 worth in 1861, as against $400,000,000 in 1886, nearly all of which we produced ourselves. And in this connection it may be well to remind gentlemen that whereas the average consumption of wool per capita by the people of the United States in 1860 was two pounds, it was five pounds in 1885. And yet, from early morn to dewy eve, the deep bass notes and the high soprano voices of gentlemen upon the other side are screaming out that our people are freezing to death. [Laughter on the Republican side.] What a set they must have been to stand the cold away back in 1860. [Renewed laughter.] More wool produced, far more, double, treble, quadruple, quintuple: manufactures of wool likewise increased; prices cheapened, aye, greatly cheapened since 1860, and still our friends are not happy.

Strangely enough, Mr. MILLS wants free wool so that our manufacturers can compete with the English manufacturers. You recollect what he said. He said that if we were to compete with England we must produce as cheaply as England, if not cheaper. Well, suppose we have free wool as England has, will that enable us to produce as cheaply? No, no. Our labor receives at least one-half more than the English labor receives, and we have got to reduce there in order to obtain the advantage which the gentleman desires. But he says he wants to reduce the price of wool, it being a raw material, so that our manufacturers can compete with those of other countries. I was amazed and amused a few days afterwards when his colleague, the gentleman from Texas [Mr. LANHAM], arose in his place and, through several pages of his speech, labored and pulled and hauled to convince his Texas constituents that putting wool on the free-list would raise the price. [Renewed laughter.]

It reminded me of that old story of the doctor who made pills from the bark of a tree, if you stripped the bark from above downwards, it was lorumbobhi, but if you stripped it from below upwards it was hibobilorum, and had a very different effect. [Renewed laughter.] But the Texas constituents of the two gentlemen can pay their money and take their choice between the conflicting statements and theories of their Representatives.

THE RESPONSIBILITY FOR LEGISLATION.

Mr. Chairman, gentlemen on the other side of the House boast that the Mills bill proposes to reduce revenue, and they charge that we upon this side do nothing but criticize their bill, and fail to submit any proposition of our own. Gentlemen, you are in the majority, and are responsible for legislation here. We of the minority are powerless to legislate; and, up to this time, have not even the power or the privilege of submitting a bill for you of the majority to lay upon the table. If the country will give the Republicans a majority in this House and the President, that party will promptly meet the emergency, revise the tariff, decrease taxation without interfering with its time-honored principles—without reducing wages, without breaking down the industries of the country; but until we get power, we can well say: "We are not called upon to legislate; we have no power to legislate."

PROPOSITION FOR REDUCTION OF REVENUE.

Mr. Chairman, while this is the situation, I, as one member of the minority, am willing now, as at all times, to state how I would reduce revenue if I had the power. It is claimed that the Mills bill would reduce the revenue $78,000,000 per annum, and that they can safely be reduced by that amount—some claim to a greater amount.

Much talk on both sides has been had about the repeal of internal taxes. Even if desirable, this can not be done; for we can not reduce taxation to so great an amount and have money sufficient to carry on the Government. President Cleveland and the Secretary of the Treasury advise against the repeal or reduction of internal taxes; yet the Mills bill takes the tax off of tobacco, leaves it on cigars, and adds a repeal of special taxes on retail liquor dealers and malt liquor dealers, amounting, all told, to $24,000,000. Standing alone as a single proposition I would not support that measure; but out of deference to the views of others I am willing to concede that reduction, provided we add other items of reduction to it.

If we could spare a repeal of the tax on alcohol used in the arts and manufactures, I would vote for that; but, believing that, added to the repeal of the tax upon tobacco, a provision placing sugar upon the free-list from all countries that do not levy an export tax on it would reduce the revenues as far as is prudent at this time, I would so place it, and there stop, except so far as it might be necessary to pass a so called administrative bill, to which all parties agree.

FREE SUGAR.

Mr. Chairman, I hold in my hand a tabulated statement, made up at the Treasury Department, touching sugar and its importation for a series of years, which I take pleasure in printing with my remarks.

Statement showing the percentage of the value of imported sugar and molasses entered for consumption to the total value of imported merchandise entered for consumption, and the percentage of estimated duties collected on imported sugar and molasses to the total amount of duties collected; also the average cost per pound, and the average specific and ad valorem rates of duty on sugar during the years named below.

Year ending June 30—	Value of dutiable merchandise entered for consumption.	Value of imported sugar and molasses entered for consumption.	Per cent. of value of sugar and molasses.	Total duties collected on merchandise.	Estimated duties collected on sugar and molasses.	Per cent. of duties on sugar and molasses.	Cost per pound of sugar.	Rate of duty on sugar.	
								Average specific per pound.	Equivalent ad valorem.
							Cents.	*Cents.*	*Per cent.*
1856	$246,047,468	$25,315,071	10.28	$64,084,401	$7,594,521	11.85	4.08	1.22	30.00
1857	283,569,188	49,339,028	17.40	63,664,864	14,801,708	23.25	5.45	1.64	30.00
1858	187,385,484	21,952,323	11.71	42,046,722	5,268,558	12.53	4.26	1.02	24.00
1859	249,966,964	32,867,509	13.15	48,894,684	7,888,202	16.13	4.55	1.09	24.00
1860	267,891,447	33,856,018	12.64	52,692,421	8,125,444	15.42	4.38	1.05	24.00
		163,329,949			43,678,433				
1883	493,916,384	91,389,211	18.50	209,659,699	46,160,916	22.02	4.4	2.31	52.58
1884	456,295,124	94,372,965	20.68	189,844,995	48,913,031	25.76	3.6	1.95	53.95
1885	386,667,820	73,497,930	19.01	177,319,550	52,175,140	29.42	2.7	1.97	73.66
1886	413,778,056	76,723,266	18.54	188,379,397	51,766,923	27.48	2.8	2.00	70.40
1887	450,325,322	74,219,614	16.48	212,032,424	58,004,359	27.36	2.5	2.03	82.04
		410,202,986			257,020,369				

TREASURY DEPATMENT, BUREAU OF STATISTICS, *May* 4, 1888.

WM. F. SWITZLER, *Chief of Bureau.*

It appears that in 1887—last year—our imports of sugar and molasses amounted in round numbers to $76,000,000. How much was the duty or tax on this? Listen, my Democratic friends—you friends of the poor man! Fifty-eight million dollars of tax was collected on $76,000,000 of imported sugar and molasses.

A MEMBER. Eighty per cent.

Mr. CANNON. Yes, 82 per cent. ad valorem, or 2 cents a pound on the average. The average value of this sugar was 2½ cents a pound, the tax was 2.03 cents, equal to 82.04 per cent. ad valorem.

What is the average consumption of sugar in the United States? Fifty-three pounds to every man, woman, and child in the country. Rich and poor, great and small, wise and unwise, black and white, farm laborer and factory laborer, everybody consumes on a average 53 pounds of sugar annually, and the poor man pays as much as the millionaire. How much does the tax amount to per capita each year? One dollar and six cents. That is collected upon this imported sugar and molasses from every man, woman, and child in the country; yet the gentleman from Georgia [Mr. TURNER], as I understood his remarks to-day, seemed to think that if there was a direct tax placed upon each inhabitant of this country to that amount it would sweep out of power the party that did not remove it.

Let me go a step farther in regard to sugar. The imports of sugar and molasses for five years—1883 to 1887, inclusive—amounted, according to this tabulated statement from the Department, to $410,000,000. What was the duty? Two hundred and fifty-seven million dollars in those five years; the importation with the duty amounting to $667,000,000. For the five years from 1856 to 1860, inclusive, the importation was $163,000,000, as against $410,000,000 in the more recent period

of five years; and the duty was $43,000,000, as against $257,000,000. Thus it will be seen that the importation of this article has grown year by year, although it is the best-protected article on the list, every thing considered, and has been so substantially from the foundation of the Government to the present time.

From 1821 to 1887, inclusive, the value of the imports of sugar and molasses for consumption in the United States, not for re-export, was $1,967,000,000—nearly $2,000,000,000. The tariff or tax was $1,038,000,000, making the first cost of this product before it reached the retailer, much less the consumer, more than $3,000,000,000; and the great bulk of that was in the last thirty years. What has protection done for sugar? Only one-tenth of all the sugar consumed is produced here. Why, sir, the production is falling off. Instead of producing more sugar we are producing less than formerly.

Now, gentlemen, I am willing to stand by the logic of the principles of the Republican party. I believe that we should tax products from abroad where it is practicable to produce in this country in due time a sufficient amount of the same product to answer the demands of our people. Upon that principle we did well to protect wool; upon that principle we did well to protect iron and steel and woolens and all the textiles. But here stands substantially one thousand million dollars of tax in the last thirty years upon sugar, and nearly two thousand million dollars of imports; and the sugar product of the United States is not one-tenth of what we consume, and is growing less. What is to be done? I have here a table showing the amount of the product of sugar in the United States. Last year it was 302,000,000 pounds, less than one-tenth of what we consume. What was the protection? About 2 cents a pound.

But, say our friends on the other side, "You are going to admit now that the tax is added to the import." Yes, it is in certain cases. If you import coffee into this country, every dollar of the tax is added, because we can not produce coffee here. If you import tea, every dollar of the tax is added. Before we commenced to produce iron, steel, steel-rails, and textiles in any considerable quantities, while we imported substantially all of those articles that we used, the tax was added. But everybody understands that the tax is not added now on most of these articles. The amount of textiles, cotton and wool, the amount of iron and steel and their manufactures imported into this country, is now a mere bagatelle in comparison with the home product, and the competition at home has reduced the price far lower than it was when we first levied the duty.

How is it with sugar? Has there been any increase of production in the United States? No; a quarter of a century registers a decrease. And the small amount produced, which has not been increased, leaves the import tax a tax upon the consumer. What is to be done? Fifty-eight million dollars paid last year into the Treasury from this source! How much have you produced in this country? Again, let us see. Three hundred million pounds. Why, gentlemen, you can pay by way of bounty upon that 300,000,000 pounds 2 cents a pound, and it would only cost annually $6,000,000, and you have $52,000,000 of the sugar tax annually collected left.

From every standpoint it is plain what should be done. From the home of every laboring man in this country, North and South, who understands this matter comes the demand to reduce the revenues and relieve the whole people of this $1.06 a head yearly tax, and thus reduce the surplus. Who does it hurt? The Louisiana planters? No. The Kansas farmer, and the California coast beet producer, who believe they have in the diffusion process a solution of the problem of sugar production in this country? No; they get the same bounty they now receive at a cost of $6,000,000, and the rest of the country is relieved of $52,000,000 annual tax.

Wise statesmanship dictates that we should make this provision. A product in such universal use as sugar should, if possible, be produced in this country. I have but little hope of Louisiana's increasing the product. If it is increased at all I believe the increase is to come from the sorghum and the beet. Europe now produces one-half of the sugar of the world from beets, yet at the beginning of this century not a pound was produced in Europe. A judicious system of bounties created the production there. In my opinion we should give the project a fair trial.

Gentlemen, it is a curious fact, when you hunt up these statistics, to find what stories they tell, and they tell the truth. We hear something about the sugar trusts; and whenever a Democrat lifts his nose and thinks he comes in sight of something that can be called a "trust," which truly or falsely—and it does not make much difference to him which—can be laid to the tariff, he begins to step high. [Laughter.] I say to you, if you will put sugar on the free-list it will break up the payment of a bounty now paid to the sugar refiners. I will explain.

Notwithstanding the great importation of sugar, we exported in 1886 and in 1887 $22,000,000 in round numbers of the refined sugar. We did not export any brown sugar; we imported that.

Mr. GEAR. I want to suggest to the gentleman that under the arrangement of the tariff to-day there has not been a hogshead of what is called fair merchantable sugar introduced in this country in ten years.

Mr. CANNON. Now, then, the average duty, as I have shown, is 2 cents a pound on the present valuation of sugar. I went to the Treasury Department the other day and said: Under this section of the statute allowing a rebate, where duties have been paid upon articles imported, when they are exported how much do you allow to the refiners? He answered: "Oh, I can answer that question in a minute," and here he hands me a circular, which I have before me, which provides that—

On and after November 1, 1886, a drawback will be allowed at the rate of 2.60 cents on all refined sugars exported——

Mr. BUCHANAN. On the pound?

Mr. CANNON. Yes. Now, mark you, 2 cents is what it amounts to when imported; that is the duty; and 2.60 cents is the drawback when exported. I said: "Well, do not you know that they exported eleven millions last year and the same quantity the year before?" He said "Yes." I asked: "How do you explain it; how can they export sugar unless that .60 cent of the drawback rate above the duty amounts to a bounty?" Says he: "I give it up."

Mr. BUCHANAN. So do I.

Mr. CANNON. Certainly; everybody will have to give it up. It does amount to it. Now you break up that much of the trust when you let sugar come in free. [Applause.]

Another strange thing, and I must hurry on; my time is getting limited. Do gentlemen know that the duty on sugar in 1876 was 27½ per cent. of all the duties collected upon the imported articles brought into the United States, the value being $76,000,000? Why, do you know that wool and the manufactures thereof, iron and steel and all manufactures thereof, chemicals, drugs, dyes, medicines and everything entering therein, all combined, do not pay as much duty as that collected on sugar? Yet it is necessary now for the good of the Democratic party that they should have the Louisiana vote, and the Mills bill only reduces the tax on sugar 20 per cent.

I give you notice now that, like the voice of the prophet crying aloud in the wilderness, I will not cease to cry aloud until I get an opportunity to see that 20 per cent. and go you 80 per cent. better. [Laughter.]

How much sugar did you import last year?—nine-tenths of all we consumed. How much did we produce in the United States?—only one-tenth, of the value of $12,000,000. How much wool and manufactures of wool and chemicals, drugs, dyes, medicines, and iron and steel, and all manufactures thereof are imported?—$135,000,000 last year. What amount of these articles were produced in the United States last year?—over $1,000,000,000 worth. That is what protection has done as to these articles.

How long, Mr. Chairman, have I been talking?

The CHAIRMAN (Mr. MCADOO). The gentleman has eleven minutes of his time remaining.

Mr. CANNON. Why, it seemed to me I had not much more than commenced. I was just getting warmed up to the work.

Mr. Chairman, I have been surprised and amazed at many statements from the other side. They cry out: "Oh, how the poor farmer is oppressed!" Why, sir, there are gentlemen on the other side who shed crocodile tears about the poor farmer who would not know a cow from a deer if they were to see them. [Laughter.]

THE POLICY OF THE FARMER.

I understand about this farming proposition. I grew up on a farm on the Wabash. I recollect back for forty-five years and over, and know something about it. I know something about glutting the market with farm produce. Gentlemen will recollect how, in 1861—I am sure all my colleagues do, and my friend from Iowa, Governor GEAR—corn as good as was ever grown was bought in Illinois, and I dare say in Iowa, at the farm and the railway station at 10 and 12 cents a bushel.

The war took from the farms a great number of patriotic farmers and farm laborers, who ceased to follow the plow and who went into the Army, and before 1864 came the same quality of corn was worth a dollar in currency and over 65 cents in gold at the railway station and at the farm. Why? Because a large number of men who had followed the plow had taken up the sword, and there were fewer producers on the farms.

Mr. HOPKINS, of Illinois. And more home consumers.

Mr. CANNON. Because a part of those who had been producers became consumers and ceased to be producers. There is the key of the policy of the Republican party from the commencement—from the time it wrote the Morrill tariff act on the statute-book till the present day. Its motto has been: So shape your policy that you will distribute a portion of the labor off the farm. [Applause.] Get more of it into the factory. And by and by we will produce substantially all the articles consumed in this country that can be produced on our soil and in our climate, and you give the farmer more customers and fewer competitors; while the policy of you Democrats would increase the number of farmers and decrease their present customers now engaged in other pursuits.

Mr. Chairman, I well recollect the good old Democratic days that our friends on the other side sigh for the return of.

Born in the South, my earliest recollection is of my father owning a small tract of land there. He went from the South to the North and West, where he could come in contact with free labor. Thank God for it. [Applause.]

There is no path the farmer has trodden in my section that I have not trod. I know what it was in the good old Democratic days to work month in and month out through all the seasons for $8 per month, and get pay in store-truck, or what was generally worse, "stump-tail currency," issued by banks which would break before you could spend it.

I know what it was in the good old Democratic times to see the corn raised and fed to the hogs and the hogs sold net at $1.50 per hundred and paid for in English-made calico (prints) at 35 cents a yard. Sir, under a policy of protection better prints, made in the United States, are now sold at retail for 5 cents a yard everywhere throughout the country. Sir, you can buy a better suit of men's clothes at retail in my city of Danville, ready to put on, for $15 than could have been bought for twice that money in good old Democratic days. The clothes, too, are made from American wool and American material throughout, including the buttons, and the laboring man makes the $15 to buy the clothes within less than half the time it took in the good old Democratic days. And still you Democrats are not happy. [Applause.]

I tell you, my Democratic friends, and your President, you might as well try to drown a duck by pouring water on its back as to try to convince the farmers of the great West that your propositions and policies are sound. The best, the most intelligent, the truest and most stable protectionists on the face of the earth are the men who follow the plow, and who believe their prosperity is to come from the diversity of industries.

THE INTERESTS OF LABOR.

Much has been said about how the laboring man is oppressed by the protective policy, and the claim is made that he is better off in England than in the United States, everything considered. A statement of fact in a sentence fully refutes that statement. The reports from the Treasury Department show that from 1820 to 1887, in round numbers, 14,000,000 people have immigrated into the United States from Europe. Over 5,688,000 of these were from Great Britain. Listen, my Democratic friends. In round numbers, 9,000,000 of these people have come to the United States since the Republican party wrote the policy of protection upon the statute-book, under the lead of Abraham Lincoln. Great flocks of people, like individuals, go where they can get the best reward for their labor.

"DEFENSE OF SPEAKER CARLISLE."

Mr. Chairman, there has been much adverse criticism of the action of the Speaker of the House of Representatives in the formation of the Committee on Ways and Means. It is said that the committee is controlled by gentlemen from the South who are not familiar with the industries of the country and not in harmony with their welfare and preservation. I want to defend the Speaker as to the organization of that committee. He could not have done otherwise than he did. As long as the Republic endures it will from time to time have its legislation shaped by the party in power. As long as the South remains solid and Democratic, and that party remains in power, just that long will it dominate the executive, the legislative, and later the judicial branch of the Government. The created knows the creator. [Applause.]

TRUSTS.

Much has been said, Mr. Chairman, during this debate about trusts or combinations to limit the production and control the prices of products. It is claimed that our customs legislation is responsible for the same. These combinations are common in the country and throughout the world, and from time to time have existed for ages past. I submit, however, that the protective policy is one of the principal means of combating such organizations. Before our industries were diversified, and while we were dependent upon Europe for our manufactured products, the foreign manufacturer who wanted a good price and the importer who wanted a good profit and commission in handling the foreign product fixed the prices as they chose, but wherever protection was sufficient to afford the home manufacturer security against the cheap labor and capital of the foreign manufacturer, home manufactories have been established and home competition has cheapened the product.

The manufacturer produces side by side with the agriculturist and other producers. Exchanges of products have been made upon smaller commissions and small charges for transportation. All over the country manufacturers come in direct contact with the retailers and consumers. This does not suit the importers, especially at New York, who with our Southern brethren, are the most persistent enemies of the protective system. Let it be noted that a trust or combination between the importer and the foreign manufacturer can not be reached by legislative penalty.

Mr. Chairman, these combinations are against public policy, and the American people can and will subdue and destroy them. We can reach "trusts" formed in the United States by legislative penalty, but "trusts" of foreign growth are beyond our reach, except as we reach them by development of home industries.

The interstate-commerce bill, in the enactment of which one of the Senators of my own State, Mr. CULLOM, was an important factor, was a step in the right direction, and goes a great way toward the destruction of the most onerous of all trusts, namely, the transportation trust. Surely the cotton-seed oil trust, the dressed-beef trust, the anthracite-coal trust, the Standard Oil trust, and many others which might be mentioned are in no way dependent on the tariff for their formation or existence.

Mr. Chairman, I have been amazed at claims of gentlemen upon the other side in connection with this matter. Sir, if any party profit by, sustains, or is sustained by "trusts," it is the Democratic party. The standard oil trust, it is alleged by Democrats like ex-Senator Thurman, sends a Senator to the national Congress from the State of Ohio, and it is further alleged that its all-potent influence dictates the appointment of a member of President Cleveland's Cabinet. It is further alleged that this giant trust stands ready to pour its money out to assist in the re-election of Mr. Cleveland.

More than this, Mr. Chairman, it is alleged that the gentleman from Pennsylvania [Mr. SCOTT] is the adviser and close friend of the Administration; one of its special aids in the use of the patronage of the Government to force the will of the Executive upon Representatives in the passage of the Mills bill. I am informed by one who claims to know whereof he speaks that the gentleman from Pennsylvania [Mr. SCOTT] is one of the members in interest with that other great trust which limits the output of its product and fixes its price by combination and agreement. I refer to the anthracite coal trust.

More than that, Mr. Chairman, the gentleman from Pennsylvania [Mr. SCOTT] is a member of the Ways and Means Committee, which by its bill reduces the tariff on plate-glass, starch, and various other products, which is believed to be not for the best interests of the country, while iron ore and soft coal remain upon the protected list as heretofore. The gentleman is said to be one of the largest owners of coal and iron-ore interests in the country. I do not accuse him of acting for his own interests in the premises, nor do I say that either of these articles should be reduced, but I do say when the gentleman from Pennsylvania, the gentleman from Virginia [Mr. O'FERRALL], and other Democrats talk about free raw material and the robber tariff, and at the same time these articles are retained on the protected list because they happen to be produced in their districts, that in my opinion such action shows a want of fidelity to the principles which they profess, and is simply extraordinary.

Gentlemen, you may claim to your immediate constituents that you saved coal and iron-ore, but my word for it you will not profit thereby. The men who believe in the protective system in your districts and in the country at large will not be deceived by such action upon your part. They know that the system is either good or bad. If good, they will elect Representatives who are in harmony with the system and will stand by it. Representatives who are big enough and broad enough to look over the whole country and shape a policy that shall be consistent, and will result in the greatest good to all the people.

WHAT PROTECTION HAS DONE.

Mr. Chairman, I do not claim that the protective policy is the only element that has led to our marvelous development and success since 1861. But I do claim it is the quickening principle that underlies our progress and prosperity. It goes hand in hand with industry and good wages; it stimulates diversity in production and cheapens products; it fosters invention. Under that policy the products of agriculture aggregated in value on the farm in 1887 over $3,700,000,000, while the value of manufactured products, Mr. MILLS tells us, for the same year was $7,000,000,000. This far exceeds the value of Great Britain's product. Ours is the greatest agricultural and the greatest manufacturing country on the earth.

Listen, Democrats; over nine-tenths of all these products find a market within our own borders.

Great Britain reaches all about the earth for her markets; her navy and merchant marine is upon every sea. She dominates and in most instances oppresses 250,000,000 people that she may find a market for her products. Yet we have a better market for all our products within our own borders than she has throughout the world.

Sir, we now have 60,000,000 people, and our present territory when developed will support 300,000,000. To the northward is British America. To the South is Mexico, Central America, and the high plateaus under the Equator. The Republican party favors a continuation of that policy which, pending the development of our own territory and that which may be added, will enable us to dominate our own markets with our own products.

The Democratic party, under the lead of Cleveland, proposes to reverse the engine and pursue the opposite policy. The issue is made up. The two great captains will soon be in command of the opposing forces. The country can not afford to decide the issue in favor of the Democratic party. [Applause.]

Mr. WILKINSON. Mr. Chairman, we have been treated to a wide variety of topics in the discussion of this bill. When the gentleman from Ohio [Mr. KENNEDY] told yesterday of the child whom a minister of God had regretted that he had not throttled when he baptized him, it was enough to make the blood run cold. I almost shuddered as he told of that disciple of the meek and loving Savior who regretted —whatever the provocation might have been—that his hands had not been imbued with an infant's blood. But, sir, the story was but an appropriate parable in the harsh doctrine which he advocated—a fit prelude for the slanders that fell from his lips, and for the unwarranted

intrusions into the domestic affairs of a State which is the peer of his own in all its rights, in all its dignities, and in all its powers.

These slanders have been denounced as they deserve in the other end of this Capitol when they issued fresh from the lips which gave venomous utterance to them, and I regret to see that the author of them has found an apt pupil and imitator here. Louisiana, sir, has her complete election laws, her own courts to punish violations of them, her own polls, and is absolute and exclusive in her police powers and the administration of her domestic affairs. She proposes to guard and cherish this precious privilege of local self-government regardless of the disappointments of defeated office-seekers or the railings of ready calumniators. She proposes, sir, as long as the Constitution is not torn into a thousand fragments, to retain this sacred right which belongs to her as well as to Ohio and to every other State. Her star of equal rights and equal powers shall not be dimmed in yonder flag while every other star that represents the rights of every other State retains its brightness unimpaired!

I do not feel that I need go further than this in meeting the aspersions of the gentleman from Ohio, uncalled for as they are. But, sir, if I did, I would remind him again that these charges when first uttered were denounced and proven unwarranted by the Senators from Louisiana, both in general and in detail. If I did go further I would challenge a comparison of the methods of election in the district which I have the honor to represent—and whose fair name it is my privilege as it is my pride to defend—with those that prevail in the district represented by the gentleman from Ohio, or any other district in the country, in all the elements which affect the honest, the fair, and the untrammeled expression of the will of the whole people. I might tell him that among the warmest greetings I received during my canvass were hurrahs from colored throats and the hearty grasp of colored hands, and that I had the earnest support of colored voters by the hundreds—not by fraud, nor force, nor intimidation, but of their own free will. [Applause.]

Regretting, Mr. Chairman, this digression into which I have been drawn, I will come to the subject that is now directly before us. It seems to me that the debate on this bill has attempted the solution of problems which we are at this time not called upon to solve.

The extremists on one side of this House talk as if the people could and should get along without the horrid impositions of a custom-house, which interferes with their freedom to purchase abroad and compels them to submit to the outrage of having to pay more for their imported goods than they would have to pay if the custom-house was not there to levy its tribute. And the indignation of this class might be very justifiable if the Government was of such an accommodating kind as to run along like perpetual motion, which is so much sought after, without something to make it go.

Another class of extremists on the other side talk as if there actually was a proposition before this House to abolish the tariff, stop the collection of duties, utterly destroy the protection system, tear down the custom-houses, and turn the custom-house officials out upon a cold and unfeeling world to obtain a living in some other avocation.

It might be well to remind the extremists of each class, the advocates of the "buy and sell where you please" principle on the one hand and the advocates of protection by means of prohibitive duties on the other, that the theories of both if carried to logical conclusions would agree on one point, and that is, the Government, so far as customs are concerned, would have practically no revenue. Tear down the custom-houses, so that you can buy where you can buy cheapest, or build the tariff wall so high as to entirely keep out foreign goods, and the result will be precisely the same; no revenues will come in from that source. And yet since childhood we have learned that governments were necessary institutions for civilized peoples, and that the support of such governments as ours requires a great deal of money, which has been chiefly collected from customs duties, and which will continue to be until some more perfect system is devised.

As governments are necessary, taxation is necessary. The government exacts of the citizen a portion of his earnings in return for the benefits which it affords him and which are essential to his welfare and even to his existence. No sane man expects to receive something for nothing, and no honest man, whatever his condition or calling be, expects to receive the benefits of government without bearing some portion of the burden which the support of that government entails.

Taxation to be equitable must be general. As the government has its benefits for all, so should its obligations likewise be borne by all. And he who seeks immunity from bearing his share shirks an obligation that is inherent in citizenship.

If, then, revenues are collected at moderate cost; if they are levied and collected in a manner as little obnoxious and as little burdensome as possible—for any tax, no matter how collected, is bound to be obnoxious and burdensome to some extent; if they are honestly and reasonably applied when collected; and if such amounts only, and no more, are collected than are absolutely needed for the support of the government, efficiently, honestly, and economically administered; if all this is done, then no fair-minded citizen, when he contributes his proportion for the general good, should complain of the obligations that come hand in hand with the benefits. If, however, these conditions of taxation are not complied with; if the taxes are made and kept needlessly offensive, onerous, and excessive; if they are needlessly withdrawn from the channels of circulation or withheld from the development of our great public works and our national defense, then there will be just cause for complaint, and the citizen will feel that the powers of taxation have been most grossly abused.

The abuse of Federal taxation, which is greater than all others, is that the Government is collecting more than it needs; that the people who support the Government are being compelled to bear such burdens as are not required to be borne. As the people have to pay for the Government, they do not want to, and they are determined not to, pay any more than they need to pay. It cost during the last fiscal year to conduct the Government, including a sinking fund of nearly $48,000,000, the total sum of $315,835,428, or the sum of $5.74 per capita. The Government collected in that time the sum of $371,403,277.66, or $6.75 per capita. The people paid, therefore, considered on a purely revenue basis, without going into the complex calculation of what was or was not paid by those who were incidentally benefited by the tariff—the people paid the sum of $55,567,849.74, or about $1 apiece for every man, woman, and child more than there was any need to be paid. While necessary taxation is all right and should be cheerfully borne, any needless taxation is all wrong. "Unnecessary taxation is unjust taxation," and the people should not be asked or compelled to endure it longer.

In considering this subject we should bear constantly in mind the fact that two distinct systems of taxation now combine to levy their tribute upon the earnings of the people. The system that the fathers instituted and maintained has another system united with it which danger, emergency, and cost untold called to its aid, and which remains joined with it still, although the danger and the emergency are past, because some of the cost is left to be provided for still. The two systems combined are pouring into coffers now full to overflowing the moneys absorbed from a circulation already not sufficient for the people's wants and from earnings too scanty for their comfortable support. In this singular state of affairs the Government is getting needlessly rich in direct proportion as the people are getting needlessly poor; and if this continues and no remedy can be invoked and no relief given; if the people, through their representatives, can place burdens on which when no longer entirely needed they are powerless to take off or abate, then, indeed, do we behold a sad commentary on the wisdom and efficiency of republican institutions. "The safest and the simplest" remedy for such a state of affairs, as General Jackson said, "is to collect only revenue enough to meet the wants of the Government, and let the people keep the balance of the property in their own hands for their own profit."

I believe, sir, that a great majority of the people of this country and a majority of members of this House will agree that the remedy suggested by General Jackson should be applied; but in the methods to be adopted there will be found a great diversity of opinion.

This remedy for the existing abuse can be applied in three ways:

First. By making the entire reduction in customs.

Second. By making it in internal-revenue taxation.

Third. By dividing the reduction so as to let each system of taxation bear a share.

Each of these plans has its earnest advocates.

Any proposition to limit reductions in taxation to customs duties only would seem to imply that this system of taxation was more unusual or was less justifiable or was more unpopular or was, on the whole, more burdensome to society than the other system; yet we find that this system has been in force from the beginning of our Government until now without any exception; that the other has only been for brief periods until 1862. One has been the rule and not the exception; one has been constantly employed; the other has been a supernumerary only; one has always been considered necessary; the other has been gladly abolished or reduced when the opportunity afforded. The preamble of the first tariff act, which has been so much quoted, stated that:

> Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and for the encouragement and protection of manufactures, that duties be laid on imported goods, wares and merchandise.

The objects of the tariff are stated here in the order of their importance:

First. The present support of the Government;

Second. The payment of the debts which it may have previously incurred; and

Third. The encouragement and protection of manufactures.

A few extremists have claimed that this last function of a tariff has no constitutional justification, and while they may be right, provided this function only is exercised, they surely are not right provided this function is exercised simultaneously with and secondary to the others. The Constitution itself had been adopted in 1788, only one year before, and it would be singular, to say the least, if the Congress in 1789 was not acquainted with its limitations or the intentions of its founders, or would so soon have set them aside. The instances of the recommendation and sanction of this function of a tariff are so numerous in American history and so many have already been cited that I will not occupy

the time of the committee by adding any new instances or repeating those which have been already referred to.

But, sir, the gentlemen on the other side of this House reverse the order of the objects of a tariff and put the last function first whenever they find it to their convenience to do so.

That a tariff levied to foster manufactures or productions which bring in little or no revenue should be objected to by the classes which it does not benefit, I can readily imagine.

The duty on pig, bar, and ingots of copper and copper-plates of the same not rolled is 4 cents per pound. And yet the entire value of the amount imported during the last fiscal year was $40, and the entire duties collected were $16.60. Such a tariff, performing virtually only the last function which I have mentioned is either not needed or is entirely for the benefit of private individuals, and surely seems without justification.

On the other hand, a tariff that performs all of its functions, which furnishes revenue such as is needed and protection if it can—revenue as its object and protection as its incident, or revenue first and protection afterwards—has the highest constitutional justification. Any tariff levied on an article, when it is such as is produced here, is bound to furnish some protection, whether that protection or benefit be meant or not; and it seems to me, sir, that no one should object if a duty levied to pay the expenses of the Government should perform a benefit to somebody if it could. I quote from a speech by a distinguished member and Speaker of this House [Mr. CARLISLE]:

The experience of mankind has shown that it is almost, if not quite, impossible to devise any system or scheme of duties upon imports that will not to a greater or less degree either injure or benefit private industrial interests, and I have never hesitated to say that I would rather benefit them than injure them; but what I mean to assert is that when the primary or principal object of the tax imposed by public authority is to foster a private interest, it is not a legitimate use of the power of taxation, but it is simply spoliation.

Indirect taxation has long been preferred by our people, and, however its burdens may be inveighed against, it is the only system of revenue collection that brings certain benefits as a necessary incident to its levy, building up a diversity of pursuits which is essential to the comfort and happiness of our entire people.

Those advocating the first method exclusively, by making the entire reduction in customs, I believe to be in a decided minority in this House. With these ardent advocates it seems to be more a question of sentiment than a matter of practical legislation. A gentleman from Minnesota upon the other side of this House has been the first during this session to raise the cry of down with customs and hold on to direct taxation.

There is no proposition before this House to have free whisky. Whatever opinions some of us may hold as to the policy of endeavoring to make the United States do two things at the same time, collect revenues and dispense morality, it seems to me the gentleman from Minnesota [Mr. NELSON] may have been a little premature in his protests against the removal of whisky from internal tax. But there is a proposition in the bill under discussion to abolish the internal tax in great part on tobacco, and this proposition the gentleman from Minnesota has expressed his opposition to before it was even up for discussion in this House. The gentleman admits the necessity of customs reduction more than sufficient to satisfy the ideas of the veriest extremists on this side of the House, but contends that the people should continue to pay the tobacco tax and be relieved of some others instead. It may be said that this article is not a necessity, and, unlike food and clothing, the people can use it or not and thereby pay a tax on it or not as they choose.

But whether a necessity or not, our people do use it, and will continue to do so for all time. They do pay an unneeded tax on its use, and if this tax were modified as proposed by this bill they would save $24,000,000, or if the entire tax was removed they would save $30,000,000, which is now needlessly exacted from their earnings. It is also an unequal tax. Is it just to make the man that uses tobacco pay more to support the Government than he who does not use it? Sir, if this money is saved by the people is it not worth just as much to buy the necessities of life with as a saving in any other kind of taxation? If the head of the family saves even the sum of $2 or $3 per annum by cheapened tobacco, does not that leave him that much more to support his family with? Every dollar saved from the tax on tobacco is the same kind of a dollar as that saved from the payment of any other tax. It has the same devices on each side. It will buy just as many loaves of bread, pay just as much house-rent, go just as far towards buying a plow or a reaping-machine, a dress or a suit of clothes.

The gentleman says that the statesmen of certain European countries "must have found good and justifiable grounds for taxing it or they would not so universally have imposed a tax." He might have mentioned also that the statesmen of most of the countries of Europe "have found good and justifiable grounds for taxing" sugar also, which he opposes with so much vehemence, and derive large revenues from it. The taxing of sugar has been in constant practice in this country, evidently for some good reason also, during our entire history, and yet the gentleman from Minnesota proposes to hold on to the tobacco tax, whose imposition is no longer needed, and wipe out the sugar duties, whose imposition gives revenue to the Government at a less percentage of cost in the collection than that obtained from tobacco, and also keeps alive an industry whose existence has been and is bound to be of some benefit to the entire country. I admit, sir, as the gentleman says, that so far as the tax is concerned "whether we pay a tax on a hogshead of Cuban sugar or Virginia tobacco, makes little difference."

But if it is the same, and if a cutting off of one can do no harm, and the cutting off of another can do irreparable damage, why not cut off the one the maintenance of which brings no compensating advantage whatever? Why not take off the one the removal of which will do no harm to anybody? Sir, the destruction of any great interest in this country which has grown up under a system of Government finance that has been in vogue since the beginning of our political existence is a matter of no small moment. Benjamin Franklin said, I believe, he that made two blades of grass grow where one grew before is a benefactor to the community; and the converse is equally true; he that destroys one blade of grass where two grew before is a curse to the community. I say, sir, as I have said before outside of this House:

Any one industry that is destroyed will cause the people employed in it to swell the ranks of the unemployed and increase the competition among those seeking employment in the other industries. I believe that every new industry that is started, opening up new channels of employment, is a blessing to the country and to all the people in it, and the destruction of any existing industry, closing up one channel of employment, is a curse to the country and to all the people in it.

The removal of the tobacco tax can be accomplished without doing any harm to anybody.

Remove this tax, sir, and do you injure the calling or employment of a single man, but do you not confer rather an actual benefit on the producers? Do you take away the bread from a single mouth? Do you injure or destroy a single consumer for the products of your farmers and your mechanics, your workshops and your fields? Remove it, and you remove burdens from the tax-payer indeed, and at the same time you do not put out the light of a single furnace fire, or stop the revolution of a single wheel, or bring want and deprivation to a single fireside or a single home. Such considerations as these have no doubt had their weight with the framers of this bill, and such considerations as these will surely overcome the opposition to the removal of this tax

I do not believe that there is any danger of adopting a policy so short-sighted as to make the entire reductions in customs alone.

The second method, making the entire reduction from the internal revenues, has also its earnest advocates. The different bills that would bring this about are yet in the committee-room, and there they seem likely to remain; hence there is no proposition of the kind now under consideration. When in time more sweeping reductions in the internal system of taxation are made, a just system of rebates should be allowed to prevent from ruin those who will have already settled the taxes. These rebates should be allowed on unbroken packages only, to cover the cost or difference in amount of taxes that have been either reduced or abolished.

This view has been earnestly advocated by the distinguished and able gentleman from Pennsylvania [Mr. KELLEY], on the other side of the House, and is also held by a number of Representatives on this. Democratic conventions and Democratic Legislatures in certain States have urged and demanded this action again and again. It seems to me, sir, that the teachings of the statesmen and sages of the past have been departed from on more than one occasion to embrace the creed and bow at the shrine of sentimentalism. To advocate the large curtailment of internal taxation and its repeal as soon as practicable has the highest sanction for legislative action, especially to members on this side of the House, and recruits to that faith should be welcomed whensoever and from wheresoever they come.

A convention held at Chicago nearly four years ago, coming from the people direct, and whose explicit declarations are and must continue to be, until the next convention, the supreme law and the infallible political creed of this side of the House as members of a political party—that convention singled out the system of internal taxation for the opprobrious designation of "war tax," and intimated that the present law might not continue by pledging the proceeds of that tax for a certain purpose "so long as the law continues." No one speaks of a law in that way that is considered to be permanent. In marked contrast to this, the members of that convention forcibly and explicitly declared their adherence to the other system of taxation, asserting that—

From the foundations of the Government taxes collected at the custom-house have been the chief source Federal revenue—

And—

such they must continue to be.

Again they asserted that—

All the expenses of the Federal Government, economically administered, including pensions, interest and principal of the public debt—

can be obtained, under certain conditions which they mentioned, from custom-house taxation.

The members of that convention recollected doubtless how obnoxious the internal system had been. They recalled how it had only existed twice before, and then for brief periods only. They remembered the fact that the wisest statesmen, of whom Thomas Jefferson, the founder of the Democratic party, was a conspicuous exemplar, de-

manded and accomplished its repeal in the past. And this course has been urged—not to the extent, indeed, that Mr. Jefferson did—by men who are here to-day; men who have grown gray in the service of the country; men who have uplifted the Democratic banner in this House in struggles where the rights and the liberties of their countrymen hung trembling in the balance, whose past services can not be obliterated, whose present patriotism can not be underrated, and whose splendid abilities can not be questioned, either upon this floor or anywhere in this land!

It is a system whose tremendous taxation of alcohol used in the arts and manufactures even the sentimentalists can not justify. It prevents the building up of a number of small industries in our midst which would make new avenues of employment for our people and provide additional consumers for the productions of our farms. The gentleman from South Carolina claimed that the inauguration of any new industry that required tariff taxation for its support was a curse, not a blessing; but it seems to me, sir, that even he will admit that it will be a blessing to any country if new industries can be started and new employments given and increased consumption afforded, not by an increase but by a reduction of taxation.

This is a system of taxation, sir, which follows the farmer to his toil, abridges his rights and his liberty, and says he shall not do what he will with the products of his orchards and his fields which his own labor and God's sunshine and showers have caused to grow and ripen for his use. It lays its tribute and its restrictions upon the harvests which his own exertions have garnered, and even in the chamber of sickness and suffering adds its exactions to the cost of the medicines which alone can bring health to his stricken ones.

It is a system of governmental watching and prying into private affairs—a system which breeds, fosters, and rewards a race of informers and spies, and begets and gives temptation to corruption, evasion, and fraud, and all that is worst in human nature. It is a system which cultured Christian women have denounced in their conventions from the centers of civilization, and weeping mothers, with hungry children in their arms, have called down curses upon from their desolated mountain homes; which has every crime, beginning at deception and ending at murder, laid at its door.

These are two methods, Mr. Chairman, by which unnecessary taxation may be reduced, and if the choice were confined to one of these I should unhesitatingly choose the second, the repeal in whole or at any rate in great part of internal taxes, and in doing so I should have as my guide the illustrious example of those who by precept held this view and by action put it into practice, and whose memories will be enshrined in the admiration and affections of their countrymen for all time to come.

I should also be carrying out the views which I have expressed to the people whom I have the honor to represent, and by whom they were indorsed in meetings all over my district without a dissenting voice.

But, Mr. Chairman, there is a third remedy for excessive taxation, and that is to make reductions in both systems. This plan is adopted in the bill now under consideration, and it seems to me that no bill is likely to pass which does not provide for this twofold reduction. I frankly confess that I should have preferred to see greater reductions proposed in internal taxation, and a less reduction proposed in customs duties; but if those who are opposed to any reduction in internal taxation can afford to go as far as they do in this bill, surely those who favor far more sweeping reductions can afford to surrender something also, and meet them half way upon that question.

I am glad to say, however, that this bill recognizes the fact, and in this respect it is far superior to those which preceded it, and which met an early death in the two preceding Congresses, that there can be no satisfactory or successful solution of the surplus question without a considerable reduction of internal taxes.

The tariff on the productions of my native State has had reductions dealt out with a lavish hand. Bagging, bone-black, pottery, rice, sugar, certain early vegetables, shingles, lumber, and salt, all products of Southern Louisiana, have all been either considerably reduced or put upon the free-list.

With these sacrifices proposed for us I can hardly be summoned as a proper witness to testify to the advantages in this bill. It has had these advantages pointed out by able, earnest, and eloquent orators who are fitted both by ability and by inclination far more than I am for the task. I can not rejoice, sir, while Louisiana is injured, or willingly help direct the blow that is to fall upon her. But, sir, while this bill has not been framed to suit all the views that I hold or those of the people whom I have the honor to represent, not only in the schedules affecting their interests but in certain others as well, the friends of an honest reduction in taxation may be sure that we do not shrink from bearing our share of a reduction in the taxes which are now needlessly imposed upon the people. [Applause.]

Mr. JOHNSTON, of Indiana. Are you ready to put sugar on the free-list?

Mr. WILKINSON. No; I have made no such proposition.

Mr. JOHNSTON, of Indiana. Would it not be as just to put sugar on the free-list as it would to put wool, a Northern product, on the free-list?

Mr. WILKINSON. I did not know before that wool was specially a Northern product, as the State of Texas, I believe, is one of the two largest wool-producing States in the Union.

The gentleman has not heard me advocating putting wool on the free-list, but there are wool-producers on this floor and representatives of large wool-growing constituencies who have advocated this policy and who are far better judges than I am as to whether the abolition of this duty will do material harm to the industry. On the other hand, men of eminence and of patriotism—men who have no sort of interest in the sugar industry, have earnestly advocated as good public policy the maintenance of the sugar duties.

Mr. JOHNSTON, of Indiana. Will the gentleman state——

Mr. WILKINSON. As my time is limited, I prefer not to yield further. I have answered the gentleman's question.

Sir, the gentlemen on the other side of this House, or many of them, at any rate, seem to have singled out the sugar industry of this country for destruction. We are threatened with wounds upon this side, death upon the other.

Denouncing as free-traders the Democrats of this House, they have themselves put forward free trade in sugar as the creed of a great number of their members; and their principle now is not protection to all American industries, but protection to some American industries.

I do not shrink from the fullest blaze of investigation of the sugar duties. They will bear the closest scrutiny, as they have done for ninety-nine years. I feel satisfied that this tax can even withstand the attacks of the gentleman from Indiana [Mr. BROWNE], with all his ability and all his parliamentary experience.

I desire to call his attention to the fact that in making his calculation of the value of the sugar industry he entirely omitted over four and a half million dollars for molasses, which is as much a product of our cane-fields as sugar is.

The gentleman from Indiana complains that the interest has been at a "standstill" and that "still the industry languishes," notwithstanding the collection of about $1,000,000,000 from sugar duties since 1861. But, sir, has the industry languished, and has it stood still?

There are two eras in the history of sugar culture in Louisiana. In each of these eras the growth of this industry contradicts the assertion that it has been or is a languishing industry. In the first era of its existence, in the decade between 1831 and 1841, the average product of sugar was 77,200 hogsheads; from 1841 to 1851, 192,327 hogsheads; from 1851 to 1861, 297,462 hogsheads. The second of these decades showed an increase in production as compared with the first of nearly 150 per cent., and the third of these periods showed an increase over the second of over 50 per cent.

But the gentleman seems to think it remarkable that the production now has not reached that of the exceptionally large crops of 1853 or 1861—the largest ever made in Louisiana. I would remind him, sir, that from a crop of only a little over 5 tons in 1864, it increased to 144,881 hogsheads in 1870, or fourteen-fold; that between 1870 and 1880 it increased to 218,314 hogsheads, or more than 50 per cent., and that the crop last year was an increase over that of 1880 of over 60,000 hogsheads, and while that was less than several of the largest of the ante-bellum crops, it exceeded those of 1855, 1856, 1859, and 1860. And this rehabilitation of the industry, this new birth and growth to sturdy proportions has been achieved under such disadvantages that even the most skeptical may well question whether it has stood still, or languished, or proved a laggard in the industrial race.

The war fell upon it with peculiar hardship and most destructive effects. The cane-fields were not like the farms, where the soldiers with the horses that had borne them to battle turned the sod, and scattered the seed, and ripened grain stood ready for the harvest where cannon-balls had plowed the earth and armies had fought and bled only a few months before.

With levees broken and destroyed and fields open to devastation from the floods; with sugar-houses dilapidated or burnt down; with costly machinery broken or destroyed; with ditches overgrown with willows and fields set in weeds, briars, and young saplings; with seed cane scarce and almost impossible to obtain—for remember that it takes nearly five tons of seed cane to plant a single acre—it was the work, sir, of years, not months, to get well under way again, even. It took time, I admit, and it took money. It took strong arms and brave hearts. It took dauntless courage, untiring energy, and arduous toil by night and by day to rebuild this industry, but we have done it. We fought the floods and they have been conquered. We have overcome the ravages of war, and in our factories and our fields have adopted such implements and machinery as American ingenuity has devised and our means have permitted us to adopt. We have contended with reductions in the tariff amounting actually to nearly 40 per cent., with constant threats in each recurring Congress of far more.

We have contended with free trade from Oceanica and bounties from Europe, with productions of Hawaii and Chinese labor pouring in unrestrained on the one hand, and exports from France and Germany

artificially stimulated on the other. We have contended with falling markets and furnished to the consumers of this country this season sugar at 5½ cents for which they paid 15 in 1869.

With these difficulties in its re-establishment, with this reduction in the duties, with this competition with partial free trade and bounty, with this tremendous fall in the market, it might not have been remarkable if it had languished or stood still, or even gone back a little. But remarkable to say, it not only held its own, not only did not stand still, but actually increased in production during that period—from 1869 to 1887—310 per cent.

The gentleman from Indiana said:

For one I am not willing to longer burden the people with this tax—to longer levy by this method a tribute on every table in the land to protect this limited and sectional industry.

In these three lines or less it is remarkable what misleading statements and illogical conclusions are crowded in. He first assumes that there is or has been some special burden in this tax which the other taxes paid by the tax-payer did not possess.

Sir, in an equitable adjustment of Government revenues this tax will only be a portion of the amount levied by the Government for its necessary support. The sugar duties that will still be left in part will certainly be no more burdensome, and very certainly less burdensome, than many that will remain. I ask, sir, is it true that universal tribute is levied, or ever has been levied, whose prime object has been to protect this industry?

I frankly confess, Mr. Chairman, that I am not an impartial judge in this matter. I go further and frankly confess that I take more interest in the maintenance of these duties because under their encouragement so many of my people earn their bread than because they give such revenues to the Government. That is human nature, and human nature is the same in Louisiana as it is elsewhere. My views may be biased by a regard for the welfare of my people before any other considerations, but, sir, before I finish I shall call in the testimony of other witnesses whose judgments have not been biased by such reasons as mine may have been.

I find, sir, that some of the truest patriots and wisest statesmen have urged the maintenance of these duties, because it was wise public policy to do so. They recognized the wisdom of this policy, because they were among the simplest, the surest, the most easily collected, and the least burdensome to the tax-payer among all the sources of our revenues. Our people, through their representatives, could never have prevented the repeal of these duties up to now if the benefit to them had been the only factor or even the largest factor in their continuance.

Why, sir, have those who certainly have been moved by no local or selfish interests advocated the maintenance of these duties in large part, at least? Why did the distinguished gentleman from Missouri [Mr. BLAND], who stands in constant guard against wasteful, and sometimes even against liberal expenditures of the people's money—who, as much as any living man, is ever ready to lift the burdens that the people bear—why did he, when the sugar duties were attacked by the gentleman from Indiana [Mr. BROWNE], rise in his place to speak a word in their defense? Why did that clear thinker and master mind in that school of politics to which the majority of this side the House belong, the late Secretary Manning, in his report of December 6, 1886, take the ground that the sugar duty was one of "the cheapest and best taxes to retain?" After citing briefly certain objections to the removal of internal taxation on whisky and tobacco—from which views on that subject, however, I beg leave to dissent—he says with some elaboration and minute detail:

The price of sugar has fallen to an exceedingly cheap rate. Our own sugar crop is so very small a part of the total amount of sugar we consume that sugar ranks next to articles we wholly produce abroad, like tea and coffee, in suitability for taxation on the ground that its consumption is universal, that the tax is easily and cheaply collected, that the increased price paid by the consumers is an unconsidered trifle, and that what is taken from the tax-payers goes into the tax-payers' treasury, not into a few private bank accounts.

Like the casting away of the revenue from coffee and tea in 1872, the removal of the tax on sugar, which gives us our easiest and next to largest single item of revenue ($51,778,948) at an annual cost of less than 90 cents per head, is now pressed forward to avert the repeal of other taxes which are desired to operate on incidental and private benefit by enhanced prices to the domestic consumers of a large domestic product.

These incidental and private benefits, in fact, are subject to all the deductions I have already mentioned, and are subject to the chief deduction that the endeavor to make our tax laws exclude foreign competition in our home markets promotes the success of that competition, besides effectually preventing the sale of our surplus product, our labor product in foreign markets. But the incidental benefit of the sugar tax to our cane-sugar producers, who are under the harrow of beet-root sugar competition and German bounties, which have driven them to imputed processes and already lowered the price of sugar more than the whole tax, is not got by excluding foreign sugar, for the great bulk of our sweetening comes from climates more tropical than ours. Nor does it prevent our sales in foreign markets of imported sugar refined and increased in value by the processes of American labor.

Sir, the gentlemen that I have mentioned, and others of that school as honest, as sincere, as patriotic as they, have been animated by no selfish desire—as I am pardonable in having—to benefit the State of Louisiana. They recognized the fact that sugar duties furnish a greater ratio of revenue to the Government and a less ratio of tribute to the industry than any other article such as is produced in this country which is upon the whole dutiable list. The economists of that school remember the fact that while the Government received $58,000,000 in revenue, it increased the price on an amount of home production only one-ninth of the quantity imported under the tariff. That is to say that for every $9 of revenue it gave only $1 of protection. It certainly did not come within that category which has just been denounced by a State convention in Wisconsin, which creates a dangerous surplus, and "At the same time indirectly taxes the producer of the West for the sole benefit of protected manufacturers, $9 for every $1 that goes into the Treasury."

Motives of local interest may have had some share in the successful efforts to prevent the repeal of these duties, but, sir, the loftiest sentiments of the wisdom and of the patriotism of disinterested men have had far more. Upon this question the veriest extremes of political opinions have met in perfect accord. The gentlemen that I have mentioned, eminent as they are in one school of economics, reasoning from their point of view, have arrived at a conclusion on this duty precisely the same as did the distinguished gentleman from Pennsylvania [Mr. KELLEY], the great master of the opposite school of economics, and reasoning from an entirely contrary standpoint from theirs.

This is corroborative testimony of the strongest kind to show what little justice there is in the assaults of the gentleman from Indiana.

It may be said that this article which produces revenue with such facility to the Government and at the same time such small cost to the individual had better be put on the free-list, because revenues are not now so much needed as curtailment. I think, sir, curtailment in taxation is what is wanted, at least as much as curtailment in revenue. A curtailment in revenue does not mean necessarily a curtailment in taxation and might mean just the reverse. Revenues might be diminished by increasing taxation. And however necessary may be a reduction in revenue, it will not do to forget that such reduction should be made as would most benefit the tax-payer. He is a very important factor in this problem, and one that seems to be occasionally lost sight of.

I have called the attention of the gentleman from Indiana before to the fact that the present tariff on sugar is very considerably below the war-tariff rate. I speak of the acts levied in 1864, when the Government expenses were at their highest. From 1864 to 1870 the rate was 3 cents on the lowest grade and 5 cents on the highest, or an average of 4 cents per pound. The rate was reduced in 1870, increased in 1875, and reduced again in 1883, until now it is 1.4 cents on the lowest and 3½ cents on the highest. It is, therefore, now 38¾ per cent. below the war-tariff rate, and the present bill proposes to reduce it still further, to 1.15 on the lowest and 2⅘ on the highest, or a proposed average of 1.97½ now, against an average of 4 cents, or more than 50 per cent. reduction over the average rates of the longest period of war-tariff taxation. Thus, sir, the war tariff (1864 to 1870) per pound was more than 100 per cent. higher than is proposed under the schedules of the bill now under discussion. The rate of sugar duties under this bill has been so curtailed that the proposed reductions, added to the repeated reductions made already, have reached a point when it is a grave question with those engaged in the sugar industry whether their livelihood will not be seriously jeopardized and whether our industry can be sustained under them. But whatever difficulties the future may have in store for us, we shall endeavor to meet them as they arise and overcome them if we can.

Sir, the sugar duties were levied under the first act that was passed after the adoption of the Constitution. Even the gentleman from Indiana will hardly urge that they were levied and kept up for fourteen years for the benefit of Louisiana when during these years she was in possession of foreign powers.

And yet, the first tariff act levied an average duty of 2 cents per pound, which was increased by four successive enactments until in 1812, when duty was placed at 5 cents for raw and 18 cents for refined, or an average of 11½ cents per pound, and from then on until the low-tariff periods, commencing in 1846, it averaged 6½ cents per pound. Even throwing in the low-tariff periods, I am within bounds in saying that the average tariff on sugar of all the tariff bills affecting that article from 1789 to 1861 was, per pound, more than 200 per cent. higher than it is in the schedules of the bill now before this House.

The gentleman from Indiana speaks of the sugar duties as "this monstrous taxation." Let us see if it is. The Government needs about $320,000,000 per annum to run it. The tax-payers have to pay this amount by taxation, no matter what is put upon the free-list. If a part of this sum is paid in sugar duties, does that make the taxation any more "monstrous" than if it were paid in something else? Sir, the sugar tax is one that has commended itself to our legislators as a source of revenue ever since the foundation of the Government. It gives a large revenue and at the same time very little burden to the consumer outside of the necessity of his contribution to support the Government. It costs less to collect than any other large Government revenue.

The rich use more than the poor, thereby contributing a greater share of taxation, as they should, by the consumption of it, and I am at a loss to see, sir, on what just grounds it should be singled out as "monstrous" by the gentleman from Indiana.

Pity, sir, that Madison is not here to learn from the gentleman from Indiana [Mr. BROWNE] that the taxation which he first proposed is so "monstrous!" Pity that he lived and died without finding out what a wrong he had done! I would that I could summon, to learn wisdom

from the lips of him who has made this startling discovery, the Senators and Representatives of all the Congresses from 1789 to 1883 who have thought otherwise. Most of them are where no voice can reach them; but members who have served with honor in the Congresses of the later portion of that period are here to-day, and it is not too late for them to learn what a woeful mistake they made.

If the dead could be here with the living there would be witnesses that passed the acts of 1789, 1790, 1791, 1792, 1794, 1795, 1797, 1800, 1804, 1807, 1808, 1824, 1825, 1828, 1830, 1832, 1836, 1841, 1842, 1846, 1857, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1870, 1872, 1874, 1875, 1880, 1882, 1883—all taxing or leaving taxed this article—making an array both in numbers and in statesmanship beside which the gentleman from Indiana [Mr. BROWNE] would be as a grain of sand among the millions of the shore, or as a little twinkling star in all that bright array whose steady light decks with splendor the firmament of heaven. [Applause.]

All these hosts, the names of so many of whom our lips in childhood learned to call patriots and sages—if the views of the gentleman from Indiana are just—were dullards, who had mistaken their calling, or, by reason of instituting and maintaining a taxation so "monstrous," deserve to live in history, not as we know them now, but as tyrants and oppressors of their people! [Applause.]

And what, sir, is to be the remedy for this "monstrous taxation?" "Pay bounties," he says. Only add a little more taxation and make it a little more "monstrous." If, sir, the sugar duties are singled out to throw overboard and other duties maintained as high as now, will the tax-payer be a gainer by that rather than by some more equitable plan of revenue reduction? The $320,000,000 will have to be raised to support the Government and high tariffs kept up on other things that are more oppressive to the people than the sugar duties have ever been. "We must adopt a method of protection less costly," he urges, and in the same breath proposes to increase the cost of Government by adding to taxation a few millions of bounties now, which would be far more as the industry gets bigger. Add fresh millions to the $320,000,000 that the tax-payer will have to pay even under remodeled tax laws. Make the tax-payer happy, the gentleman proposes; but how? In lightened burdens? No! But by still more indulgence in that delightful occupation in which he is already such an adept, going down in his pocket for more! [Applause.]

Sir, this bounty plan will never pass Congress, or would never be maintained if it did, by the representatives of a people who could claim with equal right bounties on wheat or corn, on mules or hogs or bacon. Sirs, on the part of my people I thank you for such portion of your proffered charity as might have been meant for us. However well meant your intentions may be, we are not asking to be made the beneficiaries of any class legislation. We can not ask that ourselves, our families, and the maintenance of our pursuits shall be placed as burdens upon the shoulders of this American people. They have burdens enough upon them now, and I or mine do not care to add one jot or tittle more!

If these plans are suggested to encourage and build up a great national sugar industry, of which beets on the Pacific Coast and sorghum in Kansas and elsewhere are to be large components in the future, they will woefully fail of their object. Even if you gentlemen were successful in the first part of your proposition and could repeal the sugar duties, I do not believe the American people would ever consent that you should substitute bounties in their stead, building up and maintaining thereby a favored class by contributions from the pockets of every tax-payer in the land. Sir, the present system of duties can encourage the different branches of the sugar industry, and there is no need to devise a new plan of encouragement, which is open to the objections which this proposed plan has, and which, in the manner that has been suggested, has not even the justification of present European example.

Sir, this article has ever been a favorite subject of revenue, not only here but abroad. In all our years of peace, in all our years of war it has performed no mean part in the support of the Government.

Gentlemen may say that the need for the collection of these large revenues is past. It is not past, sir, until the Government with its tremendous expenses is ready to go on without cost. From 1789 to 1846, when governmental expenditures were only an average of less than one-tenth what they are now, these duties were considered just and wise at an average rate per pound 300 per cent. higher than they are now. Sir, the war has indeed gone, and its angry thunders hushed, I trust for generations to come, but the obligations of its plighted faith are here to its creditors on the one hand and to its valiant defenders on the other.

The need for these duties, or at any rate such portion of them which this bill proposes to retain, is not past while we have our rivers to improve, our harbors to deepen, our navies to build, our seacoast to defend, and a government to uphold and support in its beneficent functions for the welfare of its people and the honor and glory of its flag.

Destroy this industry if you will, gentlemen of that new creed, the "selected protection" faith, and the Government will go on at no less cost than now.

Destroy this industry if you will and drive to distress the people who earn their bread in its pursuit, and give, instead, the glowing figures of your rhetoric, and your apostrophes to a prosperity which will be gone. Abolish this duty under whose encouragement our forests have been felled, our lands reclaimed, our factories erected, and our fields made to support a population as numerous, I believe, in proportion to the area of cultivation as is supported by any other agricultural section in America—a source of revenue in war and peace alike, which all parties have found wise, expedient, and just, from the time of Washington, without a single exception, until now.

Destroy it, sir, if you will, and if you think to lighten the burdens upon the shoulders of the people by abolishing this tax and maintaining instead, unimpaired, others that are far more burdensome to the people, you will be grievously mistaken. Sir, those interested in sugar culture in Louisiana have never asked the imposition of any needless burdens on the tax-payers of this country in order that they might be benefited thereby. The revenue needs and wants of the Government will afford incidental encouragement, if properly adjusted, to every existing industry dependent for successful maintenance upon the continuance of a tariff, ours among the rest.

Forget the precepts of Jackson, that we should produce in this country everything essential to our national independence, and learn no experience from the fact that the cause to which was due the origin of the culture of sugar in France was that in time of war the price went up to $1.25 a pound.

Unbar our doors to Cuba, and let her chief product pour in without a hinderance. Little matter if under the guns of Moro Castle our corn, our bacon, our hams, and our flour are made to pay tremendous tribute to the depleted treasury of Spain.

Open wide our gates to the beet sugars of Germany and France, and send our hard-earned moneys across the sea to enrich the farmers there. What matters it to our own farmers if the products of their fields are restricted by high tariffs at the ports of those countries and some that are most valuable are not restricted only, but outlawed and forbidden to come in?

Unlearn, sir, the lesson that the wise Government experiments have lately taught, that the capacity of this Government for sugar production is not confined to the lands which lie along our Southern Gulf. Shut up the little fountain of supply which is trickling forth in New Jersey, and which may be destined to prove, to that State, the beginning of a veritable Rio Grande—a great river of wealth and comforts and blessings to her people.

Shut your ears to the sounds that come from Kansas, whose people—with an energy and an intelligence which difficulties have not daunted, and repeated failures have not discouraged—seem at last to have been successful in their efforts to found a new industry in that State.

Ignore, if you choose, the climatic advantages of Florida and the preparations now commenced to develop her resources, the steady increase of production in Louisiana, the rapid strides now being made in Texas both in improved cultivation and improved manufacture, and the effort to do what has never before been done in the world—to grow and manufacture two sugar-producing plants, sugar-cane and sorghum, side by side in the same factory and in adjoining fields. Blind your eyes, to the bright prospects which seem in store for the States upon our Pacific coast in following that pursuit, and cease to remember that California has long demonstrated her capacity for beet-sugar production, and now seems about to show her plains will produce in time from beets far more than her mountains gave up in gold.

Destroy this industry if you will, and constituents whom I know of members on this floor from other States than mine will rue its destruction. Green vales of Kentucky, coal-mines of Pennsylvania, cornfields of Kansas, flour-mills of Minnesota—workshops and foundries of Boston and New York, of Philadelphia, Cincinnati, and Toledo—farmers and mechanics of more than twenty-five States will then find one large purchaser of their products blotted from off the industrial map.

This industry, so different from others that we have, gives life to trade because it is so different. It diversifies agriculture, quickens commerce, builds up manufactures. Wheat-fields ripen for it, wheels fly round for it, lathes revolve and anvils ring, and liquid metal is poured into useful forms for it. To carry its products rail-cars speed on land and steam-boats plow the rivers and great ocean ships breast the seas.

Adopt this course, and hard may be the lot for years to come, not only of ourselves, but of others dependent in some measure on our existence whose injury you little dream of now. The distress will not stop with us. The ripple on the pond where some object falls spreads fast to the shore which is farthest from the spot where its stillness was first broken. Many will go away and engage in other pursuits. The avocations now so full will have thousands more clamoring for work, and the laboring man far from Louisiana may yet feel the hardship of the bitter competition of others whose employment is gone for his daily occupation and his bread. Some would go West to raising wheat and corn; others to the States around to raising cotton. Hoist the farmer's flag, O Representative from Minnesota [Mr. NELSON], and inscribe upon it: "Long live competitors! Down with consumers! More corn; more

wheat! This is our pressing need; our want long felt! Grow corn cheap enough not only to make the food, but to make the fire to cook it by; wheat cheap enough to undersell the Indian helot in the markets of his empress!"

Strike down this industry if you will, gentlemen of the "selected protection" faith! Put out its blazing furnaces; silence its busy sounds; devote its emerald fields to devastating floods and its dense population to distress; but the tall smoke-stacks of its factories will remain as lasting monuments to your lack of wisdom and of statesmanship, and mayhap, indeed, of humanity!

But think not that you can offer destruction in the one hand and prosperity in the other. You can not give life and death together. Think not, sirs, to satisfy the qualms of conscience for an abandonment of principle by talking of bounties. The two systems of taxation that we have are one too many now. Pause long before you try to write a third upon our statutes.

And seek to found no favored class by means of new burdens upon the people. It were better far by some wise plan, bringing relief to all and ruin to none, to join in some patriotic effort to try and take the burdens off, not pile them on. [Great applause.]

[Mr. BRUMM withholds his remarks for revision. See APPENDIX.]

Mr. BLAND. I would like to ask the gentleman to answer the question that I proposed to him.

The CHAIRMAN. The gentleman from Georgia is entitled to the floor.

[Mr. CLEMENTS withholds his remarks for revision. See APPENDIX.]

The CHAIRMAN. The hour has arrived at which the Committee of the Whole, by order of the House, must rise.

Mr. CLEMENTS. I desire to say that I yield the residue of my time to my colleague [Mr. CANDLER].

The committee rose; and Mr. MCMILLIN having taken the chair as Speaker *pro tempore*, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union had had under consideration the tariff bill, and had come to no resolution thereon.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed with amendments the bill (H. R. 1923) providing for the establishment of a life-saving station at the harbor of Kewaunee, Wis., asked a conference with the House on the bill and amendments, and had appointed as conferees on the part of the Senate Mr. PALMER, Mr. DOLPH, and Mr. GIBSON.

The message also announced that the Senate had passed without amendment bills of the following titles:

A bill (H. R. 339) for the relief of J. E. Pilcher; and

A bill (H. R. 671) for the relief of the heirs of John S. Fillmore, deceased.

The message also announced that the Senate had passed a joint resolution and bills of the following titles; in which the concurrence of the House was requested:

Joint resolution (S. R. 62) in recognition of the services of Joseph Francis;

A bill (S. 129) for the erection of a public building at Chester, Pa.; and

A bill (S. 554) to amend Title LX, chapter 3, of the Revised Statutes of the United States.

And then (the hour of half past 5 o'clock having arrived) the House, in pursuance of its previous order, took a recess until 8 o'clock p. m.

EVENING SESSION.

The recess having expired, the House was called to order at 8 o'clock p. m. by Mr. MCMILLIN, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES, *May* 10, 1888.

Hon. BENTON MCMILLIN, of Tennessee, is hereby designated to preside as Speaker *pro tempore* at the evening session to-day.

JOHN G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK,
Clerk House of Representatives.

ORDER OF BUSINESS.

Mr. LANE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole for the further consideration of bills raising revenue.

The motion was agreed to.

TARIFF.

The House accordingly resolved itself into the Committee of the Whole, Mr. SPRINGER in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the consideration of a bill the title of which the Clerk will now read.

The Clerk read as follows:

A bill (H. R. 9051) to reduce taxation and to simplify the laws in relation to the collection of the revenue.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. YARDLEY] has the floor.

Mr. YARDLEY. Before proceeding I desire to yield fifteen minutes of my time to the gentleman from New York [Mr. BELDEN].

Mr. BELDEN. Mr. Chairman, a glance at the provisions of this bill would indicate that this wonderful production of star-chamber gestation had been conceived in malice and brought forth in hatred of the institutions and the manufacturing establishments of the Northern States. I find by a careful perusal of the bill that as far as it was possible to do so the framers of this wonderful measure have maintained the protection which the tariff affords to the principal industries of the South, and have allowed the Northern States to whistle for the breeze of protection. In the original bill, concocted by the majority of the Ways and Means Committee, the tariff on sugar was cut quite severely. Then came a cry from Louisiana, "We shall lose the State."

The State election was close at hand, and fears were entertained of the effect of the first step towards free trade upon the future of the Democratic party. There was a conference, and as a consequence when the bill appeared in the House again we find that the sugar schedule has been fixed up so as to be less objectionable to the Louisiana sugar-planters. Here, Mr. Chairman, is a tax which is borne directly by every household in the land. It is a direct tax upon the consumer and has absolutely nothing to commend it, aside from the protection which it affords to the few planters of Louisiana who are trying to fly in the face of Providence and to force from the soil of the United States what it is incapable of producing, namely, a sufficient quantity of cane-sugar to supply the home demand.

The sugar tax, Mr. Chairman, is about the only tax on imports which comes solely and directly out of the pockets of the people, and the reason is that nine-tenths of all the sugar used in the United States to-day is imported, against one-tenth which is produced in this country. Yet, sir, I fail to find in the wonderful message submitted by the President to this Congress one word or suggestion for the removal of this tax which, as my friend from Illinois [Mr. CANNON] pointed out to-day, amounts to upwards of $1 per capita per annum for the entire population. I have listened with a great deal of attention to the speakers on the other side of this Chamber, but up to the present time I have failed to hear one of them arise and advocate the abolition of the tax upon sugar.

I have failed, too, to hear the first gentleman from the Southern States advocate the repeal of the duty upon rice. Rice is another Southern product, and the rice industry can scarcely be said to be of the "infant" variety. Rice, Mr. Chairman, is a staple food product which enters largely into the domestic economy of nearly every family in the United States. The tax upon rice is borne by the poor man (if the theory that the tariff is paid by the consumer is well founded), for the poor man uses more rice than the rich one. The tariff on rice benefits a few thousand Southern planters, and is another tax upon the breakfast-table. The protection afforded by the tariff has not served to stimulate production to such an extent as to bring the inevitable reduction in price which competition has invariably brought in the case of every manufactured product protected by the tariff.

Sugar, rice, and salt, Mr. Chairman, are necessities in every household. Sugar and rice are taxed to the extent of 2 cents per pound and upwards by the Mills bill. The removal of the duties on sugar and rice would go a long way towards wiping out our surplus and would be a relief to the consumers of those products. Salt at present pays a duty of less than one-twelfth of 1 cent per pound, yet the framers of this bill propose as a remedy for the gorged Treasury to remove the duty of one-twelfth of 1 cent per pound on salt and to allow the duties on sugar and rice to remain practically undisturbed. Yet when we consider that this measure was prepared by the eight Democrats of the Ways and Means Committee, and that of the eight, six are from the Southern States, and that New York, New England, and the other great manufacturing States, except only Pennsylvania, were entirely ignored when the majority of the committee was selected, it is not surprising that the protection afforded by the tariff to the States of the South is to be maintained, even if the Northern manufacturing interests are all wiped from the face of the earth.

I desire to appeal to this House in behalf of a large section of my district. The manufacture of salt, Mr. Chairman, is one of the oldest industries in the United States, and Syracuse is one of the first places on this continent in which the production of salt was begun. It is not, as is claimed for many of the industries of this country, a mere infant, but it has been carried on for more than one hundred years by the Indians and by the whites in the vicinity of the city in which I live. It is argued that the tax upon salt is a burden upon the American people; yet, Mr. Chairman, it is a tariff so light that I doubt if there is a tax in existence to-day which is borne with so little sense of burden as this one. Statistics show the average consumption of salt in the United States to be 50 or 60 pounds per capita. The tariff upon salt is only 8 cents per hundred pounds, so that it will be seen that the tariff, even if we admit for the sake of argument that it is paid by the consumer, does not amount to more than 5 cents per annum for each individual.

The President, in his annual message, said:

These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. * * * Those who buy imports pay the duty charged thereon into the public Treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer.

But is the tariff paid by the consumer? I claim that in this instance, at least, it is not. On the contrary, the foreign shipper pays tax upon the salt which he sells in the American market in order that he may enjoy the benefits of this market. That this is true seems to be amply demonstrated in the fact that the salt manufacturer of Syracuse, in spite of the protection which the tariff affords, sells his product near its actual cost that he really loses the interest on his entire investment instead of making a profit.

There was manufactured at Syracuse last year over 6,000,000 bushels of salt, which sold at an average price of 7.84 cents per bushel, making the price, after the passage of this bill—if the President is correct—3.34 cents per bushel. What nonsense!

In this connection I can only say that if the amount of tax paid upon a hundred pounds of salt is really borne by the consumer, it would follow that the protective benefit of the tax would accrue in part to the owner of the salt works. It would seem, too, that the price of salt per pound would have increased since the tariff was adopted.

Mr. MCCREARY, of Kentucky, in speaking of salt, in his recent remarks on the measure under discussion, said:

> The salt manufacturers of this country are protected by a duty on imported foreign salt equal to about 100 per cent. This has had the effect of building up a number of wealthy and powerful companies.
>
> Salt is a raw material in cheese-making, butter-making, and in meat-packing—three interests that exceed the salt-making interest tenfold—but our tariff policy forbids our dairymen and meat-packers from buying cheap imported salt, and compels them to buy from the protected home manufacturers in New York, Michigan, and Ohio, at a price which is nearly doubled by the tariff duty.

Yet I will show by testimony which can not be refuted that instead of the enormous profit of 8 cents per 100 pounds—for this profit would be considered enormous at the present time—our manufacturers have not made a dollar during the last three years, and the entire difference in the amount received from the refined product in excess of the cost of the brine and the charge for transportation and packing, went to the laborers in the salt fields and works.

Before the policy of protection was adopted the price of salt ranged in the vicinity of 40 cents per bushel. To-day it is sold at less than 8 cents per bushel of 56 pounds.

If the tariff tax has been added to the price of the salt itself, will some gentleman upon the other side—some one of the majority of the Ways and Means Committee—tell this House by what arithmetical calculation the addition of 4½ cents, the tax on a bushel of salt, to 40 cents, the price before the present tariff was adopted, can be made to equal 8 cents?

The truth is, sir, that the discovery of fresh deposits of salt in one place after another in this country, the improved methods of production, and constant, ever-growing desire on the part of manufacturers to increase the supply, are more than sufficient to keep the price down to such a figure that there can be no danger of oppression.

Ten years ago, Mr. Chairman, the only salt works in the State of New York were found in the neighborhood of Syracuse. In the year 1878 the Onondaga district produced a total of 7,176,197 bushels of all grades of salt. At that time the Warsaw field had not been developed. In 1886 the total product of the same district was 6,101,757 bushels, and to this must be added 6,056,060 bushels as the output of the Warsaw, N. Y., district, which has in ten years grown to be one of the great salt regions of this country. I am advised also that a new deposit of salt has just been discovered in New York State. A well sunk at Ithaca has traversed through 27 feet of solid salt of excellent quality.

If the present tariff is allowed to remain undisturbed this new field will doubtless add millions of bushels of salt each year to the production of the State, and it certainly will not serve to increase the price to the consumer. There is no "crying demand" for the removal of the present duty. It is not an onerous tax; it is not felt by any one; it does not cause the slightest distress; it does not increase the price of salt consumed by the average American citizen to the extent of one cent a year. It simply acts as a bar to the unlimited dumping upon our shores of the cheap product of the poorly-paid laborers of Cheshire and continental Europe.

I speak, Mr. Chairman, for the benefit of the laboring men of my district. There are employed in the salt industry in Onondaga County upwards of one thousand five hundred persons, who depend for a living upon their earnings in these salt fields. Many of these men were born salt-makers. Their fathers occupied similar positions before them. They are not imported laborers brought here to drive out honest American citizens who have struck against oppression. They are not tramps and loafers who have no interests at stake. They are as hard-working, as honest, and as industrious a class of people as can be found in the United States to-day. Many of them have succeeded in saving enough from their earnings to buy small houses. It is not cant when I assert positively that the removal of the duty upon salt to-day would entirely close up every salt well in the State of New York.

The reservation upon which the salt springs are found in Onondaga County is owned by the State. Each manufacturer pays to the State 1 cent per bushel for each bushel of salt produced. It costs our people nearly 7 cents per bushel to manufacture salt. A bushel of salt weighs 56 pounds. The actual cost of the salt at the wells, therefore, without transportation charges, is, approximately, $2.75 per ton. It is shown by the statement of the importers of English salt, who are asking that this duty be repealed, that salt can be produced in Cheshire, England, for 54 cents per ton. The difference in cost between English salt and that produced in Syracuse is paid entirely to the laboring population and the three thousand five hundred people who are employed in our State, and who must of necessity be deprived of their employment if this protective tariff is to be removed.

I appeal to the chairman of the Ways and Means Committee, and ask him whether free salt under these circumstances would be consistent with his extreme solicitude about the poor man's blankets, upon which his bill imposes a uniform duty of 40 per cent. I appeal to his colleagues on that committee, Messrs. BRECKINRIDGES, TURNER, WILSON, SCOTT, and MCMILLIN, not to wipe out this only protection which there is for the people who are dependent upon this industry for their living. I say to them, will you sweep away all protection from this product, of which 90 per cent. of the cost is the labor, and retain a duty of 2 cents per pound upon such necessary articles of food as sugar and rice, agricultural products of Democratic Southern States, while the Northern agricultural products, with which the Canadians can compete, are put on the free-list?

The employés of the salt-works in my district, Mr. Chairman, are largely Democratic, and I feel that my colleagues from New York City, who are put down among those certain to vote for this bill, will not go so far as to deprive the people who are employed in the manufacture of this staple in Onondaga County of the protection which insures them their wages. It would be absolutely impossible to continue the manufacture of salt in competition with the English products if the tariff is removed. Salt can be placed in New York City to-day, brought over, as it frequently is, as ballast in ocean steam-ships, at a less price than the manufacturers of Syracuse can place it there. This is due primarily to the fact that the British salt is manufactured for less than one-fifth of the cost of the New York State salt. The transportation from Syracuse to New York costs more than from Liverpool to New York, for the simple reason that ocean steam-ships coming west for cargoes are compelled to carry ballast, and they find salt more remunerative than sand.

I would call the attention of my friends upon the other side to the statement which I shall submit with this, coming from one of the best-known men in our State, the Hon. George F. Comstock, ex-chief-justice of the court of appeals, whose probity has never been questioned, and the only thing that has ever been said against whom is that he has been used as a figure-head to give respectability to Democratic meetings.

Of the company which he designates as the Dairy Company, he was the founder, and he has been connected with the salt-producing interests of the State for upwards of twenty-five years. Judge Comstock has kept himself thoroughly posted upon the subject of the labor and material used in the purification of common salt for purposes of the dairy and the table, and is as familiar as any man in the State of New York with the items of expense in producing salt.

He says that there never was a more baseless assumption than that American producers of this article are unreasonably prosperous through their exactions upon the public. Accompanying the affidavit which he submits herewith he produces another signed by Thomas Molloy and John W. Barker, both Democrats, who have been identified with the same interest, and for whose veracity and trustworthiness he absolutely vouches. These men positively swear that for the preceding three years the net receipts per bushel at the works was 6.617 of a cent, after deducting the expense of sale and the State duty on salt, which is 1 cent per bushel, packing, etc. The actual cost of producing such salt was 6.67 cents per bushel, making an actual net loss on every bushel produced. It would seem to need no demonstration therefore, Mr. Chairman, that the entire cost of the salt, exclusive of the amount paid to the State for the use of the brine, has been paid to the laborers who worked in the salt factories and fields.

It is very natural, sir, that the foreign producers of salt should desire to strike down all the barriers which prevent the free admission of the products of their salt wells into the United States. The United States consumes at present about 1,500,000 tons of salt per annum, of which about one-third is now imported from abroad. A large quantity of this imported product comes in because of the erroneous impression that British salt is better than the American product. British fine table salt sells to-day in the markets of the United States for a price far in advance of the American salt of the same grade, even when the import duty is allowed. The reason for this is that some people in this country imagine that everything British is better than the American articles. The truth is, Mr. Chairman, that the American salt manufacturers to day can produce dairy and table salt equal in every respect to that manufactured in England or anywhere else. This is demonstrated in the statements of the importers themselves, who complain that some American manufacturers put their salt up in bags identical in every respect with the bags used by the British manufacturers and no one can tell the difference.

In all tests which have been made wherein the American salt has come into competition with the foreign article, the American manufacturer has invariably come out ahead. In the four years between 1851 and 1854 the United States Government instituted a series of tests of the preservative qualities of Onondaga solar salt, as compared with

the salt from Turk's Island. Three hundred barrels of pork were packed with salt of both descriptions. The hogs were especially fattened and split in two, half of each hog being treated with foreign salt, and the other half with Onondaga salt. The pork was shipped to different Army posts, and in nearly every instance the officer in command testified that the meat preserved by the aid of native salt was sweeter, better in appearance, more economical in the boiling, and more acceptable to the soldiers.

In my remarks I have referred to the salt industries of my own districts more frequently than to those of Michigan, Louisiana, or some of the other States where salt is produced, because I know more of the facts relating to the Onondaga salt industries than I do of those in any of the other sections. Further than this, my district would be more disastrously affected by the removal of the duty upon foreign salt than would the salt interest of Michigan, for the reason that we are nearer the seaboard and consequently come into closer competition with the Liverpool salt brought over here as ballast than do the Michigan manufacturers.

I have said before, Mr. Chairman, that the removal of the duty, small as it is, upon salt would disastrously affect and probably wipe out the production of this commodity in the State of New York. I base my assertion in this respect upon well-known facts. For instance, in the year 1802 there was invested in Barnstable County, Massachusetts, $130,000 of capital in the salt industry. This investment paid a profit of 25 per cent. under the duty then collected, which was 20 cents per bushel, the duty having been increased in 1798 from 12 to 20 cents a bushel, with an additional 10 per cent. when brought to this country in foreign vessels. In 1807 this duty was repealed, and was not reimposed until 1813. From 1807, the year in which Congress enacted the legislation repealing the duty on salt, up to 1813 the product of the Massachusetts salt-works steadily declined until it had almost entirely disappeared. From 1813, under the protection of the tariff of that year, the industry revived and extended steadily from year to year until 1830, when the duty was again reduced, and from that time forward the production of salt seems to have steadily diminished.

Our laborers to-day receive from $1.12½ to $2.50 a day, according to the character of the work performed and the skill required. The highest wages are of course paid for night work. If you insist upon passing this bill in its present form the result must be the reduction of wages in New York State to something like 75 cents per day in order to meet the cut. It is not likely that the men could afford to work at this rate of starvation wages. While they are contented and happy at present, they would be compelled to seek other employment if forced to the alternative of accepting the lower wage or quitting the business. Consequently we may predict with absolute certainty that to repeal the duty on salt will close up the great number of salt manufactories in New York State.

Right here I call the attention of this House to the importance of the industry. The following tables, taken from the "Mineral Resources of the United States for the year 1886," published by the Geological Survey, gives the production of the salt wells in the Onondaga district for the past one hundred years. They show, Mr. Chairman, that the industry has been steadily maintained and that it has continued to furnish employment for a century to a large number of industrious and useful citizens. The following is a statement of the number of bushels of salt made at the Onondaga salt springs since June 20, 1797, the date of the first lease:

Production of the Onondaga district, 1797 to 1886, inclusive.

[Bushels of 56 pounds.]

Years.	Solar.	Fine.	Total.
	Bushels.	*Bushels.*	*Bushels.*
1797		25,474	25,474
1798		59,928	59,928
1799		42,704	42,704
1800		50,000	50,000
1801		62,000	62,000
1802		75,000	75,000
1803		90,000	90,000
1804		100,000	100,000
1805		154,071	154,071
1806		122,577	122,577
1807		175,448	175,448
1808		319,618	319,618
1809		128,282	128,282
1810		450,000	450,000
1811		200,000	200,000
1812		221,011	221,011
1813		226,000	226,000
1814		295,000	295,000
1815		322,058	322,058
1816		348,665	348,665
1817		408,665	408,665
1818		406,540	406,540
1819		548,374	548,374
1820		458,329	458,329
1821		526,049	526,049
1822		481,562	481,562
1823		726,988	726,988
1824		816,634	816,634
1825		757,203	757,203

Production of the Onondaga district, etc.—Continued.

Years.	Solar.	Fine.	Total.
	Bushels.	*Bushels.*	*Bushels.*
1826		811,023	811,023
1827		983,410	983,410
1828		1,169,888	1,169,888
1829		1,129,289	1,129,289
1830		1,455,446	1,455,446
1831		1,514,037	1,514,037
1832		1,652,985	1,652,985
1833		1,838,646	1,838,646
1834		1,943,252	1,943,252
1835		1,209,867	1,209,867
1836		1,912,858	1,912,858
1837		2,167,287	2,167,287
1838		2,575,053	2,575,053
1839		2,864,718	2,864,718
1840		2,622,305	2,622,305
1841	220,247	3,120,520	3,340,767
1842	163,021	2,128,882	2,291,903
1843	318,105	2,809,395	3,127,500
1844	332,418	3,671,134	4,003,552
1845	353,455	3,408,903	3,762,358
1846	331,705	3,507,146	3,838,851
1847	262,879	3,688,476	3,951,355
1848	342,497	4,394,629	4,737,126
1849	377,735	4,705,854	5,083,589
1850	374,732	3,894,187	4,268,919
1851	378,967	4,235,150	4,614,117
1852	633,595	4,288,938	4,922,533
1853	577,947	4,826,577	5,404,524
1854	734,474	5,068,873	5,803,347
1855	498,124	5,584,761	6,082,885
1856	709,391	5,257,419	5,966,810
1857	481,280	3,830,846	4,312,126
1858	1,514,554	5,518,665	7,033,219
1859	1,345,022	6,549,250	6,894,272
1860	1,462,565	4,130,682	5,592,247
1861	1,884,697	5,315,694	7,200,391
1862	1,983,022	7,070,852	9,053,874
1863	1,437,656	6,504,727	7,942,383
1864	1,971,122	5,407,712	7,378,834
1865	1,886,760	4,499,170	6,385,930
1866	1,978,183	5,180,320	7,158,503
1867	2,271,892	5,323,673	7,595,565
1868	2,027,490	6,639,126	8,666,616
1869	1,857,942	6,804,295	8,662,237
1870	2,487,691	6,260,422	8,748,113
1871	2,464,464	5,910,492	8,374,956
1872	1,882,604	6,018,321	7,930,925
1873	1,691,359	5,768,998	7,460,357
1874	1,667,368	4,361,932	6,029,300
1875	2,655,955	4,523,491	7,179,446
1876	2,308,679	3,083,998	5,392,677
1877	2,525,335	3,902,648	6,427,983
1878	2,788,754	4,387,443	7,176,197
1879	2,957,744	5,364,418	8,322,162
1880	2,516,485	5,482,265	7,998,750
1881	3,011,461	4,905,775	7,917,236
1882	3,032,447	5,307,733	8,340,180
1883	2,444,374	5,053,057	7,497,431
1884	2,353,860	4,588,410	6,942,270
1885	2,439,332	4,494,967	6,934,299
1886	2,772,348	3,329,409	6,101,757

From the same source I take a table of the average price per barrel of Michigan salt for twenty-one years. This will show conclusively, I think, that the existing tariff, instead of increasing the cost of salt to the consumer, has, by judiciously fostering the production and by the wise protection afforded against the foreign product, caused a steady decline in price, until now it has reached the point where a barrel of 5 bushels can be bought for 46 cents, exclusive of the package.

Average price of Michigan salt in different years, 1866 to 1886, inclusive.

Years.	Price per barrel.	Years.	Price per barrel.
1866	$1.80	1877	$0.85
1867	1.77	1878	.85
1868	1.85	1879	1.02
1869	1.58	1880	.75
1870	1.32	1881	.85
1871	1.46	1882	.75
1872	1.46	1883	.81
1873	1.37	1884	.73
1874	1.19	1885	.60
1875	1.10	1886	.66
1876	1.05		

It is argued by the advocates of this bill that its passage would secure cheaper articles to the consumer. This argument is an absolute fallacy as far as it relates to salt. The history of the salt industry during the last eighty-five years, Mr. Chairman, shows conclusively that American salt can be supplied far more cheaply than foreign salt. The immediate effect of the removal of the tariff would be, perhaps, a lower retail price, but this would not long remain; just so soon as American manufactories had been closed up the price of the foreign product would advance once more. The foreign manufacturer sells his product at cost or below cost so long as competition exists; when that competition has been killed off his prices inevitably advance.

The British manufacturer is always our opponent; the policy of our British friends has always been to kill off competition and then to monopolize the market at figures to suit themselves.

Mr. Chairman, I have confined myself mainly to this single industry because it more closely affects the people of my district than it does the constituents of any other member of this House; but I would be derelict to the welfare of the people I represent if I should neglect to call the attention of this House to the destructive, inequitable, inconsistent, and sectional provisions of this bill.

It is proposed to radically reduce the import duty upon window-glass, which is now sold at a bare fraction of profit above the cost of the labor and material used in its manufacture. If this schedule is adopted the result will be that even with a reduction of 30 per cent. in the wages of the employés of the glass factories of Syracuse, the imported glass made by the underpaid mechanics of Europe will drive our American product out of the market.

It is the fashion on the other side of this Chamber to traduce and villify the enterprising men of this country who chose trade rather than the profession of the law as a means of livelihood. Yet it is these men who have built up this country, and it is to them that Syracuse, my home city, owes a large measure of her prosperity. It is to them, too, that is due the credit of the low prices which prevail in all the commodities. We have heard a great many absurd statements relative to the advantages which accrue to the purchaser of clothing on the other side of the ocean. It is true that the finer grades of clothing may be bought for less money in London than in the cities of the United States. But in all other grades the American purchaser has a great advantage. He can buy in the United States clothing that for appearance and workmanship is infinitely superior to the English, French, or German article. Syracuse has thousands of hands employed in the manufacture of clothing, and the industry, like others of the North, is to receive a severe blow if this bill becomes a law.

It strikes a blow at nearly every industry in the district I represent. One of our native-born citizens conceived and established in our midst a soda-ash manufactory, alluded to by Mr. BURROWS, who said:

> But a more forcible illustration, if possible, of the unsoundness of the President's theory is found in the history of a recently established industry in his own State. Previous to 1884 there was not a pound of soda-ash manufactured in the United States. We consume annually 175,000 tons in the manufacture of glass and other American products. Previous to 1884 we imported every pound of it at an average cost of $48 a ton. A duty of $5 was imposed, and the Solvay Process Company was organized at Syracuse, the only one on this hemisphere, at a cost of $1,500,000, with a capacity of 50,000 tons annually. It commenced manufacturing soda-ash in January, 1884. How has it affected the price of this commodity? Was the duty of $5 added to the $48, advancing the cost to $53 a ton? On the contrary, it fell in the American market as low as $28 a ton in three years, a saving to the people annually of $20 a ton on the entire consumption of the 175,000 tons, or $3,500,000.

Another one, commencing as a poor boy, has established and made successful extensive works for manufacturing refined steel, which were among the first and are equal to the best in the United States, and have caused the celebrated Sanderson Company of Sheffield, England, to establish works there under his supervision.

In fact, Mr. Chairman, we have in our midst almost every conceivable industry established by our own enterprising citizens, furnishing employment to thousands of honest, industrious, and thriving workingmen who will (now that the mask has been removed) vote to sustain and not to strike down these magnificent enterprises, thereby preventing disaster and ruin to themselves.

The men who labor with their hands in the State of New York will not be likely to sit idly by in the coming elections and permit the return of the men who are striving to deprive them of their employment by forcing this legislation upon the country. The mechanics of this country who were born on foreign shores came to the United States for the purpose of bettering their condition. They know the value of protection because they have profited under its benign influence. Their sons have grown up and have become prosperous under the policy which is rapidly making the United States the greatest manufacturing country on the face of the globe. They will not be likely to indorse the legislation which reduces their wages and diminishes their prosperity. This country is still young, but it is vigorous and thriving. England's commerce was not built up in a decade, nor even in a century. Protection is responsible for her commerce to-day. When the American States were English Colonies they were prohibited from engaging in manufactures. If this bill is allowed to become a law the prohibition will be re-established, not by the Government of Great Britain, but by the very men who have been elevated to power by the laboring people themselves.

Now, Mr. Chairman, I have had as much experience with the laboring men of this country, perhaps, as any other member of this House. I know them as intimately as any gentleman on this floor. I know that they are not to be fooled by the specious arguments of the free-trade advocates. They are not fools; on the contrary, they are usually far better posted upon matters of political economy than men who have had greater advantages. If the gentlemen who are trying to force this bill through the House think they can hoodwink these people they are doomed to disappointment. The man who buys a pair of pantaloons for $1 can not be fooled into believing that he pays a tax of $2 upon those garments because the tariff is 40 cents per pound and 35 per cent. ad valorem. The workingmen of this country are and always have been, since the adoption of the policy of protection, better paid than their fellows in Europe. They know this, and the knowledge is sufficient for them. Prosperity under protection has been realized; they will not care to try the experiment of bettering themselves with lower wages. You gentlemen who have expended your eloquence in advocating this bill are vainly striving to gain votes from the men who know that your theories are unsound. They have intelligence enough to vote for their interests, and I tell you here and now that they will never indorse the men who ask their suffrages after voting to reduce their earnings.

Now, Mr. Chairman, I will present to the consideration of this House the affidavit of Judge George F. Comstock and others, to which I before alluded. It is an argument in itself against the proposed reduction, substantiating in a manner that can not be refuted every statement I have made and proving beyond all question that domestic salt is now being and for years has been sold in New York for less than the cost of production.

STATE OF NEW YORK, *County of Onondaga, ss:*

George F. Comstock, of the city of Syracuse, in said county and State, declares upon oath as follows:

I have resided in said city fifty-three years, and for more than fifty years I have practiced in my profession of the law continuously, save and except a term of six years when I was judge and chief judge of the court of appeals in said State, and one or two shorter periods when I held public office.

More than forty years ago I came to be the possessor of a considerable interest in the manufacture of salt from the brine, belonging to the State of New York, which are found by the sinking of artesian wells upon the lands of the State situated in and contiguous to the said city, the said brines having been reserved and excepted when the State sold such lands or any portion thereof, which said wells are now usually sunk to the depth of about 400 feet.

It has been the custom of the State under its laws to sink these wells and to raise the brine into tanks elevated above the surface of the earth, and then to distribute it through conduit logs or pipes to the different salt manufactories, which are in all cases owned by private individual associations or corporations organized under the State laws. The State imposes a tax or duty of 1 cent per bushel to be paid by the private manufacturers as compensation for the use of the brine and for the services aforesaid.

It is within my knowledge that for twenty-eight years last past the business of making and selling salt from the State brines aforesaid has been carried on continuously at a particular place in the city of Syracuse by associations or corporations created and organized under the laws of the State for that purpose. From the year 1860 to this time my interest in the salt business and my relations to its management have required and received from me all the attention which the engrossing duties of my profession would permit.

I became in 1860 the president of a salt manufacturing corporation organized in the year 1860 in accordance with the general laws of the State enacted in 1848 for the formation of such corporations, and I continued to be such president until the year 1872, when it ceased to do business except to wind up its affairs. I was then judicially appointed receiver of its property. The debts of that company have been paid, and its shareholders have received dividends on their shares amounting in the aggregate to between 70 and 80 per cent. of the par value thereof

I omit to state further details of the history of that company because I assume that such details would be irrelevant, understanding, as I do, that the present inquiry before the House of Representatives in Congress has relation rather to the present condition of the salt manufacture and trade in the United States.

The company which I have above referred to took offices at the commencement of its business at the place in Syracuse already mentioned, occupied it until 1872, and during all that period has the control of the greater portion of the salt business carried on in and near to Syracuse in respect both to the production and sale of salt.

When it went out of business, as before stated, in 1872, it was succeeded, after a short interval, by another legally organized association, which was called "The American Dairy Salt Company," formed under the same authorizing statute, namely, the act of 1848. This company carried on its business in the same general office in Syracuse already mentioned, and while so doing reorganized itself under a special authority contained in an act passed in the year 1875, which was a general act authorizing the formation of companies for the transaction of "any lawful business." The new company adopted the same name with the word "limited" at the end thereof. Both these companies may be considered as one for all present purposes, and they will be hereinafter called the dairy company for the sake of brevity.

I was the founder of the dairy company, became one of its managers and the president, and have so continued to the present time. It has been and now is a large producer of common as well as dairy and table salt, and much larger than any other person or company. From the commencement of its business it has kept its principal and central office in Syracuse at the same place hereinbefore described, which is in the same block where I have for twenty years or more kept my own office as counselor at law.

In the said offices as aforesaid, occupied successively by the two associations or companies herein mentioned, there are safely deposited in a vault the books of business and account kept by them respectively, and it is within my knowledge that all books and accounts customarily used in the most elaborate systems of book-keeping were so kept by the said associations or companies successively. As before stated, they go back to 1860, a period of nearly twenty-eight years.

In my relations to these associations the books were always accessible to me, their contents always known to me, and I have had occasions to look into them quite too numerous now to be recalled to memory. The several boards of managers have held regular weekly meetings, at which financial and business statements were always read, and speaking generally their entire business has been conducted without concealment, and in the most open and honorable manner. It has been the invariable practice of the said companies to make up annual statements showing the profit and loss account of their business for the preceding year. These statements have always been made up from exact and minute entries of all and each of the items of receipt and expenditure occurring in the course of the year, and they have been in all cases the basis of dividends to shareholders whenever dividends were made. I do not think it possible or conceivable that shareholders were imposed upon or defrauded of their dividends by any system or practice of false or deceptive book-keeping. These are the same books referred to in the verified statements of John W. Barker and Thomas Molloy, hereto annexed.

The Dairy Salt Company still conducts its business at the place and in the manner aforesaid. If it has deceived itself, its shareholders, and the public by false book-keeping, it has acted contrary to all conceivable and probable motives. The associates have always been as much, to say the least, in want of regular returns for their investments as people engaged in other branches of industry, and common experience and observation may be appealed to as proof that the company has no concealed fund held in reserve. My own interest on this manufacture, and my particular relation to its conduct and mangement have required from me at all times as much personal attention to the financial condition of the companies aforesaid as my other pursuits would permit. Except in cases of absence from Syracuse my attendance at meetings of the board of managers has been constant and regular, and I have had at all times an intimate acquaintance with their financial concerns. I have kept myself specially

acquainted at all times with the cost of fuel and labor used in the production of salt, of annual repairs, of chemical substances used in the purification of common salt for purposes of the dairy and table, of taxation and insurance, and other items of expense in producing salt. I have always participated in the making of large contracts for supplies of every kind, and have been constantly consulted by my associates on every question of importance arising in the conduct of the said business.

The sources of the revenue and receipts of the said companies have at all times been the proceeds of the sale of their products in the markets of this country. With the subjects of sales and current prices I have kept myself constantly familiar and for the last few years those subjects have been the occasion for particular attention and no small anxiety on my part. I do not conceive it to be possible that the prices actually obtained for salt sold in the market, as such prices have been publicly and generally understood and known, should be different from those entered regularly on the books kept by the said companies without my knowledge of the fact.

I do further say that Mr. John W. Barker, of Syracuse, was at all times the secretary of the aforesaid company organized in the year 1860; that he conducted all the business correspondence thereof and was the selling officer who uniformly made the sales of salt in all markets, and that his knowledge of the entries on the books which contain a record of every sale was at all times perfect; also that Mr. Thomas Malloy was the treasurer of the said company during nearly the whole period of its existence, whose particular duty and function it was to enter all sales in said books and keep a full and correct record thereof.

I make the like statement as to the Dairy Salt Company of which the said Barker and Molloy always have been and now are, respectively, the secretary and treasurer. I have been long acquainted with both these gentlemen. They are both persons who are unusually competent to fill the positions they have occupied. Their standing is high in the business community, and their integrity was never questioned, to my knowledge, and as I verily believe. I refer to their statement annexed, which verifies the books of the companies aforesaid; and I accept such statement, corroborated as it is by my own relations to the business, of which the books are the record as absolute and undoubted proof of the accuracy of those books; nor do I believe it possible that I can be mistaken.

It is known to me by personal experience, and by examination of the said books, that they contain a faithful and honest representation of the business of making salt from the brines of the State of New York and marketing the same as carried on by the companies of which I was the chief officer and by other parties engaged in the same business. I have not the remotest belief or even suspicion that the persons managing such business or interested therein have ever entertained so much as a thought of concealing the profits of such business. These books are now in the custody of the company of which I am the first officer, and they are freely offered for examination in any mode deemed the most convenient.

My purpose in this paper is to state facts and not to give opinions. I can not pretend to know what are the grounds on which it is urged that in revising a tariff system domestic salt should be placed on the free-list. So far I have heard of no ground except the suggestion or affirmation that American producers of that article are unreasonably prosperous through their exactions upon the public. This assumption calls for no inquiry beyond the ascertainment of facts. As to this I can say and do say that there never was a more baseless assumption than this, so far as American salt produced in this portion of the State of New York is concerned; and upon the best information I can obtain I believe the condition of the same business and trade does not materially differ in any other part of the State. When producers in different localities sell in the same markets equally acceptable to them there can be no reasons leading to material differences in the value of their business.

I know of no way to solve the question of fact whether the production and sale of salt in the United States is a prosperous or an unprosperous industry (if that is the material inquiry) than to ascertain by authentic evidence. In this view my aim is simply to aid in the elucidation of the subjects so far as I am acquainted with relevant facts. The papers annexed are referred to as containing authoritative evidence more in detail which establishes the conclusion beyond all reasonable cavil, that so long as tariffs prevail as the policy of the country the salt of foreign countries is the last article which ought to be admitted free of duty.

GEO. F. COMSTOCK,
President American Dairy Salt Company.

Subscribed and sworn to before me this 16th day of March, A. D. 1888.

WILSON R. HARE,
Notary Public, Onondaga County, New York.

STATE OF NEW YORK, *County of Onondaga, ss:*

Thomas Molloy and John W. Barker, of the city of Syracuse, in said county and State, declare upon oath as follows:

That the brines belonging to the State from which salt is manufactured are found by sinking artesian wells in the city of Syracuse or immediately adjacent thereto to the depth of about 400 feet; that such brines are brought to the surface of the ground by the State with pumps and placed in tanks elevated above the surface and then distributed in conduit logs or pipes to the several manufactories of salt, which are in all cases owned by private individuals or private corporations and associations; that he, the said John W. Barker, has been interested in the manufacture of salt of the various kinds for fifty years and upwards; and that he, the said Thomas Molloy, has been connected with such manufacture for thirty years and upwards; that he, the said John W. Barker, has been concerned in the production and sale of such salt for twenty-eight years last past in the capacity of trustee or manager and secretary of companies and associations organized for the manufacture of salt and doing business at one particular place in said city; and that during all of such period it has been his particular function and duty to conduct the correspondence of such companies or associations and to make the sales in all markets of their productions. That he, the said Thomas Molloy, was appointed assistant treasurer in the earliest one of the companies just mentioned, in which Mr. Barker was secretary; that in the year 1864, after having been assistant treasurer for two years or thereabouts, he was appointed treasurer for that company, and that ever since that time he has been treasurer of that company or of another company, which established its business in the same place after the first one ceased to do business, for the purpose of winding up its affairs; and that it has always been his particular function and duty to receive all the moneys and funds accruing from the sales of salt in all markets and enter them in the books of the company to which they belonged.

Both the deponents do further say that the salt companies hereinabove referred to conducted and carried on a larger portion of the salt business with the connected brines aforesaid than any other person, corporation, or association; and that any true exhibition of the business of those companies would be a fair and a reasonable statement of the general business of manufacturing and selling salt in and about the city of Syracuse. They further say that all books of account and other books which are usually kept in the most elaborate and complete systems of book-keeping were always kept in the business of those companies; and especially they say that in such books were entered in detail and by items all the costs and expense of producing such salt and marketing the same; also, of all sums of money or other available funds received from the sales of salt in all markets; and they do further say of their own knowledge that such books were faithfully and accurately kept, and do truly represent the items of cost and expense and of revenue and receipt for the whole period of time herein referred to; and they especially say that the said Thomas Molloy, in his capacity of treasurer, always gave his personal attention to the keeping of said books; that he uniformly made the entries himself in person, or if there be any exception to this statement it was only casual and accidental, so that no entries were ever made of the cost of making salt or of revenue and receipt therefrom except by himself or under his immediate supervision; and so far as any entries were ever made by any other person it was done under his direction and afterwards supervised by him.

The deponents, therefore, deem themselves entitled to say, and they do say, that the said books were correctly kept of their own knowledge. These deponents are advised that the present inquiry in the House of Representatives in Congress has relation to the recent history and present financial condition of the salt manufacture and trade in the locality aforesaid. The following statements, therefore, will refer to facts and details which lie within the last three years of the manufacture and sale of salt from the brines aforesaid by the American Dairy Salt Company, which is one of the companies hereinbefore referred to, of which the deponents are the secretary and treasurer, as aforesaid. This company is much the largest producer of salt and dealer therein among all the producers of salt from the brines aforesaid. It now has in its custody not only its own books but also all other books in which the records of the salt business are contained for the last twenty-eight years. These books have never been kept secret, but have always been and now are open to the inspection of any person having a reasonable desire to examine them.

COMMON SALT.

The following is a true account of the production and dealing in this article for the last three years, namely, 1885, 1886, and 1887, reference being had to the said American Dairy Salt Company:

Common salt, 5,726,064 bushels.

Total net receipts per bushel, $0.06617.

The aforesaid net of $0.06617 represents the gross prices per bushel obtained in market after deducting all expenses of sale, to wit, State duty of 1 cent, packing, shipment, transportation, selling, agencies, etc.; and therefore the same figures represent the total compensation received by the manufacturer for production yearly. In other words, the said figures are the market prices of salt reckoned at the place of production after taking out all the cost of marketing.

The actual cost of producing such salt was $0.0667 per bushel, leaving a difference between the net of sales and the cost of production of $0.00053 against the manufacturers. These figures show a trifling loss as the average result in the business of making and selling common salt for the last three years.

For information the deponents do further state that the above figures, representing the cost of producing common salt per bushel, mean the moneys actually paid out for fuel, for labor, for annual and ordinary repairs, for insurance and taxes of all kinds on the salt blocks used in producing the common salt.

The results above stated appear from the books of the company, which were kept as herein above set forth; and the deponents affirm of their own knowledge that the said books are accurate and true.

DAIRY AND TABLE SALT.

The deponents further say that the amount of dairy and table salt produced by and for the said American Dairy Salt Company during the years 1885, 1886, and 1887, was:

Bushels	1,635,819
Receipts on sales, net per bushel	$0.1649

Such net receipts are reckoned at the place of production after taking out of gross receipts all items treated as cost of marketing, namely, State duty, transportation, agencies, sales, etc.

Cost of producing was as follows:

Common salt, as above	$0.0667
Labor of all kinds for conversion into dairy taxation on salt mills, insurance, annual and ordinary repairs, chemicals used for purification	0.0824
Total	0.1491

The average differences, therefore, between the net of receipts as above and the cost of producing dairy and table salt was $0.0158 in favor of the manufacturer. These results of the dairy and table salt business of the company aforesaid also appear on the books kept as before mentioned by items and details, and these deponents do affirm that the said books are accurate and true of their own knowledge. They further say that in the above figures and calculations embracing common and dairy salt no interest whatever on capital invested in the construction of salt works of any kind is computed, and that no dividends have been made by the said company to its shareholders within the said three years.

SOLAR SALT.

The deponents do further say, in reference to this article, that sixteen years ago, or thereabouts, a joint-stock solar organization was organized by and among certain individuals and private corporations for dealing in the article of salt produced by solar evaporation, which said association established its general office in the offices then and ever since occupied by the American Dairy Salt Company. This association comprehended a majority, but by no means all, of the parties then engaged in the manufacture of solar salt. The business of the association was conducted to the present time in such office. This deponent, the said John W. Barker, being interested also in the manufacture of solar salt, was one of the original managers of such association, and has continued to be one down to this time. He was appointed the first corresponding secretary of the association, and has continued in that situation to the present time. The records and business books thereof have always been kept in the same office occupied by the said American Dairy Salt Company.

This deponent, the said Thomas Molloy, was appointed the original treasurer of such association, and has remained in that position to the present time; and both these deponents have sustained the same relations to the association which they have always held to the American Dairy Salt Company, and have at all times discharged the same functions. They are, therefore, equally familiar with the dealings and books kept by such association. The same general clerical force in said office has been equally worked for both of said companies. These deponents further say that during the years 1885, 1886, and 1887, 8,196,050 bushels of salt were made by the producers thereof and delivered to the said association at the Solar Salt store-houses situated on the Erie and Oswego Canals. The proceeds of selling said salt in all markets were, net $0.07843 per bushel, the price being in all cases computed as being realized at the place of production and delivery, after taking out the State duty and the actual cost and expense of transporting the same salt, of agencies and other items, if any.

COST OF PRODUCING SOLAR SALT.

The deponents further say that during the three years last aforesaid the actual cost of producing solar salt, including delivery at the store-houses, was from $0.055 to $0.06 per bushel. The books kept in the office of the association aforesaid do not show the figures precisely representing such cost paid out by the producers, but they do show that the association paid by agreement to the several producers the price of $0.07 per bushel for original cost of manufacture and delivery. They further say that during the said three years the said association, in addition to the $0.07 paid or advanced as last aforesaid, paid to the manufacturers severally who delivered the salt the further price, averaged during the same years, of $0.00843, which was the profit and all the profit realized on the sales of salt over and above the $0.07 per bushel first paid for the production. This result as now stated is ascertained from the books of the said association now kept in the office of the said American Dairy Salt Company, and the

deponents affirm of their own knowledge that the said books are correct and true. They further say that in the above statement of the cost of production no interest on the capital invested in solar salt works is charged.

These deponents do further say that the producers of salt from the brines aforesaid view with apprehension and alarm the proposal to place on the free-list the article of foreign salt by any act of national legislation so long as the policy of the Government maintains an extensive system of tariff duties. The injury to their interests would be greatly diminished in their judgment if universal or general free trade were to be inaugurated at the same time, because while the prices of American salt might and must be extremely low under such a policy there would be a compensatory reduction in the price of everything entering into the cost of producing and selling the article in the United States.

And the facts and figures exhibited in the foregoing statement show that for three years last past common salt has been produced in this locality at an actual loss, although small; that dairy and table salt have been produced at a profit so infinitessimally small as scarcely to entitle it to rank among the industries which are profitable to those who engage in them.

Tariff duties on foreign manufactures are generally assumed to protect the corresponding American product according to the amount of such duties. If this be true, or approximately true, it must be evident at a glance that the manufacture of salt in and about Syracuse must cease entirely under free trade in the article until foreign producers, having obtained control of the markets in this country, shall find it for their interest to raise the prices of salt to whatever standard will satisfy their interests or their wishes. Then, after our own salt-producing works shall have become decayed and valueless, we shall be likely to experience the difficulties in the way of getting back to a condition of trade rendered healthy by competition.

JOHN W. BARKER.
THOS. MOLLOY.

Subscribed and sworn to before me this 16th day of March, A. D. 1888.
WILSON R. HARE, *Notary Public, Onondaga County, New York.*

SYRACUSE, N. Y., *March* , 1888.

DEAR SIR: In reply to your communication of the 29th ultimo inclosing to us a summary of the argument to be used before the committee and Congress in favor of free salt, the undersigned—a committee of salt manufacturers on the Onondaga Salt Springs reservation—beg leave to make the following representations in regard to the manufacture of salt on said Onondaga Salt Springs reservation, located at Syracuse, N. Y., and in its immediate vicinity, and does not include any salt works outside of the county of Onondaga, in the State of New York:

First. That the salt springs on the said Onondaga Salt Springs reservation are the property of the State of New York, and that the salt made on said reservation is under the supervision of a superintendent of salt springs appointed by the State, under whose supervision all the salt wells for the supply of salt water and the machinery necessary to deliver the same to the various manufacturers are made. Said superintendent has also the control of all the salt made on said reservation, and he appoints a corps of inspectors to inspect all salt in course of manufacture to see that it is properly made and properly packed, and branded in packages of full weight. For these services the State, since the year 1846, has charged to the manufacturers the sum of 1 cent per bushel of 56 pounds on all the salt made on said reservation. This duty of 1 cent per bushel to the State was, when the law was passed in 1846, considered to no more than cover the actual expenses to be incurred by the State, and that no particular revenue should be derived from the manufacture of salt.

The result up to and including 1886 shows that this duty has somewhat more than covered the expenses incurred by the State as shown by the State superintendent's report for 1886 on pages 7 and 8, said report being sent herewith and marked "A." The same report shows, on pages 9 and 10, the total quantity of salt made on the reservation from the years 1797 to 1886, inclusive.

Second. The kinds of salt made at this locality are as follows:

Common fine salt, agricultural salt, Onondaga solar evaporated salt of the different grades, namely, C solar, BC solar, F solar, standard solar, and ground solar salt. For the mode of manufacture and uses of the above grades of salt we beg leave to refer you to a salt manual issued by the different salt interests in this locality in 1884, which contains all this information and much more which may be of interest.

COST OF MANUFACTURE.

The absolute cost of the common fine salt made at the works of the American Dairy Salt Company, Limited—the most extensive manufacturers on the reservation—during the year 1887, as taken from the books of said company, was 6.47 cents per bushel of 56 pounds. This cost includes only the following items, namely: Cost of fuel, which is known as "anthracite coal dust," the lowest-priced fuel in the market, $1.75 per ton of 2,240 pounds, delivered at the works.

	Per bushel of 56 pounds.
Making cost of fuel	$0.0329
Labor at $2.12½ to $2.25 per day of 12 hours	.0259
Cost of ordinary repairs, insurance, and taxes	.0059
Absolute cost of manufacture	.0647
To this must be added the duty of 1 cent per bushel paid to the State	.0100
Also, office expenses, clerk hire, etc	.0050
Making the actual cost	.0797

per bushel of 56 pounds in the bins at the works, without including any interest on capital invested in works or otherwise, or for any extraordinary repairs.

During the year 1887 this company sold and shipped to New York 359,339 bushels, or, say, 8,984 gross tons of its product of common fine salt. This salt was sold on a credit of two to four months, without interest, and the gross amount received for the same delivered on board of canal-boat in New York was $39,838.27. The actual cost of loading this salt at Syracuse and transportation to New York was $11,636.77; proceeds at works, $28,201.50.

An average of 7.84 cents per bushel of 56 pounds, or $3.136 per gross ton, as against an actual cost of 7.97 cents per bushel, or $3.188 per gross ton, as hereinbefore stated, showing an actual loss to the manufacturer of 5.2 cents per gross ton on all sales made in the New York market during the year 1887.

	Per bushel.
The actual cost of the F. F. dairy and table salt, made up on the same basis as the common fine salt is	cents... 13.02
Add the 1 cent per bushel duty paid to the State	do..... 1.00
Add office expenses, etc	do..... 0.50
Cost	cents... 14.52

The sale of this salt in New York market is mostly in small or car-load lots shipped wholly by rail. It is also largely sold in bulk, the purchaser furnishing his own bags to pack the salt into at the works, and is sold at a price per gross ton delivered on car in New York, viz:

	Per gross ton.
The cost at the works is, say	$5.61
Cost of rail transportation	1.35
Cost of loading cars at Syracuse	.19
Cost on car in New York	7.15

During the year 1887 this salt has been sold as low as $7, and ranging from that price to $7.75 per gross ton delivered on cars in New York. If the salt was put up by the manufacturer in English sacks same as those used for English salt, the cost would be $3 per ton more, or, say, $10.15 per gross ton in English sacks, delivered on cars in New York. The total quantity of this salt sold by the American Dairy Salt Company, limited, in the New York market during the year 1887 was 59,173 bushels, or, say, 1,480 gross tons.

COST OF MANUFACTURE OF ONONDAGA SOLAR SALT.

There are situated on the Onondaga Salt Springs reservation about 40,000 vats and covers, 16 by 18 feet in size, covering about 1,000 acres of land, including the land necessary for laborers' dwellings, store-houses, etc.

It would at this time cost to erect these vats and covers, including cost of store-houses and shipping facilities, not less than $50 per vat and cover, or in all $2,000,000. The annual production from these works for the past five years from 1882 to 1886, inclusive, has been 69½ bushels per vat and cover, or say an annual product in all of about 2,800,000 bushels. The actual proceeds of the product of between 36,000 and 37,000 of these covers, after deducting the 1 cent per bushel paid to the State and the actual expenses of selling and cost of packages and transportation, for the five years from 1882 to 1886, inclusive, has been as follows:

	Per bushel.
In 1882	cents... 10.01
In 1883	do..... 10.50
In 1884	do..... 8.68
In 1885	do..... 8.25
In 1886	do..... 7.85

It will be seen from the above that the net proceeds on this product are decreasing from year to year, which has been occasioned by the sharp competition at all points with recent large discoveries of fossil salt, which is mined and thrown upon the various markets at very low prices, and, although the crop of 1887 is not yet all disposed of, it is entirely safe to say that the proceeds of that crop will not return to the manufacturer more than 7½ cents per bushel of 56 pounds.

The cost of labor in manufacturing this salt is $1.37½ per day for ordinary labor; $1.50 to $162½ per day for carpenters; annual city and county taxes 45 to 50 cents; superintendance, 30 cents; lumber, ordinary repairs and other materials, 60 cents annually per vat and cover, making the average cost of manufacturing not less than 6 cents per bushel of 56 pounds. This, on the proceeds of 1886, would give to the manufacturer 1.85 cents per bushel, or say, about 2½ per cent on capital actually invested.

From the above statements of cost of manufacture on the Onondaga Salt Springs reservation (which statements are correct and can be verified in any way desired) it will readily be seen that the profits on the manufacture of salt in this locality are far from being as enormous and exorbitant as claimed in the free-trade summary you sent us, but that on the contrary they are in fact next to nothing, and that a repeal of the present duty on imported salt would absolutely wipe out all the salt industries in this locality, or if the Solar salt interest should be continued, it would compel the manufacturer to reduce the cost of labor and material from 40 to 50 per cent. and to be content with no returns whatever upon his capital actually invested.

As is said in the summary of the free-trade arguments you send us, the manufacture at this, as compared with other localities, is in closer proximity to the sea-coast markets and has superior advantages in the way of transportation, etc. (which is undoubtedly true), it would seem to follow that if the salt industries here were entirely destroyed (which would inevitably be the case in a very short time if imported salt was admitted free), that as soon as the works here were effectually squelched and the manufacture of salt in this locality discontinued, the result would be that one of the main competitors for the sea-coast trade would be out of the way, and that in consequence prices on salt for these markets would at once be advanced by the foreign dealers so as only to meet the competition in other and more distant localities. In other words, it may be said that the manufacturers of salt on this reservation, while making no appreciable profit, do now regulate and control the prices in New York and other sea-coast markets, and that with this interest knocked out, prices of foreign salt would be immediately advanced so as to meet and compete with its next nearest domestic producer.

The statement in the summary hereinbefore referred to, that foreign salts are superior in quality to the domestic, and that in consequence the foreign articles should be admitted free of duty, is wholly untrue and without a shadow of foundation in fact. This favorite argument of the free-trader was exploded years and years ago. The different grades of salt made on this reservation are as pure and as well adapted to the various uses for which they are made as the same grades of salt made in any foreign country. This has been for many years shown by the tests made by the United States Government and others, and the numerous certificates and testimonials from provision and fish packers, dairymen's associations, and individuals from all parts of the country, and the numerous analyses made from time to time, as are fully shown in the pamphlets herewith sent you, marked B, C, D, E, the one marked C relating wholly to the solar evaporated salt. Those marked B, D, and E relate to all of the various grades, but more particularly to the superior quality of our F. F. dairy and table salt. In all cases where absolute tests have been made (and they are numerous) as to the quality of foreign and domestic salt, the salt made on this reservation has come out victorous in every case. We beg leave to refer you to the pamphlets heretofore referred to, marked B, C, D, and E. The analyses, testimonials, and certificates contained in these pamphlets are valid and present arguments that should satisfy any candid mind of the superiority of the quality of the salt made on this reservation to any foreign article.

We have only further to say that since the reduction of the duty in 1872 from 24 cents per 100 pounds in sacks and 16 cents in bulk to 12 and 8 cents per 100 pounds our trade to the seaboard market has gradually fallen off, so that in the year 1887 we shipped in all but 564,685 bushels (which was sold without any profit to the manufacturer), while during the year 1871 (the year previous to the reduction of the duty to the present rate) there were 2,413,345 bushels shipped and sold in these markets, the proceeds of which gave to the manufacturer a very moderate profit.

It will be seen from the above that nearly four-fifths of our market has been taken from us in consequence of the reduction of duty made in 1872, and that any further reduction would most effectually wipe out the interest here, which is almost wholly dependent on the Eastern trade for its existence.

Yours, truly,

THOMAS G. ALVORD,
WILLIAM KIRKPATRICK,
J. W. BARKER,
LYMAN STEVENS,
WILLIAM B. BOYD,
GEO. F. COMSTOCK,
Committee.

Hon. JAMES J. BELDEN,
House of Representatives, Washington, D. C.

Hon. Thomas G. Alvord, ex-speaker of the New York assembly, over

which he presided for fifteen years, adds his testimony in the form of the following affidavit:

I am now and have been since its incorporation (for over thirty years) a trustee of the Salina Solar Coarse Salt Company, a corporation under the laws of the State of New York, engaged in the manufacture of coarse salt by solar evaporation, at Syracuse, in the county of Onondaga, the capital stock of which company is $150,000, fully paid in, and to which was added, prior to the year 1880, in permanent fixtures, at least $50,000, which has not been added to or made a part of its capital on which are based its dividends.

On the capital stock of $150,000 we have made four dividends in five years, foregoing any dividends in 1884 and making in 1883 and 1885 each a 6 per cent. and in 1886 and 1887 each a dividend of 5 per cent. averaging 4.4 per cent. dividend for the five past years. We made in these years on our plant of 60 acres, aggregating 3,200 16 by 18 feet vats, an average of 206,000 bushels of salt of 56 pounds to the bushel, but for the statement hereinafter made I have taken the result of the year 1887, which is ahead in the average quantity of salt made, and in the average dividend declared: Expenses of producing 220,000 bushels of salt, including State duty $2,200, and taxes, $1,600—$13,000; dividend at 5 per cent. on $150,000 capital, $7,500. The dividend left no appreciable surplus. The present duty on imported salt at 8 cents per 100 pounds on our crop of 12,320,000 pounds, $9,856, which, if deducted for free salt, would use up our dividend and take from the bare labor item $2,356, or about 30 per cent., reducing the wages of the laborer from $1.12½ per day of ten hours to 79 cents. This is, provided we continue the manufacture simply for the purpose of giving our laborers a reduced per diem, not sufficient for their daily needs, but must not such a result (the legitimate outcome of free trade in salt), end in the absolute destruction of our plant, which, from its nature, can not be used for anything else, thus absolutely wiping out our capital and turning (in our case) thirty laborers to seek employment in other business?

THOMAS G. ALVORD.

STATE OF NEW YORK, *Onondaga County, ss:*

Thomas G. Alvord, of Syracuse, in the county of Onondaga, and State of New York, being duly sworn, says that the facts in the foregoing statement as made and subscribed by him are true of his own knowledge and belief, and in no case have been overstated.

THOMAS G. ALVORD.

Subscribed and sworn to before me this 8th day of March, 1888.

WILSON R. HARE.

Notary Public, Onondaga County, New York.

EXHIBIT A.

[From the annual report of the superintendent of the Onondaga Salt Springs for 1886.]

Table showing the net revenue derived from the manufacture of salt, and paid into the general fund since the duties were reduced to 1 cent per bushel.

1846	$7,705.43	1871	34,507.08
1847	9,717.63	1872	33,991.78
1848	21,941.46	1873	15,130.42
1849	20,153.69	1874	3,106.88
1850	15,104.87	1875	5,903.66
1851	13,337.55	1876	4,871.08
1852	19,284.61	1877	7,422.99
1853	29,557.19	1878	14,803.43
1854	23,711.57	1879	23,221.62
1855	10,867.46	1880	1,313.30
1856	9,690.79	1881	20,045.52
1857 (deficit)	$6,653.01.	1882	21,204.30
1858	19,766.96	1883	4,056.03
1859	27,306.38	1884	3,452.55
1860	12,342.50	1885	5,349.59
1861	26,761.28	1886 (deficit)	$7,011.79
1862	49,696.21		
1863	38,064.94	Total	753,982.06
1864	29,906.96	Also amount paid by comptroller on account of expenditures contracted previous to March 1, 1887, $7,000	20,614.80
1865	18,620.59		
1866	24,557.48		733,367.26
1867	25,089.73		
1868	37,244.06		
1869	41,211.09		
1870	24,411.38		

(From pamphlets mentioned.)

ONONDAGA SALT INDUSTRY.

The Industrial History of the United States, by Albert S. Bowles, just published, contains the following:

"A great revolution in salt manufacture was wrought by the utilization of the valuable salt springs of Onondaga County, New York. These were known very early to the Indians. Father Lallemont is the first white man who is recorded as having visited them. De Moyne, a Jesuit, mentions them in 1653. In 1770 Onondaga salt was well known in Quebec and Albany, whither the Indians brought it. The whites first made salt there in 1787; in which year or the following one the Oneida Indians ceded the lands to the State. Leases were then granted to manufacturers, who sunk wells and went to pumping from the rich salines beneath. But the State reserved the control of this mineral production to itself, and soon took charge of the pumping.

"To such dimensions has the business grown that whole villages of vats and brick 'blocks' for containing the kettles have sprung up around Syracuse."

The tariff reduction in 1874 put a sudden check to the development of the salt industry of Syracuse. "Blocks" worth $10,000 each were abandoned by their owners, and are now in ruins.

Another evidence of the disastrous effects of reducing the tariff may be seen in the subsequent reduction of the amount of capital invested in salt manufacture at Syracuse. There was invested in 1872:

In solar salt works	$2,200,000	
In boiling or fine works	2,000,000	
In dairy salt works	150,000	
In State property	400,000	
In cash capital	1,250,000	
		$6,000,000
The census of 1880, the investment	2,286,081	
Add to this the cash capital	1,250,000	
		3,536,081
A shrinkage of		2,463,919

The salt works of Syracuse grew in importance and proportions until the maximum production was reached in 1870, when 8,748,956 bushels were made. The reduction of the tariff in 1874 caused a decline to 5,392,677 bushels in 1876, since which time there has been a gradual increase in the amount of product. The following table shows the number of bushels of solar and common fine salt produced during the last decade, the dairy salt, made from the common fine, of course, not increasing the amount:

Years.	Solar.	Common Fine.	Total.
	Bushels.	*Bushels.*	*Bushels.*
1872	1,882,604	6,048,321	7,930,925
1873	1,691,359	5,768,998	7,460,357
1874	1,667,368	4,361,932	6,029,300
1875	2,655,555	4,523,491	7,179,046
1876	2,308,679	3,083,998	5,392,677
1877	2,525,335	3,902,648	6,427,983
1878	2,788,754	4,389,443	7,176,197
1879	2,957,744	5,364,418	8,322,162
1880	2,516,485	5,482,265	7,998,750
1881	3,011,461	4,905,775	7,917,236

The attached is the report upon the Government tests of salt to which I have referred:

COMPARATIVE MERITS OF FOREIGN AND DOMESTIC SALT.

Attempts having been made to depreciate the quality of American manufactured salt, and especially to prejudice the minds of the friends of the protective policy against the purity and preservative properties of salt produced in this country, the salt manufacturers of Syracuse, in the State of New York, respectfully submit for the consideration of members of Congress, in both branches, the following testimonials as to the merits of the article produced by them. It will be proper to observe here that the kind of salt referred to, and mostly used for packing purposes, is called the "Onondaga solar or coarse salt"—a variety resembling Turk's Island in appearance, and manufactured principally in the State of New York; but there is nothing to prevent the manufacture of this description at any of the salines in this country; or, under a suitable system of protection, to limit the amount to anything less than what is needed for consumption in the United States.

The first testimonials in relation to this production are derived from the annual report of the superintendent of the Onondaga Salt Springs, in the year 1856, as follows:

[Extracts from said report.]

REPORT OF GOVERNMENT TESTS.

Results of certain trials of Onondaga solar salt and Turk's Island salt, instituted by the General Government during the years 1851, 1852, 1853, and 1854.

Complaint having been made to the President in 1851 that the regulations of the War Department in this respect unjustly discriminated against the character of the Solar salt of the State of New York, an order was issued by Secretary Conrad, directing that 300 barrels of pork should be packed in New York with salt of both descriptions, in equal quantities, for the purpose of testing, by actual and thorough experiment, the comparative merits of the two kinds. The agent of the Onondaga manufacturers, N. Randall, esq., was apprised of this order, and the pork was put up in his presence, in New York City, in November, 1851. The hogs were of the best quality, fattened in the river counties near the city; each hog was split in two, and one-half packed with Onondaga and the other with Turk's Island salt. The barrels were distinguished by numbers—those containing Onondaga salt receiving the odd number, and those with Turk's Island the even number.

Six barrels of this pork were sent to each of the different military posts along the seaboard and at the South and West and in the year following a lot was shipped to California. Instructions were given to the commanding officers of the several posts to have two barrels of pork inspected in each of the three succeeding years by a regularly organized board of survey—the results to be reported to the Department at Washington.

ABSTRACT OF REPORTS.

Trial made upon two barrels of pork (packed as above stated) at Fort Trumbull, Conn., August 24, 1852.

No. 31. Onondaga salt: Color, the fat portions of a clean, white color; the lean of a clean, dark red. Hardness, the meat of both the fat and lean very hard and firm. Sweetness, very sweet and sound. Loss in boiling, 17¼ pounds; boiled one and one-half hours, weighed 13¾ pounds. Quality after boiling, was firm and hard, same color as before, and of good taste. Weight, 198¼ pounds.

No. 32. Turk's Island: Color, the fat portions of a clean, fine, white color; lean of a clear, bright red color. Hardness, No. 32 not as hard and firm as that of No. 31. Sweetness, very sweet and sound. Loss in boiling, 17¼ pounds; boiled as in No. 31, weighed 13½ pounds. Quality after boiling, soft and liable to run, but had the same color, and the taste was good. Weight, 198¼ pounds.

Conditions the same in both barrels.

Trial at Fort Mifflin, Pa., August 24, 1852. Pork all quite firm and solid. No 56 was the whitest; No. 55 appeared to be the hardest. An offensive smell issued from No. 56 on opening the barrel, which was not the case in No. 55. Throughout No. 55 the meat was sweetest in smell. The piece boiled from No. 55 was the sweetest and firmest, and apparently the best preserved.

Trial at Fort Moultrie, S. C., August, 1852: The examiners sum up their observations with the remark that "the board is of opinion that for immediate use the difference between the two barrels is very slight, but, judging from the appearance and retentive firmness of the pork in the two barrels, they think No. 91 will retain its present state of preservation longer than No. 92." "The inside of the pieces in No. 92 were of a slightly greenish tinge."

Trial at Castle Pinckney, S. C., August, 1852: The smell and taste of No. 1 was decidedly the sweetest and best flavored, that of No. 2 being strong and rank."

Trial at Fortress Monroe, Va., August, 1852: The board concluded their examination by saying: "There appears to be so little difference in the qualities of the two barrels of pork that the board can not express any decided opinion as to their comparative merits."

Trial at Key West, Fla., August, 1852: To the statement of the examiners is appended the following by Capt. J. Vogdes:

"I concur with the board in the above report. I would, in addition, beg leave to state that the salt was much better dissolved in No. 26 than in No. 25. The salt in No. 26 tasted strongly of the pork, whilst that of No. 25 seemed as pure as when it had been packed. No. 25 was issued immediately (August 24), No. 26 on the 10th of this month (September). The soldiers prefer No. 25 for eating meat to No. 26."

Trial at Fort Adams, R. I., September, 1852: Major Sherman concludes his report thus:

"It is the opinion of the board that at the present time no essential difference can be found to exist between the two barrels of pork. They both appear to be good and sweet and of sufficient hardness," etc.

Colonel Gates adds a statement as follows: "I have carefully examined the said barrels of pork and tasted some of each (cooked and uncooked), and I am of opinion that the pork contained in the barrel marked No. 25 is preferable at this time to that contained in No. 26 by reason of its more fine appearance and

more agreeable taste upon the whole, and I should prefer for my own use the meat contained in barrel No. 25."

Trial at East Pascagoula, Miss., August, 1852: "The board is of opinion that the pork examined is uncommonly good. Before it was boiled the board was of the opinion that No. 28 was better than No. 37. After boiling there was no perceptible difference between the two."

Trial at East Pascagoula, Miss., September 7, 1853: "The board is of opinion that the pork in both barrels is uncommonly good and very well preserved, so much so that it is difficult to say which is the best; in the hardness and color there is a slight difference which would lead the board at this time to decide in favor of the salt in No. 39."

Trial at Fort Sullivan, Eastport, Me., August, 1853: "Both pieces were found to be very good, but that from barrel No. 3 was a little the hardest, a little the sweetest, and a little the best. The color of both was the same and pretty white."

Trial at Fortress Monroe, Va., August, 1853: Colonel Bankhead remarks: "The orderly sergeants of the companies report that they have used the entire contents of the two barrels (No. 81 and No. 82), and give a decided preference to the pork in No. 81, being sweeter, more solid, and less loss on boiling, and less affected after the barrels were opened by exposure to the air. The pork in No. 82 exhibited a slight taint by being kept a few days before boiling."

Trial at New York, September 29, 1853: The examination took place in the presence of the principal pork packers and pork dealers of the city.

"Barrels Nos. 51 and 52 were opened in the presence of these gentlemen, and the results given were the unanimous opinion. No. 51, before boiling. Color: yellow on the surface, looking as if rusted; scraping the surface it showed white and clean.

No. 52. Color: bright and clean, both lean and fat, looking as if just packed. Both sweet and firm.

After boiling:

No. 51. Color: yellowish on the surface, white and clean within. Hardness: harder than 52, but attribute that to the hog being younger. Loss in boiling: 6 pound 3 ounces. Quality: very firm and sweet. Weight: 195 pounds.

No. 52. Color: fat, white; lean, pink; both bright; hardness: firm, but not equal to No. 51. Loss in boiling: 7 pounds. Weight: 199.

A number of barrels of each kind were then opened. The result in color was, in all, the same. The barrels unevenly numbered were uniformly stained yellowish, whilst the even-numbered barrels presented the pork white and clean.

The pork in the uneven numbered barrels was invariably better cured.

It was the unanimous opinion of the packers, that for sale in the New York market, the even numbered barrels would be preferred, because of the better color of the pork. But for long shipments the preference would be given to the uneven numbered barrels, the pork being better cured.

All other differences, except the two last named, were deemed by them due to the age and feeding of the hog.

Trial at Fort Washington, N. H., August, 1853.—"Altogether the pork in 75 was superior to 76 in color, sweetness, and firmness, and fewer pieces rusty."

Trial at Key West, Fla., August, 1853.—"Pork in No. 27 much superior to No. 28, and so preferred by the men."

Trial at Fort Mifflin, Pa., August, 1853.—"On opening barrel No. 57 I found that about 6 or 8 inches of brine had leaked out, and that the pork was slightly rusted. Otherwise it was white, tolerably hard, and perfectly sweet.

No. 58 was full of brine. The pork of quite a red color, rather soft, and had an offensive odor. The salt had not penetrated or 'struck in' the pork, which is tainted and unfit for use."

Trial at Fort Trumbull, Conn., August, 1853.—"No. 34, after boiling, had flavor decidedly rusty; No. 33 not perfectly sweet, but much superior to 34."

Trial at Fort Van Couver, W. T., August 1854.—"The board is of opinion that the pork in barrel No. 61 is better preserved in every respect than that in No. 62."

Trial at Fort Reading, Cal., August 30, 1854.—"The flavor of No. 73 was better and more agreeable than No. 74, although No. 74 was not quite so salt. Both 73 and 74 were considered excellent in quality, but the preponderance in favor of No. 73." At a previous trial, same post, in February, the report says: "From the above experiments and tests, the board are of the opinion that No. 71 is a superior quality of pork, losing less in weight and generating less thirst—two very important points," etc.

Trial at Key West, Fla., August 24, 1854.—"No. 29. Hardness: Firmer than usual contract pork; fat and lean, no appearance of separation. Color: A little redder redder than usual contract pork; very healthy appearance, fat very white. Sweetness: Sweeter than the usual contract pork; no offensive smell on opening barrel. Loss in boiling: 20 pounds reduced to 11½. Quality after boiling: Firm, sweet, of a good color, much more acceptable to the men than the usual contract pork; by the men considered the best pork they have ever had at this post.

No. 30. Hardness: Rather soft. Color: Bright red; unhealthy; very offensive smell when barrel was opened. Sweetness: Sour before and after boiling. Loss in boiling: 20 pounds reduced to 7¾. Quality after boiling: Soft, sour, greenish, and lean inclined to separate; not good pork; the fat had separated from the lean in the barrel; salt well dissolved.

Trial at Fort Moultrie, S. C., August 24, 1854: "In regard to the color of the pork, the board is of the opinion that the pork in barrel marked 95 is superior, it having apparently changed its color but slightly since it was packed, whilst that in barrel No. 96 was changed to a dingy yellow. As to hardness, that in barrel No. 95 is superior, being quite hard, while that in 96 has become somewhat soft. As to sweetness, 95 is superior." Same after boiling.

In addition to the above the following certificates and letters from experienced and responsible business houses have been furnished to the Syracuse manufacturers within a few weeks past:

[From Messrs. Crowell & Paine, a well-known provision house in New York.]

NEW YORK, *May*, 1866.

GENTLEMEN: In response to your request for an expression of our experience in the use of "domestic salt," for curing fish, we would say: We have been for twenty years engaged in furnishing vessels going after fish, and supplying packers of fish with salt, and selling their fish for the fishermen; that for the last three years, since the "Onondaga salt" was introduced into this market, we have supplied the fishermen with from forty to seventy thousand bushels each year, and do not hesitate to affirm that the domestic salt is superior in every respect to foreign salt for curing fish. It gives the fish a better appearance, and is more economical in use. In every instance where it has been used we have had favorable reports from it, and our customers give it the preference to foreign salt.

Very respectfully,

CROWELL & PAINE,
6 *Coenties' Slip.*

Messrs. ST. JOHN & AVERY,
Dealers in Salt, 103 Broad Street, New York.

[From C. Nickerson & Co., a long-established and respectable firm in New York.]

NEW YORK, *May* 18, 1866.

DEAR SIR: We take great pleasure in addressing you upon the excellent qualities of the salt produced by the company for which you are acting.

We have bought your salt largely, both the last and present year, and those parties who have used it most freely speak in the highest terms of its quality. We have also sold fish which were cured with it, and they were of superior color, being free from lime-spots, and leaving the surface of the fish free from sediments.

We feel free to say that we think for curing codfish or mackerel your salt is unsurpassed, and but few kinds are its equal.

Yours truly,

C. NICKERSON & CO.,
16 *Coenties' Slip.*

THOS. Y. AVERY,
Agent of the Onondaga Salt Company.

[From Messrs. Cragin & Co., among the largest provision packers and dealers in New York.]

NEW YORK, *May* 19, 1866.

GENTLEMEN: We have been extensively engaged in packing beef and pork at Chicago, and inspecting the same in New York, for the last ten years.

We have used the Syracuse solar salt extensively, and consider it equal to any salt in use for packing and preserving provisions.

Truly yours,

CRAGIN & CO.,
400 West Twelfth Street, New York.

Messrs. ST. JOHN & AVERY.

[From Messrs. Wallace & Wickes, one of the most respectable provision firms in New York.]

NEW YORK, *May* 16, 1866.

DEAR SIR: In reply to your request for an expression of our experience of the comparative value of the Onondaga and foreign salt for curing meat, would say: We are not curers of meats, but have been large dealers in meats cured by both kinds of salt, and of late years we have found the meats cured with Onondaga salt to appear as well, sell as well, and keep as well as that cured by foreign salt.

Yours, respectfully,

WALLACE & WICKES.

Mr. T. Y. AVERY.

[From Mr. James A. Stetson, New York.]

NEW YORK, *May* 21, 1866.

GENTLEMEN: I have been engaged in supplying fishermen with salt and dealing in fish for the last four years; have used the Onondaga salt extensively, and have found it equal, if not superior, to any kind of foreign salt for curing fish, and therefore take great pleasure in recommending it.

JAMES A. STETSON, 2 *Coenties' Slip.*

Messrs. ST. JOHN & AVERY.

[From Messrs. Baker & Downs, an old established salt firm in Boston.]

GENTLEMEN: We would say in reply to your inquiry that we sold last season some 40,000 bushels of your Syracuse salt, mostly of the description called Diamond F, to the packers and dealers in fish in this market, and it has in every instance given perfect satisfaction.

Yours respectfully,

BAKER & DOWNS.

Messrs. ST. JOHN & AVERY.
BOSTON, *May* 23, 1866.

[From F. Snow & Co., wholesale fish dealers, No. 4 Commerce street, Boston.]

TO WHOM IT MAY CONCERN: This is to certify that we have used several cargoes of Diamond F, Syracuse salt, and take pleasure in recommending it as well adapted for all purposes connected with curing and preserving fish. We supplied several vessels with it last year, and they were so well pleased that they inquired for it this spring again, and prefer it to foreign salt.

FRANKLIN SNOW & CO.

[From several of the most experienced provision packers and dealers in Chicago.]

TO WHOM IT MAY CONCERN: This is to certify that we have for many years past been engaged in the business of beef and pork packing in this city and elsewhere; we have used both foreign and domestic salt, and have no hesitation in saying the solar or coarse salt manufactured in Onondaga County, State of New York, is fully equal in quality for the preservation of beef and pork to Turk's Island or any salt we have ever used.

A. E. KENT & CO.
CALBUTERE, BLAIR & CO.
TOBEY & BOOTH.
CRAGIN & CO.
S. FAVORITE & SON.
BRAINARD, BURT & CO.

CHICAGO, *May* 18, 1866.

[From Mr. A. Richmond, one of the most extensive dealers in salt in Chicago.]

This is to certify that for many years past I have been a dealer in salt in this city, and have sold very extensively the salt manufactured in Onondaga County, New York. From my experience in the sale of Onondaga solar salt, for packing purposes, in competition with Turk's Island and other foreign salts, I have no hesitation in saying that I consider this salt fully equal in quality to any other known to commerce in this country for the preservation of meats or fish.

ALONZO RICHMOND.

CHICAGO, ILL., *May* 21, 1866.

[From well-known and extensive packers at Milwaukee.]

TO WHOM IT MAY CONCERN: This is to certify that we have for many years past been engaged in the business of beef and pork packing in this city and elsewhere; we have used both foreign and domestic salt, and have no hesitation in saying that the solar or coarse salt manufactured in Onondaga County, State of New York, is fully equal in quality for the preservation of beef or pork to Turk's Island or any other salt we have ever used.

CHARLES H. WHEELER.
JOHN PLANKINTON, LAYTON & CO.
JOHN FURLONG & SONS.

[From several old established firms in Detroit.]

TO WHOM IT MAY CONCERN: This is to certify that we have for many years past been engaged in the business of packing and curing fish in this city and elsewhere. We have used both foreign and domestic salt, and have no hesitation in saying that the solar salt manufactured in the State of New York is

fully equal in quality for the preservation of fish to any other salt we have ever employed for that purpose.

MOORE, FOOTE & CO.
C. FITZSIMMONS & CO.
JAMES CRAIG.
BISSELL & GILLETTE.

Also signed by B. Clark, pork and beef inspector for the Board of Trade, Detroit.

[From Mr. Alfred A. Howlett, of Syracuse, N. Y., for twenty years past connected with one of the most extensive and successful packing establishments in the West, their location being at La Fayette, Ind.]

MY DEAR SIR: I was this day shown copies of two letters under date of Boston, April 24, 1886, addressed to Hon. Samuel Hooper, Washington, D. C., signed by James Oakes, and James Oakes and others.

In speaking of the comparative values of Turk's Island and Mediterranean salt on one hand, and domestic salt on the other, the writers, among other things, say that the first is "indispensably necessary for the purpose of packing provisions," etc.; and again, "American manufactured salt is not suitable to preserve provisions any length of time in hot climates."

I believe that the larger share of beef and pork packed in the United States, both for home consumption and export, is put up in the Western States, and in none other more extensively than in the States of Indiana and Illinois; and from my own personal observation and experience I know that the salt used and that has been used in those States for packing for years back has been almost exclusively the Onondaga solar or coarse salt, and I challenge any pork or beef in the markets of the world to claim superiority over the packing of those States.

I have been myself a beef and pork packer in Indiana for the last twenty-two years, never packing less than 2,000 barrels, and from that up to 25,000 barrels per year, and for a number of years back not going below 10,000 barrels with but very little exception, and that occasioned by inability to obtain the Onondaga solar salt. I have used no other than the coarse salt made by solar evaporation at Syracuse, Onondaga County, New York; and in all that time I have not been compelled to take back in the aggregate 300 barrels on account of failure from any cause, and then none on account of failure of the salt. The pork and beef of my packing has been marketed year after year at the same point, and I have always received without trouble in New York and elsewhere the highest market price obtained for army beef or pork on the market.

Having had a life-long experience in packing, dealing in, and hand in hand beef and pork, and having used myself and seen used by others all kinds of salt for packing, I freely and conscientiously say that I would give as large a price per pound for the Onondaga solar salt as for any other salt known to the commerce of this country, for I consider it in all curative and preservative effects not inferior to any other, and for some reasons superior.

No discrimination is asked for or expected on account of this salt by our customers, and the old prejudice against this salt, triumphantly exploded by the United States Government tests of 1851 to 1854, inclusive, is no more heard of among the beef and pork dealers and consumers of this country.

A. A. HOWLETT.

Hon. T. T. DAVIS.

For the genuine and authoritative character of the foregoing testimonials reference is respectfully made to Hon. Thomas T. Davis, representative from the Twenty-third Congressional district in the State of New York.

I also submit the statements of others engaged in the manufacture of this staple in the Onondaga and Warsaw districts, which statements speak for themselves:

[Extracts from statement of salt manufacturers at Warsaw, N. Y.]

About the year 1883, the discovery of salt in Western New York, distant about 125 miles from the Syracuse field, led to an extensive development of this industry in that region, and with the result that standard common fine salt was freely offered during 1886 and 1887 as low as 55 cents per barrel (barrels worth 25 cents included), being equivalent to 6 cents a bushel for the net salt.

As regards the assertion that a salt pool or trust has been organized, with a view to the artificial elevation of prices, or the curtailment of production, the undersigned committee are not aware of such an organization, and are able to state in the most positive manner that such does not exist, so far as salt district of Western New York is concerned; and a general pool among the salt producing interests of this country could hardly exist without the fact coming to the knowledge of one or the other of this committee.

Turning from these general considerations, we invite the attention of your committee to the salt trade of Western New York. This field embraces two contiguous districts, commonly spoken of as the Warsaw and the Genesee, lying within the counties of Wyoming, Genesee, and Livingston. In the Warsaw district there are fifteen large salt blocks with an aggregate capacity of about 5,000,000 bushels annually. These are the—

Castile Salt Works, Castile, N. Y.
Duncan Salt Company, Silver Springs, N. Y.
Silver Lake Salt Company, Perry, N. Y.
Kerr Salt Company, Rock Glen, N. Y.
Eldridge Salt Company, Warsaw, N. Y.
Empire Salt Company, Warsaw, N. Y.
Hawley Salt Company, Warsaw, N. Y.
Gouinlock & Humphrey Salt Company, Warsaw, N. Y.
Warsaw Dairy Salt Company, Warsaw, N. Y.
Miller Salt Company, Warsaw, N. Y.
Crystal Salt Company, Warsaw, N. Y.
Pearl Salt Company, Pearl Creek, N. Y.
Le Roy Salt Company, Le Roy, N. Y.

The amount of capital invested in these works, according to the estimate of a competent authority, is about $2,100,000, and the number of persons directly supported by this industry numbers about 2,000.

As regards the profits of the business in this district, this committee believes itself to be in possession of reliable information, to the effect that no company paid any dividend during the past year, two companies failed during 1887, and from the best information we can obtain we are persuaded that the production of salt in the Western New York district for the last two years has not paid the cost of producing. Some companies have made a little, but others have lost more, so that on the whole the business has not paid.

We may further say that in consequence of the development of the salt manufacture the counties of Genesee, Livingston, and Wyoming are experiencing a prosperity never before known to them. Money is more abundant than ever before, labor finds employment, and the farmer and the mechanic find market for their products and their skill. Salt is cheaper than ever before and of a better quality.

Butter and cheese manufacturers formerly looked abroad, especially to England, for their salt, but now as good an article is furnished of domestic production and at a much lower price.

Should the duties on salt be removed and the price of the article correspondingly decline, every salt plant in the States of New York, Michigan, Virginia, California, and Louisiana would be rendered worthless; the large amount of capital invested lost, and the laborer, the mechanic, and the farmer obliged to seek other markets for their products.

In the Genesee district of Western New York there are two salt blocks located at Mount Morris, N. Y., on the line of the Delaware, Lackawanna and Western Railroad, and known as the Lackawanna Salt Company and the Royal Salt Company, while in the same district on the line of the Western New York and Pennsylvania Railroad, there are the—

Leicester Salt Company, at Cuylerville, N. Y.
York Salt Company, at York, N. Y.
Livingston Salt Company, at Piffard, N. Y.
Genesee Salt Company, at Piffard, N. Y.
Retsof Mining Company, at Piffard, N. Y.

This latter company mines the rock salt, instead of evaporating the brine, as is the case with all the other companies mentioned.

The shipments of salt during 1887, from the stations on the Western New York and Pennsylvania Railroad, are stated by Mr. George S. Gatchell, general superintendent of that road, to have amounted to 79,194 tons, or a little more than 5,000 car loads. He further says: "We expect the same to be materially increased during the coming year."

Of the companies in the Genesee district, it is believed that none have paid dividends from the earnings of the years 1886 and 1887. The business has been conducted without profit and in most instances at a loss. This is due in part to the earnest effort put forth by manufacturers to improve the quality of their product, leading to costly experiments, which absorbed profits without yielding any immediate return, other than the increased appreciation of customers.

During the past three years, the average quality of the salt produced in the Western New York field has very rapidly improved, and it may be said, without fear of successful contradiction, that the best salt produced there, for dairy and packing purposes, is superior to the best produced in England for similar purposes. It would seem, therefore, from the standpoint of the political economist, bad policy to destroy in its infancy an industry which in the near future promises to render the country independent in this respect of foreign control.

In the district represented by this committee immense quantities of standard salt for packers' use have been sold during the years 1886 and 1887, at a net price of from $2 to $2.40 per ton of 2,000 pounds, the average probably being about $2.25, prices which, as already shown, have not paid the cost of manufacture.

In estimating the influence of the removal of the duty on salt, we must consider its relations both to the consumer and to the domestic manufacturer, and the tariff should be equitably adjusted in such way that neither interest should be placed entirely at the mercy of the other.

Fine salt for dairying purposes comes from England in sacks holding 224 pounds and pays a duty of 12 cents per hundred pounds, equal to about 27 cent per sack. The best quality of this salt sells in New York for about $2.25 per sack or say 1 cent a pound. One pound of salt is usually added to 16 pounds of butter, so the salt in each pound of butter costs in this market $\frac{1}{16}$ of a cent. If now the duty of 27 cents a sack be removed and the market price correspondingly fall, there will be a saving to the butter-maker of about $\frac{1}{3}$ of the present cost, equal to about $\frac{1}{112}$ of a cent for each pound of butter made. In other words, removal of the 12-cent tariff on dairy salt will save the creamery and dairy men one cent for every 128 pounds of butter made.

Is this saving to the butter-maker or the consumer of butter worth the sacrifice of the dairy-salt-making interest of the United States?

Salt imported for packers' use and commonly known as "Liverpool ground," usually comes in bulk and pays a duty of 8 cents per hundred pounds, equal to $1.60 per ton of 2,000 pounds. If the market price of salt in the United States should be reduced to the extent indicated by these figures, it is clear that the domestic manufacturer would receive but 65 cents a ton for the salt that he makes. As fuel required for making a ton of salt costs a little over $1, the salt manufactories of this region, and in fact of all the salt-making regions of the United States, must inevitably close. With the salt works of this country closed and the plants dismantled, the market would be in the hands of the English manufacturers and prices would probably reach, if not surpass, those of twenty-five years ago. We trust that such a condition of affairs may be averted.

In all reports on salt it has been classed as a raw material. We beg to state that it is a manufactured article, using large quantities of coal, machinery, iron, and wood in its production, and, owing to its nature, the major part of the plant has to be renewed in three to five years.

Respectfully submitted.

H. G. PIFFARD, of New York,
S. T. KERR, of Philadelphia,
C. T. BARTLETT, of Warsaw, N. Y.
Committee.

FOREIGN AND DOMESTIC SALT.

SIR: In compliance with your request the undersigned beg leave to lay before you a short compendium of the relations existing between foreign and domestic salt, and we beg that this paper may be taken in connection with, and as supplementary to the "memorial" recently addressed to you by us.

CONSUMPTION OF SALT.—The salt consumed in the United States is partly of domestic production and partly imported from other countries, and the relative proportion of domestic to foreign has been for—

Years.	Domestic.	Foreign.
	Tons.	*Tons.*
1883	774,029	367,469
1884	894,369	405,719
1885	879,769	400,422
1886	983,385	389,104

These figures, compiled from Day's Mineral Resources of the United States, [Government Printing Office, Washington, 1887], show a gradual increase in the demand for salt in this country, which demand was chiefly for salt of domestic manufacture; and the domestic production, to meet this demand, has increased about 25 per cent. in four years, while the demand for imported salt has actually decreased. It is a fair inference, therefore, that consumers to the extent of over 200,000 tons believe that they have found better value for the same money in domestic than in foreign salt.

KINDS OF SALT.—There are four principal kinds or grades of salt used in this country. The grades made in the United States are:

"Common fine," corresponding to the English "Common."
Dairy (factory filled) corresponding to the English "Fine" (factory filled).
Solar (Syracuse, California) corresponding to sea salt (West Indies, etc.).
Rock salt (Louisiana, Western New York), corresponding to rock salt (England).

"Common fine," and factory filled or dairy salt, is made both at home and abroad, by evaporating strong brines in either wooden or iron vessels. The wooden vessels, called grainers, are long tanks containing steam pipes, and the iron vessels are large kettles or pans with furnaces underneath them.

Solar salt (American) is obtained by exposing the brine contained in the wooden tanks to the open air and without the use of artificial heat. This industry is chiefly carried on at Syracuse, N. Y. But the demand on the Pacific coast for a good solar salt at a reasonable price has led, within a recent period, to the development of this branch of salt-making in California.

Sea salt (foreign) is usually obtained from ponds or small lakes connecting with the sea.

Rock salt is mined much after the manner of coal, and is found quite near the surface in Louisiana, and at a considerable depth (1,000 feet) at the Retsof mine,

at Piffard, in the western part of the State of New York. (See circular Retsof Mining Company, Exhibit A.) Rock salt is furnished in large lumps for salting cattle and horses, or crushed into small pea-sized fragments for hide-salting, acid-making, and other purposes.

Price of salt.—The selling price of common salt at the various works in Western New York during the past two years has averaged less than $2 50 per net ton (2,000 pounds), and in Michigan the price has been still lower. The freight from works in Western New York to Philadelphia, Baltimore, and New York City is at present 10 cents per hundred pounds, and to Boston 12 cents, being somewhat higher than before the passage of the interstate-commerce act.

The selling price of English common salt at Liverpool is nominally *7s. 6d.* per ton (2,240 pounds), but large sales have recently been made as low as *6s. 6d.* The freight on this salt from Liverpool during the past three years has varied from *1s.* to *8s.*, according to the port to which it is sent, season of the year, etc. The average freight for this period to the principal ports of our Atlantic coast has probably been less than *4s.*

Salt of this grade it brought over in bulk and pays a duty of 8 cents per hundred pounds.

Dairy or factory filled is chiefly prepared from common salt by certain processes of purification, drying, grinding, etc., and fetches at the works in Syracuse, Western New York, and Michigan from $5 to $6 per ton (2,000 pounds). A better quality, made direct from the brine by more expensive processes, fetches a higher price.

English fine salt varies greatly in quality; the lower grades, *e. g.*, Falk's being obtainable for *21s.* free on board at Liverpool; Deakin's at *25s.*; while the highest grade, Ashton's, is not quoted to the trade for shipment to America, as the entire quantity brought to this country comes through a single house, namely, that of F. D. Moulton & Co., of New York, who thereby enjoy a monopoly of the sale of this salt in America. This salt is quoted in the New York market in sacks at $25 per ton. The duty on this salt is 12 cents per 100 pounds, equal to $2.68 per ton.

The sacks in which English fine salt is brought to America pay no duty, but the American salt manufacturer using similar sacks is obliged to pay a duty of 40 per cent. on them, or on the material from which they are made.

English lump or rock salts cost in Liverpool about *7s.* to *8s.* per ton, and until quite recently was sold to the American consumer at a very large advance in price.

Sea salt from Turk's Island and the Mediterranean is held in the New York market at from $8 to $12 per ton. Just how much of this is profit to the importer we are not prepared to state. Until recently there existed among the importers of sea salts in New York a combination or pool which controlled the price in that city, and it was not until American rock salt from Western New York was freely offered in the New York market at comparatively low prices that consumers were able to obtain coarse salt at a reasonable price.

Cost of manufacture.—The comparative cost of manufacture of salt in this country and in England involves a comparison of the original cost of the plant, the cost of repairs, the fuel used for evaporating the brine, and the labor employed in raking or lifting the salt from the pans and grainers and putting it in the bins.

The first cost of a salt plant in America is about double that of an English plant of the same capacity, due to the greater cost of the wood and iron which enter into their construction, and to the higher wages received by the masons, carpenters, and laborers employed in the work. Much of the machinery is liable to rapid deterioration, and the large iron pans, costing say $2,000 for a pan 100 by 30 feet in size, will require annually repairs amounting to fully 20 per cent. of their prime cost. These repairs are relatively more expensive than they would be in England.

All of the boiled salts, that is, the grades known as "common" and "fine" (factory filled), necessitate the use of large quantities of coal and the employment of much labor.

Coal is cheaper in England than here, and the rate of wages paid in England is about one-half that which is paid in America for similar services.

The cost of fuel for evaporating brine in this country we can state with some exactness, based on the actual production of salt and consumption of coal during the months of December, January, and February just passed, at one of the works in Western New York.

During these months 165,033 bushels of salt were made at a cost of $5,000.93 for fuel, or a little over 3 cents per bushel, or $1.23 per ton (2,000 pounds).

The rate of wages paid in Western New York to rakers and lifters of salt is $1.50 per day, and the actual cost for labor on the salt above referred to amounted to $4,403, equal to $2.66 per bushel, or $1.06 per ton (2,000 pounds). A ton of salt therefore costs for fuel and the labor of raking and putting in bins $2.29. Dairy salt requires a further expenditure of fuel and labor to dry, grind, and screen, and fit it for its intended purpose. It will be noted that the expense of packing and putting on cars, the expense of selling the product, and the expenses of administration are not included.

From the above it will be clearly seen that under existing circumstances common and fine salt can not be manufactured as cheaply in America as in England. We may further state that rock-salt can not be mined, even with improved machinery, as cheaply in this country as in England, and that solar salt can not be made and gathered as cheaply by American labor as it can by the native Portuguese, Italians, and West Indian negroes.

In a communication from Messrs. F. D. Moulton & Co. to your committee, a statement is made as to the comparative expense of laying down a ton (2,240 pounds) of Syracuse and a ton of English salt in New York. It is there stated that it costs $4.20 to deliver a ton of Syracuse salt in New York, while English salt can be placed there for $3.32 if admitted free of duty, which is entirely in harmony with what we have ourselves stated above.

The inference of F. D. Moulton & Co., "that the American manufacturer takes the full advantage of his position in extorting from the consumer every cent that he can consistently with keeping out the foreign article," and "that the American manufacturer is receiving an unduly large percentage of profit," are not warranted by the facts, as the cost of producing Syracuse salt is probably greater than even that of Western New York.

Much valuable information concerning the relations of English to American salt will be obtained from an examination of Falk's salt circulars. From these circulars, covering a period of several years, we find that the average prices of English salt at Liverpool have been as follows:

Years.	Common salt.	Fine salt.
	s. d.	*s. d.*
1872	10 6	35 0
1873	15 0	40 0
1874	16 0	42 0
1875	12 0	40 0
1876	10 0	31 0
1877	9 0	28 0
1878	10 0	28 0
1879	9 0	27 0
1880	9 0	26 0
1881	9 0	26 0
1882	9 0	26 0
1883	9 6	25 3
1884	7 9	25 9
1885	9 0	27 0
1886	9 6	25 0
1887	7 9	24 6

The very remarkable but gradual fall in the price of English salt is probably not due to accident or special benevolence on the part of the manufacturer, but is unquestionably due to overproduction or great (chiefly) American competition.

An examination of a series of Falk's circulars reveals some very interesting facts relating to the formation of a combination or trust among the salt-producers of England to control production and regulate prices, and the hope and expectation that the American Congress will pass laws that will enable them to recover the American trade now slipping from their grasp. That English manufacturers are losing money on their shipments to America is frankly conceded, and the unprecedentedly low prices prevailing can only be explained on the theory that the English makers are selling in this market at prices greatly below cost in order to discourage and if possible crush out American manufacture with the ultimate result of a return to the high prices they formerly obtained. (Exhibit B.)

The crisis in the salt industries of America and England is at hand, and the question for the American Congress to decide is which shall yield to the other.

The fear has been expressed that if English salt is shut out of the American market domestic manufacturers will form a pool or trust for the purpose of putting up prices to an unreasonable figure. This fear is baseless.

The salt manufacture of England is practically confined to a single county, Cheshire, and an English pool has been formed and can be readily maintained. The salt manufacture of this country, on the other hand, is widely distributed, and experience has shown that an American pool is impracticable, for if an attempt were made to unduly raise prices new territory would be developed to offset it.

The salt deposits in Western New York alone cover an area of over 2,000 square miles, under which there is a stratum of rock salt 60 or 70 feet in thickness. Michigan possesses an equally extensive deposit of the raw material, and other localities are abundantly supplied. America is fully equal to the task of furnishing all the salt needed by the domestic consumer, and at a reasonable price. Remove the present duty, destroy domestic manufacture, and you make our entire country, as a great portion of the civilized world now is, tributary to Cheshire.

The communication from Messrs. F. D. Moulton & Co., already referred to, coming from a house that has so long been identified with the English salt interests, merits careful consideration, as they are unquestionably in a position to be well informed as to the matters of which they speak. We must, however, join issue with them on some points, both of fact and inference.

These gentlemen, the sole agents for Ashton's English dairy salt, attack the quality of American salt, especially that prepared for dairy use, speaking as follows:

"American brine is full of lime, gypsum, and other foreign matter, which can not be wholly eliminated by any process of manufacture. English is free from these injurious elements."

These statements we absolutely and categorically deny. The fact is, there is absolutely no "lime" (oxide of calcium) in American brine. Gypsum (sulphate of lime) does exist in American brine also, and to a great extent in English brine. As, however, butter-makers use salt, not brine, the purity of the manufactured article is alone in question.

From an analysis made by Dr. F. E. Engelhardt, formerly New York State chemist, we learn that Ashton's salt contains—

	Per cent
Pure salt	97.75
Sulphate of lime	1.21

From the same authority we have analyses of several American salts, as follows:

No. 1.

	Per cent.
Pure salt	98.48
Sulphate of lime	.99

No. 2.

Pure salt	98.89
Sulphate of lime	.72
Pure salt	98.84
Sulphate of lime	.16

From Dr. Goessman, director of the Massachusetts State Experimental Station, at Amherst, we have an analysis of American dairy salt, yielding—

	Per cent.
Pure salt	93.52
Sulphate of lime	1.01

From Prof. C. F. Chandler, of New York, an analysis of American dairy salt, yielding—

	Per cent.
Pure salt	99.69
Sulphate of lime	.04

From J. F. Geisler, official chemist, New York Mercantile Exchange, we have a direct comparison between English and American common salts, as follows:

	Per cent.
English—	
Pure salt	98.57
Sulphate of lime	1.28
American—	
Pure salt	98.88
Sulphate of lime	.97

The utter falsity of the charges preferred by Messrs. F. D. Moulton & Co. against the purity of American salt is shown by the above.

F. D. M. & Co. further state that "salt evaporated from sea-water is very strong and remarkably free from impurities, and on this account is preferred by packers and others to American salt." The true fact is, that repeated analyses, both here and abroad, show that sea-salt produced by solar evaporation usually contains but 95 to 96 per cent. of pure salt, the balance consisting of various impurities. We are surprised that F. D. M. & Co. are so ill-informed on the question of the purity of sea-salt.

We are not in a position to know what the preferences of American meat packers may be, but will simply state that to our knowledge over 2,000 tons of salt were shipped by one works in Western New York to the packers in a single Western city, during six months ending December 31, 1887.

That the dairymen of America do not universally prefer English or even Ashton's salt, is shown in the "memorial" previously addressed to your committee. Additional evidence on this point may be obtained from the advertising circular of one of the American companies. (Exhibit C.)

In F. D. Moulton & Co.'s communication it is stated that the cost of mining and crushing rock salt at Piffard, N. Y., is from 50 cents to $1 a ton, and that the company receives for the same from $6 to $7 a ton. The officers of the mining company have stated to the undersigned that the cost of mining this salt and putting it on the cars is fully $2 per ton. They further state that they do not receive the prices named by Moulton, and offer in evidence an account of sales with that house (Exhibit D).

In conclusion, the undersigned desire to express their candid belief that the American salt industry will not be able to survive the removal of the present duty on salt; and that with this industry destroyed, the trade will be almost wholly in the hands of the English, who, with their American agents, will reap the profits that will inevitably accrue from the advance in price to the consumer.

We do not believe that other conclusions can be arrived at, or that it is the desire of your committee, or of Congress, to bring about this state of affairs.

Respectfully yours,

H. G. PIFFARD.
S. T. KERR.

MARCH, 1888.

Hon. ROGER Q. MILLS,
Chairman of Committee on Ways and Means.

Mr. YARDLEY. I now yield fifteen minutes to the gentleman from Pennsylvania [Mr. ATKINSON].

Mr. ATKINSON. Mr. Chairman, I have no hesitation in saying that I am a believer in the American policy of protection as applied in imposing duties upon the importation of foreign commodities which come into competition with the productions of the United States, and after a careful consideration of the arguments which have been adduced against this policy my faith in its propriety is still unshaken. I support it not solely because it is of advantage to American manufacturers in giving them the opportunity to supply the markets of the United States, nor only because it has increased the wages and raised the standard of living among the working masses of the country, but for the reason that it has been and will be of advantage to the whole country.

I trust that I am not so narrow in my views nor so lacking in patriotism as to favor a policy that would be of advantage only to the district which I have the honor to represent or to the State or section in which I live, and which would be injurious to the people of other districts, or States, or sections.

I would not willingly insist upon the adoption or perpetuation of a system of government that would build up one portion of this country at the expense of the rest, nor would I advocate a policy that would favor a class or classes of our people and impose undue burdens upon the others who are equally entitled to the benefits of just government. But I conceive that the paramount duty of the Government is to develop the resources of our common country, and this embraces the duty to provide for the employment of all our people so far as this can properly be done, either directly or indirectly, by legislation. For the wealth of a country does not consist only in fertile lands and prolific mines supplemented by a genial climate, but over and above all these, utilizing and making them productive, are the skillful hands which, guided by intelligence and stimulated by a fair reward, create out of that which before was unproductive the varied commodities which fill our marts and figure in the census reports as the wealth of the nation.

We can not legislate for all mankind, but we can and should in the first instance so shape our policy as to give our own people every possible advantage in their own land.

And I do not favor a policy which invites "our manufacturers in the emergency that presses upon us to surrender something for the public good," as the President in his message suggests. I do not believe that the interests of one set of men are so hostile to the interests of the rest that any surrender need be made or should be demanded, nor do I believe that our own manufacturers, or mechanics, or miners, or laborers should relinquish their ability or their right to supply the wants of the American people. If the carpenters, and joiners, and milliners, and dressmakers, and blacksmiths, and tailors, and masons, and butchers, and bakers, and plasterers who are so carefully enumerated in this remarkable message have the power to build our houses, make our clothing, and supply our food, is there any good reason why the miner and skilled artisan and the men who by means of their capital and energy make the work of the miner and the artisan productive, and put their products upon the market, should be deprived of their ability to supply us?

As in historic days the motto of "no surrender" brought honor and renown to the men who upheld American interests in the presence of foreign armed foes, so I shall insist upon "no surrender" of any American industry, especially when a surrender of existing right will give an advantage to foreign competitors. This surrender is called for because there is a surplus of money in the Treasury which is withdrawn from the business of the country, and the President believes that we are, in consequence, likely to be plunged into business distress.

This will probably be so unless some intelligent way of expending the surplus income can be devised by those who are now unfortunately in power, and of this I confess I have little hope. It has often been pointed out that the income of the nation might well be applied to the payment of the public debt, to needed public improvements, in furnishing greater facilities for the education of the people, in giving much-needed relief to the thousands of indigent and disabled soldiers, their parents or widows and orphans, or in smoothing the declining years and giving some adequate recompense to the brave men who, when the nation was threatened with destruction, freely offered their lives to protect and preserve it.

But none of these suggestions have met with favor from the party in power, and a call upon some of our people to surrender something they are now supposed to enjoy is regarded by our rulers as the highest statesmanship.

It may not be improper to contrast in this connection the difference between the present and the culmination of the revenue-tariff period in 1857.

President Cleveland complains of the excessive accumulation of money in the Treasury, due, as his friends allege, to the protective tariff; President Buchanan complained because the Treasury was empty, the effect of the revenue tariff of 1846.

Protective duties have filled the Treasury, and Democratic statesmanship is not equal to the task of applying the money to any good purpose. But in 1857 there was less currency circulating among the people than now; a condition of things existed which was described by Mr. Buchanan in his first annual message, December 8, 1857:

The earth has yielded her fruits abundantly, and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and, up till within a brief period, our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions of agriculture and in all the elements of national wealth we find our manufactures suspended, our public woks retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want.

The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, while the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove it to be a slight misfortune when compared with the suffering and distress prevailing among our people. With this the Government can not fail to deeply sympathize, though it may be without the power to afford relief.

Under a revenue tariff in 1857 the United States Treasury was empty, while $400,000,000 of gold taken from the mines of California in the preceding eight years had been sent abroad to swell the coffers of the British Empire; in 1887 the silver and gold have accumulated at home. In 1857 our money was in the hands of foreigners, our manufactories were suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out employment and reduced to want; in 1887, under the system inaugurated by a Republican administration, which has thus far escaped mutilation at the hands of its free-trade enemies, the money is in our own hands, we find our manufacturers actively at work, our public works, so far as the Executive has permitted appropriations to be made therefor, in full progress, private enterprises vigorously pushed, while the wage-workers are generally employed at remunerative wages.

In 1857 our manufacturers had surrendered, not upon the call of the President and for the public good, but because the American market had been occupied by the products of foreign manufacturers. Our gold and silver had been sent abroad to pay for goods that could and should have been made at home; and our people, by reason of this loss of the precious metals, were too poor to buy. If the present situation is alarming, the condition of the country in 1857 was deplorable. Intelligent statesmanship can avoid the present danger, but the money sent abroad to pay adverse balances of trade can not by any laws of our framing be brought back. The President says that we are confronted with a condition and not a theory. The condition that he deprecates and desires to change is the circumstance that the revenues are in excess of the expenditures of the Government, by reason of which large sums of money are locked up in the Treasury vaults instead of circulating among the people. This state of things is productive of evil, and a remedy must be sought. And right here is where we are confronted by a theory. It is the President's own theory; not his own in the sense of having originated it, but his own because he has adopted it from others and thus made it his.

Theory is defined to be "a plan or scheme existing only in the mind, opposed to practice," and the term is here correctly applied, for never in the history of our country has such a plan been adopted in practical affairs. He assures us that it is not a question of free trade and at once proposes to place upon the free-list a vast number of articles which are produced in the United States and which he affects to believe can be supplied for a less money price from abroad. He proposes that we shall have free coal, free wool, free iron ore, free salt, free lumber, and says that the question of protection and free trade is not involved. He mistakes; what he proposes is free trade. The advocates of free trade recognize his plan as in full accord with their teachings and belief and promptly rally to his support, while the friends of protection see in his recommendation that "raw materials used in manufactures" shall be admitted into our ports under a reduced duty, or without duty, an attempt to bribe manufacturers and divide the friends of the protective policy. The admission of anything free of duty which competes with American productions of a like character is contrary to the meaning and

spirit of the policy of protection, and a surrender of any one article is a surrender of the principles upon which the whole policy is based.

But while the message of the President carried consternation to the producers of America who were by it summoned to surrender, there were places where it met with universal approval if not enthusiastic applause. Our commercial rivals, who have long sought to pierce and destroy the armor which secured the market of 60,000,000 of consumers to our own people, and which restrained foreigners who contributed nothing to our welfare from participation in this market, received the intelligence of the views of the President as contained in his message with "ghoulish glee." These commercial rivals saw in the distance, perhaps, but none the less clearly, their approaching triumph, to be celebrated upon the prostrate forms of dead or dying American industries, and their loud hosannas over the message were for a while almost childish in their exuberance. Nearly every British journal sang pæans to the message.

The London Post says:

We shall be much mistaken if the effect of this state communication will not be to strengthen considerably the case of free-traders in all parts of the world. It will be regarded as a step in the right direction by all who believe in the soundness of free-trade principles.

The London Globe says:

The President, it is true, does not call his new departure by that ugly name; on the contrary, he waxes indignant at the supposition that he has come over to free trade. But to American ears the whole message must be redolent of Cobdenism in a slightly modified form. * * * This remarkable utterance will be certain to exercise an absolutely paramount influence on the next Presidential election. Party names and party ties are thrown into hotch-potch. The governing issue at the contest will lie between protection and free trade.

The London Spectator says that the message has—

struck a blow at American protection.

It adds that the President—

has fired a shot at the protectionists which will be all the more effective for his refusal to discuss the theoretic issue.

The London Saturday Review says that the message—

deals with a question which is as interesting to Englishmen as Americans.

And it adds:

President Cleveland has devoted himself entirely to the tariff. It is impossible to recast this without touching directly the pockets of every citizen of the United States, and indirectly influencing the commercial interests of the world. The President and the Democratic leaders have finally decided that they have nothing to gain by keeping measure any longer with the protectionists. They have, from whatever motive, resolved to adopt a free-trade policy. Nothing can be more explicit than the President's language. "The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the Government, and to restore to the business of the country the money which we hold in the Treasury." In America this means free trade.

The Scotchman says of the President's proposal to reduce duties:

It may be admitted that large reductions in the duties on imported manufactured goods would produce great distress in many parts of the country—

Meaning the United States, and adds:

The free importation of iron, coal, and wool would be a great boon to British producers. * * * If it were accompanied with reductions in the tariff upon cotton, woolen, and other manufactures the artisans of this country would derive a marked benefit from it. If once the United States finds herself on the road to free trade she will hardly know where to stop.

The London Iron and Steel Trades Journal says:

The facts set forth in the President's message, though by no means new, are now brought so prominently under the notice of the American Congress and of American citizens that a violent stimulus must be given to the party which advocates entire freedom of trade.

The London Iron says:

The message of President Cleveland to the United States Congress is the preliminary to a movement which we trust will gain in strength.

The London Ironmonger says:

Dealing with the message as it stands, it would certainly seem to indicate a greater leaning towards free-trade principles on the part of the United States Cabinet than has been observable hitherto.

In a leading article the London Colliery Guardian for December 16 says:

If President Cleveland should be able to carry out his plan for admission into America free of duty, one of the first effects which would be produced on the English iron trade would be the transference of much of the enormous stocks of pig in the Scotch and Cleveland markets to United States ports. Shipments of hematites from Scotland and from the west coast of England would also increase. The iron-ore mines of Lancashire and West Cumberland would be certain to do a greatly enlarged trade with the United States.

In an article on "The coal trade in 1887 and its prospects for 1888," the London Times says:

If President Cleveland's tariff reforms are carried, English goods and iron and steel largely will go to the States in greatly increased proportions.

AN END OF BRITISH EXULTATION.

Suddenly all these expressions of sympathy and delight with the President's message have practically ceased in England and Scotland. The London Pall Mall Gazette gave the following warning, and it has been heeded:

English free-traders would be well advised if they moderated the ecstacy of their jubilation over President Cleveland's message. Every word which they say in its favor will be used as a powerful argument against the adoption of its recommendations.

But this warning seems to have been lost on the Queen of England, for in her speech from the throne on February 9 last, she declared that—

The prospects of commerce are more hopeful than any which I have been able to point to in many years. I deeply regret that there has been no corresponding improvement observable in the condition of agriculture.

The prospects of British commerce became more hopeful when the Democratic position was announced by the President, and the heart of the British Queen was gladdened. If she were the ruler of the United States, also, she would probably put as much pressure upon the Democratic side of this House to compel the passage of this bill as the President is now said to be doing.

Mr. Chairman, the policy of protection is national in its scope, and based upon well-defined principles. It is not intended to benefit one class nor one interest, but it is intended to encourage and develop the productive forces of the nation for the benefit of the whole nation. If the manufacturers are to have free coal and ore and wool that these things may be cheaper, I may ask, at whose expense? Of course, at the expense of the American land-owner and the American farmer and miner, for their rights to the American market are to be sacrificed for the benefit of somebody else; and if cheapness alone is desired the reason for cheapening only the raw materials of manufacture is not obvious. Why not give the consumer the benefit of the greatest possible reduction in price and admit the finished product free? The logic which would abandon the farmer and the miner to their fate would not feel called upon to stop until the legitimate conclusion is reached, and this would be free trade in everything. That the free-traders themselves recognize this as the logical result is shown by the fact that all have arrayed themselves in favor of the message and loudly proclaim themselves the supporters of its author.

The "raw materials used in manufactures" to be admitted free may to-day be iron ore and lumber and wool, but after them would follow the next higher forms into which these things may be made. Carey, answering the question, What is raw material, says:

All the productions of the earth are, in their turn, finished commodity and raw materials. Coal and ore are the finished commodity of the miner, and yet they are only the raw material of which pig-iron is made. The latter is the finished commodity of the smelter, and yet it is but the raw material of the puddler and him who rolls the bar. The bar again is the raw material of sheet iron, and that in turn becomes the raw material of the nail and the spike. These, in time, become the raw material of the house, in the diminished cost of which are found concentrated all the changes that have been observed in various stages of passage from the rude ore lying useless in the earth to the nail, the spike, the hammer, and the saw required for the completion of a modern dwelling.

Mr. David A. Wells, in No. 7 of his Economic Disturbance Series, states that—

With the exception of Great Britain, Holland, Sweden and Norway, Denmark, and possibly China, there is not a state in the world claiming civilization and maintaining commerce to any extent with foreign countries which has not within recent years materially advanced its import or export duties. Russia commenced raising her duties on imports in 1877, and has continued to do so until the Russian tariff at the present time is in a great degree prohibitory and one of the highest ever enacted in modern times by any nation, the aggregate value of its importations for 1886 being returned at only $194,450,000, a reduction of about 25 per cent. in three years, or since 1883. Italy and Austria-Hungary raised their tariffs in 1878; Germany in 1879; France in 1881; Austria-Hungary again in 1882 and 1887; Switzerland in 1885; the Dominion of Canada in 1883 and 1887; Roumania in 1886; Belgium and Brazil in 1887; while in the United States, owing to the decline in the prices of goods subject to specific duties, the average ad valorem rate of duty on dutiable merchandise has advanced from 41.61 per cent. in 1884 to 45.55 per cent. in 1886.

If these other nations see proper to restrain the importation of foreign goods which compete with their own productions, are we to assume that they are mistaken in doing so? Have they not been taught by experience that their own producers and manufacturers need the help that is given them by protective duties? It can not be alleged that these nations, embracing republics, kingdoms, and empires, acted in ignorance and wholly without consideration in thus increasing their tariffs, and it is assuming a great deal to presume that the majority of our Committee on Ways and Means and their free-trade backers understand the art of government better than the statesmen of these nations I have named. But the statesmen from Texas and Arkansas and Kentucky and their compeers prefer the British system of free trade, and they propose to force its principles upon us and compel us to adopt some of its practices.

They appear to act in happy obliviousness of the fact that England for more than five hundred years was under protective laws and for only forty-two years under free trade. That before she adopted free trade she had developed her manufactures until she believed that she was invulnerable and could successfully compete with any and all other nations in the markets of the world; that by means of her highly improved machinery, her trained artisans, her natural resources, and her vast foreign and colonial possessions, acquired by war after war and bloodshed succeeding bloodshed, she could defy the world commercially as she defied the various nations. Before her conversion to free trade her protective system embraced the prohibition of the exportation of machinery and raw materials, the emigration of skilled mechanics, and the importation of all manufactured articles which she could produce herself. The violation of these laws was punishable by fines, imprisonment, maiming, and death, and they were rigidly enforced. By such means she succeeded in building up, perfecting, and maintaining her industries until she believed she could furnish the

whole world with manufactured goods. Her colonies were spread in every direction, and every one was expected to be an addition to her market.

India, long noted for the manufacture of the finest fabrics ever known, became a part of the English market. Years ago the East India Company annually received of the produce of the looms of India 6,000,000 to 8,000,000 pieces of cotton cloth. In 1800 the United States took 800,000 pieces, in 1830 not 4,000. In 1800 Portugal took 1,000,000 pieces, in 1830 only 20,000, and now none are exported, and production has almost ceased. The poor Indian weavers were reduced to absolute starvation; numbers died of hunger. And what was the sole cause? The presence of the English cheaper article. Belgium, France, Germany, Austria, Hungary, have all been duped by England into adopting in some shape low tariff or free trade, and they have now seen their mistake and corrected it by the adoption of high tariffs. While England was able to induce other people to buy her goods, their own manufactures were suppressed, and when they began to work for themselves she had every advantage in her favor—capital, skilled workmen, improved machinery, ships, and markets. Now every European nation has asserted its industrial independence and is engaged in the race for industrial supremacy. But so great are her advantages that they are compelled to pay less wages and hedge themselves around with protective tariffs in order to compete with her at all. And now it is asked of us that we shall surrender our advantages to her and admit her goods untaxed into our markets in equal competition with our own people, who bear all the burdens of our nation. Shall we fall into the trap from which other nations have just lately liberated themselves? I hope not.

TRUSTS.

Gentlemen assert that this bill is so adjusted as to defeat the so-called trusts or combinations which have recently sprung into existence and threatened to destroy some of the advantages which it was hoped would be derived from free competition amongst American producers. Duties have been lowered on sugar, and copper, and steel rails, and other things in the production of which combinations exist or are suspected, and we are told that the purpose of these reductions is to admit the foreigner into our market upon such terms as will enable him to successfully compete with the trusts and combines of which we now hear so much. Several objections suggest themselves to this policy.

First. It is an admission that we can not by law regulate such combinations, and we therefore call upon foreigners to save us from the consequences of our own impotence. It is desirable that all the commodities named should be produced in America for Americans, and the admission of foreign commodities to our markets involves to this extent the production abroad of what we should make at home, thus leaving labor unemployed and resources undeveloped.

Second. The remedy proposed is inadequate, and does not meet the evil complained of. The coffee trust, coal oil trust, the cotton-seed-oil trust, the whisky trust, and many others would not be in any way affected by the so-called remedy, because there can be no competition in these from abroad, and yet their exactions may be as burdensome as the sugar or steel combine.

Third. The proposed remedy would be defeated whenever a combination would be made between producers on both sides of the Atlantic, as is illustrated by the copper trust, which, originating in France, has been made to embrace the civilized world and controls production and prices everywhere.

Free-traders prate about the the formation of these so-called trusts and attribute their existence to the protective tariff, for it seems that no enthusiastic advocate of free trade hesitates to misrepresent the facts in the interest of his favorite theory; but in fact combinations to corner the market and enhance prices are as old as history. By a constitution of Zeno, Emperor of the East, who reigned from A. D. 474 to 491, all monopolies and combinations to keep up the price of merchandise, provisions, or workmanship were prohibited upon pain of forfeiture of goods and perpetual banishment. If the evil had not then existed it is not likely that a remedy would have been provided.

The offenses of forestalling the market, the engrossing of any commodity with an intent to sell it at an unreasonable price, and of monopolies and combinations to enhance prices are indictable and punishable under the common law, and were denounced by a statute of Edward VI, passed A. D. 1552, which imposed severe penalties for these crimes. And I submit that in the light of these historic precedents it is ridiculous to attribute the existence of trusts and combinations to the effects of a protective tariff. Men have combined to advance what they believe to be their interests from the beginning of history, the greatest "combine" of modern times having been the Southern Confederacy, which was organized to secure the perpetuation of human slavery and the adoption of free trade.

Trusts of home growth can and will be suppressed or restrained by home-made laws; trusts of European growth can not be affected by American laws, save as their products can be taxed by our tariffs. It is false to say that "trusts" are creatures or in any way results of the protective tariff, and it is silly to assume that delivery from the power of home trusts to the power of foreign trusts is a desirable thing.

The present protective tariff was adopted March 3, 1861; it has been in force for twenty-seven years, but it is only lately that "trusts" have been formed in any commodity protected by tariff duties. The coal-oil trust, the whisky trust, and the cotton-seed-oil trust were all formed long ago, although neither the production, distribution, nor consumption of coal-oil, whisky, or cotton-seed oil is affected by tariffs.

WOOL.

Wool is placed on the free-list by the so-called revenue reformers. Its production is a source of revenue to the American farmer; if placed upon the free-list his revenues from this source will surely be diminished. Who demands this sacrifice? Is it the manufacturers of woolen goods? We find that they protest against it. In a petition presented to this House they say:

> The undersigned, manufacturers in New England, recognizing the principle of protection as national and not provincial, and consequently equally applicable to all the industries of the United States; repudiating any distinction in this connection between so-called "raw materials" of domestic production and "finished products," whether the output of mines, farms, or workshops; claiming that the American policy should benefit alike all citizens, whether engaged in agriculture, manufacturing, or mining; that the industries of the country are interdependent and mutually sustaining, and the people of the different sections co-customers and co-consumers, do therefore respectfully submit that no article, "raw" or otherwise, of home production should be added to the free-list or inequitably changed in the tariff rates.

And to the same effect is the action of the Philadelphia Board of Trade, which—

> *Resolved*, That while the revision of the tariff and the laws governing the tariff may have become necessary, no law should be passed which would tend to cripple, break up, or destroy the home industries and home markets of the United States.
>
> *Resolved*, That the extension of the free-list of imports into the United States should be only of such character as will aid the further development of manufactures, and that no free importation of any article should be allowed that will militate against any of the industries of the country.

If manufacturers oppose the removal of the duties from wool and the principal commercial bodies lift their voices against it and the farmers denounce it, pray state what men or class of men desire it. Has there been a single petition presented praying for the removal of the duties upon wool? I have seen none; I have heard of none. The profit of the farmer upon the wool he raises has been so small that no considerable body of citizens of the United States has asked that it shall be diminished. Only theorists demand the removal of these duties. It is well known that woolen clothing is cheaper now than ever before in the history of this country, and at no time could a laboring man buy more or better with a month's wages than now. But cheapness should not be the sole aim of life, especially when it means the degradation of human labor. All the products of the woolen mills of the class generally used by the masses of the people are as cheap here as in a free-trade country, and this is especially so of blankets and ready-made clothing. The fact that we have domestic competition, skilled artisans trained to the work, and the large and constant demand of the best market on earth has contributed to reduce prices so low that all persons who have employment are well supplied. The workingman can purchase clothes from $5 to $12 per suit as good as can be bought for the same money abroad. He can buy a pair of good blankets which will last a lifetime for $5, and the same low prices prevail for all ordinary woolen goods.

And in this connection we must not overlook the important fact that only a very small proportion of a laborer's income goes for woolen clothing. This is so well known that no complaint has ever been heard from the laboring men about the high price of clothing, and it is equally well known that our laborers and their families are better clothed than the laborers of any other nation. This crusade against the protective tariff upon wool has been conducted by the free-trader upon a specious and deceptive plan. He tells the farmer that free trade in wool will increase the price and benefit him; he assures the manufacturer that it will decrease the price and benefit him; the laboring man that it will make his clothing cheaper through foreign importation; the manufacturer is told that he can make goods cheaper and thus keep out the foreigner, and give him in addition a share of the world's market, while at the same time the importers and their foreign allies are intriguing and working to place wool upon the free-list.

If they succeed somebody will be cheated, and it will not be the importers or foreigners. Clothing will not be much cheaper; if the powers of the farmer to purchase are much reduced the manufacturers can sell less, while the amount of goods imported will be increased, and the market for home production to that extent will be diminished. But suppose the farmers produced the wool and gave it to the manufacturers for nothing—did not get a cent for it—how much would a suit of clothes be reduced in price? Five or six pounds of wool will make sufficient cloth for a suit of heavy clothing. If the wool is worth, ready for making into cloth, 60 cents a pound; the wool that enters into a suit worth $25 to $30 would cost $3.60. The highest class wools only pay a duty of 12 cents a pound. If the duty were added to the price it would only enhance the price 72 cents for an entire heavy suit of clothes. If the duty were off wool and 72 cents were saved in the cost of each suit, how much would be saved to the wearer? Not one cent. The trifling difference would be lost in the course of trade, and would probably be distributed between the manufacturer of the cloth, the jobber, the wholesale merchant, the mechanics who made up the goods, and the clothier from whom the clothing is at last bought.

In 1881 we produced 272,000,000 pounds of wool in the United States, and we imported in the fiscal year ending June 30, 1881, 56,000,000, making an aggregate of 328,000,000 pounds, out of which we

exported 5,500,000 pounds, leaving for the consumption of the country 322,500,000 pounds. Our population was then over 50,000,000 of people, and the amount of wool, if distributed per capita, would have been but 6⅜ pounds each. The duties on wool vary from 12 cents a pound for the finest imported wool to 2½ cents for the coarsest kinds, and most of that imported was the latter sort. But admitting for the sake of the argument that every pound of wool consumed was enhanced in price to the full extent of the maximum duty, the whole additional cost of woolen clothing to each person in the United States would average only 76 cents.

The rich, who buy more woolen clothing and of finer varieties than the poor, would pay much more than this proportion, while the poor would pay much less. All the money that would be saved to the poorest man by removing the duties on wool, if the price were reduced to the extent of the duties, would not pay for the tobacco he uses in a month. At best it would be a mere trifle; in practical mercantile affairs it would amount to nothing. But what will be the effect of the removal of the duty upon the wool-producers of the country?

Mulhall (History of Prices) states that the production of wool has more than doubled since 1850—that is, the increase has been three times faster than that of population, the clip of all nations summing up as follows:

Countries.	1850.	1860.	1870.	1883.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*
Europe	630,000,000	715,000,000	807,000,000	660,000,000
United States	90,000,000	112,000,000	154,000,000	300,000,000
River Plate	25,000,000	56,000,000	167,000,000	305,000,000
Australia	43,000,000	70,000,000	197,000,000	421,000,000
Cape Colony	48,000,000	68,000,000	101,000,000	122,000,000
Total	836,000,000	1,021,000,000	1,426,000,000	1,818,000,000

The marvelous increase in the production of wool in Cape Colony, Australia, and the River Plate country is without a parallel in history. It is due to the fact that in these places land is cheap, the climate is well adapted to sheep-raising, no feed need be provided for winter, and the wages of the natives who are employed in attending the sheep are very low indeed. Against such competition as will come from these countries, if unrestrained, it will be impossible for our farmers to compete; and if wool is placed upon the free-list, as proposed by this bill, its production in this nation will soon practically cease.

The majority of the Ways and Means Committee assert in their report that if wool is placed upon the free-list our manufacturers can "make their goods cheaper and send them into foreign markets and successfully compete with the foreign manufacturers." But before we can reasonably expect to send woolen goods into foreign markets, to compete with foreign-made goods, we should first supply ourselves, which we have not yet done.

It appears that in 1887 we imported $45,000,000 worth of woolen goods. These imported woolens not only bore the cost of transportation from abroad but also paid duties.

Before we can command the markets of the world with woolen goods we must supply our own market with $45,000,000 worth of woolens and must also reduce the price not only below the cost of woolen goods sent to our country from abroad, but must in addition pay their transportation to distant countries in order to sell them there. This we can never do and pay existing wages to the mechanics who make the goods or existing prices to the farmers who now produce the wool. No proof is offered by the advocates of free wool to show that the removal of the duties on wool will enable us to manufacture woolen goods for export; they ask us to take the fact for granted because they say so.

This is easily disproved. We have a full and abundant supply of cotton of every quality desired; it is produced in our own country, so that no foreign transportation charges need be paid upon it, and our opportunities to use and manufacture it are superior to those of any other nation so far as cheapness and abundant supply are concerned. Our operatives engaged in manufactures are as skillful as any in the world, and our machinery is equal to the best.

Foreign wool will be brought to us with additional transportation charges upon it and subject to the losses incident to long-distance carriage. Our cotton cloths are in demand in the South American markets, where woolen goods are unsuited to the climate; and yet with all our facilities for manufacturing, and with a market near, our exports of manufactured cotton in 1880 were only $10,000,000 out of a total domestic production of $210,900,000 worth of such goods; and in 1886 our exports had risen to only $13,959,934.

The following table shows the extent of our exports of cotton manufactures for ten years:

During the fiscal year ended June 30—	
1877	$10,235,843
1878	11,438,660
1879	10,853,950
1880	9,981,418
1881	13,571,387
1882	13,222,979
1883	12,951,145
1884	11,885,211
1885	11,636,591
1886	13,959,934

From the above statement, it will be seen that the average annual value of the exports of cotton manufactures for the last five years (1882–'86) amounted to $12,731,128, and the exports of 1886 were but a trifle in excess of those of 1881.

On the other hand, the average annual value of cotton goods imported in the last five years exceeded $31,000,000.

If we can not export cotton goods, with all our advantages, how can we succeed better with woolen goods, even if the wool is admitted free of duty and will be cheapened if it is placed upon the free-list? But I do not believe that the removal of the duty upon foreign wool will ultimately reduce its price.

In 1864 the production of wool in the United States was 142,000,000 pounds; in 1874 it was 181,000,000, and in 1884 it was 308,000,000 pounds. We imported in the same years 43,840,154, 54,901,760, and 70,596,170 pounds, respectively. In twenty years our wool production was increased 166,000,000 pounds, while our imports were increased only 26,756,016 pounds. At the same relative rate of supply we will soon furnish our own markets with wool from our own flocks, and no foreign wool will be needed.

Quantities of wool produced, imported, exported, and retained for consumption in the United States from 1864 to 1885, inclusive.

Calendar year.	Production.	Year ending June 30—	Imports.	Total production and imports.	Retained for home consumption.
	Pounds.		*Pounds.*	*Pounds.*	*Pounds.*
1864	142,000,000	1865	43,841,154	185,840,154	184,694,691
1865	155,000,000	1866	76,532,274	231,532,274	229,707,554
1866	160,000,000	1867	16,558,046	176,558,046	175,632,041
1867	168,000,000	1868	24,124,803	192,124,803	188,764,516
1868	180,000,000	1869	39,275,926	219,275,926	218,489,122
1869	162,000,000	1870	49,230,199	211,230,199	209,367,254
1870	160,000,000	1871	68,058,028	228,058,028	226,727,522
1871	150,000,000	1872	122,256,499	272,256,499	269,849,591
1872	158,000,000	1873	85,496,049	243,496,049	236,380,534
1873	170,000,000	1874	42,939,541	212,939,541	2 5,803,784
1874	181,000,000	1875	54,901,760	235,901,760	232,156,099
1875	192,000,000	1876	44,642,836	236,642,836	235,619,642
1876	200,000,000	1877	42,171,192	242,171,192	239,002,636
1877	208,250,000	1878	48,449,079	256,699,079	250,399,004
1878	211,000,000	1879	39,005,155	250,005,155	245,839,755
1879	232,500,000	1880	128,131,747	360,631,747	356,791,676
1880	240,000,000	1881	55,964,236	295,964,236	290,385,247
1881	272,000,000	1882	67,861,744	339,861,744	335,913,729
1882	290,000,000	1883	70,575,478	360,575,478	356,500,961
1883	300,000,000	1884	78,350,651	378,350,651	376,035,557
1884	308,000,000	1885	70,596,170	378,596,170	375,492,825
1885	302,000,000	1886	129,084,958	431,084,958	429,849,242

It will be seen that until 1885 there was a gradual increase in the amount of wool grown in this country. This increase in the production of wool, it will be observed from the table, is very gradual. From its nature it was not susceptible of sudden enlargement. The acreage in cotton or wheat may vary very greatly in successive years, but with wool there can be no such variation.

Our flocks have grown slowly under the intelligent care of their owners, the statistics of this industry being as follows:

	Sheep.
1840	19,311,375
1850	21,723,221
1860	22,471,274
1870	28,477,951
1880	42,192,074
1885	50,360,243

Not only has the production of wool increased actually but relatively to the number of sheep. Owing to favorable and permanent legislation wool-growers have improved their flocks by raising better breeds and thus increased the weight of fleeces. In 1840, according to the census, the average weight of farm fleeces was 1.85 pounds; 1850, 2.42 pounds; 1860, 2.68 pounds; 1880, 4.79 pounds. Says Mr. Dodge, in commenting on this:

"The improvement in density and weight of fleece constitutes the great advantage that the manufacturing demand has made rather than increase of price, which tends to steadiness and cheapness in material and product, by the full development of the manufacture."

Another point is the higher value of American wools. The imported wools of the last five years constitute nearly one-fifth of the quantity manufactured, but it is little more than a tenth of the value of wool manufactured. This shows that under a sufficient tariff American growers have gone into the best qualities of wool. With this enormous increase in production, has the price been increased to the consumer? Not at all. I give the total average prices, in gold, of domestic, fine medium, and coarse-washed fleece wool for each year from 1859 to 1884, and let the reader judge for himself:

	Cents.		Cents.
1859	49	1872	62
1860	48	1873	48
1861	39	1874	47
1862	45	1875	43
1863	52	1876	37
1864	43	1877	40
1865	51	1878	38
1866	43	1879	36
1867	37	1880	49
1868	33	1881	42
1869	37	1882	42
1870	40	1883	39
1871	48	1884	33

These tables could be extended back to 1832, and the fact would be revealed that, with two single exceptions, wool has never averaged as low as in 1884; that the tendency has been a steady increase in production, improvement in

quality, and decrease in price, and yet, in spite of all, the Democratic party now proposes to destroy by a single blow the important industry that has grown and flourished so under protection by opening our ports to the free wools of Australia and the River Platte country. This amounts to the confiscation of the property of the farmers, and every sheep-grower in the land should protest against it.

The market for fine wool has been almost completely supplied, and the importations have been principally of the coarser wools. In 1885 we imported clothing wools valued at $2,262,824, combing wools valued at $669,604, and carpet and other similar wools valued at $5,947,495.

Duties more or less protective in their character have been imposed upon wool from the very beginning of this Government, and even the low-revenue tariff of 1846 imposed duties upon imported wool. If foreign wool is now admitted free of duty it is probable that our market will be flooded with wool from abroad and the prices of domestic wool will be broken at once. Wool-growing will become unprofitable and our flocks will be slaughtered, competition between American and foreign wool will cease, and our markets will be surrendered to the foreign product.

The supply of domestic wool no longer competing, the increased demand for foreign wool to supply our own markets will advance the price, and we will find ourselves paying higher prices for inferior foreign wools than we now pay for a better quality of the domestic article. This was the history of prices under the revenue tariff of 1846, and I see no reason to doubt that this result will follow the pernicious legislation imposed by this bill.

In 1880 there were 382 establishments engaged in the manufacture of silk in the United States. The capital invested in the industry was $28,189,400, and 31,337 hands were employed.

In that year raw silk was imported to the value of $12,024,699, and the manufactured product was valued at $34,519,723.

In the same year our imports of manufactured silk were valued at $31,460,947. The raw silk imported was free of duty, while the manufactured silk had charged upon it an average duty of 58.98 per cent. Here we have an instance of free raw materials such as is contended for by the free-traders, with every facility for its manufacture in the United States. The machinery used was of the best class, and skilled workmen, many of whom had learned their trades in the factories of Europe, were employed. The product of the American looms was superior in quality to that imported, and the duty on foreign silks was higher than upon almost any other fabrics. In fact, it was the high duty that first induced our people to engage in the manufacture of silk.

But with free raw material, skilled workmen, good machinery, and a high duty on manufactured silks, we were not able to supply our own markets. The theory of the gentlemen on the other side is that with free raw materials our exports of manufactured products will be increased. Why was there not a large exportation of American silks after raw silk was placed on the free-list? But the beneficial influence of a protective tariff was well illustrated in the growth of the silk industry of the United States. In 1870 we imported only three millions' worth of raw silk, while in 1880 our imports were twelve millions, and in 1886 eighteen millions of dollars' worth, while the value of manufactured silk imported was reduced from thirty-nine millions in 1882 to twenty-eight millions in 1886. Silk goods were first manufactured here in 1867. Without a protective tariff we would import all the silk goods we use; with protection we manufacture more than one-half. We employ more than thirty-five thousand people at this industry, and add $40,000,000 annually to the value of the raw materials imported before they are placed on the market for consumption.

SALT.

Salt, too, is placed upon the free-list by this bill. Imported salt in bags and barrels now pays a duty of 12 cents a hundred, and salt in bulk a duty of 8 cents a hundred pounds. In 1886 we imported 2,406,305 barrels, paying duties amounting to $706,324, or about 1.16 cents of duty to each person in the United States. The domestic productions for the same year was 7,707,081 barrels, and this was furnished by the States of Michigan, Louisiana, New York, Ohio, West Virginia, California, and other States. In Louisiana, Nevada, and Utah deposits of salt are found, and this rock salt is mined and placed upon the market. Elsewhere it is prepared by the evaporation of brine, in some localities by solar heat, in others by artificial heat. Michigan heads the list of salt-producing States, her output in 1886 having been 3,677,257 barrels. The fuel used is in most cases the offal of the saw-mills, the salt works and mills being located side by side, and the sawdust and other offal being utilized in evaporating the brine. The history of the salt industry in the United States shows a progressive decline in price with increase in the quantity produced.

In 1860 the salt product of Michigan was 4,000 barrels and cost $2.35. In 1887 her product was 4,000,000 barrels, costing 58 cents per barrel, including the cost of the barrel, 20 cents. Salt is indispensable in the household as well as in commerce and manufactures. If there is anything in the world in which we should be self-supporting it is salt. It is highly imprudent in us to rely upon foreign countries for our salt supply, and we should not permit other nations to make this country a dumping-ground for their excessive stock.

We have here the "raw material of manufacture," the rock and the brine, and according to the theory of the majority of the Ways and Means Committee we should send out salt into the "markets of the world," that great undefined region which they have not yet located. But the reason that we do not sell salt abroad and that it is imported here is that the foreign rates of wages are not quite one-half of what are paid in this country, and the removal of the duty will result in either the reduction of the wages of our people or a large influx of foreign salt, with a corresponding loss of employment to both labor and capital. The foreign article comes as ballast or at nominal freight and is sent into the country from the seaboard until it meets the domestic article. The removal of the duty will enable it to reach a further point inland than now and it will thus usurp a greater portion of our market. No better salt is made anywhere than in the United States, and every consideration of safety and patriotism requires that we shall maintain this industry.

If our industrial independence is to be maintained and our national safety provided for, we must be prepared to furnish our own clothing and our own food, and salt is indispensable to the production of the latter. The revenue from importations of salt is insignificant, while the removal of the duties may destroy the salt industry of the United States.

COAL.

Under the pending bill "mineral substances in a crude state and metals unwrought" are to be admitted free, except when otherwise provided, and no duties are imposed on iron ore and bituminous coal. What will be admitted free under this provision of the bill? "Crude" is said by lexicographers to mean "in a raw state," "not changed by any process of preparation," "unrefined," as common crude salt. Coal and iron ore are not mentioned in any of the schedules of this bill, and there can be little doubt that they are placed upon the free-list as "mineral substances in a crude state."

A similar expression in the existing tariff law has been held to embrace all ores not otherwise provided for, and to include limestone and sand. Iron ore and bituminous coal have each a duty of 75 cents a ton imposed upon them by existing law. It is remarkable that these important products are not placed upon the free-list by name, so that attention might at once have been given to the wrong done by exempting them from duty; but the dark-lantern methods pursued in framing this bill seem to have crept into its verbiage and a part of its destructive purposes is left to interpretation instead of being clothed in honest expression. A duty has been imposed upon bituminous coal from 1824 until the present time, and the importance of the coal industry demands that its interests should be protected, and that the miners engaged in its production, the owners of our coal lands, and the vast capital invested in its transportation should be permitted to have their own market. No one has charged that excessive profits have been made in the production or transportation of bituminous coal, and no bituminous coal "trust" has anywhere appeared as a bogy to frighten the free-traders.

The average cost of bituminous coal at the mouth of the mine in Pennsylvania is estimated to have been during the last year 80½ cents a ton, many mines having been worked at a loss to the operators. The production of bituminous coal in Pennsylvania for 1886 was 26,160,735 short tons, and the aggregate production for the United States for the same year was 73,707,957 short tons, against 5,775,077 tons mined in 1860.

That this vast increase of production was largely due to our protective tariff goes without saying, and the low prices at which it is now produced is an illustration of the unvarying rule that prices have declined under domestic competition.

But if coal is placed upon the free-list the coal from Nova Scotia, which is mined at tide water and shipped upon vessels at the mouth of the mines will compete with domestic coal all along the Atlantic coast as far south as Baltimore, and to the extent that the market is supplied from this source our miners will be deprived of employment and mine owners of a market.

Chinese labor is employed in the Nova Scotia mines, wages paid them are of the lowest, and it is currently reported that they have no houses there, but live inside the mines like the beasts that draw the miners' cars. I ask, is it fair that American miners should be subjected to such competition?

The wages of our miners are now too low, strikes occur in which the fault too often lies with the mine owners; but Chinese competition may destroy the ability of the men to strike, and this perhaps may enable a few heartless mine owners to score new triumphs over poor American wage-workers. It can not be that coal is placed upon the free-list in order to carry out the President's idea of "free raw materials of manufacture," for the coal we have is already free. As it lies in the mine it is the free gift of nature to us. It costs absolutely nothing until capital has been expended in developing the mines and the miner has gone down into the recesses of the earth to bring it to the light of day. If any part of the market is taken by foreign coal, it will be a blow to our labor and capital as unnecessary as it will be harmful to American interests.

IRON ORE.

The amount of iron ore produced in the United States in 1886 was much larger than in any previous year, and is estimated at 10,000,000

gross tons, and the amount of iron ore imported was 1,039,433 tons. The imported ore comes from Cuba, Spain, Algeria, and Elba. Slave labor is employed in its production in Cuba, while the laborers engaged in the mines of Spain and Africa consider themselves well paid at 25 cents per day.

If iron ore is put upon the free-list American miners of iron ore will be placed in competition with slaves and lazzaroni, and if this is done to cheapen the price of iron ore this cheapness comes at too great a cost. The average of wages to our own miners is shown by official reports to be from $1.40 to $2.08 per day, and if iron is to be cheapened by the introduction of free foreign ore this cheapening must begin with the labor of the men who are engaged in its production.

The advocates of this plan do not openly and directly propose to reduce wages, but they aim at the same result in this indirect way by substituting the products of foreign labor at starvation wages for the products of the American workingman, and thus depriving him of work. The question that arises is, shall American labor engaged in the production of iron ore and coal be protected as well as the labor that is employed at the furnace and the forge? What is the reason for placing these articles upon the free-list? The supply of American ore is unlimited in extent and of every variety suitable for steel as well as iron. If there is a necessity for importing other crude materials there is none in this. Under a protective duty home competition can be relied upon to meet the wants of our iron and steel manufacturers, with every variety of ore at the lowest cost consistent with fair wages to American labor. We should not rely upon importations for that which we can ourselves supply. American ore can not be exported; why not give it the home market? The splendid growth of our iron and steel industries, under protection, is without a parallel in the history of the world.

Production of the iron and steel industries of the United States since the close of the civil war.

[Net tons of 2,000 pounds.]

Years.	Pig-iron.	Rolled iron, excluding only iron rails.	Iron rails.	Steel rails.	Rails of all kinds.	Bessemer-steel ingots and other steel.	Blooms from pig, scrap, and iron ore.
1865	931,582	500,048	356,292	.....	356,292	15,262	63,977
1866	1,350,343	595,311	430,778	.....	430,778	18,973	73,555
1867	1,461,626	579,838	459,558	2,550	462,108	22,000	73,073
1868	1,603,000	598,286	499,489	7,225	506,714	30,000	75,200
1869	1,916,641	642,420	583,936	9,650	593,586	35,000	69,500
1870	1,865,000	705,000	586,000	34,000	620,000	77,000	62,259
1871	1,911,608	710,000	737,483	38,250	775,733	82,000	63,000
1872	2,854,558	941,992	905,930	94,070	1,000,000	160,108	58,000
1873	2,868,278	1,076,368	761,062	129,015	890,077	222,652	62,564
1874	2,699,413	1,110,147	584,469	144,944	729,413	241,614	61,670
1875	2,266,581	1,097,867	501,649	290,863	792,512	456,575	49,243
1876	2,093,236	1,042,101	467,168	412,461	879,629	597,174	44,628
1877	2,314,585	1,144,219	332,540	432,169	764,709	637,972	47,300
1878	2,577,361	1,232,695	322,890	559,795	882,685	819,814	50,045
1879	3,070,875	1,627,324	420,160	693,113	1,113,273	1,047,506	62,353
1880	4,295,414	1,838,906	493,762	968,075	1,461,837	1,397,015	74,589
1881	4,641,564	2,155,316	488,581	1,355,519	1,844,100	1,778,912	84,606
1882	5,178,122	2,265,957	227,874	1,460,920	1,688,794	1,945,095	91,233
1883	5,146,972	2,283,920	64,954	1,295,740	1,360,694	1,874,359	74,758
1884	4,589,613	1,931,747	25,560	1,119,291	1,144,851	1,736,985	57,005
1885	4,529,869	1,789,740	14,815	1,079,400	1,094,215	1,917,350	41,709
1886	6,365,328	2,259,943	23,679	1,768,922	1,792,601	2,870,003	41,909

And in the presence of this vast increase in production there has been a marked diminution in price, as shown by the following table:

PRICES OF IRON AND STEEL UNDER A REVENUE TARIFF AND UNDER PROTECTION

The prices given in the following table embrace the revenue-tariff period before the war and the last fourteen years of the protective-tariff period, which was ushered in by the Morrill tariff of 1861. In these fourteen years the inflation of values caused by the expansion of the currency as an incident of our civil war had passed away. These prices are yearly averages of monthly quotations for No. 1 anthracite foundry pig-iron, best refined bar-iron, and iron rails, all per gross ton, at Philadelphia; nails, per keg, wholesale, at Philadelphia; and steel rails, per gross ton, at Pennsylvania mills.

Years.	Prices under the revenue tariffs of 1846 and 1857.				Years.	Prices under our present protective tariff.			
	Pig-iron.	Bar-iron.	Iron rails.	Cut nails.		Pig-iron.	Bar-iron.	Steel rails.	Cut nails.
1846	$27 7/8	$91.66	.....	.....	1874	$30 1/2	$67.95	$94 1/2	$3.99
1847	30 1/2	86.04	$69	$4.46	1875	25 1/2	60.85	68 1/2	3.42
1848	26 1/2	79.33	62 1/2	4.30	1876	22 1/2	52.08	59 1/2	2.98
1849	22 1/2	67.50	53 1/2	4.00	1877	18 1/2	45.55	45 1/2	2.57
1850	20 1/2	99.54	47 1/2	3.65	1878	17 1/2	44.24	42 1/2	2.31
1851	21 1/2	54.66	45 1/2	3.30	1879	21 1/2	51.85	48 1/2	2.69
1852	22 1/2	58.79	48 1/2	3.08	1880	28 1/2	60.38	67 1/2	3.68
1853	35 1/2	83.50	77 1/2	4.50	1881	25 1/2	58.05	61 1/2	3.09
1854	35 1/2	91.33	80 1/2	4.60	1882	25 1/2	61.41	48 1/2	3.47
1855	27 1/2	74.58	62 1/2	4.10	1883	22 1/2	50.30	37 1/2	3.06
1856	27 1/2	73.75	64 1/2	3.94	1884	19 1/2	44.05	30 1/2	2.39
1857	26 1/2	71.04	64 1/2	3.72	1885	18	40.32	28 1/2	2.33
1858	22 1/2	62.29	50	2.50	1886	18 1/2	43.12	34 1/2	2.27
1859	23 1/2	60.00	49 1/2	3.96	1887	21	49.37	37 1/2	2.39
1860	22 1/2	58.75	48	3.13					
Average	26 1/4	71.52	58 1/2	3.87	Average	22 1/4	52.11	50 1/2	2.9

These figures show that pig-iron, bar-iron, and nails have been cheaper under protection than under a revenue policy, and that steel rails have been sold under protection at much lower prices than iron rails were sold under a revenue tariff.

But notwithstanding the decrease in price, American wages have been maintained, and the men engaged in iron and steel production have been better paid, better clad, and better fed, have lived in more comfortable houses and have given their children better educational advantages than any other iron and steel workers on the face of the earth have been able to afford. Although we have achieved this vast result in our production of iron and steel, we have not been able to supply our home market.

The following table shows the foreign values of all our imports of iron and steel, including fire-arms, hardware, cutlery, machinery, etc., from 1871 to 1886:

Years.	Values.	Years.	Values.	Years.	Values.
1871	$57,866,299	1877	$19,874,399	1883	$47,506,306
1872	75,617,677	1878	18,013,010	1884	37,078,122
1873	60,005,538	1879	33,331,569	1885	31,144,552
1874	37,652,192	1880	80,443,362	1886	41,630,779
1875	27,353,101	1881	61,555,077		
1876	20,016,603	1882	67,075,125		

The total importations of these sixteen years aggregate $716,173,711 in foreign value. Their cost to our people was, however, much more than this sum—importers' profits, ocean freight, and other charges, bringing the total cost up to almost, if not altogether, double the foreign value.

These importations were admitted because the articles named were produced more cheaply abroad than they could be made in this country, and this was only rendered possible by the fact that wages abroad were lower than here. The cost of producing a ton of iron is 73 per cent. labor, as shown by the following carefully-prepared and well-authenticated table:

	Anthracite and bituminous.	Charcoal.
Labor in producing raw materials	$10.26	$9.62
Labor in transporting raw materials	1.78	3.17
Labor at furnace, including repairs	1.91	2.44
Total cost of labor	13.95	15.23
Taxes, insurance, commissions, office expenses, interest, freight, traveling expenses, royalties, etc	5.22	5.18
Total cost of a ton of pig-iron	19.17	20.41
Percentage of labor cost to total cost	73	74

Let us give all this labor to Americans and not to foreigners.

WAGES.

Official investigations show that the rates of wages in the United States were in 1879 more than twice those of Belgium, three times those in Denmark, Germany, and France, once and a half those in England and Scotland, and more than three times those in Italy and Spain. At the same time the prices of the necessaries of life are lower in the United States than in any of the foregoing countries, and the relative prices of necessaries of life and wages it is believed have not materially changed since that time. In 1884 it was estimated by competent authority that assuming the produce of labor to be one hundred, in Great Britain fifty-six parts go to the laborer, twenty-one to capital, and twenty-three to government; in France forty-one parts go to the laborer, thirty-six to capital, and twenty-three to government; in the United States seventy-two parts go to the laborer, twenty-three to capital, and five to government.

The hearings before the Tariff Commission in 1882 brought out a very complete comparison between the wages then paid in this country and in Europe. The result is on record. It is that in industrial pursuits generally the standard of wages is at least 60 per cent. higher here than in Britain, and the difference is still greater against every continental country.

This conclusion is established beyond controversy. Our mills and factories while peopled with men and women whom we are proud to call Americans, are not the work-places of those only who are native born. In them you will find working side by side Americans and Irish-Americans and German-Americans, all receiving like pay for similar services, and in estimating the rates of wages no one asks about the nationality of the artisan. Why are these foreign mechanics and artisans and laborers here? They have left friends to whom they were attached, have braved the perils of the ocean and begun life anew in a strange land. They came to better their condition, and have found that with the same amount of exertion they can secure more of the comforts and conveniences of life than they could secure at their old homes, and to these they may here add luxuries which were unattainable abroad.

They earn better wages here than in Germany, or Ireland, or England, and their increased earning power is not due to their increased

efficiency, but because the American rate of wages is higher than in the countries from which they came. No verbal juggling about high wages occasioning low cost of production can wipe out this stubborn fact.

If a man gets $1.75 in England for puddling a ton of iron and $5.50 for the same services in Pittsburgh, it can not be successfully contended that the cost of the production of a ton of iron in Pittsburgh is not increased by the enhanced value of the labor employed. And the relative wages of all labor is substantially the same. Between 1861 and 1886 the number of foreigners who came to our country was 8,620,664, and these were mostly mechanics and laborers. Why did they come if not to better their condition? Of this vast number but few have returned. How many American mechanics and laborers, have gone abroad to better their condition? I have never heard of a single one who did this.

Under the benign influence of the legislation placed upon the statute-books of the nation by the Republican party, our manufacturing establishments have grown until they are second to none in the world. The character of their products has equaled those of the older nations, while the wages paid are higher than in any other nation.

GROWTH OF AMERICAN MANUFACTURES.

In 1850 the product of our manufactures was		$1,019,106,616
In 1860		1,885,861,676
Increase	$766,745,060	
In 1870		3,385,860,334
Increase	$1,499,998,658	
In 1880		5,369,579,191
Increase	$1,983,618,857	
In 1888 (estimated)		7,000,000,000
Increase	$1,630,420,809	

Notwithstanding the terrible civil strife, destroying the lives of hundreds of thousands of our young men, and exhausting many of our States, the growth of our manufactures between 1860 and 1870, under a protective tariff, was almost double the increase under the revenue tariff of the preceding decade, while the growth from 1860 to 1888 is almost 400 per cent., in round numbers $5,114,138,324.

The total wealth of the United States in 1880 was $43,642,000,000. The total wealth of Great Britain in 1880 was $43,366,000,000. Chambers' Journal for January, 1884, declares that statisticians after calculations "pronounced the United States to be not only potentially but actually richer than the United Kingdom." It has been alleged by the friends of this bill that labor does not receive a fair share of the products of manufacture in this country; and as Mr. Edward Atkinson has been quoted as authority by the gentleman who made the opening speech in this debate [Mr. MILLS], I, too, will read from his works. Of $1,100,000 product of a cotton mill he shows in his "Margin of Profits," page 23, that 91.62 per cent. goes to the laborers, 7 per cent. to the owners, and 1.38 per cent. to the payment of taxes; or putting it in figures, $1,007,820 of the $1,100,000 of product goes to wage-earners. That the condition of the workmen is better now than ever before is shown by the same author, who says:

A hundred years ago, as nearly as I can make it out, it took more time and more hard work for a family to get their clothing than it did to get their food. Now it takes a great deal less time to earn money to buy clothing than it does to buy food. Where a man spends $100 a year for uncooked food for his own use, he need not spend more than $40 a year for his clothing, ready made, including his boots and shoes and hats. It is a great blunder to say that while the rich are growing richer the poor are growing poorer. It is only the poor who can't work well, or who won't work well, who grow poor while the rich are growing rich in this country. The best times for the manufacturer are the times when he makes the most money, and they are always when the wages are highest, and not when they are lowest, because wage-earners are their principal and most important customers.

Again I quote:

The men of special skill, who are at the head of their trades, are 100 per cent. better off to-day than they were twenty years ago and more. That is, they can buy twice as much clothing, food, fuel, and as good a shelter to-day for a year's wages as they could buy twenty years ago with what they earned then.

The average carpenter, mason, painter, or other mechanic, who minds his own business and keeps the control of his own time, can buy nearly twice as much, but not quite. The average factory operative can buy two-thirds more than he or she could buy twenty years ago with a year's wages; and the common laborer can buy 50 per cent. more.

But gentlemen assert that the profits of the manufacturer are enormous, and they quote the census of 1880 to sustain their position. Mr. Edward Atkinson shows how worthless such estimates are:

It is a common blunder, made even by many members of Congress who ought to know better, to try to find out what were the profits of manufacturing in 1880 from the figures of the census. For such a purpose the figures of the census are mere rubbish. All that you have in the census, and I know of what I speak, for I framed the forms of many of the questions, especially in the department in which I took the census myself. I say that all you have in the census which is of value and which can be made use of with safety, is the gross value of manufactured products; the cost of the materials; the number of employés, and the sum of their wages; but when you undertake to arrive at profits by deducting cost of materials and the sum of the wages you are all at sea, because no statement was asked and no answer was given as to the cost of depreciation, the cost of insurance, of taxes, of administration, of interest, of loss by bad debts, of distribution by railway, or of many other elements which used up the greater part of the 48½ per cent. which is erroneously assigned as the profits of capital. The year 1880 was a very prosperous year, and the capital invested in manufacturing, mechanic, and mining arts in that year probably did earn from 6 to 10 per cent., but on the average not more than 10, and probably not as much.

Protection has brought with it not only a development of the productive forces of the nation, but it has cheapened prices also. The decline in the annual average currency price of some of the leading commodities in the New York market from 1850 to 1886 is shown in the following table:

[Prepared by Mr. Joshua Reece, jr., of the New York Journal of Commerce.]

Years.	Middling cotton, per pound.	Standard sheetings, per yard.	Standard drillings, per yard.	Bleached sheetings, per yard.	Standard prints, per yard.	64 by 64 printing-cloths, per yard.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1850	12.34	7.87	7.97	14.96	10.62	5.19
1860	11.00	8.73	8.92	15.50	9.50	5.44
1870	23.98	14.58	14.98	22.50	12.41	7.14
1880	11.51	8.51	8.51	12.74	7.41	4.51
1886	9.28	6.75	*6.25	10.65	6.00	3.31

*Including 1881 and since, the prices of standard drillings are net; raw cotton prices are also net for the entire period.

MARKETS OF THE WORLD.

But we are told by the majority of the Ways and Means Committee in their report upon this bill that with free raw materials we can send our manufactured goods out into the markets of the world. Where are these markets? If we go to Germany, or France, or Italy, or Russia we find them hedged in with protective tariffs, and straining every effort to supply their own markets as well as to produce a surplus to send abroad. Of the "world's market" Mr. David A. Wells says:

With the introduction of new, more effective, and cheaper methods or instrumentalities of production, every nation of advanced civilization has experienced, in a greater or less degree, an increase in the product of nearly all its industries save those which are essentially handicraft in their character, with not only no corresponding increase, but often an actual decrease in the number of laborers to whom regular and fairly remunerative employment constitutes the only means of obtaining an independent and comfortable livelihood. Every country with accumulating productions has accordingly felt the necessity of disposing of its surplus by exporting it to the markets most freely open to it, and, as a consequence, that has happened which might have been expected could the exact course of events have been anticipated, namely, increased competition in every home market, engendered by increasing domestic production and the efforts of foreign producers to export (introduce) their surplus; fiercer competition to effect sales of the excess of competitive products by the sellers of all nations in neutral markets, and an almost irresistible tendency toward a universal depression of prices and profits, and, to a greater or less extent, a displacement of labor.

It is also to be noted that as the capacity for industrial production increases and competition to effect sales becomes fiercer the more feverish is the anxiety to meet competition—especially on the part of foreign rivals—by producing cheaper goods; and that this policy in the states of continental Europe, and more particularly Germany, is antagonizing efforts to shorten the hours of labor and restrict the factory employment of women and children, and is also tending in a marked degree to do away with the heretofore general practice of suspending labor on Sundays.

In Saxony it is stated that—

Sunday labor has become usual in most factories and workshops solely under the stress of competition, so that the hours of divine service are alone excluded, and these only from absolute necessity.

Are we to surrender our own market to foreigners and follow the *ignis fatuus* of "markets of the world" into the "fierce competition" and "feverish anxiety to meet competition" that he describes and encounter the "universal depression of prices and profits" with the abandonment of the "heretofore general practice of suspending labor on Sundays" in order to succeed in doing so? I hope not.

But we have here in our own nation the best market in all the world. Sixty millions of enlightened people with ability to buy and a disposition to consume, who are alongside our manufacturing establishments, furnish a better market than we can possibly secure elsewhere. Let us keep our own market for ourselves. England never once repealed, remitted, or abated a protective duty on any foreign goods until long after her superiority was established and she could produce cheaper than any of her competitors. Let us learn a lesson from her and maintain our duties so that we can retain our own markets. Every patriotic consideration requires that this shall be done.

England must export manufactured products, because her very existence depends upon it, for her own markets are too limited to take the supply that can be produced by her own factories, and we look in vain for markets that are not already occupied and fully supplied.

Mr. Chairman, there is nothing clearer or truer in human reasoning than that labor is the source of wealth, and that its freedom and diversification are the measure of its productiveness.

Universal history testifies that not a single nation on the globe has reached independence and wealth but such as have firmly maintained a protective policy in the regulation of foreign trade. Protection is strong because it is national; because it has rendered possible the brilliant industrial achievements of the last quarter of a century; because it is conservative and not wasteful; because it builds up and does not destroy. It means the defense of American interests, of American labor and capital, of American commerce, and of American homes. It gives to our own workmen the preference in doing the work that may be required to be done for the benefit of the American people. It has carried us safely through a civil war, it has brought us wealth and prosperity as a nation, and it should be maintained.

With our experience we may well say:

Labor is discovered to be the grand conqueror, enriching and building up nations more surely than the proudest battles.

[Applause.]

During the delivery of the foregoing remarks the hammer fell.

Mr. HOLMAN. I hope the gentleman's time will be extended.

The CHAIRMAN. The gentleman is now speaking in the time of another gentleman.

Mr. HOLMAN. I still trust that there will be no objection.

Mr. YARDLEY. I will yield the gentleman additional time if he desires it.

Mr. ATKINSON. I should be glad to have a few minutes longer.

Mr. YARDLEY. Then I yield fifteen minutes to the gentleman.

Mr. ATKINSON resumed and concluded his remarks, as above.

Mr. YARDLEY. Mr. Chairman, I do not flatter myself that in the closing days of this debate I shall be able to present any new views or offer any suggestions but what have practically received the attention and consideration of this House; but I have the honor to represent upon this floor a district whose hills are black with the smoke of the furnace and whose valleys echo the sound of the shuttle and the loom—a district of more than one hundred and seventy-five thousand intelligent, prosperous, hopeful people, who believe that their great manufacturing and agricultural interests will be seriously affected by the destruction of the system of protection; and therefore for them, and in their name, I solemnly and earnestly protest against the passage of this bill.

Less than thirty years ago, when the Democratic party went out of business, it left the country with its credit impaired and its Treasury bankrupt; but to-day we are confronted with the anomalous condition of an outstanding debt and an overflowing Treasury. More than $80,000,000 of the people's money have been allowed to accumulate in the vaults of the national Treasury. Upon whom rests the responsibility for this large and unwarranted accumulation?

Let the Democratic party answer whether at any time during the term of the present Executive there has been any attempt by a Democratic House to avert the financial disaster and ruin so freely prophesied by the President as likely to result from the surplus in the Treasury.

Sixteen million dollars of the surplus should long since have been refunded to the loyal States in repayment of the direct taxes paid by them during the war. The vetoes of the President have deprived the old soldiers of the pensions which their patient sufferings so justly earned. Thousands of men and women with honest and legally adjudicated claims against the Government are awaiting with empty hands because forsooth a Democratic House, presumably anxious to avert impending disaster of an overflowing treasury, has persistently neglected and refused to make the necessary and proper appropriations for the payment of the just debts of the Government. The Blair educational bill passed a Republican Senate, but has been strangled in the committee-room of a Democratic House, that its death might aid to accumulate and continue the vast surplus in the Treasury.

These observations, Mr. Chairman, apply only to the surplus that has already accumulated, and are only important as tending to show that the Democratic party has repeatedly and persistently neglected and refused to follow any of the methods which would have prevented the accumulation of the surplus, but, on the contrary, as willfully and unlawfully hoarded the money in the Treasury for the purpose of frightening the people, and thus intending to break down a system of protection.

An enterprising business man with $5,000 surplus in bank and $10,000 in outstanding notes would proceed to apply the surplus to the payment of the notes. If the Administration had been moved by an honest desire to reduce the surplus it would have applied the surplus revenues to the payment and the redemption of the bonds of the Government and thus reduced alike the surplus and the debt of the nation.

Congress has lately informed the President that in their unanimous opinion the Administration has for years been invested with ample statutory authority to purchase and redeem the bonds of the Government, and it is fair to assume that in obedience to this information the bonds of the Government will be purchased, the debt of the nation be redeemed, and the dangers arising from the present surplus thus be averted.

We are still, however, confronted with the graver and much more important question how to so reduce taxation that hereafter the revenues of the Government shall not materially exceed its necessary and proper expenditures.

The Government has the inherent constitutional right to collect from the people by taxation so much money as will surely provide for its necessary and proper expenditures, pay its just debts, and make its financial condition secure, but beyond that it can not go.

The Government has no right to levy unnecessary taxes for the purpose of hoarding the money in the Treasury, for the purpose of creating trusts or fostering monopolies, nor for the purpose of making wasteful and extravagant expenditures; and when it collects annually seventy-five or eighty million dollars more money than is necessary to defray its expenses and pay its debts, the people have the right to demand that there shall be some reduction of taxation; and upon this main question of the importance and necessity of the reduction of taxes there can be no contention or controversy. The Republican party is not opposed to a reduction of taxes; on the contrary, almost all the reductions of taxes that has been made in the last twenty years have been made by the Republican party. Gentlemen upon the other side talk much about oppressive taxes and the necessities for reduction, but when have they ever reduced the taxes of the country? For five long years they have had control of this House, and yet during that time not one dollar of taxes has been reduced. The tree is known by its fruits, and a political party is judged by its record, and that the people may know just what has been done by both parties in the last twenty years, I offer in evidence an extract from the "views of the minority of the Committee on Ways and Means," as presented by the gentleman from Ohio [Mr. MCKINLEY]:

By the act of July 14, 1870, the reduction of the revenue from customs duties was:

Free-list	$2,403,000
Estimated reduction from dutiable list	23,651,748
Total	26,054,748
By the act of May 1, 1872, tea and coffee were placed upon the free-list, making a reduction of	15,893,847

By the act of June 6, 1872, tariff duties were further reduced, and the reduction by the—

Free-list	$3,345,724
Estimated reduction from the dutiable list	11,933,191
Total	15,278,915

By the act of March 3, 1883, from tariff—

Free-list	$1,365,999
Estimated reduction from dutiable list	19,489,800
Total	20,855,799

The foregoing estimates were made when the several bills were passed.

Of internal taxes the following have been the reduction made by the party now in the minority since the conclusion of the war:

By the acts of July 13, 1866, and March 2, 1867	$103,381,199
By the acts of March 31, 1868, and February 3, 1868	54,802,578
By the act of July 14, 1870	55,315,321
By the act of December 21, 1871	14,436,862
By the act of June 6, 1872	15,807,618
By the act of March 3, 1883	40,677,682
Total	284,421,260

This we present as the result of Republican legislation from July 13, 1866, down to and including March 3, 1883.

The Republican party was in control of the House of Representatives from the first-named date to March 4, 1875. During that period it will be observed that taxation was reduced and revenue diminished in the aggregate sum of $284,421,260. On the 4th of March, 1875, the control of the House passed to the Democratic party and remained with it until the 4th day of March, 1881, a period of six years. During these years the internal revenue was reduced $6,368,935. On the 4th day of March, 1881, the Republican party was reinvested with control of the House of Representatives, holding it for two years, during which time it reduced taxation and the revenues from custom sources in the estimated sum, $20,855,799, and upon internal revenue, $40,677,682, a grand total of $61,432,481.

It will be observed that from 1866 to 1888, a period of twenty-two years, the control of the House of Representatives has been equally divided between the two political parties, each having eleven years.

During the eleven years of Republican control the revenues were reduced (estimated)	$332,504,569
During the eleven years of Democratic control the revenues were reduced	6,368,935

These figures have never been challenged or denied, and they show what the Republican party has done in the past, and she stands now, as ever, ready and willing to further reduce the revenues of the Government, but she insists that the reductions shall be so made as to afford the greatest relief to the American people, and on the lines of fair and honest protection to American industries and American labor.

How, then, shall the revenues of the Government be reduced?

There are two methods of raising the revenues of the Government, one by direct or internal taxation, the other by duties or customs upon imported goods. The system of direct or internal taxation has always been regarded by our people as inquisitorial, and not to be endured except in times of great national necessity; only three times in the history of our country have internal taxes been imposed upon the people, and then only as necessary war measures.

The internal taxes imposed after the Revolutionary war were repealed in nine years, and those imposed after the war of 1812 were repealed in four years.

The present system of internal taxation was enacted in 1862, and grew out of the necessities of the late civil war; the taxes included in the system have all been repealed except those on whisky and tobacco. A total repeal of the internal taxes, however, might leave us with a deficit instead of a surplus, and, as has been well said, "a surplus is easier to handle than a deficit."

Whenever it becomes necessary to repeal the whisky tax in order to save and protect American industries I shall willingly and unhesitatingly vote to repeal the tax upon whisky, but I do not think that necessity now exists. To repeal or reduce the tax on whisky, unless the same be necessary to protect our industries, while continuing in force duties upon sugars would, I think, be unjust to the tax-payer and unsatisfactory to the people.

The tax upon spirits or alcohol, to be used for medicinal, scientific, or manufacturing purposes, is a direct tax upon our own people, from which they should be relieved, and the special tax imposed upon druggists for the sale of alcohol is a relic of the war taxes which should now be repealed. The tax upon tobacco is a direct and obnoxious tax which

falls upon the farmer whose fields are adapted to its cultivation, and upon the home cigar manufactory that furnishes employment to thousands of skilled laborers, and its repeal would relieve the people of $30,000,000 of taxes. These, Mr. Chairman, are the internal taxes which, in my judgment, should be repealed.

NOW, WHAT OF THE TARIFF?

The gentlemen upon the other side of the House seem to take particular pains in speaking of the tariff to denounce it as a war tax. Why, Mr. Chairman, the present tariff law was not passed as a war measure. It was signed by President Buchanan before the war. Its object was to restore the protective policy of the nation, and the duties were not laid in expectation of war, but were such as were then thought necessary to protect and maintain American industries and fairly reward American labor. It is true that duties were increased during the war by the acts of 1862 and 1864, but it is equally true that since the war corresponding reductions have been made in both customs duties and internal taxes.

Mr. Chairman, as I understand the spirit of the Republican party, we are ready to join in any fair and honest revision of the tariff, but we insist that such revision shall be by the friends of protection and not by the friends of free trade; a revision by such methods as will protect American industries and not destroy them; a revision that will relieve the tax-payer without reducing the wages of the laborer; a revision that will protect our home markets and not injure the interests of our own people.

Mr. Chairman, I do not propose to consume the time of this House in discussing in detail questions of classification or rates of duty, but gladly leave that to gentlemen whose superior knowledge of the subject and long legislative experience has abundantly qualified them for that duty; but I beg to suggest certain principles upon which it seems to me the tariff may be revised and the people relieved of unnecessary taxes without disturbing the business of the country, crippling industries, or impoverishing labor.

If there are any articles now subject to duty that are not raised or produced in our own country, I would place them upon the free-list, and if there are any raw materials which enter into production or consumption in this country that can not be by reasonable outlay profitably produced here, they should be admitted free, but due preference should always be given to our own raw materials, and due regard had for the value of labor expended upon it. I would reduce, or abolish, the duties upon such articles as are not generally produced here, or only in such limited quantities as to make the cost of production a grievous burden upon the tax-payer, and where the industry after fair and repeated trials gives no promise for its future growth.

Every man, woman, and child of our sixty millions of people is a consumer of sugar, and yet not more than one-twelfth of the total consumption is produced here.

The following table shows the amount of sugar imported in the last ten years and the duties paid:

Year.	Consumed, pounds.	Value.	Duty paid.
1878	1,552,875,112	$78,986,070	$36,387,464
1879	1,598,461,986	65,918,931	37,294,197
1880	1,592,261,958	67,015,831	39,107,256
1881	1,869,173,808	82,721,087	45,933,045
1882	1,913,396,455	84,355,545	46,711,795
1883	1,931,610,911	84,327,942	44,517,851
1884	2,437,570,913	88,044,316	47,500,750
1885	2,578,993,335	69,078,857	50,885,916
1886	2,509,287,099	71,311,090	50,265,538
1887	2,781,159,646	68,882,884	56,507,495

For the last ten years we have paid on an average $45,000,000 every year in duties on sugars. We have fostered and encouraged the sugar industry by imposing a higher rate of duty upon it than upon any other article of general consumption, and yet with all this encouragement and protection the amount of the production has not increased.

The State of Louisiana produces about 93 per cent. of all the cane-sugar in the United States. The following table shows the amount of sugar raised in Louisiana and the other Southern States in the years mentioned:

Louisiana.		Other Southern States.	
	Pounds.		*Pounds.*
1860–'61	265,063,000	1860–'61	9,661,000
1861–'62	528,321,500	1861–'62	11,509,000
1884–'85	211,402,963	1884–'85	14,560,000
1885–'86	286,626,486	1885–'86	16,128,000

I have not the official figures for 1886–'87 at hand, but I believe the production for that year was less than for the year 1885.

Mr. Chairman, the principle of protection is to foster and encourage every American industry that after a fair trial gives such reasonable promise of success as would encourage competition, and thus bring about a reduction of prices. Sugar does not come within this rule, and it seems to me that it is unfair to longer continue this heavy tax upon the people. It is probable, however, that there may be hopes for the sugar from the cane, the sorghum, and the beet, and upon the principle of encouraging American industries I would offer a bounty for all sugar raised on our soil.

Mr. Chairman, a reduction of the internal taxes and the duties upon imports upon the lines I have indicated will reduce the revenues of the Government about $80,000,000, and these are the methods which seem to me to afford the greatest relief to the greatest number, and therefore likely to prove most satisfactory to the people. I realize, however, that other and different views are entertained by gentlemen upon both sides of the House, and I fully understand that to effect a revision of the tariff it is necessary to concede something to the views and opinions of others; but there is a certain well-defined line beyond which the friends of protection can not go. Every effort to cripple American industries, break down the home market of the farmer, and reduce the wages of the laborer must be steadily resisted.

This is not a new question; the system of protection is as old as the Constitution of our fathers. Under the Articles of Confederation there was no authority in the General Government to levy taxes, collect revenues, and regulate foreign or domestic commerce, and as was clearly shown by the gentleman from Tennessee [Mr. HOUK], when upon the floor yesterday, during this period from 1783 to 1787, while the country was under the policy of free trade, the commerce of the United States went down, the Treasury was bankrupt, and the people were disheartened and discontented, and from this distress and disaster came the convention to frame a constitution, and the debates of that convention show that those early patriots were fully persuaded that if the prosperity and welfare of the people were to be secured and the young Republic was to assume her place among the nations of the earth it was necessary to thus early foster and protect the home industries of the country. The Constitution gave the General Government the power to levy and collect taxes and to regulate the commerce of the States and of foreign states; and the First Congress of the United States under this Constitution, recognizing the wisdom and necessity for protection, enacted a law which provides:

It is necessary for the support of the Government, for the discharge of the debt of the United States, and for the encouragement and protection of manufactories, that duties be laid on imported goods, wares, and merchandise.

This act was signed by George Washington nearly one hundred years ago, and from that day protection to American industries has been the policy of every President of the United States, Federalist and Whig, Democrat and Republican alike, down to the time of the present Executive. It was reserved for the present Executive to disregard the teachings of Jefferson, of Madison, of Monroe, of Jackson, of Polk, and of Buchanan, and declare that the principles advocated by them were "vicious, inequitable, and illogical."

We are told by the President that the tariff should be revised because the farmers are suffering from taxation, and yet, when the farmers of the country, exercising the American's right of petition, respectfully ask—

That wool-growing be restored to the protection enjoyed under the tariff of 1867, and that for the more effectual protection of agriculture the duties on farm products be increased—

they are told that wool-growing and vegetable raising are American industries, and therefore, in the opinion of the Democratic party, not the subjects of protection, and the farmer is expected to go on his way rejoicing that the hills upon which he fed his flocks shall know them no more forever.

Mr. Chairman, the farmer has long since ceased to be imposed upon by sophistry upon political and economical questions; the average farmer is a man of common sense, who does his own thinking, makes his own investigations, and draws his own conclusions. He investigated the favorite and constantly repeated statement of the free-trader that the cost of the article was increased by the exact amount of the duty and found it to be a delusion and a snare; he soon discovered that prices were never lower than under the present tariff, and that if our markets were left to the control of foreign producers prices would soon be higher than now. The fact that the greater the home competition the cheaper the wares is clearly proven by the familiar illustration of steel rails.

In 1867 American steel rails were selling in this country for $166 per ton; in 1870 the price was $106.75 per ton. In 1871 Congress imposed a specific duty of $28 per ton. As a result of this protection the product of our steel-rail mills rose from 2,277 tons in 1867 to 2,101,904 tons in 1887, while the price went down from $166 a ton in 1867 to $31.50 in March, 1888.

The history of the silk industry and of the soda-ash industry of America tell the same story. Prior to 1884 we imported all our soda-ash at an average cost of $48 per ton. A duty of $5 was imposed and the manufacture of soda-ash became an American industry and the prices fell as low as $28 per ton, and I think recently it has been much lower than that. The fact that calicoes, blankets, and other goods can be and have been bought in this country for less than the tariff duty proves that the protective tariff does not increase the price of the protected article. Goods were never cheaper than now. The decline in the price of salt and other protected articles has long since exploded the false

theories of economic books that a protective duty increases the price of the article.

Mr. Chairman, in their burning anxiety to break down the system of protection, gentlemen upon the other side of the House denounce the manufacturers of the country as barons and robbers, and by belittling the greatness of agricultural districts seek to array the farmer against the manufacturer. I admit that at this time farming is probably not the most profitable business in the world, and I hope that in the near future some action upon the currency question and cheaper and more equitable transportation rates may furnish the remedy; but no thinking farmer charges the unfavorable condition of agriculture to the operation of our tariff laws.

The Commissioner of Agriculture, in his last annual report, for 1886, pages 417, 418, thus states the situation:

DEBTS OF FARMERS.

There are now about five million owners of farms. A million of new farms have been acquired since 1880. Many of the four million then in cultivation have since changed hands. Hundreds of thousands of these are owned by young men and others who never before tilled lands of their own, and who commenced husbandry with small means, little more than health, energy, and determination to succeed. Necessarily indebtedness has been incurred in many of these cases in purchasing old farms, in stocking farms already paid for, or in fencing and building upon lands obtained from the Government under the homestead act.

To such as commenced judiciously, with a full knowledge of the responsibilities involved, and with will and industry commensurate with the burden assumed, a mortgage may prove a blessing. It represents capital, without which the business of farming can not be undertaken, or its products and profits be secured. It enables a poor but capable and industrious young man to secure a home and a profitable business, paying for it in easy installments; but it becomes a withering curse when it makes production dear and difficult, consumes a crop before it is made, and renders indebtedness hopeless.

It is a matter of congratulation that the burden of debt is decreasing, and is in fact relatively less than it was ten years ago. An investigation made by State statistical agents, undertaken to show the actual and comparative condition of farmers as to indebtedness, affords evidence of gradual amelioration, decrease in number and amount of farm mortgages, and in advances by merchants in those regions where such practice prevails. The inquiry was first made in the cotton States; afterwards in the Ohio Valley, and in New York and Pennsylvania. In the Eastern States, where no such inquiry has yet been instituted, the farmers are not burdened very much with debt, while many of the more prosperous hold mortgages on farms of the distant West and other farms of Western property. In the newer States west of the Mississippi there is far more general indebtedness than in the central district east of that river. Further investigation in that region and on the Pacific Coast is contemplated.

I have listened to the speeches of the gentleman from Missouri [Mr. BLAND] and the gentleman from Iowa [Mr. WEAVER] stating the amount of mortgage indebtedness upon the farms of their States, and describing the distressed and impoverished condition of the farmers.

Mr. Chairman, without admitting the correctness of their statements of the condition of the farmers of the South and the West, as one of the Representatives of the great State of Pennsylvania, the keystone of the arch, and the center of protection, where the forge, the furnace, the factory, and the toiling millions have added to her grandeur and greatness, I take pleasure in quoting again from the report of the Commissioner of Agriculture, 1886, page 419, in which he thus speaks of the farmers of Pennsylvania:

PENNSYLVANIA.

The indebtedness of farmers of Pennsylvania, it is believed, has decreased as compared with ten years ago. It is estimated that not more than 15 per cent. of the farms are mortgaged. The average interest rate is about 5 per cent. Many farmers have property in other branches of business, and farmers themselves hold in part the indebtedness of other farmers. With an average value of farms, according to the last census, of almost $50 per acre—nearly $1,000,000,000, or about one-tenth of the farm valuation of the United States—owned mainly by the farmers cultivating them, and yielding a product worth $431 for each person engaged either as farmer or laborer in agriculture, the agricultural interest in Pennsylvania may be said to be prosperous, even in the present era of low prices. Of course there are some who occupy positions of hardship and difficulty. The source of this prosperity is found in the local markets of the State. It is probable that no other State is more nearly self-supporting, and perhaps none that depends on other States or other countries so little either in buying or selling products of agriculture.

The source of their prosperity is in the local markets of the State.

Mr. ATKINSON. And these mortgages to which reference is made there are held largely by Pennsylvania farmers themselves.

Mr. YARDLEY. Yes, sir.

Let the farmers from those States where American industries are in their infancy or yet unborn read and ponder upon this before they give their votes for free trade.

I come from one of the largest manufacturing districts in the State of Pennsylvania, and I am proud to say that among the farmers of the rich fields and teeming valleys of the counties of Bucks and Montgomery progress, prosperity, and happiness finds an eternal and everlasting abiding place. Let farmers cross the water and behold the want, the woe, the misery, and the despair of the farmers of free-trade England, and then believe, if they can, that the happiness, prosperity, and welfare of the farmer are found in the policy of free trade.

Mr. Chairman, I would revise the tariff by increasing the duties upon many of the products of the farm, in order that our farmers may be the better able to compete with importations from Canada and other foreign countries. The last quarterly report of the Chief of the Bureau of Statistics shows that for the three months ending December 31, 1887, we imported the following articles:

Imports of merchandise during the three months ending December 31, 1887.

Articles.	Month ending October 31— 1887.		Month ending November 30— 1887.		Month ending December 31— 1887.		Three months ending December 31— 1887.		Three months ending December 31— 1886.	
	Quantities.	Values.	Quantities.	Values.	Quantities.	Values.	Quantities.	Values.	Quantities.	Values.
DUTIABLE.										
Breadstuffs:										
Barley ..... bushels ..	2,188,993	$1,546,935	3,783,653	$3,005,915	1,384,862	$1,027,110	7,357,508	$5,579,960	6,521,793	54,084,094
Corn ..... do.....	4,243	1,996	3,928	2,266	2,457	1,344	10,628	5,606	15,096	7,650
Oats ..... do.....	3,934	1,341	9,990	3,391	9,934	3,350	23,858	8,082	20,095	7,516
Oatmeal ..... pounds...	61,706	2,139	109,303	3,857	89,393	3,296	260,402	9,292	364,347	14,626
Rye..... bushels...	10	5	.....	.....	14	6	24	11	1,465	1,458
Wheat ..... do.....	60	41	250,807	187,964	215	148	251,082	188,153	102,683	78,620
Wheat flour..... barrels...	11	50	199	930	86	380	296	1,360	110	429
All other breadstuffs, and preparations of, used as food, not elsewhere stated.....	.....	14,795	.....	12,339	.....	10,557	.....	37,651	.....	52,566
Total	.....	1,567,302	.....	3,216,692	.....	1,046,191	.....	5,830,185	.....	4,246,959
Dairy products:										
Butter ..... pounds...	25,153	5,092	31,853	5,935	12,886	2,437	69,892	13,464	146,310	23,758
Cheese ..... do.....	780,745	109,755	868,324	120,904	648,764	94,566	2,297,833	325,225	2,087,366	283,376
Milk, preserved or condensed.....	.....	10,092	.....	14,503	.....	20,001	.....	50,596	.....	175,359
Total	.....	163,109	.....	195,829	.....	216,423	.....	574,361	.....	666,309
Vegetables:										
Beans and peas..... bushels...	247,784	222,786	186,377	201,534	152,868	166,751	587,029	591,071	256,888	254,952
Potatoes ..... do.....	254,159	93,214	773,151	231,730	987,723	371,979	2,015,033	696,923	541,064	115,956
Pickles and sauces	.....	47,112	.....	44,773	.....	33,224	.....	125,109	.....	96,287
All other—										
In their natural state, or in salt or brine.....	.....	53,117	.....	43,350	.....	35,163	.....	131,630	.....	99,856
Prepared or preserved	.....	34,820	.....	27,656	.....	19,728	.....	82,204	.....	79,060
Total.....	.....	451,049	.....	549,043	.....	626,845	.....	1,625,937	.....	646,051

This table shows $574,361 of dairy products, $696,923 of potatoes, and $930,014 of other vegetables brought into this country in three months, and yet gentlemen upon the other side who profess to be interested in the welfare of the farmers come in here with a bill which says that milk and poultry and vegetables and seeds shall be imported free of duty.

Mr. Chairman, farmers not only need protection for the products of the farm, but they are interested in protecting and diversifying the industries of the country. Free trade would disturb the business interests of the country, paralyze industries, reduce wages, and drive thousands of laborers to seek employment in other vocations. A protective tariff will enlarge the home market, build up and diversify industries, and increase the general wealth and prosperity of the country.

Mr. Chairman, over and above all other people who need and are entitled to protection are the wage-earners of our country. We have a country of vast extent and boundless magnificence; but yet, with all our natural resources and advantages, we are unable to compete with the countries of Europe, because we are handicapped by their cheap labor.

The following table, taken from the consular reports of 1885, show the difference in the prices per week paid for labor here and those paid in other countries:

Occupations.	Austria.	Belgium.	France.	Germany.	Great Britain.	Netherlands.	Switzerland.	United States.	
								New York.	Chicago.
Bakers	$4.63	$4.28	.....	.....	$6.17	$4.80	$3.88	$7.00	$12.00
Blacksmiths	3.18	5.33	$5.81	$4.00	7.37	4.80	5.20	13.00	15.00
Book-binders	4.10	5.35	5.17	4.20	6.77	4.60	4.68	14.00	16.50
Bricklayers	3.56	4.56	5.74	4.21	7.56	4.80	5.21	20.00	24.00
Cabinet-makers	4.40	5.66	6.14	4.25	7.68	4.80	5.59	12.00	15.00
Carpenters and joiners	5.10	4.07	6.20	4.11	7.66	4.80	4.74	14.00	16.50
Coopers	3.64	5.17	5.58	3.97	7.50	2.80	4.78	12.00	12.00
Drivers, draymen	2.20	3.77	5.57	2.96	5.37	4.40	.....	10.00	12.00
Farm laborers	3.50	2.72	3.10	3.06	4.02	3.24	.....	.....	.....
Laborers, porters, etc	3.20	3.00	3.77	3.11	4.70	3.61	2.88	9.00	10.50
Plasterers	4.01	4.66	6.34	4.43	7.80	4.00	5.03	18.00	27.00
Plumbers	4.11	5.46	6.10	4.26	7.90	4.80	5.18	16.00	22.50
Printers	4.85	5.94	6.64	5.09	7.23	4.80	6.78	13.00	18.00
Tinsmiths	3.70	4.40	5.46	3.55	6.56	4.00	4.40	11.00	12.72
Weavers	3.15	3.95	3.23	2.79	6.31	3.60	3.05	10.00	.....

The false theories of free-traders that there is not much difference in the wages of Europe and America are refuted by living, burning facts. Every man is supposed to know his own business, and the laborers of the world have long since settled that question in favor of American labor. How many American laborers are going across the water to work for the wages of Europe because food and clothing are cheaper? But thousands of laborers from England, from Scotland, from Ireland, and from Germany are annually coming to our shores to work for American wages, and once learning the true value and dignity of American labor they never return.

Mr. Chairman, the revision of the tariff is a business question of the greatest and gravest importance, a question that affects the manufacturer and the farmer, the capitalist and the wage-earner. The bill under consideration represents the policy of a great party, and if passed for weal or for woe will shape the future destiny of the Republic. And yet how have they approached this great question? The majority of the Ways and Means Committee, instead of seeking for light upon this important question, have closed the doors upon the manufacturer, turned a deaf ear to the wage-earner, and denied the petitions of the farmer; and after months of secret consultation come forth from their hiding-place with a bill that was conceived in darkness, born of a desire for free trade, and intended to cripple the industries of the North. This bill is a political and not a business measure. It discriminates against the interests of one section and in favor of the interests of another.

Its passage will destroy the wool industry of our nation and will compel the farmers of our country to compete with the great wool-growing country of Australia, where labor is paid but 8 cents a day.

This bill is the entering-wedge to free trade, and free trade means poverty, ignorance, and vice. Reduce the wages of American workmen and you degrade American labor and crush the spirit and harden the heart of the laborer.

It is said that the safety of an empire centers in her standing army, but the safety and the welfare of a republic depends upon the prosperity and the happiness of her yeomanry.

The protective system has given to the American laborer better wages for himself and better schools for his children; more books to read, more leisure time to read them, and as the result in this country, where there is no royal road to success, thousands of men from the humbler walks of life have carved their way to fortune and to fame.

The principle of protection is to give preference to American goods, American industries, and to American labor. Under that system our nation has grown and strengthened until our flag floats on every sea, and our name is respected in every land.

Mr. Chairman, there is no higher law than the law of self-preservation. It is as much the law of nations as it is of individuals. The Congress of the United States is expected to legislate for the prosperity, happiness, and welfare of the people—not of England, but of America.

We are a nation of sixty millions people, who are better housed, better clothed, and better fed than the people of any nation upon the face of the earth.

Our valleys and our mountain slopes are dotted with the homes of freeman, whose labor is so adequately rewarded and so elevated and dignified that every man who earns his bread by the sweat of his brow contributes to the honor and the glory of the nation, and early in November next the supreme rulers of the nation, the people, will declare in no uncertain tones that they have no use for an administration whose free trade policy destroys American industries, and degrades American labor, so that the laborer stands alone and unaided in his competition with foreign pauper labor. [Applause.]

Mr. TRACEY. Mr. Chairman, until within the past few days it was my intention not to make any remarks during the discussion of the tariff bill, but listening to the very able speeches made by gentlemen on both sides of this House, it occurred to me that, while the subject under discussion would be almost exhausted without my aid, so far as argument is concerned, it might be in my power to add to the truth of history by correcting some misstatements made in debate, and possibly to add to the strength of the tariff-reform movement by stating, as the Representative from the district containing the capital of the great Empire State, that the wish of the people of that State is that duties on imports be largely reduced.

It is my opinion, Mr. Chairman, that in New York State it has been confidently expected by men of all parties that the time having arrived when the necessities of the Government no longer call for continuance of war taxes, a reduction would be made. It has therefore been a surprise to me to hear on this floor gentlemen advocate not only a continuance of these high taxes, but some even recommending an increase of duties. Most surprising of all, however, has it been when members have deliberately asserted that President Cleveland has not represented his party in calling attention in his message to the advisability of reducing taxes and in urging that a greater reduction be made in import duties than in internal-revenue taxes.

One member of this side of the House, my esteemed friend from Ohio [Mr. FORAN], has, I regret to say, joined with gentlemen of the minority in attacking the bill now before the committee. All who know my friend must concede that his motives are honest; but, Mr. Chairman, he is in error when he insinuates that the principles of the Democratic party lead it to favor extreme protection.

My friend says—

That President Jackson was a protectionist, is clearly revealed in his messages.

Mr. Chairman, I think that Jackson's opinion of protection was about the same as is held by most members of the majority of this House, that in time of war money must be raised, and that reasonable protection be given to infant industries. Mr. Chairman, I will read from Andrew Jackson's farewell address to the country, March 3, 1837. He said:

There is perhaps no one of the powers conferred on the Federal Government so liable to abuse as the taxing power. The most productive and convenient sources of revenue were necessarily given to it, that it might be able to perform the important duties imposed upon it; and the taxes which it lays upon commerce being concealed from the real payer in the price of the article, they do not so readily attract the attention of the people as smaller sums demanded from them directly by the tax-gatherer. But the tax imposed on goods enhances by so much the price of the commodity to the consumer, and as many of these duties are imposed on articles of necessity which are daily used by the great body of the people, the money raised by these imposts is drawn from their pockets.

Congress has no right under the Constitution to take money from the people unless it be required to execute some one of the specific powers intrusted to the Government; and if they raise more than is necessary for such purpose it is an abuse of the power of taxation and unjust and oppressive. It may indeed happen that the revenues will sometimes exceed the amount anticipated when the taxes were laid. When, however, this is ascertained it is easy to reduce them; and in such a case it is unquestionably the duty of the Government to reduce them, for no circumstances can justify it in assuming a power not given to it by the Constitution, nor in taking away the money of the people when it is not needed for the legitimate wants of the Government.

Plain as these principles appear to be, you will yet find that there is a constant effort to induce the General Government to go beyond the limits of its taxing power, and to impose unnecessary burdens upon the people. Many powerful interests are continually at work to procure heavy duties on commerce, and to swell the revenue beyond the real necessities of the public service; and the country has already felt the injurious effects of their combined influence.

They succeeded in obtaining a tariff of duties bearing most oppressively on the agricultural and laboring classes of society, and producing a revenue that could not be usefully employed within the range of the powers conferred upon Congress; and in order to fasten upon the people this unjust and unequal system of taxation extravagant schemes of internal improvement were got up, in various quarters, to squander the money and to purchase support. Thus one unconstitutional measure was intended to be upheld by another, and the abuse of the power of taxation was to be maintained by usurping the power of expending the money in internal improvements.

But, rely upon it, the design to collect an extravagant revenue, and to burden you with taxes beyond the economical wants of the Government, is not yet abandoned. The various interests which have combined together to impose a heavy tariff, and to produce an overflowing Treasury, are too strong and have too much at stake to surrender the contest. The corporations and wealthy individuals who are engaged in large manufacturing establishments desire a high tariff to increase their gains.

Designing politicians will support it to conciliate their favor and to obtain the means of profuse expenditure for the purpose of purchasing influence in other quarters; and since the people have decided that the Federal Government can not be permitted to employ its income in internal improvements, efforts will be made to seduce and mislead the citizens of the several States by holding out to them the deceitful prospect of benefits to be derived from a surplus revenue collected by the General Government and annually divided among the States. And if, encouraged by these fallacious hopes, the States should disregard the principles of economy which ought to characterize every republican government, and should indulge in lavish expenditures, exceeding their resources, they will before long find themselves oppressed with debts which they are unable to pay, and the temptation will become irresistible to support a high tariff in order to obtain a surplus distribution.

Do not allow yourselves, my fellow-citizens, to be misled on this subject. The Federal Government can not collect a surplus for such purposes without violating the principles of the Constitution and assuming powers which have not been granted. It is, moreover, a system of injustice, and if persisted in will inevitably lead to corruption, and must end in ruin. The surplus revenue will be drawn from the pockets of the people—from the farmer, the mechanic, and the laboring classes of society; but who will receive it when distributed among the States, where it is to be disposed of by leading politicians who have friends to favor and political partisans to gratify? It will certainly not be returned to those who paid it and who have most need of it and are honestly entitled to it. There is but one safe rule, and that is to confine the General Government rigidly within the sphere of its appropriate duties. It has no power to raise a revenue or impose taxes except for the purposes enumerated in the Constitution; and if its income is found to exceed these wants it should be forthwith reduced, and the burdens of the people so far lightened

So much, Mr. Chairman, for Andrew Jackson's views on the tariff, as expressed at the close of his political career, fifty-one years ago.

In another portion of his speech my friend from Ohio states that Samuel J. Tilden, more than twenty years ago, denounced in unmistakable terms the system of internal-revenue taxation. Mr. Tilden may have done this, although I do not know upon what occasion, but I do not think the gentleman will find that Mr. Tilden ever expressed a preference for high protection; it is probable he denounced the methods by which officials collected these internal-revenue taxes. And let me say here, Mr. Chairman, that this bill seeks in several ways to give relief in this respect.

As I quoted from the venerated Jackson to make clear his views on taxation, I will now read the words of Samuel J. Tilden, spoken twenty years ago. On March 11, 1868, he said to his friends in his native county in the State of New York:

These taxes carry with them other incidents, which greatly increase their burden. They fall most heavily upon men of small incomes, the proceeds of whose labor and industry are consumed to support themselves and their families. Every man who has attained a situation of comfort and prosperity can in some way stand them. But take the poor man—take the man not poor, whose annual income is consumed in his annual support—and he pays a most disproportionate amount from his earnings or income for the taxes levied upon the country.

It is not for myself that I speak to-day to you, yeomanry and citizens of Columbia; it is for you, and because I have cherished from my childhood and still cherish the thought that America is to be the home of its people and not a state in which the wealthy are prosperous at the expense of toiling millions. It is because I still cherish the belief that America is to be what in my youth I fondly believed it—the home and refuge of the man who spends the toil of his year for the maintenance of his family and himself, and is able to reserve but little at the end of the year. * * *

These taxes, when laid on imports in the manner in which they were laid in the Congressional carnival of manufacturers which framed our present tariff, cause a misapplication of industry that charges on the consumer what neither the Government is able to collect as taxes nor the manufacturer to appropriate as profits. They lessen the productive power of human labor as if God had cursed it with ungenial climate or sterile soil.

And four years later, September 17, 1874, at Syracuse, he said:

Retrenchment in public expenditure; reform in public administration; simplification and reduction of tariffs and taxes; accountability of public officers, enforced by better civil and criminal remedies—the people must have these measures of present relief, measures of security for the future.

The Federal Government is drifting into greater dangers and greater evils. * * * It undertakes to direct the business of individuals by tariffs not intended for legitimate taxation, by granting special privileges and by fostering monopolies at the expense of the people.

Mr. Chairman, the Democracy were not frightened by these expressions; quite the contrary; they must have indeed approved them, for they shortly after nominated him for governor, and the people ratified the choice. He was elected by 50,000 majority.

Perhaps it may be thought that the people had not generally heard of the Syracuse speech and that the discrete governor kept very quiet about tariff matters after that. Did he? Let me read from his message in 1876—January, 1876, bear it in mind.

He said:

The consequence is that the pecuniary sacrifices of the people are not to be measured by the receipts into the Treasury. They are vastly greater. A tax that starts in its career by disturbing the natural courses of private industry and impairing the productive power of labor, and then comes to the consumer distended by profits of successive intermediaries and by insurance against the risks of a fickle or uncertain governmental policy and of a fluctuating governmental standard of value, blights human well-being at every step. When it reaches the hapless child of toil who buys his bread by the single loaf and his fuel by the basket, it devours his earnings and inflicts starvation.

Another evil of such a system of excessive taxation is that it creates and nourishes a governmental class with tendencies to lessen services and to enlarge compensation, to multiply retainers, to invent jobs and foster all forms of expenditure, tendencies unrestrained by the watchful eye and firm hand of personal interest which alone enable private business to be carried on successfully. In other countries such a class has found itself able, sometimes by its own influence, and sometimes in alliance with the army, to rule the unorganized masses. In our country it has become a great power, acting on the elections by all the methods of organization, of propagating opinion, of influence, and of corruption. The system, like every living thing, struggles to perpetuate its own existence.

Every useful and necessary governmental service at a proper cost is productive labor. Every excess beyond that, so far as it is saved by the official, merely transfers to him what belongs to the people. So far as such excess is consumed it is a waste of capital as absolute as if wheat of equal value were destroyed by fire, or gold were sunk in the ocean.

Well, Mr. Chairman, having thus again pronounced against excessive taxation, and having even been so daring as to say that it was an injury to labor, was Governor Tilden set aside for a more conservative man? No, Mr. Chairman, the State of New York presented him as its candidate for the Presidency at the national convention in 1876, and the Democratic party nominated him without hesitation. We may assume that the platform was as cautious as was deemed prudent in its tariff expressions. I will read from it:

REFORM IN FEDERAL TAXATION.

Reform is necessary in the sum and modes of Federal taxation to the end that capital may be set free from distrust and labor lightly burdened.

We denounce the present tariff, levied upon nearly 4,000 articles, as a masterpiece of injustice, inequality, and false pretense.

It yields a dwindling, not a yearly rising, revenue.

It has impoverished many industries to subsidize a few.

It prohibits imports that might purchase the products of American labor.

It has degraded American commerce from the first to an inferior rank on the high seas.

It has cut down the sales of American manufactures at home and abroad, and depleted the returns of American agriculture, an industry followed by half our people.

It costs the people five times more than it produces to the Treasury, obstructs the processes of production, and wastes the fruits of labor.

It provokes fraud, fosters smuggling, enriches dishonest officials, and bankrupts honest merchants.

We demand that all custom-house taxation shall be only for revenue.

And with this we went before the country. My friend from Ohio must have been somewhat concerned about that time, and indeed we did lose Ohio, but only by a little over 6,000, and we lost Pennsylvania. But we carried New York, New Jersey, and Connecticut, and Mr. Tilden seemed not to have suffered because of his low tariff views. There was trouble in some Southern States, but not due to the tariff. In 1880 the Democratic party did not do so well; it still wanted tariff reform, but was cautious, and New York State in its convention did not allude to the tariff. We nominated an honorable gentleman, a soldier with a splendid record, and hoping to carry Pennsylvania, and perhaps Ohio, we were not bold on the tariff. We gained in Pennsylvania, but Ohio went Republican by 35,000, and we lost New York and Connecticut. Mr. Chairman, in 1884 the Democratic party in convention at Chicago nominated Mr. Cleveland. The platform declared—

That change is necessary is proved by an existing surplus of more than $100,000,000, which has yearly been collected from a suffering people. Unnecessary taxation is unjust taxation. We denounce the Republican party for having failed to relieve the people from crushing war taxes, which have paralyzed business, crippled industry, and deprived labor of employment and of just reward.

The Democracy pledges itself to purify the administration from corruption, to restore economy, to revive respect for law, and to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners.

To my mind this was not hesitating to state that the Democrats opposed an unnecessarily high tariff and called for reduction; still, the charge has been made by a gentleman of the minority here that Mr. Cleveland posed as a protectionist during the campaign. It will be remembered, Mr. Chairman, that the present occupant of the White House did not go about the country making speeches during the campaign, but remained in Albany attending to his duties as governor. On one occasion, however, a short time before the election, he was persuaded to visit his native State, New Jersey, and a great celebration took place. In the evening he addressed a large assemblage in the active manufacturing city of Newark, and I will quote from his speech.

When we consider the city of Newark we find a municipality ranking as the fourteenth in the land. It leads every other city in three important industries. It is second only in another, and third in still another. Of course all these industries necessitate the existence of a large laboring population. This force, in my opinion, is a further element of strength and greatness in the State. No part of the community should be more interested in a wise and just administration of their government, none should be better informed as to their needs and rights, and none should guard more vigilantly against the smooth pretense of false friends. In common with all other citizens they should desire an honest and economical administration of public affairs.

It is quite plain, too, that the people have a right to demand that no more money should be taken from them, directly or indirectly, for public uses than is necessary for this purpose.

Indeed, the right of the Government to exact tribute from the citizen is limited to its actual necessities, and every cent taken from the people beyond that required for their protection by the Government is no better than robbery.

We surely must condemn, then, a system which takes from the pockets of the people millions of dollars not needed for the support of Government, and which tends to the inauguration of corrupt schemes and extravagant expenditures.

The Democratic party has declared that all taxation should be limited by the requirements of an economical government.

This is plain and direct, and it distinctly recognizes the value of labor and its right to governmental care when it further declares that the necessary reduction in taxation and the limitation of them to the country's needs should be effected without depriving American labor of the ability to compete successfully with foreign labor and without injuring the interests of our laboring population.

At this time, when the suffrages of laboring men are so industriously sought, they should by careful inquiry discover the party pledged to protect their interests and which recognizes in their labor something most valuable to the prosperity of the country and primarily entitled to its care and protection.

I think, Mr. Chairman, a President who thus spoke before his election in 1884 may be permitted to send to this body such a moderate message as was received by us without exciting to wrath our friends of the minority.

Mr. Chairman, the late Secretary of the Treasury, Mr. Daniel Manning, in his report of December, 1886, calls attention to the pledge made by the Democratic party to lower taxation. He wrote as follows:

These pledges can never be fulfilled without a reform in the sum and methods of Federal taxation, nor can our country ever profit fully by its incomparable advantages among the nations of the earth in population, peace, land, and liberty so long as we go on pleading infancy and swaddle in mediæval rags its victorious energies. It is these which need release and liberty. All our requisite taxation may be made an easy garment. We have made a prison of it, plastered stiff with obsolete contention about protection and free trade.

AMERICAN LABOR GETS AND EARNS THE HIGHEST WAGES.

Now, one proud fact attests the substance of our prosperity, and is the guaranty as well as proof of our power to hold against all competition the markets of the United States for everything we choose to dig or fabricate or grow, and to command and control for our surplus products, against all rivals, any foreign market.

We pay to labor the highest wages in the world. Highly-paid labor signifies the most efficient labor; signifies that high wages are the most profitable wages; signifies that the high rate is earned. The highest wages to the laborer thus involve and imply the lowest percentage of labor cost in the product. But, other things being equal, the lowest percentage of labor cost in any product is the guaranty that competition is outstripped.

Protectionists have done service to humanity by insisting upon the fact that we pay to labor the highest wages in the world. While debate has been going

on whether our high wages were because of taxation or despite taxation, economists have discovered and demonstrated the correlative fact that labor cost in our products is the least in the world.

HIGH WAGES INSURE LOW LABOR COST IN PRODUCT.

Were trade as free with and within all the ununited states of Europe as it is among the United States of America, the great surplus products of our industry, including the manufactured, would have the pick of foreign markets, for the reason that our labor, being the most highly paid and insuring most percentage of labor cost, would everywhere surpass rivalry. Great Britain would follow next, for next to our labor ners is the highest paid, therefore the most efficient, and therefore next in effecting a low percentage of labor cost in her chief products.

France and Germany would follow next, and command the next unsupplied markets, and last of all, at the foot of the list, quite unable to compete with a single rival in whatever that rival chose to produce, would come the "pauper labor" of Europe and Asia. The low wages of pauper labor signify least efficiency, which is but another name for highest percentage of labor cost in the product. Other things being equal, it is obvious that high wages can never be paid unless it is profitable to pay them, and it can only be a good business to pay the highest wages, because the efficiency of those who earn them vindicates its superiority by the reduction of labor cost in the product.

High wages to labor and cheaper product are correlative terms. Low wages to labor and a costlier product are correlative terms. The one implies the other wherever labor competes with labor upon otherwise equal ground. What pauper stands any chance competing with the inteligent artisan? The "pauper-labor-of-Europe" cry is a bugaboo, except that, in truth, our war-tariff taxes favor "pauper labor" at the expense of American labor. Its products are not fenced out by our tariff laws. They come in because we ourselves destroy our own easy power of successful competition, even in our home market. By tariff taxes on raw materials we fence in our own surplus products, making them cost too much to compete at home, and of course too much to compete abroad with manufactures from untaxed raw materials.

In Mexico, Central and South America we can, of course, make no better headway against European competition than at home. Diplomacy is not an acceptable substitute for trade and its laws. Our highly-paid labor insures the lowest percentage of labor cost in the product, but our tariff taxes upon raw materials handicap American manufacturers with the highest percentage of cost of material in the product. The result is that capital and labor united in our American industrial products, despite our advantage in the most highly-paid and efficient labor, are put into a most hopeless competition with the industrial products of other nations, none of which tax raw materials. The advantage we possess in the most efficient and highly-paid labor in the world is nullified by the self-imposed disadvantage of tariff-taxed raw material, with which our labor is inwrought.

OUR SUICIDAL TAXES ON RAW MATERIALS.

The total value of our domestic exports for the last fiscal year was almost exactly $666,000,000, of which 86 per cent. were the products of our fields, forests, fisheries, and mines, and 16 per cent. only were the sum total of manufactured products in which American labor was inwrought.

In the last quarter of a century progress in telegraphs, transportation, labor-saving inventions, and the mechanic arts has reduced the profits of capital and the rate of interest by more than one-half; has increased the wages of labor throughout the world; has augmented by at least a third the surplus which our manufacturers can produce beyond domestic needs for sale abroad.

Prolonging without necessity our war-tariff taxes on raw materials, we have been undersold and excluded from foreign markets by nations not taxing raw materials. Despite their low-priced inferior labor, and the high percentage of labor cost therefore included in their product, our taxed raw materials and their free raw materials have protected the so-called "pauper labor" of Europe against American competition.

These prolonged war-tariff taxes, incompetent and brutal as a scheme of revenue, fatal to the extension of our foreign markets, and disorderly to our domestic trade, have in the last resort acted and reacted with most ruinous injury upon our wage-earners. As the more numerous part of our population our wage-earners are of course the first, the last, and the most to be affected by injurious laws. Every government by true statesmen will watchfully regard their condition and interests. If these are satisfactory nothing else can be of any momentous importance. But our so-called protective statesmanship has disfavored them altogether. Encumbering with clumsy help a few thousand employers, it has trodden down the millions of wage-earners. It has for twenty-one years denied them even the peaceable fruits of liberty.

MORE INCOME FOR WAGE-EARNERS BY DROPPING WORST TAXES.

The taxes to be first remitted are those which prevent or hinder the sale of our surplus products in foreign markets. Their removal will set capital in motion by the promise of better returns, enlarge the steady employment, and increase the annual income of many thousand wage-earners, whose prosperity will diffuse prosperity. These taxes are the duties on raw materials, and the most widely injurious of them is the tax upon raw wool. But the income of all the wage-earners of the United States can be at once enlarged effectively, certainly, permanently, by reducing the cost to them of the great necessities of life.

UNTAX THE CLOTHING OF 60,000,000 PEOPLE.

I respectfully recommend to Congress that they confer upon the wage-earners of the United States the boon of untaxed clothing, and in order thereto the immediate passage of an act simply and solely placing raw wool upon the free-list.

Of course a repeal of the duty on raw wool should be followed by, but need not wait for, a compensating adjustment of the duties on manufactured woolens, whilst our manufacturers are learning the lesson that with the highest paid and most efficient labor in the world, with the most skilled management, and the best inventive appliances they need fear no competition from any rivals in the world in home or foreign markets so long as they can buy their wools free, of every kind.

But the common daily clothing of the American people need not be taxed; therefore, it ought not to be taxed; to free their clothing of taxes will finally reduce, by half, their expense for one of the three great necessities of life, and thus enlarge honestly and justly the income of every wage-earner in the United States.

Now, Mr. Chairman, Secretary Manning was well known to the people of New York, and in 1887 when the State convention met it adopted, in accordance with his views, a platform a portion of which refers to Federal taxation. I read an extract:

DEMOCRATIC PLATFORM, STATE OF NEW YORK, 1887.

The unnecessary Federal taxation of the last fiscal year exceeded $100,000,000, and unnecessary taxation is unjust taxation.

Therefore the Democracy of New York demand that Federal taxation be straightway reduced by a sum not less than $100,000,000 a year, and also respectfully urge upon Congress that a measure shall be adopted which will, in the language of the President's inaugural address, "relieve the people from unnecessary taxation, having a due regard to the interests of capital invested and workingmen employed in American industries."

The taxes to be first reduced or altogether removed are those on imported raw materials, which now assist and promote foreign competition with ourselves in our own markets, and prevent or hinder the sale of our surplus products in foreign markets.

Along with those taxes should forthwith be remitted or reduced the taxation which increases the cost to our wage-earners of the common necessaries of life and the price of the common daily clothing of all our people.

Besides these there are several hundred articles among the 4,182 articles now taxed which should be swept off the tax-list into the free-list, thereby diminishing the cost of collecting all our seaport taxes and casting away those which are petty, needless, and vexatious.

We also urge an immediate enactment of the measures prepared by Mr. Manning and Mr. Hewitt and reported to the last House by the Committee on Ways and Means to systematize, simplify, and economize the machinery for the collection of the customs revenue, and especially for making correct appraisements of foreign values wherever ad valorem rates of duty shall be retained.

With this platform in 1887, not yet one year ago, the Democratic party carried the State of New York by 17,000 plurality. It will next week adopt a platform equally as pronounced, and ask that it be ratified by the national Democratic convention.

Mr. Chairman, has not a consistent effort on the part of the Democrats of the State of New York in favor of tariff reform been proven?

Mr. Chairman, among those who have, on the floor of this House, advocated extreme protection, gentlemen from Massachusetts have been the most earnest. By one of them we have been shown, in language beautiful and plausible, how two manufacturers, A and B, continued competing in efforts to improve machinery and quality of goods, until ultimately the consumer purchased at figures so low as to prove that high tariff lowers prices.

We must admit, Mr. Chairman, that if A and B continue to produce, and if no outlet can be found for their goods, the purchaser will get them at low figures, so low in fact that A and B become apprehensive and talk over their affairs together and call in other manufacturers to consult with them. They get together, Mr. Chairman, at the city of Boston, or some other central point, and find that they represent, say, one hundred and thirty-eight factories. Mr. C, who is the head of a very large establishment, rises in the meeting and states that it is evident too many goods in their line are being produced, and that unless the tariff on raw materials is taken off, and on some other articles duties lessened, so as to enable this industry to ship goods to South American and other ports, in competition with English houses, the trade will be ruined. "I have favored protection," says Mr. C, "but I now realize we must get an outlet for our goods or overproduce, and I am disposed to be a low-tariff man hereafter. To be sure, there is a way to keep up prices by closing many of our factories, discharging our clerks and workmen, and forcing figures so high that money enough will be made to pay all the stockholders fair dividends. I do not like it, as it seems cruel to the workingmen and their families. But we must do something. "However," says Mr. C, "I will give you the argument in favor of it as given me by a gentleman who is a leading man in one of the trusts, and he is impartial, as his business is not affected by custom or internal-revenue taxes. He said to me last week: 'My dear C, do not allow your people to make any mistake; form your trust at once—shut down one hundred of your mills and keep thirty-eight large ones running. Your road is clear. We know how Mr. Blaine stands on the question of protection. He wants duties raised, and says our people should look to our own country for prosperity. Have you not heard how the prominent Republicans are talking in Congress? They call for higher duties, and even people who are opposed to a surplus in the Treasury, fearing corruption will spring from it, are to be satisfied by this argument. The members from Massachusetts will help you, and the talk of competition with pauper labor of Europe and flaunting the Cobden Club banner in the face of the Irish will give the control of the Government to the Republican party again. Then, with Mr. Blaine as President, and a policy of high duties proclaimed, such measures as the Mills bill will pass, if ever, only after your day and mine. It is a great opportunity for your business interest to enrich itself, my friend C.' Well now, gentlemen," says Mr. C to his associates, "you have the matter before you. I still prefer the broader policy of enlarging our works and looking for an export market under lower tariff; but if you decide to form the trust, I must give up my idea of voting for Cleveland and tariff reform; but I do it with regret, as I am sure suffering to our employés will follow our organizing as a trust."

Mr. Chairman, we must have reduction in the tariff or ruination in this country. My friend from Ohio has said, in reply to a gentleman from Tennessee:

Trusts are the results of social forces now operating in all industrial countries, whether under the protective or free-trade policy. They are simply one of the many phases which the evolutions of mankind present. Should they abuse the patience of the people to the extent my friend fears, it will certainly be bad for the trusts. There is a higher law than a written constitution.

Now, I accept my friend's statement, but at the same time insist that this very phase of the evolution leaves us no other course than to reduce the tariff and thus correct a bad system which excludes importations. As to the higher law than the written Constitution, we do not want to look for that. The gentleman also said, "The Knights of Labor organization is a vast labor trust."

Mr. Chairman, we can break up neither trusts nor labor organiza-

tions in any other than constitutional ways. Surely the two gentlemen, one on each side of this House, who represent labor organizations are more nearly correct when they take the view that the President does regarding the situation.

Mr. Chairman, I have taken the liberty of quoting from the remarks made by the gentleman from Georgia, Judge STEWART. He said:

I insist that the farmers of this country, although in numbers the largest, are not benefited by a high tariff, but on the contrary are shamefully discriminated against, and it is not so strange that their farms are heavily mortgaged when we come to understand how the tariff affects them.

Under the present law let us see what an ordinary family on a farm has to contribute to the Government. I submit a schedule of articles mostly used by a family as an illustration, and the duty on them, and also showing the reduction proposed under the Mills bill.

	Value.	Duty.		Gain.
		Per cent.		
One cook-stove	$35.00	47=	$16.45	
By Mills bill		31=	10.85	$5.60
One set crockery	12.00	55=	6.60	
By Mills bill		35=	4.20	2.40
One set cheap glass-ware	4.00	56=	2.24	
By Mills bill		41=	1.64	.60
One set cheap cutlery	2.00	50=	1.00	
By Mills bill		35=	.70	.30
Two carpets, $12 and $15	27.00	47=	12.00	
By Mills bill		30=	8.00	4.00
Sugar	20.00	60=	12.00	
By Mills bill		50=	10.00	2.00
Molasses	10.00	47=	4.70	
By Mills bill		35=	3.50	1.20
Salt	3.00	40=	1.20	
By Mills bill		Free-list.		1.20
Two suits each for father and two sons, six suits, $14	84.00	54=	45.36	
By Mills bill		45=	37.80	7.56
Two suits each for mother and two daughters, six suits, $14	84.00	82=	68.88	
By Mills bill		40=	33.60	35.28
Twelve pairs shoes, $2.50 each	30.00	30=	9.00	
By Mills bill		15=	4.50	4.50
Six wool hats, $1 each	6.00	73=	4.38	
By Mills bill		40=	2.40	1.98
Six fur hats, $2.50 each	15.00	52=	7.80	
By Mills bill		40=	6.20	$1.60
Six ladies' hats, $3 each	18.00	70=	12.60	
By Mills bill		40=	7.20	5.40
Six bonnets for ladies, $3 each	18.00	70=	12.60	
By Mills bill		40=	7.20	5.40
Farming tools, including plows, gear, hand-saw, ax, draw-knife, chains, etc	60.00	47=	28.20	
By Mills bill		34=	13.60	14.60
Medicines	20.00	*48=	9.80	
By Mills bill		30=	6.00	3.80
Thread, needles, thimbles, scissors, etc	12.00	35=	4.20	
By Mills bill		20=	2.40	1.80
Four pairs blankets, $3 each	12.00	70=	8.40	
By Mills bill		40=	4.80	3.60
Two umbrellas, $2.50 each	5.00	40=	2.00	
By Mills bill		30=	1.50	.50
Cotton hosiery, undershirts, etc	8.00	45=	3.60	
By Mills bill		30=	2.40	1.20
Window-glass	2.00	60=	1.20	
By Mills bill		43=	.86	.34
Starch	4.00	94=	3.70	
By Mills bill		47=	1.88	1.82
Rice	10.00	113=	11.30	
By Mills bill		100=	10.00	1.30
Total value and present tariff	501.00		189.27	
Total gain under Mills bill				84.29

* Average.

From the foregoing calculation it will be seen that the entire amount of goods purchased at the prices named amounts to $501, that the present duty on these articles amounts to $189.27, and the duty as proposed by the Mills bill would amount to $104.98, which deducted from the rate of duty under the present law would be a net gain of $84.29.

Mr. Chairman, if under the present tariff laws duties are collected amounting to $189.27 for what one farmer or mechanic requires during the year, where are the people of this country to get means to supply themselves with the necessaries of life when all industries are running as trusts and we live altogether by ourselves, with more than half the factories closed, people out of employment, and higher prices than we ever had before? To be sure the duty paid will not go to the Government, but to the trust to pay dividends to closed factories all over the land. Such must surely be the outcome of an attempt to reduce the surplus in the way our friends of the majority want it done.

But, Mr. Chairman, let us hope that common sense and reason will prevail. The talk of the Cobden Club controlling parties here is silly. Our Irish fellow-citizens are not to be deceived by such small demagogery. Indeed, one finds them as ready to unite with Gladstone and other Englishmen in efforts for proper government as they are to work with each other for the same object. I have no doubt some of these same English Liberals belong to the Cobden Club. That England is to gain by our reducing duties I believe to be untrue.

I recently heard a prominent English gentleman, who has made a study of the subject, state that our reducing duties would so increase our export trade and lessen that of Great Britain as to cause a great loss to his country. The subjoined table indicates what an opening there is for our industries in this direction.

Total values of the exports of domestic manufactures of cotton from the United Kingdom and the United States to Mexico, Central and South America, and to the West Indies in 1886.

Countries to which exported.	Exported from United Kingdom.	Exported from United States.*
Mexico	$2,239,870	$829,596
Central American States	2,288,632	377,612
British Honduras	69,513	27,883
British West Indies	†2,799,084	152,672
Other West Indies	5,202,483	1,436,148
United States of Colombia	2,350,607	443,112
Venezuela	1,297,356	602,131
British Guiana	(†)	21,408
Brazil	14,915,978	705,638
Uruguay	2,401,798	188,258
Argentine Republic	7,227,779	797,246
Chili	3,152,567	408,434
Ecuador	695,630	255,401
Peru	1,845,430	99,062
Total	46,456,727	6,395,701

* Year ending June 30, 1887.
† Includes British Guiana.
‡ Included in British West Indies.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *April* 17, 1888.

We sell them a little over $6,000,000; Great Britain over $46,000,000.

Before closing my remarks, Mr. Chairman, I want to call attention to the criticisms of the gentleman from Wisconsin [Mr. GUENTHER] and the gentleman from Maryland [Mr. MCCOMAS] in relation to the retention of duty on alcohol used in the arts. As we are endeavoring to secure cheaper articles for uses in manufacturing it would seem but reasonable that this duty be removed. The difficulty, Mr. Chairman, is that there is no way to accomplish this at present without making an opening for revenue frauds, which once so disgraced our land.

It is possible that by methylation the danger of the alcohol being used for drinking purposes might be lessened. Experience in European countries, however, goes to prove that methods are found to make use of the methylated product, and great injury to health results. It is to be regretted that the gentlemen who take such an interest in this particular tax have no remedy to suggest by which their claims can be safely carried out. A pity it is that the only relief the minority offers to the manufacturer is not practicable.

Mr. Chairman, I claim that the bill under discussion is a wise measure. It may be that some amendments should be made. People in my district I find generally satisfied with it as presented to the House. It is in no sense a free-trade bill, but on the contrary gives at least as much protection as is wise.

I desire to read a letter written by a gentleman who has just retired from the office of mayor of Albany:

ALBANY, N. Y., *May* 3, 1888.

DEAR SIR: In common with many other manufacturers in Albany we are watching with eagerness the progress of the Mills bill.

After patiently waiting twenty years for a reduction in the war tariff, the people now demand relief.

We believe no industry in this vicinity will be disastrously affected by the Mills bill, but that, on the contrary, our trade and commercial interests will be benefited.

In our own particular branch of business we should look for a great increase in the building of cars and in railroad traffic.

Yours,

GEO. H. THATCHER & CO.

Hon. CHARLES TRACEY,
House of Representatives, Washington, D. C.

I have also a private letter from the manager of the largest cotton mills in my district, an establishment employing thousands of workmen. This gentleman writes: "From what I have seen of the Mills bill, it is a good one; and if it could be passed without so much partisan politics discussion, would prove a benefit to business interests of the country."

The following, giving expressions from manufacturers and business men in Albany, I quote from the Albany Argus:

It has been persistently stated that changes in the tariff would involve business catastrophe, reduction of wages to labor, and general mischief to the country. All reports agree that the bill soon to be presented to Congress, in accord with the suggestions of President Cleveland's message, will contain a proviso repealing the tariff tax of $2 per 1,000 feet on lumber. The lumber interest is one of the largest in Albany, the receipts here in 1870 amounting to 415,000,000 feet, and in 1887 to 435,000,000. In the last seventeen years the largest receipts were in 1884, amounting to 477,000,000, and the lowest in 1875, when they fell to 290,000,000 feet. In order to ascertain how Albany lumber dealers regard the proposed change in the tariff in this respect, reporters of The Argus yesterday visited them in their several offices. In the winter time the lumber dealer has little apparently to do but keep the run of his books and correspondence and devote ample leisure to meditation on the affairs of State. It is reasonable then to assume that the views expressed below are the results of deliberate judgment on the part of those fully qualified to speak. Of the twenty-six wholesale lumber dealers in the city all but six were reached. Of these only four are pronounced in opposition to the repeal of the tariff on lumber, ten are earnestly in favor of the repeal and believe it would be greatly to the advantage of the whole country, and especially of this city, and six are indifferent, expressing various opinions. The replies show that the question is being considered fairly by business men, without regard to partisan affiliations. Following are the questions submitted in each case:

1. Are you in favor of or opposed to the repeal of the tariff on lumber?
2. How would the repeal of the tariff on lumber affect the business in Albany?
3. Would the abolition of the tariff on lumber reduce the wages of men in your employ in this State?
4. Would it lead to cheaper lumber, and thus be of advantage to consumers?

STRONGLY FAVORING REPEAL.

Mr. Charles G. Saxe, head of the firm of Saxe Brothers, said: "Most decidedly I am in favor of the repeal of the tariff of $2 per 1,000 feet on lumber. It stands in the way of the development of one of the leading lines of business in Albany. If the tariff tax on lumber were repealed the lumber trade of Albany, I believe, would materially increase. So far from reducing wages of men employed in the business in the State, and especially in 'the district,' by increasing the business it would increase their wages or increase the number of men employed. While the American consumer might not get the full benefit of the removal of the $2 tax, he would undoubtedly get part of the benefit. The repeal of the lumber tax, I believe, would be for the advantage of the whole country, and Albany's share of the advantage gained would be very great."

J. Benedict & Sons say: "We are strongly in favor of the repeal of the tariff tax on lumber, believing the repeal to be for the benefit of the people of the county, and especially of Albany. It would take more time than we can spare, and probably more space than The Argus could afford, to present the reasons for our statement and to reply fully to the questions suggested. Count this firm in favor of the repeal of the tariff on lumber."

Hughson & Co. say: "We favor the repeal of the tariff on lumber, and among lumber dealers we know of little opposition to its repeal. It would undoubtedly increase the business of Albany materially. It would not reduce the wages of men employed in the business. On the contrary, if the business here increased more men would, of course, be employed, and the total of wages would be larger. It would be for the benefit of men employed in the trade. As to its effect on the price of lumber to the consumer, that is an open question. The price of lumber is so largely controlled by other matters that it would be difficult to trace the bearings of the tax on lumber to its price."

Messrs. Douglas White & Co. say: "We favor the repeal of the tariff tax on lumber. It would undoubtedly increase our business in Albany with Canada, and thus, if anything, increase the aggregate business of 'the district' and the city. It would not, of course, reduce the wages of men employed in the business. If there were more business, of course wages would be higher or we should employ more men. The $2 saved by the repeal of the tax on each 1,000 feet would probably be divided between the producer and the consumer, conditions of the market from time to time fixing the amount of benefit which each would receive."

Mr. S. B. Towner, successor to J. G. Towner & Co., says: "I am most decidedly in favor of the abolition of the tariff on lumber. The tariff tax has interfered with and reduced the business of this city, and its repeal in my judgment would add wonderfully to the volume of business done here. It would not tend to reduce the wages of men employed here in the business. On the contrary, if there was more business, as any man can see for himself, more men would be employed and wages would be as good and probably better. The repeal of the tax of $2 would unquestionably make lumber cheaper to the consumer, but not probably to the full extent of the tax. The greatest good of the greatest number in this country clearly demands the abolition of the tax on lumber."

Messrs. Arnold & Co. say: "We are in favor of the repeal of the tariff on lumber. The repeal would be no detriment to any men dealing in lumber in the United States, and of decided advantage to all men in this country who deal in Canada lumber. The trade should be reciprocal, Canada requiring some grades of Michigan lumber and the United States requiring Canada lumber. It would undoubtedly increase the lumber business of Albany, and if it increased the business it would give more men steadier work at better pay, probably. Americans already have put in nearly one-third of the capital invested in Canada in the lumber business."

Mr. John McDonald, of Boyd & Co., says: "I am in favor of the repeal of the tariff on lumber. Nearly all lumber dealers favor the repeal. It would vastly increase the business of Albany. Albany is the natural outlet for Canada. The Canada and Atlantic Railway, built by a syndicate of Ottawa lumber dealers, I am in a position to say, is ready to contract for five years to deliver lumber in Albany for $25 a car, by its connections with the Delaware and Hudson at Rouse's Point. That tariff of $2 stands in the way of the growth of the lumber business in Albany. If the business were increased, of course, there would be more work for the men and better pay. The whole $2 tax would not go to the consumer, if repealed, but would be divided between manufacturer and consumer, according to the state of the market, governed by supply and demand. I do not apprehend that the 'limits' in Canada will be raised if our tariff is reduced, as do some. Premier Mowatt, of the Ottawa government, has assured me that the policy of the Canadian Government contemplates no such increase, whatever the action of Congress may be. 'Stumpage' has already gone so high in the West that American lumbermen are being driven into Canada of necessity, and the repeal of the tax will be a benefit shared by Americans on either side of the St. Lawrence."

Philips & Dunscomb say: "We are in favor of the repeal of tariff on lumber. It probably would not greatly affect the business of Albany one way or the other, though its tendency would be, perhaps, to increase it. The repeal of the tariff tax on lumber would not tend to reduce the wages of men employed in the business in the State. Of the benefit of $2 per 1,000 to be obtained by repealing the tax, the consumer here would probably get about half and the Canadian manufacturer about half on the average. A large number of Americans from Michigan have already gone to Canada to conduct the business there, and there would be little opposition to the repeal of the tax from Michigan, in our opinion."

Mr. James Moir says: "I am in favor of the repeal of the tariff on lumber. I have no doubt that it would increase the business of Albany and of the United States. When business increases of course more men are employed, so the repeal of the tax on lumber, in my opinion, would be for the direct benefit of laboring men employed in the business. The repeal might not make a great difference in the price of lumber to the consumer, although to express a positive opinion on the subject one must, of course, discuss all the factors in the market."

Mr. Lemon Thomson said: "I am in favor of the abolition of the tariff on lumber, although I have not 'large interests in Canada,' as I have seen stated. There is virtually no opposition, even in Michigan, now to the repeal of the tariff on lumber. Under the tariff our best timber-lands have been rapidly stripped. The repeal of the lumber tax would undoubtedly help increase the business of Albany, as there is much Norway or red pine, useful for flooring, etc., which would come to Albany but for the duty of $2 per 1,000 feet. Free lumber would not reduce the wages of men in the business in this State. The price to the consumer is governed by supply and demand. If our supply became greater of course the price would be less."

OPPOSED TO REPEAL.

Mr. C. B. Nichols says: "I am opposed to the repeal of the tariff on lumber, and I think it would be a detriment to the business of Albany, as it would put us out of the Michigan trade. The discrimination in freight against Albany and in favor of New York is much greater in the Canadian lumber trade than in the Michigan trade."

Messrs. Patton & Co. say: "We are opposed to the repeal of the tariff on lumber. It would not affect Albany's business materially, as the increase, if any, would be slight. Of course, it would not affect wages, which are determined by other matters. It would not cheapen lumber to the consumer."

Mr. Robert James, of Smith, Craig & Co., says: "We believe the tariff on lumber should not be reduced, as it serves to offset the difference in freight between Canada and Albany and Michigan and Albany. It would not greatly affect the lumber business of Albany. Canada trade would increase and Michigan trade fall off. It would have no effect whatever on wages. It would not make lumber cheaper, as lumber could not be much cheaper than it is. There has been nothing in the trade for the last few years. The Canadians would try to appropriate the benefit from the repeal of the tariff on lumber."

Mr. W. H. Weaver says: "In my view the removal of the tariff on lumber would hurt the lumber trade in this country and also in this city. The present tariff of $2 makes it possible for us to pay our men their present high wages."

INDIFFERENT ON THE SUBJECT.

Messrs. Hubbell & Hill say: "We do not care whether the tariff on lumber is repealed or not. It would probably have no effect on the volume of Albany's lumber business, and it certainly would not affect wages. Of the $2 tax probably the Canadian producer would get half and the American consumer would get half."

Mr. H. S. Van Santford says: "I am indifferent on the subject, but I see no objection to the repeal of the duty on lumber. There used to be considerable opposition to the repeal of the tariff from Michigan, but that has ceased, and on the whole I am inclined to favor the repeal of the tariff on lumber. One-half the capital invested in Canada on lumber, I presume, is American money. The abolition of the lumber tax might possibly increase the Albany lumber trade, but not greatly. It would have no effect on wages. It would not make much change in the price of lumber to the consumer, especially if Canada should lay an export tax."

Mr. William Easton says: "I do not care whether the tariff on lumber is repealed or not. Our business is chiefly with Michigan, and I doubt if the repeal would affect it much. It would adjust itself in one season. I don't think the business of Albany would be materially increased by the repeal. Albany is only a dry-house for New York, so far as the lumber business is concerned, and the railroads have more to do with business than the tariff does. The repeal would not affect wages. Wages are governed by supply and demand of labor. If the tariff was repealed I should not look for material and long-continued lower prices for lumber. The Canadians are sharp and would try to absorb the gain."

Mr. A. S. Kibbee says: "I do not care whether Congress takes the duty off of lumber or does not. I used to be quite strongly opposed to the removal of the duty; but I am indifferent now. I do not believe it would much increase the business in Albany, and probably would not much affect prices, as the Canadians would try to secure the benefit of the $2 repealed. The tariff on lumber is certainly wrong, in so far it is hastening the disappearance of our American forests."

Mr. Oscar L. Hasey says: "I don't care whether the tariff on lumber is repealed or not. It would not make much difference with the Albany business. It would not reduce wages. I am afraid that the Canadians would try to get the advantage by raising the prices of Government 'limits.' I am entirely indifferent on the subject."

Mr. Acors Rathbun says: "I do not care whether the tariff is kept on lumber or taken off. The removal might increase Albany's business somewhat. It certainly would not reduce wages. I do not believe that the business in Michigan would be injured by the removal of the duty. Our business with Canada would be increased, and no home industry would be harmed. However, I am indifferent on the subject."

ANILINE DYES.

Francis V. M. Hudson, superintendent of the Albany Aniline Works, said: "The provisions of the bill, so far as they affect our business, are most satisfactory and beneficial. The tariff act of 1883 did us much harm, but if this bill becomes a law, we look forward to increasing our business, making new colors, and probably increasing our force. The bill puts our raw materials on the free list, and thus enables us to compete with foreign manufacturers. My opinions on this subject, I can say with safety, are held by all those engaged in the business. In brief, the bill is of the greatest aid to our business, because it removes an obstacle which legislation put in our way, and we hope it will pass."

IRON FOUNDRIES.

Mr. Rufus K. Townsend, proprietor of the large Townsend furnace, one of the oldest and most widely known manufacturing firms in this city, said: "The changes in tariff bill in the iron and steel schedule do not harm our business at all. The reduction in pig-iron may be a slight gain. We have all the work we can do and are not afraid of competition. There is a great deal of nonsense about this tariff 'scare.' If the bill passes we shall not bank our fires and discharge our men or cut down wages. I do not care much whether the bill passes or not, as we shall feel no injurious effects from it."

THE CAR-WHEEL BUSINESS.

Mr. George H. Thacher, of the Thacher Car-Wheel Works, one of the oldest and best known foundries in the city, said, concerning the changes in the tariff rates on car-wheels: "We hope the bill will pass. The changes will not affect our business in the slightest degree. We do not fear competition from abroad, as we can make better car-wheels. Our business will not be 'paralyzed,' and our men will not be given 'papuer wages.' On the contrary, we shall go right ahead with our business, pay our men their wages as usual, and not decrease our force. The changes in the taxes on car-wheels will be for the positive benefit of some in the trade using special steel tires."

THE STOVE FOUNDRIES.

Mr. Grange Sard, of Rathbone, Sard & Co., said: "I have looked over carefully the iron and steel schedules in the new tariff bill, and so far as the stove manufacturing trade is concerned the provisions are unquestionably for the advantage of those engaged in the business as employers or as employés. From a general knowledge of the iron and steel business I think the reductions proposed are of advantage to the whole iron and steel industry."

Mr. John T. Perry, of Perry & Co., said: "The changes in the iron and steel schedules will not affect unfavorably our business a particle. Of course I hope there will be no general panic or prostration of business."

CARRIAGE FACTORIES.

Mr. James Kingsbury, jr., one of the largest manufacturers of carriages and sleighs in the city, said concerning the proposed changes in the tariff, so far as they related to the carriage business: "The reduction in the duty on carriages will not affect our business at all. We shall go ahead manufacturing, pay the usual wages, and count on selling our goods everywhere as usual. These 'scares' about business and wages remind me of the 'scare' every fall when we begin making sleighs that it is to be an open winter, and there will be no snow and no sleighing. We go ahead just the same and make and sell our sleighs and carriages. The removal of the taxes on lumber is a good thing for our business, and the reduction of duties on paints, cloths, and some pieces of iron and steel work is also beneficial to the carriage business, and if the bill had gone still further and reduced the duty on varnishes, it would have been a good thing. That duty seems to 'protect' no one but a monopoly of two or three manufacturers."

Mr. James Goold, of the Goold Carriage Company, says: "The change in the duty on carriages will make no difference in the trade in this country. There is almost no importation of carriages, because we can make better ones here than they can abroad."

THE LEATHER BUSINESS.

Mr. George Cook, of the firm of Adam Cook & Sons, leather dealers, said: "The addition of extract of hemlock and tanning bark to the free list is an excellent thing for the leather business. We have none too much of it in this country, and we must draw part of our extracts for tanning from abroad. We approve the bill so far as it affects our business, and hope it will pass. Free raw materials would be a good thing for this country. The bill makes no other changes in the leather business so far as I have seen. No, we don't expect to give our employés 'pauper wages' if the bill passes."

There are thirteen leather establishments in this county, employing over 100 men, with $230,000 capital. Besides this there are eleven boot and shoe factories employing about 1,700 which are affected by the bill directly only in the item above, and that, as shown, is to their advantage.

THE DRUG BUSINESS.

Mr. Duow H. Fonda, one of the leading wholesale drug dealers in the city, said: "I have read the provisions of the proposed tariff bill, in so far as they relate to drugs and chemicals, and if the bill becomes a law it will considerably benefit our business and not compel us, at least so far as the drug business is concerned, to go to the poor-house. The changes are beneficial. The reduction of the tax on borax will be a great gain for every one. At present it benefits only one borax mine in California, and a monopoly has been formed which is putting the price of that article way beyond reason. The changes in the drug and chemical schedule are for the benefit of those engaged in the business, and still further for the benefit of the public which purchases drugs and chemicals."

CROCKERY AND GLASS.

Mr. Theodore V. Van Heusen, of the firm of Van Heusen & Charles, said on the subject of the crockery, china, and glass schedules: "The proposed changes are certainly for the benefit of the business, and even the potteries of Trenton, N. J., will have no right to complain. Money has been improperly used in the past to keep the taxes on some articles in this schedule higher than any necessity or good policy demands. In its entirety the bill seems to me a fair concession to the demand for a revision of the tariff and for a reduction of the surplus that comes from every fair-minded business man. From my knowledge of the business, I should say that manufacturers of crockery, china, and glass ware would be benefited by the provisions of the bill on that subject, because it provides free raw materials, earths, etc., for them."

PRINTING AND BOOK-BINDING.

The new tariff bill makes no changes in the products of the printing and book-binding business, except that Bibles and other books printed in foreign languages are admitted free of duty. As no Bibles or books in foreign languages are printed in Albany, the printing and book-binding trade will not be "ruined" in this county. On the other hand, the printing trade gets the advantage of a reduction of the tax on the metal of which the type is made from 30 per cent., as at present, to 20 per cent.; on paper, sized or glued, from 20 per cent. to 15 per cent.; on unsized paper, from 15 per cent. to 12 per cent.; and on ink, from 30 per cent. to 20 per cent., besides reductions in taxes on thread, cloth, and other materials used in book-binding, which can not be here enumerated. In Albany County, by the census of 1880, there were 23 printing and publishing establishments, employing 740 persons, with a total capital of $1,057,100, and seven book-binderies, employing 82 persons, with a capital of $47,100.

CARPETS AND OIL-CLOTHS.

Mr. Amos Van Gaasbeck, of Van Gaasbeck & Co., said concerning the changes in taxes on carpets and oil-cloths: "The provisions of the bill would make carpets and oil-cloths considerably cheaper, and, of course, in that event the value of our stock on hand would be reduced. Ultimately, however, it would not affect our business. Oil-cloth and carpet manufacturers are probably opposed to the changes which reduce the duties about to the rates at the beginning of the war. The advantage they get from free carpet wools, cheaper dyes, etc., under the bill will not compensate them, in my judgment, for the reductions in the carpet schedule. There are no carpet manufacturers in Albany. More carpets would be imported."

BRASS, COPPER, AND LEAD WORK.

Mr. Russ, of Ridgway & Russ, dealers in plumbers' materials, says: "The only fault I can find with the bill is that on these metals (copper, lead, nickel, zinc, etc.) the tariff is still left too high. The lower we can get the stuff the better it will be for our customers and for ourselves and our employés. At present combinations and trusts are being formed for speculation in these metals. Copper has gone way up, the price of solder in one week was advanced 10 cents, in some grades nearly doubling the price. If with our splendid copper and lead mines we can't get these metals out at a reasonable cost, I think we'd better stop trying to mine them and turn our attention to more profitable business. The bill in this way is a step in the right direction, but the duties are not lowered enough."

Mr. Peter Kinnear says: "I am a strong tariff but not a high tariff man. But so far as the duties on copper are concerned I can not see that the new bill will affect our business in the least. The reason is that we export rather than import copper, for Lake Superior copper is better than the English article. There was a time during the war when we imported some, but we don't do it now, and taking off the tariff can not hurt our trade."

COLLARS, CUFFS, AND SHIRTS.

Mr. S. L. Munson, the large manufacturer of collars, cuffs and shirts, said: "The duty on our articles is unchanged, while there is some reduction in some of our raw materials. Directly our business is not disadvantageously affected. A general prostration of American industries would, of course, harm us, and that is what I fear." [In justice to Mr. Munson it should be said that four years ago he feared a "general prostration of business" if Cleveland was elected President. His large factory on Hudson avenue, built under President Cleveland's administration, is thus a monument to the fact that men are often more scared than hurt.]

FURNITURE MANUFACTURERS.

Mr. Theodore Lyon, superintendent of Nelson Lyon's large furniture establishment, said: "Every one desires the prosperity of our manufacturers and workingmen, I assume. So far as our business is concerned, the changes proposed by the bill seem to be for the advantage of furniture manufacturers. Free lumber, of course, is a great gain, and the addition of burlaps and jute to the free list as well as the reductions in duties on the glass used for looking-glasses and on some other articles seem of advantage to us. If the bill passes we shall go right ahead manufacturing and selling our goods."

FREE FOREIGN BOOKS.

Prof. O. D. Robinson, principal of the high school, said: "I am glad that books in foreign languages are to be put on the free list. They are not printed to any extent in this country, and the duty 'protected' no one. It is, to a very great extent, a tax on education, and was also a tax on the chances to read of many of our adopted citizens from the continent of Europe. Every man who reads another language besides English ought to be thankful for that provision. The reduction of the tax on philosophical apparatus is an advantage to all schools as well as to science."

WOOL-GROWING.

Mr. Charles Newman, head of the oldest wool-buying house in Albany, said: "Of course wool dealers are not directly concerned in the tariff on wool. In my business experience I have seen sheep slaughtered in large numbers for mutton and tallow under the highest tariff, and I have seen our wool-growers thrive under a low tariff, and I have also seen these conditions reversed, so I am convinced that the tax on wool is merely an incident in the wool market. It is governed by the laws of supply and demand. For some time past the price of domestic wools has been low and the price of foreign wools has somewhat increased. The expectation of increased demand from this country may have enhanced the price of foreign wools. These commercial causes will soon establish equilibrium, and the laws of trade will determine the prices of wool apart from what Congress may do or may fail to do. I do not, therefore, see any cause for alarm among wool-growers."

TIN IN ALL MANUFACTURES.

Mr. George Cleveland, of Cleveland Brothers, baking-powder manufacturers, said: "The most important and, indeed, the only change in the new tariff bill affecting our business (except two or three reductions, possibly, in articles we use to a slight extent) is the abolition of the tax on tin, or tin-plate as it is commercially called. We use large amounts of tin in packing our goods, and I am heartily in favor of the repeal of that tax, which the bill provides. The tax of 1 cent a pound on tin is a tax on nearly every industry in the country, and is a tax on almost every citizen, for tinware is often called 'the poor man's silver.' That tax adds to the cost of the necessities of life of almost every one, as is evident from the many uses to which tin is put. It does not 'protect' any one, as none is made in this country, and none can be made unless the tax is doubled or trebled, and if that is suggested it would be cheaper for the country to vote $4,000,000 or $5,000,000 right out of the Treasury and board those who contemplate it at Delmonico's or the Fifth Avenue in idleness. So far as my own business is concerned, as I say, the repeal of that tax would be of great advantage. I am willing to speak further, as I have recently talked of the matter with many Albany manufacturers, and we sent together a petition to Congress in February asking for the repeal of that tax."

Among those who signed it were the Littlefield Stove Company, the Ransom Stove Works, P. V. Fort & Son, James Ackroyd, Bacon, Stickney, & Co., M. E. Viele, Delahanty & Co., S. and C. A. Baker, Wasson & Co., S. H. Parsons, George W. Peck, Philip O'Brien, Tracey & Wilson, Walter McEwan, Thomas Myers, and a large number of tinsmiths and other manufacturing firms whose names do not occur to me at the moment. [It was not deemed necessary to ask opinions from those signing the petition.] I am a protectionist, but that feature of the bill to which I have given my undivided attention—the repeal of the tax on tin, or tin plate, exactly speaking—meets my warm approval, and I hope it will pass. It will benefit half the industries of the country, and will benefit everybody, and especially the families of those who work for wages, as every one of those families uses probably as much or more tinware than the families of the rich.

SUGAR, MOLASSES, GROCERIES.

Col. Andrew E. Mather, of Mather Brothers, wholesale grocers, said concerning the change of rates on sugar and molasses: "I have been in favor of the reduction of the taxes on sugar and molasses ever since the necessity for them to meet war expenses passed away. So far as the tariff bill affects those articles in which we deal I approve of it as beneficial to our business and much more beneficial to the people of the country. I apprehend only that the reduction has not been large enough in those matters. The tariff on sugar has been accompanied apparently by the establishment of a monopoly and the heavy duty on molasses leads to adulteration in this country, which can be prevented by lowering the duty and permitting the importation of foreign molasses instead. In a hasty glance at changes in other articles in our line of business I see nothing to apprehend, but I do not care to speak specifically of anything but sugar and molasses without further examination. I am strongly in favor of the sugar and molasses reductions. They are articles of general use and the heavy tax is unnecessary.

Mr. George Boardman, of Boardman Brothers, said: "I do not think the proposed changes will affect the grocery business. Prices are regulated by competition, and while the cost of the articles enumerated would be less, the profits to the dealers would remain the same. The benefit of the reduction would go to the consumer almost instantly. The only advantage which might occur to the dealers would be from an increase in consumption, if there should be any. The combined savings to any family, under the proposed changes, would leave a considerably increased margin of their earnings."

THE HAT AND CAP BUSINESS.

Mr. Edgar Cotrell, of Cotrell & Leonard, hat dealers, said of the changes affecting the hat manufacturing business: "The provisions of the new tariff bill in so far as they relate to the manufacture of hats are decidedly for the advantage of manufacturers and their employés, not to mention consumers, who, of course, are benefited. The bill does not materially alter the duty on hats, but it takes off the taxes on raw materials of which hats are made, and should increase the business of hat-making in this country. Hatter's furs, braids, plaits, etc., are put on the free-list, and the tax on hatters' plush is cut down from 25 per cent. to 15 per cent. These are changes which Mr. Dunlap and others representing the hat manufacturers of the United States have tried to effect for several years.

"In 1883 they went to Washington for that purpose, but Congress actually did just the reverse of what the trade needed, and increased the taxes on some of our raw materials. I have examined the bill closely only so far as it relates to our own line of business, and I am sure it will meet the approval of every manufacturer and every dealer in the trade. American hats can, perhaps, be exported if the bill is passed, as the superiority of our styles would secure them a place in foreign markets, especially in Canada, where there is now a slight occasional demand for them in preference to English hats. The duty on shellac should also have been reduced."

Mr. Charles Reed, of Stamper & Strait, co-operative hat store on State street, said: "The changes the tariff bill proposes, as far as hat-making is concerned, are considerably to the advantage of the trade. The bill reduces taxes on several raw materials used to a great extent in hat-making, but not produced in this country. That will tend to increase the business in the United States."

SAWS, STEEL, AND FILES.

Mr. Edward Y. Lansing and Mr. James Goodwin, of the Albany Saw, Steel, and File Works, said: "We are for removal of taxes on raw materials as the one policy needed to push American manufactures ahead of those of every other country and increase business. Our firm was established in 1855, and under the lower tariff we did as much or more business than we do under the present tariff. All the saw manufacturers in the country but two favor the reduction of the taxes on iron and steel, and iron and steel men not in combination are not opposed to it. We are not afraid of competition from abroad, and the moderate reduction of the duty on saws won't lose us a single customer, and we do not intend to reduce wages, either, to compete. The reduction of taxes on raw materials we believe will increase our business, and the more business we do the better our men will be satisfied."

SADDLERY, BLANKETS, ETC.

Mr. Walter W. Woodward and Mr. Erastus Hill, of Woodward & Hill, manufacturers of and dealers in saddlery, harness, and carriage and horse furniture generally, said: "You will find this firm, and we think all other dealers and manufacturers in this line of business, unanimously for the bill as far as it affects our business. All the woolen manufacturers with whom we deal and whom we meet favor free wool. The tax on wool is a considerable item in the cost of horse blankets, and as almost every pound of it used is imported—practically none is raised in this country—they feel the tax is checking their business, and a man who buys a horse blanket feels it much more. The same is true of carriage cloth and furnishings. In leather the only change seems to be free tan-bark, which every leather dealer, shoemaker, and saddler favors, of course, as do we, and the changes in the metal schedules are clearly designed to aid American manufacturers. The bill is the first chance Congress has had to pass upon the question of free raw materials, which manufacturers in this country have favored more and more every year and are now almost a unit upon."

CORDAGE, ROPE, SAILS, SHIP STORES.

Robert B. Wing, ship stores, cordage, rope, canvas, sails, etc., said: "I have read those parts of the tariff bill that relate to our business, and I am in favor of them, and so far as I know, manufacturers of the articles we deal in favor them. Manilla, sisal-grass, and other articles used in making rope ought to be admitted free of duty. They don't grow here, and the more and cheaper we get them the better it is for our rope manufacturers, and of course for 'canalers' and every one who uses rope. That gain much more than offsets the change in the rope duty. The same plan seems to have been followed in arranging the taxes on materials for sails and sail cloths. There are fifty or sixty articles in our business the manufacture of which is affected by the tariff, and, so far as I can see, the change in every case is for the better and ought to increase business. Free raw materials would be a good thing for American manufacturers and employés, and of course consumers will gain."

RATTAN AND WICKER WARE.

Mr. Samuel Templeton, rattan, wicker, and willow ware and household goods, said: "The repeal of the tax on rattan seems to me a good thing. None is raised in this country, and yet it is widely used in every household," pointing to a score or more articles from a cane-bottomed chair to a baby carriage. "The tax on that raw material, I presume, adds to the cost of the manufactured articles and 'protects' no one in this country, for I am a protectionist. It would be well to repeal the tax on rattan. I am not so sure about the tax on willows, used for large baskets, as much is grown in swampy places, cut and sold for almost nothing at certain seasons by those who have other regular occupations. It might not be possible to compete with foreign willows."

UMBRELLAS.

Mr. McElwee, the umbrella maker4said: "I have not kept track of the tariff in umbrellas or umbrella materials. I don't believe in free-trade ideas, but I am not afraid of the tariff bill, for if they don't put down the tariff in finished umbrellas too low we can compete and hold our own, if any one in this country can. The more the tariff on our materials is reduced the better, I suppose, for us."

SOME BUILDING MATERIALS.

Mr. Franklin H. Janes, the architect, says: "Talk with the leading lumber dealers leads me to the belief that taking off the duty on lumber will not give the difference in the price wholly to the consumer. The gain will go in a large part to the dealer and manufacturer. There may, however, be a saving effected for our own forests. On the general principle that raw materials should be free, I am glad to see rough stone put on the free list. Our marble, for instance, is either not as hard, or where it is as hard it is not as fine, as the Italian; so to put the rough marble on the free-list will be to our direct and lasting advantage. So far as fancy tiles are concerned, we hardly need a tariff, for with the exception of the majolica we make the best in the world, and we have received for them first premiums in international exhibitions."

HAIR GOODS.

Mr. Julius L. Theisen, manufacturer of hair goods, said: "Of course our industry is not a large one, but still many families are sustained by it, and it is entitled to consideration. The new tariff bill puts human hair unmanufactured on the free-list. The tax never 'protected' any one, as our people do not cut off and sell their hair as is done to a considerable extent in Norway, Sweden, Germany, and France, where hair is luxuriant and people are poor. Barbers, I suppose, would say that hair restorers are the only way to 'protect' American hair, but good soap, borax, and water do pretty well. The repeal of that tax thus benefits us, small though we are in the great scheme of American industry, and it also benefits our customers. The reduction in the duty on the manufactured article from 40 to 25 per cent. will not harm us at all if the duty on unmanufactured hair is repealed, as foreign styles do not sell in our market. I presume our customers would favor the change, but you can see yourself why they might not care to be quoted in print."

SAVING IN MEDICINE.

Dr. S. H. Carroll said in regard to the abolition of the duty of $1 per pound on opium for medicinal uses: "It would be a blessing to poor people who are obliged to use the drug, which is quite largely prescribed by the old school in one form or another. The profits on the sale of the drug would remain the same, while the consumer would get the benefit of the reduction of $1 a pound."

SCHOOL AND FOREIGN BOOKS.

Professor Warren, principal of the Boys' Academy, said, on the matter of abolishing the 25 per cent. ad valorem duty on foreign Bibles and books in foreign languages: "It is a step in the right direction, and I am heartily in favor of it. It was outrageous, in the first place, to place an import tax on literature and art, along with sugar and salt. The change proposed is better than nothing. It will be of great advantage to our foreign-born population."

STATUARY AND PAINTING.

Mr. E. D. Palmer, the sculptor, said in regard to the abolition of the duty on foreign statuary and painting: "We should have no tax on art; it should be as free as air. If the duty is removed it will be of immense advantage to American art, and, so far as I know, all artists favor it. Americans studying abroad are treated with great courtesy, and receive every encouragement, but when a foreign artist thinks of obtaining recognition here, he finds that his pictures are practically excluded from American homes on account of the almost prohibitory duty which he must pay before he can bring them here."

Artist C. M. Lang said: "The removal of the duty on works of art would be an educational advantage to the country. It would enable people more generally to gratify a love for art, and nearly every home would stand some chance of possessing fairly good pictures without doing injury to home talent; for the more pictures and statuary people buy," he said, "the more they want, and, as they can afford it, the better they will have. I believe artists, almost without exception, favor the removal of the duty."

In conclusion, Mr. Chairman, I will quote from a letter written by Mr. Tilden to the Iroquois Club in 1882:

The Government can never be restored and reformed except from inside, and by the active, intelligent agency of the Executive. We must hope that Providence will, in its own good time, raise up a man adapted and qualified for the wise execution of this great work, and that the people will put him in possession of the executive administration, through which alone that noble mission can be accomplished, and the health and life of our political system be preserved and invigorated.

These words were surely prophetic. In President Cleveland a man adapted and qualified has been found, and the message he so boldly addressed to Congress has given an impetus to this most important work of tariff reform that will cause it to be accomplished. [Applause.]

Mr. DARGAN. Mr. Chairman, the distinguished gentleman from Pennsylvania [Mr. KELLEY] in the opening argument against this bill says, among other things, that—

The gentlemen who framed this bill, and who would brook neither modification or discussion of its provisions by their associates on the committee to which the preparation of revenue bills are confided by law, are, with two exceptions, representatives of what was slave territory.

A little further on the gentleman quotes the French maxim:

The Bourbons neither learn nor forget.

He afterwards goes on to say:

Yes, Mr. Chairman, the bill is an anachronism. It has no relation to this era; it belongs to the saddest epoch in our history, the period between 1824 and 1861.

The gentleman then proceeds to talk about slavery, nullification, and the war, quoting from the pro-slavery writings of Dr. A. T. Bledsoe, Senator Hammond, of South Carolina, and others. It is very apparent, Mr. Chairman, that a considerable number of the gentleman's party associates in this House and in the country are in hearty sympathy with the spirit and purpose of the gentleman, as indicated by the remarks which I have quoted.

The gentleman from Ohio [Mr. GROSVENOR], the gentleman from Maryland [Mr. MCCOMAS], and the gentleman from Ohio [Mr. JOSEPH D. TAYLOR] have closely imitated the course of argument pursued by the gentleman from Pennsylvania.

As a Southern man, and one whose ancestors were guilty of the great political sins of slave-holding, nullification, and secession, I desire in a spirit of kindness and courtesy to the gentlemen who have indulged in this line of remarks to submit a few observations in reply. And if it should be thought that these remarks have no direct bearing on the question under consideration it will scarcely be denied that they are at least in the nature of a reply to the arguments, or rather to the suggestions of the gentlemen to whom I have referred.

Now, sir, I have no apologies or explanations to make for these alleged sins of my people; nor do I deprecate the wrath of those who so constantly denounce those sins and who so diligently "nurse their wrath to keep it warm." I desire to address those who wish to look at this question in a broad, rational, practical spirit. And what I have to say, Mr. Chairman, is simply this: The war closed almost a quarter of a century ago. It has always been supposed, in the South at least, that with the close of the war the questions of slavery, nullification, and secession had been forever and conclusively disposed of. The great controversies over these questions, which had agitated the country for more than thirty years, were finally submitted to the arbitrament of the sword.

From the decision then rendered no appeal could be taken. The Constitution of the United States was so amended as to prevent the possibility of future differences in regard to any of these questions, and they all at once passed from the domain of practical politics into the domain of history. To the historian these are indeed questions of great and even of tragic interest. To the practical statesman, seeking the good of his country, they are simply dead issues. No one now contends that a State has the right to nullify any Federal law whatever. No one contends that slavery should be re-established. No one contends that a State can, on any pretext whatever, secede from the Union. All of these questions are forever closed by the express provisions of the Constitution, ratified and sustained by the unanimous sentiment of the entire country. But a quarter of a century after all these issues have been thus settled they are made to do service in a debate on the reduction of the tariff.

The idea of those who dig up these dead issues from their blood-stained graves seems, when stripped of all courteous disguise and diplomatic indirection, to be this: Here are a number of people who desire a reform of the tariff. A large proportion of these tariff reformers are from the South. These Southern people, or at any rate their ancestors and predecessors, both immediate and remote, were neither wise nor patriotic, for they believed in and practiced slave-holding, nullification, and secession. How, then, can you, the people of the United States, respect the opinions or the arguments of such a people? They are by nature, inheritance, and education wrong-headed and ill-equipped for the proper consideration of any important political question, and the very fact that they favor any given policy is sufficient of itself to

condemn that policy. Thus at the very opening of a debate which should be characterized by moderation and a spirit of conciliation an attempt is made to enlist under the banners of a high protective tariff the prejudices of mankind. "These prejudices," it has been well said, "like Swiss troops, may be engaged in any cause and are prepared to serve under any leader."

In this contest they have not only been enlisted under the banners of a high protective tariff, but they are put in the very forefront of the battle. The distinguished gentleman from Pennsylvania at the very opening of the debate attempts to "fire the Northern heart" by saying in substance:

These tariff reformers are your old enemies. Here are the slave barons, the nullifiers, and the secessionists of the South again making war upon you and your property.

Mr. Chairman, I have already said that all these questions, as far as the South is concerned, are historical and not political questions.

In regard to slavery, it is safe to say that the verdict of impartial history will be that that institution as it existed in the United States was a great evil, and that its destruction, even by the untold expenditure of blood and treasure resulting from the war, was a great gain to every part of the country. But, sir, will history go further and say, as the gentleman from Pennsylvania would seem to have us infer, that slave-holding is so essentially and unavoidably pernicious in its effects upon human character that it prevents those who practice it from being either wise or patriotic? Will it be forgotten, as the gentleman from Pennsylvania and many of his associates seem to have forgotten, that Washington, and Jefferson, and Madison, and Patrick Henry, and John Marshall were all slave-holders? I do not wish to underrate the many other great men of this country, nor do I wish to imitate the somewhat florid rhetoric of some of the gentlemen who seem so much concerned about slave-holding.

But, sir, I should like to ask what would this country have been without the slave-holders (or "slave-drivers," if gentlemen prefer), whom I have named? Whose eloquence would have aroused in a whole continent the spirit of resistance to British tyranny? Who would have written the Declaration of Independence? Who would have been the Commander-in-Chief of the American Army? Who would have been the leader and guide of the convention that framed the Constitution? Who, as Chief-Justice of the Supreme Court, would have delivered that long line of immortal decisions which have converted that Constitution from a dead letter into a living spirit? These are questions for those who are always declaiming about "the barbarism of slave-holding" to answer at their leisure.

Now, sir, I repeat I am not defending slavery. I am not lamenting its downfall. I rejoice that it has been forever abolished. But when gentlemen, for the purpose of influencing the judgment of the country in regard to the merits of the tariff question, assert by implication or otherwise that slave-holding is incompatible with wisdom and patriotism, I say that the charge is shown to be absurdly untrue not only by the history of this country, but by all history, both ancient and modern. So much, sir, for slavery. And now, how does the case stand in regard to secession and nullification? These also, as I have already said, are historical and not political questions.

It is to their history that I propose to call attention very briefly. Now, although many educated people in this country, particularly in the Republican party, seem not to be aware of the fact, it is nevertheless true that no sketch, however slight, can be given of the secession question without having much to say of New England. It is very far from my purpose to say one unkind word in regard to New England. I have not one unkind feeling toward her or her people. Whatever her faults and errors have been, New England has a great history, and I, as an American, feel proud of her magnificent contributions to the cause of civilization and human progress. Much has been said in this debate of her great material wealth and prosperity, and of how much her money has contributed to the progress and development of the West.

Her material wealth is no doubt great, and much of it is doubtless now usefully employed in the development of less fortunate sections of the country. But of this wealth it may be said, and indeed it has been said, that it has resulted, in part, at least, from the unjust discriminations of our tariff laws. But New England is rich in wealth which is peculiarly her own, which is the product of her own soil and which at the same time belongs to us all and to the civilized world. She is rich in the heritage of great names; she is rich in the examples and the inspiration and works of her great statesmen and orators and philosophers and historians and poets and thinkers in almost every department of intellectual activity. To these immortal New Englanders all Americans, North, West, and South, high and low, rich and poor, in common with the civilized world, owe a mighty debt—

For noble lessons nobly taught,
For tears, for laughter, and for thought.

As an American I acknowledge the obligation with pride as well as gratitude, and trust and believe that the day is yet far distant when there will be any decline in her material prosperity or her intellectual and moral fertility and vigor.

But, sir, New England, loyal, Union-loving, cultivated, progressive New England, is the very birth-place and nursery of the much hated and much abused doctrine of secession. That doctrine assumed threatening proportions in New England long before it was even dreamed of in South Carolina. As early as 1804 New England statesmen conceived that the interest of that part of the country could be better taken care of out of the Union than in it, and they began to plan schemes of secession and to dream and to speculate about the advantages of an "Eastern Confederacy," including Canada on the one side and the States of New York and New Jersey on the other.

In 1811 Josiah Quincy, one of the most gifted men of his day, and a Representative from the State of Massachusetts, boldly proclaimed the doctrine of secession on the floor of this House. It is not necessary to say anything in regard to the mysterious proceedings and purposes of the celebrated Hartford Convention, but it will scarcely be denied by candid men that it was to all intents and purposes a secession convention.

The facts to which I have referred are all familiar to the students of our history, and are all described with more or less detail in the very able and impartial "History of the United States Under the Constitution," by James Shouler, himself an illustrious living example of New England ability, industry, and culture.

But, although the testimony of Mr. Shouler, as a New Englander, ought, it seems, to be conclusive, it may be said (I do not know his politics) that he is a Democrat, or at any rate that he is a Mugwump. In order, therefore, to satisfy the demands of the most ardent and "truly loyal" Republican I beg to cite the testimony of another living and accomplished New Englander, Mr. HENRY CABOT LODGE, now a member of this House. According to the testimony of so unimpeachable an authority as Mr. LODGE both Washington and Hamilton believed in the right of secession. Indeed, according to Mr. LODGE, there can be no doubt whatever that under the Constitution as ratified in 1789 any State had the right peaceably to withdraw from the Union.

According to the same high authority, this constitutional right was lost in a very peculiar and extraordinary way, namely, because the majority of the people got under the erroneous impression that such a right did not exist. I shall not pause to discuss this somewhat novel and dangerous doctrine of the manner in which a constitutional right can be lost, but let Mr. LODGE speak for himself in regard to the whole matter. In the "Life of Daniel Webster," "American Statesmen Series," by HENRY CABOT LODGE, page 176, Mr. LODGE, speaking of the great debate between Hayne and Webster, says:

The weak places in his armor (Webster's) were historical in their nature. It was probably necessary, at all events Mr. Webster felt it to be so, to argue that the Constitution at the outset was not a compact between the States, but a national instrument, and to distinguish the cases of Virginia and Kentucky in 1799, and of New England in 1814 from that of South Carolina in 1830. The former point he touched upon lightly; the latter he discussed ably, eloquently, ingeniously, and at length. Unfortunately the facts were against him in both instances. When the Constitution was adopted by the votes of States at Philadelphia, and accepted by the votes of States in popular conventions, it was safe to say there was not a man in the country, from Washington and Hamilton on the one side to George Clinton and George Mason on the other, who regarded the new system as anything but an experiment entered upon by the States and from which each and every State had the right to peaceably withdraw, a right which was very likely to be exercised. When the Virginia and Kentucky resolutions appeared they were not opposed on constitutional grounds, but upon those of expediency and of hostility to the Revolution, which they were considered to embody.

Mr. LODGE further says, page 177:

What is true of 1799 is true of the New England leaders at Washington when they discussed the feasibility of secession in 1804; of the declaration of secession made by Josiah Quincy in Congress a few years later; of the resistance of New England during the war of 1812, and of the right of "interposition" set forth by the Hartford Convention. In all these instances no one troubled himself about the constitutional aspect. It was a question of expediency, of moral and political right or wrong. In every case the right was simply stated, and the uniform answer was, such a step means the overthrow of the present system.

On page 216 Mr. LODGE, speaking of the debate between Calhoun and Webster, says:

In a general way the same criticism is applicable to this debate as to that with Hayne, but there were some important differences. Mr. Calhoun's argument was superior to that of his follower. It was dry and hard, but it was a splendid specimen of close and ingenious reasoning, and, as was to be expected, the originator and master surpassed the imitator and pupil. Mr. Webster's speech, on the other hand, in respect to eloquence, was decidedly inferior to the masterpiece of 1830. Mr. Curtis says: "Perhaps there is no speech ever made by Mr. Webster that is so close in its reasoning, so compact, and so powerful." To the first two qualities we can readily assent, but that it was equally powerful may be doubted. So long as Mr. Webster confined himself to defending the Constitution as it actually was and what it had come to mean in point of fact, he was invincible. Just in proportion as he left this ground and attempted to argue on historical premises that it was a fundamental law he weakened his position, for the historical facts were against him.

In the reply to Hayne he touched but slightly on the historical, legal, and theoretical aspects of the case, and he was overwhelming. In the reply to Calhoun he devoted his strength chiefly to these topics, and, meeting his keen antagonist on the latter's own chosen ground, he put himself at a disadvantage. In the actual present and in the steady course of development, the facts were wholly with Mr. Webster. Whatever the people of the United States understood the Constitution to mean in 1789, there can be no question that a majority in 1833 regarded it as fundamental law, and not as a compact—an opinion which has now become universal. But it was quite another thing to argue that what the Constitution had come to mean was what it meant when it was adopted. The identity of meaning at these two periods was the proposition which Mr. Webster undertook to maintain, and he upheld it as well and as plausibly as the nature of the case admitted. His reasoning was close and vigorous; but he could not destroy the theory of the Constitution as held by the leaders and people in 1789, or reconcile the Virginia and Kentucky resolutions of the Hartford Convention with the fundamental law doctrines.

Nevertheless it would be an error to suppose that because the facts of history were against Mr. Webster in these particulars this able and ingenious argu-

ment was thrown away. It was a fitting supplement and complement to the reply to Hayne. It reiterated the national principles and furnished those whom the statement and demonstration of an existing could not satisfy with an immense magazine of lucid reasoning and plausible and effective arguments. The reply to Hayne gave magnificent expression to the popular feeling, while that to Calhoun supplied the arguments which, after years of discussion, converted that feeling into a fixed opinion and made it strong enough to carry the North through four years of civil war.

It thus appears that the result of Mr. LODGE's careful examination of the celebrated controversy with Hayne and Calhoun, which won Webster the title of "The Great Expounder of the Constitution," briefly stated is, this: Webster utterly failed to establish the proposition for which he contended, namely, that the Constitution was intended by its framers to create, and as ratified did in fact create, a National Government and a Union of States from which no State had the right to withdraw.

On this point (which was the point of the controversy) the facts were all against Webster, and, able and eloquent as he was, he necessarily failed. The Constitution as framed and ratified was in fact a mere compact between sovereign States, from which any State had the right at any time peaceably to withdraw. But by 1833 the majority of the people of the United States "had come to think" differently about the Constitution from what the framers thought.

The majority "had come to think" that the Constitution was "a fundamental law" and that it had created an indissoluble Union. Mr. Webster fell into this popular error, or at any rate pretended to do so, and defended and supported it with such marvelous ability and eloquence as greatly strengthened the sentiment and the argument in favor of the error. The result was an irresistible growth of the national sentiment which when secession came saved the Union at the cost of a bloody civil war.

Now, sir, there can be no doubt that Mr. LODGE is a truthful historian. His statement of facts in regard to the nullification and secession controversies are in entire accord with well-established history. The only difference between Mr. LODGE and the statesmen of the South who maintained the right of secession is on a point of constitutional law. According to Mr. LODGE, when a majority of the people of the United States come to entertain an erroneous view about the Constitution of the United States that erroneous view immediately gets to be the correct view; and it is then both illegal and very wicked for the minority to insist on what was once the correct view, particularly if a great statesman has made a very able and very eloquent argument in favor of the erroneous view.

Inasmuch as the "Great Expounder" himself does not even hint at the point which his biographer makes, either in his speech against Hayne or in that against Calhoun, it may well be doubted whether, if living, he would accept this somewhat new and original view in regard to the manner of changing constitutions. Still there can be no doubt that Mr. LODGE is entitled to the gratitude of all the "truly loyal" for the exceedingly original and ingenious argument by which he proves that New England has been right all the time; right when she preached and threatened secession, and gloriously and everlastingly right when she made war upon the Southern States for practicing her precepts.

But, Mr. Chairman, I should not have made this excursion into the field of "ancient history" had it not been for the example set by the gentlemen on the other side of the House. If these gentlemen will read the history of their country, perhaps hereafter, when they undertake to denounce secession, they may so enlarge the scope of their denunciations as to include originators of that heresy as well as those who have suffered its worst consequences.

The gentleman from Pennsylvania says "this bill is an anachronism;" that "it has no relation to this era;" that "it belongs to the saddest epoch in our national history, the period between 1824 and 1861."

How is it, Mr. Chairman, in regard to all this talk about slavery and "slave-drivers," about nullification and "virus from the fangs of secession?" Has this a relation to the present era, or does it belong to the "saddest epoch of our national history, the period between 1824 and 1861?" I shall let an intelligent people answer these questions for themselves. But, Mr. Chairman, not only are the feelings and the sentiments of many of the gentlemen who oppose this bill the feelings and sentiments appropriate to a time long since passed, but their methods of investigation and of reasoning are those of a remote antiquity. Even those who generously disdain to appeal to the prejudices and passions engendered by the war have adopted a very antique system of logic.

Hear what the very able and eloquent gentleman from Michigan [Mr. BURROWS] says in regard to the blessings of a protective tariff:

Henry Clay, speaking in the United States Senate of our industrial condition immediately preceding the tariff of 1824, declared:

"If I were to select any term of seven years since the adoption of the present Constitution which exhibited a scene of the most widespread dismay and desolation, it would be exactly that term of seven years which immediately preceded the establishment of the tariff of 1824."

But this era of protection was followed by the tariff of 1824 and 1828 which enthused new life into our languishing industries and brought to the country a period of marvelous prosperity. The leading metropolitan journal epitomizes the history of this period as follows:

"So soon as the tariff of 1824 went into operation the whole aspect and course of affairs were changed. Activity took the place of sluggishness. Capital was invested; labor came into demand; wages advanced; mines were opened; furnaces built; mills started; shops multiplied; business revived in all its departments. Revenue flowed copiously into the coffers of the Government. The debts created by two expensive wars were entirely paid off. Such a scene of general prosperity had never before been seen by our people."

President Jackson said in his annual message December 4, 1832:

"Our country presents on every side marks of prosperity and happiness unequaled in any other portion of the world."

Mr. Clay, in speaking of this era of protection, said:

"If the term of seven years were to be selected of the greatest prosperity which this people have enjoyed since the establishment of their present Constitution it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824."

But unfortunately this era of protection and prosperity was followed by the compromise tariff of 1833, which provided for a gradual reduction of duties until they should reach an average of not to exceed 20 per cent. And what was the effect of this change of policy? Long before that limit had been reached the evidences of its pernicious influence were everywhere visible. Capital invested in industrial enterprises, to save itself from absolute destruction, was withdrawn. Contemplated expansion of business was abandoned, our manufacturers one after another went down under a torrent of foreign importations, while American labor stood idle and empty-handed in presence of the appalling and widespread desolation which culminated in the frightful panic of 1837. And not only the people but the Government itself became so impoverished that the President of the United States was forced into a broker's shop to raise his overdue and unpaid salary. In 1842 the protective system was again invoked, and under its salutary influence our drooping industries revived and prosperity took the place of disaster. The general effect upon the country of the tariff of 1842 is best described by President Polk in his annual message in 1846:

"Labor in all its branches is receiving an ample reward, while education, science, and the arts are rapidly enlarging the means of social happiness. The progress of our country in her career of greatness, not only in the vast extension of our territorial limits or in the rapid increase of our population, but in resources and wealth and in the happy condition of our people, is without an example in the history of nations."

But this brief period of prosperity was quickly followed by the revenue tariff of 1846 and 1857, which brought to the country another era of industrial depression, culminating in the panic of 1857, the disastrous consequences of which are still within the memory of living men. Universal bankruptcy overtook the people, and the Government with an empty Treasury was forced in times of peace to borrow money at a discount of from 12 to 30 per cent. Then came the era of protection in 1861, which has now been extended over a period of more than a quarter of a century, and who does not know that during these eventful years our industrial advancement has been steady and without a parallel in the history of the Republic?

The distinguished gentleman from Pennsylvania [Mr. KELLEY], on the 29th of February last, in discussing the bill to provide for the purchase of United States bonds by the Secretary of the Treasury, used the following language:

The "iniquity" of protection! A system which lifted us out of bankruptcy at the close of the last Democratic Administration, when, for the sake of paying the salaries of the President and his Cabinet and other officers, a loan of $5,000,000 was authorized and was advertised for and was offered at rates ranging from 8 per cent. to 36 per cent. per annum; ranging up 8, 10, 12, 15, 18, 20, 24, 28, 36 per cent. per annum. The call was for $5,000,000. No foreign house offered to lend the United States a dollar, and the Administration could, in view of the excessive rates demanded, accept offers for but two out of the five millions. There is where free trade had landed the credit and the honor of the American people and nation.

In the next year came the beginning of the protective "iniquity," and now 3 per cent. is too high a rate of interest for us to pay, and a thousand million dollars is not too much for us to ask on a single loan. And what has wrought this wondrous change? The "iniquitous system of protection." [Applause on the Republican side.] The "iniquity" of protection! It emancipated four millions of slaves and has set hundreds of thousands of them at work, on or near the cotton-fields they cultivated as slaves, at a dollar or more a day in mechanical, mining, and manufacturing industries which that same "iniquity" is developing in all parts of the old slave States. [Applause on the Republican side.]

"The iniquity" of protection! Under your old free-trade, pro-slavery government we could not make a pound of crucible steel; we could not make a Bessemer rail; we could make but an average of but 800,000 tons of pig-iron a year. Why [addressing Mr. BRECKINRIDGE], God bless you, under the system of "iniquitous protection" the South in 1887 produced 80,000 tons of pig-iron more than the whole Union had produced in the average of the decade from 1854 to 1863 under free trade and the domination of slavery in the Halls of Congress. We are no longer dependent on foreign countries. We made in 1887 more than half the steel that was made on the face of God's foot-stool. More than half! [Applause on the Republican side.]

Even the distinguished gentleman from Maine [Mr. DINGLEY], "who is nothing if not logical," and who in the opening of his remarks tells us that "the President himself in his tariff message, and every gentleman who has spoken thus far in opposition to protection has coolly begged the vital point in issue between the friends and opponents of protection," uses the following language:

Mr. Chairman, look in whatever direction we may to the practical results of the protective policy in the United States in the last quarter of a century, and we find abundant evidence that it has promoted in the highest degree the prosperity of our people. By common consent the United States is pointed to everywhere as the most marvelous national growth recorded in history. [Applause.]

THE LESSON TO BE HEEDED.

Let this illustration of the disastrous effects of free trade in our foreign carrying trade warn us in time against trying the same experiment with other industries in this country.

It ought to be sufficient to deter us from hazardous experiments which look attractive in the figures of rhetoric, that under the protective policy which has prevailed for more than a quarter of a century the United States has grown so wonderfully in population, agriculture, manufactures, and all the elements which have to do with material prosperity, that even the most distinguished and most highly honored statesman of Great Britain—the peerless Gladstone—has spoken of her in debate in Parliament as the most marvelous and prosperous nation in Christendom. [Prolonged applause.]

These are indeed extraordinary statements and assumptions. But these gentlemen, in their serene complacency, do not dream that they "coolly beg the point in issue." With "a smile half pitying, half contemptuous," they tell us in effect that the marvelous progress of this country in wealth and population has not been due in any degree to the boundless extent and fertility of our soil, to the beneficence of our seasons, to the unparalleled richness and variety of our mineral resources, to the wonderful development of mechanical invention and labor-sav-

ing machinery, to the intelligence, industry, and thrift of our people, to the equality and justice of our laws. All these things count for nothing. A high protective tariff is the cause of all our progress. Bad seasons, unwise and excessive speculations, extravagant living, failure of markets, unwise monetary legislation, none of these bring adversity or misfortune.

A low tariff has been the cause of all the financial trouble we have ever had. These gentlemen might think it not altogether fair to ask them (though I can not very well see why) how it was that the Chicago fire and the Charleston earthquake both occurred during the existence of a high protective tariff, but surely some of them will not fail to explain the panic of 1873 and the great and growing discontent which has existed for so many years among our laboring classes.

It is a well-known fact, Mr. Chairman, that the fertility of ancient Egypt, with its consequent wealth and civilization, was due to the annual inundation of the river Nile. According to the authority of a distinguished historian the Egyptians attributed these inundations to the benign influence of the Dogstar, Sirius. Observing that just at that time of the year when that brilliant star showed itself above the horizon immediately in advance of the rising sun the Nile invariably began to swell, the Egyptians, mistaking the coincidence for a cause, attributed the rising of the river to the influence of the star.

As the inundations were due to the influence of the star and their material wealth and well-being were due to the inundations, of course the conclusion were that their prosperity and happiness was controlled and regulated by the star.

But—

Continues the historian—

a false inference like this soon dilated into a general doctrine, for as one star could in this way manifest control over the course of terrestrial affairs, why should not another—indeed, why should not all?

He further states that from this simple primary fact, namely, the coincidence of the rising of the star and the rising of the Nile, star-worship arose. An elaborate system of worship, with its creeds and priests and ceremonies, was evolved out of the assumption that the appearance of a star in a certain part of the heavens was the signal for the rising of a river.

Mr. Chairman, the appearance of the Dogstar above the Egyptian horizon and the annual inundations of the Nile are still coincident in point of time; Egypt is still made fertile by these inundations, but star-worship no longer exists. In the light of modern civilization and with the aid of modern methods of investigation, it has been demonstrated in innumerable instances that the most striking, constantly recurring, and invariable coincidence of events is not of itself sufficient to prove that these events stand related as cause and effect.

Egypt, therefore having found that even the remarkable coincidence of the rising star and the swelling river were not related as cause and effect, has abandoned her ancient and very simple logic. But what the Egyptian has cast off the American protectionist has taken up. If the logic of this modern American is in any respect different from that of the ancient Egyptian, it is only in this: The Egyptian, as far as we know, only connected phenomena together as cause and effect when they were invariably coincident. The Nile invariably rose upon the appearance of the star, and had done so through all the ages of the past. No such uniform coincidence of protection and prosperity can be found in the history of this or any other country.

But what the American lacks in facts and logic he makes up in faith and rhetoric. No ancient Egyptian ever ascribed his good or evil fortunes to the ascendancy or obscuration of his star with a more simple, touching, and childlike faith than does the American protectionist the prosperity or adversity of his country to a simple increase or decrease in the rate of the tariff. But, sir, the logic which leads him to this conclusion is "an anachronism; it has no relation to this era."

If the gentleman from Pennsylvania is correct when he says that "this bill is an anachronism;" that "it has no relation to this era;" that it belongs to a past time, then, indeed, there is not the slightest possibility of enacting it into law; and if by any chance it should become a law, it will soon be wiped forever from the statute-book. Nothing is more certain than that under free government no law or institution which is "an anachronism," which "has no relation to this era," which is not in harmony with the spirit and tendencies of the age, can long survive. Nothing better illustrates the truth of this proposition than the history of slavery in the United States.

Slavery was intrenched behind the strong defenses of the Constitution. It was hedged around by the decisions of the Supreme Court of the United States. It was explained and justified by the tongues and pens of statesmen as able and eloquent as ever pleaded for any cause. It was defended on the field of battle by the stout hearts and strong arms of soldiers of unsurpassed courage and constancy. But, sir, it perished.

It was "an anachronism." It had no relation to the era in which it existed. It belonged to the past, and could not stand against the irresistible forces of an utterly hostile civilization. As it was with slavery, so it was with secession. Secession was a political act which was contrary to the whole spirit and tendency of the age. It was an attempt to inaugurate a policy which ran exactly counter to the current of events and to the best interests and strongest aspirations not only of a great majority of the American people but of the whole civilized world. It was an attempt to separate, to divide, to disintegrate, in the midst of a civilization of which every interest, tendency, and aspiration was toward integration, union, and growth. Secession, when attempted by the South, was not, as Mr. LODGE endeavors to show, unconstitutional.

There was no law on the statute-book, either express or constructive, against secession. Secession was lawful. The Constitution of the United States was a mere compact between sovereign States. But as a distinguished historian has said:

There is a political force in ideas which silently renders protestations, promises, and guaranties, no matter in what good faith they may have been given, of no avail, and which makes constitutions obsolete.

Secession was "an anachronism;" it had no relation to this era, and it has forever perished.

Mr. Chairman, is not what the distinguished gentleman from Pennsylvania says of this bill true of a high protective tariff in the present age? Is it not "an anachronism?" The gentleman from West Virginia, in his very able and eloquent argument in favor of the passage of this bill, has shown how, with the progress and development of the wonderful mechanical developments of the present day for overcoming space, the so-called home market of Mr. Clay has disappeared; how the markets near by and the markets at a distance have gradually merged into one another and become one and the same market; how the whole world is in one sense one community and one market.

This is, indeed, the age in which all the physical barriers which nature interposes between men who occupy different parts of the earth's surface have been surmounted or broken down.

High mountains or deep and dangerous water-courses do not now, as in the past, divide men into distinct and sharply-defined commercial communities. Broad and stormy seas can not so separate them as to prevent the almost instant intercommunication of thought, and the safe and rapid interchange of commodities. The greatest distances may intervene between them without making them aliens and strangers. It may be said with almost literal accuracy that the railroad, the steamship, the telegraph, and the telephone have so united their wonder-working powers as to make every man a citizen of the world and a neighbor to all the inhabitants of the earth. They have placed within his reach the advantages of every climate, the fruits of every soil and the products of every industry.

In this age of steam and electricity, of "liberty, equality, and fraternity," a high protective tariff is "an anachronism;" it has no relation to the era; it belongs to the dull and lifeless epoch of separation and prejudice, of bounties and privileges for the favored few, and burdens for the toiling many. It is an attempt to antagonize and obstruct the march of progress. It is a device for building artificial barriers across the paths of commerce, which have been made smooth and easy by science and mechanical invention. It is a law to keep men in their primitive condition of isolation, prejudice, and weakness. It is so utterly at war with the best interests of the masses of the people, with all the tendencies of the times, all the aims, aspirations, and achievements of modern civilization that, however strong and skillful its friends may be, however they may for a while deceive the people by transparent sophistries and appeals to prejudice, they can not, I say, defend such "an anachronism" against the inevitable destruction and death which await it.

Mr. NEWTON. Mr. Chairman, the power and extent and the purposes for which taxation may be imposed have at all times met with jealous scrutiny. No power is so liable to abuse. Next to that of personal liberty the imposition of taxation more directly affects the interest of the citizen.

Well and faithfully has President Jackson declared in his farewell message:

There is perhaps no one of the powers conferred on the Federal Government so liable to abuse as the taxing power. The most productive and convenient sources of revenue were necessarily given to it, that it might be able to perform the important duties imposed upon it; and the taxes which it lays upon commerce being concealed from the real payer in the price of the article, they do not so readily attract the attention of the people as smaller sums demanded from them directly by the tax-gatherer. But the taxes imposed on goods enhances by so much the price of the commodity to the consumer, and as many of these duties are imposed on articles of necessity, which are daily used by the great body of the people, the money raised by these imposts is drawn from their pockets.

Congress has no right, under the Constitution, to take money from the people unless it is required to execute some one of the specific powers intrusted to the Government; and if they raise more than is necessary for such purposes it is an abuse of the power of taxation and unjust and oppressive. It may, indeed, happen that the revenue will sometimes exceed the amount anticipated when the taxes were laid. When, however, this is ascertained, it is easy to reduce them; and in such a case it is unquestionably the duty of the Government to reduce them, for no circumstances can justify it in assuming a power not given to it by the Constitution, nor in taking away the money of the people when it is not needed for the legitimate wants of the Government.

What a striking evidence of that abuse is now presented to the American people and to the world. What a prominent example of the excesses to which the Congress of the United States has gone in the exercise of the power of taxation. In the grand contest now waging between the taxing power and the people upon whom its burdens fall history but repeats itself. This contest has its birth in the inauguration of civil government; it has advanced with the steps and kept pace with the progress of civilized and enlightened institutions.

Our fathers rebelled at the unjust and oppressive burdens imposed by taxation from the (then) paternal Government of Great Britain, and the Revolution, which happily resulted in the maintenance, support, and growth of our democratic institutions, was but the necessary sequel of an oppressive system of taxation.

In the organization of this Federal Government, when it became necessary for the States to surrender certain of their powers for the formation of a more perfect Union, for the better protection and promotion of the whole, the question of levying and collecting imposts by the National Government was regarded by the able statesmen of this country of that period as the one of chief consideration and importance.

The high importance which they attached to this question is fully attested by the extended and able debates that it provoked at this early period of our country's history.

This power was conferred on the General Government with certain restrictions.

The language of the Constitution is:

The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States.

Mr. Chairman, in the consideration of this measure which affects the interests of all classes of the people, this measure that reaches further and wider than any with which we have to deal, this measure that affects the capitalist, the manufacturer, the farmer, the laborer, it is well that we should measure with cautious step, with cool, impassionate deliberation, the import, the meaning, and the extent of the power of the American Congress to levy and collect the revenues of the Government.

This power when exercised within the just limits of the Constitution, responding to the legitimate demands of the Government, will but infuse health and vigor in our system of government and carry content and satisfaction to its people. Transcend it, by the imposition of heavier burdens than are demanded; by discrimination in favor of certain classes to the detriment of others; by building up great industrial combinations and monopolies; by levying tribute on the hard-earned wages of the laboring poor and drawing on the meager profits of the farm, and it not only becomes obnoxious in the extreme, but threatens peril to the institutions it is exercised as a pretense to maintain.

How truly does the message of President Cleveland to the present Congress sound the spirit of the Constitution, and the inequalities and iniquities of our tariff system. This is the language of his message:

When we consider that the theory of our institutions guarantees to every citizen the full enjoyment of all the fruits of his industry and enterprise with only such deductions as may be his share towards the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion and a culpable betrayal of American fairness and justice.

This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public Treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

Mr. Chairman, we are confronted, we are menaced already with those evils to which the message refers. Under the present system of taxation it is estimated that we will have on the 30th day of June next $140,000,000 in excess of the legitimate and ordinary expenses of the Government. The Treasury has already accumulated an immense surplus, drawn from the necessities of the people; drawn from the channels of trade and commerce. The exercise of the power of taxation by the representatives of the people, through which this vast amount of money has been needlessly locked up in the Treasury, is indeed enough to awaken their apprehension and arouse them to a sense of present duty.

That this tribute on the country is excessive—that it is indefensible—can not be denied. The other side of this Chamber, which have in previous Congresses opposed obstruction to tariff revision and reduction, will not have the effrontery to question the urgent propriety of reducing the revenues of the Government.

The conclusion of the minority report, submitted by the Republican members of the Ways and Means Committee, is couched in this language:

The minority regard this bill not as a revenue-reduction measure, but as a direct attempt to fasten upon this country the British policy of free foreign trade. So viewing it, their sense of obligation to the people and especially the working people employed in manufacture and agriculture in all sections of our common country, impel them to resist it with all their power. They will assist the majority in every effort to reduce the redundant income of the Government; but every effort at fiscal legislation which will destroy or enfeeble our industries, retard material development, or tend to reduce our labor to the standard of other countries will be met with the persistent and determined opposition of the minority represented in the House.

Now, Mr. Chairman, is the method by which they propose to reduce this redundant income, as they term it, consistent with the apparent motive and spirit of the report? Will our industrial enterprises be stimulated in a more restrictive interchange of commodities and higher priced materials? Will the condition of the laboring classes of this country be ameliorated by cheap tobacco and whisky with the necessaries of life coming to them with increased cost, resulting from the burdens of taxation? The statement of the proposition, sir, is a sufficent refutation of the fallacy of the position assumed by the other side on this question.

This appeal for cheap whisky, with the necessaries of life burdened with taxation, comes not from the laboring classes of this country. It is not in their interest. They would repudiate it. They do repudiate it. They will repudiate it in future. It is made in the interest of the monopolist, in the interest of combination, in the interest of the capitalist.

Instead of bringing relief to the laborer, it is only calculated to rivet still more those fetters with which the high protective policy has already bound him.

To remove the internal-revenue tax on whisky will give to the people in reduced price that which is unnecessary, hurtful, and demoralizing. It will at the same time compel the consumer to pay increased prices for the necessaries of life. Is this the policy of the party of protection? That party has so declared it. Yet it claims to be the friend and the advocate of labor. Can such policy advance either socially or financially the laboring classes of this country?

What assumption, what delusion, what mockery does such a policy proclaim in the name of labor!

The just indignation of this great class of our people (whose interest should ever be protected and guarded) should be aroused at this proposition made in the guise of their interest.

INCREASED WAGES NOT THE RESULT OF A HIGH TARIFF.

Mr. Chairman, the history of the protective system refutes the claim that protection has the effect of increasing wages. France and Germany have the protective system, and wages are lower there than in England, where free trade obtains.

Russia, with the highest protective system, amounting almost to prohibition, pays lower wages than either France, Germany, or England. Wages are higher in the United States in similar industries than in England, but, sir, is this due to protection?

Labor, like the commodities of the world, has its market value. This value is regulated by the supply and demand and by the productive capacity of the labor. The dense and overcrowded population of England, Germany, and France afford an oversupply of labor.

The supply is greater than the demand, and consequently labor is not paid so well as in the United States, where the reverse of this proposition is true.

Another important factor is to be considered, Mr. Chairman, relative to the question of wages.

This country has made a marvelous advance in mechanical appliances. It has outstripped the most advanced nations in Europe in mechanical appliances and labor-saving machinery, by which the productive capacity of our factories have been increased and manufactures have been cheapened.

In this country and in England the concentration of capital is the greatest in the world, and the productive capacity of labor is greatest.

It is estimated by an author of ability on this subject that the productive capacity per capita in England and in the United States is five times that of Italy, Spain, and Portugal, twelve times that of China and India, and that the income per capita is about thirteen times that of India and China, six times that of Italy, Spain, and Portugal, and more than twice that of the average on the European continent. The productive capacity of labor in our factories is estimated to be from one and a half to twice that of European labor.

As a striking illustration of the fact that high wages are due not to a protective tariff, but to the concentration of capital and the increased productive capacity resulting from improved machinery, look at the position which England occupies with reference to other European powers.

England stands pre-eminent over the other European powers in the concentration of wealth and capital, and in her improved machinery and mechanical appliances, giving her an increased productive capacity superior to any of them. England procures her raw material from every quarter of the globe, obtains supplies for her operatives in foreign countries, pays her labor better, undersells other countries in their own market, and this she does without any protection from a tariff.

If wages were regulated by the tariff duties, Mr. Chairman, then there should be some uniformity in the rates of wages paid in the different States of this Union in like industries.

I append herewith a table of annual wages, compiled by Mr. Nordhoff from the census reports of wages paid in the woolen and cotton industries of the different States:

The difference in wages in the same industries in different sections of the United States is well illustrated in the following returns of wages in the iron industries of different States, made under the census of 1880: Unskilled labor in blast-furnaces in Virginia, 82 cents per day; in Alabama, 98 cents; in Pennsylvania, $1.09, and in Missouri, $1.29. Skilled labor in iron rolling-mills in Alabama, $2.25 a day; in Massachusetts, $2.70; in Pennsylvania, $3.03; in Ohio, $3.87, and in Kentucky, $1.62. The yearly average wages in the aggregate iron industries of the different sections of the United States is reported as follows: Eastern States, $417; Western, $396; Pacific, $354; Southern, $304.

Mr. Nordhof compiled from the census reports the following tables of yearly earnings in the woolen and cotton industries in the States named:

Connecticut	$335	New York	$285
Maine	320	New Hampshire	280
Pennsylvania	300	Vermont	270
New Jersey	300	Indiana	230
Massachusetts	320	Ohio	196

In cotton industries they are as follows:

New Hampshire	$255	South Carolina	$190
Massachusetts	251	Maryland	188
Rhode Island	250	Georgia	180
Pennsylvania	250	Tennessee	160
Ohio	250	Alabama	160
Connecticut	242	Virginia	150
New York	281	North Carolina	135

From this table it will be seen that in those States where the concentration of capital and improvements in mechanical appliances and machinery are greatest, that the highest rate of wages is paid, thus carrying out the idea that high wages are due not to a protective tariff, but to concentration of capital and the increased productive capacity of the labor.

Now, Mr. Chairman, let us compare the aggregate tariff rates of this and other countries. For this purpose I append the following table, compiled by Mr. Switzler, Chief of the Bureau of Statistics:

Total values of the net imports of merchandise and the amounts of revenue collected in the below-named countries.

[From official publications.]

Years.	Countries.	Net imports of merchandise. Values.	Net imports of merchandise. Duties collected thereon.	Net imports of merchandise. Percentage of duty on total value of free and dutiable merchandise.	Internal revenue.	Aggregate revenue.
				Per cent.		
1887	United States	$679,159,480	$214,222,310	31.54	$118,823,391	*$420,240,886
1886	United Kingdom	1,428,946,546	†98,497,960	6.89	257,827,170	441,745,627
1886	German Empire	716,445,130	†56,281,073	9.02	33,502,689	169,604,855
1885	France	795,847,944	71,751,675	7.86	219,468,054	1892,585,231
1885	Austria-Hungary	226,272,784	16,171,880	7.15	§72,564,381	§295,945,414
1886	Italy	‖306,635,634	†42,703,538	13.93	64,931,116	347,238,985
1885	Russia	185,009,770	28,668,552	15.45	¶165,007,447	¶383,217,409

*Including postal revenue, as included in all other countries.
†1885.
‡1883.
§Austria proper.
‖Includes bullion and specie.
¶Russia in Europe.

Tonnage of the merchant marine of the United States on—

	Tons.
June 30, 1850	3,535,454
June 30, 1860	5,353,868
June 30, 1870	4,246,507
June 30, 1880	4,068,034
June 30, 1887	4,105,845

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *March* 7, 1888.

WM. F. SWITZLER, *Chief of Bureau.*

From this table it will be seen that the total tariff rate of this country is wondrously high when compared with that of other countries.

According to this table the total tariff rate of the United States is more than double that of Russia. It is equal to that of Great Britain, France, the German Empire, and Austria-Hungary combined. When we shall have revised and reduced our tariff rates as proposed by the pending bill we will then have a tariff in excess of the countries which I have named—in excess of France, Italy, or Germany.

Whilst these countries are protective, their tariffs have been formulated more on the needs and requirements of the government.

It has remained for the United States to foster and maintain a system of taxation, a tariff exceeding in its percentage of duty on free and dutiable merchandise any other government, and amassing in its treasury for a favored class a surplus unexampled in the financial history of the world.

But let us recur to the question of wages. Is the theory of the protectionist (for it is a mere theory) correct that protection favors increased wages? Is the laboring class the beneficiary of a high protective tariff? The assertion is undoubtedly true that the employer by reason of protection is enabled to pay higher wages to labor. But are increased wages the result of protection?

In 1850 the average yearly wage per hand of employés in manufacturing establishments was $247. In 1860 this average had increased to $288, an increase of 16.6 per cent. in ten years.

In 1880 the average wage was $346, an increase of 20 per cent. in twenty years. The increase of wages therefore in the twenty years of high tariff has been less proportionately than the increase during the ten years when we had a low tariff. Does this consist with the assumption that a high tariff increases wages; that a low tariff has the effect of diminishing wages?

The increase, Mr. Chairman, under the low and high tariff have been due to one and the same cause—to the increased capacity of production resulting from improved mechanical appliances.

Is labor the beneficiary of protection or does its benefits inure to the manufacturer? Does the manufacturer who is posing as the advocate of the laborer and who seems to be advocating the protective system in the interest of labor give him the benefit of that protection?

I desire to refer to a tabulated statement furnished from the Bureau of Statistics, which will throw some light on this subject:

Table of specified manufactures, showing amount of capital, value of materials, amount of wages, and value of product, with the per cent. of material and wages, also the average ad valorem rate of duty on similar importations for the fiscal year 1887.

[Compiled from the United States census of 1880.]

Manufactures.	Capital.	Value of materials.	Total amount paid in wages during the year.	Value of products.	Per cent. of— Materials.	Per cent. of— Wages.	Ad valorem rate of duty on imports, 1887.
							Per cent.
Cotton manufactures	$219,504,794	$113,765,537	$45,614,419	$210,950,383	53.93	21.62	40.17
Cotton manufactures (specific)	208,280,346	102,206,347	42,040,510	192,099,110	53.21	21.88	*45.49
Glass	19,811,609	8,028,621	9,144,109	21,154,571	37.95	47.95	59.14
Iron and steel manufactures	230,971,884	101,271,150	53,476,785	206,557,685	64.50	18.77	40.52
Hosiery and knit goods	15,579,591	15,210,951	6,701,475	29,167,227	52.15	22.97	†62.80 ‡39.37
Silk and silk goods	19,125,300	22,467,701	9,145,705	40,033,045	56.12	22.84	50.00
Woolen goods	96,095,564	109,845,611	25,836,392	160,606,721	62.79	15.08	67.21
Worsted goods	20,374,043	23,612,628	5,683,027	33,549,942	68.59	16.94	
Mixed textiles	37,996,057	37,227,741	13,316,753	66,221,703	56.22	20.11	§54.20
Woolen and worsted goods	116,469,607	123,858,239	31,519,419	194,156,663	63.79	16.23	67.21
Woolen goods and mixed materials	134,091,621	138,073,352	39,153,145	226,828,424	60.87	17.27	§60.70
Woolen goods, mixed materials, and worsted goods	154,465,664	161,085,980	44,936,172	266,378,366	60.47	16.87	§61.31

*Cotton cloths. †Woolen hosiery. ‡Cotton hosiery. §Estimated.

TREASURY DEPARTMENT, BUREAU OF STATISTICS, *January* 25, 1888.

WM. F. SWITZLER, *Chief of Bureau.*

This table contains the leading articles in the principal manufacturing schedules, and exemplifies some of the operations of the tariff. Comparing the wage per cent. with the ad valorem rate of duty on similar articles of foreign manufacture and we see that the per cent. of tariff duty is from one and a half to four times as great as the per cent. of wages expended in the manufacture of the home product.

Now, as the duty on the foreign article is added to the price of the corresponding domestic product when sold to our people, the manufacturer receives from one and a half to four times as much as the laborer from these tariff duties.

Take the item of woolen and worsted goods—wages, 16.23 per cent.; tariff duty, 67.21 per cent.

A lot of woolen and worsted cloth of the first cost of $100 would represent for the wages paid out in its manufacture $16.23, while the tariff duties on the foreign article would enable the owner to sell the domestic product at $167.23, and so on through the list.

The laborer, who receives but a small proportion of the tariff rates, is compelled to return it to the manufacturer in the increased cost of the necessaries of life.

This illustrates for whose benefit the protective system operates. Not for the laborer, but for the manufacturer.

MANUFACTURES.

Mr. Chairman, let us now briefly review the history of our manufactures during the low and high tariff period of this country. Let that history respond to the charge that an abatement of our present high duties is at war with our manufacturing interest. In 1850 the capital employed in our manufacturing industries amounted to $533,245,351. In 1860 this capital had increased to $1,009,855,715, an increase in the ten years of low tariff of 89.37 per cent. From 1860 to 1880, a period of twenty years of high tariff, this capital had increased to $2,790,272,606, an increase of 176.34 per cent., something less proportionately than the increase during the ten years of low tariff.

In 1850 and 1860, during the low-tariff period, 54.5 per cent. and 54.8 per cent., respectively, of the value of manufactured products were devoted to the payment for raw material. In 1870 and 1880, the high-tariff years, 58.8 per cent. and 63.2 per cent., respectively, of manufactured products were expended for raw materials, taking away from the wages of labor on one hand and the profits of the manufacturer on the other.

Thus we see that the increase of our manufacturing interest on the one hand during the low-tariff period has been proportionately less than during the high-tariff period. On the other hand, that during the high-tariff period the manufacturer has been compelled to expend a larger proportion of his manufactured product for the payment of his raw material.

Mr. Chairman, it is not the policy of the Democratic party to impair or to overthrow the manufacturing interest of this country, but to maintain in healthful vigor, to build up and expand this great interest.

What is desired is a reduction in the prices of the necessary articles by removing the present obnoxious duties, thereby giving to the poor man and to the consumer that which is necessary to their wants and comfort by giving to labor more employment, and by putting into active, increased, and profitable operation the manufacturing industries of the country, and by giving to our merchant marine a tonnage that will rival the merchant marine of the world.

In 1884 the total tonnage of American vessels was 264,722,452, whilst that of foreign vessels amounted to 1,194,118,585, the percentage carried in American vessels being 16.4 per cent. In 1885 and 1886 this percentage was 16 per cent. against an average of over 70 per cent. from 1850 to 1860, the low-tariff period. If the high-tariff party of this country are endeavoring in good faith to provide for the laboring classes, that party can take no better or more successful step than to build up our marine carrying trade, which has wofully declined under the system of high protection.

DUTY TO THE FARMER.

Mr. Chairman, the interest of the industrial classes and of industrial labor is not alone to be considered in the discussion of this question. There is in this country, not confined to any particular section of the Union, but distributed through the States North, South, East, and West, a large, intelligent, and honorable class of citizens whose interest we can not ignore. The very sinew and hope of the Republic! Toilers in the field, and on the farm; industrious, honorable, and loyal, the products of whose labor constitute the basis of the support and prosperity of our common country. May we not close our eyes to the interest of this class; may we not be unmindful of this great industry of our country; may we consider well and wisely the interest of the farmer!

In the President's message, submitted to this Congress last December, we have the following declaration, based upon the census of 1880:

By the last census it is made to appear that of the 17,392,099 of our population engaged in all kinds of industries, 7,670,493 are employed in agriculture, 4,074,238 in professional and personal service (2,934,876 of whom are domestic servants and laborers), while 1,810,256 are employed in trade and transportation, and 3,837,112 are classed as employed in manufacturing and mining.

For present purposes, however, the last number given should be considerably reduced. Without attempting to enumerate all, it will be conceded that there should be deducted from those which it includes 375,143 carpenters and joiners, 285,401 milliners, dressmakers, and seamtresses, 172,726 blacksmiths, 133,756 tailors and tailoresses, 102,473 masons, 76,241 butchers, 41,309 bakers, 22,083 plasterers, and 4,891 engaged in manufacturing agricultural implements, amounting in the aggregate to 1,214,023, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

Now, there are less than 3,000,000 of persons engaged in manufacturing industries, when there are over 14,000,000 engaged in other industries. Over 7,000,000 are engaged in agriculture. If it be true that a high tariff benefits the laborers and the manufacturing interest, is it right, is it just that the 60,000,000 of people not engaged in this industry should be taxed beyond the needs and requirements of the Government that the laborers (less than 3,000,000) engaged in manufacturing interest should be paid higher wages?

Should the 7,000,000 of farmers be compelled to devote the fruits of their labor in paying increased prices for the necessaries of life, that the laborer may be paid high wages? Such a proposition is revolting to the spirit of our institutions. Such a proposition is directly opposed to American fairness and justice. Such a proposition is at war with the highest interest and duty of this Government.

It is a fact well known, drawn from the statistics of the farm, that the values of farm property have increased less proportionately during the high-tariff than during the low-tariff period. It is equally true that the incumbrances on farm property from 1860 to 1880 (the high-tariff period) has almost equaled the increased value of this property during that period.

What, then, has become of the profits of this great industry of the country? They have been absorbed in high prices resulting from high duties. They have gone to the protected industries.

The protectionists claim that the country has advanced and prospered under the high tariff. So the country prospered under a low tariff. This prosperity, however, has not been the result of the tariff. We were prosperous under the low tariff of 1846. Other causes have contributed to advance us. What country on the face of the globe enjoys greater natural advantages? How inexhaustible its natural resources of wealth! What country yields more abundance to ordinary toil? What country presents a greater variety of soil, climate, vegetable and mineral wealth?

Our territory, extending from ocean to ocean and from the great lakes to the sea, offers a promising field for labor, for capital, and all industrial pursuits. It offers abundant returns to toil and wealth, to thrift and industry. The earth beneath us heaves with rich mineral ores. The heavens above us smile on the vegetable products of every clime and country. Such a country would advance and prosper, and has advanced despite the burdens imposed by a high tariff.

But, sir, let us pass this measure of tariff reform, this measure to which the Democratic party stands pledged, we remove from the country the unjust and unnecessary burdens with which it is now taxed, and we vindicate the integrity of our institutions. We give to the world an example of the fairness and justice of our laws, we command confidence at home and abroad, and we move another step towards that grand and glorious destiny in store for the "Great Republic." [Applause.]

Mr. LANE. Mr. Chairman, more than sixty millions of people are watching with intense anxiety the proceedings of this House on the measure now under consideration. The mechanic, the laborer, the blacksmith, the farmer, and the others engaged in useful occupations have paused in their labor to see if the promises made to them at the polls are to be again broken. The rich and the opulent, the owner of bonds and stock, the railroad magnate, the coal lords of Pennsylvania, and the merchant princes of Massachusetts have also halted, and are watching anxiously these proceedings to see if they will still be permitted by the action of the House to rob labor of its just reward and to oppress their fellows in order to enrich themselves. I love my country, the whole country, North, South, East, and West, with a fervent, impassionate love, but to-day I wish to speak as a Western man, and for the great Northwest. For a quarter of a century the West has been the hewer of wood and the drawer of water of this nation. We have paid more than our full share of the national burden and have received little or nothing in return.

In the nation's sorest hour of need the sons of the great prairie State of Illinois rushed to the rescue, and more than 250,000 of them imperiled their lives in its defense. Nor have we been wanting in the payment of our just proportion of the national debt; but as a matter of fact, under the unjust laws made by the party in power in this Government, we have paid more than double our portion of the national debt and nearly one-half the debt yet remains to be paid. Under the pretense of making laws for the payment of the national debt and to pay the current expenses of the Government one section of the country has been robbed to enrich the other section. We have no ill-will to Massachusetts or Pennsylvania or any other State in the sisterhood of States, but we think that the time has arrived when the unjust legislation in favor of certain sections should be stopped. The great agricultural and labor interests of the country demand a readjustment of the laws of the country, so that the burdens of the Government will fall more justly on all the people.

The country is under an excessive tax system, devised by the Republican party twenty-five years ago, and the supreme question of the hour

is whether this system which extorts from the people nearly $100,000,000 a year more than the Government has any use for shall be changed or still maintained. The manufacturers, mortgage holders, and money lenders of the wealthy industrial States insist in maintaining it, for they are further enriched by it; but the hard-pressed farmer of the West demands that the taxes be reduced. Whose will will be obeyed? Nor is it, as President Cleveland has well said, a question of protection and free trade. The Government should and must have money enough to pay its necessary expenses. All beyond this is robbery of the people.

When the Government by excessive exactions takes from the people $50,000,000 per annum which it has no use for and keeps up this robbery from year to year, it becomes insupportable. A hundred million of idle money in the Treasury means that much money taken from the channels of business; it means contraction of circulation; it means $8 taken from every head of a family in the land. But, Mr. Chairman, grant for the sake of the argument that the supreme question is one of protection and free trade. Can there be a doubt which is in accord with the laws of nature and good conscience? Protection is forever a delusion and a snare. It denies the brotherhood of man and the fatherhood of God. It lays an embargo on sunlight, water, and air. It is a perversion of the laws of nature. God certainly intended that the products of the fertile Northern soil should be given in exchange for the fruits of the tropical Southern clime without restraint of law. So thoroughly did our forefathers believe in this doctrine that by solemn constitutional enactment they provided that no import duty should be allowed between the States. As between the States there is absolute free trade, but beyond that it is said we can not go.

Our physical wants are endless and full of variety; but the differences of soil, climate, and the productions of the earth are also endless and to a great extent meet our varied wants. By the assistance of railroads the inhabitants of the Middle States eat for their breakfast the fresh fruits from the orange orchards of Florida and the luscious grapes from California, and in exchange for these he gives the product of his farm, and this without tax or tariff to the Government. But if, perchance, the farmer should wish to exchange the products of his farm for the blankets manufactured in England, this he is forbidden to do under the penalty of from 75 to 104 per cent. The Jewish law was that a Jew could not exact usury or interest from a Jew, but he could from a stranger; but the Blessed Master repealed this law by declaring that "You should do unto others as you would have others do unto you;" and who could be bigoted enough to believe that America is the whole world and that the entire race of mankind has not the right to subsist?

Protection has its origin in the selfishness of our natures and not in the general good. Civilization diversifies wants, and each man in a civilized country pursues his own bent and makes what he can make best, and then exchanges the fruits of his labor with others. And as men become more skilled exchange still increases. The Indian was content to eat the meat of the buffaloes he had killed and to use their skin as his only house and clothing. But with civilization commerce springs up, and the field of supply and demand becomes as broad as the world. Under its natural laws all things work best and yield the greatest good to the human family. With a reverend regard for the rights of all mankind we must study the tariff question. It will be admitted on every side that we are a great and prosperous people, the like of which never before inhabited this earth; and it is mete and proper that the economic policy of this Government should keep pace with its intellectual and moral advancement. What was right a quarter or a half century ago may or may not be right now. That will depend altogether on the environments by which it is surrounded.

What we want now is a fair and candid consideration of the question at issue with all the light that we can have before us, and to arrive at the best possible conclusion, and then, having the courage of our convictions, to act upon it. It is, to a great extent, an economic question, and to that extent affects every man, woman, and child in the land. Our farmers and laboring people work early and late, from early morn to dewy eve, and for what? There can be but one answer—money. Money is the reward of labor, and it sweetens toil. It is absolutely true, as President Cleveland stated in his message, that—

> Our institutions guaranty to every citizen the full enjoyment of all the fruits of his industry and enterprise with only such deductions as may be his share toward the careful and economical maintenance of the Government which protects him.

One of the grievances mentioned in the Declaration of Independence by the fathers was "for imposing taxes on us without our consent." More than a hundred years ago this was regarded as a grievous burden, but in the enlightened nineteenth century the people are not only taxed without their consent, but are actually taxed more than is necessary to meet the expenses of the Government. Another grievance mentioned in the Declaration of Independence was that the British Government "had cut off our trade with all other parts of the world." This we are doing now ourselves by our infamous tariff-taxing system, and we are still asked to keep it in force. It was declared in the Democratic platform at Chicago in 1884 that "unnecessary taxation is unjust taxation," and it further declares—

> That Federal taxation should be exclusively for public purposes, and should not exceed the needs of the Government economically administered.

The Republican party, in the same year and place, in its platform pledged itself "to correct the inequality of the tariff," but it failed to go into details on this important question. It is admitted, then, by both the great parties of the country that there is an inequality of the tariff. How is this, and who is responsible for it? Which party enacted this tariff of "inequality," and which party is now most ready to correct this inequality? It was certainly the Republican party which enacted this inequitable tariff, and as yet it has taken no decided steps to correct its errors. The President properly ignored all other questions in his annual message to Congress and alone presented the question of the reduction of the public revenue, for which he is entitled to the thanks of the American people. It is the momentous question of the hour and to it Congress should at once address itself. As he well says in substance, this is not a question of free trade or protection, but one of common honesty. Why should the people be taxed more than is necessary to defray the expenses of the Government? This has been called by us public robbery under the form of law. We are authorized to so call it by the Supreme Court of the United States, a "Republican court." In the case of The Loan Association *vs.* Topeka, 20 Wallace, the court says:

> To lay with one hand the power of the Government on the property of the citizen, and with the other to bestow it upon favored individuals to aid private enterprise and build up private fortunes, is none the less a robbery because it is done under the forms of law and is called taxation.

It will be an admitted fact that as long as the Government exists there will be taxes. There is no escaping them. But no good citizen will complain of this, for the Government that protects him must be supported. Then the sole and only question that is left is, where shall this tax or revenue be placed? How shall the expenses of the Government be raised? The late Democratic platform clearly defines this: "Taxes should be heaviest on articles of luxury and bear lightest on articles of necessity."

This is the solution of the whole matter. But I admit that in the adjustment of this tariff there is great latitude for argument, for it is a subject on which able and learned men have written volumes without at all exhausting it. It is the momentous question of political economy. It is the duty of every citizen, then, to fairly and candidly consider the question in the best light in which it can be reviewed, and if the proper system is to levy a tax for protection only, then he should have the courage of his convictions and act and vote with the Republican party. But if on the other hand he should think that the proper system is to levy a tax for the purposes of defraying the expenses of the Government, economically administered, with such incidental protection as that system may afford, then he should vote and act with the Democratic party. The lines are well drawn, and the difference between the two parties is thoroughly defined on this question. The President's message is the bugle-note, and millions of free-born American citizens are rallying to its support.

The false god of protection has sufficiently deceived the people already, and in one mighty effort they will arise in their strength and cast her off once and forever. The bugle note has sounded; the President has come to the rescue, with a courage unprecedented, with an intellect unclouded, and with a single stroke of his pen has cleared the way to reform and advanced the thought of the age at least a half century. The nation is still reading the message, and not only this nation, but the nations of the world. Its words foreshowed victory to his party and the country. The period of agitation, to some extent, has passed, and we are in the living presence of true progress and reform. The friends of reform have for some years sought by agitation to direct the interest of thinking men to the evils of protection and its taxing system, full of inequality and false pretensions. They have succeeded at last in reaching the ear of the nation, and now they are prepared to apply definite measures of reform to the iniquitous system which has for so long a time robbed some of our people of the just reward of their labor. No revolution is contemplated, but they propose at one and the same time to reduce taxation and revenue without materially disturbing the industries of the country.

The great question of the day is one of tariff and reform. A large surplus accumulated by unjust and unnecessary taxation has alarmed all honest classes of the community, and the warning in the message will be heard and obeyed by a grateful public. The people have been asking in piteous tones in the last decade, Why this unnecessary taxation, burdening the people beyond the wants of the Government; and the reason is to be found in the message, That the few might prosper while masses suffer. The note is sounded by the President, and a brave and generous people will give heed to the clarion call; and when we hear from the ides of November he will be indorsed as no other President was ever indorsed in this free land of ours. The greatest boast of our country is her freedom. We have free speech, free press, free soil, free thought, free religion, and our trade should be as free as possible. Freedom is a natural right. Free trade is the natural right of commerce. It makes the total amount of human labor much more productive, and thereby shortens the hours of labor, blesses the earth with plenty, peace, and good-will. Protection is forever a cheat and delusion. Its origin in this country was in the wants of the revenue of the Government in times of war, and the selfishness of a favored class desire to fasten it on the toiling masses forever.

Protection for protection sake is a violation of our Constitution; it is a violation of the spirit of our Government, and is not American. No authority can be found in the Constitution to lay a tax for protection only. The Constitution authorizes the laying of taxes to defray the expenses of the Government, but beyond that it does not go, and every person who insists on a tariff for protection only violates the Constitution of his country.

The fundamental principle of American institutions is "the greatest good to the greatest number." Under our system of government protection of one interest is a war on all other interests. It must be so in the very order of things. The imposition of a heavy tariff upon a particular article of manufacture is not protection to the people. It must be a protection to that particular article, but at the cost of all other articles. The President is absolutely correct when he says that all the expense of the tariff is payed by the consumer, the criticisms of politicians and certain newspapers to the contrary notwithstanding. Protection is a bounty to persons who manufacture goods, to be paid by the consumer, and if the consumers are more numerous than the manufacturers, which is always the case, then the fundamental principles of our Government are violated.

The Government is not administered for the greatest good to the greatest number, but for the greatest good to the least number and the least good to the greatest number. Again, it is not the policy of our Government to confer special privileges upon any class of men, and this protection always does, in the very nature of things. The theory of the Government is that of individual development and manhood, leaving each man to work out his destiny. All that the Government should do is to leave each man equal before the law and protect him in his person and the fruit of his labor. The Government should not protect the interest of one man at the cost of another man's interest, but should afford them both police protection, and thus accomplish the true end of its creation. Protection is not right; for if you protect one interest, that simply means war on all other interests. The imposition of a heavy tariff upon particular articles of manufacture is not protection. No, it is not. It is a burden rather than a protection. It is a burden upon all those who use or consume such articles. If you pay a bounty to the party who manufactures them, that bounty must be paid by the party who consumes the article, and the consumers being more numerous than the manufacturers, in the very nature of things it is a violation of our fundamental principles of government.

Our Government should leave each man and each class of men to be the architects of their own fortunes. We may reason about it as we please, protection to any manufacturing interest means simply such laws as enable the manufacturer to sell his manufactured articles for a higher price than he otherwise could obtain, and the necessary result of that is that the consumer is compelled to pay more than he would if there was no such law. If this is not the result of protection then it has no meaning. If protection does not enable the manufacturer to sell his manufactured articles for more than he would otherwise get for such articles what is the necessity for protection? The only way the manufacturer can be benefited by protection is that it enables him to sell his manufactured article at a higher price, and, as I have stated before, this makes the consumer pay a higher price and therefore is an injury to him. One class is privileged and enriched at the expense of other classes. The American manufacturer is only completely protected when he succeeds in shutting out and excluding from competition all foreign manufacturers, and if that is done then there is no revenue to the Government, and the Government must resort to a direct tax to pay its expenses. Again, protection violates the fundamental principles of our Government by controlling the individual liberty of the citizen, and preventing him from selling where he pleases and from buying from where he can buy the cheapest.

It should be an inherent right in every American citizen to sell his labor and wares where he can get the best price and to buy where he can buy the cheapest. The great question with American labor is not how much he shall get per day for his labor, but how much shall he have left at the end of the year after he supports himself and his family. The laborer who gets $2 per day and can purchase enough for his family to live on for $1 per day, at the end of the year is better off than the man who gets $3 per day and, under protection laws, is compelled to pay $2.50 per day for the support of his family. The laborer should be permitted to get the highest possible price for his labor, and on the other hand to buy the necessaries of life where he can buy them the cheapest. Protection, instead of being protection, is simply a system of legalized plunder of the laborer, and does in no sense protect American labor. But it is said that if our manufacturers are not protected they can not sustain themselves against the manufacturers of Europe. Suppose, then, that as an aid to our manufacturers a direct tax upon all the property of the country was levied and paid over to the manufacturer of America, so that he could sustain himself against foreign manufacturers, but few persons could be found who would favor such a system. Yet the result is just the same.

Protection as it now exists is simply taking by force from one man and giving it to another without any consideration, as stated by the Supreme Court. The law simply makes the consumer pay to the manufacturer from 20 to 50 per cent. of what he consumes, under the false assumption that it is for the protection of American labor, and in some way—they fail to explain it—will return to the consumer. Away with such false doctrine. It is a relic of the past and unworthy of the enlightenment of the nineteenth century. The evil, then, of protection being so apparent, so direct and immediate, the question is a proper one, what benefits does it confer? The protectionist says that it fosters and encourages American "industry." Is this true? The industries of America are numerous and varied. If you levy a tax for protection—for that is what it means, to protect manufacturers—who pays that tax? Clearly, the person engaged in agriculture and other employments. Then is the agriculturist protected? No, clearly not. The man who uses iron is not protected because of the tax in favor of the manufacturers of iron. When the Government puts a tariff on an article imported to this country, say of 20 per cent., that simply means that if the tariff was not on that article the consumer could buy it 20 per cent. cheaper. It is true the Government gets the 20 per cent. in that case and the consumer pays it.

But when the same article is manufactured in this country it is not sold 20 per cent. cheaper than the imported article. The consumer pays the same price for both articles, and the only difference is that in the case of the domestic article the Government does not get the 20 per cent., but the manufacturer puts that in his pocket, and this is called protecting American industry.

We are assured of this protection business, however, in another way. It is said that protection creates home markets for our surplus products. It requires close attention to see the fallacy of this proposition. The farmer, because of protection, is compelled to pay for his plow, his spade, his wagon and harness, his clothing, and everything he uses from 15 to 35 per cent. more than he otherwise would be compelled to pay if there was no protective tariff; and what does he get in exchange for that? It is a fact that the nine manufacturing States produce more agricultural products than they consume. Where, then, will the farmers of the other States sell their surplus products? There can be but one answer to this question—in the foreign market. Then if he must sell in the foreign market where he can sell the highest, why not let him buy where he can buy the cheapest?

It is again insisted that the protection system keeps money at home; that inasmuch as it is not spent in foreign markets, then this money is retained at home. But how can this benefit the laborer? He must spend some part of his money, and if he can purchase for one-half of his money in a foreign market as much as he can for all his money in a home market, the country and himself will be better off.

If the laborer is compelled to exchange a day's labor for a blanket in the home market while he would get two blankets for it in a foreign market, it will be difficult to make him understand how he will be benefited by protection. Nor does protection diversify labor or find employment for it; this is best done by natural laws. It is in the very organizatiion of our being; in diversity of climate and pursuits. The necessities and wants of men produce diversity of labor, and nothing else. We can not all be engaged in the same employment; we do not all raise corn and wheat, although we all eat bread. The farmer needs more than bread; he must have clothing, and the manufacturer supplies them to him; his horses must be shod, and the blacksmith does it for him; he becomes sick, and the doctor treats him; the title of his land must be examined, and the lawyer does it for him; the farmer must market his grain, and the railroad carries it there; he must have a house to protect him from the weather, and the mechanic builds it for him; his children must be taught, and he therefore engages the school-teacher. These all in turn must have bread, and they get it from the farmer. This is in the natural order of things, and all parties are benefited by the exchange of labor. But the natural result of a protective policy is not to diversify labor, but to commit it to a particular channel. For if a protective policy favors one class—and it must be admitted that it does not favor all—then all will seek that class, and the result is overproduction, while if the law would leave them to themselves they would seek those occupations in which they were best qualified, and would thus diversify labor. When the farmer, the laborer, the mechanic, and the school-teacher find that the Government is favoring a certain class they will desire to abandon their several occupations and seek that occupation that is specially favored. This is the natural result of protection in every case. The law should not prescribe the form of garments we should wear nor the food we eat. These will regulate themselves according to our wants, and so will labor become diversified to meet the wants of trade. But the greatest argument used by protectionists is that it is unjust to submit our industries to competition with what they are pleased to call "pauper labor of Europe."

This argument, if it can be called an argument, is used to frighten the laboring classes into the support of the protection ticket, but there is no truth in it. The three industrial States that derive most profit from the protective tariff levied to keep up the wages of American labor are Pennsylvania, New York, and Massachusetts, and these are the three States in which the greatest number of labor strikes occur and in which they involve the largest number of persons and last the longest. These two facts have a strange appearance when placed side by side. By all the rules of protection logic a large share of the several millions of dollars a year paid by the people of the United States into these three States

to build up home industries ought to go to the laboring classes, and those laboring classes ought to be content and happy. But they get no part of this money, and, as a result, there is not a day in the year that some of them are not on a strike, and these facts must show that the protective logic must be at fault.

The use of the words "pauper labor of Europe" by the protectionists is for the purpose of drawing a contrast between the laborer of Europe and America. In the first place, the words themselves are false; for, as used and understood in this country, paupers do not labor at all, but are supported at the public almshouse or by public charity. But the attempt by the protectionist is to keep the wretchedness prevailing among the poorer classes of the Old World constantly before the eyes of the American working classes, evidently to induce them to give their votes in favor of maintaining the protective system, and if they do not, then they will share the fate of the pauper labor of Europe.

The truth is, that the protective system as framed by the Republican party is the parent of the millionaire and the tramp, both equally a curse to American society. This iniquitous tariff system make palaces for some and hovels for others.

If we can at all believe the daily papers, and we must believe some of them, for they give the sworn testimony taken on oath as to the condition of affairs in the protected State of Pennsylvania, the laboring classes there are under greater oppression than ever the slave at the South was. The coal and iron master of that State is using and has used more cruelty to the laboring classes than ever did the task-master of the South use to his slaves in the palmiest days of slavery. A correspondent of the Cleveland Herald visited a part of the Pennsylvania mines and interviewed some of the miners, and the facts that he elicited are that some of the men were working for 62 cents per day. A man with a wife and five children were supported on this, their chief diet being bread and molasses, with a few potatoes and some corn-meal thrown in, and in the month of February being without shoes and with only very indifferent clothing. He found, further, that this was the condition of many of the miners, and that even in cases where they made and received more wages the owners of the mines get it all from them by high rents and truck-store bills. Similar facts were given in the Chicago Herald, and others of a like character were shown by testimony taken before the United States Senate Committee on Labor in New York in 1883.

It was developed before the committee on sworn testimony that in the manufacturing districts a man was only paid from $1.25 to $1.70 per day for his labor, and on this he was expected to support himself and family, consisting of a wife and two or three children. This examination was most valuable in showing that protection does not protect "American labor," but does in fact protect American manufacturers; and they never or rarely ever divide the amount they realize by protection with the laborer. So far, then, as protection protecting American labor, it is a delusion and a snare. A quarter of a century ago the slaveholders of the South claimed that it was to the interest of the negro that he should be held in slavery and robbed of his labor, and the iron lords of Pennsylvania and the merchant princes of Massachusetts are setting up a similar claim to-day and insisting that it is in the interest of their workingmen that they ask protection for their products, and the very men who are the victims of this system still vote with these lords and princes to sustain this nefarious protective policy. The negro of the South never followed his master with more fidelity than the oppressed laborer of America follows that class of men who rob them of the just rewards of their labor and turn their families out of house and home.

It is time that the American laborer should awake to his true interest and free himself from the false impression, and equally false fact, that protection protects American labor; for it does not. How can American labor be benefited by protection? Can it be done simply by taking from one class and giving to another? Certainly not; and yet this is what protection does. Let us take the larger half of our population, the American agriculturists, and see how their interests have been affected by protection. We will all agree that of all the important interests in this country this is the most important. It is the barometer of the prosperity of the country. If crops are plentiful and the prices of products are good, the condition of all interests in this country are favorably affected. Whenever the crops of any one year are good, then the prosperity of the whole country, for the time being, is assured. The last census shows us that 17,392,099 of our population are engaged in gainful pursuits; that of this number 7,670,493 are engaged directly in agriculture; 1,139,362 are professions, and 2,934,876 in personal service, while 1,810,256 are employed in traffic and transportation, and the rest, 3,837,112, are engaged in manufacturing and mining. It will be noticed, now, that by odds the greatest number of people are employed in agriculture; and if protection assists the greater class, then it might fall within the principle of the Government—the greatest good to the greatest number. But no one will seriously insist that it will have that effect.

It is to protect our manufacturing interest that the great boast of the protectionist is put forth. We see, then, that there are 3,837,112 engaged in this business, and when protection favors them it must of necessity do it at the cost of the balance of the entire community. In the very nature of things it can not be otherwise. The farmer is not and can not be protected, and why? Simply because there is more provision produced in this country than can be consumed. As long as there is a surplus in the country of the products of the farm then the farmer must seek a foreign market for them, and a protection duty on them would do him no good. The farmer has to give the same quantity of wheat or bacon for a hundred yards of protected American goods that he would for a hundred yards of English goods, with this difference, that in the case of English purchase the tax would go into the United States Treasury, while in the case of the American purchase the tax would go into the pocket of the American who manufactures the goods. In this way not only the farmer is cheated, but the Government also. In other words, the Government taxes foreign goods, which tax is paid to the Government, and then the home manufacturer charges the same for his goods that the foreigner gets and puts the tax in his pocket. Thus the Government and the farmer both are cheated by your protective policy. If the farmer could find a home market for all his surplus then there might be a difference, but this is impossible in the very nature of things.

As I have said before, the nine manufacturing States produce more agricultural products than is consumed in these States, and therefore the farmer of Illinois and Iowa can not sell their surplus grain in these States, but of necessity must sell in the open markets of the world, and then, if he must compete with the world in the sale of his surplus, it is but fair to permit him to buy where he can buy the cheapest. But the protectionist tells the farmer that "we can furnish you a home market for your products. Do you not see," he says, "that the more men that are engaged in manufacturing the more mouths there will be to feed, and the more money they earn the more money they will have to pay you for your products." This is the worst kind of sophistry. The terms "home market" and "pauper labor of Europe" are synonymous terms; that is, they mean about the same thing. The former is used to deceive the farmer and the latter the workingman. In fact they mean nothing, but they have both rendered excellent service in terrifying the farmer of the West and the laborer of the East.

Let us look at this absurdity for a single moment. If you would make one-third more manufacturers I ask how this would make more mouths to feed. If the number of mechanics are to be increased then they must be taken from some other calling, the farm for example, unless you bring in the pauper labor of Europe. Then to change a farmer to a mechanic it is hard to conceive how he would eat any less. It is supposed that a farmer should consume as much as any other man, and the mere change could make no difference. The aggregate would still leave the same surplus of farm products to dispose of. The census of 1880 shows that the grand total farm products of that year was valued at $2,500,000,000, of which $586,000,000 was exported, and $1,914,000,000 was consumed at home. That is, a little less than one-third of our entire farm products must from necessity be sold in a foreign market. But the absurdity of the whole system is made more apparent when the facts are remembered that from 1860 to 1883 the American agriculturist sold in European markets products of the farmer amounting in the aggregate to the enormous sum of $8,000,000,000, being an average of over $300,000,000 per annum for twenty-three years. There is and can be no home market that will consume this surplus. The surplus of farm products has steadily increased, notwithstanding the high tariff during all the twenty-three years. It is therefore evident that you can not consume your farm surplus in this country unless you built a factory in every township in the Northwest, which is impossible.

The question may be asked, what have our farmers done with this $8,000,000,000 arising from the sale of their farm surplus? What have they to-day to show for this vast sum of money? Nothing; they live economically; they are not spendthrifts; they work early and late; no eight-hour-law system for them, and yet they are comparatively poor. The farms in the West and Northwest are mortgaged heavily. The New York Times gives the following figures:

Farms in—	
Ohio	$701,000,000
Indiana	398,000,000
Illinois	620,000,000
Wisconsin	250,000,000
Michigan	350,000,000
Minnesota	175,000,000
Iowa	351,000,000
Nebraska	140,000,000
Kansas	200,000,000
Missouri	2,370,000,000
Total	3,422,000,000

It might be interesting to know where these mortgages are held. The bulk of them are held in the East. The Hartford Insurance Company has $70,000,000 of it. The Boston Loan Company holds $76,000,000 more, and so on. The industrial and manufacturing States have mortgages on the agricultural States. They rob the Western farmer by an unjust tariff and then loan back to him the money that they have taken from him by these infamous laws, and take a mortgage on his farm at from 6 to 10 per cent. interest per annum; and after he has been enslaved for eight or ten years trying to pay his taxes his farm is sold, and he is turned out of house and home. This is the end of it. The earnings of the farmer do not exceed 3½ per cent. on the capital invested, while he is required to pay, as I have before stated

from 6 to 10 per cent. on his mortgage; and certainly it is clear that it is only a question of time how soon he shall fail and his farm fall into the hands of his creditors, and the money-lending corporations of the rich manufacturing States will own full one-half of the farms in the Western States.

The Republican party can not longer deceive the Illinois farmer with figures. They can not show him simply by figures that he is rich, for he knows by actual experience that he is not. He has no money to pay his taxes, no money to buy proper food and clothing for his family. He knows this as an actual fact. He knows that he was compelled to mortgage his farm to buy food for himself, his family, and stock to get through the winter. These facts he knows by actual experience, and he can not longer be deceived.

It is time for the farmer of the West to call a halt in these matters, and look around him and see what is producing these results. How is it that the industrial States are more prosperous than the agricultural States? Why is it that the wealth of the nine industrial States is $24,630,000,000, while that of all the other States is only $19,012,000,000? How is it that the average wealth in the industrial States is about $1,760 per capita, while in the other States it is only $528?

Why is it that nearly all the telegraph and railroad lines are owned and controlled in the industrial States? The industrial States have large savings in banks, while twenty-three of the agricultural States report none at all. Rhode Island has $51,816,000, while Ohio, Indiana, and Minnesota have only $17,733,000. Massachusetts has $275,000 000 on deposit in savings-banks, while twenty-three agricultural States have none, and while Kansas, Illinois, Indiana, Iowa, Michigan, Wisconsin, and Ohio are encumbered with real-estate mortgages to the amount of $4,421,000,000, three-fourths of which are held in the industrial States. The census of 1880 show $1,718,000,000 invested in manufacturing, and 1,700,000 persons only employed in that vocation, and all the other States show $10,605,000,000 capital invested and 7,670,000 persons employed in farming; yet the manufacturing products of the industrial States (less cost of raw material) was $1,216,000,000, while the entire farms of the whole country show no such gain. The average product of a farm laborer is $300 per annum, while the manufacturer makes $715 per annum. The farmer's net profit is 3½ per cent., while the manufacturer's is 25 per cent.

By the force of this protection policy the poorer or agricultural States are compelled to pay the enormous sum of $750,000,000 a year to the rich or industrial States. It is true that this is not its pretended object, but it is the natural result. We find the largest amount of wealth in the nine industrial States. They are the creditor States; they are the money-lending States. The twenty-eight agricultural States are the debtor or money-borrowing States. They have nine-tenths of the area of the country and three-fourths of the population, and yet the nine industrial States own one-half the wealth of the country. An average citizen of the industrial States owns three times as much property as an average citizen of the agricultural States. The statistics compiled at Washington show the wealth per capita in the nine industrial States as follows:

Connecticut	$1,368
Maine	772
Massachusetts	1,568
New Hampshire	945
New Jersey	1,267
New York	1,499
Pennsylvania	1,257
Rhode Island	1,519
Vermont	870

Wealth per capita in the nine agricultural States:

Alabama	$299
Arkansas	299
Georgia	307
North Carolina	319
Virginia	458
Michigan	837
Minnesota	817
Nebraska	641
Kansas	577

It will be noticed by this table that an average person in Massachusetts owns five times as much wealth as an average person in Alabama or Arkansas. This state of things can not be explained on the ground that the industrial States are the seats of great wealth because they are old communities and their people are industrious and thrifty. This will not explain the phenomenon, but the tariff law will explain it when it shows that the law compels the country to pay $750,000,000 a year to these industrial States to build up flourishing manufactories in them, and this money they invest in western railroads and real estate mortgages, which yield them $75,000,000 a year in interest and dividends. In fact, the hundreds of millions which the industrial States have invested in the West have been extorted from the West by the protective tariff. The whole trouble is the protective system. It builds up manufacturers at the cost of all other vocations and enriches the nine industrial States at the cost of the other States. It is sectional, unjust, and inequitable. To show still further how the farmer is imposed upon you need only look at the further fact that for everything he sells there is no protection, but everything he buys is protected and taxed. His flannel shirt is taxed 95 per cent., his coat is taxed 57 per cent., shoes taxed 35 per cent., his hat 92 per cent., his bucket 35 per cent., his tin bowl 35 per cent., his cotton towel 45 per cent., his plate 60 per cent., his knife and fork 35 per cent., his sugar 68 per cent., salt 59 per cent., his window glass is taxed at 59 per cent., his bridle is taxed at 35 per cent., the nails in his horse's shoes are taxed at 39 per cent., his plow at 45 per cent., his chains at 58 per cent., his sheets at 45 per cent., and his blankets at 104 per cent., his broom 35 per cent., his thread at 74 per cent., calico 58 per cent., yarn 120 per cent.

The farmer is taxed on everything he can use between the cradle and the grave, from 15 per cent. on a 50-cent nursing-bottle to 65 cents a cubic foot on the marble for his tombstone. After his day's work is done he kneels down to pray on a carpet taxed at 47 per cent. and holds in his hands a Bible taxed at 20 per cent., and is expected to thank God that he lives in a free country, while at the same time the rich manufacturer is playing a game of euchre with his friends with a deck of cards placed on the free-list by our Republican friends. And yet many of the farmers are expected to vote the Republican ticket, which is a vote to keep up this iniquitous system. The articles above mentioned are some that the farmer must purchase, and these are the taxes he must pay; and who gets the major part of the money? Clearly the rich manufacturer of the East. It is true some of it goes to the Government, but for every dollar that the Government gets the protectionists of the East get from $5 to $6. This is not mere declamation, but actual facts.

The aggregate value of all the goods manufactured in America last year, it is claimed, was about $6,000,000,000. There is an average tariff of about 47 per cent., but we will call it 40 per cent. Now, while the Government collects on foreign manufactured goods at the ports of entry last year $217,286,893.13, the manufacturer received 40 per cent. on the goods manufactured in America, or the sum of $2,400,000,000, or more than enough to pay the national debt. Thus, you see, while the Government gets $1, the manufacturer of the East gets about $7. What I mean to say is this, that because of the tariff of 47 per cent. on the imported goods they are sold for that much more than they would be without the tariff, and that fixes the price of domestic goods. The Government gets the tariff on the goods manufactured in foreign countries and shipped to this country, but the manufacturers in America get a sum equal to the tariff on goods manufactured in this country and put it in their pockets. No wonder they are millionaires. The Government has paid in all since the war, not including the current year, for pensions the sum of $883,400,000, with which no fault is found; but the people of America pay annually nearly three times this amount to the manufacturer of the East, as I have shown; and can there be any wonder that the farmers, the laborers, and the tax-payers of the country are oppressed? An Irishman coming to this country in winter was attacked by a dog, and when he stooped down to pick up a stone to defend himself he found it was frozen to the ground. He said to himself, "This is a strange country, where the dogs are let loose and the stones are tied to the ground." So the farmer can say that this must be a strange country, when everything he buys is taxed and everything he has to sell must be sold free.

I compile the following table from facts given by the chairman of the Committee on Ways and Means, taken by him from the report of the Commissioner of Labor, which will further show the iniquity of this taxing system:

Articles.	Value.	Cost of labor.	Tariff.
One pair of five-pound blankets	$2.51	$0.35	$1.50
One other pair of blankets	2.70	.70	1.80
One pound of sewing silk	5.56	.85	1.69
One gallon of linseed-oil	.46	.02	.25
One ton of bar-iron	31.10	10.00	17.92
One ton of pig-iron	11.00	1.64	6.72
One ton of steel rails	31.00	7.57	17.00
One wool suit	12.00	2.00	6.48
One cotton suit	10.50	1.65	3.67
One dozen goblets	.48	.15	.19
One hundred pounds of mixed paints	9.50	.41	2.00
Total tariff			59.71

Now, if these goods are manufactured in a foreign country and shipped here the Government will get the tariff, but if they are manufactured in this country the Government will not get the tariff, but the money will go into the pockets of the manufacturers. Now, will the manufacturer divide the profits with the laborer? No.

The fact is that the manufacturer will employ labor as cheap as he can, and if he can not get it cheap enough in this country he will import the pauper laborers of Europe here under an equally infamous convict-labor law enacted by the Republican party.

What do the Jay Goulds and Vanderbilts pay for labor? An average of $1.10 per day. Do they divide any of their large dividends realized from a protective system with their laborers? Who ever heard of such a thing? Yet they and most of the other millionaires of the country are members of the Republican party. This is the reason the Republican party believes in favoring wealth. It repealed the tax on

domestic manufacturing, which was $127,000,000 per annum. It repealed the income tax, which was $72,000,000 per annum. It repealed the taxes on the receipts of railroads, insurance companies, and express companies. It repealed the tax on the capital of banks, on bank deposits, and on bank checks. It repealed the taxes on the wealth of the country, on banks and corporations, and permits them to escape paying their just part of the national debt; but it left the taxes on the poor man's blankets and the clothing that his children wear, and it is now putting forth every effort to keep up the taxes on the necessaries of life. The representatives of the Republican party now in this House, Mr. Chairman, are insisting daily that the taxes should be taken off of whisky and tobacco and left on wool and provisions. They are urging the question of free whisky and tobacco while the Democratic party is urging free wool and free provisions, cheaper food and clothing for the people. Can there be a doubt which is right?

The Republican party is responsible for all this misrule, but a brighter day is about to dawn. A Democratic President has sounded the slogan and pointed out the injustice and iniquity of our taxing system, and the people are coming to his support, and by the passage of the Mills bill the tariff will be reduced $78,176,000; that is, the amount received by the Government will be reduced that sum, and more than $450,000,000 will be annually saved to the people which is now given as a bonus to the manufacturers.

The protective system is un-American, and is a perversion of the laws of nature, of God and man. We find by the laws of nature that some countries produce one article and others give a different variety, and we find that the oceans and rivers connect these countries, and, as it were, are highways of commerce created by nature from one country to another, and the winds of heaven bring the products of one clime so that they may be exchanged for the products of another and thus bless all mankind; but the barbaric tariff law interferes and prevents the spirit of civilization and retards the tendency of the age in the drawing together of the nations of the earth through the agencies of commerce. To carry the protective policy to its legitimate result we ought to abolish ships, railroads, telegraph lines, and mails, and prohibit our citizens from going abroad and visiting foreign countries. The spirit of protection is hostile to these things.

It discourages commerce and intercommunication, and we should at once raise the Chinese wall around us. It is condemned by the whole cause and tendency of modern civilization. The enlightened and progressive nations of the earth are incessantly striving with wonderful success to draw near to each other in more frequent intercourse and more cordial relation, and they are multiplying the agencies and facilities of this intercourse every year. Steam and telegraphy have destroyed space, and made the inhabitants of the whole earth as it were brothers; but the barbaric policy of protection tries to prevent this. It is hostile to the best interests of the human family, and to the progressive tendencies of the age; hostile to commerce, steamships, railroads, telegraphs, and interocean canals. It is hostile to the cheapening of human comforts and necessaries, since its object and effect is to increase the cost of these comforts and necessaries to those who consume them. It increases the price of a blanket from $2 to $4, and thus denies the masses of our people of the cheapened comforts that other people enjoy. This barbaric policy shall and will have to go.

The fathers in erecting for us a political fabric based it entirely on self-government. The framers of our Government at least emphasize the greatest freedom to the citizen, not only as to his political right, but also to his private business.

They raise above his head the Stars and Stripes and assure him of the fullest protection and that no one shall molest or make him afraid. To this end we have free speech, a free press, free schools, free religion; in fact everything is free until we touch trade. The citizen is left free in everything. He may say and print what he pleases and can do anything he pleases until he hits trade, and then the tariff law interdicts him and he can not buy where he can buy to the best advantage nor sell where he can sell at the best profit. No one will deny but that the Government was inaugurated to secure equal rights to all, yet we find that in this system of protection, with its immense powers, it robs the many and enriches the few.

Mr. Chairman, be assured that if the bill under consideration becomes a law it may reduce the income of the monopolist and the rich manufacturer, but it will relieve the farmer and the laborer. It will bring health to the cheek of the farmer's wife and light to her eyes. It may reduce the profits on trusts and combines, but it will be the means of paying off the mortgage on the cottage and the farm. May God speed its passage. My greatest ambition is to see it enacted into a law so that the expenses of living may be lighter and the struggle for existence still made easier for those who can scarcely carry it on now. I am glad that I am not a member of a party whose victory is through the misfortune and sufferings of my fellow-men, and is not kept in power on the shoulders of taxation, monopoly, trusts, and combines. But, Mr. Chairman, I am glad that I am a member of that grand old party that assures a better trade to our people, larger wages to labor, better times to the farmer, and greater glory to the American name at home and abroad. [Applause.]

Mr. CANDLER. Mr. Chairman, at the beginning of the present session of Congress the President, in the opening sentences of his annual message, sounded the note of alarm and warned Congress of the dangers threatening the business interest of the country from overtaxation and a congested national Treasury. He says:

> You are confronted at the threshold of your legislative duties with a condition of the national finances which imperatively demands immedate and careful consideration.
>
> The amount of money annually exacted, through the operation of present laws, from the industries and necessities of the people, largely exceeds the sum necessary to meet the expenses of the Government.
>
> When we consider that the theory of our institutions guaranties to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share towards the careful and economical maintenance of the Government which protects him, it is plain that the exaction of more than this is indefensible extortion, and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public Treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

In these sentences he recognizes and calls attention to the two evils growing out of the present taxing laws of the country—excessive taxation, which impoverishes all the people but a favored few, and a redundant Treasury, which depletes the currency in the hand of the people and thereby lowers the prices of property and of labor and of the products of labor. In this way the rich, in whose hands the money of the country is, are made richer and the poor, whose labor is their capital, are made poorer.

Both these evils, unnecessary and therefore unjust taxation and a surplus revenue, ought to be remedied. And in my judgment the remedy ought to be applied at once.

The close of the war found a taxing system in operation which levied contributions upon everything which could bear a tax, and these taxes were imposed and collected in every way authorized by the Constitution. There was a land tax, a stamp tax, an income tax, a tax on railroads, a tax on express companies, excise taxes on spirits and tobacco and patent medicines, and many other articles of domestic production, and most fruitful of revenue of all, the highest tariff taxes in the world. All these were rendered necessary by the requirements of the Government for money to support a vast military and naval establishment for the prosecution of the war.

But when peace was restored and the Army and Navy were reduced to a peace footing, all this revenue was not necessary, and at once revisions of the taxing laws began to be made. First, the land tax was repealed, which was right, because the Federal Government should never, except in cases of extreme necessity, impose burdens upon the productive labor of the country, and a land tax is virtually a tax on agriculture, which has to bear the chief burden of all local taxation. Then the income tax went, which was wrong, because, while it was a direct tax, it was a tax levied upon those who, as a rule, paid but little to support the Government in any other way, and yet they were most benefited and most able to pay. Then the stamp tax, which was purely a revenue tax and fostered no monopoly, went. And in this way all taxes which bore most heavily on the wealth of the country went, and none were left except the two which always have been and are now most burdensome to the masses of the people—a high-tariff tax and the excise tax on distilled spirits and tobacco.

Thus, instead of removing first those taxes which are most obnoxious and bear most heavily on the masses of the people, precisely the opposite course was pursued, and the burthens which bore upon those best able to bear them were removed, and those which fostered monopoly and bore most heavily on the toiling millions have been permitted to remain. Neither of these taxes has ever received the indorsement of a majority of the American people, except in cases of extreme necessity. A high protective tariff, imposing onerous burthens upon the many to enrich the few, was never a Democratic doctrine, neither was an excise tax. The one has always been championed by the party opposed to Democracy, the other has been resorted to but three times in over a hundred years, and always by the opposition party.

The present odious system was inaugurated by the Republican party at a time when none but the bravest had the courage to avow his adhesion to the Democratic party in this Hall. Both these forms of taxation are oppressive, both are war taxes, both foster monopoly, and both are undemocratic. The chief purpose served by the perpetuation of both is to foster monopoly and make millionaires of a few thousand distillers and manufacturers, and paupers of all those who earn their bread by the sweat of their brows, and this includes farmers, mechanics, operatives in factories, miners, day laborers, and all those who work with their hands.

I have no sympathy with the cry of protection to American labor. The cry is too often the cry of fanatics, or worse, of hypocrites, who presume on the ignorance of the laboring classes. Equally insincere, it seems to me, is the other and only remaining argument in favor of a high protective tariff, that it creates a home market for the products of the farm. If it were true, as claimed, certainly the American farmer

ought to be the most prosperous man in the world, for he certainly pays, for all he consumes, the highest average tariff tax in the world. But it is not true. As I have said on this floor on another occasion, the American farmer is the hardest-worked, the heaviest-taxed, and the poorest-paid man on the continent.

Gentlemen talk about prosperity. There is to-day no prosperity among the farmers and planters of the country. The price of the products of their labor is not increased by a protective tariff, but the price of all they buy is greatly increased thereby. When a people produce a part of any given article of consumption in their own country and import a part, the price of the home product fixes the price of the imported article; but when it produces any article in excess of the home demand and becomes an exporter, the price of that article abroad fixes its price at home. All of the leading products of our farms are produced largely in excess of the home demand, and to find a market have to be sent abroad.

We are large exporters of cotton and wheat and corn and pork, and indeed of almost all the products of the farm. Our cotton and wheat, the leading articles of exports, have to come in competition in the markets of the world with the cotton of Egypt and India and the cereals of the Russian and British-Indian empires. Thus the American farm laborer, instead of being protected by the tariff, is forced, under the operation of these laws, to compete with the "pauper labor" of these countries—countries where 25 cents is a fair average of the price of a day's work—and at the same time pay an average tariff tax of 47 per cent. on all he consumes, four-fifths of which goes, not into the Government Treasury, but into the coffers of the "lords of the loom, the factory, and the furnace." Under this beneficent system twenty-nine States, which are engaged in agriculture, pay tribute to nine States engaged chiefly in manufacturing. The nine have indeed prospered for the last twenty years under the highest protective tariff in the world, but the twenty-nine have grown poorer and poorer all the time.

The following extract from the Missouri Republican, brought to the attention of the House some time ago by the distinguished gentleman from Missouri [Mr. BLAND], shows the abject servitude in which the farmers of the West are held by the manufacturing barons of the nine industrial States:

WHO OWNS THE WEST?

All the advocates of high protective tariff have one refrain to their songs, speeches, magazine essays, and sermons—the vast wealth of the country. "We are the richest country on the globe," they assert, "and the protective tariff has made us so;" and then they present us with a bewildering array of figures towering up into the billions to show how prosperous the land has been under the protective policy of the last twenty-six years. In 1862 we had only 32,000 miles of railroad; now we have 150,000. In 1860 we had only $200,000,000 deposits in savings-banks; now we have $1,100,000,000. In 1860 we had 2,044,000 farms; in 1880 the number had increased to 4,008,000, and at the present time it can not be less than 5,000,000. All this they tell us has been brought about by the protective policy—as if the industry, enterprise, and patient hard work of the people had nothing to do with the matter.

It may be admitted that the country is rich, and growing more rapidly in wealth than any other country on the globe. But the people have made it so, not the tariff. It has thrived in spite of protection. That policy has drawn enormous wealth from the twenty-nine agricultural States and concentrated it in the nine favored industrial States; and it is in the latter the affluence that excites the admiration of the high-tariff advocates is most conspicuously illustrated.

But, they tell us, the agricultural States have grown rich, too. They also have prospered under protection. See how farms have multiplied in the West and Northwest, and see how railroads have been built in Illinois, Michigan, and Wisconsin and the States and Territories west of the Mississippi, even to the Pacific, and how this vast region has been subdued to settlement.

All true. But who owns these farms and railroads in the Western States? In one word, who owns the West? The people of the West, it might be answered. But the answer would not be true, as a few indisputable figures will sufficiently prove.

First, as to farms. In 1880 there were 138,500 farms in Kansas, 256,000 in Illinois, 194,000 in Indiana, 247,000 in Ohio, 185,300 in Iowa, 154,000 in Michigan, and 134,300 in Wisconsin—making a total of 1,309,100 in the seven States named. Recent statistics collected by Granger associations and printed in farm journals make the following exhibit of farm mortgages in these same States:

Kansas	$235,000,000
Illinois	1,000,000,000
Indiana	635,000,000
Ohio	1,227,000,000
Iowa	567,000,000
Michigan	500,000,000
Wisconsin	357,000,000
Total	4,521,000,000

These figures are so startling in their enormity as to seem incredible. We do not vouch for their accuracy. They present the 1,309,100 farms in seven Western States as encumbered with an aggregate of four and a half billion mortgage indebtedness, or an average of over $2,400 for each. The assessed valuation of property in these States in 1885 was as follows:

Kansas	$273,560,000
Illinois	797,000,000
Indiana	793,000,000
Iowa	625,000,000
Michigan	850,000,000
Wisconsin	496,000,000
Ohio	1,671,000,000
Total	5,507,500,000

It will be seen that the reported mortgage debts cover about four-fifths the assessed value of the farms; and the bulk of these mortgages are held in the Eastern industrial States.

Next, as to railroads. In the seven Western States named there were, in 1885, 37,000 miles of railroad with a stock and bond account and net earnings as follows:

States.	Stocks and bonds.	Net earnings.
Kansas	$195,700,000	$9,440,000
Illinois	740,000,000	16,000,000
Indiana	320,000,000	5,700,000
Iowa	105,000,000	2,180,000
Michigan	214,000,000	5,000,000
Wisconsin	236,000,000	6,500,000
Ohio	767,000,000	12,300,000
Total	2,537,700,000	57,520,000

These 37,000 miles of railroad, having a nominal value of $2,537,000,000 (over two and a half billion dollars) and yielding annual net earnings of $57,520,000, are put down in the statistics of the day as part of the property of the States in which they lie. But it is a notorious fact that only a very small fraction of their values are owned in these States. The last report of the Iowa railroad commissioners states that only one out of forty stockholders in Iowa roads lives in the State, and only one-seventieth of the capital stock is held in the State. In Illinois a similar condition of things prevails. The official report of the railroad commissioners does not state what proportion of the aggregate capital stock of the Illinois roads is held in Illinois, but the location of the capital stock of the leading roads will assist us in forming an estimate. The Illinois Central has $29,000,000 capital stock, only $685,000, or less than 3 per cent., of which is owned in Illinois. Of the Chicago, Rock Island and Pacific, about 5 per cent. of the capital stock is owned in Illinois; of the Ohio and Mississippi stock, only one-half of 1 per cent.; of the St. Louis, Alton and Terre Haute, less than one-half of 1 per cent. Taking these figures as a guide we may safely estimate that of the 19,000 miles of railway in Illinois, valued in stock and bonds at $740,000,000, the people of Illinois own 5 per cent.; the other 95 per cent. is owned in the rich industrial States of the East.

As Illinois is called the most prosperous and one of the richest agricultural States of the West, it may be inferred that the other States are in no better condition than it in the matter of railroad ownership, and therefore it may be broadly asserted that practically all the railroads in the seven States named, valued at $2,537,700,000 (two and a half billion dollars and over), are owned in the industrial States. The industrial States are therefore drawing a pretty round sum of money for one thing and another from the seven Western States named every year. The items may be stated as follows:

In protective taxes	$150,000,000
In interest on mortgages	270,000,000
In railroad net earnings	57,000,000
Total	477,000,000

The Western States are in fact being bled to death. Western farmers are actually becoming poorer and poorer every year. As a body they do not make a living, and the convincing proof of this fact is that their farms are fast passing under mortgage to the money-lending manufacturing States of the East. Twenty-five years ago these mortgages were few in number and small in amount; now they number millions and cover an aggregate value of thousands of millions, and all bear 6 to 8 per cent. interest.

The West does not own itself. It is owned by the industrial States. Twenty-six years of the malign, sectional, and oppressive policy of high tariff has done the work and done it effectually. The industrial States of the East, enriched beyond estimate by the annual tribute of $600,000,000 exacted for a quarter of a century from the other States under the false pretense of building up home manufactures, own all Western railroads, telegraph lines, and bridges, and hold mortgages on nearly all farms, their cities, and towns.

This statement of the condition of the farmers of the West is, as suggested, perhaps exaggerated, but it goes to show that their condition is deplorable indeed; and all that is said here of the West applies with equal, and, if possible, with increased force to the South. At the close of the war, a war fought almost wholly on her soil, the most gigantic and desolating that has devastated this fair earth for two thousand years, she found herself with her fields devastated, the flower of her youth and manhood slain in battle, and the accumulation of a century and a half annihilated as if by the magic touch of the genius of destruction.

To add to the hopelessness of her condition when she was prostrate and almost lifeless and bleeding at every pore, the carpet-baggers, the emissaries of the protective theory, pounced down harpy-like upon her, put themselves at the head of the recently emancipated and enfranchised slaves, and while the representatives of the wealth and intelligence of that unhappy section were disfranchised took possession of her local governments and burdened the people with local taxes and debts unheard of hitherto in the history of the country. Without horses, without mules, without oxen, without food, without money, the old men, and the boys, and women, and the disabled soldiers, and the few disbanded soldiers of the Confederacy who had survived the bloody conflict of that fratricidal war without bodily hurt, went to work late in the spring of 1865 to repair their farms and make a crop.

Utterly destitute and without the means of support they were forced to resort to loans, to secure which they had to mortgage their farms and to pay ruinous rates of interest, often amounting to 50 and even to 100 per cent. per annum. Thus each crop was consumed before the next was planted, and again the farm was mortgaged for the means with which to make another. This process has gone on from year to year. Our farmers and their children, male and female, have toiled as their slaves never did, and yet they are loaded down with debt. True, the average rate of interest now is not as great as it was twenty or even ten years ago, but it is still enormous, usually about 15 per cent. As in the agricultural West, so in the agricultural South, our farms are practically owned by those who have grown rich in the nine manufacturing States under the fostering and "protecting" operations of the present tariff.

These "lords of the loom, the factory, and the furnace," not only hold under mortgage a very large per cent. of our farms, but actually own and control and enjoy almost all of our railroads, our factories, and our mines. There are in Georgia railroads which have cost about $75,000,000. Of these the main thoroughfares, the Central, the Georgia, the Western and Atlantic, and the Atlantic and Gulf, were built and owned by the people of Georgia before the war, without the aid of foreign capital. To-day they have passed out of the hands of those whose capital and enterprise built them and are owned by and operated in the interest of Eastern capitalists. Our mines of gold and iron and coal and copper have gone the same way—are owned by nine States whose people have grown rich on tribute levied by our present taxing laws upon the people of the other twenty-nine.

These are the results of a protective tariff at whose shrine we are called upon to fall down and worship. These are the results of a system falsely called the "American system." The most ardent supporter of the protective theory a hundred years ago would stand aghast at the demands of the protected industries of to-day. The ghost of Clay would grow indignant at the enormities perpetrated by his pretended followers in the name of "protection."

But, Mr. Chairman, onerous, unjust, and oppressive as is the present protective tariff, the other and only remaining form of taxation in this Republic is more onerous, unjust, and oppressive. I refer to the iniquitous and inquisitorial system of internal-revenue taxation, the excise tax on tobacco, a leading agricultural product, and on distilled spirits, which is practically another agricultural product, because in many sections of our country the usual and only way in which the farmer can realize anything out of the products of his farm is to convert his grain into spirits.

In many sections, and I have the honor to represent in this House one of them, where the face of the country is mountainous and the means of transportation are few and bad, the cost of transporting to market a bushel of grain is almost as much as the grain will bring when sold. In these sections of country the free and untrammeled distillation of grain is as necessary to the prosperity of the people as the exportation of cotton and wheat without the imposition of an export tax is to the people of those sections which produce these articles.

The fathers of the Republic, in that far-seeing wisdom which characterized all their acts, prohibited in the Constitution the imposition of export taxes. It is true that they at the same time authorized the imposition of excise taxes and direct taxes, but coupled with the latter the provision that "no direct tax shall be laid unless in proportion to the census of enumeration hereinbefore directed to be made." The present excise-tax law is violative of the spirit of that clause of the Constitution, because it does not bear equally upon all the people of all the States, and had the fathers foreseen the perversion of this power that has been made they would have provided limitations to its enforcement, as they did in the clause authorizing the imposition of other direct taxes.

Indeed, it was never intended that resort should be had to direct taxation at all except in cases of extreme necessity, and then only temporarily. This is shown conclusively by the unbroken custom of the Government under the administration of whatever political party for more than a hundred years. Only three times since the birth of the Constitution have they been authorized by Congress, and always to meet the extreme demands of war. On each former occasion their existence was ephemeral; they were repealed as soon as the emergency which called them into being was passed. But now, after the war which created the necessity for them has been over for more than twenty years, these laws are in full force, and are carrying into an already overflowing Treasury a constantly increasing stream of the money of the people, for which the Government has no use, and which, in the language of the President, converts the Treasury into a—

> hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, and inviting schemes of public plunder.

Mr. Chairman, it is unjustifiable robbery. This law ought to have been repealed next after the land tax, for, like the land tax, it is a burden upon the agriculture of the country, that industry which after all is the mud-sill of all American prosperity, and in which one-half our people are engaged.

But it has been said that this is a war tax and ought not to be repealed while a vestige of the liabilities incurred on account of the war, including pensions to soldiers and sailors of the Republic, is unpaid. Never was a more unjust or inequitable proposition submitted to Congress. The war was a great national calamity. It is one of those things to provide for which every citizen of the Republic is equally bound; bound not only to fight the battles, but to bear the burden of taxation. This burden can not in justice be shifted from the shoulders of all of the people of every State to those of a few of the people in a few of the States.

It appears from the annual reports of the Commissioner of Internal Revenue, submitted from year to year, since the inauguration of the system, that the great bulk of these taxes, fully 90 per cent., are paid by a few persons in less than half of the States. Is it right to allow the burdens of a war in which were involved the life, the liberty, and the property of all, to be imposed upon a few? Our common sense of justice revolts at the idea.

Again, it is urged that the system of internal-revenue taxation ought to be kept up because it is a tax easily collected. So was the tribute levied by the freebooters, who infested the straits of Gibraltar on the commerce of the world which had to be carried through those straits, an easy tax to collect; but it was an unearned tax, an unjust tax, a dishonest tax, a robber tax. Let us not emulate the example of pirates in the collection of tribute from our people. Let us not place the burden of taxation where it will be "most easily collected;" this is cowardice and oppression. But let us place it where it can be collected in justice and equality, without oppression, without cruelty, without subjecting our people to "undue search and seizure," and without fostering bloated and insolent monopoly. For after all that has been said about monopoly, the whisky trust is perhaps the most insatiate monopoly that ever cursed this monopoly-cursed people.

It is not only protected by our tariff laws from all foreign competition by prohibitory duties on all foreign liquors that could compete with it, but by these unjust excise-tax laws it is protected from home competition by armed marshals and paid spies and informers, and, if need be, by the Army of the United States.

Mr. Chairman, no tax is a proper tax in a free Republic which has to be collected at the point of a bayonet or at the muzzle of a shot-gun. That this is such a tax let the people of the mountains of the two Virginias and North Carolina and Georgia and Alabama and Tennessee and Kentucky, who have been manacled like felons and hurried from their homes and families and friends at the dark hour of midnight, scores and sometimes hundreds of miles away, to languish and perhaps to die in loathsome prison without conviction, or convicted on the suborned testimony of perjured villains, who, for a bribe or to gratify their own unholy hatred, swear away the liberties of unoffending citizens and wreck the peace of communities.

I know, Mr. Chairman, that this is strong language, but not too strong for those who have seen the cruelties and outrages which these excise-tax laws have made possible. More than half of the country, largely more than half, is but little affected by these laws, because they are practically inoperative in most of the country; but in those sections where they are operative, and where the people have seen and felt the injustice and cruelty and rigor of their enforcement, there is a well-nigh unanimous demand for their repeal at the earliest possible moment.

The following extract from the proceedings of a mass meeting of the Democratic party of Lumpkin County, Georgia, held a few days ago, voices the sentiment of every section in which these oppressive laws are operative:

> *Resolved, first.* That we, the Democratic party of Lumpkin County, in mass-meeting assembled, indorse the administration of President Cleveland, and recommend his nomination for re-election upon a platform expressing the views hereinafter contained.
>
> First and foremost, we demand that the internal-revenue laws, as they now exist, be totally repealed.

But it may be inquired, how will you raise revenue to support the Government if you oppose both these laws? I answer, easy enough. Go back to the old Democratic land-marks, revise your tariff laws, adjust them with a view to raising revenue, and if they can in doing this afford protection to American manufactures, let them protect. That is legitimate protection, not robbery.

That is the Democratic idea of protection as taught by Jefferson and Madison and Jackson and the Chicago platform of 1884. I would put no duty on articles of prime necessity which are not produced in this country. I would put a light duty, if any at all, on the raw materials used in our own manufactures, and on those articles of prime necessity which are partly produced at home and partly imported from abroad, and I would put the heaviest revenue duty possible upon the luxuries and superfluities of the rich, who are able to pay for them however heavily taxed. If after all this is done a sufficient revenue for the support of the Government, efficiently, honestly, and economically administered, is not raised, I would, in the language of Mr. Jefferson, "by the suppression of unnecessary officers, of useless establishments and expenses, reduce the necessary requirements of the Government." By the repeal of these very laws a horde of "unnecessary officers" can be "suppressed," and the $4,000,000 paid annually to them for salaries would be saved.

I would repeal the sinking-fund act, a "useless establishment," no longer necessary, which requires the Secretary of the Treasury to go annually into Wall street and buy nearly $50,000,000 worth of the bonds of the Government at whatever premium the brokers of that malodorous mart may by private agreement demand. The purchase of its bonds by the Government for the sinking fund is no longer necessary; our bonds are already too high; there would be no danger to the credit of the Government in repealing the law. No fair-minded creditor would object to it.

But if objection were made, and the repeal of the law were regarded as an act of bad faith, I would resort to direct taxation for the balance, not to an excise tax, which oppresses the poor and fosters monopoly, but to a graduated income tax; a tax which falls upon those who, hav-

ing most to protect, derive most protection from the Government and are most able to pay it; one of the last taxes imposed by the Government in the hour of its extremity and one of the first repealed when the war was over, not because it was an improper tax or an unjust tax, but because those who paid it were heard and were powerful in the councils of the nation, while the toiling millions who pay the bulk of tariff and excise taxes were not heard and were impotent there.

But these views, Mr. Chairman, have been characterized as utopian. Perhaps they are utopian to those one-ideaed gentlemen, if there be such, whose sole object is to reduce the tariff, no matter what the consequences may be, and those other gentlemen whose sole idea is protection, at whatever cost to the farmer, the mechanic, and the day laborer of the country.

But to Democrats of the old school they are not "Utopian." To Democrats who have been "brought up at the feet" of Jefferson, the Democratic "Gamaliel," they are sound Democracy. To them any system of direct taxation by the Federal Government is objectionable, and justifiable only by the most urgent necessity. The old Democratic idea, as taught and practiced by this grand old party, the party of the Constitution and of the people, is to raise all Federal revenues at the ports on goods of foreign manufacture, and leave all direct taxation to the States and local governments, from which to derive the means of their support. Mr. Jefferson said:

> It may be the pride and pleasure of an American to ask what farmer, what mechanic, what laborer ever sees a tax-gatherer of the United States.

For the last twenty years it would be difficult to find any one of these classes who has not seen not only one but many, and they often accompanied by armed men in all the "pomp and circumstance of glorious war."

Again, the father of Democracy said, in his second inaugural address:

> The suppression of unnecessary officers, of useless establishments and expenses, enabled us to discontinue internal taxes. These covering our land with officers and opening our doors to their intrusions, had already begun that process of domiciliary taxation which once entered upon is scarcely to be restrained from reaching successively every article of produce and property.

The American people can fully realize the force of this prophetic language. Accustomed for a quarter of a century to these iniquitous laws, Congress at its last session extended the sphere of their operation by enacting the oleomargarine law, the object and end and effect of which is to strike down one legitimate industry for the benefit of another.

Encouraged by this concession made by the last Congress to the insatiate demands of monopoly, this had scarcely assembled when demand was made for the striking down of another legitimate and important industry, cotton-seed oil, to satiate the greed of another monopoly. And thus it will go on from Congress to Congress, if this pernicious system is not abandoned. One industry will be hampered and strangled by these unjust and inquisitorial laws for the benefit of another. Pope never uttered a wiser sentence than when he said:

> Vice is a monster of so frightful mien
> As to be hated needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

No tyrant ever robbed a people of all their liberties at one time, but always one at a time, gradually, imperceptibly.

The fathers of the Republic rebelled against the British crown, not because the taxes imposed were heavy taxes, but because they were unjust; not because they were taxed onerously, but because they were taxed at all.

But I have said, Mr. Chairman, that the idea of the repeal of all the internal taxes was not only the idea of Jefferson and all the apostles of Democracy in the early history of the country, but also of the Democrats who assembled from every State and Territory and Congressional district in the last national convention. Let them speak for themselves. That convention, the mouthpiece of the national Democracy, said:

> Sufficient revenue to pay all the expenses of the Federal Government economically administered, including pensions, interest and principal of the public debt, can be got under our present system of taxation from custom-house taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity.

This is the judgment of the high court of appeals for the adjustment of all Democratic differences. This is the voice of the people themselves in national convention assembled. It is the "*vox populi*" and therefore the "*vox dei*" of Democracy.

All the noise about "free whisky and taxed clothing" is uncalled for. No Democrat wants either. Neither is necessary. Clothing ought to be and must be as free as possible. I always have voted and always will vote to make it so; and as to whisky, the sovereign States of this Union always hitherto have been able to take care of that. They are still able to do that. If revenue is to be derived from liquors, let the States have it. They need it; the General Government does not. Let the liquor tax go into the treasuries of the States, and relieve the farmers of the country to that extent from the onerous taxes now imposed upon their lands. Talk about "protection." If there is a class of men on the American continent which needs the fostering care of legislation, State and Federal, it is the overtaxed, overworked, poorly paid farmers of the South and West.

Equally senseless and pernicious is the demand for the perpetuation of the whisky tax as a promotive of temperance among the people. This demand is made not by the temperance people themselves, but by some politicians who care nothing about temperance. The Woman's Christian Temperance Union, the most numerous, widespread, and effective corps of temperance workers in the country, have unanimously asked for the repeal of these laws as a hinderance rather than a help to the noble cause of temperance.

The prohibition party in my own State, for which I will be pardoned for saying there is no use and no room in Georgia, adopted as a plank in its platform a few days ago a demand for the total and immediate repeal of the Federal excise taxes. So far as I am informed this is the position of every temperance organization in the country.

But, Mr. Chairman, if it were not, the maintenance of these laws for any purpose other than to raise revenue in cases of extreme necessity is unwise and unwarranted, not only for the reasons I have given, but for the additional reason, which is perhaps after all the most cogent, that it is dangerous to try to legislate morality into the people. Our Constitution forbids the establishment of any religion and legislation on the subject. Its spirit, if not its letter, forbids legislating on moral questions. It would be an abridgement of the liberty of conscience. More than that, such legislation by the Federal Government is an infringement upon the rights of the States and a long step toward that centralization of power against which Democracy has always fought and for which the enemies of Democracy have contended.

But, Mr. Chairman, so much for the evils of a protective tariff and an excise tax. Great as these evils are, there is, if possible, a still greater, threatening, not one industry or one class of our people, but every industry and every class.

The rapidly increasing surplus revenue accumulating in the Treasury inviting extravagant and useless and unwarranted expenditures of public money, and withdrawing from the channels of trade the circulating medium of the country can but result in disaster to every interest of the people.

The attention of Congress has been called in unmistakable tones to calamities impending over the business of the country from this cause by the President in his last annual message. He says, and his language is addressed to us, the representatives of the people, upon whom at last the responsibility rests:

> I have deemed it my duty to thus bring to the knowledge of my countrymen, as well as to the attention of their representatives charged with the responsibility of legislative relief, the gravity of our financial situation. The failure of the Congress heretofore to provide against the dangers which it was quite evident the very nature of the difficulty must necessarily produce, caused a condition of financial distress and apprehension since your last adjournment, which taxed to the utmost all the authority and expedients within Executive control; and these appear now to be exhausted. If disaster results from the continued inaction of Congress, the responsibility must rest where it belongs.
>
> Though the situation thus far considered is fraught with danger which should be fully realized, and though it presents features of wrong to the people as well as peril to the country, it is but a result growing out of a perfectly palpable and apparent cause, constantly reproducing the same alarming circumstances—a congested national Treasury and a depleted monetary condition in the business of the country. It need hardly be stated that while the present situation demands a remedy, we can only be saved from a like predicament in the future by the removal of its cause.

We have got to meet this responsibility and avert, by the wisest legislation possible, the evils threatening the country. These evils not only threaten but are inevitable if Congress still persists in its course of nonaction. To prevent these abortive attempts at legislation and accomplish any results tending to avert the impending dangers mutual concession is necessary. All wise legislation in an emergency like this is the result of compromise and mutual concession.

This spirit of compromise has marked some of the wisest legislation that has ever been enacted in this or any other country. The greatest intellects which have adorned the pages of our country's history have not deemed it derogatory to their dignity nor their manhood to concede something to the opinions of others.

We ought to emulate their example. We ought to remember that however unjust, obnoxious, and partial the present tariff laws are, and however cruel, oppressive and odious the internal-revenue laws may be, however greatly and injuriously they effect certain interests and certain sections of the country, an enormous surplus in the Treasury, withdrawing from the channels of trade the money of the people, the life-blood of commerce, is equally injurious, equally destructive of every interest in every section of the country. We ought to remember that the whole volume of money in the country, including both metals and the paper currency, is only $1,336,000,000. Of this amount not less than half is not in the channels of trade, but hoarded up in the Treasury of the Government or in the vaults of the banks or in the coffers of misers, leaving not over $700,000 000 to do the business of the country. Of this amount three hundred and seventy millions will be collected this year in the Federal Treasury alone, more than half the volume of currency employed in trade, more than a million every day that God sends, Sunday included, more than $6 a head for every man, woman, and child in the land, more than $30 a head for every voter in the Republic.

The business of the country can not stand this strain. If it continues long, ruin must come to every interest. It must be averted; we must avert it; this Congress must avert it. It must avert it by preventing the accumulation of this vast surplus, by keeping in the channels of

trade the already too small stream of money left to the people to propel the wheels of our mills and factories and irrigate our fields. It can only be done by lowering taxes. We can not afford to stop to quarrel as to how this shall be done or on what. If we can not get the internal revenue abolished we must reduce tariff taxation. If we can not get the tariff revised we must abolish the internal revenue. If we can not get all of either, let us take a little of both. We must compromise; we must make concessions to one another. This is wisdom; this is statesmanship; this is the spirit of democracy.

The Committee of Ways and Means of this House, the body charged under the rules of the House with the primary consideration of questions of taxation and revenue, have had the conservatism and moral courage to act on this principle, and as a result have presented to the House a bill which, while it does not embody my ideas as to what a revenue bill ought at this juncture to contain, and perhaps does not embody the ideas of its distinguished chairman, nor those of any other member of the committee, is still a bill framed on the idea of mutual concession and compromise, and will, to some extent at least, remedy the evils under which the country labors. It does not remove all the protective features of the present tariff laws; nor is it necessary that it should, for if, in laying duties to raise revenue for the support of the Government, they should reach the protective point, it is no violation of the traditions of the Democratic party, but is legitimate protection.

It does not repeal the entire internal-revenue system, but it does bring from under its blighting influence one of our chief agricultural products, tobacco, and remove many of the asperities of the law and the rigors of its enforcement in the collection of the liquor taxes. It is perhaps as fair a compromise of the extreme views on the questions of how to raise our Federal revenue and prevent a dangerous accumulation of surplus in the Treasury as could be offered.

I therefore, Mr. Chairman, as is well known in this House, long since determined to accept the compromise in the spirit in which it is offered, and shall give the bill a hearty support. In this position I am sustained by the ever-faithful Democracy of Georgia, who on yesterday assembled in convention in the city of Atlanta, and adopted the Mills bill as the party platform on questions of Federal taxation. The Democrats from the mountains, to whom the internal-revenue laws are so odious and oppressive, and the Democrats from the cotton and rice fields of Central and Southern Georgia, who have not felt the oppression and injustice of these laws, but who have felt the burden of the highest tariff taxes in the world, realizing the perils to the people of the country from the accumulation of hundreds of millions of surplus in the Treasury, compromised their differences, as all true Democrats in this House ought to do, by adopting this moderate measure of revenue reform as the party platform.

I take my position on that platform, and shall talk and vote and work to secure the enactment of this bill into law, trusting and believing that it will be found possible in the near future to wipe from the statute-book the entire system of internal-revenue taxation, and that it may never again be found necessary to restore to it laws so unjust, so annoying, so inquisitorial, so oppressive, and so undemocratic to harass and worry a brave and patriotic people.

Mr. POST. Mr. Chairman, in this discussion all agree that it was not the inenttion of the tariff and internal-revenue laws to curtail the currency of the country and hoard it in the national Treasury; that the surplus now there should not be allowed to remain there; and that the laws should be so revised that no more money shall be collected than is necessary for an economical administration of the Government. Both the great parties are pledged to these principles, and every gentleman on this floor is desirous of accomplishing these objects.

The disagreement commences with the method of reduction. The free-trader contends that the tariff should be for revenue only and that the reduction should be made in the interest of free trade, with a view to exchanging our agricultural products in a foreign market for manufactured articles produced by cheap foreign labor. The protectionist adheres to the principle that the tariff for revenue should also be for protection, and that the reduction should be made in the interest of American industries, with a view to furnishing a home market for our agricultural products, with well-paid American artisans and mechanics as consumers.

The free-trader asserts that the farmers are being robbed by a tariff for the benefit of American manufacturers, and that they should buy where they can buy cheapest, which he assumes is wherever labor is cheapest. The protectionist declares that those employed in American factories are now consumers of the products of the soil; that if forced out of employment in manufacture they will cease to be consumers, and must become agriculturists and competitors of the farmers; that the policy of exchanging farm products for foreign goods will not benefit the American farmer, but will the European manufacturer.

Mr. Chairman, when I am the member of a Congress which legislates for the whole world I will be a free-trader and will advocate the theories of free trade. This Congress legislates for the United States only, and its duty is to defend the interests of our citizens against the rest of the world. The American free-trader is endeavoring to fulfill the prophecy made by Adam Smith, in his Wealth of Nations, when he said:

> It will take less time to people America than it does to civilize a barbarous nation; and as it becomes populous it will consume the produce of nations who have more men and less territory. Rich in the possession of a fertile soil, possessing the knowledge and feeling the wants of the most civilized nations of Europe, they will exchange the produce of their soil for the products of our labor.

This pictures America as merely a big farm tributary to European greatness. That was what the British Government tried to make the colonies by prohibiting manufactures and forcing the colonists to be a people of agriculturists. Our Revolutionary forefathers removed these restrictions by the sword, and within the space of a single century under the protective system we have become the greatest manufacturing nation on earth. What the British Government forced this country to do as colonies, the Cobden Club and the Democratic party are endeavoring to persuade it to do now that it is an independent nation.

The free-trader considers a tariff as a necessary evil, to be justified only as a means of raising revenue. But if the tariff is what it has been described by the President and by gentlemen upon this floor why use it as a system of raising revenue? If it raises the price of everything consumed without any corresponding advantage to our citizens, if it robs the poor for the benefit of the rich, if it "impoverishes the people and protects those who are not entitled to protection, and whom it is a shame and a crime to protect, at the expense, the toil, and the suffering of their countrymen," why not abandon the system?

The President calls the tariff "the vicious, inequitable, illogical source of unnecessary taxation." The gentleman from South Carolina [Mr. HEMPHILL] declares it to be an "unholy and unhallowed scheme erroneously called protection." The gentleman from Kentucky [Mr. CARUTH] says:

> This tariff is a most insidious enemy. It works in silence and under cover, and whilst it pretends to be giving us "protection," it is really stealing our substance and destroying our lives.

If these statements are true, then I am opposed to a tariff for revenue or to any kind of a tariff.

These very moderate denunciations at the nation's capital have been echoed by friends of the Administration throughout the country, amplified and specifically applied. Hon. Frank Hurd, while recently instructing and edifying the Democracy of Illinois, is reported as follows:

> The tariff touches five thousand articles that enter into daily consumption. They are increased in price 45 per cent., and those most used by the poor 70 per cent. The average wages are $400 a year, and if the tariff is but 50 per cent. out of his $400 the workman has to pay $200. He gets nothing out of the tariff—is absolutely robbed of $200. Six months of every year is owned and controlled by other men.

According to all these statements the tariff itself is at fault. Lowering the duty one-half would, according to Mr. Hurd's theory, still rob the workingman of $100. Reducing the tariff would not stop, but would only mitigate, the evil.

If there be no incidental protection in a tariff; if there is no advantage arising to our people from a home market; if it is a tax on every man, and only justified as a means of raising revenue, then by all means do away with it at once and raise the revenue by an income tax or by direct taxation. If it be true that it taxes everybody without reference to their ability to pay, the workman and the capitalist alike, it is the most unfair and iniquitous system of raising revenue ever devised. Unless it encourages manufactures, gives employment to labor, and makes a home market for the products of agriculture, it can not be justified. If the system is "legalized robbery," "an unholy and unhallowed scheme," "an insidious enemy stealing our substance and destroying our lives," it is a system which ought not to be used for raising even necessary revenue. Whether high or low, a tariff for protection or for revenue, it is an outrage upon justice and ought not to be tolerated by a civilized people.

In addition to all these terrible effects of a protective tariff we are told that it was the outgrowth of the late war, and that it is illegal and unconstitutional. If this statement be true the other arguments were unnecessary; but if it can be proved to be untrue it will cloud with suspicion the testimony of those who make the assertion.

The second act signed by President Washington was the tariff act of July 4, 1789, and the preamble reads as follows:

> Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties be laid upon goods, wares, and merchandise imported, etc.

This proves that the protective policy was not the outgrowth of the late war, that it is older than the Democratic party, and that it is the traditionary policy of our Government, as venerable as the Constitution itself. The fathers of the Republic honestly and openly declared the tariff to be for "the encouragement and protection of manufactures," and such a tariff has ever since existed in peace and in war, and whether high or low, it has always had in view the object stated in the preamble of the act signed by Washington.

Let us hope that the tariff discussion will never entail the misery upon this country which sprang from the discussion of State rights. The people of the United States established a government, and immediately a certain class of men began to discuss State rights, and for half a century this discussion continued, until it seemed as though the Democratic party believed or half believed that it was a fundamental principle of government; but the moment the attempt was made to exercise the rights so long asserted they were astonished to find that a large

number of those who acquiesced in the doctrine would not permit it to be carried into practical execution.

In a like manner our forefathers who established the Government established a protective tariff. A discussion in favor of free trade afterwards commenced, and has continued from that time to this. But it is merely a Pickwickian opposition; it pleases those who like controversy, and does not seem to hurt the tariff. An attempt to carry into practice the doctrine of absolute free trade would be met by the farmers and workingmen as the attempt to carry out the doctrine of State rights was met by the loyal men of America.

We are again reviewing the same old question of "protection," so ably presented by Henry Clay, of Kentucky, and so fully discussed in the Presidential campaign of 1844. But under what different circumstances does it now come before the American people for discussion! What a wealth of statistics has been brought forward in this debate, showing the beneficent influence of protection in creating American industries and a home market! Fifty years ago the advocates of protection argued as to what it would do; to-day they point to what it has done.

For the last quarter of a century the tariff in the United States has been higher than was ever dreamed of fifty years ago. Has the country been ruined by it? The census shows that all the wealth accumulated in this country from the time of its discovery up to 1860 was in round numbers sixteen thousand million dollars. The census of 1880 disclosed the wealth of the United States to be forty-four thousand million dollars—an increase in twenty years of twenty-eight thousand million dollars. Millions of men were for four years of that period withdrawn from production and hundreds of millions of dollars in value were wasted or destroyed by the war, and yet the wealth of the nation was three times as great when the Republican party ceased to control the Government as when it came into power twenty-four years before. The protective tariff in force during those years did not ruin the country.

CURRENCY AND CHEAP TRANSPORTATION.

Whatever system of revenue laws a country may have it can not prosper under a policy which curtails the currency. With a population and business constantly increasing and a currency stationary or decreasing no genuine prosperity is possible, except to those who control the money of the country. Our western farmers and producers understand this. They are not asking for free trade to enable them to send their corn and potatoes to England and to receive in return the clothing, boots and shoes manufactured in England, the American farmer paying the transportation both ways.

They have to pay too much and too high transportation already. They are aware that the average rate of freight has been greatly reduced since 1861 by improvements in transportation facilities on the Great Lakes and on land. They know that railroads have improved, that their road-beds have been ballasted, that they have steel rails in place of iron, that the size of engines has been increased and the capacity of freight cars doubled. They know that these improvements have decreased the expenses of railroad corporations, enabling them to reduce freights and yet increase profits. They also know that $300,000,000 are annually gathered from them as the net earnings of the railroads and taken to the money centers; and these net earnings are not always the interest on capital actually invested, but are dividends on fictitious stock.

They do not ask for a policy which will close the factories of this country, increase the cost of transportation by adding thousands of miles to the distance, and place them entirely at the mercy of transportation corporations. They ask that the water ways be improved and deepened; that the artificial water in railway corporations may be squeezed out by competition with transportation on natural water.

Every other civilized government has assumed that cheap communication and transportation is the most important method of contributing to the public welfare. They foster, subsidize, and own railroads, not for the benefit of individuals and corporations, but in order to fix a maximum rate on freights and to control them in the interest of producer and consumer. In this country our system of railway legislation, or rather lack of system, has conferred the right of eminent domain on corporations, and corporations are controlled by single individuals. In effect it takes the property of the citizen and transfers it to some one stock manipulator, who uses it theoretically for the public benefit but practically for his own.

Under a different system of railway legislation the right of the State to condemn the property of the citizen would be exercised by the State itself, and the title would never leave the State except to revert to the original owner when the land was no longer required for public use. The enterprise of individuals would only be invoked to operate transportation lines for a term of years for the public benefit under strict limitations as to maximum charges, which would insure only just and reasonable compensation for the skill and labor involved. Other nations have solved the transportation problem by providing that capitalists may enjoy dividends for a term of years and that when the charters expire the roads they built shall become freely and absolutely the property of the people and transportation be furnished at the mere cost of operating the roads. In this country we recklessly provide for the present and only such rights and prerogatives have been preserved to the people as it is not in the power of Legislatures to give away.

Mr. Chairman, the American people are at a disadvantage in the international struggle for lack of cheaper transportation. Russia and Germany are providing internal improvements on a scale commensurate with the importance of those empires. France has 7,069 miles of canals which have cost $200,000,000, and 1,813 miles are projected which will cost $218,000,000 more.

The fact that the wheat of India competes with that of the United States in foreign markets has been frequently referred to in this debate. Such competition was made possible by direct governmental expenditures in the construction of canals and railroads. Over $100,000,000 has been expended for canals in India, while the government railroads are run in the interest of producers and at a loss of $124,000,000 in twenty-four years. With the government furnishing cheap transportation, it is easy to flood the markets of Western Europe with the wheat of India. It is, therefore, not alone with the cheaper labor of India that the American farmers will have to contend, but with governments which neither hoard money in their treasuries nor pay a premium on bonds not yet due, but wisely provide cheap transportation for their farmers and producers, protecting these unorganized classes from the extortion of organized corporations.

If our Western farmers are to compete in European markets with the wheat of India, will they have the same governmental aid in transportation which India has? We know they will not. We know that even the navigable rivers and water ways over which the National Government retains legal and exclusive control have not been improved to the proper extent. The excuse for neglecting this plain duty has heretofore been the lack of money and the great national debt; but that excuse does not avail when there is a surplus in the Treasury which creditors will not consent to take except upon the condition that unearned interest be added.

THE FARMERS' MESSAGE.

I will not undertake to say what the cotton States want, nor what the stock operators and bankers at the money centers want; but if the farmers and producers of the Mississippi Valley had been required to send a message to Congress referring to those questions of national importance, which "imperatively demand immediate and careful consideration," it would have contained something different from what was embodied in the President's message. Although they were not required by law to give information to Congress, yet every citizen there has as profound and intelligent an interest in the welfare of this nation as any citizen elsewhere, whether he be in private station or holding the highest office. They have addressed a message to Congress, to which it is my pleasure and duty to direct your attention.

A convention was in session at Peoria on the 11th and 12th of October, 1887, a few weeks before the assembling of this Congress, composed of 607 delegates from seven States of the Union, representing the commercial and industrial interests of the West, and particularly those of the farmers and producers of that great section. These delegates were selected without regard to party affiliations, and they united in addressing the following message to the Fiftieth Congress:

Whereas natural water ways, capable of floating large river steamers, furnish a medium of successful transportation that is open to the public and can not be monopolized by private interests; and

Whereas in promoting the interstate commerce of the country the true policy of the United States Government is to foster, protect, and improve and artificially connect as far as possible all the natural water ways of the country which are of sufficient importance and extent to partake of interstate character; and

Whereas the proper improvement of the Illinois and Desplaines Rivers, with a few miles of a wide and deep canal, will connect 1,660 miles of large river navigation with 1,700 miles of lake navigation, all within the boundaries of the United States, permeating the heart of the Republic, furnishing more miles of inland navigation than exists in any other portion of the world, which, when completed, will add to the clear profits of the interstate commerce and industries of the country a sum greater each year than the entire cost of the improvement, and at the same time furnish an imperatively necessary assistance to our military and naval defenses: Therefore,

Be it resolved, First. That the highest consideration of patriotism, a reasonable solicitude for our national defenses, the interests of commerce and industry, and the public welfare of the nation all imperatively demand that the aforesaid improvement shall be vigorously prosecuted to an early completion.

Second. That to that end we hereby respectfully urge upon Congress that at the coming session it accept the locks and dams ceded to the General Government by the State of Illinois and appropriate the amount of money estimated and asked by the engineers to complete the two locks and dams now under construction on the Lower Illinois, and appropriate at least one-third of the amount estimated to improve the rivers to Joliet.

Third. That Congress may early in the coming session authorize and provide by a suitable appropriation to provide for the appointment of a corps of United States engineers to make surveys and investigations and report the feasibility and estimated cost of developing a water way from Joliet to Lake Michigan at the city of Chicago, suitable for the largest river steamers and capable of drawing from said lake not less than 600,000 feet of water per minute, with a current suitable for navigation purposes, and to report the effect thereof upon the waters and navigation of the Desplaines, Illinois, and Mississippi Rivers.

Fourth. That we respectfully urge that these surveys and estimates be ordered early in the coming session, that the engineers may at once thereafter proceed to their work and be able to report to Congress for action before adjournment.

Fifth. That inasmuch as practically no returns for this expenditure of money can be realized by commerce and industry, or in providing for our national defense, until the whole improvement is completed, we would also respectfully urge at the coming session of Congress a suitable appropriation to be applied upon the section of the improvement from Joliet to Lake Michigan, and by this means the entire route in all its sections will be in course of rapid completion, which will be much more economical than if it should be delayed through a long course of years by small annual appropriations.

Sixth. That we cordially indorse the proposition to connect Lake Michigan

with the Upper Mississippi River by a canal from Hennepin to said river at or near Rock Island as a national undertaking of great importance to producers in the West and shippers in the East, and earnestly commend it to Congress and the people of the United States as a national water way to be promptly acted upon.

Seventh. That while this convention is especially desirous of the improvement of the Illinois and Desplaines Rivers and connecting the same with Lake Michigan for purposes of navigation and military defense, it is at the same time in hearty sympathy with all efforts being made to improve the navigation of the Mississippi River and its great tributaries, as well as all other feasible water ways of the country.

This message was indorsed by another convention which assembled at Memphis on the 20th of October, and the Farmers' Congress of the United States (Chicago, November 11, 12, 1887) declared that it—

regards as of the highest importance to the agricultural interests of the country the early completion of the project of connecting the Great Lakes with the Gulf of Mexico by means of a water route from Lake Michigan at Chicago to the Desplaines River, thence by way of the Illinois and Mississippi Rivers to the Gulf of Mexico, and that the United States engineers be directed to report on the feasibility and approximate cost of the undertaking, and that such water route shall be of such capacity as to allow of the passage of the largest river steamers and of all naval vessels in time of war.

Mr. Chairman, this is the message of the farmers to the Fiftieth Congress, and, sir, no message has come before it of greater or more pressing importance. It urges that the two greatest inland water-way systems of the whole world be connected in the interest of commerce and national defense. In the language of a United States engineer—

It is a plain problem of creating or rather opening up anew what was once a great water-course between the Lakes and the Mississippi River. In the onward march of this great nation this has been found to be necessary for the commercial interest of the community, and, as is easily seen, for the military defense of the country.

Then would the glorious prophecy of the Chicago Daily News be fulfilled:

A commercial fleet greater than the entire seacoast marine, now locked up in the ice-bound harbors of the Lakes 37 per cent. of every year, would sweep through this channel every fall, carrying the produce and manufactures of the Northwest down to the Gulf for the Mexican, West Indian, and South American trade.

If the President of the United States had recommended that a small part of the surplus could be wisely and economically expended for this great national object, thereby restoring the currency to circulation in the interest of cheaper transportation, the English free-trade journals might not have been filled with encomiums upon his wisdom, but he would have deserved the thanks of the American people.

AMERICAN SHIPPING.

A recommendation for the revival of American shipping would also have been appreciated by the people. The gentleman from Missouri [Mr. MANSUR] said that "the tariff has destroyed our shipping, our merchant marine." It surely did not destroy the vessels captured and burned during the war. The truth is, our shipping has not since revived because it is in direct competition with the ships of nations which have by subsidies encouraged their merchants to extend the maritime influence of their governments to the uttermost parts of the earth. I am earnestly in favor of restoring our flag to the ocean, so that our people may enjoy their fair share of the carrying trade, and I commend to the attenion of the House the following extracts from the report of the Admiral of the United States Navy:

Our shipping can not be revived without the same assistance that was given the ocean steam lines of Great Britain, France, Italy, Germany, and, latterly, Spain. Heretofore, when it has been proposed in Congress to grant Government aid to assist in putting afloat lines of ocean steamers, questions of free trade and tariff have been introduced to kill the measure.

* * * * * * *

There is a growing feeling in the country with regard to the neglect which has been manifested in building up our ocean mercantile marine, and it is to be hoped that this feeling will spread until the thousands of unemployed workmen have a chance to earn good wages and the American ocean steamers have a fair share of the $150,000,000 annually paid to foreigners for carrying our goods.

By the course we have pursued in this country we have actually given protection to foreign steam-ships at the expense of our own. The wharves of New York are decorated with foreign flags, while hardly an American ensign can be seen floating above a steamer suitable for conversion into a vessel of war. This is free trade with a vengeance, all on one side and for the benefit of other nations. We ship our goods in foreign bottoms, and foreigners get the lion's share of the profits. No American steam-ships are employed in foreign trade because subsidized ships can drive them off and carry freight cheaper.

* * * * * * *

A closer examination of this subject than has heretofore been given it by the majority of our statesmen will show the loss this country has sustained by a failure of Congress to act in the premises. In the last eight years not less than $1,200,000,000 have been paid to foreign steam-ships, a sum almost equal to our national debt, and a burden that is only made tolerable owing to the immense resources of our country. We should be still further depleted but for the fact that we are sustained by the tariff on foreign merchandise and the protection of our manufactures, which prevents us from being undersold by foreigners and enables us to give employment to our working people, so that with all our drawbacks we grow rich.

POSTAL TELEGRAPH.

The President might safely also have recommended a postal telegraph, in order that communication by telegraph as well as mail might be at cost. The monopoly now exacting tribute from the people declares that Congress has no constitutional right to establish a Government telegraph. In the United States Statutes, volume 5, it appears that $30,000 was appropriated for testing the capacity and usefulness of the system of telegraph invented by Morse "for the use of the Government of the United States by constructing a line of said electro-magnetic telegraphs." The appropriation bill approved March 31, 1845 (United States Statutes, volume 5) contains the following:

For defraying the expenses of the magnetic telegraph from the city of Washington to Baltimore for the current year ending on the 1st day of February next, the said sum to be disbursed under the direction and superintendence of the Postmaster-General, $8,000.

The United States has lost none of its constitutional powers in the last fifty years. The din of Wall street must have interposed between the ear of the President and the voice of the people, but the numerous petitions which have been sent to Congress indicate that the people intend to be heard.

THE SOLDIERS.

In connection with the recommendations for expenditures absolutely necessary for the prosperity and general welfare of the people, there is another question which touches the honor of this Republic. There are creditors whose rights rest upon the laws and precedents established in former wars and in force at the time that they volunteered for the defense of the Union. They performed their part of the contract, but while the Government was encumbered with debt they patriotically refused to press their claims. Years rolled on; the bondholders have been paid in gold and the Treasury is now overflowing. Is it not time that the claims of the soldiers should be impartially considered with a view to determining whether such claims are lawful or unlawful; whether they are just or unjust? Would such a consideration be inconsistent with the "high and beneficent purposes of our Government?"

THE SILVER SCARE.

During the political contest of 1884 the statement was heralded to the country by Democratic campaign orators that there was $400,000,000 withdrawn from circulation and locked up in the Treasury. President Cleveland's first message, and especially his recommendations regarding that surplus, were looked for with interest. It was a matter of great surprise, therefore, when this subject, together with that of the revision of the revenue laws, was lightly referred to on a single page of the message, while five pages were devoted to the impending danger to the country arising from the continued coinage of silver. A few sentences show the tenor of that message:

Nothing more important than the present condition of our currency and coinage can claim your attention.

* * * * * * *

That disaster has not already overtaken us, furnishes no proof that danger does not wait upon a continuation of the present silver coinage. We have been saved by the most careful management and unusual expedients, by a combination of fortunate conditions, and by a confident expectation that the course of the Government would be speedily changed by the action of Congress.

Prosperity hesitates upon our threshold because of the dangers and uncertainties surrounding this question. Capital timidly shrinks from trade, and investors are unwilling to take the chance of the questionable shape in which their money will be returned to them, while enterprise halts at a risk against which care and sagacious management do not protect.

As a necessary consequence labor lacks employment, and suffering and distress are visited upon a portion of our fellow-citizens especially entitled to the careful consideration of those charged with the duties of legislation. No interest appeals to us so strongly for a safe and stable currency as the vast army of the unemployed.

Notwithstanding the urgency of this message, notwithstanding that "disaster" waited upon us, that "prosperity hesitated upon our threshold," that "capital shrank from trade," that "labor lacked employment," that "suffering and distress were visited" upon us—notwithstanding all these dangers and evils incident upon a continuation of silver coinage, silver coinage continued unchanged.

BLAINE'S WARNING.

But before a year had rolled round another message came to the American people, not from the President, but from a statesman whose careful study of public questions and great experience in public affairs entitled his warnings to consideration, and, sir, this was the first complete statement of the "condition" which President Cleveland discovered more than a year afterwards. I quote from an address made on the 20th of October, 1886, at Pittsburgh, Pa., by James G. Blaine:

Mr. Chairman, a crisis in the tariff system of the United States is rapidly approaching. For a long series of years, ever since the close of the war, we have had a vast debt to be paid. However large the national revenue, its surplus could always be profitably applied to the liquidation of our national obligations. We have discharged that debt so rapidly that there remains now but little more than $200,000,000 of it that can be paid within this century; and all of that falls due within four years from this date—its maturity thus rapidly approaching may be said to be even now pending—so that the matter is one that must be taken into consideration at once; because the remaining $700,000,000 or $800,000,000 goes over to the twentieth century.

When Secretary Sherman, the most accomplished and able Secretary of the Treasury since Alexander Hamilton, performed the marvelous feat of funding a large proportion of the public debt in United States 4 percents, his success was acknowledged on both sides of the Atlantic as unparalleled in financial administration. But under the wise administration of the Federal Government by the Republican party the credit of the nation has increased so rapidly that the United States bonds which were at par but seven years ago now command nearly 130, and the holders will not relinquish them to the Treasury at less than that rate. It may therefore be assumed as a certainty that their payment is postponed until the next century, and that they fall outside of the present exigencies as they fall outside of the present power of the legislature of this nation.

When, therefore, you shall have diminished the total volume of the obligations of the country to the amount of the $200,000,000 now almost due, what are you going to do with the surplus which annually flows into your Treasury? What disposition are you going to make of the large amount which each year you have been accustomed to apply to the payment of the national debt? The free-trader replies: "Get rid of your surplus by striking down this protective idea; lower the duty on many articles, put a large number of other articles on the free-list, and reduce your revenue in that way." The protectionist answers: "Let us reduce our revenue, that, with a wise discrimination, the American

laborer in his daily earnings may be protected by the national law, and keep that in view as a primal object." This is the question which impends for your decision, and, after patient consideration of the probable consequences to result from that decision, I venture the assertion that there has not been, since the national election of 1860, a financial crisis so urgent and pressing as the one which will be upon the American people within the next two years.

Dean Swift told the ministers of Queen Anne that they could double the duty and halve the revenue, or they could halve the duty and double the revenue. We may therefore increase the revenue while decreasing the duties, or we may decrease the revenue while increasing the duties. The main question, therefore, is whether you will exclude from the tariff the protective idea, or whether you will reduce the rates upon articles from the duties on which you gain no protection, and thus so wisely discriminate that, with a new tariff adapted to $100,000,000 less revenue, you will still gain all the protection needed.

I say to you, gentlemen, that in only two periods in our history—namely, the beginning of the Federal Government and the outbreak of the civil war—has the financial ability of American statesmen been confronted by a problem of the magnitude of the one to which I have invited yourattention. Never, therefore, was there a time when men who believe in protection to American industry were more imperatively called upon to gird about their loins for a great battle on that question. It is impending within two years, and will be settled favorably or adversely in that time.

I can not now go into details on the tariff as to the manner in which it should be regulated, but I can say this, that unless it is so adjusted as to continue the doctrine of protection, you gentlemen will see hard times in this country; and that is what I came here to say. For advancing the same views since leaving home, and in the city of Philadelphia, I have been complimented by the notice of the London Times, which tells me from across the water that the views which I hold have been negatived by the people of the United States, and that we are traveling toward free trade and away from protection—from the dark days of our policy towards the enlightened policy of England.

In the same paper in which I read the cablegram I have just quoted, in the same column and immediately following, among this morning's dispatches, comes another from London which says that the poor have risen in a riot against the lord mayor having a splendid dinner while the workmen of London are starving in their hovels. I give you those two telegrams together as forming a better argument than any I could make on the question; and I send back greeting to the London Times that I stand this moment before countless thousands of free American workingmen who have good wages and happy homes, with prosperity behind them and before them. [Tremendous cheering.]

President Cleveland's message to the Fiftieth Congress was but a fulfillment of Mr. Blaine's remarkable prophecy; and how absurd appears the attempt to brand the Republican party as opposed to a reduction of the tariff, when it was a Republican statesman who thus called the attention of the American people to the growing surplus and the necessity for prompt and radical reduction of tariff duties, and that, too, more than a year before the President abandoned his silver-coinage-danger theory and sent his revenue-reduction theory to Congress.

The problem is comprehensively stated by Mr. Blaine:

> The main question, therefore, is whether you will exclude from the tariff the protective idea or whether you will reduce the rates upon articles from the duties on which you gain no protection, and thus so wisely discriminate that with a new tariff adapted to $100,000,000 less revenue you will still gain all the protection needed.

The gentleman from Tennessee [Mr. RICHARDSON] quotes that section of the Republican platform of 1884 which declared that—

> The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus.

And adds:

> They admitted the irregularities and promised to correct them. This was four years ago. When and how, gentlemen, do you intend to redeem that pledge?

Mr. Chairman, we will redeem that pledge whenever we have control of this House so that it is in our power to do so. We are ready and anxious to do so now. We do not believe that the bill as presented by the majority of the Committee on Ways and Means met the approval of a majority of this House, though it is believed to have had the approval of the executive branch of the Government. We have already had some experience in bills tending to reduce the surplus. A majority of this House were in favor of refunding the direct tax, and endeavored to overcome Southern obstruction during a legislative day of over 200 hours, but the Democratic party for some reason determined to keep that $17,000,000 of the surplus in the Treasury out of reach of the people.

Early in the session I suggested to a distinguished Democrat that we reduce the revenue by taking the duty off of the sugar imported from those countries which do not levy an export tax. He objected on the ground that it would injure the sugar industries of Louisiana, and said that it was a strictly revenue tax. Such an objection from one theoretically opposed to protection was a surprise. So far as it is a revenue tax we do not need the revenue, and I favor free sugar because the tariff on sugar is a tax on a necessity without reference to ability to pay—the poor man with his large family is forced to pay more of it than the rich man with his small family. Better far a graded income tax, troublesome and inquisitorial to the rich, than to thus unjustly wring revenue from the poor!

The Republican sentiment of Illinois has been voiced by Hon. Julius S. Starr, in a recent speech at Peoria, Ill., when he said:

> I would write it in letters as bright as gold that we are in favor of a specific revision of the tariff in the interest of our own products and our own labor; and that in the furtherance of such a policy we believe it to be the duty of Congress to place all raw material including sugar not produced in this country that does not in any considerable degree come in competition with our own products and the labor of our own people, upon the free-list, and stipulate by treaty with the governments and people that produce such raw material for a just reciprocal relation with them, where our people may receive the benefits of the rights conferred. Place over and against horizontal reduction in the interest of England specific reduction in the interest of America; let it be proclaimed from the hill-tops and in the valleys; let it enter the mines and the workshops; let it echo across the continent; let it be the rallying cry in the campaign now upon us, that the distinctive difference upon this question between the Republican and Democratic parties is, that the Republicans are in favor of a specific revision of the tariff in the interest of home labor and home products, and against a revision, as proposed by the Democratic party, in the interest of Southern products, foreign trade, and foreign labor.

NATURALIZED CITIZENS.

The gentleman from Michigan [Mr. FORD] has said:

> If you are going to legislate to make wages higher by imposing a tax you should put the tax on men, not on goods. If you want to protect our workingmen against the pauper labor of Europe, why do you not take measures to keep that pauper labor from coming here?

This presents the standard Democratic argument, that while the tariff protects us against the products of European labor the laborers themselves are admitted free.

This is true, and were it not for our tariff and our higher wages there would be less reason for these laborers coming. It is true that warm-hearted liberty-loving Irishmen, thoughtful and thrifty Germans, industrious and persistent Scandinavians have peopled our Western prairies and are incorporated among our citizens. They have left the historic lands of their birth, they have joined in fighting our battles and in preserving the Union, they are here consumers and producers, not to add to the wealth of another country, but to aid in developing the resources of our own.

REVENUE REDUCTION.

The rules of the House of Representatives require that all proposed legislation with reference to revenue shall be referred to the Committee on Ways and Means, and all such legislation is controlled by that committee, in which the Republicans are in a minority. So far as the formation of the bill under consideration is concerned, the committee-room has been locked against the Republican members as well as against the representatives of American industries and American workingmen. The rules of this House do not, however, hamper the Republicans of Illinois, and their well-defined opinions about the surplus and revenue reduction were briefly, but comprehensively, stated by a convention in the following resolutions:

> *Resolved*, That the safest depository for a surplus, especially under a Democratic administration, is the pockets of the people; and it should remain there until the necessities of the Government demand its payment to the public Treasury. In case of urgent need the patriotism and liberality of the people may always be depended upon to meet the wants of the Government without hoarding a surplus to be made a pretext for extravagant and useless appropriations, or to tempt dishonest officials, or corrupt the public morals; and to prevent the accumulation of such surplus, and relieve the people from the burdens of taxation, we are in favor of an immediate reduction of the tax on imports and an economical expenditure of the public money in all departments of the Government.
>
> *Resolved*, That we believe, with Lincoln and the Republican party of 1860, "that, while providing revenue for the support of the General Government by duties upon imports, sound policy requires such adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we commend that policy of national exchanges which secures to the workingmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence," and to obtain these desired results we believe the present tariff laws should be fairly and impartially revised, and adjusted in the interest of the whole people—the consumer as well as the manufacturer and producer—and the tax on imports greatly reduced; that all raw material not produced in this country, and not in direct competition with our own productions and the labor of our own people, and lumber, salt, and sugar should be placed permanently on the free-list; and other products in direct competition with American skill, labor, and enterprise, should be so adjusted as to cover their increased cost of manufacture and production in this country over the cost of such articles in foreign countries, and no more.
>
> *Resolved*, That the honest laborer is entitled to greater protection than the dishonest capitalist—the latter can take care of himself.

The gentleman from Indiana [Mr. BYNUM] says:

> The advocates of protection tell us that the country has grown rich under this system. True, it has grown rich; but where is the wealth? In the hands of the few, while poverty abides in the homes of the many. Why is it that the great masses of the people have no share in the wealth that has been wrought by their hands? Of what benefit is it to us as a nation to pour millions into the coffers of the few, when it only increases their power for greater extortions from the many?

These questions are of such vital importance that it is to be regretted that the gentleman did not at least attempt to answer them himself.

Is wealth in free-trade England so much more generally distributed that we should adopt her precepts and follow her example? My own observation has been that this protected country has a less number of the very poor in proportion to its population than any country I have seen. We have received into this country thirteen millions of the poor of other nations, and if they all are not now rich they have at least been relieved from destitution. Will the gentleman point to any free-trade country with such a record?

But where is the wealth? Who are the few whose accumulations have been extorted from the many? Some of our fellow-citizens have grown rich by the advance in real estate, some in manufacturing, and some in the management of flocks and herds; and in the communities where they live they are generally considered examples of industry worthy of imitation. Their wealth is the result of honest and legitimate enterprise. Other names than theirs spring involuntarily to the lips at the mention of the unequal distribution of wealth.

When the chairman of the Ways and Means Committee wished to cite a man "able to pay his boot-black $500 a day" he named Mr. Jay Gould; when he referred to one "able to pay his hostler $10,000 a year" he named Mr. Vanderbilt. It was in telegraph, transportation,

Standard Oil monopolies, in business unaffected by the tariff that the greatest fortunes have been accumulated; and these men are the very ones whom free trade will benefit by increasing the distance between producer and consumer. The Democratic proposition is to add to the fortunes of those who control transportation by carrying our corn to England and bringing back her manufactures. The Republicans advocate building factories near the growing corn.

TRUSTS.

With like disingenuousness "trusts" have been thrown into this debate, as though they were related to the tariff and not to the Democratic party. There was no such thing as a "trust" connected with imports or any article touched by the tariff during the whole twenty-four years in which the Republicans were in power. The Peoria Journal says:

The Democratic party found the country free from "trusts" with but one exception—the Standard Oil Company. During the last three years we have heard more about the combinations of capital against labor than ever before. We have the sugar trust, the zinc trust, the envelope trust, and the Lord only knows how many more trusts have sprung into existence during the last two or three years, and that, too, upon articles that are protected by a heavy tariff. One of these, the sugar trust, will cost the people of these United States $60,000,000 annually, and it is openly espoused and fostered by both Houses of Congress—Republican and Democratic alike.

The undeniable facts stated as to the growth of trusts under Democratic rule is coupled with an assertion in regard to Congress which is novel. For my part, I repudiate the sugar and every trust intended to raise the price or in any manner monopolize the necessaries of life as contrary to public policy. Our laws must protect us against home trusts; our tariff against foreign trusts.

EXECUTIVE HOBGOBLINS.

But aside from the "trusts" which have been recently organized, there are many other reasons for doubting whether the highest prosperity will attend the country under Democratic rule. Laws resting upon principles distasteful to the party in power are not likely to produce satisfactory results. The country should be guided by its friends, and the execution of the laws should not be intrusted to those who believe them to be "vicious, inequitable, illogical, and unjust."

A large discretion is necessarily intrusted to the executive Government, and if those in power exercise that discretion, so as to defeat wise appropriations or refuse to pay out the surplus in canceling the indebtedness of the country on purpose to compel a change of the laws according to English theories, the officers should be changed.

Mr. Chairman, at the close of the war we were struggling under an enormous debt which enemies maliciously predicted would never be paid. The Government addressed itself with the same earnestness to re-establishing its credit as it had to re-establishing its authority. Having accomplished that and filled the Treasury to overflowing, it was but natural to suppose that measures for the general welfare, not before possible, would be recommended for the action of Congress. I have touched upon some of the more important of them, telegraphic communication, transportation, the internal water ways, the ocean marine, and the consideration due the soldiers who defended the State. Other governments in times of peace and prosperity devote especial care to these objects, and there is not a civilized government in existence to-day except our own which neglects them.

But these are questions calculated neither to delude Mugwumps, satisfy Wall-street money operators, nor arouse Democratic partisanship, and therefore in place of them have been substituted civil service, silver coinage, and the tariff. To each of these subjects in turn is assigned the exaggerated importance and unenviable honor of threatening the Republic with destruction and disaster. In President Cleveland's first message the dangers arising from Jacksonian Democrats aspiring in a free country to hold public office was thus described:

Doubts may well be entertained whether our Government could survive the strain of a continuance of this system, which, upon every change of administration, inspires an immense army of claimants for office to lay siege to the patronage of the Government, engrossing the time of public officers with their importunities, spreading abroad the contagion of their disappointment, and filling the air with the tumult of their discontent.

I have already quoted the predictions of "disaster" and "danger" to the Republic waiting "upon a continuation of the present silver coinage," and we are now assailed by the mythical terrors of a tariff.

To patriotic Americans devoted to the progress and glory of the Republic, to those who have demonstrated their willingness to shed their blood or lay down their lives in its defense, the solemn declaration of the Chief Executive that the country is in danger is a startling message calculated to excite profound concern. This generation has been confronted with all the responsibilities arising from such a peril, and many of them have been subjected to the rigid rule of war which decrees death to him who sounds a false alarm. Why was the long roll beaten, and against what was the country to be defended? Against the civil service of President Jackson; against a silver coinage which existed from the beginning of the Government, and which attracted no attention until we felt the disastrous effects of stopping it; against a tariff under which the country has prospered beyond the wildest dreams of prophecy.

We are told that the marvelous prosperity of this country since 1861 was not due to Republican policy, but has come in spite of it. The Pharisees of the Democratic party perceive that their creed is in danger, and though unable to deny that prosperity and progress distinguished every year of Republican rule, yet lift their hands in holy horror at the suggestion that it was due to the party in power. Addressing their partisans, who were blind, but now see that the truth conflicts with the Democratic creed, they exclaim, "Give the natural resources all the praise; we know that the Republican party is a sinner."

To develop these national resources was the Republican purpose—a purpose which the Democratic reactionary creed declares to be unconstitutional. It was protection to home industries—agricultural and mechanical—free land to homesteaders, and the creation of a currency when money was found to be too scarce to carry on the business of the country; it was the prompt and wise governmental expenditures for necessary objects made by the Republican party in spite of Democratic protests and resistance which not merely saved the Union but placed it in the front rank of nations.

It should not be forgotten that when the Republicans came into power the Government had neither money nor credit; they left it with an overflowing Treasury and peerless credit. The false economy of the Democratic party since it has returned to power has hoarded money idly in the Treasury, curtailed the circulating medium, and squeezed the life out of the business of the country for the purpose of overthrowing the American policy, or, as it was expressed by an eloquent Illinois Irishman, in order to "put out the furnace fires in America and light them on a foreign soil." [Applause.]

Mr. VANCE. Mr. Chairman, the State which I have the honor in part to represent is essentially a manufacturing one. The cheap wheat, corn, pork, and beef of the West have made farming a subsidiary occupation. There was a time when the farmers of Connecticut took from the soil enough for their own State and to spare for others, but this time has gone, and were it not for the markets made for the minor products of their soil, as well as the peculiar adaptability of the land for the cultivation of specific articles, the farmers' occupation would be gone.

Nothing so well illustrates the success of the Western farmer, with his many advantages in the great crops, as the decadence of the Connecticut agriculturist in the same pursuit, and nowhere can a stronger argument be found, if we care to reason by analogy, for looking with suspicion upon foreign nations who, with cheap labor as their advantage, can bring about a similar result. The lesson within the limits of this country is one to which we can take no exceptions, indeed we all glory in the success of the West and the growing greatness of the South, but we can draw a moral from it, and that moral leads one to the inevitable conclusion that the problem differs when we view it from an international standpoint. We must allow the advantages of situation to rule between the States, although we can not allow England to dictate our commercial policy or hand over to Europe the opportunity to put a price upon our labor.

Mr. Chairman, as I said before, my district is a manufacturing one, filled with busy industries, populated with men who are compelled to toil in order that they may eat; and with workmen who, by their skill and ingenuity, have helped to make Connecticut known all over this land. This is also true of the whole State, and it is for this reason that the outcome of this discussion is watched with so much interest, and why I desire to voice what I take to be the sentiments of those who sent me here.

In the first place, Mr. Chairman, I do not care to base my appeal upon the shifting sands of figures. This House has been inundated with statements and bombarded with statistics. Perhaps they prove something and perhaps they do not. Arithmetic is usually supposed to be exact, but when the science of making figures support arguments is called upon in a tariff discussion the honors seem to be very easy. The statesman who can, with the aid of a few characters, demonstrate that a reduction of duty on a certain article 50 per cent. means a corresponding diminution of revenue may be ingenious, although I hardly think he is wise.

There is one item within the domain of computation, however, which allows of no contradiction. It is doubtless true that within a few months the surplus in the vaults of the Treasury will be at least $130,000,000, and it follows that if Congress does not devise some method by which these vaults can be opened and the funds disseminated among the people the result will be an extremely disastrous one. The circulating medium which was free is none too small for the good of the country, but if it is to be locked up at the rate of over $2,000,000 a week the inevitable result will be ruin and disaster. This is freely admitted, and it is also acknowledged that there is but one cure for the trouble, one panacea for the evil—reduction of taxation.

Just here appears to be the division of sentiment; for the protective idea enters as an element in the controversy, and men may differ as to the wants of their particular districts, although admitting that it would not be wise to ignore the demands of other locations. The people whom I represent do not object to a reduction of revenue—indeed, they demand it. They do ask, however, that it be accompanied with a proper regard for their needs. They are not philosophers. They look at life from the practical, not the theoretical, standpoint. Their chief aim is to secure a livelihood; they are content to gain that, for the competition in the labor market, which our Republican friends seem to regard

with so much complacency, puts the price of labor at the lowest point. They do not spend much time in studying the census reports; they are not adepts in discussing economic points; they have had no time in the busy struggle for existence to become visionaries, while their reading has not, in but few cases, included any one of that line of writers, from Adam Smith to Professor Sumner or Henry George, who seem to be quoted so much now. They are not averse to a reduction of the tariff provided it is a judicious one, and provided it leaves margin enough to protect them from the condition which many crossed the sea to escape. They recognize that even with the higher prices of labor which obtain here there is much which they produce which can be put upon the free-list if needs be, but they also are forced to the conclusion that there is still need of a duty on some articles.

They accept that declaration in the national Democratic platform of 1884 as sound doctrine, which states that in the revision of the revenue laws the industrial interests of the country shall be guarded and labor protected against the cheaper prices of labor in Europe. They do not believe in monopolies, they desire to have the needs of labor fully recognized in legislation which affects either national or international problems, but they want no law passed which interferes with the price of their labor; and they are firm in their convictions that the dignity of the workingman should be upheld by not accepting as a criterion any condition of things or any country which debases the employé or looks upon all labor as a system of serfdom. In other words, they do not regard protection as a fetich—the time has passed for that—although they do not discard it as a system which is an element in the problem of their existence. The worship has changed to respect, but the respect is deep seated, and it has a reason for its existence in this form.

No class of persons can be relied upon to favor the reduction or abolition of a customs duty if it fosters or upholds a monopoly, or if it leads to excessive or burdensome profits which are taken from the people, more than the average voter in New England; while on the other hand this same class will object most strenuously to a reduction which takes a fair return from capital and puts labor at a disadvantage. Therefore I say, gentlemen, that I favor a judicious revision of the taxes imposed on imports. Many of them are high and can be reduced; others can be abolished altogether, with good results, in my opinion, while there are some which should not be interfered with. In other words, I think I am in line with those who sent me here, and in accord with the best sentiment of my State, when I say that what we want, and what the majority on this side of the House is disposed to give us, is a tariff which protects when protection can be shown to be a necessity—not a tariff which pampers or gives riches to one while it aids in making many poorer.

In illustration of this point—the necessity of a proper discrimination—allow me to call your attention to one industry which the bill under consideration treats, I imagine by an oversight, rather rigorously, and this becomes a better illustration when I allude to the fact that the article under consideration is made by manufacturers who in several instances make other goods in the main. They are not asking for protection on the major part of their output, and yet it is given them, while on the minor portion, where it is needed, the bill deprives them of it. I allude to the manufacture of the article commercially known as wood-screws, which are used by every carpenter and wood-worker in the country, and which are made from iron rods by automatic machinery. This industry has practically grown up in this country since 1861, and although the tariff of 1883 reduced the duty it has managed to continue in existence. It employs $5,000,000 in capital in Connecticut, Massachusetts, and Rhode Island, and produces a product of $2,000,000 each year. It was for a time assisted by the patents on its machinery, but these have now expired.

The natural competition has reduced the price 60 per cent. within the last few years, while the bill reported by the Ways and Means Committee now proposes to increase the duty on the iron rods from sixtenths to 1 cent a pound, and at the same time reduce that on the finished article about 50 per cent., or to 35 per cent. ad valorem.

That such a reduction would be ruinous to the business is self-evident. It is simply necessary to study the following table, giving the distribution of the cost of the article, to prove it:

Labor	40½
Material:	
Duty on	16½
Rods	31
Other expenses, excluding profit	12

It will easily be seen by the above that any reduction in cost must be met by a corresponding decrease in wages, the other elements being fixed; and to illustrate the competition which must be met, I call your attention to the following table, which places the cost of production of the sizes which are classified under the sections of the present law—not the selling price, but the cost of manufacture—in contradistinction to the English export price:

Clause 12c.—Average of twenty sizes:	
One gross United States cost to produce	.0624
One gross English export price	.0366
Difference	.0258 = 70 per cent.
Clause 10c.—Average of thirty-six sizes:	
One gross United States cost to produce	.1076
One gross English export price	.0613
Difference	.0463 = 75 per cent.
Clause 8c.—Average of fifty-three sizes:	
One gross United States cost to produce	.2240
English export price	.1189
Difference	.1051 = 88 per cent.
Clause 6c.—Average of seventy-six sizes:	
One gross United States cost to produce	.7089
English export price	.4209
Difference	.2880 = 70 per cent.

Thus the English list, with the discounts of 80, 2½, and 5 per cent. on 185 sizes averages 73 per cent. less than United States cost to produce.

The labor is done by automatic machinery, the human aid necessary being low priced, and it is just this point which makes the reduction all the more oppressive. The gentleman from Texas [Mr. MILLS] alluded in eloquent terms the other day to the change which had been accomplished by American ingenuity and the skill of the American inventor.

If we could confine the results of this skill to our own country in this case the tariff tax would be a question of no moment, but with American machines running in Italy, as they now are, Mr. Chairman, and with Italian labor at from 10 to 20 cents a day, when similar labor costs here from 50 to 60 cents, protection becomes a vital matter. It resolves itself into a simple question of the cost of labor in this country and in Europe, and the result is inevitable. I desire, Mr. Chairman, in order that this House may have a better conception of this matter than I have had time to give it, to submit the following:

THE WOOD-SCREW MANUFACTURING INDUSTRY.

In the bill to reduce taxation, etc., introduced into the House of Representatives by Mr. MILLS from the Committee on Ways and Means, on page 20, lines 275 and 276, it reads:

"Screws, commonly called wood-screws, 35 per cent. ad valorem."

Except under very great reduction in the price paid to American labor, it will be impossible to continue the manufacture of wood-screws in the United States if this becomes a law; and therefore, in behalf of the great number of American workmen employed at remunerative wages in the manufacture of wood-screws, the capital invested in the business, located in six different States, the great cost of special intricate machinery, worthless for other purposes than screw manufacture, we ask that this clause be stricken from the Mills bill; and in support thereof your considerate attention is respectfully invited to the following statements:

The first screw factory of importance in the United States was established in 1838, or fifty years ago.

From 1838 until 1860, during the period of great depression in general manufacturing business, consequent in part on the very slight duties on foreign importations, numerous wood-screw industries were started in the United States, but at the end of this period the two surviving companies of any importance, and they the owners of valuable letters patent upon wood-screw machinery, consolidated their capital and plants into one corporation.

Under the letters patents then controlled by this one company on screw-making machinery, including also a patent on a gimlet-point screw there were during the continuance of the life of these letters patent, no successful results following attempts made by other parties to manufacture wood-screws, and there is not now in existence in the United States but one other screw-manufacturing company that started into the business prior to 1870, but the whole way was strewn with wrecks of earnest endeavors to found the business.

Under this condition of things, the tariff of 8 and 11 cents per pound, according to size, on wood-screws, was adopted in 1861, which rates continued until changed by the present law, enacted in 1883, effecting considerable reduction in the average duties imposed.

There are more than six hundred sizes, lengths, and kinds of wood screws, in the regular assortment ranging from ¼-inch, No. 0, to 6-inch, No. 30, made from iron, brass, and bronze wire, each size and length of different list price, and each kind of different discount; and the detailed knowledge and labor necessary to justly fix an ad valorem duty on each invoice of screws imported would be so great that a wide door will be opened to fraudulent importations. Under the present law it is only necessary to determine within which of the four classes of rates the importations may come by length and the weight included in each class of lengths to correctly fix the duties thereon.

During the period from 1861 to 1875 inclusive the average net price per gross of wood-screws was about 33 cents, the price varying higher or lower at different periods during the several years. It was prior to the close of this period, when, it is now alleged, a portion of the then existing makers induced the English makers, for a consideration, not to export their screws to this country. The principal screw makers at that time in England were Nettleford & Chamberlain, of Birmingham, who then owned the English letters patent on the latest and most improved screw machinery, as well as the English patent on the gimlet-point screw. The Nettleford & Chamberlain Company has since that period, with other English companies, been consolidated into the present corporation, the Nettlefords Company, Limited, Birmingham, England.

The statements regarding the peculiar arrangement between the American companies and the Nettleford & Chamberlain Company seems to have reached the general public through after-dinner remarks made by Mr. Chamberlain at a dinner given him in Birmingham, England, last November, upon the eve of his departure for America as English commissioner upon the fisheries questions pending between the United States and Canada; and also through other statements made while he was in Washington; and it does not appear that the English party is not now desirous of renewing the arrangement.

Whatever may be the truth in the matter, it is safe to say the amount involved has been greatly overstated, and whatever onus there may be should bear alike on both parties to the transaction, and certainly should not and can not justly attach to the screw industries of this country at this time, because three-quarters of the screw companies now in existence were not then manufacturers of screws, and only a portion of those then in existence are alleged to have been participants in the transaction. From the year 1876 to the close of the year 1887 wood-screws have averaged in price about 15 cents per gross, being only 40 per cent. of the average price during the previous term of years while the business was protected by the letters patents on screw machinery.

During the last term of years the sharp competition among American manufacturers has held the price so low that the most favorably located companies

have not earned more than an average of 8 per cent. per annum on their investments, while many have realized much less, and several have wholly abandoned the business. The largest screw manufactory in the United States paid to its stockholders no return whatever after January 1, 1884, until January, 1888, and then only 1 per cent. on its capital stock, yet this company is believed by many now to be making large profits and to be a "great screw monopoly," which monopoly, in fact, existed only while under the protection of letters patents prior to 1875, and no company has since that date had any monopoly of the screw business.

There are now in the United States fourteen companies manufacturing wood screws—two in Massachusetts, one in Rhode Island, seven in Connecticut, one in Pennsylvania, two in Ohio, and one in Illinois.

The industry employs directly more than thirty-five hundred people and an active capital in excess of $5,000,000, not including a large amount on which no returns are expected, but which has been sunk in machinery supplanted by other machines having latest improvements. A large share of this entire capital has been invested in the business since the tariff of 1861 and more than two-thirds of the aggregate since 1874.

Whatever may be the statistical average of increase of the cost of labor in this country over that of similar labor in foreign countries, it is true of this industry that the screw manufacturers of the United States pay their labor three times as much as the same labor, male or female, is paid in Italy, two and one-half times as much as in Germany or Belgium, twice as much as in France, and nearly twice as much as in England.

Substantially the same pattern of machinery, known as the Hartford machines, which combine the best features used in screw machinery prior to the expiration of letters patent, with later improvements made, are in use as pattern machines in the screw-works in the various foreign countries. The latest shipment of pattern machines was made to Norway within the past few months.

There can be no considerable difference in the productive capacity of the machine, whether it be operated in the United States or in any foreign country—the speed of the machine is controlled by the motive power which determines the rapidity of production—and certainly our foreign competitors are not behind us in the perfection of their motive power; consequently a day's cheap labor operating this machine in any foreign country will produce the same number of and just as good screws as a day's well-paid labor in the United States.

The wire from which the screws are made, which to the screw-maker is raw material, costs about double in this country over that of England and Germany. The rods from which the wire is drawn are now protected $\frac{5}{8}$ of one cent per pound, equal to about 50 per cent. ad valorem, and if the Mills bill contemplates an increase of $\frac{1}{4}$ cents per pound, on screw-wire rods, making a new rate of one cent, which equals about 80 per cent. ad valorem, an additional burden will be laid upon the screw business. Other materials used in preparing the goods for market show about the same excess in cost over that used abroad, as is shown in the wire, and this, too, is wholly the product of American labor. Notwithstanding the great reduction in market value of screws during the past twelve years, there has not been any reduction in the gold cost of labor during these years over the cost of labor during the previous period of fifteen years.

There is no margin whatever for the reduction of the tariff on wood-screws without seriously crippling the industry, and unless corresponding reduction be made in the cost of American labor a reduction in the tariff will absolutely destroy the business, wipe out a large part of the investments, and transfer the manufacture of screws to foreign territory. During the tariff agitation of 1861 to 1883, fearing untoward legislation, the American Screw Company of Providence removed a portion of its machinery to Canada, and has recently built new and enlarged works there, preparing, in the event of a reduced tariff here, to manufacture, with Canadian labor and free material, wood-screws to supply the American markets, and this while Canada protects its screw manufacturers by a tariff fully equal in effect to the present American duty on screws. Besides this, such legislation would, while closing the American market against American labor, open wide the doors for the inflow of screws from all foreign countries.

The manufacturers of wood screws do not knock at the door of Congress asking for special legislation to promote an infant industry nor to so legislate that their investments be specially profitable; but they do ask that they may retain their American workmen at fair wages in this industry; that their capital, some of it contributed by widows and orphans as their only means of support, invested in the business when the laws of the United States afforded reasonable protection against cheap foreign labor, capital largely expended in valuable and intricate special machinery, worthless for other than screw-making purposes, shall not by any legislation be destroyed and their industry banished from the United States and their employés driven to seek and learn other trades or find other employment less remunerative to themselves.

But rather that the law shall remain as now, in the enactment of 1883, affording reasonable wages to labor, a fair return upon the capital employed in this American industry, and thus "strengthen the things that remain."

All of which is respectfully submitted in behalf of the screw manufacturers of the United States.

MAY 5, 1888.

Mr. Chairman, I have no desire to become an exile from the district which sent me here, and if I were to vote for the proposal before the House in regard to this industry I certainly would deserve to be. Not caring to be an Ishmaelite, I can not vote to put myself on record as against the interests of my district. There are thirty-five hundred people engaged in the manufacture of wood screws. Two-thirds of this number are employed in Connecticut, and fifteen hundred of these are to-day at work in the city where I reside. Their interest is my interest; their reasonable desires are my motives, and I can not look upon any reform with favor which exacts as a requisite that the source of livelihood which these people now have should be tumbled in ruin upon them, as was Pompeii upon its residents.

And while I am discussing this point may I not allude to the impression that has wrongfully been given out in certain locations and has been more than once alluded to on this floor? I refer to the idea that this whole country is being drained of its substance for the benefit of the manufacturer, and that this class are the Shylocks of the times. If the majority of this House were as familiar with this portion of the people of New England as I they would hesitate before giving credence to such ideas and halt before they turned to indiscriminate reductions of duties for relief. It is true that many manufacturers have become rich men; but did the tariff aid them? In nine cases out of ten the answer is no.

You ask what did, and I reply by stating that you will find the true cause of rapid enrichment in the monopolies which the patent laws offer. These laws give a protection which is out of the reach of any law reducing duties to restrict. They give the producer the privilege of charging what he pleases for his wares, and in them we have the foundation of almost every one of the colossal fortunes which have been made by manufacturers of late. I do not care to discuss the justice of the present patent laws at this time, but I do desire to call the attention of the House to the erroneous assumption that the tariff and the protection which it gives allows one class to levy tribute upon another. Where competition rules in manufacturing the inevitable result is a cheapening of prices and a reduction of profits.

If you will honestly and in candor inquire into the question of profits you will find that a great number of American manufacturing establishments pay no dividends at all in some instances for several successive years. Others pay much less than the current rate of interest, and what justification the facts give for this talk about the enormous profits made is difficult to see. There is any amount of latent capital awaiting investment at 6 or even 5 per cent., and this capital will rush like air into a vacuum if it can be shown that dividends at such rates will be paid.

The idea that a protective tariff brings enormous profits in its train should be exploded. It is false, pernicious, and misleading, and has no reason behind it in these days of fierce strife for the market and constant competition between manufacturers. It can in no way be upheld except by ascribing to it the profits of monopolists, the result of brains, the outcome of indefatigable labor and study, or of business skill and shrewdness. Such results in dollars and cents the tariff can not abate, and if a desire rules to regulate these elements—the ones which are the source of all great returns—it must make itself felt outside of tariff legislation. If these elements are an evil to be fought, the tariff club is certainly not the weapon to be taken up against them. It would be simply a repetition of the contest between David and Goliah.

All this has been used as the argument of the Southern and Western farmer. I do not find fault with my associates for defending the farmers, although I do object to the putting of false arguments in their mouths. The truth is most potent, and the farmer is not being levied upon in any such ratio as is represented to him. But if this sympathy is genuine why should it not be universal? Why is the farmer in the East exempted from its embrace? What have the agriculturists in Connecticut done to put them away from the effects of this gentle dew of commiseration?

It seems to me, under the circumstances, their Western and Southern brethren in occupation having taken from them the chance to profitably cultivate the great crops, that they are entitled to a greater portion of this intense desire to alleviate the burdens of their class than those of any other State. Has this been the result? No. Does the bill under consideration embody it? No; on the contrary, it seems to single them out to bear the greatest burden, and exacts from them more concessions than it asks from any mechanical industry. I believe this to be an unintentional error, but it is an error nevertheless which would do great damage, as I think I can show.

Our farmers have one source of revenue which nature seems to have guarantied to them in the cultivation of tobacco suitable for the manufacture of cigars. The tobaccos of different States have different qualities, and while the Carolinas, Virginia, and Kentucky produce a crop which enters into the composition of manufactured tobacco, it remains for Connecticut and New York in the main to furnish the leaf of which cigars are made.

The proposed bill proposes to reduce the duty on leaf-tobacco from 75 to 35 cents a pound, and while I know these distinctions are odious, I ask you to examine the effect of this reduction from a sectional point of view. We will take, if you please, three of the States producing tobacco which is used in the composition of manufactured tobacco, Kentucky, Virginia, and North Carolina, and compare their crops with that of the cigar tobacco grown in Connecticut. The last census puts it as follows:

	Pounds.
Kentucky	171,120,840
Virginia	80,000,000
North Carolina	26,986,218
Connecticut	14,044,062

The relative importance of these States as tobacco producers can be seen at a glance, and yet this proposed reduction affects Connecticut and the leaf-producing States alone for the very simple reason that the other States all export their crop in large quantities. Even now with the present rate of duty Sumatra tobacco, used for cigars alone, has greatly reduced the price of the Connecticut product; 3,651,349 pounds were imported within the last fiscal year alone. Listen to the following figures, which give the imports and exports for the three months ending December 31, 1887:

Imported: 6,638,477 pounds, valued at	$1,394,809
Exported: 60,130,362 pounds, valued at	5,295,047

It will thus be seen that one sort of tobacco is exported largely, while another is imported. The latter is the quality which comes in direct competition with leaf-tobacco, and it is now proposed to increase this competition and drive Connecticut farmers out of the field.

It is simply a question whether a Dutch syndicate or the American

farmer be given the preference, whether this tobacco is to be grown by cooly labor or American citizens; and as for me I have no hesitation in declaring in favor of the farmer who tills our land, pays his taxes here, and is with us and of us. It pleases me to say that the farmers who produce tobacco are practically in unison on this issue as far as I can learn. There is no desire on the part of the Southern farmer who is not financially troubled by this proposed reduction to have his Northern and Western brothers wrecked by it. He can see no reason why the difference in soil and the consequent difference in product should create invidious distinctions. He wants justice to tobacco-raisers as a class, and he does not accept his own immunity as all that is necessary, but allows his desires to cover all classes and to extend to all locations.

The farmers who cultivate tobacco have for years been clamoring for an abolition of the internal-revenue tax upon their manufactured product, and in this cry the interests of all sections have been united. They think that the $30,108,067.13 which was last year collected is an odious tax and a restriction upon their calling which the needs of the Government do not warrant. This cry has but partially been heeded by the gentlemen on the Ways and Means Committee. They have recommended that the tax be taken from manufactured tobacco, but fail to complete the work commenced by making it thorough. Is there any reason why this reform should stop at the door of the Connecticut farmer or leave his crop and its product as a spared monument to remind the people of the war period? None at all.

The committee have admitted, by the partial action which they have taken, that this theory is a good one, and there is no reason why they should halt when it is but partially exemplified. This becomes all the more apparent when we note that the justice of the farmer's claim is admitted by a recommendation that the restrictions be taken from him and that he be allowed to sell his crop to whom he pleases. The committee evidently desire to do this, but the results will not follow their intentions. The only way in which this can be practically accomplished is to allow all, who have the skill, to make cigars—thus is the market thrown open in truth and not in theory. As long as the present restrictions remain the market is in the hands of monopolists who can make prices at their own option, as they have done, and the farmer is still at their mercy.

It seems anomalous to reflect upon the results of a bill which endeavors to do justice, but alters no condition now obtaining. It offers the farmer the right to sell to whom he pleases in one clause, while in another it says that the number of persons who can buy or use his tobacco shall be practically limited. It would be just as reasonable to restrict the number of millers and then state that a wheat-producer could sell to any one. People who have no use for commodities do not usually buy them, and the privilege of selling to purchasers who do not want to buy is rather a barren one.

There is no alternative. If this House desires to give the farmer the same right to sell his tobacco that he now has to dispose of his wheat, it can be done practically in no other way than by a total abolition of the tax on the manufactured product. There are no better students of this problem than the men who have to cope with it every day, and as a result of their experience I submit the following resolution, adopted by the New England Tobacco-Growers' Association, October 29, 1887:

Resolved, That we unanimously favor and aggressively demand the abolition of all internal-revenue taxes on tobacco and all internal restrictions on the tobacco trade. In short, we demand free leaf of our own growing. We have submitted patiently and patriotically to the present war tax, but now that (happily) the occasion for it no longer exists, we emphatically protest against it and the restrictions and monopolies the internal-revenue system fosters in the tobacco industry.

Looking at this proposed law from the standpoint of the tax-collector develops a fact which is sufficient to condemn it. If it is thought best to collect a tax on cigars, nothing should be done to interfere with the thorough and efficient administration of the law. This, under the bill proposed, would be impossible. The restriction upon the farmer gives the data for the collection of the tax; that was the reason of its imposition, and without it no check remains or no guard exists by which manufacturers who retail can be compelled to pay their full proportion of tax if they see fit to evade the law. That it would put the large manufacturer who wholesales and the dealer who retails at the mercy of the ones who manufacture and also retail is self-evident, and as the tax is $3 per thousand, it can easily be seen that the temptation is great so to do.

It surely puts a premium on fraud and extends an opportunity for swindling without a possible chance of detection. The effect of the revenue tax on tobacco and cigars is a subject with which the people of Connecticut are familiar; the sentiment in favor of its total abolition has been gradually growing as the cause of the evils which it fosters and breeds has been investigated, and as the latest crystallization of this sentiment I present the following section of the platform adopted by the Democracy of my State at a convention held but one week since:

Resolved, That the Democracy of Connecticut respectfully appeal to Congress to so amend the internal-revenue taxes as to permit producers of tobacco to dispose of their crops as the farmers are permitted to dispose of their wheat, and that every individual or family may be permitted to manufacture our leaf-tobacco without being subjected to arrest, fine, or imprisonment as criminals.

But there is another argument which can be advanced in regard to the reform which I hope to see incorporated in this bill, and that is the one put forward by the workingmen. Thirty years ago when our farmer marketed his crop as he pleased, and when any person who could make cigars was allowed to do so without being hampered, there were at least thirty persons making cigars in the district I have the honor to represent where there is one now. The tax has fortified the monopolists so strongly and aided the large manufacturers so materially that the individual has had to succumb.

The mechanic is denied the right to exercise his calling by a Government that exacts a tribute which it has no use for. He is compelled to give bonds to submit to a surveillance almost inquisitorial, to regulate his business by a law which he can not interpret, and in addition he must keep his accounts to the satisfaction of the guardian which the Government appoints to watch him. This, gentlemen, is the only branch of business in which a mechanic must have two trades in order to get a living by following one, for if he be never so good a cigar-maker he must of needs have a knowledge of book-keeping before his trade can be used. If he desires to exercise that privilege which all Americans are supposed to have, the laudable ambition to be his own master, he is debarred. He lives in fear of the collector and in the shadow of the jail. He turns to the law for information, to quiet his fears and dispel his apprehensions, and his consolation reads as follows:

He (the violator) shall, in addition to the penalties elsewhere provided in this title for such offenses, forfeit to the United States all raw material and manufactured or partly manufactured tobacco and cigars, and all machinery, tools, implements, apparatus, fixtures, boxes, barrels, and all other materials which shall be found in his possession or in his manufactory, and used in his business as such manufacturer, together with his estate or interest in the building or factory and the lot or tract of ground on which such factory or building is located, and all appurtenances thereunto belonging.

This is but a sample. It is simply the penalty for having in his possession an empty cigar-box on which the stamp has not been destroyed. I could, if I had the time, give you many more choice selections from the cigar-makers Koran, but the above will convey a general idea of their rigor and positiveness. If he keeps out of jail he is extremely fortunate, and if he is not driven out of business by the milder punishment of a fine he congratulates himself. He is watched, harassed, treated as a thief, and compelled to disclose the results of his business by stating to whom his goods are sold and incidentally what prices they bring. He finally deserts the contest in despair, he can not compete with his greater rivals, and he relapses into his old state of dependency. His ambition is crushed, his hopes are wrecked, and he naturally looks upon the Government as the instrumentality. And all this is possible in free America!

That this system of taxation has never been popular is a truth, and that it would be particularly oppressive if no part of it but that which applies to the growers and manufacturers of cigar-tobacco was allowed to remain must be apparent. We can go back to 1875 in the reports of the Commissioners of Internal Revenue and discover that Hon. D. D. Pratt, then acting, denounced the law in the following words:

These forms of taxation have never met with popular favor, and, with the exception of the present revenue law, have never maintained their footing upon the statute-book for any considerable time. The tax-gatherer from earliest history has been an unwelcome presence and his business an ungracious one. His office is inquisitorial in its very nature, leading to inquiries into people's affairs, the condition of their business, their losses and gains, matters which most people prefer keeping secret from the public. The process of assessment and collection is summary, involving in case of delinquency penalties and sacrifice of property. The tax is a palpable thing to be paid, or some cherished possession is to be sold to meet it.

No circumstances of poverty, misfortune, sickness, or death stay the distraint. Injustice in the assessment itself is relievable only by a circuitous process, involving first an application for abatement, next an application for a refund after the tax is paid or collected, and, these being overruled, an appeal to the courts against the collector. Here at last the claimant, who has insisted that he either owed no tax at all, or a tax less than that demanded, collects from the Government what he has compulsorily paid, but frequently at the expense of ruinous delay and sacrifice.

And now, Mr. Chairman, I desire but to say in closing that the people of Connecticut desire a reduction of the revenue to the needs of the Government. They desire, as I have said before, that that portion which is to come from customs duties shall be deducted with discrimination. They are of the opinion that no sacrifices should be made to obtain a visionary foreign trade, and they think that when an odious tax can be removed with no attendant result but good it should be done. They fail to see why the farmers and men with one particular trade should be singled out for oppression by taxation, and they urge emphatically that justice shall be extended to all. This is their belief, and I hope the results reached by this House will indorse it. [Applause.]

Mr. WHITING, of Michigan. Mr. Chairman, at the commencement of the debate upon this bill it was not my intention to take any of the time of the House for the expression of my views; but since the gentlemen upon the other side have so grossly misrepresented the condition of things, as I conceive them to be, at least in Michigan, a part of which I have the honor to represent, and when I see them unwilling to meet this issue in a manly way, Mr. Chairman, I consider it a duty to state, in as brief a manner as possible, in what condition of prosperity, in my opinion, this bill finds us after twenty-five years of Republican control, and what will be its effect should it become a law.

Mr. Chairman, I view with concern and regret, the present and

rapidly increasing inequalities existing among our people. And it seems to me that the man who is unable to discover, or who willingly closes his eyes to this most unfortunate tendency in our social life, is unworthy the inheritance bequeathed him by the founders of our Government. And he who does not know that it is the result of iniquitous class laws has given the social and political aspect of our country but little consideration. Allow me to call your attention to the warning of the Senator from Kansas [Mr. INGALLS], delivered February 15, 1878, in the United States Senate. Mr. INGALLS said:

We can not disguise the truth that we are on the verge of an impending revolution;

THE OLD ISSUES ARE DEAD.

Mr. Chairman, how strangely this contrasts with this gentleman's recent brutal attack upon the honored memories of McClellan and Hancock, for the evident purpose of reviving these "dead issues;" and how eagerly the members upon this floor, in weak imitation of their chief, harangue this House, and through it the country at large, about "slavery," the "ignorance," the "violence," and the "fraud of the South," and the "evil designs" of the "Confederate brigadiers," all for one purpose—to trade upon men's prejudices rather than their intelligence. Mr. Chairman, there is another side to this charge against the solid South. While I admit that the South came out of the war crippled and impoverished, feeling greater need for the lessening of unnecessary and burdensome taxation, still, gentlemen, let me read to you the tariff plank of the Greenback party of Michigan, adopted at the convention in 1886. It reads as follows:

The Constitution expressly declares that Congress shall have power to levy a tariff for revenue; therefore we declare that we favor a constitutional tariff for revenue so adjusted as to afford protection to such industries as employ labor without creating monopoly of any kind or increasing the burden of other industries; and a tariff based upon the selfish idea of protection to any particular individual business or branch of industry at the expense or to the detriment of others is not only unconstitutional, at variance with the true theory of the Government, which is equality of persons and property before the law, but unjust and oppressive to the laboring and consuming classes of the country and directly calculated to destroy industrial enterprise, establish manufacturing corporations, and build up colossal fortunes for the few at the expense of the many, and we denounce it as hypocritical, oppressive, and unjust.

Does not this furnish ample proof that it is not the South alone that desires, that asks this relief for her people? This party cast some 40,000 votes in Michigan, and upon this question is in direct sympathy with the Democratic party, and, Mr. Chairman, I give it as my deliberate conviction that if we were to have a fair expression at the polls in November next upon this tariff question, uninfluenced by the money of the millionaires, made such by protection, Michigan would not send one Republican to the Fifty-first Congress. The people of Michigan want cheaper food, clothing, lumber, and farming implements. They are aware that they can escape the whisky and tobacco tax, if they so desire, by leaving these articles alone, and they also know that Congress alone has the power to furnish them the cheaper necessaries of life.

Mr. Chairman, let me quote further from the speech of the Kansas Senator. Mr. INGALLS proceeds:

The people are arraying themselves upon one side or the other of a portentous contest. On one side is capital, formidably intrenched in privilege, arrogant from continued triumph, conservative, tenacious to old theories, demanding new concessions, enriched by domestic levy and foreign commerce, and struggling to adjust all values to its own standard. On the other is labor, asking for employment, striving to develop domestic industries, battling with the forces of nature, and subduing the wilderness; labor, starving and sullen in cities, resolutely determined to overthrow a system under which the rich are growing richer and the poor are growing poorer; a system which gives to a Vanderbilt the possession of wealth beyond the dreams of avarice and condemns the poor to a poverty which has no refuge from starvation but the prison or the grave.

Why did the able Senator abandon his convictions and again turn a deaf ear to the cause of oppressed humanity? Mr. Chairman, it was because he could not carry his party with him, although he was by no means the only one who was temporarily conscience-stricken.

The Senator from Ohio [Mr. SHERMAN] has a history in this connection well known and so unsavory to the great majority of the people of Michigan that, were he a Presidential candidate, Michigan's place in the coming campaign would be predetermined. Nor was the knowledge that the legislation of their party was disastrous restricted to these gentlemen. The leaders of the party generally knew that their policy was vicious from the time they began paying the bondholder in one kind of money and the soldier in another down to and culminating in the shameless villainy and cunningly-devised fraud of 1873, whereby silver was demonetized and the most colossal and unparalleled robbery of the debtor class ever perpetrated upon a free people was consummated.

Now, Mr. Chairman, is it not astounding, after having built palaces for some, and making wrecks and homeless tramps of others, that this great moral party should have the brazen audacity to continue to extort from the people—made poor by their pernicious legislation—the maximum of burdens justified only in the exigency of war? Mr. Chairman, I am not disposed to criticize the tariff when it was necessary, nor am I willing to go back and traduce the South in order to divert the people from the calm consideration of a question which is of the most vital importance to them. I do not believe that this tariff question will stagger the people; they know better than they can be told by the Solons of this House whether their "yoke is easy and their burdens light," or whether this measure to lessen and more equitably distribute the cost of supporting the Government recommends itself to their favorable consideration or not.

Mr. Chairman, I believe there are gentlemen upon the other side of this House who feel conscious, or at least fear that there is an increasing sentiment among the people, not only to question the wisdom but the sincerity of their position. One thing is certain, the limit of taxation is reached. Although certain ones favor a higher tariff—even a prohibitive tariff—and would build a Chinese wall around our country, these men are not the ones who shape the policy of their party, for no party dare come before the country with a proposition to increase the duties on the necessaries of life. What does this prove? Either we are satisfied with our present condition and determined not to do anything for the relief of the people or we must reduce the tariff. We should not be governed by the temporary interests of a much less than a majority of our people, but we should try to place our country upon the highway of permanent success.

Mr. Chairman, it seems clear to me that when any article of commerce is held above its normal value, either by a duty or a trust, that the consumer who is unable to get an equally enhanced price for what he sells, which may be either products or services of whatever nature, is obliged to pay this difference. Let us see how this works. The large importer of foreign goods or jobber of American manufactured goods does not stand any of this increased price; in fact it helps to give him a monopoly to just such an extent as the increased price of the goods requires more capital to do business; and so in addition to the entire charge of the duty he is enabled to add somewhat from decreased competition. Exactly the same thing is true with the retail merchant. So all is easily and very satisfactorily disposed of until the farmer and the laborer who are unable to pass the charge along become too poor to buy sufficiently to prevent overproduction.

Now, Mr. Chairman, it seems to me we begin at the wrong end to establish permanent prosperity. Instead of trying to support agriculture by building up manufactures, we should have our commercial greatness rest on the prosperity of our agricultural interests, which are of necessity the source of all our wealth. As a merchant I know that it is ruinous to buy goods higher in price than customers can pay for; it is equally ruinous for the Government to pursue a policy by which the manufactured goods, especially the necessaries of life, are made higher in price than its wealth producers are able to supply their wants with. I am aware that the wealthy manufacturer is afraid that his business will be ruined, and he cries out that he "will have to lower the wages of labor." Capital is always timid, and, with too much Government aid, is incapacitated to serve its proper use, and becomes a positive mischief to industry, degrading skill and destroying invention.

But, Mr. Chairman, the Mills bill, should it become a law, will not ruin the manufacturers. I admit it will lower his prices; just exactly what is most sadly needed. Who will deny the justice of a public policy which will furnish cheaper and better food and clothing? Who dare deny the demand for it? And who but a protected and immatured statesman does not know that lower prices will develop a better demand, and that a "nimble sixpence is better than a lazy shilling?" If any rich manufacturer distrusts his ability to meet this demand in inaugurating a new era in our commercial importance, let him call into his office one or more of his most competent and trusty employés and offer them an interest in the business; there will be no question of their meeting the demand and helping to place us on the highway leading to the greatest commercial success.

Mr. Chairman, I have no desire to stigmatize or restrict the rights of capital—legitimate capital—acquired by industry and economy; but when capital wrung from the people by means of watered stocks, chartered privileges, unearned grants and trusts, stalks into this House and expects any other than its representatives to make laws for its especial good it presumes upon their ignorance. And in just so far as it succeeds, becomes a further menace to all capital engaged in legitimate business.

Mr. Chairman, the gentleman from Michigan [Mr. BURROWS] says in referring to the free-list:

There is not a schedule of our tariff it does not invade. The great wool-growing interest of the country, a matter of prime necessity to a civilized people, only in the infancy of its development, capable of producing, if properly fostered and encouraged, the material for the clothing of all our people, is to be exposed to a ruinous foreign competition which will surely prove its ultimate destruction, with all the capital invested therein.

A most extraordinary statement to come from a man representing an agricultural district. No one knows better than the farmer that under this very protection he is robbed of the benefits of the duty. The commission merchant, after he has secured the clip, raises the price just so much as the market, protected against foreign wool, can be manipulated. It is a very significant fact, Mr. Chairman, that the great wool merchant is opposed to free wool upon the plea that it injures the farmer. If his profits were restricted to legitimate commissions, why should he object to foreign wool? That also will admit of regular commissions. But no, Mr. Chairman, merely legitimate commissions are not sufficient; he wants the privilege of fleecing the farmer under the plea of protecting him.

The gentleman also points with pride to the fact that the balance of trade, under protection, is in our favor. Why does he not go further and

show what class of exports make up this balance of trade? Possibly he has not investigated the matter to that extent. Of manufactured goods our imports are largely in excess of our exports; therefore this shortage and whatever more comprises the exports in excess of all our imports is made up from farm products, and in order to sell these products abroad what is the farmer obliged to do? He has to meet the competition of the world, and more than that, he has to compete with nations who enjoy better commercial relations in the mutual interchange of products than his own; and here it should be borne in mind that he gets no higher price for the home consumption than what he gets abroad, while the manufacturer charges him a higher price than he receives when he sends his products abroad. So, Mr. Chairman, this system makes the farmer not only pay the highest price for what he buys, but also subjects him to a disadvantage in selling even when competing with the lowest markets of the world.

It seems strange to me that intelligent men would be willing to so handicap an industry so important, an industry than which none in America should be more profitable nor honorable, an industry which has generously borne more than its share of the burdens, and now, when its condition is fully appreciated, it seems extreme selfishness and short-sightedness on the part of the manufacturers not to yield the slight reduction proposed by the Mills bill. With reference to free wool, which no doubt many farmers think will cause them further loss, I have only to add that were I a farmer I would say to these high protectionists: "Here gentlemen, I propose to 'throw in the tail with the hide' and part company with you! I propose no longer to be a recipient of your kind of benefits, but from this time on shall be an actual participator in a policy which tends to distribute more equitably the products of labor." Mr. Chairman, it is a policy which must be adopted, or we as a nation must retrograde, and so long as we put it off we show ourselves unable to meet a crying demand. I am firmly convinced that this bill is in the interest of oppressed humanity, and if passed will be but an act of simple justice.

One more word in conclusion. The gentleman feels aggrieved and thinks the country will suffer because the minority have not had sufficient consideration shown them. Does he not know that the people in placing them in the minority do not expect them to shape legislation; that they purposely stripped them of that privilege when they turned them out of the temple? And if they do not feel the consequent chagrin and humiliation, it is because "God tempers the wind to the shorn lamb." [Great applause.]

Mr. HARE. Mr. Chairman, my only excuse for making any remarks upon the proposed revision of our revenue laws is that the importance of the subject seems to demand that every Representative shall place upon the record his ideas of the extent and manner in which taxation shall be reduced.

It is conceded by every member of this body that we are collecting more revenue than is necessary to defray the expenses of the Government; that therefore a reduction has become a vital necessity.

The manner in which such reduction shall be made is the prolific source of discussion and disagreement, and has gone to an extent that threatens to leave the admitted robbery and plunder of the people *in statu quo*.

If this excessive taxation is to remain as it now is, then it is surely proper that the tax-payers should definitely know what party or what individuals are responsible therefor. Hence, as before stated, every member should tell where he stands and place it upon record. This I will attempt to do as briefly as possible.

I believe that a tariff for protection is the foundation and principal cause of all the complaints and unrest that has either threatened or actually disturbed the public peace and quiet for years, because it fosters one industry at the expense of another, it transfers the labor and production of one class and gives it to another; thereby building up a small class of great wealth and impoverishing the great body of our people.

I am opposed to any tariff whatever for protection simply.

I favor a tariff that will bring a sufficient revenue to defray the expenses of the Government; and I favor this because we must collect a tax sufficient to meet the actual wants of Government, and this is the best way to make such collection.

If we did not require money to defray the expenses of Government, I would be an absolute and uncompromising free-trader.

A tariff, however, for revenue only necessarily gives some protection, and to the extent that it does protect it should be placed where it will do the most good and be the least burthensome to the people.

I will not attempt to follow the innumerable and oftentimes sophistical arguments that have been made on this floor upon this question. I do not deem it necessary, after so many extensive arguments, to make more than a general statement.

The argument of those who favor protection is (among other things) that such tariff is necessary to protect labor and production, and, to prove it, it is shown that the laborer is paid higher wages in America than anywhere else on the globe.

Admitting the fact that in dollars and cents the United States pays higher wages than England; that England pays more than other countries in Europe, and that Europe pays higher than India, yet it is also an established fact that the laborer in the United States can not, as a general rule, save anything from the result of his toil at the end of each year; nor can he do so in England, nor elsewhere in Europe, nor in India. It is equally as well established that in all those countries the laborer does eat and wear clothes adapted to his country and climate. Then what is the difference between earning $1 per day or 10 cents per day, if the result is the same, namely sufficient to eat to preserve life and sufficient to wear to protect the body?

This plain, simple statement, that the habits of the people and the cost of living are different in different countries is a complete and unanswerable refutation of all the arguments that have been made which assume that a high tariff is necessary to protect labor. And it further proves (if men act from motive) that this intense desire for protection to protect the laboring man is the cry of the thief to "stop the thief." It is not to protect the laborer. He has never directly or indirectly derived any benefit from it. But it is to enable a privileged class to increase their wealth at the expense and toil of the laboring masses.

I maintain that this tariff for protection is the principal cause of all our troubles. It has taken the property of those who have justly earned it and transferred it to those who have not earned it; it has enabled a favored few to accumulate immense wealth; it has caused the creation of trusts to an extent that threatens to make mere serfs of the people; it has lain the foundation for privileges that are sapping the necessary wants of society; it has created monopolies that have grown sufficiently powerful to defy the laws of the United States and of the several States; it has caused the concentration of sufficient capital in the hands of the few that has enabled them to extend the banking system, prevent the payment of the public debt, avoid taxation, force the people to pay millions in interest, while they have millions in their Treasury which could be used to extinguish the public debt. It has given them the exercise of a portion of the sovereign power, and they are attempting to use it to make the banking system perpetual.

It forces the farmer to compete on equal terms in the markets of the world and pay a large premium on the purchase of his clothing and other things of necessary use. It builds up an aristocracy that degrades the laboring man and makes him the mere slave that moves at the will of his master, the protected nabob. It has done all this and much more, until labor, having grown restless and dissatisfied, and having looked in vain to the law-making power for relief, has attempted to right these wrongs within itself, and in many instances has bidden defiance to the laws and by force demanded that their labor should be compensated to some extent beyond the absolute wants of life.

It has caused labor and production to form combinations for self-protection. It has caused many good people to demand that the Government purchase railroads and telegraphic lines, and, in fact, that in many respects the Government shall become paternal. It has caused a condition of things that now stalk in open daylight before the lawmaking power of this land, and in a manner not to be misunderstood, demand legislative relief; a condition that substantially says: If this relief is refused, the peace of society, the safety of our institutions, the integrity of our Union may be jeopardized.

These conditions are here, are in our midst, and the cause is a high protective tariff. Allow me to give one illustration. Texas pays 40 per cent. more for her manufactured goods than she would pay were there no tariff; therefore Texas, to the extent of that per cent., is impoverished.

Massachusetts sells her manufactured goods 40 per cent. higher than she could sell them were there no tariff, therefore Massachusetts is enriched this per cent. by reason of such protection. This is caused by the law prescribing the manner in which taxes shall be collected.

Now, result. If this statement be true (and it substantially and for illustration is), then does not Texas pay the taxes of Massachusetts, and in addition thereto give her a bonus for the privilege? This may explain why Massachusetts favors a protective policy while Texas does not.

There is nothing in the world that capital ever created without labor. Capital in itself is incapable of creating anything. Labor creates all capital, and surely the laborer should have a just and full share of that which he creates. Labor and capital should be allies, not enemies. And if the country allows labor equal privileges with capital then there would be no conflict. But when the Government steps in and by the exercise of power takes from labor the fruits of its production and gives it to capital, then labor becomes the slave of the master it has created.

Wealth has accumulated in this country in the past twenty years at a rate never before known, but it has been at a fearful cost to the great body of the American people. The accumulation has not been of a uniform character. Wealth has been piled up in heaps. Hundreds have grown to be millionaires, while tens of thousands have become paupers. Two classes have grown up under this protective system that threaten the very existence of our Government.

On the one hand is the moneyed aristocratic class, clamoring for legislative protection and such laws as will more effectually enable them to govern the country exclusively in their interest.

On the other hand comes the great body of men who under the forms of law have been robbed of their share of the wealth created by their labor, becoming desperate by their want of the necessaries of life and by

reason of the inequalities of law. They are the ready listeners to the anarchist and communist. In their zeal to right the wrongs under which they labor, they threaten to repeat in this country the scenes and horrors of the French revolution.

However much we may desire to shut our eyes to the dangers that threaten the stability of our Government, we can not fail to see that the time has come for the peace-loving men in all parties to realize the fact that steps must be taken to guide aright the ship of state and steer it clear of those dangerous rocks known as anarchy and communism. We must return to that just and fundamental principle which declares that all men shall be equal before the law; that exclusive privileges shall be given to none.

I believe in a poor government and a rich, happy, and prosperous people. I believe in protecting property and vested rights.

I commend the brain that by industry and management accumulates wealth.

I do not believe in a parental government, but would have every one free to pursue the calling of his choice. I do believe that great and grievous inequalities now exist. To my mind it is clear that one class are now not only burdened with expenses of government, but they are made to contribute a portion of their earnings to another class of our own citizens. Where all are supposed to be equal this state of things can not exist and peace be preserved.

We may fritter away our time here in talking and wrangling. What the people want is less talk and more results.

They demand a reduction of taxes. That the claim is just is admitted. They demand that such reduction shall be made on the necessaries, not luxuries, of life. This claim seems to be equally just. Yet in a spirit more or less selfish many of us are contending that special interests of some particular constituency shall be exempt. They demand that the burdens of taxation shall be made equal. Yet with a sectional and partisan feeling, sometimes amounting to bitterness, we are liable to disagree upon this plain fundamental and just claim of right.

Whatever may be the result or the manner in which we dispose of this bill, it ought to be clear that delay will in time make the reasonable relief therein provided for harsher and severer. Delay will not mellow, but it will intensify. The people are speaking, their determination can not be mistaken. The voice that comes almost unbroken is, "Reduce the taxes, lessen expenses of Government, and let the necessaries of life bear the benefit of such reduction." The man that fails to heed this warning has my sympathy, for such failure can only finally result in his political death.

I here pause to inquire of those who oppose this bill. Do the almost constant and increasing labor uprisings mean nothing? Have this class, generally obedient to the law, no just cause of complaint? Do combinations of laborers and farmers mean nothing? Have they become exacting and unjust in their demands? I think not, and further, that the increasing momentum of their power must arrest attention.

Why do many of our people favor the purchase by the Government of telegraph lines? The answer must be that this enterprise has grown to be such a huge monopoly that no other means is left to curb or limit its power. While I believe that such purchase would be undemocratic, yet if there is no other remedy left, and it should appear that such purchase would result in equalizing burdens and be of benefit to the people, I should favor it, even though it might be paternal and tend to enrich the Government at the expense of the people—and ought not be done so long as it could be avoided. Yet, if it has grown so powerful that it can break down all competition and can hold this great medium of intercourse as a monopoly, and the people are compelled to bow to its dictates, then if it can be reasonably shown that such condition now exists or may exist I should favor the purchase or building of telegraph lines by the Government.

I mention this because a protective tariff must go down with the monopolies it has created.

I fully and unequivocally indorse the President's message. It demonstrates the wisdom of the people in placing him in this high position.

I indorse the substantial features of this bill. Possibly, slight amendments might be advantageously made, but if I have any objections they are that it does not cut deep enough. I have confidence in the wisdom and patriotism of those who framed it, and it shall have my hearty support.

Having thus, in a general way, announced my position on this important measure, I will (as all other Representatives must) account to my people for its correctness.

Mr. VANCE. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. McMILLIN having taken the chair as Speaker *pro tempore*, Mr. STOCKDALE reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 9051) and had come to no resolution thereon.

Mr. LANE. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 10 o'clock and 55 minutes p. m.) the House adjourned.

PRIVATE BILLS INTRODUCED AND REFERRED.

Under the rule private bills of the following titles were introduced and referred as indicated below:

By Mr. BRUMM: A bill (H. R. 9918) for the relief of Mrs. Josephine D. Hellyer—to the Committee on Invalid Pensions.

By Mr. LAIRD: A bill (H. R. 9919) authorizing the President to appoint and retire John C. Frémont as a major-general in the United States Army—to the Committee on Military Affairs.

By Mr. SHIVELY: A bill (H. R. 9920) granting a pension to Daniel K. Harris—to the Committee on Invalid Pensions.

By Mr. J. D. TAYLOR: A bill (H. R. 9921) granting a pension to Stewart E. Henderson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

The following petitions and papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. T. M. BROWNE: Petition of 62 citizens of Delaware County, Indiana, for the establishment of a soldiers' home in Indiana—to the Committee on Military Affairs.

Also, petition of Mary E. Thornburg, of Farmland, Ind., for relief—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Petition of E. M. Carter and 50 others, citizens of Hesper, Iowa, for the passage of Senate bill reducing postage on seeds, bulbs, plants, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. GLOVER: Resolutions of the St. Louis Turnbezirk, relative to immigration laws—to the Committee on Foreign Affairs.

By Mr. S. I. HOPKINS: Petition of citizens of Prince George County, Virginia, in favor of pure food—to the Committee on Agriculture.

By Mr. HOUK: Petition of ex-Union soldiers of Tennessee, for the establishment of a soldiers' home at Knoxville, Tenn.—to the Committee on Military Affairs.

Also, evidence of H. C. Slover, and of ex-Union soldiers, and statement of W. M. Clark, in favor of B. L. Roarks—to the Committee on Invalid Pensions.

By Mr. KELLEY: Petition of Martha A. Megee, for a special act for her relief—to the Committee on Invalid Pensions.

By Mr. McCULLOGH: Petition of Fayette Council, No. 142; of Morning Star Council, No. 29; of Uniontown Council, No. 167; of West Newton Council, No. 60; of Redstone Council, No. 78; of Warden Council, No. 182; of Security Council, No. 168; of Scottdale Council, No. 102; of Provilla Council, No. 158; of Logan Council, No. 145; of Valley Council, No. 93, and of Mayer Council, No. 166, Junior Order United American Mechanics of Pennsylvania, praying that February 22 be made a national holiday—to the Committee on the Judiciary.

Also, petition of Trades Assembly of Western Pennsylvania, for the passage of the bill for the classification of clerks in first-class post-offices, etc.—to the Committee on the Post-Office and Post-Roads.

Also, remonstrance of Fountain Lodge, No. 77, and of James Swartman Lodge, No. 92, Amalgamated Association of Iron and Steel Workers of the United States, against legislation that would tend to cripple the industries of the country—to the Committee on Ways and Means.

Also, petition of W. D. Rogers and others, and of J. S. Berkley and others, citizens of Pennsylvania, for speedy action on the subject of protection to the wool-growing and woolen manufacturing industries of this country—to the Committee on Ways and Means.

Also, petition of Jesse Reed and others, authorities of Uniontown, Pa., in favor of a general appropriation for the erection of public buildings—to the Committee on Public Buildings and Grounds.

By Mr. MORGAN: Petition of citizens of Dixon County, of Perry County, and of Buena Vista, Miss., in favor of pure food—to the Committee on Agriculture.

By Mr. CHARLES O'NEILL: Papers in the claim of Henry Myers, of Philadelphia, Pa.—to the Committee on War Claims.

By Mr. RYAN: Petition of J. B. Williams and others, of Osage County, Kansas, for better protection of women and girls—to the Committee on the Judiciary.

By Mr. SHIVELY (by request): Petition of William H. Hessin & Co., of the Peru Bagging Company, and of the Muncie Bagging Manufacturing Company of Indiana, against the reduction of the tariff on burlaps and gunny cloth—to the Committee on Ways and Means.

By Mr. STAHLNECKER: Argument against "defining clause" in connection with uncleaned rice in the tariff bill—to the Committee on Ways and Means.

Also, memoranda on the subject of public inspection of food products—to the Committee on Agriculture.

By Mr. SYMES: Petition of Boulder County Medical Association, for the removal of the duty on books of surgery, instruments, etc.—to the Committee on Ways and Means.

Also, petition of citizens of Denver, Colo., for payment of Indian depredation claims of citizens of Colorado—to the Select Committee on Indian Depredation Claims.

By Mr. J. D. TAYLOR: Petition of H. B. Lacey and 14 others, of S. M. Boggs and 80 others, of W. A. Welsh and 47 others, of S. P. Dickerson and 15 others, of Robert N. Birney and 14 others, of R. B. Stewart and 19 others, of M. N. Giffen and 32 others, of J. A. Hanna and 8 others, of J. E. McPeek and 15 others, of W. E. Cunningham and 32 others, of F. O. Holliday and 90 others, of B. F. Sherrow and 30 others, of Owen Anderson and 35 others, of Mahlon Weight and 59 others, of Theodora Dickerson and 59 others, of J. W. Nixon and 35 others, of H. L. Birney and 26 others, of A. Beatty and 34 others, of J. M. Phillips and 3 others, of A. H. Shillts and 61 others, of Thomas McMillen and 115 others, of M. R. McNary and 11 others, of William Adams and 45 others, of James S. Coulten and 97 others, of Albert Moore and 36 others, of James Cooke and 15 others, of W. M. Tipten and 67 others, of W. E. Simpson and 28 others, of Lewis Bethland and 5 others, of N. B. Buckingham and 51 others, of J. C. Patterson and 22 others, of William Henderson and 20 others, of Edward Hagan and 6 others, of H. M. Thompson and 26 others, of R. D. Wilson and 20 others, of Samuel Osburn and 16 others, of R. M. Love and 33 others, of J. S. Black and 22 others, of D. B. Galbraith and 37 others, of John Barclay and 11 others, of Parker Hall and 22 others, of A. J. Rea and 8 others, and of Samuel Stephen and 144 others, citizens of Harrison County, Ohio, against any further reduction of the tariff on wool, and for the restoration of the tariff of 1867 as applicable to wool and woolens—to the Committee on Ways and Means.

By Mr. WHEELER: Petition of Mary E. Reed, and of Willis P. Gresham, of Limestone County, and of A. J. Moore, and of T. J. Haden, widow of H. H. Haden, of Madison County, Alabama, for reference of their claims to the Court of Claims—to the Committee on War Claims.

The following petitions for the repeal or modification of the internal-revenue tax of $25 levied on druggists were received and severally referred to the Committee on Ways and Means:

By Mr. JACKSON: Of druggists and physicians of Cannonsburgh, Pa.

By Mr. LIND: Of G. W. Franchere, of Lake Crystal, Minn.

By Mr. McCULLOGH: Of D. D. Matterson and others, druggists of Fayette County, and of R. A. Wilt and others, citizens of Pennsylvania.

By Mr. RYAN: Of A. H. Merrell, of Topeka, Kans.

By Mr. SHIVELY: Of J. A. Dallas, of Pierceton, Ind.

The following petitions for the proper protection of the Yellowstone National Park, as proposed in Senate bill 283, were received and severally referred to the Committee on the Public Lands:

By Mr. MACDONALD: Of citizens of Dakota County, Minnesota.

By Mr. SYMES: Of citizens of Gilman, Colo.

The following petitions for the more effectual protection of agriculture, by the means of certain import duties, were received and severally referred to the Committee on Ways and Means:

By Mr. GROSVENOR: Of M. B. Rich and 108 others, of Ohio.

By Mr. McCULLOGH: Of John B. Woodfield and others, farmers of Fayette County, Pennsylvania.

The following petitions, indorsing the per diem rated service-pension bill, based on the principle of paying all soldiers, sailors, and marines of the late war a monthly pension of 1 cent a day for each day they were in the service, were severally referred to the Committee on Invalid Pensions:

By Mr. CROUSE: Of C. R. Salsbury and 31 others, of Medina County, Ohio.

By Mr. GEST: Of citizens of Mercer County, Illinois.

By Mr. HEARD: Of citizens of the Sixth district of Missouri.

By Mr. McCULLOGH: Of Thomas Williams and others, and of William Gregory and others, ex-soldiers and sailors, of Fayette, Greene, and Washington Counties, Pennsylvania.

The following petitions, praying for the enactment of a law providing temporary aid for common schools, to be disbursed on the basis of illiteracy, were severally referred to the Committee on Education:

By Mr. GIFFORD: Of 296 citizens of Davison and Turner Counties, Dakota.

By Mr. McCULLOGH: Of 119 citizens of Greene and Fayette Counties, Pennsylvania.

The following petitions for an increase of compensation of fourth-class postmasters were severally referred to the Committee on the Post-Office and Post-Roads:

By Mr. McRAE: Of J. A. Rowland and 64 others, citizens of Lapill, Union County, Arkansas.

By Mr. MAISH: Of citizens of Flora Dale, Adams County, Pennsylvania.

By Mr. ROBERTSON: Of J. L. Odom and others, of Dennis Mills, La.

HOUSE OF REPRESENTATIVES.

FRIDAY, *May* 11, 1888.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

The Journal of yesterday's proceedings was read and approved.

VETO MESSAGE—GEORGIA A. STRICKLETT.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, on motion of Mr. HOLMAN, referred to the Committee on Invalid Pensions, and ordered to be printed:

To the House of Representatives:

I return without approval House bill No. 7715, entitled "An act for the relief of Georgia A. Stricklett."

By the terms of this bill a pension is allowed to the beneficiary above named, whose husband died on the 21st day of July, 1873. It appears from the records that he was mustered into the service to date from October 10, 1863, to serve for one year. It is alleged in the report of the committee of the House who reported this bill that he was wounded with buckshot in the face and head by bushwhackers when on recruiting service, on the 23d day of July, 1863.

If these dates are correct, he was wounded before he entered the service; but this fact is not made the basis of the disapproval of the widow's application for relief. There seems, however, to be no mention of any such injury during his term of service, though he is reported sick much of the time when present with his regiment, and is reported as once in hospital for a disease which, to say the least of it, can not be recognized as related to the service.

The soldier himself made no application for pension.

A physician testifies that he was present on the 21st day of July, 1873, when the soldier died; that he examined the body after death, and to the best of his knowledge such death was caused partially by epilepsy, and that the epilepsy was the result of "wounds about the face and head received during his service during the war."

Another physician testifies that the soldier applied to him for treatment in 1868, and that his disability was the development of confirmed epilepsy, and he expresses the opinion that this was due to a wound from a buckshot. This physician, while not giving epilepsy as the cause of death, says that "had he lived to die a natural death he certainly would have died an insane epileptic."

The report speaks of his death by "an accidental shot."

The truth appears to be that he was killed by a pistol-shot in an altercation with another man.

Unless it shall be assumed that the epilepsy was caused by the buckshot wound spoken of, and unless a pension should be allowed because, if the soldier had not been killed in an altercation, he might have soon died from such epilepsy, this bill is entirely devoid of merit.

Surely no one will seriously propose that a claim for pension should rest upon a conjecture as to what would have caused death if it had not occurred in an entirely different way.

The testimony of the physician who testified in this case that death was caused partially by epilepsy suggests the extreme recklessness which may characterize medical testimony in applications for pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, *May* 10, 1888.

PAY OF CERTAIN REVENUE OFFICERS.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting an estimate from the Commissioner of Internal Revenue of appropriations for compensation to officers assigned to duty at distilleries and rectifying-houses; which was referred to the Committee on Appropriations, and ordered to be printed.

LIFE-SAVING STATION, KEWAUNEE.

The SPEAKER also laid before the House the amendment of the Senate to the bill (H. R. 1923) providing for the establishment of a life-saving station at the harbor of Kewaunee, Wis.; which was referred to the Committee on Commerce.

SENATE BILLS REFERRED.

The SPEAKER also laid before the House bills of the Senate of the following titles; which were severally read twice, and referred as follows, namely:

The bill (S. 554) to amend Title LX, chapter 3, Revised Statutes—to the Committee on the Judiciary; and

The joint resolution (S. R. 62) in recognition of the services of Joseph Francis—to the Committee on the Library.

PUBLIC BUILDING, CHESTER, PA.

The SPEAKER also laid before the House the bill (S. 129) for the erection of a public building at Chester, Pa.

Mr. DARLINGTON. I ask unanimous consent for the present consideration of this bill. It has passed the Senate twice, and has received favorable recognition from the last Congress as well as this. It is very much needed.

The SPEAKER. The bill will be read subject to objection.

The bill was read at length.

Mr. McMILLIN. I think this had better take the regular course.

The bill was read twice, and referred to the Committee on Public Buildings and Grounds.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MOORE, indefinitely, on account of sickness.

To Mr. SCULL, for four days, on account of important business.

To Mr. GRANGER, for two weeks from next Monday, on account of important business.

To Mr. FRENCH, until the 17th of May, on account of important business.

To Mr. DARGAN, for ten days.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. HUDD to withdraw from the files of the House, without leaving certified copies, papers in the case of Jasper Hanson.

ERROR IN ENROLLMENT.

The SPEAKER. An error has been committed in the printing and enrollment of a bill which has passed both Houses and been sent to the President. The gentleman from New York [Mr. TIMOTHY J. CAMPBELL] asks to have the following resolution passed.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House the bill of the House No. 2699, for the relief of the heirs of the late Solomon Spitzer, for the purpose of correcting the same; and the Clerk of the House is hereby authorized and directed to insert in said bill the word "unexpected" instead of the word "unexpended," in accordance with the original bill.

The resolution was agreed to.

HOUR OF MEETING.

Mr. MILLS. I present a privileged report from the Committee on Rules.

The Clerk read the resolution, which had been referred to the Committee on Rules, as follows:

Resolved, That hereafter when the House adjourn it shall adjourn to meet at 11 o'clock on the next succeeding day, and after general debate has been closed on the bill entitled "An act to reduce taxation and simplify the laws in relation to the collection of the revenue" the session shall close each day at 5 o'clock p. m.

The report of the committee was read, as follows:

The Committee on Rules has had under consideration the resolution to change the hour for the regular meeting of the House from 12 o'clock m. to 11 o'clock a. m., and report the same to the House with the recommendation that it do pass.

It is only necessary to state in support of the resolution for the change that the large amount of business on the Calendars of the House makes it necessary to meet earlier than at present.

Mr. BUTTERWORTH. I wish to inquire of the gentleman from Texas whether the resolution provides that the House shall adjourn each day at 5 o'clock?

Mr. MILLS. The proposition is that hereafter the House shall meet at 11 o'clock, and after the general debate on the tariff bill is closed it shall adjourn at 5. It has been thought that six hours are enough for a business session.

Mr. HOLMAN. Has the question been considered as to the effect of this as to evening sessions?

Mr. MILLS. The House can change the order at any time. We did not take into consideration whether the House would meet in evening sessions or not. If the arrangement in practice is found to be impolitic, the House can change the order when it chooses.

Mr. DINGLEY. Will this interfere with the Friday evening sessions?

Mr. MILLS. Oh, no.

Mr. HOLMAN. The resolution has that effect, as a general proposition.

Mr. MILLS. Very well; let the resolution be amended so as not to interfere with Friday evening sessions.

Mr. HOLMAN. Or other orders.

The SPEAKER. If the resolution is adopted it will always be in order for the House before 5 o'clock to take a recess; but if no such action should be taken it would be the duty of the Chair when the hour of 5 o'clock arrived to declare the House adjourned. The Clerk will read the proposed amendment.

The Clerk read as follows:

Add to the resolution the following:

"This resolution not to interfere with the sessions provided for Friday evenings."

The amendment was agreed to, and the resolution as amended was adopted.

Mr. MILLS moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, informed the House that the Senate had passed the bill (S. 1430) to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 1473) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil.

AWARDS TO CITIZENS OF JEFFERSON COUNTY, KENTUCKY.

Mr. CARUTH. I ask unanimous consent to take from the Private Calendar for present consideration the bill (H. R. 328) for the allowance of certain awards made by a board of claims, to certain citizens of Jefferson County, Kentucky.

The SPEAKER. The bill will be read, after which the Chair will ask for objections.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and required to pay, out of any money in the Treasury not otherwise appropriated, to the several persons in this act named the several sums mentioned herein, the same being in full for, and the receipt of the same to be taken and accepted in each case as a full and final discharge of, the several claims examined and allowed by a board of claims organized under special order numbered 110, headquarters Fourteenth Army Corps, dated Louisville, Ky., July 14, 1865, namely:

To R. H. Crump, $300.
To Mathew Meddis, $150.
To J. B. Parks, $430.
To P. S. Longest, $400.
To John Duggan, $300.
To Mary Leissing, $810.
To Paul Disher, $60.
To Fred. Barringer, $634.
To L. and Martin Stich, $439.
To Thomas Stevens, $77.
To Isaac Everett, $[illegible].
To Christian Zann, $[illegible].
To Theodore Meinert, $192.
To Henry F. Cooper, $100.
To John G. Barret, $[illegible].
To Mrs. Emory Low, $100.
To William E. Glover, $511.50.
To Andrew Zehnder, $550.
To Dominl Zehnder, $280.
To Isaac L. Hyatt, assignee for the award made to W. B. Belknap, $1,000.
To Joel Zann, $150.

SEC. 2. That the Secretary of the Treasury shall cause the said awards to be audited, and shall pay the several sums to the person or persons to whom the same may be due as hereinbefore provided.

Mr. KERR. I ask for the reading of the report, subject to the right to object.

The report (by Mr. STOCKDALE) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 328) for the allowance of certain awards made by a board of claims to certain citizens of Jefferson County, Kentucky, report as follows:

It appears from the records and evidence obtained from the War Department that the facts relative to this case are as follows:

The following order was issued July 14, 1865, by General Jeff. C. Davis, commanding the Fourteenth Army Corps:

"Special Orders No. 110.

"HEADQUARTERS FOURTEENTH ARMY CORPS.
"*Louisville, Ky., July 14, 1865.*

"[Extract.]

"IV. A board of officers is hereby appointed to meet at the headquarters of Second Brigade, First Division, Fourteenth Army Corps, to-morrow, July 15, at 9 a. m., or as soon thereafter as practicable, to examine, determine, and assess the amount of damages and loss sustained by the owners of property upon or near which the Fourteenth Army Corps has been encamped during the last month. Detail for the board:

"Bvt. Brig. Gen. George P. Buel.
"Col. Thomas Shea, Twenty-second Indiana Veteran Volunteer Infantry.
"Maj. James S. Crall, Eighty-second Ohio Veteran Volunteer Infantry.
"Capt. Gideon W. Gifford, Fourteenth Michigan Veteran Volunteer Infantry.

"The board will sit without regard to hours, and, as far as practicable, they will notify the parties interested of their times and places of session. When necessary, division and brigade quartermasters will be called upon to state what troops or trains have caused the damage inflicted.

* * * * * * *

"By command of Bvt. Maj. Gen. Jeff. C. Davis.

"A. C. McCLUNG,
"*Assistant Adjutant-General and Chief of Staff.*"

The record of the proceedings of this board shows that the claimants presented itemized accounts, and that after being in session several days the awards were made as set forth in the bill.

The principle involved in this case is not a new one, but was considered in the Forty-sixth Congress, and reported from this committee by General Bragg, whose report (No. 1166, Forty-sixth Congress) uses this language:

"The committee do not regard the payment of these awards as a question submitted to their decision upon the original facts on which the awards are based. They have been determined and allowed by a military board, called under the apparent sanction of the Government, and whose action seems to have been approved not only by the major-general commanding, but by the War Department, and they have not been paid. The committee use the term 'seem to have been approved,' because the papers and record remaining in that Department show no disapproval, which may be said to be a negative pregnant, almost as strong as affirmative proof.

"This board was composed of officers in actual service, whose sympathies may not be suspected of leaning overmuch to the claimants. It held its sessions in the vicinage of the claimants, and its facilities for proof were better than any civil tribunal that has been constituted to hear such claims; and your committee think its findings are entitled to credit.

"It may be said, in addition, the Government afterward furnished tribunals to hear this class of claims. These claimants, presumably relying on the awards made by this board, have not prosecuted their claims elsewhere, and statutes of limitations have run against them. But the committee do not care to rest the allowance on an estoppel *in pais* or anything analogous to it. They prefer to stand upon the awards made, as an adjudication of a court created by authority of the Government to hear and adjudicate claims of individuals against it, and to hold such adjudications, not formally disapproved by the authority convening the court, as final."

Congress approved the views of the committee, and the awards were paid by act approved March 3, 1881. (Private, No. 82.)

Your committee, therefore, in view of the foregoing statement of facts, report back the bill and recommend its passage.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOLMAN. I do not wish to object to this bill, but I desire to call attention to the fact that these are the same class of claims as those under what is known as the 4th of July law. The tendency of the pas-

sage of such a bill as this will be to open up the adjudications under that law. They are barred claims. I do not object to that, however, because I can see that in many cases the statute of limitations should not apply. This may be one of those cases.

Mr. KERR. I desire to ask the gentleman from Kentucky if he can give any reason why these claims were not presented long ago.

Mr. CARUTH. I will state to the gentleman that this claim has been pending for a number of years, but has not been pressed. These gentlemen relied upon the award made by the board, and consequently did not present their claim to the Court of Claims.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. CARUTH moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PUBLIC BUILDING, YOUNGSTOWN, OHIO.

Mr. MCKINLEY. Mr. Speaker, I ask unanimous consent that the Committee of the Whole on the state of the Union be discharged from the further consideration of the bill (S. 347) to provide for the erection of a public building in the city of Youngstown, Ohio, and that the bill be now put upon its passage.

The SPEAKER. The bill will be read, after which the Chair will ask for objections.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to purchase or otherwise provide a suitable site, and cause to be erected thereon, at the city of Youngstown, in the State of Ohio, a substantial and commodious public building, with fire-proof vaults, for the use and accommodation of the post-office, internal-revenue office, pension office, and for other Government uses. The site, and the building thereon, when completed according to plans and specifications to be previously made and approved by the Secretary of the Treasury, shall not exceed the cost of $100,000, and the site purchased shall leave the building unexposed to danger from fire in adjacent buildings by an open space of at least 50 feet, including streets and alleys; and for the purposes herein mentioned the sum of $100,000 is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Treasury: *Provided*, That no part of said sum shall be expended until a valid title to the said site shall be vested in the United States, and the State of Ohio shall cede to the United States exclusive jurisdiction over the same, during the time the United States shall be or remain the owner thereof, for all purposes except the administration of the criminal laws of said State, and the service of any civil process therein.

The Committee on Public Buildings and Grounds recommended the following amendments, which were agreed to:

In line 2, after the word "purchase," insert the words "acquire by condemnation."

In line 10 strike out the words "one hundred" and insert "seventy-five."

In line 15 strike out the words "one hundred" and insert "seventy-five."

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. MCKINLEY moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RELIEF OF COUNTIES IN ARIZONA.

Mr. SMITH, of Arizona. Mr. Speaker, I ask unanimous consent to take from the Private Calendar and put upon its passage the bill (H. R. 9673) for the relief of the counties of the Territory of Arizona and to legalize the indebtedness thereof and provide for funding the same.

The bill was read, as follows:

Be it enacted, etc., That the indebtedness of each of the counties in the Territory of Arizona, incurred and contracted subsequent to the 30th day of July, 1886, and prior to the 1st day of January, 1888, is hereby legalized and declared a valid indebtedness.

SEC. 2. That each of said counties is hereby authorized to fund said indebtedness and issue bonds therefor under the provisions of law for funding county indebtedness as the same now exists in said Territory.

SEC. 3. That the proceeds of the sale of said bonds shall be applied to the payment of the indebtedness of said counties which accrued within the time hereinbefore stated, and if said proceeds are not so applied said bonds shall be void.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

Mr. HOLMAN. I think there ought to be some explanation of this bill.

Mr. WEAVER. Certainly there ought to be an explanation.

Mr. SMITH, of Arizona. The report explains the bill fully, but it is rather long.

Mr. HOLMAN. Then perhaps the gentleman will make a statement.

Mr. SMITH, of Arizona. The case is simply this. Under the operation of what is known as the "Harrison act," all debts of counties over and above 4 per cent. of the taxable property of the county as shown by the assessment list became absolutely void. At the time of the passage of the act all of the counties in Arizona except one—all of them, in fact—were indebted in amounts above 4 per cent. of the assessed valuation of their property; but the assessed valuation did not come near the actual value of the property. The result was that the boards of supervisors, being compelled under our law to pay the older warrants of indebtedness by the latest collection of taxes, it was found impossible in several of the counties to run the government at all except by paying out the taxes as they came in, and to do that was to violate the law. They therefore made payments from the latest collection of taxes, but in order to run the county governments they had to incur indebtedness in excess of the 4 per cent. limit, and this bill is required to legalize and validate the indebtedness thus incurred. It does not apply to any new indebtedness, but simply to the debts already existing.

Mr. WEAVER. Can the gentleman state the actual amount of this indebtedness?

Mr. SMITH, of Arizona. The actual amount of the indebtedness in the county of Pima, the county named in the title of the bill, is about $50,000. The county was already in debt over the 4 per cent. limit at the time of the passage of the "Harrison act."

The report (by Mr. MANSUR) is as follows:

The Committee on the Territories, to whom was referred the bill (H. R. 8166) for the relief of the counties of the Territory of Arizona and to legalize the indebtedness thereof and provide for funding the same, submit the following report:

The act of the Forty-ninth Congress, known as the "Harrison act," limiting the indebtedness of the counties of the various Territories to a sum not exceeding 4 per cent. of the assessable property as shown by the tax-list, seems to have resulted in hardship to various counties in Arizona, and threatens to overturn organized government in divers counties in that Territory.

At the time that the Harrison act took effect nearly if not all the counties in Arizona were in debt exceeding the 4 per cent., as shown by the tax list. It is very doubtful if new valid obligations in certain counties can, under that act, be created, and such counties were left entirely without resources to carry on the daily demands of political existence. Under such circumstances various counties were forced to issue their promises to pay, for current expenses, in the usual form of county warrants, bearing interest at 10 per cent. per annum. These necessary obligations are, under the Harrison act, of very doubtful validity. Suits are threatened to enjoin the payment of these just obligations. The existing condition of affairs has reduced said 10 per cent. warrants to less than 80 cents on the dollar, and such county promises to pay are daily growing less and less valuable, forcing the said counties to pay for any service largely in excess of current prices, and thus involving them still deeper in debt.

The passage of this substituted bill will enable said counties to fund their present indebtedness at a longer time with less interest, and by devoting the necessary sum received from taxes to the payment of current expenses the counties can be placed on a cash basis, and by means of their rapid development soon be able to discharge the whole of their bonded indebtedness.

A resolution adopted by the board of supervisors of the county of Pima, Territory of Arizona, shows the conditions existing in said county, and your committee is informed that the same troubles, yet in a less degree, exist in nearly all the ten counties of said Territory. Said resolutions are appended in printed form at the end of this report.

In view of these facts your committee recommend that the accompanying substituted bill do pass.

To the Senate and House of Representatives in Congress assembled:

Your memorialists, the board of supervisors of Pima County, Territory of Arizona, would most respectfully represent:

That on the 30th day of July, 1885, said Pima County's indebtedness was $250,000.

That the value of the taxable property, as ascertained by the last assessment prior to July 30, 1886, was the sum of $3,449,541.53.

That on said 30th day of July, 1886, the indebtedness of said Pima County, then existing, was greater by the sum of $112,018.34 than 4 per cent. of the value of the taxable property within said county.

That the indebtedness of said Pima County, necessarily incurred, for the purpose of maintaining said county government subsequent to the 30th day of July, 1886, is the sum of $50,000.

That said Pima County has funded its indebtedness existing prior to the 30th day of July, 1886, and has issued its bonds for the payment thereof.

That, owing to doubts that have arisen as to the legality of the indebtedness incurred by said county since the 30th day of July, 1886, it is not possible to fund said indebtedness and sell the bonds issued therefor at par; that the doubts existing as to the validity of said indebtedness have very much depreciated the credit of said county, and have reduced the selling price of the 10 per cent. warrants of said county to 80 cents on the dollar.

That the indebtedness of said county incurred prior to July 30, 1886, was largely for public improvements and buildings necessary for the use of said county.

That the small amount of taxable value ascertained by said assessment for 1886 was largely owing to the general depression of all business in said Territory of Arizona, brought about by the recent Indian troubles in this Territory.

That, if Congress will pass an act for the relief of said Pima County, legalizing said indebtedness incurred subsequent to July 30, 1886, to authorize said county to fund the same, said county will be able to sell its 7 per cent. bonds at par, to take up its floating indebtedness, now bearing 10 per cent. per annum interest, to administer its government on a strictly cash basis and at a great saving over the present cost, and to ultimately pay and discharge its present indebtedness without seriously burdening it citizens: Now, therefore,

Be it resolved by the board of supervisors of Pima County, Territory of Arizona, That the Congress of the United States of America is earnestly requested to pass at an early day a bill for the relief of the said county of Pima, legalizing the indebtedness of said county incurred and contracted subsequent to the 30th day of July, 1886, and authorizing said county to fund said indebtedness, and issue bonds therefor under the provisions of law for funding county indebtedness as the same now exists in said Territory of Arizona.

Be it further resolved, That a copy of this memorial be forwarded to our Delegate in Congress, and that he be requested to present the foregoing memorial to Congress, and do all in his power to accomplish the purposes of this memorial.

H. E. LACY, *Chairman*.
JNO. ANDERSON, *Member*.
F. L. PROCTOR, *Member*.

Attest:
[SEAL.]
M. S. SNYDER,
Clerk of the Board of Supervisors of Pima County, Arizona.

DECEMBER 3, 1887.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. MANSUR moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ROCK CREEK RAILWAY COMPANY.

On motion of Mr. HEMPHILL, by unanimous consent, the House non-concurred in the amendments of the Senate to the bill (H. R. 2017) to incorporate the Rock Creek Railway Company of the District of Colum-

bia, and agreed to a conference on the disagreeing votes of the two Houses.

ECKINGTON AND SOLDIERS' HOME RAILWAY COMPANY.

On motion of Mr. HEMPHILL, by unanimous consent, the House non-concurred in the amendments of the Senate to the bill (H. R. 6899) to incorporate the Eckington and Soldiers' Home Railway Company of the District of Columbia, and agreed to a conference on the disagreeing votes of the two Houses.

The SPEAKER. The Chair will appoint the House conferees during the day.

ORDER OF BUSINESS.

Mr. MILLS. I move that the morning hour for the presentation of reports be dispensed with.

The motion was agreed to.

Mr. MILLS. I now ask unanimous consent that gentlemen having reports to present may hand them in at the Clerk's desk for reference to the appropriate Calendars.

The SPEAKER. If there be no objection, that order will be made.

There was no objection, and it was ordered accordingly.

FILING OF REPORTS.

The following reports were filed by being handed in at the Clerk's desk:

PUBLIC BUILDING, TALLAHASSEE, FLA.

Mr. BANKHEAD, from the Committee on Public Buildings and Grounds, reported back favorably the bill (S. 1083) for the erection of a public building at Tallahassee, Fla.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. LAWLER, from the Committee on War Claims, reported back adversely the petition of Anne Lucas; which was laid on the table, and the accompanying report ordered to be printed.

ALBEMARLE AND CHESAPEAKE CANAL COMPANY.

Mr. LAWLER also, from the Committee on War Claims, reported back favorably the bill (H. R. 7799) for the relief of the Albemarle and Chesapeake Canal Company; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MARY E. REED.

Mr. LAWLER also, from the Committee on War Claims, reported back favorably the bill (H. R. 9802) to refer the claim against the United States of Mary E. Reed to the Court of Claims; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CAMP TYLER, COOK COUNTY, ILLINOIS.

Mr. LAWLER also, from the Committee on War Claims, reported back favorably the bill (H. R. 6207) for the relief of the owners and occupants of Camp Tyler, in Cook County, Illinois; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN M. EDDY AND OTHERS.

Mr. LAWLER also, from the Committee on War Claims, reported back with amendments the bill (H. R. 735) for the relief of John M. Eddy, Elizabeth K. Carroll, Alice B. Eddy, and Frank M. Eddy; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

STATUE OF ROBERT DALE OWEN.

Mr. STAHLNECKER, from the Committee on the Library, reported back with amendment joint resolution (H. Res. 134) for the erection of a statue of Robert Dale Owen on the grounds of the Smithsonian Institution; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

WILLIAM H. ROBERTSON AND EDWARD L. HEDDEN.

Mr. TIMOTHY J. CAMPBELL, from the Committee on Claims, reported back favorably the bill (S. 1198) for the relief of William H. Robertson and Edward L. Hedden, late collectors of customs for the district of the city of New York; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. GEAR, from the Committee on Military Affairs, reported back adversely the bill (H. R. 156) correcting the military record of William D. Clarke; which was laid on the table, and the accompanying report ordered to be printed.

CHANGE OF REFERENCE.

On motion of Mr. TOWNSHEND, from the Committee on Military Affairs, that committee was discharged from the further consideration of House Executive Document No. 267, a letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War of appropriation to pay for private property taken by the Government in the extension of the military reservation at Fort Thornburgh, Utah, and the same was referred to the Committee on Appropriations.

PUBLIC BUILDING, ATLANTIC CITY, N. J.

Mr. SOWDEN, from the Committee on Public Buildings and Grounds, reported back the bill (H. R. 1639) for the erection of a public building at Atlantic City, N. J.; which was laid on the table.

He also, from the same committee, reported back, in the nature of a substitute for the foregoing, a bill (H. R. 9931) for the erection of a public building at Atlantic City, N. J.; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

POST-OFFICE BUILDINGS.

Mr. ERMENTROUT, from the Committee on the Post-Office and Post-Roads, reported back with amendments the bill (H. R. 3319) to provide for post-office buildings; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the bill (H. R. 8464) for the relief of the Merchants' National Bank, of Poughkeepsie, N. Y.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 269) to grant to the Fort Smith and El Paso Railway Company a right of way through the Indian Territory, and for other purposes;

A bill (S. 449) for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me.;

A bill (S. 658) for the erection of a public building at the city of Beatrice, Nebr.;

A bill (S. 1322) providing for the erection of a public building at the city of Hastings, Nebr.;

A bill (S. 1507) providing for an additional associate justice of the supreme court of the Territory of Utah, and for other purposes;

A bill (S. 1725) for the relief of the legal representatives of Lewis W. Washington, deceased;

A bill (S. 1813) for the relief of Susan B. Hopkins, widow of Arvah Hopkins, late of Tallahassee, Fla., deceased;

A bill (S. 1929) to authorize the purchase of five manuscript volumes (being letter-books) of William Vans Murray, formerly minister at The Hague and at Paris;

A bill (S. 2024) to authorize the construction of a bridge over the Mississippi River at or near Clarksville, Mo., and for other purposes;

A bill (S. 2536) granting to the Oregon Railway and Navigation Company the right of way through the Nez Percé Indian reservation; and

A bill (S. 2542) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada.

P. H. BRIDGEWATER.

The SPEAKER. The gentleman from Kentucky [Mr. STONE] asks unanimous consent that House bill No. 3708 for the relief of P. H. Bridgewater, reported from the Committee on War Claims, be recommitted to that committee. If there be no objection that order will be made.

There being no objection, it was ordered accordingly.

TARIFF.

Mr. MILLS. I now move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of bills raising revenue.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SPRINGER in the chair, and resumed the consideration of the bill (H. R. 9051) to reduce taxation and to simplify the laws in relation to the collection of the revenue.

Mr. SCOTT. Mr. Chairman, the bill before the House opens the whole field of tariff discussion, and it is a vast one. Principles settled by the experience of mankind and accepted elsewhere as axioms of science appear to be considered open questions here. So rapid and tremendous are the changes in all the conditions of business, arising from the successive occupations of fresh soils and the unheard-of development of new industries, together with the enormous increase of population, that before accepted principles can be applied to a given situation the situation itself has changed; and your demagogue, with his mouth full of catch-words, insists that your science, though it be ever so true a science, can furnish no solution of a problem or an aggregation of problems which never arose before. I, sir, do not agree with the demagogue.

I hold with the statesmen, that political economy is a science; that the true principles of taxation are as definitely ascertained as are any truths not susceptible of mathematical demonstration, and that their application in any country or to any condition will produce approxi-

mately the same results. Shall the United States, with their mighty bound of nature and giant industries, shrink from the struggle for possession of the world's markets? Shall we, the teeming Republic of the great West, 60,000,000 strong, with inventive genius keener, with labor more skilled, than any other people on the globe, decline to compete for supremacy in the marts of mankind, and continue forever to trade among ourselves, under the insane delusion that we are growing rich by the process?

Our friends, the enemy, say, "Yes; let us build a Chinese wall around this young and vigorous people, whose eager enterprise already chafes under the bounds of nature, and if we can not make it wholly impervious let us make it as nearly so as we can. Let us, if we can not go clear back to the barbarism of China a thousand years ago, go back at least to the feudal ages, when traffic in almost every important commodity was a monopoly farmed out by the sovereign, and industry and commerce were alternately restricted and plundered under the 'tariff' regulations of rulers extremely solicitous for the interests of the labor which thus furnished the pillage."

Mr. Chairman, they are Bourbons, Bourbons all, and of the densest kind. Their faces are turned backward, not forward; they are looking through the dismal shades of the dead past, not through the glowing day of the living present. Instead of removing the barbarous artificial restraints imposed upon the natural energies of the mass of men by ignorance, rapacity, and tyranny for the benefit of the few, they deliberately propose to reimpose them, to re-enchain commerce, to reshackle labor, and to confine the industries of sixty millions of natural traders by a system, considering the time and the conditions, far more absurd than the Chinese wall.

I have said that his bill and the subject of tariff taxation which it necessarily brings before the House are a vast theme. A very small part of it only can be fairly discussed within the compass of an ordinary speech, and I have therefore deemed it proper to select for examination in detail several of the most important articles upon which existing duties are changed by the committee's bill, using these as illustrative of the whole. But I wish here, Mr. Chairman, to say in the most decisive language I can command, that every alteration of duty effected by this bill has been matured by the majority of the committee with the same equal, conscientious, deliberate, and painstaking care. Nothing has been done in haste; nothing without the most exacting scrutiny. I have personally attended every one of the meetings devoted to the consideration of the bill, with perhaps five exceptions, and every line and word has had from me the most minute attention I was able to bestow. The same, I am sure, can be said of every other member of the majority of the committee. The bill is framed in the interest of the people—of the whole people. We intended in the first instance to stay the mounting surplus in the Treasury, threatening overwhelming and possibly immediate disaster, even now vividly impending; and, second, to relieve, as far as prudence would permit at this time, the overburdened industries of the country from excessive taxation, the proceeds of which do not pass into the Treasury, but go directly to the support of grasping monopolies which are, for the most part, combined in utterly indefensible and atrociously oppressive trusts. If the bill does not measurably accomplish these purposes, it is because the majority of the Ways and Means Committee is incompetent to frame such a law, and of that the country will be the judge.

And this Bourbon, sir—I use the word in no offensive sense, but merely to designate the man who dwells in the political barbarisms of the past and vainly resists the enlightened progress of the present—has a theory all his own, almost as liberal as that of the Chinaman in the time of Confucius, and quite as liberal as that of the potentates of Northern Africa, who blackmailed commerce and called it "tariff." He says that no matter what this alleged science of political economy may teach, no matter what may be the experience of the rest of mankind, and especially of that obnoxious little island which manages to dominate the trade of the world, everything must necessarily be different here. Though freedom of exchange may produce the most satisfactory results elsewhere, restriction is absolutely essential here. Though elsewhere men thrive by buying cheap and selling dear, it is the reverse here. But his most remarkable assumption is that the true way to advance the interests of the industrial classes is to tax their earnings, not into the public Treasury, but into the private pockets of a favored few, monopolizing American markets under a protective tariff, and regulating both production and price, by that last, most effective, and most terrible expedient in restraint of trade, the irrepressible trust. Now, I agree with my semi-civilized friend, the Bourbon, that our situation is radically different from that of any other people on earth. But the difference does not consist in any exemption from the laws of nature, of trade, or of finance, but in the character of our free institutions, by the genius and theory of which the people are left at liberty each man to pursue his own happiness; that is to say, whatever may be the object of his endeavor, in his own way, and without hindrance by an intermeddling paternal government except where regulation may be imperatively necessary for the safety of the whole. The illustrious Gallatin, for over fifty years a citizen of my own State, the most enlightened financier who has appeared in all American history, third in the great Republican triumvirate—Jefferson, Madison, and Gallatin—Secretary of the Treasury eight years under Jefferson and four years under Madison, in that famous memorial of 1832, containing the ripened fruits of his vast experience and profound reflection, said of the alleged protective system in general:

> Let it be recollected that the system is in itself an infraction of an essential part of the liberty of the citizen. The necessity must be urgent and palpable which authorizes any government to interfere in the private pursuits of individuals, to forbid them to do that which in itself is not criminal, and which every one would most certainly do if not forbidden. Every individual, in every community, without exception, will purchase whatever he may want on the cheapest terms within his reach. The most enthusiastic restrictionist, the manufacturer most clamorous for special protection, will each individually pursue the same course and prefer any foreign commodity or material to that of domestic origin if the first is cheaper and the law does not forbid him. All men ever have acted, and continue, under any system, to act on the same principle. It is impossible that they should universally act in that manner, unless it was evidently their interest so to do. The tariff system is founded upon the principle that what is true of all men individually is untrue when applied to them collectively. We can not consider the adherence of enlightened nations to regulations of that description but as the last relic of that system of general restrictions and monopolies which had its origin in barbarous times. If the corn laws are the most odious of those protecting monopolies, it is because they enhance the price of that which is still more essentially necessary than sugar, salt, clothing, or fuel; and we may safely predict that their repeal will be the first result of an improved representation of the people.

We sit here under a written Constitution, exercising only those powers which are expressly granted, and nowhere in that instrument do we find the power to tax for any but a public purpose, and even a tax for a public purpose must be uniform in operation.

I quote the Constitution, as follows:

> SEC. 8. The Congress shall have power: 1. To lay and collect taxes, duties, imposts, and excises to pay the debts and provide for the common defence and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.

I hold:

First. That we have no power to lay a tax which, by excluding the article taxed, defeats the object of taxation, namely, revenue for the economical support of Government.

Second. That we have no power to lay a tax which carries nothing to the Treasury, but which draws money from one man's pockets to put it in the pockets of another. A tax with this avowed object is as manifestly unconstitutional as would be a law taking the life of one man because his existence was inconvenient to another man.

Third. That we have no power out of moneys actually collected and in the Treasury to grant largesses, or to make gifts to any man or class of men, and still less can we by the use of the taxing power constitutionally transfer the earnings of the many to the few.

These are cardinal principles of the Democratic party. When Alexander Hamilton, in the administration of Washington, to build up a business aristocracy as an important part of his projected government of corruption and splendor, declared that Congress might indirectly subsidize manufacturing industries at the expense of all others, Mr. Jefferson answered that such a proposition involved the subversion of our whole republican system; that it presented squarely the question whether we were "to live under a limited or an unlimited government;" whether we were to have a fixed constitution or no constitution; whether the people were to be freemen, left to the free enjoyment of their individual earnings, or to be the slaves of rapacious monopolies, corrupting the legislature and combining to create and to support administrations in the interest of the favored few as against the plundered mass. That question was determined in 1800 by the American people in favor of Jefferson and the Constitution. It has never since been determined otherwise when nakedly presented; and, sir, it never will and never can be otherwise determined until we are prepared to abandon our free institutions forever.

A CURIOUS AND DANGEROUS BILL.

Mr. Chairman, in our efforts to meet the situation which confronts us to-day, a dangerous surplus and a necessary reduction of revenue, I will not attempt to discuss whether we should make whisky and beer free as against the proposition to reduce the cost of the necessaries of life. A bill has been introduced by a member of this House, and referred to the committee, which provides a large reduction of internal taxes, and deals very curiously indeed with customs duties. At the time of its introduction the Republican press, though opposed to tariff reform, was loud in praise of it as a bill on which all could unite, not only gentlemen on the other side of the House, but gentlemen on this side also, who were supposed to differ with the majority. I can not believe these anticipations will be realized when this bill is understood, or that any Democrat on this floor could be brought to favor any of its provisions.

It is fair to presume that those who have inconsiderately approved this remarkable bill did not understand its provisions. Covering one hundred and twenty-seven pages, it is too voluminous to be analyzed without great labor. It is impossible in one short view to present a statement of its whole effect or the system on which it was constructed. But taking the iron and steel schedule as a fair index of the genius of the proposed bill, and the one with which the member introducing it is supposed to be most familiar, one which he would naturally desire to conform most nearly to the demands of his immediate constituents or advisers, and passing judgment on the whole from this, it is safe to say it is not in line with revenue reform; not in the interest of the consumer, nor the middleman, nor the manufacturer: in truth and in fact it increases the burdens on every avocation, every industry, the iron-